

RECEIVED

NOV 17 2021

Mitchell Fasken



November 16, 2021

The Clerk
Township of Lake of Bays
1012 Dwight Beach Road
Dwight, Ontario
POA 1H0

Re: By-law 2021-111

Please find attached my appeal form and fee and fee reduction form for the appeal of the above noted bylaw to the Ontario Land Tribunal

Regards,
Mitchell Fasken



Ontario Land Tribunal

655 Bay Street, Suite 1500, Toronto, ON M5G 1E5

Tel: 416 212-6349 | 1 866 448-2248

Web Site: olt.gov.on.ca

Request for Lower Fee

Instructions:

- This form can be used to request a reduction of OLT's appeal fee.
- Prepare this form and submit with your Appeal Form at the time of filing your appeal.
- Note: An appeal fee reduction may **only** be requested if the appeal fee for the matter you are appealing is \$1,100 AND you are a private citizen, a registered charity or a non-profit ratepayers' association.
- This form is to request the appeal fee be reduced to \$400.
- Please submit \$400 appeal fee with your appeal. If your request is denied you will be required to pay the balance owing.

Date Stamp - Received by OLT

Appeal Information

Municipal File Number:	Appeal Type (<i>Official Plan Amendment, Zoning By-law, Development Charges, etc.</i>)	Date of Municipal Decision:
2021-111	Community Planning Permit By-law	October 26, 2021
Address and/or Legal Description of Property Subject to the Appeal:		
Township wide		
Municipality:	Upper Tier (Region, County, District):	Date Appeal Filed:
Township of Lake of Bays	Lower Tier Township	Nov 17, 2021

Requester Information

Last Name:	First Name:
Fasken	Mitchell
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):	
Email Address:	
Daytime Telephone Number:	Alternative Telephone Number:
Ext.	

Mailing Address			
Unit Number:	Street Number:	Street Name:	P.O. Box
	██████	██████████	██████
City/Town:	Province:	Country:	Postal Code:
██████	██████	██████	██████

Reasons to Reduce Fee
<p>I am seeking a reduction to the appeal fee on the basis that I am filing the appeal as or on behalf of:</p> <p><input checked="" type="checkbox"/> A private citizen</p> <p><input type="checkbox"/> A registered charity</p> <p><input type="checkbox"/> A non-profit ratepayers' association</p> <p><i>If filing on behalf of a registered charity or non-profit ratepayers' association</i></p> <p>The name of the charity/non-profit is:</p> <p>My relation to the charity/non-profit is:</p>

Affirmation
<p>I affirm the above information is accurate to the best of my knowledge and that I have authority to act on behalf of the charity/non-profit (if filing on behalf of either).</p> <p> <div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 45%; text-align: center;"> <p>_____ <div style="background-color: black; width: 100px; height: 20px; margin: 0 auto;"></div> <p>Signature</p> </p></div> <div style="width: 45%; text-align: center;"> <p>November 16, 2021 <p>_____ Date</p> </p></div> </div> <p>Name of Person Signing: Mitchell Fasken</p> <p>_____</p> </p>

Personal information or documentation requested on this form is collected under the authority of the Ontario Land Tribunal Act and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the Freedom of Information and Protection of Privacy Act and section 9 of the Statutory Powers Procedure Act, all information collected is available to the public subject to limited exceptions.

We are committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have any accessibility needs, please contact our Accessibility Coordinator at OLT.Coordinator@ontario.ca or toll free at 1-866-448-2248 as soon as possible.

OFFICE USE ONLY

Request Received by: _____ Date Received (dd/mm/yyyy): _____

Fee Received: \$ _____ Reviewed By: _____



Ontario Land Tribunal

655 Bay Street, Suite 1500, Toronto, ON M5G 1E5
Tel: 416-212-6349 | 1-866-448-2248
Web Site: olt.gov.on.ca

Appeal Form (A1)

**Municipal/Approval Authority
Date Stamp**

**Receipt Number
(OLT Office Use Only)**

**Date Stamp – Appeal Received
by OLT**

**OLT Case Number
(OLT Office Use Only)**

Please complete this Appeal Form by following the instructions in the companion document titled "Appeal Form Instructions". Please read **both** documents carefully to ensure you submit the correct information and complete this form correctly.

There are guides available for review on the Tribunal's [website](#) for different appeal types to assist you in filing an appeal.

Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal) prior to completing this Appeal Form. Relevant portions of the applicable legislation should also be reviewed before submitting this form. Your appeal must be filed with the appropriate authority within the appeal period as set out in the notice of the decision and applicable legislation.

Section 1 – Contact Information (Mandatory)

Applicant/Appellant/Objector/Claimant Information			
Last Name: FASKEN		First Name: MITCHELL	
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):			
Email Address: [REDACTED]			
Daytime Telephone Number: [REDACTED]		Alternative Telephone Number:	
		ext.	
Mailing Address			
Unit Number:	Street Number:	Street Name:	P.O. Box:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
City/Town:	Province:	Country:	Postal Code:
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Representative Information

I hereby authorize the named company and/or individual(s) to represent me

Last Name: _____ First Name: _____

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation): _____

Email Address: _____ LSO Number (if applicable): _____

Daytime Telephone Number: _____ ext. _____ Alternative Telephone Number: _____

Mailing Address

Unit Number: _____ Street Number: _____ Street Name: _____ P.O. Box: _____

City/Town: _____ Province: _____ Country: _____ Postal Code: _____

Note: If your representative is not licensed under the *Law Society Act*, please con written authorization, as required by the *OLT Rules of Practice and Procedure* to a they are also exempt under the Law Society's by-laws to provide legal se checking the box below.

I certify that I understand that my representative is not licensed under the *Law Society Act* and I provided my written authorization to my representative to act on my behalf with respect to this m understand that my representative may be asked to produce this authorization at any time along confirmation of their exemption under the Law Society's by-laws to provide legal services.

Location Information

Are you the current owner of the subject property? Yes No

Address and/or Legal Description of property subject to the appeal:

_____ property is located within the area covered by the CPP bylaw 2021-111

Municipality: Township of Lake of Bays

Upper Tier (Example: county, district, region): Township

Language Requirements

Do you require services in French? Yes No

To file an appeal, please complete the section below. Complete one line for each appeal type

Subject of Appeal		Type of Appeal (Act/Legislation Name)	Reference (Section Number)
Example	Minor Variance	<i>Planning Act</i>	4 ()
1	By-law 2021-111	<i>Planning Act</i>	34(19)
2			
3			
4			
5			

Section 2 – Appeal Type (Mandatory)

Please select the applicable type of matter

Select	Legislation associated with your matter	Complete Only the Section(s) Below
<input checked="" type="checkbox"/>	Appeal of <i>Planning Act</i> matters for Official Plans and amendments Zonin By-Laws and amendments and Plans of Subdivision, Interim Co Site Plans, Minor Variances, Consents and Severances	
<input type="checkbox"/>	Appeal of <i>Development Charges, Education Act, Aggregate Resources Act,</i>	3A

	<i>Municipal Act matters</i>	
<input type="checkbox"/>	Appeal of or objection to <i>Ontario Heritage Act</i> matters under subsections 29, 30.1, 31, 32, 33, 40.1 and 41	3A
<input type="checkbox"/>	Appeal of <i>Planning Act</i> (subsections 33(4), 33(10), 33(15), 36(3)), <i>Municipal Act</i> (subsection 223(4)), <i>City of Toronto Act</i> (subsection 129(4)) and <i>Ontario Heritage Act</i> (subsections 34.1(1), 42(6)) matters	3A & 3B
<input type="checkbox"/>	Appeal of <i>Clean Water Act</i> , <i>Environmental Protection Act</i> , <i>Nutrient Management Act</i> , <i>Ontario Water Resources Act</i> , <i>Pesticides Act</i> , <i>Resource Recovery and Circular Economy Act</i> , <i>Safe Drinking Water Act</i> , <i>Toxics Reduction Act</i> , and <i>Waste Diversion Transition Act</i> matters	4A
<input type="checkbox"/>	Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i>	4B
<input type="checkbox"/>	Appeal under the <i>Niagara Escarpment Planning and Development Act (NEPDA)</i>	5A
<input type="checkbox"/>	Application to amend the <i>Niagara Escarpment Plan</i>	5B
<input type="checkbox"/>	Appeal of <i>Conservation Authorities Act</i> , <i>Mining Act</i> , <i>Lakes and Rivers Improvement Act</i> , <i>Assessment Act</i> , and <i>Oil, Gas and Salt Resources Act</i> matters	6
<input type="checkbox"/>	Legislation not listed above	Contact OLT before filing your appeal

Section 3A – Planning Matters

Appeal Reasons and Specific Information

Number of new residential units proposed: *NA*

Not applicable

Municipal Reference Number(s): By-law 2021-111

List the reasons for your appeal:

The CPP by-law adds a level of complexity and significant burden to property owners to obtain development permit approvals. I, as well as others had requested a deferral of the draft CPP document to allow for further consultation and discussion with staff to address comments, a deferral was not granted.

The general reasons for my appeal are as follows:

The Bylaw as approved by Council was in Draft, with Draft stamped though out the document and was missing a Footnote to identify the date of the final version of the bylaw as well as Schedules A, B and C and does not represent a full, complete and final document for the by-law.

My specific sections of the Appeal relate to the following:

Section 1.5. The section states the intention of the Township to preserve vegetation along the shorelines but does not recognize areas that have been free of vegetation along the shoreline based on historical land use. An exception needs to be incorporated to exempt these areas where it can be demonstrated the areas have without shoreline vegetation for an extended period, as an example 25 years.

The last paragraph regulates vegetation above 1m in height. This is far too restrictive of a level of vegetation to require the cost and process of requiring a development permit. The vegetation threshold should be revised to height of 2.4m or a diameter of 15 centimeters 1.4 meters above the ground.

Section 1.9 A bullet needs to be added to the principals will be used to encourage the growth, economic sustainability of existing and future business and promote new commercial uses to establish in the Settlement areas to ensure competing objectives of the plan are not used to frustrate economic growth in these areas. It should be noted the zoning categories in the Settlement Planning areas have not been carried forward in a manner that ties to the original bylaw or to the Settlement areas in the bylaw subject to this appeal.

The land use map which only found on the District of Muskoka web site does not correspond to the Settlement land use categories within the CPP bylaw. Further the CPP land use layer was not properly identified in the draft documentation to allow the public clarity on the layers and process required to identify the land use map. It is very difficult to determine the manner in which a lay person views the land use map as various layers in the mapping need to be turned on and off.

Section 2.4.1(d) There needs to be a threshold test placed on this category as the current definition would require a permit for all works, regardless of how minor and applies to the entire lot. A recommended solution would be that for works impacting greater than 10% of the lot, a permit would be required.

Section 2.10.5 The timeline of 1 year in section 2.10.5 is too short and should be a minimum of 2 years as timing for construction as construction work is limited due to weather and winter ½ load season.

Section 2.10.6 the word "may" in the first line should be removed and replaced with "shall" to remove the discretion of staff on extensions.

Section 2.11.2.

Section F) Re-insert the wording that this would only apply to new commercial properties or multi family residential project but not to single family lots.

Section P) which refers to an "unknown fish habitat" . This reference should be removed to remove discretion of staff.

Section 2.11 Section G) Parkland Dedication Provision needs to be clarified that it only applies to creation of new lots, developments requiring a subdivision plan, plan of condominium or other non-development permit planning consent but specifically excludes existing residential lots and redevelopment of commercial lots where a rezoning is not required..

Section 2.11 Section AG) The provision of a record of site condition should only be required where the land use, consistent with REG 153-04 is moving to a more sensitive use and a Phase 1 and if required a Phase 2 confirms there is contamination on the site that exceeds the applicable site condition standard of the proposed use . The intent of REG 153-04 as amended is not intended to be used as a planning approval tool to deal with site contamination where a change of use is not required. While the intent of the act was to promote and enhance the redevelopment of contaminated sites, the implementation of the regulation and ministry staff changes have resulted in a costly, time consuming and process that often encumbers properties with the approval process.

Section 2.14.1

a) ii The distance in should be reduced to 30m to avoid excessive coverage of adjoining properties.

e) The exemption of fill placement of 10 cu m is still too low. A more realistic criteria may be 30cu m. to avoid over regulation by staff and the unnecessary financial burden on landowners.

Section 2.15.1.3 The list of potential studies and reports is one of the longest and most complex I have seen in my career. Under the current bylaw [REDACTED], none of the 50 potential studies are required. I believe this list needs to be separated into conventional permits and those required for a more complex permit to avoid the study process being used as a deterrent to development or redevelopment. There needs to be a clear threshold of when each study is required so that staff to not overcomplicate applications and create significant financial burden as a roadblock to land use. Items such as 1, 4, 6, 13, 15 to 45 and 46 should all be deleted) from a conventional single family dwelling construction or renovation application. There also needs to be a mechanism to appeal the decision of staff on the requirements of reports to Council where an applicant feels the list of reports is unreasonable. The list of studies need to reviewed and consolidated to remove duplication.

Section 2.15.1.4 There needs to be clarification on when the issues listed need to be addressed with clarity on application threshold and complexity. This needs to tie to the type of application as proposed in 2.15.1.3

Section 2.15.3.2 A timeline for the response of the Director needs to be re-inserted, proposing 30 days.

Section 2.16.4.8 B) There needs to clarification of when these studies are required, cannot be at the discretion of staff

Section 3.3.2 This section should be removed as "All Uses" does not form part of the heading and could be used by staff to apply these requirements to all applications.

Section 3.5.1.2 The maximum dwelling size should be removed.

Section 3.23.1.1 Language needs to be added "Save and except in the Settlement Planning Areas"

Section 3.23.1.2 Allow a Fireplace as a shoreline structure as this could also be construed as a pit.

Section 3.23.2.3 amend the wording in the first line to read, "where a designated residential lot"

Section 3.23.3.1 Same comment as 3.23.1.1

Section 3.26.2.1 As noted in my comments on Section 1.5, re-vegetation shall not be required where the historical context of the lands can demonstrate it was not de-vegetated within an agreed amount of time. The need for an ecological report needs to be a requirement for applications which are not minor in nature.

Section 3.26.3.2 The minimum limit needs to be increased as noted in my comments in Section 2.14.1.

Section 3.26.3.3 This should be amended to require a grading plan identifying fill placement and only require an Environmental Impact Study where the fill placement has the potential to increase erosion or impact vegetation.

3.3.1 (d) Screening of parking will be inconsistent with the surrounding dwellings and is not justified, this section should be deleted

3.3.2 Delete, unnecessary as noted in 3.3.1 (d) above.

3.5.1.1 Delete maximum dwelling size. There is no justified technical rationale to this figure.

3.23.1 At the end of this section add " save and except as permitted in the Settlement Areas"

3.23.1.2 Reinsert Fireplaces as a permitted use

3.23.3.1 At the end of this section add " save and except as permitted in the Settlement Areas"

3.26.1.1 Permits should not be required to remove vegetation from the Shoreline Activity Area. The municipal requirement to retain 75% in waterfront residential areas and 50% in Settlement areas is restrictive and the remaining area for Shore Line Activity Area should be left to the property owner to utilize without further burdens of planning permit and studies.

Section 3.26.2.1 the density of planting of one tree or shrub per 3 square meters is too dense and will result if plant die-off. The original spacing of one tree or shrub per 9 square meters is more appropriate. Amend the mature height of shrubs to 1m to increase options of species.

Section 3.26.3.2 Fill placement requiring a permit should be greater than 30cu m.

Section 4.4 Delete the second paragraph in its entirety. This is simply another layer of planning approval without justification or demonstration of need.

The Schedule of land use, Schedule "A" is not attached to the by-law and there is no clear direction on its locations. Further, it does not tie to this list of uses so it is not possible to determine what a C3 zone is in the draft CPPS bylaw and makes it impossible to comment on the Commercial Use categories.

The designations of EP on the land use map

- A) at the mouth of the Dorset Narrows needs to be reviewed as it significantly compromises the redevelopment of the closed Old Mill Marina lands for marina for alternative uses and conflicts with the study undertaken by the Township to enhance the development in the Dorset commercial area.
- B) Adjacent to the Shell Gas station lands as the area between Main Street and the lake is a man-made storm ditch and not a natural feature.

Has a public meeting been held by the municipality? Yes No

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you will rely on one or more of the following grounds:

A: A decision of a Council or Approval Authority is: *NOT SURE WHETHER APPLY?*

Inconsistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*

Fails to conform with or conflicts with a provincial plan

Fails to conform with an applicable Official Plan

And

B: For a non-decision or decision to refuse by council:

Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*

- Conformity with a provincial plan
- Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If it is your intention to argue one or more of the above grounds, please explain your reasons:

Oral/Written submissions to council

Did you make your opinions regarding this matter known to council?

- Oral submissions at a public meeting of council
- Written submissions to council
- Not applicable

Related Matters

Are there other appeals not yet filed with the Municipality?

- Yes
- No *the subject*

Are there other matters related to this appeal? (For example: A consent application connected to a variance application).

- Yes
- No

If yes, please provide the Ontario Land Tribunal Case Number(s) and/or Municipal File Number(s) for the related matters:

Section 3B – Other Planning Matters

Appeal Specific Information (Continued)

Date application submitted to municipality if known (yyyy/mm/dd):

Date municipality deemed the application complete if known (yyyy/mm/dd):

Please briefly explain the proposal and describe the lands under appeal:

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 3B Checklist(s) located here and submit all documents listed.

Section 4A – Appeals under Environmental Legislation

Appeal Specific Information

Outline the grounds for the appeal and the relief requested:

Reference Number of the decision under appeal:
Portions of the decision in dispute:
Date of receipt of Decision or Director's Order (yyyy/mm/dd):
Applying for Stay? <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, outline the reasons for requesting a stay: (Tribunal's Guide to Stays can be viewed here)
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 4A Checklist(s) located here and submit all documents listed on the checklist.

Section 4B – Environmental Application for Leave to Appeal

Are you filing an Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No
Identify the portions of the instrument you are seeking to appeal:
Identify the grounds you are relying on for leave to appeal. Your grounds should include reasons why there is good reason to believe that no reasonable person, having regard to the relevant law and to any government policies developed to guide decisions of that kind could have made the decision; and why the decision could result in significant harm to the environment:
Outline the relief requested:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 4B Checklist(s) located here and submit all documents listed on the checklist.

Section 5A – Appeal regarding Development Permit Application under the *Niagara Escarpment Planning and Development Act*

Appeal Specific Information

Development Permit Application File No:

Name of Applicant for Development Permit:

Reasons for Appeal: Outline the nature and reasons for your appeal. Specific planning, environmental and/or other reasons are required. (The Niagara Escarpment Plan is available on the Niagara Escarpment Commission's website (www.escarpment.org))

Section 5B – Application to amend the *Niagara Escarpment Plan*

Owner

Last Name:

First Name:

Email Address:

Daytime Telephone Number:

Alternative Telephone Number:

ext.

Mailing Address

Unit Number:

Street Number:

Street Name:

P.O. Box:

City/Town:

Province:

Country:

Postal Code:

Property Location & Information

Municipality:

Street Number:

Street Name:

Lot:

Concession:

And/or

Lot:

Plan:

Assessment Roll Number or PIN:

Lot Size:

Property Servicing

Existing Road Frontage:

Municipal

Private

Proposed Road Frontage:

Municipal

Private

Existing Water Supply:

Municipal

Private

Proposed Water Supply:

Munic

Existing Sewage Disposal:

Municipal

Private

Proposed Sewage Disposal:

Munic

Is the Proposal the Subject of a Current Application? Please identify:

- Development Permit under *Niagara Escarpment Planning and Development Act*
- The *Planning Act* (Official Plan or Zoning By-law Amendment)
- The *Aggregate Resources Act* (License)
- Committee of Adjustment (Minor Variance)
- Land Division Committee (Severance)
- Other:

Description of the Property

Describe the current use of the property including any existing buildings or structures:

Category of the Proposed Amendment

- Change in Designation
- Request for Urban Servicing
- Other:
- Change to Policy
- Change to Plan Boundary

Detailed Description of Proposed Amendment

Provide a detailed description of the proposed amendment:

Justification and Rationale

(Including Reasons, Argument and Evidence in Support of the Amendment)
(See Niagara Escarpment Plan Amendment Guidelines)

The justification submitted with the application should address the following:

1. Analysis of how the proposed amendment is consistent with the *Niagara Escarpment Planning and Development Act*, the Niagara Escarpment Plan, and shall be consistent with other relevant Provincial plans.
2. A justification which includes the rationale for the amendment, as well as reasons, arguments or evidence in support of the change to the Plan proposed through the amendment.

The following studies and reports may be necessary to be submitted in support of justification of the proposed amendment (The applicability of the following will depend on the nature of the application):

- Agricultural Land Use Impacts
- Air Quality Impact Assessment
- Engineering Reports
- Environmental Impact Study
- Geological Studies
- Grading Plans – Existing and proposed and Slope Stabilization Plans and Typical Cross Sections
- Historical/Cultural/Archeological Impact Assessment
- Hydrogeological Impact Assessment
- Landscape/Visual Impact Analysis
- Noise Impact Assessment
- Setback from the Brow of the Escarpment
- Suitable for Septic Systems
- Traffic Impact Assessment
- Tree Removal/Planting including Berming and Landscaping
- Other:

Site Plan

Please attach an accurate Site Plan drawn to scale. The Site Plan may be drawn on a blank sheet; on an

attached Survey, or by using mapping software (Ontario Make a Map etc.). The Site Plan must show existing features, such as, buildings and structures, streams, changes in grades, rock outcrops, driveways, forested areas and proposed uses to changes to the property or the features.

NOTE: For amendments regarding Mineral Resource Extraction Areas, please provide copies of the Site Plan as required by Regulation under the *Aggregates Resources Act*.

Section 6 – Mining Claim and Conservation Matters

Appeal Specific Information

List the subject Mining Claim Number(s) (for unpatented mining claims) and accompanying Townships, Areas and Mining Division(s) where mining claims are situated. List all "Filed Only" Mining Claims, if appropriate: (This is to be completed for *Mining Act* appeals only.)

List the Parcel and the Property Identifier Numbers (PIN), if rents or taxes apply to mining lands, if appropriate (mining claims only):

Provide the date of the Decision of the Conservation Authority or the Provincial Mining Recorder, as appropriate:

Provide a brief outline of the reasons for your application/appeal/review. If other lands/owners are affected, please include that information in the outline being provided below:

Respondent Information

Conservation Authority:

Contact Person:

Email Address:

Daytime Telephone Number:

Alternative Telephone Number:

ext.

Mailing Address or statement of last known address/general area they were living and name of local newspaper if address is not available

Unit Number:

Street Number:

Street Name:

P.O. Box:

City/Town:

Province:

Country:

Postal Code:

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 6 Checklist(s) located [here](#) and submit all documents listed on the checklist.

Section 7 – Filing Fee

Required Fee

Please see the attached link to view the [OLT Fee Chart](#).

Total Fee Submitted: \$ 400.00

Payment Method	<input type="checkbox"/> Certified Cheque	<input type="checkbox"/> Money Order	<input type="checkbox"/> Lawyer's general or trust account cheque
	<input type="checkbox"/> Credit Card		

If you wish to pay the appeal fee(s) by credit card, please check the box above and OLT staff will contact you by telephone to complete the payment process upon receipt of the appeal form.

If a request for a fee reduction is being requested, please pay the minimum filing fee for each appeal and complete/submit the [Fee Reduction request form](#).

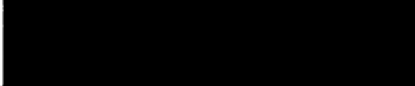
Request for Fee Reduction form is attached (if applicable – see Appeal Form Guide for more information)

Section 8 – Declaration (Mandatory)

Declaration

I solemnly declare that all the statements and the information provided, as well as any supporting documents, are true, correct and complete.

By signing this appeal form below, I consent to the collection of my personal information.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Mitchell Fasken		2021/11/16

Personal information or documentation requested on this form is collected under the authority of the *Ontario Land Tribunal Act* and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the *Freedom of Information and Protection of Privacy Act* and section 9 of the *Statutory Powers Procedure Act*, all information collected is available to the public subject to limited exceptions.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator at OLT.Coordinator@ontario.ca or toll free at 1-866-448-2248 as soon as possible.

Section 9 – Filing Checklists (Mandatory)

Filing/Submitting your form and documentation

You must file your Appeal Form with the appropriate authority(s) by the filing deadline.

If the completed Section is:	Refer to the relevant checklist and submit all documents listed on the checklist when filing your Appeal Form.
Section 3B	Review the Section 3B Checklist(s) and attach all listed documents.
Section 4A	Review the Section 4A Checklist(s) and attach all listed documents.
Section 4B	Review the Section 4B Checklist(s) and attach all listed documents.

If the completed Section is:	You must file with the following:	
Section 3A	Municipality or the Approval Authority/School Board *If you are filing under the <i>Ontario Heritage Act</i> , including under s. 34.1(1) , please carefully review the specific section of that legislation to determine if your appeal needs to be filed with the Tribunal in addition to the Municipality or Approval Authority.	
Section 3A & 3B or Section 4A or Section 4B or Section 6	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, ON M5G 1E5	Phone: 416-212-6349 1-866-448-2248 Website: www.olt.gov.on.ca
Section 5A or 5B	For the Areas of: Dufferin County (Mono) Region of Halton Region of Peel Region of Niagara City of Hamilton	For the Areas of: Bruce County Grey County Simcoe County Dufferin County (Mulmur, Melancthon)

	<p>File with:</p> <p>NIAGARA ESCARPMENT COMMISSION 232 Guelph Street, 3rd Floor Georgetown, ON L7G 4B1</p> <p>Phone: 905-877-5191 Fax: 905-873-7452</p> <p>Website: www.escarpment.org Email: necgeorgetown@ontario.ca</p>	<p>File with:</p> <p>NIAGARA ESCARPMENT COMMISSION 1450 7th Avenue Owen Sound, ON N4K 2Z1</p> <p>Phone: 519-371-1001 Fax: 519-371-1009</p> <p>Website: www.escarpment.org Email: necowensound@ontario.ca</p>
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NOTE: Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal).

NOTE: Relevant portions of the applicable legislation should be reviewed before submitting this form. Please ensure that a copy of this Appeal Form is served in accordance with the requirements of the applicable legislation.