



ADAM LAYTON, MCIP, RPP
alayton@goldberggroup.ca
(416) 322-6364 EXT. 2101

June 3, 2025

City of Vaughan
Vaughan City Hall, Level 200
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Attn: Mr. Fausto Filipetto

Dear Mr. Filipetto:

C121.
Communication
CW(PM) – June 4, 2025
Item No. 10

RE: Comments on the New Draft Vaughan Official Plan 2025
190 Millway Avenue
Millway Ventures Ltd.

Goldberg Group are the Planning Consultants for Millway Ventures Ltd., the “**Owner**” of the property located at 190 Millway Avenue (the “**subject site**”). The subject site is located at the northwest corner of the intersection of Millway Avenue and Portage Parkway, approximately 70 metres north of the Vaughan Municipal Centre (VMC) bus terminal.

The subject site presently supports a multi-unit light industrial building, with access from both abutting street. The Owner has been an active participant in the Portage Conversion Landowners Group (the “**LOG**”), and has an interest in protecting for future redevelopment opportunities for the subject site.

We appreciate the opportunity to review and comment upon the Draft VMC Secondary Plan (the “**VMCSP**”), as well as the May 2025 draft of the Vaughan Official Plan (the “**VOP**”). On behalf of our Client, we comments are provided below:

VMCSP Schedules

We note that the *Future Spadina Subway Extension* is conceptually shown on all Schedules, extending directly north from the VMC Station at Highway 7. We request clarification if this linework reflects the ‘built’ location and alignment of the subway tunnel.

Considering the potential impacts of the future extension beneath the subject site on future redevelopment efforts, we consider this information of paramount importance. If the intent is that the future extension would cross any potential development site, we suggest it is necessary to include policies outlining how development may occur despite of, and in advance of, this condition.

This concern applies also **Policy 5.2.3, Policy 5.3.17, and Policy 9.1.13.**

Objectives

While we recognize that the Objectives are not operative policy, they do serve to outline the intent behind the policies of the VMCP. On this basis, it is important that they are clear and equitable.

Section 3.1: Establish a distinct downtown for Vaughan containing a mix of uses, civic attractions and a critical mass of people.

This Objective outlines that the subway station will serve as the geographic centre of the VMC, and will feature the greatest heights, densities, and mix of uses. This is echoed in **Policy 9.1.21**. While we have no concern with the notion that the highest densities and heights should be centered around the subway station, it is noted that several existing buildings have been constructed that were subject to different policy framework and limitations than a contemporary development would be required to consider (i.e. parking).

On this basis, the existing context could be said to have limited the future development potential of properties proximate to the subway station. We suggest that it be clarified that any existing structures are not the context by which the 'highest heights and densities' are to be compared to.

Section 3.2: Establish complete neighbourhoods containing a variety of housing.

This Objective provides that a minimum of 35% of housing units will satisfy the definition of 'affordable'. This is reiterated in **Policy 9.7.2**.

We suggest that this target, while laudable, is inconsistent with the recent amendment to Ontario Regulation 232/18 which stipulates that the maximum number of units that can be required to be set aside as affordable within a PMTSA is 5% of the total number of units, or gross floor area (not including common areas).

Were this target to be legally implemented, it would exceed the ultimate requirements of the IZ policies for the strongest market area adopted by Council for the City of Toronto, which are to be phased in over the course of several years. Given the uncertainty inherent in the development process, the time it takes to bring a project to conclusion, and the general market conditions presently facing the Province, requiring such an onerous target may lead to the cancellation of existing or planned projects, or developers seeking other opportunities for development outside of the City.

We question whether there is to be any consideration given to phasing or transitioning towards this, or any other, affordable housing target that may be established.

While attempting to increase the rate at which affordable housing is created, the realities of construction must be considered – specifically that the cost to build an affordable unit is no different than the cost to build a market unit, however these units may need to be sold at a

loss to meet the definition of 'affordable' for a specific area. Consideration should be given on providing incentives to offset the costs of these units, such as the reduction/elimination of planning and permit application fees, development charges, parkland contributions, or community benefits.

We are also concerned that there is a lack of recognition for 'intrinsically affordable' or 'attainable' units. Alternative forms of housing can be considered affordable when compared to the relatively limited supply of traditional forms of ground-related housing, although may not meet the strict definition of 'affordable'.

We suggest that the VOP and VMSP must include a wide variety of options for meeting the stated affordable unit targets, including through 'intrinsically affordable' and attainable units, and through an increased supply.

Transition protocols should be well defined for any active development proposals which are currently under review.

We also question whether this target to be achieved within each individual project, on a VMC wide basis, or over the entire City?

Section 3.5: Support growth with appropriate infrastructure and amenities.

We request clarification as to what, if any, plans exist or are required to resolve any lack of infrastructure in a timely manner to avoid potential delays in the achievement of the PMTSA densities?

Further, we would suggest that amenities are less sensitive to growth outpacing the provision of same, and believe that increased population achieved through development can often serve as the catalyst to establish a business case for same. Accordingly, we request that the final sentence of this Section should be revised to reflect this condition.

Section 3.6: Ensure development proceeds in an orderly and rational manner.

We suggest that the language of the second paragraph of this Section could be misinterpreted, such as in the case of the first application in a development block is. We request that the language be revised to more specifically categorize what a 'rational' manner is intended to reflect.

VMCSP Policies

Section 4.2: Supporting Growth

We have significant concerns with respect to the provisions of **Policy 4.2.3**. We request clarification as to where the rate of 0.3 ha of parkland per 1,000 residents was sourced.

Further, we suggest that it is inequitable to withhold development approval if there is a dearth of parkland in the area due to no fault of a proponent.

Section 4.3: Orderly Development

Policy 4.3.4 appears to suggest that all applications within the VMCSPP will be subject to a Holding (H) Symbol. It is our position that this is a misuse of the Holding provision, and would be contrary to the intent to expedite the delivery of housing and growth within the.

Section 5.1: Streets and Transportation – General Policies

We suggest that **Policy 5.1.3** be revised to include reference to the VMC Bus Terminal or VIVA Station. Additionally, we suggest that any direct underground pedestrian connections to the either facility should be considered as an ‘in-kind’ community benefit for the purposes of any future City By-law. We request that policy outlining same be included in the VMCSPP.

This applies also to **Policy 5.2.6**.

Section 5.3: Street Network

While we support the potential to permit encumbered rights of way, we note that the criteria/restrictions outlined **Policies 5.3.9 - 5.3.11** are extensive to the degree that they eliminate any practical situation wherein an encumbered right of way could feasibly be provided such that it is to any benefit to a proponent of development.

Section 5.5: Active Transportation Network

We suggest that the provision of public bicycle or micro-mobility parking as outlined in **Policy 5.5.11** should be considered an ‘in-kind’ community benefit as part of any future City By-law, particularly if floor area is devoted to same within a building or structure. We request that policy outlining same be included in the VMCSPP.

Section 5.6: Parking

We question the applicability of **Policy 5.6.1** and **Policy 5.6.3** given the Planning Act now prohibits any policy from requiring parking facilities, other than bicycle parking, on lands within a PMTSA. We also suggest that **Policy 5.6.1** may need to be revised to clarify that public parking areas are not subject to a maximum requirement.

Section 6.2: Energy Infrastructure

While we support the potential to establish a district energy system within the VMC, we are concerned with the potential impacts of **Policy 6.2.3** on developments that proceed in advance of the establishment of such a system. In particular, we pose the following questions for consideration:

- How is it possible for a developer to accommodate a connection to such a system absent details of what this may entail? Requiring provision for same may be very costly and thus pose a challenge to maintain affordability/attainability.
- Who will pay for the ultimate linkage to a district energy system once a condominium has been registered?

Additionally, we suggest that **Policy 6.2.5** must be reconsidered. It is unlikely that a development of appropriate scale would be able to generate the necessary power, heating, and cooling requirements solely on the basis of renewables, at least at present. On this basis, we suggest there is no option but to install a central boiler that utilizes fossil fuels (i.e. natural gas).

Section 6.4: Stormwater Management

We believe **Policy 6.4.6** should be reconsidered given that the use of infiltration LID measures on a site with extension underground parking extending property line to property line is generally not feasible. The OBC requires a 5m setback between an infiltration LID and a foundation. We suggest that to facilitate an uptake of infiltration measures, the City should permit LID's within existing and new rights of way. This could have additional placemaking and climate change adaptability benefits.

Section 6.5: Environmental Site Design

We question whether it is appropriate for **Policy 6.5.2** to require a developer to achieve LEED Silver given it is a proprietary program.

We also suggest that all the policies of this section, while laudable, must consider the direct impacts of increased use of sustainability technologies/construction methods on affordability/attainability. Further, it should be noted by City Staff that building step-backs, as currently contemplated in the VM CSP and VOP, contribute to increased surface area exposure, which reduces the thermal efficiency of the building. Unlike the simple, compact form of a cube, which is inherently more energy-efficient, step-backs demand additional insulation measures and energy-intensive detailing to maintain performance. This negatively impacts construction costs, affordability, and the environmental sustainability of the project.

Section 7.1: Parks and Open Spaces – General Policies

We request clarification as to how the minimum parkland area of 28 hectares provided in **Policy 7.1.1** has been established in order to ensure that this value is in compliance with the Planning Act, as amended.

Additionally, we question whether **Policy 7.1.7** reflects the most likely method by which most lands in the VM CSP are would development. It would be our expectation that the majority of parkland would be secured through the site plan process.

Section 7.2: Park Types

Section 7.3: Park Location and Design Requirements

Section 7.4: Encumbrances in Parks

In reviewing the Policies contained within these **Sections**, we have several concerns.

While we support increasing the variety of park and open space designs within the VMC, we feel that the locational and size criteria outlined in **Sections 7.2** and **7.3** may limit the ability to realize innovative and unique open spaces and POPS in the context of the urbanized and dense structure of the VMC. We suggest that greater flexibility be included in the VMCSPP to allow departures from the general standards to recognize unique opportunities as they arise.

With respect to **Section 7.4**, we have similar concerns as previously outlined with respect to the potential to permit right of way encumbrances. We suggest these Policies are overly prescriptive, and do not appear to recognize the realities of how and where Strata Parks would reasonably be desired or provided.

As a result, we feel the ability of the City to achieve the intended delivery of innovative park or open spaces within the VMC may be limited as there is no practical situation wherein a Strata Park could feasibly be provided.

Section 8.3: Day Care Facilities

Based on our past experience in the development of day care facilities, we suggest that the implementing details with respect to same may require reconsideration/revision to **Policy 8.3.1**. Specifically, we suggest that clarification is needed with respect to whether outdoor play areas may be located on a rooftop.

Additionally, we would suggest that if the intent of the VMCSPP is to realize a modal split weighted to transit, that pick-up/drop-off facilities may not be necessary.

Section 9.1: General Land Use and Density Policies

We request clarification as to how the City can be satisfied that the supply of retail and service uses within the VMC are sufficient, as outlined **Policy 9.1.5**. We would also suggest that this policy ignores the market realities of developing business cases to support retail/service uses, which often require a sufficient density of population. In this regard, advancing residential development may serve to strengthen a potential business case, and thus rectify any shortcoming in retail/service uses levels. Thus, any delay in the approval of same would only potentially worsen such a shortcoming.

Policy 9.1.16 provides that a Land Use Compatibility Study is required for any redevelopment including sensitive uses which are within 1000 metres of an Employment Area or the MacMillan Rail Yard. We suggest that this does not assist in scoping down the required reports to accompany an application as the majority of the VMC would be captured by this

requirement. Given this radius corresponds with the 'area of influence' within the Provincial D-6 Guidelines, we suggest that consideration should be given to reduce the requirement to correspond with the 'minimum separation distances' recommended in the D-6 Guidelines for Class 3 industries, which is 300m.

Section 9.2: Mixed Use Land Use Designation

While we understand the intent of **Policy 9.2.4** and **9.2.5**, we suggest that a fixed minimum of 10% non-residential GFA is too broad, and may not capture the nuances associated with each development proposal. The policy should be revised to increase flexibility to avoid the need for an OPA on a site specific basis.

Section 9.7: Housing

While not directly applicable to the subject site, we suggest that the required for a minimum of 15% of units to be three bedrooms in **Section 9.7.5** is too high. For comparison, the City of Toronto requires a minimum of 10%. In addition to reducing this proportion, we suggest that flexibility should be provided to accommodate the potential to combine units to achieve larger unit sizes.

We suggest that additional incentives should be incorporated into **Policy 9.7.7** to maximize the potential to achieve affordability targets. Additionally, the Policy should also apply to incentivizing purpose built rentals. In particular, pre-zoning and relaxation of other planning requirements should be implemented for all development to expedite construction of residential units.

Section 9.8: Retail

We suggest that the specific value of ground floor height provided in **Policy 9.8.3** should be implemented through zoning, not the VMCSPP. We request that this Policy be revised.

Section 9.9: Built Form

We have numerous concerns with the built form Policies contained in this Section, as follows:

- **Policy 9.9.1:** We believe that in consideration of the existing and planned context, the definition of a mid-rise building should contemplate greater heights, such as 14 or 15 storeys.
- **Policy 9.9.6:** Similar to our comment regarding ground floor heights, we believe the specific value of any building setbacks are a matter for zoning, not the VMCSPP. We request that this policy be revised to remove any specific numbers, and instead focus on the desired outcome.
- **Policies 9.9.13 and 9.9.14:** The cumulative impact of these policies seem to require lobbies for buildings along arterial or collector streets to cut through the podium of a building to have access from a street, given that a pick-up/drop-off (PUDO) area must

be screened from public view. This creates potential challenges in terms of wayfinding and security. We suggest that reconsideration may be warranted in limited circumstances to allow on-street parking in lieu of PUDO areas.

- **Policy 9.9.21:** Refer to our prior comments regarding specific figures for a development standard within the VMCSPP.
- **Policy 9.9.22:** We feel the intent of this Policy is more appropriately contained within the City Zoning By-law or Urban Design Guidelines and not the VMCSPP.
- **Policy 9.9.23:** We suggest that the podium heights should be 'general', not prescribed within the VMCSPP.
- **Policy 9.9.24:** It must be noted that building step-backs introduce significant design and structural impacts, which may result in deeper units within the podium that do not receive adequate natural light, compromising the quality of the interior environment. Furthermore, step-backs often require the transfer of plumbing, HVAC, and structural elements across different levels, which not only adds to construction complexity and cost, but also increases the carbon footprint. This can result in the need for additional materials and labor, further compounding costs, and negatively affecting the construction schedule and overall project affordability.
- **Policy 9.9.25:** We suggest that if variation in tower floorplates may be considered, the term 'without amendment to this plan' should be added to this Policy.
- **Policy 9.9.26:** We continue to suggest that providing a specific separation distance within the VMCSPP is overly prescriptive, and is best left for a Zoning By-law. Further, this policy should provide greater flexibility with respect to the minimum separation distance in recognition that there may be situations where a separation of less than 25 metres is appropriate. Similarly, we suggest that a reduced facing distance may be appropriate between windows within a podium/base building depending on context.
- **Policy 9.9.31:** We suggest this policy requires further review as there are situations where a podium length above 60m is warranted. Assuming standard dimensions, this policy would restrict the ability to construct a development wherein 2 towers share a podium. Assuming each tower is 21m wide, with a 25m separation distance between, and 3m stepbacks on each side, the resulting podium would be 73m wide.

Section 11.5: Zoning By-law

We suggest that several conditions for the implementation of Holding (H) symbols in **Policy 11.5.2** are redundant, or not appropriate. By virtue of getting zoned, one would assume that the intent of the VMCSPP has been satisfied with respect to growth management and compatibility (subsections b and c, respectively).

Section 11.7: Development Applications

Contrary to **Policy 11.7.2**, we would suggest that a Planning Justification Report is not required for a site plan or draft plan of condominium application where the lands have already been zoned.

Additionally, we suggest that an assessment of the financial impacts of infrastructure and community facilities on the City Budget, as outlined in **Policy 11.7.3(a)**, is not a planning matter.

Conclusion

We welcome the opportunity to meet with City Staff to discuss the above comments and concerns, and request to be notified of any further activity or reporting on this matter.

If you have any questions or require additional information, please do not hesitate to contact the undersigned at ext. 2101.

Yours truly,

GOLDBERG GROUP



Adam Layton, MCIP, RPP

cc. Millway Ventures Ltd.
Portage Conversion Landowners Group