

ISSUE DATE:

January 6, 2014



PL101408
PL130110

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: AMB Highway BP 1 Canco Inc. et al
Appellant: Brampton Brick Limited
Appellant: G.C. Jain Investments Ltd.
Appellant: Mayfield West Developers Group Inc.; and others
Subject: Proposed Official Plan Amendment No. 26
Municipality: Regional Municipality of Peel
OMB Case No.: PL130110
OMB File No.: PL130110

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: AMB Highway BP 1 Canco Inc. et al
Appellant: City of Mississauga
Appellant: Region of Peel
Appellant: Solmar Development Corporation
Subject: Failure of to announce a decision respecting
Proposed Official Plan Amendment No. OPA No. 24
Municipality: Regional Municipality of Peel
OMB Case No.: PL101408
OMB File No.: PL101408

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Solmar Development Corporation
Subject: Proposed Official Plan Amendment No. 20
Municipality: Regional Municipality of Peel
OMB Case No.: PL101408
OMB File No.: PL091170

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Solmar Development Corporation
Subject: Proposed Official Plan Amendment No. 22
Municipality: Regional Municipality of Peel
OMB Case No.: PL101408
OMB File No.: PL101063

APPEARANCES:

<u>Parties</u>	<u>Counsel</u>
Regional Municipality of Peel	S. Garrod
Town of Caledon	C. Barnett
City of Brampton	M. Rea
Regional Municipality of Halton	J. Wilker
Town of Halton Hills	J. Wilker
Ministry of Municipal Affairs and Housing	U. Popadic
Solmar Development Corporation	R. Cheeseman
Mayfield West Developers Group Inc.	K. Sliwa M. Flowers (in absentia)
G. C. Jain investments Limited	R. Webb
Heathwood Homes (Brampton) Ltd., Osmington Inc.	K. Sliwa
Northwest Brampton Landowners Group Ltd.	S. Kaufman S. Snider (in absentia)
Mayfield Station Developments Inc., Mayfield McLaughlin Developments Inc., Caledon Development LP, Ben-Ted Construction Ltd., Caledon 410 Development Inc., A-Major Homes (Ontario) Inc., Lormel Joint Venture Inc., (collectively, Mayfield West Phase 2 Landowners Group)	A. Skinner S. Zakem (in absentia)
Orlando Corporation	L. Longo
Lorwood Holdings Inc., Ivy Manor Estates Inc., and 1212949 Ontario Inc.	J. Park

Brampton Brick Limited	R. Webb
Brampton Areas 52, 53 Landowners Group Inc.	M. Winch S. Leiske (in absentia)
AMB Highway BP1 Canco Inc., AMB Highway BP2 Canco Inc., AMB Highway BP3 Canco Inc.	M. Winch S. Leiske (in absentia)
Maple Lodge Farms Ltd.	R. E. Folkes

**MEMORANDUM OF ORAL DECISION BY JAMES R. MCKENZIE ON NOVEMBER
22, 2013 AND ORDER OF THE BOARD**

[1] This proceeding was a first prehearing conference to address seven appeals filed against Official Plan Amendment No. 26 (“ROPA 26”) adopted by the Regional Municipality of Peel (“Peel” or “Region”). ROPA 26 introduces a number of policy changes to the Region’s Official Plan as part of a five-year review initiated in 2007. The appeals, filed pursuant to subsection 17(36) of the *Planning Act*, relate to those aspects of ROPA 26 dealing with transportation planning matters. The appellants, set out below, have confirmed the scoped extent of the appeals, and, by operation of law under subsection 17(39) of the *Planning Act*, the Board’s Secretary will confirm that the unappealed policies of ROPA 26 are in effect.

[2] This proceeding also dealt with policies in two other planning instruments related to the appealed transportation policies in ROPA 26, that were adjourned in previous proceedings concerning those other instruments. Specifically, policies in Regional Official Plan Amendment Nos. 20, 22, and 24 (“ROPAs 20/22/24”), adjourned by the Board in a decision dated November 30, 2012, and policies in Town of Caledon Official Plan Amendment No. 226, (“OPA 226”), adjourned by the Board in a decision dated November 18, 2013, were also considered. ROPAs 20/22/24 and OPA 226 were previously consolidated by the Board. To be clear at this juncture, despite these three matters being considered at the prehearing conference to which this decision is directed, the appeals of ROPA 26 are not consolidated with the ROPAs 20/22/24-OPA 226 consolidated matters.

[3] The appeals filed against ROPA 26 have each been assigned a number for identification purposes, and they are as follows:

<u>Appeal No.</u>	<u>Appellant</u>
1	Solmar Development Corporation
2	Mayfield West Developers Group Inc.
3	Northwest Brampton Landowners Group Inc.
4	Brampton Brick Limited
5	Orlando Corporation
6	AMB Highway BP1 Canco Inc., AMB Highway BP2 Canco Inc., and AMB Highway BP3 Canco Inc.
7	G. C. Jain Investments Limited

[4] On consent, the following are granted party status on the appealed ROPA 26 policies: the Town of Caledon, the City of Brampton, the Regional Municipality of Halton, the Town of Halton Hills, the Mayfield West Phase 2 Landowners Group, Heathwood Homes (Brampton) Inc., Osmington Inc., Lorwood Holdings Inc., Ivy Manor Estates Inc., 1212949 Ontario Inc., Maple Lodge Farms Ltd., and Brampton Areas 52, 53 Landowners Group Inc.

[5] The Board also notes a new appeal filed against the adjourned policies of ROPA 24 by AMB Highway BP1 Canco Inc., AMB Highway BP2 Canco Inc., and AMB Highway BP3 Canco Inc., pursuant to subsection 17(40) of the *Planning Act*. Mr. Garrod drew attention to the text of the first bullet in paragraph 12 of the Board's November 30, 2012, Decision and reported that he will review the appeal in the context of that text. He reserved the right to make submissions on the appeal at the next pre-hearing conference.

[6] The policies remaining under appeal in the various planning instruments noted above relate to the long-range transportation planning initiative known as the GTA West Corridor and seek to protect lands for that planned infrastructure. It is unfolding pursuant to the *Environmental Assessment Act*. Mr. Popadic reported that the first stage of the

initiative is complete and that the Ministry of Transportation is moving forward with the second stage. He confirmed that lands presently identified for corridor protection could be considered for release on an iterative basis tied to the phases of the second stage, but that nothing could or would be considered for release prior to Spring 2015, the period currently targeted for the commencement of public consultation on alternative routes.

[7] A further prehearing conference, to be convened via teleconference, is scheduled for **Friday, June 27, 2014**. The telephone call-in details are as follows:

[8] To be connected to the telephone conference call, please dial **(416) 212-8012 (local)** or **1 (866) 633-0848 (long distance)** and when prompted, enter the Conference ID code as 4779874 followed by the # key. If assistance is required at any time, press '0' for the operator. Cellular telephones are not permitted to be used for the call.

"James R. McKenzie"

JAMES R. McKENZIE
VICE-CHAIR