

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: March 19, 2026

CASE NO(S): OLT-24-000404

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

Applicant and Appellant: Wigwoss Investments Inc. & 2561658 Ontario Inc.
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Description: To permit a 12-storey residential apartment building
Reference Number: OP.22.016
Property Address: 10, 20 and 24 Wigwoss Drive, City of Vaughan
Municipality/UT: City of Vaughan / Region of York
OLT Case No.: OLT-24-000404
OLT Lead Case No.: OLT-24-000404
OLT Case Name: Wigwoss Investments Inc. & 2561658 Ontario Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 3, as amended

Applicant and Appellant: Wigwoss Investments Inc. & 2561658 Ontario Inc.
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description: To permit a 12-storey residential apartment building containing 106 residential units
Reference Number: Z.22.036
Property Address: 10, 20 and 24 Wigwoss Drive, City of Vaughan
Municipality/UT: City of Vaughan / Region of York
OLT Case No.: OLT-24-000405
OLT Lead Case No.: OLT-24-000404

Heard: May 29 to June 05, 2025 by Video Hearing

APPEARANCES:

Parties

Counsel

Wigwoss Investments Inc.

Ira Kagan / Sarah Kagan

City of Vaughan

Candace Tashos / Raj Kehar

DECISION DELIVERED BY CARMINE TUCCI AND ORDER OF THE TRIBUNAL

[Link to Order](#)

INTRODUCTION

[1] The matter before the Ontario Land Tribunal (“Tribunal”) concerned the Appeals arising from the failure of the City of Vaughan (the “City”) to render a decision on an application to amend the Zoning By-law (“ZBA”), as well as from its failure to adopt a proposed amendment to the City Official Plan (“OPA”), with respect to the lands municipally known as 10, 20, and 24 Wigwoss Drive in the City of Vaughan (“Subject Land”).

[2] The proposal outlines a 10-storey condominium development containing 103 residential units and 130 vehicle parking spaces.

[3] The application seeks an Official Plan Amendment (OPA) to increase the permitted building height and density—from the current 6-storey H6 limit to 10-storey H10—and to allow the maximum density of the Floor Space Index (FSI), from 2.5 to 4.52 (“D2.5 – D4.25”). A site-specific amendment is required to modify the Mid-Rise Mixed-Use designation in the City’s Official Plan.

[4] The Zoning By-law Amendment (ZBA) proposes to change the zoning of the Subject Lands from the existing Second Density Residential Zone with site-specific

Exception 41 (“R2A-41”) to a new Mid-Rise Mixed-Use Zone with site-specific Exception XX (“MMU-XX”). The base MMU zone permits apartment buildings and commercial uses and allows a maximum building height of 48 metres, without specifying a limit in storeys. The proposed ZBA introduces site-specific provisions within the MMU zone to support the revised development concept plan, including regulations related to setbacks, building height, floor plate dimensions, gross floor area, landscaping, and below-grade structures.

SITE CONDITIONS

[5] The Subject Lands consist of three (3) properties situated at the northeast corner of Wigwoss Drive and Highway 7, municipally identified as 10, 20, and 24 Wigwoss Drive in the City of Vaughan, within the Regional Municipality of York. Legally, the lands include all of Lots 103 and 104 and a portion of Lot 105 on Plan M 1526, City of Vaughan.

[6] Together, the properties provide approximately 20 metres (65 feet) of frontage along Highway 7 and about 70 metres (230 feet) on Wigwoss Drive, with a total area of 0.226 hectares (0.56 acres).

[7] The lands are currently developed with three existing one- and two-storey detached dwellings used for residential purposes, each having its own driveway access from Wigwoss Drive.

[8] Further, the lands are flanked with an 11-storey residential apartment building immediately to the west and a 7–storey residential building to the immediate east.

[9] The Subject Lands are situated within the Urban Area, Community Area, and Built-Up Area as identified in the York Region Official Plan (2022). They are located directly adjacent to Highway 7, which is designated as both a Regional Corridor and a Rapid Transit Corridor under the same plan. The properties also fall within the

Wigwoss–Helen BRT Station Protected Major Transit Station Area of both the York Region Official Plan (2022) and the City of Vaughan Official Plan (2010).

EVIDENCE

[10] The Hearing before the Tribunal proceeded over the course of six days and the Tribunal heard from the following witnesses:

- **Jason Afonso** was called to testify by the Appellant and qualified without objection to give opinion evidence in the area of land use planning;
- **Alan Tregebov** was called to testify by the Appellant and qualified without objection to give opinion evidence in the area of architectural and urban Design;
- **Michael Barton** was called to testify by the City and qualified without objection to give opinion evidence in the area of land use planning;

[11] These appeals primarily reflect concerns regarding urban structure, growth management, and urban design.

POSITION OF THE PARTIES

Applicant's Position

[12] The Applicant submits that the Property is located within a designated Regional Intensification Corridor, representing an area identified for accommodating higher-density, mixed-use development.

[13] Its location provides an appropriate opportunity for optimized land use, supported by convenient access to key community amenities, including public transit, parks, open spaces, and schools.

[14] The Applicant requests that the Tribunal approve the proposed Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBLA”), subject to an identified condition. Through the condition, the Applicant acknowledges that a Holding (“H”) provision is appropriate and should be applied to the proposed ZBLA. This Holding provision would ensure that the zoning permissions come into effect only once the City of Vaughan Council has passed a resolution confirming the allocation of water and sewage servicing capacity in accordance with the City’s Servicing Capacity Distribution Policy.

City’s Position

[15] The development proposal seeks to maximize height, density, scale, and massing of the mid-rise residential building, rather than to appropriately optimize development and intensification of the Subject Property within its surrounding context.

[16] The proposed height and density, as reflected in the FSI, significantly exceed and do not align with the site-specific maximums established through the adoption and amendment of the City of Vaughan Official Plan 2010.

[17] Accordingly, the proposed building height, density, scale, and massing are not compatible with the existing or planned built form character of the surrounding area.

APPELLANT’S EVIDENCE

Planning Act

[18] Mr. Afonso provided that, pursuant to Section 2 of the Planning Act, the Tribunal must consider matters of Provincial interest in the determination of its decision (“Decision”).

[19] The Tribunal heard, from Mr. Afonso’s professional land use planning perspective, that the proposed development demonstrates appropriate consideration for these interests, in particular, the objectives set out in subsections (e), (f), (h), (h.1) (i), (j), (o), (p), (q), (r), and (s) of Section 2 of the *Planning Act*.

[20] The Tribunal heard:

- s.2(e)

would support the development of an apartment building that will be constructed in compliance with the Ontario Building Code, which includes standards related to energy and water efficiency.

- s.2(f)

would support intensification that makes effective use of the existing infrastructure network.

- s.2(h)

The proposed amendments enable development within a Protected Major Transit Station Area (“PMTSA”) which is planned to accommodate intensification and support the orderly redevelopment of designated lands. The proposed amendments also allow for a transit-supportive built form that contributes to the creation of healthy, complete communities.

- s.2.(h.1)

The proposed amendments would allow for apartment building construction which requires a barrier-free design under the Ontario Building Code.

- s.2.(i)

The proposed amendments apply to lands within an urban area that is well-served by educational, health, social, cultural, and recreational facilities.

- S.2.(j)

The proposed amendments enable apartment housing, thereby enhancing the diversity of housing types in the area and providing options that are typically more affordable than the current low-rise dwellings.

- S.2.(o)

The proposed amendments permit higher-density development along an intensification corridor, encouraging walkability and transit use consistent with healthy development principles. Future development will be subject to Ontario Building Code requirements to ensure public safety.

- S.2.(p)

The proposed amendments affect lands situated within a settlement area, built-up area, intensification corridor, and Protected Major Transit Station Areas specifically intended to accommodate growth.

- S.2.(q)

The proposed amendments facilitate transit supportive intensification within a Protected Major Transit Station Area served by BRT and conventional bus transit. The concept plan also promotes walkability through direct pedestrian connections to the public sidewalk system and the Highway 7 intensification corridor.

- S.2.(r)

The concept plan provides a compatible built form that also creates visual prominence at the intersection of Wigwoss Drive and Highway 7.

- S.2.(s)

The proposed amendments facilitate an intensified housing form which promotes walkability and transit use, contributing to the mitigation of greenhouse gas emissions.

[21] Mr. Afonso opined that the proposed development appropriately considers the matters of Provincial interest outlined in Section 2 of the Planning Act and specifically addresses the relevant provisions applicable to this proposal.

Provincial Planning Statement, 2024

[22] The Tribunal heard Mr. Afonso's opinions as they relate to Policies 2.1.6.(a, b, c), 2.2.(b, c, d), , 2.3.1, 2.4.1 and 2.4.2, of the PPS.

[23] The Tribunal heard:

- S.2.1.6

The proposed amendments align with the PPS by enabling apartment housing that supports access by automobile, active transportation, and public transit, thereby contributing to a diverse mix of land uses and housing options.

The amendments also promote accessibility, as apartment buildings must be designed to be barrier-free. In addition, by introducing more affordable housing choices, the amendments improve social equity and enhance quality of life for residents of all ages, abilities, and incomes, including equity-deserving groups.

- S. 2.2

The proposed amendments enable apartment housing that expands the range and mix of local housing options. They support residential intensification by adding new units through redevelopment at a density of approximately 455 units per net hectare, efficiently using land, infrastructure, and public service facilities.

The amendments also promote active transportation through connections to the existing sidewalk network and Highway 7 cycling lanes, and they accommodate transit-supportive growth within a Protected Major Transit Station Area adjacent to existing bus stops.

- S. 2.3.1

The proposed amendments accommodate growth within a Protected Major Transit Station Area and allow redevelopment in a housing form that contributes to the local land use mix at a density that efficiently uses land and existing infrastructure, including the BRT system, cycling lanes, and municipal services.

They support active transportation through connections to sidewalks and Highway 7 cycling lanes and are transit-supportive given their proximity to existing transit stops.

Collectively, the amendments represent intensification that contributes to complete communities by broadening local housing options and leveraging existing infrastructure investments.

- S. 2.4.1

The proposed amendments support growth within a Protected Major Transit Station Area, a designated strategic growth area. They enable intensification and new housing options that accommodate population growth, reinforce regional and local transit networks, and provide housing at different levels of affordability.

The amendments also permit an appropriate scale of intensified development while maintaining a suitable transition to the low-rise neighbourhood to the north through setbacks, landscaping, and angular plane treatments.

Collectively, they contribute to a broader mix of land uses and help achieve complete communities through compact, apartment-based development.

- S. 2.4.2

The proposed amendments enable an intensified built form that helps meet the minimum density requirement.

[24] Mr. Afonso opined that the proposed amendments are consistent with the Provincial Policy Statement (PPS) as they contribute to the achievement of complete communities by expanding the range and mix of housing options in the area.

[25] The Tribunal heard that the amendments address the projected needs of current and future residents by facilitating residential intensification and promoting densities that make efficient use of land, infrastructure, and public service facilities, while supporting active transportation.

[26] Mr. Afonso further noted that the amendments enable transit-supportive development by directing growth to a settlement area and specifically to a strategic growth area within close proximity to existing transit infrastructure.

York Region Official Plan, 2022 (“YROP”)

[27] The Tribunal heard Mr. Afonso’s opinions as they relate to sections of the YROP.

- S. 2.3.1

The proposed development conforms by promoting sustainable development through the efficient use of land and infrastructure, limiting land consumption and avoiding inefficient infrastructure expansion.

It provides an intensified built form that encourages active transportation via connections to nearby sidewalks and Highway 7 bicycle lanes, and is located within walking distance of a broad mix of land uses.

The Subject Lands benefit from diverse uses and transportation options, enabling future residents to meet daily needs locally and supporting the creation of a complete community.

- S. 2.3.2

The proposed development conforms by directing growth to lands planned for intensification. The 10 storey building makes efficient use of land and infrastructure, provides a compact form with optional at-grade commercial space, supports walkability through sidewalk connections, and is transit-supportive given its higher density near existing transit stops.

- S. 4.1.1

The Subject Lands are situated within a Major Transit Station Area (“MTSA”), a strategic growth area intended to absorb much of Vaughan’s planned development.

The proposal conforms by directing intensification to an MTSA. Its density is comparatively modest, being significantly lower than recent developments in the Regional Centres and the subway-based Major Transit Station Area.

- S. 4.1.5

All pertinent policies of the YROP have been fully considered and satisfied. Throughout the application review process, York Region staff did not identify a need for a Regional Official Plan Amendment.

- S. 4.2.1, 4.2.2, 4.2.4

The proposed development conforms by introducing residential uses within the Community Area while also allowing optional ground-floor non-residential uses that provide employment opportunities.

By adding apartment housing that broadens the range and mix of housing types, sizes, tenures, and affordability in the area, the proposal constitutes intensification within an MTSA with a minimum density target and contributes to achieving that target; the YROP does not prescribe a maximum density.

The development also conforms as the proposed residential uses are located near compatible retail and service commercial employment uses along the Highway 7 corridor.

- S. 4.2.17, 4.2.18

The proposed development is consistent as the Subject Lands are located within an MTSA along a Rapid Transit Corridor, and the proposal provides for an intensified, higher density housing form than what presently exists. The lands form part of the Wigwoss–Helen BRT Station Protected MTSA No. 69, which has an assigned minimum density target of 160 people and jobs per hectare. By facilitating residential

intensification, the proposed development contributes to achieving this required density target.

- S. 4.4.1, 4.4.2, 4.4.3

The proposed development conforms by providing appropriate intensification within the Other Major Transit Station Areas category of the Regional Intensification Hierarchy. It is supported by existing hard and soft services, municipal infrastructure, and public transit. The proposal responds appropriately to its context, aligning with adjacent mid-rise apartment buildings along Highway 7 and providing a suitable transition to low-rise housing to the north, while optimizing land use within an MTSA.

The development further conforms as it introduces an intensified housing form and allows for potential mixed-use development within a strategic growth area. Although mid-rise in height, the proposal constitutes high-density apartment development and satisfies the policy.

- S. 4.4.4, 4.4.5, 4.4.7

The proposed development conforms as it provides appropriate intensification within the Other Major Transit Station Areas category of the Regional Intensification Hierarchy. The proposed density is suitable for this category and is lower than densities approved in higher-order intensification areas elsewhere in Vaughan.

The development further conforms by supporting the Rapid Transit Corridor on Highway 7 and utilizing existing water, wastewater, and road infrastructure, as demonstrated in the supporting servicing and transportation studies. The area is well-served by parks, schools, and community services, all accessible by multiple modes of travel.

The proposal delivers residential intensification within the built-up area, with convenient access to a broad range of amenities and transit within a 15-minute walk.

Further, the development conforms to promote complete communities that are sustainable, compact, walkable, and transit-supportive. The proposal reflects these principles through its compact built form, pedestrian connections, and transit orientation.

- S. 4.4.8, 4.4.9, 4.4.10

The proposed development conforms by enabling high-density apartment housing with one-bedroom units between 60 to 74 square metres (m²) and two-bedroom units between 80 to 123 m², including family-sized units that could be adapted to three bedrooms if needed.

The development further conforms to by allowing for optional street-related commercial space at grade. Although some recent Highway 7 developments include ground-floor commercial uses and others do not, this policy guides municipal official plan content. With Vaughan's intensification rate at 57% and the Wigwoss–Helen BRT Station MTSA identified for mixed-use, mid-rise development, the proposal is consistent with the intended built form.

- S. 4.4.13, 4.4.14

The proposed development conforms due to its being situated on an established rapid transit corridor with sufficient water and wastewater servicing capacity. It further conforms by providing higher-density development with access to local, regional, and inter-regional transit services.

- S. 4.4.17, 4.4.18, 4.4.19

The proposed development conforms as it provides a compact apartment built form that is accessible, supports mixed-use opportunities, and is oriented toward the street. The design is pedestrian- and cyclist-friendly, offering direct connections to the public sidewalk network and the bicycle lanes along Highway 7. The development is also

transit-supportive, as it locates higher-density housing in immediate proximity and with convenient access to existing transit facilities.

The proposed development satisfies these subsections by adding apartment housing to the overall mix of uses within the MTSA.

The proposal further conforms by providing an appropriate transition in built form to the low rise residential neighbourhood to the north through the use of landscaped areas, setbacks, and the application of a 45-degree angular plane.

The proposed height is compatible and fits within the established built form context. At 10 storeys, the building is one storey lower than the “Avenue On 7” development immediately to the west and its metric height of 31.97 metres (to the top of the 10th floor) is lower than the 35.4 metres of the 11-storeys of the “Avenue On 7” building.

- S.4.4.35, 4.4.36, 4.4.38, 4.4.42

The proposed development conforms as it supports compact, mixed-use development that is well-designed, pedestrian-friendly, and transit-supportive through direct connections to the public sidewalk network and nearby transit facilities.

The proposal further conforms as it provides a built form and scale appropriate for the Other Major Transit Station Areas category within the Regional Intensification Hierarchy. The Wigwoss–Helen BRT Station MTSA permits mid-rise development through its Mid-Rise Mixed-Use designations, and the proposed development delivers a mid-rise apartment form consistent with these land use permissions.

Mr. Afonso further opined that the proposed amendments also support a range of compact apartment housing forms that broaden the spectrum of affordability levels in the area. Apartment units are inherently more affordable than grade-related housing types” found in the surrounding neighbourhoods.

- S. 6.1.1, 6.1.3, 6.3.16, 6.4.3

The proposed development conforms, as several Transportation Demand Management (TDM) measures have been incorporated in the transportation study submitted in support of the Subject Applications. A Pedestrian Circulation Plan was prepared to demonstrate how the proposed design provides direct and convenient connections to the surrounding public sidewalk network and nearby transit facilities.

Further, the proposed driveway connection to Wigwoss Drive provides safe and efficient access to the road network for both vehicles and bicycles.

The proposed development aligns with policy direction to ensure that the provision of adequate water and wastewater infrastructure and servicing capacity is coordinated with development applications, including plans of subdivision, condominiums, and site plan, so that required services are available prior to occupancy.

[28] Mr. Afonso opined that the proposal conforms to the YROP.

[29] Mr. Tregobov also provided opinions as they relate to the YROP:

- S. 2.3.13

The proposed 10-storey building has been designed to achieve a high standard of urban design and incorporates the Vaughan Green Development Standards. The grade-related indoor and outdoor spaces have been carefully planned to support walkability and contribute to a well-connected, pedestrian-oriented neighbourhood.

The public realm along Wigwoss Drive and Highway 7 is enhanced through continuous, level sidewalks that seamlessly connect to the surrounding neighbourhood. The ground-floor elevation has been established to accommodate the standard street cross-section slopes, ensuring that all building entrances are fully accessible. The design of these pedestrian zones will incorporate urban design elements, ensuring consistency with

applicable urban design standards. The Subject Lands' location directly adjacent to an LRT station further supports reduced automobile dependency.

The proposed development contributes positively to the emerging built form along the Highway 7 Intensification Corridor. The building aligns with neighbouring street edges and façade planes, helping to frame the public realm. Despite the existing wide boulevard along Highway 7, the proposal helps define and enclose the streetscape, effectively completing this segment of the north side of the corridor and creating a more comfortable, protected urban space. The widened sidewalk facing the LRT station provides opportunities for social interaction, and the potential for non-residential uses at grade further supports community-building and pedestrian activity.

The development will meet or exceed all applicable Provincial standards set out in the Ontario Building Code.

Extensive landscaping is proposed within the open space located north of the building. Detailed landscaping plans will be provided as part of the Site Plan Approval submission.

The public spaces associated with the development form part of the Intensification Corridor and have direct access to the adjacent LRT station. These spaces are designed to support pedestrian and cycling activity and encourage multimodal transportation choices.

The proposed land use is ideally suited to support and reinforce the higher-order transit system.

The building's location optimizes opportunities for well-defined public space, walkability, and strong pedestrian visibility.

The adjacent transit station provides immediate and direct support for transit-oriented development.

The proposed public spaces and building uses are planned to encourage physical activity and foster social interaction, contributing to a healthy and vibrant community environment.

[30] Mr. Tregobov opined that the Current Proposal and Applications conform to the applicable design policies of the YROP.

City of Vaughan Official Plan, 2010 (“VOP”)

[31] The Tribunal heard opinions as they relate to sections of the VOP:

- S. 2.2.1.1, 2.2.1.2, 2.2.5

Mr. Afonso provided that the Subject Lands are designated as a Regional Intensification Corridor, which is intended to serve as a major focus for intensification at densities and in a built form supportive of higher-order transit. This designation places the Subject Lands within the second-highest category of the City’s intensification hierarchy.

The proposed development supports the City’s Urban Structure by facilitating an intensified built form within a Regional Intensification Corridor, thereby reinforcing the intent of supporting higher-order transit. The Subject Lands are also located within PMTSA 69, which has a minimum density target of 160 people and jobs per hectare.

Mr. Afonso proffered that the proposed development introduces a high-density built form that contributes to achieving the required minimum density target. As the Subject Lands are situated within both a Regional Intensification Corridor and a PMTSA, the proposal conforms to the VOP by providing an intensified development form in an area intended to accommodate the greatest mix of uses, heights, and densities.

The Regional Intensification Corridor designation permits mixed-use or employment intensification at densities that support transit use and promote active transportation. The proposed development aligns with the VOP by providing higher-density residential

uses that contribute to the overall mix of uses within the corridor and support transit through the Site's proximity to higher-order transit services.

Additionally, the proposed amendments promote walking and cycling through enhanced connections to the public sidewalk and to the existing bicycle lanes along Highway 7.

- S. 4.1.1.4, 4.2.2.13, 4.2.2.15, 4.2.2.20, 4.2.3.1, 4.2.3.8

Mr. Afonso provided that the proposed development provides an appropriate transition to the existing apartment buildings located immediately east and west of the Subject Lands, as well as to the low-density residential neighbourhood to the north. In doing so, it achieves a more efficient use of existing infrastructure than would a six-storey apartment building with a density of 2.5 FSI. The development is also situated just steps from the Bus Rapid Transit (BRT) stations, offering the greatest opportunity to maximize the use of existing higher-order transit infrastructure.

The proposal further conforms to the as it introduces an intensified housing form within an area that is extremely well-served by higher-order transit, namely the Viva Bus Rapid Transit system.

Under the Zoning By-law, development within a Mixed-Use Zone must provide bicycle parking at a rate of 0.8 long-term spaces per residential unit and 0.2 short-term spaces per unit. Based on 103 residential units, the required bicycle parking is as follows:

- **Long term bicycle parking:**
 $103 \text{ units} \times 0.8 \text{ spaces/unit} = 82.4 \rightarrow \mathbf{83 \text{ spaces required}}$
- **Short term bicycle parking:**
 $103 \text{ units} \times 0.2 \text{ spaces/unit} = 20.6 \rightarrow \mathbf{21 \text{ spaces required}}$

The Zoning By-law also states that no bicycle parking is required where the total non-residential gross floor area on a lot is less than 500 m². As the potential non-residential

area in the proposed development is below this threshold, no bicycle parking is required for that component.

Accordingly, the total bicycle parking requirement for the development is 104 spaces, and no relief from the City's standards is requested. The proposed development will fully meet the minimum bicycle parking requirements.

- S. 7.1.1.3, 7.5.1.1

The proposed development conforms to the VOP by providing apartment housing options that expand the range and mix of housing types and affordability levels within the City. In addition, the proposal aligns with the VOP as it contributes to broadening the overall supply and diversity of housing options available in the City.

- S. 8.2.1.3

As confirmed by the Functional Servicing Report submitted in support of the Subject Applications, the proposed development will be fully serviced by municipal water, sanitary sewer, storm sewer, and public utility infrastructure.

- S. 9.2.2.4

The proposed development conforms to the VOP through a thoughtfully designed built form that provides an appropriate transition to the surrounding context. This is achieved through the building's height, setbacks, angular plane considerations, and overall massing, ensuring compatibility with adjacent development.

[32] The proposed amendments seek relief to allow optional retail or other active uses at grade, rather than requiring them.

[33] The rationale for seeking this flexibility includes the following:

- **Uncertain market viability** for a single retail or active-use tenant at this location;
- **Limited convenient parking**, which may constrain the feasibility of a retail use;
- **Lack of clarity** regarding what constitutes an “active use”, as the term is not defined in the Vaughan Official Plan, particularly in the context of indoor land uses.

Mr. Afonso stated that permitting optional, rather than mandatory, retail or active uses is justified; there is existing precedent for non-mixed-use buildings within the Mid-Rise Mixed-Use designation in this Intensification Area, including developments both east and west of the Subject Lands.

Furthermore, a significant concentration of retail and commercial uses is located to the east along Highway 7, within a five-minute walk of the Subject Lands, ensuring that local residents will continue to have convenient access to day-to-day amenities without requiring such uses on-site.

Further, the proposal promotes active transportation and transit use through connections to the existing public sidewalk network, the dedicated bicycle lanes on Highway 7, and its proximity to higher-order transit services.

[34] Mr. Afonso opined that the proposal conforms to the VOP.

[35] Mr. Tregobov provided opinions as they relate to the sections of the VOP:

- S. 5.2.3.2

The proposed development includes optional ground floor retail space at the intersection of Highway 7 and Wigwoss Drive. Its prominent corner location ensures strong transit supportiveness, given its immediate proximity to higher-order transit. The site is directly connected to existing sidewalks, enhancing pedestrian and cycling accessibility. Overall, the building demonstrates a high standard of urban design and contributes positively to the streetscape.

- S. 9.1.1.3

Mr. Tregobov provided that the building and elevation drawings presents no blank façades along the sidewalk edges, ensuring an active and visually engaging streetscape. While the detailed design of parking areas will be finalized through the Site Plan Approval process, most of the parking is accommodated underground, with a limited amount of surface parking located behind a landscaped buffer to minimize its visibility from the public realm.

Given the relatively small size of the site, with approximately 20 metres of frontage along Highway 7, the proposed development has been designed to make efficient use of the available land. The project will utilize the City of Vaughan's standards for street furnishings, paving, and curb treatments, ensuring consistency with the broader public realm.

Furthermore, with the BRT station only a few metres away and featuring its own established architectural language, the design of the proposed development has been intentionally conceived to be complementary and supportive of the station's built form and character.

- S. 9.1.2.1(b), 9.1.2.7, 9.1.2.9

Mr. Tregobov testified that the proposed development satisfies all applicable policy objectives through the use of generous setbacks, appropriate step backs (“step-backs”), application of the 45-degree angular plane, and a building height that is compatible with its context. He explained that the shadow study demonstrates minimal and acceptable shadow impacts on both the public realm and adjacent properties. He further noted that no variances are required from the City’s Zoning By-law regarding indoor or outdoor amenity space, and that the architectural form enhances the area’s skyline despite its modest 10-storey height.

The building addresses both public streets with setbacks that are consistent with neighbouring properties. The primary residential entrance is situated approximately 20 metres north of Highway 7, allowing the Highway 7 frontage to function appropriately for non-residential access. At grade, the street-facing areas accommodate the residential lobby, indoor amenities, and potential non-residential uses. Importantly, the design avoids any meaningful blank façades, and the building’s massing contributes to framing and defining the adjacent streets.

To ensure a sensitive interface with the low-rise neighbourhood to the north, the building transitions down to three storeys along its northern edge. This built form transition, together with a 10-metre-wide landscaped buffer adjacent to existing homes, provides an appropriate and compatible relationship with the surrounding residential area. Mr. Tregobov also observed that the building’s overall scale aligns with that of the nearby “Avenue on 7” development, and that together these buildings help establish a comfortable, pedestrian-scaled streetscape.

Mr. Tregobov also noted that the design of the Mid-Rise Building is conceived not as a structure with a distinct podium, but rather as a terraced massing that steps back in a cohesive form. Given the limited size of the site, he explained that a single, unified building form is the most appropriate solution, and that the design incorporates urban design standards he has previously applied in Vaughan, including recessed balconies along the street frontage, recessed glazing at the ground level, and the use of canopies to enhance pedestrian comfort.

- S. 9.2.2.4, 9.2.3.5(d)

Mr. Tregobov testified that, subject to approval of the site-specific Official Plan Amendment permitting ground-floor retail to be optional rather than required, the proposed development conforms to the applicable policies. He explained that any ground floor retail that may be introduced would represent less than fifty percent (50%) of the total gross floor area on the lot. The project provides a combination of residential and non-residential uses, all designed to a high architectural standard. Anticipated uses include residential units and potential non-residential components such as community oriented or retail space. All ground floor space is allocated to non-residential use, with the proposed non-residential area comprising roughly 25% of the ground-floor GFA.

Mr. Tregobov confirmed that although the property is located within 70 metres of a low-rise neighbourhood to the north, grade-related housing is permitted but not required. The proposed 10-storey mid-rise building complies with Schedule 13 of the Vaughan Official Plan. As a building over six storeys, it incorporates appropriately scaled architectural elements that emphasize the importance of a strong grade relationship and terraced massing. Given the configuration of the site, the design includes an urban “flat iron” expression—an established and effective urban design approach that strengthens the overall composition and avoids the appearance of a conventional podium and tower form.

The proposed setback to the existing homes to the north is 10 metres, exceeding the minimum 7.5-metre requirement. The design ensures adequate privacy and daylight access for occupants and neighbours alike. The development originally included three parallel parking spaces onsite for courier or parcel deliveries and resident pick-up, as well as three lay-by spaces within the Wigwoss Drive right-of-way. Since the City does not permit lay-by parking within the right of way in this instance, those latter three spaces have been removed from the proposal.

He also noted that all rooftop areas function as landscaped terraces, with the large 4th-floor terrace serving in part as a shared common element amenity space.

City-Wide Urban Design Guidelines (2018)

[36] Mr. Tregobov provided testimony related to the required design consistency of the Guidelines.

[37] The Tribunal heard the design approach focuses on responding to the established mid-rise character of the area and, fundamentally, aligning with the existing building heights at this intersection. A key objective is to create a balanced and cohesive corner that helps define Wigwoss Drive as part of a well-proportioned intersection.

[38] The planned intensification along Highway 7 supports both the City's transportation policies and the investment made in higher-order transit infrastructure. The building's design reinforces the broader urban vision by recognizing Highway 7 not merely as a vehicular corridor, but as the central spine of the surrounding urban structure.

[39] The design responds to the limited size of the site by focusing on defining and enhancing the adjacent open space. The proposed building works closely with its immediate context, effectively mirroring the scale and form of the building across Wigwoss Drive to create a balanced gateway at the intersection. A terraced massing strategy has been employed, reducing the height to three (3) storeys within 10 metres of the homes to the north to ensure an appropriate transition with, essentially, no adverse shadow issues.

[40] The mid-rise form fits comfortably within the existing Highway 7 context and steps down to reflect the smaller scale of the adjacent low-rise neighbourhood. The design reinforces the surrounding movement network of pedestrian, cycling, vehicular and higher-order transit and ensures seamless integration with existing infrastructure.

[41] The building itself is envisioned as a high-quality development, offering well-sized suites, private outdoor spaces, excellent parking facilities, high ceilings, and durable, attractive materials. The proposed form contributes to defining the “street wall” along Highway 7, helping to enclose the corridor and strengthen the urban edge, while also framing the adjacent green spaces to the east.

[42] The Tribunal heard that the proposed design effectively frames the public spaces along the adjacent streets, while parking, drop off, and loading functions are largely concealed at the rear of the site, away from the main street frontages. The combination of the building form and landscape features helps to clearly define and shape the surrounding open spaces.

[43] The evidence further established that the building has been designed to minimize shadow impacts on neighbouring properties by placing the tallest portion of the massing along the southern edge of the lot. The terraced form and relatively slender floorplate also allow for substantial natural light within the building.

[44] Given the site’s proximity to a lower-density residential area, the bulk of the structure has been positioned as far from those homes as practical. The parking garage is fully underground, with its ramp discreetly located at the rear. The three parallel surface parking spaces are screened with landscaping to reduce their visibility and impact on the public realm.

[45] Mr. Tregebov explained that the site and building design acknowledge the significance of being located within an intensification corridor. He stated that all design choices were guided by fundamental urban design principles, particularly the need to define, frame, and reinforce the public realm. The ground floor has been articulated with recessed elements and a varied façade plane, and the openings at grade reflect a deliberate three-dimensional composition. Canopies have been incorporated to improve pedestrian comfort, especially during higher wind conditions.

[46] He noted that detailed landscaping plans will be provided through the site plan approval process. The proposed non-residential uses at grade, oriented toward Highway 7, feature modest setbacks intended to support a pedestrian-focused streetscape. Small, cantilevered building elements introduce additional architectural nuance to the primary form. As previously indicated, there is no surface parking adjacent to the building frontage. The design responds effectively to the site's narrow frontage and to the permeable character of this side of Highway 7.

[47] The Tribunal heard that all proposed units would have internal access, including the ground floor units, ensuring convenient access for visitors and for garbage and recycling collection. The building will comply with the Ontario Building Code, will be fully accessible, and will provide accessible features in 15% of the dwelling units.

[48] It was noted that no residential suites front directly onto Wigwoss Drive or Highway 7; instead, the units are set back behind landscaped areas that provide separation from the public realm. Bicycle parking is provided for both residents within an indoor, secure facility and for visitors, in outdoor but sheltered locations. The common amenity areas are designed to offer a variety of activities and functions for residents of all ages. These elements are visible from the street but are defined with landscaping and fencing to ensure appropriate separation and privacy. Detailed designs are to be included as part of the Site Plan Approval submission.

[49] The Tribunal also heard that the ground-floor residential units are not designed as townhouse units. All dwellings are to have private outdoor space through balconies or rooftop terraces, and the ground-floor units will also have private rear gardens or patios. The development includes a range of suite types and sizes. According to the January 2025 architectural plans, there are 59 one-bedroom units and 44 two-bedroom units. The one-bedroom units range from 60 m² to 74 m², while the two-bedroom units range from 80m² to 123 m². The larger two-bedroom units are sufficiently sized to be converted into three-bedroom units if desired, without affecting the total unit count, allowing flexibility in response to market demand.

[50] Mr. Tregobov opined that the proposal represents high-quality urban design.

City's Evidence

Planning Act

[51] Mr. Barton provided testimony as it relates to Policies within the Act.

[52] He provided that the proposed development does not appropriately address the relevant Provincial interests for the following reasons:

- **Excessive height, density, and massing**

The proposal introduces substantial increases in height, density, massing, and scale when compared to the permissions established in VOP 2010, increases which have been approved and reaffirmed multiple times to ensure context-sensitive, transit-supportive development that optimizes the use of the Subject Property. The combined height, density, and massing result in a built form that is not reflective of the existing nor planned development on adjacent lands or within the broader neighbourhood.

[53] As such, the City proffers that, contrary to the intent of Section 2(p), this is not an appropriate location for the form and intensity of growth proposed.

- **Insufficient housing diversity and no affordable housing**

The development provides only a narrow range of unit types and includes no commitments or obligations to deliver affordable housing.

As a result, it fails to advance a full spectrum of housing options, including affordability, as is required under Section 2(j).

- **Not transit-supportive in accordance with PPS 2024**

The proposal does not meet the PPS 2024 definition of “transit-supportive” development, which emphasizes mixed-use development with a substantial employment component.

Instead, it would reinforce PMTSA 69 as a predominantly residential area, which is inconsistent with the objectives of Section 2(q).

- Lack of appropriate built-form transition and design compatibility

The proposed building does not incorporate design elements, such as appropriate height, massing, step-backs, and setbacks, that would ensure compatibility with surrounding development or provide a suitable transition to adjacent properties.

Accordingly, the proposal does not meet the expectations of Section 2(r).

- Inconsistent with existing and planned built form context

The development does not sufficiently consider or respond to the established and planned context outlined in VOP 2010 (as amended for PMTSA 69), nor does it support the City’s efforts to achieve appropriately scaled, locally responsive growth and intensification. The proposal does not align with Sections 2(m) and 2(n).

Provincial Planning Statement, 2024

[54] Mr. Barton provided testimony related to Policies 2.3.1.3, 2.4.1.1, 2.3.1.3, 2.4.1.3(c), 2.8.1.1, 2.4.1.3(b) within the PPS.

[55] Mr. Barton explained that the proposal offers only a narrow selection of housing types and lacks ground-floor commercial or employment space, which are necessary to support complete communities.

[56] He noted that the proposed height, density, scale, and overall built form exceed the maximum height and FSI permissions established in the VOP 2010. The proposal is contrary to the permissions that were put in place to achieve appropriate growth and intensification within the PMTSA.

[57] He further stated that the development does not provide a suitable mix of uses, especially employment uses, needed to support transit-oriented development and complete communities.

[58] Mr. Barton indicated that the proposal fails to balance planned growth with the necessary transition to and compatibility with neighbouring areas, as required by policy, instead aiming to maximize rather than appropriately optimize land use.

[59] Finally, he emphasized that while planning authorities must set appropriate density and intensity to achieve growth targets alongside proper transitions, the proposed height and density do not align with the Regional or City Official Plans.

[60] These plans contain clear policies designed to meet approved growth and intensification objectives, and the proposal is therefore not consistent with Sections 2.4.1.1 and 6.1.11.

Region of York Official Plan, 2022 (“YROP 2022”)

[61] Mr. Barton provided testimony related to Policies within the YROP.

[62] Mr. Barton testified that, although the Subject Property is designated for Mid-Rise Mixed-Use development, the proposal includes only residential uses, rather than the

mixed-use form that supports transit-oriented development, complete communities, and the attraction of employment within Intensification Areas such as PMTSAs.

[63] He noted that the PMTSA already contains limited employment uses, primarily the existing mid-rise buildings along Highway 7. The proposal would further shift the area toward an imbalanced residential focus. By proposing a residential building that significantly exceeds the maximum permitted density for both the site and the broader strategic growth area, while providing no new employment space, the development fails to conform to YROP 2022 policies 2.1.3(a), 2.1.4(c), 2.3.1, 2.3.2, 2.3.11, 2.3.26, 2.3.49, 4.2.1, 4.2.4, 4.4.3, 4.4.7, 4.4.9, 4.4.14, 4.4.18, and 4.4.35.

[64] He further explained that the proposed height and density do not complement the existing built form of the adjacent low-rise residential neighbourhood to the north nor the 4-storey component of the mid-rise building to the east. Accordingly, the proposal does not conform to policy 2.3.13(b).

[65] Mr. Barton also stated that the scale, height, massing, and density of the proposal are inconsistent with the VOP 2010 policy framework, which has been repeatedly adopted and reaffirmed to guide growth and intensification, including within PMTSAs as are required by policies 4.4.4, 4.4.5, 4.4.10, 4.4.11, 4.4.12, and 4.4.15.

[66] He added that the development greatly exceeds the site-specific height and density targets established as part of the broader strategy to optimize land use and achieve PMTSA-wide intensification objectives, contrary to policies 4.2.17 and 4.2.18.

[67] He emphasized that the project does not represent gentle density, which YROP 2022 defines as small-scale, context-compatible residential intensification within existing neighbourhoods but introduces a built form that significantly surpasses the height and density needed to meet the area's growth targets, conflicting with policies 4.4.16 and 4.4.42.

[68] Finally, Mr. Barton noted that the development offers only a limited range of unit types and does not contribute to a broader mix of housing options, tenures, nor affordability needed for residents at all life stages, contrary to policies 4.2.2 and 4.4.8. While VOP 2010 already permits substantial intensification, the proposal seeks major increases in height and density without appropriate regard for existing neighbourhood character or for providing proper transition and compatibility. On this basis, the proposal does not conform to YROP 2022 policies 2.3.13(f), 4.4.19, 4.4.34, and 7.3.2.

[69] Mr. Barton stated that the proposal fails to align with the City's established and repeatedly reaffirmed policies and land use designations for the Subject Property, which are intended to guide and support the appropriate levels of growth and intensification within the surrounding PMTSA.

City of Vaughan Official Plan, 2010 (VOP 2010)

[70] Mr. Barton testified that the proposal would undermine the stability of the established residential neighbourhood to the north by introducing growth and intensification that is not sensitive to its context and far exceeds the height, density, scale, and massing envisioned under VOP 2010. Those permissions were specifically designed to support appropriate, compatible development within PMTSA 69 while optimizing land use.

[71] He explained that the development seeks to substantially surpass the height and density limits approved by the City, which were intended to direct intensification to suitable locations and help achieve the City's goal of accommodating 45% of new residential growth through intensification. In doing so, the proposal would significantly alter the character of the Subject Property, affecting its relationship with Wigwoss Drive, its interface with Highway 7, the adjacent low-rise neighbourhood to the north, and the 4-storey residential building to the east.

[72] Mr. Barton noted that the project introduces no employment or non-residential uses, despite the PMTSA already having limited such uses. This would further skew the area toward residential development, contrary to the objectives of transit-supportive planning and complete communities. He stated that the proposal focuses on maximizing density on the site rather than appropriately directing growth while maintaining the integrity of Stable Areas.

[73] He further observed that the unique context of the site, fronting Wigwoss Drive and having only a modest exterior side-yard on Highway 7, while serving as a transition between an intensification corridor and a stable residential neighbourhood, has not been properly reflected in a proposal that seeks the highest height, density, and massing within the PMTSA.

[74] Mr. Barton also highlighted that no active at-grade uses are proposed to animate the streetscape along either Highway 7 or Wigwoss Drive, and that all pedestrian and vehicular access points are located on Wigwoss Drive. He emphasized that the existing maximum permitted density already exceeds both the PMTSA minimum FSI of 0.9 and the overall intensification corridor target of 2.5, yet the proposal seeks to go well beyond this without justification while also requesting relief from other performance standards that would further increase the building's scale and massing.

[75] He concluded that the development does not contribute to expanding retail activity within Intensification Areas, nor does it enhance local shopping or employment opportunities. As such, it does not advance the broader goals of transit-supportive development nor of complete, balanced communities.

Vaughan City-Wide Urban Design Guidelines (2018)

[76] Mr. Barton provided testimony as it relates to the required design consistency of the Guidelines.

[77] Mr. Barton stated that the proposed development fails to achieve the standard of design excellence required by the Guidelines.

[78] The proposal does not meet key urban design expectations. Its height, scale, and massing fail to respond to surrounding land uses, prioritizing maximization of density over compatibility with nearby streetscapes and built form. The building does not provide an appropriate transition to adjacent low-rise and mid-rise areas nor reflect the intended character of the Highway 7 corridor.

[79] As a corner lot site, it is not designed to frame nor provide access from both Wigwoss Drive and Highway 7. The absence of a properly scaled 6-storey podium and upper level step-backs results in excessive bulk, and the unit mix lacks family-sized (3-bedroom) options.

[80] The Tribunal heard that the proposal seeks to maximize height, density, and massing well beyond what is appropriate for the neighbourhood context, particularly given the small size of the site, its limited Highway 7 frontage, and its role as a transition to a stable low-rise area.

[81] The built form is incompatible with surrounding properties, does not provide an appropriate transition to adjacent low-rise homes, and fails to create a suitable public realm interface. The excessive height would also generate significant shadow and overlook impacts beyond what the City's planning framework anticipates.

[82] Mr. Barton concluded that the proposed development is not appropriate nor compatible for the site. He stated that the project seeks to maximize height, density, scale, and massing rather than optimize development within the local context, and that the proposed height and FSI far exceed the site-specific permissions established through VOP 2010 and OPA 101.

[83] He noted that the building's scale and massing do not fit the existing or planned character of the surrounding area, and that, even with some design measures, the proposal still fails to provide an appropriate transition to neighbouring properties. He also observed that the project does not support Complete Communities because it includes no employment uses and lacks a diverse range of housing types.

[84] He opined that the height and density already permitted under VOP 2010 represent the appropriate and compatible built form for the Subject Property.

[85] Mr. Barton concluded that the proposed development is neither appropriate nor compatible for the Subject Property. The applicant has pursued a built form that maximizes height, density, scale, and massing rather than optimizing development within its local context.

[86] The proposal significantly exceeds the site specific height and FSI permissions set out in VOP 2010 and OPA 101, permissions that were adopted to ensure alignment with YROP 2022 and to deliver planned growth in a balanced, context sensitive manner. These permissions have repeatedly been identified as appropriate for achieving the growth and intensification objectives for this PMTSA.

[87] The proposed building's height, density, scale, and massing are incompatible with both the existing and planned built form of the surrounding community. Even with certain design modifications, the development fails to provide a proper transition to adjacent properties and instead reflects a singular focus on maximizing the development potential of the site.

[88] Furthermore, the proposal does not advance the City's objectives for Complete Communities. It introduces no employment uses to support mixed-use, transit-supportive development and does not offer a sufficiently diverse range of housing types needed to serve residents at different life stages.

FINDINGS AND ANALYSIS

[89] In reaching its decision on these appeals, the Tribunal has given careful consideration to all submissions and materials placed before it by the Parties.

[90] The Tribunal observes that the City's concerns throughout the Hearing focused primarily on the scale, massing, and density of the proposed development, along with matters relating to urban structure and urban design.

[91] However, the Tribunal was ultimately persuaded by the professional opinion evidence of Mr. Afonso and Mr. Tregobov that the Proposed Development is suitable for the Subject Land.

[92] The Tribunal finds that the Subject Lands are situated within an urban area that is well-served by educational, health, social, cultural, and recreational facilities.

[93] The Tribunal accepts that the design responds appropriately to its context, incorporating a 10-storey building with suitable setbacks and positioning to mitigate potential privacy, overlook, and shadow impacts on neighbouring residential properties.

[94] The Tribunal finds that the proposed building design incorporates setbacks, landscaping, building height, massing, and a 45-degree angular plane to ensure a suitable transition to the low-density residential neighbourhood to the north. The proposed height is also compatible with the existing apartment buildings located to the east and west.

[95] Additionally, the Tribunal finds that the building design broadens the range of housing forms and affordability options available within the City.

[96] It represents an appropriate mid-rise built form that makes efficient use of the Subject Lands and supports intensification, thereby contributing to the diversity of land

uses in the area and advancing the objectives of complete communities and compact urban form through apartment housing.

[97] The Tribunal views favourably the range of suite types and sizes incorporating one-and two-bedroom suites. The Tribunal notes that the larger two-bedroom units are sufficiently spacious to be reconfigured into three-bedroom units without reducing the overall unit count, and that the decision to do so may appropriately be left to market demand.

[98] The Tribunal also agrees that providing an optional non-residential space (such as retail uses) at-grade would introduce opportunities for employment and further support mixed-use development.

[99] The Tribunal finds that the development appropriately responds to its surroundings by optimizing land use within a Major Transit Station Area while providing a suitable transition to the low-rise neighbourhood to the north and to the existing apartment buildings situated to the east and west along Highway 7.

[100] The Tribunal acknowledges that the proposed development would successfully redevelop the site into a vibrant residential community, providing new housing within a designated Protected Major Transit Station Area.

[101] The project supports compact and efficient land use within the existing urban boundary, and leverages existing transit, infrastructure, and municipal service investments made by the City and the Region, in a manner consistent with Section 2 of the *Planning Act*.

[102] The Tribunal notes that the proposed development is adequately served by existing water, wastewater, and transportation infrastructure, as well as by public service facilities. The design supports active transportation by providing direct pedestrian connections to the public sidewalk network and to the cycling lanes along

Highway 7. The development is also transit-supportive, placing higher-density housing in immediate proximity and with convenient access to established transit services.

[103] The Tribunal finds that the proposal aligns with the City's Urban Structure by introducing a more intensive built form within a Regional Intensification Corridor, consistent with the objective of supporting higher-order transit. The development contributes to the planned mix of uses, building heights, and densities envisioned for an Intensification Area, and helps achieve the MTSA's minimum density target.

[104] The Tribunal further finds the imposition of a Holding (H) provision is adequate pending the City of Vaughan Council adoption of a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy.

[105] The Tribunal finds the proposal has sufficient regard for the matters in S. 2 of the *Planning Act*. The proposed OPA and ZBLA are consistent with the PPS, conform to the YROP, and, where applicable, the VOP.

INTERIM ORDER

[106] **THE TRIBUNAL ORDERS THAT** the appeals are allowed in part, on an interim basis, contingent upon confirmation, satisfaction or receipt of those pre-requisite matters identified in **paragraph 108** below.

[107] The Tribunal will withhold the issuance of its Final Order contingent upon confirmation of the City Solicitor that the following two (2) pre-requisite matters have been satisfied:

- i) the final and content form of the ZBA and OPA is finalized, satisfactory to the Executive Director, Development Review and the City Solicitor; and

- ii) a Holding (H) provision pending Vaughan Council's adoption of a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy.

[108] The Member will remain seized for the purposes of reviewing and approving the final draft of the Official Plan and Zoning By-law Amendments and the issuance of the Final Order.

[109] If the Parties do not submit the final drafts of the Official Plan and Zoning By-law Amendments and do not provide confirmation that all other contingent pre-requisites to the issuance of the Final Order as set out above have been satisfied, and do not request the issuance of the Final Order by **Friday, October 30th, 2026**, the Applicant and the City shall provide a written status report to the Tribunal by that date, as to the timing of the expected confirmation and submission of the final form of the draft Official Plan and Zoning By-law Amendments and issuance of the Final Order by the Tribunal.

[110] The Tribunal may, as necessary, arrange the further attendance of the Parties by Telephone Conference Call ("TCC") to determine the additional timelines and deadline for the submission of the final form of the instrument(s), the satisfaction of the contingent prerequisites and the issuance of the Final Order.

"Carmine Tucci"

CARMINE TUCCI
MEMBER

Ontario Land Tribunal

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