

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: March 20, 2018

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)

BEFORE:

R.G.M. MAKUCH) Tuesday, the 20th
VICE-CHAIR)
) day of March, 2018

THESE MATTERS having come on for a public hearing;

AND THE BOARD in its Decision issued July 15, 2015 granted the City of Vaughan's motions for partial approval of Volume I and II of the Vaughan Official Plan 2010 for those lands which are noted in green in Schedule C of its motion record and for those lands that are subject to Appeal 103 (Exhibit 79B), and withheld its Order pending receipt of all of the Appellant's withdrawal letters pertaining to the partial approval of Volume I, and draft wording of the 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”) in respect of 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of York (the “Region”) on June 28, 2012, Volume 1 of the Plan is hereby approved for the lands subject to the withdrawn appeals of Appellants 18, 19, 31, 112 and 122;

That in accordance with the provisions of section 17(50) of the Act in respect of the Plan, 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 and endorsed by the Regional Municipality of York (the “Region”) on June 28, 2012, Volume 1 of the Plan is hereby approved for the lands subject to the appeal of Appellant 103;

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 appeal of Appellant 103 is hereby dismissed, save an except for the appeal of parkland policy 7.3.3;

AND THE BOARD FURTHER ORDERS 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 cursive script, reading "Ma Hurwicks".

SECRETARY

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

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elfto.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	
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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		
1539253 Ontario Inc.	68		
Celebration Estates Inc.	96		
Block 66 West Landowners Group Inc.	125		
Teston Green Landowners Group	149		
Block 42 Landowners Group	151		
Teston Villas Inc.	152		
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		
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	
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Wal-Mart Canada Corp.	10	Roslyn Houser / Michael Stewart / Joseph Hoffman
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	
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McDonald's Restaurants of Canada Ltd.	42	
A&W Food Services of Canada Inc.	43	Michael S. Polowin / Denise Baker
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West Rutherford Properties Ltd.	16	Bruce C. Ketcheson
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1834375 Ontario Ltd.	29	
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Centre Street Properties Inc.	78	Barry Horosko
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John Duca	113	Joel D. Farber
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1525233 Ontario Inc.	97		
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Estates of Gladys Smith	58	Robert Miller	
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Arthur Fisch & 1096818 Ontario Inc.	61		
H&L Title Inc. & Ledbury Investments Ltd.	75		
Teefy Developments Inc.	63	Chris Barnett / Alexis Alyea	
281187 Ontario Ltd.	64	Gerard C. Borean	
L-Star Developments Group	65		
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Market Lane Holdings Limited	88		
Gold Park (Woodbridge) Inc.	89		
Mrs. Anna Greco	90		
Luigi Bros. Paving Company Ltd.	91		
Mr. Silvio Di Giammarino	94		
1034933 Ontario Ltd.	120		
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Pro Catering Ltd.	136	
Michael Termini, Salvatore Termini and Rosa Bancheri	145	
Blue Water Ranch Developments Inc.	67	Daniel Artenosi / Christopher J. Tanzola / Kelly Oksenberg
Berkley Commercial (Jane) Inc.	119	
Teresa Marando	123	
FCF Old Market Lane 2013 Inc.	140	
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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
Mr. Antonio Di Benedetto	109	Self-Represented
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	Jane Pepino
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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 / 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.	M	John Alati / Matthew Di Vona
Vaughan 400 North Landowners Group Inc.	N	Michael Melling / Matthew Di Vona
4233389 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	Carmino Marando
Velmar Centre Property Ltd.	T	Michael Melling / Matthew Di Vona
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	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	Chris Tanzola / Daniel Artenosi / Kelly Oksenberg
Participants		
Block 27 Landowners	No.	Representative
Block 27 Landowners	4	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 and Elisa Testa
The Village of Woodbridge Ratepayers Association	10	Maria Verna