

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 187-2025

A By-law to amend the Vaughan Official Plan 2010 for the Vaughan Planning Area with Amendment Number 142, as effected by the Ontario Land Tribunal.

WHEREAS an application for an official plan amendment was filed with respect to the subject lands at 7818 Dufferin Street to permit a high-rise mixed-use development comprised of two mixed-use buildings with building heights of 27 and 22-storeys, and two blocks of townhouse dwellings with building heights of 3-storeys, with a density of 5.29 times the area of the lot;

AND WHEREAS the application was appealed to the Ontario Land Tribunal as File No. OLT-22-004197 and the Tribunal made an order with respect to the appeal;

NOW THEREFORE the Ontario Land Tribunal **ORDERS AS FOLLOWS:**

1. THAT Amendment Number 142 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, as approved by the Ontario Land Tribunal Order dated the 7th day of March, 2024 (OLT File No. OLT-22-004197), is attached hereto as Attachment “A” consisting of the attached text, Schedules “1”, “2”, “3” and Appendix “1” and is effective on March 7, 2024.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by the Decision and Order of the Ontario Land Tribunal
Issued March 7, 2024, Case No. OLT-22-004197
Effective Date of By-Law: March 7, 2024

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: March 7, 2024

CASE NO.: OLT-22-004197

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

Applicant and Appellant: 7818 Dufferin Inc.
Subject: Request to amend the Official Plan - Failure to adopt the requested amendment
Purpose: To permit a 27-storey mixed-use building, a 22-storey mixed-use building and two blocks of 3-storey street townhomes
Property Address: 7818 Dufferin Street
Municipality: City of Vaughan
Municipal File No.: OP.21.004
OLT Case No.: OLT-22-004197
OLT Lead Case No.: OLT-22-004197
OLT Case Name: 7818 Dufferin 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: 7818 Dufferin Inc.
Subject: Application to amend Zoning By-law – Refusal or neglect to make a decision
Purpose: To permit a 27-storey mixed-use building, a 22-storey mixed-use building and two blocks of 3-storey street townhomes
Property Address: 7818 Dufferin Street
Municipality: City of Vaughan
Municipal File No.: Z.21.006
OLT Case No.: OLT-22-004198
OLT Lead Case No.: OLT-22-004197

BEFORE:

S. deBOER
MEMBER

) Tuesday, the 5th
)
) day of March 2024

THESE MATTERS having come before the Tribunal for a settlement motion in writing filed on February 13, 2024;

AND THE TRIBUNAL having previously been advised of a settlement reached between the Applicant/Appellant, 7818 Dufferin Inc., the Municipal Authority, the City of Vaughan (the “**City**”), and the Regional Municipality of York (the “**Region**”);

AND THE TRIBUNAL having received and considered the materials filed, including the uncontested opinion evidence of Gregg Fordyce, RPP, and the exhibits attached thereto, and having qualified Gregg Fordyce to give expert opinion evidence in the area of land use planning;

AND THE TRIBUNAL having accepted the uncontested opinion evidence of Gregg Fordyce as presented in his affidavit, finds that the subject applications have regard to those applicable matters of provincial interest found in section 2 of the *Planning Act*, are consistent with the Provincial Policy Statement, conform with the Growth Plan for the Greater Golden Horseshoe, conform with the York Region Official Plan 2010 and the City of Vaughan Official Plan 2010, and reflect principles of good land use planning and are in the public interest;

AND THE TRIBUNAL having received confirmation from the Applicant/Appellant, the City and the Region that the sought amendments are in final form;

THE TRIBUNAL ORDERS THAT:

1. The appeal filed by the Applicant/Appellant pursuant to subsection 22(7), concerning an application for site-specific official plan amendment (OLT Case No. OLT-22-004197), is allowed, in part;
2. The appeal filed by the Applicant/Appellant pursuant to subsection 34(11), concerning an application for site-specific zoning by-law amendment (OLT Case No. OLT-22-004198), is allowed, in part;
3. The following amendments are approved:
 - a. the Official Plan Amendment included as **Attachment “A”** to this Order;
 - b. the Zoning By-law Amendment included as **Attachment “B”** to this Order;
4. The Tribunal authorizes the City Clerk to format and assign a number to these by-laws for record keeping purposes; and
5. The Tribunal may be spoken to concerning issues arising from the implementation of this Order.

“Euken Lui”

EUKEN LUI
ACTING REGISTRAR

Ontario Land Tribunal

Website: 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.

Attachment “A”***THE CITY OF VAUGHAN******BY-LAW*****BY-LAW NUMBER 187-2025**

A By-law to adopt Amendment Number 142 to the Vaughan Official Plan 2010 for the Vaughan Planning Area, as effected by the Ontario Land Tribunal.

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 142 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, as effected by the Ontario Land Tribunal Order, dated the 7th day of March, 2024, (OLT File No. OLT-22-004197) attached hereto as Attachment “A” consisting of the attached text, Schedules “1”, “2”, and “3” and Appendix “I” is hereby adopted.

**THE CITY OF VAUGHAN BY-
LAW**

BY-LAW NUMBER 187-2025

A By-law to adopt Amendment Number 142 to the Vaughan Official Plan 2010 for the Vaughan Planning Area.

NOW THEREFORE the Council of the Corporation of the City of Vaughan
ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 142 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedules “1”, “2”, and “3”, is hereby adopted.
2. AND THAT the City Clerk is hereby authorized and directed to make application to the Regional Municipality of York for approval of the aforementioned Amendment Number to the Official Plan of the Vaughan Planning Area.
3. AND THAT this By-law shall come into force and effect on the day of the final passing thereof.

Order into effect by Ontario Land Tribunal Order issued the XX day of XX, 2025.

**AMENDMENT NO. 142
TO THE
VAUGHAN OFFICIAL PLAN 2010 OF THE
VAUGHAN PLANNING AREA**

The following text and Schedules “1”, “2” and “3” constitute Amendment Number 142 to the
Official Plan of the Vaughan Planning Area

Also attached hereto but not constituting part of the Amendment is Appendix “1”

I. PURPOSE

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan 2010 (VOP 2010) as partially approved by the Ontario Municipal Board, specifically, Volume 1 Section 9.2 Land Use Designations and Permitted Building Types to redesignate the Subject Lands from “Community Commercial Mixed Use” to “High-Rise Mixed-Use” and “Parks”.

This Amendment will facilitate the following with respect to the Subject Lands identified as “Area Subject to Amendment No.142” on Schedule “1” attached hereto:

1. Permit a High-Rise Mixed-Use development comprised of (2) two mixed-use buildings with building heights of 27- and 22-storeys, and two blocks of townhouse dwellings with building heights of 3-storeys, with a density of 5.29 times the area of the lot.

II. LOCATION

The Lands subject to this Amendment (hereinafter referred to as the “Subject Lands”) are located on the north-west corner of Dufferin Street and Centre Street and are known municipally as 7818 Dufferin Street, being part of Lots 22, 25, 26, 27 and 28, Registrar’s Compiled Plan 10309, the City of Vaughan as shown on Schedule “1”, “2” and “3” attached hereto as “Area Subject to Amendment No.142”.

III. BASIS

The decision to amend the City of Vaughan Official Plan 2010 (VOP 2010) is based on the following considerations:

1. This Amendment is consistent with the Provincial Policy Statement (PPS) as it proposes intensification of land uses in an urban area serviced by a higher-order rapid transit corridor. The PPS promotes efficient, cost-effective development and land-use patterns that are based on densities which:
 - i. Efficiently use land, resources, infrastructure, and public service facilities;
 - ii. Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and,
 - iii. Are transit-supportive, where transit is planned, exists, or may be developed.

The PPS promotes an appropriate range and mix of housing types and densities required to meet the projected requirements of current and future residents, by maintaining residential growth for a minimum of 10 years through residential redevelopment and intensification. The proposed development is consistent with the Provincial Policy Statement 2020 and promotes its goals and objectives.

2. As directed by A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, intensification is to be implemented by way of municipal Official Plans. The Growth Plan's growth management strategy directs upper and local municipalities to determine where and how to accommodate growth and intensification. A major focus of intensification is to be directed to areas within walking distance of higher-order transit, known as Major Transit Station Areas, in which the Subject Property is located in. The proposed development is consistent with the Region and City's intensification strategy required by the Growth Plan as the lands are located on a Regional Intensification Corridor (Centre Street), which is identified as Intensification Areas in the VOP 2010. The proposed development conforms to the Growth Plan by directing growth and a range of uses within the built-up area, along an Intensification Corridor and by promoting transit-supportive densities that support the viability of the existing transit network and the City's intensification policies.

2. The York Region Official Plan 2022 (YROP) identifies the subject property, as being located within an "Urban Area" adjacent to a "Regional Corridor". Urban Areas "will accommodate a significant portion of the planned growth in the Region" and Regional Corridors "are planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form" The proposed development conforms with the YROP policies in that it provides an appropriate form of intensification within the built-up urban area of York Region, serviced by higher-order transit.

3. The Vaughan Official Plan designates the Subject Lands as Community Commercial Mixed Use. The Community Commercial Mixed-Use designation does not permit high-rise buildings, townhouses and residential uses, thus requiring an Official Plan Amendment to permit the proposed uses. Schedule 1 of the VOP identifies the Subject Lands as being located on a "Regional Intensification Corridor", where Provincial and Regional policies encourage intensification and provide compact development with densities that support the viability of the transit network while providing for a mix of housing types. As such the approval of this Amendment is appropriate.

4. The statutory Public Meeting was held on June 14, 2021. The recommendation of the Committee of the Whole to receive the Public Meeting report of June 14, 2021, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on June 22, 2021. Subsequently, on February 22, 2023, Vaughan Council adopted, with an amendment, the Committee of the Whole recommendation, to advise the Ontario Land Tribunal that Vaughan Council endorses the recommendation to approve the Official Plan and Zoning By-law Amendment Files OP.21.004 and Z.21.006 (7818 Dufferin Inc.).

An Ontario Land Tribunal Settlement Hearing was held on February 13, 2024.

IV. DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan, is hereby further amended by:

1. Amending Volume 1, Schedule 13 to change the land use designation on the lands identified in Schedule “1” attached hereto from “Community Commercial Mixed-Use” to “High-Rise Mixed-Use” and “Parks”, and to add a height limit of up to a maximum of 27-storeys and a density limit of 5.29 as shown on Schedule “1”.
2. Amending Volume 1, Schedule 14 – C “Areas Subject to Site Specific Policies of VOP 2010, by adding the Subject Lands identified on Schedule “2” to this Amendment attached hereto, being the lands municipally known as 7818 Dufferin Street as item # 81.
3. Amending Volume 2, Section 13.1 “Areas Subject to Site-Specific Policies” by adding the following policy, to be renumbered in sequential order

“(OPA 142) 13.1.1.81 of the lands known as 7818 Dufferin Street are identified on Schedule 14-C as item # 81 and are subject to the policies set out in Section 13.82 of the Plan.”

4. Adding the following policies to Section 13 – “Site Specific Policies”, to be renumbered in sequential order, including a location map of the Subject Lands as per Schedule “3”.

“(OPA 142) 13.82 7818 Dufferin Street

 13.82.1 General

 13.82.1.1 The following policies shall apply to the lands identified on Map 13.82.A

 13.82.1.2 Notwithstanding 9.2.2.6, the lands identified on Map 13.82.A shall permit a High-Rise Mixed-Use development consisting of two (2) apartment buildings with building heights of 22-storeys and 27-storeys and two (2) townhouse blocks with building heights of up to 3-storeys, and an overall density of 5.29 FSI.

 13.82.1.3 Notwithstanding Section 9.2.3.6 d ii), for the Subject Lands referred to in clause “1”, the portion of the High-Rise Buildings above seven storeys should be setback a minimum of 1.5 metres from the front lot line (Centre Street), and a minimum of 5.5 metres from the exterior side lot line (Dufferin Street).

V. IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands will be implemented by way of an amendment to the Vaughan Zoning By-law, pursuant to the *Planning Act*.

VI. INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

APPENDIX I**Summary to Official Plan Amendment No.142**

The lands subject to this Amendment are located on the northwest corner of Dufferin Street and Centre Street and are known municipally as 7818 Dufferin Street, being part of Lots 22, 25, 26, 27 and 28, Registrar's Compiled Plan 10309, City of Vaughan.

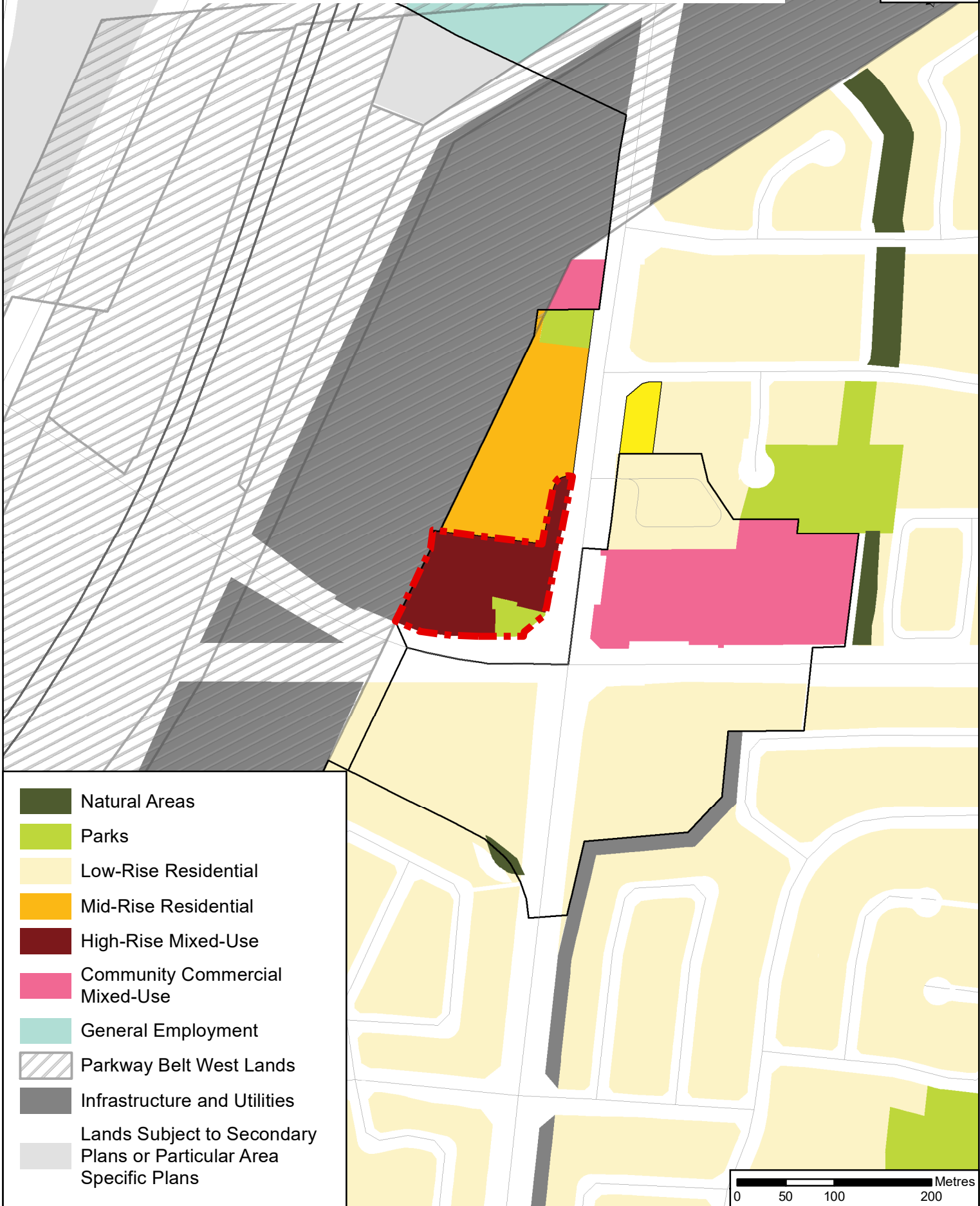
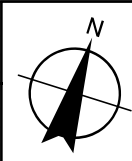
The purpose of this Amendment is to amend the Official Plan of the Vaughan Planning Area, specifically to amend Volume 1 – Schedule 13 and Schedule 14-C, and Volume 2 Section 13 – “Site Specific Policies” to redesignate the Subject Lands from “Community Commercial Mixed-Use” to “High-Rise Mixed-Use” and “Parks”, to permit a 22-storey mixed-use building, a 27-storey mixed-use building and two blocks of 3-storey townhouses with a maximum permitted density of 5.29 times the area of the lot and a maximum building height of 86.82 metres (exclusive of any mechanical penthouse).

The Owner submitted Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) Application Files OP.21.004 and Z.21.006 on March 4, 2021, to the City of Vaughan. On June 30, 2022, the Owner appealed the OPA and ZBA Applications to the Ontario Land Tribunal, pursuant to subsection 22(7) and 34(11) respectively, of the *Planning Act* citing that the City failed to make a decision within the prescribed time.

An Ontario Land Tribunal Settlement Hearing was held on February 13, 2024.


The interim Decision and Order of the Ontario Land Tribunal dated March 7, 2024 and the final Order of the Ontario Land Tribunal dated March 7, 2024 regarding the Subject Lands located at 7818 Dufferin Street being Part of Lots 22, 25, 26, 27 and 28, Registrar's Compiled Plan 10309, City of Vaughan, to approve the OPA and ZBA, are attached.

This is Part of Schedule 13 - Land Use
To Vaughan Official Plan 2010, Volume 1

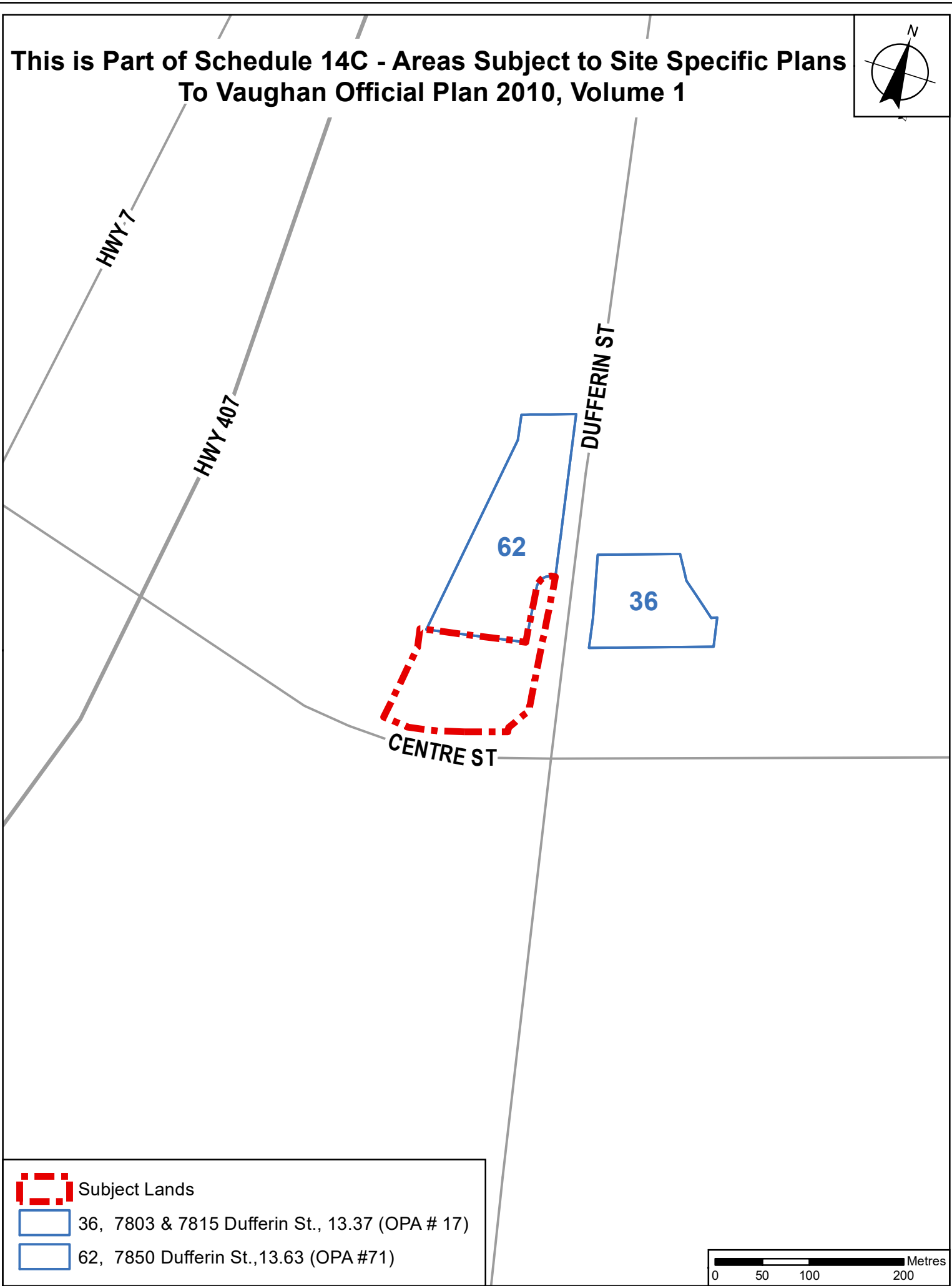
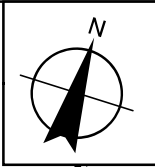


This is Schedule '1'
To Official Plan Amendment No.142

File: OP.21.004
Related File: Z.21.006
Location: 7818 Dufferin Street
Part Lot 6, Concession 3
Applicant: 7818 Dufferin Inc.
City of Vaughan

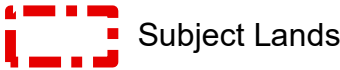
 Subject Lands

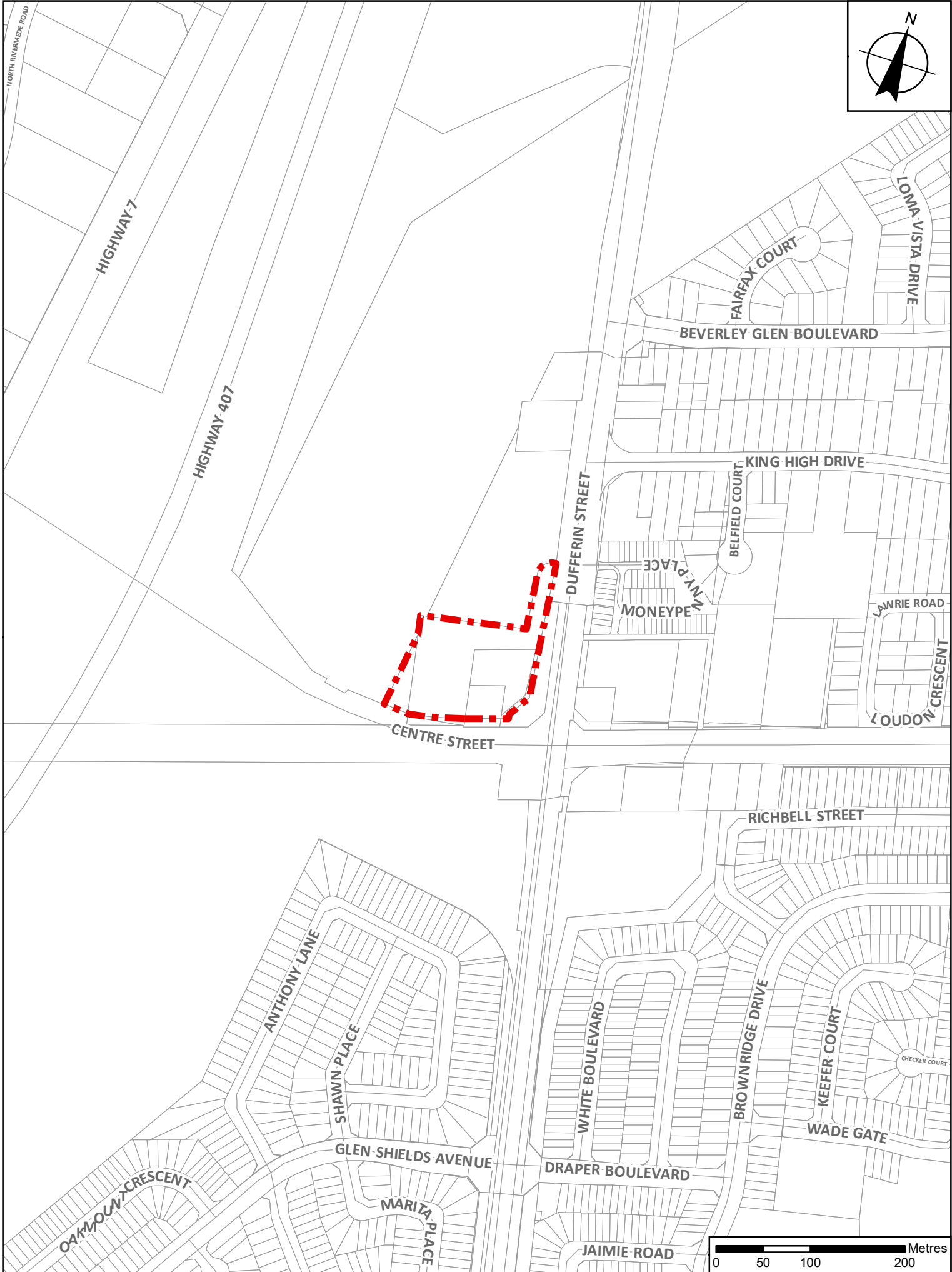
This is Part of Schedule 14C - Areas Subject to Site Specific Plans
To Vaughan Official Plan 2010, Volume 1



This is Schedule '2'
To Official Plan Amendment No.142

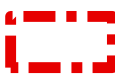
File: OP.21.004
Related File: Z.21.006
Location: 7818 Dufferin Street
Part Lot 6, Concession 3,
Applicant: 7818 Dufferin Inc.
City of Vaughan





This is Schedule '3'
To Official Plan Amendment No.142

File: OP.21.004
Related File: Z.21.006
Location: 7818 Dufferin Street
Part of Lot 6, Concession 3
Applicant: 7818 Dufferin Inc.
City of Vaughan

 Lands Subject to
Amendment No. __