

The “Quarry/OMB” Summary of the Situation (Joe Doyle 11 Nov 05)

1. The OMB currently lacks authority to deal with the existing appeal to allow a quarry on the property.
2. This lack of jurisdiction stems from a change in the Township of Lake of Bays Zoning By-Laws in the course of the appeal to the OMB by House.
3. Normally a case would go to the OMB under the same law that applied when it was heard and decided locally.
4. The By-Law in effect when Council rejected the quarry proposal no longer exists.
5. To proceed, and presuming the appellant remains determined to establish a quarry on this property. the case now must go back to local Council, 6. If an application is filed appropriately and conforms to existing laws, it would likely be scheduled for hearing and decision by the local Council.
7. If rejected again by Council, the quarry proponent would then have to appeal again to the OMB for a decision.
8. Hearings into this matter would then be rescheduled and resume at the OMB.
9. The OMB would make the final decision.