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By Mail and Online Submission

January 26, 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
South-east corner of Weston Road & Retreat Boulevard, City of Vaughan

We are counsel to Ozner Corporation **("Ozner")**, the registered owner of a parcel of land located at the south-east corner of Weston Road and Retreat Boulevard in Vaughan, municipally known as 10131 Weston Road and legally described as Blocks 10 and 272 on Registered Plan 65M-3898 ("**Subject Lands**").

On behalf of Ozner, 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 May 2012. 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 Ozner to prepare a full resubmission of the development applications.

The resubmission of applications for OPA, ZBA and SPA was made in December 2020, and in November 2021, 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. Notwithstanding that City Council did not agree with the recommendation of City staff, the appeal proceeded and following several hearings, the Tribunal delivered an interim order in respect of the appeals on December 20, 2022, under files OLT-22-002421 and OLT-21-001787, as described in more detail below.

Proposed Development

The purpose of Ozner's OPA application was to amend the Vaughan Official Plan 2010 (VOP 2010) specifically, Volume 1, to re-designate the Subject Lands from 'Low Rise Residential' to 'Mid-Rise Residential', allowing for an increase in maximum building height to 9-storeys and a Floor Space Index ("FSI") of 1.86 times coverage. The OPA was required to facilitate the development of a mid-rise residential building and a 10-unit block of townhouses.

The ZBA application proposed to rezone the Subject Lands from an RT1 "Residential Townhouse" Zone and C3 "Local Commercial' Zone to the RA3 "Apartment Residential" Zone. The amended zoning together with site-specific amendments to the zone regulations respecting matters such as parking, amenity area, setbacks etc. would implement the OPA and facilitate the proposed development.

Finally, the SPA application included full architectural drawings to implement the above noted OPA and ZBA and also included complete technical reports and drawings to address matters such as municipal servicing and landscaping.

Interim Order of The Tribunal

The Tribunal allowed the appeals and issued an Interim Order, to be withheld until certain conditions were met, that:

1) The draft Official Plan Amendment to Schedule 13 of the City of Vaughan Official Plan, 2010 set out in Attachment 1 to the Interim Order redesignating the lands from "Low Rise Residential" to "Mid-Rise Residential", increasing the maximum building height to 9 storeys, and permitting a maximum FSI of 1.86, be approved in principle;

2) The draft Zoning By-law Amendment set out in Attachment 2 to the Interim Order be approved in principle; and,

3) The Applicant's application for Site Plan be approved in principle in accordance with the drawings appended as Attachment 3 and subject to the conditions appended as Attachment 4 to the Interim Order.

For reference, I copy of the Interim Order is included along with this comment letter as **Appendix 1**.

In allowing the appeals, the Tribunal ordered that the final Zoning By-law be further amended to set out performance standards, including numerical height, setback and step back regulations to ensure that a larger building could not be constructed; that prescribed conditions of site plan approval were required to be fulfilled prior to a Site Plan Agreement between the City and Ozner being executed; and that final versions of OPA and ZBA documents satisfactory to the City's Solicitor be provided to the Tribunal for approval.

At the time of writing, we are working with City legal to fulfill the Tribunal's conditions and expect to be in a position to request issuance of a final Order shortly. None of the work being undertaken to clear these conditions will have any substantive impact on the form of OPA that was approved in principle by the Tribunal through the Interim Order.

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 'Low Rise Residential'. This is contrary to the Interim Order of the OLT described above which allows our client's appeal and approves the OPA to redesignate the Subject Lands 'Mid-Rise Residential'.

Therefore, on behalf of Ozner, we respectfully request that the Ministry modify Schedule 13 of the new VOP 2025 prior to any approval to address the above-noted error, including redesignating the Subject Lands to 'Mid-Rise Residential' with a maximum permitted height of 9 storeys and an FSI of 1.86, consistent with the Tribunal's decision. For ease of reference, we have included a copy of Schedule 13, including the requested modification, as **Appendix 2** 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