

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



**ISSUE DATE:** April 29, 2015

**CASE NO.:** 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 Official Plan Amendment No. New Official Plan  
Municipality: City of Vaughan  
OMB Case No.: PL111184  
OMB File No.: PL111184

BEFORE:

J. CHEE-HING )  
MEMBER )  
 )  
 ) Wednesday, the 29th  
 ) day of April, 2015

**THESE MATTERS** having come on for a public hearing and the Board in its Decision issued March 25, 2015, withheld its order pending receipt of the suggested wording of certain clauses to be submitted to the Board;

**AND THE BOARD** having heard the submissions of counsel for the City of Vaughan (the “City”), counsel for the Ministry of Municipal Affairs and Housing and counsel for the Toronto and Region Conservation Authority (“TRCA”) respecting the Woodbridge Centre Secondary Plan, as modified and set out in Volume 2 of the City of Vaughan Official Plan (2010) (the “Plan”), as adopted by the City on September 7, 2010 subject to Council modifications on September 27, 2011, March 20, 2012 and April 17, 2012, and set out in the affidavit of Steven Dixon filed as Exhibit 73;

**AND THE BOARD** having heard the submissions of counsel of certain other parties and considered the planning evidence of Steven Dixon, Tony Iacobelli and Laurie Nelson regarding the Woodbridge Centre Secondary Plan, as modified;

**THE BOARD ORDERS that**

- a) That in accordance with the provisions of section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, in respect of Volume 2 of the Plan, those portions of the Plan as set out in Schedule “A” identified as the Woodbridge Centre Secondary Plan, are hereby modified and as modified are approved, save and except those policies and land use schedules which remain under appeal on a site-specific or area-specific basis.
- b) That the Woodbridge Centre Secondary Plan modified policies identified in Schedule “A” shall not apply to any lands subject to the appeals to the Plan filed by 165 Pine Grove Investments Inc. (Appeal #53), Lanada Investments Limited (Appeal # 87), Market Lane Holdings Limited (Appeal #88), 1525233 Ontario Inc. (Appeal #97), Trimax on Islington Avenue (Appeal #104), Antonia and Bertilla Taurasi (Appeal #138) and FCF Old Market Lane 2013 Inc. (Appeal #140).
- c) That the partial approval of the Plan shall be strictly without prejudice to, and shall not have the effect of limiting, (a) the rights of a party to seek to modify, delete or add to the unapproved policies, schedule, maps, figures definitions, tables and associated text in the Plan, or (b) the position a party may take with respect to the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the Plan on a general, area-specific or site-specific basis, as the case may be provided that the parties shall be bound by the commitments made by them to scope their issues to a site specific or area specific basis.
- d) That the scoping of appeals to a specific site or area is without prejudice to the positions taken by the parties to those appeals so that if those appeals proceed to a hearing, either on their own or as may be consolidated with other site specific appeals, the City will not take the position that the Board ought not to approve site-specific or area-specific modifications to the affected policies, schedules, maps, figures, definitions, tables and associated text on the basis that they deviate from or are inconsistent with such policies, schedules, maps, figures, definitions, tables and associated text on a City-wide basis (or as approved in respect of other lands which are subject to the same policies, schedules, maps, figures, definitions, tables and associated text). However, this does not affect the City’s right to assert that the approved policies, schedules, maps, figures, definitions, tables and associated text should be applied to the specific sites or areas without modification on the basis that they constitute good planning.

Notwithstanding the above, the Board hereby retains jurisdiction to consider and approve modifications to any policies, schedules, maps, figures, definitions, tables and associated text approved herein, as may be appropriate to dispose of any of the outstanding appeals before the Board.

The Board may be spoken to in the event any matter or matters should arise in the connection with the implementation of this Order.

A handwritten signature in black ink, appearing to read "Jenne Hege". The signature is written in a cursive, flowing style.

SECRETARY

**Ontario Municipal Board**

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