

**Notice of Refusal
Official Plan Amendment Application (Stewart OPA-01-21)**

Take Notice that on November 1, 2021 the Corporation of the Township of Cavan Monaghan passed Resolution R/21/11/01/04 to refuse to adopt an Official Plan Amendment under Section 22 of the Planning Act, R.S.O. 1990, c.P.13. The Notice of Refusal pertains to an application filed by D.M. Wills Associated Limited on behalf of Mark and Deborah Stewart, File No. OPA-01-21, in part of Lot 12, Concession 11, Cavan Ward and municipally known as 872 Sharpe Line. A key map showing the location of the subject property is provided at the bottom of this Notice.

The purpose of the Application was to change the land use designation on a portion of the subject lands from “Agricultural” to “Hamlet” and to provide relief from the policies of the Official Plan that prohibit the expansion of settlement area boundaries. The effect of the proposed Amendment was to permit the creation of two (2) new non-farm residential lots.

Council considered all oral submissions relating to the Application made at the public meeting on November 1, 2021 and all written submissions relating to the Application before this decision was made.

The refusal of the Application is based on Council’s opinion that the Application does not conform to the Provincial Policy Statement, 2020, A Place to Growth: Growth Plan for the Greater Golden Horseshoe, 2020, and the Township of Cavan Monaghan Official Plan as they relate to the expansion of a hamlet and the preservation of agricultural lands. Council felt the proposal should only be considered at the time of a Municipal Comprehensive Review (MCR).

A person or public body that requested an amendment to the Township of Cavan Monaghan Official Plan may appeal the refusal of the requested Amendment to the Ontario Land Tribunal in respect of all or any part of the requested amendment by filing a notice of appeal with the Township Clerk.

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The last date for filing a notice of appeal is November 25, 2021. Any appeals must be filed, in writing, with the Township Clerk and must set out the reasons for the appeal. The appeal must be accompanied by the Ontario Land Tribunal (OLT) fee in the amount of \$1100.00^[1]. Fees are payable by certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques or money orders should be made payable to the “Minister of Finance”. If you would like to pay the fee by credit card, please indicate this on the appeal form and OLT staff will phone you to complete the transaction – do not record any credit card details on the appeal form.

The appeal form is available from the Ontario Land Tribunal website at: <https://olt.gov.on.ca/appeals-process/forms/>.

Only individuals, corporations and public bodies may appeal a decision of the Township of Cavan Monaghan to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of the individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the official plan amendment was refused, the person or public body made oral submission at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

The decision of Council is final if a notice of appeal is not received on or before the last day to appeal.

Dated at the Township of Cavan Monaghan this 5th day of November, 2021.

Cindy Page
Clerk

^[1] Note: An Appellant may request the lower filing fee of \$400, if the Appellant is a private citizen, a registered charity or a non-profit ratepayers’ association. The request for the lower fee must be made at the time of filing the appeal. Please use our Request for Lower Fee Form ([HTML](#) | [Word](#)).

Key Map

