

Ontario Land Tribunal

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Tribunal ontarien de l'aménagement du territoire

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PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act, R.S.O. 1990, c. P. 13, as amended*.

Applicant/Appellant	Collin James
Subject:	Application to amend the Zoning By-law – Refusal of application
Description:	To permit the retail sale and storage of docks on the subject property.
Reference Number:	By-Law 2001-06
Property Address:	154, 156 North Sparks Street
Municipality/UT:	Magnetawan/Parry Sound
OLT Case No:	OLT-22-004183
OLT Lead Case No:	OLT Lead Case No:
OLT Case Name:	James v. Magnetawan (Municipality)

NOTICE OF EVENT BY VIDEO

The Ontario Land Tribunal ("Tribunal") will conduct a Merit Hearing by **video conference** for this matter.

The event will be held:

AT: 10:00 AM

ON: January 19, 2023

AT: <https://global.gotomeeting.com/join/660145013>

Access code: 660-145-013

The Tribunal has set aside **2 Days** for this matter.

The event will be held using the GoTo Meetings service. The appellant(s), applicant, municipality or approval authority, and those persons who intend to request party or participant status, are asked to log into the video hearing, through the link provided above, at least **15 minutes** before the start of the event to test their video and audio connections. All persons are expected 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](https://app.gotomeeting.com/home.html) or a web application is available: <https://app.gotomeeting.com/home.html>. A compatible web browser for this service is Chrome.

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: Canada (Toll Free): **1 888 299-1889** or Canada: **+1 (647) 497-9373**. The access code is **660-145-013**.

Event dates are firm - adjournments will not be granted except in the most serious circumstances, and only in accordance with the Tribunal's Rules of Practice and Procedure ("Rules") [Rule 17](#) on adjournments.

This event is conducted under [Rule 20](#) of the Tribunal's Rules. [Rule 20.2](#) sets out how a party may object to the Tribunal conducting this event electronically. Any party, or any person who intends to seek party status, may object to the Tribunal holding this event by video by filing an objection with the Tribunal's Case Coordinator. The objection must be received by the Tribunal **at least 20 days** before the date of the event and must be copied to the other parties. All contact information is included in Schedule A.

HEARING

If you do not attend and are not represented at this hearing, the Tribunal may proceed in your absence and you will not be entitled to any further notice of the proceedings.

SUBMISSION REQUIREMENTS

If a person intends to refer to a document at the event that is not in the Tribunal's case file, the document is expected to be pre-filed, where possible, in paper copy and electronically with the Tribunal **at least 10 days** before the date of the hearing, unless another filing date is specified in the Tribunal's Rules. All pre-filed documents shall be served on the other parties electronically. All contact information is included in Schedule A.

If a person intends to call a witness, their witness statement and the information required under Rules 7.4, 7.5 and 7.6, must be pre-filed electronically with the Tribunal at least 10 days before the date of the hearing. Please note that if you intend to call an expert/professional witness, you must file the executed Acknowledgement of Expert's Duty form which can be found on the Tribunal's website (olt.gov.on.ca/appeals-process/forms/).

Submissions larger than **10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service. Please see Schedule B for further submission requirements.

PARTY OR PARTICIPANT STATUS REQUEST:

Persons other than the appellant(s), applicant, municipality or approval authority who wish to participate in the proceeding, either as a party or as a participant, are expected to file a written status request with the Tribunal to outline their interest in the proceeding.

The Party Status Request Form and Participant Status Request/Participant Statement Form are available on the Tribunal's website (<https://olt.gov.on.ca>) and are to be used to assist with the preparation of the request. If you are requesting status, this form must be provided at least 10 days in advance of the hearing to:

- The assigned Tribunal Case Coordinator **Hanh Dang** at **Hanh.Dang@ontario.ca**.
- The municipality and the approval authority on the same day as it is emailed to the Tribunal Case Coordinator.
- The Applicant and the Appellant(s) on the same day as it is emailed to the Tribunal Case Coordinator.

The contact information for the parties is included in Schedule A.

The status request will be reviewed and considered by the presiding Member at the hearing. It will also assist the Tribunal in organizing the hearing event. **Attendance by the requestor, or their representative, at the hearing is required for all status requests.**

Persons who are granted **party status** may participate fully in the proceeding (see [Rule 8](#)).

Persons who are granted **participant status** may only participate in writing by way of a participant statement. This statement is expected to be provided 10 days advance of the hearing as part of the status request (see above) and sets out their position in the matter (see [Rule 7.7](#)).

Only persons who are **granted party or participant status** by the Tribunal at the hearing are permitted to participate in any further hearing event that is convened by the Tribunal for this appeal.

Please note that this matter is a hearing and the presentation of evidence will be required.

FURTHER DIRECTIONS

Tribunal proceedings are open to the public and all documents filed in a proceeding will be included in the Tribunal's public file (except those documents that may be deemed confidential in accordance with the Ontario Land Tribunal's Rule 22.1).

In the event the decision is reserved, persons taking part in the hearing who would like to obtain a copy of the decision may make a request from the presiding Tribunal Member or, in writing, from the Tribunal. A copy of the decision may also be obtained from the Tribunal's website (<https://olt.gov.on.ca>) by referencing the above case number.

Please review the Tribunal's [Rules](#) for relevant information.

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 by emailing olt.coordinator@ontario.ca. 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.

Pour recevoir des services en français, veuillez communiquer avec la Tribunal au 1-866-448-2248/(416) 212-6349 ou olt.coordinator@ontario.ca.

For general information concerning the Tribunal, visit our website at <https://olt.gov.on.ca> or you may contact the Tribunal's offices at 1-866-448-2248 or local (416) 212-6349.

DATED at Toronto, this 13 day of October, 2022.

Euken Lui
Registrar

SCHEDULE A

Please provide materials electronically to the assigned Tribunal Case Coordinator **Hanh Dang** at **hanh.dang@ontario.ca**

On the same day that documents are submitted to the Tribunal, electronic copies are to be submitted to:

Solicitor for the Approval Authority

Edward Veldboom, eveldboom@russellchristie.com

Representative for the Appellant/Applicant

Melissa Markham, melissa@mpplanning.com

SCHEDULE B

INSTRUCTIONS FOR ELECTRONIC PRE-FILING SUBMISSIONS

Submission requirements to organize the video hearing

If a person intends to refer to a document at the video hearing (for clarity, any document that is not in the Tribunal's case file), it is expected to be pre-filed electronically with the Tribunal **at least 10 days** before the date of the video hearing and provided to all parties. The deadline applies unless otherwise specified in the Rules.

Submission emails **under 10MB** in size may be emailed directly to the assigned Tribunal Case Coordinator. Emails **larger than 10MB** must be transferred to the Tribunal's Case Coordinator using an electronic file sharing link/service to avoid sending documents across multiple email parts. Where appropriate, documents are to be submitted in .pdf format.

Naming convention

To assist the Tribunal and the adjudicator during the event, it is important that all submissions are **paginated and labelled appropriately** to clearly identify the content of each document. Where a document contains numerous sections, each section is to be indexed to a table of contents.

Parties are asked to adhere to the following naming convention: **case number_party role_ document type_date of hearing event**.

For example: PL123456_Applicant_Notice of Motion_Jan 1, 2020

Please see Rules 7.1 and 7.2 for the standard document submission requirements.