

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: August 25, 2025

CASE NO(S).:

OLT-25-000211
OLT-25-000318

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

Applicant/Appellant: Farhi Holdings Corporation
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description: To facilitate the development of the subject lands for residential use via a plan of subdivision
Reference Number: ZN 8-23-07
Property Address: 401 Lakeview Drive
Municipality/UT: Woodstock/Oxford County
OLT Case No.: OLT-25-000211
OLT Case Name: Farhi Holdings Corporation v. Woodstock (City)

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant: Farhi Holdings Corporation
Appellant: City of Woodstock
Subject: Proposed Official Plan Amendment No. 333
Description: To facilitate the development of the subject lands for residential use via a plan of subdivision
Reference Number: OPA 333
Property Address: 401 Lakeview Drive
Municipality/UT: Woodstock/Oxford County
OLT Case No.: OLT-25-000318
OLT Lead Case No.: OLT-25-000318
OLT Case Name: Woodstock (City) v. Oxford (County)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O.

1990, c. P.13, as amended

Applicant:	Farhi Holdings Corporation
Appellant:	City of Woodstock
Subject:	Proposed Plan of Subdivision
Description:	To facilitate the development of the subject lands for residential use via a plan of subdivision
Reference Number:	SB 23-02-8
Property Address:	401 Lakeview Drive
Municipality/UT:	Woodstock/Oxford County
OLT Case No.:	OLT-25-000323
OLT Lead Case No.:	OLT-25-000318
OLT Case Name:	Woodstock (City) v. Oxford (County)

Heard: August 13, 2025 by Video Hearing

APPEARANCES:

<u>Parties</u>	<u>Counsel</u>
Farhi Holdings Corporation	Eric Davis
City of Woodstock	Kelly Nenniger
County of Oxford	Alex Ciccone Peter Pickfield (<i>in absentia</i>)

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. BOBKA AND S. COOKE
ON AUGUST 13, 2025 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] This event was the first Case Management Conference (“CMC”) for:

- an appeal filed by Farhi Holdings Corporation (“Applicant”) pursuant to s. 34(11) of the *Planning Act* (“Act”) regarding the refusal by the City of

Woodstock (“City”) of an application for a Zoning By-law Amendment (“ZBA”); and,

- appeals filed by the City pursuant to ss. 17(24) and 51(39) of the Act regarding the approval by the County of Oxford (“County”) of an Official Plan Amendment (“OPA”) and a Draft Plan of Subdivision (“DPOS”), respectively.

All three appeals relate to the property municipally known as 401 Lakeview Drive (“Subject Property”).

[2] The proposed redevelopment of the Subject Property contemplates 258 residential units, comprised of 26 semi-detached dwelling units, 68 townhouse units, and 160 apartment units on three blocks, with a block for public park purposes and a block for stormwater management, served by one new public local street connection from Lakeview Drive to Vansittart Avenue (Oxford Road 59).

NOTICE

[3] The Tribunal received an Affidavit of Service, which was affirmed by Jeffrey Bunn on July 10, 2025. Upon review, and with no concerns raised by the Parties, the Tribunal determined that proper notice of this CMC had been provided and that no further notice was required.

STATUS UPDATE FROM THE STATUTORY PARTIES

[4] The Parties advised the Tribunal that a proposed settlement had been agreed upon by the Applicant, the City and the County, and that Minutes of Settlement (“MOS”) had been executed that morning prior to the start of the CMC. Counsel for the Applicant indicated that the Parties would file the MOS with the Tribunal.

[5] The Parties jointly requested that a Hearing to consider the proposed settlement be set subject to availability on the Tribunal's calendar.

PARTY STATUS REQUESTS

[6] In advance of the CMC, the Tribunal received three requests for Party status:

From:	Seeking Party status in the:
John Bell	ZBA, OPA and DPOS
Farhi Holdings Corporation	OPA and DPOS
County of Oxford	ZBA

[7] Regarding the latter two requests, the Tribunal determined that each had a direct interest in the respective matters and that each would assist in the adjudication of the matters. The Tribunal granted Party status to each as requested.

[8] Regarding Mr. Bell's Party status request, the Tribunal heard submissions from his Counsel, Stephanie Fleming, that he had participated throughout the process, that his property was "kitty-corner" to the proposed development and that he was concerned about the impact of the proposal to his property. Specifically, Ms. Fleming highlighted concerns with the design of the roads, transportation issues, and the density of the proposed development, as well as with the fit of the proposal with the neighbourhood. She explained that it was not her client's intent to stymie the proposal, but rather to ensure that it would not impact his quality of life. Ms. Fleming emphasized that Mr. Bell was the leader of the Alder-Grange neighbourhood association, and it was his intent if granted Party status, for that organization to incorporate, and subsequently replace him as a Party. When questioned by the Tribunal about expert witnesses, Ms. Fleming said that her client had retained a planner and intended to retain a transportation engineer as well.

[9] Counsel for the Applicant highlighted Rule 8.3 of the Tribunal's *Rules of Practice and Procedure* ("Rules"), which requires that a non-appellant party must shelter "under an issue raised in an appeal by an appellant party and may participate fully in the proceeding to the extent that the issue remains in dispute." Mr. Davis specified that Mr. Bell would need to shelter with regard to the OPA and DPOS appeals, and that as the appeals have been resolved through the settlement, there remained no issues under which to shelter. Regarding the ZBA appeal, he submitted that his client would not object to a grant of Participant status to allow Mr. Bell to review and comment on the settlement; however, allowing him Party status to that appeal was a step too far and would be redundant and unnecessary. Mr. Davis reviewed the following obvious factors as outlined in *1127528 Ontario Ltd. v. Oakville (Town)*, 2010 CarswellOnt 7078 (OMB):

Public Interest	<ul style="list-style-type: none">• The City and County are both uniquely and duly qualified to represent the public interest and Mr. Bell's role as a party would be unnecessarily duplicative.• In addition, the City and County both received and acknowledged the oral and written comments previously provided by Mr. Bell.
Prejudice	<ul style="list-style-type: none">• A grant of Party status would lead to unnecessary duplicative evidence being advanced which would increase both the Hearing length and cost.
Direct Interest	<ul style="list-style-type: none">• Mr. Bell's claim that he is the primary spokesperson of an unincorporated Alder-Grange community group is unsubstantiated.• Additionally, the City and County, as the duly elected public bodies, sufficiently represent the public interest of both Mr. Bell and the community group.

Historical Background	<ul style="list-style-type: none">As Mr. Bell actively participated in the planning process with regard to these appeals, the City has now stepped into the advocate role to represent the concerns of both Mr. Bell and any community group.
-----------------------	---

[10] Counsel for the City advised that they would not be taking a position on the status requests. Counsel for the County opposed a grant of Party status for the OPA and DPOS appeals as there were no issues to shelter under, but took no position regarding the request related to the ZBA appeal.

[11] Upon consideration, the Tribunal found that in light of the agreed-upon settlement, as no issues remained in the OPA and DPOS appeals, there were no issues under which Mr. Bell could shelter and Party status could not be granted.

[12] Regarding the ZBA appeal, the Tribunal found that as the City and County were already actively involved in the appeals and were required to advocate for the public interest, there would be prejudice to all three statutory Parties, resulting from increased Hearing length and cost, should Mr. Bell be granted Party status. The Panel was not satisfied that Mr. Bell's participation as a Party would assist the Tribunal in the fair and efficient adjudication of the matter, and Party status was denied. However, the Tribunal did grant Mr. Bell with Participant status so that he could express his concerns in writing. The Parties were directed to provide Mr. Bell with a copy of the MOS, and Mr. Bell was given 15 days to submit his Participant Statement to the Tribunal, should he choose to do so.

PARTICIPANT STATUS REQUESTS

[13] In advance of the CMC, the Tribunal received a total of 85 Participant status requests. The list of requestors is attached to this Decision as **Attachment 1**.

[14] Counsel for the City and the County made no submissions regarding the requests. Counsel for the Applicant suggested that the Participants be asked to provide their addresses as proximity to the proposed development could be relevant.

[15] Upon review and consideration, the Tribunal determined that addresses would not be requested as: a) the address of the requestor nor the proximity to the proposed development is not required on the Participant form; and b) many of the concerns (such as traffic congestion, traffic safety, parking, tree removal, etc.) could be validly raised by non-residents, such as visitors to the neighbourhood or commuters through the neighbourhood. The Tribunal granted all 85 requests for Participant status.

CONSOLIDATION OR HEARING TOGETHER

[16] While the matters were joined together administratively and were heard concurrently at the CMC for the sake of efficiency, no formal ruling had yet been made as to whether these appeals should be consolidated, heard together or heard consecutively.

[17] Upon consideration, the Tribunal found it most appropriate to hear the matters together as they relate to the same property and would rely on the same expert evidence, and the Parties expressed their support for this path forward.

NEXT STEPS

[18] The Tribunal agreed with the Parties' proposal that a Hearing to consider the proposed settlement be set and scheduled a one-day Hearing to commence on **Wednesday, October 15, 2025 at 10 a.m.** by Video Hearing.

[19] Parties and/or Participants and/or Observers are asked to log in to the event at least **15 minutes** before it begins to test their video and audio connections:

GoTo Meeting: <https://global.gotomeeting.com/join/638422541>

Access code: 638-422-541

[20] Parties and/or 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 [GoTo Meeting](#) or a web application is available:

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

[21] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to it by calling in to an audio-only telephone line: **+1 (647) 497-9373 or (Toll Free) 1-888-299-1889**. The access code is: **638-422-541**.

[22] 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 event to ensure that they are properly connected at the correct time. Questions prior to the event may be directed to the Tribunal's Case Coordinator.

ORDER

[23] **THE TRIBUNAL ORDERS** that:

a) Party status is granted to:

- i. Farhi Holdings Corporation for Case Nos. OLT-25-000318 and OLT-25-000323; and,
- ii. the County of Oxford for Case No. OLT-25-000211;

- b) Participant status is granted to John Bell and the 85 requestors listed in **Attachment 1**;
- c) These matters are being heard together; and,
- d) A one-day Hearing of the Merits is scheduled as detailed in paragraph [18].

[24] There will be no further notice and the Panel is not seized of the matters.

“S. Bobka”

S. BOBKA
MEMBER

“S. Cooke”

S. COOKE
VICE CHAIR

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

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 (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

Attachment 1

Participant Status Requests		
1. Alma Hyslop	31. Joan Houston	61. Patricia Csinos
2. Angela Cunningham	32. John DeHeer	62. Patrick and Susan Coulas
3. Arthur Jones	33. John Doerr	63. Paul Jones
4. Barbara Machmueller	34. John Karn	64. Paul Leuverink
5. Bernice Marsland	35. John Ozolins	65. Peter Freer
6. Bob Thompson	36. John Wieringa	66. Richard and Gina Chmara
7. Brad Cullen	37. June Spruce	67. Robert Reid
8. Brian Wells	38. Karen Greenham	68. Roger Dal Bello
9. Cheryl Palmer	39. Keith Doucet	69. Roy and Sandra Kenealy
10. Chris Carne	40. Keri Axon	70. Ruth Stephenson
11. Cora Smith	41. Kevin Coubler	71. Scott Hargreaves
12. Dan and Michelle Elms	42. Kevin Schaeffer	72. Shannon McNamara
13. Daniel Major	43. Kochhar Narinder	73. Steve Busse
14. Darryl Wharam	44. Laura Aarts	74. Steven Luxton
15. Dave and Judi Bald	45. Laura Glenney	75. Tammy Walton
16. Dave and Paulette Kydd	46. Lawrence Jenkins	76. Ted Young
17. David Hilderley	47. Leanne Ford	77. Terry Hodgins
18. David King	48. Lisa and Jeff Figg	78. Terry Thompson
19. Diane Mitchell	49. Lorraine Ethier	79. Tony Lileikis
20. Donald Pratt	50. Louise Taschner	80. Trillian Taylor
21. Elaine Coubler	51. Maegan McCarthy	81. Valerie Robinson
22. Gaile Pippo	52. Maria St. Laurent	82. Victora Jane Van Patter
23. Gerry O'Flynn	53. Marianne Gallant	83. Virginia Chato
24. Gillian Lavin	54. Mark Elliott	84. Walter and Barbara Wilker
25. Glenda McLeod	55. Melanie MacEacheron	85. Wendy Calder
26. Harvey Husk	56. Michael Poole	
27. Heather Walkom	57. Michelle Przedborski	
28. Janet Scott	58. Nancy Shaw	
29. Jennifer Holden	59. Nora Moreland	
30. Jim Holz	60. Norma Payne	