

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: July 23, 2021

CASE NO(S): PL111184
PL200260
PL200473
PL210178

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

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)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Yonge & Steeles Development Inc.
Subject: Request to amend the Official Plan - Failure of
City of Vaughan to adopt the requested
amendment
Existing Designation: General Commercial Area
Proposed Designated: General Commercial Area – Site Specific
Purpose: To permit the existing commercial uses to
continue and permits retail stores, restaurants,
banks and business and professional offices,
retail and hotel uses

Property Address/Description: 7028 Yonge Street and 2 Steeles Avenue West
Municipality: City of Vaughan
Approval Authority File No.: OP.18.016
LPAT Case No.: PL200260
LPAT File No.: PL200260
LPAT Case Name: Yonge & Steeles Development Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Yonge & Steeles Development Inc.
Subject: Application to amend Zoning By-law No. 1-88 - Refusal or neglect of City of Vaughan to make a decision
Existing Zoning: C1 Restricted Commercial Zone subject to site-specific Exceptions 9(865) and 9(331)
Proposed Zoning: RA3 Residential Apartment Zone and to permit site-specific zoning exceptions
Purpose: To permit the existing commercial uses to continue and permits retail stores, restaurants, banks and business and professional offices, retail and hotel uses
Property Address/Description: 7028 Yonge Street and 2 Steeles Avenue West
Municipality: City of Vaughan
Municipality File No.: Z.18.028
LPAT Case No.: PL200260
LPAT File No.: PL200261

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Development Group (100 SAW) Inc.
Subject: Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation: "General Commercial" and "Low Density Residential" in accordance with Official Plan Amendment No. 210 (OPA 210), the Thornhill-Vaughan Community Plan
Proposed Designated: "Mixed Commercial and Residential"
Purpose: To permit the redevelopment of the subject

lands with a mixed-use development containing residential and commercial uses

Property Address/Description: 100 Steeles Avenue West
Municipality: City of Vaughan
Approval Authority File No.: OP.20.001
LPAT Case No.: PL200473
LPAT File No.: PL200473
LPAT Case Name: Development Group (100 SAW) Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Development Group (100 SAW) Inc.
Subject: Application to amend Zoning By-law No. 1-88, as amended - Neglect of the City of Vaughan to make a decision

Existing Zoning: "C2 General Commercial Zone"; subject to Exception 9(731)
Proposed Zoning: "RA3 Apartment Residential Zone"; subject to Exception 9(xxx)
Purpose: To permit the redevelopment of the subject lands with a mixed-use development containing residential and commercial uses

Property Address/Description: 100 Steeles Avenue West
Municipality: City of Vaughan
Municipality File No.: Z.20.004
LPAT Case No.: PL200473
LPAT File No.: PL200474

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Development Group (100 SAW) Inc.
Subject: Proposed Plan of Subdivision - Failure of the City of Vaughan to make a decision

Purpose: To permit the redevelopment of the subject lands with a mixed-use development containing residential and commercial uses

Property Address/Description: 100 Steeles Avenue West
Municipality: City of Vaughan
LPAT Case No.: PL200473
LPAT File No.: PL200475

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Subject:	Mizrahi Constantine (180 SAW) Inc. Et Al Request to amend the Official Plan - Failure of City of Vaughan to adopt the requested amendment
Existing Designation:	General Commercial Area and Low Density Residential
Proposed Designated: Purpose:	Mixed Commercial/Residential Area To permit 6, mixed-use residential apartment buildings
Property Address/Description: Municipality:	180 Steeles Avenue West City of Vaughan
Approval Authority File No.:	OP.20.002
LPAT Case No.:	PL210178
LPAT File No.:	PL210178
LPAT Case Name:	Mizrahi Constantine (180 SAW) Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Subject:	Mizrahi Constantine (180 SAW) Inc. Et Al Application to amend Zoning By-law No. 1-88 - Refusal or neglect of City of Vaughan to make a decision
Existing Zoning: Proposed Zoning: Purpose:	C4 Neighbourhood Commercial Zone RA3 Apartment Residential Zone To permit 6, mixed-use residential apartment buildings
Property Address/Description: Municipality:	180 Steeles Avenue West City of Vaughan
Municipality File No.:	Z.20.005
LPAT Case No.:	PL210178
LPAT File No.:	PL210180

APPEARANCES:

Parties

Regional Municipality of York

Counsel

B. Ogunmefun

City of Vaughan

B. Engell
E. Lidakis

Appellants and Added Parties
(listed in Attachment 1)

AMENDING DECISION OF THE TRIBUNAL DELIVERED BY S. TOUSAW

[1] In accordance with Rule 24.4 of the Tribunal's *Rules of Practice and Procedure*, whereby the Tribunal may at any time and without prior notice to the parties correct a technical or typographical error made in a decision or order ("Decision"). The Decision issued on May 13, 2021, is hereby amended as follows:

- Paragraph 37, line 7, is corrected to "Attachment 6 (Motion Record p. 841 to 843) to this order and is approved as modified..."

[2] Schedule K from page 843 of the Motion Record, is now included in Attachment 6, and attached to this Amending Decision.

[3] In all other respects, the Tribunal's Decision remains the same.

"S. Tousaw"

S. TOUSAW
MEMBER

Ontario Land Tribunal

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The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal.

PL111184 - Attachment 6**Schedule "A"****LPAT approval of the following VOP 2010 revisions**

1. Amending Schedule "K", Volume 2, Vaughan Metropolitan Centre Secondary Plan, attached hereto, thereby identifying the Subject Lands, municipally known as 3201 Highway 7 as Area "K".
2. Adding to Volume 2, Vaughan Metropolitan Centre Secondary Plan, Section 9.3 "Site Specific Policies" by adding the following policy, to be renumbered in sequential order:
 - 9.3.13 "The lands known as 3201 Highway 7 are identified on Schedule as Area K and are subject to the policies set out in Section 9.3.13 of this Plan"
3. Adding the following policies to Volume 2, Vaughan Metropolitan Centre Secondary Plan, Section 9.3 – "Site Specific Policies" and renumbering in sequential order:

Area 'K'

9.3.13

1. Notwithstanding Schedule I, Height and Density Parameters, of the Vaughan Metropolitan Centre (VMC) Secondary plan, a mixed-use development shall be permitted in accordance with the Minor Variance Application File A136/18, as well as Site Development Application File DA.17.015, which applies to the lands municipally known as 3201 Highway 7. The following height and density parameters shall only be permitted on the lands identified as "Area K" on Schedule K, subject to the requirements for a Section 45(9) Agreement being satisfied:
 - a. a maximum building height of 55-storeys shall be permitted for the East and West towers;
 - b. a maximum building height of 46-storeys (excluding mechanical penthouse) be permitted for the South Tower (identified in Minor Variance Application A136/18) of which, a minimum of 13% of the gross floor area (GFA) must be comprised of non-residential uses;
 - c. a maximum Floor Space Index (FSI) of 12.58 is permitted, calculated in accordance with Policy 8.1.17 of the VMC Secondary Plan.
2. Notwithstanding Policy 8.7.18, of the VMC Secondary Plan, the maximum permitted tower floor plate size for the East and West towers shall not exceed 843 m² and the South Tower shall not exceed 903 m²; and,

3. A maximum residential gross floor area (GFA) of 125,000.5 m² shall be permitted.

