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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:

**C136.**  
**Communication**  
**CW(PM) – June 4, 2025**  
**Item No. 10**

**Re: Comments on the Draft Vaughan Official Plan (May 2025)**  
**10390 Pine Valley Drive**  
**Country Wide Homes (Pine Valley Estates) Inc.**

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Goldberg Group acts on behalf of Country Wide Homes (Pine Valley Estates) Inc., the 'Owner' of the properties legally described as 'PT LT 23 CON 7 AND PT LT 24 CON 7, BEING PT 1, PL 65R32195' and 'Block 168 Plan 65M-4694', and municipally known as 10390 Pine Valley Drive (the "**subject property**").

On behalf of our Client, we have previously provided comments with respect to the January 2025 Draft of the Vaughan Official Plan (the "**VOP**"). Further, applications to facilitate the redevelopment of the subject site have been submitted to the City, which are being considered at the June 4 Council Public Meeting as City Files: OP.25.003, Z.25.004, 19T-25002.

We appreciate the opportunity to review and comment upon the updated May 2025 Draft of the VOP. We provided comments on the previous (January 2025) iteration of the Draft VOP. A copy of our letter dated February 5, 2025 is attached. On behalf of our Client, our comments on the May 2025 Draft VOP are provided below:

## **Schedules**

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We continue to suggest that greater clarity be added to the VOP schedules, and in particular Schedule 2 (Natural Heritage Network) and Schedule 4 (Provincial Plans and Designations). As was previously noted, the subject property may be geographically located within the Greenbelt Plan Area, but is not required to conform to the Greenbelt Plan, in accordance with the Greenbelt Plan's transition **Policy 5.2.1**.

Such identification could be facilitated through a separate hatching or colour on the respective Schedule which identifies such lands or Secondary Plan areas. This revision would ease

interpretation of the VOP, particularly with respect to the determination of development limits and minimum vegetation protection zones, which will be discussed later in this Letter.

This concern applies also to the policies of **Section 2.2.5** (Natural Areas and Agriculture) and **Section 2.6** (Protecting the Agricultural System and Food Production).

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### **Section 1.4.2: Transition**

We anticipate that the applications submitted on behalf of our Client will be deemed complete prior to approval of the VOP, and thus would be subject to the Transition provisions of **Policy 1.4.2.4**. Notwithstanding this, we note that **Policy 1.4.2.7** indicates that this transition policy is intended to be repealed at the earlier of the time of the next Official Plan review, or 5 years. We do not understand the rationale for this intention as it appears to contradict established legal principles regarding transition.

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### **Section 2.1.2: Vaughan's Evolution: Key Planning Objectives**

We generally support the planning objectives outlined in this Section, however suggest that **Policy 2.1.2.1** should include stronger reference to the link between population/employment density and the ability to justify expansions to the existing transit network. In our opinion, expanding this objective would serve to further reinforce the provisions of **Policy 2.2.3.6**.

Additionally, while there is a reference to *New Community Areas*, Policy 2.1.2.1 makes no reference to *Designated Greenfield Areas (DGAs)*, despite their distinct identification on Schedule 1A (Urban Areas).

We suggest that a subsection be included which outlines that proactive measures shall be undertaken to advance the potential business cases required to justify new rapid transit stations, or transit routes, particularly in DGAs.

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### **Section 2.2.3: Community Areas**

**Policy 2.2.3.7** outlines an average minimum density of 65 residents and jobs per hectare, combined. Notwithstanding this, the land use provisions of Official Plan Amendment No. 600 (OPA 600), as amended, are inconsistent with this requirement. For example, the *High Density Residential-Commercial Areas* designation provide for a minimum density of 60 units per hectare.

We respectfully suggest that a review of both the minimum and maximum density requirements of OPA 600 is necessary in order to ensure an appropriate range is provided consistent with the PPS, VOP, and York Region Official Plan, with the goal being to maximize the potential density within the Built Boundary, and to eliminate the potential need for costly and time-consuming site-specific development applications.

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### Section 2.3: Urban Areas (Schedule 1A)

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It is unclear why this Section of the VOP does not include any description or direction for DGAs, which are identified on Schedule 1A as a distinct land use area from *New Community Areas*. If it is intended that growth within DGAs is to be guided by Secondary or Block Plans, we request that this be clearly identified.

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### Section 2.7.2: Developing and Maintaining a Natural Heritage Inventory

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We request that **Policy 2.7.2.1** be modified to read as follows:

*To use environmental data gathered through land use planning studies, Infrastructure Development, Development applications, and other means, to maintain, **update, and refine** Vaughan's Natural Heritage Inventory and Schedule 2 of this Plan, as appropriate, **and without amendment to this Plan. [emphasis added]***

Alternatively, a new policy should be added to clarify that the boundaries of the Natural Heritage System identified on the VOP schedules may be modified without requiring an amendment to the Plan based on the results of site specific study through a development application process. We suggest this would be consistent with the approach outlined in **Policy 2.7.3.4, 2.7.3.5, and 2.7.3.15**, and would provide greater clarity for proponents.

With respect to *Core Features*, we maintain our prior concerns related to the renumbered policies as follows:

**Policy 2.7.3.6:** *That Core Features, as identified on Schedule 2, consist of the key natural heritage features and Key Hydrologic Features and their associated minimum vegetation protection zones [MVPZ] as shown in Table 2.3.*

**Policy 2.7.3.7:** *That the feature limit is inclusive of any natural hazard components, including but not limited to, the long-term stable top of slope/bank, stable toe of slope, regulatory floodplain, and or meander belt and any contiguous natural features or areas.*

Table 2.3 differentiates the required MVPZ based on whether the feature is within the Oak Ridges Moraine and Greenbelt Area (ORMGA), or outside of it. The required MVPZ can differ greatly depending on the location of the feature. For example, Significant Woodlands or Significant Valleylands, require a 10-metre MVPZ outside of the ORMGA, but a 30-metre MVPZ within the ORMGA.

As noted previously, the subject property is geographically located within the Greenbelt Area; however applications implementing the site's *Urban Area* designation are not required to conform to the provisions of the Greenbelt Plan because the designation pre-dated the Greenbelt Plan. Our prior suggestion is that the Schedules of the VOP should be updated to reflect this condition for any applicable Secondary Plan areas.

Additionally, we suggest that clarifying policy should be included in the VOP to confirm that for lands transitioned out of the Greenbelt Plan, the applicable MVPZ for new development is that for features that are outside of the Oak Ridges Moraine and Greenbelt Area. This comment is also relevant with respect to **Policies 2.7.3.11, 2.7.3.12, 2.7.3.14, 2.7.4.3, 2.7.4.11** as well as the provisions of the VOP applicable to Greenbelt Lands contained within **Section 2.9.2**, which require similar clarification based on the circumstances of the subject property.

We also suggest that flexibility should be incorporated into the VOP to allow reductions to MVPZs where it can be demonstrated through an Ecological Study that there is no 'Negative Impact' to a Significant Feature or its function in accordance with the PPS.

### **Section 3.1.1: General Land Use Policies**

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We suggest that there is a general need to review all Secondary Plans to ensure consistency with the VOP with respect to permitted building types in order to both ensure that new and evolving built form and housing types are permitted, and to recognize the evolution of building practices. This would be consistent with the stated intent of the VOP to add a greater range of housing types and sizes to the City, while also avoiding the potential need for costly and time-consuming site-specific development applications.

This comment would similarly apply with respect to consistency with **Section 4.3.3** (Site Design and Building Types).

With respect to maximum densities, we would like to comment on the following policy:

**Policy 3.1.1.5:** *That where no height or density is indicated on Schedule 13, the maximum height and density shall be established through a Secondary Plan or Area-Specific policy and pursuant to the policies of Section 5.1 of this Plan, or through the application of policies of this Plan.*

While this policy is not specifically applicable to the subject site given it is identified within a Secondary Plan area, we suggest that exceptions/exemptions from heights or densities identified on Schedule 13 should be provided where certain matters of Municipal or Provincial interest are provided, which may include:

- Rental or Affordable Housing;
- Publicly accessible open space;
- Publicly available parking;
- Floor area for school, community centres, daycares, or other institutional uses as part of a mixed-use development;
- Enhanced sustainability, renewable energy, or 'green' development standards; or
- Other matters, as may be determined through agreement with a landowner/proponent and the City.

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### Section 4.1.1: Housing Affordability

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We reiterate our prior comments related to the proposed affordable housing policies outlined in **Policy 4.1.1.1**.

We suggest that requiring a minimum of 35% of all new units within a PMTSA to be affordable, 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).

Given that the Planning Act does not permit a Municipality to require the provision of affordable units outside of a PMTSA, we question how the City will implement an Inclusionary Zoning (IZ) framework for the balance of the City.

Furthermore, this proposed target 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 the proposed target, or any other, affordable housing target that may be established.

While attempting to increase the rate at which affordable housing is created, we urge staff to consider the realities of construction – 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. The measures suggested in **Policy 4.1.1.2** do not address the inherent difficulties in creating a business case for affordable units absent significant assistance from Government.

We are also concerned that there is a lack of recognition for ‘intrinsically affordable’ or ‘attainable’ units. Increasing the diversity and supply of a variety of housing options through the provision of apartment, townhouse, stacked townhouse, and other innovative design options are crucial in creating not only a complete and diverse community, but would also contribute to the inherent affordability across the City by providing options for all income levels. 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 strongly reiterate our suggestion that the VOP 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.

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

These comments apply also to the Inclusionary Zoning policies contained in **Policies 5.1.3.4** and **5.1.3.5**.

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### **Section 4.3.1: The Public Realm**

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We would like to comment on the following policy with respect to the public realm:

**Policy 4.3.1.2(n):** *That the Public Realm contributes to a distinct sense of place and the health and wellbeing of residents by being physically and visually accessible, inclusive, diverse and environmentally sustainable. The investment and design of the Public Realm, includes but not limited to, the following:... incorporate, where possible, Green Infrastructure, including Low Impact Development;...*

In our opinion, this Policy, as well as **Policy 4.3.1.3**, fails to fully consider the opportunities inherent in the design of the Public Realm to incorporate stormwater management facilities, particularly infiltration facilities, within public boulevards. We suggest these areas present an opportunity to aid in mitigation stormwater flows from streets and private lands into municipal infrastructure through innovative design, and request that greater emphasis on such design interventions be included in the VOP. Such treatment could also serve to address issues related to climate change and biodiversity.

This comment applies also to the provisions of **Section 4.6.1** (Sustainable Growth) and **4.7.3** (Stormwater Management).

Additionally, we suggest the consideration for on-street parking should be included within **Policy 4.3.1.3** in order to support the vitality of at grade non-residential uses, and to serve as a traffic calming measure along arterial streets.

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### **Section 4.3.3: Site Design and Building Types**

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We wish to provide the following comments with respect to the policies of this Section:

**Policy 4.3.3.9:** *That to provide appropriate privacy and daylight/sunlight conditions for any adjacent house form building on a lot that abuts a lot with an existing Single-Detached House or Townhouse:*

- a. High-Rise Building podiums shall be setback a minimum of 7.5 metres from the property line if they have habitable windows facing the property line;*

- b. *the entirety of a Mid-Rise Building shall be contained within a 45-degree angular plane measured from the property line abutting those house form buildings that are designated Low-Rise Residential; and*
- c. *the first twelve Storeys of a High-Rise Building shall be contained within a 45-degree angular plane measured from the property line abutting those house form buildings.*

With respect to **subsection (a)**, we continue to suggest that providing a specific setback within the VOP is overly prescriptive, and is best left for a Zoning By-law. With respect to **subsection (b)**, we suggest that there are alternative means of achieving an appropriate transition to ground related housing while mitigating real or perceived shadow and privacy impacts. In our opinion, the application of an angular plane is overly broad, and does not permit any contextual considerations.

It must also be noted that building step-backs that are inherently introduced as a result of angular planes result in 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.

Additionally, building step-backs 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. These further impacts construction costs, affordability, and the environmental sustainability of the project.

We encourage exploring alternative design solutions that can create engaging, pedestrian-friendly streetscapes while minimizing negative cost and sustainability implications, and fostering architectural creativity. It should also be noted that many municipalities are moving away from the use of angular planes for the reasons stated above.

**Policy 4.3.3.10(a):** *That Mid-Rise Buildings over six Storeys in height and all High-Rise Buildings shall be designed with a pedestrian-scaled podium or other appropriate architectural articulation to enhance the building design and provide an active pedestrian streetscape, which is: two to six Storeys in height...*

We suggest that the height of a podium/base building should be based on context, and particularly the planned context, and not governed by a fixed height within the VOP.

**Policy 4.3.3.11:** *That taller building elements above the podium of a Mid-Rise or High-Rise Buildings will be setback three metres along all public street frontages in order to*

*provide an appropriate pedestrian environment and mitigate wind impacts at the street level.*

We suggest that there are alternative means of achieving an appropriate pedestrian environment while mitigating wind impacts beyond a 3-metre stepback from the podium/base building. This policy should be revised to ensure flexibility for future design options and avoid potentially repetitive/generic designs that could detract from the unique characteristics and sense of place of specific communities if applied uniformly across the City. Given the desire for architectural interest outlined in **Policy 4.3.3.13**, we respectfully request that this policy be reconsidered. Refer also to our prior comments related to construction, sustainability, and cost implications of this requirement.

**Policy 4.3.3.12:** *That a separation distance of 15 metres will be established between habitable space windows of any two or more podiums. The separation distance between the tower portion of High-Rise Buildings will be a minimum of 25 metres.*

We continue to suggest that providing a specific setback within the VOP 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 our opinion, a reduced facing distance may be appropriate between windows within a podium/base building depending on context.

**Policy 4.3.3.17 (b):** *That for Mid-Rise Buildings or High-Rise Buildings:... surface parking elsewhere on the lot will be setback from any property line by a minimum of 3 metres and shall be appropriately screened through landscaping;...*

We continue to suggest that the inclusion of a specific setback is overly prescriptive within the VOP, and is best incorporated within the Zoning By-law. In this regard, the requirement for appropriate screening through landscaping is sufficient to demonstrate the intent of this Policy, without the need for a numeric value.

**Policy 4.3.3.18(b):** *That for Mid-Rise Buildings and High-Rise Buildings in Strategic Growth Areas: ...surface parking areas are not permitted, except:*

- i. to provide minimal pick-up/drop-off and/or loading parking spaces intended for short-term use;*
- ii. to provide sufficient resident or visitor parking spaces on an interim basis as part of a phased Development; ...*

We continue suggest that the City should consider means to implement on-street layby parking as a means to serve as a traffic calming measure, and to potentially increase the overall supply of managed visitor parking across the community.

This comment would also apply to the Public Realm Policies of **Section 4.3.1**, and the Transportation and Mobility Policies of **Section 2.14**, particularly with respect to the policies pertaining to Road Safety.

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#### Section 4.4.1: Parks and Open Space Network

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In light of **Policy 4.4.1.1**, which states *“That where there is a conflict between the policies in section 4.4.1, the policies pertaining to the underlying land use designation in this Plan, or the relevant Secondary Plan, the more restrictive policies shall apply.”* we continue to suggest that there is a need for a comprehensive review of all Secondary Plans to ensure consistency with the VOP and PPS (2024).

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#### Section 4.4.2: Parkland System

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We support the provision of Strata Parks within the overall City Parks hierarchy as outlined in **Policy 4.4.2.3**, however continue to be concerned with the criteria of **Policy 4.4.2.4**. As previously provided in our February letter, this Policy is overly prescriptive, and does not appear to recognize the realities of how and where Strata Parks would reasonably be desired or provided.

Given the restrictions of **Policy 4.4.2.4**, which specifically prohibits private infrastructure, it is our opinion that there is no practical situation wherein a Strata Park could feasibly be provided. It is unclear why private infrastructure would not be permitted beneath a Strata Park or POPS if there is no functional impediment on the use of the at grade portion of the space.

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#### Section 4.4.3: Open Space Typologies

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**Policy 4.4.3.2** sets out the requirements for a POPS. We request clarification as to what responsibilities, if any, the City would bear within the “appropriate legal agreements” referenced in **Policy 4.4.3.2**. There are legal and operational concerns with respect to the provision of publicly accessible, but privately owned spaces (such as liability) which should be clearly stated to ensure full transparency between the City and a proponent.

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#### Section 4.4.4: Open Space Design

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While we support increasing the variety of park and open space designs across the City, in our opinion the locational and size criteria outlined in **Policies 4.4.4.3, 4.4.4.5, and 4.4.4.8** may limit the ability to realize innovative and unique open spaces and POPS in the context of an increasingly urbanized and dense City Structure. We suggest that greater flexibility be included in the VOP to allow departures from the general standards to recognize unique opportunities as they arise.

Further, we suggest that the policy explicitly address the circumstance where a park is co-located with a School, as there are inherent efficiencies that can be gained with respect to programming that could reduce the overall area required for a park while maintaining the intent of the policy.

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#### Section 4.4.5: Parkland Dedication

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With respect to the Parkland Dedication rates in **Policy 4.4.5.2** and **Policy 4.4.5.4**, we suggest that any parkland calculations should be net of any conveyances to the municipality for road purposes, or for natural feature protection.

Additionally, **Policy 4.5.5.8** continues to provide: *That Privately Owned Public Spaces may be eligible for parkland dedication credit toward satisfying the parkland dedication requirements for a Development or Redevelopment, subject to meeting all requirements established in Sections 4.4.3.2 and 4.4.4.8 of this Plan.*

We support the potential to provide Parkland Dedication credit for the provision of POPS, but request confirmation of the following matters:

- We request clarity as to whether this policy applies to *Strata Parks* given this form is distinct from POPS based on the definitions of the VOP.
- We note that both Section 51.1 and 42 of the *Planning Act* do not solely refer to 'Parks', but to "...*park or other public recreational purposes...*". On this basis, the VOP should ensure greater flexibility in terms of what is considered for Parkland Dedication credit, and suggest that the policy be revised to state that POPS and Strata Parks '**shall**' be eligible for Parkland Dedication credit.
- We request clarity as to how credit applied under this Policy will be determined.

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#### Section 5.1.1: Secondary Plans

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As previously noted in this Letter, we suggest there is a need to review all existing Secondary Plans for consistency with the VOP and PPS (2024) to ensure that the vision of the City can be realized, and to avoid the potential need for unnecessary Planning Act applications.

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#### Section 5.1.3: Site and Area Specific Policies

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We support the provisions of **Policy 5.1.3.2**, but suggest additional clarify would be beneficial to clarify that a site and area specific policy supersedes any conflicting policies of the VOP.

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#### Section 5.2: Engagement and Consultation

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We question the need for **Policy 5.2.1.7(a)**: *"A new public meeting for a planning application(s) shall automatically be required when any of the following circumstances occur: any application(s) that has not been considered by Council within two years after the date it was considered at a previous statutory public meeting;..."*

We suggest that absent a significant change in City or Provincial Policy, this would simply further prolong a development process.

Additionally **subsection (b)** states that: *an application(s) has been deemed by the City to be significantly amended, such as an increase to the proposed density and/or building height beyond what was proposed and considered by Council at a previous public meeting.*

We believe this is overly broad, and ignores the realities of a development process which can often naturally result in changes to built form through the course of addressing technical comments.

### Section 5.3: Implementation Tools

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We would like to comment on the following policy with respect to the use of Holding symbols:

**Policy 5.3.1.14:** *That the Holding Symbol (H) may be applied where Council has determined the specific land use for an area or a parcel of land is premature until one or more of the following have been addressed:...*

We continue to suggest that many of the matters identified in the subsections for this Policy are redundant given the requirements of the *Planning Act* and *Building Code Act*. On this basis, the use of Hold provisions should be reviewed to ensure that they are only enacted as needed and do not unnecessarily delay approval/construction to remove a Hold symbol.

In particular, **subsection (o)** outlines that a Hold provision may be enacted with respect to *“any required conveyance of parkland, finalization of park spaces and/or Privately Owned Public Spaces, and entering into the necessary agreements with respect to these park facilities and/or payment of cash-in-lieu.”*

This requirement is particularly redundant given that the Financial and Land Dedication Tools of the VOP are outlined in **Policies 5.3.1.16** through **5.3.1.21**, with **5.3.1.18(a)** specifically stating *“That Development approvals **shall implement** the required equitable contributions of funds, **land dedications** and commitments for services that will be in place and operative **prior to, or coincident with occupancy and use of the land**. Items which may be addressed in Development agreements or other forms of agreements include but are not limited to: **parks, park facilities**, recreational trails, open space and Natural Heritage Network features, including the protection, ownership and management of Table Land Woodlands;...” [emphasis added].*

Additionally, where Hold provisions are enacted, we suggest that ability to remove the symbol be delegated to Staff to avoid potential delays due to Council schedules/recesses. We note that this has been undertaken in several other municipalities across the Greater Toronto Area.

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### Section 5.4.2: Complete Application Submission Requirements

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We suggest that the requirements of **Policy 5.4.2.2** and **Table 5.1** must be reviewed for consistency with Bill 17: the *Protect Ontario by Building Faster and Smarter Act, 2025*, which proposes refinements to the requirements that constitute a ‘complete application’.

Additionally, we suggest that the provisions of **5.4.2.3(e)** should be reconsidered. As written, the policy makes no allowance for professional judgement or experience, deferring solely to the City’s Terms of Reference (TOR) to determine if a technical report is acceptable for the purposes of deeming an application ‘complete’. Noting that Bill 17 also contemplates changes to the Planning Act with respect to this matter, we suggest that technical matters related to a report or plan, including with respect to the City’s TOR, are best dealt with through the formal review process to avoid delays to the consideration of a development proposal.

**Policy 5.4.2.4** makes reference to “...the requirements of 5.4.1.6...”, however no such policy exists.

We suggest that **Policy 5.4.2.5** should clarify that the date of deeming an application is complete is retroactive to the date of submission, in accordance with established case law.

### Conclusion

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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 Jyutika Bhise at (416) 322-6364 ext. 2107 or the undersigned at ext. 2101.

Yours truly,

**GOLDBERG GROUP**



Adam Layton, MCIP, RPP

cc. Country Wide Homes (Pine Valley Estates) Inc.  
Meaghan Barrett, Aird & Berlis LLP

**APPENDIX 1**  
**PRIOR COMMENTS LETTER**



ADAM LAYTON, MCIP, RPP  
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(416) 322-6364 EXT. 2101

February 5, 2025

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

Attn: Mr. Fausto Filipetto

Dear Mr. Filipetto:

**Re: Comments on the Draft Vaughan Official Plan (January 2025)  
10390 Pine Valley Drive  
Country Wide Homes (Pine Valley Estates) Inc.**

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Goldberg Group acts on behalf of Country Wide Homes (Pine Valley Estates) Inc., the 'Owner' of the properties legally described as 'PT LT 23 CON 7 AND PT LT 24 CON 7, BEING PT 1, PL 65R32195' and 'Block 168 Plan 65M-4694', and municipally known as 10390 Pine Valley Drive (the 'subject property'). The subject property is located within Blocks 40/47, and is situated at the current terminus of Longboat Crescent and along the south side of Rideout Court, approximately 485 meters west of Pine valley Drive, and approximately 728 metres south of Teston Road (**Figure 1**).

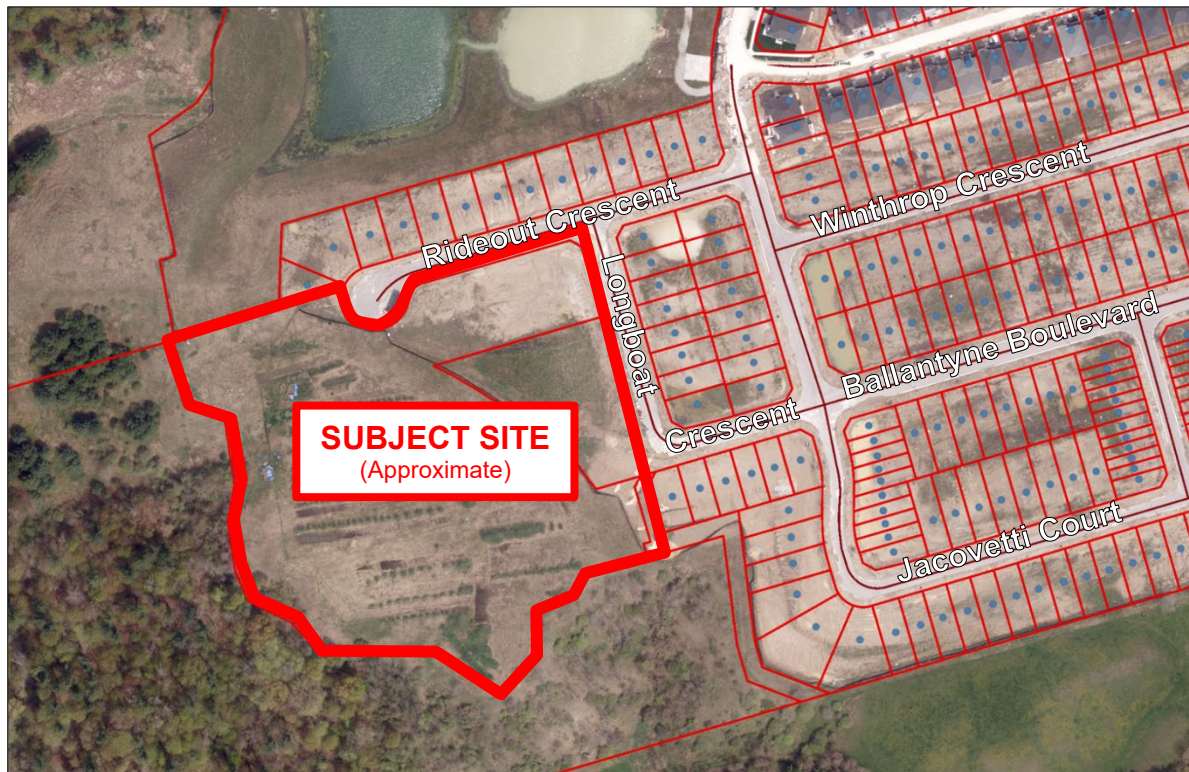
The lands are subject to a site-specific policy framework contained within Area Specific Policy 12.13 for Block 40/47, as implemented through Official Plan Amendments 600 and 744 (the "**ASP**"). This policy framework allows the full range of housing types and densities, as outlined in the *low density residential*, *medium density residential – commercial areas*, and *high density residential – commercial areas* land use designations of the Block 40/47 ASP. Additionally, owing to the approval history of OPAs 600 and 744, the subject property is not required to conform to the provisions of the Greenbelt Plan, in accordance with transition Policy 5.2.1.

To implement the land uses permitted through Policy 4.2.6.4.(b)(iii) of OPA 744 and 12.13.2.10.(b)(iii) of the Vaughan Official Plan, in January 2025 applications were submitted to the City of Vaughan to amend the Official Plan and Zoning By-law, and for approval of a Draft Plan of Subdivision to facilitate the intended development of the lands, which consists of:

- The extension of Longboat Crescent/Rideout Court;
- Seven (7) new residential lots;
- Two (2) development blocks, each supporting an apartment building with heights of 10- and 12-storeys;

- Two (2) parkland blocks with a total area of approximately 1.3 hectares;
- One (1) environmental protection block.

**Figure 1 – Subject Site**



Source: Yorkmaps

We have reviewed the January 2025 version of the Draft Vaughan Official Plan (the “VOP”), and provide the following comments on behalf of the Owner:

## Schedules

We note that the subject lands are identified on the draft Schedules to the VOP as follows:

<b>Schedule 1: Urban Structure</b>	Within <i>Natural Areas and Countryside</i> , and partially within <i>Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area</i>
<b>Schedule 1A: Strategic Growth Areas</b>	Partially within <i>Natural Areas and Agriculture</i> , but within the <i>Urban Boundary</i>
<b>Schedule 1B: Urban Area</b>	Within <i>Designated Greenfield Area and Urban Boundary</i> , but also partially within <i>Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area</i>
<b>Schedule 2: Natural Heritage Network</b>	Partially within <i>Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area</i> , and adjacent to <i>Core Features</i>
<b>Schedules 3, 4, 5, 6, 7, 10, 12, 14A, 14B, 14C,</b>	Partially within <i>Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area</i>

**Schedule 11: Recharge  
Management Areas (WHPA-Q)**

Partially within *Oak Ridges Moraine Conservation Plan Area* and *Greenbelt Plan Area*, and also within *Significant Groundwater Recharge Area* and *Wellhead Protection Area*

**Appendix 1: Provincial  
Decisions**

Partially within *Oak Ridges Moraine Conservation Plan Area* and *Greenbelt Plan Area*, but also within the *Urban Boundary* and *Urban Area*

We suggest that greater clarity be added to the above noted schedules with respect to lands, similar to the subject property, which may geographically be located within the Greenbelt Plan Area, but which are not required to conform to the Greenbelt Plan, in accordance with transition Policy 5.2.1. This could be facilitated through a separate hatching or colour on the respective Schedule which identifies such lands or Secondary Plan areas. This revision would ease interpretation of the VOP, particularly with respect to the determination of development limits and minimum vegetation protection zones, which will be discussed later in this Letter.

### Section 3.2: Housing Options

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With respect to housing options and affordability, we would like to comment on the following policy:

**Policy 3.2.1.1(a):** *To advance and coordinate Affordable Housing needs, policies and targets as follows: ...that a minimum of 25% of all new housing units in Vaughan outside of the Vaughan Metropolitan Centre and Protected Major Transit Station Areas be Affordable Housing;...*

We suggest that requiring a minimum of 25% of all new units as affordable, while laudable, is an unrealistic target. Clarification is needed as to how the City will implement an Inclusionary Zoning (IZ) framework outside of a Protected Major Transit Station Area (PMTSA). Further, the proposed target exceeds the maximum provisions of the *Planning Act* as proposed to be amended by Bill 23 through a future Ontario Regulation. Similarly, the target exceeds the ultimate requirements of the Inclusionary Zoning 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 uncertainty, 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, as well as the elimination of the need to provide parking for said units.

We are also concerned that there is a lack of recognition for 'intrinsically affordable' units. It is the Owner's position that increasing the diversity and supply of a variety of housing options through the provision of apartment, townhouse, stacked townhouse, and other innovative design options are crucial in creating not only a complete and diverse community, but would also contribute to the inherent affordability across the City by providing options for all income levels. 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 respectfully suggest that the VOP must include a wide variety of options for meeting the stated affordable unit targets, including through 'intrinsically affordable' units, and through an increased supply. Further, incentives should be provided to offset the costs of building 'affordable' units to ensure that projects remain viable. This could potentially include allowing any 'affordable' or 'intrinsically affordable' units as an 'in-kind' community benefits charge contribution should a By-law be established. Lastly, transition protocols should be well defined for any active development proposals which are currently under review.

These comments apply also to the Inclusionary Zoning policies contained in **Policies 5.1.3.4** and **5.1.3.5**

### **Section 3.3.2: Built Form and Development Policies**

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We would like to comment on the following policy with respect to appropriate privacy and daylight/sunlight:

**Policy 3.3.2.21:** *That in order to provide appropriate privacy and daylight/sunlight conditions for any adjacent house form building on a lot that abuts a lot with an existing Single-Detached House, Semi-Detached House or Townhouse:*

- a. High-Rise Building podiums shall be setback a minimum of 7.5 metres from the property line if they have habitable windows facing the property line;*
- b. the entirety of a Mid-Rise Building shall be contained within a 45-degree angular plane measured from the property line abutting those house form buildings that are designated Low-Rise Residential; ...*

With respect to Subsection (a), we suggest that providing a specific setback within the VOP is overly prescriptive, and is best left for a Zoning By-law. It has been our experience that this would allow for greater flexibility, resulting in more creative and contextually appropriate design solutions. We also suggest that a minimum setback of 5-metres is appropriate for podium or Mid-rise buildings in most conditions, as is outlined in the City of Toronto Mid-Rise Guidelines.

With respect to Subsection (b), we request clarification as to whether this policy would supersede the framework of the ASP.

We would like to comment on the following policy:

**Policy 3.3.2.22(a):** *That Mid-Rise Buildings over six Storeys in height and all High-Rise Buildings shall be designed with a pedestrian-scaled podium or other appropriate architectural articulation to enhance the building design and provide an active pedestrian streetscape, which is: two to six Storeys in height...*

We suggest that the height of a podium/base building should be based on context, including planned context, and not governed by a fixed height within the OP.

We would like to comment on the following policy with respect to setbacks above the podium:

**Policy 3.3.2.23:** *That taller building elements above the podium of a Mid-Rise or High-Rise Buildings will be setback three metres along all public street frontages in order to provide an appropriate pedestrian environment and mitigate wind impacts at the street level.*

We reiterate that including a specific setback figure within the VOP is overly prescriptive, and suggest that there are other means of achieving an appropriate pedestrian environment while mitigating wind impacts beyond a 3-metre stepback from the podium/base building. This policy should be revised to ensure flexibility for future design options and avoid a potentially repetitive/generic designs that could detract from the unique characteristics and sense of place of a specific community if applied across the City. Given the desire for architectural interest outlined in Policy 3.3.2.25, we request that this policy be reconsidered.

It must also be noted that building step-backs result in structural impacts which can be both costly to implement (decreasing affordability) and may result in greater overall height to accommodate potential transfers in the floorplate.

Lastly, it should be recognized that the most energy efficient form is that of a simple cube. The implementation of required steps or articulation results in greater surface area exposed to the exterior, thus requiring greater insulation measures to ensure energy efficiency is maintained. This may also have a detrimental effect on affordability.

We would like to comment on the following policy with respect to separation distances:

**Policy 3.3.2.24:** *That a separation distance of 15 metres will be established between habitable space windows of any two or more podiums. ...*

We again suggest that including a specific setback figure within the VOP is overly prescriptive, and best left to the Zoning By-law. This policy should also provide greater flexibility with respect to the minimum facing distance between windows in the podiums of

two or more building. As noted previously, we feel that approximately 10 metres is appropriate between windows within a podium/base building. This is consistent with the Mid-Rise guidelines of the City of Toronto, and will allow more efficient use of land with a more compact built form.

We would like to comment on the following policy with respect to surface parking:

**Policy 3.3.2.29(b):** *That for Mid-Rise Buildings or High-Rise Buildings:... surface parking elsewhere on the lot will be setback from any property line by a minimum of 3 metres and shall be appropriately screened through landscaping;...*

As stated above, the inclusion of a specific setback is overly prescriptive within the VOP, and is best incorporated within the Zoning By-law. In this regard, it is our opinion that the requirement for appropriate screening through landscaping is sufficient to demonstrate the intent of this Policy, and that the numeric setback is not required.

We would like to comment on the following policy:

**Policy 3.3.2.30(b):** *That for Mid-Rise Buildings and High-Rise Buildings in Strategic Growth Areas: ...surface parking areas are not permitted, except:*

- i. to provide minimal pick-up/drop-off and/or loading parking spaces intended for short-term use;*
- ii. to provide sufficient resident or visitor parking spaces on an interim basis as part of a phased Development; ...*

We suggest that the City should consider means to implement on-street layby parking as a means to serve as a traffic calming measure, and for pick-up/drop-off activities. In our opinion, the provision of on-street parking would also allow a parking supply within a building to be dedicated solely to residents and their visitors, thus potentially increasing the overall supply across a community.

This comment would also apply to the Public Realm Policies of **Section 3.3.1**, and the Transportation and Mobility Policies of **Section 3.9**, particularly with respect to the policies pertaining to Walkable Communities, A Walkable and Accessible City, A Safe and Comprehensive Active Transportation Network, Transit Oriented Development, The Street Network, Complete Streets, and Safety, Parking, and Transportation Demand Management.

### **Section 3.5.2: Parkland System**

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We support the provision of Strata Parks within the overall City Parks hierarchy as outlined in **Policy 3.5.2.3**, however we are concerned that the criteria of **Policy 3.5.2.4** are overly prescriptive, and do not appear to recognize the realities of how and where Strata Parks may be provided. As a result, it is our view that the ability of the City to achieve the intended delivery of innovative park or open spaces may be limited. Given the restrictions of Policy

3.5.2.4 it is our opinion that there is no practical situation wherein a Strata Park could be provided.

Further, we request clarification as to what responsibilities, if any, the City would bear within the referenced Agreement in **Policy 3.5.2.5**. There are legal and operational concerns with respect to the provision of publicly accessible, but privately owned spaces which should be addressed to ensure full transparency between the City and a proponent.

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### Section 3.5.5: Parkland Dedication

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We would like to comment on the following policy with respect to Privately Owned Public Spaces (POPS):

**Policy 3.5.5.8:** *That Privately Owned Public Spaces may be eligible for parkland dedication credit toward satisfying the parkland dedication requirements for a Development or Redevelopment, subject to meeting all requirements established in Sections 3.5.3.2 and 3.5.4 of this Plan.*

We support the potential to provide Parkland Dedication credit for the provision of POPS, but request confirmation of the following matters:

- We request clarity as to whether this policy applies to Strata Parks given this form is distinct from POPS based on the definitions of the VOP.
- We note that both Section 51.1 and 42 of the *Planning Act* do not solely refer to 'Parks', but to "...*park or other public recreational purposes...*". On this basis, it is our opinion that the VOP should ensure greater flexibility in terms of what is considered for Parkland Dedication credit, and suggest that the policy be revised to state that POPS and Strata Parks 'shall' be eligible for Parkland Dedication credit.
- We request clarity as to how credit applied under this Policy will be determined.

### Section 3.6.3: Defining Vaughan's Natural Heritage Network

**Policy 3.6.3.6:** *That Core Features, as identified on Schedule 2, consist of the key natural heritage features and Key Hydrologic Features and their associated minimum vegetation protection zones [MVPZ] as shown in Table 3.3.*

*The feature limit is inclusive of any natural hazard components, including but not limited to, the long-term stable top of slope/bank, stable toe of slope, regulatory floodplain, and or meander belt and any contiguous natural features or areas.*

Table 3.3 differentiates the required MVPZ based on the location of the feature within the Oak Ridges Moraine and Greenbelt Area (ORMGA). These can differ greatly, such as with Significant Woodlands or Significant Valleylands, which require a 10-metre MVPZ outside of the ORMGA, but a 30-metre MVPZ within the ORMGA.

As noted previously, the subject property is geographically located within the Greenbelt Area; however applications implementing the site's *Urban Area* designation are not required to conform to the provisions of the Greenbelt Plan because the designation pre-dated the Greenbelt Plan. Our prior suggestion is that the Schedules of the VOP should be updated to reflect this condition for any applicable Secondary Plan areas.

Additionally, we suggest that clarity should be included in the VOP to confirm that for such lands, the applicable MVPZ for new development is that for features that are outside of the Oak Ridges Moraine and Greenbelt Area. This comment is also relevant with respect to **Policy 3.6.11**, and the provisions of the VOP applicable to Greenbelt Lands contained within **Policies 3.6.3.38** through **3.6.3.48**, which require similar clarification based on the circumstances of the subject property.

We also suggest that flexibility should be incorporated into the VOP to allow reductions to MVPZs where it can be demonstrated through an Ecological Study that there is no 'Negative Impact' to a Significant Feature or its function in accordance with the PPS.

### Section 5.1.3: Implementation Tools

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We would like to comment on the following policy with respect to the Holding Symbol:

**Policy 5.1.3.14:** *That the Holding Symbol (H) may be applied where Council has determined the specific Land Use for an area or a parcel of land but that development of the lands for the intended use is also premature until one or more of the following have been addressed...*

We suggest that many of the matters identified in the subsections for this Policy are redundant given the requirements of the *Planning Act* and *Building Code Act*. On this basis, the use of Hold provisions should be reviewed to ensure that they are only enacted as needed and do not require an Owner or Proponent to potentially delay approval/construction to remove a Hold symbol.

Additionally, where Hold provisions are enacted, we suggest that ability to remove the symbol be delegated to Staff to avoid potential delays due to Council schedules/recesses. We note that this has been undertaken in several other municipalities across the Greater Toronto Area.

**Policy 5.1.3.18:** *That the City will, through a by-law, levy a community benefits charge on any new Development or Redevelopment that is equal to 4% of the value of the land on which the Development or Redevelopment is located.*

We question the need to specifically identify the value of the Community Benefits Charge (CBC) within the VOP. It is our understanding that the value of a CBC is to be based on a Background Study, with the maximum value of 4% established through Ontario Regulation. Prescribing a specific value of 4% within the VOP does not appear to be in keeping with the

intent of the provisions of the Act, and suggests that any existing or future Study would be undertaken with the intent of justifying a 4% rate, rather than the extent of Community Benefits which are actually required by the City, which could be less than 4%.

We also reiterate our prior commentary regarding allowing affordable or intrinsically affordable housing to be considered as an 'in-kind' community benefit in order to incentivize the creation of same.

**Policy 5.1.4.6(e):** *That for the purpose of deeming an application for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (Common Element) and Site Plan Approval complete, the following information is required, to the satisfaction of the City: ... all information, reports, studies and materials identified in the Pre-Application Consultation Understanding and through the pre-application consultation meeting(s), including the requirements of external review agencies, with content and in a form satisfactory to the City. The City may deem incomplete information and materials submitted if it is determined the quality of the submission does not meet the standards prescribed in the Terms of Reference, Standards and Guidelines, where available, prepared by the City. Further, the City requires a confirmation from commenting agencies that studies, reports and plans are acceptable and that all required fees have been paid;...[Emphasis added]*

We object to the inclusion of the underlined text as in our opinion these matters can be addressed through the typical review and commenting process. We are concerned with the reference to the 'quality' of a submission, which is subjective and thus has the potential to undermine the statutory tests of the Planning Act.

**Policy 5.1.4.6(f):** *That for the purpose of deeming an application for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (Common Element) and Site Plan Approval complete, the following information is required, to the satisfaction of the City: ... where pre-application public consultation has been conducted, a Public Consultation Summary Report consistent with the form and format identified in the Terms of Reference, Standards and Guidelines as applicable, as may be amended from time to time; [Emphasis added]*

We object to the inclusion of the underlined text given that there is no longer a statutory need to hold a formal pre-consultation with the City, we feel this policy is not appropriate.

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 Jyutika Bhise at (416) 322-6364 ext. 2107 or the undersigned at ext. 2101.

Yours truly,

**GOLDBERG GROUP**

A handwritten signature in black ink, appearing to read 'Adam Layton', is written over a light blue horizontal line.

Adam Layton, MCIP, RPP

cc. Country Wide Homes (Pine Valley Estates) Inc.