

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: September 21, 2016

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 New Official Plan
Municipality: City of Vaughan
OMB Case No.: PL111184
OMB File No.: PL111184
OMB Case Name: Duca v. Vaughan (City)

Board Rule 107 states:

107. Effective Date of Board Decision A Board decision is effective on the date that the decision or order is issued in hard copy, unless it states otherwise.

Pursuant to Board Rule 107, this decision takes effect on the date that it is e-mailed by Board administrative staff to the clerk of the municipality where the property is located.

BEFORE:

JASON CHEE-HING)
MEMBER)
)
) Wednesday, the 21st
) day of September, 2016

THIS MATTER having come on for public hearing on August 25, 2016;

AND THE BOARD granted the City's motion for partial approval of the VOP 2010 as it applies to the lands which were subject to the Weston Downs Ratepayers Association ("WDRA") appeal and withheld its Order pending receipt of a draft Board Order from the City;

AND THE BOARD having received a draft Board Order from the City;

THE BOARD ORDERS that in accordance with the provisions of section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, (the "**Act**") the City of Vaughan Official Plan (2010) (the "**Plan**"), as adopted by the City of Vaughan (the "**City**") on September 7, 2010 subject to Council modifications on September 27, 2011, March 20, 2012 and April 17, 2012, as modified and endorsed by the Regional Municipality of York (the "**Region**") on June 28, 2012, shall be approved in respect of the lands subject to the appeal of Appellant 95 (Weston Downs Ratepayers Association).

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 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.

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 subsequent hearing or motion, 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 mere 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 doing so is consistent with the Act, provincial policies, conform to provincial plans and/or constitutes good planning.

That the pending appeals filed in respect of the Plan shall be determined through the hearing process or as otherwise consented to by the parties and approved by 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, reading "Mya Hurwicks". The signature is written in a cursive, flowing style.

SECRETARY

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
1042710 Ontario Ltd.	1	Patricia A. Foran / Patrick Harrington
Briardown Estates Inc.	33	Patrick Harrington
Amar Transport Inc.	84	
Highway 27 Langstaff GP Ltd.	2	Susan Rosenthal
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Longyard Properties Inc.	23	
Solmar Inc.	3	Michael Melling / Meaghan McDermid / Matthew Di Vona
Tesmar Holdings Inc.	4	
1668872 Ontario Inc.	5	
77 Woodstream Inc.	25	
Block 40/47 Developers Group Inc.	28	
York Major Holdings Inc.	55	
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Block 66 West Landowners Group Inc.	125	
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Teston Villas Inc.	152	Matthew Di Vona
2264319 Ontario Inc.	6	Ira T. Kagan
Block 41-28E Developments Limited, Block 41-28W Developments Ltd., 1212765 Ontario Inc. and 1213763 Ontario Ltd.	35	
7040 Yonge Holdings Ltd. and 72 Steeles Holdings Ltd.	38	
2 Steeles Avenue West Ltd.	39	
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David and Kathy Lundell	42	

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Mario Tedesco	117	
York Region Condominium Corporation 730	137	Reza Fakhim / Ali Shojaat / Domenica Perruzza
Baif Developments Limited	8	Roslyn Houser / Michael Stewart / Joseph Hoffman
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A&W Food Services of Canada Inc.	13	
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West Rutherford Properties Ltd.	16	
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836115 Ontario Inc.	18	Barry Horosko
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Kirbywest Ltd.	66	
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Canadian Fuels Association	41	N. Jane Pepino
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165 Pine Grove Investments Inc.	53	Adam J. Brown / Jessica Smuskowitz
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2090396 Ontario Ltd.	60	Mark R. Flowers
H&L Title Inc. & Ledbury Investments Ltd.	75	
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Teefy Developments Inc.	63	Chris Barnett / Alexis Alyea
281187 Ontario Ltd.	64	Gerard C. Borean
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Mrs. Anna Greco	90	
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Blue Water Ranch Developments Inc.	67	Daniel Artenosi / Christopher J. Tanzola / Kelly Oksenberg
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FCF Old Market Lane 2013 Inc.	140	
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8188 Master Holding Inc.	157	
2058258 Ontario Ltd. (Forest Green Homes)	69	Christopher J. Williams / Andrea Skinner
Royal Group Inc.	70	Robert J. Gray
Ms. Traci Shatz	76	Aynsley L. Anderson
Langvalley Holdings	77	Nicholas T. Macos
K & K Holdings Limited	132	
Anland Developments Inc.	83	Laura Bisset
United Parcel Service Canada Ltd.	92	Tim Bermingham
Camelot on 7 Inc. and Elia Breda	93	Paul R. Bottos
Weston Downs Ratepayers Association	95	Anthony Francescucci
Mr. Alex Marrero	102	Alex Marrero
Tien De Religion Lands	141	Alan Heisey
TDC Medical Properties Inc.	105	Stephen D'Agostino
2117969 Ontario Inc.	106	John Alati & Matthew Di Vona
Midvale Estates Ltd.	107	
Potestas Properties Inc.	108	
Covenant Chapel	115	
Bentall Kennedy (Canada) LP	111	James Harbell / Patrick Duffy / Maggie Bassani
Toromont Industries Ltd.	114	Michael Miller / Alexandra Schwarz
Monica Murad	127	Micheal Simaan
Seven 427 Developments Inc.	144	Valeria Maurizio / Johanna Shapira
Kau & Associates LP	74	Caterina Facciolo
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Country Wide Homes Woodend Place Inc.	121	
Tan-Mark Holdings Limited & Telast Enterprises Inc.	156	Alexander Burton-Vulovic

2464879 Ontario Inc. and Ultra Towns Inc.	159	Leo Longo
The Ravines of Islington Encore Inc.	161	
Teston Sands Inc.	162	Matthew Di Vona

<u>Parties</u>	<u>Party No.</u>	<u>Representative</u>
Region of York	A	Pitman Patterson / Gabriel Szobel / Frank Santaguida
Ministry of Municipal Affairs and Housing	B	Kenneth G. Hare / Ugo Popadic
Toronto and Region Conservation Authority	C	June Little
PEARLS Inc.	D	Bruce McMin
UPS Canada	E	Tim Bermingham
611428 Ontario Ltd.	F	David Bronskill / Nick Staubitz
York Region Catholic District School Board	G	Tom McCrae / Christine Hyde
York Region District School Board	H	Gilbert Luk
FCHT Holdings (Ont) Corp	I	Steven A. Zakem
Magna International Inc. and Granite Real Estate Inc.	J	
CNR	K	Alan Heisey
Alex & Michelle Marrero (5859 Rutherford)	L	
Ivanhoe Cambridge Inc.	M	John Alati / Matthew Di Vona
Vaughan 400 North Landowners Group Inc.	N	Michael Melling / Matthew Di Vona
1233389 Ontario Inc.	O	Alan Heisey
Sustainable Vaughan	P	Stephen Roberts
RioCan Holdings Inc.	Q	Joel Farber
Brownridge Ratepayers Association	R	Mario G. Racco
Joseph & Teresa Marando	S	Carmine Marando
Velmar Centre Property Ltd.	T	Michael Melling / Matthew Di Vona
Argo Lumber Inc., Alpa Trusses Inc.	U	Sarah Jane Turney
Roybridge Holdings Ltd., Vaughan West II Ltd. and Squire Ridge Investment Ltd.	V	Susan D. Rogers
Adidas Canada Ltd., 2029832 Ontario Inc. and Conair Consumers Products Inc.	W	Susan D. Rogers
Part of Block 50 Landowners Group	X	Thomas Barlow
Sidney Isenberg (Medallion Fence Ltd.)	Y	Shelly Isenberg
Liberta D'Aversa	Z	Gregory Gryguc

One-Foot Developments Inc.	AA	Sarah Jane Turney
Two Seven Joint Venture Limited	AB	
Anatolia Capital Corp.	AC	
Di Poce Management Limited	AD	
Toromont Industries Ltd.	AE	
John Simone	AF	
Domenic Simone	AG	
Silvia Bellissimo	AH	
Enza Cristello	AI	
Maria Simone	AJ	
Anthony Simone	AK	
Annarita Guida	AL	
Cole Engineering Group Ltd.	AM	
Teresa Marando	AN	Chris Tanzola / Daniel Artenosi
<u>Participants</u>		
	<u>No.</u>	<u>Representative</u>
City of Brampton	i	Roberto Zuech / David Waters
Block 27 Landowners	ii	Michael Melling / Matthew Di Vona
Antonio DiBenedetto	iii	
Americo Ferrari	iv	joseph.jgp@gmail.com
Crown Heights Coop Housing	v	Ellen Schacter Inc.
Maria, Yolanda, Laura, Guiseppa Pandolfo and Cathy Campione	vi	
Brownridge Ratepayers Association	vii	Mario G. Racco
Bellaterra Corporation	Viii	Gerard C. Borean
Mary Mauti and Elisa Testa	ix	Mary Mauti and Elisa Testa
The Village of Woodbridge Ratepayers Association	x	Maria Verna