

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** March 16, 2016

**CASE NO(S):** PL111184

**PROCEEDING COMMENCED UNDER** subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 1042710 Ontario Limited (aka Royal Centre)  
Appellant: 1096818 Ontario Inc.  
Appellant: 11333 Dufferin St et al  
Appellant: 1191621 Ontario Inc.; and others  
Subject: Failure to announce a decision respecting Proposed  
New Official Plan  
Municipality: City of Vaughan  
OMB Case No.: PL111184  
OMB File No.: PL111184  
OMB Case Name: Duca v. Vaughan (City)

**Heard:** March 3, 2016 in Vaughan, Ontario

**APPEARANCES:**

**Parties**

**Counsel\*/Representative**

See Attachment 1

**MEMORANDUM OF ORAL DECISION DELIVERED BY JASON CHEE-HING ON  
MARCH 3, 2016 AND ORDER OF THE BOARD**

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[1] This was a further pre-hearing conference (“PHC”) into the appealed Vaughan Official Plan (“VOP”) 2010 as they relate specifically to the Vaughan Metropolitan Centre (“VMC”) secondary plan (“Plan”).

[2] Antonio Di Benedetto (Appeal # 109) is no longer represented by Loopstra Nixon LLP. The Board directed Mr. Di Benedetto to retain a solicitor or an agent to represent him within the next two weeks and inform the City of the individual retained.

[3] Lynn Townsend provided a status update on the appeals relating to the VMC secondary plan. A hearing list was presented for discussion which contained components of the Plan under appeal and the potential block of hearing dates being sought to hear the appeals by hearing matters.

[4] The Board set a hearing date of **January 9, 2017**, commencing at **10 a.m.** for four consecutive weeks to deal with the Transportation Policies and Parks components of the Plan. The hearing will be held at:

**Multipurpose Room  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1**

[5] The Board will not, at this time, set aside hearing dates to address the subsequent hearing matters/components identified in the Hearing List. Future hearing dates will be determined at a later time. Ms. Townsend will revise the Hearing List and circulate it to all the Appellants, Parties and Participants.

[6] A list of issues and any proposed alternative policy language to what is contained in the Plan that was partially approved by the Board (Board decision issued on December 3, 2015) are to be submitted by all Appellants no later than April 15, 2016. Parties in support of the Plan as partially approved by the Board are to communicate this to Ms. Townsend.

[7] The Board noted Steve Zakem's concerns with respect to the impact of the Environmental Assessment ("EA") for the Portage Parkway on his client's lands (Appellant #143). Ms. Townsend acknowledged that this EA may result in revisions to the list of issues for Appellant #143. This EA is expected to be completed by the end of

2016. Ms. Townsend further acknowledged that the City will accept revisions to the List of Issues for Appellant #143 as a result of the EA.

[8] Notice of the January 9, 2017 hearing will be in accordance with the Board's directions.

[9] I will continue with the case management of the VMC secondary plan but I am not seized of the hearing(s).

*"Jason Chee-Hing"*

JASON CHEE-HING  
MEMBER

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

**Ontario Municipal Board**

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

# ATTACHMENT 1

PL111184

## ONTARIO MUNICIPAL BOARD

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 1042710 Ontario Limited  
 Appellant: 1191621 Ontario Inc.  
 Appellant: 1529749 Ontario Inc.  
 Appellant: 1541677 Ontario Inc. and others  
 Subject: Failure to announce a decision respecting the proposed new Official Plan of the Regional Municipality of York for the City of Vaughan  
 Municipality: City of Vaughan  
 OMB Case No.: PL111184  
 OMB File No.: PL111184

### VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN PRE-HEARING CONFERENCE – MARCH 3, 2016

#### LIST OF ATTENDEES

		Attendee(s)
City of Vaughan		Lyn Townsend WeirFoulds LLP  Claudia Storto Deputy City Solicitor, City of Vaughan  Michael Toshakovski Legal Counsel, City of Vaughan  Steven Dixon Planner, City of Vaughan

APPELLANTS	Appeal	Attendee(s)
1042710 Ontario Ltd.	1	Patricia A. Foran Aird & Berlis LLP
Wal-Mart Canada Corp.	10	Stephen Brown-Okruhlik McMillan LLP
First Vaughan Investments Inc., Roland Properties Inc. and Skyrange Investments Inc.	72	Roslyn Houser Goodmans LLP
Calloway REIT (Sevenbridge) Inc. (SmartCentres)	73	
1834371 Ontario Ltd.	30	Barry Horosko
2128475 Ontario Corp.	146	Horosko Planning Law
1930328 Ontario Inc.	147	
Hollywood Princess Convention and Banquet Centre Ltd.	50	Steven Ferri
785345 Ont. Ltd and I & M Pandolfo Holdings	59	Loopstra Nixon LLP
Royal 7 Developments Ltd.	84	

Luigi Bros. Paving Company Ltd.	91	Matthew DiVona Davies Howe Partners LLP on behalf of Gerard C. Borean Parente Borean LLP
1034933 Ontario Ltd.	120	
Luigi Bros. Paving Company Ltd. (Peelar)	128	
Concetta Marciano	135	
Pro Catering Ltd.	136	
Michael Termini, Salvatore Termini and Rosa Bancheri	145	
2117969 Ontario Inc.	106	Matthew DiVona Davies Howe Partners LLP
Midvale Estates Ltd.	107	
Potestas Properties Inc.	108	
Bentall Kennedy (Canada) Ltd.	111	Patrick Duffy Stikeman Elliott LLP
Mr. Antonio Di Benedetto	109	Mr. Antonio Di Benedetto
Toromont Industries Ltd.	114	Michael Miller Dickinson Wright LLP
Berkley Commercial (Jane) Inc.	119	Daniel Arsenosi Overland LLP
York Region Condominium Corporation 730	137	<b>No one in attendance</b>
York Condominium Corporation 499	139	Robert Miller Scargall Owen-King LLP
350 Creditstone Investments Inc.	143	Steven A. Zakem Aird & Berlis LLP

<b>PARTIES</b>	<b>Party</b>	<b>Attendee(s)</b>
Region of York	A	Pitman Patterson Borden Ladner Gervais LLP
Ministry of Municipal Affairs and Housing	B	Kenneth G. Hare MMAH
Toronto and Region Conservation Authority	C	June Little TRCA
York Region Catholic District School Board	G	Tom McCrae Shibley Righton LLP  Christine Hyde YRCDSB
York Region District School Board	H	Gilbert Luk YRDSB
Canadian National Railway	I	Alan Heisey Papazian Heisey Myers