

ISSUE DATE:

April 10, 2014



PL111184

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

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
Proposed Official Plan Amendment
Municipality: City of Vaughan
OMB Case No.: PL111184
OMB File No.: PL111184

APPEARANCES:

Parties

Counsel

Di Poce Management Ltd.
and others

W. Barlow
S. Turney

City of Vaughan

C. Storto
D. Jubb

Region of York

P. Paterson
F. Santaguida

Highway 27 Langstaff GP Ltd.

S. Rosenthal
J. Lewis

Amar Transport Inc.

P. Harrington

Block 66 West Landowners Inc.

K. Sliwa

Kirbywest Ltd. and others

S. Ferri

Ministry of Municipal Affairs and
Housing

J. Paguin
M. Magotra (student-at-law)

**MEMORANDUM OF ORAL DECISION DELIVERED BY JASON CHEE-HING ON
FEBRUARY 12, 2014**

[1] Di Poce Management Ltd. and others (the “Landowners”) have brought a motion seeking an Order from the Ontario Municipal Board (“Board”) granting partial approval of the West Vaughan Employment Area (“WVEA”) Secondary Plan as modified and shown in Schedule B of Exhibit 46. The motion was not opposed.

[2] Claudia Storto advised that following negotiations with the City of Vaughan (“City”) and Appellants 2 and 22, further modifications to the WVEA Secondary Plan were made. The WVEA Secondary Plan before the Board for approval is found in Schedule B of the City’s responding motion materials (Exhibit 48).

[3] Affidavit planning evidence was filed by the moving and responding parties as part of their motion and response to motion filings. Additionally, the Board heard *viva voce* evidence from the City’s planner, Steven Dixon on the modified WVEA Secondary Plan.

[4] The City provided the Board with a draft Order with respect to the partial approval of the WVEA Secondary Plan as modified (Exhibit 54). Ms. Storto advised that the proposed partial approval order will not prejudice any other appellants to the WVEA secondary plan and their interests remain fully protected as indicated in para. 3, p. 3 of the moving parties’ motion filings.

[5] Mr. Dixon testified that in his planning opinion the modifications made to the WVEA Secondary Plan as identified in Schedule ‘B’ conforms to the Vaughan Official Plan and is consistent with the 2005 Provincial Policy Statement and conforms to the Growth Plan.

[6] The Board adopts and relies upon the evidence and planning opinion of Mr. Dixon and finds that the modified WVEA Secondary Plan found in Schedule 1 of the draft Order meet the requirements of the *Planning Act*, conform to the applicable provincial and municipal plans and represent good planning (Schedule 1, Exhibit 54).

[7] It is the decision of the Board that the Landowners’ motion is granted in part.

[8] The Board will withhold its Order pending receipt of the cleaned up version (without the redlined changes) of the draft Order from the City.

"Jason Chee-Hing"

JASON CHEE-HING
MEMBER