

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



ISSUE DATE: October 03, 2018

CASE NO(S): PL171236

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

Applicant and Appellant:	Islamic Shia Ithna-Asheri Jamaat Of Toronto
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	Low-Rise Residential and Natural Area
Proposed Designated:	Mid-Rise Mixed Use and Natural Area
Purpose:	To permit mixed use development on the land which will consist of a mix of residential, commercial, institutional and open space uses.
Property Address/Description:	9000 Bathurst Street
Municipality:	City of Vaughan
Approval Authority File No.:	OP.13.013
OMB Case No.:	PL171236
OMB File No.:	PL171236
OMB Case Name:	Islamic Shia Ithna-Asheri Jamaat Of Toronto 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:	Islamic Shia Ithna-Asheri Jamaat Of Toronto
Subject:	Application to amend Zoning By-law No. 1-88 - Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	"A - Agricultural Zone" and "OS1 - Open Space Conservation Zone"
Proposed Zoning:	"RVM1(A) Residential Urban Village Multiple Zone One (Street Townhouse)"; "RVM2 Residential Urban Village Multiple Family Zone Two"; "RA3 Apartment Residential Zone"; "A Agricultural Zone"; and "OS1 Open Space

Purpose: Zone", and to permit various site specific zoning
To permit mixed use development on the land which will consist of a mix of residential, commercial, institutional and open space uses.

Property Address/Description: 9000 Bathurst Street
Municipality: City of Vaughan
Municipality File No.: Z.13.036
OMB Case No.: PL171236
OMB File No.: PL171237

Heard: May 9, 2018 and May 29, 2018 by telephone conference call

APPEARANCES:

Parties

Counsel

Islamic Shia Ithna-Asheri Jamaat of Toronto

Mark Flowers and Kate Fairbrother

City of Vaughan

J. Pittman Patterson and Caterina Facciolo

Toronto and Region Conservation Authority

Jonathan Wigley

Preserve Thornhill Woods Association Incorporated

Quinto Annibale and Brendan Ruddick

Block 10 Thornhill Woods Development Group

Alexandra De Gasperis

The Waldorf School

Samantha Lampert

MEMORANDUM OF ORAL DECISION DELIVERED BY L.M. BRUCE ON MAY 9, 2018 AND MAY 28, 2018 AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] Two Pre-hearing Conferences (“PHC”) (PHC 2 and 3) were held in May 2018 concerning the appeal by Islamic Shia Ithna-Asheri Jamaat of Toronto (the “Appellant”) of the City of Vaughan (“City”) Council’s non-decision on their applications for an Official Plan Amendment (“OPA”) and Zoning By-law Amendment.

[2] At the second PHC on May 9, 2018 the Tribunal was advised that this matter was before Vaughan's Committee of the Whole and City Council in April 2018, who endorsed the application subject to conditions.

[3] A Procedural Order and draft Issues List was provided to the Tribunal on May 9, 2018. The Tribunal was advised that Mr. Flowers had identified the need for some Issue List refinements that he would like to see made. Since there was a substantial Issues List available the Tribunal moved forward with scheduling a hearing for **Monday, July 8, 2019 at 10 a.m.** for 15 days at:

**Municipal Building
OMB Hearing Room
2141 Major Mackenzie Drive
Vaughan, Ontario**

[4] A third PHC was held on Tuesday, May 28, 2018 by telephone conference call. At this PHC the Tribunal was advised that the Issues List has been refined in accordance with Mr. Flowers comments raised at the second PHC. The Procedural Order and revised Issues List are attached to this Decision.

[5] This Member is not seized but may be spoken to for case management purposes.

[6] No further notice will be given.

"L. M. Bruce"

L. M. BRUCE
MEMBER

If there is an attachment referred to in this document,
please visit www.elfto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal
A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elfto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

LOCAL PLANNING APPEAL TRIBUNAL

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

Applicant and Appellant: Islamic Shia Ithna-Asheri Jamaat of Toronto
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LPAT Case No.: PL171236
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LPAT Case Name: Islamic Shia Ithna-Asheri Jamaat of Toronto 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: Islamic Shia Ithna-Asheri Jamaat of Toronto
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Purpose: To permit mixed use development on the land which will consist of a mix of residential, commercial, institutional and open space uses.
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Municipality: City of Vaughan
Municipality File No.: Z.13.036
LPAT Case No.: PL171236
LPAT File No.: PL171237

PROCEDURAL ORDER

The Tribunal may vary or add to these rules at any time, either on request or as it sees fit. It may alter this Order by an oral ruling, or by another written Order.

Organization of the Hearing

1. The hearing will begin on **July 8, 2019** at **10:00 a.m.** at Vaughan City Hall, Committee Room 242, 2141 Major Mackenzie Drive, Vaughan, Ontario. No further notice shall be required.
2. The length of the hearing will be approximately **fifteen (15) days**.
3. The parties and participants (see Attachment 1 for the meaning of these terms) identified at the prehearing conference are listed in Attachment 2 to this Order. The order of evidence for the hearing is listed in Attachment 3 to this Order.
4. The issues for the hearing are set out in the Issues List attached as Attachment 4 to this Order. 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.
5. Any person intending to participate in the hearing should provide a telephone number, address and email address to the Tribunal as soon as possible. Any such person who will be retaining a representative should advise the other parties and the Tribunal of the representative's name, telephone number, address and email address as soon as possible.

Requirements Before the Hearing

6. Unless the parties agree otherwise, expert witnesses in the same discipline shall have at least one meeting prior to the commencement of the hearing to try to resolve or reduce the issues for the hearing. The experts shall prepare a list of any agreed facts and provide this list to all of the parties and the Tribunal.
7. A party who intends to call witnesses, whether by summons or not, shall provide to the Tribunal and the other parties a list of the witnesses and the order in which they are intended to be called. This list must be delivered on or before **Monday, April 15, 2019**. For expert witnesses, the party shall identify the discipline(s) in which they will be seeking to qualify the witness in the witness list.
8. 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 section 11. 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. For greater certainty, each expert witness statement must

comply with the minimum content requirements specified in Rule 7.04 of the Tribunal's *Rules of Practice and Procedure*. In addition, each expert witness shall execute an Acknowledgement of Expert's Duty and shall append the executed Acknowledgement to his/her witness statement.

9. A participant shall provide to the Tribunal and the parties a participant statement on or before **Monday, May 13, 2019**. For greater certainty, participant statements are to include the information identified in Attachment 1 to this Order.
10. Witnesses who are under summons but not paid to produce a report do not have to file a witness statement; but the party calling them must file an outline of the witness' anticipated evidence, as in section 11.
11. On or before **Monday, May 13, 2019**, the parties shall provide copies of their witness and expert witness statements to the other parties. The parties shall also deliver hard copies of their witness and expert witness statements to the Tribunal, if requested.
12. On or before **Monday, June 10, 2019**, the parties may provide to all other parties a reply to any written evidence. The parties shall also deliver hard copies of any reply witness statements to the Tribunal, if requested.
13. On or before **Monday, June 24, 2019**, the parties and participants shall provide copies of their visual evidence to all parties or, alternatively, shall arrange for a viewing of visual evidence that cannot reasonably be transmitted.
14. 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, which require that the moving party provide copies of the motion to all other parties at least fifteen (15) days before the Tribunal hears the motion).
15. A party who provides a witness' written evidence to the other parties must have the witness attend the hearing to give oral evidence, unless the party notifies the other parties and the Tribunal at least seven (7) days before the hearing that the written evidence is not part of their record.
16. Documents may be delivered by personal delivery, e-mail, courier, registered or certified mail, or otherwise as the Tribunal may direct. For documents delivered by e-mail, a hard copy shall also be delivered in the event that the recipient party requests a hard copy. Material delivered by mail shall be deemed to have been received five business days after the date of registration or certification.
17. No adjournments or delays will be granted before or during the hearing except for serious hardship or illness and Rule 17 applies to such requests.

**This Member is not seized.
So orders the Tribunal.**

Attachment 1

PURPOSE OF THE PROCEDURAL ORDER AND MEANING OF TERMS

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 authorization 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 must ask a Tribunal Member or the senior staff of the Tribunal to issue a summons. 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.

Attachment 2

LIST OF PARTIES/PARTICIPANTS

PARTIES

1. **Islamic Shia Ithna-Asheri Jamaat of Toronto**

Mark Flowers
Davies Howe LLP
The Tenth Floor
425 Adelaide Street West
Toronto, Ontario M5V 3C1

Email: markf@davieshowe.com
Tel: 416-263-4513

2. **City of Vaughan**

Pitman Patterson and Andrew Baker
Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West, Suite 3400
Toronto, Ontario
M5H 4E3

Email: ppatterson@blg.com / abaker@blg.com
Tel: 416-367-6109 / 416-367-6250

3. **Toronto and Region Conservation Authority**

Tim Duncan and Jonathan Wigley
Gardiner Roberts LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West, Suite 3600
Toronto, Ontario
M5H 4E3

Email: tduncan@grllp.com / jwigley@grllp.com
Tel: 416-865-6682 / 416-865-6655

4. **Preserve Thornhill Woods Association**

Quinto Annibale and Brendan Ruddick
Loopstra Nixon LLP
135 Queens Plate Drive, Suite 600
Toronto, Ontario
M9V 6V7

Email: qannibale@loonix.com / bruddick@loonix.com
Tel: 416-748-4757 / 416-748-5126

5. **Block 10 Thornhill Woods Developers Group Inc.**

Ira Kagan and Kristie Jennings
Kagan Shastri LLP
188 Avenue Road
Toronto, Ontario
M5R 2J1

Email: ikagan@ksllp.ca / kjennings@ksllp.ca
Tel: 416-368-2100 Ext. 226 / 416-368-2100 Ext. 244

PARTICIPANTS

Name	Affiliated Group (if any)	Oppose or Support?
Shelley Shields		Oppose
Irina Kapsh		Oppose
Ali Zaheer	J.C.C. Jaffari	Support
Khalroon Abbas	I.S.I.J. of Toronto (Jaffari)	Support
Amin Jagani	I.S.I.J. J.C.C. Jaffari Village	Support
Mohamen Alibhai	I.S.I.J. J.C.C.	Support
Iqubal Somani	I.S.I.J. J.C.C.	Support
H. Yousef Jiuan	I.S.I.J. J.C.C.	Support
Mohammed Fayyaz Bhimani	I.S.I.J. J.C.C.	Support
Sabira Satchu	9000 Bathurst Street J.C.C.	Support
Abbas Satchu	9000 Bathurst Street J.C.C.	Support
Zehra Bharwani	9000 Bathurst Street J.C.C.	Support

Rubab Hasham	9000 Bathurst Street J.C.C.	Support
Fatema Bahman	9000 Bathurst Street J.C.C.	Support
Muhammad Mazher	I.S.I.J	Support
Masooma Baqueri	I.S.I.J	Support
Fatima Alikhan	I.S.I.J	Support
Ayman Khalfan	I.S.I.J	Support
Sabira Khimji	I.S.I.J	Support
Zainab Manji	I.S.I.J	Support
Gulamabbas Manji	I.S.I.J	Support
Ali Manji	I.S.I.J	Support
Mohammed Fazel	I.S.I.J	Support
Mohamed Abbas Kassam	I.S.I.J	Support
Majtaba Marcohi	I.S.I.J of Toronto	Support
Irfan Shaban	I.S.I.J of Toronto	Support
Imran Shaban	I.S.I.J of Toronto	Support
Faheem Mazher	I.S.I.J of Toronto	Support
Ali Akber Panjwani	I.S.I.J of Toronto	Support
Harvey Kaplan	YRCECC #1124 Condominium	Oppose
Sihander Murmohamed	I.S.I.J of Toronto	Support
Iqbal Virjee	I.S.I.J	Support
Somani Pyarali	I.S.I.J	Support

Hassan Virji	I.S.I.J	Support
Sakina Virjee	I.S.I.J	Support
Nazmul Damji	I.S.I.J	Support
Mohsin Khimji	I.S.I.J	Support
Sadiq Fazal	I.S.I.J	Support
Mohammed Ladak	I.S.I.J	Support
Shanayabbas Fazal	I.S.I.J	Support
Mehboob Snojee	I.S.I.J	Support
Shabnees Snojee	I.S.I.J	Support
Fatima Sagarwala	I.S.I.J	Support
Ali Raza Sagarwala	I.S.I.J	Support
Khalil Khalfam	I.S.I.J	Support
Mubarak Mandani	9000 Bathurst Jaffari Community Centre	Support
Mohamed Peera	I.S.I.J. 9000 Bathurst	Support
Karim Tahir	Ahmadiyya Muslim Jama'at Canada	Support
Mohamen Najfi	I.S.I.J	Support
Moosa Fadhel	Jaffari Islamic Centre	Support
Hussain Fadhel	Jaffari Islamic Centre	Support
Mohamed Taki Sabar	Jaffari Islamic Centre	Support
Sajid Husain	Jaffari Community Centre	Support
Mohamed Jivraj	Jaffari Islamic Centre	Support

Marziz Moho Reza Sajoural	J.C.C	Support
Ali Reza Alibhai	J.C.C	Support
Shahista Asguraly	J.C.C	Support
Nasim Kamalia Mustafa Kamalia	J.C.C	Support
Zain Hussain		Support
Benny Kritzer	Thornhill Woods	Oppose
Naseem Jessa	Jaffari Islamic Centre	Support
Roshan Jessa	Jaffari Islamic Centre	Support
Mohamed Somji	Jaffari Islamic Centre	Support
Firoza Somji	JCC	Support
Hasnain Versi	Jaffari Islamic Centre	Support
Kulsum Hudda	Jaffari Islamic Centre	Support
Fathema Nasqari	JCC	Support
Mazahir Alidina	I.S.I.J. Toronto	Support
Iqbac Hasham	I.S.I.J. JCC 9000 Bathurst	Support
Tariq Shibu	Ahmadiyya	Support
Najeeb Tariq	Ahmadiyya Muslim Youth	Support
Mazher Abbas	I.S.I.J. JCC 9000 Bathurst	Support
Shabbir Maneria	I.S.I.J.	Support

Mohammed Dinani	I.S.I.J.	Support
Mehdi Raza	I.S.I.J.	Support
Gulamabbas	I.S.I.J.	Support
Uzma Mehdi	I.S.I.J.	Support
Shaukat Kermalli	I.S.I.J. JCC	Support
Aliraza Jaffer	As Sariq Islamic School	Support
Raza Merchant	As Sariq Islamic School	Support
Raziya Rawji	I.S.I.J. of Toronto	Support
Laida Rawji	I.S.I.J. of Toronto	Support
M. D'Agostino	Principal As Sariq Islamic School	Support
Asma Panju	Jaffari Community Centre As Sariq Islamic School	Support
Jaffer Manek	JCC	Support
Zeenat Manek	9000 Bathurst	Support
Muhammad Yousaf	AMJ	Support
Shamim Akhtar	AMJ	Support
Ahmad Malik Nasir	AMJ	Support
Begum Sugira	AMJ	Support
Rehana Sumar	JCC 9000 Bathurst	Support
Shirin Sumar	JCC 9000 Bathurst	Support

Hamid Lilani	JCC 9000 Bathurst	Support
Gamar Walajah	JCC 9000 Bathurst	Support
Boris Bakapp	Thornhill Wood	Oppose
Zehra Canani		Support
Sabira J.		Support
Ruqaiya Merchant		Support
Kauer Yarbhan		Support
Nasral Mohamideh		Support
Nabeel Meghjee	I.S.I.J.	Support
Raeesah Fatimah Meghjee	I.S.I.J.	Support
Alidina Ruraiya	I.S.I.J.	Support
Sajjad Lakha	I.S.I.J.	Support
Taswim Lakha	I.S.I.J.	Support
Shabwali Alidina	I.S.I.J. of Toronto	Support
Tahera Alidina	I.S.I.J. of Toronto	Support
Kazim Zaidi	I.S.I.J. of Toronto	Support
Zahra Nurmohamed	I.S.I.J. of Toronto	Support
Sabera Maghjee	I.S.I.J. of Toronto	Support
Benny Anbar		Oppose
Rimie Erstein		Oppose
Abbas Lakha	I.S.I.J.	Support
Alia Kamalia	I.S.I.J.	Support

Ali Shariff	I.S.I.J.	Support
Helena Akrrkanov	D.I.W.H	Oppose
Mohamed Abo Gulel	I.S.I.J.	Support
Lutziya Noormohld	I.S.I.J.	Support
Fehmida Ahmed	I.S.I.J.	Support
Fatema Khimji	I.S.I.J.	Support
Drur Zisking		Oppose
Mehboob Ajawni	Jaffari Islamic Centre	Support
Aunali Moledine	Jaffari Islamic Centre	Support
Hasnain Kamalia	I.S.I.J.	Support

Attachment 3

ORDER OF EVIDENCE

1. Islamic Shia Ithna-Asheri Jamaat of Toronto
2. City of Vaughan
3. Toronto and Region Conservation Authority
4. Preserve Thornhill Woods Association
5. Block 10 Thornhill Woods Developers Group Inc.
6. Reply, if any, by Islamic Shia Ithna-Asheri Jamaat of Toronto

Note: The hearing panel will determine the timing for the evidence of participants

Attachment 4

ISSUES LIST

City of Vaughan

1. If the Tribunal allows the appeals in whole or in part, should the implementing Zoning By-law include a provision requiring the multi-level parking structure to be constructed at the same time as the first phase of any development, or expansion of any existing building, on the subject lands?
2. If the Tribunal allows the appeals in whole or in part, should the Zoning By-law Amendment for the proposed development be subject to a Holding provision (“H”) that requires the following conditions to be addressed to the satisfaction of the City:
 - a. that sewage and water supply capacity has been assigned, in accordance with the City’s approved Servicing Capacity Distribution Protocol, to the subject lands for the proposed 343 dwelling units by resolution of Vaughan Council;
 - b. a Site Development Application has been approved by Vaughan Council for that portion of the subject lands proposed for removal of the “H”;
 - c. the implementing Site Plan Agreement(s) has been approved, including the final approved plans and conditions of the City and external public agencies, for that portion of the subject lands proposed for removal of the “H”;
 - d. the Owner and the City have executed a shared use agreement for the private playing field in Block 1, and for the proposed trail along the valley top of bank should the trail be located on private lands; and
 - e. the satisfaction of all requirements of the Toronto and Region Conservation Authority (“TRCA”) by the Owner?
3. If the Tribunal allows the appeals in whole or in part, what community benefits are appropriate to secure pursuant to Section 37 of the *Planning Act*, and should the Tribunal withhold its final Order with respect to the Official Plan and Zoning By-law Amendments (the “Amendments”) until the Owner and City have executed a Section 37 Agreement securing such benefits?
4. If the Tribunal allows the appeals in whole or in part, should the Tribunal withhold its final Order with respect to the Amendments until the following tasks have been addressed to the satisfaction of City staff:
 - a. The City has undertaken a traffic infiltration study for the immediate area surrounding the subject lands;

- b. The City has undertaken monitoring of the existing sanitary system;
 - c. The City has undertaken further study of the woodland area to explore options to reduce the impact on existing trees; and
 - d. The City has undertaken further study with respect to addressing parking issues?
5. If the Tribunal allows the appeals in whole or in part, should the Tribunal withhold its final Order with respect to the Amendments until:
- a. The implementing Official Plan and Zoning By-law Amendments have been prepared to the satisfaction of the City;
 - b. A Draft Plan of Subdivision application for the subject lands has been approved by Vaughan Council, pursuant to section 51 of the *Planning Act*, including the appropriate Conditions of Draft Plan of Subdivision approval from the City, the TRCA and other agencies; and
 - c. The Owner has submitted a revised Functional Servicing Report, a revised Stormwater Management Report, and an Environmental Impact Study, to the satisfaction of the City, the TRCA and other agencies?

Toronto and Region Conservation Authority

6. Is the proposed development consistent with the Provincial Policy Statement (2014), TRCA's Living City Policies, Ontario Regulation 166/06, Region of York Official Plan and the Vaughan Official Plan 2010, related to matters including:
- a. Avoidance of natural hazards;
 - b. Protection of features & functions on and adjacent to the site; and,
 - c. Stormwater Management?
7. Have the natural features and their associated functions, which may be impacted by the development, been identified?
- a. If natural heritage features have been identified, have their boundaries been appropriately surveyed?
 - b. If wetlands are identified, have those wetlands been evaluated and accepted by the MNRF, if required?
8. Has the proponent demonstrated through an Environmental Impact Study that there will be no negative impacts to the form and function of the terrestrial and aquatic resource within the natural heritage system?

9. Would any impacts on identified natural features and their ecological and hydrologic functions be mitigated/compensated, including:
 - Valley/Stream Corridor;
 - Wetlands;
 - Woodlands;
 - Significant Wildlife Habitat; and,
 - Habitat of Endangered Species?
10. Does the proposed stormwater management system for the development:
 - a. protect the hydrological and ecological features and functions on, and adjacent to, the site;
 - b. Meet the requirements of TRCA's stormwater management criteria;
 - c. Meet the requirements of the CTC Source Protection Plan?
11. Have the development limits and property issues for the open space lands been resolved?

Block 10 Thornhill Woods Developers Group Inc.

12. Is approval of the applications premature until such time as the applicant commits in writing to cost share its fair share of community land and services provided by Block 10 Thornhill Woods Developers Group Inc.?

Preserve Thornhill Woods Association

13. Has a satisfactory traffic impact study been submitted by the applicant? In particular, has peak usage of the subject property been appropriately considered when determining expected parking requirements and traffic impacts?
14. Has a satisfactory functional servicing report been submitted by the applicant? In particular, has future anticipated peak demand and usage been appropriately considered with respect to the volume of water and wastewater provided to and flowing from the subject site? Has the existing system capacity to handle the increased wastewater flows been adequately assessed?
15. Has a satisfactory natural heritage evaluation or environmental impact assessment been submitted by the applicant? If such a study has not yet been completed, are the applications premature until this has been done?
16. Has a satisfactory species at risk and woodland assessment been completed with respect to the woodland located within the southwest quadrant of the subject property?

17. Is the proposal consistent with the policies of the Provincial Policy Statement, 2014, and in particular the following policies:
 - 1.1.1(a), 1.1.1(c), 1.1.1(e), 1.1.3.2(a)(2), 1.4.3(c), 1.4.3(d), 1.6.6.1, 1.6.7.1, 1.6.7.2, 1.6.7.4, 1.6.7.5, 2.1.1, 2.1.2, 2.1.3, 2.1.5, 2.1.7, 2.1.8, 2.2.1?
18. Does the proposal conform to the policies of the Growth Plan for the Greater Golden Horseshoe 2017, and in particular policies:
 - 1.2.1, 3.2.1, 3.2.2, 3.2.6, 3.2.7, 4.1, 4.2.2?
19. Does the proposal conform to the policies of the Region of York Official Plan, and in particular policies:
 - 2.1.1, 2.1.7, 2.1.8, 2.1.9, 2.1.14, 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5, 2.2.9, 2.2.30, 2.2.33, 2.2.44, 2.2.45(a), 2.2.46, 2.2.47, 2.2.48, 2.3.2, 2.3.3, 4.5.1, 4.5.2, 4.5.4, 5.2.11, 7.3.31, 7.3.34?
20. Does the proposal conform to the policies of the City of Vaughan Official Plan 2010, and in particular policies:
 - 2.2.2, 2.2.2.1, 2.2.2.3, 2.2.2.4, 2.2.3.3, 3.1.1, 3.1.1.1, 3.1.1.2, 3.1.1.5, 3.2.1, 3.2.1.2, 3.2.1.3, 3.2.2.1, 3.2.3, 3.2.3.1, 3.2.3.2, 3.2.3.4, 3.2.3.7, 3.2.3.8, 3.2.3.9, 3.2.3.10, 3.2.3.11, 3.3.1, 3.3.1.1, 3.3.1.3, 3.3.1.5, 3.3.1.6, 3.3.3, 3.3.3.1, 3.3.3.2, 3.3.3.3, 3.3.3.4, 3.3.4, 3.3.4.1, 3.3.4.2, 3.3.4.3, 3.6.1, 3.6.2, 3.9, 3.9.1, 3.9.2, 3.9.2.1, 3.9.2.2, 3.9.3.1, 3.9.3.2, 3.9.3.3, 3.9.3.4, 3.9.3.5, 3.9.3.6, 3.9.3.7, 4.1.1.6, 8.2.1.1, 8.2.1.2, 8.2.1.6, 8.3.1, 8.3.1.2, 8.3.1.8?
21. Does the proposed zoning by-law provide for sufficient parking, including visitor parking? Does the proposed multi-level parking structure provide for sufficient parking?
22. In addition to the conditions endorsed by the City of Vaughan on April 11, 2018 and set out in the Committee of the Whole report dated April 4, 2018, should an additional condition be imposed with respect to the lifting of the Holding Symbol “(H)” that requires the construction of the multi-level parking structure noted in issue 9 prior to the lifting of the Holding Symbol “(H)”?
23. Is there sufficient water and sewage capacity to accommodate the proposed development or will the Zoning By-law require a Holding Symbol “(H)” until sufficient capacity is available?
24. If sufficient water and sewage capacity is not currently available, what infrastructure upgrades are required to facilitate the proposed development and who should be responsible for implementing these upgrades?

25. Is the location of the townhouses within the southern portion of Block 2 appropriate given their proximity to the OS1 landscaped buffer, or should they be relocated within the area shown as Block 5 of the proposed block plan such that the proposed public road would run adjacent to the buffer?
26. Is the location of the proposed 8 storey mid rise residential condominium appropriate given its proximity to the OS1 zone and valley lands in the northeast quadrant of the property, or should the building be relocated further south within the area shown as Block 4 of the proposed block plan such that the proposed private road would run adjacent to the buffer?

Note: The identification of an issue on this list does not mean that all parties agree that such an issue, or the manner in which it is expressed, is appropriate or relevant for the proper determination of the appeals. The extent of the appropriateness and/or relevance of the issue may be a matter of evidence and/or argument at the hearing.