

Committee of the Whole (1) Report

DATE: Tuesday, December 03, 2024

WARD: 1

TITLE: WESTON VALLEY INVESTMENTS (BLOCK 34) INC.: OFFICIAL PLAN AMENDMENT FILE OP.22.019, ZONING BY-LAW AMENDMENT FILE Z.22.040, DRAFT PLAN OF SUBDIVISION FILE 19T-22V014 – PART OF LOT 29, CONCESSION 5, VICINITY OF WESTON ROAD AND KIRBY ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on applications to redesignate and rezone the subject lands and for approval of a Draft Plan of Subdivision to permit a mixed-use employment/commercial subdivision as shown on Attachment 2.

Report Highlights

- The Owner proposes to redesignate and rezone and the subject lands to permit a Draft Plan of Subdivision creating a mixed-use employment/commercial block, and open space blocks.
- Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications are required to permit the proposed development.
- The Development and Parks Planning Department supports the proposal subject to conditions as outlined in this report.

Recommendations

1. THAT Official Plan Amendment File OP.22.019 (Weston Valley Investments (Block 34) Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 2,11.4 – Highway 400 North Employment Lands Secondary Plan, for the subject

lands shown on Attachment 1 to redesignate a portion of the Subject Lands fronting Weston Road from “Prestige Areas – Office/Business Campus” to “Mixed Use Area – Employment/Commercial”;

2. THAT Zoning By-law Amendment File Z.22.040 (Weston Valley Investments (Block 34) Inc.) BE APPROVED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “FD Future Development Zone” subject to site-specific Exception 14.1110 and “EP Environmental Protection Zone” to “EMU Employment Commercial Mixed-Use Zone”, and “EP Environmental Protection Zone” together with the site-specific zoning exceptions identified in Table 1 Attachment 3 of this report;
3. THAT Draft Plan of Subdivision File 19T-22V014 (Weston Valley Investments (Block 34) Inc.) as shown on Attachment 2, BE APPROVED, SUBJECT TO THE CONDITIONS OF DRAFT PLAN APPROVAL set out in Attachment 4, to permit a mixed use employment/commercial plan of subdivision on the Subject Lands shown on Attachment 1; and
4. THAT Council’s approval of Draft Plan of Subdivision File No. 19T-22V014 subject to the conditions set out in Attachment 4 be for a period of three years from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

Background

Location: Part of Lot 29, Concession 5 (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the proposed development

The Owner has submitted an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications (the ‘Applications’) for the Subject Lands to permit the following proposed development (the ‘Development’), as shown on Attachment 2:

- a) Block 1 - A mixed-use employment/commercial block (3.39 ha)
- b) Blocks 2-3 - Open space blocks (14.86 ha)
- c) Block 4 - Trans-Canada Pipeline block (1.23 ha)
- d) Block 6 – 0.3 m reserve (0.01 ha)

Should the Applications be approved, Site Development Application(s) is/are required for the Development

The Owner is required to submit Site Development Applications to facilitate the future development of the Subject Lands, should the Applications be approved. In accordance with Bill 109, the approval of Site Development Applications has been delegated to the Deputy City Manager of Planning and Growth Management for approval.

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

- December 22, 2022 (Circulated 150 m from Subject Lands and to the expanded 750 m polling area as shown on Attachment 1):
- A Notice Sign was installed along the Islington Avenue frontage of the Subject Lands
- Date of Public Meeting: February 28, 2023, date ratified by Council March 21, 2023
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: November 20, 2024.

Public Comments were received

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Cost Sharing

- landowners in the general area have installed oversized/extra depth sewer pipes in Block 33 and 41 to provide improved sewer conveyance for the future development of Block 41 which other abutting landowners may benefit from

Access, and Site Design

- the Development does not contain any details (road access points, internal road configurations, location of community features, etc.) so it is unknown how this may impact non-participating landowners which choose to redevelop in the future.

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the Applications can be found at the following links:
Block 34 West – Employment Lands, Committee of the Whole (Public Meeting) Report [February 28, 2023, Committee of the Whole Public Meeting \(Item 3, Report 12\)](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement 2024 and conforms to the Greenbelt Plan and Vaughan Official Plan

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the Planning Act and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, inter alia, the

Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

Provincial Planning Statement, 2024 ('PPS 2024')

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the Planning Act and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Subject Land is proposed for mixed use employment/commercial uses and employment use within the Delineated Built-Up Area where full municipal services are proposed. Staff are satisfied that the Applications are consistent with the PPS 2024.

The Greenbelt Plan, 2017 ('Greenbelt Plan')

The Greenbelt Plan is intended to identify where urbanization should not occur, to provide permanent protection to the agricultural land base, together with the ecological and hydrological features, areas and functions occurring on this landscape. The Subject Lands are identified as Protected Countryside and Natural Heritage System within the Greenbelt Plan. The Master Environmental Servicing Plan identified the following within the Block 34 W area: valley lands, permanent and intermittent streams, woodlands and wetlands, seepage areas and springs, fish habitat and potential significant wildlife habitat associated with the East Purpleville Creek.

The employment and commercial/employment blocks are proposed outside of the Greenbelt Plan area. The open space block, where no development is proposed, is largely within the Greenbelt Plan. A portion of a naturalized stormwater management pond is proposed within the Greenbelt Plan. However, the pond is proposed outside the vegetative protection zones ('VPZ') and buffer areas of key natural heritage features and key hydrologic features and maintains a buffer of 30 metres from a river or stream. Section 4.2.3 of the Greenbelt Plan permits stormwater management facilities which maintain a minimum buffer of 30 m to a river or stream and that are outside of the vegetation protection zone of a key natural heritage or key hydrologic feature. The Applications conform to the Greenbelt Plan.

York Region Official Plan 2022 ('YROP 2022')

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.

Vaughan Official Plan 2010 (‘VOP 2010’)

VOP 2010 sets out the municipality’s general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- “Employment Area” and “Natural Areas and Countryside” on Schedule 1 – “Urban Structure” of VOP 2010
- “Greenbelt Natural Heritage System” on Schedule 4 – “Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas”
- “Prestige Areas – Office/Business Campus” and “Greenbelt Natural System Area” in Volume 2, 11.4 – Highway 400 North Employment Lands Secondary Plan, Schedule 2D to OPA 450 “Employment Area (Highway 400 North) Land Use Plan”

The “Mixed Use Area – Employment/Commercial” designation proposed permits a range of small-scale retail and service commercial uses primarily in the form of mixed use buildings. Policy 11.4.2.1(j)(e)(i) does not restrict the ratio of service commercial and retail uses to employment uses for lands subject to this designation west of Highway 400 between Teston Road and Kirby Road. The “Prestige Areas – Office/Business Campus” designation applies to lands adjacent to the “Greenbelt Natural System Area” and permits high quality business and office employment uses, including campus style development and research facilities. Outside storage of goods or materials is not permitted, nor are stand-alone warehouse uses, nor uses expected to generate heavy truck traffic, or chemical storage. The “Greenbelt Natural Heritage System” designation encourages connectivity between natural heritage features and requires no negative effects on the features or their functions.

A redesignation from “Prestige Areas- Office/Business Campus” to “Mixed Use Area – Employment/Commercial” is required to permit the Development as shown on Attachment 2. The Development redistributes the “Prestige Areas – Office/Business Campus” designation from the Subject Lands, to the adjacent subdivision to the north subject to Official Plan Amendment and Zoning By-law Amendment Files OP.22.019 and Z.22.040 (the ‘Concurrent Applications’). The proposed redesignation aligns with property ownership and the proposed alignment of Street ‘A’ within the Concurrent Applications. Policy 2.2.5.2.6 in Volume 2, Section 11.4 of VOP 2010 requires the “Mixed Use Area – Employment/Commercial” designation within the south-east quadrant of Weston and Kirby Roads to maintain a maximum area of 6.1 hectares. The Official Plan Amendment application conforms to the maximum area requirement.

Policy 2.2.2.4 of VOP 2010 states that public ownership of major open spaces and natural features within Natural Areas is preferred, and Council will endeavor to acquire appropriate lands to contribute to the system. The open space block containing the natural heritage features and the appropriate vegetation protection zones will be conveyed to the City to contribute to the completion of the publicly owned natural heritage network within this area.

The Development respects the following design criteria in accordance with Section 9.1.2.10 of VOP 2010 (in part): “That in Employment Areas, new development will be designed to:

- allow for a variety of lot sizes and building sizes to accommodate a wide range of employment uses as permitted through Section 9.2 of this Plan;
- provide appropriate parks and open spaces as set out in Section 7.3.”

In consideration of the above, the Development conforms to VOP 2010.

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

- FD Future Development Zone subject to Exception 14.1100 and EP Environmental Protection Zone by Zoning By-law 001-2021.
- This Zone does not permit the proposed uses.
- The Owner proposes to rezone the Subject Lands to EMU Employment Commercial Mixed-Use Zone, and EP Environmental Protection Zone together with the following site-specific zoning exceptions to permit the Development, as shown in Table 1, Attachment 3.

Development and Parks Planning Department can support the zoning exceptions and uses identified in Table 2 on the basis that they conform to the “Mixed Use Area – Employment/Commercial” and “Greenbelt Natural System Area” designations of VOP 2010. The EMU Zone will provide for a variety of employment and commercial uses in a mixed-use environment. The EP Zone proposed on Blocks 2-4 will preserve key natural heritage features within the Greenbelt.

The site-specific development standards would facilitate a development that is consistent with the policies of the PPS and will enable an appropriate level of intensification for employment/commercial development by providing a more compact built form, more flexibility in design, a better pedestrian realm relationship which accommodates a variety of employment uses primarily in the form of mixed use buildings in addition to compatible employment uses in keeping with the Employment Area designation on Schedule 1 of VOP 2010.

Minor modifications may be made to the zoning exceptions identified in Table 1, Attachment 4 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

The Development and Parks Planning Department recommends approval of the Draft Plan, subject to the Conditions of Approval

Subdivision Design

The Draft Plan shown on Attachment 2 will create 1 block for mixed use employment/commercial uses, 2 blocks of open space, 1 block for the Trans Canada Pipeline and 1 block for a road widening. The Development and Parks Planning Department is satisfied with the proposed Draft Plan of Subdivision design as shown on Attachment 2, subject to the Conditions of Approval in Attachment 4a) of this report.

Urban Design

All development within the Draft Plan is required to proceed in accordance with the Vaughan Council approved urban design requirements. A condition to this effect is included in Attachment 4a).

Archaeology

The Development and Parks Planning Department, and Cultural Heritage Division has advised there are no built heritage concerns on the Subject Lands and is not identified as having archaeological potential, subject to any archaeological resources or human remains being located during construction. Warning clauses in this regard are included as Conditions of Approval in Attachment 4a).

Tree Protection Agreement

The Owner shall provide a detailed Tree Preservation Study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations. The Owner shall enter into a tree protection agreement in accordance with City Council enacted Tree By-Law 052-2018. A condition is included as Conditions of Approval in Attachment 4a).

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs ('PPSP') Department supports the Draft Plan, subject to Conditions of Approval

The PPSP Department advised that the valley lands, buffers, vegetation protection zones, and compensation areas (Blocks 2-4), are to be dedicated to the City.

The PPSP Department reviewed the Applications and advised an updated Arborist Report and Compensation Plan is required, and any red-line revisions, if required, be made to address their conditions. The PPSP Department has no objection to the Development and has provided conditions of approval in Attachment 4a).

The Development Engineering ('DE') Department supports the Development, subject to the conditions in this report

The DE Department has provided the following comments:

Municipal Servicing - Water

Block 34 West predominantly lies within Pressure District 7 ('PD7') of the York Water System. The top portion of the half-block lies within Pressure District 8 ('PD8'). The current proposal (per FP and P Water Supply Analysis) envisions a Pressure Reducing Valve ('PRV') located at the boundary of PD7 and PD8. Block 34 West is proposing to connect a 400mm-dia. watermain to the existing 450mm-dia. stub and to extend the water distribution system in a northerly direction to Kirby Road. The PRV chamber is envisioned to be constructed in advance to allow for a future inter-connection to the PD8 system. In the interim, Block 34 West will function on one PD7 feed.

The City's ultimate water distribution system envisions a PD7 watermain north along Weston Road and PD8 watermain west along Kirby Road from Jane Street to service the northern portions of Block 34 and the white-belt lands to the north. The PD7 watermain (north along Weston Road from Teston to Kirby Road) and PD8 watermain (along Kirby Road from Jane Street) are development charge recoverable projects. From a Regional water distribution system perspective, there is water distribution infrastructure that will be constructed including a Pressure District 8 (PD8) booster pumping station in the vicinity of the northwest corner of Jane Street and Teston Road, a PD8 watermain along Jane Street (from Teston Road to King Vaughan Road), two PD8 elevated water storage facilities, and a PD9 water booster station in the vicinity of Jane Street and Kirby Road. The proposed Regional water infrastructure projects will be constructed in phases and in-service by Q4-2025 and Q4-2028, respectively.

Municipal Servicing - Interim Wastewater

The City completed its ISS Study (Final October 2021). The ISS Study developed servicing strategies to safely accommodate future new growth utilizing the City's existing local system on an interim basis prior to the availability of Regional infrastructure in 2028 and beyond. Block 34 West was considered a new growth area captured in the ISS Study. There were numerous options analyzed, however, the recommended option is to connect and outlet to the existing local sanitary sewer stub at the northeast corner of Weston Road and Teston Road. The ISS Study has confirmed the Corner Brook Crescent outlet through Block 32 West and southerly to York Region's Jane Rutherford Sanitary Trunk Sewer can support 12,425 persons equivalent (2,802 pe for B34W and 9,623 for B41) utilizing 370 L/c/d + 0.26 L/s/ha I-I, in the interim with minimal surcharging. Excerpts from the ISS Study are attached that identify the new-growth areas and design parameters for Block 34 West and Block 41.

Municipal Servicing - Ultimate Wastewater

York Region completed a Class Environmental Assessment ('Class EA') study in 2019 to identify and evaluate practical sewage and water servicing alternatives for the Northeast Vaughan area. The Class EA Study was conducted under Schedule 'B' of the Municipal Engineers Association Municipal Class Environmental Assessment process

approved under the *Environmental Assessment Act*. The Environmental Study Report ('ESR'), completed as part of the Class EA, identified a trunk sanitary sewer along Jane Street, a trunk sanitary sewer within an easement parallel to and just south of Rutherford Road and a trunk sanitary sewer along Keele Street. The Phase 1 trunk sanitary sewer along Keele Street will be advanced by the Block 27 Developer Group and Phase 2 will be completed by York Region as scheduled. The Phase 1 and Phase 2 in-service dates are Q4-2025 and Q4-2028, respectively.

Block 34 West is tributary to York Region's Northeast Vaughan Sanitary Trunk Sewer and its outlet is at a proposed manhole at the northeast corner of Jane Street and Teston Road.

A condition is recommended requiring the owner to front-end finance, construct and/or contribute its proportionate share of the cost(s) associated with implementing the recommended ultimate wastewater servicing infrastructure improvements identified in the City's final Integrated Urban Water Master Plan Class Environmental Assessment.

Environmental Engineering

An updated Phase One Environmental Site Assessment ('ESA') report, dated September 2023, was included with the submission. No Potentially Contaminating Activities ('PCAs') were identified which resulted in Areas of Potential Environmental Concern ('APECs') at the Subject Lands, and no further work was recommended.

Other external agencies and various utilities have no objection to the Development

The Development Finance Department, Parks Infrastructure Planning and Development, TransCanada PipeLines Limited, Ministry of Transportation, Alectra Utilities, Bell Canada, Rogers Communications Canada Inc., Canada Post, and Enbridge Gas Inc., have no objections to the Development, subject to the conditions included in Attachment 4.

The York Catholic District School Board, By-law & Compliance Licensing & Permit Services, Building Standards, Environmental Services Department, Ministry of Energy, Emergency Planning, NAV Canada, Fire & Rescue Services, and Forestry and Horticulture Operations, have no objections to the Development.

Broader Regional Impacts/Considerations

York Region has provided conditions of approval

The Applications have been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to their approval. The Owner is required to satisfy all York Region requirements, subject to the comments and Conditions of Approval in Attachment 4b).

The Toronto and Region Conservation Authority ('TRCA') has provided conditions of approval

Significant portions of the broader Block 34 W lands, including the Subject Lands are located within the TRCA's Regulated Area, several natural features and hazards on or adjacent to the subject properties, including but not limited to the East Humber River valley corridor, headwater drainage features, wetland features and Regional Storm flood plain. Permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), are required for any development or site alteration within the Regulated Area.

The TRCA has no objections to the Applications, subject to their conditions of approval included in Attachment 4c).

Conclusion

The Development and Parks Planning Department is satisfied the Applications are consistent with the PPS, conforms to the Greenbelt Plan and VOP 2010, and are appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development and Parks Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 4.

For more information, please contact David Harding, Senior Planner, at extension 8409.

Attachments

1. Context and Location Map.
2. Proposed Official Plan, Zoning, and Draft Plan of Subdivision File 19T-22V014.
3. Zoning By-law 001-2021 Table 1.
4. Conditions of Draft Plan of Subdivision Approval File 19T-22V014.

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