

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



**ISSUE DATE:** March 3, 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:** February 18, 2016 in Vaughan, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

Holcim (Canada) Inc.

S. Ferri  
B. Ruddick (student-at-law)

2203012 Ontario Limited

S. Ferri  
B. Ruddick (student-at-law)

Blair Building Materials Inc.

S. Ferri  
B. Ruddick (student-at-law)

Argo Lumber Inc. and Alpa Roof  
Trusses Inc.

S. Turney

City of Vaughan

D. Jubb

Regional Municipality of York

P. Patterson

**MEMORANDUM OF ORAL DECISION DELIVERED BY JASON CHEE-HING ON  
FEBRUARY 18, 2016 AND ORDER OF THE BOARD**

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[1] At this pre-hearing conference (“PHC”) the Board received a status update on the draft Procedural Order (“PO”) and Issues List.

[2] There was some discussion on the requirements of participants to provide a brief written statement of their concerns. Additionally there was some discussion on the adequacy of broad notice served pursuant to the Board’s directions from the previous PHC held on December 2, 2015 (Board Decision issued on December 18, 2015). Both of these issues were raised by Sarah Turney, counsel for Argo Lumber Inc. and Alpa Roof Trusses Inc.

[3] The Board confirmed that participants are required to submit a written statement of their concerns by the date specified in the PO. This statement can be one page or more in length. This is not meant to be a bar for the participants but the parties should know in advance what the concerns of the participants are so that they can adequately address these concerns at the hearing. Participants who have not submitted a written statement of their concerns can provide their explanation for not doing so to the presiding Board Member at the commencement of the hearing.

[4] The Board confirmed that the broad notice of the scheduled motion hearing given further to its directions are adequate and no further notice will be required. The parties did agree that in the event of an adjournment of the scheduled hearing that further notice will be given.

[5] A number of individuals requested and were granted participant status for the hearing. The list of participants is provided as Attachment 1 of this Decision. The Board acknowledged that there may be more requests for participant status by individuals at

the commencement of the hearing. Those requests would be dealt with at that time by the presiding Member.

[6] A telephone conference call has been set for **Friday, March 11, 2016, at 9 a.m.** in the event that there are any outstanding concerns. The coordinates are **(416) 212-8012** or **Toll Free at 1(866) 633-0848**, when prompted, enter the **code (4779874#)** and you will be connected to the call. If assistance is required at any time, press '0' for the operator. Cellular telephones are not permitted to be used for the call.

[7] Steven Ferri, counsel for the appellants has undertaken to provide a draft PO with issues list well in advance of the TCC (at least five days).

[8] No further notice is required unless there is an adjournment to the scheduled hearing.

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

*"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

### Participants List

<b>Print Name:</b>	<b>Address:</b>
Jef Nikitin	<b>Participant</b> 24 Arco Circle Maple, ON L6A 3Z6
Raman Chaudhari	<b>Participant</b> 36 Cassia Crescent Maple, ON L6A 3M3
Wamid Shamon	<b>Participant</b> 62 Falvo Street Maple, ON L6A 4A5
Tony Toste	<b>Participant</b> 184 Stonebriar Drive
Mary Tsaktsiris	<b>Participant</b> 180 Stonebriar Drive
Rose Comisso	<b>Participant</b> 69 Corkwood Crescent Maple, ON L6A 3B4
Marco Comisso	<b>Participant</b> 69 Corkwood Crescent Maple, ON L6A 3B4
Charles Menezes	<b>Participant</b> 50 Falvo Street
Ali Sadeghi-Naini	<b>Participant</b> 24 Topaz Court Maple, ON L6A 2X2
Zahra Jahedmotlagh	<b>Participant</b> 24 Topaz Court Maple, ON L6A 2X2

