



## *Local Planning Appeal Tribunal* **Case Management Conference Submission Form**

### **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. The Appellant(s) and either the municipality or the approval authority, depending on 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.

### **THE PRE-FILING REQUIREMENTS FOR PERSONS WHO ARE NOT THE STATUTORY PARTIES THAT WISH TO PARTICIPATE IN THE CASE MANAGEMENT CONFERENCE:**

#### **A) THE CONTENT OF THE WRITTEN SUBMISSION**

A person other than the appellant(s) and either the municipality or the approval authority, depending upon whose decision or non-decision has been appealed to the Tribunal, 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.

In the space below, please provide an explanation as to how your participation will help the Tribunal resolve the issues raised in the appeal.

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Since 1993, the Congress for the New Urbanism (CNU) has been one of North America's foremost

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nonprofits that advocates for a sustainable approach to community planning and urban design. The

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CNU's membership is comprised of municipal officials, public and private sector planners, urban designers, architects, landscape architects, developers, transportation engineers, lawyers and other development professionals that have been proactive in bringing about major shifts in how we plan our neighborhoods, communities and regions.

The Michigan Chapter of the Congress for the New Urbanism (MiCNU) is unique, as our association is comprised of members from the State of Michigan and Southern Ontario. We are one of nineteen local and state chapters representing CNU, whose National Headquarters are located in Washington, DC.

It is our opinion that the proposed plan does not uphold the values reflected by our Charter, or current best practices in city planning. More specifically, the proposed hospital site does not meet the PPS since the site selected does not involve the intensification of existing settlement areas, the redevelopment of existing settlement areas, or the remediation and redevelopment of brownfields.

As well, the site eliminates agricultural lands without clear justification and before options for intensification, redevelopment and brownfield redevelopment have been fully investigated.

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***\*YOU CAN ALSO PROVIDE ATTACHMENTS TO SUPPORT YOUR REQUEST.***

## **B) FILING REQUIREMENTS FOR THE WRITTEN SUBMISSION**

- The written submission must be emailed to the assigned Tribunal Case Coordinator **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.

For your reference, click [here](#) for a sample notice of a Case Management Conference.

Case Information			
LPAT Case Number	PL180842		
Date of Case Management Conference	Wednesday, March 20 <sup>th</sup> , 2019		
Contact Information			
Last Name	First Name		
Cook	Adam		
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Daytime Telephone Number		Alternate Telephone Number	
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			48105