THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 223-2026

A By-law to adopt Amendment Number 88 to the Vaughan Official Plan 2010 for the Vaughan Planning Area.

WHEREAS an application for Official Plan Amendment File No. OP.14.010 was filed with respect to the lands at 8158, 8196 and 8204 Kipling Avenue, City of Vaughan to permit six blocks of four-storey back-to-back stacked townhouses consisting of 156 dwelling units;

AND WHEREAS Council did not make a decision on Application OP.14.010 within the time prescribed by the *Planning Act*, R.S.O. 1990, c. P.13, as amended, and the applicant appealed the application to the Ontario Land Tribunal as Case No. OLT-21-001869;

AND WHEREAS the Tribunal made an order with respect to the appeal on November 10, 2026;

AND WHEREAS this By-law is solely for the administrative purpose of implementing the Tribunal's order dated November 10, 2026, and no further approval of Council is required;

NOW THEREFORE the Ontario Land Tribunal ORDERS AS FOLLOWS:

1. THAT the attached Amendment Number 88 to the Vaughan Official Plan 2010 of the Vaughan Planning Area is hereby approved.

AMENDMENT NUMBER 88

TO THE VAUGHAN OFFICIAL PLAN 2010

OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1”, “2”, “3”, “4”, “5”, “6”, and “7” constitute Amendment Number 88 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment, are Appendices “I” and “II”.

I PURPOSE

The purpose of this Amendment to the Vaughan Official Plan 2010 ('VOP 2010') is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically, Volume 2, Chapter 11.5 - Kipling Avenue Corridor Secondary Plan to redesignate the Subject Lands from "Low-Rise Mixed-Use" to "Low-Rise Residential C". This Amendment will facilitate the development of six (6) blocks of four (4)-storey back-to-back stacked townhouses consisting of 156 dwelling units (the 'Development') on the Subject Lands.

This Amendment will facilitate the following with respect to the Subject Lands identified as, "Lands Subject to Amendment No. 88 on Schedule "1" attached hereto:

1. Redesignate the Subject Lands from "Low-Rise Mixed-Use" to "Low-Rise Residential C".

2. Permit a maximum building height of 15.5 metres (four (4) storeys) for back-to-back stacked townhouses.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", are located north of Porter Avenue West and west of Kipling Avenue, and municipally known as 8158, 8196 and 8204 Kipling Avenue, as shown on Schedule "1" attached hereto as "Lands Subject to Amendment No. 88".

III BASIS

The decision to amend VOP 2010 is based on the following considerations:

1. The Provincial Planning Statement, 2024 provides direction on matters of Provincial interest related to land use planning and development and includes

direction related to building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety. The Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist and provides a density to support active transportation and transit. In consideration of the above, the Amendment is consistent with the Provincial Planning Statement, 2024.

2. On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024. Pursuant to subsection 70.13(2) of the *Planning Act*, York Region Official Plan 2022 is deemed to constitute an official plan of the City in respect of any area in the city to which it applies and will remain in effect until the City revokes or amends it. The York Region Official Plan 2022 Map 1 - "Regional Structure" identifies the Subject Lands as "Urban Area", Map 1A - "Land Use Designation" and designates the Subject Lands as "Community Area" which permits a wide range of residential, commercial, industrial and institutional uses. The Development is in conformity with York Region Official Plan 2022.

3. The Subject Lands are designated "Low-Rise Mixed-Use" on Map 11.5.A Kipling Avenue - Land Use of Chapter 11.5 - Kipling Avenue Corridor Secondary Plan in Volume 2 of VOP 2010. This designation permits residential, live-work, and commercial uses within detached, semi-detached, townhouses and low-rise building forms, along with recreational and open space uses. The building height cannot be less than 8.5 metres (two (2) storeys) and cannot exceed 11 metres (three (3) storeys). Section 11.5.12 in Volume 2 of VOP 2010 permits a maximum lot coverage of 50% and a floor space index between 0.6 to 1.0 times the area of the lot. A minimum setback of three (3) metres from Kipling Avenue is required.

The Subject Lands are located within the Woodbridge Heritage Conservation District which is designated under the *Ontario Heritage Act* (Part V). Any development within the Woodbridge Heritage Conservation District is to meet the objectives of Policy 11.5.1.2 a) of Chapter 11.5 - Kipling Avenue Corridor Secondary Plan in Volume 2 of VOP 2010, "To ensure that the scale and massing of new development contributes to the heritage character and attributes of the area."

The proposed Development required a land use redesignation to "Low-Rise Residential C" to permit back-to-back stacked townhouses. In addition, amendments to policies in Chapter 11.5 - Kipling Avenue Corridor Secondary Plan in Volume 2 of VOP 2010 are required to permit a maximum building height of 15.5 metres (four (4) storeys) and a minimum setback of three (3) metres from Kipling Avenue. The proposed Development is an appropriate transition in built form with the surrounding land uses, thereby demonstrating compatibility between the existing buildings and proposed building type and can be supported.

4. The statutory Public Meeting was held on February 3, 2015. The recommendation of the Committee of the Whole to receive the Public Meeting report of February 3, 2015, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on February 17, 2015. Vaughan Council, on February 22, 2023, ratified the February 14, 2023 Committee of the Whole recommendation, as amended and deferred the Official Plan Amendment File OP.14.010 (LCT Investment Group Ltd.). On October 30, 2017, the Applicant appealed Official Plan Amendment Application File OP.14.010 to the Ontario Land Tribunal for Council's failure to make a decision on the Official Plan Amendment.

5. The Official Plan Amendment File OP.14.010 was circulated to York Region for the purpose of receiving comments with regard to Regional interests i.e., roads and servicing infrastructure. The Subject Lands are located on the Kipling Avenue road allowance that is under the jurisdiction of the City of Vaughan. On March 2, 2015,

York Region exempted Official Plan Amendment File OP.14.010 from Regional approval, as it does not adversely affect Regional planning policies or interests.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Vaughan Official Plan 2010 ('VOP 2010') is hereby amended by:

1. Amending Volume 2, Section 11.5 – Kipling Avenue Corridor Secondary Plan, by adding the following policy, to be renumbered in sequential order:

"(OPA #88) 11.5.31.3 The following shall apply to the lands municipally known as 8158, 8196 and 8204 Kipling Avenue and identified as "Lands Subject to Policy 11.5.31.3" on Map 11.5.A "Kipling Avenue – Land Use":

i. Notwithstanding Policy 11.5.15.2 and Policy 11.5.21.1.d of Volume 2 of the VOP 2010, the maximum building height shall not exceed 15.5 metres (4 storeys).

ii. Notwithstanding Policy 11.5.15.7 of Volume 2 of the VOP 2010, following additional use is permitted:

    a. Home occupation

iii. Notwithstanding Policy 11.5.15.8 of Volume 2 of the VOP 2010, following additional building type is permitted:

    a. Back-to-back stacked townhouses

iv. Notwithstanding Policy 11.5.21.14.e of Volume 2 of the VOP 2010, all residential units must have a front door entrance located at grade, accessible directly from the street, or a private laneway or walkway via a front porch.

v. Notwithstanding Policy 11.5.27.9.f of Volume 2 of the VOP 2010, a private laneway, driveway, road, walkway, sidewalk or bicycle route may be permitted for the use of the residents and shall not be a publicly accessible laneway, driveway, road, walkway, sidewalk or bicycle route."

2. Amending Map 11.5.A - Kipling Avenue – Land Use of Volume 2, Chapter 11.5 – Kipling Avenue Corridor Secondary Plan to redesignate the "Lands Subject to Policy 11.5.31.3" on Map 11.5.A - Kipling Avenue – Land Use from "Low-Rise Mixed-Use" to "Low-Rise Residential C" and identify the Subject Lands as being the "Lands Subject to Policy 11.5.31.3", as shown on Schedule "2".

3. Amending Map 11.5.D - Steet Network of Volume 2, Chapter 11.5 – Kipling Avenue Corridor Secondary Plan to identify the private laneway, driveway, road, walkway, sidewalk or bicycle route instead of a laneway on the "Lands Subject to Policy 11.5.31.3" and identify the Subject Lands as being the "Lands Subject to Policy 11.5.31.3", as shown on Schedule "3".

4. Amending Map 11.5.E - Open Space Framework of Volume 2, Chapter 11.5 – Kipling Avenue Corridor Secondary Plan to delete the proposed parkette on the "Lands Subject to Policy 11.5.31.3" and identify the Subject Lands as being the "Lands Subject to Policy 11.5.31.3", as shown on Schedule "4".

5. Amending Map 11.5.G - Pedestrian and Bicycle Trail Network of Volume 2, Chapter 11.5 – Kipling Avenue Corridor Secondary Plan to identify the relocated private open space, the addition a private pedestrian and bike trail (no public access), and the deletion of the proposed pedestrian and bike trails on the "Lands Subject to Policy 11.5.31.3" and identifying the Subject Lands as being the "Lands Subject to Policy 11.5.31.3", as shown on Schedule "5".

6. Amending Map 11.5.M - Kipling Avenue – Projected New Unit Counts and Density

of Volume 2, Chapter 11.5 – Kipling Avenue Corridor Secondary Plan to identify the Block “R” on the “Lands Subject to Policy 11.5.31.3” and identify the Subject Lands as being the “Lands Subject to Policy 11.5.31.3”, as shown on Schedule “6”.

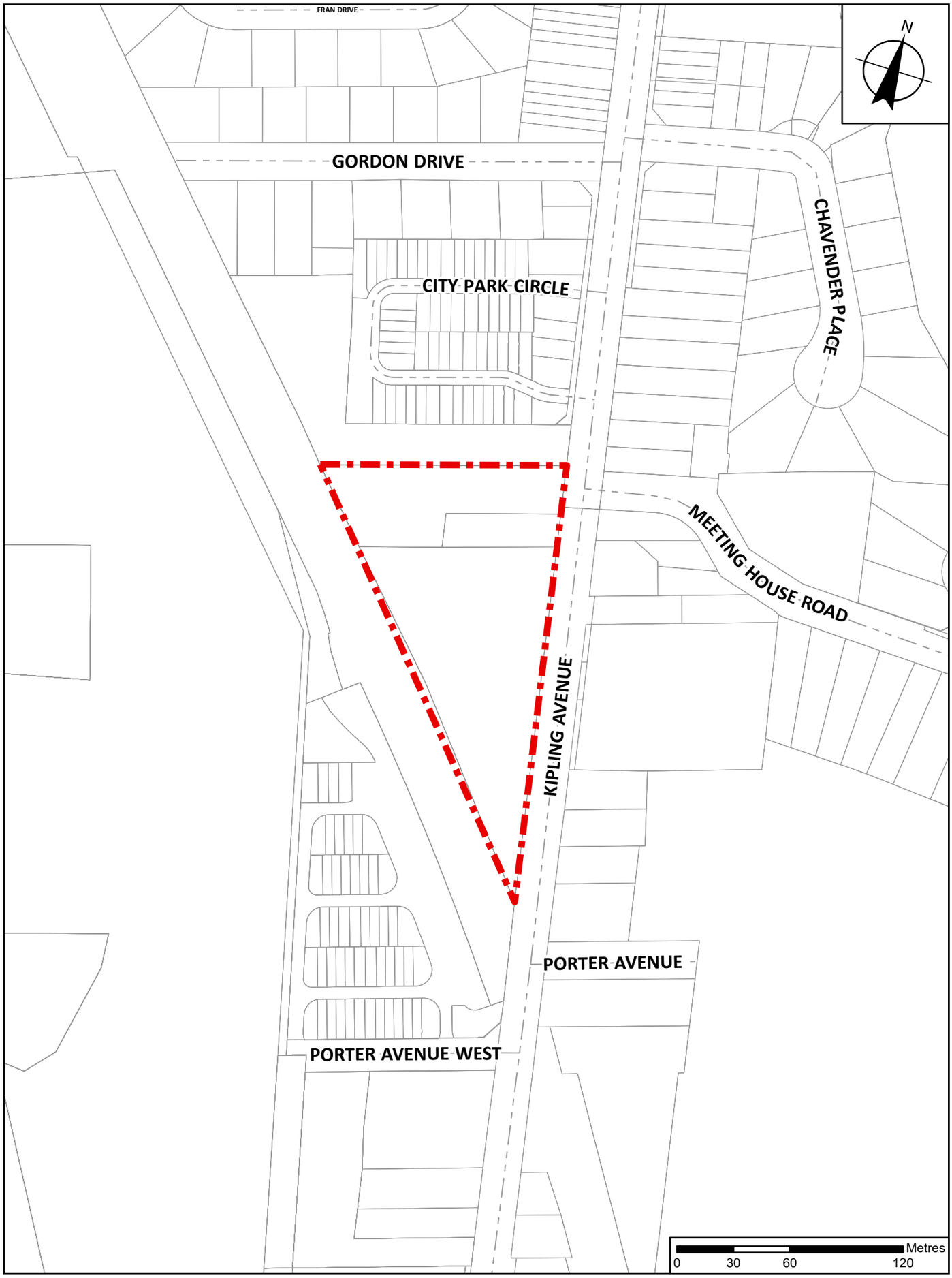
7. Amending the Table associated with “Kipling Avenue – Projected New Unit Counts and Density” of Volume 2, Chapter 11.5 – Kipling Avenue Corridor Secondary Plan to identify the proposed residential unit count and density (floor space index) for Block “R” on the “Lands Subject to Policy 11.5.31.3” and identify the Subject Lands as being Block “R” as shown on Schedule “7”.

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 001-2021 and Site Development Approval, 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.



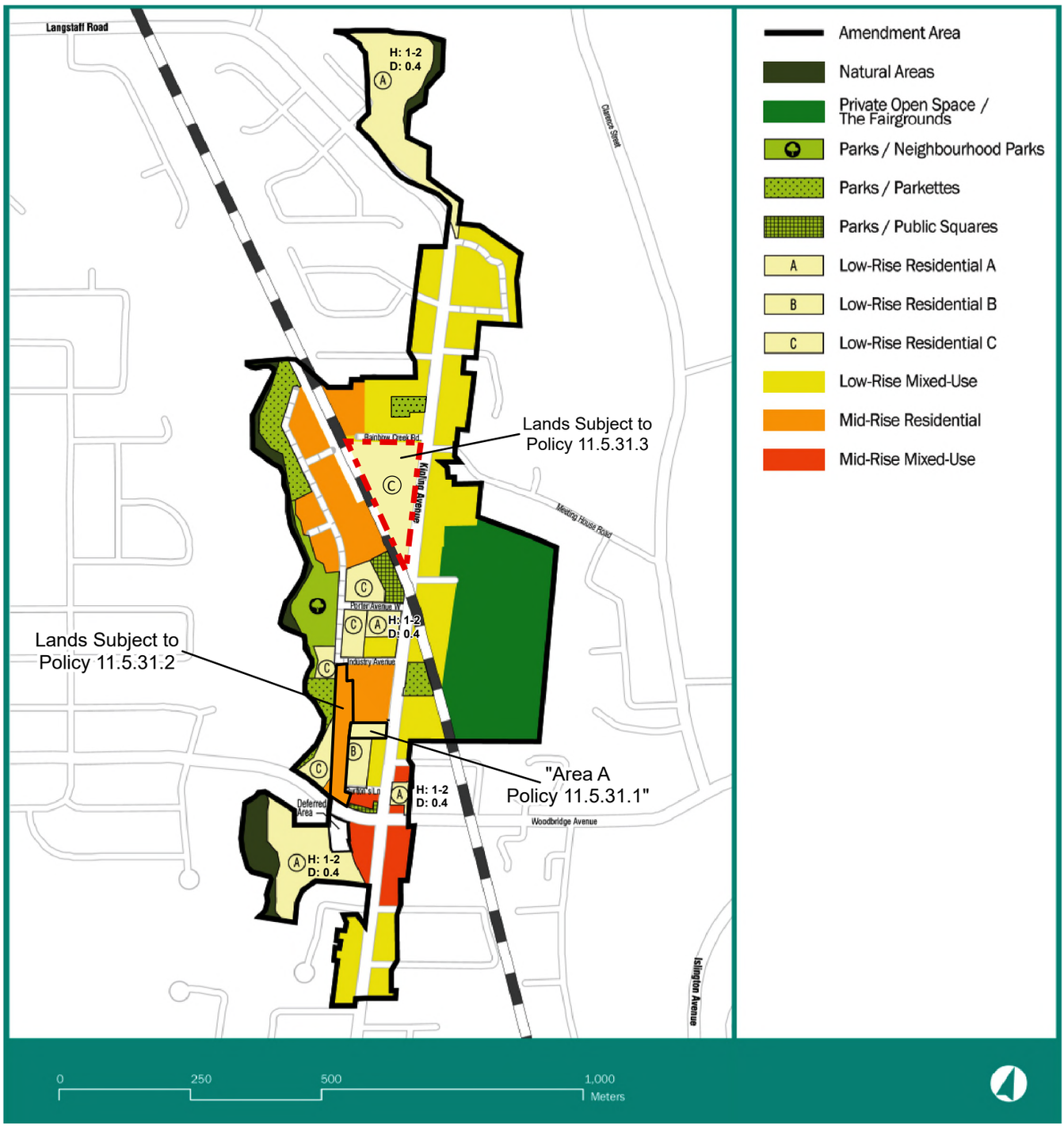
This is Schedule '1'
To Official Plan Amendment No. 88

Approved by the Ontario Land Tribunal on the 10th. Day of November, 2026

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8158, 8196, and 8204 Kipling Avenue, Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Ltd.
City of Vaughan

Lands Subject to Amendment No. 88

Map 11.5.A
Kipling Avenue - Land Use

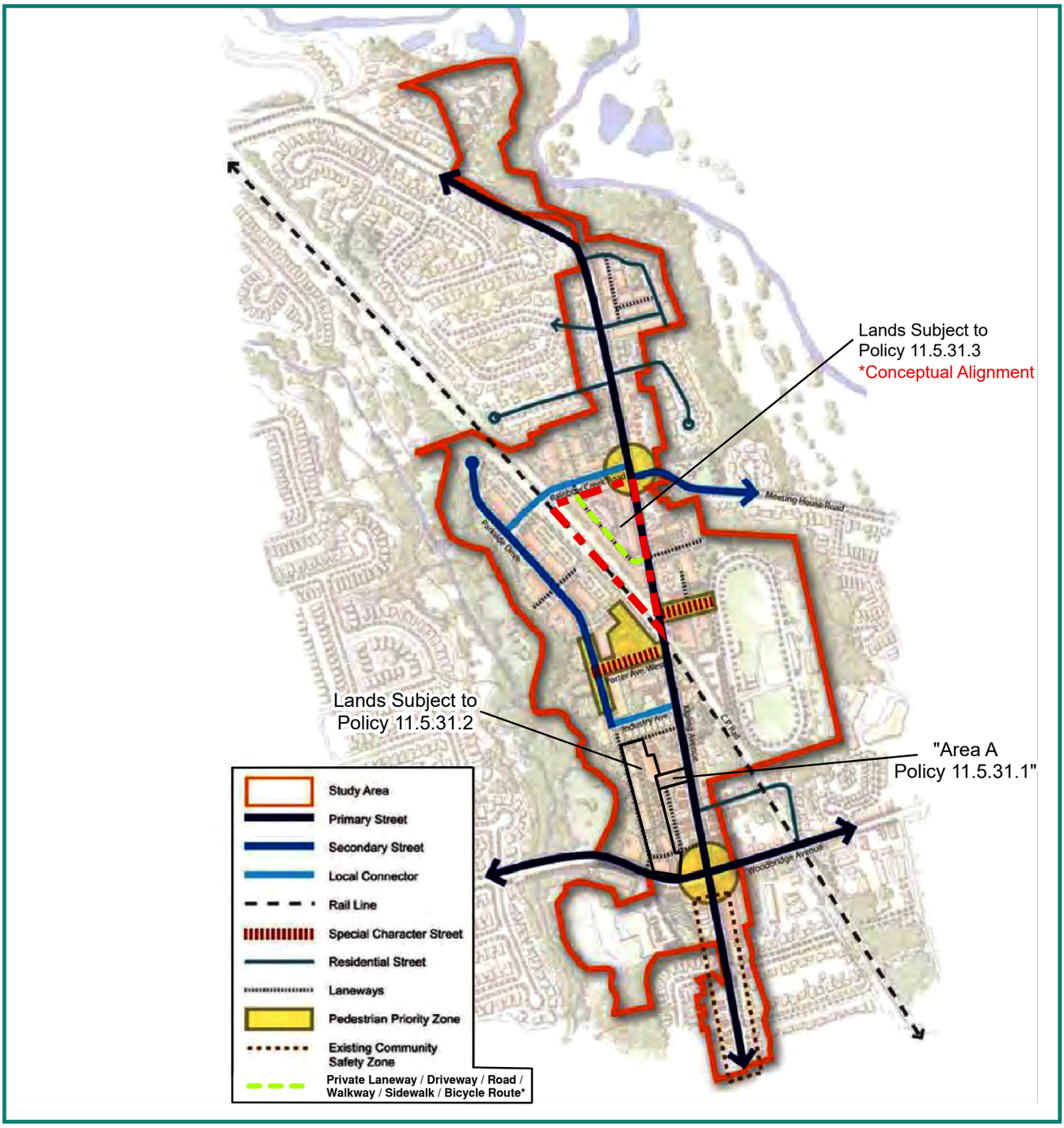


This is Schedule '2'
To Official Plan Amendment No. 88
Approved by the Ontario Land Tribunal on the 10th. Day of November, 2026

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8158, 8196, and 8204 Kipling Avenue,
Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Ltd.
City of Vaughan

Lands Subject to
Amendment No. 88

Map 11.5.D
Street Network

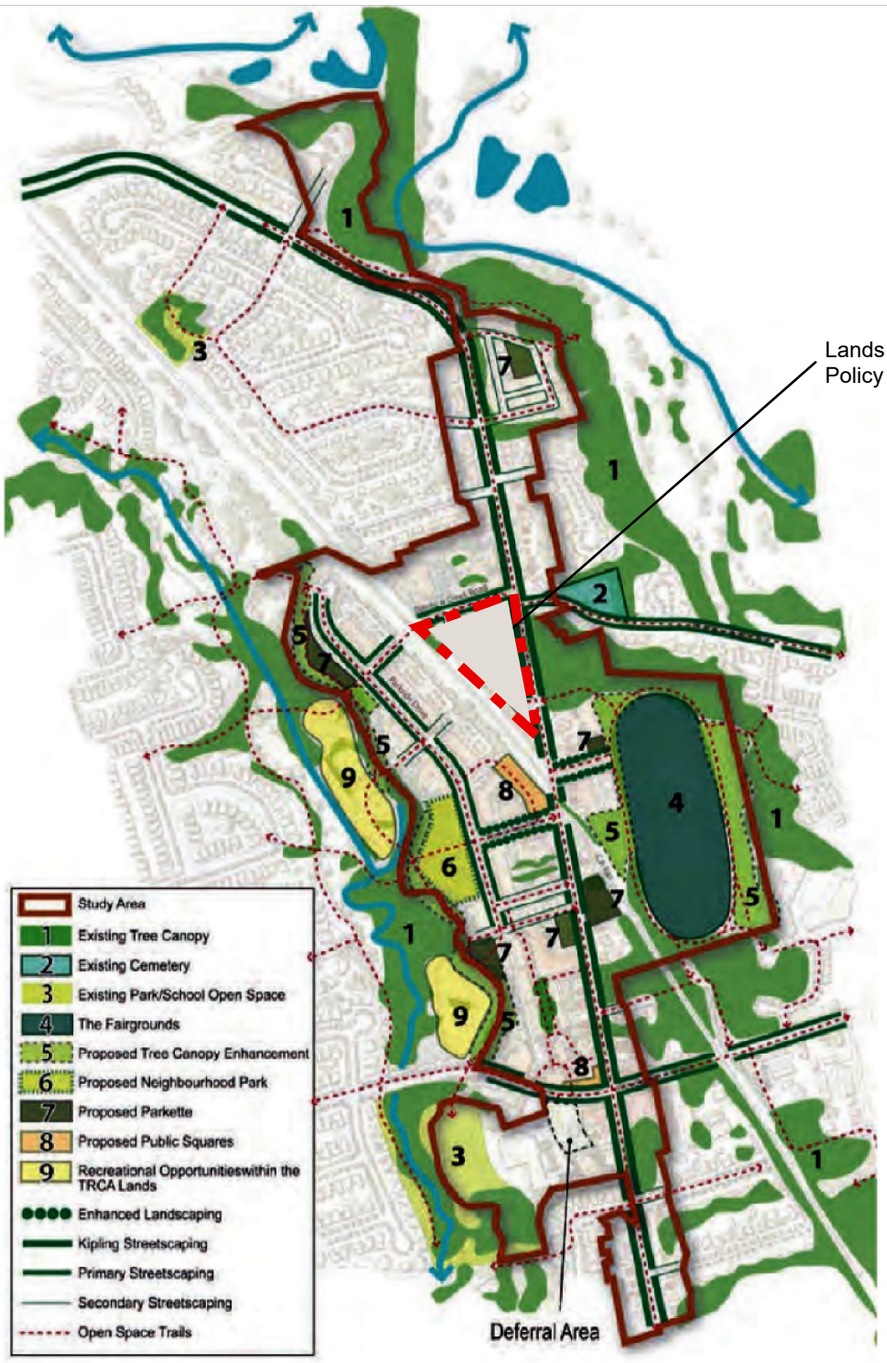


This is Schedule '3'
To Official Plan Amendment No. 88
Approved by the Ontario Land Tribunal on the 10th. Day of November, 2026

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8158, 8196, and 8204 Kipling Avenue,
Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Inc.
City of Vaughan

Lands Subject to
Amendment No. 88

Map 11.5.E
Open Space Framework

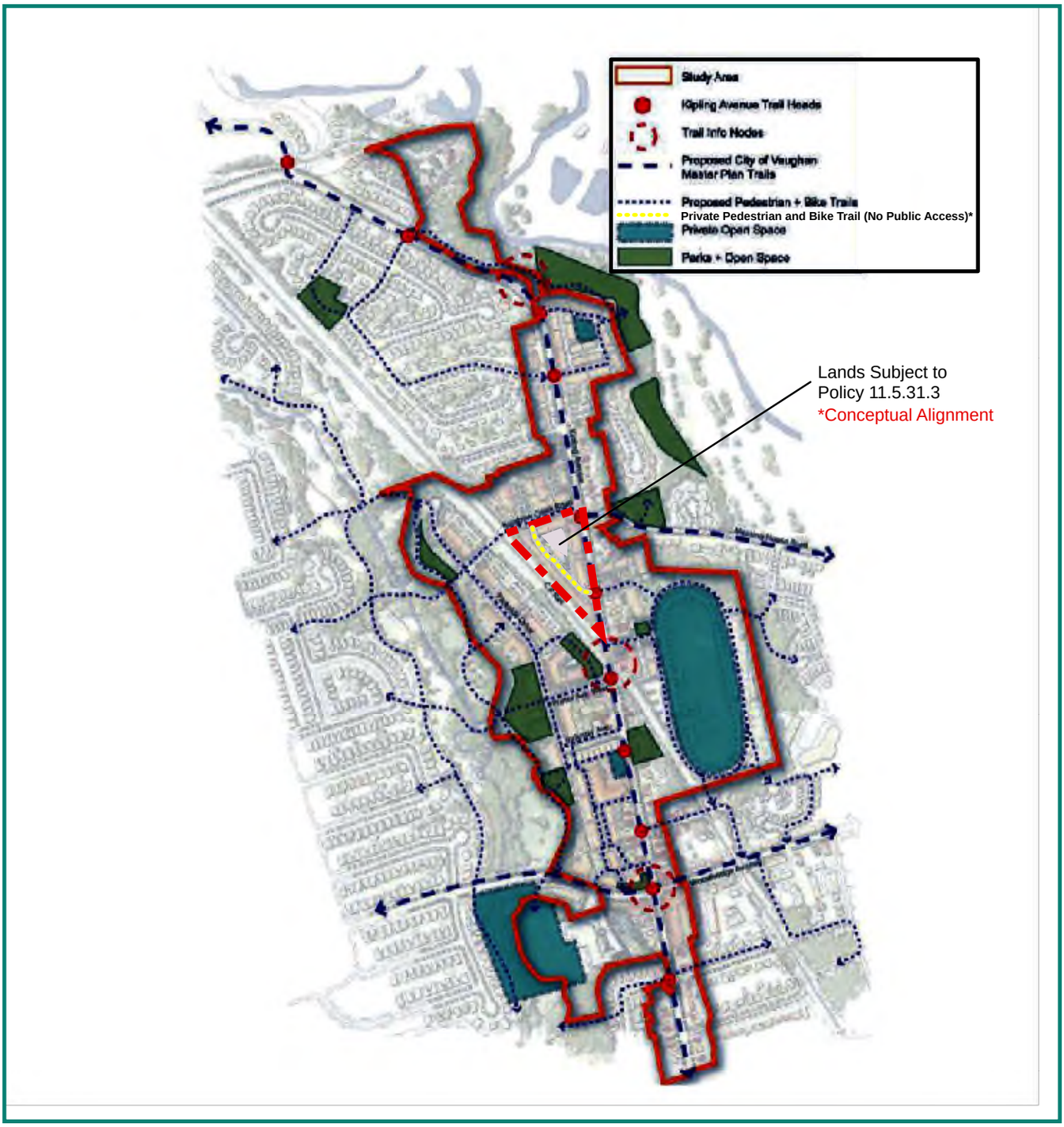


This is Schedule '4'
To Official Plan Amendment No. 88
Approved by the Ontario Land Tribunal on the 10th. Day of November, 2026

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8158, 8196, and 8204 Kipling Avenue, Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Ltd.
City of Vaughan

Lands Subject to Amendment No. 88

Map 11.5.G
Pedestrian and Bicycle Trail Network



This is Schedule '5'
To Official Plan Amendment No. 88
Approved by the Ontario Land Tribunal on the 10th. Day of November, 2026

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8158, 8196, and 8204 Kipling Avenue, Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Inc.
City of Vaughan

Lands Subject to Amendment No. 88

Map 11.5.M
Kipling Avenue - Projected New Unit Counts and Density



This is Schedule '6'
To Official Plan Amendment No. 88
Approved by the Ontario Land Tribunal on the 10th. Day of November, 2026

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8158, 8196, and 8204 Kipling Avenue,
Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Ltd.
City of Vaughan

Lands Subject to
Amendment No. 88

Kipling Avenue - Projected New Unit Counts and Density

Number of Units

A	84
B	280
C	70
D	95
E	16
F	72
G	40
H	49
I	46
J	32
K	18
L	42
M	0
N	41
O	52
P	74
Q	7
R	156

Total Units: 1174

For the purpose of calculating density, FLOOR SPACE INDEX (FSI) shall be the GROSS FLOOR AREA of a development divided by the GROSS SITE AREA. The deployment of allowable density must not result in buildings exceeding the maximum number of storeys or the maximum lot coverage.

The area included in the calculation of residential density shall include areas of a property reserved for setback requirements, the land for the buildings, private roads and driveways, parking areas and landscaping, amenity areas related to the specific development, but shall exclude all other lands such as natural conservation areas.

This is the maximum density and may not be achieved in all cases due to site constraints, zoning restrictions of adjacent properties, etc.

An average residential unit size of 1000 square feet (92.9 square metres) is used to calculate the number of units for apartments/ condominiums. The townhouse units are calculated based on two to three storey standard townhouse frontages.

Six blocks for 156 stacked townhouse dwelling units based on 1.77 people per unit. (2021 Canada Census)

Block	Block Area M2	Development M2				Total Units	FSI	Coverage	Observations
		Residential	Commercial	Parking garage	Total				
A	5,213	7,824		4,596	12,421	84	1.5	70%	
B	20,845	26,000	2,250	9,606	37,856	280	1.4	51%	
C	3,400	6,508			6,508	70	1.9	33%	
D	3,259	8,867			8,867	95	2.7	47%	
E	2,286	2,163			2,163	16	0.9	32%	Townhouses
F	3,323	6,653			6,653	72	2.0	50%	
G	3,982	3,800			3,800	41	1.0	24%	
H	12,554	6,804	951		7,755	49	0.6	35%	Townhouses + Apts.
I	2,051	4,540	908		5,448	49	2.7	44%	
J	1,547	2,948	406		3,353	32	2.2	54%	
K	988	1,677	559		2,236	18	2.3	57%	
L	4,440	3,397			3,397	42	0.8	38%	Townhouses
M	79,279		3,349	2,950	6,299	0	0.0	1%	Fairgrounds
N	5,913	4,483			4,483	41	0.8	26%	Townhouses
O	8,911	5,972			5,972	52	0.7	24%	Townhouses
P	6,242	6,920		2,896	9,816	74	1.1	42%	
Q	4,725	2,847			2,847	7	0.6	22%	Single Detached Houses
R	13,800	17,650		7,314	24,964	156	1.3	30%	Stacked Townhouse
TOTAL	182,757	119,054	8,422	27,182	154,838	1,174			

This is Schedule '7'
To Official Plan Amendment No. 88
Approved by the Ontario Land Tribunal on the 10th. Day of November, 2026

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8158, 8196, and 8204 Kipling Avenue, Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Inc.
City of Vaughan

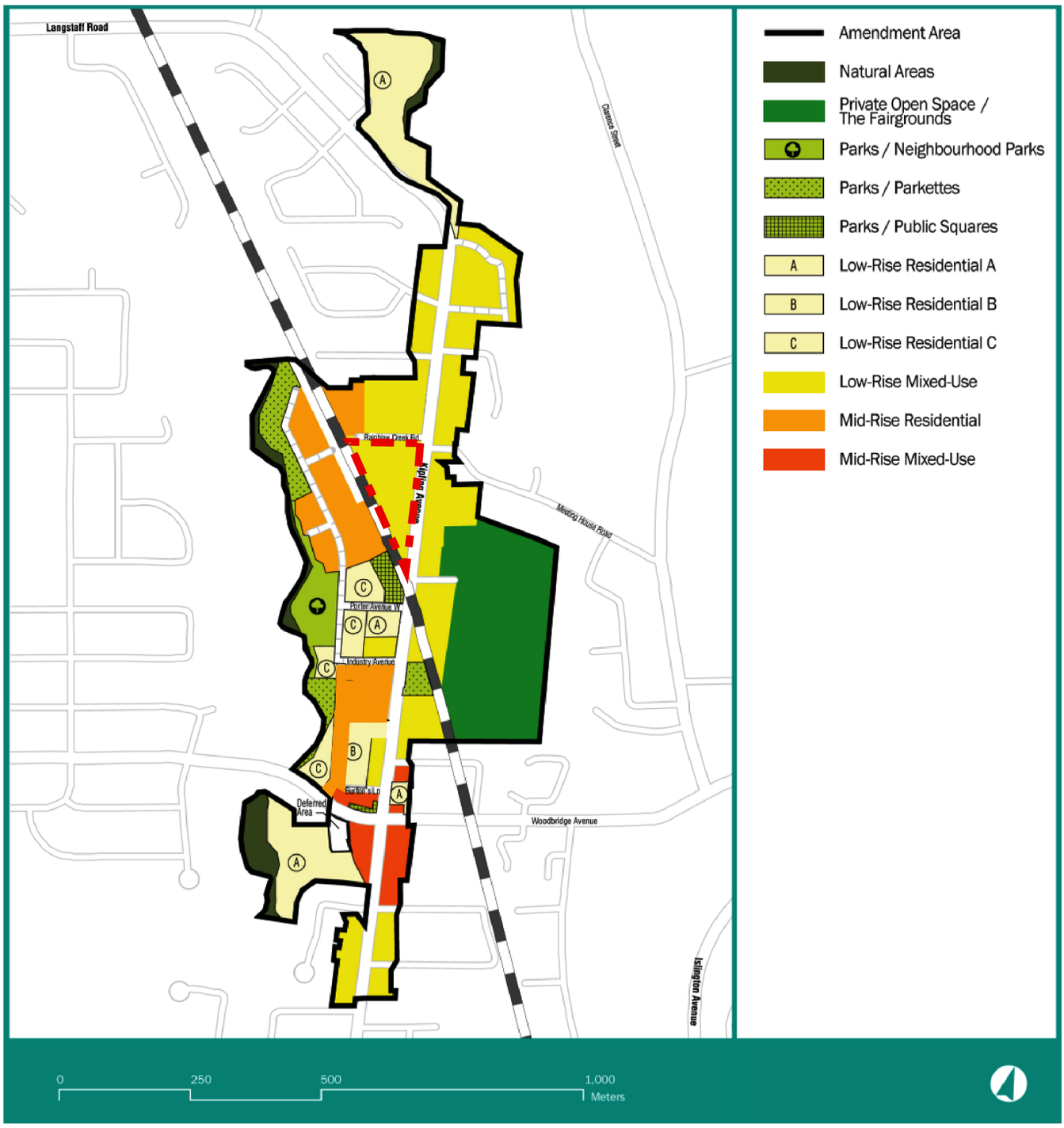
APPENDIX I

The Subject Lands are located west of Kipling Avenue and north of Porter Avenue being Part of Lots 8 and 9, Concession 8, City of Vaughan, and municipally known as 8158, 8196 and 8204 Kipling Avenue.

The purpose of this Amendment is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically, Volume 2, Chapter 11.5 - Kipling Avenue Corridor Secondary Plan to redesignate the Subject Lands from "Low-Rise Mixed-Use" to "Low-Rise Residential C" to facilitate the development of six blocks of four-storey back-to-back stacked townhouses consisting of 156 dwelling units on the Subject Lands. The Amendment also provides for site specific amendments to permit a maximum building height of 15.5 metres (four storeys) for back-to-back stacked townhouses and a minimum setback of three metres from Kipling Avenue. The Amendment further provides for the various site-specific amendments as the addition of a private laneway, driveway, road, sidewalk and bicycle route, relocation of a private open space, deletion of public parkette, addition of a private pedestrian and bicycle trail (no public access) and the removal of a public pedestrian and bicycle trail.

Official Plan Amendment Application File OP.14.010 (LCT Investment Group Ltd.) was submitted to the City of Vaughan on October 28, 2014. On October 30, 2014, the City advised that the Official Plan Amendment Application File OP.14.010 was deemed complete, along with the related Zoning By-law Amendment File Z.14.042 and Site Development File DA.14.072. On October 30, 2017, the applicant, LCT Investment Group Ltd., appealed Official Plan Amendment Application File OP.14.010, and the related Zoning By-law Amendment File Z.14.042 citing the City's failure to make a decision on the files within the prescribed timelines of the *Planning Act*.

Kipling Avenue - Existing Land Uses



This is Appendix II
Existing Land Uses
Official Plan Amendment No. 88

File: OP.14.010
Related Files: Z.14.042 and DA.14.072
Location: 8156, 8196, and 8204 Kipling Avenue, Part of Lots 8 and 9, Concession 8
Applicant: LCT Investment Group Inc.
City of Vaughan

Lands Subject to Amendment No. 88

Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: November 10, 2026 **CASE NO(S).:** OLT-21-001869
(Formerly PL171187)

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

Applicant and Appellant:	LCT Investment Group Ltd.
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Description:	To permit the development of 37 three-storey townhouse dwelling units, 24 three-storey stacked townhouse dwelling units and a one-storey commercial building with 259 square metres of non-residential gross floor area, as well as the retention of the existing two-storey heritage house located at 8204 Kipling Avenue
Reference Number:	OP.14.010
Property Address:	8158, 8196 & 8204 Kipling Avenue/Part of Lots 8 & 9, Concession 8
Municipality/UT:	City of Vaughan
OLT Case No.:	OLT-21-001869
Legacy Case No.:	PL171187
OLT Lead Case No.:	OLT-21-001869
Legacy Lead Case No.:	PL171187
OLT Case Name:	LCT Investment Group Ltd. 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:	LCT Investment Group Ltd.
Subject:	Application to amend Zoning By-law No. 1-88, as amended - Neglect of the City of Vaughan to make a decision
Description:	To permit the development of 37 three-storey townhouse dwelling units, 24 three-storey stacked townhouse dwelling units and a one-storey commercial building with 259 square metres of non-residential gross floor area, as well as the retention of the existing two-storey heritage house located at 8204 Kipling Avenue
Reference Number:	Z.14.042
Property Address:	8158, 8196 & 8204 Kipling Avenue/Part of Lots 8 & 9, Concession 8
Municipality/UT:	City of Vaughan
OLT Case No.:	OLT-22-001938
Legacy Case No.:	PL171188
OLT Lead Case No.:	OLT-21-001869
Legacy Lead Case No.:	PL171187

Heard: October 20, 2026 by video hearing

APPEARANCES:

Parties	**Counsel**
LCT Investment Group Ltd. ("Applicant")	Andrew Jeanrie Samuel Judson
City of Vaughan ("City")	Denise Baker Colin Dougherty
Canuck Properties Limited ("Canuck")	Ira Kagan

DECISION DELIVERED BY YASNA FAGHANI AND ORDER OF THE TRIBUNAL

Link to Order

[1] This appeal arises following the failure of the City to make decisions with regard to the Applicant's applications for an Official Plan Amendment and a Zoning By-law Amendment ("Applications") pertaining to the lands municipally known as 8158, 8196, and 8204 Kipling Avenue, in the City ("Subject Property"), in order to permit a proposed mixed-use development of the Subject Property.

[2] The Tribunal granted Canuck Party status at a previous Case Management Conference held on March 16, 2018.

[3] As a result of an extended period of settlement discussions and a successful Tribunal-led mediation, disposition of the matter comes before the Tribunal as a settlement on consent of all Parties.

[4] The Tribunal considered and heard the oral evidence of Adam Layton. He was qualified by the Tribunal to provide expert opinion evidence in the area of land use planning.

[5] The Tribunal heard the history of the proposed development, from the initial development to the revised proposal now before the Tribunal, including decisions regarding the private driveway, determination of the location for the Go Transit Station, decisions regarding the structure located on the Subject Property known as the "Moody Draker House", and rationale for the Holding Provisions in the proposed Zoning By-law.

[6] The Tribunal, having accepted the uncontroverted opinion evidence of Adam Layton, as presented, finds that the Applications have regard to those applicable matters of provincial interest set out in section 2 of the *Planning Act*, are consistent with the Provincial Planning Statement, 2024, conform to the Regional Municipality of York Official Plan, the City's Official Plan, and the Kipling Avenue Secondary Plan, and that the Applications otherwise reflect principles of good land use planning.

ORDER

[7] **THE TRIBUNAL ORDERS THAT:**

1. the appeal is allowed and the Official Plan for the City of Vaughan is amended as set out in **Attachment 1** to this Order;

2. the appeal is allowed and the City of Vaughan Zoning By-law No. 001-2021 is amended as set out in **Attachment 2** to this Order; and

3. the Tribunal authorizes the municipal clerk of the City of Vaughan to assign a number to the amending By-laws for record-keeping purposes.

"Yasna Faghani"

YASNA FAGHANI
MEMBER

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.