

June 3, 2025

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**Re: Committee of the Whole Public Meeting**  
**Meeting Date: June 4, 2025**  
**Draft New Vaughan OP 2025 and Draft New Weston 7 Secondary Plan**  
**Comments by 2371933 Ontario Inc.**

We are the lawyers for 2371933 Ontario Inc., owners of the lands municipally known as 7520, 7540 and 7560 Weston Road, Vaughan (“**Properties**”). The Properties are subject to applications for an amendment to the City of Vaughan Official Plan and Zoning By-law, complete as of February 18, 2022. Our client is also a member of the Weston 7 Landowners Group Inc. (the “Landowners Group”), which was founded in 2024 to primarily coordinate input into the proposed Weston 7 Secondary Plan (the “**Secondary Plan**”), which has a significant impact on the lands of its members.

We are writing to provide our comments on the draft Vaughan Official Plan 2025 (the “**Official Plan**”) and draft Secondary Plan as part of the City’s ongoing request for public comment and in advance of the statutory public meeting being held on June 4, 2025.

## **A. Official Plan**

### **1. Process & Transition Policies**

Our client is concerned with the approach taken by the City for the implementation of the Secondary Plan. Pursuant to Draft Policy 1.4.2, the Secondary Plan is being implemented distinct from other secondary plans to which the City of Vaughan Official Plan 2010 remains in force.

The impact of the Transition Policies at 1.4.2.4 and 1.4.2.5 are unclear and inconsistent as it relates to the impact of the Secondary Plan on existing development applications. Policy 1.4.2.4 indicates that applications that were deemed complete after September 7, 2010, and prior to the date of approval of the Official Plan, remain subject to the Official Plan policies in effect when the application was deemed complete. However, Policy 1.4.2.5 inappropriately requires proponents of applications that are subject to Policy 1.2.4 to “work with the City to review the Development applications to ensure their Development applications are generally aligned with the intent of this Plan”.

As the Official Plan generally repeals the York Region Official Plan, 2022 (with exceptions for the listed policies and maps that will remain in effect), it is unclear if or how the York Region Official Plan, 2022 will apply to applications subject to Policy 1.2.4 of the Official Plan.

## **2. Secondary Plan Adoption and Implementation**

Policy 5.1.1 indicates that Volume 2 contains “completed” Secondary Plans, with “additional Secondary Plans to be added, at the discretion of the City.” Policy 5.1.1.2 directs that “Secondary Plans shall be adopted and approved as Amendments to this Plan”. It is unclear if the Secondary Plans contained in Volume 2 to the Official Plan are subject to Policy 5.1.2, such that they will be adopted as an Official Plan Amendment or concurrently as part of the Official Plan.

Policy 5.1.1.6 does not permit amendments to the Official Plan or Zoning By-law in areas where a Secondary Plan is required but not yet completed. This Policy is overly restrictive, contrary to the *Planning Act*, and inconsistent with clear provincial policy to facilitate housing as quickly and efficiently as possible. There should be policies added to permit development applications to move forward in instances when development is compatible with the Official Plan. This Policy is overly restrictive, particularly in circumstances where a Secondary Plan may be delayed or not advanced in a timely manner.

## **3. Requirement for Development Applications in Secondary Plan Areas to Coordinate is Restrictive**

Policy 5.1.1.7 requires development applications within each block of a Secondary Plan to “coordinate neighbouring development proposals in a mutually complementary fashion.” While developments can have general regard for proposed neighbouring developments, the requirement to “co-ordinate” is overly restrictive and creates unnecessary hurdles for development.

## **4. Inclusionary Zoning in Secondary Plans**

Policy 5.1.1.4 specifies that when implemented through an Inclusionary Zoning by-law, 35% of new housing units provided in Strategic Growth Areas in Secondary Plan Areas shall be Affordable Housing. This is contrary to provincial requirements which limit requirements to 5%. The policy should be revised to remove the specified percentage of Affordable Housing and instead, should acknowledge that Affordable Housing requirements will be secured in accordance with an Inclusionary Zoning By-law.

## **5. Population and Employment Forecasts**

The Population and Employment Forecasts, 2016-2051 at Table 2.1 have been decreased from the June 2024 Draft #1 of the Official Plan. No rationale has been provided for this

decrease, which seemingly does not have regard for the impact on the ability to plan for an appropriate mix of land uses to accommodate the City's forecasted growth. This conflicts with the Provincial Planning Statement 2024 ("PPS") which includes the City as a "large and fast-growing municipality", expected to have the greatest need for housing and the statement at Policy 2.1 of the Official Plan which acknowledges the "rapid pace and form of growth" in Vaughan in the previous decades.

## **6. Official Plan is Overly Prescriptive**

Many policies of the Official Plan are overly prescriptive and do not provide appropriate flexibility to consider the site-specific context of development properties. The use of "shall", without the qualifier of "where appropriate" through the Official Plan is required to add flexibility where the policies may not be appropriate in all circumstances.

### **B. Secondary Plan**

On behalf of our client, we accept and adopt the comments submitted on behalf of the Landowners Group. In addition, we have the following comments:

#### **1. Lock Step Development**

Policy 2.1(g) prescribes that growth within the Secondary Plan area will evolve in "lock step" with the provision of infrastructure and facilities and the pedestrian and public realm, notwithstanding the 2051 horizon. While it is recognized that growth must be aligned with infrastructure capacity, there is not sufficient direction for how the Secondary Plan area will develop and/or how the requirement to proceed in "lock step" will impact the advancement of development applications, particularly those identified for priority consideration pursuant to Policy 5.6

#### **2. Built Form Specific Policies:**

Policy 4.2 prescribes overly restrictive maximum building heights and densities. Policy 4.2.4 prescribes maximum buildings heights for High-Rise Buildings that are overly prescriptive. This will prevent the Secondary Plan area from achieving a transit-supportive density, inconsistent with its designation as a Primary Centre, being an area in which significant growth will be directed. It also fails to recognize that many of the existing/approved buildings have heights greater than the maximum 32 storeys. Policy language that includes permitting increased heights and densities, subject to land use compatibility, is more appropriate for the Secondary Plan area.

### **3. Minimum Prescribed GFA for Non-Residential Uses in the Mixed-Use I & II Designations**

Requiring all development applications within the Mixed-Use I & Mixed-Use II Designations to include a minimum 15% (Mixed-Use I) and 20% (Mixed-Use II) of its Gross Floor Area as non-residential land uses, fails to consider site-specific context and design feasibility. While we are supportive of the requirement to include non-residential uses in otherwise residential buildings, appropriate flexibility should be permitted through the use of “where possible” language.

### **4. Required Hold (H) Provision is Not Appropriate**

The mandatory prescription of a Hold (H) Provision for all implementing Zoning By-law Approvals for all developments in the Secondary Plan area, as prescribed at Policy 5.6, “in consideration of the identified Growth Threshold of 26,000 people and jobs combined” is unclear, with no rationale provided for how the Hold (H) Provision will be implemented or conditions for removal to ensure developments are not stalled. This seemingly mandatory imposition of a Hold (H) provision is inconsistent with the direction from the Province to accelerate housing. The application of a Hold (H) Provision should only be used where there is a demonstrated need for same and the Secondary Plan language should be revised to permit, but not require, the implementation of a Hold (H) Provision.

We thank you for the opportunity to provide comments and ask that our office is provided with notice of any meetings and future decisions related to these matters.

Yours truly,

Cassels Brock & Blackwell LLP



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