

June 15, 2023

Haiqing Xu
Deputy City Manager
Planning and Growth Management
Vaughan City Hall, Level 200
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Xu,

Re: Proposed Amendment to Vaughan Official Plan 2010, Volume 1, Policy 10.1.3 and By-Law 278-2009 as amended in response to Bill 109 (More Homes for Everyone, 2022) File 25.7

Draft Official Plan Amendment No. 93

Urban Strategies Inc., are the land use planners for RioCan REIT (“**RioCan**”) with respect to their lands at 7501-7621 Weston Road, also known as the Colossus Centre, a 25-hectare site south and east of Highway 7 and Weston Road (the “**Colossus Centre Site**”).

The Colossus Centre Site is within a Primary Centre, one of Vaughan’s Intensification Areas, and is currently the subject of active official plan amendment applications (OP.22.002 and OP.22.005). RioCan plans to bring forward future Zoning By-law Amendment, Site Plan, and Plan of Subdivision applications for the Colossus Centre Site as part of their long-term vision to urbanize and transform this location into a complete community in accordance with Provincial and Regional policy direction and in line with the City’s goals for Primary Centers to become mixed-use, transit-oriented, pedestrian-friendly places.

In response to Bill 109, City staff have sought to update Vaughan Official Plan 2010 policy 10.1.3 with respect to pre-application consultations and complete applications requirements and to update the City’s Pre-Application Consultation (PAC) By-law 278-2009 as amended.

Committee of the Whole’s previous consideration of changes to OP policy 10.1.3, which was planned for December 12 2022, was deferred to allow for further review and discussions with other municipalities. Urban Strategies provided comments on the proposed policy at that time, which were noted as received communication C5 on December 12, 2022 related to Agenda Item 2.

Since that time, City staff have adjusted the proposed policy language in Official Plan Amendment No. 93 (“**OPA 93**”). While we are encouraged by a number of the modifications made by City staff through this process, we continue to have concerns with the proposed policies of OPA 93 including but not limited to policies 10.1.3.2, 10.1.3.4, 10.1.3.5, 10.1.3.6, 10.1.3.9, 10.1.3.11 and 10.1.3.13 as follows:

Policy 10.1.3.2 continues to indicate that policy conformity issues may be identified in the pre-application consultation and that the applicant will need to address these issues to ensure a

complete application. It is not sufficiently clear how an applicant is expected to address conformity issues to achieve a complete application. Policy conformity should be discussed through an application review and should not be pre-requisite for an application.

Policy 10.1.3.4 continues to suggest an open-ended requirement for any information, reports and studies to be identified through the pre-application consultation meeting. This policy is not sufficiently connected to 10.1.3.11, which details the information, reports, studies and materials that may be identified as complete application requirements. Explicit connection between the pre-application process described in 10.1.3.4 and the list of potential requirements in 10.1.3.11 is necessary to clarify the intent of 10.1.3.4.

Policy 10.1.3.5, along with 10.1.3.1.13 suggests that peer reviewed studies may be part of a pre-application submission and appears to require that such a peer review be completed before an application is deemed complete. Peer review of studies, if required, should be determined through the development application review process, not before it. The proposed approach to peer reviews is not aligned with the purpose of a complete application checklist, which is to ensure that all components are included so that an application *can be evaluated*, not to evaluate the application.

Policies 10.1.3.4 and 10.1.3.6 propose to elevate Terms of Reference (TOR), some of which are to be applicant developed, to Official Plan policy. Terms of Reference are not typically fixed directions and operate similar to guidelines that often require updates to scope to reflect the unique context of an individual application. Further, TOR do not proceed through a formal consultation process and are often changed without notice or a process to address issues and concerns. It is therefore not appropriate to elevate TOR to the level of official plan policies and to propose in an official plan that an application is not considered complete on the basis of failure to meet the requirements of a TOR.

Policy 10.1.3.11 also inappropriately requires the evaluation of an application prior to its submission by requiring that development limits be confirmed with external agencies prior to an application being deemed complete. The determination of development limits often relates to the impacts of an application and associated mitigation strategies proposed through an application. The proposed process ignores the interrelationship between the content and evaluation of an application's merits and development limits. To require these limits to be determined prior to fulsome and coordinated consideration of an application will create significant delays and undermines the integrated nature of decision-making around development applications.

Policy 10.1.3.9 has been modified to allow for concurrent consideration of OPA and ZBA applications, however there are still barriers to efficient processing of concurrent Site Plan applications. The explanatory text in the staff report on Page 7 of 18 provides clarity in this regard stating that "The City will... accept and process [emphasis added] a Site Plan application concurrently to avoid delay..." The policy language in 10.1.3.9 should be explicitly linked to this intent so that it the City's intent to process Site Plan applications in advance of zoning approval is completely clear.

Where a development is subject to a Block Plan Policy 10.1.3.14 would require, an "approved" Block Plan as a component of a complete application. In cases, where an application is proposing changes to a Block Plan, this requirement creates an impossible loop where an application which proposes to change a Block Plan requires "approval" before it can even be

submitted and deemed complete. If this “approval” requirement is not removed, this policy is a significant impediment to efficient delivery of housing. We encourage the City to remove the requirement for an “approved” Block Plan as a prerequisite for a complete application and enable concurrent processing of applications where a Block Plan may be required as a Block Plan is directly informed by proposed development.

While we appreciate that some modifications have been made in response to stakeholder concerns, the effect of the proposed policy will be a development application process that hinders the efficient delivery of housing, not advances it, contrary to Provincial, Regional and City planning goals. We encourage Council to direct staff to continue their engagement with the development community on the policy language so that a logical, clear, and efficient development application process can be achieved.

Sincerely,

URBAN STRATEGIES INC.

A handwritten signature in black ink, appearing to read "Leigh McGrath". The signature is written in a cursive, flowing style.

Leigh McGrath, RPP, MCIP
Partner