

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 082-2026**

**A By-law to amend the Vaughan Official Plan 2010 for the Vaughan Planning Area with Amendment Number 147, as effected by the Ontario Land Tribunal.**

**WHEREAS** an application for an Official Plan Amendment was filed with respect to the lands at 10-11, 26, 36-39 Barolo Place to permit the development of 104 stacked back-to-back townhouse units that are contained within 5 blocks;

**AND WHEREAS** the Official Plan and Zoning By-law Amendment applications were appealed to the Ontario Land Tribunal as File No. OLT-24-000220 and OLT-24-000221 for failure to make a decision by the City of Vaughan, and the Tribunal made an order with respect to the appeals;

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

1. THAT Amendment Number 147 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, as approved by the Ontario Land Tribunal Order dated the 21<sup>st</sup> day of July, 2025 (OLT File No. OLT-24-000220), is attached hereto as Attachment "1" consisting of the attached text, Schedules "1", "2" and "3", Appendix "I" and Appendix "II" and is effective on July 21, 2025.

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Steven Del Duca, Mayor

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Todd Coles, City Clerk

**Ontario Land Tribunal**

655 Bay Street, Suite 1500  
Toronto, ON M5G 1E5  
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**Tribunal ontarien de  
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February 25, 2026

TO: All recipients of the Ontario Land Tribunal Decision and Order issued on July 21, 2025

**RE: OLT CASE NO.: OLT-24-000220, DECISION ISSUED ON JULY 21, 2025**

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On July 21, 2025, the Ontario Land Tribunal issued its Decision and Order (“Decision”) on the above noted case.

Rule 24.4 of the Ontario Land Tribunal’s *Rules of Practice and Procedure* (“Rule”) states that the Tribunal may at any time correct a technical or typographical error made in a decision or order.

The Tribunal has corrected the Decision under the authority of this Rule by:

1. replacing **Attachment 1** with an updated version of the Official Plan for the City of Vaughan, as modified; and
2. replacing **Attachment 2** with an updated version of the amendments to the City of Vaughan By-law No. 001-2021.

A corrected version of the Decision issued on July 21, 2025 is enclosed with this communication. This enclosed Decision replaces the Decision and Order issued on July 21, 2025.

Thank you,

“*Matthew D.J. Bryan*”

MATTHEW D.J. BRYAN  
REGISTRAR

Encl.

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** July 21, 2025

**CASE NO(S):** OLT-24-000220

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

**Applicant and Appellant:** QF Development Group (BT) Inc.  
**Subject:** Request to amend the Official Plan – Failure to adopt the requested amendment  
**Description:** To permit a 15-storey residential building  
**Reference Number:** OP.22.022  
**Property Address:** 87 Keatley Drive  
**Municipality/UT:** Vaughan/York  
**OLT Case No.:** OLT-24-000220  
**OLT Lead Case No.:** OLT-24-000220  
**OLT Case Name:** QF Development Group (BT) 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:** QF Development Group (BT) Inc.  
**Subject:** Application to amend the Zoning By-law – Refusal or neglect to make a decision  
**Description:** To permit a 15-storey residential building  
**Reference Number:** Z.22.043  
**Property Address:** 87 Keatley Drive  
**Municipality/UT:** Vaughan/York  
**OLT Case No.:** OLT-24-000221  
**OLT Lead Case No.:** OLT-24-000220

**Heard:** February 10, 2025

**APPEARANCES:****Parties**

QF Development Group Inc.

City Of Vaughan

**Counsel**

P. DeMelo

M. B. Rubin

**MEMORANDUM OF DECISION DELIVERED BY CARMINE TUCCI ON FEBRUARY 10, 2025 AND ORDER OF THE TRIBUNAL**

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[1] The matter before the Tribunal was in respect to appeals filed pursuant to s. 22(7) and 34(11) of the *Planning Act* (“Act”) by QF Development Group (BT) 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 (“ZBLA”) Applications (together “Applications”) within the timeframe prescribed by the Act.

[2] The lands that are the subject of the Application are known municipally as 87 Keatley Drive (“Property”). The Appellant proposes to develop the Property with a 296-unit residential building with a maximum height of 15 storeys and podiums ranging from four to nine storeys.

[3] The Tribunal heard that the Parties confirmed that a settlement had been reached and was presented for the consideration of the Tribunal.

**EVIDENCE AND SUMMARY OPINION**

[4] The Tribunal was presented with the witness statement of Lauren Capilongo, a Principal at Malone Given Parsons Ltd., a land use planning consulting firm that provides services in urban planning, urban design, and project coordination in support of the Settlement.

[5] Ms. Capilongo was affirmed and qualified to provide expert evidence in relation to land use planning.

[6] Ms. Capilongo provided that the Revised Settlement Proposal comprises of:

| QF Development Group (BT) Inc.<br>Development Statistics |                       |                                    |
|----------------------------------------------------------|-----------------------|------------------------------------|
|                                                          | Original (Dec 2022)   | Revised (Dec 2024)                 |
| Built Form Typology                                      | Apartments            | Stacked Back-to-Back<br>Townhouses |
| Building Height                                          | 15 storeys            | 4 storeys                          |
| Gross Floor Area                                         | 24,077 m <sup>2</sup> | 10,920 m <sup>2</sup>              |
| Residential Units                                        | 296                   | 104                                |
| Vehicle Parking<br>(underground)                         | 355 spaces            | 141 spaces                         |
| Density                                                  | 3.68 FSI              | 1.71 FSI                           |

[7] Ms. Capilongo stated a single full-moves access is proposed from Keatley Drive, providing access to the underground parking spaces, the loading space, and a truck turnaround area at the end of the private driveway, internal to the site. 141 parking spaces are proposed, including 21 visitor spaces and 5 accessible spaces.

[8] Ms. Capilongo provided that a 3 metre (“m”) landscape buffer is proposed along the south property line, adjacent to the existing single detached dwellings.

[9] Ms. Capilongo further provided that the Settlement Proposal includes bicycle parking and proposes to complete the sidewalk on the west side of Bathurst Street, south of Queen Filomena Avenue, supporting active transportation and accessibility.

## REQUIRED AMENDMENTS

[10] Ms. Capilongo 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.

### Official Plan Amendment

[11] The amendment seeks that the approval in principle will:

- Maintain the existing land use designation, being a low-rise mixed-use designation on the Property,
- Permit a maximum site density of 1.75 floor space index,
- Permit stacked back-to-back townhouses that also share a rear wall, resulting in a building with two facades where individual entrances to the units are located with no rear yard,
- Permit Stacked Townhouses to front onto a public and private street; and,
- To reduce the facing distance between blocks of Stacked Townhouses to 10 m.

### Zoning By-Law Amendment

[12] The amendment seeks that the approval in principle will:

- Rezone the Property from Neighbourhood Commercial to RM1 – Multiple Unit Residential
- Permit a front yard setback (Keatley Drive) of 2.4 m
- Minimum lot area per unit: 60 m<sup>2</sup>;
- Minimum front yard setback (Keatley Drive): 2.4 m;
- Minimum rear yard setback (Bathurst Street): 2.4 m;

- Minimum interior side yard setback (Southerly Lot Line): 3 m;
- Minimum side yard setback to a sight triangle: 1.2 m;
- Maximum width of front main wall of a block of multiple-unit townhouse dwellings: 48 m;
- Minimum below grade setback from a street line: 0 m;
- Minimum landscape strip abutting a street line: 0 m width;
- Minimum outdoor amenity area: 0 m<sup>2</sup>;
- Minimum amenity area: 0 m<sup>2</sup>; and,
- Encroachment (stairs (open, enclosed), retaining walls, and porch, including access stairs from grade): TBD through the site plan process.

[13] Ms. Capilongo 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”), particularly Policy 2.3.1.1 of the PPS which provides that “Settlement areas shall be the focus of growth and development”. The OPA and ZBLA provide additional growth and development within a settlement area;
3. Conforms to the York Region Official Plan, 2022;
4. Conform, subject to approval of the OPA and ZBLA , to the VOP; and
5. Is appropriate for the Property, represents good planning, and is in the public interest.

## FINDINGS

[14] On the strength of the uncontradicted expert opinion evidence of Ms. Capilongo and upon a review of the applicable provisions of the Act, the PPS, the York Region

Official Plan, and the VOP, the Tribunal is satisfied that the proposed OPA and ZBLA represent an efficient use of land, resources, and infrastructure.

[15] The Tribunal finds that the updated proposed changes guarantee the site's redevelopment remains suitable within its context and aligns with the City's diverse growth and housing objectives.

[16] The Tribunal agrees that the Settlement Plan proposes stacked back-to-back townhouses which provide for more efficient use of land in comparison to stacked townhouses.

[17] The Tribunal supports the notion that the Settlement will offer a built form harmonious with the community's character by introducing a low-rise structure that complements the existing residential subdivision and is allowed under the low-rise mixed-use land use designation.

[18] The Tribunal endorses the development of a compact urban built form that is pedestrian and cyclist-friendly, with the completion of the Bathurst Street sidewalk and the provision of bicycle parking spaces. It also supports transit by offering a medium-density built form near existing bus routes. The proposed townhouses provide a more affordable type of ground-oriented housing.

[19] Tribunal is of the view that the Settlement reached by the Parties is fair and reasonable, and that the resulting OPA and ZBLA represent good planning in the public interest. The Tribunal praises the Parties in working collaboratively and engaging in productive discussions in order to reach a Settlement in these proceedings.

**ORDER**

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

[21] **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.

[22] 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](http://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.

**AMENDMENT NUMBER 147  
TO THE VAUGHAN OFFICIAL PLAN 2010  
OF THE VAUGHAN PLANNING AREA**

The following text and Schedules “1”, “2”, and “3” constitute Amendment Number 147 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix “I” and Appendix “II”.

DRAFT

## 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 13, Site Specific Policies to permit a stacked back-to-back townhouse development on the Subject Lands, containing a total of 104 units within 5 blocks (the 'Amendment').

This Amendment will facilitate the following with respect to the Subject Lands identified as, "Lands Subject to Amendment No.147" on Schedule "1" attached hereto:

1. Permit a maximum floor space index (FSI) of 1.75 times the area of the lot.
2. Permit stacked townhouses that share a rear wall, resulting in a building with two facades and individual entrances to the units but with no rear yard.
3. Permit stacked townhouses to front onto a public and private street.
4. Reduce the facing distance between blocks of stacked townhouses.
5. Add a new Map 13.26.B as shown on Schedule "3".

## II LOCATION

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", are located on the southwest corner of Queen Filomena Avenue and Bathurst Street, and are municipally known as 10-11, 26, 36-39 Barolo Place (formerly 87 Keatley Drive), being Block 279, Plan 65M-4491, City of Vaughan, as shown on Schedule "1" attached hereto as "Lands Subject to Amendment No. 147."

## III BASIS

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

1. The Provincial Planning Statement ('PPS'), 2024 provides policy direction on matters of provincial interest related to land use planning and development. The *Planning Act* requires that all land use decisions in Ontario "shall be consistent

with” the PPS. The PPS 2024, specifically policies 2.2.1 and 2.3.1.2, directs communities to support intensification and redevelopment, contribute to providing for a range of housing, and ensure the efficient use of infrastructure and public service facilities within the Settlement Area. In consideration of the above, the Development meets these policy directives and is therefore consistent with the PPS 2024.

2. The York Region Official Plan (‘YROP’) 2022 guides economic, environmental, and community building decisions across York Region. The Subject Lands are designated “Urban Area” by the YROP 2022. Policy 4.2.2 of the YROP 2022 requires that a wide range and mix of housing types be provided to meet the needs of all residents at all stages of life. YROP 2022 also encourages that local municipal official plans implement a variety of housing types that is consistent with meeting the density, intensification and Regional forecasts. The Development will offer a new housing form in the community that will appeal to a wide age group and contribute to achieving the minimum density target established by York Region.
3. The VOP 2010 is intended to guide planning for intensification, transit-supportive development, urban growth and complete communities in the City of Vaughan. The Subject Lands are located within “Community Areas” by Schedule 1 – Urban Structure and designated “Low-Rise Mixed-Use” on Schedule 13 – Land Use in the VOP 2010. The “Low-Rise Mixed-Use” designation permits detached, semi-detached and townhouse units (including back-to-back townhouses) and select commercial uses with a maximum height and density of 4-storeys and FSI of 1.5 times the area of lot. An amendment to VOP 2010 is required to permit a density of 1.75 FSI on the Subject Lands and provide site-specific exceptions to facilitate the Stacked Back-to-Back Townhouse form. The built form of the proposed townhouses will retain the appropriate physical character of the community while introducing a new housing type that helps to increase the housing stock for future population growth. This Amendment is considered compatible with the existing and

residential uses surrounding the Subject Lands

4. The statutory Public Meeting for Official Plan Amendment File OP.22.022 (QF Development Group (BT) Inc.) was held on April 4, 2023. The recommendation of the Committee of the Whole was to receive the Public Meeting report of April 4, 2024, to inform the Owner that they hold a community meeting with Vaughan residents, staff, the mayor and members of Council, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on April 25, 2023.
5. On February 27, 2024, the Owner (QF Development Group (BT) Inc.) filled an appeal to the Ontario Land Tribunal ('OLT') pursuant to subsections 22(7) and 34(11) of the *Planning Act*.
6. On May 30, 2024, as instructed by the statutory Public Meeting the Owner held a Community Meeting, with staff, the Councilors, and Vaughan residents to discuss the proposed changes of the Development.
7. On September 17, 2024, Vaughan Council endorsed a recommendation for refusal to facilitate a 15-storey residential apartment building containing 279 units proposed by QF Development Group (BT) Inc.
8. On December 12, 2024, QF Development Group (BT) Inc. submitted a with prejudice Offer to Settle, consisting of five blocks of 4-storey stacked back-to-back townhouses, totaling 104 units having a total residential gross floor area of 10,920m<sup>2</sup> and an FSI of 1.75 times the area of the lot. On January 21, 2025, Vaughan Council endorsed the Offer to Settle and directed Staff to attend the OLT hearing for case no. OLT-24-000220 to resolve the matter before the Tribunal.
9. An OLT Settlement Hearing was held on February 10, 2025.

#### IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Vaughan Official Plan 2010 is hereby amended by:

1. Amending Volume 1, Schedules 13 “Land Use Designations” by amending the maximum density from 1.5 FSI to 1.75 FSI, as shown on Schedule “2”.
2. Adding the following policies to Volume 2, Chapter 13 Site Specific Policies, Section 13.26 North West Corner of Bathurst Street and Major Mackenzie Drive and Map 13.26.B as the location map of the Subject Lands as shown on Schedule “1” and “3”:

“(OPA #147) 13.26.1.2 (10-11, 26, 36-39 Barolo Place)

The following policies shall apply to the lands identified on Map 13.26.B:

- a. Notwithstanding Policy 9.2.3.3.a, stacked townhouses may be permitted to share a rear wall, resulting in a building with two facades where individual entrances to the units are located with no rear yard.
- b. Notwithstanding Policy 9.2.3.3.d, stacked townhouses may be permitted to front onto public and private streets.
- c. Notwithstanding Policy 9.2.3.3.e, a minimum of 10m facing distance may be permitted between blocks of stacked townhouses that are not separated by a public street.”

#### 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.

DRAFT

## APPENDIX I

The Subject Lands are located on the southwest corner of Queen Filomena Avenue and Bathurst Street, municipally known as 10-11, 26, 36-39 Barolo Place, being Block 279, Plan 65M4491, in the City of Vaughan.

The purpose of this Amendment is to permit the development of 104 Stacked Back-to-Back Townhouse units on the Subject Lands. The proposed Development requires the following amendments:

### Vaughan Official Plan 2010, Volume 1

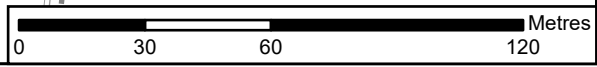
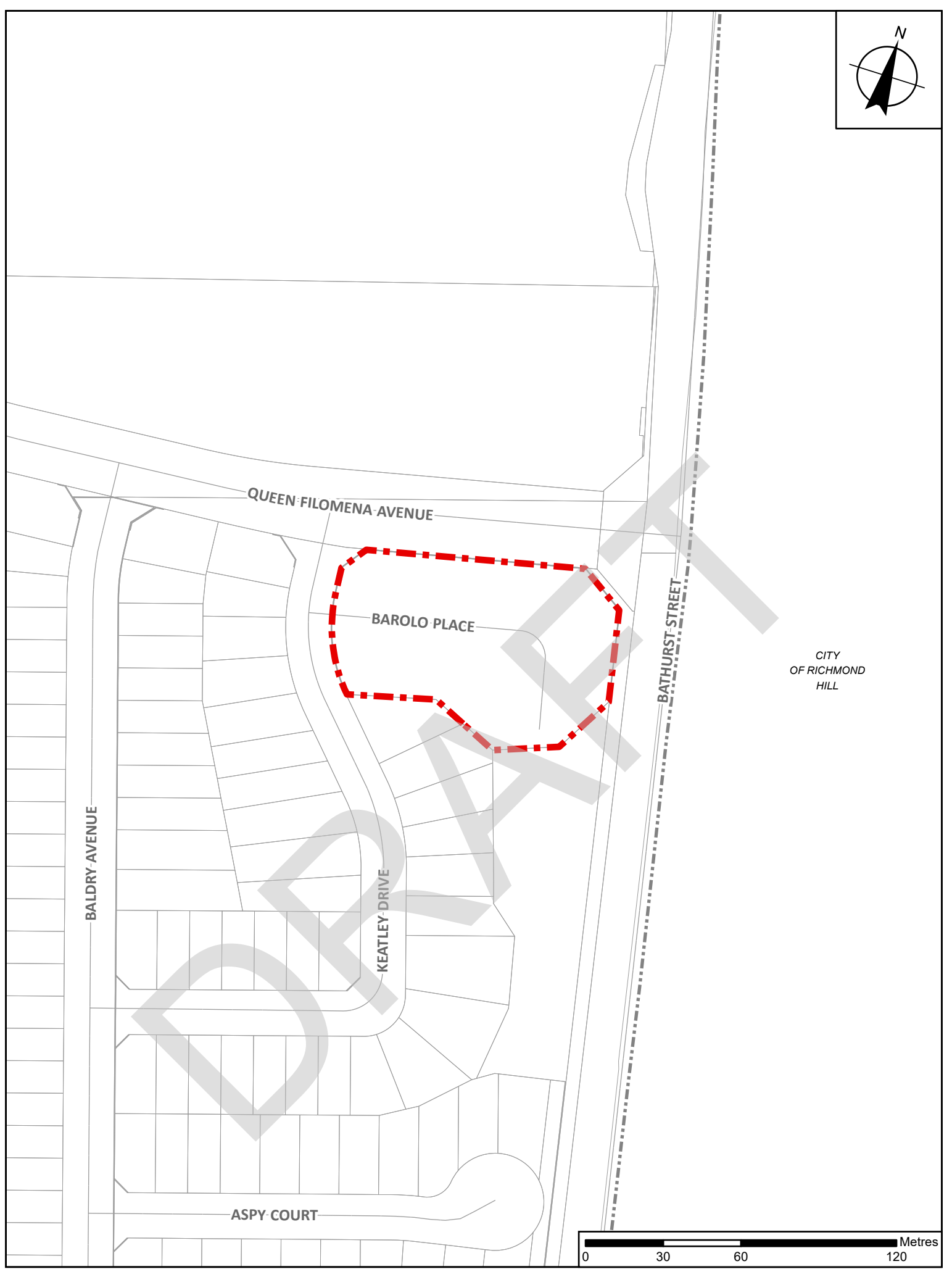
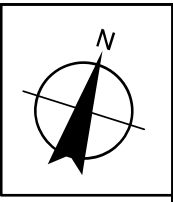
1. To amend Schedule 13 – Land Use to permit a maximum FSI of up to 1.75 times the area of the lot, as shown on Schedule “2” of this Amendment.

### Vaughan Official Plan 2010, Volume 2, Chapter 13 – Site-Specific Policy Area

1. To modify Site-Specific Policy Area 13.23 “North West Corner of Bathurst Street and Major Mackenzie Drive”, with the following:
  - a. To permit Stacked Townhouses to share a rear wall;
  - b. To permit Stacked Townhouses to front onto a public and private street;
  - c. To reduce the facing distance between blocks of Stacked Townhouses; and
  - d. To add a new Map 13.26.B, as shown on Schedule “3” of this Amendment

On January 28, 2025, Vaughan Council ratified January 21, 2025, recommendation of the Committee of the Whole recommendation, to endorse and accept the with prejudice Offer to Settle for Official Plan Amendment File OP.22.022 as follows:

1. “THAT Staff are directed to accept the terms of the with prejudice offer to settle dated December 12, 2024, save for the requirement for immediate allocation of servicing for 104 units, and subject to any reasonable modifications approved by the Deputy City Manager, Planning, Growth Management and Housing Delivery;
2. THAT Legal Counsel of the Office of Planning Law attend the OLT hearing for case no. OLT-24-000220 to resolve the matter in support of Council’s direction in this report;
3. THAT if the OLT approves the settlement between the parties, Legal Counsel of the Office of Planning Law shall request it to withhold its final Order until the final form of the Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) are prepared and submitted to the OLT on the consent of all parties; and
4. THAT if the OLT approves the Applications in whole or in part, Council authorizes the Deputy City Manager, Planning, Growth Management and Housing Delivery to finalize the draft OPA and ZBA instruments for approval by the OLT;
5. THAT the Deputy City Manager, Planning, Growth Management and Housing Delivery, be authorized to execute minutes of settlement (if required) and any other ancillary documents necessary that is consistent with the settlement set out in this report;
6. THAT upon the OLT issuing its final order, staff bring forward a report recommending that water and sanitary servicing capacity be identified and allocated by Council for the development of 104 units on the subject property.”



**This is Schedule '1'**  
**To Official Plan Amendment No. 147**  
**Adopted the 21st Day Of July, 2025**

**File:** OP.22.022

**Related File:** Z.22.043

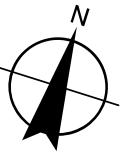
**Location:** 10-11, 26, and 36-39 Barolo Place  
 Part of Lot 22, Concession 2






**Applicant:** QF Development Group (BT) Inc.  
**City of Vaughan**

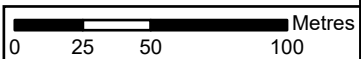


Lands Subject to  
 Amendment No. 147

**Map 13.26.B - 10-11, 26, and 36-39 Barolo Place  
This is Part of Schedule 13 - Land Use  
To Vaughan Official Plan 2010, Volume 1**



-  Greenbelt Plan Area & Oak Ridges Moraine Conservation Plan Area
-  Natural Areas
-  Infrastructure and Utilities
-  Low-Rise Residential
-  Low-Rise Mixed-Use



**This is Schedule '2'  
To Official Plan Amendment No. 147  
Adopted the 21st Day Of July, 2025**

**File:** OP.22.022

**Related File:** Z.22.043

**Location:** 10-11, 26, and 36-39 Barolo Place  
Part of Lot 22, Concession 2

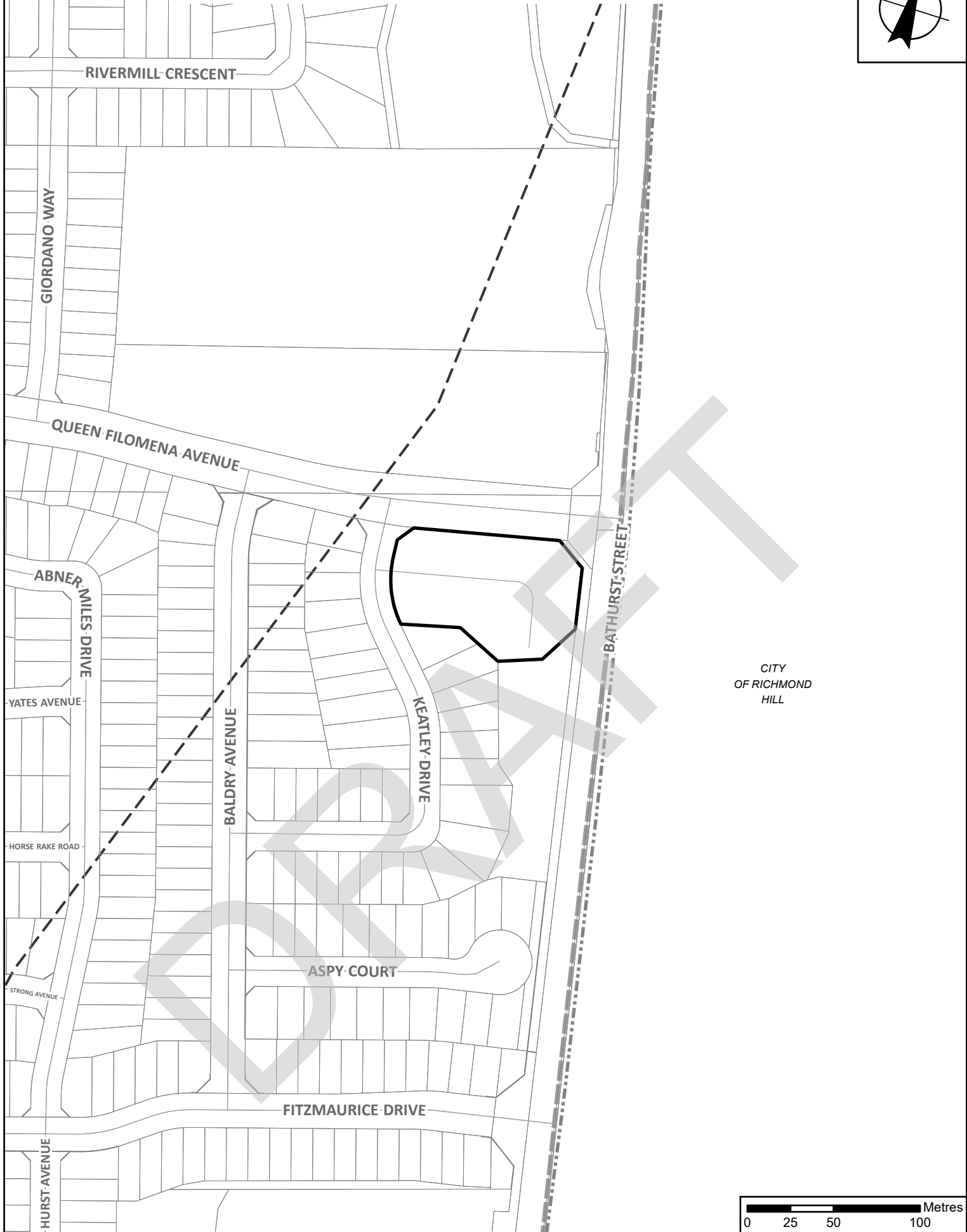
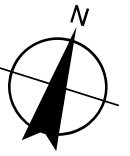
**Applicant:** QF Development Group (BT) Inc.

**City of Vaughan**



**Lands Subject to  
Amendment No. 147**

# Map 13.26.B - 10-11, 26, and 36-39 Barolo Place



This is Schedule '3'  
To Official Plan Amendment No. 147  
Adopted the 21st Day Of July, 2025

**File:** OP.22.022

**Related File:** Z.22.043

**Location:** 10-11, 26, and 36-39 Barolo Place  
Part of Lot 22, Concession 2

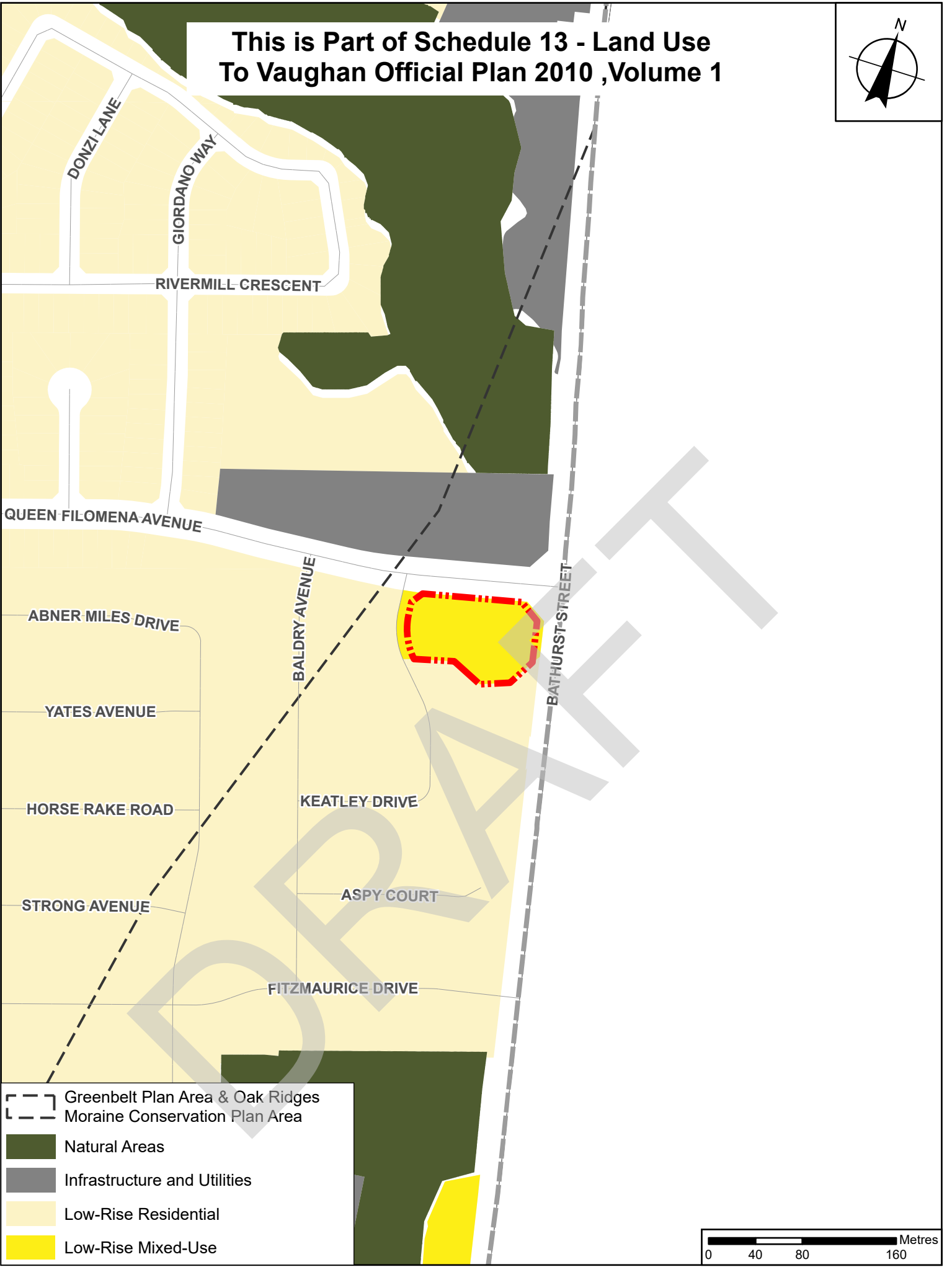
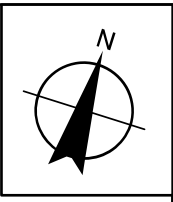
**Applicant:** QF Development Group (BT) Inc.

**City of Vaughan**



Lands Subject to  
Amendment No. 147

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



**This is Appendix II  
To Official Plan Amendment No. 147  
Adopted the 21st Day Of July, 2025**

**File:** OP.22.022

**Related File:** Z.22.043

**Location:** 10-11, 26, and 36-39 Barolo Place  
Part of Lot 22, Concession 2

**Applicant:** QF Development Group (BT) Inc.

**City of Vaughan**



**Lands Subject to  
Amendment No. 147**