

Issue Date:

Nov. 29, 2010



Ontario

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

PL091166

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

Appellant: Georgetown Shopping Centres Ltd.
Appellant: Mattamy Development Co.
Appellant: Southwest Georgetown Landowners Group
Subject: Proposed Official Plan Amendment No. 37
Municipality: Regional Municipality of Halton
OMB Case No.: PL091166
OMB File No.: PL091166

APPEARANCES:

<u>Parties</u>	<u>Counsel</u>
Regional Municipality of Halton	Stephen Waqué
Southwest Georgetown Landowners Group	Quinto Annibale
Mattamy Development Co. Georgetown Shopping Centres Ltd.	Lynda Townsend
Ministry of Municipal Affairs and Housing	Robert Boxma
Town of Halton Hills	Jeffrey Wilker

ALSO APPEARING:

Town of Milton	Stephen Waqué
Trinison Management Corp. Fieldgate Developments	Ira Kagan
Southwest Georgetown Landowners Group	Chris Barnett

**MEMORANDUM OF ORAL DECISION DELIVERED BY M. C. DENHEZ ON
NOVEMBER 19, 2010 AND ORDER OF THE BOARD**

This was the latest Pre-hearing Conference (PHC) in a series, dealing with Regional Official Plan Amendment No. 37 (ROPA 37) of the Regional Municipality of Halton (the Region). ROPA 37 was the first of a two-part Official Plan Amendment to bring the Region's Official Plan into conformity with the Growth Plan for the Greater Golden Horseshoe. The Ministry of Municipal Affairs and Housing (MMAH) approved ROPA 37, but appeals were filed by Georgetown Shopping Centres Ltd., Mattamy Development Co., and Southwest Georgetown Landowners Group. The second part of the OP amendment process was expected to be represented by Regional Official Plan Amendment No. 38 (ROPA 38).

As noted in the Board's PHC Decision Issued on July 23, 2010, various Parties then reached consensus on several of the issues involved with ROPA 37. This was committed to writing, at "Exhibit 1" of that PHC. The Town of Halton Hills was also added as a Party in that PHC.

However, the signatories to "Exhibit 1" also agreed not to finalize that arrangement until further information was available concerning ROPA 38. That information became available on October 27, 2010. The Parties to the agreement were now in a position to advise the Board that all the appeals to ROPA 37 were being withdrawn, except as they pertained to the following Subsections:

- Subsection 38(a),
- Subsection 38(b), and
- Subsection 38(f)(11)(d).

The Board notes that in accordance with the *Planning Act*, this means that ROPA 37 is now in effect, except as pertains to the Subsections specified above.

As for those remaining areas of dispute pertaining to the above Subsections, Counsel were agreed that in practice, it would be difficult to do justice to the issues in ROPA 37 until further matters have unfolded pertaining to ROPA 38. It was therefore their unanimous view that proceedings should be adjourned until then.

On a related question, the existing Parties were the Region, the Town of Halton Hills, MMAH, Southwest Georgetown Landowners Group, Georgetown Shopping

Centres Ltd., and Mattamy Development Co. The Board was asked to add the following as Parties: the Town of Milton, Trinison Management Corp, Fieldgate Developments, and South Georgetown Landowners Group. There was no objection.

The Board was advised that the Town of Oakville and the City of Burlington are content with the status of Participants for now.

The Board finds no dispute with any of the above arrangements.

Counsel for the Region made a point of thanking other Counsel for their professional courtesy and cooperation in guiding matters to this point, with a maximum of lucidity. The Board concurs.

THE BOARD THEREFORE ORDERS:

1. The Board adds the following as Parties to these proceedings: the Town of Milton, Trinison Management Corp, Fieldgate Developments, and South Georgetown Landowners Group.
2. The Board recognises the following as Participants: the Town of Oakville and the City of Burlington.
3. The Board notes that all appeals to ROPA 37 have been withdrawn, except as they pertained to Subsection 38(a), Subsection 38(b), and Subsection 38(f)(11)(d).
4. As for the remaining matters under appeal, the Board adjourns proceedings *sine die*. When Parties are of the view that matters are ready to proceed, the Board may be spoken to.

It is so Ordered.

"M. C. Denhez"

M. C. DENHEZ
MEMBER