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By Mail and Online Submission

January 23, 2026

Municipal Services Office – Central Ontario
The Ministry of Municipal Affairs & Housing
College Park, 16th Floor
777 Bay Street
Toronto, Ontario M7A 2J3

Attention: Matthew Meighoo

Dear Mr. Meighoo,

RE: Request for Modifications to City of Vaughan New Official Plan (VOP) 2025
3660 Rutherford Road, City of Vaughan

We are counsel to West Rutherford Properties Ltd. **("West Rutherford")**, the registered owner of a parcel of vacant land located in the vicinity of the northeast quadrant of Weston Road and Rutherford Road, municipally known as 3660 Rutherford Road ("**Subject Lands**").

On behalf of West Rutherford, we are writing to submit our Client's concerns to the Ministry of Municipal Affairs and Housing (the "**Ministry**") in respect of the City of Vaughan's ("City") adopted new Vaughan Official Plan (VOP) 2025 **("VOP 2025")**, which was passed by Council on October 28, 2025, in accordance with Section 17(22) of the *Planning Act*. As detailed in this correspondence, we respectfully request that the VOP 2025 be modified before it is approved in order to address these concerns.

Background

Our client has been involved in various proceedings concerning the proposed development of the Subject Lands since 2010 and first filed appeals against the City's failure to reach a decision on its applications for Official Plan Amendment ("**OPA**"), Zoning By-law Amendment ("**ZBA**") and Site Plan Approval ("**SPA**") in July 2013. Despite the first prehearing being held in 2014, the appeals were adjourned sine die until, at a Case Management Conference ("**CMC**") in October 2020, the Tribunal directed West Rutherford to prepare a full resubmission of the development applications.

The resubmission of applications for OPA, ZBA and SPA was made in June 2021. Following a comprehensive review of the resubmission by the City, West Rutherford filed a further full application submission in September 2022. At the time, a merit hearing for the appeal was

scheduled to commence on March 20, 2023. Through the resubmission West Rutherford proposed to develop the Subject Lands with a total of 328 residential dwelling units across one 6-storey apartment building, two 12-storey apartment buildings, and seven 3-storey townhouse dwellings.

In November 2022, based on these resubmission materials, City Council received a report regarding the proposed development and associated OLT matters, wherein planning staff recommended that the City appear before the Tribunal in support of the proposed development. As part of the report, staff recommended that Council endorse an amendment to the Mid-Rise Mixed-Use designation for the Subject Lands on Schedule 13 to permit a mid-rise building with a maximum building height of 12-storeys (20.35 m average finished grade) and 340 dwelling units along with a maximum Floor Space Index ("FSI") of 2.91 times the net area of the lot. A copy of this staff recommendations report is attached as **Appendix 1** to this correspondence.

City Council received the report and ultimately adopted the recommendation of staff at its November 29, 2022 meeting. A copy of the City of Vaughan Council Minutes from November 29, 2022 is attached hereto as **Appendix 2**.

Since that time, West Rutherford has worked with the City and other parties to its appeals to finalize details related to the ZBA and SPA such that a settlement can be brought forward to the OLT for approval. This ongoing work is expected to be completed shortly and has no impact on the OPA which continues to be consistent with the amendments approved in principle by City Council.

Vaughan Official Plan 2025

On November 5, 2025, the City issued a revised Notice that By-law 241-2025 had been passed by City Council on October 28, 2025, to adopt the new VOP 2025 and that pursuant to Section 17(34) of the *Planning Act*, the VOP 2025 had been submitted to the Minister for approval.

We note that Schedule 13 of the adopted VOP 2025 shows the Subject Lands designated 'Mid-rise Residential' with a maximum height of 6.0 storeys and a maximum FSI of 2.0. This is not consistent with our client's applications as approved in principle by City Council.

Therefore, on behalf of West Rutherford, we respectfully request that the Ministry modify Schedule 13 of the new VOP 2025 prior to any approval to address the above-noted concern, including redesignating the Subject Lands to permit a maximum permitted height of 12 storeys and an FSI of 2.90, consistent with Council's position.. For ease of reference, we have included a copy of Schedule 13, including the requested modification, as **Appendix 3** to this letter.

Please also accept this letter as our formal request to be notified of the Ministry's decision regarding the VOP 2025.

We appreciate the Ministry's consideration of these comments and welcome any opportunity to discuss them further with municipal and provincial staff.

Yours truly,

LOOPSTRA NIXON LLP



Per: Quinto M. Annibale