

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, November 28, 2023

WARD(S): 3

TITLE: GALLU CONSTRUCTION INC.
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT FILES
OP.23.009 AND Z.23.017
3899 AND 3901 HIGHWAY 7, 40 AND 60 WINGES ROAD
VICINITY OF HIGHWAY 7 AND WHITMORE ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on applications to redesignate and rezone the subject lands to permit the development of five (5) high-rise buildings ranging in height from 28 to 38-storeys containing a total of 1,981 units and one (1) 8-storey mid-rise office building containing 5,165 m² of commercial gross floor area ('GFA') as shown on Attachments 2 to 5.

Report Highlights

- The development is located within the Weston Road and Highway 7 Secondary Plan area, which is anticipated to be brought forward for Council consideration in Q2 of 2024.
- If approved, the Weston Road and Highway 7 Secondary Plan shall inform the development, and revisions may be required.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

Recommendations

1. THAT to be consistent with previous Council resolutions for planning applications within the Weston Road and Highway 7 Secondary Plan area, the applications shall not proceed in advance of the Weston Road and Highway 7 Secondary Plan being considered by Council;
2. THAT Staff be directed to continue to process Official Plan and Zoning By-law Amendment Files OP.23.009 and Z.23.017 (Gallu Construction Inc.) and receive technical comments; and
3. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.23.009 and Z.23.017 (Gallu Construction Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 3899 and 3901 Highway 7, and 40 and 60 Wings Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: August 11, 2022

Date application(s) were deemed complete: July 28, 2023

The Subject Lands are located within an area identified as the Weston Road and Highway 7 Secondary Plan Area.

Schedule 14A – Areas Subject to Secondary Plans in Vaughan Official Plan 2010 ('VOP 2010') identifies the Subject Lands as being located within the Weston Road and Highway 7 Secondary Plan ('Weston 7 Secondary Plan'). The Weston 7 Secondary Plan is comprised of a 104 ha area surrounding the Weston Road and Highway 7 intersection, bounded by Fieldstone Drive and Chrislea Road/Portage Parkway to the north, the Highway 400 corridor to the east, the Highway 407 corridor to the south, and Ansley Grove/Whitmore Road to the west, as shown on Attachment 1. The study area is located west of the Vaughan Metropolitan Centre ('VMC'), the City's planned downtown, primary growth node and Urban Growth Centre as identified in A Place to Grow – Growth Plan for the Greater Golden Horseshoe 2019, as amended ('Growth Plan').

The Weston 7 Secondary Plan study is ongoing and has completed two of its three phases.

Phase 1 commenced in 2018 and included a comprehensive background review resulting in the development of an enhanced draft vision, guiding principles and three conceptual land use scenarios to guide the development of the Weston 7 Secondary Plan. On June 12, 2019, Vaughan Council received the Weston 7 Secondary Plan Phase 1 final report and directed Staff to proceed with Phases 2 and 3 based on the findings of the Phase 1 report.

Phase 2 commenced in May 2020 and subsequently a draft Secondary Plan was prepared, including the preferred land use plan, heights and densities, supporting transportation network, parks and open spaces, and servicing to support the anticipated growth and creation of a complete community in the Weston 7 Secondary Plan Area.

The study is currently in Phase 3 which includes navigating the Secondary Plan through the approvals process. A separate public meeting report addressing the Secondary Plan was heard by the Committee of the Whole (Public Meeting) on November 1, 2023.

Council has directed that no applications proceed in advance of the completion of the Weston 7 Secondary Plan.

Council previously considered Public Meeting reports for the following applications within the Weston 7 Secondary Plan:

- Wedgewood Columbus Limited Files OP.19.015 and Z.19.039 located at 7887 Weston Road – September 29, 2020
- Calloway REIT (400 and 7) Inc. Files OP.19.012 and Z.19.036 located at 137 Chrislea Road, 57 and 101 Northview Boulevard – September 29, 2020
- 2371933 Ontario Inc. Files OP.21.006 and Z.21.009 located at 7520, 7540 and 7560 Weston Road – June 22, 2021
- Kingsmoore Developments Inc. Files OP.21.026 and Z.21.055 located at 177 Whitmore Road – May 17, 2022
- RioCan Real Estate Inv Trust Files OP.22.002 and OP.22.005 located at 7501, 7575, 7601 & 7621 Weston Road, 10, 11, 20, 21, 30, 31, 40, 41, 55 & 67 Colossus Drive and 16, 21, 30 & 31 Famous Road – December 6, 2022

Council adopted resolutions to not approve the above noted applications proceeding in advance of the Weston 7 Secondary Plan being considered by Council.

The Owner is not requesting that the Applications proceed in advance of the Weston 7 Secondary Plan, and they are participants in the related study. The Applications will be processed concurrently with the Weston 7 Secondary Plan Study, and no technical report shall be brought forward in advance of the Weston 7 Secondary Plan being considered by Council.

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development.

Gallu Construction Inc. (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands to permit the proposed phased development (the 'Development') shown on Attachments 2 to 5 consisting of the following: five (5) high-rise buildings ranging in height from 28 to 38-storeys, containing a total of 1,981 residential units and 948 m² of at-grade retail space (live/work) in Buildings D, E and F only; one (1) 8-storey mid-rise office building containing 5,165 m² of commercial GFA; a total floor space index ('FSI') of 9.57 times the area of the lot; and, a portion of a public park (the 'Development') to be split between the abutting Kingsmoore Developments Inc. lands to the west (177 Whitmore Road):

1. Official Plan Amendment File OP.23.009 to redesignate the Subject Lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” with a maximum permitted building height of 38-storeys and an FSI of 9.57 times the area of the lot; and
2. Zoning By-law Amendment File Z.23.017 to rezone the Subject Lands from the GMU General Mixed-Use (‘GMU’) Zone, subject to site specific exception 278, to the HMU High-Rise Mixed-Use (‘HMU’) Zone, as shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 6.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol.

- a) Date the Notice of Public Meeting was circulated: October 6, 2023.

The Notice of Public Meeting was also posted on the City’s website at www.vaughan.ca and Notice Signs were installed along Highway 7 and Winges Road in accordance with the City’s Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within an extended polling area of 1000 m from the Subject Lands, shown on Attachment 1, and to the Pine Valley Village Community Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) The following is a summary of written comments received as of October 17, 2023. The comments are organized by theme as follows:

Concurrent Weston 7 Secondary Plan and Transportation Master Plan

- the Applications need to be reviewed in the context of these ongoing studies and other proposed applications in the area.

Access and Traffic

- the traffic movement internal and external to the Subject Lands should determine the ultimate zoning permissions.

Any additional comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

The following links relate to the Weston 7 Secondary Plan Study reports:

[Council, June 12, 2019 - Weston Road and Highway 7 Secondary Plan Study - Phase 1 Status Update \(File 26.2\) \(Item 1, Report No. 23\)](#)

[Committee of the Whole \(Public Meeting\), November 1, 2023 - Weston 7 Secondary Plan File No. 26.2 \(Item 4, Report No. 45\)](#)

Analysis and Options

Amendments to VOP 2010 are required to permit the Development.

Official Plan Designation:

- “Primary Centres” by Schedule 1 – Urban Structure in VOP 2010
- “Mid-Rise Mixed Use” with no prescribed maximum building height or density (which are to be established through the Weston 7 Secondary Plan Study) by Schedule 13 - Land Use in VOP 2010.
- This designation permits a range of uses including residential units, mid-rise, public, and private institutional building types, home occupations, community facilities, cultural uses, retail uses, office uses, parking garages, hotels, and gas stations.
- The Owner proposes to redesignate the Subject Lands to the “High-Rise Mixed-Use” designation with a maximum permitted building height of 38-storeys and a maximum permitted FSI of 9.57 times the area of the lot to facilitate the Development.
- VOP 2010 includes the following policies regarding the consideration of a development application where a Secondary Plan has not been completed or commenced by the City:
 - Policy 10.1.1.6 states: “That where it has been determined that as Secondary Plan is required but not yet completed, no amendments to this Plan or the zoning by-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area.”;
 - Policy 10.1.1.13 states: “That upon direction by Council to staff to proceed with the processing of a development application in advance of the Secondary Plan, it will be required that the Owner attend a pre-application consultation meeting with appropriate staff at which meeting the requirements for various studies will be established, to the satisfaction of the City, to be undertaken as part of a complete application.”; and
 - Policy 10.1.1.9 of VOP 2020 also enables the City to request additional studies in support of a development application by stating (in part) “That in addition to the studies listed in Policy 10.1.3.3, the City may require the preparation of additional studies... as determined through the Pre-Consultation Meeting.”.

Amendments to Zoning By-law 001-2021 are required to permit the Development.

Zoning:

- GMU Zone, subject to site-specific Exception 14.278
- This Zone permits a mix of commercial, office and institutional uses, but does not permit residential uses.
- The Owner proposes to rezone the Subject Lands to the HMU Zone as shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 6 to permit the Development.

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), the Growth Plan, the policies of the York Region Official Plan, 2010 ('YROP'), VOP 2010 and Weston 7 Secondary Plan.
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Weston 7 Secondary Plan Area, which is not approved at this time. ▪ The Applications will be reviewed in consideration of the required deliverables of the Weston 7 Secondary Plan, including, but not limited to, the draft land use plan and Transportation Master Plan ('TMP'). ▪ The Applications will be reviewed in consideration of any emerging policies from the Secondary Plan study and the VOP 2010 policies, including but not limited to the following: <ul style="list-style-type: none"> - Mixed-Use designation policies - High-Rise Buildings - Intensification Areas - Primary Centres - Regional Intensification Corridors - Secondary Plan Policies - Appropriateness of the proposed building heights and density, road and pedestrian network, and land use - Transportation network assessment - Affordable Housing Policies - Parks, Open Space and Recreation Policies ▪ The appropriateness of the rezoning and site-specific exceptions, including the proposed setbacks, parking rates, and minimum amenity area, will be reviewed in consideration of the existing and planned surrounding land uses. ▪ The Development must provide the minimum number of barrier-free parking spaces.
c.	The Application Demonstrates Competing	<ul style="list-style-type: none"> ▪ The VMC is intended to contain the tallest buildings and greatest densities as planned through VOP 2010 (Section 2.2.5 Intensification Areas) and is the only Regional Centre in

	MATTERS TO BE REVIEWED	COMMENT(S)
	Building Heights and Densities with the VMC	<p>the City of Vaughan. The VMC is also designated in the Growth Plan as an Urban Growth Centre ('UGC'). The UGCs are intended to become focal areas for commercial, recreational, cultural and entertainment uses; accommodate and support the transit network at the regional scale; and accommodate significant population and employment growth.</p> <ul style="list-style-type: none"> ▪ When the VMC Secondary Plan was approved, the lands west of Highway 400, within the former Vaughan Corporate Centre, identified the Weston 7 Secondary Plan as separate and distinct from the VMC. ▪ The proposed building height and density of the Development exceeds some of the approved and in-progress applications in the VMC. The Subject Lands are separated from the VMC by Highway 400 and are within a Primary Centre as identified in Schedule 1 - Urban Structure of VOP 2010. In consideration of the fundamental principle outlined in Phase 1 of the Weston 7 Secondary Plan vision statement and the Urban Structure established in VOP 2010, the Weston 7 Secondary Plan Area should complement the VMC and become a complete community supportive of transit and mixed-use development appropriate for a Primary Centre. ▪ The urban structure of the VMC Secondary Plan includes an intentional transition in heights, densities and land uses towards the boundaries of the downtown, including the frontage along Highway 400 which is designated with an east-west employment precinct and neighbourhood precinct permitting a maximum range of building heights from 10 to 25-storeys, and a maximum FSI range from 3.5 to 4 north of Highway 7. Analysis of the contextual relationship, transition and scale should be considered carefully through the review of the Applications. ▪ The VMC Secondary Plan Update has been initiated and will include collaboration between the VMC and Weston 7 Secondary Plan consultant teams.
d.	Comprehensive Review with Weston 7 Secondary Plan study and TMP	<ul style="list-style-type: none"> ▪ The Applications will be considered comprehensively with the existing and proposed development in the south-west quadrant of the Weston 7 Secondary Plan, and the Secondary Plan area as a whole.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ Transportation studies must investigate both site-specific and wider area transportation impacts while ensuring that potential improvements satisfy any future concerns and/or upgrades needed to the Weston 7 Secondary Plan area. The Development may need to be modified to protect for and not preclude the transportation network(s) and infrastructure improvements implemented through the completed Weston 7 Secondary Plan and TMP. ▪ The studies submitted in support of the Applications will be reviewed to ensure they comprehensively address matters related to land use, built form, transportation, phasing, servicing, open space, and community uses. ▪ The studies must satisfy all requirements of the Ministry of Transportation Ontario, York Region, and the City (as applicable). ▪ The York Catholic District School Board and the York Region District School Board have both provided comments on the Application and the Weston 7 Secondary Plan advising that school sites are required in the area.
e.	NavCanada and Bombardier Review	<ul style="list-style-type: none"> ▪ The Subject Lands are located within regulatory flight paths under the jurisdiction of NavCanada and Bombardier Aerospace. The Owner will be required to satisfy all conditions of NavCanada and Bombardier.
f.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process.
g.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.

	MATTERS TO BE REVIEWED	COMMENT(S)
h.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines.
i.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> ▪ The DRP must review the Applications prior to proceeding to the Committee of the Whole.
j.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region, external public agencies and utilities, and the Public, Separate, and French School Boards.
k.	Sustainable Development	<ul style="list-style-type: none"> ▪ The future Site Development Application will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. ▪ The Development shall achieve a minimum Bronze score of 41.
l.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy. ▪ The submitted Community Services and Facilities Impact Study notes that the area would benefit from new public parks as there are none within 1 km of the Subject Lands. ▪ The draft Weston 7 Secondary Plan identifies a public park on the Subject Lands shared with the 177 Whitmore Road lands, however the size and location are subject to change and not approved at this time. ▪ Attachments 2 and 3 show a portion of the proposed public park on the Subject Lands, with the remainder on 177 Whitmore Road. The Owner is encouraged to work with 177 Whitmore Road with respect to the provision, programming and development of this park. ▪ Privately Owned Public Space ('POPS') are currently proposed at the corners of buildings A, C, D and E, which in their current state do not satisfy the criteria for being creditable towards parkland dedication.

	MATTERS TO BE REVIEWED	COMMENT(S)
m.	Community Benefits Charges	<ul style="list-style-type: none"> ▪ The development meets the criteria for Community Benefits Charges ('CBC') being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits.
n.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City's affordable housing goals.
o.	City's Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> ▪ There are 27 trees on the Subject Lands, 10 of which are proposed to be removed to accommodate the Development. ▪ The Development will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Applications are approved.
p.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> ▪ The Transportation Impact Study ('TIS') will be reviewed in accordance with the City's TIS Guidelines to the satisfaction of the Development Engineering Department. ▪ The proposed traffic generated by the Development at the requested density will be reviewed in consideration of existing and expected traffic conditions within the Weston 7 Secondary Plan area and identified by the TMP. ▪ Matters including the driveway entrance, parking, ramps to the underground parking garage, truck manoeuvring, bicycle parking and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department. ▪ The Subject Lands are located on Highway 7, an arterial road under the jurisdiction of York Region. ▪ The City and York Region will identify any required land conveyances.

	MATTERS TO BE REVIEWED	COMMENT(S)
q.	Required Applications	<ul style="list-style-type: none"> ▪ The Owner is required to submit Site Development and Draft Plan of Condominium Applications, if the Applications are approved. ▪ The Development currently has not demonstrated compliance with the City's waste management design standards. Compliance is required to be shown at the Site Development stage and may include revisions to the buildings and site layout.

Financial Impact

There are no financial requirements for new funding associated with this report.

Operational Impact

The Applications have been circulated to City departments and external agencies and their comments will be included in a future technical report.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified will be addressed when the technical report is considered. The Owner has requested exemption of Regional Approval for Official Plan Amendment File OP.23.009. At the time of the preparation of this report, York Region has not confirmed exemption from York Region approval of the Official Plan amendment application.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Chris Cosentino, Senior Planner, Development Planning Department, ext. 8215.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations – North and West
5. Building Elevations – South and East
6. Zoning By-law 001-2021 Table 1

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