



## The Corporation of the Town of Orangeville

By-law Number **004 - 2018**

**A by-law to repeal By-Law No. 062-2017  
being a by-law to designate an area for the purposes  
of a Heritage Conservation District Study  
(West Broadway and First Street)**

Whereas subsection 40.1(1) of the Ontario Heritage Act enables Council to define by by-law one or more areas of the Town to be examined for future designation as a Heritage Conservation District, for a period of up to one year;



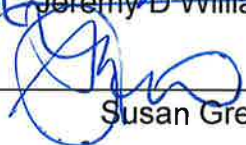
And whereas on June 26, 2017, the Council of The Corporation of the Town of Orangeville enacted By-Law No. 062-2017 to designate two Heritage Conservation District Study Areas;

And whereas Council now deems it desirable to repeal By-law No. 062-2017;

Be it therefore enacted by the municipal council of The Corporation of the Town of Orangeville as follows:

1. That By-Law No 062-2017 enacted by the Council of The Corporation of the Town of Orangeville on the 26<sup>th</sup> day of June, 2017 is hereby repealed.

Passed in open Council this 29<sup>th</sup> day of January, 2018.

 Warren Maycock  
  
\_\_\_\_\_  
Jeremy D. Williams, Mayor Deputy  
  
\_\_\_\_\_  
Susan Greatrix, Clerk

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** February 07, 2018

**CASE NO(S):** MM170068

**PROCEEDING COMMENCED UNDER** subsection 40.1(4) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended

Appellant:	Trolleybus Urban Developments Inc.
Appellant (jointly):	Elizabeth Duke
Subject:	By-law 062-2017 Heritage Conservation Study Area
Municipality:	Town of Orangeville
OMB Case No.:	MM170068
OMB File No.:	MM170068
OMB Case Name:	Trolleybus Urban Development v. Orangeville (Town)

**Heard:** January 30, 2018 in Orangeville, Ontario

**APPEARANCES:**

**Parties**

**Counsel\*/Representative**

Town of Orangeville

E. Lidakis\*

Mike Courtemanche

Self-represented

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON JANUARY 30, 2018 AND ORDER OF THE BOARD**

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**PROCEEDINGS**

[1] This hearing was scheduled to hear appeals from residents and landowners who were opposed to their properties being included in a heritage conservation district

study being undertaken by the Town of Orangeville (the "Town").

[2] The Town had passed By-law No. 62-2017 for a period of one year to conduct further studies within two proposed heritage conservation districts. The by-law had the effect of establishing a heritage review process for building additions, removals or alterations within the study area for the one year period.

[3] Following receipt of recommendations from the Town's peer reviewer of the Heritage Conservation District Study, the Town repealed By-law No. 62-2017 on January 29, 2018, the evening before this hearing was scheduled. Counsel for the Town submitted to the Board a certified resolution from the Town Clerk confirming the repeal of By-law No. 62-2017.

[4] Mr. Courtemanche owns properties within the study area and requested clarification on the status of the By-law because he was not aware of Town Council's recent decision. Mr. Courtemanche heard the Board's oral decision and will enquire with the Town as to what its next steps may be in the heritage designation process.

[5] No other persons present wished to make enquiries or submissions to the Board.

[6] The Board explained that By-law No. 62-2017 would be repealed under s. 41(7)(b)(i) of the *Ontario Heritage Act* in accordance with the Town's decision of January 29, 2018.

## **DECISION**

[7] The Board ordered that By-law No. 62-2017 is repealed.

*"S. Tousaw"*

S. TOUSAW  
MEMBER

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**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario

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