

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** August 03, 2017

**CASE NO(S):** 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)

**Heard:** July 11, 2017 in Vaughan, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

City of Vaughan

Bruce Engell

Regional Municipality of York

Pitman Paterson

See Attachment 1 for  
Appellants/Parties/Participants

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN AND  
S. TOUSAW ON JULY 11, 2017 AND ORDER OF THE BOARD**

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[1] The matter before the Board is a further pre-hearing conference (“PHC”) scheduled in connection with the City of Vaughan Official Plan (“VOP”) 2010. Notice of the PHC was given in the Board’s previous disposition, issued May 24, 2017.

[2] Mr. Engell provided a brief agenda for the PHC, revised exhibit list and updated the Board with respect to the status of the various groups of appeals (164 in total). A chart was provided that groups the various appeals, the majority of which are either resolved or were previously hived off and are being adjudicated through separate hearing processes. The appeals relating to the parkland policies are on hold and for the other groups of appeals, PHC’s or hearing dates have been set. There is a group of appeals (referred to as “other development applications”) where the resolutions will be reflected in the VOP once settlements are reached and/or hearings held and decisions are issued. That leaves a group of 22 appeals referred to as “other site specific appeals” that remain the focus of this PHC process.

[3] With respect to this remaining group of “other site specific appeals”, Mr. Engell explained that these appeals that are not City-wide, a secondary plan is not involved and development applications have not been filed. The City is proposing to use the summer and early fall to address these appeals. Staff reports will be prepared and any settlements will go to City Council and presented to the Board for a decision at the next PHC. There were no objections from Counsel who appeared with respect to the City’s proposal. Mr. Heisey, who represents Appeal #141 and Canadian National Rail (“CNR”, a party) indicated that while he was not seeking any relief from the Board, it is important that his client’s issues be resolved as quickly as possible especially as they relate to the CNR lands and he may revisit the matter at the next PHC.

[4] Finally, while there may be some additional appeals, the Regional Municipality of York has issued a notice (dated June 23, 2017) limiting the appeal period pursuant to the provisions of s. 17(41.1) of the *Planning Act*. The notice explains that the last date of appeal is July 13, 2017 and direction on how to appeal is included as part of that notice. The City provided an updated list of all Appellants, Parties and Participants (as of July

11, 2017) including their respective representatives which is set out as Attachment 1 to this decision.

[5] At the request of the City with the consent of the parties who attended the hearing, the next PHC is scheduled to commence **at 10 a.m. on Thursday, November 23, 2017 at:**

**City of Vaughan,  
Municipal Building, Multi-Purpose Room,  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1**

There shall be no further notice. Given the complexities earlier in the process, the Board had imposed longer periods for service of motion materials. These requirements are no longer necessary and motions may be made in the normal course and in accordance with the Board's *Rules of Practice and Procedure*. If there are any settlements on consent that can be addressed in writing prior to the next PHC, the requisite affidavit and draft Order may be filed with the Board and thereafter a decision will issue.

[6] If any difficulties arise prior to the next PHC, the Case Coordinator may be contacted and a telephone conference call arranged.

*"J. de P. Seaborn"*

J. de P. SEABORN  
VICE-CHAIR

*"S. Tousaw"*

S. TOUSAW  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://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](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

# ATTACHMENT 1

PL111184

## VAUGHAN OFFICIAL PLAN 2010 PRE-HEARING CONFERENCE – July 11, 2017

### SIGN-IN SHEET

APPELLANT	APPEAL	REPRESENTATIVE(S)	ATTENDEE(S)
1042710 Ontario Ltd.	1	Patricia A. Foran / Patrick Harrington	
Briardown Estates Inc.	33		
Amar Transport Inc.	84	Patrick Harrington	
1406284 Ontario Inc.	164		
Highway 27 Langstaff GP Ltd.	2		
Highway 27 Langstaff GP Ltd.	22	Susan Rosenthal	
Longyard Properties Inc.	23		
Solmar Inc.	3		
Tesmar Holdings Inc.	4		
1668872 Ontario Inc.	5		
77 Woodstream Inc.	25		
Block 40/47 Developers Group Inc.	28		
York Major Holdings Inc.	55	Michael Melling / Meaghan McDermid / <u>Matthew Di Vona</u>	
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	Matthew Di Vona	
2264319 Ontario Inc.	6	Ira T. Kagan	

<p>Block 41-28E Developments Limited;  Block 41-28W Developments Ltd.;;  1212765 Ontario Inc. and  1213763 Ontario Ltd.</p>	<p>35</p>		
<p>7040 Yonge Holdings Ltd. and  72 Steeles Holdings Ltd.</p>	<p>38</p>		
<p>2 Steeles Avenue West Ltd.</p>	<p>39</p>		
<p>Auto Complex Ltd.</p>	<p>40</p>		
<p>Castlepoint Huntington Ltd.</p>	<p>49</p>		
<p>Salz &amp; Son Ltd.</p>	<p>51</p>		
<p>Menarch-Castlepoint-Kipling-North &amp; South</p>	<p>154</p>		
<p>Queen's Quay Avante Limited</p>	<p>155</p>		
<p>Haulover Investments Ltd.</p>	<p>7</p>		
<p>David and Kathy Lundell</p>	<p>42</p>	<p>Jeffrey Streisfield</p>	
<p>Portside Developments (Kipling) Inc.</p>	<p>116</p>		
<p>Mario Tedesco</p>	<p>117</p>		
<p>York Region Condominium Corporation 730</p>	<p>137</p>	<p>Reza Fakhim / Ali Shojaat /  Domenica Perruzza</p>	
<p>Baif Developments Limited</p>	<p>8</p>		
<p>Costco Wholesale Canada Ltd.</p>	<p>9</p>		
<p>Wal-Mart Canada Corp.</p>	<p>10</p>	<p>Roslyn Houser / Michael Stewart /  Joseph Hoffman</p>	
<p>First Vaughan Investments Inc.,  Ruland Properties Inc. and  Skyrange Investments Inc.</p>	<p>72</p>		
<p>Calloway REIT (Sevenbridge) Inc.</p>	<p>73</p>		
<p>LTF Real Estate Company, Canada Inc. ("Life-</p>	<p>134</p>		

Time				
	TDL Group Corp.		11	
	McDonald's Restaurants of Canada Ltd.		12	Michael S. Polowin / -Denise Baker
	A&W Food Services of Canada Inc.		13	
	Wendy's Restaurants of Canada Inc.		14	
	Ontario Restaurant Hotel & Motel Association		15	
	West Rutherford Properties Ltd.		16	
	Ozner Corporation		17	Bruce C. Ketcheson
	836115 Ontario Inc.		18	
	1191621 Ontario Inc.		19	Barry Horosko
	Granite Real Estate Inc. (formerly MI)		20	
	1834375 Ontario Ltd.		29	
	1834371 Ontario Ltd.		30	
	Delisle Properties Ltd.		34	
	1541677 Ontario Inc.		43	
	2159645 Ontario Ltd. (Liberty)		56	
	Centre Street Properties Inc.		78	
	Vogue Investments Ltd.		79	
	Cedarbrook Residential		103	
	Allegra-on-Weedstream Inc.		112	
	588701 Ontario Limited		124	
	2128475 Ontario Corp.		146	
	1930328 Ontario Inc.		147	
	Novagal Development Inc.		52	
	Nine-Ten West Limited		80	

Caldari Land Development Corporation	150		
Hollywood Princess Convention and Banquet Centre Ltd.	50		
MCN (Pine Valley) Inc.	57		<i>- Steven Ferri</i>
785345 Ont. Ltd and I & M Pandolfo Holdings	59		
Kirbywest Ltd.	66		
Royal 7 Developments Limited	84		
Maple Industrial Landowners Group	118		Quinto M. Annibale / Steven Ferri
Blue Sky Entertainment Corp.	126		
Holcim (Canada) Inc.	129		<i>- Robert Annibale</i>
2203012 Ontario Limited	130		
Blair Building Materials Inc.	131		
10350 Pine Valley	163		
Mr. Antonio Di Benedetto	109		Self
Blackwood Realty Fund I Limited Partnership	24		John Alati / <u>Matthew Di Vona /</u> Susan Rosenthal
Lucia Milani and Rizmi Holdings Ltd.	62		
Ivanhoe Cambridge II Inc.	142		
Reybridge Holdings Ltd., Vaughan West II Ltd., and Squire	26		
Ridge Investment Ltd.	27		
Adidas Canada Ltd., 2029832 Ontario Inc., and Genair	113		Susan D. Rogers
Consumers Products Inc.	34		
John Duca	32		
RioCan Holdings Inc. (Coulter's Mills Marketplace)			
RioCan Holdings Inc. (Springfarm Marketplace)			<i>Joel D. Farber</i>




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		
RioCan Holdings Inc. (Centre Street Corridor)	82		
1306497 Ontario Inc. (Sisley Honda)	133		
Ms. Ronni Resenberg	37	Amber Stewart	
Canadian Fuels Association	41		
Imperial Oil Ltd.	71	N. Jane Pepino	
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		
Danlouton Holdings Ltd.	46		
1529749 Ontario Inc. (the "Torgan Group")	47		
Suncor Energy Products Partnership	54	Mary Flynn-Guglietti / Annik Forristal	
GST Canada Co.	85		
2157160 Ontario Inc.	99		
Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd., and	400		

1510905 Ontario Ltd.			
1693143 Ontario Inc. and 1693144 Ontario Inc.	404		
Antonia & Bertilla Taurasi	138		
390 Steeles West Holdings Inc.	153		
398 Steeles Avenue West Inc.	160		
165 Pine Grove Investments Inc.	53		
1525233 Ontario Inc.	97	Adam J. Brown / Jessica Smuskowitz	Maoni Mny
Overriver Holdings Ltd.	98	Naomi Mares (Student - at - Law)	
Estates of Gladys Smith	58		
Palmerston Properties Limited	422	Robert Miller	
York Condominium Corporation 499	139		
2090396 Ontario Ltd.	60		
H&L Title Inc. & Ledbury Investments Ltd.	75	Mark R. Flowers	
Arthur Fisch & 1096818 Ontario Inc.	61		
Teefy Developments Inc.	63	Chris Barnett / Alexis Alyea	
281187 Ontario Ltd.	64		
L-Star Developments Group	65		
Kipeo 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.	91		
Mr. Silvio Di-Giammarino	94		
1034933 Ontario Ltd.	120		
		Gillian Gondosch Gerard G. Boreau	Julian Spodosch


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 Marande	123		
FCF Old Market Lane 2013 Inc.	140		
Liberata D'Aversa	148		
8188 Master Holding Inc.	157		
2058258 Ontario Ltd. (Forest Green Homes)	69	Daniel Artenosi / Christopher J. Tanzola / Kelly Oksenberg	
Royal Group Inc.	70	Robert J. Gray	
Ms. Traei 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 & <u>Matthew Di Vona</u>	

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	
Trimax on Islington	104		
Dufferin Vistas Ltd.	21	David Bronskill	
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	

PARTIES	PARTY NO.	REPRESENTATIVE(S)	ATTENDEE(S)
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 Staubit	
York Region Catholic District School Board	G	Tom McCrae / Christine Hyde	
York Region District School Board	H	Gilbert Luk	
FCHT Holdings (Ont) Corp	I		
Magna International Inc. and Granite Real Estate Inc.	J	Steven A. Zakem	
CNR	K	Alan Heisey	
Alex & Michelle Marrero (5859 Rutherford)	L		
Ivanhoe Cambridge Inc.	M	John Alati / <u>Matthew Di Vona</u>	
Vaughan 400 North Landowners Group Inc.	N	Michael Melling / <u>Matthew Di Vona</u>	
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	Garmine Marando	
Velmar Centre Property Ltd.	T	Michael Melling / <u>Matthew Di Vona</u>	
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. Regers	
Adidas Canada Ltd., 2029832 Ontario Inc. and Conair Consumers Products Inc.	W	Susan D. Regers	
Part of Bleek 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		
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	Sarah Jane Turney	
Silvia Bellissimo	AH		
Enza Cristello	AI		
Maria Simone	AJ		
Anthony Simone	AK		
Annarita Guida	AL		
Cele-Engineering-Group Ltd.	AM		
Teresa Marando	AN	Chris Tanzola / Daniel Artenosi	
<b>PARTICIPANTS</b>			
	<b>No.</b>	<b>REPRESENTATIVE(S)</b>	<b>ATTENDEE(S)</b>
City of Brampton	i	Roberto Zuech / David Waters	
Block 27 Landowners	ii	Michael Melling / Matthew Di Vona	
Antonie DiBenedette	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	

OTHER		REPRESENTATIVE(S)	ATTENDEE(S)
City of Vaughan		Bruce Engell / Claudia Storto / Michael Toshakovski / Caterina Facciolo	