

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: February 20, 2015

CASE NO(S): PL110080

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 1541179 Ontario Ltd. and Lea Silvestri Investments Ltd. (jointly)
Appellant: 1589805 Ontario Inc.
Appellant: 2140065 Ontario Inc.
Appellant: 2163846 Ontario Inc. and others
Subject: Proposed Official Plan
Municipality: Regional Municipality of Waterloo Region
OMB Case No.: PL110080
OMB File No.: PL110080

Heard: February 12, 2015 in Kitchener, Ontario

APPEARANCES:

Parties ("Parties")

Counsel

Regional Municipality of Waterloo ("Region")

Brian Duxbury

Activa Holdings Inc., 2140065 Ontario Inc., 1589805 Ontario Inc., Stonefield Properties Corp., Northgate Land Corp., Hallman Construction Ltd. and Gatestone Development Corp.

Tom Friedland and Ian Andres

Breslau Properties Ltd.

Bill Deley

Mattamy Development Corporation

Denise Baker

Silvestri Investments

Michael Connell

2163846 Ontario Inc. o/a Branthaven Homes

Robin-Lee Norris

William Gies	Susan Rogers
Madison Homes Inc.	Barry Horosko
Wonderland Farms and Plains Westmount Farms	Patrick Kraemer
City of Kitchener	Larry Tansley
Ontario Sand and Stone Gravel Association	Mary Bull
Connie and Robert Bogusat	Marc Kemerer
Westside Owners Group	Chris Tzekas
Township of Woolwich	Eileen Costello
Ministry of Municipal Affairs and Housing	Kenneth Hare and Claire Young

**MEMORANDUM OF ORAL DECISION DELIVERED BY STEVEN STEFANKO
ON FEBRUARY 12, 2015 AND ORDER OF THE BOARD**

[1] This prehearing was convened to determine the manner in which matters are to move forward in relation to the appeals filed as well as the decision (“Phase 1 Decision”) rendered with respect to phase 1 (“Phase 1”) of this proceeding which is dated January 21, 2013.

[2] During this prehearing the parties confirmed that, in addition to Phase 1, two other phases remain to be determined: phase 2 (“Phase 2”) which will focus on, *inter alia*, the protected countryside and phase 3 (“Phase 3”) which will address where expansion is to specifically occur. It is also possible that the fusing exercise (“Fusing Exercise”) referred to in the Phase 1 Decision will also require adjudication.

[3] The Parties also advised that settlement discussions are underway which are meaningful and substantive, but complicated. The results of those discussions should be known in the next number of weeks and may very well force existing participants to

seek party status in this matter.

[4] Some discussion was also held regarding the timing of the Phase 2 and Phase 3 hearings. Although counsel for Mr. Gies believes that these two hearings can be held at the same time, the preponderance of opinion at this prehearing, and which I believe is correct, suggested otherwise.

[5] Therefore, on the basis of the foregoing and the submissions of counsel, it is ordered that:

(a) The period June 16-19, 2015 (“Settlement Hearing Period”) is hereby set aside to deal with motions brought concerning party status, any settlement(s) reached and any opposition to any settlement agreed upon. Proceedings shall commence at 10 a.m. on June 16, 2015.

(b) To the extent necessary, four weeks beginning January 11, 2016, are hereby set aside to deal with the Fusing Exercise and Phase 2. Proceedings shall commence at 11 a.m. on January 11, 2016.

[6] With respect to the proceedings scheduled and referred to in paragraph 5 above, no further notice is required, I am seized and the Region shall make the necessary room arrangements.

“Steven Stefanko”

STEVEN STEFANKO
VICE CHAIR

Ontario Municipal Board

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