

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: October 18, 2021

CASE NO(S): PL190354

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Queen's Court Developments Ltd.
Subject: Proposed Official Plan Amendment No. PT OP-1801
Municipality: Town of Penetanguishene
OLT Case No.: PL190354
OLT File No.: PL190354
OLT Case Name: Queens Court Developments Limited v. Penetanguishene (Town)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Queens Court Developments Limited
Subject: Proposed Plan of Subdivision
Property Address/Description: Part of Lots 104 to 113 et. al.
Municipality: Town of Penetanguishene
Municipal File No.: PEN-SUB-2013-01
OLT Case No.: PL180487
OLT File No.: PL180488

Heard: October 13, 2021 via Video Hearing

APPEARANCES:

Parties

Counsel

Queen's Court Developments Limited

Sharmini Mahadevan

Town of Penetanguishene

Alexandra Whyte, (Quinto Annibale, and Brendan Ruddick, in *absentia*)

County of Simcoe

Marshall Green

**MEMORANDUM OF ORAL DECISION DELIVERED BY SHARYN VINCENT ON
OCTOBER 13, 2021 AND ORDER OF THE TRIBUNAL**

[1] This Case Management Conference (“CMC”) was requested by the Parties on consent to request that the matters of the outstanding, scoped appeal to the new Official Plan for the Town of Penetanguishene (“Town”) (PL190354) and the appeal by Queen’s Court Developments Limited of the refusal by the Town to approve a draft plan of subdivision for lands known municipally as 221 Fox Street (PL180488) be heard together.

[2] Queen’s Court Developments Limited is currently in discussions with the Town to prepare a revised application to amend the zoning by-law, anticipating to have a private appeal of that application heard together with the above two appeals currently before the Tribunal. The Parties are therefore requesting a follow-up CMC to finalize a Procedural Order (“PO”) for PL190354 and PL180488, and the scheduling of dates for the hearing of the merits, which would allow an appeal of the site specific rezoning, should it be necessary and filed with the Tribunal, to be heard at the same time.

[3] In order to maintain progress on the disposition of the appeals, the Tribunal agreed with the request to hear the matters, currently before the Tribunal, together and scheduled the following dates: a one-day CMC hearing to be heard by video is set for **Friday, January 21, 2022 at 10 a.m.** in order to finalize the PO and apprise the Tribunal of the status of any related private zoning appeal.

Friday, January 21, 2022 at 10 a.m. (one-day hearing)

GoTo Meeting: <https://global.gotomeeting.com/join/944952517>

Access code: 944-952-517

Audio-only telephone line: +1 (647) 497-9391 or (Toll-Free) 1 (888) 455-1389

Audio-only access code: 944-952-517

[4] Please see paragraphs [6] to [9] for general hearing detail instructions.

[5] A 10-day hearing to be heard by video, commencing **Tuesday, October 11, 2022**, exclusive of Monday, October 17, 2022, thereby concluding **Tuesday, October 25, 2022**, was scheduled.

**Tuesday, October 11, 2022 at 10 a.m. (10-day hearing)
(excluding Monday, October 17, 2022)**

GoTo Meeting: <https://global.gotomeeting.com/join/718988005>

Access code: 718-988-005

Audio-only telephone line: +1 (647) 497-9391 or (Toll-Free) 1 (888) 455-1389

Audio-only access code: 718-988-005

[6] Statutory Parties and anyone seeking Party or Participant status are asked to log into the video hearing at least **15 minutes** before the start of the event to test their video and audio connections.

[7] Parties and Participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](#) or a web application is available:

<https://app.gotomeeting.com/home.html>

[8] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line with the access code provided.

[9] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the CMC hearing by video to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing events may be directed to the Tribunal's Case Coordinator having carriage of this case.

ORDER

[10] Cases PL190354 and PL180488 will be heard together.

[11] A second Case Management Conference is scheduled for **Friday, January 21, 2022** as set out in the body of this Decision.

[12] A 10-day hearing commencing **Tuesday, October 11, 2022** has been set on the Tribunal's calendar.

[13] No further notice is required unless a private appeal of an application to rezone is to be considered together with the two matters currently before the Tribunal.

[14] The Member is not seized.

"Sharyn Vincent"

SHARYN VINCENT
VICE-CHAIR

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.