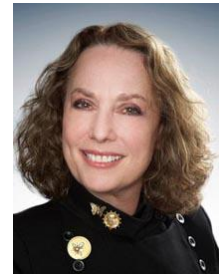


Public Interest Group's Costs Order Reduced Notwithstanding OMB's Finding of Unreasonable Conduct



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A public interest group's costs order has been reduced from \$110,000 to \$50,000 by the OMB.

In November 2015, the Concerned Residents Association of North Dumfries (CRAND) appealed North Dumfries Township's decision to allow Preston Sand and Gravel to rezone its property for a gravel pit. CRAND claimed the gravel pit would generate dust that would cause air pollution and would pose a substantial risk to human health.

The OMB dismissed CRAND's appeal and found CRAND's conduct throughout the hearing to be frivolous and unreasonable. The OMB ordered CRAND to pay Preston Sand and Gravel \$110,000 in costs.

Following the OMB's decision, CRAND submitted a request for review pursuant to section 43 of the *Ontario Municipal Board Act* which grants the OMB the power to "review, rescind, change, alter or vary any decision, approval or order made by it."¹ On March 15, 2016, the OMB reduced its costs awarded from \$110,000 to \$50,000, payable by CRAND to Preston Sand and Gravel Company Limited. The OMB did not provide any reasons for the reduction.

For more information about the OMB's decision to award costs for unreasonable conduct, see our article [here](#).

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¹ *Ontario Municipal Board Act*, R.S.O. 1990, c. O.28, s 43.