

October 5, 2017

**By Email**

To Whom It May Concern:

**Re: Ontario Municipal Board Notice of Pre-Hearing Conference  
12171 Eighth Line, Halton Hills  
Appeal of Zoning By-law Amendment and Plan of Subdivision Applications  
– Refusal, Neglect, or Failure to Render a Decision  
Municipal File Nos.: D14ZBA09.006 & D12SUB09.001  
OMB Case No.: PL170782  
OMB File Nos.: PL170782 & PL170783**

Davies Howe is counsel to 2147925 Ontario Inc., the owner of the above-referenced lands legally described as Part of Lot 21, Concession 9, in the Town of Halton Hills (the “Subject Lands”).

In 2009, our client submitted an application to the Town of Halton Hills for a Zoning By-law Amendment and a Plan of Subdivision (the “Applications”) in order to permit the development of a 32 single detached lot subdivision on the Subject Lands. The Applications were deemed to be complete on July 14, 2010.

The Town of Halton Hills failed to render a decision with respect to the Applications within the timeframe required by the *Planning Act*. As a result, our client appealed the Applications to the Ontario Municipal Board (the “Board”).

The Board has directed us to provide you with the enclosed documents as you are either an owner of land within 120 metres of the Subject Lands, requested notice respecting the proposed application, or are an agency, landowner, or any other party with a possible interest in this matter.

You will find enclosed with this letter:

1. A copy of the Notice of Prehearing Conference;
2. Rules 61 to 65 of the Board’s *Rules of Practice and Procedure*;
3. A description of the Subject Lands and a key map showing their location; and,
4. An explanatory note which outlines the purpose and effect of the proposed Applications.

**The Pre-hearing conference is scheduled for Friday November 17, 2017 at 10:00 a.m., and will take place in the Council Chambers at the Civic Centre located at 1 Halton Hills Dr. (N of Maple Ave) in Georgetown, Halton Hills.**

If you prefer to direct your questions to the Board, please contact Tome Kondinski, Case Coordinator/Planner at (416) 326-6799 or by email at [tome.kondinski@ontario.ca](mailto:tome.kondinski@ontario.ca).

Yours truly,  
**DAVIES HOWE LLP**

  
Matthew Di Vona

MD:SH  
encs.: As above.

## NOTICE OF PREHEARING CONFERENCE

The Ontario Municipal Board will conduct a prehearing conference respecting this matter.

**If you do not attend the prehearing conference, the Ontario Municipal Board may proceed in your absence and you will not be entitled to any further notice of these proceedings.**

### TIME AND PLACE OF PREHEARING CONFERENCE

A prehearing conference will be held

**at: 10:00 AM**

**on: Friday November 17, 2017**

**at: Civic Centre  
Council Chambers  
1 Halton Hills Dr. (N of Maple Ave)  
Georgetown  
Halton Hills, ON L7G 5G2**

The Board has set aside **1 day(s)** for this conference.

### PURPOSE OF PREHEARING CONFERENCE

The conference will deal with preliminary and procedural matters, including the following:

- **Identification of parties** - these persons have the right to participate throughout by presenting evidence, questioning witnesses, and making final arguments. In order for the Board to determine your status for the hearing, you or your representative should attend the prehearing conference and ask to be added as a party. Groups, whether incorporated or not, who wish to become parties should name a representative. Parties do not need to be represented by lawyers or agents.
- **Identification of participants** - persons who do not wish to participate throughout the hearing may attend the hearing and make a statement to the Board. Such persons should also attend the prehearing conference.
- **Identification of issues.**
- **Possibility of settlement of any or all of the issues** – the panel will explore with the parties whether the case before the Board and the issues in dispute are matters that may benefit from the assistance of a mediation meeting conducted by a Member of the Board. Mediation is a voluntary process of negotiation that encourages all sides in a dispute to get a better understanding of each other's positions and fully explore and consider options for a mutually acceptable settlement of all or some of the issues in dispute. The panel may direct, upon consent of the parties, that some or all of the issues in dispute proceed to mediation. Where mediation is directed, a different Member of the Board would conduct the mediation.

- **Start date of the hearing.**
- **Duration of the hearing.**
- **Directions for pre-filing of witness lists, expert witness statements and written evidence.**
- **The hearing of motions.**
- **Such further matters as the Board considers appropriate.**

Everyone present should come prepared to consider specific dates for proceedings in this matter.

### **EVIDENCE**

Evidence or formal statements may also be heard at the prehearing conference in an attempt to settle the matters in dispute. Note that even if no settlement is reached the Board may make a final decision on the evidence it received.

**All parties or their representatives should attend the prehearing conference.**

*Pour recevoir des services en français, veuillez communiquer avec la Division des audiences au (416) 212-6349, au moins 20 jours civils avant la date fixée pour l'audience.*

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible. If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance. Please also identify any assistance you may require in the event of an emergency evacuation.

DATED at Toronto, this 07th day of September, 2017.

Mary Ann Hunwicks  
Secretary

## ONTARIO MUNICIPAL BOARD RULES ON ADJOURNMENTS

**61. Hearing Dates Fixed** Hearing events will take place on the date set unless the Board agrees to an adjournment.

**62. Requests for Adjournment if All Parties Consent** If all of the parties agree, they may make a written request to adjourn a hearing event. The request must include the reasons, a suggested new date, and the signed consents of all parties. However, the Board may require that the parties attend in person or convene an electronic hearing to request an adjournment, even if all of the parties consent.

**63. Requests for Adjournment Without Consent** If a party objects to an adjournment request, the party requesting the adjournment must bring a motion at least 10 days before the date set for the hearing event. If the reason for an adjournment arises less than 10 days before the date set for the hearing event, the party must give notice of the request to the Board and to the other parties and serve their motion materials as soon as possible. If the Board refuses to consider a late request, any motion for adjournment must be made in person, at the beginning of the hearing event.

**64. Emergencies Only** The Board will grant last minute adjournments only for unavoidable emergencies, such as illnesses, so close to the hearing date that another representative or witnesses cannot be obtained. The Board must be informed of these emergencies as soon as possible.

**65. Powers of the Board upon Adjournment Request** The Board may,

- (a) grant the request;
- (b) grant the request and fix a new date or, where appropriate, the Board will schedule a prehearing conference on the status of the matter;
- (c) grant a shorter adjournment than requested;
- (d) deny the request, even if all parties have consented;
- (e) direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue;
- (f) grant an indefinite adjournment, if the request is made by the applicant or proponent and is accepted by the Board as reasonable and the Board finds no substantial prejudice to the other parties or to the Board's schedule. In this case the applicant or proponent must make a request that the hearing be rescheduled;
- (g) convert the scheduled date to a mediation or prehearing conference; or
- (h) make any other appropriate order.

August 11, 2008



## BOARD PRE-HEARING CONFERENCE SUBJECT LANDS AND KEY MAP

### Description of the Subject Lands

The Subject Lands are municipally known as 12171 Eighth Line, Halton Hills. They are located on the north/northeast edge of Georgetown. The Subject Lands are legally described as Part of Lot 21, Concession 9, in the Town of Halton Hills. See the key map below.

### Key Map



**BOARD PRE-HEARING CONFERENCE  
EXPLANATORY NOTE**

**Proposed Zoning By-law Amendment**

The Lands are now zoned Development (D) by Halton Hills Zoning By-law 2010-0050. The Zoning Application seeks to rezone the site to Hamlet Residential (HR1) Exception, in order to implement the plan of subdivision.

**Proposed Plan of Subdivision**

The proposed plan of subdivision contains 32 single detached residential homes within a residential subdivision to be serviced by regional water and wastewater systems. The proposed road network includes two (2) access points connecting to McMaster Street and to Meaghan Drive. There is also a stormwater management pond/block.

**Purpose and Effect of the Proposed Zoning By-law Amendment and Plan of Subdivision**

The purpose and effect of the zoning by-law amendment and proposed plan of subdivision is to permit the development of 32 single detached dwellings and a stormwater management pond/block.

The proposed zoning by-law will regulate the character, location, and use of buildings and structures within the proposed plan of subdivision.