

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: October 6, 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)

PLEASE NOTE: This decision is effective from the date of oral issuance by the Board.

Heard: September 30, 2016 by telephone conference call

APPEARANCES:

Parties

Counsel

Argo Lumber Inc.
Alpha Roof Trusses Inc.

T. Barlow

City of Vaughan

F. Coburn

Region of York

F. Santaguida

CRH Canada Inc.
2203012 Ontario Limited
Blair Building Materials

S. Ferri

**MEMORANDUM OF ORAL DECISION DELIVERED BY BLAIR S. TAYLOR ON
SEPTEMBER 30, 2016 AND ORDER OF THE BOARD**

INTRODUCTION

[1] A previous Order relating to this matter was the subject of a review request pursuant to s. 43 of the *Ontario Municipal Board Act*.

[2] That request was dismissed by the Associate Chair in his letter dated September 20, 2016.

[3] In July 2016 while the review request was in process, the Board held a Prehearing at which time, a draft Procedural Order and Issues List was filed as Exhibit 1, and a 10 day hearing set down to commence either on November 28, 2016 or February 6, 2017.

[4] Following the decision by the Associate Chair on the review request, the Board held a telephone conference call ("TCC") to obtain a status update on this matter, and to set the course for the hearing on the merits.

TCC

[5] The Board was advised by Mr. Barlow that he had instructions to proceed with a judicial review application concerning the s. 43 review request.

[6] With regard to the scheduling of the hearing, Mr. Barlow suggested (and the other parties agreed), that the hearing utilize the 10 days that had been set by the Board to commence on February 6, 2017.

[7] Mr. Barlow also suggested that the Board might consider some use of the 10 days in November for mediation purposes.

[8] The Board reminded the parties that the protocol for mediation requires that a mediation request be made to the Board, and suggested that if the parties were seeking mediation, that the required mediation request need be made.

[9] The Board requested that Mr. Coburn confirm the venue for the February 6, 2017 date to the Case Coordinator.

[10] With regard to the Procedural Order for the hearing, Mr. Ferri committed to work with the parties and have a revised draft Procedural Order and Issues List prepared and would provide same to the Case Coordinator for issuance on or before October 14, 2016.

[11] Monitoring the TCC on behalf of her client Anland Developments Inc., Laura Bisset, with reference to the forthcoming s. 43 judicial review, requested that she be kept advised of the status of same by the parties.

[12] No further notice is required.

[13] I am not seized.

[14] Scheduling permitting, I may be available for case management purposes.

“Blair S. Taylor”

BLAIR S. TAYLOR
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

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