

Committee of the Whole (Public Meeting) Report

DATE: Wednesday, November 6, 2024

WARD(S): 3

**TITLE: PEM (WESTON) GP INC., AND PEM (WESTON) LIMITED
PARTNERSHIP
OFFICIAL PLAN AMENDMENT FILE OP.24.009
ZONING BY-LAW AMENDMENT FILE Z.24.021
3790 HIGHWAY 7
VICINITY OF HIGHWAY 7 AND WESTON 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 amend the Official Plan and rezone the subject lands to permit a development comprising of two (2) mixed-use 45-storey residential and commercial buildings and one (1) 43-storey residential building, as shown on Attachments 2 to 8. The development will include a total of 1,621 dwelling units, 937.7 m² of non-residential uses, Privately-Owned-Publicly-Accessible-Spaces ('POPS'), and a Floor Space Index ('FSI') of 7.5 times the lot area. The Owner seeks approval of their site-specific Official Plan and Zoning By-law Amendment Applications to facilitate the development in advance of the completion of the Weston Road and Highway 7 Secondary Plan ('W7SP').

Report Highlights

- The Owner proposes a development comprising of two (2) mixed-use 45-storey residential and commercial buildings and one (1) 43-storey residential building, with a total of 1,621 dwelling units, 937.7 m² of non-residential uses, POPS, and a FSI of 7.5 time the lot area.
- Official Plan Amendment and Zoning By-law Amendment applications are required to permit the development.

Report Highlights continued

- The development is located within Weston Road and Highway 7 Secondary Plan ('W7SP') area. The applications shall not be brought forward for Council consideration prior to the adoption of the W7SP.
- 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 a previous Council resolution for planning applications within the Weston Road and Highway 7 Secondary Plan area, dated September 29, 2020, June 22, 2021, May 17, 2022, and January 24, 2023, the Applications do 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 Amendment, Zoning By-law Amendment and the associated Draft Plan of Subdivision Files OP.24.009, Z.24.021 and 19T-24V005 PEM (WESTON) GP INC., PEM (WESTON) LIMITED PARTNERSHIP and receive technical comments; and
3. THAT the Public Meeting report for Official Plan Amendment and Zoning By-law Amendment Files OP.24.009 and Z.24.021 PEM (WESTON) GP INC., PEM (WESTON) LIMITED PARTNERSHIP, BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a technical report to the Committee of the Whole.

Background

Location: 3790 Highway 7 (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: May 8th, 2023.

Date application(s) were deemed complete: The Applications are incomplete as of the writing of this report.

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

PEM (WESTON) GP INC., PEM (WESTON) LIMITED Partnership (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands:

1. Official Plan Amendment File OP.24.009 to amend the policies of Vaughan Official Plan 2010 ('VOP 2010'), Volume 1 and 2 by:
 - i. Adding the Subject Lands to Volume 1 Schedule 14-C "Areas subject to Site Specific Plans" of VOP 2010;
 - ii. Amending Volume 2 by adding the following site-specific policies

- maximum FSI of 7.5 times the lot area;
 - maximum height of 45-storeys;
 - maximum of 1,621 residential dwelling units; and
 - iii. Provide exemption from policy 10.1.1.6 of VOP 2010 Volume 1 which requires adoption of a secondary plan prior to site-specific amendments to VOP 2010 or the Zoning By-law.
2. Zoning By-law Amendment File Z.24.021 to amend Zoning By-law 001-2021 to rezone the Subject Lands from “GMU General Mixed-Use Zone” subject to Exception 14.50, as shown in Attachment 1, to “HMU High-Rise Mixed-Use Zone” in the manner shown on Attachments 2 to 8, together with the site-specific zoning exceptions identified in Attachment 9 (Table 1).

The Applications along with the associated draft plan of subdivision application (19T-24V005) will facilitate a development (the ‘Development’) comprised of the following as shown on Attachments 2 to 8:

- Building A (Tower A) 45-storeys, mixed residential and commercial;
- Building B (Tower B) 43-storeys, residential;
- Building C (Tower C) 45-storeys, mixed residential and commercial;
- 1,621 residential dwelling units which will be in the form of condominium suites;
- 937.7 m² of non-residential space (retail space);
- 740 vehicular parking spaces contained within a 3-level underground parking garage;
- POPS used mainly for park purposes; and
- a new public road along the west property line and portions of the north property line.

Emerging Weston Road and Highway 7 Secondary Plan (W7SP)

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 Area (W7SP). The W7SP is comprised of a 123-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 Road/Whitmore Road to the west. The Secondary Plan area is located west of the Vaughan Metropolitan Centre (‘VMC’).

The W7SP is ongoing and is currently progressing towards Phase Three (3) of the project. The project has progressed in the following manner:

Phase One (1) of the project commenced in 2018. It included a comprehensive background review and resulted in the development of an enhanced draft vision, guiding principles and three conceptual land use scenarios to guide the development of the 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 Two (2) and Three (3) based on the findings of the Phase One (1) Report.

In May 2020, the City initiated Phases Two (2) and Three (3) of the W7SP. Through Phase Two (2), three drafts of the Secondary Plan have been 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 the creation of a complete community in the Weston Road and Highway 7 area. Staff continue to seek feedback from the community, landowner groups and other interested stakeholders, as part of finalizing the W7SP.

In Phase Three (3), a final secondary plan will be presented to Council for a decision, providing a recommendation to guide future growth and development of the Weston 7 Secondary Plan study area into a complete, vibrant and active community.

A Transportation Master Plan ('TMP') is being undertaken concurrently with the Weston 7 Secondary Plan to develop the transportation infrastructure that supports the forecasted growth. The city's Infrastructure Planning and Corporate Asset Management ('IPCAM') department has retained WSP to lead the TMP study. Work on the TMP is currently ongoing.

Council has directed that no development applications proceed in advance of the completion of the W7SP.

Council previously considered Public Meeting reports for the following applications within the W7SP:

- Wedgewood Columbus Limited Files OP.19.015 and Z.19.039 located at 7887 Weston Road – September 29, 2020. On August 4, 2022, these files were appealed to the Ontario Land Tribunal for Council's refusal or neglect to make a decision within 120 days
- 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
- Kingsmoor 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 3555 Highway 7, 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

Council adopted the following resolution regarding these applications:

“That Council does not approve the applications proceeding in advance of the Weston 7 Secondary Plan being considered by Council.”

The Owner is requesting that the Applications proceed in advance of the W7SP.

The Owner seeks exemption from policy 10.1.1.6 of VOP 2010 which states “That where it has been determined that a Secondary Plan is required but not yet complete, 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.”

Development Planning staff notes that Council has not directed staff to advance development applications on the Subject Lands in advance of the W7SP. The pre-applications consultation (‘PAC’) meeting conducted for the Subject Lands dated May 14, 2021, and May 8, 2023, noted that the establishment and adoption of the Secondary Plan is required. Both PACs were reviewed under the policy framework of policy 10.1.1.6 of VOP 2010. Technical amendments to VOP 2010 would be required with respect to policies 10.1.1.6 and 10.1.1.13 if the Applications were to advance ahead of Councils adoption of the W7SP.

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 11, 2024.

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

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the Pine Valley Village Community Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of October 22, 2024, by the Development Planning Department.

Any additional written 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 are links to previous reports regarding the Subject Lands:

[June 5, 2019, Committee of the Whole \(Working Session\) - Weston Road & Highway 7 Secondary Plan Study – Phase 1 Status Update \(Item 1, Report 23\)](#)

[November 1, 2023, Committee of the Whole \(Public Meeting\) \(Item 4, Report 45\)](#)

Analysis and Options

The Applications conforms with York Region Official Plan 2022.

Official Plan Designation:

- Subject Lands are within the “Urban Area” on Map 1 - Regional Structure of YROP 2022
- Subject Lands are designated “Community Area” on Map 1A - Land Use Designations of YROP 2022
- The Applications conforms to YROP 2022

Amendments to Vaughan Official Plan 2010 are required to permit the development.

Official Plan Designation:

- “Primary Centres” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’)
- Protected Major Transit Station Areas (PMTSA) 68 Weston BRT Station on Schedule 1C Protected Major Transit Station Areas
- “High-Rise Mixed Use” overlay on Schedule 13 – Land Use by VOP 2010
- This designation permits High-Rise buildings however a prescribed height and density has not been established
- Subject Lands is identified as a “Required Secondary Plan Areas” under Schedules 14A Areas Subject to Secondary Plans
- Site-specific amendment to VOP 2010 is required to prescribe a permitted height, FSI and maximum residential dwelling count of 1,621
- A technical amendment is also required to exempt the proposal from policies 10.1.1.6 and 10.1.1.13
- An Official Plan Amendment to VOP 2010 is required to facilitate the Development

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

Zoning:

- “GMU General Mixed-Use Zone”, subject to site-specific Exception 14.50
- This Zone does not permit the Development
- The Owner proposes to rezone the Subject Lands to “HMU High-Rise Mixed-Use Zone” together with the following site-specific zoning exceptions identified in Attachment 9 (Table 1) to permit the Development as shown in Attachments 2 to 8.

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 with the Provincial Planning Statement, 2024 (the ‘PPS’), and conformity to the policies of the York Region Official Plan, 2022 (‘YROP’) and VOP 2010.
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 Road and Highway 7 Secondary Plan Area, which is not approved at this time. ▪ Should Council approve the Recommendations in this report, staff will continue to process the Applications and receive comments. ▪ The Applications will be reviewed in consideration of any emerging policy deliverables from the W7SP Study and the VOP 2010 policies, including but not limited to the following: <ul style="list-style-type: none"> - Draft land use plan in relation to Vaughan’s City-Wide Urban Design Guidelines - High-Rise Mixed designation policies - High-Rise Buildings - Intensification Areas - Primary Centres - Regional Intensification Corridors - Major Retail Uses - analysis of parkland and affordable housing requirements - Secondary Plan Policies - Conformity to the emerging Transportation Master Plan (‘TMP’) - Calculation of overall FSI and as it to privately-owned publicly; accessible space POPS. ▪ The appropriateness of the proposed Official Plan Amendment for the Subject Lands and the site-specific policies required to implement the Development will be reviewed in consideration of the existing and planned surrounding land uses.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ The appropriateness of the rezoning and site - specific exceptions identified in Attachment 9 (Table 1), will be reviewed in consideration of the existing and planned surrounding land uses. ▪ The “Lot” definition proposed within the draft zoning by-law amendment refers to applying regulations across the entire Subject Lands as one lot without consideration to future conveyance and consents. The appropriateness of applying this definition will be further evaluated.
c.	Related Draft Plan of Subdivision (File:19T-24V005)	<ul style="list-style-type: none"> ▪ The Owner submitted a draft Plan of Subdivision application (File No. 19T-24V004) concurrently with the Official Plan and Zoning By-law Amendments Applications. ▪ A Draft Plan of Subdivision is required to create the apartment block and public street block that will form part of the Development. ▪ Should the Applications be approved, the required conditions will be included to address site access, road alignments and connections, servicing and grading, environmental, noise, and other municipal, regional and public agency and utility requirements. ▪ The street layout and apartment block will be evaluated against emerging policies identified in the in the draft W7SP and TMP.
d.	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.
e.	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)
f.	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.
g.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the comments provided by the DRP on September 26, 2024.
h.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities, municipalities and the Public, Separate, and French School Boards.
i.	Sustainable Development	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development provides a Bronze score of 37.
j.	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.
k.	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.
l.	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.
m.	City's Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> ▪ There are 52 trees on the Subject Lands, 21 of which are required to be removed to accommodate the proposed development. ▪ The Development will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any trees should they be damaged during construction, if the Applications are approved.
n.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> ▪ The Transportation Impact Study will be reviewed in accordance with the City's Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ The proposed traffic generated by the Development at the requested density will be reviewed in consideration of existing traffic conditions at Highway 7 and Weston Road. ▪ 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 and Weston Road, two arterial roads under the jurisdiction of York Region. ▪ York Region will identify any required land conveyances.
o.	The Applications have been Deemed Incomplete	<ul style="list-style-type: none"> ▪ The Owner is required to submit the following materials for the Applications to be deemed complete: <ul style="list-style-type: none"> ○ Pedestrian Level Wind study; ○ Pedestrian and Bicycle circulation Plan; and ○ Landscape Master Plan (general details on amenity space is required)
p.	Future Site Development and Draft Plan of Condominium Applications are required	<ul style="list-style-type: none"> ▪ If the Applications are approved the Owner is required to submit a Site Development Application to evaluate and review technical and design matters related to the Subject Lands. ▪ A Draft Plan of Condominium Applications will be required, if the Applications are approved, to establish the future ownership tenure(s) for the buildings.
q.	Calculation of Floor Space Index (FSI)	<ul style="list-style-type: none"> ▪ The Owner/Applicant propose an FSI of 7.5 times the lot area in their proposed Official Plan Amendment. This calculation was based on gross lot area and included contemplated parkland dedication. ▪ VOP 2010 requires FSI to be calculated using the net developable area. ▪ Confirmation of potential parkland dedicate credits is required. If credits are to be granted for the Development, then identified POPS lands should be excluded from the overall FSI calculation.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ Based on these parameters the overall FSI would be 10.9 times the lot area. Further evaluation of the FSI calculation will be required and may result in a second Public Meeting in accordance with Section 10.1.4.1 b) of VOP 2010
r.	Conformity to the emerging Transportation Master Plan (TMP)	<ul style="list-style-type: none"> ▪ The Conceptual Site Plan shown on Attachment 2 will be evaluated for conformity to the emerging TMP, which is a supporting document that is proceeding in parallel with the W7SP.

Financial Impact

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

Operational Impact

Development Planning staff have circulated the Applications to internal City Departments for review.

Broader Regional Impacts/Considerations

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) (“Bill 185”) received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

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 OluwaKemi (Kemi) Apanisile, Senior Planner, Development Planning Department, ext. 8210.

Attachments

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

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