

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



**ISSUE DATE:** December 24, 2019      **CASE NO.:** PL140839  
PL140154

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

Appellants (jointly): Casertano Developments Corporation and Sandra Mammone  
Appellants (jointly): Limestone Gallery Investments Inc. and Damara Investment Corp.  
Appellants (jointly): Granite Real Estate Investment Trust and Magna International Inc.  
Appellants (jointly): H & L Title Inc. and Ledbury Investments Ltd.  
Appellant: Canadian National Railway  
Appellant: Rutherford Land Development Corporation  
Appellant: 281187 Ontario Ltd.  
Appellant: Anland Developments Inc.  
Subject: Proposed Official Plan Amendment No. 2 to the Official Plan for the City of Vaughan (2010)  
Municipality: City of Vaughan  
OMB Case No.: PL140839  
OMB File No.: PL140839  
OMB Case Name: Mammone 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:	Rutherford Land Development Corp.
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	“Prestige Area” under Official Plan Amendment No. 450 (Employment Area Plan)
Proposed Designation:	“High Density Residential/Commercial” under Official Plan Amendment No. 600
Purpose:	To permit a mixed-use development consisting of approximately 303,000 square metres (3,261,464 square feet) in size containing 3,700 residential units in a built form containing 13 towers above a podium base with heights up to 38 storeys, as well as 10,300 square metres (110,868 square feet) of retail/institutional/community space and 4,500 square metres (48,437 square feet) of office space
Property Address/Description:	2901 Rutherford Road (south-east corner of Jane Street and Rutherford Road)
Municipality:	City of Vaughan
Approval Authority File No.:	OP.06.028
OMB Case No.:	PL140154
OMB File No.:	PL140154
OMB Case Name:	Rutherford Land Development Corp. 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:	Rutherford Land Development Corp.
Subject:	Application to amend Zoning By-law 1-88, as amended – refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	EM1 Prestige Employment Zone
Proposed Zoning:	“RA3(H)” Apartment Residential (Holding) Zone and “OS2” Open Space Park Zone
Purpose:	To permit a mixed-use development consisting of approximately 303,000 square metres (3,261,464 square feet) in size containing 3,700 residential units in a built form containing 13 towers above a podium base with heights up to 38 storeys, as well as 10,300 square

Property	metres (110,868 square feet) of
Address/Description:	retail/institutional/community space and 4,500 square
Municipality:	metres (48,437 square feet) of office space
Municipal File No.:	2901 Rutherford Road (south-east corner of Jane Street
OMB Case No.:	and Rutherford Road)
OMB File No.:	City of Vaughan
	Z.06.075
	PL140154
	PL140155

BEFORE:

MARIE HUBBARD	)	Tuesday, the 24 <sup>th</sup> day of
ASSOCIATE CHAIR	)	
	)	December, 2019

**THIS MATTER** having come on for a motion hearing and the Tribunal, in its Decision issued on December 18, 2018, having withheld its Order until it is informed by the Appellant and CNR that their agreement has been registered on title;

**THE TRIBUNAL ORDERS** that the appeal with respect to Phase 1 of the Official Plan Amendment is allowed in part and the Official Plan for the City of Vaughan is modified in accordance with the amendment to the Vaughan Mills Centre Secondary Plan as set out in Exhibit 39 and as modified is approved;

**AND THE TRIBUNAL ORDERS** that the appeal with respect to Phase 1 of the Zoning By-law amendment is allowed in part, and By-law No. 1-88, as amended, is hereby amended in the manner set out in Exhibit 39. The Tribunal authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

*“Evelyn Dawes”*

DEPUTY REGISTRAR

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

**Local Planning Appeal Tribunal**

A constituent tribunal of Tribunals Ontario – Environment and Land Division  
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