Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: April 25, 2025 **CASE NO(S).:** OLT-25-000019

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

Appellant:	Lilacpark Inc.
Appellant:	Gino Iacoucci
Appellant:	Frank Renz
Subject:	Proposed Official Plan Amendment
Description:	To permit a new Official Plan for the Township of Clearview
Reference Number:	CV-OP-2401
Property Address:	7391, 7395, 7399, 7403, 7407 & 7411 County Road 91 & 1018 County Road 42, 207 & 209 Quebec Street, etc.
Municipality/UT:	Clearview/Simcoe
OLT Case No.:	OLT-25-000019
OLT Lead Case No.:	OLT-25-000019
OLT Case Name:	Lilacpark Inc. v. Simcoe (County)

Heard: March 21, 2025 by Video Hearing

APPEARANCES:

Parties	**Counsel/Representative***
Township of Clearview	Harold Elston
County of Simcoe	Alex Freeman-Carter* (Student-at-Law) Zarah Walpole (*in absentia*)

Lilacpark Inc.	John Alati Grace O'Brien (*in absentia*)
Gino Iacoucci	Konstantine Stavrakos
Frank Renz	Konstantine Stavrakos

MEMORANDUM OF ORAL DECISION DELIVERED BY BITA M. RAJAEE ON MARCH 21, 2025 AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] This event was the first Case Management Conference ("CMC") before the Tribunal with respect to appeals under section 17(36) of the *Planning Act* by three appellants: Frank Renz, Gino Iacoucci, and Lilacpark Inc. with respect to the new Official Plan for the Township of Clearview ("Township"), which was passed by the Township on May 27, 2024 and approved by the County of Simcoe ("County") on November 26, 2024.

[2] At the CMC, the Tribunal canvassed Counsel, who confirmed that there were no issues with the service of the Notice of CMC. The Tribunal is in receipt of the Affidavit of Service affirmed by Samantha Trottola on February 12, 2025, which was marked as **Exhibit 1** and confirms that Notice was adequately served. As such, no further notice is required.

STATUS REQUESTS

[3] The Tribunal did not receive any requests for Party or Participant status.

PROCEDURAL ORDER

[4] The Parties did not produce a draft Procedural Order and Issues List ("PO") prior to the CMC. The Town's Counsel advised that the three appeals are very site-specific

and can be dealt with separately from each other. Moreover, each Appellant has related matters to this one, which may come before the Tribunal and can be potentially consolidated with this subject appeal. However, it was premature at this stage to consider this due to the status of the related matters. As such, it was requested that a second CMC be scheduled to allow the related matters to proceed and some matters to be clarified. The County's representative agreed with this position.

[5] The Appellants advised as follows:

a. *Frank Renz*: Counsel explained that there is a Zoning By-law Amendment ("ZBA") appeal currently before the Tribunal, OLT-22-004062, that is entwined with this matter and has an upcoming CMC on April 15, 2025. The plan is to potentially consolidate the two matters and have a joint CMC with this one.

b. *Gino Iacoucci*: Counsel explained that there is an approved draft plan before the Township at present that may be affected by this subject appeal. The approved OP, that is the subject of this appeal, approved something that is different from the approved draft plan. The Appellant and the Township are in discussions, as this may be a mapping error.

c. *Lilacpark Inc.*: Counsel advised that there are Official Plan Amendments ("OPA") and ZBA applications before the Township that were deemed complete on February 21, 2025. No decision has been made, and if no decision is ultimately made, the Appellant may appeal this. Simultaneously, the Township's decision on the applications may render this subject appeal moot.

[6] All Parties agreed that by the fall of 2025 they would have a clearer idea of how this appeal and the related matters fit together. The Tribunal agreed with providing the Parties with some time and scheduling a second CMC for the fall of 2025. Details of the

second CMC are provided below. If the Parties wish to consolidate any site-specific appeals with issues arising in this matter, they are directed to request that the Tribunal schedule a CMC for those site-specific matters to take place at the same time as the second CMC for the subject file. At that CMC, any consolidations or hearing together of appeals can be addressed.

[7] The Parties were directed to provide a draft PO, including an IL, or a status update to the Tribunal by **Friday, October 10, 2025**. The Township's Counsel undertook to submit them to the Case Coordinator by that date.

MEDIATION AND SETTLEMENT

[8] As explained above, due to the nature of this appeal in relation to related matters, the Parties are in discussions with each other. The Parties are directed to advise the Tribunal in writing should they reach a Settlement with respect to some or all of the issues, and should they wish to pursue Tribunal-assisted mediation, they may make a written request to the Tribunal through the Case Coordinator for those services.

SECOND CMC

[9] As discussed above, a second CMC has been scheduled to take place by video conference on **Friday, October 17, 2025** at **10 a.m**.

[10] The Parties and/or Participants are asked to log in to the event at least **15 minutes** before it begins to test their video and audio connections:

GoToMeeting: https://global.gotomeeting.com/join/979388733
Access Code: 979-388-733

[11] The Parties and/or 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 **GoTo Meeting** or a web application is available: https://app.gotomeeting.com/home.html

[12] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **(Toll-Free) 1-888-299-1889 or +1 (647) 497-9373. The Access Code is as indicated above.**

[13] 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 event to ensure that they are properly connected at the correct time. Questions prior to the event may be directed to the Tribunal's Case Coordinator.

ORDER

[14] **THE TRIBUNAL ORDERS** as follows:

a. A second Case Management Conference is scheduled as described above in this Decision.

b. The Procedural Order or a status update is to be provided to the Tribunal's Case Coordinator by **Friday, October 10, 2025**.

[15] There will be no further notice.

[16] This Member is not seized but may be contacted through the Case Coordinator should procedural issues arise.

"*Bita M. Rajaee*"

BITA M. RAJAEE
MEMBER