

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: November 1, 2019

CASE NO.: PL111184

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

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

Appellant: 1042710 Ontario Limited
Appellant: 1191621 Ontario Inc.
Appellant: 1529749 Ontario Inc.
Appellant: 1541677 Ontario Inc. and others
Subject: Failure to announce a decision respecting the proposed new Official Plan of the Regional Municipality for York for the City of Vaughan
Municipality: City of Vaughan
OMB Case No.: PL111184
OMB File No.: PL111184

BEFORE:

GERALD S. SWINKIN) Friday, the 1st
MEMBER)
) day of November, 2019

THIS MATTERS having come on for a public hearing;

THE TRIBUNAL ORDERS that in accordance with the provisions of section 17(50) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, those portions of the Vaughan Official Plan 2010 as adopted by the City on September 7, 2010, subject to Council modifications on September 27, 2011, March 20, 2012 and April 17, 2012, as modified

by Regional Council of York on June 28, 2012, relating to the Yonge-Steeles Corridor Secondary Plan are modified by the Tribunal set out in Schedule B to this Order and, as modified, those portions set out in Schedule B are approved. The approval in Schedule B of this Order will take effect upon a further Order or Orders of the Tribunal, as determined by the Tribunal, approving and bringing into effect designations, schedules and other policies of the Yonge-Steeles Corridor Secondary Plan.

“Evelyn Dawes”

EVELYN DAWES
DEPUTY REGISTRAR

If there is an attachment referred to in this document,
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Local Planning Appeal Tribunal

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

SCHEDULE "A"

APPELLANT	APPEAL	REPRESENTATIVE
1042710 Ontario Ltd.	4	Patricia A. Foran / Patrick Harrington
Briardown Estates Inc.	33	Patrick Harrington
Amar Transport Inc.	84	
1406284 Ontario Inc.	164	
Glenwood Property Management Ltd. and The Gupta Group	165	David Bronskill
Highway 27 Langstaff GP Ltd.	2	Susan Rosenthal
Highway 27 Langstaff GP Ltd.	22	
Longyard Properties Inc.	23	
Solmar Inc.	3	Michael Melling / Meaghan McDermid
Tesmar Holdings Inc.	4	
1668872 Ontario Inc.	5	
77 Woodstream Inc.	25	
Block 40/47 Developers Group Inc.	28	
York Major Holdings Inc.	55	
1539253 Ontario Inc.	68	
Celebration Estates Inc.	96	
Overriver Holdings Ltd.	98	
Block 66 West Landowners Group Inc.	125	
Teston Green Landowners Group	149	
Block 42 Landowners Group	151	
Lucia Milani and Rizmi Holdings Ltd.	62	
Teston Villas Inc.	152	
Teston Sands Inc.	162	
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	
Auto Complex Ltd.	40	
Castlepoint Huntington Ltd.	49	

APPELLANT	APPEAL	REPRESENTATIVE
Salz & Son Ltd.	51	
Monarch Castlepoint Kipling North & South	154	
Queen's Quay Avante Limited	155	
Haulover Investments Ltd.	7	Jeffrey Streisfield
David and Kathy Lundell	42	
Portside Developments (Kipling) Inc.	116	
Mario Tedesco	117	
York Region Condominium Corporation 730	137	Reza Fakhim / Ali Shojaat / Domenica Perruzza
Baif Developments Limited	8	Roslyn Houser / Joseph Hoffman
Costco Wholesale Canada Ltd.	9	
Wal-Mart Canada Corp.	10	
First Vaughan Investments Inc., Ruland Properties Inc. and Skyrange Investments Inc.	72	
Calloway REIT (Sevenbridge) Inc.	73	
LTF Real Estate Company, Canada Inc. ("Life Time")	134	
TDL Group Corp.	41	
McDonald's Restaurants of Canada Ltd.	42	
A&W Food Services of Canada Inc.	43	
Wendy's Restaurants of Canada Inc.	44	
Ontario Restaurant Hotel & Motel Association	45	
West Rutherford Properties Ltd.	16	Bruce C. Ketcheson
Ozner Corporation	17	
836115 Ontario Inc.	48	Barry Horosko
1191621 Ontario Inc.	49	
Granite Real Estate Inc. (formerly MI)	20	
1834375 Ontario Ltd.	29	
1834371 Ontario Ltd.	30	
Delisle Properties Ltd.	34	
1541677 Ontario Inc.	43	
Novagal Development Inc.	52	
2159645 Ontario Ltd. (Liberty)	56	
Nine-Ten West Limited	80	
Cedarbrook Residential	103	

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Allegra on Woodstream Inc.	412	
588701 Ontario Limited	424	
2128475 Ontario Corp.	146	
4930328 Ontario Inc.	447	
Caldari Land Development Corporation	150	
Hollywood Princess Convention and Banquet Centre Ltd.	50	Quinto M. Annibale / Steven Ferri
MCN (Pine Valley) Inc.	57	
785345 Ont. Ltd and I & M Pandolfo Holdings	59	
Kirbywest Ltd.	66	
Royal 7 Developments Limited	84	
Maple Industrial Landowners Group	418	
Blue Sky Entertainment Corp.	426	
Holcim (Canada) Inc.	129	
2203012 Ontario Limited	130	
Blair Building Materials Inc.	131	
10350 Pine Valley	163	
Lormel Developments Ltd.	167	
Blackwood Realty Fund I Limited Partnership	24	
2117969 Ontario Inc.	406	
Midvale Estates Ltd.	407	
Potestas Properties Inc.	108	
Covenant Chapel	415	
Ivanhoe Cambridge II Inc.	142	
Roybridge Holdings Ltd., Vaughan West II Ltd., and Squire Ridge Investment Ltd.	26	Susan D. Rogers
Adidas Canada Ltd., 2029832 Ontario Inc., and Conair Consumers Products Inc.	27	
John Duca	413	
RioCan Holdings Inc. (Coulter's Mills Marketplace)	31	Joel D. Farber
RioCan Holdings Inc. (Springfarm Marketplace)	32	
Riotrin Properties (Langstaff) Inc., SRF Vaughan Property Inc., and SRF Vaughan Property II Inc.	36	
Riotrin Properties (Vaughan) Inc., Riotrin Properties (Vaughan2) Inc. and Riotrin Properties (Vaughan3) Inc.	48	

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RioCan Holdings Inc. (Centre Street Corridor)	82	
1306497 Ontario Inc. (Sisley Honda)	133	
Ms. Ronni Rosenberg	37	Amber Stewart
Canadian Fuels Association	44	
Imperial Oil Ltd.	74	N. Jane Pepino
Country Wide Homes (Pine Valley Estates) Inc.	166	
Home Depot Holdings Inc.	44	
Granite Real Estate Inc. and Magna International Inc.	110	Steven A. Zakem
350 Creditstone Investments	143	
Lorwood Holdings Incorporated	158	
Casertano Development Corporation and Sandra Mammone	45	
Danlauton Holdings Ltd.	46	
1529749 Ontario Inc. (the "Torgan Group")	47	
Suncor Energy Products Partnership	54	
CST Canada Co.	85	
2157160 Ontario Inc.	99	Mary Flynn-Guglietti / Annik Forristal
Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd., and 1510905 Ontario Ltd.	100	
1693143 Ontario Inc. and 1693144 Ontario Inc.	101	
Antonia & Bertilla Taurasi	138	
390 Steeles West Holdings Inc.	153	
398 Steeles Avenue West Inc.	160	
165 Pine Grove Investments Inc.	53	Adam J. Brown / Jessica Smuskowitz
1525233 Ontario Inc.	97	
Estates of Gladys Smith	58	
Palmerston Properties Limited	122	Robert Miller
York Condominium Corporation 499	139	
2090396 Ontario Ltd.	60	
Arthur Fisch & 1096818 Ontario Inc.	61	
H&L Title Inc. & Ledbury Investments Ltd.	75	Mark R. Flowers
Centre Street Properties Inc.	78	
Vogue Investments Ltd.	79	
Teefy Developments Inc.	63	Chris Barnett

APPELLANT	APPEAL	REPRESENTATIVE
Anland Developments Inc.	83	
281187 Ontario Ltd.	64	Gerard C. Borean
L-Star Developments Group	65	
Kipco Lands Development Inc.	86	
Lanada Investments Limited	87	
Market Lane Holdings Limited	88	
Gold Park (Woodbridge) Inc.	89	
Mrs. Anna Greco	90	
Luigi Bros. Paving Company Ltd.	94	
Mr. Silvio Di Giammarino	94	
1034933 Ontario Ltd.	120	
Luigi Bros. Paving Company Ltd.	128	
Concetta Marciano	135	
Pro Catering Ltd.	136	
Michael Termini, Salvatore Termini and Rosa Bancheri	145	
Blue Water Ranch Developments Inc.	67	
Berkley Commercial (Jane) Inc.	119	
Teresa Marando	123	
FCF Old Market Lane 2013 Inc.	140	
Liberata D'Aversa	148	
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	
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
Mr. Antonio Di Benedetto	109	Self-Represented
Bentall Kennedy (Canada) LP	111	James Harbell /

APPELLANT	APPEAL	REPRESENTATIVE
		Patrick Duffy
Toromont Industries Ltd.	114	Michael Miller / Alexandra Schwarz
Monica Murad	127	Michael Simaan
Seven 427 Developments Inc.	144	Valeria Maurizio / Johanna Shapira
Kau & Associates LP	74	Caterina Facciolo
Trimax on Islington	104	
Dufferin Vistas Ltd.	24	David Bronskill
Country Wide Homes Woodend Place Inc.	121	Jane Pepine
Tan-Mark Holdings Limited & Telast Enterprises Inc.	156	Alexander Burton-Vulovic
Tan-Mark Holdings Limited, Gino Matrondola and Telast Enterprises Inc.	168	
2464879 Ontario Inc. and Ultra Towns Inc.	159	Leo Longo
The Ravines of Islington Encore Inc.	161	

<u>Parties</u>	<u>Party No.</u>	<u>Representative</u>
Region of York	A	Pitman Patterson / Bola Ogunmefun
Ministry of Municipal Affairs and Housing	B	Kenneth G. Hare / Ugo Popadic
Toronto and Region Conservation Authority	C	Jonathan Wigley / June Little
PEARLS Inc.	D	Bruce McMinn
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. (now Appeal 142)	M	John Alati
Vaughan 400 North Landowners Group Inc.	N	Michael Melling

<u>Parties</u>	<u>Party No.</u>	<u>Representative</u>
1233389 Ontario Inc.	Q	Alan Heisey
Sustainable Vaughan	P	Stephen Roberts
RioCan Holdings Inc.	Q	Joel Farber
Brownridge Ratepayers Association	R	Mario G. Racce
Joseph & Teresa Marando	S	Carmine Marando
Velmar Centre Property Ltd.	T	Michael Melling
Argo Lumber Inc., Alpa Trusses Inc.	U	Thomas Barlow / 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 (now Appeal 148)	Z	Gregory Gryguc
One-Foot Developments Inc.	AA	Thomas Barlow / 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	

<u>Participants</u>	<u>No.</u>	<u>Representative</u>
Block 27 Landowners	1	Michael Melling / Matthew Di Vona
City of Brampton	2	Roberto Zuech
Antonio DiBenedetto	3	Self
Americo Ferrari	4	joseph.jgp@gmail.com
Crown Heights Coop Housing	5	Ellen Schacter Inc.
Maria, Yolanda, Laura, Guiseppe Pandolfo and Cathy Campione	6	Guiseppe Pandolfo
Brownridge Ratepayers Association	7	Mario G. Racco
Bellaterra Corporation	8	Gerard C. Borean
Mary Mauti and Elisa Testa	9	Mary Mauti & Elisa Testa
The Village of Woodbridge Ratepayers Association	10	Maria Verna

SCHEDULE B

8.5 vi. A Monitoring and Development Plan in accordance with Section 8.6 of this Secondary Plan.

8.6 Monitoring and Phasing of Development

In order to coordinate development with the availability of improvements to the transportation system, development will be implemented in accordance with the following policies:

- i. The policies in this Section apply to residential uses. Notwithstanding the foregoing, non-residential uses, shall comply with policy 8.6.vi and with all other applicable Sections of the Plan, including the completion of a transportation study to accommodate the proposed development.
- ii. The Yonge Subway extension is the key transportation infrastructure investment required to permit the full buildout of the Secondary Plan area.
- iii. Each application for development will be assessed on a site by site basis through a detailed transportation study.
- iv. Any transportation study contemplated by iii. above shall take place in the context of jurisdictional cooperation involving the Region of York and the City of Vaughan. The transportation study scope of work and study area will be determined by York Region and the City of Vaughan and the transportation study shall be completed to the satisfaction of York Region and the City of Vaughan.
- v. The Transportation study should have regard for the Yonge-Steeles Area Regional Transportation Study (the "YSRTS"), Region's Transportation Master Plan as updated and the Growth Plan requirements for Major Transit Station Areas. The YSRTS recognizes the potential for transportation infrastructure constraints on development, including constraints prior to having secured funding for the subway extension and the determination of a definitive construction timeline. In particular, the YSRTS concludes that transportation capacity constraints may arise upon the Secondary Plan area reaching a population of approximately 3,000 people. Therefore, each required transportation study should address the following matters:
 - (a) Recommendations on transportation infrastructure or program improvements that are appropriate to accommodate individual phases of the proposed development;
 - (b) Recommendations for TDM measures for the purposes of mitigating the transportation impacts of the proposed development including, but not limited to, providing maximum vehicle and minimum bicycle parking provisions in the site specific zoning by-law amendment, membership with Transportation Management Associations (e.g. Smart Commute), maximize active transportation connections to the external network and provision of car share facilities, real-time transit information screens and unbundled parking; and
 - (c) Any monitoring that may be required prior to approval of subsequent phases of development.

vi. In processing and implementing development applications the City will:

- Provide for the development of any infrastructure that is within its jurisdiction, through the development approval process, including the protection and implementation of the fine grain street network as identified in the Secondary Plan;
- In cooperation with York Region, secure as a condition of development approval, TDM measures for implementation on a development-by-development basis for the purposes of mitigating the transportation impacts of new development;
- Ensure any recommendations contained in the approved transportation study for transportation infrastructure, program improvements and/or monitoring for a development are secured as conditions or requirements for development approval; and
- Ensure each development or phase of a development will not proceed until the transportation impact mitigation measures or improvements have been instituted by the developer or others and such mitigation measures have been evaluated to the satisfaction of York Region and the City of Vaughan.

vii. Nothing in this Secondary Plan will preclude additional financial tools to assist funding the required Yonge Subway Extension to the benefit of all developments. These may be implemented through subsequent development approvals.

viii. Specific municipal and transit/transportation related infrastructure improvements (or triggers) required to support build-out of the Secondary Plan Area will be identified and provided through the development application approval process. All servicing and transit/transportation infrastructure, required to support the initial phases of development and the ultimate build-out of the Plan, will be coordinated with the final conclusions and recommendations of development application studies and York Region's and the City's ongoing servicing and transportation related master plans. All servicing and transportation infrastructure proposed within the Steeles Avenue West right-of-way shall include the approval of the City of Toronto, so long as the City of Toronto retains ownership and jurisdiction over Steeles Avenue West.

NEW

The following is added following the last paragraph:

Section 3.0 Region of York Official Plan

The Yonge-Steeles Area Regional Transportation Study (YSRTS) completed in September 2015, was led by York Region in partnership with the Cities of Vaughan, Markham and Toronto. Overall, the purpose of the study is to provide guidance on how to manage population, employment and travel demand growth in the study area.