

Grey County Planning Active Local Planning Appeals Tribunal (LPAT) File List – November 2, 2018

Municipality	File Number / Name	File Type	Status / Links to Documents	Consultants / Groups Involved	Appellants / Participants	County Involvement or Party Status *	County Staff Involved
Township of Chatsworth	42-04-36-OPA-123 Bumstead Pit	Official Plan Amendment	<p>The Applicant has submitted an appeal based on the County not making a decision within 180 days of receiving the County Official Plan Amendment application. A similar appeal has also been filed with the Township of Chatsworth for the Zoning By-law Amendment. The Ministry of Natural Resources and Forestry’s License application has also been referred to the Ontario Municipal Board. A link to the appeal letter has been provided below:</p> <p><a href="#">Bumstead Appeal Letter</a></p> <p>Based on the direction from Report PDR-CW-01-18, a letter was sent to the Board and all people on our mailing list advising them of the County’s position.</p> <p>A prehearing conference for this appeal was held on September 4, 2018 in Chatsworth. A pre-hearing decision has been issued. The full hearing has been scheduled for August 2019.</p>	Cuesta Planning Consultants	Pearl and Brian Bumstead are the applicants and the appellants. Further parties and participants would be determined at a pre-hearing.	As per Report PDR-CW-01-18 the County will not be involved in the OMB proceedings for this file.	Scott
Township of Georgian Bluffs	Georgian Bluffs Comprehensive Zoning By-law – 2018-084	Zoning By-law	The County has appealed the Township of Georgian Bluffs Zoning By-law based on the minimum lot area within the Agricultural (AG) Zone not conforming the minimum lot size in the County Official Plan. The plan is for the Township and the County to resolve this using the new alternative dispute resolution provisions of the Planning Act in order to avoid an LPAT hearing which will save time and money.	MHBC	County of Grey  Grey Sauble Conservation Authority has also appealed based on hazard land mapping discrepancies.	The County would be a party to this matter based on the County being an appellant; however the hope is to resolve this matter without the need for an LPAT hearing.	Stephanie
Municipality of Grey Highlands	Municipality of Grey Highlands Official Plan	New Official Plan	The County has received two appeals on the Municipality of Grey Highlands Official Plan. Links to the two appeal letters have been provided below. County staff will work with Grey Highlands staff to determine exactly which sections are under appeal and therefore which sections of the Plan are in force	Cuesta Planning Consultants	Cuesta Planning Consultants and Michael Hawkins	As per Addendum to Report PDR-CW-40-17 the County will be involved in the OMB proceedings for this	Scott

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			<p>and effect. County staff will work with Grey Highlands to see if any issues under appeal can be resolved.</p> <p><a href="#">Hawkins Appeal Letter</a></p> <p><a href="#">Cuesta Appeal Letter</a></p> <p>A prehearing for this file was held on September 5, 2018. Minutes of settlement on the Cuesta appeal were accepted by the Tribunal. A hearing date for the Hawkins appeal has been scheduled for March 20, 2019.</p>			matter.	
Town of The Blue Mountains	42T-2012-01 – Eden Oak/Trailhead	Plan of Subdivision	The Applicant has submitted an appeal based on the County not making a decision within 180 days of receiving the Plan of Subdivision application. The Applicant has also appealed the non-decision from the Town regarding the zoning by-law amendment and the local official plan amendment. The Applicant, the Town, the County and the other parties reached a settlement and presented that to the Board on April 3, 2017. A Board decision was issued on September 6, 2017, conditionally approving the development, subject to a bonusing agreement between the Town and the Developer.	DC Slade Consulting	Eden Oak Trailhead Inc.	Based on the OMB Attendance guidelines, the County would be a Party at any future hearings.	Randy
Town of The Blue Mountains	2016 Town of The Blue Mountains Official Plan	New Official Plan	The Town of The Blue Mountains Official Plan was approved by the County on June 21, 2016. The Plan was subsequently appealed by six parties. Addendum to Report PDR-PCD-22-16 Blue Mountains Official Plan was presented at the August 11, 2016 Planning and Community Development Committee meeting as a summary of the appeals and to determine the County's future role in the appeals. A letter has been issued by Town staff noting that the majority of the Official Plan is in force and effect, with only certain sections remaining under appeal. Town/County staff will work with the appellants to	N/A	<ol style="list-style-type: none"> <li>1. Ivi Xhelili</li> <li>2. Tomson Xhelili</li> <li>3. Elisabeth Ecker Vanderploeg</li> <li>4. Dinaz Dadyburjor</li> <li>5. Gerard Borean, Parente Borean LLP, on behalf of Eden Oak (Trailhead) Inc.</li> <li>6. Quinto M. Annibale, Loopstra</li> </ol>	As per Addendum to Report PDR-PCD-22-16 the County will be a party to the proceedings.	Scott

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			<p>explore any potential settlement opportunities.</p> <p>A pre-hearing with the OMB was held on March 21, 2017. Signed minutes of settlement that resolve the Ivi Xhelili, Tomson Xhelili, Elisabeth Ecker Vanderploeg and Dinaz Dadyburjor appeals were accepted by the Board at the pre-hearing. A four day hearing for the other two appeals (Eden Oak and MacPherson Builders) was scheduled for September 12 – 15<sup>th</sup> 2017, but has now been adjourned to see if the parties can work out any remaining issues. A meeting was held in January 2018 with MacPherson Builders to discuss the issues. The Eden Oak appeal should be resolved by the conditional Board order dated September 6, 2017, subject to a bonusing agreement between the Town and the Developer.</p>		Nixon LLP, on behalf of MacPherson Builders (Blue Mountains) Limited		
Town of The Blue Mountains	42T-2015-03 – Home Farm	Plan of Subdivision	<p>The Applicant has submitted an appeal based on the County not making a decision within 180 days of receiving the Plan of Subdivision application. The Applicant has also appealed the non-decision from the Town regarding the zoning by-law amendment and the local official plan amendment.</p> <p><a href="#">Home Farm Appeal Letter</a></p> <p>A pre-hearing conference has been scheduled for January 23, 2019.</p>	Wellings Planning Consultants Inc.	Home Farm – MacPherson Builders	Based on the OMB Attendance guidelines, the County would be a Party at any future hearings.	Scott
Town of The Blue Mountains	42-42-000-OPA-135 Gibraltar Pit	County Official Plan Amendment	<p>County Council approved County Official Plan Amendment 135 on March 22, 2018. The last date of appeal was April 18, 2018. Two appeals have been filed on this application by the Town of The Blue Mountains and the Friends of the Pretty River Valley. Copies of their appeal letters have been included below. The Town applications have also been appealed to LPAT.</p> <p><a href="#">Town of The Blue Mountains Appeal Letter</a></p>	MHBC Planning	Town of The Blue Mountains Friends of the Pretty River Valley	Based on the OMB Attendance guidelines, the County would not be a party or participant at the hearing.	Scott

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			<a href="#">Friends of the Pretty River Valley Appeal Letter</a>  A case-management conference has been scheduled for November 20, 2018.				
Town of The Blue Mountains	4T-2016-10 Parkbridge Subdivision – Craigleith	Plan of Subdivision	County Committee of the Whole draft approved 42T-2016-10 – Parkbridge Subdivision on September 13, 2018. One appeal has been filed on this application. County staff are currently in the process of preparing the appeal package to be sent to LPAT. Once received by the LPAT, they will determine if it is a valid appeal and once validated future hearing dates will be scheduled. The Zoning By-law Amendment that was passed by the Town of The Blue Mountains has also been appealed by the same Appellant.	Andrew Pascuzzo, Pascuzzo Planning Inc.	Pamela Spence	Based on the OMB Attendance guidelines, the County would not be a party or participant at the hearing.	Randy
Township of Southgate	42-07-060-OPA-16 Peyton Pit	Local Official Plan Amendment	The Peyton Pit LOPA was approved by the County on July 10, 2017. It was appealed by two separate parties that are neighbours to the pit.  A pre-hearing is scheduled on November 16, 2018.	Stovel and Associates (Rob Stovel)	1. Jo-Anne Chisholm 2. Douglas Karrow	Based on the OMB Attendance guidelines, the County would not be a party or participant at the hearing.	Sarah
Municipality of West Grey	42-05-280-OPA-137 Spaleta	County Official Plan Amendment	The Spaleta OPA was refused by the County on January 11, 2018. An associated zoning amendment was also refused by the Municipality of West Grey. This zoning amendment has also been appealed to the OMB. A two day LPAT hearing occurred on September 25 – 26, 2018. Written closing arguments are being prepared by the parties. Decision from LPAT will follow.  <a href="#">Cuesta Appeal Letter on Spaleta</a>	Cuesta Planning Consultants	Cuesta Planning Consultants	Based on the OMB Attendance guidelines, the County will be a party at the hearing since the County refused the OPA application.	Scott

\*County involvement and party status will generally be in accordance with the guidelines established in Report PDR-PCD-08-13 – see link below:

[PDR-PCD-08-13 Ontario Municipal Board Attendance](#)