

From: Tammy Lepage
Sent: Tuesday, June 12, 2018 4:25 PM
To: Roxanne St. Germain
Subject: Fw: LPAT Venue Cancellation June 19, 2018
Attachments: PL171041-Venue Cancellation (June 19, 2018).doc

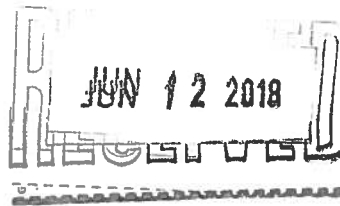
File ☒ Incoming ☐ Other
 Mayor ☐
 Council ☒ ☐ A
 CAO ☐
 Building ☐
 Finance ☐ S ☐ C
 Ec Dev ☐ S ☐ C
 Parks & Rec ☐ S ☐ C
 Planning ☒ S ☒ C
 Public Wks ☐ S ☐ C
 PPP ☐
 Social Services ☐
Levick
COA

For incoming.

Sincerely,

Tammy Lepage
 Planning Clerk

The Municipality of Temagami
 7 Lakeshore Drive
 P.O. Box 220
 P: 705-569-3421 ext 206 or 210
 E: planning@temagami.ca



From: Rayner, George (MAG) <George.Rayner@ontario.ca>
Sent: June 12, 2018 3:50 PM
To: Tammy Lepage
Subject: LPAT Venue Cancellation June 19, 2018

Good afternoon,

Could you please cancel the hearing space that was booked for LPAT for June 19, 2018 in the Council Chambers. This hearing has now been adjourned. Please find attached the venue cancellation.

Could you please acknowledge

Thank you

Regards

George Rayner
 Case Management Administrative Assistant
 Local Planning Appeal Tribunal
 Environment and Land Tribunals Ontario (ELTO)
 655 Bay Street, 15th Floor
 Toronto, ON M5G 1E5
george.rayner@Ontario.ca
 Tel (416)326-6781 or toll-free 1-866-887-8820
 Fax (416)416-326-5370

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**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

655 Bay Street, Suite 1500
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**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Commission des affaires municipales
de l'Ontario

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June 12, 2018

Tammy Lepage
Phone: (705) 569-3421 Ext. 210
Fax: (705) 569-2834
E-mail: planning@temagami.ca

CANCELLATION OF HEARING ROOM ARRANGEMENTS

CASE NUMBER: PL171041, PL171040
FILE NUMBER: PL171041, PL171040

PROPERTY LOCATION: 44 & 50 Lake Temagami Island 970
130 Lake Temagami, Island 992

CASE TITLE: N. Reid, Island 970, 44 & 50 Lake Temagami
N. Reid, Island 992, 130 Lake Temagami

FIRST DAY OF HEARING: TUESDAY 19-JUN-2018 10:30 AM
TOTAL HEARING LENGTH: 1 Day(s)

Thank you for your assistance.

George Rayner
(416) 326 – 6781
George.Rayner@ontario.ca

SR 1/Hearin

Tammy Lepage

From: Steve Watt <swatt@municipal-law.ca>
Sent: June 7, 2018 2:41 PM
To: Norris, John H. (MAG); Robin Koistinen
Cc: Tammy Lepage; Chief Arnold Paul; reid@utstat.toronto.edu; Karen Beauchamp (karen@clearwaterplanning.ca); Brigid Wilkinson; eveldboom@russellchristie.com
Subject: RE: Notice of Joint Hearing for OMB Case File PL171070 & PL171041 (130 Lake Temagami Island 992 & 44 & 50 Lake Temagami Island 970)

Mr. Norris,

The municipality supports the TFN request for an adjournment to permit the appellant to hire a lawyer at this late date.

I would respectfully request that a timely replacement date be confirmed on a priority basis for this one day hearing.

Thank you, Stephen Watt.

G. Stephen Watt

Elston Watt
Barristers & Solicitors | Integrity Commissioner
391 First Street, Suite 303 | Collingwood, ON | L9Y 1B3
T. 416.977.9874 | F. 705.443.8602 swatt@municipal-law.ca

www.elstonwatt.ca

From: Norris, John H. (MAG) [mailto:John.Norris2@ontario.ca]
Sent: Thursday, June 7, 2018 11:54 AM
To: Robin Koistinen
Cc: planning@temagami.ca; Chief Arnold Paul; reid@utstat.toronto.edu; Steve Watt; Karen Beauchamp (karen@clearwaterplanning.ca); Brigid Wilkinson; eveldboom@russellchristie.com
Subject: RE: Notice of Joint Hearing for OMB Case File PL171070 & PL171041 (130 Lake Temagami Island 992 & 44 & 50 Lake Temagami Island 970)

Dear Parties,

Further to the below email from Robin Koistinen, can the other parties please advise as to their respective positions on this adjournment request.

Thanks,

John H. Norris

John H. Norris, Planner – Case Coordinator
Local Planning Appeal Tribunal/Environment and Land Tribunals Ontario
Email: John.Norris2@ontario.ca
Tel: (416) 326-6798
Fax: (416) 326-5370

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From: Robin Koistinen [<mailto:robin.koistinen@temagamifirstnation.ca>]
Sent: June-07-18 11:41 AM
To: Norris, John H. (MAG)
Cc: planning@temagami.ca; Chief Arnold Paul; reid@utstat.toronto.edu; Steve Watt; Karen Beauchamp (karen@clearwaterplanning.ca); Brigid Wilkinson; eveldboom@russellchristie.com
Subject: RE: Notice of Joint Hearing for OMB Case File PL171070 & PL171041 (130 Lake Temagami Island 992 & 44 & 50 Lake Temagami Island 970)

Greetings John:

Thank you for returning my call today.

Temagami First Nation is requesting an adjournment of the OMB Hearing Scheduled for June 19, 2018, as we do not believe that the Municipality and its solicitor have been acting in good faith, for the following reasons:

1. The Municipality held a meeting on March 28, 2018, with their lawyer, Mr. Steve Watt, who was instructed to seek settlement.
2. On April 20, 2018, Temagami First Nation proposed Draft Minutes of Settlement for discussion. There was no attempt by Mr. Watt to amend these Minutes of Settlement in favour of what he would expect the Municipality to accept. He was to bring the proposed settlement to the Municipal Council on April 26, 2018.

At the meeting of April 20, we expressed concern about the timelines, because experts needed to be summoned, etc. Mr. Watt advised don't worry about that we can seek adjournment of the hearing.

3. On April 26, 2018, Robin Koistinen representative of Temagami First Nation attended the Temagami Municipal Council meeting, which was cancelled after the mandatory 15 minute waiting period due to a lack of quorum of Council.

4. On April 27, 2018, the Mayor and A/CAO set a date for another Temagami Municipal Council Meeting on May 2, 2018, again it could not be held due to lack of quorum.
5. On May 23, 2018, the Temagami Municipal Council finally held a meeting and determined that it did not want to settle as per my DRAFT Minutes of Settlement proposal. On May 24, 2018, Mr. Steve Watt phoned me on route to a funeral and advised me of the outcome of the May 23, Council meeting. He also indicated that he would put his efforts toward this case the following week, because he thought we still could settle. I should hear from him by Friday, June 1, 2018.
6. On June 5, 2018, Mr. Watt emailed me to say that both he and the client will be defending Council's decision to approve the cottage lots.
7. On June 5, 2018, I reminded Mr. Watt by email that when I was concerned back in April 20, 2018, about time being of essence, that he indicated we, being him and I, could seek an Adjournment of the Hearing.
8. On June 5, 2018, Mr. Watt emailed me back and advised, "The two issues you have raised are straight-forward and you are certainly well-versed in the details all of this. Two weeks is plenty of time to prepare when you have already done so much work."
9. On June 5, 2018, I replied again by email, "We have the right to legal representation and to choose who we want to represent us. I have indicated from day one that we would mediate, Council chose not to, you requested a meeting and came with nothing, I tabled Minutes of Settlement in good faith and waited over a month for a reply, otherwise I'm not sure what would have been the point of the meeting on April 20.

We have not appeared before the OMB ever, and want the assurance of legal representation, up till today, you have been interested in settling before the hearing. Was the interest in settling, in good faith? Or only to eat up time before the hearing?

I know that we can truly demonstrate that we have been acting in good faith to this point. The amount of work alone in the Draft Settlement and Schedules that I prepared, yet you have not ever countered or offered back anything.

While I am certainly well versed in the Municipal Official Plan, I am not in the workings and procedural aspect of the OMB, nor am I a lawyer as you are, or a planner. We require equal representation! On April 20, you also advised to not be concerned about the June 19th date that we could seek postponement jointly! You wanted another week, when you advised me of the outcome of the meeting on May 24, 2018."

Finally, along with the lack of good faith by the Municipality in dragging out a potential settlement with no real efforts, we, the TFN representatives (Robin Koistinen/Chief Arnold Paul) are not experienced in the workings and procedural aspects of the OMB. Until now, we believed we could settle, given direction of Municipal Council and their lawyer, we were trying to limit our expenses and I was representing the matter. Despite our efforts since filing the appeal, we have no alternative but to appear before the Board, we need equal representation. I have requested that Mr. Veldboom, of the Russell Christie firm in Orillia, represent us, and he is not available on June 19, 2018.

Failing consent by all parties to adjourn the matter now, we will be seeking an Adjournment at the hearing, which could potentially cost all parties more human and financial resources.

For all the above reasons, we respectfully request that the Board grant an Adjournment, where we can all have equal representation of our choosing and be present.

Respectfully,

Robin Koistinen
Lands & Resources Director
Temagami First Nation
(705) 237-8600

From: Frank, Graham (MAG) <Graham.Frank@ontario.ca>

Sent: March-16-18 12:27 PM

To: clerk@temagami.ca; planning@temagami.ca; Chief Arnold Paul <chief@temagamifirstnation.ca>; Robin Koistinen <robin.koistinen@temagamifirstnation.ca>; reid@utstat.toronto.edu

Cc: building@temagami.ca; pwsuper@temagami.ca; temfire@temagami.ca; Jim.Stewart@nbrhc.on.ca; oifa@irishfield.on.ca; harding.john210@gmail.com; suzanne.prefasi@gmail.com

Subject: Notice of Joint Hearing for OMB Case File PL171070 & PL171041 (130 Lake Temagami Island 992 & 44 & 50 Lake Temagami Island 970)

Greetings,

Please see the attached notice of a joint hearing for the above noted matters, OMB Case Nos. PL171040 & PL171041, which has been scheduled for one day June 19th, 2018.

If you have any further questions please feel free to contact me. The notice is being delivered by email to those with an email address listed. Mailed notice will be sent later today to those without a listed email.

Kind regards,

Graham Z. Frank
Case Coordinator – Planner
Ontario Municipal Board
Environment and Land Tribunals Ontario
655 Bay Street, 15th Floor
Toronto ON, M5G 1E5
T: (416) 326-3047 | E: Graham.frank@ontario.ca