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File No. 044272.000001

February 3, 2026

DELIVERED BY EMAIL
(clerk@armourtownship.ca)

Township of Armour
56 Ontario Street, P.O.# Box 533
Burk's Falls, ON, P0A 1C0

Attention: Municipal Clerk

Dear Ms. Watt:

Re: Notice of Appeal – Official Plan Amendment and Zoning By-law Amendment
PowerBank Corporation
219 Peggs Mountain Road, Armour
Municipal File No.: OPA-2025-01 and ZBA 2025-01

We are counsel for PowerBank Corporation (formerly SolarBank Corporation) (“**Applicant**”) who, on behalf of the landowner, David Creasor, made applications to amend the Township of Armour Official Plan (“**Township OP**”) and Township of Armour Zoning By-law 27-95, as amended (“**Township ZBL**”) for the lands municipally known as 219 Peggs Mountain Road in the Township of Armour (“**Subject Lands**”).

The applications for Official Plan Amendment pursuant to Section 22 of the *Planning Act*, R.S.O. 1990, c. P.13 (“**Planning Act**”), and Zoning By-law Amendment pursuant to Section 34 of the *Planning Act*, were assigned municipal file numbers OPA-2025-01 and ZBA 2025-01 respectively (“**Applications**”). The Applications were deemed complete on January 21, 2025. The Applications proposed to facilitate development of the Subject Lands for a battery energy storage system (“**BESS**”).

The Applicant submitted an application for site plan approval to the Township related to the proposed BESS on January 13, 2026 (“**SPA Application**”).

Decision Being Appealed

On January 13, 2026, Township Council refused the Applications, despite extensive public consultation, the submission and peer-review of numerous plans and studies, and Township planning staff having recommended that the Applications be approved.

The reasons for the decision to refuse the Applications are provided in the Notice of Decision dated January 16, 2026 as follows:

“Council determined that the proposal does not adequately address public safety and hazard management, emergency response planning, emergency services capacity, firefighter training, infrastructure, and inter-municipal and cross-boundary impacts. The application was absent of finalized emergency response planning, firefighter training, and stormwater management documentation.”

To the extent the reasons for the refusal are land use planning grounds, these are matters that are appropriately studied, addressed and resolved through the site plan approval process.

Background to Appeal

The Subject Lands

The Subject Lands are approximately 32.37 ha in size, and are located on the south side of Peggs Mountain Road, generally located south of the Burks Falls Settlement Area and west of Highway 11.

The Subject Lands are developed with an existing solar array that currently operates to capture and generate solar electricity. The Applications would add a BESS as an expressly-permitted use on the Subject Lands.

BESSs are an application of commonly used existing technology, which function to capture and store excess electrical energy from the power grid, to then be supplied back to the power grid (such as during peak demand periods or electrical outages). The Applicant was awarded a contract from the Independent Electricity Systems Operator (“**IESO**”) as part of the Expedited Long-Term RFP to secure new capacity into service by 2027. Among the common categories of use in the field of land use planning, the BESS facility can best be categorized as a utility and/or infrastructure type use.

Within the Armour Official Plan, the Subject Lands are designated “Rural Community”. The Armour Zoning By-law zones the subject lands as zoned “Rural (RU)”.

The Applications

The Applicant initially met with the municipality in late 2022, and on November 17, 2022 Township of Armour Council granted a Municipal Support Resolution for the proposed BESS.

Following this, the Applicant submitted the Applications to the Township on May 16, 2024, which were deemed complete on January 21, 2025, despite multiple submissions to the municipality and numerous meetings (including two pre-consultation meetings).

As part of the submission of the Applications, the Applicant went above and beyond standard consultation requirements, including holding four meetings with the public (November 2, 2022, April 7, 2025, November 18, 2025, and January 13, 2026). The Applicant has addressed the concerns of the public, the Township and the peer review technical experts that the Township retained.

What became clear through the unorthodox processing of the Applications, was that there was no technical concern with the proposed BESS, its location or its function that would warrant refusal of the Applications, which is a fact agreed upon by all experts involved. The technical review of the proposed amendments to the Township OP and ZBL was extensive and has now spanned several years, including peer review of all technical materials (enclosed to this letter is a list of reports and studies prepared and peer reviewed).

The reports and studies filed in support of the Applications have been peer-reviewed by the municipality's chosen consultants, all at the expense of the Applicant. The Applications are sound from a technical perspective and from a compatibility perspective, as confirmed by the prepared materials and the peer review of those materials, which did not identify any concern that would warrant refusal of the Applications. The outstanding comments on the Applications are minor in nature, and the municipality's own planner confirmed in their staff report that a subsequent site plan approval process is the appropriate mechanism to resolve these remaining details.

Through the public consultation process, the Applicant hosted two applicant-initiated Public Information Sessions (November 2, 2022 and April 7, 2025), attended the statutory public meeting on November 18, 2025, and attended the council meeting on January 13, 2026. The Applicant reviewed all submissions and comments from the public, and presented 19 pages of responses to comments to Council, dated January 7, 2026. Further, the technical submissions and peer review of those submissions (as summarized in the enclosure), addressed the common questions/concerns raised by the public.

The Township retained an external planning consultant to peer review the Applications and provide independent recommendations. The recommendation to Council by their retained land use planner was to “adopt Official Plan Amendment Application OPA-2025-01 and approve Zoning By-law Amendment Application ZBA-2025-01”, subject to their recommended amendments to the instruments. The January 13, 2026 staff report that recommended approval of the Applications authored by TULLOCH states:

“Subject to the recommended revisions to the draft by-laws, the proposed BESS is considered consistent with the Provincial Planning Statement, 2024, conforming to the Growth Plan for Northern Ontario and the Township of Armour Official Plan, and compliant with the Township’s Zoning By-law (as amended), with remaining site design, access, servicing, buffering, and mitigation requirements to be addressed through implementation mechanisms available to the Township, including Site Plan Control”

There was no land use planning analysis before Council that would warrant refusal of the Applications. This is a fact acknowledged by Council in their verbal comments prior to their decision. During the Council meeting, a municipal councillor stated that “*Sometimes you have to go with your heart*”, and that “*We have to listen to the people*”. These statements evidence a political, not a principled, decision.

The decision by Council is despite years of effort and cost by the Applicant to work with the municipality, and no rational land use planning reason to refuse the application. To the contrary, it was stated by the Mayor that the entirety of the planning and technical analysis was appropriately conducted, and commended the Applicant for their efforts to put forward comprehensive Applications.

The BESS is Permitted on the Subject Lands “As of Right”

The Applicant submitted the Applications to amend the Township OP and ZBL at the request of the Township, despite the use being existing permitted uses, and rationale being provided to the municipality for the same.

The result of PowerBank’s cooperative efforts was a 4-year long process that resulted in a refusal. However, the proposed BESS facility is permitted as of right on the Subject Lands in both the Official Plan and Zoning By-law, and this interpretation and opinion has been conveyed to the municipality.

The Township OP designates the lands as “Rural Community”, and Policy 3.9 of the Official Plan permits “the installation of facilities essential to the operation of a public utility” on lands designated Rural Community. The BESS will be part of the hydro electricity system in Ontario.

The Township ZBL, defines the term “public utility”, which can include a corporation related to the providing of a service to the public. Section 5.23 of the Zoning By-law establishes that the provisions of the zoning by-law shall not apply to the use of any lot or erection of any building or structure for the purposes of public services.

Thus the Applications are a formality, which were filed at the request of the Township, to facilitate the preparation and third-party review of reports and studies. Despite the Applicant’s good faith efforts to ensure the Township had the necessary information and reports to understand the nature of the BESS use and the various planning and technical opinions that recommended approval of the Applications, Township Council refused the Applications.

Reasons for Appeal

PowerBank appeals Council’s decision to refuse the Applications for reasons that follow and additional reasons that may be provided at a hearing of the appeal. The Applications represent good planning, have regard for matters of provincial interest, are consistent with the Provincial Planning Statement, conform to the Growth Plan for Northern Ontario, and conform with the goals and objectives of the Township OP.

Council’s decision to refuse the Applications was made despite the recommendation of their land use planner from TULLOCH, and the opinion of the land use planner retained by the Applicant from Zelinka Priamo Ltd. Township’s Council decision to refuse the Applications does not have regard to matters of provincial interest, is not consistent with the Provincial Planning Statement, 2024 and does not conform to the Growth Plan for Northern Ontario or the Township OP.

1. The Applications Have Regard To Matters Of Provincial Interest

Section 2 of the *Planning Act* outlines matters of provincial interest, and states that “The council of a municipality... in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,”. Matters of provincial interest include:

- a) the protection of ecological systems, including natural areas, features and functions;
- b) the protection of the agricultural resources of the Province;

- c) the conservation and management of natural resources and the mineral resource base;
- e) the supply, efficient use and conservation of energy and water;
- g) the minimization of waste;
- l) the protection of the financial and economic well-being of the Province and its municipalities;
- o) the protection of public health and safety;
- p) the appropriate location of growth and development;
- s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

The Applications will facilitate the implementation of a BESS facility on the Subject Lands. The proposed BESS facility implements matters of provincial interest, especially in light of the contract with IESO for the Expedited Long-Term RFP. In particular, the BESS will contribute to an efficient use of energy and resources, minimize waste and is a technology that is responsive to a changing climate.

2. The Applications are consistent with the Provincial Planning Statement

The Provincial Planning Statement, 2024 (“PPS”) establishes a policy context for the creation of communities that plan to reduce greenhouse gas emissions, and that provide opportunity for the expansion of energy supply systems. Relevant policies include Policy 2.5.1, 2.6, 2.9.1, 3.1, 3.5.1, 3.8.1, and 6.1, as well as definitions for “energy storage system” and “major facilities”. We note in particular Policy 3.8.1, which states:

- **Policy 3.8.1** *Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, energy storage systems, district energy, renewable energy systems, and alternative energy systems, to accommodate current and projected needs.*

“Energy Storage System” is defined in the PPS to mean “a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.” A BESS is an energy storage system.

The Applications will facilitate the proposed BESS, which is explicitly permitted and encouraged by the PPS, which states that municipalities should provide opportunities for this use, and that infrastructure shall be provided in an efficient manner. Municipalities are required by the PPS to plan to reduce greenhouse gas emissions and prepare for climate change. The proposed BESS is a use that will enhance clean energy opportunities by storing underutilized energy for use at peak demand times, reducing energy waste and making efficient use of existing power generation, and is an integral part of the future energy infrastructure system to meet increasing demand. The use is compatible with surrounding land uses, and is an appropriate use on rural lands, particularly those already functioning with energy infrastructure (such as the solar generation facilities on Subject Lands).

3. The Applications conform with the Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario (“GPNO”) is a strategic growth framework for northern communities, providing policy direction to guide development and decision making. The Applications conform with the GPNO.

Leveraging energy production, including “Renewable Energy and Services” is a key theme and priority of the Province for northern communities as noted in the GPNO. Relevant policies include 2.2.2, 2.2.3, 2.3.9.1, 5.2.1, 5.2.2, 5.2.4, 5.2.5, 5.6.1, 5.6.2 and 5.6.3. The policies of the GPNO prioritize development of certain economic sectors, including (renewable) energy and services. Policies encourage the growth and development of the (renewable) energy sector, and seek a coordinate approach for planning for infrastructure investments that contribute to establishing a culture of conservation.

The Applications will facilitate the proposed BESS, which is an appropriate use of rural lands in northern Ontario, particularly where lands are already utilized for energy generation as the Subject Lands are. The proposed use is encouraged by the GPNO.

4. Township of Armour Official Plan

The Township OP is the land use planning framework that guides the long-term growth, development, and conservation of lands within the municipality. The Subject Lands are designated “Rural Community” in the Official Plan, which is defined by Policy 2.1.1 and provides for a wide range of land uses that shall be predominantly located in this designation (in addition to policies that allow for a range of land uses in all designations):

Policy 2.2.1 *The predominant use of land in this category shall be for farming activities, forestry, conservation, detached residential dwellings, golf courses, summer camps for children, woodland retreats, recreational clubs and lodges, highway commercial uses, recreational and tourist commercial uses, private aircraft fields, Crown lands, home occupations and industries, small scale low water use industrial operations, schools, parks, community recreation facilities, churches, nursing homes, day nurseries and institutional uses, affordable housing developments, churches and cemeteries, mineral extraction including wayside pits and quarries, and waste disposal sites.*

Policy 3.9 *Uses such as public parks and similar recreational facilities, and the installation of facilities essential to the operation of a public utility, with the exception of landfill and/or waste disposal sites, shall be permitted within the Rural and Waterfront Communities of this Plan, provided that such uses will be compatible with surrounding uses.*

Objectives of the Rural Community are outlined by Policy 2.1.2, and include:

- *To promote businesses and low water using industries thereby increasing sustainable employment opportunities for Armour Township residents, both seasonal and permanent;*
- *To ensure that new development or redevelopment is compatible with and appropriately separated from surrounding uses and that negative environmental impacts and land use conflicts are avoided or minimized; and*
- *To promote the use of alternative/renewable energy systems such as wind turbines, solar panels, bio-diesel, ethanol and wood hot water heating systems.*

Other relevant policies of the Official Plan include Policy 4.4 and 4.5.

The proposed BESS facility conforms with the Township OP, and it is unclear why the municipality would have required any amendment to the Official Plan. The Official Plan contains numerous goals and objectives intended to respond to climate change, promote energy conservation and encourage development that minimizes energy consumption “*to the extent practicable and feasible*”.

The proposed BESS will be privately owned, but will be integrated with Ontario’s hydro network, which is managed through the IESO. Policy 3.9 of the Official Plan permits as of right in the Rural Community designation, “*the installation of facilities essential to the operation of a public utility*”, which the proposed development is considered to be.

There is no justified concern with respect to land use compatibility or the location of the proposed BESS, and the Applicant has designed the site to adequately separate and screen the facility from neighbouring land uses, while co-locating the energy storage use with existing energy production use. The Subject Lands are an ideal location for the proposed BESS, which is encouraged and indeed permitted by the Official Plan.

5. The Applications Represent Good Planning and are in the Public Interest

The Applications represent good planning and are in the public interest. This is the opinion agreed to by all land use planners that were involved in the Applications (Zelinka Priamo Ltd., TULLOCH, and DeLoyde Development Services).

Energy conservation and adapting to climate change is a critical land use planning issue that communities in Ontario are faced with, and this is reflected in all levels of planning policy. Given the existing solar-generation use of the Subject Lands and absence of any land use compatibility concerns associated with the BESS, the Subject Lands are the appropriate location for this type of development.

The proposed BESS contributes to addressing energy supply needs and is an important component of a healthy energy infrastructure system, which must respond to growing demand. The energy infrastructure system in Ontario is exactly that – a system of interconnected facilities that supply affordable electricity across Ontario to power our economy. It is through this multi-layered system of interconnected electrical production and distribution that Ontario stays powered. Communities across Ontario must respond responsibly to respond to the growing electrical needs of residents of Ontario.


Conclusion

For the foregoing reasons, as well as others that may become evident prior to the hearing of this appeal, the Applicants appeal Township Council’s decision to refuse the Applications on January 16, 2026.

We enclose a completed A1 Appellant Form for the appeals and a certified cheque made payable to the Minister of Finance in the amount of \$2,200 for the required filing fees. Also enclosed is a cheque payable to the Township in the amount of the \$700 for the Township’s filing fee.

Notwithstanding the filing of this appeal, the Applicant hopes to continue dialogue with the Township with respect to its vision for the development of the Subject Lands.

Yours very truly,
BORDEN LADNER GERVAIS LLP


Piper Morley
PM/LE

cc Client
 Zelinka Priamo Ltd.

encl List of Studies

List of Completed Studies

- Conceptual Site Plan dated November 28, 2024
- Planning Justification Report dated October 3, 2024, prepared by DeLoyde Development Solutions
 - Supplementary Planning Justification Report, dated July 23, 2025, prepared by Zelinka Priamo Ltd.
 - Peer Reviewed by Tulloch and accepted September 2025
- Acoustic Assessment Report, dated October 3, 2024, prepared by EXP
 - Peer reviewed by Cambium and accepted August 18, 2025
- Air and Gas Emissions Memo, dated September 26, 2024, prepared by EXP
 - Peer reviewed by Cambium and accepted August 18, 2025
- Vibration Letter, dated March 5, 2025, prepared by EVLO
 - Peer reviewed by Cambium and accepted August 18, 2025
- Environmental Impact Study, including addendum dated September 9, 2025, prepared by SLR Consulting (Canada) Ltd.
 - Peer Reviewed by Tulloch and accepted September 11, 2025
- Vegetation Management Plan prepared by PowerBank
 - Peer Reviewed by Tulloch and accepted August 2025
- Environmental Site Assessment, including revisions, prepared by EXP
 - Peer Reviewed by Tulloch and accepted July 14, 2025
- Commissioning Plan prepared by PowerBank
 - Peer Reviewed by BBA Inc. and accepted July 29, 2025
- Decommissioning Plan, latest revision July 17, prepared by PowerBank
 - Peer Reviewed by BBA Inc and accepted July 29, 2025
- Hazard Mitigation Analysis, latest revision August 6, 2025, prepared by Fire and Risk Alliance
 - Peer Reviewed by PLC Fire and accepted November 5, 2025
- Stormwater Management Report prepared by PRI Engineering
 - Peer Review by TULLOCH, dated December 12, 2025. As agreed by Tulloch, the outstanding comments are appropriate to be resolved through detailed design (Site Plan Approval)
- Emergency Response Plan and addendums, prepared by Fire and Risk Alliance
 - Peer reviewed by PLC Fire
- Firefighter Training Plan, including response letter, prepared by PowerBank and Fire and Risk Alliance
 - Peer reviewed by PLC Fire, and confirmed that outstanding comments to be addressed through detailed design (site plan approval)
- Community Engagement Plan prepared by PowerBank



Ontario Land Tribunal

655 Bay Street, Suite 1500, Toronto, ON M5G 1E5

Tel: 416-212-6349 | 1-866-448-2248

Web Site: olt.gov.on.ca

Appeal Form (A1)

Municipal/Approval Authority Date Stamp	Receipt Number (OLT Office Use Only)	Date Stamp – Appeal Received by OLT
	OLT Case Number (OLT Office Use Only)	

Section 1 – Contact Information (Mandatory)

Applicant/Appellant/Objector/Claimant Information				
Last Name:		First Name:		
Lila		Ina		
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):				
PowerBank Corporation				
Email Address:				
ina.lila@powerbankcorp.com				
Daytime Telephone Number:			Alternative Telephone Number:	
647.835.5503	ext.			
Mailing Address				
Unit Number:	Street Number:	Street Name:		P.O. Box:
803	505	Consumers Road		
City/Town:	Province:	Country:	Postal Code:	
Toronto	ON	Canada	M2J 4V8	

Representative Information				
X I hereby authorize the named company and/or individual(s) to represent me				
Last Name:			First Name:	
Morley			Piper	
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):				
Borden Ladner Gervais LLP				
Email Address:				
pmorley@blg.com				
Daytime Telephone Number:			Alternative Telephone Number:	
416-367-6591	ext.			
Mailing Address				
Unit Number:	Street Number:	Street Name:		P.O. Box:
3400	22	Adelaide Street E		
City/Town:	Province:	Country:	Postal Code:	
Toronto	ON	Canada	M5H 4E3	
<p>Note: If your representative is not licensed under the <i>Law Society Act</i>, please confirm that they have your written authorization, as required by the <i>OLT Rules of Practice and Procedure</i>, to act on your behalf and that they are also exempt under the Law Society's by-laws to provide legal services. Please confirm this by checking the box below.</p>				
<p>I certify that I understand that my representative is not licensed under the <i>Law Society Act</i> and I have provided my written authorization to my representative to act on my behalf with respect to this <input type="checkbox"/> matter. I understand that my representative may be asked to produce this authorization at any time along with confirmation of their exemption under the Law Society's by-laws to provide legal services.</p>				

Location Information	
Are you the current owner of the subject property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Address and/or Legal Description of property subject to the appeal:	
219 Peggs Mountain Road, Township of Armour Lot 3, Concession 6 Armour, save and except Part 1 and 2, Plan 42R22137 and Parts 1, 2 and 3, Plan 42R22689	

Municipality:
Township of Armour
Upper Tier (Example: county, district, region):
NA

Language Requirements	
Do you require services in French?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

To file an appeal, please complete the section below. Complete one line for each appeal type			
Subject of Appeal		Type of Appeal (Act/Legislation Name)	Reference (Section Number)
Examp e	Minor Variance	<i>Planning Act</i>	45(12)
1	Official Plan Amendment	<i>Planning Act</i>	22(7)
2	Zoning By-law Amendment	<i>Planning Act</i>	34(11)
3			
4			
5			

Section 2 – Appeal Type (Mandatory)

Please select the applicable type of matter		
Select	Legislation associated with your matter	Complete Only the Section(s) Below
<input checked="" type="checkbox"/>	Appeal of <i>Planning Act</i> matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances	3A
<input type="checkbox"/>	Appeal of <i>Development Charges, Education Act, Aggregate Resources Act, Municipal Act</i> matters	3A
<input type="checkbox"/>	Appeal of or objection to <i>Ontario Heritage Act</i> matters under subsections 29, 30.1, 31, 32, 33, 40.1 and 41	3A

<input type="checkbox"/>	Appeal of <i>Planning Act</i> (subsections 33(4), 33(10), 33(15), 36(3)), <i>Municipal Act</i> (subsection 223(4)), <i>City of Toronto Act</i> (subsection 129(4)) and <i>Ontario Heritage Act</i> (subsections 34.1(1), 42(6)) matters	3A & 3B
<input type="checkbox"/>	Appeal of <i>Clean Water Act</i> , <i>Environmental Protection Act</i> , <i>Nutrient Management Act</i> , <i>Ontario Water Resources Act</i> , <i>Pesticides Act</i> , <i>Resource Recovery and Circular Economy Act</i> , <i>Safe Drinking Water Act</i> , <i>Toxics Reduction Act</i> , and <i>Waste Diversion Transition Act</i> matters	4A
<input type="checkbox"/>	Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i>	4B
<input type="checkbox"/>	Appeal under the <i>Niagara Escarpment Planning and Development Act (NEPDA)</i>	5
<input type="checkbox"/>	Appeal of <i>Conservation Authorities Act</i> , <i>Mining Act</i> , <i>Lakes and Rivers Improvement Act</i> , <i>Assessment Act</i> , and <i>Oil, Gas and Salt Resources Act</i> matters	6
<input type="checkbox"/>	Legislation not listed above	Contact OLT before filing your appeal

Section 3A – Planning Matters

Appeal Reasons and Specific Information

Number of new residential units proposed:

NA

Municipal Reference Number(s):

OPA-2025-01 and ZBA 2025-01

List the reasons for your appeal:

Please see enclosing correspondence dated February 3, 2026.

Has a public meeting been held by the municipality? ☒ Yes ☐ No

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you will rely on one or more of the following grounds:

A: A decision of a Council or Approval Authority is:

- ☐ Inconsistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*
- ☐ Fails to conform with or conflicts with a provincial plan
- ☐ Fails to conform with an applicable Official Plan

And

B: For a non-decision or decision to refuse by council:

- X Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*
- X Conformity with a provincial plan
- X Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If it is your intention to argue one or more of the above grounds, please explain your reasons:

Please see enclosing correspondence dated February 3, 2026. We note that, in the case of appeals under s. 22(7) and s. 34(11) of the *Planning Act*, there is no statutory requirement to explain how a decision is inconsistent with the Provincial Planning Statement or does not conform to an applicable provincial or official plan, as the case may be.

Oral/Written Submissions to Council

Did you make your opinions regarding this matter known to council?

- ☐ Oral submissions at a public meeting of council
- ☐ Written submissions to council
- X Not applicable

Related Matters

Are there other appeals not yet filed with the Municipality?

X Yes ☐ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application).

X Yes ☐ No

If yes, please provide the Ontario Land Tribunal Case Number(s) and/or Municipal File Number(s) for the related matters:

Related site plan application filed with Township.

Section 3B – Other Planning Matters

Appeal Specific Information (Continued)

Date application submitted to municipality if known (yyyy/mm/dd):

Date municipality deemed the application complete if known (yyyy/mm/dd):

Please briefly explain the proposal and describe the lands under appeal:

There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the [Section 3B Checklist\(s\)](#) located [here](#) and submit all documents listed.

Section 4A – Appeals under Environmental Legislation

Appeal Specific Information

Outline the grounds for the appeal and the relief requested:

Reference Number of the decision under appeal:

Portions of the decision in dispute:

Date of receipt of Decision or Director's Order (yyyy/mm/dd):

Applying for Stay? <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, outline the reasons for requesting a stay:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 4A Checklist(s) located here and submit all documents listed on the checklist.

Section 4B – Environmental Application for Leave to Appeal

Are you filing an Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No
Identify the portions of the instrument you are seeking to appeal:
Identify the grounds you are relying on for leave to appeal. Your grounds should include reasons why there is good reason to believe that no reasonable person, having regard to the relevant law and to any government policies developed to guide decisions of that kind could have made the decision; and why the decision could result in significant harm to the environment:
Outline the relief requested:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 4B Checklist(s) located here and submit all documents listed on the checklist.

Section 5 – Appeal regarding Development Permit Application under the *Niagara Escarpment Planning and Development Act*

Appeal Specific Information

Development Permit Application File No:

Address or legal description of the subject property:

Reasons for Appeal: Outline the nature and reasons for your appeal. Specific planning, environmental and/or other reasons are required. (The Niagara Escarpment Plan is available on the Niagara Escarpment Commission's website (www.escarpment.org))

Section 6 – Mining Claim and Conservation Matters

Appeal Specific Information

List the subject Mining Claim Number(s) (for unpatented mining claims) and accompanying Townships, Areas and Mining Division(s) where mining claims are situated. List all "Filed Only" Mining Claims, if appropriate: (This is to be completed for *Mining Act* appeals only.)

List the Parcel and the Property Identifier Numbers (PIN), if rents or taxes apply to mining lands, if appropriate (mining claims only):

Provide the date of the Decision of the Conservation Authority or the Provincial Mining Recorder, as appropriate:

Provide a brief outline of the reasons for your application/appeal/review. If other lands/owners are affected, please include that information in the outline being provided below:

Respondent Information

Conservation Authority:

Contact Person:			
Email Address:			
Daytime Telephone Number:		Alternative Telephone Number:	
	ext.		
Mailing Address or statement of last known address/general area they were living and name of local newspaper if address is not available			
Unit Number:	Street Number:	Street Name:	P.O. Box:
City/Town:	Province:	Country:	Postal Code:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 6 Checklist(s) located here and submit all documents listed on the checklist.			

Section 7 – Filing Fee						
Required Fee						
Please see the attached link to view the OLT Fee Chart .						
Total Fee Submitted: \$2,200						
Payment Method	<input type="checkbox"/>	Certified Cheque	<input type="checkbox"/>	Money Order	<input checked="" type="checkbox"/>	Lawyer's general or trust account cheque
	<input type="checkbox"/>	Credit Card				
If you wish to pay the appeal fee(s) by credit card, please check the box above and OLT staff will contact you by telephone to complete the payment process upon receipt of the appeal form. DO NOT INCLUDE YOUR CREDIT CARD INFORMATION ON THIS FORM. YOU WILL BE CONTACTED TO COMPLETE YOUR PAYMENT OVER THE PHONE.						
If a request for a fee reduction is being requested, please pay the minimum filing fee for each appeal and complete/submit the Fee Reduction request form .						
<input type="checkbox"/> Request for Fee Reduction form is attached (if applicable – see Appeal Form Guide for more information)						

Section 8 – Declaration (Mandatory)

Declaration

I solemnly declare that all the statements and the information provided, as well as any supporting documents, are true, correct and complete.

By signing this appeal form below, I consent to the collection of my personal information.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Piper Morley		2026/02/03

Personal information or documentation requested on this form is collected under the authority of the *Ontario Land Tribunal Act* and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the *Freedom of Information and Protection of Privacy Act* and section 9 of the *Statutory Powers Procedure Act*, all information collected is available to the public subject to limited exceptions.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator at OLT.Coordinator@ontario.ca or toll free at 1-866-448-2248 as soon as possible.

Section 9 – Filing Checklists (Mandatory)

Filing/Submitting your form and documentation

You must file your Appeal Form with the appropriate authority(s) by the filing deadline.

If the completed Section is:	Refer to the relevant checklist and submit all documents listed on the checklist when filing your Appeal Form.
Section 3B	Review the Section 3B Checklist(s) and attach all listed documents.
Section 4A	Review the Section 4A Checklist(s) and attach all listed documents.
Section 4B	Review the Section 4B Checklist(s) and attach all listed documents.

If the completed Section is:	You must file with the following:
Section 3A	<p>Municipality or the Approval Authority/School Board</p> <p>*If you are filing under the <i>Ontario Heritage Act</i>, including under s. 34.1(1), please carefully review the specific section of that legislation to determine if your appeal needs to be filed with the Tribunal in addition to the Municipality or Approval Authority.</p>

Section 3A & 3B or Section 4A or Section 4B or Section 6	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, ON M5G 1E5	Phone: 416-212-6349 1-866-448-2248 Website: www.olt.gov.on.ca
Section 5	<p>For the Areas of: Dufferin County (Mono) Region of Halton Region of Peel Region of Niagara City of Hamilton</p> <p>File with: NIAGARA ESCARPMENT COMMISSION 232 Guelph Street, 3rd Floor Georgetown, ON L7G 4B1 Phone: 905-877-5191 Fax: 905-873-7452 Website: www.escarpment.org Email: necgeorgetown@ontario.ca</p>	<p>For the Areas of: Bruce County Grey County Simcoe County Dufferin County (Mulmur, Melancthon)</p> <p>File with: NIAGARA ESCARPMENT COMMISSION 1450 7th Avenue Owen Sound, ON N4K 2Z1 Phone: 519-371-1001 Fax: 519-371-1009 Website: www.escarpment.org Email: necowensound@ontario.ca</p>

NOTE: Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal).

NOTE: Relevant portions of the applicable legislation should be reviewed before submitting this form. Please ensure that a copy of this Appeal Form is served in accordance with the requirements of the applicable legislation.

Borden Ladner Gervais LLP

A Ontario Limited Liability Partnership

Bay Adelaide Centre, East Tower

4422 Avenue Road, Suite West

Toronto, ON, Canada M5H 4E3

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The Bank of Nova ScotiaScotia Plaza, 44 King St W
Toronto, ON, Canada M5H 1H1

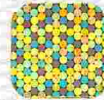
CHEQUE NUMBER 489577

CHEQUE DATE 01-27-2026

MM-DD-YYYY

GEN \$***2,200.00***

Borden Ladner Gervais LLP

PAY
TO THE
ORDER
OF:**Minister of Finance**
393 University Ave. Suite 200
Toronto, ON M5G 2M2**CERTIFIED CHEQUE
DO NOT DESTROY**
AUTHORIZED SIGNATURESAFEGUARD
SECURE
SAFEGUARD
SECURE

⑈489577⑈ ⑆800020002⑆ 14221111⑈

Payee: Minister of Finance
Vendor ID: 101557Check #: 489577
Check Date: Jan 27/26

Invoice Num	Reference	Invoice Date	Invoice Amount	HST/GST	Payment Amt
202601261	050051821605 VENDOR: Minister of Finance INVOICE#: 202601261 DATE: 1/26/2026 CRINV PKUP Disha Doshi Payable to Minister of Finance	Jan 26/26	2,200.00	0.00	2,200.00
Totals:			\$2,200.00		\$2,200.00

Borden Ladner Gervais LLP

Amoradio Limited Liability Partnership

Bay Adelaide Centre, East Tower

22 Adelaide Street West

Toronto, ON, Canada M5H 4E3

Seven hundred and 00/100*****

The Bank of Nova ScotiaScotia Plaza, 44 King St W
Toronto, ON, Canada M5H 1H1

CHEQUE NUMBER 489578

CHEQUE DATE 01-27-2026

MM-DD-YYYY

GEN \$***700.00***

Borden Ladner Gervais LLP

PAY
TO THE
ORDER
OF:**The Municipal Corporation of the Township of Armour**

56 Ontario St. Po Box 533

Burk's Falls, ON P0A 1C0

**CERTIFIED CHEQUE
DO NOT DESTROY**
AUTHORIZED SIGNATURE

⑈489578⑈ ⑆800020002⑆ 1422111⑈

Payee: The Municipal Corporation of the Townsh
Vendor ID: 124901Check #: 489578
Check Date: Jan 27/26

Invoice Num	Reference	Invoice Date	Invoice Amount	HST/GST	Payment Amt
202601262	050051821723 VENDOR: The Municipal Corporation of the Townshi INVOICE#: 202601262 DATE: 1/26/2026 CRINV PKUP Disha Doshi Payable to The Municipal	Jan 26/26	700.00	0.00	700.00
Totals:			\$700.00		\$700.00