

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



**ISSUE DATE:** December 18, 2015

**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:** December 2, 2015 in Vaughan, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

Holcim (Canada) Inc.	S. Ferri
2203012 Ontario Limited	S. Ferri
Blair Building Materials Inc.	S. Ferri
Argo Lumber Inc. and Alpa Roof Trusses Inc.	S. Turney
City of Vaughan	D. Jubb
Regional Municipality of York	P. Patterson F. Santaguida

**MEMORANDUM OF ORAL DECISION DELIVERED BY JASON CHEE-HING ON  
DECEMBER 2, 2015 AND ORDER OF THE BOARD**

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[1] This pre-hearing conference (“PHC”) event into the Vaughan Official Plan (“VOP”) 2010 appeals was originally scheduled for the hearing of the motion (the “Motion”) of Holcim (Canada) Inc., 2203012 Ontario Limited, and Blair Building Materials Inc. (“Moving Parties”). These Appellants represent Appeals Nos. 129, 130 and 131 respectively. The motion is for partial approval of the VOP 2010. Their notice of motion filings are found in Exhibit 1A.

[2] The relief sought in the motion was supported by the City of Vaughan (“City”). However, Argo Lumber Inc. and Alpa Roof Trusses Inc. (collectively known as “Alpa”) who are parties in the VOP 2010 appeals and the Regional Municipality of York (“Region”) were opposed to some or all of the relief sought by the Moving Parties. The Notices of Response to Motion filings for the City, Alpa and the Region are found in Exhibits Nos. 1F, 1H and 1J respectively.

[3] At the onset of the PHC, the Board was advised that the Parties had come to an agreement on adjourning the hearing into the Motion provided that the Moving Parties provide broad notice of the dates and location for the motion hearing and a further PHC to be published in the local newspaper (Vaughan Citizen). The notice particulars as well as other requested relief as agreed to by the Parties are found in Exhibit 1E.

[4] This broad notice is over and above the notice already given by the Moving Parties to the approved list of Appellants, Parties and Participants to the VOP 2010; and to the neighboring landowners with respect to the purpose of today’s hearing event. (Exhibits 1B-D)

[5] The Board approved the following events and deadlines:

1. The hearing of the Motion is set for **Monday, July 11, 2016** for ten consecutive hearing days commencing at **10 a.m.**
2. A PHC relating to these matters is set for **Thursday, February 18, 2016** commencing at **10 a.m.**
3. The Moving Parties are to provide broad notice by placing an ad in the Vaughan Citizen with respect to the hearing and the PHC into these matters and other particulars respecting the location of the affected lands and proposed re-designation of the affected lands as detailed in Exhibit 1E. This ad is to be placed no earlier than January 5, 2016 and in advance of thirty days of the scheduled PHC.
4. The venue for both the PHC and the hearing of the Motion will be at:

**Vaughan City Hall  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1**

5. The City will undertake to post a similar notice on its website and this notice shall remain until the commencement of the hearing of the Motion.
6. The Parties will undertake to prepare a draft Procedural Order ("PO") with Issues List to govern the hearing into the Motion. It is expected that expert witnesses will be called to give *viva voce* evidence during the hearing. The Board can be spoken to in the event that there are difficulties in preparing the draft PO.

[6] The Board granted the request to strike paragraph 11 of page 38 and paragraph 22 of page 46 from the motion filings of the Moving Parties (Exhibit 1A). Steve Ferri, counsel for the Moving Parties advised that the statements contained in these

paragraphs were made in error.

[7] No further notice over and above what has been ordered in this decision is required.

[8] I will continue with the case management of these matters but I am not seized of the motion hearing.

*"Jason Chee-Hing"*

JASON CHEE-HING  
MEMBER

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.

**Ontario Municipal Board**

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