

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 190-2026

A By-law to amend City of Vaughan By-law 001-2021, as amended.

WHEREAS an application for Zoning By-law Amendment was filed with respect to the lands at 9650 Highway 27, City of Vaughan to permit a residential development;

AND WHEREAS the application was appealed to the Ontario Land Tribunal as Case No. OLT-25-000034 and the Tribunal made an order with respect to the appeal on August 25, 2026;

NOW THEREFORE the Ontario Land Tribunal ORDERS AS FOLLOWS:

1. That City of Vaughan By-law Number 001-2021, as amended, is hereby further amended by:
 - a) Rezoning a portion of the lands shown as “Subject Lands” on Schedule “1” attached hereto from “EP Environmental Protection Zone” to “RM2 Multiple Unit Residential Zone” with a Holding Symbol “(H)”, in the manner shown on the said Schedule “1”.
 - b) Adding a new Part 14 Exception Zone with a new Subsection, being Subsection 14.1265, as follows:

Exception Number 14.1265	Municipal Address: 9650 Highway 27
Applicable Parent Zone: EP, RM2	
Schedule A Reference: 138	
By-law: 190-2026	
14.1265.1 Permitted Uses	
1. The following provisions shall apply to all lands <u>zoned</u> with the Holding Symbol “(H)”, as shown on Figure E-1855, until the Holding Symbol “(H)” is removed pursuant to section 36 of the <i>Planning Act</i>: a. Lands <u>zoned</u> with the Holding Symbol “(H)” shall be <u>used</u> only for a <u>use</u> legally existing as of the date of the enactment of By-law 190-2026. b. The removal of the Holding Symbol “(H)” from the Subject Lands or any portion or phase thereof, shall be contingent on satisfying the following conditions, to the satisfaction of the City and, where applicable, York Region: i. The approval of a Site Plan Application, which shall include a 0.087 ha. restoration area within the lands <u>zoned</u> RM2 Multiple Unit Residential Zone, as shown on Figure E-1855, to the satisfaction of the City. The restoration area plan shall detail the type of trees to be replanted, soil conditions, soil volume, minimum tree spacing, and other details included in the Tree Protection Protocol, to the satisfaction of the City. ii. The owner shall submit a Functional Servicing and Stormwater Management Report (FS & SWMR), which addresses all outstanding comments and includes the following information, to the satisfaction of the Development Engineering Department: 1. Short-term construction and long-term dewatering information and recommendations provided in an approved and final Hydrological Report; 2. Implementation of necessary and feasible servicing infrastructure upgrades to facilitate the proposed development, and if required, shall be subject to the approved Master Environmental Servicing Plan (MESP) and Block Plan for Block 60 East; 3. Updated downstream sanitary capacity analysis complete with up-to-date population densities for any approved and proposed development applications (including the subject proposal) within the vicinity of the Subject Lands that impact the external sanitary servicing infrastructure required to service the development and shall consider active and/or potential re-development of existing un-serviced lands fronting Highway 27 to identify and confirm downstream wastewater infrastructure improvements in its analysis as any upgrades would benefit any existing un-serviced lands including the subject development; 4. Hydrant Flow and Pressure Test required to determine if there is sufficient domestic and fire flow water supply	

and pressure meeting the City's design criteria, and if required, determine what water distribution upgrades may or may not be required;

5. Appropriate justification, grading, servicing, and stormwater modelling information and all inspection, operation and maintenance, and future rehabilitation/replacement costs for any proposed municipal stormwater management facilities in accordance with the City's Non-Conventional Stormwater Management Facility Criteria, Policy and Procedure; and
6. Language which demonstrates that the proposed design adheres to the City of Vaughan's Consolidated Linear Infrastructure - Environmental Compliance Approval for sanitary and stormwater management.

- iii. Should any new municipal infrastructure and/or existing municipal infrastructure improvements be identified internal and/or external to the Subject Lands, as required to service the development, the owner shall enter into any land development agreements necessary with the City to secure for the construction and conveyance of the identified improvements, to the satisfaction of the City.
- iv. The owner shall contribute its share of the cost of infrastructure works and/or undertake the necessary improvement works and enter into any land development agreements necessary (if required) with the City, for the works associated with implementing the municipal servicing improvements for the interim and ultimate build-out conditions. The owner's contributions are to be based on the conclusions and recommendations of the approved Integrated Urban Water Master Plan Environmental Assessment and latest Functional Servicing Strategy Report, as required, to the satisfaction of the City.
- v. The owner shall provide engineering drawings for review and approval and complete the implementation of any required internal and external improvements as identified in the Transportation Impact Study and FS & SWMR, all to the satisfaction of the City.
- vi. The owner shall provide a reliance letter, in accordance with the City's reliance letter template, for the provided Environmental Site Assessment report.
- vii. Vaughan Council adopts a resolution allocating sewage and water supply capacity following the City's approved Servicing Capacity Distribution Policy, assigning capacity to the subject lands.

2. Only the following use shall be permitted on the lands zoned RM2 Multiple Unit Residential Zone, as shown on Figure E-1855:

- a. Apartment Dwelling.

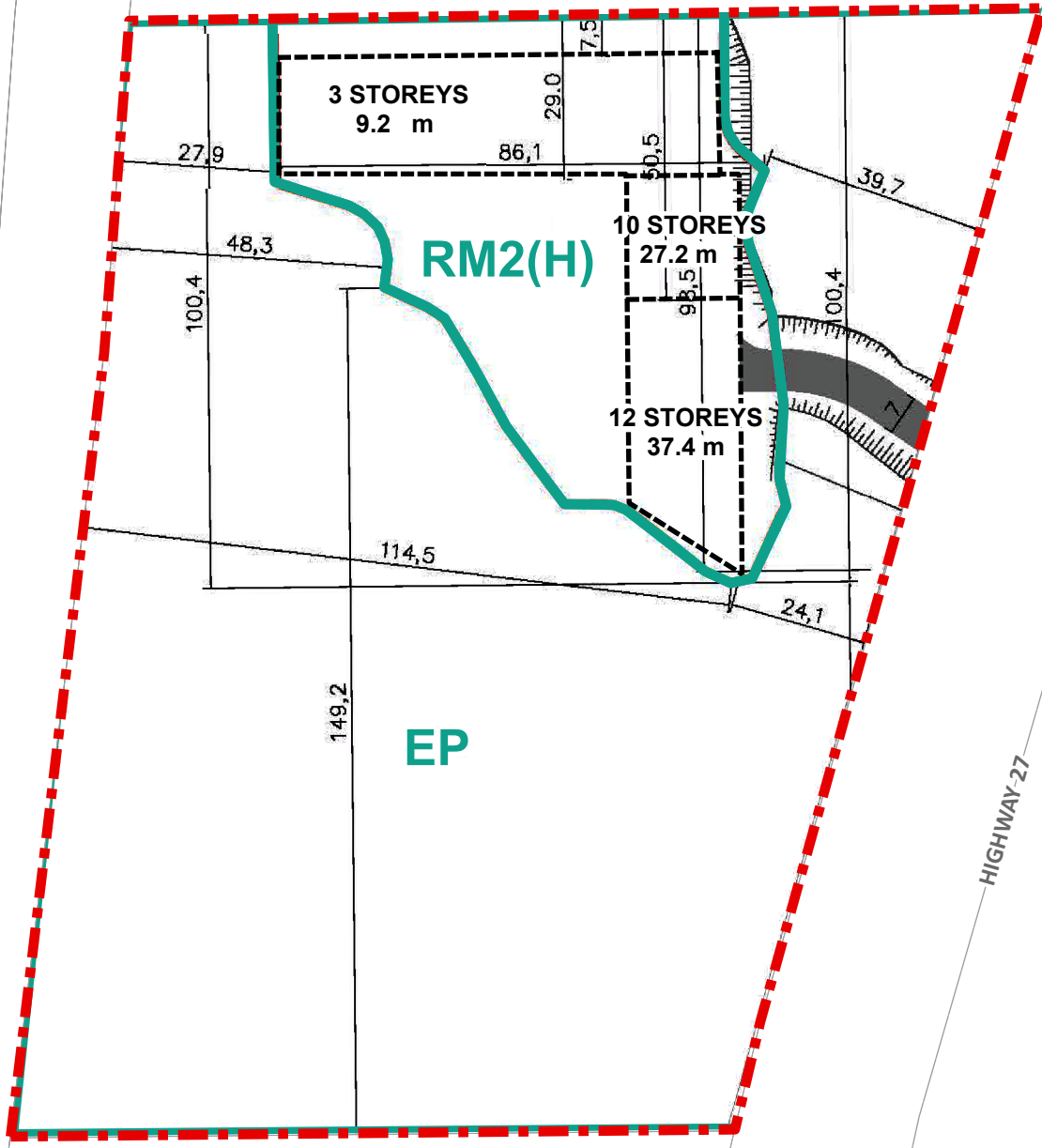
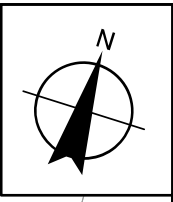
3. Only the following uses shall be permitted on the lands zoned EP Environmental Protection Zone, as shown on Figure E-1855:

a. <u>Conservation Use</u>; b. <u>Passive Recreational Use</u>; and c. One <u>driveway</u> leading from Highway 27 to the <u>apartment dwelling</u> in the RM2 Multiple Unit Residential Zone and shall be located as shown on Figure E-1855.	
14.1265.2	Lot and Building Requirements
1. The following provisions shall apply to the lands <u>zoned</u> RM2 Multiple Unit Residential Zone, as shown on Figure “E-1855”: a. The maximum number of <u>dwelling units</u> shall be 200. b. The location of the <u>apartment dwelling</u> and maximum <u>height</u> of the <u>building</u> within said location shall be as shown on Figure E-1855: i. The maximum <u>height</u> of the 12-storey portion of the <u>apartment dwelling</u> shall be 37.4 m; ii. The maximum <u>height</u> of the 10-storey portion of the <u>apartment dwelling</u> shall be 27.2 m; and iii. The maximum <u>height</u> of the 3-storey portion of the <u>apartment dwelling</u> shall be 9.2 m. c. The maximum <u>gross floor area</u> shall be 17,735 m². d. The maximum <u>floor space index</u> shall be 0.64 and the <u>lot area</u> shall be the entirety of the Subject Lands, as shown on Figure E-1855.	
14.1265.3	Other Provisions
1. The following additional provision shall apply to the lands <u>zoned</u> EP Environmental Protection Zone, as shown on Figure E-1855: a) A <u>passive recreational use</u> shall exclude <u>parking areas</u> associated with any of the <u>uses</u> which form part of its definition. 2. The following additional provisions shall apply to the lands <u>zoned</u> RM2 Multiple Unit Residential Zone, as shown on Figure E-1855: a) No encroachments shall be permitted within the northern <u>interior side yard</u>. b) The northern <u>interior side yard</u> shall only be used for hiking and walking trails, boardwalks and bicycle paths.	
14.1265.4	Figures
Figure E-1855	

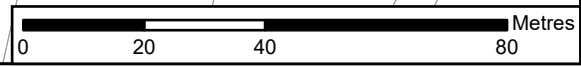
- c) Adding a new Figure E-1855 in Subsection 14.1265 attached hereto as Schedule “1”.
- d) Amending Map 138 in Schedule A in the form attached hereto as Schedule

“2”.

2. Schedules “1” and “2” shall be and hereby form part of this By-law.

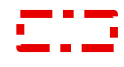


THIS IS FIGURE 'E-1855'
TO BY-LAW 001-2021
SECTION 14.1265



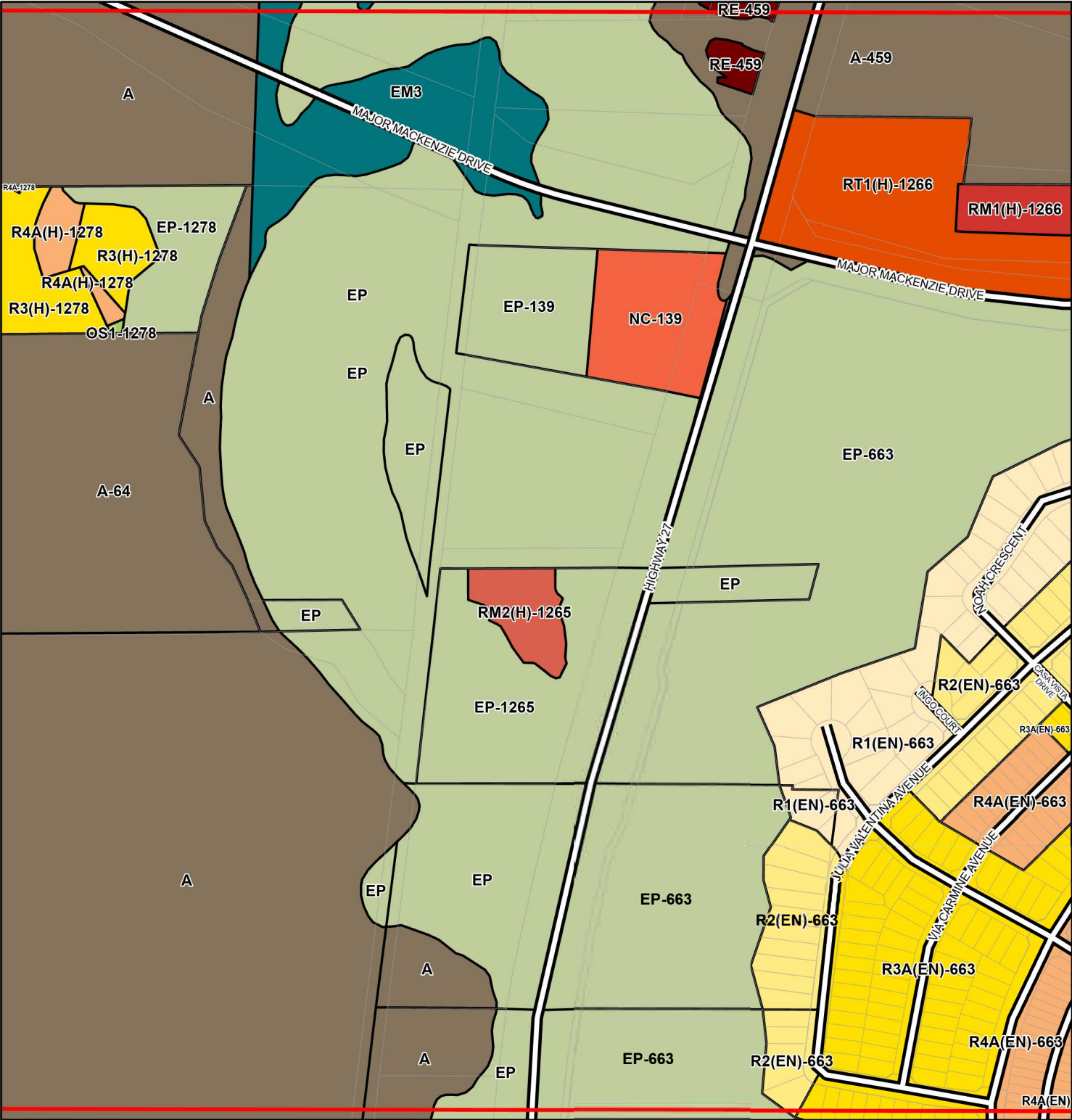
THIS IS SCHEDULE '1'
TO BY-LAW 190-2026
APPROVED BY THE OLT THE 25TH DAY OF AUGUST, 2026

File: Z.21.053
Related File: OP.21.025
Location: 9650 Highway 27
Part of Lot 18, Concession 8
Applicant: 2708971 Ontario Inc.
City of Vaughan

 Subject Lands

Zoning By-law 001 - 2021

Schedule A | Map 138



- Conservation, Open Space and Agricultural Zones

 - A (Agriculture Zone)
 - OS1 (Public Open Space Zone)
 - OS2 (Private Open Space Zone)
 - EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

 - V1 (Station Precinct Zone)
 - V2 (South Precinct Zone)
 - V3 (Neighbourhood Precinct Zone)
 - V4 (Employment Precinct Zone)
- Residential Zones

 - R1 (First Residential Zone)
 - R2 (Second Residential Zone)
 - R3 (Third Residential Zone)
 - R4 (Fourth Residential Zone)
 - R5 (Fifth Residential Zone)
 - RT (Townhouse Zone)
 - RM1 (Multiple Residential Zone 1)
 - RM2 (Multiple Residential Zone 2)
 - RE (Estate Residential Zone)
- Commercial Zones

 - GC (General Commercial Zone)
 - NC (Neighbourhood Commercial Zone)
 - CC (Convenience Commercial Zone)
 - SC (Service Commercial Zone)

Mixed-Use Zones

 - LMU (Low-Rise Mixed-Use Zone)
 - MMU (Mid-Rise Mixed-Use Zone)
 - HMU (High-Rise Mixed-Use Zone)
 - GMU (General Mixed-Use Zone)
 - CMU (Community Commercial Mixed-Use Zone)
- Employment Zones

 - EMU (Employment Commercial Mixed-Use Zone)
 - KMS (Main Street Mixed-Use - Kleinburg Zone)
 - MMS (Main Street Mixed-Use - Maple Zone)
 - WMS (Main Street Mixed Use - Woodbridge Zone)
 - EM1 (Prestige Employment Zone)
 - EM2 (General Employment Zone)
 - EM3 (Mineral Aggregate Operation Zone)
- Other Zones

 - I1 (General Institutional Zone)
 - I2 (Major Institutional Zone)
 - U (Utility Zone)
 - FD (Future Development Zone)
 - PB1 (Parkway Belt Public Use Zone)
 - PB2 (Parkway Belt Complementary Use Zone)
 - PB3 (Parkway Belt West Recreational Zone)
- These lands shall not be subject to Zoning By-law 001-2021
- 1:5,000

VAUGHAN				
174	175	176	177	178
155	156	157	158	159
136	137	138	139	140
118	119	120	121	122
100	101	102	103	104
Final: July 2026				

This is Schedule '2'
To By-Law 190-2026
Passed the 25th Day of August, 2026

File: Z.21.053
Related File: OP.21.025
Location: 9650 Highway 27
Part of Lot 18, Concession 8
Applicant: 2708971 Ontario Inc.
City of Vaughan

Signing Officers

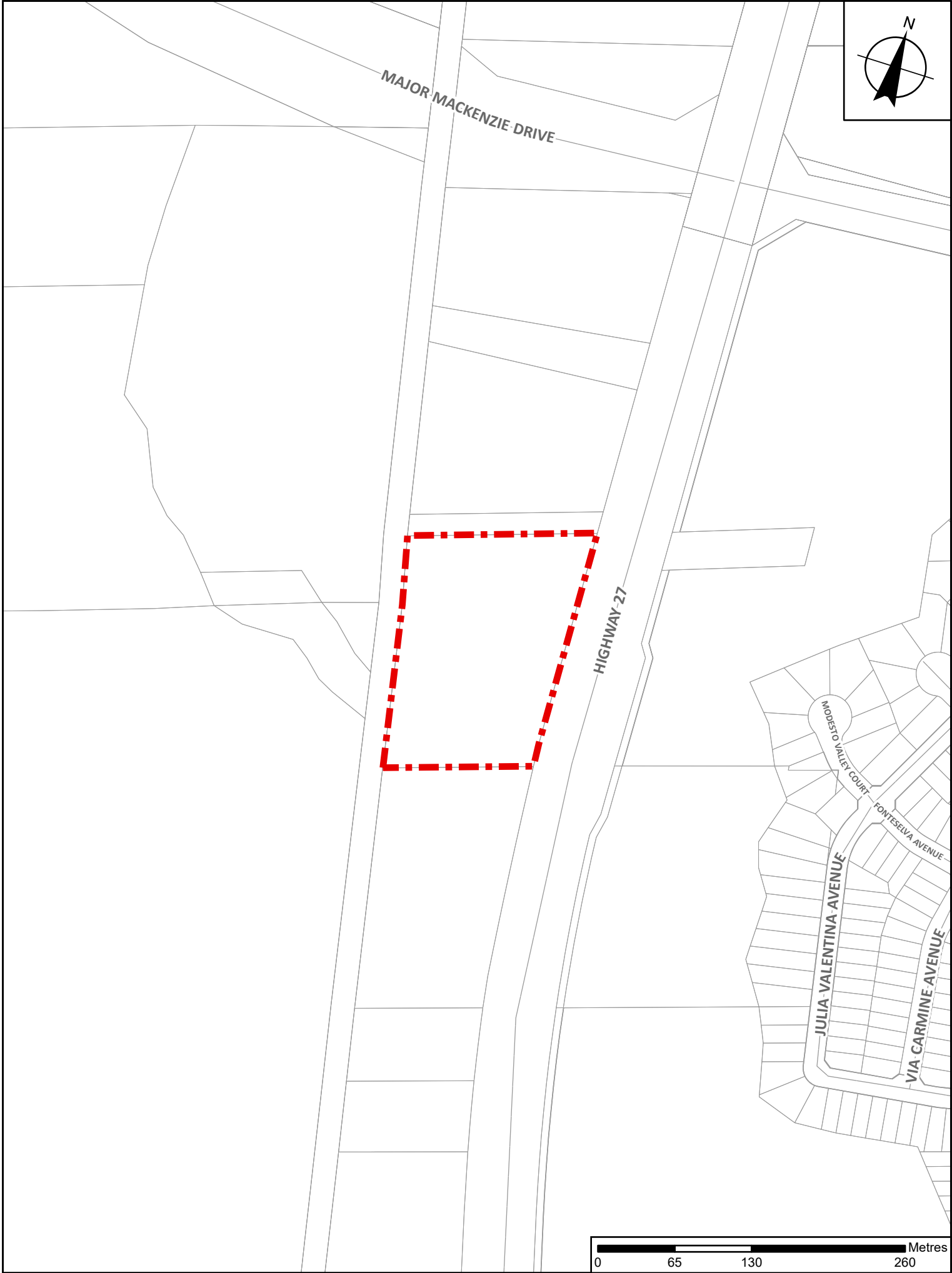
Mayor

Clerk

SUMMARY TO BY-LAW 190-2026

The lands subject to this By-law are located west of Highway 27, south of Major Mackenzie Drive West, being Part of Lot 18, Concession 8, and municipally known as 9650 Highway 27, City of Vaughan, Regional Municipality of York.

The purpose of this By-law is to amend City of Vaughan Zoning By-law 001-2021 to rezone a portion of the subject lands from EP Environmental Protection Zone to RM2 Multiple Unit Residential Zone with a Holding Symbol “(H)”, together with site-specific zoning exceptions to permit the development of a mid-rise residential building with a terraced built form comprised of 3-storeys, 10-storeys, and 12-storeys, containing 200 dwelling units, with a maximum gross floor area of 17,735 m² and a maximum floor space index of 0.64.



Location Map
To By-Law 190-2026

File: Z.21.053
Related File: OP.21.025
Location: 9650 Highway 27
Part of Lot 18, Concession 8
Applicant: 2708971 Ontario Inc.
City of Vaughan

 Subject Lands

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: August 25, 2026

CASE NO(S).:

OLT-25-000033

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

Applicant and Appellant:

2708971 Ontario Inc.

Subject:

Request to amend the Official Plan – Failure to adopt the requested amendment

Description:

To permit the development of a 21-storey residential tower on a 12-storey podium containing a total of 339 residential units and having a Floor Space Index of 5.45 times the area of the lot

Reference Number:

OP.21.025

Property Address:

9650 Highway 27

Municipality/UT:

City of Vaughan/ Regional Municipality of York

OLT Case No.:

OLT-25-000033

OLT Lead Case No.:

OLT-25-000033

OLT Case Name:

2708971 Ontario 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:

2708971 Ontario Inc.

Subject:

Application to amend the Zoning By-law – Neglect to make a decision

Description:

To permit the development of a 21-storey residential tower on a 12-storey podium containing a total of 339 residential units and having a Floor Space Index of 5.45 times the area of the lot

Reference Number:

Z.21.053

Property Address:

9650 Highway 27

Municipality/UT:	City of Vaughan/ Regional Municipality of York
OLT Case No.:	OLT-25-000034
OLT Lead Case No.:	OLT-25-000033

Heard: July 24, 2026 by video hearing

APPEARANCES:

Parties

2708971 Ontario Inc.

City of Vaughan

Counsel

R. Cheeseman
S. Fleming

C. Tashos
V. Perricciolo

**MEMORANDUM OF ORAL DECISION DELIVERED BY CARMINE TUCCI ON
JULY 24, 2026 AND ORDER OF THE TRIBUNAL**

[Link to Order](#)

INTRODUCTION

[1] The matter before the Tribunal was in respect of appeals filed pursuant to ss. 22(7) and 34(11) of the *Planning Act* (“Act”) by 2708971 Ontario Inc. (“Appellant”) against the City of Vaughan (“City”) for its failure to make a decision on Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) Applications (“Applications”) within the timeframe prescribed by the Act.

[2] The lands that are the subject of the Applications are located on the west side of Highway 27, south of Major Mackenzie Drive West, municipally known as 9650 Highway 27, in the City (“Subject Lands”). The Subject Lands are approximately 7 acres in size.

[3] The Applications are required to permit the development of a 21-storey residential tower on a 12-storey podium containing a total of 339 residential units, with a Floor Space Index ("FSI") of 5.45 times the area of the lot.

[4] The Tribunal heard that the Parties confirmed that a settlement had been reached and was presented for the consideration of the Tribunal ("Settlement").

EVIDENCE AND SUMMARY OPINION

[5] The Tribunal was presented with the witness statement of Draga Barbir ("Expert Barbir"), the Principal of Barbir and Associates Planning Consultants Ltd., in support of the Settlement.

[6] Expert Barbir was affirmed and qualified to provide expert evidence in relation to land use planning.

[7] Expert Barbir provided that the revised settlement proposal comprises of:

	Initial Application	Proposed Settlement
Lot Area	2.81 hectares ("ha") / 28,084.00 square metres ("m ² ")	2.81 ha / 28,084.00 m ²
Building Height	72 ("metres") m	37.4 m
Gross Floor Area	31,489.71 m ²	17,735 m ²
FSI	1.12	0.64
Dwelling Units	339	200

[8] Ms. Barbir provided that the revised Applications seek approval for residential development on the Subject Lands. As part of the settlement process, the Parties agreed that the portion of the Subject Lands adjacent to the Humber River, including the required ravine setback area, would be retained for conservation and/or passive

recreational purposes. In addition, the area fronting Highway 27 will be protected through Environmental Protection (EP) zoning and will remain under the ownership of the landowner.

REQUIRED AMENDMENTS

[9] Ms. Barbir testified that, to implement the settlement proposal, amendments to the City of Vaughan 2010 Official Plan (“VOP”) and the City’s Comprehensive Zoning By-law, being By-law No. 001-2021, are required.

City of Vaughan 2010 Official Plan Amendments

[10] The OPA proposes changes to Volume 1 of the VOP 2010. Specifically, Schedule 1 of the VOP will be amended to redesignate a portion of the Subject Lands from “Natural Area and Countryside” to “Community Areas”. Schedule 1C of the VOP will similarly be amended to redesignate a portion of the Subject Lands from “Natural Area and Countryside” to “Community Areas”. Schedule 2 of the VOP will be amended to remove the “Unapproved” designation and revise the boundary of the “Core Features” designation as it applies to the Subject Lands. In addition, Schedule 13 of the VOP will be amended to redesignate a portion of the Subject Lands from “Natural Areas” to “Mid-Rise Residential”.

City of Vaughan Comprehensive Zoning By-law Amendments

[11] The ZBA seeks to zone the “Developable Area” as “RM2 Multiple Unit Residential Zone”, which will permit the development of an apartment dwelling on the Subject Lands. The zoning also establishes the applicable development standards, including a maximum of 200 residential units and a tiered building form consisting of three storeys (9.2 m), 10 storeys (27.2 m), and 12 storeys (37.4 m).

[12] The balance of the Subject Lands will be zoned “EP Environmental Protection Zone”, permitting only the following uses:

- Conservation uses;
- Passive recreational uses; and
- A single driveway providing access from Highway 27 to the apartment dwelling located within the RM2 Zone.

[13] Expert Barbir added that the “Developable Area” will be subject to a Holding (H) Symbol, which may only be lifted once the following requirements have been satisfied, to the satisfaction of the City, and where applicable, the Regional Municipality of York (“York Region”):

- a. Approval of a Site Plan Application;
- b. Submission and acceptance of a Functional Servicing and Stormwater Management Report (“FS&SMR”) addressing the matters identified in the draft ZBA;
- c. Execution of any required land development agreements where new municipal infrastructure, or upgrades to existing infrastructure, are determined to be necessary;
- d. The owner's contribution toward the cost of required infrastructure works and/or completion of any necessary improvements identified through the FS&SMR, together with the execution of any required development agreements, to the satisfaction of the City;

- e. Submission of detailed engineering drawings for review and approval, and completion of all required internal and external improvements identified through the Transportation Impact Study (“TIS”) and FS&SMR, to the satisfaction of the City;
- f. Provision of a reliance letter for the Environmental Site Assessment Report; and
- g. Adoption by City Council of a resolution allocating adequate sanitary sewage and water supply capacity in accordance with the City's approved Servicing Allocation Policy.

[14] The Holding (H) Symbol is intended to ensure that all servicing, infrastructure, environmental, transportation, and capacity-related matters are satisfactorily addressed before development may proceed on the Subject Lands.

[15] Expert Barbir opined that the Settlement Proposal;

- 1. Has regard for matters of provincial interest under s. 2 of the Act;
- 2. Is consistent, and does not conflict, with the Provincial Planning Statement, 2024 (“PPS”);
- 3. Conforms to the York Region Official Plan, 2022 (“YROP”);
- 4. Conforms, subject to approval of the Applications, to the VOP; and
- 5. Is appropriate for the Subject Lands, represents good planning, and is in the public interest.

FINDINGS

[16] On the strength of the uncontradicted expert opinion evidence of Expert Barbir, and upon a review of the applicable provisions of the Act, the PPS, the YROP, and the VOP, the Tribunal is satisfied that the proposed Applications represent an efficient use of land, resources, and infrastructure.

[17] The Tribunal finds that the revised settlement proposal represents a substantial reduction from the original development concept, decreasing the building height from 21 storeys to a tiered form with maximum heights of 3, 10, and 12 storeys.

[18] Further, the Tribunal is satisfied that the concerns raised by the owner of the adjacent northern property have been adequately addressed. Specifically, the Settlement incorporates a 7.5 m setback from the northern property line and restricts the portion of the building nearest to that boundary to a maximum height of three storeys. These design measures, together with the proposed stepped building form, are expected to minimize potential impacts on the neighbouring property, including shadowing and overlook effects.

[19] The Tribunal understands that a defined development area was established on the Subject Lands that appropriately separates the proposed development from the ravine and associated environmental features. The detailed delineation of the Regional Greenlands System was undertaken as part of the planning application and mediation process, resulting in a development framework that ensures the majority of the Subject Lands will remain protected within the “EP Environmental Protection Zone”.

[20] The limits of the development area were determined based on the required setbacks from the staked top of the ravine bank, as well as the setbacks necessary to protect significant trees identified for retention. These agreed-upon setbacks, established through the application review and mediation process, define the development envelope within which the proposed building will be constructed.

[21] The Tribunal further finds that the development envelope has been carefully designed to respect the Subject Lands' natural heritage features and the Vegetation Protection Zone requirements of the VOP. Lands located outside the development envelope will be designated "Natural Area" and zoned "EP Environmental Protection Zone", permitting only:

- Conservation uses; and
- Passive recreational uses.

[22] As a result, the vast majority of the Subject Lands will remain protected within the "EP Environmental Protection Zone", thereby preserving the Subject Lands' environmental and natural heritage functions.

[23] The Tribunal is satisfied that the proposed development is appropriately controlled through the application of the Holding (H) Symbol to the "Developable Area".

[24] The Tribunal finds that this Holding (H) Symbol mechanism will ensure that development cannot proceed until all applicable requirements have been fulfilled to the satisfaction of the City, and where necessary, York Region. As such, the Holding (H) Symbol provides an effective means of ensuring that matters related to servicing, infrastructure, transportation, environmental conditions, and municipal capacity are adequately addressed before the Subject Lands are developed.

[25] Tribunal is of the view that the Settlement reached by the Parties is fair and reasonable, and that the resulting Applications represent good planning in the public interest. The Tribunal praises the Parties in working collaboratively and engaging in productive discussions culminating in the Settlement reached in these proceedings.

ORDER

[26] **THE TRIBUNAL ORDERS THAT** the appeal is allowed, in part, and the City of Vaughan 2010 Official Plan is modified, as set out in **Attachment 1** to this Order.

[27] **THE TRIBUNAL ORDERS THAT** the appeal is allowed, in part, and the Tribunal directs the City of Vaughan to amend By-law No. 001-2021, as set out in **Attachment 2** to this Order.

[28] Should the Parties be unable to agree on the final form and content of the Zoning By-law and Official Plan Amendments necessary to implement the Tribunal's Order, the Tribunal may be spoken to.

"Carmine Tucci"

CARMINE TUCCI
MEMBER

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.