

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



**ISSUE DATE:** March 19, 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:

S. TOUSAW )  
MEMBER )  
Monday, the 19<sup>th</sup> )  
day of March, 2018 )

**THESE MATTERS** having come on for a public hearing;

**AND THE BOARD** in its Decision issued February 12, 2018 approved Schedule 2 of Volume 1 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, except in respect of certain areas, including those areas under appeal by Kirbywest Ltd. (Appeal 66) (“Kirbywest”) and Lormel Developments Ltd. (Appeal 167) (“Lormel”);

**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 appeals of the Plan by Kirbywest and Lormel are allowed in part and that Schedule 2 of the Plan shall be modified in respect of the Lormel lands, in accordance with Schedule “B” attached to and forming part of this Order, and as modified approved in respect of the Lormel lands;

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 balance of the Kirbywest and Lormel appeals are dismissed;

**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 black ink, reading "Mya Hunwicks". 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](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

## SCHEDULE A

APPELLANT	APPEAL	REPRESENTATIVE
<del>1042710 Ontario Ltd.</del>	4	<del>Patricia A. Foran / Patrick Harrington</del>
Briardown Estates Inc.	33	Patrick Harrington
<del>Amar Transport Inc.</del>	<del>84</del>	
1406284 Ontario Inc.	164	
Glenwood Property Management Ltd. and The Gupta Group	165	David Bronskill
<del>Highway 27 Langstaff GP Ltd.</del>	<del>2</del>	Susan Rosenthal
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Solmar Inc.	3	Michael Melling / Meaghan McDermid / Matthew Di Vona
Tesmar Holdings Inc.	4	
<del>1668872 Ontario Inc.</del>	<del>5</del>	
<del>77 Woodstream Inc.</del>	<del>25</del>	
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<del>York Major Holdings Inc.</del>	<del>55</del>	
1539253 Ontario Inc.	68	
<del>Celebration Estates Inc.</del>	<del>96</del>	
Block 66 West Landowners Group Inc.	125	
Teston Green Landowners Group	149	
Block 42 Landowners Group	151	
Teston Villas Inc.	152	
<del>2264319 Ontario Inc.</del>	<del>6</del>	
<del>Block 41-28E Developments Limited, Block 41-28W Developments Ltd., 1212765 Ontario Inc. and 1213763 Ontario Ltd.</del>	<del>35</del>	
7040 Yonge Holdings Ltd. and 72 Steeles Holdings Ltd.	38	Ira T. Kagan
2 Steeles Avenue West Ltd.	39	
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<del>Monarch Castlepoint Kipling North &amp; South</del>	<del>154</del>	
<del>Queen's Quay Avante Limited</del>	<del>155</del>	

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
<del>Baif Developments Limited</del>	8	Roslyn Houser / Michael Stewart / Joseph Hoffman
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<del>A&amp;W Food Services of Canada Inc.</del>	43	
<del>Wendy's Restaurants of Canada Inc.</del>	44	
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<del>2117969 Ontario Inc.</del>	106	
<del>Midvale Estates Ltd.</del>	107	
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<del>Adidas Canada Ltd., 2029832 Ontario Inc., and Conair Consumers Products Inc.</del>	27	
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<del>Suncor Energy Products Partnership</del>	<del>54</del>		
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<del>281187 Ontario Ltd.</del>	<del>64</del>	Gerard C. Borean	
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2058258 Ontario Ltd. (Forest Green Homes)	69	Christopher J. Williams / Andrea Skinner
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<del>Ms. Traci Shatz</del>	76	<del>Aynsley L. Anderson</del>
Langvalley Holdings	77	Nicholas T. Macos
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<del>Weston Downs Ratepayers Association</del>	95	Anthony Francescucci
<del>Mr. Alex Marrero</del>	402	<del>Alex Marrero</del>
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Bentall Kennedy (Canada) LP	111	James Harbell / Patrick Duffy / Maggie Bassani
Toromont Industries Ltd.	114	Michael Miller / Alexandra Schwarz
Monica Murad	127	Micheal Simaan
<del>Seven 427 Developments Inc.</del>	444	<del>Valeria Maurizio /</del>



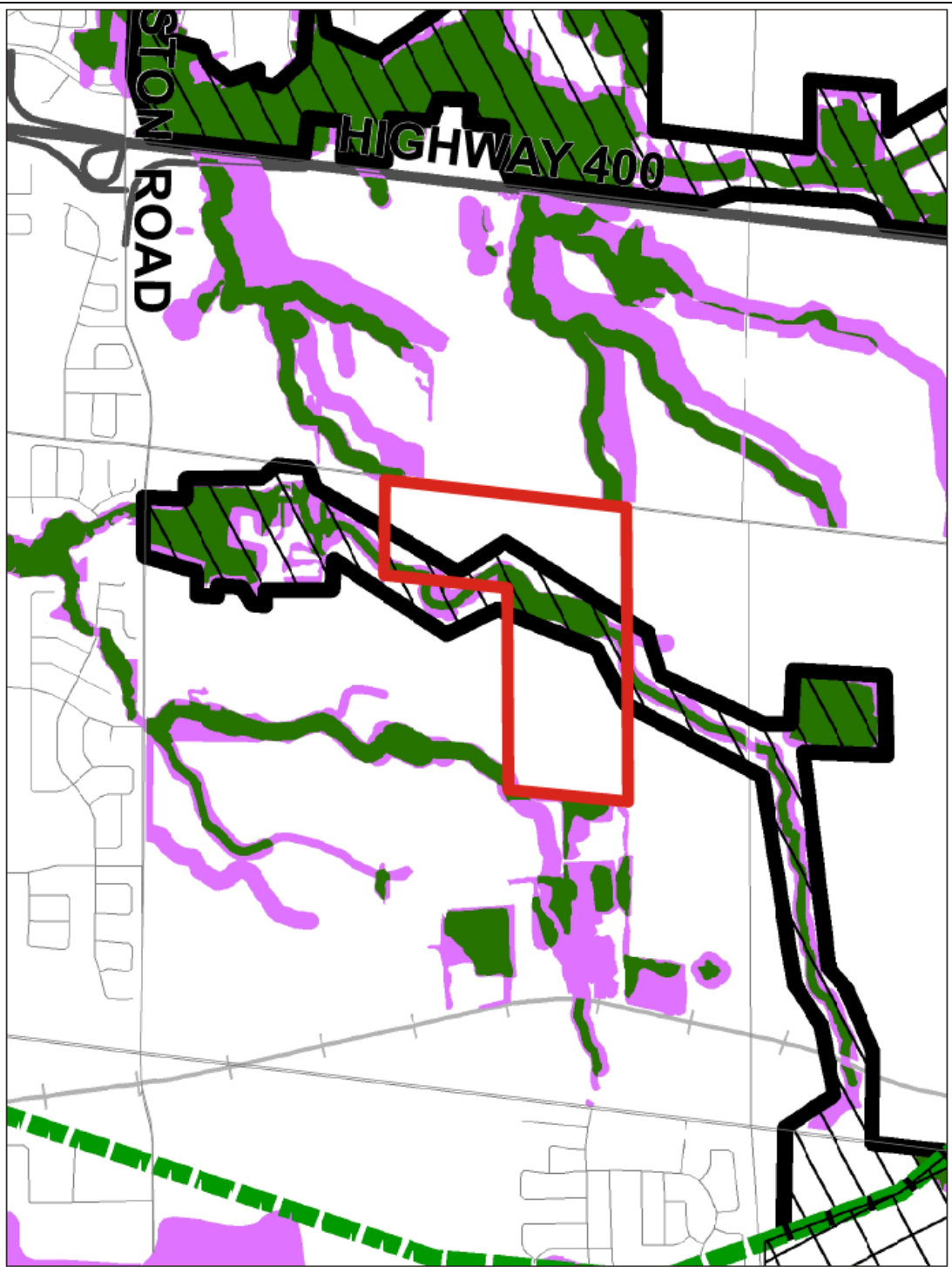
		Johanna Shapira
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<u>Parties</u>	<u>Party No.</u>	<u>Representative</u>
Region of York	A	Pitman Patterson / Bola Ogunmefun
Ministry of Municipal Affairs and Housing	B	Kenneth G. Hare / Ugo Popadic
Toronto and Region Conservation Authority	C	Jonathan Wigley / June Little
<del>PEARLS Inc.</del>	<del>D</del>	<del>Bruce McMinn</del>
<del>UPS Canada</del>	<del>E</del>	<del>Tim Birmingham</del>
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
<del>Magna International Inc. and Granite Real Estate Inc.</del>	<del>J</del>	
CNR	K	Alan Heisey
<del>Alex &amp; Michelle Marrero (5859 Rutherford)</del>	<del>L</del>	
Ivanhoe Cambridge Inc.	M	John Alati / Matthew Di Vona
<del>Vaughan 400 North Landowners Group Inc.</del>	<del>N</del>	Michael Melling / Matthew Di Vona
<del>1233389 Ontario Inc.</del>	<del>O</del>	<del>Alan Heisey</del>
Sustainable Vaughan	P	Stephen Roberts
RioCan Holdings Inc.	Q	Joel Farber
<del>Brownridge Ratepayers Association</del>	<del>R</del>	<del>Mario G. Racco</del>
















Mary Mauti and Elisa Testa	9	Mary Mauti and Elisa Testa
The Village of Woodbridge Ratepayers Association	10	Maria Verna

SCHEDULE "B"



**SCHEDULE 2**  
**Natural Heritage Network**



-  Core Features
-  Enhancement Areas
-  Built-Up Valley Lands<sup>1</sup>
-  Unapproved<sup>3</sup>
-  Greenbelt
-  Greenbelt Plan Area Boundary<sup>2</sup>
-  Greenbelt Natural Heritage System
-  ORM Conservation Plan
-  Oak Ridges Moraine (ORM) Conservation Plan Boundary<sup>2</sup>
-  Natural Core Area
-  Natural Linkage Area
-  Area Subject to ORMCA Minister's Zoning Order
-  City of Vaughan Boundary