

**Environmental Review Tribunal**  
Tribunal de l'environnement



**ISSUE DATE:** February 13, 2020

**CASE NO.:**

19-042

**PROCEEDING COMMENCED UNDER** section 100.1(7) of the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended

Appellant: Dori Wiens (File No. 19-042)  
Appellant: Ernst Wiens (File No. 19-043)  
Respondent: Town of Niagara-on-the-Lake  
Subject of appeal: Order to pay issued in relation to the prevention, elimination or amelioration of a spilled pollutant  
Reference No.: 2019-05-22  
Property Address/Description: 1055 Line 2, RR 2  
Municipality: Town of Niagara-on-the-Lake  
Upper Tier: Regional Municipality of Niagara  
ERT Case No.: 19-042  
ERT Case Name: Wiens v. Niagara-on-the-Lake (Town)

**APPEARANCES:**

**Parties**

**Counsel**

Dori Wiens and Ernst Wiens

Matthew Gardner and Julie Paille

Town of Niagara-on-the-Lake

Brent Harasym

**HEARD:**

January 21, 2020 by teleconference

**ADJUDICATOR:**

Maureen Helt, Acting Associate Chair

## PROCEDURAL ORDER

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Further to the teleconference held on January 21, 2020, I order that:

### **Tribunal Assisted Mediation**

- [1] On consent, a Tribunal assisted mediation in-person is scheduled for March 31, 2020 at 10:00 am in Niagara-on-the-Lake. Parties will be advised of the location prior to the mediation.
- [2] The Parties are to serve and file with the Tribunal their respective mediation briefs on or before March 24, 2020.

### **OTHER PROCEDURAL MATTERS**

- [3] The parties must immediately advise the Tribunal in writing if they resolve the issue(s) in dispute.

*“Maureen Helt”*

MAUREEN HELT  
ACTING ASSOCIATE CHAIR

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

### **Environmental Review Tribunal**

A constituent tribunal of Environment and Land Tribunals Ontario  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248