

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



**ISSUE DATE:** May 13, 2021

**CASE NO(S):** PL111184  
PL200260  
PL200473  
PL210178

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.

**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

**Heard:** April 27, 2021 by video hearing

**APPEARANCES:****Parties**

Regional Municipality of York

City of Vaughan

Appellants and Added Parties  
(listed in Attachment 1)**Counsel**

B. Ogunmefun

B. Engell  
E. Lidakis**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON  
APRIL 27, 2021 AND ORDER OF THE TRIBUNAL**

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**INTRODUCTION**

[1] This proceeding was a further Case Management Conference (“CMC”) to address appeals to the 2010 Vaughan Official Plan (“VOP”). The 168 appeals have been managed according to various categories by area or subject matter. For various reasons, the City’s next new VOP will be delayed from its previous target of 2022, leaving additional necessary time to resolve the remaining appeals to the 2010 VOP.

[2] This CMC addresses appeals to the Yonge Steeles Corridor Secondary Plan (“YSCSP”) together with appeals to site-specific development applications within the same area. This CMC also advances several appeals towards resolution or a hearing on their merits, and dismisses several parkland appeals whose appellants have ceased involvement or have been otherwise satisfied.

[3] At the November 24, 2020 CMC, three CMCs were scheduled for 2021. After today’s CMC, the next two, with no further notice, are scheduled for:

**Tuesday, October 5, 2021, 10 a.m.**

**GoTo Meeting:** <https://global.gotomeeting.com/join/192336437>

**Access code:** 192-336-437

**Audio-only telephone line:** 1 (647) 497-9373 or Toll Free 1 (888) 299-1889

**Audio-only access code:** 192-336-437

**Monday, December 6, 2021, 10 a.m.**

**GoTo Meeting:** <https://global.gotomeeting.com/join/386317533>

**Access code:** 386-317-533

**Audio-only telephone line:** 1 (647) 497-9373 or Toll Free 1 (888) 299-1889

**Audio-only access code:** 386-317-533

[4] Statutory Parties and anyone seeking Party or Participant status are asked to log into the video hearing at least **15 minutes** before the start of the event to test their video and audio connections.

[5] Parties and Participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](#) or a web application is available:

<https://app.gotomeeting.com/home.html>

[6] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line with the access code provided.

[7] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the CMC hearing by video to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing event may be directed to the Tribunal's Case Coordinator having carriage of this case.

## HEARING TOGETHER WITH YSCSP

[8] As previously Ordered on consent, the Tribunal will hear site-specific appeals to development applications within the YSCSP area together with appeals to the YSCSP. Today, three site-specific appeals were addressed as follows.

### PL210178

[9] Mizrahi Constantine (180 SAW) Inc. (“Mizrahi”) appealed the absence of a decision of the City on its applications for Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) affecting 180 Steeles Avenue West.

[10] The City issued Notice in accordance with the Tribunal’s instructions and its Affidavit of Service is marked as an Exhibit.

[11] Mizrahi proposes to replace an existing low-rise commercial building with six mixed-use buildings ranging in height from 19 to 46 storeys with grade level retail and community uses, 2,046 dwelling units above, and a Floor Space Index (“FSI”) of 6.81.

[12] As the first CMC for this appeal, numerous requests for Party status were received, most, if not all, being existing Parties or added Parties to the YSCSP and other files being heard together. Without objection from any Party, the Tribunal granted Party status to those listed in Attachment 2 and directs here that each Party’s Issues List (“IL”) be provided to Mizrahi, the City and Region of York (“Region”) by **Monday, May 31, 2021**. Any unresolved disputes related to establishing a combined IL may be addressed at the next CMC.

**PL200260**

[13] Today is the second CMC for Yonge and Steeles Development Inc.'s ("YSD") appeal to the absence of a decision by the City on its applications for OPA and ZBA affecting 7028 Yonge Street and 2 and 32 Steeles Avenue West. YSD proposes three mixed-use towers ranging in height from 15 to 65 storeys over a common podium, with total FSI of 14.3.

[14] Three additional Party status requests were received, beyond those approved at the first CMC. Without objection from any Party, the Tribunal granted Party status to the additional requestors, as now included on the full list of Parties set out in Attachment 3. The Parties added today are directed to provide their IL to YSD, the City and Region by **Monday, May 31, 2021**. Any unresolved disputes related to establishing a combined IL may be addressed at the next CMC.

**PL200473**

[15] Today is the second CMC for Development Group (100 SAW) Inc.'s ("DGI") appeal to the absence of a decision by the City on its applications for OPA, ZBA and draft Plan of Subdivision affecting 100 Steeles Avenue West. DGI proposes five mixed-use towers up to 54 storeys in height.

[16] The requests for Party status received at the first CMC and additional requests received and granted without objection today are listed in Attachment 4. Consistent with the above files, the Tribunal adds here the direction for Parties to provide their IL to DGI, the City and Region by **Monday, May 31, 2021**. Any unresolved disputes related to establishing a combined IL may be addressed at the next CMC.



## YSCSP

[17] The Parties generally agree that, as exemplified by the foregoing development proposals within the YSCSP area, a substantial macro-issue to be addressed is the capacity of transit and street networks to accommodate the area's future population. The City estimates that the number of residents anticipated by the combined individual development applications is three times that expected by the YSCSP. Acknowledging that the issues are compounded by this interface of three Cities and one Region, the Parties are engaging their transportation experts and may consider provincially-coordinated discussions.

[18] All Parties support the City's request to have this combined hearing scheduled to begin in May 2022, as now set out below. Dispute remains on the timing of exchanging expert reports on such macro issues as noted above. With the Parties' willingness to find a compromise, the Tribunal directed the City to file a draft Procedural Order ("PO") by **Wednesday, June 30, 2021**. Absent the need for the Tribunal's further involvement before the next CMC, the Tribunal directs the Parties to comply with the proposed PO, recognizing that further adjustments may be required on the hearing's phases. The Parties acknowledge that more discussion is needed to resolve how and when the site-specific appeals will fit into a phased hearing for the YSCSP. Given the effect that a hearing of this duration has on the Tribunal's Calendar, the Tribunal requests the Parties to focus on phasing and the potential for separately scheduled phases, all for confirmation where necessary at the next CMC.

[19] At the Parties' request, the Tribunal reserves 10 weeks on its calendar for the hearing to commence on:

**Monday, May 9, 2022, 10 a.m.**

**GoTo Meeting: <https://global.gotomeeting.com/join/584974389>**

**Access code: 584-974-389**

**Audio-only telephone line: 1 (647) 497-9373 or Toll Free 1 (888) 299-1889**

**Audio-only access code: 584-974-389**

[20] No further notice will be given. The attendance instructions of paragraphs [4] through [7] above also apply here. This Member is not seized but is available through the Case Coordinator for case management purposes, subject to the Tribunal's Calendar.

## **OTHER MATTERS**

[21] The Parties provided updates on several appeals for which discussions are continuing towards focussed ILs, if not settlements. Those ready for further direction or settlement will be raised at the next CMC (e.g., Black Creek appeals, Appeals 84, 108, 109, and others). Several of the appeals warranted further direction today, as set out below.

### **Appeal 3 – Solmar Inc.**

[22] As foreseen at the last CMC, Solmar Inc. ("Solmar") has now appealed the absence of a decision by the City on its site-specific development applications for lands adjacent to the Canadian National Railway's ("CNR") MacMillan Yard. Solmar requested that its VOP 10-day hearing, scheduled to begin October 18, 2021, either be extended for one additional week to hear its site-specific appeals together with its VOP appeal, or the Parties work to focus their evidence on both into the 10-day hearing. CNR and the City responded that more time is required to review the site-specific applications.

[23] As with the earlier matters, the Tribunal acknowledged the benefit of hearing Solmar's VOP appeal with its site-specific appeals, but that the latter are not before the

Tribunal today. At the mandatory CMC for the site-specific appeals, the Parties may address how best to proceed.

### **Appeal 141 – Tien de Religion**

[24] At the Parties' request, the Tribunal approved the PO contained in Attachment 5 for this hearing scheduled to begin on November 8, 2021.

### **Appeal 62 – Rizmi Holdings Ltd.**

[25] The IL for Rizmi Holdings Ltd.'s ("Rizmi") appeal raises a threshold question for the City and Region as to whether the lands are within the Oak Ridges Moraine Plan. They suggest that a preliminary motion may be necessary before finalizing the PO.

[26] With consent of the Parties, the Tribunal granted Party status for this appeal to the Toronto Region Conservation Authority ("TRCA").

[27] The Tribunal left this matter for further discussion among the Parties, who acknowledged that such could lead to further direction at the next CMC or a motion filed for hearing in advance of the next CMC.

### **Appeal 16 – West Rutherford Properties Ltd.**

[28] The Parties to this appeal advised they were finalizing a settlement for which they requested a settlement hearing in writing. The Tribunal agreed to a written hearing and directed the Parties to file submissions, supporting affidavit and draft Order when ready.

**Appeal 77 – Langvalley Holdings**

[29] The Tribunal directed, as agreed to by the Parties, that the Appellant provide the City and TRCA with its IL, requested VOP modifications and draft PO by **Friday, July 2, 2021**.

**Appeal 60 – 2090396 Ontario Ltd.**

[30] The Appellant notes that its property at 1500 Centre Street is located within an area of evolving planning policy based on City studies and a proposed Secondary Plan.

[31] The Tribunal directed, as agreed to by the Parties, that the City provide the Appellant with its planning position for this property by **Friday, May 28, 2021**, and following further discussions, that the Appellant provide the City with its IL, requested VOP modifications and draft PO by **Friday, July 30, 2021**.

**MOTIONS****Appeal 164 – 1966711 Ontario Inc. – Settlement**

[32] The Parties have settled Appeal 164 pertaining to the property at 3201 Highway 7 (“site”) where, by site-specific OPA, Minor Variance and Site Plan approvals, permit a redevelopment of the site from its existing hotel to three mixed-use towers. The Appellant’s Affidavit of Service and Motion Record were marked as Exhibits. No Responses to Motion were received and the City supports the request.

[33] Lauren Capilongo, Registered Professional Planner (“RPP”), provided a supportive planning opinion in her sworn Affidavit. With reference to Ms. Capilongo’s education, experience and professional certifications, the Tribunal qualifies her to provide opinion evidence in land use planning.

[34] Ms. Capilongo explains that, as set out in the proposed modification to the VOP, the existing hotel will be replaced by three towers, being 55 storeys for the east and west towers, and 46 storeys for the south tower, with specific limits for FSI, floor plate size and gross floor area. The resulting mixed-use development will include a hotel and 1,649 dwelling units.

[35] Ms. Capilongo opines that the proposed modification and resulting development satisfy all statutory tests and represent good planning: suitable regard for the provincial interests of s. 2 of the *Planning Act* (“Act”); consistent with the Provincial Policy Statement; conforms with the Growth Plan; conforms with the York Region OP; and implements the policy directions of the VOP. In support of such conclusions, Ms. Capilongo explains that the resulting development on this site within the Vaughan Metropolitan Centre promotes the efficient use of land, assists in meeting intensification targets, optimizes land use and infrastructure, supports higher order transit including the nearby subway station and rapid transit along Highway 7, and results in a quality built environment of compact form and a range of housing options.

[36] On the uncontested planning evidence in support of the settlement, the Tribunal finds that the proposed modification to the VOP satisfies all statutory tests and the Motion is granted.

[37] The Tribunal orders that, on the resolution of Appeal 164 by 1966711 Ontario Inc., the appeal is allowed in part, and that in accordance with the provisions of s. 17(50) of the Act, the City of 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, and as modified and endorsed by the Regional Municipality of York on June 28, 2012, is modified as set out in Attachment 6 (Motion Record p. 841 and 842) to this order and is approved as modified

in respect of the lands subject to Appeal 164, and the balance of Appeal 164 is dismissed.

### **Parkland Appeals**

[38] The City filed a Motion to dispense with certain appeals to the VOP's parkland policies where the Appellant is either satisfied now with the VOP as it relates to parkland, or failed to respond to the Tribunal's prior direction to provide an IL to advance discussions. Several parkland Appellants responded to the Tribunal's prior direction and the City is working with them towards settlements or focussed IL for the next CMC.

[39] The City requests a minor process exception, having filed the Motion one day late. Without objection, the Tribunal granted the exception, noting that the City had advised all affected Appellants well in advance of filing of its intent to bring this Motion today. The City's Affidavit of Service and Motion Record, and the email correspondence of the only two Responding Parties, were marked as Exhibits.

[40] No Responses to the Motion were filed. The Appellants for Appeals 40, 135 and 136 advised that they do not object to the dismissal of their parkland appeals given they are now resolved, provided that they retain Party status in the VOP appeals should other matters arise of concern to them. With the City's support for continued Party status, the Tribunal grants that *proviso* below.

[41] David Marcucci, RPP with the City, provided an Affidavit in support of the Motion. Mr. Marcucci has been qualified previously in these proceedings to provide opinion evidence in land use planning. Mr. Marcucci outlines the rationale for each requested appeal dismissal, including such factors as: the parkland appeal has been resolved or withdrawn; the Appellants provided no response to the request for an IL on this final aspect of their appeal; the Appellant no longer owns the relevant property or wishes to

pursue the appeal; and appeals filed to the entirety of the VOP have been or will be included in relevant Secondary Plan hearings. Even with the dismissal of these appeals, Mr. Marcucci explains that the parkland policies remain under appeal by other Appellants, for which discussions are continuing and a PO or settlement will be presented at the next CMC.

[42] On the uncontested planning evidence, the submissions of the City and the absence of objections, the Tribunal will grant the Motion to dismiss the appeals for which parkland policies are the only outstanding matter which has either been resolved or not responded to. Further, the Tribunal will grant the Motion to partially dismiss the appeals related to their parkland dedication policy matters only, which have either been resolved or their generalized appeal is covered under a Secondary Plan hearing.

[43] The Tribunal notes that the Appellants for Appeals 80 and 103 have withdrawn any outstanding appeals and those appeals are closed. Further, the City withdrew its dismissal request for Appeals 135 and 136, as those parkland matters are resolved and the Appellants may retain Party status regarding parkland matters.

[44] The Tribunal Orders that the City's Motion is granted as follows:

- The parkland policy appeals of Appeals 42 and 114 are dismissed, resulting in these appeals being fully resolved;
- The parkland policy appeals of Appeal 40 are dismissed and the Appellant retains Party status regarding parkland policies; and
- The parkland policy appeals of Appeals 60, 61, 78 and 79 are withdrawn and therefore dismissed, and the balance of their outstanding appeals remain active.

**ORDER**

[45] The Tribunal's directions, rulings and orders set out above are so ordered.

*"S. Tousaw"*

S. TOUSAW  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.olt.gov.on.ca](http://www.olt.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Ontario Land Tribunals

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248



**APRIL 27, 2021 CASE MANAGEMENT VIDEO CONFERENCE  
ATTENDANCE LIST**

<b>Case management conferences for:</b>	<b>LPAT Case No.:</b>
VOP 2010 (including YSCSP)	PL111184
Yonge & Steeles Development Inc.	PL200260
Mizrahi Constantine (180 SAW) Inc.	PL210178
Development Group (100 SAW) Inc.	PL200473

LPAT Member – S. Tousaw

ATTENDEE	#	ON BEHALF OF
Bruce Engell, WeirFoulds LLP		City of Vaughan
Effie Lidakis, City of Vaughan		City of Vaughan
Gurnick Perhar, City of Vaughan		City of Vaughan
Candace Tashos, City of Vaughan		City of Vaughan
David Marcucci, Planner, City of Vaughan		City of Vaughan
Mary Caputo, Planner, City of Vaughan		City of Vaughan
Latania Dyer (articling student), City of Vaughan		City of Vaughan
Meaghan McDermid, Davies Howe LLP	3	Solmar Inc.
Quinto Annibale Loopstra Nixon LLP	16	West Rutherford Properties Ltd.
Brendan Ruddick, Loopstra Nixon LLP	17	Ozner Corporation
Steven Ferri, Loopstra Nixon LLP	57	MCN (Pine Valley) Inc.
	84	Royal 7 Developments Limited
	109	Antonio Di Benedetto
	129	Holcim (Canada) Inc.
	130	2203012 Ontario Limited
	131	Blair Building Materials Inc.
	150	Caldari Land Development Corporation
		Mizrahi Constantine (180 Saw) Inc.
Barry Horosko, Horosko Planning Law	30	1834371 Ontario Ltd.
	43	1541677 Ontario Inc.

ATTENDEE	#	ON BEHALF OF
	56	2159645 Ontario Ltd. (Liberty)
	146	2128475 Ontario Corp.
J. Farber, Fogler Rubinoff LLP	32	RioCan Holdings Inc. (Springfarm Marketplace)
	82	RioCan Holdings Inc. (Centre Street Corridor)
	133	1306497 Ontario Inc. (Sisley Honda)
Chris Barnett, Osler Hoskin & Harcourt LLP Ira Kagan, Kagan Shastri LLP	38	7040 Yonge Holdings Ltd. And 72 Steeles Holdings Ltd.
Sidonia Tomasella, Aird & Berlis LLP Ira Kagan, Kagan Shastri LLP	51	Salz & Son Ltd. [also Development Group (100 SAW) Inc.]
Ira Kagan, Kagan Shastri LLP	165	Yonge & Steeles Developments Inc.
		Yonge Steeles Landowners Group (Appellants 38, 40, 51, 165)
Daniel Artenosi, Overland LLP Natalie Ast, Overland LLP	39	Yonge & Steeles Developments Inc.
	105	TDC Medical Properties Inc.
	119	Berkley Commercial (Jane) Inc.
	140	FCF Old Market Land 2013 Inc.
	148	Liberata D'Aversa
	157	Project 8188 Yonge St. Inc.
	164	1966711 Ontario Inc.
	165	Yonge & Steeles Developments Inc.
	AN	Teresa Marando
Zachary Fleisher, Davies Howe LLP Michael Melling, Davies Howe LLP	40	Auto Complex Ltd.
Jamie Cole, Davies Howe LLP Michael Melling, Davies Howe LLP	28	Block 40/47 Developers Group Inc
	68	1539253 Ontario Inc.
	149	Teston Green Landowners Group
	T	Velmar Centre Property Ltd.
Michael Melling, Davies Howe LLP	151	Block 42 Landowners Group
		Block 27 Landowners
Jamie Cole, Davies Howe LLP	108	Zzen 2

ATTENDEE	#	ON BEHALF OF
	142	Ivanhoe Cambridge II Inc.
Mary Flynn-Guglietti, McMillan LLP	46	Danlauton Holdings Ltd.
Kailey Sutton, McMillan LLP	47	1529749 Ontario Inc. (the "Torgan Group")
	153	390 Steeles West Holdings Inc.
	160	398 Steeles Avenue West Inc.
		Associated Vaughan Properties Limited
Mark Flowers, Davies Howe LLP	60	2090396 Ontario Ltd.
	61	Jordan, Ryan and Brittany Fisch (successors to Arthur Fisch) and 1096818 Ontario Inc.
	75	H & L Title Inc. and Ledbury Investments Ltd.
	78	Centre Street Properties Inc.
	79	Vogue Investments Ltd.
Matthew Di Vona, Di Vona Law	62	Lucia Milani and Rizmi Holdings Ltd.
Gerard C. Borean, Parente, Borean LLP	64	281187 Ontario Ltd.
Gillian Gondosch, Parente, Borean LLP	65	L-Star Developments Group
	120	1034933 Ontario Ltd.
	135	Concetta Marciano
	136	Pro Catering Ltd.
		Bellaterra Corporation
Roslyn Houser, Goodmans LLP	72	First Vaughan Investments Inc., Ruland Properties Inc., and Skyrange Investments Inc.
Ian Andres, Goodmans LLP	73	Calloway REIT (Sevenbridge) Inc.
		2636786 Ontario Inc. (Toys "R" Us)
Adam Giel, Black Sutherland LLP	77	Langvalley Holdings
David Tang, Miller Thomson LLP		Mercedes Benz of Canada Inc.
Calvin Weekes, Miller Thomson LLP		Roman Catholic Episcopal Corporation for the Diocese of Toronto
Alan Heisey, PHM Law	141	Tien De Religion Lands
	K	CNR
		1163919 Ontario Limited, 1930238 Ontario Limited, 1211612 Ontario Limited, 1972380 Ontario Limited, 1219414 Ontario Limited
Daniel Kumer, Friedman Law	156	Tan-Mark Holdings Limited & Telast

ATTENDEE	#	ON BEHALF OF
		Enterprises Inc.
	168	Tan-Mark Holdings Limited, Gino Matrundola and Telast Enterprises Inc.
Steven Ferri, Loopstra Nixon LLP	163	Maria and Joe Pandolfo
		Maria, Yolanda, Laura, Guisepe Pandolfo and Cathy Campione
Patricia Foran, Aird & Berlis LLP	166	Country Wide Homes (Pine Valley Estates) Inc.
Bola Ogunmefun, Region of York	A	Region of York
Tim Duncan, Fogler Rubinoff LLP (Adam Miller, TRCA)	C	Toronto and Region Conservation Authority (TRCA)
Sarah Turney, Fasken Martineau LLP	U	Argo Lumber Inc., Alpha Trusses Inc.
	AA	One-Foot Developments Inc.
	AB	Two Seven Joint Venture Limited
	AC	Anatolia Capital Corp.
	AD	Di Poce Management Limited
	AE	Toromont Industries Ltd.
	AF	John Simone
	AG	Domenic Simone
	AH	Silvia Bellissimo
	AI	Enza Cristello
	AJ	Maria Simone
	AK	Anthony Simone
	AL	Annarita Guida
Johanna Shapira, Wood Bull LLP	AO	Seven 427 Developments Inc.
		Morguard Investments Limited
Andrew Biggart, Ritchie Ketcheson Hart & Biggart LLP		City of Markham
Ray Kallio, City of Toronto Guy Matthew (Planner) City of Toronto		City of Toronto
Jonathan Cheng, Stikeman Elliott LLP		Longevity Properties Limited
Samantha Dunlop		7800 Yonge

ATTENDEE	#	ON BEHALF OF
Catherine Lyons		Thornhill Golf (not a party)
Calestina Malfara		
Pamela Taraday-Levy		
Lauren Capilongo		
Natalie Wong, Planner, City of Vaughan		
Margaret Holyday, Planner, City of Vaughan		
Mario Angelucci		Easton's Group
Matthew Rutledge (Articling Student)		
Steve Gupta		
Jordan Max		SFRA
Robert Hiscox		

## PL210178 - List of Parties as of April 27, 2021

#	Name of Party	Date Request Received	Address of Lands Owned	Representative(s)	Representative Email(s)
1	390 Steeles West Holdings Inc.	April 9, 2021	390 Steeles Avenue West, Vaughan	Mary Flynn-Guglietti; Kailey Sutton	<a href="mailto:mary.flynn@mcmillan.ca">mary.flynn@mcmillan.ca</a> ; <a href="mailto:kailey.sutton@mcmillan.ca">kailey.sutton@mcmillan.ca</a>
2	398 Steeles Avenue West Inc.	April 9, 2021	398 Steeles Avenue West, Vaughan	Mary Flynn-Guglietti; Kailey Sutton	<a href="mailto:mary.flynn@mcmillan.ca">mary.flynn@mcmillan.ca</a> ; <a href="mailto:kailey.sutton@mcmillan.ca">kailey.sutton@mcmillan.ca</a>
3	Associated Vaughan Properties Limited	April 9, 2021	330 Steeles Avenue West, Vaughan	Mary Flynn-Guglietti; Kailey Sutton	<a href="mailto:mary.flynn@mcmillan.ca">mary.flynn@mcmillan.ca</a> ; <a href="mailto:kailey.sutton@mcmillan.ca">kailey.sutton@mcmillan.ca</a>
4	City of Toronto	April 13, 2021	n/a	Ray Kallio	<a href="mailto:ray.kallio@toronto.ca">ray.kallio@toronto.ca</a>
5	Longevity Properties Limited	April 13, 2021	6979 Yonge Street, Toronto	Calvin Lantz and Jonathan Cheng	<a href="mailto:clantz@stikeman.com">clantz@stikeman.com</a> ; <a href="mailto:jcheng@stikeman.com">jcheng@stikeman.com</a>
6	7080 Yonge Limited	April 14, 2021	7080 Yonge Street, Vaughan	William Friedman	<a href="mailto:wf@friedmans.ca">wf@friedmans.ca</a>
7	72 Steeles Holdings & 7040 Yonge Holdings ("Humbold")	April 16, 2021	72 Steeles Avenue West, Vaughan	Chris Barnett	<a href="mailto:cbarnett@osler.com">cbarnett@osler.com</a>
8	7040 Yonge Holdings ("Humbold")	April 16, 2021	7040/7054 Yonge Street, Vaughan	Chris Barnett	<a href="mailto:cbarnett@osler.com">cbarnett@osler.com</a>
9	1163919 Ontario Limited, 1888836 Ontario Limited, 1211612 Ontario Limited ("Awin")	April 16, 2021	222 Steeles Avenue West, Vaughan	Alan Heisey	<a href="mailto:heisey@phmlaw.com">heisey@phmlaw.com</a>
10	1973280 Ontario Limited, 1219414 Ontario Limited ("Awin West")	April 16, 2021	434 and 480 Steeles Avenue West, Vaughan	Alan Heisey	<a href="mailto:heisey@phmlaw.com">heisey@phmlaw.com</a>
11	Yonge & Steeles Development Inc. ("Gupta")	April 17, 2021	7028 Yonge Street and 2 Steeles Avenue West, Vaughan	Daniel Artenosi and Natalie Ast	<a href="mailto:dartenosi@overlandllp.ca">dartenosi@overlandllp.ca</a> ; <a href="mailto:nast@overlandllp.ca">nast@overlandllp.ca</a>
12	Auto Complex Ltd.	April 19, 2021	7200 Yonge Street, Vaughan	Michael Melling; Zachary Fleischer	<a href="mailto:michaelm@davieshowe.com">michaelm@davieshowe.com</a> ; <a href="mailto:zacharyf@davieshowe.com">zacharyf@davieshowe.com</a>
13	1306497 Ontario Inc.	April 19, 2021	88 Steeles Avenue West, Thornhill	Joel Farber	<a href="mailto:jfarber@foglers.com">jfarber@foglers.com</a>
14	Toys "R" Us Canada Ltd.	April 19, 2021	300 Steeles Avenue West, Vaughan	Roslyn Houser	<a href="mailto:rhouser@goodmans.com">rhouser@goodmans.com</a>
15	Morguard Investments Limited	April 19, 2021	Centrepoint Mall, Toronto and 24-26 Crestwood Road, Vaughan	Johanna Shapira	<a href="mailto:jshapira@woodbull.ca">jshapira@woodbull.ca</a>
16	Yonge Steeles Landowners Group Inc.	April 19, 2021	n/a	Ira Kagan and Jason Park	<a href="mailto:ikagan@ksllp.ca">ikagan@ksllp.ca</a> ; <a href="mailto:jason.park@devinepark.com">jason.park@devinepark.com</a>
17	Development Group (100 SAW) Inc. (Dream)	April 19, 2021	100 Steeles Avenue West, Vaughan	Tom Halinski and Sidonia Tomasella	<a href="mailto:thalinski@airdberlis.com">thalinski@airdberlis.com</a> ; <a href="mailto:stomasella@airdberlis.com">stomasella@airdberlis.com</a>
18	Mercedes-Benz Canada Inc.	April 19, 2021	228 Steeles Avenue West, Vaughan	David Tang	<a href="mailto:dtang@millerthomson.com">dtang@millerthomson.com</a>
19	Roman Catholic Episcopal Corporation for the Diocese of Toronto, In Canada	April 19, 2021	92 Steeles Avenue West, Vaughan	David Tang	<a href="mailto:dtang@millerthomson.com">dtang@millerthomson.com</a>
20	Regional Municipality of York	April 19, 2021	n/a	Bola Ogunmefun	<a href="mailto:bola.ogunmefun@york.ca">bola.ogunmefun@york.ca</a>
21	City of Markham	April 20, 2021	n/a	Francesco Santaguida; Victoria Chai; Andrew Biggart	<a href="mailto:fsantaguida@markham.ca">fsantaguida@markham.ca</a> ; <a href="mailto:vchai@markham.ca">vchai@markham.ca</a> ; <a href="mailto:abiggart@ritchieketcheson.com">abiggart@ritchieketcheson.com</a>

**List of Parties – PL200260  
7028 Yonge Street & 2 Steeles Avenue West**

<b>Party Name</b>	<b>Legal Counsel</b>
City of Vaughan	<p>Bruce Engell Weirfoulds LLP Tel: 416-947-5081 Fax: 416-365-1876 <a href="mailto:bengell@weirfoulds.com">bengell@weirfoulds.com</a></p> <p>Effie Lidakis The Corporation of the City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 Tel: 905-832-8585, Ext. 8851 <a href="mailto:Effie.lidakis@vaughan.ca">Effie.lidakis@vaughan.ca</a></p>
Region of York	<p>Bola Ogunmefun Region of York Legal Services Tel: (905) 830-4444 ext. 71459 Fax: (905) 895-3768 <a href="mailto:bola.ogunmefun@york.ca">bola.ogunmefun@york.ca</a></p>
City of Markham	<p>Francesco Santaguida &amp; Victoria Chai City of Markham Legal Services Tel.:905-475-3583 Fax: 905-479-7764 <a href="mailto:fsantaguida@markham.ca">fsantaguida@markham.ca</a> <a href="mailto:vchai@markham.ca">vchai@markham.ca</a></p> <p>Andrew Biggart Ritchie Ketcheson Hart &amp; Biggart Tel: 416-622-6601 Ext. 1003 Fax: 416-622-4713 <a href="mailto:abiggart@ritchieketcheson.com">abiggart@ritchieketcheson.com</a></p>
City of Toronto	<p>Ray Kallio City of Toronto Tel: (416) 397-4063 Fax: (416) 397-5624 <a href="mailto:ray.kallio@toronto.ca">ray.kallio@toronto.ca</a></p>
1163919 Ontario Limited, 1888836 Ontario Limited and 1211612 Ontario Limited (“Awin”) and 1973280 Ontario Limited and	<p>A.Milliken Heisey Papazian Heisey Myers Tel: 416-601-2702 Fax: (416) 397-5624 <a href="mailto:heisey@phmlaw.com">heisey@phmlaw.com</a></p>

1219414 Ontario Limited ("Awin West") (212-222 and 434- 480 Steeles Avenue West)	
Development Group (100 SAW) Inc. (100 Steeles Avenue West "Dream")	Tom Halinski and Sidonia Tomasella Aird & Berlis LLP 181 Bay Street, Suite 1800 Brookfield Place Toronto, ON M5J 2T9 Tel: 416.865.7767 Fax: (416) 863-1515 <a href="mailto:thalinski@airdberlis.com">thalinski@airdberlis.com</a> <a href="mailto:stomasella@airdberlis.com">stomasella@airdberlis.com</a>
742397 Ontario Limited, 562443 Ontario Limited and Mizrahi Constantine (180 SAW) Inc. (180 Steeles Avenue West "Mizrahi")	Quinto Annibale and Brendan Ruddick Loopstra Nixon LLP Tel: 416.748.4757 Fax: 416.746.8319 <a href="mailto:gannibale@loonix.com">gannibale@loonix.com</a> <a href="mailto:bruddick@loonix.com">bruddick@loonix.com</a>
72 Steeles Holdings Limited and 7040 Yonge Holdings Limited (72 Steeles Avenue West and 7040/7054 Yonge Street "Humbold")	Chris Barnett Osler, Hoskin & Harcourt LLP Tel: 416.862.6651 Fax: 416.862.6666 <a href="mailto:cbarnett@osler.com">cbarnett@osler.com</a>
Morguard Investments Limited (7120 Yonge Street, 24- 26 Crestwood "Morguard")	Johanna Shapira and Dennis Wood Wood Bull LLP Tel: 416-203-5631 Fax: (416) 203-8324 <a href="mailto:jshapira@woodbull.ca">jshapira@woodbull.ca</a> <a href="mailto:dwood@woodbull.ca">dwood@woodbull.ca</a>
Yonge Steeles Landowners Group Inc.	Jason Park Devine Park LLP Tel: 416.645.4572 Fax: 416.645.4569 <a href="mailto:jason.park@devinepark.com">jason.park@devinepark.com</a>  Ira Kagan Kagan Shastri LLP Tel: 416.368.2100 ext. 226 Fax: (416) 324-4224 <a href="mailto:ikagan@ksllp.ca">ikagan@ksllp.ca</a>
Toys "R" Us Canada Ltd. (300 Steeles Avenue West)	Roslyn Houser Goodmans LLP Tel: 416-597-4119 Fax: 416-979-1234



	<p><a href="mailto:rhouser@goodmans.ca">rhouser@goodmans.ca</a></p> <p>Ian Andres  Goodmans LLP  Tel: 416-597-5160  Fax: 416-979-1234  <a href="mailto:iandres@goodmans.ca">iandres@goodmans.ca</a></p>
Auto Complex Ltd. (7200 Yonge Street)	<p>Michael Melling and Zachary Fleisher  Davies Howe LLP  Tel: 416.263.4515  Fax: 416.977.8931  <a href="mailto:michaelm@davieshowe.com">michaelm@davieshowe.com</a>  <a href="mailto:zacharyf@davieshowe.com">zacharyf@davieshowe.com</a></p>
1306497 Ontario Inc. (88 Steeles Avenue West "Sisley")	<p>Joel D. Farber  Fogler, Rubinoff LLP  Tel: 416.864.9700  Fax: 416.941.8852  <a href="mailto:jfarber@foglers.com">jfarber@foglers.com</a></p>
7080 Yonge Limited (7080 Yonge Street)	<p>Daniel Kumer and William Friedman  Friedman Law Professional Corporation  Tel: (416) 496-3340 x 194  Fax: (416) 497-3809  <a href="mailto:dkumer@friedmans.ca">dkumer@friedmans.ca</a>  <a href="mailto:wf@friedmans.ca">wf@friedmans.ca</a></p>
390 Steeles West Holdings Inc., 398 Steeles Avenue West Inc., and Associated Vaughan Properties Limited ("AVPL")	<p>Mary Flynn-Guglietti  McMillan LLP  Tel: 416-865-7256  Fax: 416-865-7048  <a href="mailto:mary.flynn@mcmillan.ca">mary.flynn@mcmillan.ca</a></p>
Mercedes Benz of Canada Inc. (228 Steeles Avenue West)	<p>David Tang  Miller Thomson LLP  Tel: 416.597.6047  Fax: 416.595.8695  <a href="mailto:dtang@millerthomson.com">dtang@millerthomson.com</a></p>
Longevity Properties Limited (6979 Yonge Street, Toronto)	<p>Calvin Lantz and Jonathan Cheng  Stikeman Elliot LLP  5300 Commerce Court West  199 Bay Street, Toronto, ON  M5L 1B9 Canada  <a href="mailto:jcheng@stikeman.com">jcheng@stikeman.com</a>  <a href="mailto:CLantz@stikeman.com">CLantz@stikeman.com</a></p>

**Development Group (100 SAW) Inc.  
PL200473 – 100 Steeles Avenue West**

List of Parties

<b>Name / Address</b>	<b>Status Request</b>	<b>Legal Counsel</b>	<b>Date Request Received</b>
1163919 Ontario Limited, 1888836 Ontario Limited and 1211612 Ontario Limited (“Awin”) and 1973280 Ontario Limited and 1219414 Ontario Limited (“Awin West”) (212-222 and 434- 480 Steeles Avenue West)	Party	A.Milliken Heisey Papazian Heisey Myers Tel: 416-601-2702 Fax: (416) 397-5624 <a href="mailto:heisey@phmlaw.com">heisey@phmlaw.com</a>	March 8, 2021
City of Toronto	Party	Ray Kallio City of Toronto Tel: (416) 397-4063 Fax: (416) 397-5624 <a href="mailto:ray.kallio@toronto.ca">ray.kallio@toronto.ca</a>	February 23, 2021
The Regional Municipality of York	Party	Bola Ogunmefun Region of York Legal Services Tel: (905) 830-4444 ext. 71459 Fax: (905) 895-3768 <a href="mailto:bola.ogunmefun@york.ca">bola.ogunmefun@york.ca</a>	March 9, 2021
Morguard Investments Limited (“Morguard”) (7120 Yonge Street, 24-26 Crestwood and Centerpoint Mall Toronto)	Party	Johanna Shapira and Dennis Wood Wood Bull LLP Tel: 416-203-5631 Fax: (416) 203-8324 <a href="mailto:jshapira@woodbull.ca">jshapira@woodbull.ca</a> <a href="mailto:DWood@woodbull.ca">DWood@woodbull.ca</a>	February 19, 2021
72 Steeles Holdings Limited and 7040 Yonge Holdings Limited (72 Steeles Avenue West and 7040/7054 Yonge Street)	Party	Chris Barnett Osler, Hoskin & Harcourt LLP Tel: 416.862.6651 Fax: 416.862.6666 <a href="mailto:cbarnett@osler.com">cbarnett@osler.com</a>	March 13, 2021

Name / Address	Status Request	Legal Counsel	Date Request Received
Yonge Steeles Landowners Group Inc.	Party	<p>Jason Park Devine Park LLP Tel: 416.645.4572 Fax: 416.645.4569 <a href="mailto:jason.park@devinepark.com">jason.park@devinepark.com</a></p> <p>Ira Kagan Kagan Shastri LLP Tel: 416.368.2100 ext. 226 Fax: (416) 324-4224 <a href="mailto:ikagan@ksllp.ca">ikagan@ksllp.ca</a></p>	March 12, 2021
742397 Ontario Limited, 562443 Ontario Limited and Mizrahi Constantine (180 SAW) Inc. (180 Steeles Avenue West)	Party	<p>Quinto Annibale, Brendan Ruddick Loopstra Nixon LLP Tel: 416.748.4747 Fax: 416.746.8319 <a href="mailto:gannibale@loonix.com">gannibale@loonix.com</a> <a href="mailto:bruddick@loonix.com">bruddick@loonix.com</a></p>	March 12, 2021
Yonge & Steeles Developments Inc. (7028 Yonge Street and 2 Steeles Avenue West)	Party	<p>Daniel Artenosi Overland LLP Tel: (416) 737-0337 x 111 Fax: (416) 730-9097 <a href="mailto:dartenosi@overlandllp.ca">dartenosi@overlandllp.ca</a></p>	March 12, 2021
Toys "R" Us Canada Ltd. (300 Steeles Avenue West)	Party	<p>Roslyn Houser Goodmans LLP Tel: 416-597-4119 Fax: 416-979-1234 <a href="mailto:rhouser@goodmans.ca">rhouser@goodmans.ca</a></p> <p>Ian Andres Goodmans LLP Tel: 416-597-5160 Fax: 416-979-1234 <a href="mailto:iandres@goodmans.ca">iandres@goodmans.ca</a></p>	March 15, 2021
1306497 Ontario Inc. ("130 Ontario") (88 Steeles Avenue West)	Party	<p>Joel D. Farber Fogler, Rubinoff LLP Tel: 416.864.9700 Fax: 416.941.8852 <a href="mailto:ifarber@foglers.com">ifarber@foglers.com</a></p>	March 18, 2021

Name / Address	Status Request	Legal Counsel	Date Request Received
City of Markham	Party	Francesco Santaguida Victoria Chai City of Markham Legal Services Tel.:905-475-3583 Fax: 905-479-7764 <a href="mailto:fsantaguida@markham.ca">fsantaguida@markham.ca</a> <a href="mailto:vchai@markham.ca">vchai@markham.ca</a>  Andrew Biggart Ritchie Ketcheson Hart & Biggart Tel: 416-622-6601 Ext. 1003 Fax: 416-622-4713 <a href="mailto:abiggart@ritchieketcheson.com">abiggart@ritchieketcheson.com</a>	March 19, 2021
Mercedes Benz of Canada (228 Steeles Avenue West)	Party	David Tang Miller Thomson LLP Tel: 416.597.6047 Fax: 416.595.8695 <a href="mailto:dtang@millerthomson.com">dtang@millerthomson.com</a>  Calvin Weekes Miller Thomson LLP Tel: 416.597.6005 Fax: 416.595.8695 <a href="mailto:cweekes@millerthomson.com">cweekes@millerthomson.com</a>	March 19, 2021
Roman Catholic Episcopal Corporation for the Diocese of Toronto (92 Steeles Avenue West)	Party	David Tang Miller Thomson LLP Tel: 416.597.6047 Fax: 416.595.8695 <a href="mailto:dtang@millerthomson.com">dtang@millerthomson.com</a>  Calvin Weekes Miller Thomson LLP Tel: 416.597.6005 Fax: 416.595.8695 <a href="mailto:cweekes@millerthomson.com">cweekes@millerthomson.com</a>	March 19, 2021
390 Steeles West Holdings Inc. and 398 Steeles Avenue West Inc., (390 Steeles Avenue West and 398 Steeles Avenue West)	Party	Mary Flynn-Guglietti, Kailey Sutton McMillan LLP Tel: 416-865-7256 Fax: 416-865-7048 <a href="mailto:mary.flynn@mcmillan.ca">mary.flynn@mcmillan.ca</a> <a href="mailto:kailey.sutton@mcmillan.ca">kailey.sutton@mcmillan.ca</a>	March 19, 2021
Associated Vaughan Properties Limited (330 Steeles Avenue West)	Party	Mary Flynn-Guglietti, Kailey Sutton McMillan LLP Tel: 416-865-7256 Fax: 416-865-7048 <a href="mailto:mary.flynn@mcmillan.ca">mary.flynn@mcmillan.ca</a> <a href="mailto:kailey.sutton@mcmillan.ca">kailey.sutton@mcmillan.ca</a>	March 19, 2021

Name / Address	Status Request	Legal Counsel	Date Request Received
Auto Complex Ltd. (2700 Yonge Street)	Party	Michael Melling, Zachary Fleisher Davies Howe LLP Tel: 416.263.4515 Fax: 416.977.8931 <a href="mailto:michaelm@davieshowe.com">michaelm@davieshowe.com</a> <a href="mailto:zacharyf@davieshowe.com">zacharyf@davieshowe.com</a>	March 19, 2021
7080 Yonge Limited (7080 Yonge Street)	Party	Daniel Kumer and William Friedman Friedman Law Professional Corporation Tel: (416) 496-3340 x 194 Fax: (416) 497-3809 <a href="mailto:dkumer@friedmans.ca">dkumer@friedmans.ca</a> <a href="mailto:wf@friedmans.ca">wf@friedmans.ca</a>	March 23, 2021  Request Form Received on April 14, 2021
Longevity Properties Limited (6979 Yonge Street, Toronto)	Party	Calvin Lantz and Jonathan Cheng Stikeman Elliot LLP 5300 Commerce Court West 199 Bay Street, Toronto, ON M5L 1B9 Canada <a href="mailto:jcheng@stikeman.com">jcheng@stikeman.com</a> <a href="mailto:CLantz@stikeman.com">CLantz@stikeman.com</a>	April 13, 2021

## LOCAL PLANNING APPEAL TRIBUNAL

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

Appellant: Tien De Religion  
Subject: Failure of the Regional Municipality of York to announce a decision respecting the proposed new Official Plan for the City of Vaughan  
Municipality: City of Vaughan  
LPAT Case No.: PL111184  
LPAT File No.: PL111184

### PROCEDURAL ORDER – TIEN DE RELIGION APPEAL 141

1. The Tribunal may vary or add to the directions in this procedural order at any time by an oral ruling or by another written order, either on the parties' request or its own motion.

#### Organization of the Hearing

2. The video hearing will begin on Monday, November 8, 2021 at 10:00 a.m. via

**GoTo Meeting:** <https://global.gotomeeting.com/join/454793541>

**Access code:** 454-793-541

**Audio-only telephone line:** 1 (647) 497-9391 or Toll Free 1 888 455 1389

**Audio-only access code:** 454-793-541

3. The parties' initial estimation for the length of the hearing is 8 days. The parties are expected to cooperate to reduce the length of the hearing by eliminating redundant evidence and attempting to reach settlements on issues where possible.
4. The parties and participants identified at the case management conference are set out in **Attachment 1**.
5. The issues are set out in the Issues List attached as **Attachment 2**. There will be no changes to this list unless the Tribunal permits, and a party who asks for changes may have costs awarded against it.
6. The order of evidence shall be as set out in **Attachment 3** to this Order. The Tribunal may limit the amount of time allocated for opening statements, evidence in chief (including the qualification of witnesses), cross-examination, evidence in reply and final argument. The length of written argument, if any, may be limited either on the parties' consent, subject to the Tribunal's approval, or by Order of the Tribunal.
7. The purpose of the Procedural Order and the meaning of the terms used in the Procedural Order are set out in **Attachment 4**.

8. Any person intending to participate in the hearing should provide a mailing address, email address and a telephone number to the Tribunal as soon as possible. Any person who will be retaining a representative should advise the other parties and the Tribunal of the representative's name, address, email address and the phone number as soon as possible.
9. Any person who intends to participate in the hearing, including parties, counsel and witnesses, is expected to review the Tribunal's Video Hearing Guide, available on the Tribunal's website (<https://olt.gov.on.ca/tribunals/lpat/>).

### **Requirements Before the Hearing**

10. A party who intends to call witnesses, whether by summons or not, shall provide, their professional qualifications, their areas of expertise, completed Acknowledgement of Expert's Duty, the precise area and discipline in which they will seek to be qualified to provide expert testimony, and the intended order in which the witnesses will be called during the hearing. This information must be delivered on or before **Monday July 12, 2021** and in accordance with paragraph 23 below.
11. Expert witnesses in the same field shall have a meeting on or before **Friday August 13, 2021** and use best efforts to try to resolve or reduce the issues for the hearing. Following the experts' meeting the parties must prepare and file a Statement of Agreed Facts and Issues with the LPAT case co-ordinator on or before **October 1, 2021**.
12. An expert witness shall prepare an expert witness statement, which shall list any reports prepared by the expert, or any other reports or documents to be relied on at the hearing. Copies of this must be provided as in paragraph 13 below. Instead of a witness statement, the expert may file his or her entire report if it contains the required information. If this is not done, the Tribunal may refuse to hear the expert's testimony.
13. Expert witnesses who are under summons but not paid to produce a report do not have to file an expert witness statement; but the party calling them must file a brief outline of the expert's evidence as in paragraph 13 below. A party who intends to call a witness who is not an expert must file a brief outline of the witness' evidence, as in paragraph 14 below.
14. On or before **Friday August 27, 2021**, the parties shall provide copies of their witness and expert witness statements to the other parties and to the LPAT case co-ordinator and in accordance with paragraph 23 below.
15. On or before **Friday August 27, 2021**, a participant shall provide copies of their written participant statement to the other parties in accordance with paragraph 23 below. A participant cannot present oral submissions at the hearing on the content of their written statement, unless ordered by the Tribunal.
16. On or before **Monday November 1, 2021**, the parties shall provide copies of their visual evidence to all of the other parties in accordance with paragraph 23 below. If a model will be used, all parties must have a reasonable opportunity to view it before the hearing.

17. On or before **Friday September 24, 2021** Parties may provide to all other parties and the LPAT case co-ordinator any reply witness statements responding to any written evidence in accordance with paragraph 23 below.
18. The parties shall cooperate to prepare a joint document book which shall be shared with the LPAT case co-ordinator on or before **Friday October 29, 2021**.
19. Any documents which may be used by a party in cross examination of an opposing party's witness shall be password protected and only be accessible to the Tribunal and the other parties if it is introduced as evidence at the hearing, pursuant to the directions provided by the LPAT case co-ordinator, on or before **Wednesday November 3, 2021**.
20. A person wishing to change written evidence, including witness statements, must make a written motion to the Tribunal. *See Rule 10 of the Tribunal's Rules with respect to Motions, which requires that the moving party provide copies of the motion to all other parties 15 days before the Tribunal hears the motion.*
21. A party who provides written evidence of a witness to the other parties must have the witness attend the hearing to give oral evidence, unless the party notifies the Tribunal at least 7 days before the hearing that the written evidence is not part of their record.
22. The parties shall prepare and file a preliminary hearing plan with the Tribunal on or before **Monday November 1, 2021** with a proposed schedule for the hearing that identifies, as a minimum, the parties participating in the hearing, the preliminary matters (if any to be addressed), the anticipated order of evidence, the date each witness is expected to attend, the anticipated length of time for evidence to be presented by each witness in chief, cross-examination and re-examination (if any) and the expected length of time for final submissions. The parties are expected to ensure that the hearing proceeds in an efficient manner and in accordance with the hearing plan. The Tribunal may, at its discretion, change or alter the hearing plan at any time in the course of the hearing.
23. All filing shall be electronic and in hard copy. Electronic copies may be filed by email, an electronic file sharing service for documents that exceed 10MB in size, or as otherwise directed by the Tribunal. The delivery of documents by email shall be governed by the *Rule 7*.
24. No adjournments or delays will be granted before or during the hearing except for serious hardship or illness. The Tribunal's Rule 17 applies to such requests.

**This Member is not seized.**

**So orders the Tribunal.**

Date:

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TRIBUNAL REGISTRAR





**ATTACHMENT 2****ISSUES LIST**

**Note: The inclusion of an issue on this list is not an admission of relevance by any party, but is simply the identification of an aspect of the case that at least one party will seek to establish as relevant.**

1. Are all or part of the Tien De Religion lands located within the TRCA regulatory limits pursuant to Ontario Regulation 166/06, as amended?
2. Are the VOP 2010 designations of Schedule 1 – Natural Areas and Countryside, Schedule 2 - Core Features, and Schedule 13 – Natural Areas appropriate for all or part of the lands?
3. Is it appropriate to designate all or part of the Tien De Religion lands for residential uses and agricultural uses?
4. Would permissions for residential uses and agricultural uses in the Official Plan designation for all or part of the Tien De Religion lands be consistent with or conform to the Provincial Policy Statement, Region of York Official Plan, Vaughan Official Plan TRCA's Living City Policies and Ontario Regulation 166/06?
5. If all or part of the Tien De Religion lands are to be designated for residential uses and agricultural uses, what are the appropriate policies for the lands?
6. If all or part of the Tien De Religion lands are to be designated for residential uses and agricultural use in the Official Plan designation, has the appellant submitted satisfactory studies to address applicable natural hazard and natural heritage policies, completed by qualified professionals to the TRCA? If so, what are the appropriate development limits?
7. Is a Site Specific Exception to recognize the existing legal non-conforming uses appropriate?

**ATTACHMENT 3**  
**ORDER OF EVIDENCE**

1. Tien De Religion
2. City of Vaughan
3. Toronto and Region Conservation Authority
4. Tien De Religion in reply, if any

## ATTACHMENT 4

### **Purpose of the Procedural Order and Meaning of Terms**

The Tribunal recommends that the parties **meet to discuss this sample Order before the prehearing conference** to try to identify the issues and the process that they want the Tribunal to order following the conference. The Tribunal will hear the parties' comments about the contents of the Order at the conference.

Prehearing conferences usually take place only where the hearing is expected to be long and complicated. If you are not represented by a lawyer, you should prepare by obtaining the Guide to the Local Planning Appeal Tribunal, and the Tribunal's Rules, from the Tribunal Information Office, 15th Floor, 655 Bay Street, Toronto, M5G 1E5, 416-212-6349, or from the Tribunal website at <http://elto.gov.on.ca/tribunals/lpat/about-lpat>.

### **Meaning of terms used in the Procedural Order**

**Party** is an individual or corporation permitted by the Tribunal to participate fully in the hearing by receiving copies of written evidence, presenting witnesses, cross-examining the witnesses of the other parties, and making submissions on all of the evidence. If an **unincorporated group** wishes to become a party, it must appoint one person to speak for it, and that person must accept the other responsibilities of a party as set out in the Order. Parties do not have to be represented by a lawyer, and may have an agent speak for them. The agent must have written authorisation from the party. **NOTE** that a person who wishes to become a party before or at the hearing, and who did not request this at the prehearing conference, must ask the Tribunal to permit this.

**Participant** is an individual, group or corporation, whether represented by a lawyer or not, who may attend only part of the proceeding but who makes a statement to the Tribunal on all or some of the issues in the hearing. Such persons may also be identified at the start of the hearing. The Tribunal will set the time for hearing these statements. **NOTE** that such persons will likely not receive notice of a mediation or conference calls on procedural issues. They also cannot ask for costs, or review of a decision as parties can. If a participant does not attend the hearing and only files a written statement, the Tribunal will not give it the same attention or weight as submissions made orally. The reason is that parties cannot ask further questions of a person if they merely file material and do not attend.

**Written and Visual Evidence:** **Written evidence** includes all written material, reports, studies, documents, letters and witness statements which a party or participant intends to present as evidence at the hearing. These must have pages numbered consecutively throughout the entire document, even if there are tabs or dividers in the material. **Visual evidence** includes photographs, maps, videos, models, and overlays which a party or participant intends to present as evidence at the hearing.

**Witness Statements:** A **witness statement** is a short written outline of the person's background, experience and interest in the matter; a list of the issues which he or she will discuss and the witness' opinions on those issues; and a list of reports that the witness will rely on at the hearing. An **expert witness statement** should include his or her (1) name and address, (2) qualifications, (3) a list of the issues he or she will address, (4) the witness' opinions on those issues and the complete reasons for the opinions and (5) a list of reports that the witness will rely on at the hearing. A **participant statement** is a short written outline of the person's or group's background, experience and interest in the matter; a list of the issues which the participant will address and a short outline of the evidence on those issues; and a list of reports, if any, which the participant will refer to at the hearing.

### **Additional Information**

**Summons:** A party who wishes to summons a witness shall make a request in writing to the Registrar. This request must be made before the time that the list of witnesses is provided to the Tribunal and the parties. (See Rule 13 on the summons procedure.) If the Tribunal requests it, an affidavit must be provided indicating how the witness' evidence is relevant to the hearing. If the Tribunal is not satisfied from the affidavit, it will require that a motion be heard to decide whether the witness should be summoned.

**The order of examination of witnesses:** is usually direct examination, cross-examination and re-examination in the following way:

- direct examination by the party presenting the witness;
- direct examination by any party of similar interest, in the manner determined by the Tribunal;
- cross-examination by parties of opposite interest;
- re-examination by the party presenting the witness; or
- another order of examination mutually agreed among the parties or directed by the Tribunal.

## 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 m<sup>2</sup> and the South Tower shall not exceed 903 m<sup>2</sup>; and,

3. A maximum residential gross floor area (GFA) of 125,000.5 m<sup>2</sup> shall be permitted.