

Ontario Land Tribunals

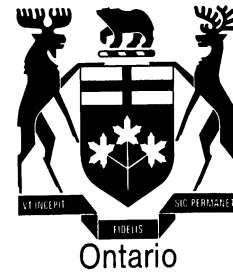
Local Planning Appeal Tribunal

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Tribunaux de l'aménagement du territoire Ontario

Tribunal d'appel de l'aménagement local

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March 1, 2021

Via Email: pdemelo@ksllp.ca

Paul DeMelo
Kagan Shastri LLP
188 Avenue Road
Toronto, ON M5R 2J1

Subject: Case Number: PL200619
File Number: PL200619
Related File Number(s): PL200620, PL200621
Municipality: Port Hope
Official Plan Number: OP01-2019
Property Location: Various Locations
Applicant/Appellant(s): 2107401 Ontario Inc. Et Al

Re: Notice of Direction – Case Management Conference

It is your responsibility to circulate notice in accordance with the following notice directions:

The Tribunal directs that you give notice in accordance with the directions contained in the attached memorandum. Please note that the notice is to be given at least **30 days**** prior to the date of the case management conference.

The Tribunal will require an affidavit or declaration, duly sworn, to be filed **within 14 days** after notice is given, proving that notice has been given as directed. The affidavit or declaration must include the date on which the notice was sent and have attached a copy of the notice and a list of the names and addresses of all persons to whom notice was sent. Each document must be separately marked as a schedule.

Yours truly,

Ben Bath
Case Coordinator, Planner

(437) 238-9862

Encl.

c.c.

The Clerk, Municipality of Port Hope, clerk@porthope.ca

Wayne Fairbrother, Solicitor for Municipality of Port Hope, wfairbrother@tmlegal.ca

Hodan Egeh, LPAT Coordinator, MMAH, hodan.egeh@ontario.ca

Directions for Notice of Case Management Conference for appeals under Subsections 22(7), 34(11) and 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

NOTICE shall be given at least **30 days**** prior to the date of the case management conference by sending:

- A copy of the Notice of Case Management Conference and the extracts of the Tribunal's *Rules of Practice and Procedure*;
 - An explanation of the purpose and effect of the proposed official plan or plan amendment;
 - An explanation of the purpose and effect of the proposed by-law;
 - A description of the proposed plan of subdivision; and
 - A description of the subject land, a key map showing the subject land, or an explanation why no description or key map is provided.
1. Notice shall be given by personal service or ordinary mail or registered mail or courier or electronically* to every owner of land within 120 metres of the subject land:
 - a) The owner of land is deemed to be the person shown on the last revised assessment roll of the municipality or on the current provincial land tax roll at the address shown on the roll, but if the approval authority is a municipality and the clerk of the municipality has received written notice of a change of ownership, the notice shall be given to the new owner instead, at the address set out in the notice of change of ownership.
 - b) If a condominium development is located within 120 meters of the subject land, notice may be given to the condominium corporation, according to its most recent address for service or mailing address as registered under section 7 of the *Condominium Act, 1998*, instead of being given to all owners assessed in respect of the condominium development.
 2. Every person and public body that has given the clerk of the municipality or the secretary-treasurer of the planning board a written request for a notice (including the person's or public body's address) shall be given notice by personal service or ordinary mail or registered mail or courier or electronically.
 2. Notice, as described above, as well as a copy of the subdivision application, shall be given, by personal service or ordinary mail or registered mail or courier or electronically, to all the following persons and public bodies, except those who have notified the clerk of the municipality/approval authority or the secretary-treasurer of the planning board that they do not wish to receive notice:
 - a. The clerk of the approval authority of the proposed official plan or plan amendment, if the approval authority is not the Minister.
 - b. The clerk of every upper-tier municipality having jurisdiction in the area to which the proposed by-law or plan of subdivision would apply.
 - c. The clerk of every municipality or the secretary-treasurer of every municipal planning authority or planning board having jurisdiction in the area to which the

- proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply.
- d. The clerk of the lower-tier municipality to which the proposed by-law would apply, if the notice is given by the County of Oxford.
 - e. The secretary of every school board having jurisdiction in the area to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply.
 - f. The secretary-treasurer of every conservation authority having jurisdiction in the area to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply.
 - g. The secretary of every municipal or other corporation operating an electric utility in the local municipality or planning area to which the proposed by-law and plan of subdivision would apply.
 - h. The secretary of every company operating a natural gas utility in the local municipality or planning area to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply.
 - i. The secretary of every company operating an oil or natural gas pipeline in the local municipality or planning area to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply.
 - j. Every propane operator of a propane operation, if,
 - i. Any part of the propane operation's hazard distance is within the area to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply, and
 - ii. The clerk of the municipality or the secretary-treasurer of the planning board has been notified of the propane operation's hazard distance by a director appointed under section 4 of the *Technical Standards and Safety Act, 2000*.
 - k. If any of the land to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply is within 300 metres of a railway line, the secretary of the company operating the railway line.
 - l. The secretary of every company operating as a telecommunication infrastructure provider in the area to which the plan of subdivision would apply.
 - m. The chair or secretary of the municipal heritage committee of the municipality, if any, if the land to which the proposed by-law or plan of subdivision would apply includes or adjoins a property or district designated under Part IV or V of the *Ontario Heritage Act*.
 - n. The Executive Vice-President, Law and Development, of Ontario Power Generation Inc.
 - o. The secretary of Hydro One Inc.
 - p. If any of the land to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply is within or abuts the area covered by the Niagara Escarpment Plan, the senior planner of the district office of the Niagara Escarpment Commission having jurisdiction over that land or the area that it abuts, as the case may be.

- q. Parks Canada, if any of the land to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply adjoins a historic site, park or historic canal under the jurisdiction of Parks Canada.
 - r. The Niagara Parks Commission, if any of the land to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply adjoins the Niagara Parkway or is in the jurisdiction of the Niagara Parks Commission.
 - s. The St. Lawrence Parks Commission, if any part of the land to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply adjoins the 1000 Islands Parkway and is within the jurisdiction of the St. Lawrence Parks Commission under section 9 of the *St. Lawrence Parks Commission Act*.
 - t. The clerk of every municipality or the secretary-treasurer of every municipal planning authority or planning board, if any part of the municipality, municipal planning area or planning area is within one kilometre of the land to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply.
 - u. The chief of every First Nation council, if the First Nation is located on a reserve any part of which is within one kilometre of the area to which the proposed official plan or plan amendment, proposed by-law and plan of subdivision would apply.
3. If the approval authority of a proposed official plan or plan amendment is the Minister, notice shall be given, by personal service or ordinary mail or registered mail or courier or electronically, to the regional director of the Ministry of Municipal Affairs and Housing Municipal Services Office responsible for the region that includes the municipality or planning area where the subject land is located, unless the regional director has notified the clerk of the municipality or the secretary-treasurer of the planning board that he or she does not wish to receive such notices.
 4. If the approval authority of a proposed official plan or plan amendment or plan of subdivision is not the Minister, notice shall be given, personal service or ordinary mail or registered mail or courier or electronically, to the regional director of the Ministry of Municipal Affairs and Housing Municipal Services Office responsible for the region that includes the municipality or planning area where the subject land is located, if the regional director has given the clerk of the municipality or the secretary-treasurer of the planning board a written request to be given such notices.
 5. All persons on the enclosed list, which includes those noted in the approval authority's transmittal, if applicable.

* In accordance with Rules 7.11 to 7.13 of the Tribunal's *Rules of Practice and Procedure*.

** This requirement is a minimum. The party responsible for giving notice should do so as early as possible.