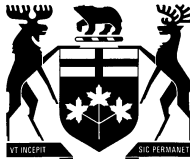


ISSUE DATE:

March 25, 2013



Ontario

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

PL091167

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

Appellant: 451082 Ontario Limited
Appellant: 861945 Ontario Ltd. et al
Appellant: County of Simcoe
Appellant: Estate of Mary Louise Frankcom; and others
Subject: Failure of to announce a decision respecting Proposed Official Plan Amendment No. 43-OP-2008
Municipality: Upper Tier of Simcoe
OMB Case No.: PL091167
OMB File No.: PL091167

APPEARANCES:

Parties

See Attachment 1

MEMORANDUM OF ORAL DECISION DELIVERED BY SYLVIA SUTHERLAND ON MARCH 5, 2013 AND ORDER OF THE BOARD

[1] This was the first pre-hearing conference (“PHC”) on the new County of Simcoe Official Plan (“OP”) and Growth Plan for the Greater Golden Hoeseshoe (“GP”) conformity exercise for the County of Simcoe (“County”). Counsel for the County provided the Board with a chronology of events leading up to this hearing, beginning with the initiation in 2005 by the County of the mandatory five-year review of its OP (Exhibit 3).

[2] Roger Beaman, counsel for the County, also explained to the Board that, unlike other GP conformity exercises in the province, the land budget would not be an issue before the Board since it has already been allocated by the Ministry of Energy and Infrastructure (“MEI”).

[3] The Board was also advised that the County will seek approval at the next PHC to some portions of its OP. A notice of the County motion will go out in advance.

[4] The primary purpose of this first PHC was to set the stage for at least two future PHCs. To that end, the following were determined and are ordered by the Board:

1. That future service is given only to those registered at this first PHC and/or confirmed by the Board. All persons signed in at this PHC will be served, and will be entitled to respond as if they were parties. This list, which includes status being sought, is to be circulated by Friday, March 8, 2013, and completed by March 19, 2013, and filed with the caseworker at the Board.
2. That future service is by e-mail unless specifically ordered otherwise by the Board. The County will circulate e-mail lists of appellants, proposed parties and proposed participants.
3. Appellants and proposed parties are to provide their draft issues list by e-mail Friday, March 22, 2013, to everyone on the list. The County will compile and circulate them.
4. The County motion regarding approval of some portions of the OP will be served by Thursday, March 28, 2013. Responses to this motion shall be filed by Monday, April 8, 2013.

[5] Two days, **Friday, April 19, 2013, and Monday, April 22, 2013**, have been set aside for a second PHC on this matter. In addition to the motion returnable by the County seeking approval to parts of the OP, this second PHC will include the updating of appellant, party and participant lists, including dealing with any objections to status. It will also include a review of the draft issues lists, the prospects for mediation, the confirmation of further dates, and will deal with any settlements or motions.

[6] A further two days, **Thursday, June 20, 2013, and Friday, June 21, 2013**, have been set aside for a third PHC on this matter. At this PHC, the issues lists will be settled as will the procedural order. Any settlements or motions will be dealt with and further dates will be established.

[7] Both PHCs will commence at **10 a.m.** at:

**Nottawasaga Inn and Conference Centre
6015 Highway 89
Alliston, ON**

unless otherwise directed by the County which has undertaken to secure the location.

[8] This member is seized.

“Sylvia Sutherland”

SYLVIA SUTHERLAND
MEMBER

ATTACHMENT 1

LIST OF APPELLANTS – COUNTY OF SIMCOE OFFICIAL PLAN PL091167

No.	Appellant	Lawyer/Agent
1	County of Simcoe	Roger Beaman
2	Carson Road Development Inc. Midhurst Development Doran Road Inc.	Susan Rosenthal David White
3	Craighurst Land Corp.	Susan Rosenthal
4	Huntingwood Trails (Collingwood) Ltd.	Susan Rosenthal Tanya Nayler
5	Midhurst Rose Alliance Inc.	Ira Kagan Paul DeMelo
6	Township of Springwater	Barnet Kussner
7	451082 Ontario Limited	James Feehely
8	861945 Ontario Ltd. Golfview Estates Limited Mark Rich Homes Limited Silver Spring View Estates Limited Simcoe Estates Limited Royal Heights Estates Limited OMC Development Corp.	David White
9	Innisfil Alcona Limited	Lynda Townsend Jennifer Meader
10	Tesmar Holdings Inc.	Lynda Townsend Jennifer Meader
11	Janice & David Wright	David White
12	Snow Valley Planning Corporation 453211 Ontario Limited	David White
13	McMahan Woods Developments Ltd.	David White
14	Innisfil Beach Farms Inc.	David White
15	Estate of Marie Louise Frankcom	David Bronskill
16	Midhurst Ratepayers' Association [incorporated body]	David Strachan Margaret Hutchison
17	Narinder Mann	Ian Rowe Adrianna Pilkington
18	Yorkwood Group of Companies	Patricia Foran
19	Rama Resorts International Inc. Fernbrook Homes (Rama) Limited	Brian Goodreid
20	1091402 Ontario Ltd.	David White
21	Nicole and Brent Fellman	David White
22	Travel-Rite Property Corp.	David White
23	Aqua-Gem Investments Ltd.	David White
24	442023 Ontario Limited	David White
25	1045901 Ontario Limited	David White
26	Kellwatt Limited	David White

REQUESTING PARTY STATUS– COUNTY OF SIMCOE OFFICIAL PLAN PL091167

No.	Party	Representative/Agent
A	Ministry of Municipal Affairs and Housing	Ken Hare Soojin Lee
B	Town of Collingwood	Leo Longo
C	Town of Penetanguishene Township of Ramara	Edward Veldboom
D	Town of Innisfil	Quinto Annibale
E	Town of Bradford West Gwillimbury	Tom Halinski
F	Town of Midland	Paul Peterson
G	Township of Clearview Township of Tiny Town of Wasaga Beach	Ian Rowe Adrianna Pilkington
H	Town of New Tecumseth	James Feehely
I	Township of Adjala-Tosorontio	Jacque Tschekalin
J	Ontario Stone, Sand and Gravel Association CBM Aggregates, a division of St. Marys Cement (Canada) Inc. Lafarge Canada Inc. Holcim (Canada) Inc. James Dick Construction Limited Walker Aggregates Inc.	Mary Bull Sharmini Mahadevan
K	Georgian International Land Corp.	Mary Bull Sharmini Mahadevan
L	San Marco in Lamis Ltd.	Michael Vaughan
M	White Water Holdings Ltd.	Barry Horosko Caterina Facciolo
N	Remington Group Inc.	Caterina Facciolo Barry Horosko
O	No Jet Construction Inc. Remington Homes (Manhattan) Inc.	Caterina Facciolo Barry Horosko
P	Sleeping Lion Development Corporation	John Dawson
Q	John Barzo Limited	John Barzo
R	Innisfil Mapleview Developments Limited	Susan Rogers
S	2133952 Ontario Inc.	Harold Elston
T	Talisker Corporation	Harold Elston
U	Ontario Potato Distributing Inc. 1567219 Ontario Limited	Chris Barnett

REQUESTING PARTICIPANT STATUS -- COUNTY OF SIMCOE OFFICIAL PLAN PL091167

No.	Participant	Representative/Agent
1	AWARE Simcoe	William French
2	(Everett)	Linda Gaspar
3	(Midhurst)	Ann Romano
4	Township of Oro-Medonte	Chris Williams Andria Leigh
5	Tsam Investments Ltd.	Raivo Uukkivi Signe Leisk
6	Walton Development and Management L.P.	Jason Child Paolo Sacilotto
7	AWARE Simcoe	Sandra Agnew
8	AWARE Simcoe	Alec Adams
9	AWARE Simcoe	David Collacut
10	AWARE Simcoe	Tom Kurtz
11	(Midhurst)	Paul Frankcom
12	Ontario Farmland Preservation	Bernard Pope
13	Simcoe County Federation of Agriculture	Colin Elliott
14	Angus Ratepayers Association	Wendy Harry
15	(Everett)	Chantale Gagnon
16	Township of Severn	Henry Sander
17	K. Winter Sanitation Inc. Kenneth and Ruth Winter	Marvin Geist
18	(ANSI – Oro-Medonte)	Joe & Ruth-Ann Langman
19	(ANSI – Severn)	Don & June Bickell