

June 3, 2025

By E-Mail Only to clerks@vaughan.ca and oprmanager@vaughan.ca

City of Vaughan Committee of the Whole
Vaughan City Hall, Level 200
2141 Major Mackenzie Drive Vaughan
Ontario L6A 1T1

Fausto Filipetto, Project Manager
Vaughan City Hall, Level 200
2141 Major Mackenzie Drive, Vaughan
Ontario L6A 1T1

Dear Chair and Members of the Committee of the Whole:

**Re: Committee of the Whole (Public Meeting) June 4, 2025 – Item 4.10
Draft New Vaughan Official Plan 2025 (May 2025 Draft)
Written Submissions of 2732129 Ontario Inc.**

We are counsel to 2732129 Ontario Inc., which company is a joint venture partnership between ZZEN and Gold Park (referred to hereinafter as “**ZZEN / GoldPark**”). ZZEN / GoldPark is the registered owner of the lands municipally known as 2986, 2966 & 2938 Highway 7 West in the City of Vaughan (the “**Subject Site**”). The Subject Site is at the north corner of Jane Street and Highway 7 West within the Vaughan Metropolitan Centre (“**VMC**”). A map showing the Subject Site is found at **Appendix “A”**.

The purpose of this letter is to provide comments on behalf of ZZEN / GoldPark on both Volume 1 of the Draft Vaughan Official Plan (the “**Draft VOP 2025**”) and Volume 2, which includes a draft new VMC Secondary Plan (the “**Draft VMC SP**”).

While our client is content with the proposed designation of the Subject Site as Mixed Use, it has concerns with the transition policies in the Draft VOP 2025 and the inflexibility of the built form and parkland policies in the Draft VMC SP. The Subject Site is within draft Protected Major Transit Station Area (“**PMTSA**”) 67, where the gross minimum floor space index for the PMTSA is 2.2. As such, it is critical that the policies be flexible in order to permit landowners to achieve higher densities, while not compromising on the design and aesthetics of the proposal.

ZZEN / GoldPark is also concerned that if the transition provision is not applied to its development, or if it expires, its development will be subject to the policies in section 6.7 of the Draft VMC SP, which indicate that the underlying Mixed Use designation shall not come into force on lands within the existing floodplain north of Highway 7 as identified on Schedule I until specified conditions are met to the satisfaction of the City of Vaughan (the “**City**”), the Toronto and Region Conservation Authority and the Province.

As such, we request that the City:

1. Delete proposed policy 1.4.2.7 which proposes to repeal the transition provisions in five years after the approval of the Draft VOP 2025.
2. Add a site-specific exception to section 6.7 of the Draft VMC SP which indicates that section 6.7 does not apply to the Subject Site and that development may be permitted provided that it is demonstrated through site-specific development applications that the proposed development is appropriate.
3. Amend Schedules B to J of the Draft VMC SP to remove the east-west mews from the Subject Site, or make it clear that it is not on the Subject Site. The required roads and pedestrian paths will be determined through the site-specific application as contemplated by proposed policy 5.3.20.
4. Amend policy 7.1.8 of the Draft VMC SP to permit Environmental Open Space and non-vehicular mews to count towards parkland dedication requirements where appropriate.
5. Amend policy 9.9.26 of the Draft VMC SP to replace the “shall” with “may” or “where appropriate” to provide more flexibility.

We also request a meeting with City staff to discuss these concerns further.

Background

The Subject Site which is made up of three consolidated parcels from 2117969 Ontario Inc. (2986 and 2966 Highway 7 West) and Midvale Estates Limited (2398 Highway 7 West).

A predecessor of ZZEN / GoldPark submitted site-specific applications to facilitate the development of the Subject Site (the “**Site Specific Applications**”) before the 2010 Vaughan Official Plan (the “**2010 VOP**”) was approved. ZZEN / GoldPark then appealed the 2010 VOP to the Tribunal because it did not permit its proposed development. Through a series of mediation sessions, the Tribunal approved Minutes of Settlement that were formally executed on December 28, 2016. However, following the resolution of the 2010 VOP, the City did not make a decision on the Site Specific Applications. As a result, ZZEN / GoldPark appealed the Site Specific Applications to the Tribunal (OLT File Numbers OLT-22-003374 and OLT-22-003376). The site-specific appeals were administratively closed on December 1, 2023 to permit ZZEN / GoldParks’ consultants an opportunity to undertake further engineering analyses.

Because the Site Specific Applications were deemed complete on January 23, 2012, before the 2010 VOP was approved, proposed policy 1.4.2.4 of the Draft VOP 2025 would apply and the Site Specific Applications would be reviewed under the policies of the Official Plan in effect on January 23, 2012, being the Official Plan of the Vaughan Planning Area as amended by Official Plan Amendment Nos. 500 (Vaughan Corporate Centre Plan) and 663 (The Avenue 7 Plan).

Concerns

Given that the Subject Site is proposed to be transitioned under the Draft VOP 2025, ZZEN / GoldPark's primary concern is ensuring that transition provision 1.4.2.4.a is applied, that section 6.7 does not apply to the Subject Site and that the intent of the Draft VOP 2025 including the Draft VMC SP accurately reflects the City's stated vision of the VMC Mixed Use Designation which is to contribute to an integrated mix of residential and non-residential uses to serve the Vaughan population as a downtown, as well as supporting the VMC complete community.

Five Year Time Limit of Transition Provision

ZZEN / GoldPark has serious concerns with the proposed policy 1.4.2.7, which as written repeals the transition provisions of the Draft VOP 2025 after 5 years. This policy is arbitrary, not reflective of the actual amount of time it takes to obtain approvals and creates uncertainty and indeterminate liability for property owners. ZZEN / GoldPark urges the City to adopt a more measured approach by converting the 5-year sunset date to a review of the transition provisions in 5 years.

Section 6.7 of the Draft VMC SP

Further to the above, if the City does not apply the transition provision to apply to the Site Specific Applications or it expires as contemplated by proposed policy 1.4.2.7, since Schedule I identifies that the Subject Site is within the "existing flood plain", section 6.7 of the Draft VMC SP would apply and prohibit development until certain criteria are met. This will delay ZZEN / GoldPark in pursuing its Site Specific Applications for an indefinite period of time, when it has always been the intention that these studies could be conducted as part of the development review process. To resolve this concern and ensure clarity, a site-specific exception to section 6.7 should be added for the Subject Site.

Mews

Similarly, if the transition provision is not applied, Schedules B to J of the Draft VMC SP place an east-west mews along the north property limit of the Subject Site. It is not clear if this mews is located on the publicly owned lands, being part of the Edgely stormwater management pond, or on the Subject Site. If it is located on the Subject Site, it is not appropriate nor consistent with the Site Specific Applications as it will compromise the proposed driveway location that will extend from Jane Street and connect to Barnes Ct.

As such, Schedules B to J should be amended to remove the east-west mews from the Subject Site, or it make it clear that it is not on the Subject Site, as the location of a mews is more appropriately determined through review of the Site Specific Application as contemplated by proposed policy 5.3.20.

Policy 7.1.8 of the Draft VMC SP

Proposed policy 7.1.8 should be revised to permit Environmental Open Space and non-vehicular mews to count as parkland dedication where appropriate.

Policy 9.9.26 of the Draft VMC SP

Policy 9.9.26 requires that the distance between the facing walls of two high rise towers within the Mixed Use designation be 25 metres, and where non-residential towers abut residential towers, 35 metres. This policy unduly restricts the location of the building footprint and does not take into consideration the site-specific circumstances of each development and site. The inflexibility of this policy is inappropriate for an official plan and should be amended to permit exceptions where appropriate without amendments to the official plan.

Conclusion

ZZEN / GoldPark is supportive of providing some amenity space and pedestrian connectivity within its proposed development, consistent with several of the City's objectives for the VMC as a sustainable and vibrant area; however, it is important that these objectives do not compromise the City's accompanying objectives to provide for higher density development along the City's major transit corridor, and a variety of housing forms to support a diverse population.

We thank you for the opportunity to provide comments and reiterate our requests outlined above, including setting up a meeting to discuss this further with the City. Please ensure that we are notified of any future Open Houses, Public Meetings, City staff and recommendation reports and any decisions respecting this matter.

Should you have any questions or if you require any additional information, please do not hesitate to contact me, or my associate, Grace O'Brien.

Yours truly,

DAVIES HOWE LLP

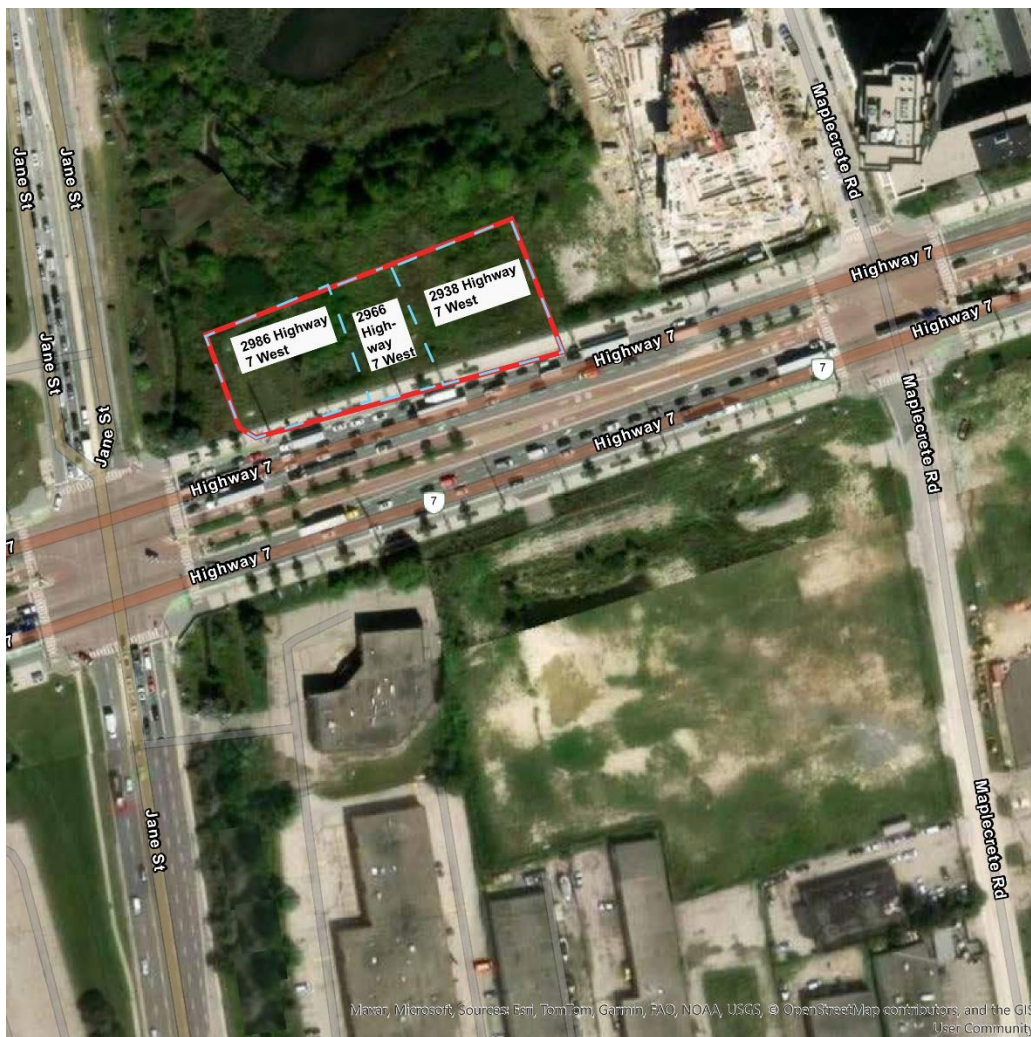


John M. Alati

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copy: Joseph Sgro, ZZEN Group
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Appendix “A”



-  Northeast Site
-  Individual Property Boundaries

