

**Environment and Land Tribunals
Ontario**

Local Planning Appeal Tribunal

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Website: www.elto.gov.on.ca

**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Tribunal d'appel de l'aménagement
local

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SAMPLE

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*,
R.S.O. 1990, c. P. 13, as amended

Appellant:
Subject: By-law No.
Municipality:
LPAT Case No.:
LPAT File No.:

NOTICE OF CASE MANAGEMENT CONFERENCE

The Local Planning Appeal Tribunal (“Tribunal”) will conduct a case management conference for this matter.

This case management conference will be held:

AT:

ON:

AT:

The Tribunal has set aside **# day(s)** for this conference.

THE CASE MANAGEMENT CONFERENCE

The *Local Planning Appeal Tribunal Act, 2017* requires the Tribunal to conduct a case management conference after it has received a valid notice of appeal of the matter identified in the title of proceedings (above). The Appellant(s) and either the municipality or the approval authority, depending upon whose decision or non-decision has been appealed to the Tribunal, are the statutory parties in this proceeding. Persons other than the statutory parties, who wish to participate in the case management

conference, are required, by section 40 and 41 of the *Local Planning Appeal Tribunal Act, 2017*, to pre-file a written submission.

IF YOU ARE NOT THE APPELLANT(S) OR EITHER THE MUNICIPALITY OR THE APPROVAL AUTHORITY (DEPENDING UPON WHOSE DECISION OR NON-DECISION HAS BEEN APPEALED TO THE TRIBUNAL) IN THIS PROCEEDING, YOU MAY ONLY PARTICIPATE IN THE CASE MANAGEMENT CONFERENCE IF YOU FILE A WRITTEN SUBMISSION WITH THE TRIBUNAL REGISTRAR. THE WRITTEN SUBMISSION MUST BE SENT TO THE ATTENTION OF THE CASE COORDINATOR, **NAME** AT **EMAIL** AND FILED IN PAPER COPY WITH THE REGISTRAR. YOUR SUBMISSION MUST BE RECEIVED **NO LATER THAN DATE**, WHICH IS 30 DAYS BEFORE THE DATE OF THE CASE MANAGEMENT CONFERENCE.

A COPY OF YOUR WRITTEN SUBMISSION IS TO BE PROVIDED TO THE APPELLANT(S) AND EITHER THE MUNICIPALITY OR THE APPROVAL AUTHORITY (DEPENDING UPON WHOSE DECISION OR NON-DECISION HAS BEEN APPEALED TO THE TRIBUNAL) (SEE CONTACT INFORMATION: ADDRESS, EMAIL IN SCHEDULE A ATTACHED).

THE PRE-FILING REQUIREMENTS FOR PERSONS WHO WISH TO PARTICIPATE IN THE CASE MANAGEMENT CONFERENCE

A) THE CONTENT OF THE WRITTEN SUBMISSION

A person other than the appellant(s), the municipality or approval authority who wishes to participate in an appeal initiated under subsections 17(24), 17(36), 17(40), 22(7), 34(11), 34(19) or 51(34) of the *Planning Act* must file a written submission with the Tribunal Registrar. The submission must explain the nature of their interest in the matter and how their participation will assist the Tribunal in resolving the issues raised in the appeal. The submission is to explain whether any decision or non-decision of the municipality or approval authority, which is the subject of the appeal before the Tribunal:

- Is inconsistent with a Provincial Policy Statement,
- Fails to conform with a provincial plan, or
- Fails to conform with an applicable official plan.

Please note that a Case Management Conference Submission Form is available on the Tribunal's website.

B) FILING REQUIREMENTS FOR THE WRITTEN SUBMISSION

- The written submission (containing the content above) must be emailed to the assigned Tribunal Case Coordinator, **NAME** at **EMAIL**, **at least 30 days** before

the date of the case management conference. A paper copy of the document must also be filed with the Tribunal Registrar.

- A copy of the written submission shall be provided to either the municipality or to the approval authority, depending upon whose decision or failure to make a decision is appealed, on the same day as it is emailed to the Tribunal: **at least 30 days** before the date of the case management conference.
- A copy of the written submission must also be provided to the Appellant(s) on the same day as it is emailed to the Tribunal: **at least 30 days** before the date of the case management conference.
- A certificate of service, in the form available on the Tribunal's website, shall be filed with the Tribunal Case Coordinator to confirm service of the written submission on the appellant(s) and either the municipality or the approval authority.

NOTE: THE TRIBUNAL MAY NOT EXTEND THE TIME PERIOD TO FILE THE WRITTEN SUBMISSION

THE CASE MANAGEMENT CONFERENCE

The Tribunal shall determine, from among the persons that have provided written submissions, whether that person may participate in the case management conference, and the terms upon which a person is allowed to participate.

A Tribunal may also appoint one person, who filed a written submission to represent a class of persons, as either a party or participant at the case management conference and at any hearing, or any other hearing event, that may be directed by the Tribunal.

At the case management conference, the Tribunal shall discuss opportunities for settlement, including the possible use of mediation or other dispute resolution techniques.

Please see the extract of Rule 26.20 of the LPAT Rules of Practice and Procedure attached to this notice for further details of the matters the Tribunal will discuss at the Case Management Conference.

FURTHER DIRECTIONS

The Tribunal shall issue a disposition following the Case Management Conference that will set out the directions of the Tribunal. A copy of this decision can be obtained from the Tribunal's website by reference to the above case number.

A person who is not granted party or participant status by the Tribunal at the case management conference is not permitted to participate in any further hearing event that is convened by the Tribunal for this appeal.

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 XXnd day of XX, 2018.

Mary Ann Hunwicks
Registrar

SCHEDULE A

CONTACT INFORMATION:

J. SMITH

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TOWN OF SOMEWHERE

town@somewhere.ca

