

**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 1, 2015 in Vaughan, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

Amar Transport Inc.

P. Harrington

City of Vaughan

D. Jubb

**MEMORANDUM OF ORAL DECISION DELIVERED BY JASON CHEE-HING ON  
DECEMBER 1, 2015 AND ORDER OF THE BOARD**

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[1] At this pre-hearing conference ("PHC") event into the Vaughan Official Plan ("VOP") 2010 appeals, the Board heard and disposed of a motion brought by Amar Transport Inc. ("Amar") (Appeal No. 81).

[2] The relief sought was firstly, an Order of the Board to abridge the time required for service of the motion and secondly, an Order of the Board to modify the VOP 2010 in accordance with the modification described in Exhibit "N" to the affidavit of Ryan Guetter and partially approving the VOP 2010 as modified on a site specific basis for the lands known municipally as 7290 Major Mackenzie Drive (the "subject site") (Exhibit 94A).

[3] The City of Vaughan ("City") was in support of the motion requested as detailed in its Response to Motion filings (Exhibit 94C). There was no opposition to the relief requested by the Appellant.

[4] The proposed modification seeks to redesignate the subject site from Prestige Employment and General Employment to General Employment only. The General Employment designation will permit the permanent uses of the subject site for a truck terminal use with outside storage unless/until the site becomes a "corner lot" through a future process. Should the site become a corner lot as a result of a future road, Amar will engage the City during the Block Plan process to allow for continued outside storage on the site.

[5] Amar will be required to file a site-specific rezoning application and obtain site plan approval from the City to facilitate the use of the site as a truck terminal use with outside storage.

[6] The Board accepted and relied on the affidavit and *viva voce* planning evidence of Mr. Guetter and granted the relief sought.

## **ORDER**

[7] The Board allows the appeal in part and grants the following:

1. An Order of the Board abridging the time required for service of the motion;  
and
  2. An Order of the Board modifying the VOP 2010 in accordance with the modification described in Exhibit "N" to the affidavit of Ryan Guetter and partially approving the VOP 2010 as modified on a site specific basis for the lands known municipally as 7290 Major Mackenzie Drive.
- [8] This Board approval resolves Amar's entire appeal respecting the VOP 2010.

*"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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