

COMMITTEE OF THE WHOLE (2) – MAY 20, 2020**COMMUNICATIONS****Distributed May 13, 2020**

	<u>Item</u>
C1. Memorandum from the Director and Chief Licensing Officer, By-law and Compliance, Licensing and Permit Services, dated May 12, 2020.	24

Distributed May 15, 2020

C2. Memorandum from the City Clerk, dated May 14, 2020.	18
C3. Mr. Lucio Polsinelli, c/o Canvas Developments, Strada Drive, Vaughan, dated May 14, 2020.	10
C4. Mr. Kurt Franklin, Vice President, Weston Consulting, Millway Avenue, Vaughan, dated May 14, 2020.	10

Distributed May 19, 2020

C5. Memorandum from the Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer, dated May 15, 2020.	2
C6. Mr. Don Given, Malone Given Parsons Ltd., Renfrew Drive, Markham, dated May 15, 2020.	10
C7. Mr. Ryan Mino-Leahan, Partner, KLM Planning Partners Inc., Jardin Drive, Concord, dated May 19, 2020.	10
C8. Ms. Rosemarie Humphries, President, Humphries Planning Group Inc., Pippin Road, Vaughan, dated May 19, 2020.	10
C9. Ms. Rosemarie Humphries, President, Humphries Planning Group Inc., Pippin Road, Vaughan, dated May 19, 2020.	10
C10. Ms. Rosemarie Humphries, President, Humphries Planning Group Inc., Pippin Road, Vaughan, dated May 19, 2020.	10
C11. Mr. Kevin Bechard, Senior Associate, Weston Consulting, Millway Avenue, Vaughan, dated May 19, 2020.	10
C12. Mr. Ryan Guetter, Senior Vice President, Weston Consulting, Millway Avenue, Vaughan, dated May 19, 2020.	10
C13. Memorandum from the Deputy City Manager, Administrative Services and	17

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Please note there may be further Communications.

COMMITTEE OF THE WHOLE (2) – MAY 20, 2020**COMMUNICATIONS**

City Solicitor, dated May 15, 2020.

Distributed May 19, 2020 (continued)

- | | | |
|------|--|----|
| C14. | Mr. Robert-Lavecchia, Senior Planner, KLM Planning Partners Inc., Jardin Drive, Concord, dated May 19, 2020. | 10 |
| C15. | Mr. John Zipay, John Zipay and Associates, Gilbert Court, Burlington, dated May 19, 2020. | 10 |
| C16. | Mr. Barry A. Horosko, Horosko Planning Law, North Queen Street, Etobicoke, dated May 20, 2020. | 10 |
| C17. | Ms. Sandra K. Patano, Associate, Weston Consulting, Millway Avenue Vaughan, dated May 20, 2020. | 10 |
| C18. | Mr. Ryan Guetter, Senior Vice President, Weston Consulting, Millway Avenue, Vaughan, dated May 19, 2020. | 10 |
| C19. | Mr. Mark N. Emery, President and Mr. Ryan Guetter, Senior Vice President, Weston Consulting, Millway Avenue, Vaughan, dated May 19, 2020. | 10 |
| C20. | Mr. Michael Bissett, Bousfields Inc., Church Street, Toronto, dated May 19, 2020. | 10 |
| C21. | Mr. Ryan Guetter, Senior Vice President and Mr. Martin Quarcoopome, Associate, Weston Consulting, Millway Avenue, Vaughan, dated May 19, 2020. | 10 |
| C22 | Presentation material titled “Request for Comment: Evaluation of Employment Land Conversion Requests | 10 |

Distributed May 20, 2020

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| C23 | Deputy Mayor and Regional Councillor Mario Ferri, dated May 20, 2020 | 17 |
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**COMMUNICATION - C 1
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 24**

DATE: May 12, 2020

TO: Hon. Mayor and Members of Council
Corporate Management Team

FROM: Gus Michaels, Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services

RE: Item No. 24. Report No. 20, Committee of the Whole (2), May 20, 2020
Consolidation of Regulatory By-laws and Licensing Amendments to Provide
Regulatory Relief to Registered Charities

Purpose:

To amend an incorrect reference in Attachment 1 of the report and to correct several typographical errors missed during the final submission of the staff report. These corrections are technical in nature and have no impact on the intended purpose of staff's recommendations.

Recommendation:

THAT Council amend the report, as follows:

1. Amend the by-law reference in subsection 6(a) of Attachment 1 to 11(1).
2. Amend the following typographical errors:
 - (a) Remove the period in the first line of the second paragraph in the "Background" section of the report, and remove the capitalization from the first word of the second line.
 - (b) Remove the superfluous zero at the end of the year in the last line of the "Previous Reports/Authority" section.
 - (c) Replace the word "or" with the word "of" (between the words "all" and "the") in the third line of the second paragraph of the "Licensing By-law" section.
 - (d) Replace the word "exiting" with "existing" in the first line of the "Financial Impact" section.
 - (e) Replace the word "id" with the word "if" in subsection 4(c) of Attachment 2.

Respectfully Submitted,

Gus Michaels,
Director & Chief Licensing Officer



**COMMUNICATION : C 2
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 18**

DATE: MAY 14, 2020

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: TODD COLES, CITY CLERK

**RE: ITEM # 18, Report No.20, COMMITTEE OF THE WHOLE (2), MAY 20, 2020.
COMPREHENSIVE CIVIC PROTOCOL POLICY UPDATES**

PURPOSE

To amend the timings contained in Attachment 3 Civic Policy Updates 06.C.01 – Civic Recognition on the Death of a Current or Former Member of Council, to accommodate diverse cultural traditions in respect to the timing of funerals.

RECOMMENDATIONS

THAT Attachment 3 Civic Policy Updates 06.C.01 – Civic Recognition on the Death of a Current or Former Member of Council be amended as follows:

1. Section 2.8.1 shall read “The physical and digital Book of Condolence shall be made available to the public for a period of seven (7) days, at which time they shall be presented to the Family.”
2. Section 5.3.1 shall read “The physical and digital Book of Condolence shall be made available to the public for a period of seven (7) days, at which time they shall be presented to the Family.”

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T. Coles', with a long horizontal stroke extending to the left.

Todd Coles

City Clerk

May 14, 2020

**COMMUNICATION : C 3
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Mr. Bill Kiru, Acting Deputy City Manager, Planning and Growth Management
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mayor Maurizio Bevilacqua, Regional Councillors, Local Councillors

Dear Sirs/Mesdames

Re: Committee of the Whole (2) Report, May 20, 2020, Item 4.10 Request for Comments: York
Region Evaluation of Employment Land Conversion Requests
– Arcovit Holdings Inc. Written Submission and Request for Deputation

I, Lucio Polsinelli, am making this written submission and request for deputation for myself and Roy Mason, KLM Planning Partners Inc, on behalf of Arcovit Holdings Inc., owners of land located on the south west corner of Rutherford Road and Westburne Drive, municipally known as 2067 Rutherford Road, 2077 Rutherford Road and 696 Westburne Drive. The subject lands are located immediately across Westburne Drive from the Rutherford Road GO Transit Rail Station.

Arcovit Holdings Inc. has made representations to the Region of York within the designated time frame, and met with Region Planning staff in 2019 to discuss the requested conversion from employment use to high density residential/mixed use. In November 2019 we provided written clarification and mapping to the Region advising of correct municipal addresses and confirming the location of the subject property at the south west corner of Rutherford Road and Westburne Drive.

For whatever reason, the Region's March 12, 2020 report to the Region's Committee of the Whole continued to identify the subject property with the incorrect addresses by not including the Rutherford Road addresses. As such, the property was identified as being internal industrial lots, as opposed to a prominent corner lot with frontage onto Rutherford Road.

The Region was again advised of the property description error and through Ms Sandra Malcic's office advised that they would reevaluate the request. I am not aware that they have completed their reevaluation to date.

This brings us to the March 20, 2020 City of Vaughan planning report which evaluates the conversion requests as they apply to the City of Vaughan. The Arcovit Holdings lands are

identified in the staff report as property Number 22. It is apparent that Vaughan planning staff based their evaluation from the incorrect/incomplete addresses included in the Region's March report (676-696 Westburne Drive).

Attachment 3 incorrectly identifies the lands as being internal to the subdivision. Attachment 5, which provides rationale for not supporting the request, clearly state in their first point that "The land is entirely surrounded by industrial uses" Oddly enough, the air photo that is provided with the property 22 evaluation in Attachment 5 shows the correct parcel boundary with frontage onto Rutherford Road. It's clearly visible on the air photo the land IS NOT entirely surrounded by industrial uses. In fact, directly across Rutherford Road to the north is residential development which forms part of the Maple community.

The subject property, with frontage onto Rutherford Road, is an ideal site for conversion to a high density residential/mixed use land use designation for the following reasons:

1. The subject lands could not be any closer to the Rutherford Road Go Station Rail facility, being directly across the Westburne Drive (see Attachment). Our proposal, in terms of proximity to an existing GO Station Transit Hub, is a situation that has been supported in the past by the City of Vaughan, and throughout the GTA.
2. The subject lands are located on Rutherford Road, which is a major east-west Regional Road transit corridor.
3. The lands ARE NOT surrounded by employment lands. Across Rutherford road to the north is the residential community of Maple with complete residential amenities.
4. Rutherford Road serves as a transition buffer between the requested High Density Mixed Residential/Mixed Use designation and the residential lands to the north.
5. The High density Residential/Mixed Use development will be very transit supportive.
6. The subject lands are within the Region's MTSA Boundary (see attachment)
7. A conversion of the subject land will not adversely impact future development within the interior of the existing employment subdivision and in fact, will support it by providing area employees with alternative living accommodation within walking distance of their work.

The Arcovit Holdings land has clearly not been properly evaluated. The conversion request represents good, logical planning and I request that Council support the request for conversion of the Arcovit lands.

Yours very truly



Lucio Polsinelli

c/o Canvas Developments
100 Strada Drive, Unit 1
Vaughan, Ontario
L4L 5V7

cc: Regional Councillor Mario Ferri
Regional Councillor Gino Rosati
Regional Councillor Linda Jackson
Councillor Sandra Yeung Racco
Councillor Marilyn Iafrate
Councillor Tony Carella
Councillor Rosanna DeFrancesca
Councillor Alan Shefman
Albert Vitullo, Arcovit Holdings Inc.
Roy Mason, KLM Planning Partners Inc.

ID	Applicant	Address
22	KLM	676 to 696 Westburne Drive

Location

The subject property is located west of Westburne Drive and south of Rutherford Road.

Request

To redesignate the lands to allow for mixed used high density residential.

Staff Recommendation

Do not support the request for conversion.

**Staff Comment**

- The land is entirely surrounded by industrial uses. As per the Region's Criteria, an employment area will not be considered for conversion if the entire perimeter of the site is surrounded by employment uses as permitting non-employment uses can potentially introduce compatibility issues with surrounding employment uses.
- The requested conversion would introduce sensitive uses to an area that is predominated by uses that are incompatible with sensitive uses.
- A conversion will potentially prejudice the future of the current uses and create expectations of further conversion. As per the Region's Criteria, the approval of the request may destabilize or adversely affect the current or future viability and/or identity of the employment area.
- The lands form part of a logical employment planning unit.
- The site will require a Mobility Hub Study centred on the Rutherford GO Station which could be identified in a future Municipal Comprehensive Review.

Rutherford GO Station

On Barrie GO Line Corridor

Near Rutherford Road at Basaltic Road, Vaughan



Legend

Major Transit Station
 Required GO Rail

Priority Transit Corridors
 GO Rail

500m Radius
 Draft MTSA Boundary

Rutherford GO Station
 Gross Area:
 31.03 ha

Density (People & Jobs per Hectare) ¹



Population/Job Split ²

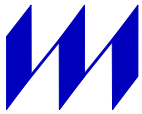


York Region

The Regional Municipality of York
 Corporate Services,
 Planning and Economic Development
 March 2019
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 Ontario 2003-2019
 See York.ca for disclaimer information.

¹ Values are rounded to the nearest 5 People & Jobs per Hectare

² Values are rounded to the nearest 5%



**WESTON
CONSULTING**

planning + urban design

**COMMUNICATION : C 4
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

May 15, 2020
File 8131-1

Attn: Mayor and Members of Council

Dear Mayor Bevilacqua and Members of Council

**RE: Request for Comments: York Region Evaluation of Employment
Land Conversion Requests
Committee of the Whole, May 20, 2020**

We are the Planners for Omer Investments Inc, the owners of 140 Doughton Rd in the City of Vaughan. We have reviewed the staff report for:

Item #10: Request for Comments: York Region Evaluation of Employment Land Conversion Requests.

and would like to express our support for the staff recommendation. The Staff recommendation to remove the subject property from the Employment Land Use designation, and include the lands with the VMC Secondary Plan is based on sound planning principles and is worthy of your support.

We will be appearing as a delegation at the Committee of the Whole meeting on Wednesday May 20, 2020 and will be more than please to address any questions you may have.

Yours truly,

Weston Consulting

Kurt Franklin BMath, MAES, MCIP, RPP
Vice President



memorandum

**COMMUNICATION : C 5
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 2**

DATE: May 15, 2020

TO: Hon. Mayor and Members of Council

**FROM: Michael Coroneos, Deputy City Manager, Corporate Services, City
Treasurer and Chief Financial Officer**

**RE: ITEM # 2, REPORT NO. 20, COMMITTEE OF THE WHOLE (2), MAY 20,
2020**

**FISCAL HEALTH REPORT – FOR THE YEAR ENDING DECEMBER 31,
2019**

Recommendation

The Deputy City Manager, Corporate Services and Chief Financial Officer & Treasurer recommends:

1. THAT Attachment 2 of Item No. 2, Committee of the Whole, May 20, 2020, be replaced with Attachment 2, attached hereto.

Background

The 2019 Year-End Fiscal Health Report provides a comparison of actual spending with the City's calendarized financial plan. This report provides the year-end financial position of the City as at December 31, 2019 on the same basis as the 2019 budget, with accompanying commentary (Attachment 2) on the contributing factors that have affected the City's fiscal health. The year-end fiscal health report compares annual actual city operating, water and wastewater and stormwater operations and capital results as of December 31, 2019, versus the approved budgets and on the same basis as the budget.

Attachment 2 that was originally included in the report only contains commentary from the various portfolios, and excluded City Administration such as Corporate Accounts, City Manager's Office and City Council. The revised Attachment 2 contains commentary from City Administration.

Attachment

1. 2019 Q4 Fiscal Health Report (Revised Attachment 2).

Prepared By

Kenneth Quan, Manager, Corporate Financial Planning & Analysis, ext. 8029.

Respectfully submitted,



Michael Coroneos
Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer

Copy to: Todd Coles, City Clerk
Mary Reali, Acting City Manager
Michael Marchetti, Director, Financial Planning & Development Finance

2019 Q4 Fiscal Health Report

Portfolio: Administrative Services & City Solicitor

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	2.29	1.13	(1.17)
Labour	8.61	7.99	0.62
Other Expenditures	7.39	7.59	(0.19)
Total Expenditures	16.00	15.57	0.43
Net	13.71	14.45	(0.74)

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2019	2	0.18
2018	1	0.02
2017	1	0.03
Total	4	\$0.23

Administrative Services & City Solicitor has an unfavourable variance at Q4 driven mainly by:

- Lower than budgeted labour cost recoveries from capital funds due to vacancies and lower than anticipated work on capital projects (Legal Services)
- Lower than anticipated revenues from Committee of Adjustment fees (Office of the City Clerk)
- Higher than budgeted spending in Professional Fees for complex legal issues and Local Planning Appeal Tribunal hearings that required external counsel expertise (Legal Services)
- An increase in internal and external city claims (Office of the City Clerk)

These are partially offset by:

- Lower negotiated Insurance Premiums and Deductibles (Office of the City Clerk)
- Greater than expected marriage license and marriage ceremony revenue (Office of the City Clerk)
- Lower than budgeted labour expenditures as a result of vacancies across the Portfolio

Work continued in Q4 on the enhancement of the City's agenda management system (Office of City Clerk).

2019 Q4 Fiscal Health Report

Attachment 2

Portfolio: Community Services

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	26.61	27.39	0.79
Labour	84.48	85.71	(1.22)
Other Expenditures	8.70	8.69	0.01
Total Expenditures	93.18	94.40	(1.22)
Net	66.57	67.01	(0.44)

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2019	15	2.69
2018	10	4.01
2017	7	(29.99)
2016	7	0.76
2015	2	0.03
2007-2014	4	0.17
Total	45	(\$22.32)

Community Services has an unfavourable variance at Q4 driven mainly by:

- Higher than budgeted labour expenditures due to the need to replace firefighters for long-term absences which is partially offset by positive impact to overtime costs (Fire and Rescue Service)
- Vehicle repair expenses largely as a result of aging Fire trucks that will be replaced in the future (Fire and Rescue Service)

These were partially offset by:

- Greater than expected revenue mainly attributed to volume increases in fines & penalties and license fees (By-Law & Compliance, Licensing & Permit Services)
- Greater than anticipated revenues from program registrations and sponsorship (Recreation Services)
- Lower than budgeted labour expenditures as a result of vacancies (By-Law & Compliance, Licensing & Permit Services)

Work continued in Q4 on numerous capital projects including facility and fitness centre equipment replacements at the City's Community Centres, fire equipment and truck replacements, as well as continued enhancements to Service Vaughan Citizen Services Standards.

There were 12 project closures across Community Services this year.

2019 Q4 Fiscal Health Report

Portfolio: Corporate Services & Chief Financial Officer

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	1.93	2.00	0.07
Labour	22.40	21.86	0.54
Other Expenditures	5.93	5.73	0.19
Total Expenditures	28.32	27.59	0.73
Net	26.39	25.59	0.80

Capital Results (\$M):

Year (\$M)	Open #	Unspent
2019	6	1.84
2018	6	1.41
2017	1	0.06
2016	8	2.29
2014	1	0.42
2011	1	0.07
Total	23	6.10

Corporate Services' has a favourable variance at Q4 driven mainly by:

- Lower than anticipated spending on Service Contracts, Professional Fees, and Computer Software due to projects pushed to 2020. (Office of the Chief Information Officer)
- Higher than budgeted taxation and property assessment revenues (Financial Services) and
- Lower than budgeted labour costs as a result of vacancies during the year.

These were partially offset by higher than budgeted expenditures in:

- Professional Fees for legal and human resources' related issues (Office of the Chief Human Resources Officer),
- Contract Labour for IT projects (Office of the Chief Information Officer),

Work continued in Q4 on several large ongoing capital projects such as

- Central Computing Infrastructure, Personal Computer (PC) Assets Renewal, Audio/Visual Infrastructure renewal (Office of the Chief Information Officer)
- Finance Modernization (DCM Corporate Services, City Treasurer & Chief Financial Officer),
- Service Excellence Leadership Program (Office of the Chief Human Resources Officer)
- Procurement Modernization (Procurement Services)
- Growth Related Financial Analysis and Long-Range Fiscal Planning (Financial Planning & Development Finance)

2019 Q4 Fiscal Health Report

Portfolio: Infrastructure Development

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	4.79	3.63	(1.16)
Labour	15.53	15.31	0.22
Other Expenditures	8.94	8.75	0.19
Total Expenditures	24.47	24.06	0.41
Net	19.68	20.43	(0.75)

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2019	66	28.24
2018	49	19.53
2017	59	60.15
2016	33	11.46
2015	34	52.39
2014	27	5.57
2003-2013	41	8.83
Total	311	\$186.17

Infrastructure Development has an unfavourable net variance at Q4 driven mainly by:

- Lower than budgeted labour cost recoveries from capital funds in Infrastructure Delivery and IPCAM due to several projects commencing later than anticipated in 2019 and staff vacancies.
- Higher than budgeted Contractor & Contractor Materials and Water expenses in Facilities Management due to increase in usage at various community centres.

These were partially offset by a favourable variance in labour mainly attributed to vacancies in approved positions. Those positions are expected to be filled in Q1 2020. In addition, Facilities Management ended FY 2019 with savings in Gas and Hydro expenses.

Work progressed on open capital projects with some of the more significant expenditures in the year related to:

- Road Rehabilitation and Watermain Replacement
- Reposition Fire Station #7-4 Kleinburg Design & Construction
- Repair and Rehabilitation of Pump Stations and Booster Station

Several projects were completed and will be closed in Infrastructure Delivery, Facilities Management and Parks Delivery. Some of the works completed are related to:

- New North Thornhill Community Centre in Block 10
- Oak Bank Pond
- Vaughan Grove Sports Park
- Vaughan Hospital Precinct Development
- New Civic Centre Resource Library
- New Fire Station # 7-3 on Martin Grove Road

2019 Q4 Fiscal Health Report

Attachment 2

Portfolio: Planning and Growth Management

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	22.76	22.16	(0.60)
Labour	25.31	22.00	3.31
Other Expenditures	1.30	1.46	(0.16)
Total Expenditures	26.61	23.46	3.15
Net	(3.84)	(1.30)	2.54

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2019	43	42.59
2018	19	8.68
2017	10	2.42
2016	11	8.61
2015	16	20.68
2014	1	0.20
2004-2013	29	12.12
Total	129	\$95.31

Planning and Growth Management has an overall positive operating variance for the year driven mainly by:

- A positive labour variance attributed mainly to vacancies and timing in recruitment in Building Standards, Development Engineering, Development Planning and Policy Planning & Environmental Sustainability. The positions are being actively recruited. The positive labour variance contributed to the lower than expected labour cost recoveries from capital funds.

- Revenues were below budget mainly due to lower than budgeted labour cost recoveries from capital funds caused by vacancies in Policy Planning & Environmental Sustainability and Development Planning.

Work progressed on open capital projects with some of the more significant expenditures in the year related to Block 61 Valley corridor crossings, Stegmans Mill sidewalk & intersection improvements and Block 55 Valley road crossings.

There was a total of 12 projects closed during the year.

2019 Q4 Fiscal Health Report

Portfolio: Public Works

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	2.33	2.38	0.05
Labour	20.76	21.35	(0.60)
Other Expenditures	35.05	35.13	(0.07)
Total Expenditures	55.81	56.48	(0.67)
Net	53.48	54.10	(0.62)

Capital Results (\$M):

Year (\$M)	Open #	Unspent
2019	41	7.94
2018	47	44.45
2017	38	3.83
2016	11	1.15
2015	13	3.95
2014	18	0.32
2009-2013	7	0.79
Total	175	62.42

Public Works has an unfavourable variance at Q4 driven mainly by:

- Higher than budgeted winter maintenance costs due to higher than average occurrence of plowing events.
- Higher labour costs due to increased overtime for winter and spring operations
- Higher than budgeted repair and maintenance costs in Transportation & Fleet Management Services (TFMS)

This is partially offset by:

- Lower than budgeted Contractor & Contractor Materials in the Parks, Forestry & Horticulture Operations (PFHO) and TFMS departments due to contracts and invoices pushed out to 2020
- Savings in contract & contractor materials in Solid Waste collection as a result of savings due to slower than expected onboarding of townhome complexes.
- Lower than budgeted utility costs in PFHO as a result of less than expected rate increases for hydro
- Less than expected rate increases for Hydro in TFMS Traffic Services

Work progressed on open capital projects with some of the more significant expenditures in the year related to:

- Curb and Sidewalk Repair and Replacement
- Repair and Rehabilitation of Pump Stations and Booster Station
- Maplewood Booster Pumping Station
- VMC Maintenance Equipment

A number of projects were completed and closed during the year in Transportation & Fleet Management Services, Environmental Services, and Parks, Forestry & Horticulture Operations. Some of the works completed during the year related to:

- Tree Replacement Program-EAB
- SCADA System Implementation
- Traffic Signs Reflectivity Inspection and Testing

Note: The unspent amount was due to delays in spending from project rescoping of the Smart Water Metering pilot program

2019 Q4 Fiscal Health Report

Vaughan Public Libraries

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	0.43	0.44	0.01
Labour	14.88	14.95	(0.07)
Other Expenditures	4.63	4.61	0.02
Total Expenditures	19.51	19.55	(0.04)
Net	19.08	19.11	(0.03)

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2019	4	0.55
2018	1	1.16
2016	2	0.07
2013-2015	2	0.17
Total	9	\$1.95

Vaughan Public Libraries (VPL) has a slightly unfavourable variance at Q4 driven by:

- Higher than budgeted part-time labour to provide coverage for temporary vacancies in full-time labour

This was partially offset by:

- higher revenues from service charges
- savings in full-time labour.

Note that for the purposes of the Fiscal Health Report, the Library Grant of \$0.19M (\$0.04M over budget) received in 2019 is reported as a separate line item outside of VPL. With the inclusion of this grant revenue, VPL would have a favourable variance of \$0.01M.

Work continued in Q4 on several ongoing city-wide capital projects related to resource purchases, furniture and equipment as well as technology upgrades. Capital projects for library services at the new Vaughan Hospital and the Vaughan Metropolitan Centre were also active and ongoing.

Transformation & Strategy

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	0.41	0.28	(0.13)
Labour	1.97	1.23	0.75
Other Expenditures	0.10	0.12	(0.02)
Total Expenditures	2.07	1.35	0.73
Net	1.66	1.07	0.60

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2016	1	0.38
2017	1	0.19
2019	1	0.25
Total	3	\$0.82

Transformation and Strategy has an overall favourable variance at Q4 of \$0.6M driven by the office rolling out the first phase of a number of initiatives. Staffing has ramped up to align with the initiatives including:

- Enterprise Risk Management Program
- Corporate Performance Measures Program
- Lean/Process Improvement Program
- Enterprise Project and Change Management

Work continued in Q4 on the three capital projects managed by Transformation and Strategy:

- Service Excellence Strategic Initiatives
- Strategy Update
- Support of a Growth Management Strategy

2019 Q4 Fiscal Health Report

Corporate and Strategic Communications

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues			
Labour	2.06	2.29	(0.23)
Other Expenditures	0.13	0.14	(0.00)
Total Expenditures	2.19	2.43	(0.24)
Net	2.19	2.43	(0.24)

Corporate and Strategic Communications has an unfavourable variance at Q4 mainly driven by higher than budgeted labour costs due to position coverage for employee terminations and turn-over.

Work continued in Q4 2019 on various capital projects, including the Service Excellence Communications Plan.

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2018	1	0.00
2016	1	0.00
Total	2	\$0.00

Economic and Cultural Development

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	0.52	0.07	(0.45)
Labour	1.85	1.74	0.11
Other Expenditures	0.69	0.48	0.21
Total Expenditures	2.54	2.22	0.32
Net	2.02	2.15	(0.13)

Economic and Cultural Development has an unfavourable variance at Q4 driven mainly by lower than budgeted revenue from Municipal Sponsorship. The unfavourable variance in revenue was partially offset by the favourable variance in labour cost due to vacant positions and lower than budgeted operational cost.

The multi-year revenue forecast established in 2016 for the Municipal Sponsorship Office (MPO) program is not reflective of the current market pressures and opportunities. A business program review process was initiated in 2019 – 2020 to assess the MPO business plan and recommend new business objectives for a new multi-year financial plan.

Capital Results (\$M):

Year (\$M)	Open #	Unspent \$
2019	2	0.30
2017	1	0.03
2013	1	0.03
Total	4	\$0.36

Work continued in Q4 on various capital projects, including Smart City Study, Opportunity/Feasibility Study on Economic Development Priorities for the Mackenzie Vaughan Healthcare, and the Economic Development & Employment Strategy (EDES Study).

2019 Q4 Fiscal Health Report

Corporate Revenues & Expenditures

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Corporate Revenue	22.87	31.66	8.79
Reserve & Other			
Transfers	18.95	10.63	(8.32)
Taxation (net)	206.44	207.15	0.71
Total Revenues	248.26	249.44	1.18
Corporate			
Expenditures	25.49	31.14	(5.65)
Long Term Debt	10.02	7.37	2.65
Total Expenditures	35.51	38.51	(3.00)
Net	(212.8)	(210.9)	(1.82)

Corporate Revenues & Expenditures ended 2019 with a negative variance to budget driven mainly by:

- Lower than budgeted transfers from the Engineering and Building Standards Reserves as their overall department expenditures were less than planned in 2019.
- Higher than budgeted Corporate Revenues, mainly attributable to higher than expected dividends received from the City's investment holding company, Vaughan Holdings Inc. Additionally, the City requested and received a payout of unused employee benefits from the provider.
- Taxation revenues came in higher than budget which was mainly due to higher than anticipated supplemental taxation revenue.
- Corporate expenditures are higher than budget as they include corporate labour gapping.
- Long-Term Debt was lower than budget due to not requiring a contribution to the Reserve as the balance is sufficient to meet future obligations.

2019 Q4 Fiscal Health Report

City Council

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	-	0.01	0.01
Labour	1.34	1.37	(0.03)
Other Expenditures	0.42	0.24	0.18
Total Expenditures	1.76	1.61	0.15
Net	1.76	1.60	0.16

The City Council operating results had an overall favourable variance in 2019 driven mainly by lower than budgeted spending in newsletters.

Integrity Commissioner & Lobbyist Registrar

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	-	-	-
Labour	0.34	0.34	0.00
Other Expenditures	0.18	0.14	0.04
Total Expenditures	0.52	0.48	0.04
Net	0.52	0.48	0.04

The Office of the Integrity Commissioner & Lobbyist Registrar's expenditures were largely in line with budget for 2019.

Internal Audit

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	-	-	-
Labour	0.62	0.65	(0.03)
Other Expenditures	0.97	0.27	0.07
Total Expenditures	0.72	0.68	0.04
Net	0.72	0.68	0.04

Internal Audit expenditures were largely in line with budget for 2019.

City Manager

Operating Results (\$M):

(\$M)	Budget	Actual	Variance
Revenues	-	-	-
Labour	0.89	0.43	0.46
Other Expenditures	0.21	0.12	0.09
Total Expenditures	1.10	0.55	0.55
Net	1.10	0.55	0.55

The City Manager's office ended 2019 with a positive variance driven by unspent labour budget pertaining to the former Corporate Initiatives & Intergovernmental Relations business unit.



Don Given
905 513 0170 x109
DGiven@mgp.ca

May 15, 2020

MGP File: 19-2836

Mayor Maurizio Bevilacqua and
Members of Vaughan Council
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

**COMMUNICATION : C 6
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

via email: clerks@vaughan.ca and council@vaughan.ca

Attention: Mayor and Members of Vaughan Council

Dear Mayor Bevilacqua and Members of Vaughan Council:

**RE: Committee of the Whole, May 20, 2020
Item 10 Request for Comments: York Region Evaluation of Employment Land
Conversion Requests
Portage Landowners Group, City of Vaughan**

Malone Given Parsons Ltd. ("MGP") is the planning consultant to the Portage Landowners Group ("Portage Landowners"), who own approximately 5.83 ha (14.41 ac) of land north of Portage Parkway and west of Jane Street ("Portage Lands"), within the City of Vaughan. The Portage Lands are adjacent to the northern boundary of the Vaughan Metropolitan Centre ("VMC") and located in proximity to the SmartVMC Bus Terminal as well as the VMC Subway Station. A portion of the lands are within 500m of the VMC Subway Station; however, the Portage Lands are outside of the VMC Secondary Plan.

I have reviewed the City of Vaughan Staff Report Item 10 Request for Comments: York Region Evaluation of Employment Land Conversion Requests, dated May 20, 2020, on behalf of the Portage Landowners. **In response, we ask that Vaughan Council support the Portage Landowners' employment land conversion request as part of the current Municipal Comprehensive Review ("MCR"), to allow the City the opportunity to consider the inclusion of the Portage Lands as part of its VMC Secondary Plan review.**

The Portage Lands are a logical transitional area to address the approved heights and density south of Portage Parkway, and bridges the contrasting gap between the existing VMC area and the employment area to the north. While I agree that a comprehensive review of the VMC Secondary Plan is required to determine any potential expansions, deferring the employment land conversion will result in a delayed timing for future implementation. In my opinion, this is a local matter where the City should have the ability to make appropriate decisions to manage the ongoing changes in the VMC through their Secondary Plan review process, without future delays in implementation.

The following sections of this letter provide a summary of the rationale for our request as well as a response to the local criteria for employment land conversion requests outlined in the Staff Report.

Background

Lands along the north side of Portage parkway are currently occupied by a range of low-density office and commercial uses, as well as restaurants and personal services. Today, there is a significant contrast between the approved high-density development south of Portage Parkway within the VMC and the existing development north of Portage Parkway (see Figures below).

Figure 1 View of Portage Pkwy Looking West from Jane St



Source: Google Earth (August 2019)

Figure 2 View of Portage Pkwy Looking East from Applewood Cres



Source: Google Earth (August 2019)

Figure 3 View of Portage Pkwy Looking East from Monte Carlo Inn



Source: Monte Carlo Inn (May 2020)

To address this contrast, on November 22, 2019, an employment conversion request was submitted on behalf of the Portage Landowners Group to allow the opportunity to plan for the future transition of the VMC area. We further requested that the City of Vaughan support and undertake comprehensive planning for the Portage Lands as part of their VMC Secondary Plan Review.

On January 15, 2020, I met with York Region Staff and a member of City of Vaughan Staff to discuss Regional Staff's position on the employment conversion request, where I reiterated my opinion that the decision should be deferred to Vaughan Council for consideration. A deferral to Vaughan Council is also consistent with the Regional Chairman's comments at the October 2019 Committee of the Whole meeting in which he noted that employment conversion requests are local matters. Based on our discussion, I understood that Regional Staff's position was to defer the request to the next MCR, which in my opinion would unduly delay the planning process for the Portage Lands by 10-15 years. I submitted further correspondence on this request on March 12, 2020, as input to the Region of York's Planning for Employment and Employment Conversions Staff Report.

The Portage Lands Should Be Considered for Employment Land Conversion Under the Current MCR Process

In my opinion, the VMC boundary will inevitably change and evolve; the current request for employment land conversion and request for the City of Vaughan to consider and support the Portage Lands as an expansion to the VMC initiates planning for this area. I recognize that lands within VMC will remain a focus for the City; however, that does not prohibit consideration of transitional lands that will complement lands within the current VMC boundary.

The current Regional MCR, which examines the Region's Employment Lands and employment land conversion requests, will culminate in a new Regional Official Plan. The current Planning Act framework provides a 10-year period prior to the next Official Plan Review and MCR. It is prudent that the proposed transitional area is examined in the planning horizon to 2041 in order to mitigate future conflicts that may arise.

The proposed transitional area is not intended to challenge the timing of the buildout of development within the existing VMC boundary. The request for employment land conversion instead recognizes that the planning process to bring this vision to fruition will take place over a number of years. In particular, if approved for conversion as part of the current MCR, the City of Vaughan will require additional study and consultation to determine a final detailed plan for the expansion of the VMC boundary, which Vaughan Council will need to adopt as an amendment to the Vaughan Official Plan ("VOP") and subsequently York Regional Council must review and provide approval.

Based on my experience, the Official Plan Amendment process is lengthy in order to capture the envisioned development accurately and respond to stakeholder comments. As well, the planning process must also comprehensively plan for servicing and transportation infrastructure.

In addition, the VMC Secondary Plan review process can determine appropriate phasing for the development of any expansion lands, in order to ensure the timing of buildout for the current VMC area and growth targets.

The Portage Lands Provide an Opportunity for Enhanced Transition North of VMC and Should be Included within the Future Secondary Plan Boundary

The VMC Secondary Plan review process is necessary as the VMC area has seen explosive growth since the approval of the Secondary Plan. Currently, the VMC Secondary Plan (Section 11.12 of the VOP) does not include transition policies to address the interface along Portage Parkway, the northern boundary of VMC. As a result, the current policies and approved developments have inadvertently created an edge where lands within VMC are significantly taller and denser than lands north of Portage Parkway.

With the significant increases in approved height and density within the VMC, it is appropriate to consider a more effective transition to the surrounding lands. The Portage Lands have frontage that spans the majority of Portage Parkway and can be planned comprehensively to address the existing VMC edge and instead create a sustainable transition that protects the core employment area.

Attachment 1 shows the approximate boundary for the proposed transitional area, shown as “Proposed North Mixed Use Precinct”, which is intended to ultimately lead to a potential boundary adjustment to the VMC Secondary Plan area. Potential heights are also shown on the north side of Portage Parkway, in context of some of the approved heights within VMC. The Portage Landowners are not asking for specific permissions at this time, as the graphic represents an idea of the potential. The final heights and densities should be explored as part of the VMC Secondary Plan review. As mentioned, the employment land conversion request is intended to allow for this process to occur.

The transitional area is a vision for the future of VMC, recognizing that the area will continue to change over time. A majority of the Portage Lands are occupied by employment and light employment-related uses, including office uses, commercial uses, personal services, and restaurants. It is expected that the same, if not additional, quantity of jobs will be developed on the Portage Lands. Maintaining jobs on the Portage Lands will be a key consideration, particularly for lands in the northern portion of the transitional area, adjacent to the remaining employment area. The vision for the transitional area also includes a potential mid-block collector road, where to the north, a Prestige Employment land use designation can more effectively interface with low-to mid-rise buildings.

Mixed-use is warranted in the transitional area to support existing transit investments, and more importantly, to provide a logical transition between the existing VMC developments and existing employment uses north of VMC. The contemplated range of urban uses should include residential uses in appropriate areas to complement uses within the VMC. It is intended that there will be a gradation of permitted residential uses, with the greatest densities permitted in proximity to Jane Street and Portage Parkway.

In addition, the Portage Lands meet the definition of a Major Transit Station Area (“MTSA”) under A Place to Grow: Growth Plan for the Golden Horseshoe, 2019 (“Growth Plan”). In particular, the Portage Lands are partially within the 500m radius to the closest entrance of the VMC Subway Station and almost fully within the 800m radius. Further, the majority of the lands are within the 500m radius to the closest entrance of the SmartVMC Bus Terminal and fully within the 800m radius. As such, the Portage Lands should be included within York Region’s proposed MTSA boundary, as well as the boundary of the VMC Urban Growth Centre. Further, both MTSA’s and Urban Growth Centres are considered Strategic Growth Areas under the Growth Plan, where it is the focus for accommodating intensification and higher-density mixed uses, which this request is

intended to achieve. In my opinion, the boundary of these should be the same for VMC and can appropriately include the Portage Lands.

The Existing Number of Jobs and Tax Base Can Be Enhanced

The employment conversion request and potential inclusion and consideration as part of the VMC Secondary Plan can positively enhance the future jobs and tax base for the Portage Lands. Based on a survey of the Portage Landowners, I understand that currently, the participating lands provide a minimum of approximately 260 jobs, based on a range of low-density office, commercial, personal service, and restaurant uses. In addition, I surveyed the Portage Landowners on their current annual property taxes. The surveyed owners currently contribute an average of approximately \$65,600 in annual property taxes, with a range from \$25,600 to \$218,500.

An employment land conversion, together with consideration through the Secondary Plan, would allow broader at-grade uses that contribute to an active pedestrian environment along Portage Parkway, which matches the transit-oriented character of the VMC. The increased range of uses also provides a wide range of future jobs that may be accommodated in the redevelopment of the Portage Lands. It is my understanding that the Portage Landowners intend to maintain and preferably increase the number of future jobs in comparison to what exists today. Based on my understanding, there is also a potential for property tax revenues to generally increase as the quality and quantity of uses are also increased on the Portage Lands, if permitted through the employment land conversion request and Secondary Plan review.

Local Criteria to Assess Employment Land Criteria Conversion Requests

The following section provides a response to the local criteria prepared by City Staff. I have previously provided a response to York Region's Conversion Criteria in my November 22, 2019 letter (see **Attachment 2**).

1. The conversion involves the introduction of a sensitive use (i.e. residential) into an area that is predominated by uses that are incompatible with sensitive uses

Response: The request is in response to the existing issue of incompatibility between the character of the north and south sides of Portage Parkway. The introduction of residential uses is intended to complement existing permissions on the south side of Portage Parkway within VMC. Sensitive uses, such as residential uses, are currently permitted adjacent to the employment area; the current request does not change this existing condition as residential uses would not have been permitted along Portage Parkway if there was an unresolvable incompatibility.

The Staff Report notes that Portage Parkway is a logical boundary between VMC and the employment area; however, in my opinion, the contrast between either side of Portage Parkway has become overwhelmingly stark, and the interface needs to be addressed. The increased heights and densities approved within VMC are attributed to a significant increase in residential growth, particularly along Portage Parkway, where this residential growth is now juxtaposed against low-density employment uses. There is a need to enhance the interface of the northern edge of VMC; the Portage Lands can be planned comprehensively to resolve this issue and create a sustainable transition that protects the core employment area.

2. The conversion is located close to major public infrastructure that, either individually or cumulatively, provides a further level of incompatibility (e.g. rail yards, major highways)

Response: The proposed site is not directly adjacent to a 400 series highway and does not have highway frontage. The Portage Lands are approximately 250m from the location of Highway 400 and approximately 500m from the closest interchange; however, the closest access from the Highway 400 interchange to the Portage Lands is through the VMC or from Jane Street. Staff have noted that Portage Parkway is identified as a truck route; however, in my opinion, this does not provide a further level of incompatibility as there are existing residential uses on the south side of Portage Parkway. The existing road network would continue to provide alternative access routes into the employment area. Further, comprehensive planning for the proposed transitional area can consolidate driveways and mitigate the need for additional access to Portage Parkway.

3. The conversion is in an area that would constitute an unplanned expansion of a defined secondary plan area that is either approved or identified as an area requiring a secondary plan

Response: The employment land conversion request is intended to allow for the opportunity to consider an expansion to the VMC Secondary Plan. I recognize that an extensive study process is required to determine a final boundary expansion; however, I maintain my opinion that the Portage Lands constitute a logical area to provide transition north of the existing VMC area. The request for employment land conversion as part of the current MCR is to acknowledge the lengthy process that is ahead in the planning process. As mentioned, it is not intended for the Portage Lands to challenge the timing of the building of development within the existing VMC boundary, where there remain vacant mixed-use lands. In my opinion, phasing can be proposed as part of the planning for the Portage Lands, to ensure that the existing VMC area remains the current focus for development.

4. The conversion is located in area where its approval would constitute piece-meal planning, potentially prejudicing the future of the current uses and creating expectations of further conversions

Response: The Portage Lands span the majority of the northern side of Portage Parkway, adjacent to the VMC boundary. In my experience, it is uncommon for such a number of contiguous landowners to be willing participants within the built-up area. However, this provides an opportunity for the City to engage in comprehensive planning with active landowners. In addition, the intent of creating a transitional area on the Portage Lands is to resolve the current contrasting VMC edge and also prevent a future occurrence of the same. The transitional area should be utilized to scale down in heights and densities towards the employment area to the north, to mitigate creating expectations.

5. The conversion is located in an area that is deficient in the appropriate ambience and services, (e.g. for residential) such as walkability, parks, community level retail and amenities, schools and community facilities

Response: The Portage Lands are appropriate as a transitional area as there is access to the mentioned services in VMC as well as the potential to provide some of these services north of Portage Parkway. As mentioned, the Portage Lands are within the 500m distance to the SmartVMC Bus Terminal, and partially within the 500m distance to the VMC Subway Station. The proposed transitional area is intended to provide a walkable and pedestrian-friendly environment on the north side of Portage Parkway, which complements development on the south side.

6. The conversion area is part of a logical planning unit, which would speak to prematurity and the need for a comprehensive planning exercise to establish the long-term future (secondary plan) and confirm the appropriate uses and densities; and ensure that all the required infrastructure (e.g. internal roads and accesses, water, sewers, stormwater management), services and amenities are in place to support the community

Response: As mentioned, I recognize that there is a need for a comprehensive planning exercise to consider the Portage Lands. The City is currently initiating the VMC Secondary Plan review, which aligns with the timing of the Regional MCR. Comprehensive planning for the Portage lands requires both of these processes to take place, and therefore, in my opinion, this is an appropriate time to consider planning for the Portage Lands. The Portage Landowners are requesting the employment land conversion as the first step in this planning process, with the understanding that the appropriate uses, densities, and phasing will be determined as part of the VMC Secondary Plan review.

I welcome the opportunity to meet with City Staff to further discuss the creation of a mixed-use transition area and the employment land conversion that is required to enable this opportunity. We are continuing to prepare materials to assist Council in their decision for this employment land conversion, and expect that additional submissions will follow.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at 905.513.0170 or DGiven@mgp.ca.

Yours very truly,

Malone Given Parsons Ltd.




Don Given, MCIP, RPP




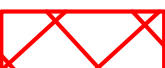
Enclosures: Attachment 1: Portage Landowners Conceptual Plan
Attachment 2: Employment Land Conversion Request Letter, dated November 22, 2019



Cc: Portage Landowners Group
Bill Kiru, City of Vaughan
Fausto Filipetto, City of Vaughan
Christina Bruce, City of Vaughan

Attachment 1



-  Participating Landowners
-  Separate Application for Employment Conversion
-  Distance to VMC Subway Station

- Schedule F - Land Use Precincts**
-  Proposed North Mixed Use Precinct
 -  Station Precinct
 -  Neighbourhood Precinct
 -  Office Uses Permitted

- Schedule 13 - Vaughan Official Plan**
-  General Employment
 -  Prestige Employment

DRAFT
FOR DISCUSSION
PURPOSES ONLY

CONCEPTUAL DEVELOPMENT PLAN
PORTAGE LANDOWNERS GROUP
City of Vaughan
Regional Municipality of York



Date	Revision	By
Apr 16, 2020		

Prepared For:

MGP File: 19-2836



Attachment 2



Don Given
905 513 0170 x109
DGiven@mgp.ca

November 22, 2019

MGP File: 19-2836

Regional Municipality of York
Planning and Economic Development
17250 Yonge Street
Newmarket, ON L3Y 6Z1
AND
City of Vaughan
Planning and Growth Management
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

via email: Paul.Freeman@york.ca and Jason.Schmidt-Shoukri@vaughan.ca

Attention: Paul Freeman, Chief Planner
Planning and Economic Development, Regional Municipality of York
AND
Jason Schmidt-Shoukri, Deputy City Manager
Planning and Growth Management, City of Vaughan

Dear Mr. Freeman and Mr. Schmidt-Shoukri:

RE: Employment Land Conversion Request
Portage Landowners Group, City of Vaughan

Malone Given Parsons Ltd. ("MGP") is the planning consultant to the Portage Landowners Group ("Portage Landowners"), who own approximately 7.54 ha (18.63 ac) of land north of Portage Parkway and west of Jane Street ("Portage Lands"), within the City of Vaughan.

The Portage Lands are shown in Attachment 1 to this letter. The Portage Lands are adjacent to the northern boundary of the Vaughan Metropolitan Centre ("VMC") where transitional heights, densities, and uses are required, in our opinion. The basis for this assertion is that the existing policies and approved developments along the northern boundary of the VMC have created an 'edge' where development north and south of Portage Parkway are starkly different.

Request

We are writing to submit a request for Employment Land Conversion for the lands generally within the "Approximate Extent of Transitional Area" boundary in Attachment 1. The boundary generally extends the conceptual east-west road shown on VMC Secondary Plan Schedules, between Applewood Crescent and Edgeley Boulevard, further east to Jane Street.

In our opinion, the current Municipal Comprehensive Review ("MCR") process should consider initiating opportunities to begin planning for the future transition from the VMC. As part of the Region's Employment Land Conversion process, the Portage Lands should be converted to allow non-employment uses to recognize its location as a transitional area from the VMC to protect the core employment area.

We further request that the City of Vaughan support and undertake comprehensive planning for the Portage Lands as part of their VMC Secondary Plan Review, and work cooperatively with stakeholders, such as the Portage Landowners. It is acknowledged that the planning process to implement this vision through an Official Plan Amendment requires time to be developed. However, it would be imprudent to require the consideration of this process to be delayed until the next MCR.

This request meets the November 29, 2019 deadline outlined in York Region’s October 10, 2019, Committee of the Whole Agenda Item E.2.3 “Employment Area Conversion Process Update”.

Site Characteristics & Context

The Portage Lands are located on the north side of Portage Parkway, west of Jane Street and extends to the east side of Applewood Crescent. The Portage Lands are in proximity to the Smartcentres Place Bus Terminal as well as the VMC Subway Station. A portion of the lands are within 500m of the VMC Subway Station; however, the Portage Lands are outside of the VMC Secondary Plan.

The ownership accounts for lands approximately 150m north of Portage Parkway. Currently, the Portage Lands are occupied by a range of office and commercial uses, as well as restaurants and personal services.

A separate submission by John Zipay and Associates was submitted to the Region on behalf of York Region Condominium Corporation 945, who own 201 Millway Avenue. Note that 201 Millway is not part of the Portage Landowners; however, we are generally supportive of their request and intend to work cooperatively with the owners of 201 Millway Avenue.

Existing Land Use Designation

The Portage Lands are currently designated “General Employment” and “Prestige Employment” under Schedule 13 (Land Use) of the Vaughan Official Plan (“VOP”). The General Employment designation permits a full range of industrial uses as well as accessory office and retail uses. The Prestige Employment designation is intended as the transition between General Employment areas and sensitive land uses, as it permits industrial, office, and accessory retail uses but restricts outdoor storage. Buildings within the Prestige Employment should be high quality and provide an attractive pedestrian-friendly environment.

However, there remains a significant contrast between the permitted and approved heights and densities for development south of Portage Parkway within the VMC and existing development north of Portage Parkway. Currently, the VMC Secondary Plan (Section 11.12 of the VOP) does not include transition policies to address the interface along Portage Parkway, the northern boundary of VMC. As a result, the current policies and approved developments have inadvertently created an edge where lands within VMC are significantly taller and denser than lands north of Portage Parkway.

Portage Lands Provide an Opportunity to Create a Transitional Area

The Portage Lands offer an opportunity to provide appropriate transition north of Portage Parkway to the existing employment area by creating a sustainable edge that protects the core employment area. We recognize that lands within VMC will remain a focus for the City; however, that does not prohibit consideration of transitional lands that will complement lands within the current VMC

boundary. In our opinion, the Portage Lands are an opportunity to comprehensively provide a middle ground between the approved heights and densities in VMC and the existing employment area to the north. These participating lands have frontage that spans the majority of Portage Parkway and can be planned comprehensively to address the existing VMC edge.

The Portage Lands are an opportunity to create a mixed-use transition area to bridge the high-density character of VMC to the low-density employment area. The mixed-use area provides an opportunity to complement uses within VMC as well as replace the existing jobs within the Portage Lands. It is intended that heights and densities compatible with VMC will be gradated down from the Portage Parkway frontage to the employment area to the north. As well, it is envisioned to allow a range of urban-type uses, complementary to the mixed-use character of VMC along Portage Parkway; the transitional area will provide both jobs and residents.

A majority of the Portage Lands are occupied by employment and light employment-related uses, including office uses, commercial uses, personal services, and restaurants. It is expected that the same, if not additional, quantity of jobs will be developed on the Portage Lands. Maintaining jobs on the Portage Lands will be a key consideration, particularly for lands in the northern portion of the transitional area, adjacent to the remaining employment area.

The contemplated range of urban uses will include some residential uses in appropriate areas to complement uses within the VMC. It is intended that there will be a gradation of permitted residential uses, with the greatest densities permitted in proximity to Jane Street and Portage Parkway.

We recognize that the existing Walmart within VMC will be relocated to lands between Highway 400 and Applewood Crescent, north of Portage Parkway. Accordingly, retail and other complementary uses should be located in proximity to the relocated Walmart.

Attachment 1 shows the approximate boundary for the proposed transitional area, which is intended to ultimately lead to a boundary adjustment to the VMC Secondary Plan area. However, we note that the transitional area is not intended to challenge the timing of the existing VMC buildout. The transitional area is a vision for the future of VMC, recognizing that the area will continue to change over time. We believe the lack of existing transitional policy will eventually lead to 55-storey mixed-use buildings with the VMC interfacing with employment/industrial buildings that are permitted to be mid-rise, at most.

Portage Lands Should Be Considered Under the Current MCR Process

As mentioned, the proposed transitional area is not intended to challenge the timing of the buildout of development within the existing VMC boundary. The request for employment land conversion instead recognizes that the planning process to bring this vision to fruition will take place over a number of years. In particular, if approved for conversion as part of the current MCR, the City of Vaughan will require additional study and consultation to determine a final detailed plan for the expansion of the VMC boundary, which the City of Vaughan Council needs to adopt as an amendment to the VOP and subsequently York Regional Council must review and provide approval. Based on MGP's experience, the Official Plan Amendment process is lengthy in order to capture the envisioned development accurately and respond to stakeholder comments. Additionally, the planning process must also comprehensively plan for servicing and transportation infrastructure.

The current MCR process is part of the Region's Official Plan Review that will produce a new Regional Official Plan. Based on this, the existing Planning Act framework provides a 10-year period prior to the next Official Plan Review and MCR. It is prudent that the proposed transitional area is examined in the planning horizon to 2041 in order to mitigate future conflicts that may arise.

In our opinion, the VMC edge will inevitably change and evolve; the current request for employment land conversion and request for the City of Vaughan to consider and support the Portage Lands as an expansion to the VMC initiates planning for this area.

This is appropriate as Portage Parkway is currently undergoing upgrades as a major collector road. Frontage along the Portage Lands are being expropriated to accommodate a future road widening as a result of the Environmental Assessment Study for Portage Parkway Widening and Easterly Extension to Creditstone Road. The road widening has resulted in reduced parking areas north of Portage Parkway. As a result of the overpass connecting Portage Parkway west to Chrislea Avenue, the Portage Landowners have experienced higher volumes of traffic as well. The vision for the transitional area includes the proposed extension of the conceptual east-west road shown on VMC Secondary Plan Schedules, between Applewood Crescent and Edgeley Boulevard, further east to Jane Street. This extension is intended to provide relief for local traffic from Portage Parkway.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan") defines a Major Transit Station Area ("MTSA") as:

*"The area including and around any **existing or planned higher order transit station** or stop within a settlement area; or the area **including and around a major bus depot** in an urban core. Major transit station areas **generally are defined as the area within an approximate 500 to 800-meter radius of a transit station**, representing about a 10-minute walk."* [emphasis ours]

Based on the above definition, Attachments 2 and 3 demonstrate the approximate 500m to 800m radius from the closest entrances of the VMC Subway Station and SmartCentres Place Bus Terminal, both of which meet the definition of an MTSA under the Growth Plan. The Portage Lands are partially within the 500m radius to the VMC Subway Station and almost fully within the 800m radius. Further, the majority of the lands are within the 500m radius to the SmartCentres Place Bus Terminal and fully within the 800m radius. Therefore, mixed-use is warranted in the transition area to support existing transit investments.

York Region initiated draft MTSA delineations in April 2019, as part of the Region's intensification strategy and updated Official Plan. The Region identified the VMC Subway Station as an MTSA; however, the delineation did not include the Portage Lands. Rather, the VMC Subway Station MTSA (MTSA 1) extends from Portage Parkway south to Highway 407, east and west of Jane Street. The Region further identified the Commerce BRT Station as an MTSA (MTSA 12), and the delineation similarly extends from Portage Parkway south to Highway 407, between Edgeley Boulevard and Highway 400. The majority of lands south of Highway 7 are outside of the 500m radius of the VMC Subway Station, and a portion is also outside of the 800m radius.

In addition, the SmartCentres Bus Terminal, a YRT terminal that opened in November 2019, has not been recognized as an MTSA by York Region in their draft delineation. The SmartCentres Bus Terminal falls under the MTSA definition of a major bus depot in an urban core. Given that the Bus Terminal is in close proximity to the VMC and Commerce BRT Station, York Region should consider expanding the draft MTSA boundaries to include the 500m distance from the Bus Terminal.

In our opinion, the Portage Lands should be included within both the VMC Subway Station and Commerce BRT Station MTSA in order to provide a transition between the existing VMC boundary and the core employment area. This expansion of the draft MTSA delineation should occur in tandem with the employment land conversion request.

The Portage Landowners are requesting this conversion to provide the City of Vaughan with the ability to begin comprehensively planning for these lands. Approval of this conversion does not imply that the lands will be immediately available for development, and it is anticipated that any conflict with the existing buildout of VMC can be addressed through phasing. The detailed height, densities, uses and phasing for the transitional area will be determined through the secondary plan process.

It is based on these reasons that we believe that the Portage Lands require an employment land conversion through the current MCR. As such, we request that the Region approve the Portage Lands as a mixed-use transitional area through the Region's ongoing Employment Land Conversion Process.

Employment Conversion Criteria – Growth Plan

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) ("2019 Growth Plan") outlines employment land conversion criteria that are required to be met prior to the conversion of employment land to non-employment uses.

The following provides the consistency of the proposed conversion with the 2019 Growth Plan Criteria:

a) *there is a need for the conversion;*

The proposed conversion is required to allow the City of Vaughan to consider the Portage Lands, as a transitional area to the VMC as part of their current Secondary Plan review. Currently, the VMC Secondary Plan does not outline transition policies to address the interface of development along the northern boundary with lands outside of the Secondary Plan. Being identified under employment designations, the Portage Lands are restricted to primarily employment and industrial uses with accessory office and retail uses. Further, the heights and densities approved south of Portage Parkway within the VMC is drastically in contrast to the existing development north of Portage Parkway; this results in an urban edge at the boundary of the VMC.

b) *the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*

The majority of parcels within Portage Lands are currently occupied by employment buildings; there are currently 2 non-participating parcels that are vacant. It is not expected that the 2 vacant parcels will significantly affect the achievement of the Region's employment forecast.

As mentioned, the timing of the Portage Lands is not expected to challenge the existing buildout of the VMC, which has already exceeded the 2031 growth targets. The buildout of the Portage Lands is intended to be phased to complement the existing VMC and will not affect the achievement of the planning horizon.

It should be noted that the majority of the Portage Lands are built and occupied by a mix of low-density office, commercial, retail and some light industrial uses. The Portage Lands do not currently provide a full range of employment land employment uses.

It is anticipated that the lands will be redeveloped within the 2041 planning horizon, implying that the existing range of employment uses will remain in the interim. However, if a transitional area is approved, it is expected that a similar, if not increased, number of jobs will be generated when the Portage Lands are redeveloped in the future.

Therefore, the lands are not required for the horizon of this Plan, as the redevelopment will not conflict with this timeline.

- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;

The majority of the Portage Lands are built and occupied by a mix of low-density office, commercial, retail and some light industrial uses. These uses will have been accounted for as a fixed number of jobs in determining employment land needs for the Region and City. A small portion of the Portage Lands remain vacant today and are not expected to impact the Region and City's ability to achieve employment growth.

Further, if a transitional area is approved, when the Portage Lands are redeveloped in the future, it is expected that a similar, if not increased, number of jobs will be generated. With this, the Portage Lands will not negatively impact the municipality's ability to maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan.

- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and

The proposed transitional area is intended to provide a bridge between the existing employment area to the north and the high-density mixed uses approved within the VMC. While the detailed uses will be determined at the Secondary Plan/Official Plan Amendment stage, the goal is to maintain the overall viability of the employment area to the north. This includes examining distance separations for any existing uses and considering permissions for strategic locations of uses to provide noise and vibration mitigation.

At this time, the vision includes a gradation of residential uses that are concentrated along Jane Street as well as Portage Parkway. Office and other commercial/retail uses are more appropriate closer to the existing employment area.

Further, to avoid conflict with the current VMC's minimum intensification and density targets, phasing will be considered for the transitional area.

Therefore, the proposed uses are not intended to affect the overall viability of either the employment area or the achievement of targets.

- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.

As the Portage Lands are located within the urban area of the City, the majority of the Portage Lands are built and construction has begun in the VMC, it is reasonably expected that the transitional area has access to existing infrastructure and public service facilities. The capacity will be examined at a later stage.

However, the build-out of the transitional area is not expected in the near term. As part of the City's Official Plan Amendment process as well as future development applications, infrastructure and

public service capacity will to capture the envisioned development and respond to stakeholder comments accurately.

Provincially Significant Employment Zone

In addition, the 2019 Growth Plan identifies the Portage Lands within a Provincially Significant Employment Zone (“PSEZ”). Lands within a PSEZ are restricted from employment land conversion prior to an MCR. As York Region is currently undertaking an MCR, this policy would be satisfied.

Based on the above, it is our opinion that the requested employment land conversion for the Portage Lands are consistent with the 2019 Growth Plan.

Employment Conversion Criteria – York Region

In addition to the 2019 Growth Plan criteria, York Region Council endorsed additional criteria on March 21st, 2019, to guide employment area conversion requests through an MCR.

The York Region Committee of the Whole Report entitled “Proposed Employment Area Conversion Criteria”, dated March 7, 2019, contains the additional criteria in Revised Attachment 4 of the report. These additional criteria are listed below and addressed to demonstrate conformity. The Growth Plan employment area conversion criteria have been addressed in the previous section.

The following employment areas will not be considered for conversion as they have not yet had the opportunity to develop due to servicing constraints or have recently been brought into the urban boundary to accommodate employment land employment growth to 2031: Keswick Business Park, Queensville, Highway 404 (ROPA 1), ROPA 3, and Highway 400 North (ROPA 52).

The Portage Lands were not recently brought into the urban boundary, and the majority of lands have been developed.

The employment area will not be considered for conversion if the entire perimeter of the site is surrounded by lands designated for employment uses and is not viable to continue as an employment area.

The Portage Lands are not surrounded by employment lands on all sides. To the south is the VMC Secondary Plan area, which has permitted and approved mixed uses along Portage Parkway. To the west is the future relocation site for the existing Walmart within VMC; this area is governed by a Minister’s Zoning Order, which permits a range of retail, service, and prestige employment uses. These lands to the west are outside of the PSEZ and designated Prestige Employment under the VOP. Lands to the north are designated General Employment and lands on either side of Jane Street are designated Prestige Employment.

The entire perimeter of the site will remain viable to continue as an employment area. The vision for the transition area is intended to extend complementary uses from the VMC north of Portage Parkway while maintaining some employment functions in the northern portion of the transition area. In contrast to the criteria, the proposal of a transition area is intended to improve the viability of mixed uses south of Portage Parkway by creating a future interface that matches the intended pedestrian attractive environment, while maintaining prestige employment uses to complement the existing employment area where such high-quality buildings are needed.

Conversion of the site would not compromise the Region's and/or local municipality's supply of large-sized employment area sites (i.e. 10 ha or greater) which allow for a range uses including but not limited to land extensive uses such as manufacturing, warehousing, distribution and logistics.

Overall, the participating Portage Landowners have total ownership of 7.54 ha (18.63 ac); however, the lands are a collection of various landowners. Therefore, a range of land-intensive uses is not viable on these sites.

The conversion will not destabilize or adversely affect current or future viability and/or identity of the employment area with regards to:

- a) Hindering the operation or expansion of existing or future businesses
- b) Maintaining lands abutting or in proximity to the conversion site for employment purposes over the long term
- c) Attracting a broad range of employment opportunities and maintaining clusters of business and economic activities
- d) Providing appropriate buffering of employment uses from non-employment uses.

The requested employment land conversion is not intended to adversely affect the operation or expansion of existing or future businesses. The existing VMC Secondary Plan locates sensitive uses in proximity to the employment area, including the Portage Lands. The proposed transitional area is intended to provide a mix of uses along Portage Street that enhances the interface with the existing VMC boundary. Within the Portage Lands, the northern portion will also provide appropriate buffering through the strategic location of uses to mitigate potential impacts on existing or future business. At the Secondary Plan level, land use location and permissions will need to take into account Provincial separation distance guidelines.

The transitional area is intended to maintain the abutting lands to the north for employment purposes over the long term. The transitional area is not intended to burden lands further to the north; rather, it is expected to account for transition within its own boundary.

The requested employment land conversion will not hinder the attraction of a broad range of employment opportunities to the area, but is intended to stimulate redevelopment to achieve a true transition from the urban uses in VMC to the existing employment area. The existing edge created by the contrast in heights, densities, and uses within the VMC versus north of Portage Parkway has resulted in the existing Portage Lands being restricted by sensitive uses and lacking the incentive to redevelop. The Portage Lands can better attract a range of prestige employment uses through proper transitioning policies and land use strategies. It is intended that the Portage Lands will maintain the existing number of jobs and have the ability to better encourage economic activity.

The vision for the Portage Lands is to provide appropriate buffering between the VMC and the existing core employment area. Therefore, the Secondary Plan stage will include consideration for appropriate buffering and distances between certain types of employment uses and sensitive non-employment uses.

The conversion to a non-employment use is compatible with the surrounding uses such as existing employment uses, residential or other sensitive land uses and will mitigate existing and/or potential land use conflicts.

The existing General Employment designation on the northern portion of the Portage Lands and the majority of the existing employment area is focused on a full range of industrial uses and only

allows accessory office and retail uses. The existing Prestige Employment designation along Portage Parkway allows non-accessory office uses and is intended to be characterized by high-quality buildings in attractive pedestrian-friendly, connected and transit-oriented working environments. This Prestige Employment designation was intended as a transitional designation; however, given the existing contrast in heights, densities, and uses south of Portage Parkway, the permissions of this designation do not provide an effective transition.

Therefore, the conversion to a non-employment use applies to lands where non-employment uses are appropriate, and the balance of the transitional area will remain focused on employment uses or accessory uses to employment. The conversion is intended to mitigate existing land use conflicts between the VMC and the core employment area.

The site offers limited development potential for employment land uses due to factors including size, configuration, access and physical conditions.

The site currently offers limited development potential for employment land uses beyond what is already built, due to the small parcel sizes, fragmented ownership, and existing interface with the northern boundary of VMC. The total land area of the participating Portage Landowners is 7.54 ha and the lands are divided into various ownership; therefore, the lands have limited potential for land-intensive uses such as warehousing. Further, there is limited potential for industrial employment uses due to the proximity to the urban uses with VMC.

The requested conversion is intended to address the existing contrast north and south of Portage Parkway; the participation of the majority of landowners along Portage Parkway implies a greater chance for implementation of the vision, despite the varied ownership.

The proposed site is not adjacent to 400-series highways, or is not located in proximity to existing or planned highways and interchanges, intermodal facilities, airports and does not have access to rail corridors

The proposed site is not directly adjacent to a 400 series highway and does not have highway frontage. The Portage Lands are approximately 250m from the location of Highway 400 and approximately 500m from the closest interchange; however, the closest access from the Highway 400 interchange to the Portage Lands is through the VMC, which is not ideal for heavy truck traffic.

The proposed conversion to a non-employment use does not compromise any other planning policy objectives of the Region or local municipality.

The conversion does not compromise any other Regional or Local planning policy objective; the Portage Lands are intended to continue to accommodate a similar number of jobs to contribute to the Regional and Local jobs density requirements.

Cross-jurisdictional issues have been addressed.

There are no cross-jurisdictional issues as the lands are not adjacent to another municipality.

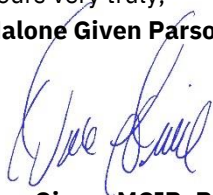
Request to Meet with Regional and City Staff

We request a meeting with Regional and City staff to discuss the creation of a mixed-use transition area and the employment land conversion that is required to enable this opportunity. For the reasons mentioned above, we believe it is prudent that York Region approves this employment conversion request to allow the City of Vaughan to commence all work necessary to support a municipally initiated Official Plan Amendment to implement a transitional area for the VMC.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at 905.513.0170 or DGiven@mgp.ca.

Yours very truly,

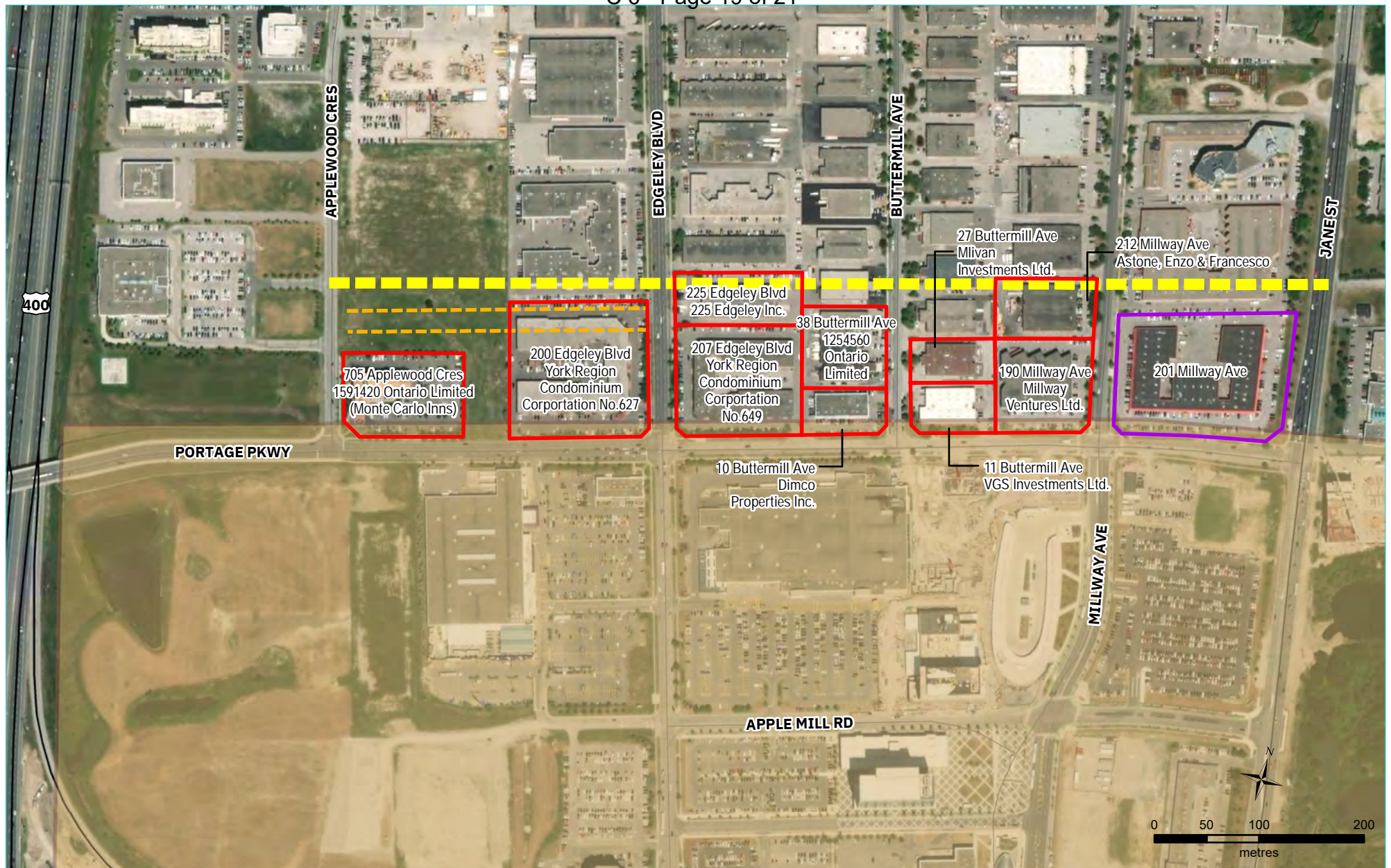
Malone Given Parsons Ltd.



Don Given, MCIP, RPP

Enclosures: Attachment 1: Portage Landowners Participating Lands
Attachment 2: VMC Subway Station 500-800m Radius
Attachment 3: Bus Transit Terminal 5000-800m Radius

Cc: Hon. Mayor Bevilacqua and Members of Council, City of Vaughan
Sandra Malcic, Director, Long Range Planning, York Region
Portage Landowners
York Region Condominium Corporation 945, 201 Millway Avenue (c/o John Zipay)



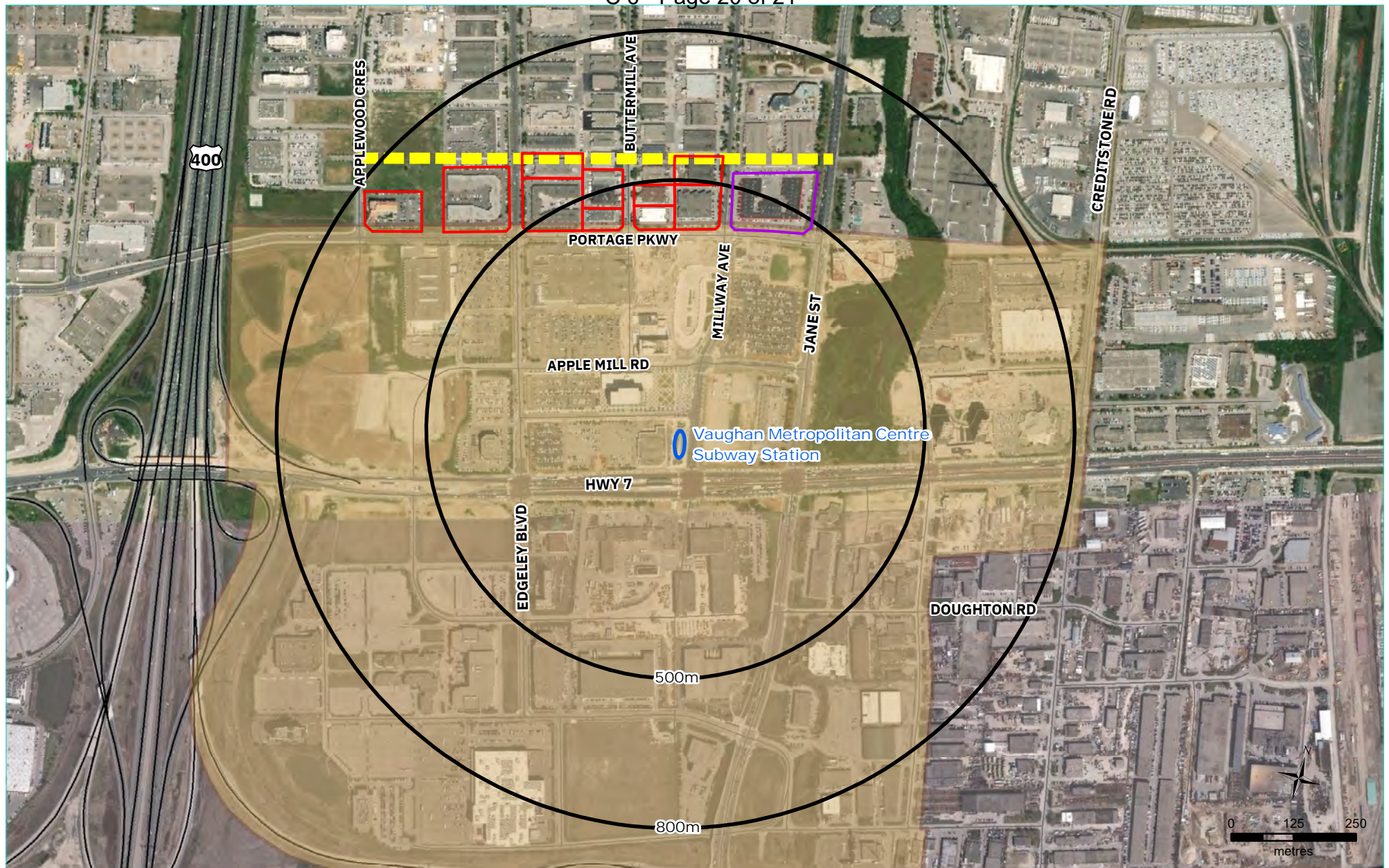
PORTAGE LANDOWNERS PARTICIPATING LANDS VAUGHAN, ON

Attachment 1

Sources: York Region, 2019, Contains information licensed under the Open Government Licence – Ontario

MGP File: 19-2836
Date: November 20, 2019

MGP Malone Given Parsons.



PORTAGE LANDOWNERS PARTICIPATING LANDS VAUGHAN, ON

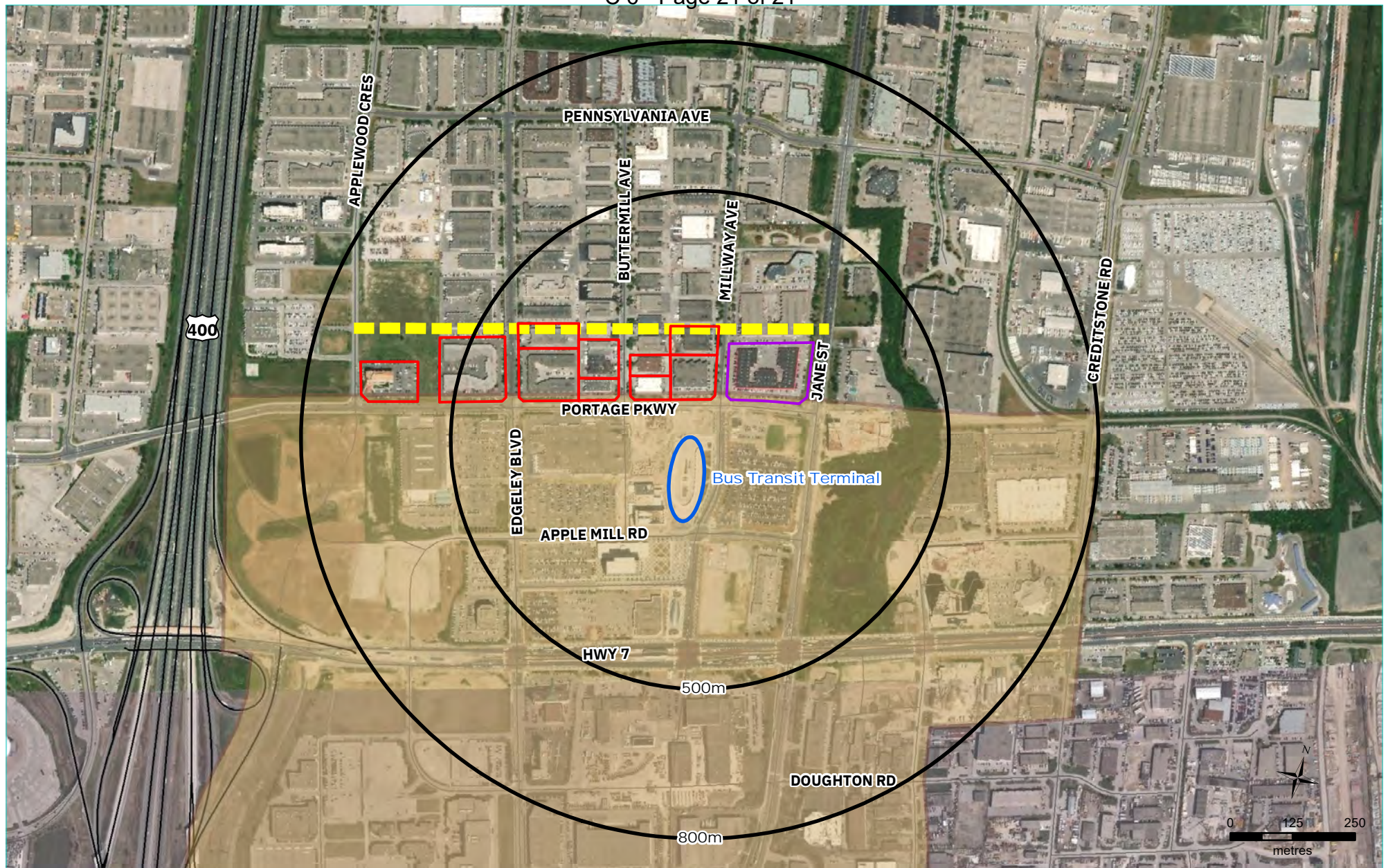
Attachment 2

- Participating Landowners
- Transit Building
- Separate Application for Employment Conversion
- Distance from Transit Stop
- Approximate Extent of Transitional Area
- Vaughan Metropolitan Centre Area

Sources: York Region, 2019, Contains information licensed under the Open Government Licence – Ontario

MGP File: 19-2836
Date: November 22, 2019

MGP Malone
Given
Parsons.



PORTAGE LANDOWNERS PARTICIPATING LANDS VAUGHAN, ON

Attachment 3

- Participating Landowners
- Transit Building
- Separate Application for Employment Conversion
- Distance from Transit Stop
- ▬ Approximate Extent of Transitional Area
- ▭ Vaughan Metropolitan Centre Area

Sources: York Region, 2019, Contains information licensed under the Open Government Licence – Ontario

MGP File: 19-2836
Date: November 22, 2019

MGP Malone Given Parsons.

P-3036

May 19, 2020

via email: clerks@vaughan.ca

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: Mayor and Members of Council

RE: May 20, 2020 Committee of the Whole, Item #10
"Request for Comments: York Region Evaluation of Employment Land Conversion
Requests"
Avenue 7 Developments Ltd.
2267 Highway 7 and 7700 Keele Street (ID 13)
City of Vaughan
Region of York

KLM Planning Partners Inc. is the land use planning consultant representing Avenue 7 Developments Ltd. with respect to a 5.5 hectare parcel of land they own at the southwest corner of Highway 7 and Keele Street ("Subject Lands") and known municipally as 22667 Highway 7 and 7700 Keele Street (ID V13). We wish to formally correct the public record in which the staff report incorrectly notes the planning consultant as Humphries Planning Group.

On behalf of our client, we respectfully request **the Council for the City of Vaughan recommend that the property located at 2267 Highway 7 and 7700 Keele be converted to permit residential uses in addition to employment uses to create the basis for a true mixed-use community and that the Region of York is notified of Council's decision in relation to their ongoing Municipal Comprehensive Review Process.**

We have reviewed the Vaughan planning staff recommendation report titled "Request for Comments: York Region Evaluation of Employment Land Conversion Requests", which is being considered at the May 20, 2020 Vaughan Committee of the Whole Meeting. The Subject Lands are referred to as ID 13 and staff are not recommending an employment land conversion. We do not support staff's recommendation of the conversion request with respect to the Subject Lands for reasons briefly outlined in this letter.

The recommendation report from the Planning Department introduces a set of local conversion criteria to be used in conjunction with those from the Province (Growth Plan) and those approved by the Region when considering employment land conversion requests. However, the report does not include any detailed analysis on the importance of mixed-used development along Highway 7 (Regional Intensification Corridor) and supporting the nearly \$2 Billion investment in public transit along this corridor.

In the context of the Subject Lands, it is important to note the following benefits:


- The proposed conversion request will deliver a 700% increase in jobs on the site (increase from 128 currently provided to 1,029);
- The Subject Lands are already used for non-employment uses and are currently zoned to permit 100% commercial uses such as restaurants, supermarket and retail stores, which are not considered employment uses;
- The Subject Lands are located within a Major Transit Station Area (“MTSA”) at the corner of Highway 7, and Keele, making it logical site for intensification and mixed-use development to achieve a minimum density of 160 people and jobs per hectare required by Provincial Policy;
- The Subject Lands are located on Highway 7, a Major Transit Corridor, intended to be developed over time as a mixed-use corridor;
- Highway 7 abutting the property, has already been the subject of considerable public investment in a Bus Rapid Transit (“BRT”) corridor and substantial streetscape improvements to create a pedestrian-oriented environment appropriate for a mixed-use development;
- The Subject Lands adjoin a long-established residential community located immediately to the east. The mixed-use intensification proposed on the Subject Lands will help establish the basis for a complete community that will support these adjacent existing residential uses, which currently have very limited access to any day-to-day amenities;
- The Subject Lands are outside the zone of influence of the existing CN Mcmillan Yard to the northwest, and a noise study has demonstrated that impacts are all within acceptable provincial standards, and that there will be no impact limiting the activities at the railyard if the property is developed for mixed-use purposes including residential; and,
- Conversion of the subject property to mixed-uses will help the municipality to achieve the objectives for intensification, density and transit-oriented development established under the Growth Plan for the Greater Golden Horseshoe.

For the above-noted reasons, we respectfully request **the Council for the City of Vaughan recommend that the property located at 2267 Highway 7 and 7700 Keele be converted to permit residential uses in addition to employment uses to create the basis for a true mixed-use community and that the Region of York is notified of Council's decision in relation to their ongoing Municipal Comprehensive Review Process.**

Please consider this letter as our formal request to receive notice of any future reports and/or public meetings or consultations regarding this matter. If you have any questions or comments in relation to this letter or the lands in question, please do not hesitate to contact the undersigned.

Yours very truly,

KLM PLANNING PARTNERS INC.



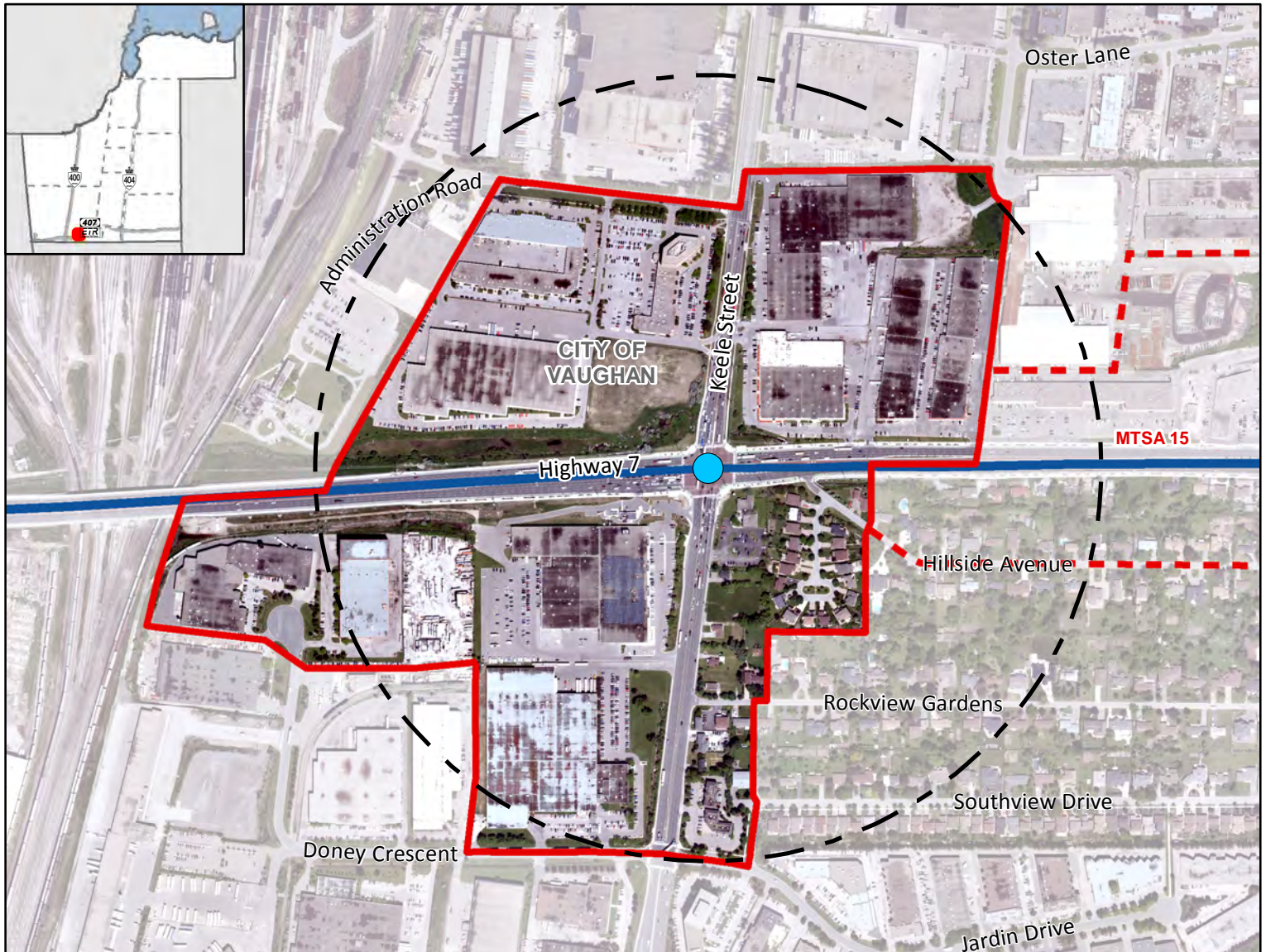
Ryan Mino-Leahan, MCIP, RPP
Partner

Copy: Avenue 7 Developments Ltd.
Peter Van Loan, Aird & Berlis LLP

Keele BRT Station

On Highway 7 BRT Corridor

Along Highway 7 at Keele Street, Vaughan



Legend

Major Transit Station

● Required BRT

□ 500m Radius

▭ Draft MTSA Boundary

▭ Adjacent Draft MTSA Boundary

Priority Transit Corridors

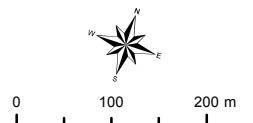
— BRT

**Keele BRT
Station
Gross Area:
55.83 ha**

Density (People & Jobs per Hectare) ¹



Population/Job Split ²



York Region

The Regional Municipality of York
Corporate Services,
Planning and Economic Development
March 2019

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See York.ca for disclaimer information.

¹ Values are rounded to the nearest 5 People & Jobs per Hectare

² Values are rounded to the nearest 5%

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

May 19, 2020
HPGI File: 0449

Chair and Members of the Committee of the Whole
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

**COMMUNICATION : C 8
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Attention: Mr. Todd Coles, City Clerk

Dear Mr. Coles:

**Re: Item 10, Committee of the Whole Meeting, May 20, 2020
Staff Report on Employment Land Conversion Requests ("Staff Report")
Vaughan 400 North Landowners Group Inc. (the "Group")
Blocks 34W and 35 (the "Subject Lands")
Lots 26 through 35, Vaughan Conc. 5 & Lot 1, City of Vaughan**

Humphries Planning Group represents the Group, which consists of numerous owners of property within the Subject Lands. Please distribute a copy of this letter to the Chair and Members of the Committee of the Whole in advance of their May 20th meeting.

We and our clients have reviewed the Staff Report, and respectfully disagree with its rationale and recommendations as applied to the Subject Lands. We would like to offer the following comments for consideration as the City advances its assessment of site-specific employment land conversions requests. The City's conclusions will be used to inform and assist York Region (the "**Region**") in identifying suitable locations for employment conversion through potential amendments to the Region's Official Plan and current land use planning policies.

Staff Position on the Group's Site-Specific Request

The Group's proposed partial conversion is identified as Request No. 7, and discussed in the Staff Report's *Attachment 4 – Summary Table of Staff Recommendations*, as well as in *Attachment 5 – Staff Recommendations for Each Request*.

The Subject Lands are governed by Region Official Plan Amendment No. 52 ("**ROPA 52**") and the City's Official Plan Amendment No. 637 ("**OPA 637**").

Staff's "summary of assessment" is as follows:

...employment areas within ROPA 52 will not be considered for conversion as the lands were brought into the urban boundary to accommodate employment growth to 2031 and have not yet had an opportunity to properly develop due to servicing constraints.

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www.humphriesplanning.com
~ Do Something Good Everyday! ~

The Staff Report's recommendation is that Council should not support the request for partial conversion at this time.

Comments on Staff's Position

While we are confident that there was no intention to mislead, the Staff Report presents an incomplete picture (in some senses, literally) of the Group's request.

First and foremost, the Staff Report does not state or depict the true nature of the request; specifically, that it is a request for a partial conversion. The map attached to the Staff Report (Figure 1, below) only shows the proposed conversion area, not the balance of the Subject Lands, which will remain in employment designations pursuant to ROPA 52 and OPA 637.



Figure 1: Extract from Staff Report – Vaughan 400 North Employment Area Conversion Request

Our **Figure 2** below depicts the entirety of the ROPA 52 area (in black cross-hatching), and the lands which will remain in employment designations (in blue). In total, 460 hectares of employment land will remain.

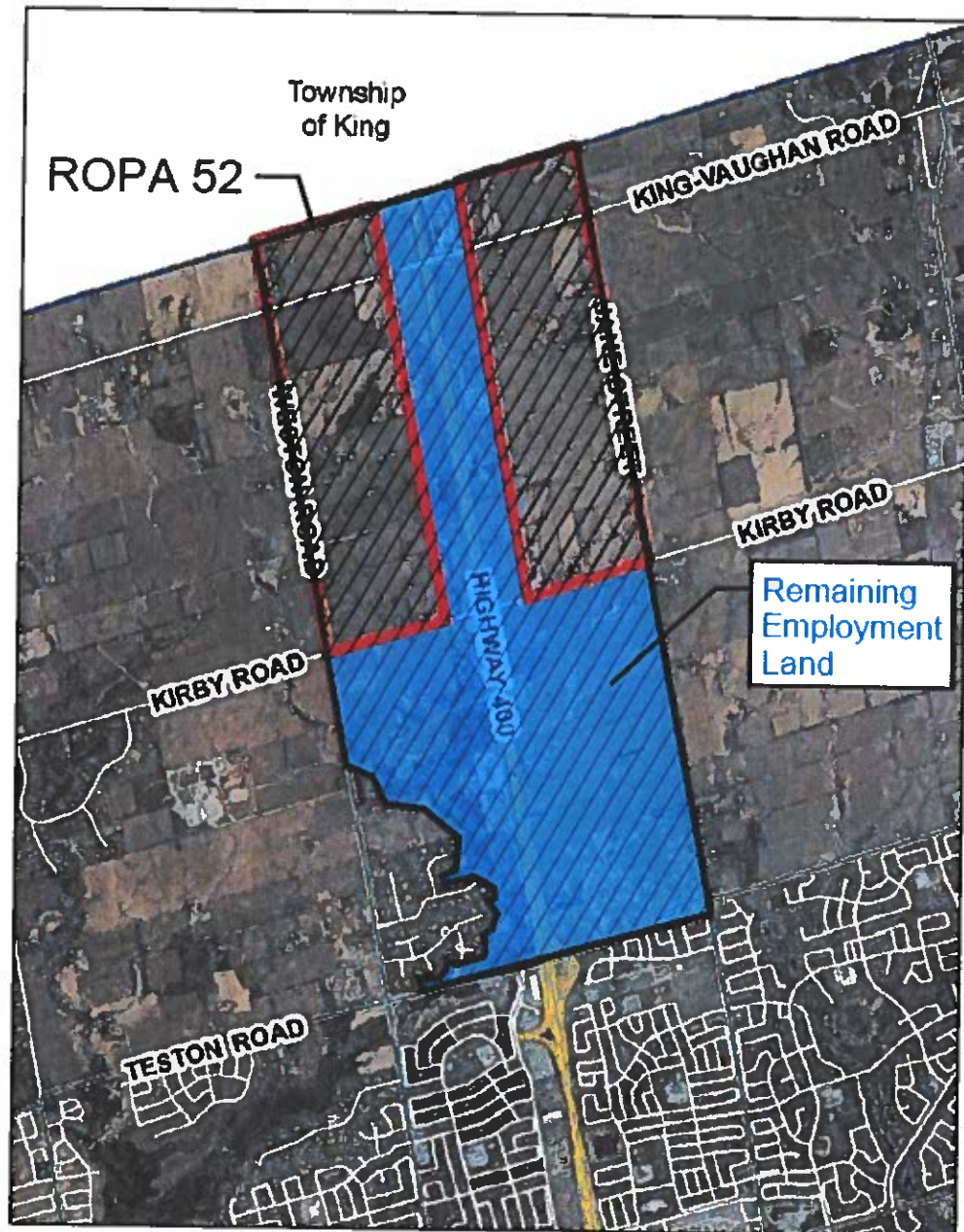


Figure 2: Vaughan 400 North Employment Area Partial Conversion in Context

Figure 2 demonstrates that the Staff Report does not properly show the actual scale and scope of the partial conversion request. We are concerned that this has the potential to improperly influence the outcome of the decision-making process.

As is far more apparent from Figure 2 than from Figure 1, the Group's intent is to establish a land use pattern consisting of an appropriate mix and range of residential, employment, institutional, recreational, park and open space uses. In other words, what Figure 2 shows, and Figure 1 does not, is that the Group proposes planning for a complete community.

There is another problem of incompleteness in the Staff's Figure 1, revealed in our Figure 3:

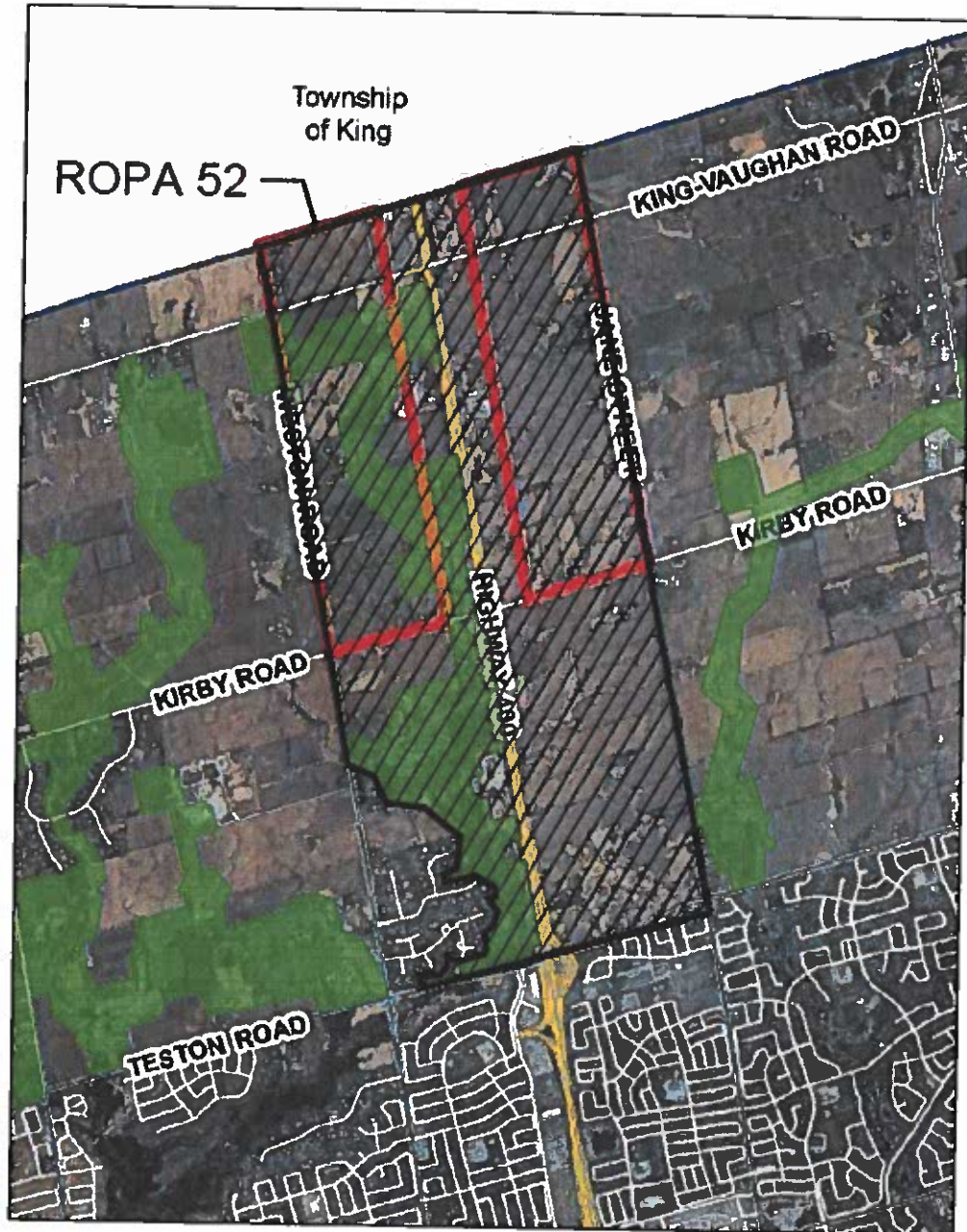


Figure 3: Greenbelt Plan Areas of the Vaughan 400 North Employment Area

Figure 3 shows the impact of the *Greenbelt Plan* on the ROPA 52 area, which the Staff Report's Figure 1 does not. It is apparent that much of the land in Block 35W which is proposed for conversion to residential is, in fact, in the Greenbelt, and is not available for employment development in any case. The Staff Report's Figure 1 therefore exaggerates the amount of employment land that will be lost to the partial conversion.

As is also apparent from Figures 2 and 3, the Group's request locates Prestige Employment uses along Highway 400, ensuring exposure and accessibility, while establishing residential land uses further to the east and west, along the edges of Jane Street and Weston Road. In this regard, it is important to note that Jane Street has been identified as a *Regional Transportation Corridor*, which is intended to be the focus of major transit investment, and evolve into a highly active, transit-orientated corridor geared towards residential and commercial growth.

We are also concerned about the reasons provided against the partial conversion in the Staff Report. Staff identified the unavailability of servicing as the primary reason why the Subject Lands have not been able to develop for employment uses. While this is a factor, there are others, including:

1. The size of the employment area is too large when compared to market demand in this location. And, when seen in the context of the estimated supply of vacant employment lands in the Region and City, there is an over-supply available to accommodate projected employment growth over the next planning horizon.
2. Continuing uncertainty over the status of the GTA West Corridor makes it extremely difficult to develop for employment uses. Leaving aside the ongoing disputes about routing the Corridor, there is no funding plan for the infrastructure itself.
3. Since the approval of ROPA 52 in November of 2011 and subsequent approval of OPA 637, there has been no capital plan for or investment in the necessary servicing infrastructure. The Regional and City infrastructure required to serve the Subject Lands was expected to proceed in a coordinated manner with the Highway. This has not happened.

The proposed partial conversion offers the potential to contribute private funding to extend servicing to this location in coordination with other landowner organizations. The Group is actively engaged in efforts to facilitate the provision of Regional infrastructure that would provide for the extension of municipal sanitary servicing, not only for the Subject Lands, but in conjunction with Block 27.

Finally, and perhaps most importantly, a City recommendation on the Group's request is premature subject to the completion of the forthcoming Regional land needs assessment, which is in turn awaiting direction from the Province's forthcoming land needs assessment methodology.

The Regional land needs assessment, when completed in accordance with the new Provincial methodology, will provide essential input to a comprehensive analysis of the supply of residential and employment lands. This is necessary in order to properly evaluate population

and job growth forecasted to 2041, and must be considered in determining the appropriateness of site-specific employment area conversions.

Also relevant to this undertaking will be the anticipated updated 2041 population and job forecasts from the Province, which will permit a fully-informed assessment by the Region with input from the City and other local municipalities.

In summary, HPGI disagrees with Staff's analysis and recommendation. We respectfully ask that your Committee recommend to Council that the City defer adoption of any position on site-specific Request No. 7 until the land needs assessment is completed by the Region.

If the Committee and Council are not comfortable with a deferral, then we submit that Staff's reasoning does not justify its recommendation of refusal, and that for the reasons outlined above, the appropriate decision would be to support approval of the partial conversion.

Yours sincerely,
HUMPHRIES PLANNING GROUP INC.



Rosemarie Humphries, BA, MCIP, RPP
President

cc: Mr. Bill Kiru, Acting Deputy City Manager, City of Vaughan
Mr. Paul Bottomley, Manager of Policy, Research and Forecasting, Regional Municipality of York
Vaughan 400 North Landowners Group Inc.
Mr. Michael Melling, Davies Howe LLP, Counsel to the Vaughan 400 North Landowners Group Inc.

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

May 19, 2020
HPGI File: 18564

**COMMUNICATION : C 9
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles, City Clerk

**Re: Staff Report– Requests for Comments: York Region Evaluation of Employment Land
Conversion Requests
Committee of the Whole Meeting – May 20, 2020
Alvit Developments Inc. & Robvit Developments Inc.
11, 23, 37 Jacob Keffer Parkway, City of Vaughan**

Humphries Planning Group is the agent and planning consulting for Alvit Developments/Robvit Developments Inc., the legally registered owners of the properties municipally addressed 11, 23, 37 Jacob Keffer Parkway in the City of Vaughan. We have made previous written submissions to the City and Region requesting land use conversion of the subject land for the purposes of adding residential land use permissions to the subject site. The intended use of the subject site would be to accommodate the redevelopment of the property for a residential mid-rise mixed-use development. It is anticipated that this building format would be complimentary to all surrounding land uses, provide convenient pedestrian access to the Rutherford Go Station and substantially contribute to creating a complete community through redevelopment of the site.

We have reviewed the Planning and Growth Management Report dated May 20th, 2020 with our client and respectfully disagree with the recommendations contained in the Report. We provide the following comments for consideration as the City advances their assessment and endorsement of site-specific employment land conversion requests which will be used to inform and assist the Region in identifying suitable locations for employment conversions through potential amendments to the Regional Official Plan and current land use planning policies.

Site Specific Conversion Request

The Alvit Developments/Robvit Developments Inc. employment conversion request is identified as Request Number 4 in Attachment 4 – *Summary Table of Staff Recommendations* of the Committee of the May 20, 2020 Committee of the Whole Report.

Staff's Summary of Assessment is that, *"the site is bounded by industrial uses on three sides and the request may destabilize or adversely affect current or future viability and/or identity of the*

Attn: Todd Coles, City Clerk

Re: Committee of the Whole Meeting – May 20, 2020

Alvit Developments Inc. & Robvit Developments Inc.

11, 23, 37 Jacob Keffer Parkway, City of Vaughan

Page 2

employment area". Further, the conversion could potentially prejudice the future of the current uses and create expectation of further conversions. As a result of this assessment, Staff's recommendation is that they, *"do not support the request for conversion"*, at this time.

Comments on Staff's Position

Firstly, we are concerned Staff's assessment that the property is surrounded by employment uses on three sides is not accurate. As seen in Figure 1 below, the property is bounded by low-rise residential uses to the north, open space/natural areas with direct access to a formal recreational trailway system to the east, and a vacant undeveloped lot to the south. Further, it is noted that although the lands located on the west side of Jacob Keefer Parkway are designated as employment, they are predominantly occupied by commercial, retail and restaurant uses. Despite the fact that the area was intended to primarily accommodate a cluster of industrial activities, it has not fully developed for these purposes. The property does not form part of a contiguous employment area as staff have suggested. The subject site is more indicative of an island parcel with only a partial linkage to other potential employment uses. As such, the proposed conversion will not destabilize the viability of the employment area nor would it impact the ability for the employment area to operate successfully.



Figure 1: Surrounding Context

Secondly, questions of precedent and prejudice respecting the conversion have been highlighted by Staff. Notwithstanding our concerns with this type of statement, if staff are concerned with the potential setting of a precedent as a result of the conversion, it is our contention that it is minimal here for two primary reasons. As indicated above, the property is anomalous in terms of its context with respect to surrounding land uses. The combined effect of the diversity of surrounding land uses together with the existing character of the area would suggest that the parcel is unique. Very few other parcels in the immediate area exhibit similar interfaces with

Attn: Todd Coles, City Clerk
Re: Committee of the Whole Meeting – May 20, 2020
Alvit Developments Inc. & Robvit Developments Inc.
11, 23, 37 Jacob Keffer Parkway, City of Vaughan
Page 3

residential and open spaces uses and generally form part of larger, connected employment land areas. Their conversion would yield a demonstrably different outcome which would fall short of the Regional and Provincial assessment criteria. Further, it is important to note that although approval of some site-specific conversion may potentially influence the submission of subsequent conversion requests in future, the decision alone would not justify approval of a similar type application. It is our understanding of the process that all future conversion requests would be evaluated based on their own unique circumstances and merits in the context of the policy objectives and directives at that time. As such, the proposed conversion would not prejudice Staffs decision and/or appraisal of current and/or future employment conversion requests.

Finally, it remains our contention that a Staff recommendation on the conversion request is premature subject to the completion of the Land Needs Assessment (LNA) including updated population and job forecasts by the Province. The LNA will provide important technical inputs obtained through the comprehensive analysis of the supply of residential and employment designated lands are required in order to properly evaluate population and job growth forecasted to the year 2041 and should be considered in determining the appropriateness of site-specific employment area conversions. Any recommendations with respect to employment conversion requests should not preclude or predetermine the findings of the LNA and/or any decision related to employment conversion should be delayed until such time that a full analysis of all information has been completed.

For the reasons stated above, HPGI disagrees with Staff's recommendation. We ask that City Staff and Council reconsider the recommendation, as it relates to site specific conversion request number 4, and instead, support our client's employment conversion based on our comments and concerns outlined herein. Further, we also suggest that the City pause any final decision related to employment area conversions pending to the completion of the LNA by the Region in order to ensure an equitable and comprehensive review and evaluation process.

Yours sincerely,

HUMPHRIES PLANNING GROUP INC.



Rosemarie Humphries, BA, MCIP, RPP
President

cc: Mr. Goffredo Vitullo
Bill Kiru, Acting Deputy City Manager, City of Vaughan
Mr. Paul Bottomley, Manager of Policy, Research and Forecasting
Mayor and Members of Vaughan Council

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

May 19, 2020
HPGI File: 18551

**COMMUNICATION : C 10
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles, City Clerk

**Re: Staff Report– Requests for Comments: York Region Evaluation of Employment Land
Conversion Requests
Committee of the Whole Meeting – May 20, 2020
2276771 Ontario Inc.
2739 Highway 7**

Humphries Planning Group is the agent and planning consulting for 2276771 Ontario Inc., the legally registered owners of the property municipally addressed 2739 Highway 7 in the City of Vaughan. Our client has reviewed the Planning and Growth Management Report dated May 20th, 2020 and respectfully disagree with the recommendations contained in the Report. We would like to offer the following comments for consideration as the City advances their assessment and endorsement of site-specific employment land conversions requests which will be used to inform and assist the Region in identifying suitable locations for employment conversion through potential amendments to the Regional Official Plan and current land use planning policies.

Site Specific Conversion Request

The 2276771 Ontario Inc. employment area conversion request is identified as Request Number 12 in Attachment 4 – *Summary Table of Staff Recommendations* of the Committee of the May 20, 2020 Committee of the Whole Report.

Staff's Summary of Assessment is that, *"the land is surrounded by employment uses and the introduction of sensitive uses, including residential, to the area would create compatibility issues"*. Further, the site is in proximity to the VMC Secondary Plan Area and the conversion would constitute an unplanned expansion of the defined secondary plan area. As a result of this assessment, Staff's recommendation is that they, *"do not support the request for conversion"*, at this time.

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

www.humphriesplanning.com
~ Do Something Good Everyday! ~

Comments on Staff's Position

In general, although it is recognized that the site is surrounded by employment designated lands, it is important to note that the existing land uses, especially those located on or adjacent to Highway 7 are currently not being used for traditional employment type uses such as warehousing and manufacturing. Rather, they appear to be more service and commercial orientated due to their frontage and access to Highway 7 which offers these types of businesses a high degree of exposure and accessibility. Despite the fact that the area was intended to primarily accommodate a cluster of industrial activities, however, for a number of reasons, it has not fully developed for these purposes. It should be noted that the subject property is currently utilized for the outside display or storage of vehicles associated with a vehicle dealership which offers little to no benefits to other employment area businesses. Further, the site, as well as other parcels in the immediate vicinity currently benefit from a Commercial land use designation and zoning, which, is not considered as an employment land use designation.

Secondly, the property is located in an area which generally meets the criteria for a Key Development Area as defined by the York Region Official Plan as well as Provincial plans as they can be identified as "*lands immediately adjacent to transit terminals*". MTSAs are defined as a 400 to 800 metre radius around a transit station. The Creditstone BRT Station is located approximately 100 metres away and within the prescribed radius and along the Highway 7 planned rapid transit corridor. MTSAs are the focus for accommodating intensification and are planned to contain a mix of housing, employment, and public open space in order to support the use of public transit. Further, Highway 7 is contemplated to be developed as a mixed-use corridor with an emphasis on focusing height and density along the regional rapid transit corridor and within proximity of planned regional bus terminals. The conversion of the site would contribute to the fulfillment of this objective.

Thirdly, the Region has invested significant capital resources in the expansion and maintenance of Regional roads and transit system improvements, with a number of large projects currently underway or have been fully delivered. Specifically, the segment of Highway 7 abutting the property has benefited from significant streetscape design enhancements through the provision of elements such as street tree planters, decorative street lighting, banner poles, street furniture, dedicated cycling routes, and pavers (Figure 2). This shift and context sensitive approach to streetscape design reflects an emphasis on a pedestrian orientated pattern of development which is relied upon from vibrant mixed-use communities.

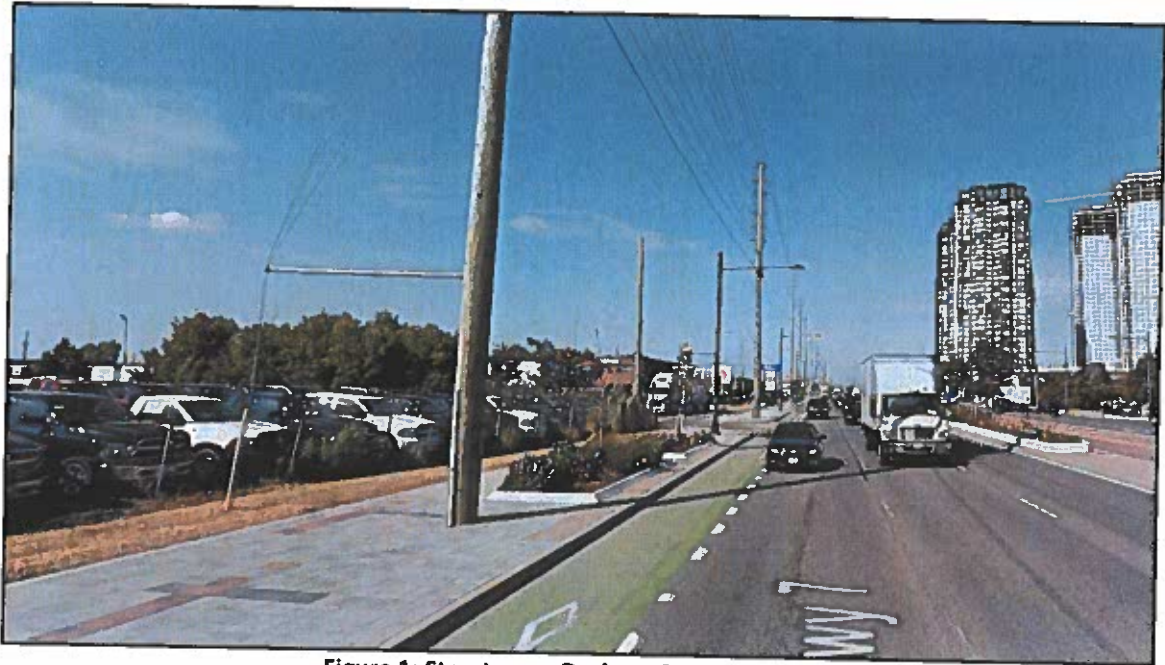


Figure 1: Streetscape Design – 2739 Highway 7

Lastly, in their Report, Staff have identified potential compatibility issues arising from the introduction of sensitive land uses in proximity to other employment uses. We do not agree with this assessment and highlight other successful developments within the City (i.e. VMC, Block 33 W) which have established appropriate transitions between employment and residential uses. There are a number of built form and urban design strategies that can be implemented in future design that would help to overcome interface challenges with the broader industrial setting and address the relationship between uses.

Finally, it remains our contention that a Staff recommendation on the conversion request is premature subject to the completion of the Land Needs Assessment (LNA) including updated population and job forecasts by the Province. The LNA will provide important technical inputs obtained through the comprehensive analysis of the supply of residential and employment designated lands are required in order to properly evaluate population and job growth forecasted to the year 2041 and should be considered in determining the appropriateness of site-specific employment area conversions. Any recommendations with respect to employment conversion requests should not preclude or predetermine the findings of the LNA and/or any decision related to employment conversion should be delayed until such time that a full analysis of all information has been completed.

For the reasons stated above, HPGI disagrees with Staff's recommendation. We ask that City Staff and Council reconsider the recommendation, as it relates to site specific conversion request number 12, and instead, support our client's employment conversion based on our comments and concerns outlined herein. Further, we also suggest that the City pause any final decision related to employment area conversions pending to the completion of the LNA by the Region in order to ensure an equitable and comprehensive review and evaluation process.

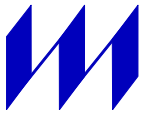
Attn: Mr. Todd Coles C 10 - Page 4 of 4
Re: Committee of the Whole Meeting – May 20, 2020
2739 Highway 7 for 2276771 Ontario Inc.
Page 4

Yours sincerely,
HUMPHRIES PLANNING GROUP INC.

A handwritten signature in blue ink, appearing to be 'Rosemarie', written over the company name.

Rosemarie Humphries, BA, MCIP, RPP
President

cc: Mr. Luigi Iacobelli
Bill Kiru, Acting Deputy City Manager, City of Vaughan
Mr. Paul Bottomley, Manager of Policy, Research and Forecasting
Mayor and Members of Vaughan Council



**WESTON
CONSULTING**

planning + urban design

**COMMUNICATION : C 11
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

May 19, 2020
File 7255

**Attn: Members of City Council
City of Vaughan**

Dear Mayor Bevilacqua and Council;

**RE: Region of York Municipal Comprehensive Review
Evaluation of Employment Land Conversion Requests
20 Roysun Road, Vaughan**

Weston Consulting is the planning consultant for Co-Mart Holdings Limited, the registered owner of the property municipally addressed as 20 Roysun Road in the City of Vaughan (herein referred to as the "subject property"). Weston Consulting has been engaged to provide assistance to the landowner with respect to the ongoing York Region Municipal Comprehensive Review ("MCR") process.

We have reviewed the Staff Report, dated May 20, 2020, and associated attachments (Committee of the Whole Item 10) as they relate to City Staff's recommendation on the subject property and the active employment conversion request. As a result of the current global COVID-19 pandemic and its associated implications, it has not been reasonably possible to properly address the issues Regional and City staff have raised with respect to the active employment conversion request for the subject property. As such, we respectfully request that consideration of the proposed conversion request and staff's recommendations be deferred for 30 days to allow for the identified issues to be appropriately addressed.

Property Description and Background

The subject property is located on the northwest corner of Roysun Road and Martin Grove Road, south of Highway 7, in the City of Vaughan. It is rectangular in shape and has a total area of approximately 0.8 hectares (1.98 acres). The property has approximately 62.6 metres of frontage along Roysun Road and approximately 80.1 metres of frontage along Martin Grove Road. The subject property is currently vacant and void of any significant vegetation.

The subject property is located on the eastern boundary of an existing employment area extending northwest of the site and containing a mix of uses including commercial, industrial and other

employment-related uses. Despite being located within a designated employment area, the subject property is currently vacant and does not offer any employment opportunities nor does it contribute to the viability of the surrounding employment area. As such and despite being adjacent to employment uses and having access to a minor arterial road, the property currently contributes minimal employment opportunities to the local, regional and provincial economy.

Based on the location of the subject property at the edge of the proposed PSEZ, and considering the varying land use context surrounding the site, particularly the institutional and recreational uses to the east, it is our opinion that the subject property would be suited for a greater range and mix of uses, which includes increasing the current level of employment, while also introducing compatible commercial and residential uses in a mixed-use context.

The subject property is located within the *“Urban Area”* in accordance with Map 1- Regional Structure of the current York Region Official Plan (“YROP”). The Urban Area is intended to accommodate a significant portion of the Region’s planned growth. Additionally, the property is located just south of Highway 7, which is designated as a *“Regional Corridor”* by the YROP. Regional Corridors are areas intended to accommodate the second highest degree of intensification in the Region. The subject property’s location in proximity to this important intensification corridor provides opportunity for redevelopment to support the significant densities planned to be accommodated along the Highway 7 Regional Corridor.

The City of Vaughan Official Plan (“VOP”) identifies the subject property within an *“Employment Area”* per Schedule 1 – Urban Structure and further designates the property as *“Prestige Employment”* in accordance with Schedule 13 – Land Use. The current land use permissions for the subject property prohibit residential and mixed-use development similar to that occurring on the nearby lands immediately fronting Highway 7 to the north. Highway 7 to the north of the property is designated a *“Regional Intensification Corridor”* on Schedule 1 – Urban Structure and *“Mid-Rise Mixed-Use”* on Schedule 13 – Land Use. Regional Intensification Corridors are intended to function as the locations for the most intensive and greatest mix of development in the City.

Based on our assessment of the physical and policy context of the subject property, it is our opinion that the site is appropriate for an employment land conversion in order to support the institutional and recreation uses to the east. The intensification of the site with a broader range and mix of uses including office, commercial and residential uses would also support the function of Highway 7 to the north as a Regional Intensification Corridor by providing complementary and supportive uses and densities. The introduction of mixed-uses, including residential uses, is supported by the existing school and recreation facilities opposite Martin Grove Road, as well as the fact that the site is currently vacant and does not contribute any employment value to the community. The redevelopment of the subject property, that would be facilitated through the requested employment conversion, would provide an opportunity to accommodate more jobs on site than what currently exists, while also providing for live-work opportunities and the development of a complete and active community. Increasing the land use permissions for the subject property provided incentive for the redevelopment of the land at densities that are supportive of efficient use of land and compact built form.

Weston Consulting understands the assessment undertaken by Vaughan Staff but believes the above considerations merit further review and discussion.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 236 should you have any questions regarding this submission.

Thank you for the opportunity to provide these comments.

Yours truly,

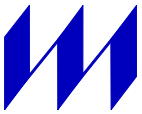
Weston Consulting

Per:

A handwritten signature in black ink, appearing to read 'K. Bechard', with a stylized flourish at the end.

Kevin Bechard, BES, M.Sc. RPP
Senior Associate

c. Client



**WESTON
CONSULTING**

planning + urban design

**COMMUNICATION : C 12
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

May 19, 2020
File 9816, 9819

Attn: Mayor Bevilacqua and Members of City Council

**RE: Response to Committee of the Whole (2) Report (Item 10)
Employment Lands Conversion Requests
20 and 40 Graniteridge Road and 351 Caldari Road
1-7, 2-8 and 10 Director Court and 3700 Steeles Avenue**

Weston Consulting is the planning consultant for the Sorbara Group of Companies, the group which represents *D.I.P. Holdings Inc.*, and *Director Industrial Holdings Inc.*, the registered owners of the properties municipally addressed as 1-7, 2-8 and 10 Director Court and 3700 Steeles Avenue West, as well as *Realty Growth II Inc.*, the registered owners of the properties municipally addressed as 20 and 40 Graniteridge Road and 351 Caldari Road, in the City of Vaughan (herein referred to as the “subject lands”). We have been engaged to provide assistance to Sorbara Group during York Region’s Municipal Comprehensive Review (“MCR”) process.

We have reviewed the Staff Report, dated May 20, 2020, and associated attachments (Committee of the Whole Item 10) as they relate to active employment conversion requests, and note that the subject lands have not been considered. The purpose of this letter is to request that Council direct Staff to consider the subject lands and report back to Committee of the Whole at a later date.

Property Description and Surrounding Area

The property located at 20 and 40 Graniteridge Road and 351 Caldari Road are three separate parcels of land located south-west of the major intersection of Rutherford Road and Jane Street. These parcels have a frontage along Graniteridge Road and Caldari Road and have a combined area of approximately 89,798 square metres (22.19 acres). These properties are currently occupied by light industrial uses, as well as related office and accessory sales uses, with the exception of 20 Graniteridge Road, which is currently occupied by a small distribution centre.

These lands are currently designated *General Employment* by the City of Vaughan Official Plan and occupied by general employment uses, however, they are in close proximity to the *Vaughan Mills Centre Secondary Plan* and its related planned residential and mixed-use designations.

The properties located at 1-7, 2-8 and 10 Director Court and 3700 Steeles Avenue West are four separate parcels of land located on the north side of Steeles Avenue, northeast of the major intersection of Steeles Avenue West and Weston Road. These lands have frontage along Steeles Avenue West and Director Court, and a combined area of approximately 43,589 square metres (10.77 acres).

1-7 and 2-8 Director Court and 3700 Steeles Avenue west are designated Employment Commercial Mixed-Use and 10 Director Court is designated Prestige Employment by the City of Vaughan Official Plan. All parcels are currently occupied by office uses, some of which are in an outdated format.

Background

On March 12, 2020, Weston Consulting submitted two letters to the Regional Municipality of York (copying Staff at the City of Vaughan) requesting consideration of the conversion of the subject lands to facilitate new mixed uses, but recognizing that the letter was being provided after the Region's deadline. In addition, on this date York Region Planning Staff issued a report to the Regional Committee of the Whole entitled "Planning for Employment and Employment Conversions". The Report outlined the various conversions throughout the Region, but did not include the subject lands, due to the late submission of the above noted letter. As such, on May 13, 2020, when the City of Vaughan released the report to be presented at the Committee of the Whole on May 20, 2020 entitled "*Request for Comments: York Region Evaluation of Employment Land Conversion Requests*", the subject lands were not considered or evaluated in the report.

It is our understanding that the Region's considerations of employment conversion requests will take place in the fall of 2020, thereby providing additional time for consideration and evaluation of requests, including those referenced herein. It is also our understanding that despite the Region's imposition of a "deadline" for conversion requests, no such statutory deadline is prescribed under the Planning Act.

Summary of Request and Next Steps

At this time, we respectfully request that Council direct Staff to consider the conversion requests outlined herein and report back to Committee of the Whole at a later date. As outlined in our March 12, 2020 letters to the Region of York, we recognize that our request was provided after the Region's deadline; however, it is our understanding that there is no statutory deadline under the Planning Act and that given the delay in consideration of requests by the Region, analysis of our requests should be undertaken.

Furthermore, given that the Region's process has been delayed for other reasons, it is our view that consideration of these requests would not impact the Region's overall timelines. Weston Consulting, on behalf of the owners, will continue to participate in the Regional MCR process.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 should you have any questions regarding this submission.

Yours truly,

Weston Consulting

Per:

A handwritten signature in black ink, appearing to read 'Ryan Guetter', written over a large, stylized oval shape.

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

- c. Sorbara Group of Companies
Bill Kiru, City of Vaughan
Fausto Filipetto, City of Vaughan
York Region Clerk
City of Vaughan Clerk



**COMMUNICATION : C 13
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 17**

DATE: May 15, 2020

TO: Hon. Mayor and Members of Council

FROM: Wendy Law, Deputy City Manager, Administrative Services & City Solicitor

RE: Draft Indemnification By-law

At the April 21, 2020 Committee of the Whole (2) meeting, Council asked staff to further review the Draft Indemnification By-law based on comments received at the meeting. Following this review, staff are proposing a few changes to the draft By-law, as attached and noted below:

- Clarification has been added to section 1(h)(vii) to confirm that the section does not prevent indemnification of Members of Council and Local Boards in the context of a proceeding brought under the *Municipal Conflict of Interest Act* (MCIA).
- A “set-off” section has been added to the By-law (section 3(7)). This new section confirms that where an Eligible Person is in default of the requirement to reimburse funds to the City under the By-law, the City may withhold an amount equal to the default from funds it owes to the Eligible Person. This set-off section is subject to the general requirement that set-off must be done in accordance with any applicable law. It is proposed that the City Manager, in consultation with the City Solicitor, may apply set off as applicable if the Eligible Person is a current or former employee. For all other Eligible Persons, it is recommended that Council confirmation is obtained prior to set off being applied. This new clause provides added measure for the City to obtain reimbursement of fees paid if necessary.
- In the context of Code Complaints and proceedings brought under section 8 of the MCIA, a limit on the quantum of indemnification for such proceedings may only be imposed if approved by Council. These proceedings are not covered by the City’s insurance and are not within the City’s litigation portfolio - those proceedings are separately reported to Council. As such, staff believe that it is appropriate to first seek Council’s confirmation prior to imposing a quantum on the indemnification.



- Various cosmetic changes have been made, as well as minor edits to wording for consistency. For example, additional wording in section 2(1) to further clarify the intent that indemnification applies to proceedings that have been commenced against an Eligible Person.

It is staff's recommendation that Recommendation #1 in the Report from the Deputy City Manager, Administrative Services and City Solicitor on the Indemnification Bylaw Amendments dated March 9, 2020 be deleted and replaced with the following:

1. That the Indemnification By-law, substantially in the form as attached to this Communication from the Deputy City Manager, Administrative Services and City Solicitor dated May 15, 2020, be enacted.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XX-2020

A By-law to provide for the indemnity and defence of members of council, members of local boards, and employees of the Corporation against loss or liability incurred while acting on behalf of the Corporation, and to repeal By-law 91-2011, as amended.

WHEREAS Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to govern;

AND WHEREAS Section 279(1) of the *Municipal Act, 2001*, as amended, provides that a municipality may, subject to certain limitations, act as an insurer and protect present and former members of council, local boards, employees, and officers from risk that may involve pecuniary loss or liability on the part of those individuals;

AND WHEREAS Section 283(1) of the *Municipal Act, 2001*, as amended, provides that municipalities may pay any part of the remuneration and expenses of the members of any local board of the municipality and the officers and employees of the local board;

AND WHEREAS Section 283(2) of the *Municipal Act, 2001* as amended, provides that a municipality may only pay the expenses of members of council, local boards, employees, and officers if the expenses are of those persons in their capacity as members, officers or employees, among other considerations;

AND WHEREAS Section 223.3(6) of the *Municipal Act, 2001*, as amended, provides that a municipality shall indemnify and save harmless the Integrity Commissioner or any person acting under the instructions of that officer for costs reasonably incurred by either of them in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a duty or authority under Part V.1 of the *Municipal Act, 2001*, as amended, or a by-law passed under it or an alleged neglect or default in the performance in good faith of the duty or authority;

AND WHEREAS the Integrity Commissioner is authorized under sections 223.4 and 223.4.1 of the *Municipal Act, 2001* to conduct inquiries as it relates to the Code of Ethical Conduct for Members of Council and local boards and the *Municipal Conflict of Interest Act*;

AND WHEREAS Section 8 of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.

50, as amended, allows an elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest to apply to a judge for a determination of the question of whether a member, or former member, has contravened section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*.

AND WHEREAS Section 14 of the *Municipal Conflict of Interest Act*, provides that a municipality may pass a by-law to protect a member of council or of any local board thereof against any costs or expenses incurred by the member as a result of a proceeding brought under *Municipal Conflict of Interest Act*, and for paying on behalf of or reimbursing the member for such costs or expenses, so long as the member has been found not to have contravened that Act.

NOW THEREFORE the Council of The Corporation of the City of Vaughan enacts as follows:

Section 1 - Definitions and Interpretation

- (1) In this By-law, unless a contrary intention appears,
 - (a) “Advance Payment” means payment by the Corporation of actual and reasonable legal fees incurred by an Eligible Person in the course of defending the Legal Proceeding, in advance of a final disposition of the Legal Proceeding;
 - (b) “Code” means the Code of Ethical Conduct for Members of Council and Local Boards, as amended;
 - (c) “Code Complaint” means a formal or informal complaint made to the Integrity Commissioner, and includes an inquiry under section 223.4 or 223.4.1 of the *Municipal Act, 2001*.
 - (d) “City” or “Corporation” means The Corporation of the City of Vaughan;
 - (e) “City Solicitor” means the City Solicitor of the Corporation, or designate;
 - (f) “City Manager” means the City Manager of the Corporation, or designate;
 - (g) “Eligible Person” means any of the following persons of the Corporation:
 - (i) a current or former member of Council;
 - (ii) a current or former member of a local board;
 - (iii) the current or former Integrity Commissioner, including any person acting under the instructions of the Integrity Commissioner;
 - (iv) the current or former Lobbyist Registrar;
 - (v) current or former officers and employees.

(h) "Legal Proceeding" means:

- (i) a civil proceeding or administrative action, including but not limited to an action, application, motion, hearing, trial; or
- (ii) a proceeding wherein a person is charged with an offence under the *Criminal Code*, R.S.C. 1985, c. C. 46 or the *Highway Traffic Act*, R.S.O. 1990, s. H.8; or
- (iii) a proceeding brought under section 8 of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M. 50, as amended (the "MCIA"); or
- (iv) a Code Complaint; or,
- (v) a complaint to a professional association;

But excludes:

- (vi) any proceeding commenced by the Corporation;
- (vii) any proceeding in which the Corporation is a party adverse in interest. For greater certainty, this section 1(h)(vii) does not prevent indemnification of Members of Council and Local Boards in the context of a proceeding brought under the MCIA.; or
- (viii) any proceeding under the *Municipal Elections Act*, 1996, S.O. 1996, c. 32, Sched., as amended.

Section 2 - Indemnification of Eligible Persons

- (1) Subject to the provisions of this By-law, the Corporation shall indemnify an Eligible Person, and his or her heirs and legal representatives, in respect of any Legal Proceeding that has been commenced against, and arises out of acts or omissions done or made by, the Eligible Person:
 - (a) in his or her capacity as an Eligible Person, including those acts or omissions arising from the performance of any statutory duty imposed by any general or special Act; and
 - (b) acting in good faith and based on the reasonable belief that such acts or omissions were lawful and in the best interests of the Corporation or local board as applicable.
- (2) The Corporation shall reimburse members of Council and local boards for expenses incurred in obtaining legal advice to determine whether the member has a pecuniary interest in a matter which is the subject of consideration by council or a board.
- (3) If an Eligible Person qualifies for indemnification in a Legal Proceeding under this By-law, the City will assume carriage of the Legal Proceeding on behalf of the

Eligible Person, unless the City Solicitor determines that the City cannot represent the Eligible Person. For greater certainty, the City shall not assume carriage of a Legal Proceeding referred to in 1(h)(iii) or 1(h)(iv) above.

- (4) Where the City Solicitor determines that the City cannot represent the Eligible Person, the City Solicitor may request that the Eligible Person retain independent legal counsel and be indemnified for legal fees in accordance with this By-law.
- (5) The City Solicitor shall have the right to request that an Eligible Person obtain their own legal counsel at any time during the course of the Legal Proceeding if the City Solicitor is of the opinion that it is no longer appropriate for the City to defend and represent, or to continue to defend and represent the Eligible Person.
- (6) Where the City assumes the defence of a Legal Proceeding on behalf of an Eligible Person, the Eligible Person shall co-operate with the City and assist the City in the defence of the Legal Proceeding, as required by the City. This includes providing timely and fulsome responses to requests for information and attending the proceedings and meetings, as required.
- (7) Where an Eligible Person fails to co-operate and assist the City in accordance with section 2(6), the City Solicitor may determine that it would be inappropriate for the City to defend and represent, or continue to defend and represent, the Eligible Person, and the Eligible Person will no longer qualify for indemnification in respect of the Legal Proceeding.
- (8) If the City defends and represents the Eligible Person in a Legal Proceeding, the City shall not be responsible for any legal or other costs incurred by the Eligible Person unless such expenses have been pre-approved by the City Solicitor.

Section 3 - Process to Request Indemnification

- (1) If an Eligible Person is required to obtain their own legal representation pursuant to section 2, or if the Eligible Person is seeking to be reimbursed for legal expenses pursuant to section 2(2), he or she may make a written request for indemnification,
 - (a) to the City Solicitor; or,
 - (b) where the City Solicitor is the person seeking indemnification, to the City Manager; or
 - (c) where both the City Manager and the City Solicitor are named as parties in the legal proceeding giving rise to the request, to Council.
- (2) Upon receipt of a request for indemnification, the City Solicitor, or City Manager as applicable, shall provide a written response within 10 business days of delivery of the request.

Advance Payment

- (3) A written request referred to in section 3(1) may include a request for Advance

Payment of actual and reasonable legal fees. In the absence of such a request for Advance Payment, payment of legal fees shall be made after a final disposition of the Legal Proceeding or the completion of the matter referred to in section 2(2) as appropriate (where a final disposition includes termination or settlement of a Legal Proceeding).

- (4) Any Advance Payment made by the Corporation is subject to:
 - (a) A cap of \$25,000 if the Advance Payment is not assumed or paid for by the Corporation's insurer;
 - (b) the requirement to reimburse the City, as set out in sections 5(2), 5(3), and 5(4); and
 - (c) the condition that, if repayment of legal fees is required under this Bylaw, that repayment shall be made within 90 days of the final disposition of the Legal Proceeding.
- (5) If an Eligible Person wishes to seek Advance Payment for an amount exceeding \$25,000 as provided in section 3(4)(a), the City Solicitor shall bring a report to Council for direction.
- (6) If at any point the Eligible Person wishes to deviate from the repayment obligations to repay the City within 90 days, the Eligible Person shall make a request to the City Solicitor who shall bring the matter to Council to seek direction and approval.
- (7) If the Eligible Person is in default of the requirement to reimburse the City under this By-law, the City may retain an amount equal to the Eligible Person's default from amounts the City owes to the Eligible Person, to the extent allowed by law ("set-off"). In the case of a current or former employee who defaults in reimbursement, the City Manager, in consultation with the City Solicitor, shall have the authority to direct such set-off be applied. In the case of other Eligible Persons, the City Solicitor shall bring the matter to Council to confirm approval before set-off is applied.

Approval of Lawyer

- (8) A written request for indemnification referred to in section 3(1) may include a request for approval of a lawyer chosen by the Eligible Person, or may request that the City Solicitor suggest three lawyers.
- (9) Notwithstanding section 3(8), in the case of proceedings referred to in section 1(h)(iii) or 1(h)(iv), the Eligible Person shall not require approval of their lawyer by the City.
- (10) Where a request for indemnification seeks approval of a lawyer chosen by the Eligible Person in accordance with section 3(8), the response by the City Solicitor, acting reasonably, shall also:

- (a) approve the request to retain the lawyer chosen by the Eligible Person; or
 - (b) deny the request and suggest three lawyers of the Corporation's choice who could represent the Eligible Person in the Legal Proceeding at issue.
- (11) Where the City Solicitor has suggested three lawyers, the Eligible Person shall select from the list and shall notify the City Solicitor of the selection, within 5 calendar days of receipt.

Section 4 - Eligible Persons Served with Process

- (1) Subject to section 4(2), where an Eligible Person is served with any document which initiates a Legal Proceeding, he or she shall forthwith deliver the document to the City Solicitor.
- (2) Where a Member of Council or local board receives a Code Complaint the Member of Council or local board may request permission from the Integrity Commissioner to disclose the existence and general nature of the complaint to the City Solicitor in support of their request for indemnification under this By-law.

Section 5 - Manner and Extent of Indemnification

- (1) The Corporation shall provide indemnification to an Eligible Person as follows under this By-law:
 - (a) Assume carriage of the defence on behalf of the Eligible Person or pay the actual and reasonable expenses of defending such Eligible Person in the Legal Proceeding; and/or,
 - (b) pay any damages or costs, including any monetary penalty, or award against such Eligible Person as a result of a Legal Proceeding; and/or,
 - (c) pay, either by direct payment or by reimbursement, any expenses reasonably incurred by the Eligible Person as a result of a Legal Proceeding or a request for payment of fees under section 3; and/or,
 - (d) pay any sum required in connection with the settlement of a Legal Proceeding, provided that the City Solicitor approves the terms of the settlement;

to the extent that such costs, damages, expenses, monetary penalty, other award or other sums related to the Legal Proceeding are not assumed, paid or reimbursed under any provision of the Corporation's insurance for the benefit and protection of such person against any liability incurred by him or her.

- (2) If it is determined in a Legal Proceeding that an Eligible Person's acts or omissions giving rise to the Legal Proceeding:

- (a) did not arise out of acts or omissions done or made by the Eligible Person in his or her capacity as an Eligible Person; or
- (b) were not done or not made in good faith; or
- (c) were not based on the reasonable belief that such acts or omissions were lawful and in the best interests of the Corporation,

the Eligible Person shall not be eligible for indemnification under this By-law, and shall be required to reimburse the Corporation for all funds paid on the Eligible Person's behalf pursuant to this By-law within 90 days of such a determination.

- (3) An Eligible Person is not entitled to indemnification under this By-law and must reimburse the Corporation for any legal fees paid by the Corporation in respect of a Legal Proceeding if:
 - (a) the Eligible Person is convicted of an offence in the case of a Legal Proceeding under section 1(h)(ii); or
 - (b) In the case of a proceeding brought under section 8 of the *MCIA*, the member of Council or local board has been found to have contravened section 5, 5.1 or 5.2 of the *MCIA*; or
 - (c) In the case of a Code Complaint, where a contravention has been found, unless:
 - (i) the contravention has occurred by reason of inadvertence; or
 - (ii) the contravention has occurred by reason of a bona fide error in judgment.
- (4) If an Eligible Person receives a payment through a costs award or settlement in respect of a Legal Proceeding for which the City has indemnified the Eligible Person, such amounts must be paid to the City upon receipt by the Eligible Person.
- (5) The City Solicitor, acting reasonably, may request or impose one or all of the following:
 - (a) Budgets for anticipated legal expenses; and/or
 - (b) Status Updates in respect of the progress of the proceedings; and/or
 - (c) A limit on quantum of indemnification for legal fees. For Legal Proceedings under section 1(h)(iii) and 1(h)(iv), a limit on the quantum of indemnification for legal fees shall only be imposed after such has been approved by Council.
- (6) If there is a dispute between the City Solicitor, acting reasonably, and the Eligible Person with respect to the account for legal expense payments, the City Solicitor may require that such account for reimbursement be assessed by a Court Assessment Officer prior to payment by the Corporation. The Corporation shall have the right to limit the amount which it will reimburse, or provide Advance

Payment, to the amount arrived at by the Court Assessment Officer.

- (7) The City Solicitor shall be provided with copies of the statements of account on a monthly basis, which shall outline all fees and disbursements, and shall be provided with information relating to these accounts, as may be requested from time to time, in order to determine reasonableness of the account before any payment would be made.

Section 6 - Failure to Comply with By-law / Exclusions

- (1) If an Eligible Person who has been approved to receive indemnification fails or refuses to comply with any of the provisions of this By-law, or in the event of one or more of the following:
 - (a) the Eligible Person or his or her lawyer takes a step which is unnecessary, or is otherwise prejudicial to the conduct of the Legal Proceeding, as determined by the City Solicitor; or
 - (b) the quantum of indemnification exceeds the Budget referred to in section 5(5); or
 - (c) the maximum amount of indemnification approved has been paid, or
 - (d) the Eligible Person commences a counterclaim, crossclaim, third party claim, application for judicial review, or other proceeding related to the Legal Proceeding for which reimbursement is sought, without first obtaining prior approval from the City Solicitor,

then the Corporation shall not be liable to assume or pay any of the costs, damages, expenses, monetary penalty or other sums as set out in this By-law.

Section 7 - Appeal

- (1) Notwithstanding other provisions of this Bylaw, where a person seeks to appeal or bring an application for judicial review with respect to a judgment or decision in a Legal Proceeding covered by this By-law, the Corporation shall have the sole discretion to determine whether the expenses of the appeal or judicial review will be covered by this By-law. If an individual pursues an appeal or application for judicial review without representation by the Corporation and is successful in that appeal, the Corporation shall have sole discretion to determine whether the Eligible Person shall be indemnified for his or her legal expenses.

Section 8 - Executive Acts Authorized

- (1) The City Solicitor is authorized to execute any necessary documents on behalf of the Corporation in order to give effect to this By-law according to its true intent and meaning.
- (2) Nothing in this By-law shall prevent the City Solicitor from bringing a report to Council to seek direction on any matter related to indemnification.

Section 9 – Repeal

- (1) By-law 91-2011, as amended, is hereby repealed.

Section 10 - Force and Effect

- (1) This By-law comes into force on the day it is passed. For greater certainty:
- (a) For ongoing Legal Proceedings where the Corporation has assumed the defence of the matter on behalf of an Eligible Person, the City will continue to defend the Legal Proceeding on the Eligible Person's behalf, subject to the terms of this By-law.
 - (b) For all Legal Proceedings where indemnification was authorized under Bylaw 91-2011, as amended, those existing indemnification approvals will continue under this By-law, and be subject to the terms of this By-law.
 - (c) For ongoing Legal Proceedings in which an Eligible Person was required to retain their own counsel, including Code Complaints filed with the Integrity Commissioner prior to the enactment of this By-law where a final disposition has not been rendered, the provision of this By-law will apply.

Enacted by City of Vaughan Council this 27th day of May, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. __ of
Report No. __ of the Committee
of the Whole
Adopted by Vaughan City
Council on May __, 2020

File: P-2179

May 16, 2020

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

**COMMUNICION : C 14
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Attention: Mr. Bill Kiru,
Acting Deputy City Manager

Re: Request for Comments: York Region Evaluation of Employment Land Conversion
Requests
1406979 Ontario Inc.
Part of Lots 4 and 5, Concession 9, South of Highway 7 (Adjacent) between
Huntington Road and Highway 427 (ID 25)
City of Vaughan, Region of York

Dear Mr. Kiru,

On behalf of our clients, 1406979 Ontario Inc. (affiliate of the ZZEN Group), owner of the subject lands, I wish to provide the below as it relates to the City of Vaughan's recommendation on their employment land conversion request as submitted to York Region. Our client (the "Owner"), made a request to participate in the Region's Official Plan Municipal Comprehensive Review (MCR) and that the lands not be designated as employment lands, as is now required under the 2019 Growth Plan, on November 27, 2019. This request is to allow our client and the City of Vaughan to develop alternative mixed-use land use permissions through the upcoming comprehensive review of the City of Vaughan Official Plan.

We understand that as part of the MCR process, both the City of Vaughan (the "City") and Region of York (the "Region") held stakeholder meetings with those submitting requests to participate in the MCR. Unfortunately, neither the City nor Region extended an invitation to meet and discuss our proposal in advance of providing their recommendations to their respective Councils. While we have had subsequent conversations with City staff on our proposal, my client does not feel they were provided the appropriate opportunity thus far to participate in the MCR. This letter will help

to clarify the proposal, provide the context and attempt to address staff comments and concerns in lieu of being provided a stakeholder meeting.

The lands subject to the request (the “Subject Lands”) are located on the south side of Regional Road 7 (formerly Highway 7), east of Old Huntington Road and immediately west of the future Ministry of Transportation (the “MTO”) owned transit station site located on the southwest corner of Regional Road 7 and Highway 427. The lands have a total developable area of 10 hectares and are currently designated as *Employment Commercial Mixed Use* in the City of Vaughan Official Plan. This designation currently permits Office, Hotel, Cultural Entertainment and small-scale Retail uses only in mid-rise buildings. The subject lands are at the approximate periphery of the larger Vaughan Enterprise Zone (the “VEZ”) employment area that abuts the western boundary of the City of Vaughan and Region of York.

As noted by City staff, the Growth Plan 2019 now requires upper tier municipalities, such as the Regional Municipality of York, to designate employment lands in the Region through an MCR of the Region’s Official Plan. Further, the Growth Plan requires private landowner request to redesignate employment land for a purpose other than employment, an employment land conversion, to be assessed with specific criteria during the MCR of the Region’s Official Plan. The Growth Plan provides the clarity that, maintaining employment uses while adding residential and retail uses, regardless of the number of jobs maintained, is still to be considered an employment land conversion. The planned build out for the Vaughan Enterprise Zone (the “VEZ”) contemplates the accommodation of approximately 60,000 jobs over an area of more than 1,500 hectares. The Owner currently provides approximately 3,000 jobs in the immediate area through its numerous business operations and they seek to maintain the current number of projected jobs on the subject lands while providing for additional residential land uses as deemed appropriate.

The Growth Plan also confirms that the Province is reviewing growth forecasts and establishing a methodology for assessing land needs, that is, the quantity of land required to accommodate forecasted growth. Notwithstanding confirmation from the Province that the Regional MCR will be subject to these updates, Regional Staff have suggested in their memorandum dated February 24, 2020, that proceeding with the Regional MCR, including the assessment of employment land conversion requests, without these updates is appropriate. We feel that it is premature to decline the requests in the absence of the updated land needs assessment methodology and potentially revised growth targets.

In addition to the specific assessment criteria provided in the Growth Plan, Regional Council endorsed additional criteria on March 7, 2019 as recommended by Regional Staff and now City staff have developed City specific criteria. The employment conversion request on the Subject Lands is assessed through these City criteria individually below:

1. *The conversion involves the introduction of a sensitive use (i.e. residential) into an area that is predominated by uses that are incompatible with sensitive uses.*

The proposal does involve introducing residential uses, however there are no immediate incompatible uses. The lands opposite of Highway 7 are partially vacant and occupied by large and small format retail and hotel uses, and zoned for commercial retail uses. The land use permissions on the vacant lands to the north and west do not permit any incompatible uses. The lands to the south are designated for a wide range of employment uses and are also owned by the Owner, which provides for significant flexibility in addressing land use compatibility. To the east of the subject lands is the MTO transit station and transit way which will provide for inter City and Regional transit connection and provides a significant opportunity to leverage this public investment in infrastructure. There are both employment and residential uses beyond these immediately adjacent uses. Therefore, the subject lands are significantly buffered from any incompatible use and the vacancy of the lands provide additional opportunities to provide compatibility.

2. *The conversion is located close to major public infrastructure that, either individually or cumulatively, provides a further level of incompatibility (e.g. rail yards, major highways).*

The subject lands are not located adjacent to major public infrastructure such as rail yards and major highways. The MTO expropriation for the transit station and transit way have provided more than 300m of distance between the subject lands and the Highway 427 thoroughfare lanes. It is important to further note that the Subject Lands do not permit the industrial land uses, such as manufacturing, warehousing and distribution uses, which benefit from the major public infrastructure noted in this criterion.

3. *The conversion is in an area that would constitute an unplanned expansion of a defined secondary plan area that is either approved or identified as an area requiring a secondary plan.*

The subject lands are not within an area that would constitute an unplanned expansion of a defined secondary plan area that is approved or required.

4. *The conversion is located in an area where its approval would constitute piece-meal planning, potentially prejudicing the future of the current uses and creating expectations of further conversions.*

This criterion is problematic as it suggests participation in both the Regional MCR and City MCR is representative of piecemeal planning. As noted above, all employment land conversion requests are a request to participate in an expressly stated comprehensive process at two levels of local governance. Our request at this time is to not be deemed employment lands in the Regional Official Plan so that the appropriate consultations may take place with City staff, determining collaboratively and comprehensively, the appropriate arrangement of both employment and residential uses for the lands.

With respect to the prejudicing of future and current uses, we believe the site is unique. It's size, vacancy, and adjacency of the future transit station and associated City and Regional connections it provides is a unique opportunity.

5. *The conversion is located in an area that is deficient in the appropriate urban design/streetscape and services, (e.g. for residential) such as walkability, parks, community level retail and amenities, schools and community facilities.*

Large scale or major development includes improvements to the abutting public streets including widenings and pedestrian scaled streetscape elements such as lighting and seating. In addition, and as noted above, the proposal is an opportunity to facilitate the extension of the Highway 7 transit way to the future transit station and Highway 427 transit way. This transit way includes a streetscape design that is appropriate for mixed use development and provides connections to parks, schools and community facilities in adjacent areas of the City. It is also important to consider that the City is intended to be developed to provide housing for individuals at all stages of life including those who may not require access to the full range of municipal resources. The vacancy of this ten-hectare site also provides opportunities to consider the provision of community level retail and other amenities including the potential for stratified public parkland in consultation with City staff.

6. *The conversion area is part of a logical planning unit. In this case, the conversion request is considered to be premature and identifies the need for a comprehensive planning exercise to establish the long-term future (e.g. via a secondary plan) to confirm the appropriate uses and densities, and ensure that all the required infrastructure (e.g. internal roads and accesses, water, sewers, stormwater management), services and amenities are in place to support the community.*

The lands subject to the requested conversion is part of an established planning unit and is not premature. The subject lands are within the West Vaughan Employment Area Secondary Plan and have been subject to a Block Plan and Master Environmental Servicing Plan where the necessary provisions for roads, water, sewers, stormwater and other serves have been considered and can be provided. As noted above, this request is to allow further discussion with the City so that an appropriate arrangement of uses and the amenities required to support them are considered through the City MCR.

Notwithstanding our opinion that the request on the subject lands meets the City specific criteria, City staff have, without landowner consultation, provided a negative review and do not recommend or support the request for conversion.

In addition to satisfying the above criteria, it is our opinion that the proposal to include residential uses in combination with major office use in this location will provide for an appropriate mixed-use corridor and support the achievement of complete communities. The proposal will support the

future transit station with jobs and population in its vicinity and the extension of the established transit corridor along Regional Road 7, reducing private automobile dependent trips.

The redevelopment of the subject lands for a mix of uses will also provide for the critical mass and emphasis required for the long-term viability of the transit station lands and leverage the investment in public infrastructure. In the longer term, a mix of uses will improve viability for the future Regional Transit Centre which we understand will include a regional bus terminal and the potential for future light rail connections, including to Pearson International Airport and Union Station in Toronto. It is important to note that MTO has already secured the transit station lands and protected for the north-south transit way along Highway 427 to its currently planned northerly terminus at Major Mackenzie Drive.

In addition to being transit supportive, higher density mixed-use development at this location will also be supportive of the neighbouring business parks. It is anticipated that restaurants, fitness centres, theatres, and other general retail uses would provide an ancillary function to the existing and future employment and residential population in the area.

We believe that the high-rise residential projects that have been approved along Highway 7 just east of Highway 27, and the high-rise residential projects approved just west of Highway 50 in the City of Brampton, suggest that this proposal is contextually appropriate and that compatibility amongst uses can be provided. This node would be consistent with other high-density nodes established along the Regional Road 7 corridor and at key transit station locations.

In conclusion, we believe this employment land conversion request meets the applicable Provincial planning objectives and meets the City criteria for assessing these requests. We respectfully request that City staff consider the above as the Regional MCR process evolves and support the request. We look forward to further discussing this request with City and Regional staff. Please advise if you require any further information at this time.

Yours very truly,
KLM Planning Partners Inc.



Robert Lavecchia, B.U.R.Pl.
SENIOR PLANNER

cc: Joseph Sgro, ZZEN Group
Sam Speranza, ZZEN Group
Bill Kiru, City of Vaughan
Fausto Filipetto, City of Vaughan
Sandra Malcic, Region of York
Paul Bottomley, Region of York

John Zipay and Associates
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jjzipay@hotmail.com
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**COMMUNICATION : C 15
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

May 19, 2020

Attn: Mayor Bevilacqua and Members of City Council

Your worship and members of Committee, my name is John Zipay and I am making this presentation on behalf of the owners (York Region Condominium Corporation 945) municipally addressed as 201 Millway Avenue, the land situated at the northwest corner of Jane Street and Portage Parkway which is adjacent to the Vaughan Metropolitan Centre (VMC). We have participated in the Official Plan Reviews of both the Region of York and City of Vaughan in addition to the Provincial Review Process regarding Provincially Significant Employment Zones.

With respect to the Provincial Review, I am pleased to inform you that the Province, in response to our submission, made the decision to remove the subject property from the Provincially Significant Employment Zone. It is the only property located on Portage Parkway that was granted this relief, which was based on a submission to the Province very similar to the submission made to the Region and shared with the City of Vaughan Planning Department. The Province was persuaded by our submission that this

particular parcel was unique; that it could serve to function as a northern gateway to the VMC; that its proximity to the subway station on Millway Avenue made effective use of this facility and encouraged public transit use; and that from a land use compatibility perspective with high density development on the southeast and southwest corners of Jane Street and Portage Parkway, respectively, it made good planning sense to replicate a similar type of development, but at a smaller scale. These reasons, along with others, persuaded the Province to remove this property from the Provincially Significant Employment Zone. Unfortunately, the Region and the City of Vaughan Planning Department have not been persuaded, which is why I am here today to ask that you, as a Council, not endorse the recommendation of the Planning Department in so far as this property is concerned at this time. I am requesting that you not make any decision or endorsement of a particular land use designation at this time and I am also requesting that you take a pause and direct staff to undertake a more fulsome public engagement as to the appropriate land use planning for the intersection of Jane Street and Portage Parkway by conducting a Secondary Plan Review of the VMC with particular attention to this intersection. We also support a review of land use along the rest of Portage Parkway in general.

This intersection is a significant element of the VMC. A boundary line drawn on paper down the middle of a road or through the middle of an intersection does not define the

planning relationship between two sides of the same street nor does it foster the best land use and attain the potential synergy that could evolve to create a great street or a gateway. The lands abutting the intersection of Jane Street and Portage Parkway, and perhaps the lands on the north side of Portage Parkway itself, should be part of the VMC as a transition area and planned for in a cohesive holistic way. The plan as it currently exists divides the intersection and street into two separate or distinct paradigms; one side representing modern architecture, high density, predominately residential with some mixed use, and the other side represented by mundane architecture, low profile, outdated employment buildings that have no functional synergy with the emerging modern city centre on the other side of the street. Regardless of lines on a map, the Jane Street-Portage Parkway intersection and Portage Parkway as a street are physically perceived to be a part of the VMC and should be planned as a unit and not separate entities.

As you are aware, the conversion of employment land can only occur through a Municipal Comprehensive Review of the Official Plan which occurs every 10 years. The Region and City Staff have taken a position to simply maintain the status quo as opposed to accepting the Official Plan review as an opportunity to revisit this boundary area and explore its potential in developing a contemporary and much better plan for the future. To this end, I respectfully request that Council not consider any

endorsement of the Regional and City staff position for this particular area as it would be premature until such time that the City has completed a thorough review of the VMC Secondary Plan and that a more fulsome public engagement and consultation with landowners and the general public has taken place. One possibility is to conduct a charrette with stakeholders. This was one of the very successful methods employed during the 2010 Official Plan review.

I would like to briefly comment on the reasons given by City staff for recommending non-support for the conversion. These are listed on page 329 of your agenda.

1. “VMC residential targets are being met and there is no need for additional residential.”

Reply: The residential build out of the VMC is a relatively new development that has seen rapid building in the last few years and is accelerating because of the subway and a lack of affordable ground related housing. We should not wait for another 10 years before this issue is re-evaluated as in the meantime the VMC will experience much more development at an accelerated pace.

2. “Conversion of lands north of Portage Parkway for residential uses will destabilize the surrounding employment lands, which is a part of the largest and fastest growing employment area in the City.”

Reply: The subject lands at this intersection of Jane Street and Portage Parkway represent a very small fraction of the current employment area. The location is absolutely unique because of its proximity to the VMC and to the Subway Station which is within walking distance, the same as with the new residential developments directly across the road on the south side of Portage Parkway, and municipally addressed as such. The extent of the subject property which also has extensive frontage on Portage Parkway is a confined parcel forming one quadrant of the intersection of Jane Street and Portage Parkway, so the argument that a conversion will destabilize this vast employment area is not logical. If that were the case, then the argument should follow that the high density residential on the south side should never have been approved. The problem in our opinion is that not enough attention was paid to how the north and south sides of the street would coexist as a community.

3. "There is no existing east/west road north of the lands that are proposed for conversion, therefore this would create an unclear boundary between residential and employment lands."

Reply: City building is not about creating artificial boundaries that are easy to recognize. It is about design, good architecture, efficient land use and

compatibility of uses, and creating memorable pedestrian friendly places, intersections and streets and the use of transitional scale between uses that should define the land use landscape. None of this is achieved under the current land use plan. The landscape and physical presence of the area is evolving and is undergoing a dynamic process of change which requires us to re-evaluate the current plan with the aim of creating something better in response to the evolving development that is taking place.

4. "Portage Parkway is an appropriate boundary between residential and non-residential because it is a truck route and follows existing property lines."

Reply: This premise really needs to be examined and re-thought. Is it still good planning to have designated this significant street as a truck route given the tremendous amount of high density residential development that is occurring on the south side? A review of the VMC Secondary Plan is absolutely necessary and should address this issue.

5. "The subject lands are important employment lands and can be considered for further intensification for employment uses."

Reply: The question should be, what kind of intensification should be permitted and does it have to be exclusively for employment? Can the

intensification in proximity of the VMC be a combination of employment and residential?

One of the conclusions of Vaughan's Economic Development and Employment Sectors Study is that structural changes are occurring in the broader economy and employment lands are increasingly driven by growth in the knowledge-based and creative class economies, such as scientific and technical services; financial; real estate; information and culture; health care and social assistance and education all of which is impacting the built form so that the typical manufacturing building form is no longer the dominant aspect. Given this conclusion, would it not make sense to take the time right now to review the land use opportunities within proximity of the current VMC boundary and in particular as it relates to the intersection of Jane Street and Portage Parkway in the context of a changing world? If the trend is toward a knowledge-based employment paradigm, could there not be a mixed use scenario which incorporates these employment uses with residential uses especially where the VMC and the current employment lands interface with each other on the same street?

Mayor and Members of Council, I simply ask that you defer making any endorsement of the Regional and City staff position in regard to the subject lands and that City staff be directed to conduct a charrette and Secondary Plan Review of VMC to consider the land use opportunities and potential in proximity of the Jane Street and Portage Parkway Intersection before Council gives any endorsement to the Region. This is a very important issue because once the decision is made it will not likely be reviewed again for the next 10 years. For your information, the submissions made to the Region, City and Province are included with today's presentation.

I thank you for the opportunity to express the views of my client and hopefully look forward to a more in-depth review and consultation before any endorsement of the Region's position is given. Land use policies should be determined by the local City Council as much as possible and the best way to achieve this is through a more fulsome public engagement.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Zipay', with a stylized, flowing script.

John Zipay MSc. U.R.P., RPP

ATTACHMENT 1

John Zipay and Associates
2407 Gilbert Court
Burlington, On
L7P 4G4
jzipay@hotmail.com
(416) 305-7989

November 22, 2019
File: 5275

Regional Municipality of York
17250 Yonge Street
Newmarket, ON
L3Y 4W5

Attn: Paul Freeman, Chief Planner
Regional Municipality of York

Dear Sir,

**Re: Proposed MTSA and Employment Conversion Response Letter
201 Millway Avenue, City of Vaughan
Vaughan Metropolitan Centre**

John Zipay and Associates is the planning consultant for York Region Condominium Corporation 945 ("YRCC 945"), collectively on behalf of the owners of the property municipally addressed as 201 Millway Avenue in the City of Vaughan (the "subject property"). John Zipay and Associates has been engaged to provide assistance to YRCC 945 with respect to the York Region Municipal Comprehensive Review ("MCR") process and associated land use studies.

Previous submissions under Weston Consulting letterhead were filed with the Region of York on behalf of YRCC 945 as part of the ongoing MCR process requesting that the subject property be considered for conversion from employment uses to permit a greater range and mix of uses, including employment, commercial and residential mixed uses. In response to this request, a letter was received from the Region of York on July 15, 2019 advising that based on the results of their analysis, Regional Staff are recommending that the subject property not be converted to non-employment uses. A subsequent meeting was held with Regional Staff on August 8, 2019 to review this preliminary recommendation. A submission to the Ministry of Municipal Affairs and Housing was also filed on February 28, 2019 requesting that the subject property be removed from the Provincially Significant Employment Zone ("PSEZ").

The Region released a Staff Report dated October 10, 2019 which provided an update on the status of the employment conversion process to date. The Report identified that Regional Staff have largely completed the 'Phase 1' portion of their assessment of the requests filed for employment conversion, which included the application of the Region's employment conversion criteria only. We understand that 'Phase 2' of the evaluation process is to include a broader analysis and discussions with local municipal staff and stakeholders on employment planning and a more general assessment of employment areas. This will consider the context within the Regional and local structure, implications on land budget and infrastructure, and the changing nature of job delivery. Phase 2 will also assess the designation of employment lands in the Regional Official Plan and whether some employment areas should have more permissive uses or be appropriate for mixed-use (including non-employment uses).

At this time, we are requesting that the employment conversion request for the subject property be revisited

as part of the Region's second phase of evaluation in light of the proposed intensification and Major Transit Station Area ("MTSA") direction released as part of the Planning for Intensification Background Report, dated April, 2019, and the associated Attachment 2: Draft Major Transit Station Areas and Additional Strategic Growth Areas. This letter is intended to provide comments on this intensification and MTSA direction, as well as request consideration for the subject property to be added to the MTSA boundary applicable to the Vaughan Metropolitan Centre Subway Station (MTSA 1). This letter further requests that reconsideration be given to the conversion of the subject property to allow for mixed employment and non-employment uses. It is our opinion that this property will be better suited for a greater range and mix of uses, which includes maintaining the current level of employment on site and introducing compatible residential uses in a mixed-use context.

Subject Property and Surrounding Area

The subject property is located at the northwest corner of Portage Parkway and Jane Street, immediately bordering the Vaughan Metropolitan Centre Secondary Plan Area to the south. It consists of 28 employment-related condominium units and has an approximate lot area of 19,288 square metres (1.92 ha) in a rectangular shape. The subject property has frontage onto three separate public roadways, including Jane Street (124 m), Portage Parkway (160 m) and Millway Avenue (113 m). The site is further located approximately 457 metres walking distance north of the Vaughan Metropolitan Centre ("VMC") Subway Station, which is the northern terminus of the TTC Spadina Subway Extension (Line 1), and 156 metres walking distance from the SmartCentres Place Bus Terminal (refer to Attachment 2). Further, the property is adjacent to the Jane Street / Portage Parkway intersection on its eastern property line and the Millway Avenue / Portage Parkway intersection at the southwest corner giving the property direct pedestrian access to the subway station.

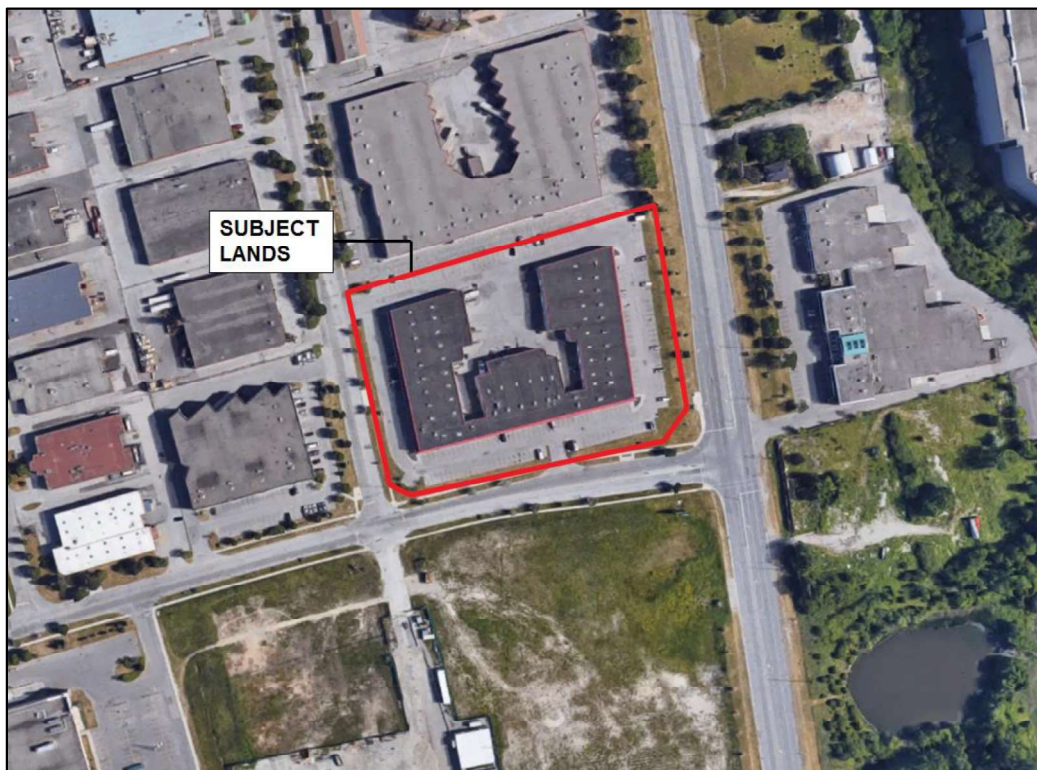


Figure 1: Aerial Photo of the Subject Property

The subject property abuts the northern boundary of the proposed draft MTSA 1 for the Vaughan Metropolitan Subway Station. The draft area of the proposed MTSA is bounded by Millway Avenue to the north, Maplecrete Road to the east, Highway 407 to the south and Edgeley Boulevard to the west (refer to Figure 2).

The subject property is located at the southeast edge of an area containing primarily employment uses, directly adjacent to the VMC, which is a mixed-use area that has experienced significant change in recent years. The VMC is considered Vaughan's new downtown, and is currently being redeveloped to include a broad range and mix of land uses in a high-density context based on its designation as an Urban Growth Centre under the Growth Plan and the associated permissions of the Vaughan Metropolitan Centre Secondary Plan. The subject property is adjacent to a mix of uses, including employment uses to north and existing and future high-rise (up to 55 storeys) mixed-use to the south. To the east, at the northeast corner of Jane Street and Portage Parkway is an office complex designated for employment uses; however, in the southeast quadrant of this intersection, the lands are within the VMC and are occupied by high-density, high-rise (35 storeys) mixed-use development. On the western boundary of the subject property, the lands are designated employment and are occupied by low-rise buildings.

Portage Landowners Group

The Portage Landowners Group ("Portage Landowners") have land holdings on the north side of Portage Parkway, west of Jane Street and east of Applewood Crescent (the "Portage Lands"), as shown in Attachment 2 to this submission. The Portage Lands include our client's property located at 201 Millway. A formal request has been made to the Region of York by Malone Given Parsons ("MGP") on behalf of the Portage Landowners Group asserting that the Region's current MCR process should consider opportunities for the planning for a future transition from the VMC and that as part of this process, the Portage Lands should be converted to permit non-employment uses to recognize their location as a transitional area from the VMC to the existing employment area to the north.

We are generally supportive of the position held by the Portage Landowners and agree that given the locational context of the Portage Lands adjacent to the northern boundary of the VMC, transitional heights and densities are required in this area. This submission is generally consistent with the Portage Landowners' request in that we maintain that an employment land conversion should be granted for the Portage Lands in order to allow for the addition of non-employment uses along this corridor in order to support the lands as a transitional area between the high-density character of the VMC and the low-density employment area. We also hold that given the strategic location of the subject property (201 Millway) as a corner site with frontage along an Intensification Corridor and a Regional Rapid Transit Corridor (Jane Street), as well as its location within 500 metres of the Vaughan Metropolitan Centre Subway Station and 300 metres of the SmartCentres Place Bus Terminal, the failure to convert these lands would represent a lost opportunity to diversify the land use and make efficient use of this land, which has the potential to support increased heights and densities.

Planning Policy Context

Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe, 2019 (the "Growth Plan") generally defines Major

Transit Station Areas as “the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as *“the area within an approximate 500 to 800 metre radius of a [higher order] transit station, representing about a 10-minute walk.”* As previously noted, the subject property is located just over 400 metres from the VMC subway station, which falls within the definition of a higher order transit stop. Additionally, the property is also within 300 metres of the SmartCentres Place Bus Terminal, which is a 9-bay YRT bus terminal within the VMC, also falling within the definition of a higher order transit station. Attachment 2 to this submission demonstrates the approximate 500 and 800 metre radii from the subway station and the bus terminal taken from the closest station entrances, which are consistent with the Growth Plan’s definition of MTSA.

The Region’s ongoing MTSA delineation exercise is required by the Growth Plan, which mandates through Policy 5.2.5.3 that in order to support the implementation of the minimum intensification and density targets set out by the Growth Plan, upper- and single-tier municipalities will delineate Major Transit Station Areas in their official plans through an MCR. The Region has prepared a draft delineation of the Vaughan Metropolitan Centre Subway Station MTSA as part of their ongoing MCR process, which includes lands within a 500 metre radius of the subway station, as well as lands outside the 500 metre radius to the south of the station (see Figure 2). The draft MTSA 1 has a proposed gross area of 99.41 hectares (245.6 acres) and excludes the lands within 500 metres of the subway station located on the north side of Portage Parkway.

With respect to the delineation of MTSA, Section 2.2.4.2 of the Growth Plan directs that MTSA on priority transit corridors or subway lines be delineated *“in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station.”* As currently proposed, the draft delineation of the MTSA 1 boundary does not appropriately maximize the size and area of the MTSA based on the number of potential transit users. The draft delineation excludes lands that are located within 500 metres of the subway station and 300 metres of the bus terminal, including the subject property, which are within walking distance and provide opportunity to increase potential transit users. Additionally, the draft boundary does not meet the minimum distance requirements of 500 metres, where the Growth Plan calls for even greater distances of up to 800 metres and a 10-minute walking distance.

It is noted that the 2019 Growth Plan came into force and effect on May 16, 2019 replacing the 2017 Growth Plan which took effect on July 1, 2017. York Region’s draft MTSA delineations and general intensification direction were released in April, 2019, which predates the updates to the 2019 Growth Plan, including significant updates to the MTSA policies. As a result, it appears that the draft delineations are based on the previous definition of MTSA, which defined these areas as within a 500 metre radius of a higher order transit station. Under the 2019 Growth Plan, the definition was expanded to be the area within 500 to 800 metres of a transit station, which fully encompass the subject property as well as the lands beyond the subject property generally within the Portage Lands.

Vaughan Metropolitan Centre Subway Station

On Subway Line 1 / Highway 7 BRT Corridor
Near Highway 7 and Millway Avenue, Vaughan

MTSA 1

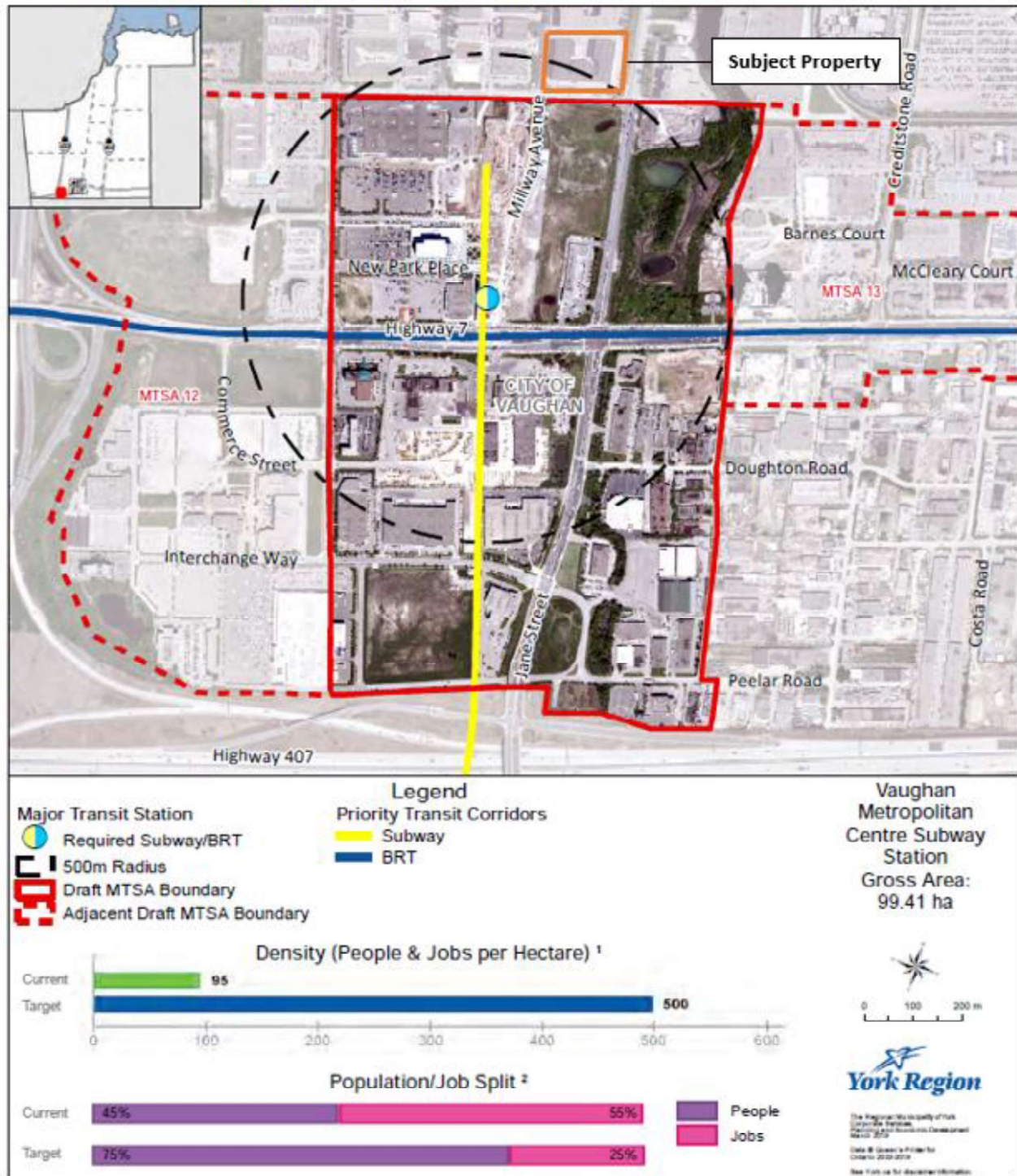


Figure 2: Draft MTSA 1 Delineation

Based on the policies of the 2019 Growth Plan, it is our opinion that the subject property is appropriate for inclusion in the VMC Subway Station MTSA boundary, being within 500 metres of the subway station and 300 metres of the bus terminal. The subject property offers significant opportunity for redevelopment and intensification in order to support the minimum targets set out for MTSA's and to increase transit ridership to support the investment in higher order transit, while also providing an opportunity to create an appropriate transition to the existing employment area north of Portage Parkway. In conjunction with the other Portage Lands, a mixed-use transition area should be created between the high-density character of the VMC to the south and the low-density nature of the employment area to the north. As part of such a transition area, the subject property would provide the opportunity to complement the uses within the VMC while also replacing and enhancing the existing employment uses currently on site. This will allow for the long-term protection of the larger employment area, while also providing for a complementary transition to the height and density planned for the VMC.

Regional and Municipal Official Plans

Both the current York Region Official Plan ("YROP") and City of Vaughan Official Plan 2010 ("VOP") identify the subject property for employment uses. Additionally, the subject property is located immediately north of the Vaughan Metropolitan Centre Secondary Plan area and has frontage on Jane Street, which is identified as an Intensification Corridor and Regional Rapid Transit Corridor. The property's frontage along Jane Street is also notable given the role of Jane Street as the primary linkage between the Vaughan Metropolitan Centre to the south and the Vaughan Mills Centre to the north. With both areas permitting high-density, mixed uses, there is opportunity for the lands along Jane Street to supplement and complement the uses and densities in these two major centres of the City, as well as support current and future transit investment on Jane Street to support its function as the only major corridor linking the VMC and Vaughan Mills. The YROP recognizes the importance of Jane Street as a Regional Rapid Transit Corridor and a link between these two major centres.

The York Region Transportation Master Plan, 2016 ("YRTMP") identifies Jane Street as part of the Viva Network Expansion Plan, which is to include curbside Viva Bus services and later evolve into a rapidway with dedicated bus lanes by 2041. The plan also explores the opportunity of a possible future extension of the Line 1 subway north along Jane Street. The YROP and the YRTMP both identify the Jane Street corridor as a priority for current and future transit investment.

As previously noted, the subject property is located within 500 metres of the VMC Subway Station and 300 metres of the SmartCentres Place bus terminal, and should therefore be included within the MTSA 1 boundary. Further to the policies of the Growth Plan discussed above, York Region has developed Draft Guidelines to Delineate and Set Density Targets for Major Transit Station Areas to guide the establishment of MTSA's. This document provides a number of principles for the delineation of these areas across the Region, including that MTSA's should:

1. *Reinforce the planned regional and local municipal urban structure*
2. *Provide a diverse range and mix of land uses, if the MTSA is not located in an employment area (e.g. residential, employment, community services)*
3. *Include existing higher density land uses*
4. *Include areas that are anticipated or ideally situated to develop or redevelop to higher densities*
5. *Connect with adjacent MTSA's so that as much of the priority transit corridors are included, as*

possible

6. *Be walkable*
7. *Collectively support the creation of complete communities for the broader community beyond the MTSA boundaries*
8. *Collectively provide a range of amenities (e.g. parks, schools, cultural facilities, retail, etc.)*
9. *Collectively provide opportunities to live and work along the priority transit corridors.*

Based on the requirements of the Growth Plan, as well as the guidelines set out by the Region for the delineation of MTSA's, the subject property is appropriate for inclusion within the VMC Subway Station MTSA boundary. The redevelopment of the lands and the requested conversion to allow for a mix of employment and non-employment uses on site to support the function of the MTSA and achieve the objectives outlined above represents an opportunity that should be considered and supported.

The Vaughan Metropolitan Centre Secondary Plan ("VMCSP") identifies the lands immediately south of the subject property as within the Station Precinct and as appropriate to accommodate high-rise, high-density development up to 30 storeys in height and up to 5.0 FSI in density. The Station Precinct is intended to accommodate a broad mix of uses, including a mix of high- and mid-rise uses, including residential, office and retail uses. Further to the policies of the VMCSP, applications for Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval have been filed with the City to permit three 35, 45 and 50 storey residential towers on the lands immediately south of the subject property. Additionally, the lands to the southwest of the subject property have been approved for two 55-storey residential towers. Given the height and density both planned and approved for the lands to the south, it is appropriate for the subject property to accommodate higher densities and a greater mix of uses in order to provide for a more adequate transition between the high-rise, high-density uses to the south and the lower rise employment/ commercial uses to the north.

The subject property, in conjunction with the Portage Lands area, offers an opportunity to create a mixed-use transition area that will recognize the VMC as the main focus of growth and intensification as the City's Urban Growth Centre, while also providing complementary land uses that will assist in providing a transition from the high-density character of the VMC to the low-density nature of the existing employment area to the north of Portage Parkway. The subject property represents an opportunity for redevelopment and intensification in a form that complements the heights and densities along the southern side of Portage Parkway while replacing and enhancing the existing employment uses. The intent is not to compete with the function of the VMC, but rather complement it in a way that also provides for the protection of the long-term viability of the existing employment area.

The Secondary Plan identifies Portage Parkway as a Major Collector street and contemplates a future BRT rapidway station at the intersection of Portage Parkway and Jane Street. Given the higher order nature of the proposed future transit along Jane Street, the subject property will be located within the MTSA of the future Jane/Portage BRT station. This provides further support for the intensification of the subject property for mixed uses, including higher density residential uses to support the existing and planned higher order transit investments and increase the number of potential transit users within walking distance of higher order transit facilities.

Based on our evaluation of the physical and policy context of the subject property, it is our opinion that the subject property is appropriate for an employment conversion in order to support the intensification and

complete community function of the VMC Subway Station MTSA, provide a more appropriate transition from the approved and planned high-density residential uses immediately to the south, to support the function of the VMC area as an Urban Growth Centre, to encourage increase transit ridership and support current and future investment in higher order transit facilities, and to support Jane Street as an intensification corridor and major connection between the VMC and Vaughan Mills. The subject property should be converted to allow for non-employment uses and should be included in the VMC Subway Station MTSA boundary, in accordance with Provincial policy direction and the objectives of the YROP and VOP.

Transition: City Building and Liveable Communities

This submission has put forward a strong case for conversion based on a number of locational attributes of the subject property, such as being within proximity of higher order transit routes and facilities, its adjacency to high density development along the south side of Portage Parkway, and the fact that the property falls within 500 metres of the VMC Subway Station which defines the subject property as being within a Major Transit Station Area.

Portage Parkway is a Major Collector street. Given the more diverse land use permissions, as well as the current and planned physical conditions of the VMC on the south side of the street compared with the existing and restrictive land uses and low-rise employment development of the north side of the street, it creates an environment which provides little incentive for the employment lands to the north to be redeveloped under an employment designation in a more contemporary way. In terms of a liveable city, complete communities, and city building in the context of urban design and built form within a City Centre, it is not appropriate for a major road, such as Portage Parkway which functions as a major artery for pedestrian and vehicular movement, to act as a separation between modern current architecture, high-density and diverse land uses on the south side juxtaposed with bland, low-rise and out-of-date employment buildings on the north side. The stark contrast created by the current VOP designations between the two sides of the street will create an unappealing appearance with respect to community design and community living.

The principles of complete communities, city building through design, and liveable and animated streetscapes should be another factor in consideration of the north side of Portage Parkway. Conversion to a more diverse range of land uses and consideration of a transition of height and density along the north side of Portage Parkway would incentivize landowners to redevelop this area of Portage Parkway resulting in more contemporary architecture along both sides of the street and ultimately creates a more liveable community and animated streetscape. This would also serve to make more efficient use of infrastructure, services and land. This can be achieved through a transition area along the north side of Portage Parkway that would be complementary to the VMC.

Development Opportunity

As described in our previous submission (Attachment 1) and with recognition of the importance of employment areas to the Region's economy, this request proposes to preserve employment uses on the subject property, while also providing for residential and commercial development in a mixed-use context similar to other developments in the area. The proposal for the subject property would comprise a mixed-use development, consisting of an office and residential uses with ground level commercial, similar in nature to the developments occurring in the VMC, but at a lower scale. The proposed redevelopment of the property would provide for significantly more employment GFA than the current condition.

Given the context of the subject property directly adjacent to the Vaughan Metropolitan Centre Secondary Plan area, approximately 416 metres from the VMC Subway Station, and located at a corner site with frontage onto a designated Intensification Corridor (Jane Street), there are many factors that support the development of the subject property for mixed-uses and greater densities. The subject property has three frontages, as it fronts onto Jane Street, Portage Parkway and Millway Avenue. These three frontages in addition to the property's corner location at the exterior edge of the employment area and abutting the VMC, present a unique context that is accommodating to the redevelopment of the site in a manner that does not compromise the integrity of the employment area.

Employment Lands Conversion

A formal request for employment lands conversion was submitted for the subject property as part of the original submission filed with the Region on March 18, 2019. It is recognized that in order to facilitate the conversion of the subject property, the criteria set out by Section 2.2.5.9 of the Growth Plan, as well as the additional conversion criteria developed by York Region.

Our previous submission letter addressed each of the 14 criteria conversion individually for the subject property and came to the conclusion that the proposal adequately addresses the criteria and is suitable for conversion. Largely the proposed conversion will maintain a significant amount of employment GFA to support the employment goals of the Region and protected the viability of the employment area over the long-term, while also providing for a more appropriate transition to the land uses within the VMC and better supporting the MTSA objectives for the VMC Subway Station MTSA. Based on the nature of the proposed redevelopment of the subject property to achieve a true transition between the VMC and the employment area to the north, the site will have the ability to create more jobs than what currently exist today. The subject property does not fall under the two mandatory criteria which prohibit support for conversions on a site-specific basis for lands within recently designated and largely vacant employment areas (Criterion 6) or for lands in areas where the entire perimeter of the site is surrounded by employment area lands (Criterion 7). Please refer to Attachment 1 for a full evaluation of the 14 criteria for employment conversion as they relate to the subject property.

Based on the information presented in this submission and the analysis contained in Attachment 1, it is our opinion that the subject property is appropriate for conversion to allow for the accommodation of a mix of employment and non-employment uses. Given the physical and policy context of the subject property and the appropriateness of including the site within the VMC Subway Station MTSA, we believe that the request for conversion should be revisited as part of the Region's Phase 2 assessment. In our opinion, the subject property is an appropriate candidate for more permissive uses, including mixed-uses containing non-employment uses.

Proposed Provincially Significant Employment Zone ("PSEZ")

The Ministry of Municipal Affairs and Housing's proposed Amendment 1 to the Growth Plan released on January 15, 2019, was approved and came into effect as the 2019 Growth Plan on May 16, 2019. The amendment allowed the Minister to identify a number of employment areas as Provincially Significant Employment Zones ("PSEZ"), in particular, within Zone 10 (400-407, Vaughan North), which includes the subject property. Comments to the Ministry of Municipal Affairs and Housing were submitted on behalf of

YRCC 945 respecting the proposed PSEZ mapping, including justification as to why the subject property should not be considered as Provincially Significant Employment Lands. It is our understanding that notwithstanding the proposed PSEZ mapping, the Region's position is to proceed with considering conversion requests comprehensively through the MCR process.

Summary

Based on the location of the subject property at the southeast corner and periphery of the existing employment area, and considering the changing land use context being experienced immediately south of the property within the VMC, it is our opinion that:

- The subject property is appropriate for inclusion in the MTSA 1 (VMC Subway Station) boundary being within 416 metres of the VMC Subway Station and 300 metres of the SmartCentres Place Bus Terminal with frontage on Jane Street, which is a designated Regional Rapid Transit Corridor.
- The subject property forms part of the Portage Lands. This request is supportive of and complementary to the request for conversion filed on behalf of the Portage Landowners and we maintain that an employment conversion should be granted for the Portage Lands in order to support the lands as a transitional area between the high-density character of the VMC and the low-density employment area.
- The subject property would be better suited for a greater range and mix of uses, which includes maintaining the current level of employment on site and adding to it, while also introducing compatible residential uses in a mixed-use context.
- Increased density permissions for the subject property would allow the site to develop in accordance with intensification and transit-oriented development objectives of the Province, Region and municipality.
- The subject property is appropriate for employment conversion in order to support the intensification targets and complete community function of the VMC Subway Station MTSA, provide a more appropriate transition from the approved and planned high-density residential uses to the south of Portage Parkway, support the function of the VMC as the City's Urban Growth Centre, encourage increased transit ridership and support current and future investment in higher order transit, and support Jane Street as an intensification corridor.
- It is inappropriate to treat a Major Collector, such as Portage Parkway which serves as a major artery for pedestrian and vehicular traffic, as a separation between the starkly different high-rise residential development to the south and the low-rise employment development to the north.
- Conversion of the subject property and the Portage Lands to allow more diverse land uses and considerations of these lands as a transition area in terms of height and density would create incentive for their redevelopment in order to support the creation of a more complete and liveable community and animated streetscape.

We are interested in continuing to work with the Region of York and the City of Vaughan as part of the Phase

2 assessment process and throughout the remaining MCR process to ensure the respective Official Plans are updated to incorporate a progressive and forward-thinking planning vision based on analysis of the relevant emerging land use planning and development issues.

We will continue to monitor the MCR process and kindly request to be notified of any future reports and/or meetings regarding the Regional Municipal Comprehensive Review. We also request to be notified of any discussion or decision pertaining to this request, and we hope to be able to engage with the Region of York and City of Vaughan further on this matter.

Thank you for the opportunity to provide these comments. We reserve the right to provide further comments as the MCR process progresses. Please contact the undersigned at 416-305-7989 should you have any questions regarding this submission.

Yours Truly,



John Zipay MSc., U.R.P., RPP

c. Client

Hon. Steve Clark, Minister of Municipal Affairs and Housing
Paul Bottomley, York Region, Manager of Policy, Research and Forecasting
Sandra Malcic, York Region, Director of Long-Range Planning
Hon. Mayor Bevilacqua, City of Vaughan
Councillor Yeung Racco, Ward 4, City of Vaughan
Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management
Bill Kiru, City of Vaughan, Director of Policy Planning & Environmental Sustainability
Christina Bruce, City of Vaughan, Director of Vaughan Metropolitan Centre Program
Don Given, Malone Given Parsons on behalf of the Portage Landowners

- Att. 1. Employment Conversion Request Letter, prepared by Weston Consulting, dated March 18, 2019
2. Air Photograph with Portage Lands, prepared by Weston Consulting, dated November 22, 2019

Attachment 1

Regional Municipality of York
17250 Yonge Street
Newmarket, ON
L3Y 4W5

March 18, 2019
File 5275

**Attn: Paul Freeman, Chief Planner
Regional Municipality of York**

Dear Sir,

**RE: Employment Area Conversion Request
201 Millway Avenue, City of Vaughan**

Weston Consulting is the planning consultant for York Region Condominium Corporation 945 ("YRCC 945"), collectively on behalf of the owners of the property municipally addressed as 201 Millway Avenue in the City of Vaughan (the "subject property"). Weston has been engaged to provide assistance to YRCC 945 with respect to the York Region Municipal Comprehensive Review ("MCR") process. It is our understanding that the Region is currently conducting a review of employment land conversion requests as part of the Regional MCR process.

This letter requests consideration of the subject property for an employment land conversion pursuant to the provisions of the Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") and the Employment Area Conversion Criteria developed by York Region Staff in consultation with the local municipalities.

Subject Property and Surrounding Area

The subject property is located at the northwest corner of Portage Parkway and Jane Street, immediately bordering the Vaughan Metropolitan Centre Secondary Plan Area to the south. It consists of 28 employment related condominium units and has an approximate lot area of 19,288 square metres (1.92 ha) in a rectangular shape. The subject property contains frontage onto three separate public roadways, including Jane Street (124m), Portage Parkway (160m) and Millway Avenue (113m). The site is further located approximately 416 metres north of the Vaughan Metropolitan Centre (VMC) Subway Station, which is the northern terminus of the TTC Spadina Subway Extension (Line 1).

The subject property is located at the southeast edge of an area containing primarily employment uses, directly adjacent to the VMC, which is a mixed use area that has experienced significant change in recent years. The VMC is considered Vaughan's new downtown, and is currently being redeveloped to include a broad range and mix of land uses in a high-density context based on its designation as an *Urban Growth Centre* within the Growth Plan and the associated permissions of the Vaughan Metropolitan Centre Secondary Plan. The subject property is adjacent to several

future high-rise mixed use developments. The subject property is surrounded by a mix of employment uses and new high-rise mixed uses in the following context:

North: Employment uses;

South: The Vaughan Metropolitan Centre, including the VMC Subway Station located approximately 416 metres away;

East: Jane Street, including a high-rise mixed use development that is currently under construction and a two storey office building. Employment uses are located beyond.

West: Employment uses.

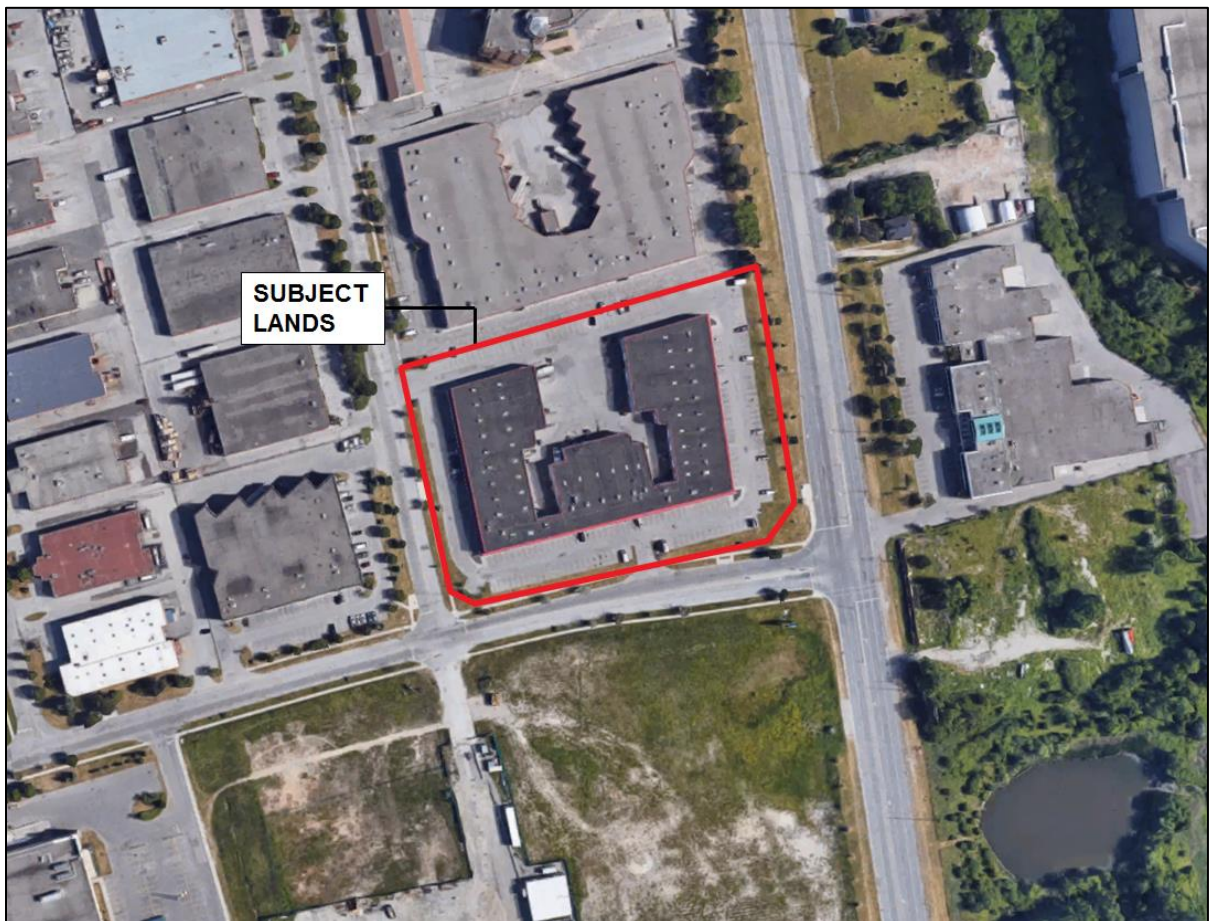


Figure 1: Aerial Photo of the Subject Property

Recently, approvals have been obtained for a number of high-density, mixed use developments throughout the area, under the land use planning permissions of the VMC Secondary Plan (Figure 2). In particular, three (3) 55 storey towers are currently under construction directly across the street from the subject property on the south side of Portage Parkway. The approved and under construction developments surrounding the subject property include the following:

- Transit City Development - (3) mixed-use towers at the southeast corner of Portage Parkway and Millway Avenue;
- PWC Tower located at northwest corner of Millway Avenue and Apple Mill Road;
- KPMG Tower located directly adjacent to the VMC Subway Station; and
- EXPO City Development - (2) mixed-use towers, in addition to the (2) already constructed at the northeast corner of Maplecrete Road and Highway 7.

Multiple development applications are also currently under review, including:

- Easton's Group - (3) mixed-use towers at the southeast corner of Hwy 7 and Interchange Way;
- EXPO City 5 – (1) 60 storey mixed use tower at the northwest corner of Hwy 7 and Maplecrete Road;
- Liberty Developments - (3) mixed-use towers at the southeast corner of Hwy 7 and Maplecrete Road;
- Cosmos Development - (5) mixed-use towers at the southwest corner of Hwy 7 and Maplecrete Road; and
- SmartCentres - (3) mixed-use towers located immediately south of the subject property.

Both the recent approvals and development currently under review signifies the changing planning context of the area. Please refer to Figure 2 below and the attached map of surrounding development applications for further detail.

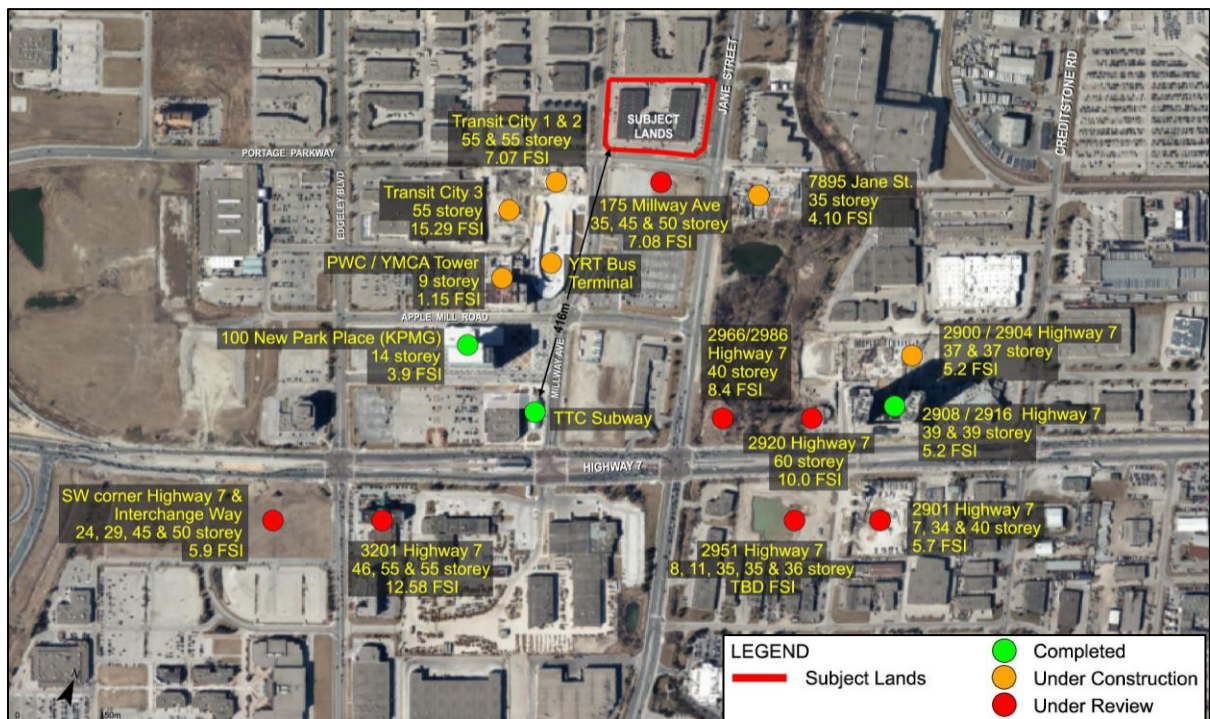


Figure 2: Surrounding Development Applications

Planning Policy Context

The City of Vaughan Official Plan 2010 (VOP 2010) identifies the subject property within an *Employment Area* and further designates the property as *Prestige Employment* (Figure 3). The current land use planning permissions for the subject property prohibit residential and mixed use development similar to that occurring on the adjacent lands located within the VMC. The outcome of the current policy context of the subject property and surrounding area is a high-rise mixed use area with no transition to the adjacent area but rather a stark decline in heights, density and mix of uses.

In addition to the subject property being located immediately north of the Vaughan Metropolitan Centre Secondary Plan area, the property also has frontage on Jane Street, which is identified as an *Intensification Corridor* and *Regional Rapid Transit Corridor*. The property's frontage along Jane Street is also notable given the role of Jane Street as the primary linkage between the Vaughan Metropolitan Centre Secondary Plan to the south and the Vaughan Mills Centre Secondary Plan to the north. With both Secondary Plan Areas permitting high-density mixed uses, there is opportunity for the lands along Jane Street to supplement and complement the uses and densities in these two major centres of the City as well as support the transit on Jane Street, as Jane Street is the only major corridor linking the two centres. The York Region Official Plan recognizes the importance of Jane Street as a *Regional Rapid Transit Corridor* and a link from the VMC to Vaughan Mills.

The York Region Transportation Master Plan (2016) identifies Jane Street as part of the Viva Network Expansion Plan, which is to include curbside Viva Bus services and later evolve into a rapidway with dedicated bus lanes by 2041. The plan also explores the opportunity of a possible future extension of the subway along Jane Street. The York Region Official Plan and the York Region Transportation Master Plan (2016) both identify the Jane Street corridor as a priority for current and future transit investment.

The Growth Plan policies pertaining to Urban Growth Centres and Major Transit Station Areas (MTSAs) are also part of the planning policy context affecting the subject property. The area surrounding the VMC Subway Station is considered not only to be an Urban Growth Centre, but also a MTSA as defined by the Growth Plan 2017 and the currently proposed amendments. The proposed amendments to the Growth Plan propose to redefine MTSAs as the area within 500-800 metres of a higher order transit station. The subject property is located within the definition of a MTSA in both the currently applicable Growth Plan 2017 and the proposed amendments.

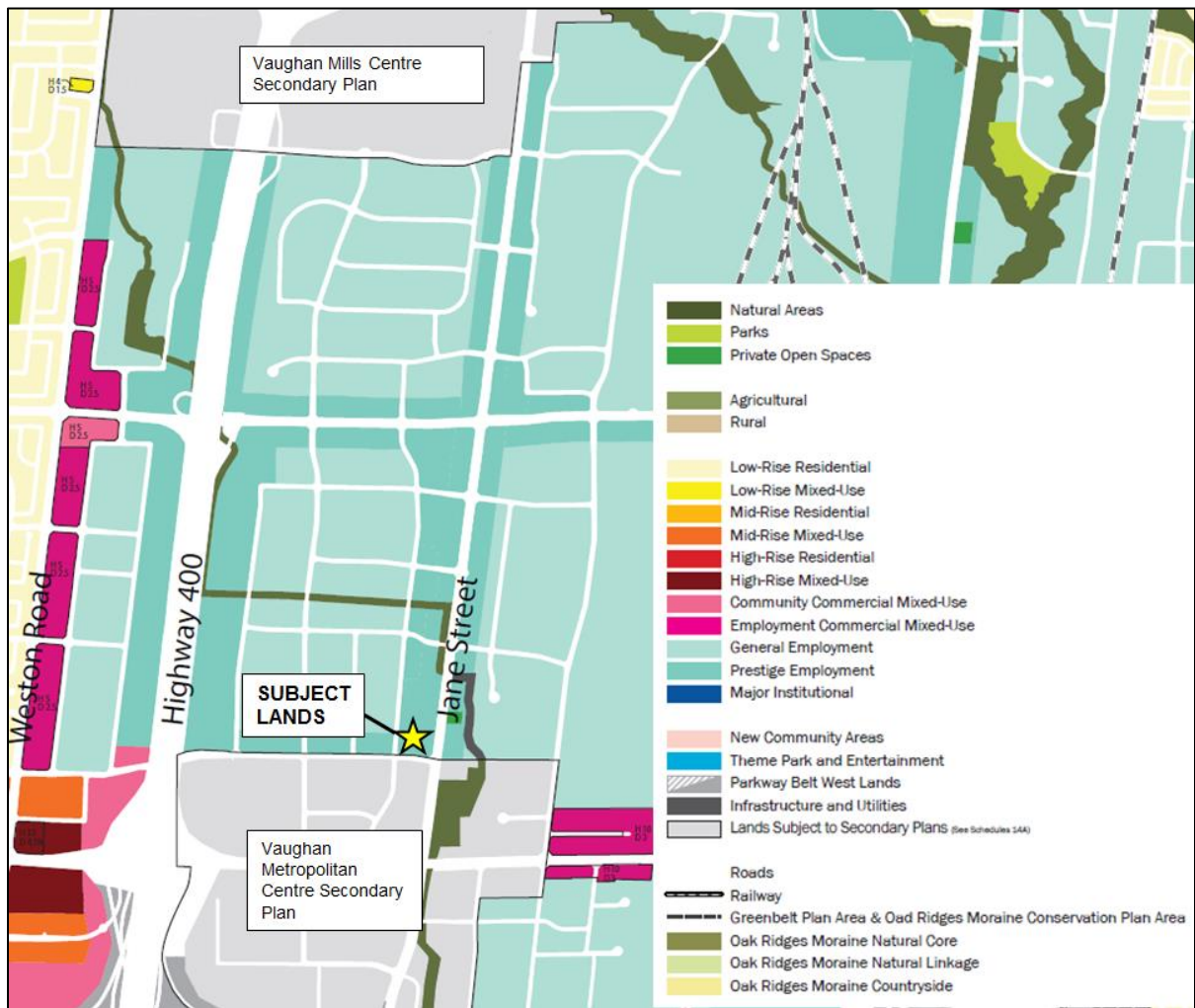


Figure 3: Land Use - City of Vaughan Official Plan 2010

Notably, the subject property, in addition to other lands located along the east and west sides of Jane Street were assigned the designation of *Commercial Mixed Use* in an earlier iteration of VOP 2010 (Figure 4), which did not achieve final approval by Regional Council. This designation provided for a broader range of uses and greater densities in recognition of frontage along the Jane Street corridor. In the final version of VOP 2010, the lands along Jane Street were ultimately changed to *Prestige Employment*.

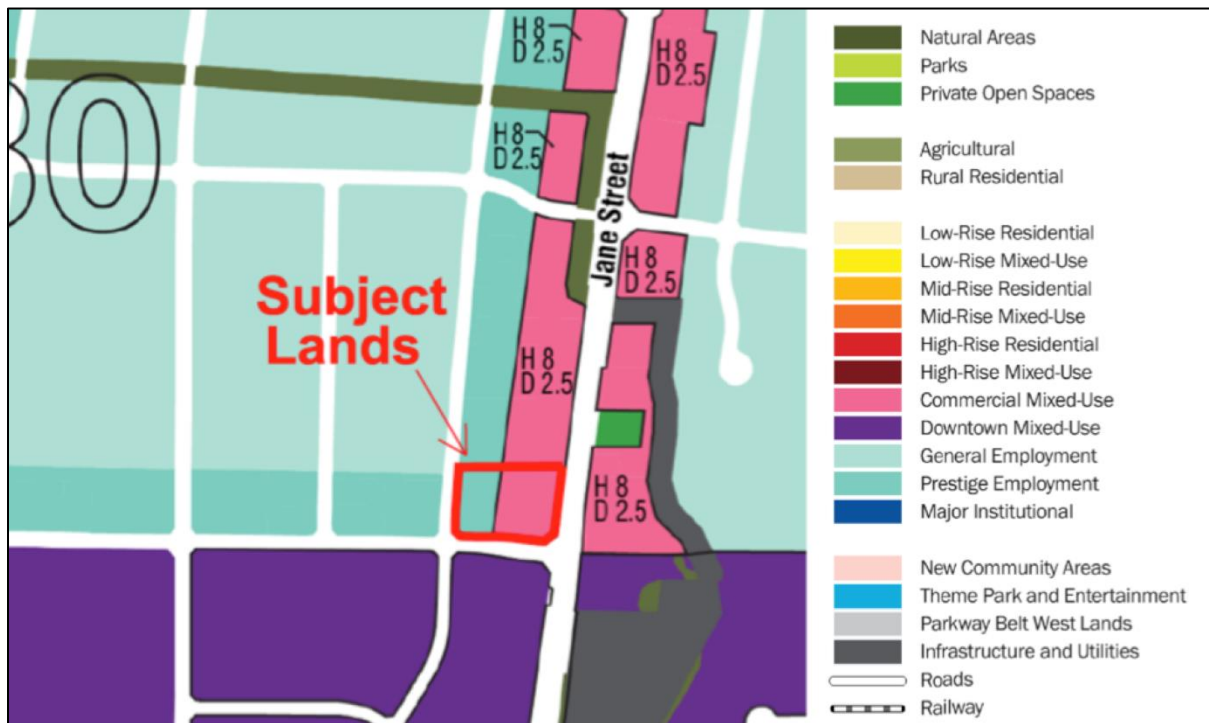


Figure 4: Land Use - Earlier Iteration of VOP 2010

Development Opportunity

With recognition of the importance of employment areas to the Region's economy, this request proposes to preserve employment uses on the subject property, while also providing for residential and commercial development in a mixed use context similar to other developments in the area. The proposal for the subject property would comprise a mixed use development, consisting of an office tower providing for significantly more employment GFA than the current condition. The development would also include residential uses with ground level commercial to support the office uses and residents, similar in nature to the developments occurring in the VMC, but at a lower scale.

Weston Consulting has prepared a preliminary development concept for the subject property to illustrate the uses, heights and densities that would be appropriate given the site context (see attached development concept). Further to the above, the development concept contemplates a 20 storey office building to retain an employment use on site, enhance the employment GFA of the site to support the viability of the existing employment area and provide a transition to the residential uses. The office building is proposed to be located at the interior of the site, adjacent to neighbouring employment uses to achieve better land use compatibility and provide for a buffer from the proposed residential uses.

Residential towers at maximum of 30 storeys are contemplated at the Jane Street and Portage Parkway frontages of the site. These heights are complementary to the development occurring in the VMC while acknowledging the location of the subject property outside of the VMC and in an

area that would be suitable as a transitional area from the high-rise VMC to the low-rise employment area.

Given the context of the subject property directly adjacent to the Vaughan Metropolitan Centre Secondary Plan area, approximately 416 metres from the VMC Subway Station, and located at a corner site with frontage on Jane Street, there are many factors that support the development of the subject property for mixed uses and greater densities. The subject property has three frontages, as it fronts onto Jane Street, Portage Parkway and Millway Avenue. These three frontages in addition to the property's corner location at the exterior edge of the employment area and abutting the VMC, present a unique context that is accommodating to the redevelopment of the site in a manner that does not compromise the integrity of the employment area.

Employment Lands Conversion

In accordance with section 2.2.5.9 of the Growth Plan, the conversion of employment lands may be permitted where it is demonstrated that:

- a) There is a need for the conversion;*
- b) The lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*
- c) The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this plan;*
- d) The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan; and*
- e) There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

The current proposal for enhanced land use permissions applicable to the site merits further review and should be considered under the current Municipal Comprehensive Review. The following is a response to the conversion criteria under the Growth Plan for the Greater Golden Horseshoe:

- a) There is a need for the conversion;*

Through the MCR, York Region will be conducting a land needs assessment to confirm if there is enough land to accommodate the development elsewhere. Notwithstanding this, there are characteristics of the subject property related to its context that make the property better suited for high-rise mixed uses, including by providing better integration with the VMC, by acting as a transition between the VMC and employment area, and by capitalizing on the corner site location along the Jane Street corridor. The proposed conversion will maintain the employment use to support the employment goals of the Region, while also better achieving Region and local planning objectives.

- b) The lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*

York Region will be conducting a land needs assessment through the MCR to determine if there is enough employment land to accommodate the employment forecast over the planning horizon. Although this request is for an employment land conversion, it is more accurately described as an addition of uses given that significant employment space is proposed to be accommodated on site, in addition to residential and commercial uses.

- c) *The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this plan;*

An assessment of forecasted employment growth is anticipated to be conducted through the ongoing MCR and the land need will be determined based upon an assessment of existing supply and forecasted demand in accordance with the Growth Plan for the Greater Golden Horseshoe.

- d) *The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan; and*

The proposed use of the subject property is consistent with the surrounding developments of the VMC and also compatible with the existing employment area. Given the location of the subject property at the far corner of the employment area, and the high rise mixed uses being developed directly across the street from the employment area, the proposed development will not have any adverse impact on the existing employment area. Additionally, since the subject property will maintain employment uses, the overall viability of the employment area will be supported and supplemented.

- e) *There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

The subject property is within the Urban Area on full municipal services and in close proximity to higher order transit. Located on the edge of the Vaughan Metropolitan Centre, there is abundant public infrastructure and services to accommodate the proposed uses, including the VMC Subway Station within walking distance of the subject property. Additionally, the subject property has frontage on Jane Street, which has been identified as a *Regional Rapid Transit Corridor* and will be serviced by future Bus Rapid Transit.

In addition to the employment area conversion criteria provided by the Growth Plan, York Region has developed criteria in consultation with local municipalities to better assess conversion requests. As of the time of the filing of this submission, the Proposed Employment Area Conversion Criteria, as listed below, was endorsed by York Region Committee of the Whole and scheduled to be discussed further at the next Regional Council Meeting. The following is an evaluation of the proposed conversion of the subject property in consideration of the criteria developed by the Region in consultation with the local municipalities:

1. *The following employment areas will not be considered for conversion as they have not yet had the opportunity to develop due to servicing constraints or have recently been brought into the urban boundary to accommodate employment land employment growth to 2031: Keswick Business Park, Queensville, Highway 404 (ROPA 1), ROPA 3, and Highway 400 North (ROPA 52).*

The subject property is not located within any of the above-noted employment areas.

2. *The employment area will not be considered for conversion if the entire perimeter of the site is surrounded by lands designated for employment uses and is not viable to continue as an employment area.*

The subject property is surrounded by employment uses on the north and west sides. The subject property is adjacent to the Vaughan Metropolitan Centre on the south side and has frontage on Jane Street, a major Regional corridor, on the east side. Located at the edge of the employment area, the proposed conversion will not disrupt the function or continuity of the employment area by creating a “hole” in the employment area.

3. *Conversion of the site would not compromise the Region's and/or local municipality's supply of large sized employment area sites (i.e. 10 ha or greater) which allow for a range uses including but not limited to land extensive uses such as manufacturing, warehousing, distribution and logistics.*

The subject property is not a large site, nor is it proposed that an area greater than 10 ha in area be converted. Given the location of the subject property at the periphery of the employment area on a corner site, with three separate frontages, the site is sequestered from the majority of the employment area and can be redeveloped independently of the greater employment area.

4. *The conversion will not destabilize or adversely affect current or future viability and/or identity of the employment area with regards to:*
 - a. *Hindering the operation or expansion of existing or future businesses*
 - b. *Maintaining lands abutting or in proximity to the conversion site for employment purposes over the long term*
 - c. *Attracting a broad range of employment opportunities and maintaining clusters of business and economic activities*
 - d. *Providing appropriate buffering of employment uses from non-employment uses.*

The employment area in which the subject property is located is located directly north of the VMC, which is undergoing significant growth and development in the form of high-rise, mixed use development. The expansion of the mixed uses to the subject property, which is located on the outer edge of the employment area on a corner site, will not hinder the operation of existing or future businesses or adversely affect current or future employment opportunities. The proposed development of the subject property will maintain employment uses in the form of an office building, providing for significant employment GFA to support

the viability of the employment area and diversify the built form of the employment area. Furthermore, as a highly visible site from Jane Street and the VMC, the proposed office use will act as an aesthetically pleasing buffer to the general employment uses in the interior of the employment area.

5. *The conversion to a non-employment use is compatible with the surrounding uses such as existing employment uses, residential or other sensitive land uses and will mitigate existing and/or potential land use conflicts.*

The conversion of the subject property will be compatible with both the mixed use area to the south and southeast, as well as the employment area to the north, west and east. The proposed use of the subject property for high-rise mixed uses is precisely what is being developed in the VMC, therefore there are no land use conflicts expected with the lands to the south of the subject property.

Residential uses proposed for the subject property would be situated at the Jane Street and Portage Parkway frontages, at the exterior of the employment area. Employment uses would be maintained on site at the corner of the subject property interior to the employment area, thereby buffering the employment area from the residential uses. This arrangement will mitigate land use conflicts by providing appropriate buffering.

Given that the subject area contains a number of high-rise mixed use developments in close proximity to employment uses, no land use conflicts are expected to result from the proposed conversion. Furthermore, the development of the subject property for a mix of residential and employment uses can be configured in a manner that further supports land use compatibility (see attached development concept).

6. *The site offers limited development potential for employment land uses due to factors including size, configuration, access and physical conditions.*

The subject property is not substantial in size, within limited space for major employment uses such as manufacturing or warehousing uses. Furthermore, the subject property is a corner site with good exposure from Jane Street, surrounded by future high-rise developments and located at the edge of the employment area. Based on this context, an office building is the most suitable type of employment use as it will provide better compatibility with the VMC developments and provide for an attractive site that is highly visible from Jane Street, screening the views of the general employment uses at the interior of the employment area. The proposed conversion will facilitate the addition of residential uses to the site to capitalize on the site's proximity to the VMC and Subway Station.

7. *The proposed site is not adjacent to 400-series highways, or is not located in proximity to existing or planned highways and interchanges, intermodal facilities, airports and does not have access to rail corridors*

The subject property meets this criterion. It is not adjacent to any 400-series highways, planned highways or interchanges, nor is it located near intermodal facilities, airports or rail corridors.

8. *The proposed conversion to a non-employment use does not compromise any other planning policy objectives of the Region or local municipality.*

The proposed conversion of the subject property to permit non-employment uses will not compromise the Region or City's planning policy objectives, but will rather attain them better than the existing condition. The employment policy objectives will be achieved given that the site will retain employment uses and increase the number of employment related jobs on site. Policies relating to mixed use development, transit-oriented development and MTSA's will be achieved by allowing for complementary residential uses on site in a compact form within walking distance of the VMC Subway Station and supporting future Bus Rapid Transit on Jane Street.

9. *Cross-jurisdictional issues have been addressed.*

There are no cross-jurisdictional issues applicable to the proposed conversion of the subject property.

Proposed Provincially Significant Employment Zone ("PSEZ")

Weston Consulting understands that the Ministry of Municipal Affairs and Housing's proposed Amendment 1 to the Growth Plan released on January 15, 2019 proposes to designate a number of employment areas as Provincially Significant Employment Zone (PSEZ), in particular, within Zone 10 (400-407, Vaughan North), which includes the subject property. We have submitted comments to the Ministry of Municipal Affairs and Housing on behalf of YRCC 945 respecting the proposed PSEZ mapping, including justification as to why the subject property should not be considered as Provincially Significant Employment Lands. It is our understanding that notwithstanding the proposed amendments to the Growth Plan, the Region's position is to proceed with considering conversion requests comprehensively through the MCR process.

Summary

Based on the location of the subject property at the far corner of the employment area, and considering the changing land use context being experienced immediately south of the lands in the VMC, it is our opinion that the subject property would be better suited for a greater range and mix of uses which includes maintaining the current level of employment on site and adding to it, while also introducing compatible residential uses in a mixed use context. Increased density permissions for the subject property would allow the site to develop in accordance with intensification and transit-oriented development objectives of the Province, Region and municipality given that the site is within 416 metres of the VMC Subway Station with frontage on Jane Street, which is a designated *Regional Rapid Transit Corridor*.

We are interested in working with the Region of York and the City of Vaughan throughout the MCR process to ensure the respective Official Plans are updated to incorporate a progressive and forward thinking planning vision based on analysis of the relevant emerging land use planning and development issues.

We will continue to monitor the MCR process and kindly request to be notified of any future reports and/or meetings regarding the Regional Municipal Comprehensive Review. We also request to be notified of any discussion or decision pertaining to this request, and we hope to be able to engage with the Region of York and City of Vaughan further on this matter.

Thank you for the opportunity in allowing us to provide this letter. Please contact the undersigned at extension 245 should you have any questions regarding this submission.

Yours truly,

Weston Consulting

Per:



Sandra K. Patano, MES, BES, MCIP, RPP
Associate

- c. Client
- Paul Bottomley, York Region, Manager of Policy, Research and Forecasting
 - Sandra Malcic, York Region, Director of Long Range Planning
 - Bill Kiru, City of Vaughan, Director of Policy Planning & Environmental Sustainability
 - Fausto Filipetto, City of Vaughan, Manager of Policy Planning – Long Range



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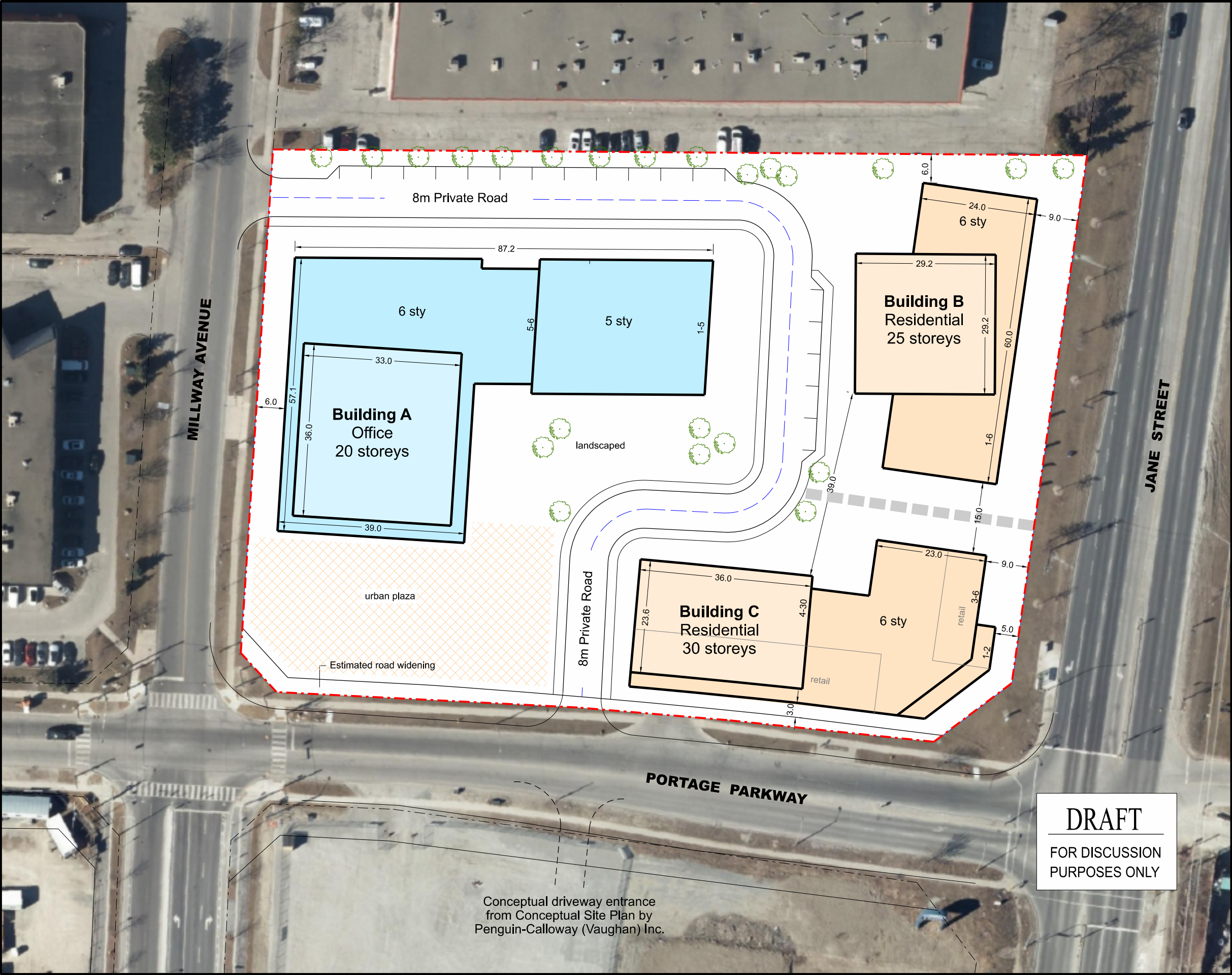
LEGEND

Subject Lands

- Completed
- Under Construction
- Under Review

VMC DEVELOPMENT APPLICATIONS

201 MILLWAY AVENUE, VAUGHAN



DEVELOPMENT CONCEPT

LOT 94 AND
PART OF LOTS 92 AND 93
REGISTERED PLAN 3541
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK



DEVELOPMENT STATISTICS:

Gross Site Area:	19,228 m ²
Road Widening:	381 m ²
Net Site Area:	18,847 m ²
Building Footprint:	7,363 m ²
Coverage (based on gross site area):	38.3 %
FSI (based on gross site area):	5.0
Total GFA:	753 units 96,142 m ²
Building A - Office	37,034 m ²
Building B - Residential 753 units	26,530 m ²
Building C - Mixed Use	32,578 m ²
Retail	842 m ²
Residential	31,736 m ²

Required Parking: High-order transit hub* 1,632 spaces

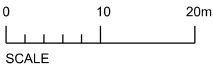
Retail @ 3 spaces/100m2	25.3 spaces
Office @ 2 spaces/100m2	740.7 spaces
Residential @ 1 sp/unit plus 0.15sp/u visitor	866 spaces

* Assumes average of parking standards for High-order transit hub from Draft IBI report, 2010.

Parking Provided:	1,632 spaces
Surface	17 spaces
Underground (3.2 levels)	1,615 spaces

Notes:

- Property Boundaries are approximate based on available mapping and subject to confirmation by survey.
- Not based on engineering, floodplain or grading analysis.
- Areas and dimensions are approximate and subject to confirmation by survey.
- GFA is approximate and includes all elevators, stairwells, internal loading areas and parking ramps.
- Unit total is estimated based on 84% of GFA with an average unit size of 65m².
- Air photo from First Base Solutions Inc., 2018 image.
- Road widening is estimated based on approximate future alignment as per Preliminary Preferred Alignment, Portage Parkway EA dated July 2016.



DRAWN / REVISED	
15 JAN 2019	First Draft

File Number:	0001
Drawn By:	SB
Planner:	PW
Scale:	see scale bar
CAD:	0001/concepts/C2.dgn

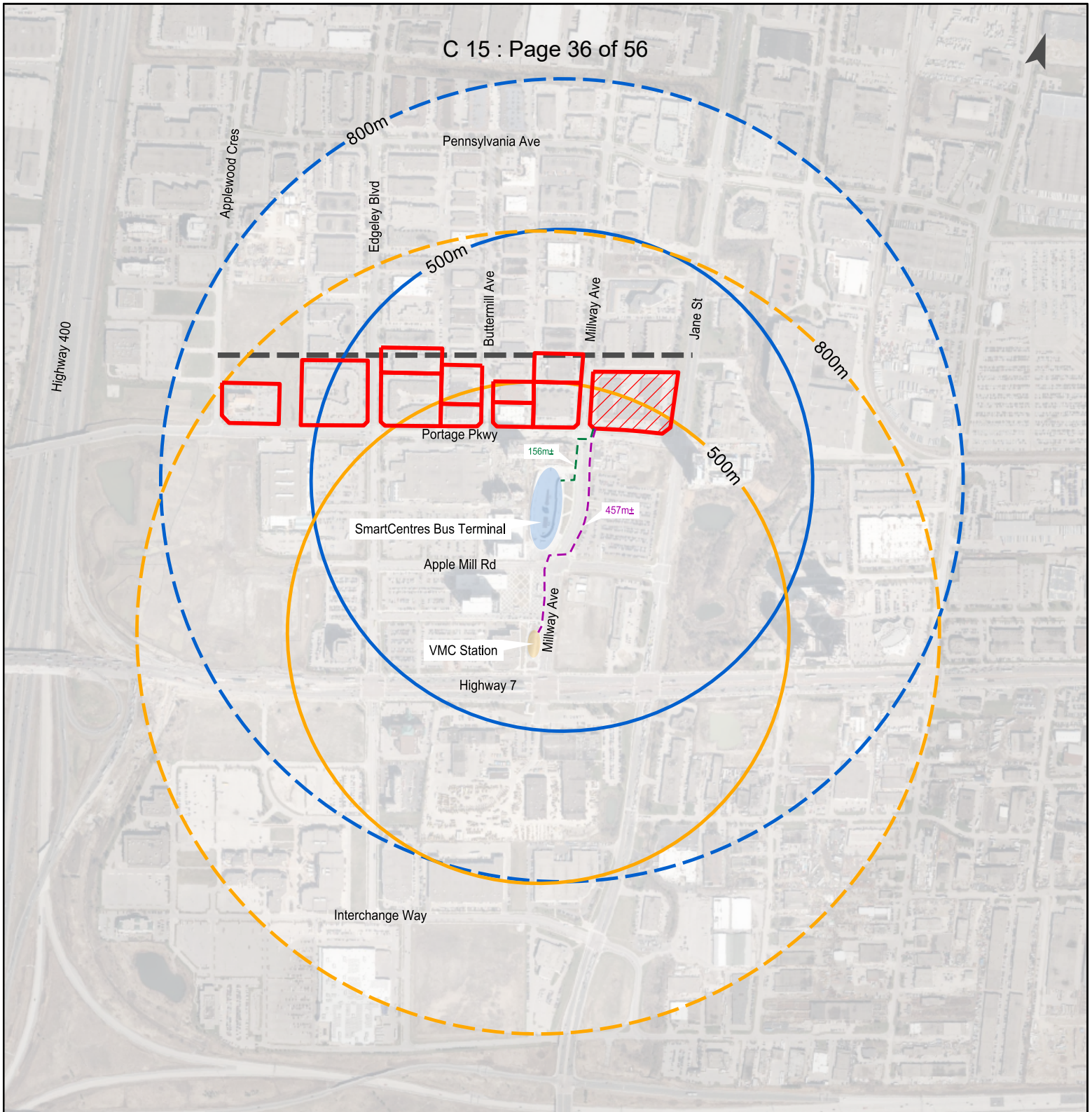


DRAFT

FOR DISCUSSION
PURPOSES ONLY

Conceptual driveway entrance
from Conceptual Site Plan by
Penguin-Calloway (Vaughan) Inc.

Attachment 2



- | | |
|--|--|
| — Portage Lands | — 500m radius from VMC Station |
| ▨ Subject Property | - - - 800m radius from VMC Station |
| - - - Approximate Extent of Transitional Area | — 500m radius from SmartCentres Bus Terminal |
| | - - - 800m radius from SmartCentres Bus Terminal |
| | - - - Walk Distance from 201 Millway to VMC Station = 457m± |
| | - - - Walk Distance from 201 Millway to SmartCentres Bus Terminal = 156m± |



ATTACHMENT 2



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A Conceptual Development: Creating a Transitional Area and Gateway to the VMC

201 MILLWAY AVE.
CITY OF VAUGHAN

FEBRUARY 2020

SECTION 1

INTRODUCTION

This booklet has been prepared by Weston Consulting on behalf of York Region Condominium Corporation 945 (YRCC 945), the owners of the property municipally known as 201 Millway Avenue (subject property) in the City of Vaughan. The purpose of this booklet is to illustrate the design vision and approach towards transforming the said property into a mixed-use employment and residential development, while maintaining the current level of employment on site. The vision for this site is to transform its present day condition of a two storey commercial/employment building and expanses of concrete parking into a high density compact mixed-use community. This will provide opportunities to live, work and play in a single property, and will coincide with its location adjacent to the north boundary of the Vaughan Metropolitan Centre (VMC). It should be noted that this property is located at a gateway location to the VMC, as it is situated on Jane Street and Portage Parkway with extensive frontage on both streets. The envisioned built form character and open space as well as proposed uses will provide appropriate transitioning between the VMC and the surrounding employment lands. The proposed design approach will signify the gateway to the VMC, complement the built form character of the VMC, and provide transitions to the surrounding employment areas.

Disclaimer

The proposed concept plan and the visuals presented in this document are for illustration purposes only in order to give a preliminary and general idea of how the subject property might be developed and transformed into a compatible mixed-use community. The concept plan and visuals are not to be considered as part of any formal planning development application, or as to what will be constructed on site.



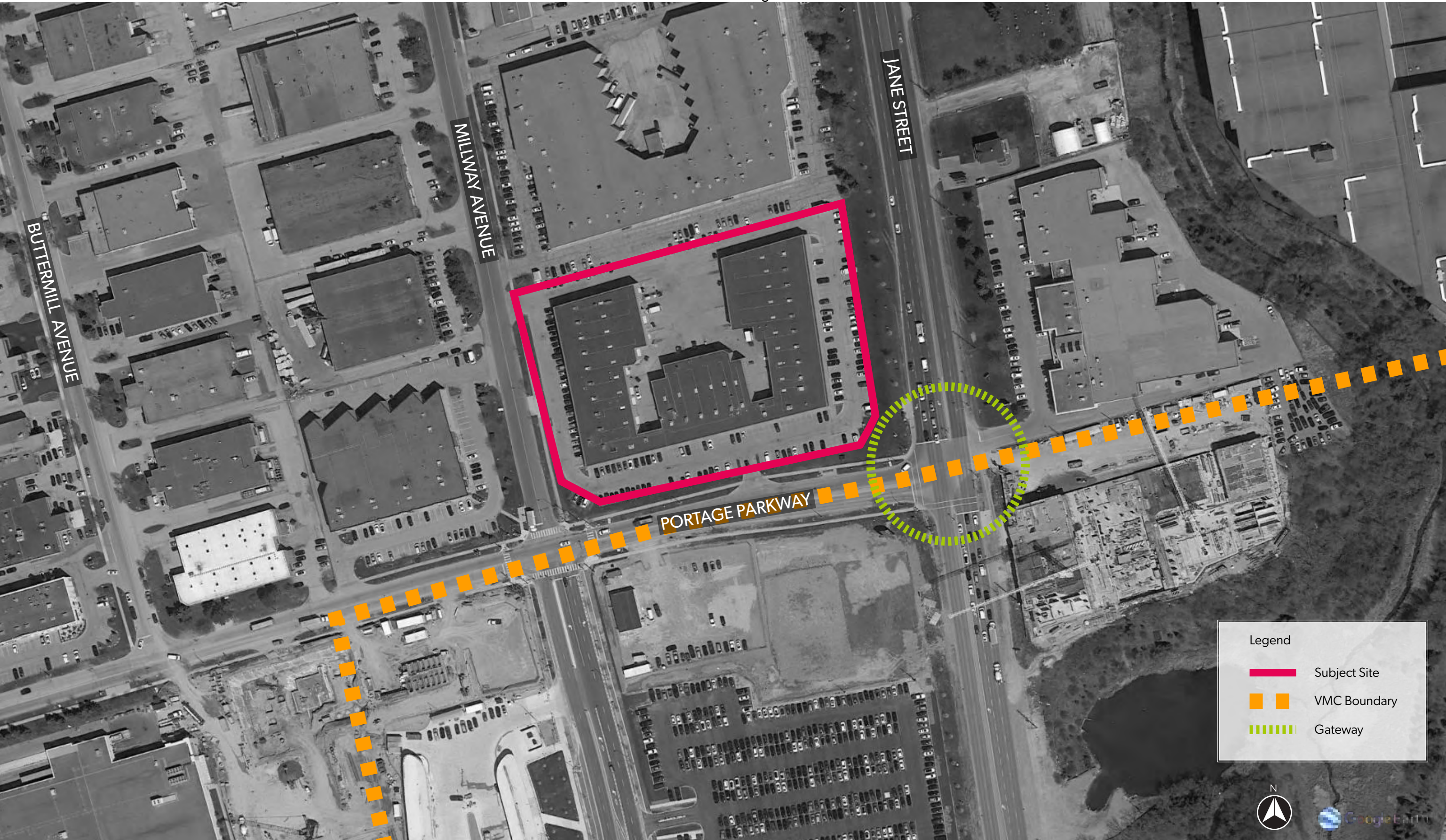


Figure 1: Aerial image of the Subject Site

SECTION 2 PUBLIC PROCESS

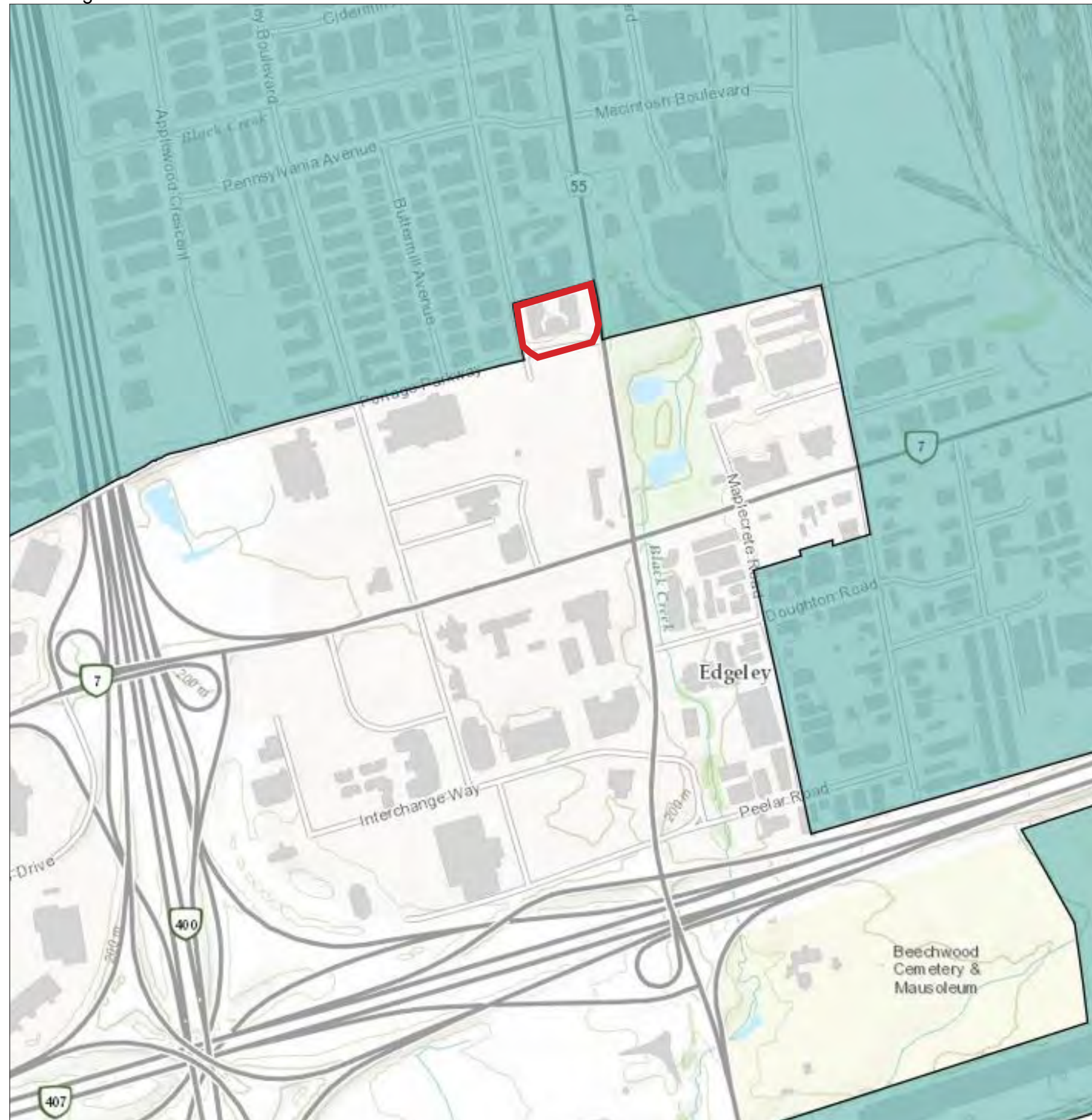


Figure 2: Provincially Significant Employment Zone (PSEZ) Vaughan. Retrieved from: <https://www.placestogrow.ca/AGOL/AccessibleViewer/?appid=9ea7adaecc7e4a54a8b5a9e61444e2c0>. Accessed February 10th, 2020.

SUBMISSION OVERVIEW

Submissions were filed with the Region of York on behalf of YRCC 945 as part of the Provincially Significant Employment Zones (PSEZ) review and the ongoing York Region Municipal Comprehensive Review (MCR) process, requesting that the subject property be considered for conversion from employment uses to permit a greater range and mix of uses, including employment, commercial and residential mixed uses. Subsequently, the following have taken place so far:

Provincially Significant Employment Zones (PSEZ)

A submission to the Ministry of Municipal Affairs and Housing (MMAH) was filed on February 28, 2019 requesting that the subject property be removed from the Provincially Significant Employment Zone (PSEZ).

In December 2019, the MMAH updated and adjusted the zone boundary and the subject property has been removed from the PSEZ. Refer to Figure 2.

Municipal Comprehensive Review (MCR)

A letter was received from the Region of York on July 15, 2019 advising that based on the results of their analysis, Regional Staff are recommending that the subject property not be converted to non-employment uses.

A subsequent meeting was held with Regional Staff on August 8, 2019 to review this preliminary recommendation.

A staff Report dated October 10, 2019 was released providing an update on the status of the employment conversion process. The Report identifies that staff have largely completed Phase 1 of the assessment, and that Phase 2 will include broader analysis and discussions with local municipal staff and stakeholders on employment planning and a more general assessment of employment areas. This will consider the context within the Regional and local structure, implications on land budget and infrastructure, and the changing nature of job delivery. Phase 2 will also assess the designation of employment lands in the Regional Official Plan and whether some employment areas should have more permissive uses or be appropriate for mixed-use (including non-employment uses).

A letter dated November 22, 2019 prepared by John Zipay and Associates was submitted to the Region on behalf of YRCC 945 requesting that reconsideration be given to allow the conversion of the subject property for mixed employment and nonemployment uses. Stating the opinion that the property will be better suited for a greater range and mix of uses, which includes maintaining and expanding the current level of employment on site and introducing compatible residential uses in a mixed-use context, this letter was submitted considering the Region’s Second Phase of assessment in light of the proposed intensification and Major Transit Station Area (MTSA) planning directions.



SECTION 3 CONTEXT

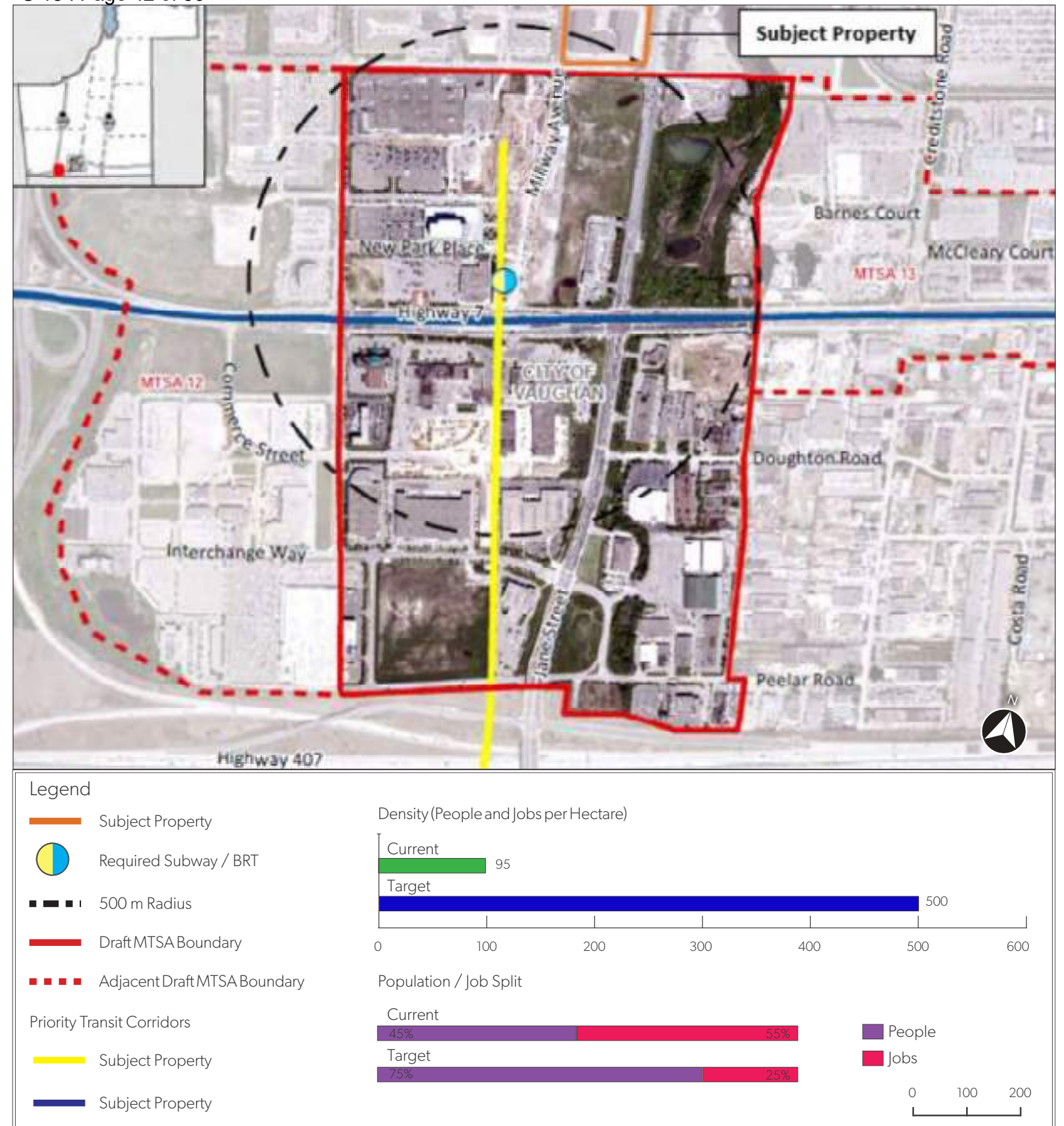


Figure 3: Vaughan Metropolitan Centre Subway Station. Referenced from Letter Submitted to the Region of York dated November 22, 2019 prepared by John Zipay and Associates.

MAJOR TRANSIT STATION AREAS (MTSA)









The Growth Plan for the Greater Golden Horseshoe, 2019 (the Growth Plan) generally defines Major Transit Station Areas (MTSA) as “the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a [higher order] transit station, representing about a 10- minute walk.”

The subject property is located just approximately 457 metres from the VMC subway station, which falls within the definition of a higher order transit stop. Additionally, the property is also within approximately 156 metres of the SmartCentres Place Bus Terminal, which is a 9-bay YRT bus terminal within the VMC, also falling within the definition of a higher order transit station. Figure 4 demonstrates the approximate 500 and 800 metre radii from the subway station and the bus terminal taken from the closest station entrances, which are consistent with the Growth Plan’s definition of MTSA’s. This locational context of the subject property supports greater density and intensification.



Figure 4: Vicinity of the context and surrounding site

Legend

-  Subject Property
-  Approximate Extent of Transitional Area
-  500m radius from VMC Station
-  800m radius from VMC Station
-  500m radius from SmartCentres Bus Terminal
-  800m radius from SmartCentres Bus Terminal
-  Walk Distance from 201 Millway to VMC Station = 457m±
-  Walk Distance from 201 Millway to SmartCentres Bus Terminal = 156m±

SITE AND SURROUNDING CONTEXT

Abuts the northern boundary of the Vaughan Metropolitan Centre (VMC)

The VMC is Vaughan’s new downtown offering a vibrant mix and range of uses in a compact and high density context. This area is experiencing rapid change and observing the development of high-rise buildings, new streets, pedestrian pathways and open spaces. The property south of Portage Parkway opposite the subject property is within the VMC and currently under construction for the development of three mixed-use high-rise buildings ranging in height from 36 to 50 storeys. Similar developments are already constructed or under construction within the VMC that are changing the skyline of the City. For example, the property at the opposite south east corner of the intersection is currently under construction for a 35 storey residential building (The Met).

Gateway Location

The subject property is located at a prominent gateway location at the intersection of Jane Street and Portage Parkway. This location offers entrance to the VMC from Jane Street at the east, which is identified as an Intensification Corridor and a Regional Rapid Transit Corridor, that is planned to connect Vaughan Mills to the VMC.

Abuts the northern boundary of the Draft MTSA 1 for the Vaughan Metropolitan Subway Station

The subject property abuts the northern boundary of the proposed draft MTSA 1 for the Vaughan Metropolitan Subway Station. The draft area of the proposed MTSA is bounded by Millway Avenue to the north, Maplecrete Road to the east, Highway 407 to the south and Edgeley Boulevard to the west (refer to Figure 3).

Located within Walking Distances of the VMC Subway Station and the Smart Centre Bus Terminal

Two major transit facilities are located within short walking distances of the subject property. The VMC Subway Station is 457 ± metres south of the subject property offering transit connection to downtown Toronto. The Smart Centres Bus Terminal is located north of the VMC Subway Station and is 156 ± metres walking distance of the subject property. Both transit facilities are directly linked to the subject property through the public pathway system.

Multiple Street Frontage

The subject property is fairly rectangular and has frontages along Jane Street to the east (125 metres), Portage Parkway to the south (160 metres), and Millway Avenue to the west (112 metres). Portage Parkway forms the northern limits of the VMC. The design approach is to utilize public street frontages in order to engage the public realm and contribute to street animation.

Surrounding Employment Land Areas and Transitioning

The neighbouring land uses surrounding the north, east and west sides of the subject property are employment uses with a range of commercial/employment buildings. The general built form can be described as low-rise extended employment buildings. Therefore, one of the main design considerations is to provide appropriate transitions toward the surrounding employment lands. In this respect, the built form, its configuration, massing, siting, height, and scale should be designed in a compatible manner so that the development mediates between the high-rise high density buildings of the VMC and the low-rise built character of the surrounding employment areas.

It should be noted that a series of properties located on the north side of Portage Parkway, west of Jane Street and east of Applewood Crescent are owned by the Portage Landowner’s Group. These properties are referred to ‘Portage Lands’ and are located west of the subject property. A formal request has been made by Malone Given Parsons (MGP) to the Region asserting that the Region’s MCR process should consider the opportunities for the planning of a future transition buffer for the VMC and that the Portage Lands should be converted to permit non-employment uses to recognize their locational attributes as a transitional area from the VMC to the existing employment area to the north.

The proposed design approach of the subject property is generally consistent with the request of the Portage Landowner’s Group. However, the strategic location of the subject property at a gateway location at the intersection of Jane Street and Portage Parkway, and along an Intensification Corridor and a Regional Rapid Transit Corridor (Jane Street), as well as its location within 457 metres of the VMC Subway Station and 156 metres of the Smart Centres Bus Terminal reinforces the need for adequate height, density and built form transition (refer to Figure 5).



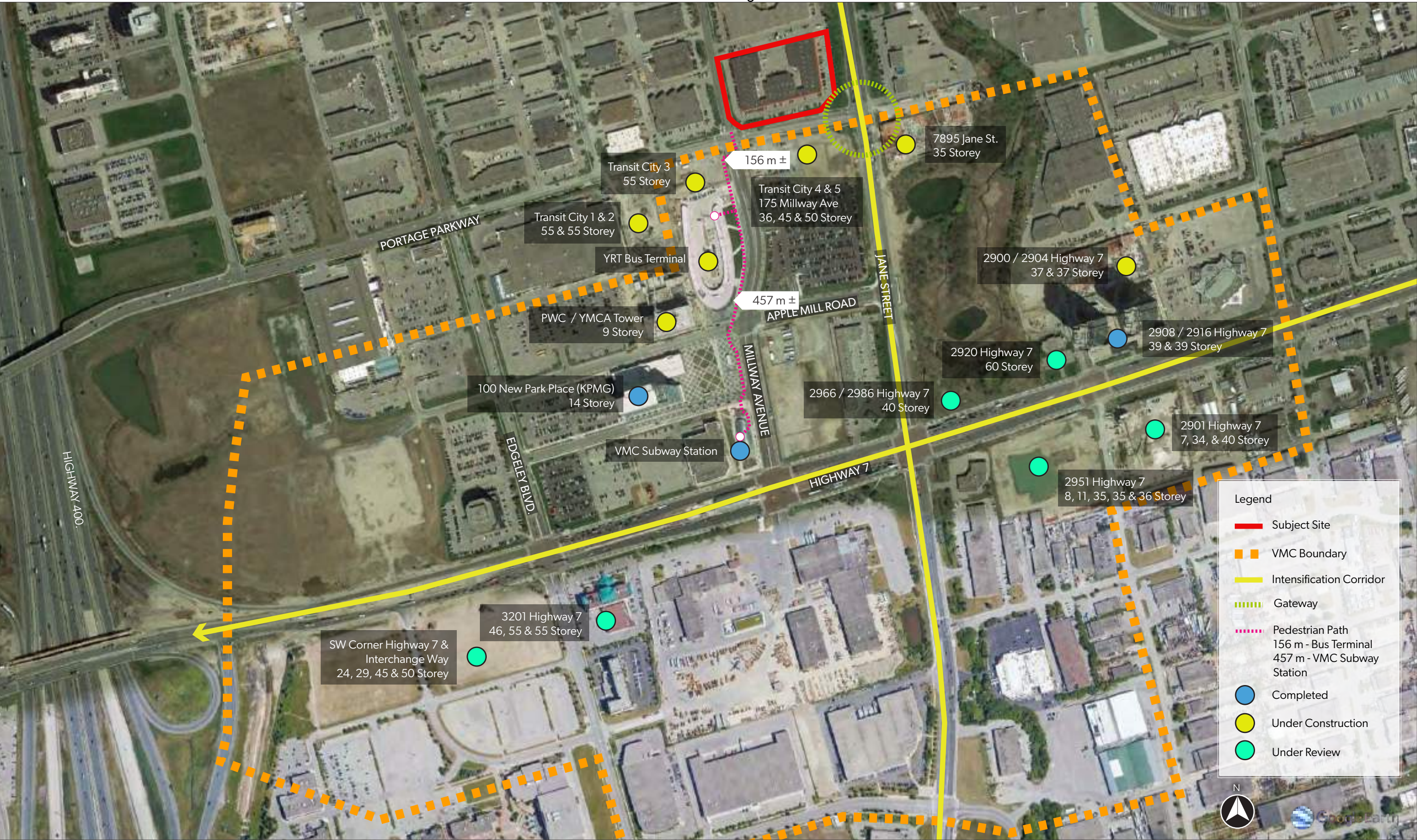


Figure 5: Aerial image with the surrounding development



Figure 6: Transit City 4 & 5



Figure 7: The Met Condos



Figure 8: SmartCentre Bus Terminal





Figure 10: Transit City 1, 2, and 3



Figure 11: YMCA Tower



Figure 12: The Vaughan Metropolitan Centre Subway

SECTION 3

CONCEPT

DESIGN VISION

The design vision is to provide a high-density compact mixed-use development that builds on the locational context of major transit facilities, and create a complete community that will enable people to live, work and play in the same premis. The design envisions buildings that will provide transitions between the high density VMC to the low-density employment lands while accommodating existing employment uses of the site. The approach towards building design will be to signify the gateway location of the site and complement the compact and high-density built form character of the VMC. Please refer to Appendix A for further details regarding the concept for the subject property.



Figure 13: Transit City 4 & 5 Rendering

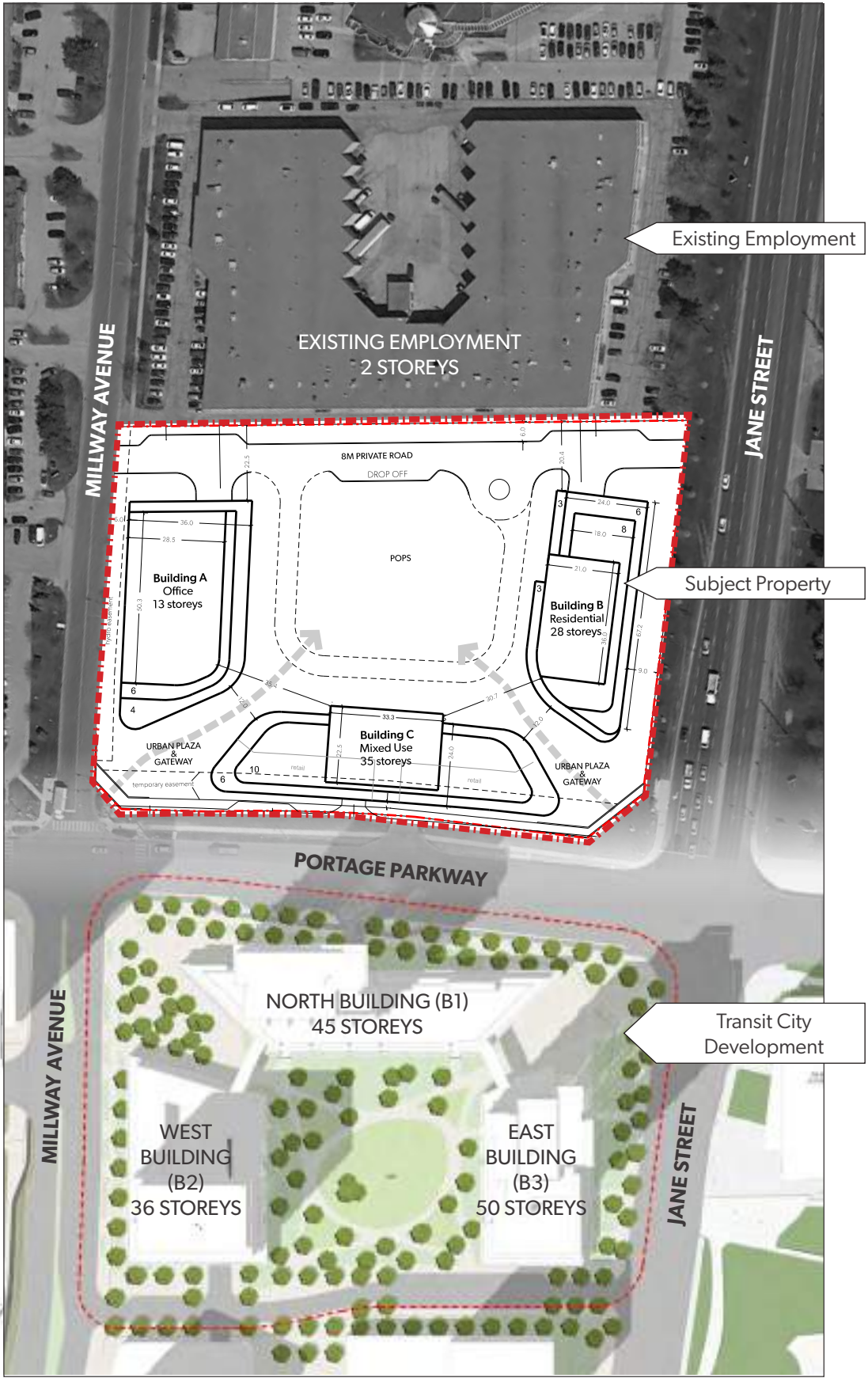
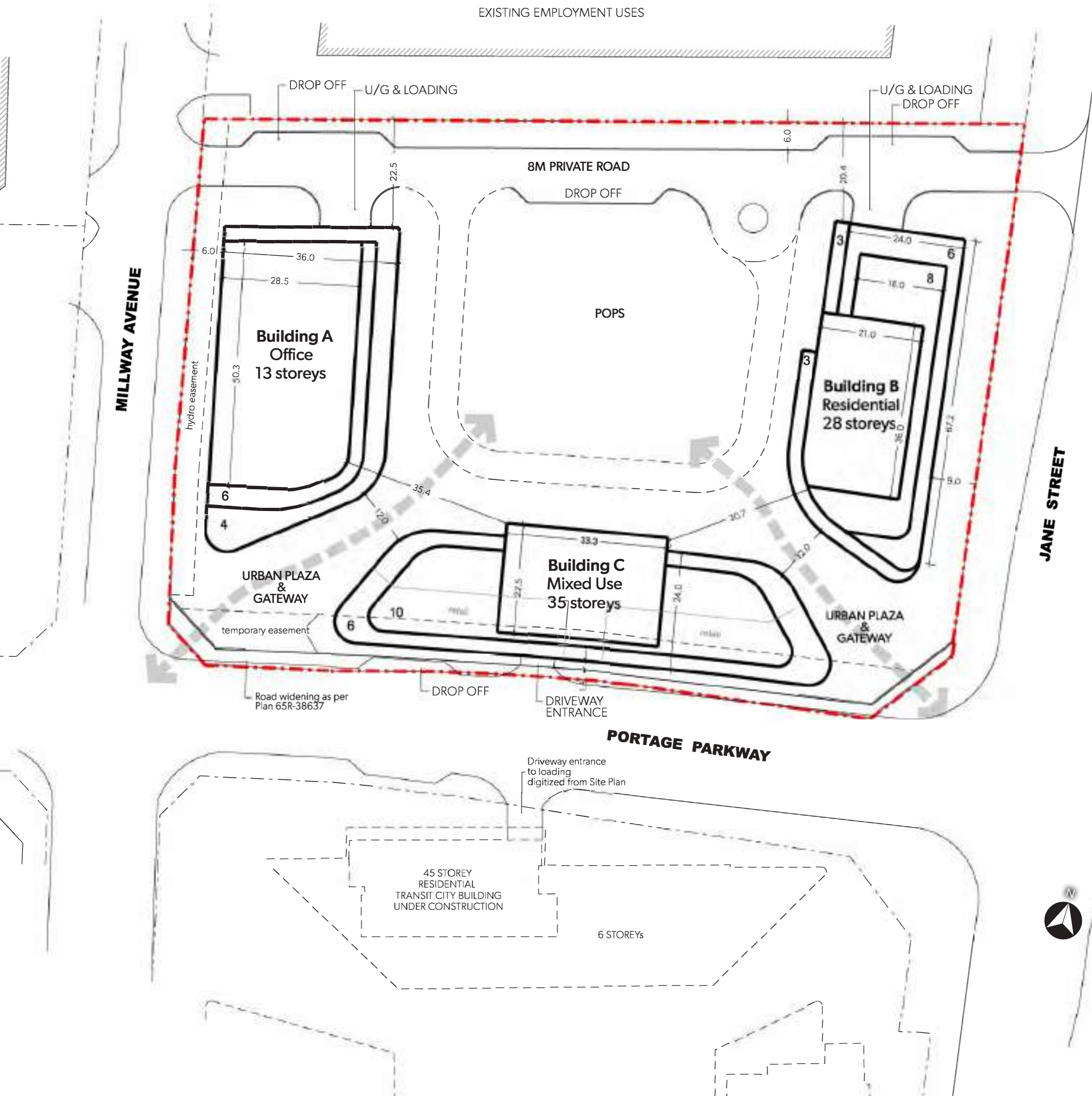


Figure 14: Concept drawing

Figure 15: Concept drawing with surrounding context and Transit City Condo Development

DESIGN APPROACH

Building Location and Configuration

Buildings will be located close to street edges in order to engage the public realm, provide street edge definition and contribute in animating the streetscapes. The base of the buildings will be extended along the street frontages for street animation and pedestrian activity.

Central Open Space and Optimizing Landscaping

The central courtyard will form the heart of the development and will be defined by the surrounding proposed buildings. The courtyard, although private, will function as and be accessible to the public as a Privately Owned Publicly Accessible Open Space (POPS). This central courtyard will provide recreational facilities as well as landscaping opportunities, and contribute to the City's urban green network.

Urban Plaza and Gateway

Due to the subject property's gateway location, the concept presented envisions an urban plaza as a gateway feature at both street facing corners. This design approach will signify the subject property's prominent location as well as allow for increased pedestrian mobility and, a permeable open space system. Urban plazas contribute in place making opportunities. The urban plazas mirror the gateway features of the Smart Centres Development at the south.

Priority of Pedestrians

The design envisions to ensure a safe and attractive environment for pedestrians. Accordingly, traffic calming design strategies will be considered for the central courtyard. This design approach will maintain the pedestrian orientation of the courtyard while allowing vehicles in the courtyard only when required. Such as in the case of emergency vehicles or service vehicles.

PRECEDENT IMAGES



Central Plaza

Pedestrian Priority





Landscape Buffering



Sculpture or Public Art



Plaza or Gateway



Figure 16: Concept rendering

Building Height and Transition

High-rise buildings will provide adequate transitioning between the Smart Centres Development (Transit City 4 &5) south of Portage Parkway within the VMC, and low-density employment buildings located north of the subject property. The height of buildings will be adjusted to integrate and transition to the surrounding locational context. For example, the highest building will be located along Portage Parkway to signify the gateway location to the VMC and establish a compatible building height with the 45 storey tower of the Smart Centres Development currently under construction. This strategy will also keep the highest building the farthest away from the neighbouring low-rise employment lands to the north. The second highest building will be best situated along Jane Street that is an Intensification Corridor and a Rapid Transit Corridor. The lowest building will be located along Millway Avenue as this is the furthest away from the gateway (intersection of Jane Street and Portage Parkway) and also fronting onto existing low-rise employment lands, that could also be part of a larger transition area. Refer to Figure 18 for a conceptual cross section through the site and surrounding area illustrating the transition.

Building Massing and Transition

The massing of the buildings will signify the gateway location of the subject property bordering with the VMC while providing transitions to the employment area at the north. The high-rise buildings will be massed to define a podium, middle portion and a top. A stepped massing approach will allow the buildings to gradually integrate with the low-rise employment buildings. The slender tower forms will be spaced apart ensuring enough daylight and privacy between the towers as well as maintaining skyview.

Setbacks and Transition

Buildings will be setback significantly from the neighbouring employment lands to the north to provide appropriate separation distances. This setback area will be utilized for vehicular access, access to services and loading, drop-off areas and vehicular turning facilities as well as bordering landscaping.



Figure 17: Photograph illustrating the existing difference in the scale of development, between the VMC and the Subject Site

Location of Vehicle Laneway, Services, Ramps and Parking

The location of vehicular access will be towards the rear of the site via a private laneway along the northern property line. This location will also help in establishing a transition from the residential facilities to the employment lands located to the north. Access will be provided from Millway Avenue and Jane Street, while maintaining the pedestrian oriented environment along Portage Parkway. Drop-off areas, vehicle turn around facilities, access to underground parking, loading and services etc. will be restrained towards the rear of buildings in order to reduce their impact from the public realm. The concept anticipates all parking to be accommodated in underground parking levels, maintaining surface areas for the central court and landscaping.

Building Use Typology

The building uses and location are also based on contextual considerations. The mixed-use building (Building C) is oriented towards and closer to the VMC offering a mix of retail, commercial and residential uses similar to those within the VMC and in the Smart Centres Development across the subject property. The residential building (Building B) is sited along Jane Street. Jane Street is an Intensification Corridor and Regional Rapid Transit Corridor that supports intensification. Building A, the office building, is located along Millway Avenue providing transitions to the employment areas across Millway Avenue.

Grade Related Uses and engage the public and semi-private realms

To establish a finer grain of urban fabric, the development concept includes residential maisonettes at the base of Building B. The maisonettes are oriented towards the central court, that will stimulate pedestrian activity and animate the central green space. Non-residential uses are anticipated for the ground level of Buildings A and C. In particular retail/commercial uses that engage the public realm will provide street animation leading to a vibrant environment.

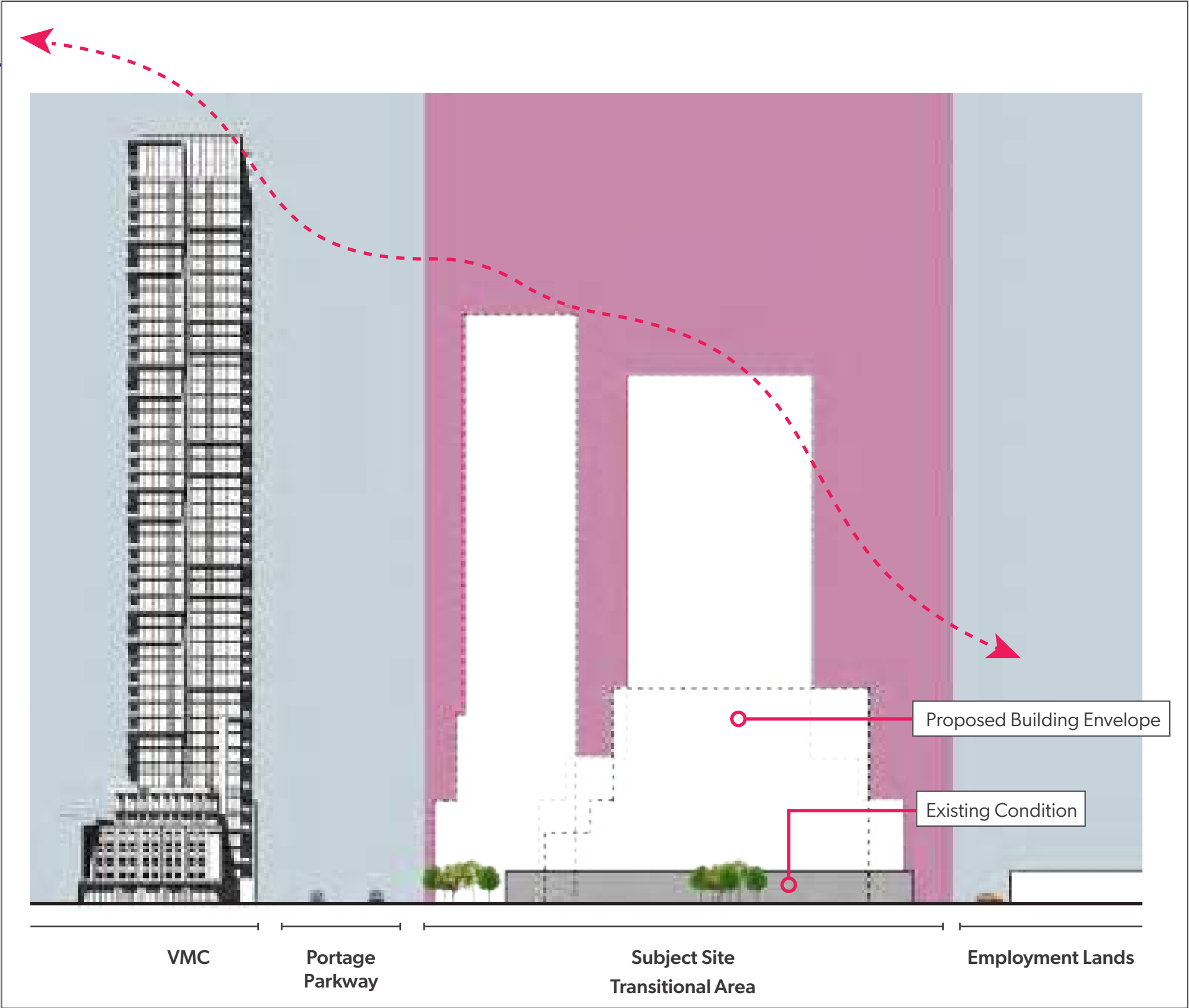


Figure 18: Section of the site illustrating the relationship with surrounding context

SECTION 4

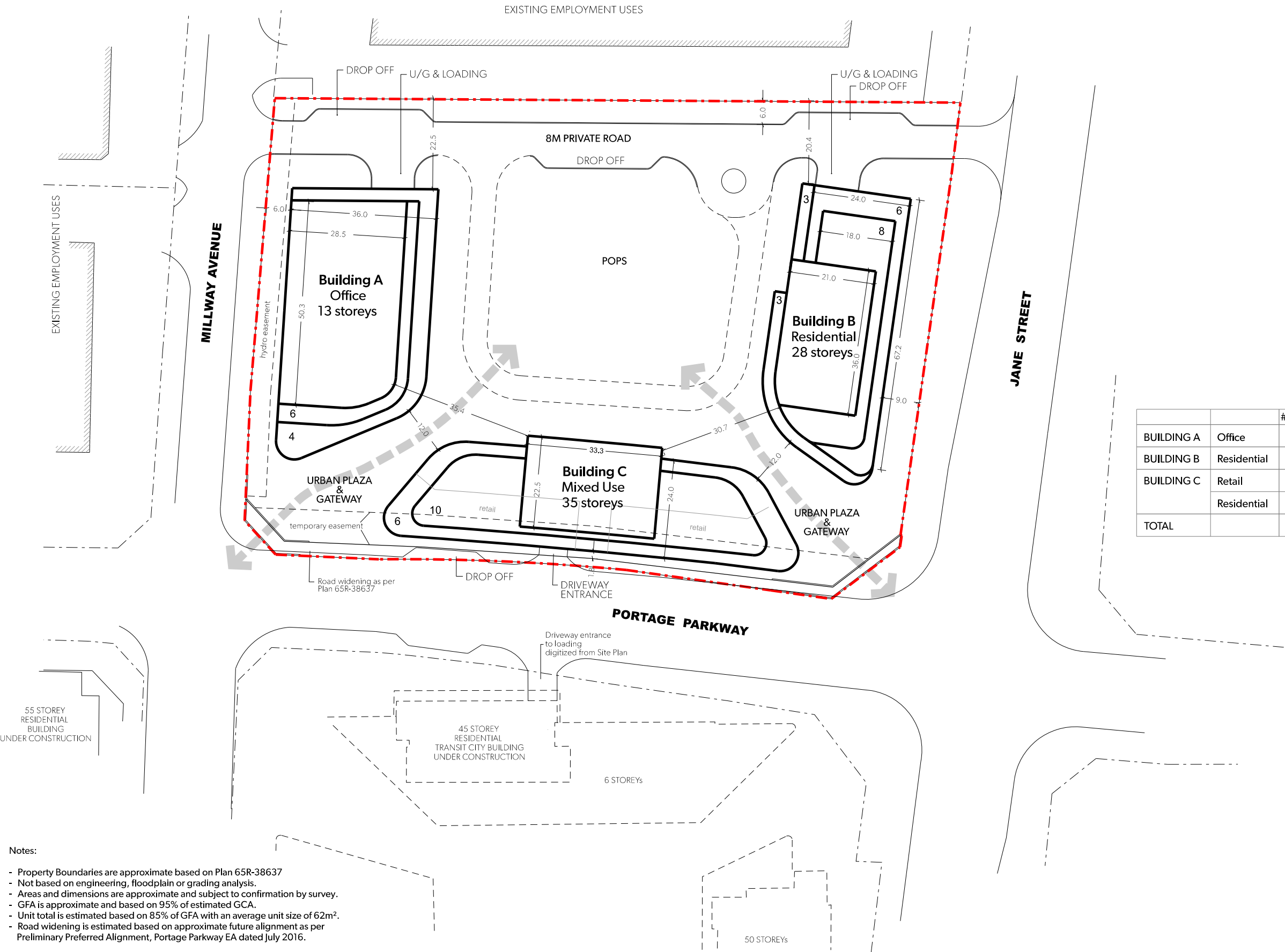
MOVING FORWARD

NEXT STEPS

- Pre-Application Consultation (PAC) Meeting with the City of Vaughan and other external agencies
- Design Review Panel
- Application Submission

APPENDIX A

DRAFT
FOR DISCUSSION
PURPOSES ONLY



DEVELOPMENT STATISTICS:

Gross Site Area:	19,156 m²
Road Widening:	446 m²
Net Site Area:	18,710 m²
Building Footprint:	6,412 m²
Coverage (based on gross site area):	33.5 %
FSI (based on gross site area):	4.44
Required Parking*:	1,060 spaces
Retail @ 0 spaces/100m2	0 spaces
Office @ 2 spaces/100m2	422 spaces
Residential @ 0.6sp/unit	510 spaces
0.15sp/u visitor	127.5 spaces
* City of Vaughan Second Draft Zoning By-law	
Parking Provided:	932 spaces
Underground (2 levels) estimated	
- assumes visitor spaces are shared with office	

		# Storeys	GCA (m²)	GCA (ft²)	GFA (m²)	GFA (ft²)	RES. UNITS
BUILDING A	Office	13	22,193	238,883	21,083	226,936	
BUILDING B	Residential	28	28,104	302,509	26,699	287,386	353
BUILDING C	Retail		1129	12,152	1,073	11,550	
	Residential	35	38,170	410,858	36,262	390,321	497
TOTAL			89,596	964,403	85,117	916,192	850

DEVELOPMENT CONCEPT
201 MILLWAY AVENUE
LOT 94 AND
PART OF LOTS 92 AND 93
REGISTERED PLAN 3541
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

WESTON CONSULTING
planning + urban design

DRAWN / REVISED
13 FEB 2020 add driveway entrance
6 FEB 2020 add road widenings
4 FEB 2020 revised
3 FEB 2020 First Draft

SCALE 1:1000
0 10 20m

File Number: 5275
Drawn By: SB
Planner: PW/SP/JZ
CAD: 5275/concepts/C3.dgn

Drawing
C3

- Notes:
- Property Boundaries are approximate based on Plan 65R-38637
 - Not based on engineering, floodplain or grading analysis.
 - Areas and dimensions are approximate and subject to confirmation by survey.
 - GFA is approximate and based on 95% of estimated GCA.
 - Unit total is estimated based on 85% of GFA with an average unit size of 62m².
 - Road widening is estimated based on approximate future alignment as per Preliminary Preferred Alignment, Portage Parkway EA dated July 2016.



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**COMMUNICATION : C 16
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

May 20, 2020

**Attn: Members of City Council
City of Vaughan**

**RE: Region of York Municipal Comprehensive Review
Planning for Employment and Employment Conversions
661 & 681 Chrislea Road, Vaughan**

We act as legal counsel to Battcorp Holdings (Vaughan) Ltd., the registered owner of the properties municipally addressed as 661 and 681 Chrislea Road in the City of Vaughan (the "Battcorp lands").

Our client has proposed a conversion of its lands for an orderly redevelopment of the lands with its immediate neighbours on the south side of Langstaff Road between Weston Road and Highway 400, with input of its planners, Weston Planning Consultants. Your staff's reaction, from the very first meeting last year, was *"We will oppose this request and so advise Vaughan Council"*.

Our clients are of the view that Vaughan Staff, in concert with Regional Staff, have taken a very abstract and theoretical planning view of all requests and NOT carried out the type of analysis necessary to bring forward appropriate recommendations to your Council.

This letter seeks deferral of Committee's and Council's decision now of the various conversion requests made in order for a much more detailed and sensitive planning analysis be carried out, including the possible consideration of a draft Master Plan, or even secondary plan for the lands on the south side of Langstaff Road, west of Highway 400 to Weston Road, including the Battcorp lands.

Quite simply, the core of the numerous Staff recommendations to you are based on preconceived conclusions triggered by a theoretical checklist of abstract planning theory rather than a series of in-depth analysis of thoughtful Owner submissions responding to those very theoretical issues raised. In most cases, **the very first time that Owners met with staff at the Region, with Vaughan planners joining in, Owners were told that their requests were going to be refused.** In our

submission, a conversion request deserves more review than staff has undertaken and hence the request for the deferral so that Council will have better information to it to take advantage of opportunities for community building that exist, at certain locations in the City including the Battcorp site and immediate area to Weston Road.

This is the only planning process we are aware of where proponents have been told from the very first meeting that their proposals were to be rejected, as opposed to a good faith and open-minded review of all materials and dialogue that was to occur during the planning process.

Background

Our client owns lands immediately abutting a non-employment area on the south side of Langstaff Road, east of Weston Road. The subject lands are located on the west side of Highway 400, abutting the southbound access ramp; however, the site does not have direct access to Highway 400 or Langstaff Road.

The site is fully developed on the south side of Langstaff Road from Weston Road to the Highway 400 interchange. The established land uses are entirely commercial, service commercial, office and institutional, catering to the needs of the employment community and nearby residential community. The 'land use function' is overwhelmingly a service node catering to the needs of the employment community rather than being part of it. It is our contention that a healthy and vigorous Employment Community requires convenient access to a range of non-employment uses, preferably at its periphery.

Performance standards for both employment and non-employment uses are vigorous and the existing employment area does not include any industrial uses that emit objectionable noise or odors. Mixed-use communities are routinely subject to vigorous scrutiny during the approval process to ensure they do not impose restrictions on their neighbors and we see no reason why the Battcorp lands might be an exception.

The lands immediately to the west of the Battcorp lands extending to Weston Road are identified as being within the *Community Area* in accordance with Schedule 1 – Urban Structure of the Vaughan Official Plan and are designated *Community Commercial Mixed-Use* by Schedule 13 – Land Use. Inconsistently, the proposed Regional designation for the Battcorp lands only is *Employment*. Both Regional and City Staff are not recommending that these westerly lands be designated for employment uses. We agree and believe that this treatment should also include our client's lands.

The Battcorp lands have been removed from the Provincial Significant Employment zone ("PSEZ") by the latest mapping released by the Province in December, 2019. This gives our client's lands the same treatment by the Province as the lands immediately to the west outside of the PSEZ, whereas the other lands to the north and south remain within the PSEZ designation.

Staff Report Analysis

We have reviewed the Request for Comments: York Region Evaluation of Employment Land Conversion Requests Staff Report, prepared by City of Vaughan Staff and dated May 20, 2020, and

its associated attachments, including Attachment 5 – Staff Recommendations for Each Request ID 6 as it relates to our client's lands. Staff are opposing the request for conversion.

In their Report, Staff address the policies of the Provincial Policy Statement ("PPS") and the Growth Plan for the Greater Golden Horseshoe, 2019 ("Growth Plan"). As previously noted, our client's lands have been excluded from the Province's mapping for Provincially Significant Employment Zones undertaken as part of the revisions to the 2019 Growth Plan. This indicates that the Province does not consider the Battcorp lands to be important or significant on a provincial level to accommodate employment growth.

Local Employment Conversion Assessment Criteria

In addition to the Provincial and Regional assessment criteria, City Staff have identified a series of local criteria to used in the consideration of employment conversion requests.

1. *The conversion involves the introduction of a sensitive use (i.e. residential) into an area that is predominated by uses that are incompatible with sensitive uses.*
2. *The conversion is located close to major public infrastructure that, either individually or cumulatively, provide a further level of incompatibility (e.g. rail yards, major highways).*
3. *The conversion is in an area that would constitute an unplanned expansion of a defined secondary plan area that is either approved or identified as an area requiring a secondary plan.*
4. *The conversion is located in an area where its approval would constitute piece-meal planning, potentially prejudicing the future of the current uses and creating expectation of further conversions.*
5. *The conversion is located in an area that is deficient in the appropriate urban design/streetscape and services, (e.g. for residential) such as walkability, parks, community level retail and amenities, schools and community facilities.*
6. *The conversion is part of a logical planning unit. In this case, the conversion request is considered to be premature and identifies the need for a comprehensive planning exercise to establish the long-term future (e.g. via a secondary plan) to confirm the appropriate uses and densities, and ensure that all the required infrastructure (e.g. internal roads and accesses, water, sewers, stormwater management), services and amenities are in place to support the community.*

These criteria, as they apply to our client's lands, are addressed in detail below.

Staff Assessment and Recommendation

In the summary of their assessment, Staff have made a number of comments related to their recommendation to not support the conversion of the Battcorp lands, which we indicate below with our comments:

- *The site is almost entirely surrounded by industrial uses. Permitting non-employment uses can potentially introduce compatibility issues with surrounding employment uses.*

We submit that this is not the case. The lands located immediately to the west of the Battcorp lands are not located within an employment area and are designated for non-employment uses. As such, the precedent for non-employment uses along the south side of Langstaff Road east of Weston Road has already been established. Similarly, the land uses in the immediate area, including the employment areas to the north and south of our client's lands, generally consist of non-traditional employment uses such as corporate offices, showrooms, dance schools, eating establishments, private schools and commercial uses. This demonstrates that the surrounding area has developed as a stable area with established businesses that are not subject to issues of noise, odour or other adverse impacts typically associated with traditional employment uses. As a result, the Battcorp lands present an opportunity to accommodate higher order uses without resulting in any undue impacts.

The employment lands to the south are separated by a public road and are predominantly characterized by non-traditional employment uses that do not require significant separation from more sensitive uses. The conversion of the Battcorp lands to non-employment uses would not result any adverse impacts on the surrounding employment area, nor would it affect the long-term viability of the employments lands given their established and stable non-traditional character.

- *The site is located in proximity to the Highway 400 and abuts a ramp to the highway which provides a further level of incompatibility with sensitive uses.*

The Battcorp lands have no functional relationship to Highway 400. While they abut the start of the southbound entrance ramp, their vehicle access is from the south from Chrislea Road and on the west from Silmar Drive with no direct access to Langstaff Road. Since Highway 400 at this location is at a lower grade and the overpass for Langstaff road is higher, the visibility of the properties from the highway is not a factor.

The conversion of these lands to non-employment uses would not set a precedent for the conversion of other sites along 400 series highways. Given their unique context with no functional access to Highway 400 and their relationship with the non-employment lands to the west, the Battcorp lands do not have a typical relationship with the 400-series highway. Furthermore, numerous properties, particularly within the City of Vaughan, that direct abut and have a more typical relationship with Highway 400 already support non-employment uses, including in some cases residential uses.

- *The site is located in an area where its approval would constitute piece-meal planning and will potentially prejudice the future of the current uses and create expectations of further conversion. As per the Region's Criteria, the approval of the request may destabilize or adversely affect current or future viability and/or identity of the employment area.*

Given the contextual relationship with the non-employment lands to the west, the south side of Langstaff Road has the opportunity to function as a primary corridor to provide non-employment

services to the surrounding employment lands. A successful employment node requires supportive non-employment uses to ensure its viability over the long term. Our client's lands represent an opportunity to provide these services to the support function and economic viability of the existing employment area. The intent of the redevelopment of these lands is to support the function and future viability of the surrounding employment area, rather than destabilize it.

The collective development of the lands along the south side of Langstaff Road between Highway 400 and Weston Road would be undertaken through a comprehensive planning exercise, such as a secondary plan process, which would eliminate the possibility of "piece-meal" development. The Battcorp lands are unique given their contextual location adjacent to existing non-employment lands and being located outside of the PSEZ, which characterizes the remainder of the surrounding lands to the north and south. As such, this context, in conjunction with the preparation of a secondary plan for the non-PSEZ lands south of Langstaff Road, would eliminate expectations for future employment conversions for the surrounding employment area lands.

- *The site is considered as a viable functioning employment land.*

We submit that this is not the case. As previously described, the Battcorp lands, as well as the non-employment lands to the west, are not currently occupied by employment uses. The current use of these lands is distinctly commercial and the recommendation to designate the site for employment uses would essentially create a legal non-conforming use of the Battcorp lands. Additionally, the opportunity to add employment uses to these lands comes from a mixed-use land use designation, which would allow for higher order land uses including a significant expansion of the number of jobs provided on these properties.

As discussed, the Province has removed our client's lands from the PSEZ designation, which indicates that these lands are not important or significant on a Provincial level in contributing to current or future employment needs.

- *The site is located in an area that is deficient in the appropriate ambience and services. The land does not have sidewalks, parks, schools or community facilities.*

We submit that this statement does not accurately reflect the current conditions of our client's lands. Municipal sidewalks currently exist along all three abutting street frontages, including along Langstaff Road, Chrislea Road, and Silmar Drive. These sidewalks provide connections from the Battcorp lands to the surrounding non-employment lands to the west and the largely commercial lands to the north, as well as direct access to Regional transit routes along Langstaff Road.

The site is located in close proximity to a large residential neighbourhood on the west side of Weston Road, which contains a range of community services and facilities, including public parks, schools and places of worship. Furthermore, the intent of the proposed land conversion is to allow for the redevelopment of the Battcorp lands for a mix of uses, which would contribute to the services and facilities available in this area. The comprehensive redevelopment with the westerly non-employment lands would further support this objective.

Conclusions

Staff's review of the Battcorp request makes no mention of existing uses on the Battcorp site. The recommendation from Staff, if carried forward, would result in Council creating a number of Non-conforming legally existing uses on the Battcorp site. In particular, there are a number of existing uses that are NOT Employment Uses: this includes;

- a. A private school for students with Autism (Crystal Ladder Learning Centre),
- b. A Pet Store with ancillary services of grooming, daycare and training (Woofurs Holistic Pet Care),
- c. A Private College (Reinhard College),
- d. A full menu sit down restaurant with drive through,
- e. A variety of automotive services and corporate head offices.

These are clearly NOT typical core Employment uses. Nowhere in staff's reporting has any of this been reported to you. And there has been no consideration of creating non-conforming uses through the existing process.


As acknowledged by the staff report (Local Criteria to Assess Employment Land Conversion Requests #6, pages 13), properties may be better addressed through a further comprehensive planning exercise, which could include some form of a draft secondary plan.

At this time, we request that a decision on the current employment conversion request for our client's lands be withheld until further planning analysis has been completed, including a full consideration of information provided by the Owner, for the lands on the south side of Langstaff Road between Highway 400 and Weston Road, including the Battcorp lands.

Thank you for the opportunity to provide these comments. Should there be any questions with respect to the content of this submission, please contact the undersigned at 416-400-1967.

We understand that the meeting being held on Wednesday will be conducted by Skype and it is our intention and request to make a short deputation regarding these matters and note the 5-minute limit.

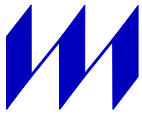
All respectfully submitted,
HOROSKO PLANNING LAW



(Original signed by B. A. Horosko)

Barry A. Horosko, BES, JD.

cc. Battcorp Holdings (Vaughan) Ltd.
P. Weston, Weston Consulting


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planning + urban design

**COMMUNICATION : C 17
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

 City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

 May 19, 2020
File 7522-3

Attn: Hon. Maurizio Bevilacqua and Members of Council
**RE: Committee of the Whole (2)– May 20, 2020
Item 10 - Request for Comments: York Region Evaluation of Employment Land
Conversion Requests
6241 Rutherford Road**

Weston Consulting is the planner for Di Poce Management Limited, the owner for the property located at 6241 Rutherford Road in the City of Vaughan (herein referred to as the 'subject property'). There is a substantial amount of history of application requests and discussion for the subject property dating back to 2017. On behalf of the landowner, Weston Consulting has made Pre-application Consultation (PAC) submissions to the City of Vaughan on August 18, 2017 and March 13, 2019 in support of proposed Official Plan & Zoning By-law Amendment applications, as well as Employment Conversion requests to the Region of York as part of their Municipal Comprehensive Review (MCR) process, dated August 10, 2018 and May 1, 2019 (attached hereto as Appendix I). It is noted that City Staff rejected both PAC submission requests at that time indicating that the applications were premature and the uses being contemplated were considered an Employment Land Conversion, and could only be considered as part of a Municipal Comprehensive Review (MCR). These applications, together with the Employment Conversion requests, intended to identify the existing development restrictions on the site including environmental and cultural heritage constraints relative to the non-employment and non-residential uses proposed for this site.

As a matter of context, we would like to clarify the development proposal as the Staff report only notes that a "Banquet Hall" is proposed on the subject property, neglecting to provide further details on the site's characteristics and the specific uses that are envisioned for the property. The vision for the property seeks to preserve and protect the existing heritage house, accessory buildings (barns) and grounds as part of an adaptive re-use project to provide a new lease on life for this historic and environmentally constrained site. Given its unique site characteristics and its isolation from adjacent employment uses in the vicinity, we envision the utilization of the designated structure and grounds for the establishment of a "Tea House" (similar to a café or coffee house) and a mix of commercially related uses. It is also envisioned that the structure and grounds could also be utilized on weekends, off business hours and special circumstances for a number of complementary uses, including but not limited to the following:

- A small-scale event venue for entertaining small groups of people where food and/or liquor consumption can occur;
- Small scale ceremonial purposes including special events such as weddings, anniversaries, or corporate gatherings;
- Flex space for commercially related uses, including but not limited to yoga and fitness classes, cooking/ baking lessons, artist studios, cultural activities, urban agriculture and other similar uses; and,
- Recreational uses within the open space areas directly related to the principal uses including picnic areas, lawn seating and natural and passive relaxation areas.

Since our Employment Conversion Request submission of May 1, 2019, we have been actively engaged in lengthy and detailed discussions with both Regional and City Staff in order to determine the most appropriate course of action relative to planning applications and process. It was determined by Regional Staff that the proposed development of the property is a local matter that does not constitute the need for a conversion. Furthermore, there was consideration and acknowledgement from Regional and City Staff on the following:

- The subject property is environmentally constrained and due to the presence of a designated heritage structure, the property's total developable area is restricted and not suitable for traditional employment type uses, such as industrial, warehouses, manufacturing, etc.;
- The subject property can be considered for more permissive employment uses, such as small-scale event types uses, which would allow for more flexible non-employment uses and have minimal impact on the larger employment area; and
- The proposed non-traditional employment uses are generally a better fit for the subject property in light of the constraints and can be dealt with at the local level that does not necessarily constitute an employment conversion, and can proceed by way of site-specific development applications through the regular development review process under an employment designation.

Based on this direction from the Region and discussions with City staff, we have reached a consensus and a Pre-Application Consultation (PAC) request to the City of Vaughan was submitted on April 10th 2020 and a PAC meeting was subsequently held on May 6th, 2020. We are waiting for the formal list of application requirements and have intentions to file applications as soon as possible to put in place our consensus.

While the Region of York and City of Vaughan Staff's recommendation is not to support the request for a conversion, it is noted in the Staff report that there may be opportunity through the Region's review of their employment policy framework to identify more permissive employment uses. Furthermore, it is our understanding and the intent of this submission that it be recognized that both Regional and City Staff can support the development proposal through a site specific Official Plan and Zoning By-law Amendment application process, and are of the opinion that the request for more permissive employment uses does not require an employment conversion. On this basis, it is the landowner's intention to proceed with the filing of these applications at the local level and therefore, at this time, we respectfully request that the Staff report recommendation be deferred

pending the outcome of our application and the Region's review of their employment policy framework.

Thank you for the opportunity to make this submission and we look forward to continuing to work with City Staff and Vaughan Council through the development review process of our client's development applications.

Should you have any questions or require additional information, please contact the undersigned or Jenna Thibault at ext. 309.

Yours truly,

Weston Consulting

Per:



Sandra K. Patano, BES, MES, MCIP, RPP
Associate

Cc: Armando Lopes, Di Poce Management Limited
Sandra Malcic, Director, Long Range Planning, York Region
Paul Bottomley, Manager, Policy, Research and Forecasting, York Region
Fausto Filipetto, Manager of Long Range Planning, City of Vaughan
Bill Kiru, Acting Deputy City Manager, City of Vaughan

Appendix I – Regional Municipal Comprehensive Review (MCR) – Submission Letter dated May 1, 2019

**Appendix I – Regional Municipal Comprehensive Review (MCR) –
Submission Letter dated May 1, 2019**



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Planning and Economic Development,
Corporate Services – 4th Floor
The Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

May 1, 2019
File 7522-3

Attn: Paul Freeman, Chief Planner

Dear Sir,

**RE: Regional Municipal Comprehensive Review (MCR) – Employment Conversion
Request Submission
6241 Rutherford Road
City of Vaughan**

Weston Consulting is the Planner for Di Poce Management Limited, the land owner of the property located at 6241 Rutherford Road in the City of Vaughan (herein referred to as the 'subject property'). This is the second letter being provided for the subject property as part of the Municipal Comprehensive Review (MCR) process. Accompanying the submission of this letter is an Environmental Review Report prepared by SLR Consulting (Canada) Ltd., a Servicing Opinion Letter completed by Crozier & Associates Consulting Engineers and a Transportation Opinion Letter from Crozier & Associates Consulting Engineers.

The land owner is requesting for an employment area conversion in order to support future development on the lands for a mix of commercial and recreational uses that would be complimentary to, and supportive with, the existing historic house to be retained. The purpose of this correspondence is to address the York Region Employment Area Conversion Criteria outlined in the Region's Report presented to the Committee of the Whole on March 7th 2019.

The MCR Process: Employment Area Conversion Request

It is our understanding that the Region of York is in the process of updating the Region's Official Plan as a part of an MCR to better align this plan with the current Provincial policy regime and to properly guide population and employment growth within the Region. Through this process, the Region is accepting employment area conversion requests to inform their employment forecasts and land needs assessment to 2041.

This submission is to be reviewed in conjunction with the first letter submitted with respect to this property dated August 10th, 2018 (Appendix I). An additional letter regarding this property was submitted by the land owner on February 28, 2019 to the Province, as part of the Growth Plan

for the Greater Golden Horseshoe (2017) Amendment 1 review process. This letter is provided in Appendix II for reference.

Since our initial submission to York Region, Regional Staff have prepared a report that establishes criteria for assessing employment land conversion requests. These criteria are based on five core principles: supply, viability, access, infrastructure and Region-wide interests. On March 21, 2019, Regional Council endorsed Regional Staff's Report which recommended the use of these criteria to assess employment area conversions.

Description of the Subject Property and Policy Context

The subject property is located west of Highway 27 and east of McGillvary Road, on the south side of Rutherford Road, in the City of Vaughan. The site is located within Block 59 which is an employment area comprised of 403.48 ha land, designated for *prestige employment* and *general employment* land uses. As can be seen by Figure 1, the Block maintains natural heritage features given the presence of the *natural area* designation, which is prominent in certain locations.

The Block is bound by Huntington Road to the west, Regional Road 27 to the east, Rutherford Road to the north and Langstaff Road to the south. Most of the Block is undeveloped, aside from two newer distribution warehouse to the south of the property occupied by Fed-Ex and Costco. There is also the Vitanova Foundation, a rehabilitation centre, situated west of the property.

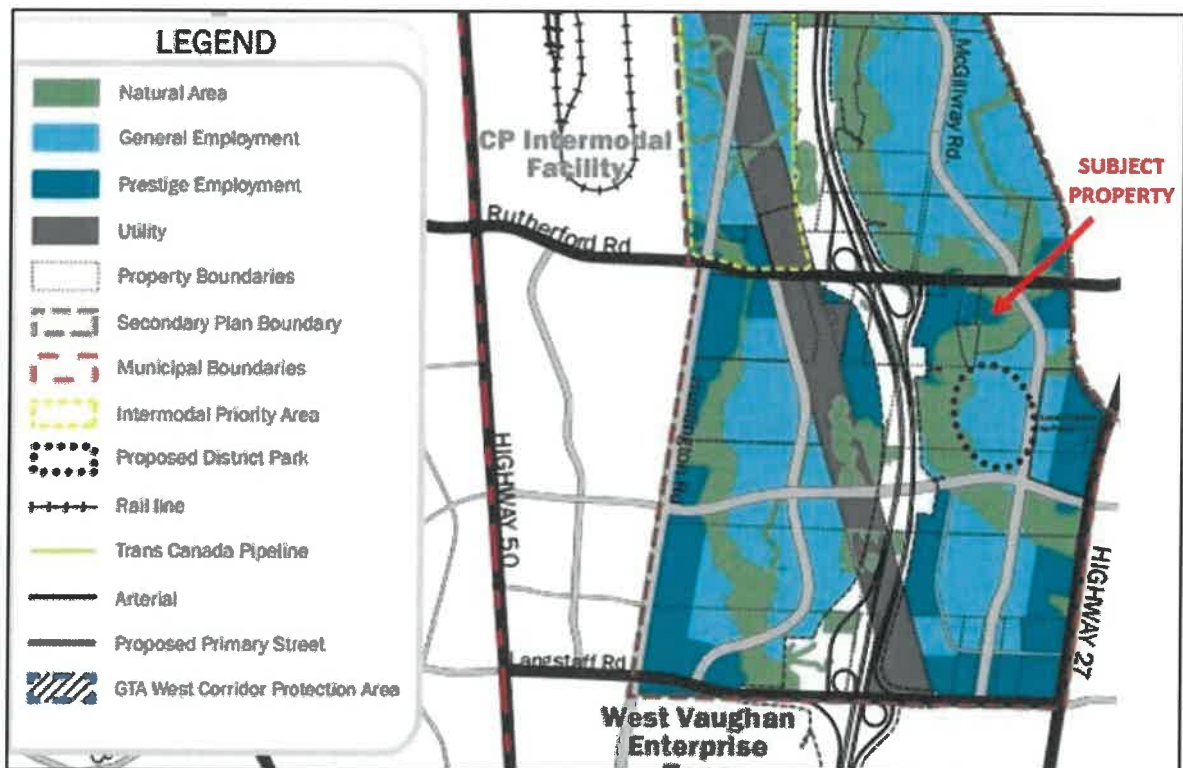


Figure 1: Schedule 3 - Land Use, from the West Vaughan Employment Area Secondary Plan.

The York Region Official Plan identifies the property as part of the *Urban Area* and within the *Regional Greenland System*. The entirety of Block 59 is also located within the Region's *Strategic Employment Lands – Conceptual* designation.

The City of Vaughan's Natural Heritage Network Schedule indicates that the majority of the property is covered by a *Core Feature*, areas not generally intended for development and/or site alternation. In terms of land use, the property is subject to the West Vaughan Employment Area Secondary Plan (WVEASP). The portion of the site covered by the *core feature* is designated *Natural Area*. The smaller part of the site is designated *Prestige Employment*. Permitted uses in the *Prestige Employment* designation include typical employment uses such as manufacturing, warehousing and offices uses. Outside storage is not permitted.

The property is zoned both *A – Agricultural* and *OS1 – Open Space Conservation*, subject to an exception under the in-force Zoning By-law 1-88. This exception regulates site specifications including lot area and coverage and limits uses for the OS1 zone.

Site Constraints

Figure 2 provides an airphoto of the subject property. The property maintains a total land area of 8.183 ha (20.22 acres), of which only 1.61 ha is estimated to be developable. This estimate was calculated based on the latest available information and is subject to further refinement and confirmation. The developable area is limited as a result of the site's various constraints including the existence of natural heritage features on the property. These natural heritage features include the presence of a tributary (Robinson's Creek) running through the property and dense vegetation. The property also maintains a man-made pond and has limitations as a result of the physical and geotechnical top of bank limits. The Environmental Review conducted by SLR provides a more detailed review of the property's natural features and physical constraints.

As a result of the east portion of the land being heavily constrained environmentally, only a small portion of the property on the west side is developable. It should also be acknowledged that any development on the west portion of the property will need to provide appropriate buffers from the adjacent environmental features, further reducing the developable area. In addition, this portion of the site maintains an existing cultural heritage feature known as the Richard Jeffery House (Elderstone), which is designated under Part IV of the Ontario Heritage Act.

As a result of these site constraints, the property cannot accommodate typical employment uses such as warehouses, manufacturing facilities, distribution centres or office complexes. It is our opinion, that given the site constraints, the conversion of the property from an employment lands designation to a designation permitting a mix of commercial and recreational uses, is appropriate and desirable for the use of the property.



Figure 2: Airphoto of subject property.

Proposed Use of the Subject Property

Appendix III provides a figure which illustrates the existing structures on the site and their total gross floor areas (GFA). These structures include the existing heritage house and three barns, which are to be retained. This figure also provides an idea of how parking could be configured on the property. We note that details related to parking are premature at this stage and would be determined during detailed design through a development application.

At this time, no Site Plan has been prepared for the development of the property. The intention is to re-designate the property to a commercial based designation which would permit the use of the site for a mix of commercial and recreational uses that would be complimentary to, and supportive with, the existing historic house to be retained. The use of the existing structures and grounds as part of a development could allow for an adaptive re-use project for this historic and environmentally protected site. The types of uses envisioned for this property include:

- The utilization of the existing heritage house for a café/eating establishment. Given the property's unique characteristics and isolation from the adjacent employment designated lands, the existing heritage home and grounds would be appropriate for a "Tea House" and associated commercial-related uses. The "Tea House" is a type of a venue which allows for social interaction, and would act similar to a café, primarily serving tea and light refreshments.
- The heritage home could function as a venue for entertaining small groups where food and/or liquor consumption can occur such as for special events such as weddings and small corporate gatherings. If used as a venue, this would likely be on weekends, off business hours or under special circumstances.
- The barn structures and grounds could be used for health and wellness related uses such as for fitness and yoga classes, cultural activities and urban agricultural.
- Recreational uses in the open space area (lawn seating, picnic areas, etc.) related to the principle use of the property.

The intention is to utilize the existing heritage dwelling and accessory barn structures as part of the development. No future development would be proposed which would alter the property's development limits. We acknowledge that our initial submission dated August 10, 2018 differs in that it proposes a specific use for the property. The use of the property for small gatherings is still an option being explored.

Supporting Technical Documents

The primary objective at this time is to participate in the MCR process to request for an employment area conversion in order to re-designate the lands to a commercial or related designation so that the property has a viable opportunity for development. To support this request, technical documents have been prepared and should be read in their entirety, in conjunction with this letter.

The supporting technical materials illustrate that it is appropriate to develop the lands for a non-employment use. From a civil engineering perspective, the site can be adequately serviced based on the proposed water demand and sanitary sewage flow that would be generated, should this site be converted. The Transportation Letter determined that appropriate access to and from the site can be supported for a mix of commercial and recreational uses.

Given the site's environmental and physical constraints, the Environmental Review determined that a conversion to a commercial designation would be more suitable. A mix of commercial and recreational uses would result in minimal to no negative impacts on the natural environmental constraints, being more supportive of the overall health of these features.

Growth Plan Policy

The Growth Plan for the Greater Golden Horseshoe (the 'Growth Plan') provides direction on the development and growth of communities within the Greater Golden Horseshoe ("GGH"). Section 2.2.5 of the Growth Plan identifies policies related to employment and specifies that employment land conversions can only be considered at the time of an MCR (Section 2.2.5.10).

Section 2.2.5.9 provides the minimum criteria for assessing requests for the conversion of employment lands. This Section directs that:

The conversion of lands within employment areas or prime employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:

- a) there is a need for the conversion;*
- b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*
- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;*
- d) the proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

Given the site's various constraints and limited developable area, it is our opinion that there is a need for the conversion. This property maintains unique cultural heritage and natural environmental features which are to be preserved. These characteristics differentiate the site from a typical employment area. From a land use compatibility standpoint, a conversion of the lands would not adversely impact the viability of the employment area in any manner. The property is entirely buffered along its east and south sides by the *core feature* area. To the west, is the Vitanova Foundation, a sensitive use which would not be negatively impacted should the lands be converted.

The York Region 2017 Vacant Employment Land Inventory (dated March 2, 2018) indicated that Vaughan has the largest supply of vacant employment lands in the Region. In our opinion, the removal of the property from the employment land inventory will not result in the depletion of viable employment lands. The technical reports support the request for an employment conversion and have confirmed that both existing and planned infrastructure, such as from a servicing perspective, are able to support the use of the lands for a mix of commercial and recreational uses. It is our opinion the conversion request satisfies the minimum criteria outlined in the Growth Plan.

York Region Employment Area Conversion Criteria

The York Region Official Plan identifies policies to provide direction for employment conversions under Section 4.3 - Planning for Employment Lands. As stated in Section 4.3.9 *"the conversion of employment lands to non-employment land uses may only be considered at the time of a municipal comprehensive review."*

York Region Staff prepared an Employment Area Conversion Criteria Report that recommended that Council endorse a set of proposed employment area conversion criteria to be applied when assessing requests for employment area conversions. The report established 5 themes for the criteria which include: Supply, Viability, Infrastructure, Region Wide, and Access. The table below has addresses each of the 14 criteria for evaluating requests for employment area conversions.

Table 1: York Region Employment Area Conversion Criteria

Theme Area	Criteria	Justification
Supply	1. The lands are not required over the horizon of the Growth Plan for the employment purposes for which they are designated (GP 2.2.5.9 b).	The lands are not able to adequately support <i>prestige employment</i> land uses such as a warehouse or office buildings. The property does not maintain a large enough developable area to allow these types of uses to function successfully. There are more appropriate lands designated for employment that will allow the Region to meet this objective in the Growth Plan.
Supply	2. The Region and local municipality will maintain sufficient employment lands to accommodate forecasted employment growth, including sufficient employment land employment growth, to the horizon of the Growth Plan (modified GP 2.2.5.9.c).	The York Region 2017 Vacant Employment Land Inventory (dated March 2, 2018 from the Commissioner of Corporate Services and Acting Chief Planner), indicated that 33% of the region's employment land supply is vacant, and that the City of Vaughan "... continues to have the largest supply of vacant employment lands in the Region." Given the sites limited developable area, a conversion of the subject property from employment lands to a commercial use will not result in the loss of employment lands which are instrumental to employment growth within the City. The data from the 2017 Vacant Employment Land Inventory

		indicates that there is 1,042 ha of vacant employment land area in the City of Vaughan and 2,588 ha of vacant employment land area in the Region. The removal of the subject property (8.183 ha) from the vacant employment land base will result in the removal of approximately 0.0078% of vacant employment land area from the City and approximately 0.0032% from the Region. This loss is negligible in both cases.
Viability	3. Non-employment uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets and other policies in the Growth Plan (modified GP 2.2.5.9 d).	A non-employment use such as commercial and recreational uses would not adversely affect the overall viability of the employment area as the subject property's developable area cannot accommodate typical <i>prestige employment</i> uses. This means that the property would not be able to assist the Region in meeting its minimum growth targets in the Growth Plan related to employment.
Infrastructure	4. There are existing or planned infrastructure and public service facilities to accommodate the non-employment uses (e.g. sewage, water, energy, transportation) (modified GP 2.2.5.9 e).	The subject property has access to sanitary and water servicing. As noted in Crozier's Servicing Opinion Letter, wastewater flows could continue to be managed by the existing private septic system in the interim. For water, connections are available. The property also maintains proper vehicle access off of Rutherford Road. This is further discussed in Crozier's Transportation Opinion Letter.
Region Wide	5. There is a need for the conversion (GP 2.2.5.9 a).	The subject property has various constraints including the natural features, physical and geotechnical top of back limits and a heritage building on the property which is to be retained. Given these constraints, the property is in need of a conversion as developing

		the site for an employment use is a challenge and not allow the property to ever reach its optimal development potential. An employment use would also have an impact on the existing natural heritage features, which would likely not be positive.
Supply	6. The following employment areas will not be considered for conversion as they have not yet had the opportunity to develop due to servicing constraints or have recently been brought into the urban boundary to accommodate employment land employment growth to 2031: Keswick Business Park, Queensville, Highway 404 (ROPA 1), ROPA 3, and Highway 400 North (ROPA 52).	This criterion is not applicable to the subject property.
Viability	7. The employment area will not be considered for conversion if the entire perimeter of the site is surrounded by lands designated for employment uses and is not viable to continue as an employment area.	The subject property is currently disconnected from the surrounding designated employment lands as the property is heavily constrained. Natural heritage features (designated <i>natural area</i>) border the east and south portion of the site separating the property from the adjacent designated employment lands. The property is also bordered by Rutherford Road to the north.
Supply	8. Conversion of the site would not compromise the Region's and/or local municipality's supply of large sized employment area sites (i.e. 10 ha or greater) which allow a range uses including but not limited to land extensive uses such as manufacturing, warehousing, distribution and logistics.	The subject property has a total land area of 8.18 hectares with only approximately 1.61 hectares of land which is developable area on the site. In addition, as stated earlier, the removal of the subject property from the vacant employment land base represents a loss of approximately 0.0078% of vacant employment land area from the City and approximately 0.0032% from the Region. This loss is negligible in both cases.

Viability	<p>9. The conversion will not destabilize or adversely affect current or future viability and/or identity of the employment area with regards to:</p> <ul style="list-style-type: none"> a. Hindering the operation or expansion of existing or future businesses b. Maintaining lands abutting or in proximity to the conversion site for employment purposes over the long term c. Attracting a broad range of employment opportunities and maintaining clusters of business and economic activities d. Providing appropriate buffering of employment uses from non-employment uses. 	<p>The subject property is proposing an employment land conversion to non-employment uses to facilitate a mix of commercial and recreational uses on the site. This may include uses such as a café/eating establishment or utilization of the existing heritage house and accessory structures for small gatherings. It is our opinion that the proposed uses would not hinder the operation or expansion of existing and future business as the subject property is isolated from the surrounding employment uses. The natural heritage features which constrain the development of the property act as a buffer from the adjacent employment lands to the east and south, preventing any possibility of hindering the operation of these lands. In addition, developing the lands for a small-scale commercial use such as the "Tea House" would create business and economic activity on the property which would benefit the greater surrounding area.</p>
Viability	<p>10. The conversion to a non-employment use is compatible with the surrounding uses such as existing employment uses, residential or other sensitive land uses and will mitigate existing and/or potential land use conflicts</p>	<p>Currently, the majority of the surrounding lands are undeveloped aside from two newer distribution warehouses located to the south of the site. Directly to the west of the site is an existing rehabilitation center, the Vitanova Foundation. The use of the property for a mix of commercial and recreational uses would be complementary with the Vitanova Foundation as these uses are more sensitive in nature. The proposed uses would maintain the site's serene and private environment, avoiding any potential for conflict with the surrounding lands.</p>

Viability	11. The site offers limited development potential for employment land uses due to factors including size, configuration, access and physical conditions	The subject property has limited developable area due to the existing heritage building on the site, the natural area designation which generally does not permit development, and physical limitations (i.e. geotechnical top of bank limits). This results in an impact on the site's size, configuration and physical condition.
Access	12. The proposed site is not adjacent to 400-series highways, is not located in proximity to existing or planned highways and interchanges, intermodal facilities, airports and does not have access to rail corridors	The subject property is located approximately 600 metres east of the future 427 extension Highway. It is important to note that the subject property has existing driveway access that can accommodate smaller vehicles, but would not be able to properly accommodate transport truck traffic to and from the site. Accordingly, the property would not be able to take advantage of its close proximity to a 400-series highway.
Region Wide	13. The proposed conversion to a non-employment use does not compromise any other planning policy objectives of the Region or local municipality.	The proposed conversion to a non-employment use would be to facilitate a development while maintaining the existing heritage buildings and respecting the natural heritage features. All required policies related to developing on site with environmental constraints, such as providing a buffer from a Regulated Floodline, would be followed. From a policy perspective, conversion of the lands to a mix of commercial and recreational uses would allow for a development which supports the site's cultural and natural heritage features. These uses are more appropriate and consistent with the Regional and Municipal policy context with respect to enhancing and preserving the health of the natural heritage network.

Region Wide	14. Cross-jurisdictional issues have been addressed.	There are not cross-jurisdictional issues.
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Concluding Remarks

This correspondence is being submitted to request that the subject property be considered for an employment area conversion to a mix of commercial and recreational uses that would be complimentary to, and supportive with, the existing historic house to be retained. This would enable the City of Vaughan to make use of a site which is targeted for development but is highly constrained from a cultural, environmental and consequently, a developable land area perspective. It is our opinion that this letter demonstrates that the proposed request satisfies the Region's employment area conversion criteria, along with the Growth Plan's criteria.

We kindly request to be notified of any future reports and meetings and will continue to monitor the MCR process as well. Thank you for the opportunity to provide this letter and we would be open to future discussions regarding the development of the subject property should there be any opportunities for this.

We reserve the right to provide additional comments throughout this process. Should you have any questions, please contact the undersigned (ext. 245) or Jenna Thibault (ext. 309).

Yours truly,

Weston Consulting

Per:



Sandra K. Patano, BES, MES, MCIP, RPP
Associate

- c. S. Malcic, York Region, Director of Long Range Planning, Planning and Economic Development, Corporate Services Department
- P. Bottomley, York Region, Manager, Policy, Research and Forecasting
- B. Kiru, City of Vaughan, Interim Director of Policy Planning/Environmental Sustainability
- C. Messere, City of Vaughan, Development Planning Department
- J. Di Poce, Di Poce Management Limited

Appendix I – Regional Municipal Comprehensive Review (MCR) – Submission Letter dated August 10, 2018

Appendix II – Growth Plan Amendment 1 Submission Letter dated February 28, 2019

Appendix III – Preliminary Concept

**Appendix I – Regional Municipal Comprehensive Review (MCR) –
Submission Letter dated August 10, 2018**



**WESTON
CONSULTING**

planning + urban design

Planning and Economic Development,
Corporate Services – 4th Floor
The Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

August 10, 2018
File 7522-3

Attn: Paul Freeman, Chief Planner

Dear Sir,

**RE: Regional Municipal Comprehensive Review (MCR) – Submission Letter
6241 Rutherford Road
City of Vaughan**

Weston Consulting is the planner for Di Poce Management Limited, the land owner for the property located at 6241 Rutherford Road in the City of Vaughan (herein referred to as the 'subject property'). The purpose of this correspondence is to provide a formal submission as part of the Region's Municipal Comprehensive Review (MCR) on behalf of our client in support of developing the subject property for a banquet hall facility.

York Region Official Plan Review

It is our understanding that the Region of York is in the process of updating the Region's Official Plan as a part of an MCR to better align this plan with the current Provincial policy regime and to properly guide population and employment growth within the Region. The Region is currently undertaking Phase 2 which involves conducting numerous MCR background studies related to growth forecasts and density, employment strategies and housing, among other topics.

A key component of an MCR involves consultation with various stakeholder groups and receiving comments to help inform the process. It is our client's intention to be involved in the MCR process and to have this correspondence included as part of the written record for the subject property.

Description of the Subject Property and Surrounding Context

The subject property is located west of Highway 27 and east of McGillvary Road, on the south side of Rutherford Road in Block 59, in the City of Vaughan. Block 59 is a 403.48 ha employment area bound by Huntington Road to the west, Regional Road 27 to the east, Rutherford Road to the north and Langstaff Road to the south. Figure 1 provides an overview of the land use designations which pertain to Block 59. The majority of the block is designated either *prestige employment* or *general employment*, with the *natural area* designation dispersed throughout (Figure 1).

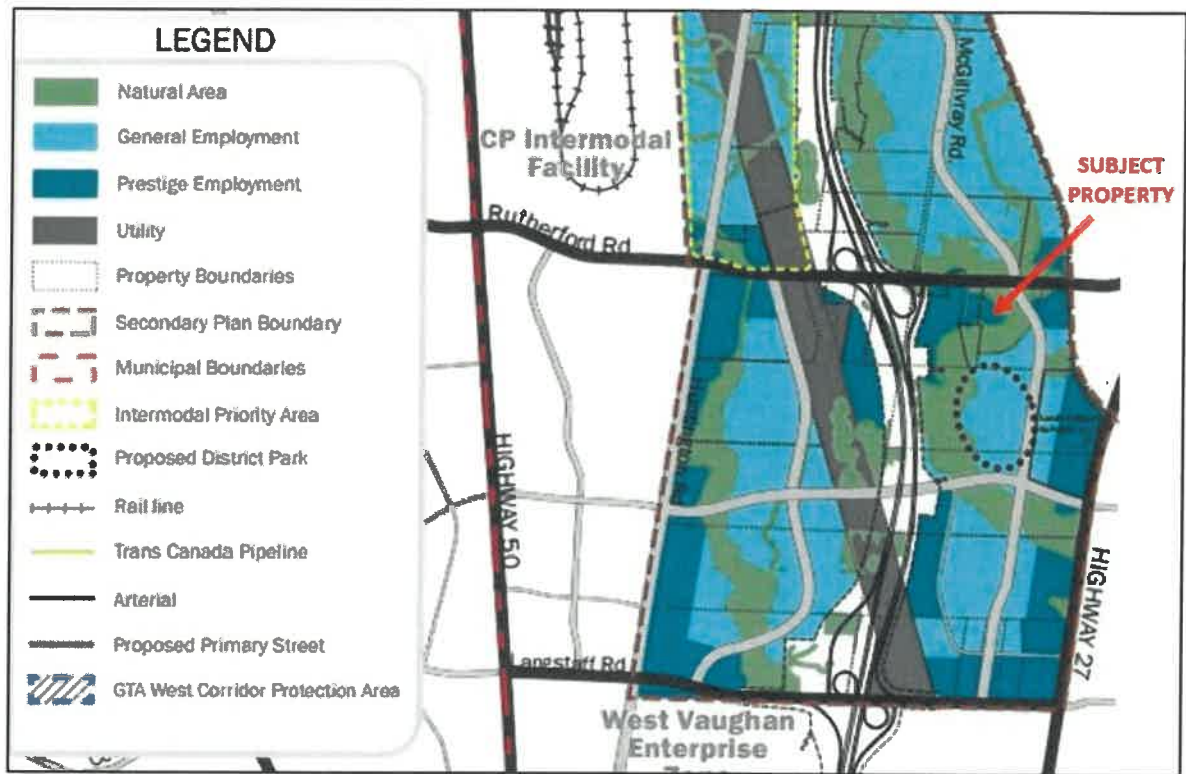


Figure 1: Schedule 3 - Land Use, from the West Vaughan Employment Area Secondary Plan.

The majority of Block 59 is undeveloped aside from two newer distribution warehouses, one used by Fed-Ex and the other by Costco, which are located south of the site. There is also an existing rehabilitation centre, the Vitanova Foundation, situated directly to the west of the property. To the north and east of the site are agricultural uses/green space areas, along with the CP Rail Line which is representative of Block 59's eastern limit.

Figure 2 provides an airphoto of the subject property. The property maintains a total land area of 8.183 ha (20.22 acres), of which only a small portion is developable given the presence of natural heritage features on the property. The property is heavily treed and has a tributary (Robinson's Creek) running through it.

The property also contains a cultural heritage feature, the Richard Jeffery House (Elderstone), which is designated under Part IV of the Ontario Heritage Act. The building was constructed in c. 1860 and is two storeys in height. Directly north of this building is a man-made pond which is thought to have been built to support the functioning of the heritage building.



Figure 2: Airphoto of subject property.

Policy Context

The York Region Official Plan identifies the property as part of the *Urban Area* and within the *Regional Greenland System*. The entirety of Block 59 is also located within the Region's *Strategic Employment Lands – Conceptual* designation.

The Natural Heritage Network Schedule of the Vaughan Official Plan (VOP 2010) indicates that the majority of the property is covered by a *Core Feature*, which is an area where development and/or site alteration is generally not permitted. The property is subject to the West Vaughan Employment Area Secondary Plan, which designates the portion of the site not covered by a core feature as *Prestige Employment* and the rest of the property as *Natural Area*. Permitted uses in the Prestige Employment designation include typical employment uses such as manufacturing, warehousing and offices uses. Outside storage is not permitted.

The Prestige Employment designation does not permit or prohibit banquet hall facilities. The VOP (2010) is silent on banquet halls, as it does not specifically list this use as permitted in any land

use designation. The term banquet hall is not defined in the VOP and is also not mentioned anywhere in the text of the plan. This is contrary to Vaughan's Zoning By-law 1-88 which lists banquet halls as permitted in the *EM1 Zone – Prestige Employment Area Zone* and provides a definition of the use.

The City's Zoning By-law 1-88 zones the property as both *A – Agricultural* and *OS1 – Open Space Conservation*, subject to an exception. This exception regulates site specifications including lot area and coverage and limits uses for the OS1 zone. Any future development on the property would require that a Rezoning application be submitted.

Proposed Use of the Subject Property

The subject property maintains unique characteristics, differentiating this property from the rest of Block 59, which makes developing this site for typical employment uses a challenge. Based on our analysis, there are various factors from a contextual and planning perspective that support a banquet hall use as an appropriate use for the property:

Policy-Related Factors

- The subject property's total developable area is minimized by the fact that the site is heavily constrained, notably by natural heritage features which are to be preserved. The operation of a banquet hall would not result in a nuisance or negatively impact the ecological functioning of the surrounding natural heritage network, which is to be protected and enhanced according to the VOP.
- As illustrated by Figures 1 and 2, the subject property has a limited developable area as a result of the site's Natural Area designation. A small developable area cannot accommodate typical Prestige Employment uses such as warehouses, distribution centres or office complexes.
- The VOP does not explicitly permit or prohibit banquet halls in any land use designation as the Official Plan is silent on the use.
- The VOP indicates that non-employment uses such as residential and major retail uses would serve to destabilize the planned function on an employment area (Section 2.2.4). A banquet hall is not a residential or retail use.
- The York Region 2017 Vacant Employment Land Inventory (dated March 2, 2018 from the Commissioner of Corporate Services and Acting Chief Planner), indicated that 33% of the Region's employment land supply is vacant, and that the City of Vaughan "... continues to have the largest supply of vacant employment lands in the Region." Given the site's limited development potential, allowing for a banquet hall use will not result in a depletion of viable employment lands within the City.

- The property maintains an existing heritage building which is designated under Part IV of the Ontario Heritage Act. This is another factor limiting the site's total developable area. Any future development would need to accommodate the retainment of this structure as relocation would be difficult. A banquet hall, along with required parking, could be accommodated while maintaining this building or making use of this structure as part of the functioning of the main use.
- The City's Zoning By-law 1-88 permits banquet halls in the *EM1 – Prestige Employment Area Zone*. Developing the property will require that a Zoning By-law Amendment application be submitted to rezone the property under the EM1 zone to correspond with the Official Plan designation.

Land Use Compatibility Factors

- The portion of the property fronting on to Rutherford Road is covered by the site's core feature. Any future development will need to be located away from the street and maintain an appropriate vegetation buffer from the core feature's top of bank. This will reduce the visibility of any future buildings from the street and will create a sense of isolation from the surrounding area, which is not favourable for typical Prestige Employment uses. The Official Plan indicates that Prestige Employment areas are intended to be located on arterial streets in order to *"provide locational opportunities for activities which require high visual exposure and an attractive working environment (Section 9.2.2.11.b.iii)."*
- The site's private and serene environment is ideal for a banquet hall. The property maintains locational advantages which are preferable for the types of events held at banquet halls such as religious celebrations and weddings.
- The use of the property for a banquet hall is complementary with the adjacent rehabilitation centre to the west, a sensitive use, as it will not result in any undesirable impacts which would hinder the functioning of this operation.
- Given that the subject property is entirely buffered along its east and south sides, is adjacent to a sensitive use at its west side, and fronts onto Rutherford Road, it will not result in an undesirable infiltration of a use in an employment area intended for heavy and light employment uses. Additionally, this buffering will ensure that banquet hall patrons will not be exposed to safety hazards which could result from the employment area.
- The buffering around the property's developable portion prevents the threat of any future expansion of non-typical employment uses within this employment area.
- The subject property's location along Rutherford Road, an arterial street, will provide for an access point exclusively for the banquet hall's employees and users. Vehicular travel to and from the subject property will be completely separate from the rest of the block. This means that traffic and parking generated by the banquet hall will not interfere with the functioning of surrounding employment uses in terms of the movement of goods and

trucking activities, which are critical to the successful functioning of typical employment uses.

- The banquet hall will not discourage other typical employment uses from locating in Block 59.

Designations which Permit Banquet Halls

- Many of the City's existing banquet halls are located in prestige employment areas. As noted previously, there is no land use designation in the VOP which explicitly permits banquet halls.
- Locating a banquet hall in a dense, mixed-use area, such as on an intensification corridor intended for greater density, a mix of residential and non-residential uses and frequent transit service, is not compatible with the nature of banquet hall facilities. Banquet halls are low-intensity uses given their more limited operating hours and typically occupy stand-alone buildings.
- Other municipalities explicitly permit banquet halls in their employment designations. For example, the City of Mississauga Official Plan permits banquet halls in the *Business Employment* and *Industrial* land use designations. Additionally, the Town of Richmond Hill, also located in York Region, permits banquet halls in the Town's *employment area* designation and encourages them to front on an arterial street.

Given the site's notable environmental constraints and surrounding context, the subject property is not characteristic of the other lots located within Block 59 which are intended for typical employment uses. The proposed use of the property for a banquet hall will enhance the site's existing environmental and cultural features and provide an opportunity to maximize the use of a property which has limited potential for future development. If it is the position of the Region that a change in the property's current Prestige Employment land use designation is required to move forward with this proposal, we would be responsive to this request and further discussions.

Concluding Remarks

This correspondence is being submitted to request that consideration be given to develop the subject property for a banquet hall. This would enable the City of Vaughan to make use of a site which is targeted for development but is highly constrained from a cultural, environmental and consequently, a developable land area perspective.

We kindly request to be notified of any future reports and meetings and will continue to monitor the MCR process as well. Thank you for the opportunity to provide this letter and we would be open to future discussions regarding the development of the subject property should there be any opportunities for this.

We reserve the right to provide additional comments throughout this process. Should you have any questions, please contact the undersigned (ext. 245) or Jenna Thibault (ext. 309).

Yours truly,

Weston Consulting

Per:



Sandra K. Patano, BES, MES, MCIP, RPP
Senior Planner

- c. S. Malcic, York Region, Planning and Economic Development
- J. De Lima, York Region, Planning and Economic Development
- B. Kiru, City of Vaughan, Interim Director of Policy Planning/Environmental Sustainability
- C. Messere, City of Vaughan, Development Planning Department
- J. Di Poce, Di Poce Management Limited

**Appendix II – Growth Plan Amendment 1 Submission Letter dated
February 28, 2019**

DI POCE

Management Limited

February 28, 2019

Charles O'Hara
Ontario Growth Secretariat, Ministry of Municipal Affairs
777 Bay Street
c/o Business Management Division, 17th floor
Toronto ON M5G 2E5
Canada

Dear Mr. O'Hara:

**RE: PROPOSED FRAMEWORK FOR PROVINCIALLY SIGNIFICANT EMPLOYMENT ZONES
ERO NO. 013-4506 | MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING
6241 RUTHERFORD ROAD, CITY OF VAUGHAN**

Thank you for the opportunity to comment on the proposed Provincially Significant Employment Zones ("PSEZ") mapping. We (Di Poce Management Limited) are the property owners for the lands municipally addressed as 6241 Rutherford Road in the City of Vaughan (herein referred to as the 'Subject Lands' and or 'Site'). Schedules 1, 2 and 3 attached, identify the Subject Lands in context of the proposed PSEZ and applicable Secondary Plan land use mapping as well as illustrate the property boundary. A figure illustrating the developable area relative to the site constraints is also attached for reference purposes and in support of the discussion below.

While we recognize the importance and significance of the proposed Provincially Significant Employment Zones ("PSEZ") mapping and understand that the intent of the Amendment is to reflect existing designations, we are concerned with the appropriateness of the "PSEZ" designation over the Subject Lands given the existing residential uses and unique site characteristics.

Specifically, the property is comprised of 8.18 ha (20.22 acres) and is located west of Highway 27 and east of McGilvary Road, on the south side of Rutherford Road in Block 59, in the City of Vaughan. The Site contains a Cultural Heritage Feature - the Richard Jeffery House (Elderstone), a two storey residential dwelling built in 1860 which is designated under Part IV of the Ontario Heritage Act. Further, the Site is largely comprised of Natural Heritage Features which **severely limits the developable area of the site, especially when considering typical Employment uses such as manufacturing, warehousing, and office complexes.** These features include a man-made pond, treed areas and a tributary (Robinson's Creek which runs through the property).

The City of Vaughan Official Plan designates the Subject Lands as "Prestige Employment" and "Natural Areas" in the West Vaughan Employment Area Secondary Plan. Amongst policies relative to the utilization

of existing and planned infrastructure and transportation systems, the key purpose and intent of the Employment Area designations in the West Vaughan Employment Area Secondary Plan is to accommodate employment growth in industrial manufacturing, warehousing and limited office employment uses through the supply of large vacant developable employment land. Supporting these objectives, it is our understanding that the PSEZ designations are intended to protect major or heavy industrial uses within the GTA.

As noted earlier, and in consideration of the severe development restriction for typical employment uses on the Subject Lands, we believe that the Site ***does not meet the intent and purpose of the PSEZ***. We understand that the conversion of employment lands to non-employment uses will continue to require a comprehensive assessment as part of a Municipal Comprehensive Review ("MCR"). To this effect, Weston Consulting has made a submission on our behalf to York Region as part of their current MCR process. A copy of the letter dated August 10, 2018 is attached for your reference. This letter further identifies the development restrictions imposed on the Site, as well provides supporting arguments for the removal of these lands from an employment designation to a non-employment designation in order to support future contemplated non-employment uses.

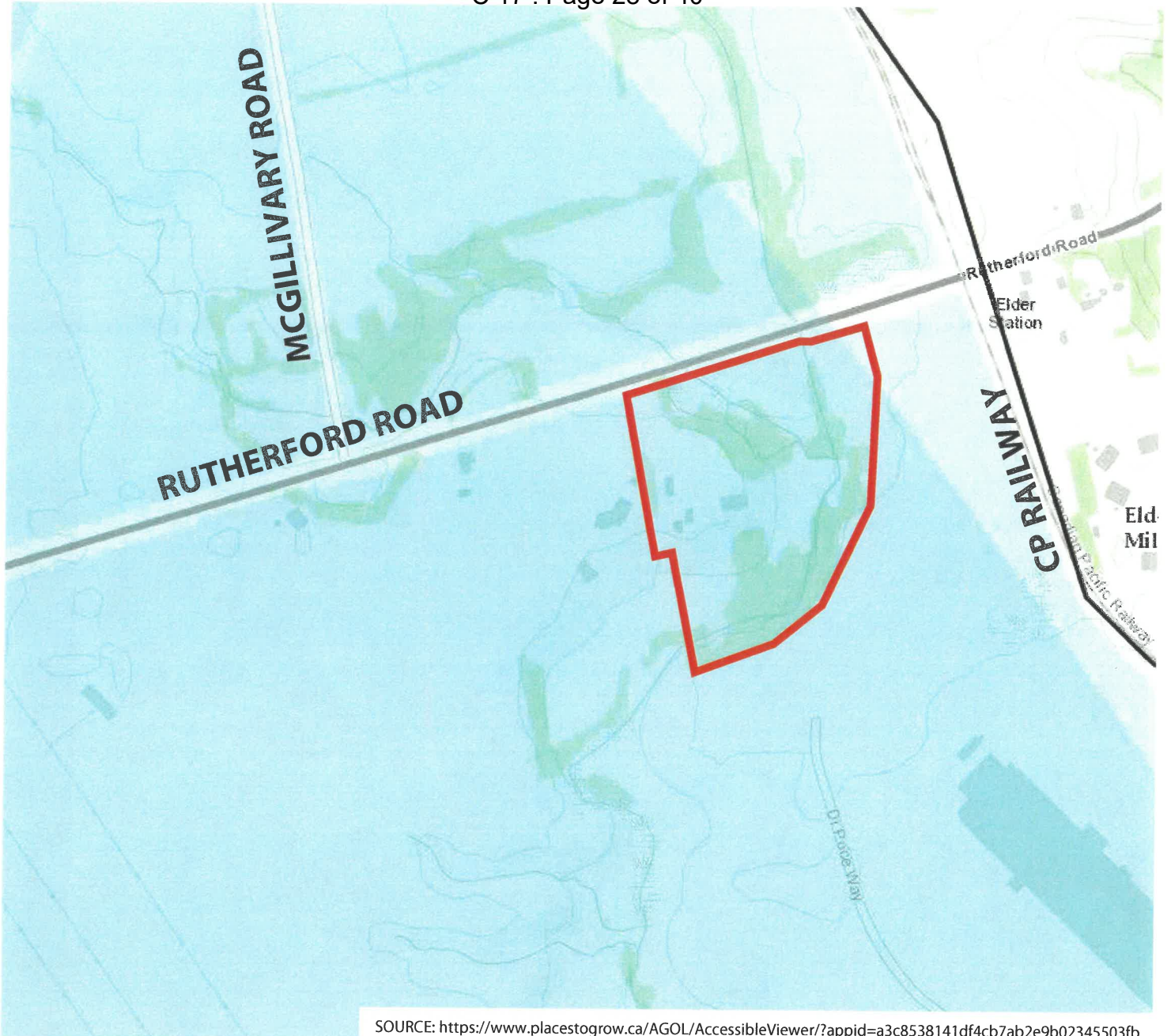
Based on the above, we respectfully request that the Subject Lands consisting of Cultural and Natural Heritage Features be removed from the PSEZ in order to utilize the lands for more appropriate non-employment uses.

We appreciate your attention to this request and respectfully ask to be included in any additional consultation where the accuracy of the PSEZ area mapping relative to the Subject Lands is of concern.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Di Poce', with a long, sweeping flourish extending to the right.

John Di Poce,
President



SOURCE: <https://www.placestogrow.ca/AGOL/AccessibleViewer/?appid=a3c8538141df4cb7ab2e9b02345503fb>

SCHEDULE 1

PROPOSED FRAMEWORK FOR PROVINCIALY SIGNIFICANT EMPLOYMENT ZONES



SUBJECT LANDS

6241 RUTHERFORD ROAD, CITY OF VAUGHAN
(DI POCE MANAGEMENT LIMITED)



**PROPOSED PROVINCIALY SIGNIFICANT
EMPLOYMENT ZONES ("PSEZ") MAPPING.**

DRAFT
FOR DISCUSSION
PURPOSES ONLY
WITHOUT PREJUDICE



**WESTON
CONSULTING**
planning + urban design

File Number: 7522-3
Date Drawn: 24 MAY 17
Drawn By: MH
Planner: KB and PW
Scale: see scale bar
CAD: 7522-3/sched/7522-3 sched. 2 may 24_17.dgn



LEGEND

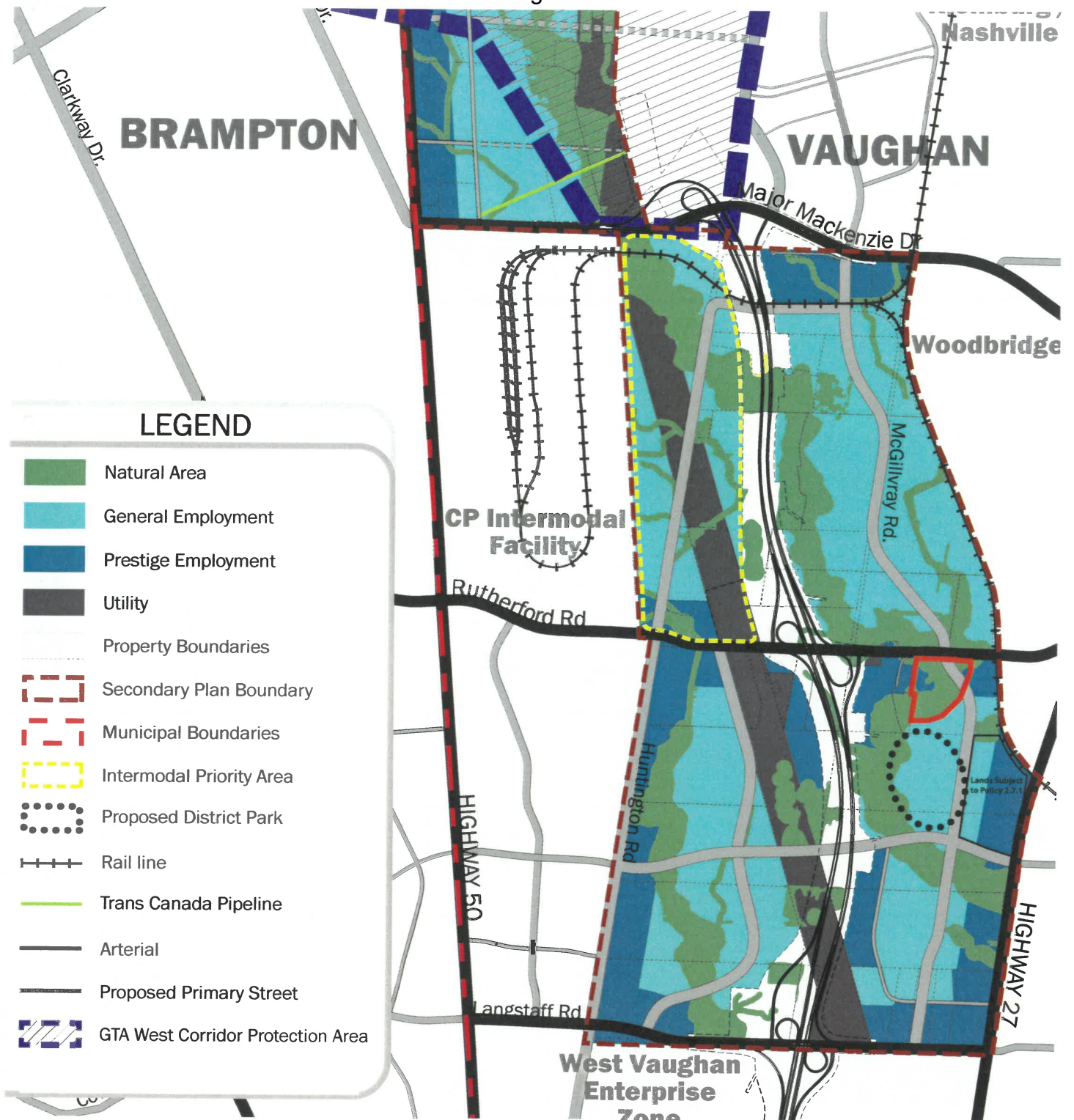
— SUBJECT LANDS

0 10 25 50m
SCALE

Air photo from First Base Solutions
Date of photo: 2016

SCHEDULE 2

6241 RUTHERFORD ROAD
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

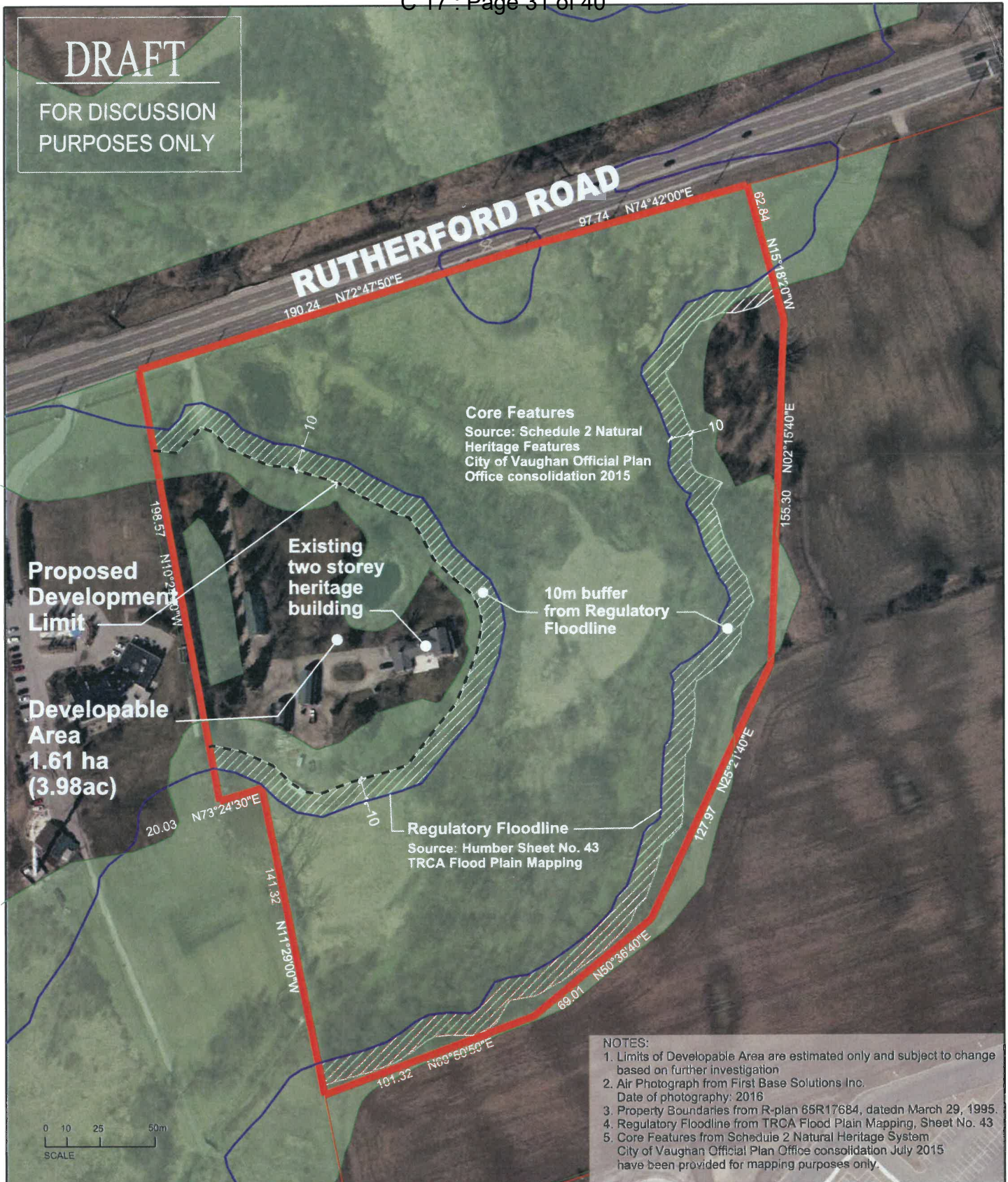


SCHEDULE 3: WEST VAUGHAN EMPLOYMENT AREA SECONDARY PLAN - LAND USE



SUBJECT LANDS

6241 RUTHERFORD ROAD, CITY OF VAUGHAN
(DI POCE MANAGEMENT LIMITED)

DRAFTFOR DISCUSSION
PURPOSES ONLY

**WESTON
CONSULTING**
planning + urban design

File Number: 7522-3
Date Drawn: 24 MAR 17
Drawn By: MH
Planner: KB and PW
Scale: see scale bar
CAD: 7522-3/air photo/developable area Mar 24_17.dgn

**LEGEND**

- SUBJECT LANDS
- PROPOSED DEVELOPMENT LIMIT
- TRCA REGULATORY FLOODLINE
- ▨ 10m BUFFER FROM REGULATORY FLOODLINE
- CORE FEATURES

Total Land Area: 8.183 ha (20.22 acres)
Developable Area: 1.61 ha (3.98 acres)

DEVELOPABLE AREA

6241 RUTHERFORD ROAD
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK



**WESTON
CONSULTING**

planning + urban design

Planning and Economic Development,
Corporate Services – 4th Floor
The Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

August 10, 2018
File 7522-3

Attn: Paul Freeman, Chief Planner

Dear Sir,

**RE: Regional Municipal Comprehensive Review (MCR) – Submission Letter
6241 Rutherford Road
City of Vaughan**

Weston Consulting is the planner for Di Poce Management Limited, the land owner for the property located at 6241 Rutherford Road in the City of Vaughan (herein referred to as the 'subject property'). The purpose of this correspondence is to provide a formal submission as part of the Region's Municipal Comprehensive Review (MCR) on behalf of our client in support of developing the subject property for a banquet hall facility.

York Region Official Plan Review

It is our understanding that the Region of York is in the process of updating the Region's Official Plan as a part of an MCR to better align this plan with the current Provincial policy regime and to properly guide population and employment growth within the Region. The Region is currently undertaking Phase 2 which involves conducting numerous MCR background studies related to growth forecasts and density, employment strategies and housing, among other topics.

A key component of an MCR involves consultation with various stakeholder groups and receiving comments to help inform the process. It is our client's intention to be involved in the MCR process and to have this correspondence included as part of the written record for the subject property.

Description of the Subject Property and Surrounding Context

The subject property is located west of Highway 27 and east of McGillvary Road, on the south side of Rutherford Road in Block 59, in the City of Vaughan. Block 59 is a 403.48 ha employment area bound by Huntington Road to the west, Regional Road 27 to the east, Rutherford Road to the north and Langstaff Road to the south. Figure 1 provides an overview of the land use designations which pertain to Block 59. The majority of the block is designated either *prestige employment* or *general employment*, with the *natural area* designation dispersed throughout (Figure 1).

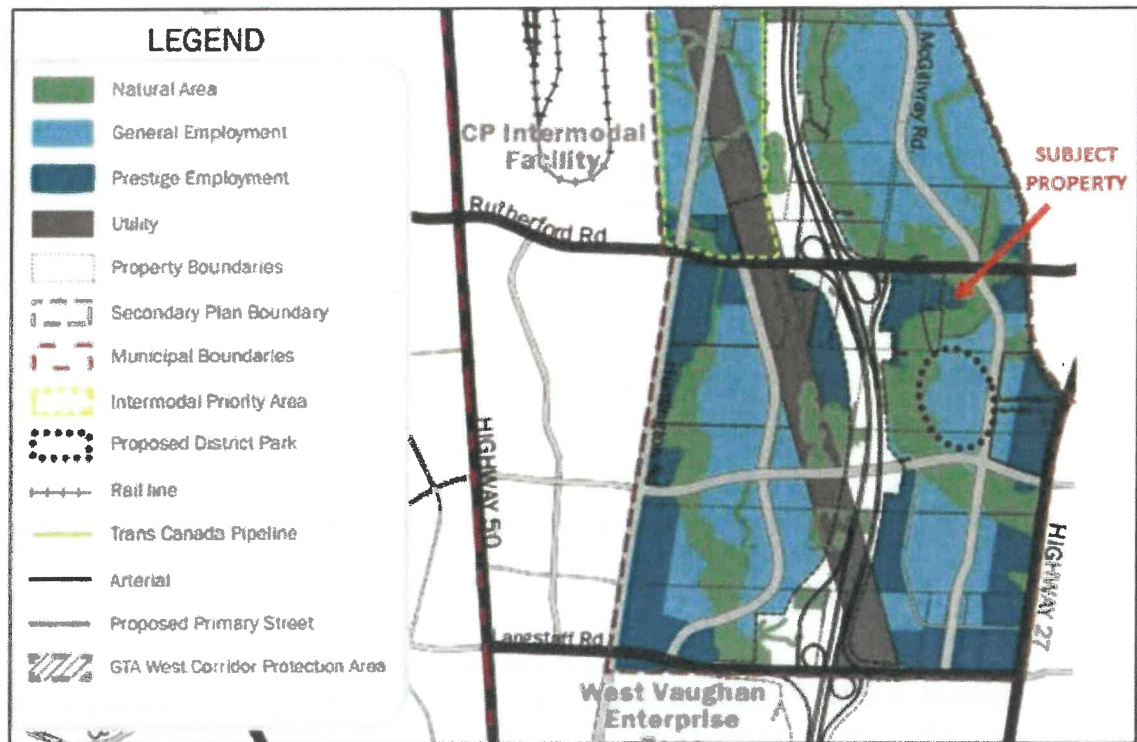


Figure 1: Schedule 3 - Land Use, from the West Vaughan Employment Area Secondary Plan.

The majority of Block 59 is undeveloped aside from two newer distribution warehouses, one used by Fed-Ex and the other by Costco, which are located south of the site. There is also an existing rehabilitation centre, the Vitanova Foundation, situated directly to the west of the property. To the north and east of the site are agricultural uses/green space areas, along with the CP Rail Line which is representative of Block 59's eastern limit.

Figure 2 provides an airphoto of the subject property. The property maintains a total land area of 8.183 ha (20.22 acres), of which only a small portion is developable given the presence of natural heritage features on the property. The property is heavily treed and has a tributary (Robinson's Creek) running through it.

The property also contains a cultural heritage feature, the Richard Jeffery House (Elderstone), which is designated under Part IV of the Ontario Heritage Act. The building was constructed in c. 1860 and is two storeys in height. Directly north of this building is a man-made pond which is thought to have been built to support the functioning of the heritage building.



Figure 2: Airphoto of subject property.

Policy Context

The York Region Official Plan identifies the property as part of the *Urban Area* and within the *Regional Greenland System*. The entirety of Block 59 is also located within the Region's *Strategic Employment Lands – Conceptual* designation.

The Natural Heritage Network Schedule of the Vaughan Official Plan (VOP 2010) indicates that the majority of the property is covered by a *Core Feature*, which is an area where development and/or site alteration is generally not permitted. The property is subject to the West Vaughan Employment Area Secondary Plan, which designates the portion of the site not covered by a core feature as *Prestige Employment* and the rest of the property as *Natural Area*. Permitted uses in the Prestige Employment designation include typical employment uses such as manufacturing, warehousing and offices uses. Outside storage is not permitted.

The Prestige Employment designation does not permit or prohibit banquet hall facilities. The VOP (2010) is silent on banquet halls, as it does not specifically list this use as permitted in any land

use designation. The term banquet hall is not defined in the VOP and is also not mentioned anywhere in the text of the plan. This is contrary to Vaughan's Zoning By-law 1-88 which lists banquet halls as permitted in the *EM1 Zone – Prestige Employment Area Zone* and provides a definition of the use.

The City's Zoning By-law 1-88 zones the property as both *A – Agricultural* and *OS1 – Open Space Conservation*, subject to an exception. This exception regulates site specifications including lot area and coverage and limits uses for the OS1 zone. Any future development on the property would require that a Rezoning application be submitted.

Proposed Use of the Subject Property

The subject property maintains unique characteristics, differentiating this property from the rest of Block 59, which makes developing this site for typical employment uses a challenge. Based on our analysis, there are various factors from a contextual and planning perspective that support a banquet hall use as an appropriate use for the property:

Policy-Related Factors

- The subject property's total developable area is minimized by the fact that the site is heavily constrained, notably by natural heritage features which are to be preserved. The operation of a banquet hall would not result in a nuisance or negatively impact the ecological functioning of the surrounding natural heritage network, which is to be protected and enhanced according to the VOP.
- As illustrated by Figures 1 and 2, the subject property has a limited developable area as a result of the site's Natural Area designation. A small developable area cannot accommodate typical Prestige Employment uses such as warehouses, distribution centres or office complexes.
- The VOP does not explicitly permit or prohibit banquet halls in any land use designation as the Official Plan is silent on the use.
- The VOP indicates that non-employment uses such as residential and major retail uses would serve to destabilize the planned function on an employment area (Section 2.2.4). A banquet hall is not a residential or retail use.
- The York Region 2017 Vacant Employment Land Inventory (dated March 2, 2018 from the Commissioner of Corporate Services and Acting Chief Planner), indicated that 33% of the Region's employment land supply is vacant, and that the City of Vaughan "... continues to have the largest supply of vacant employment lands in the Region." Given the site's limited development potential, allowing for a banquet hall use will not result in a depletion of viable employment lands within the City.

- The property maintains an existing heritage building which is designated under Part IV of the Ontario Heritage Act. This is another factor limiting the site's total developable area. Any future development would need to accommodate the retainment of this structure as relocation would be difficult. A banquet hall, along with required parking, could be accommodated while maintaining this building or making use of this structure as part of the functioning of the main use.
- The City's Zoning By-law 1-88 permits banquet halls in the *EM1 – Prestige Employment Area Zone*. Developing the property will require that a Zoning By-law Amendment application be submitted to rezone the property under the EM1 zone to correspond with the Official Plan designation.

Land Use Compatibility Factors

- The portion of the property fronting on to Rutherford Road is covered by the site's core feature. Any future development will need to be located away from the street and maintain an appropriate vegetation buffer from the core feature's top of bank. This will reduce the visibility of any future buildings from the street and will create a sense of isolation from the surrounding area, which is not favourable for typical Prestige Employment uses. The Official Plan indicates that Prestige Employment areas are intended to be located on arterial streets in order to *"provide locational opportunities for activities which require high visual exposure and an attractive working environment (Section 9.2.2.11.b.iii)."*
- The site's private and serene environment is ideal for a banquet hall. The property maintains locational advantages which are preferable for the types of events held at banquet halls such as religious celebrations and weddings.
- The use of the property for a banquet hall is complementary with the adjacent rehabilitation centre to the west, a sensitive use, as it will not result in any undesirable impacts which would hinder the functioning of this operation.
- Given that the subject property is entirely buffered along its east and south sides, is adjacent to a sensitive use at its west side, and fronts onto Rutherford Road, it will not result in an undesirable infiltration of a use in an employment area intended for heavy and light employment uses. Additionally, this buffering will ensure that banquet hall patrons will not be exposed to safety hazards which could result from the employment area.
- The buffering around the property's developable portion prevents the threat of any future expansion of non-typical employment uses within this employment area.
- The subject property's location along Rutherford Road, an arterial street, will provide for an access point exclusively for the banquet hall's employees and users. Vehicular travel to and from the subject property will be completely separate from the rest of the block. This means that traffic and parking generated by the banquet hall will not interfere with the functioning of surrounding employment uses in terms of the movement of goods and

trucking activities, which are critical to the successful functioning of typical employment uses.

- The banquet hall will not discourage other typical employment uses from locating in Block 59.

Designations which Permit Banquet Halls

- Many of the City's existing banquet halls are located in prestige employment areas. As noted previously, there is no land use designation in the VOP which explicitly permits banquet halls.
- Locating a banquet hall in a dense, mixed-use area, such as on an intensification corridor intended for greater density, a mix of residential and non-residential uses and frequent transit service, is not compatible with the nature of banquet hall facilities. Banquet halls are low-intensity uses given their more limited operating hours and typically occupy stand-alone buildings.
- Other municipalities explicitly permit banquet halls in their employment designations. For example, the City of Mississauga Official Plan permits banquet halls in the *Business Employment* and *Industrial* land use designations. Additionally, the Town of Richmond Hill, also located in York Region, permits banquet halls in the Town's *employment area* designation and encourages them to front on an arterial street.

Given the site's notable environmental constraints and surrounding context, the subject property is not characteristic of the other lots located within Block 59 which are intended for typical employment uses. The proposed use of the property for a banquet hall will enhance the site's existing environmental and cultural features and provide an opportunity to maximize the use of a property which has limited potential for future development. If it is the position of the Region that a change in the property's current Prestige Employment land use designation is required to move forward with this proposal, we would be responsive to this request and further discussions.

Concluding Remarks

This correspondence is being submitted to request that consideration be given to develop the subject property for a banquet hall. This would enable the City of Vaughan to make use of a site which is targeted for development but is highly constrained from a cultural, environmental and consequently, a developable land area perspective.

We kindly request to be notified of any future reports and meetings and will continue to monitor the MCR process as well. Thank you for the opportunity to provide this letter and we would be open to future discussions regarding the development of the subject property should there be any opportunities for this.

We reserve the right to provide additional comments throughout this process. Should you have any questions, please contact the undersigned (ext. 245) or Jenna Thibault (ext. 309).

Yours truly,

Weston Consulting

Per:

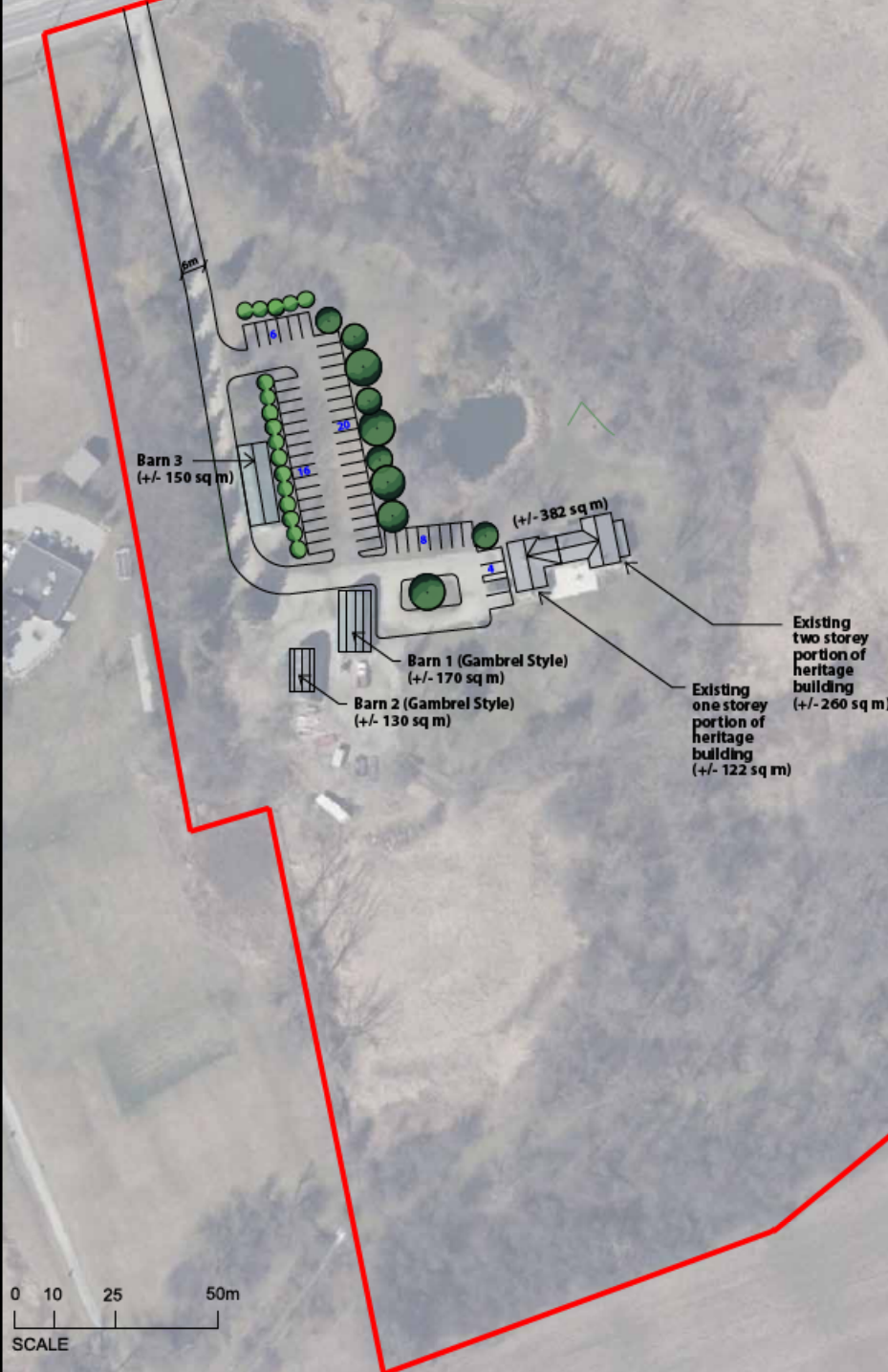


Sandra K. Patano, BES, MES, MCIP, RPP
Senior Planner

- c. S. Malcic, York Region, Planning and Economic Development
- J. De Lima, York Region, Planning and Economic Development
- B. Kiru, City of Vaughan, Interim Director of Policy Planning/Environmental Sustainability
- C. Messere, City of Vaughan, Development Planning Department
- J. Di Poce, Di Poce Management Limited

Appendix III – Preliminary Concept

RUTHERFORD ROAD

DRAFTFOR DISCUSSION
PURPOSES ONLY**DEVELOPMENT
STATISTICS**

EXISTING DWELLING	+/- 382 sq m
BARN 1 (STORAGE W/ LOFT)	+/- 170 sq m
BARN 2 (STORAGE W/ LOFT)	+/- 130 sq m
BARN 3 (STORAGE)	+/- 150 sq m
PARKING PROVIDED (PROPOSED):	54 SPACES



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LEGEND

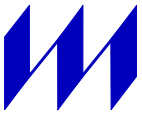
— SUBJECT LANDS

NOTES:

- Aerial photo from First Base Solutions. Imagery date 2016.
- This preliminary concept has been prepared in conjunction with the landowner.
- The preliminary concept is based on available aerial photograph and is subject to change based on future required studies/investigation and detailed design.
- The parking layout as shown is subject to change based on future investigation/study and detailed design.

PRELIMINARY CONCEPT

6241 RUTHERFORD ROAD
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK



**WESTON
CONSULTING**

planning + urban design

**COMMUNICATION : C 18
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

May 19, 2020
File 7829-1

Attn: Mayor Bevilacqua and Members of City Council

**RE: Response to Committee of the Whole (2) Report (Item 10)
Employment Lands Conversion Recommendation
31 Jevlan Drive & 172 Chrislea Road**

Weston Consulting is the planning consultant for A & P Colalillo Investments Inc., the registered owner of the properties municipally addressed as 31 Jevlan Drive and 172 Chrislea Road in the City of Vaughan (herein referred to as the "subject lands"). We have been engaged to provide assistance to the landowner during York Region's Municipal Comprehensive Review ("MCR") process.

We have reviewed the Staff Report, dated May 20, 2020, and associated attachments (Committee of the Whole Item 10) as they relate to City Staff's recommendation on the subject lands and the active employment conversion request. At this time, it is not clear whether City Staff have considered the analysis provided in our written submission to the Region of York, dated November 29, 2019. As such, the purpose of this letter is to request that the consideration of the subject lands be referred back to Staff for discussion and further analysis.

Property Description and Surrounding Area

The subject lands consist of two parcels of land addressed as 31 Jevlan Drive and 172 Chrislea Road. The subject lands are location on the west side of Chrislea Road and the east side of Jevlan Drive. Both land parcels are located north-west of the intersection of Highway 400 and Highway 7. The subject lands have a combined are of approximately 2.55 acres (1.03 hectares) with frontage on Chrislea Road and Jevlan Drive.

The property located at 31 Jevlan Drive is currently occupied by retail commercial establishments, including a gym, dance studio, home goods retailer and distributor establishment. The property located at 172 Chrislea Road is occupied by separate retailers who share the space in an open concept format. The establishments include a furniture store, a carpet store, a bathroom fixture store and a hot tub retailer.

Although the subject lands are designated as 'General Employment Area' in the City of Vaughan Official Plan (2010), the lands have been occupied by retail uses and non-traditional employment uses for approximately 20 years. As such, they are surrounded by other non-traditional employment uses including retail uses of a jeweler and carpet store to the south. Despite being surrounded by a wider range of urban uses and having access to major arterial roads and a provincial highway, the subject lands currently contribute minimal employment opportunities to the local, regional and provincial economy. The lands further south of the subject lands on Chrislea Road and Portage Parkway are not designated for employment land purposes and are contemplated for mixed uses.

Background

On November 29, 2019, Weston Consulting submitted a letter to the Regional Municipality of York (copying Staff at the City of Vaughan) requesting consideration of the conversion of the subject lands to facilitate new mixed uses. This letter included how the subject lands demonstrates adequately addressing the five (5) criteria set out in Section 2.2.5.6 of the Growth Plan, as well as the recently adopted York Region conversion criteria. At this time, it is not clear or apparent from the analysis contained in the Staff Report whether City of Vaughan Staff considered the full analysis of our November 29, 2019 submissions, as well as the recommendations contained therein.

On March 12, 2020 York Region Planning Staff presented a report to the Regional Committee of the Whole entitled "Planning for Employment and Employment Conversions". The Report outlined the various non-supported conversions throughout the Region including the subject lands. The Summary of Assessment contained in Attachment 5 of the Report listed three reasons, including that the subject lands provide an appropriate transition between the employment area and the adjacent non-employment uses, as well as the sites contribution to economic development.

On May 13, 2020 City of Vaughan released a report to be presented at the Committee of the Whole on May 20, 2020 entitled "*Request for Comments: York Region Evaluation of Employment Land Conversion Requests*". The Report outlines City Staff's non-support for the conversion of the subject lands, stating that *the conversion is not required because the "Employment Commercial Mixed-Use" designation is considered an employment land designation*. Weston Consulting would like to gain clarity on Staff's analysis, as based on our review, the current designation is 'General Employment Area', as noted above.

For the above reasons, it is not clear whether Staff considered the analysis provided in our written submissions; and therefore, we request that a recommendation on this specific conversion request be deferred, and that this request be referred back to Staff for further analysis and discussions with Weston Consulting and the owners.

Employment Conversion Rationale

As discussed in our November 29, 2019 letter to the Region, the subject lands are in the vicinity of various high density, high-rise residential uses and are currently underutilized for employment

purposes. With additional permissions, the subject lands could provide an appropriate transition from employment uses to the north and mixed uses to the east. In addition, a wider range of employment uses could be supported with future development. It is our opinion that the proposed conversion itself would provide an appropriate transition to employment lands, while expanding mixed use permissions for the lands.

Next Steps

At this time, we respectfully request that the recommendations concerning the subject lands be referred back to Staff for discussions and further analysis, and then considered by Council at a future Committee of the Whole meeting at a later date. Weston Consulting, on behalf of the landowner, will continue to participate in the Regional MCR process.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 should you have any questions regarding this submission.

Yours truly,

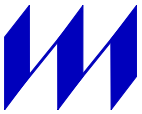
Weston Consulting

Per:



Ryan Guetter, BES, MCIP, RPP
Senior Vice President

- c. Clients
 - Bill Kiru, City of Vaughan
 - Fausto Filipetto, City of Vaughan
 - Tara Connor, Weston Consulting
 - Mark N. Emery, Weston Consulting
 - Mark Flowers, Davies Howe LLP
 - York Region Clerk
 - City of Vaughan Clerk



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**COMMUNICATION : C 19
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

“WITHOUT PREJUDICE”

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

May 19, 2020
File 3867-1

Attn: Mayor Bevilacqua and Members of City Council

**RE: Region of York Municipal Comprehensive Review
Planning for Employment and Employment Conversions
Vaughan Mills Centre Secondary Plan Lands**

Weston Consulting is the planning consultant for H & L Title Inc. / Ledbury Investments Ltd., 2811187 Ontario Limited, and Anland Developments Inc., which comprise the Vaughan Mills Centre Secondary Plan Landowners Group (the “Landowners Group”) who have land holdings located southeast of the intersection of Weston Road and Rutherford Road in the City of Vaughan (herein referred to as the “subject lands”).

We have been actively engaged in the York Region Municipal Comprehensive Review (“MCR”) process on behalf of the Landowners Group. We have reviewed the Staff Report, dated May 20, 2020, and associated attachments (Committee of the Whole Item 10) as they relate to City Staff’s recommendation on the subject lands and the active employment conversion request. The purpose of this letter is to reiterate and clarify our request that a portion of the subject lands be converted to non-employment uses to allow for mixed-use development, including residential uses. This letter also seeks a deferral of the consideration of the proposed conversion request in order to host a public open house with the community, which has been delayed as a result of the current circumstances surrounding the global COVID-19 pandemic.

Property Description and Background

The subject lands are located south of Rutherford Road, west of Highway 400, east of Weston Road, and north of the future extension of Bass Pro Mills Drive. The subject lands have a combined area of approximately 39.20 hectares (96.86 acres).

Although the subject lands have been designated for employment uses for several years, they are currently vacant, with the exception of a garden centre. As such, despite being surrounded by a wide range of urban uses including commercial retail, commercial employment and low-rise residential uses, and having direct access to major arterial roads and a provincial highway, the subject lands currently contribute minimal employment opportunities to the local, regional and Provincial economy.

The subject lands have been removed from the Provincially Significant Employment Zone (“PSEZ”) by the latest mapping released by the Province in December, 2019. This suggests that the subject lands are not deemed significant on a Provincial level for meeting the Province’s employment needs and achieving forecasted growth targets.

Bass Pro Mills Drive Extension Municipal Class EA

A Municipal Class Environmental Assessment (“Class EA”) for the extension of Bass Pro Mills Drive west of Highway 400 to Weston Road commenced on March 5, 2020. The Class EA will define the problems and opportunities, evaluate solutions and designs and determined a preferred design for the propose transportation improvements. The proposed development concept for the subject lands considers this extension as part of an improved road network.

The extension of Bass Pro Mills Drive will reduce congestion on Weston Road and provide alternate, direct access to Highway 400 and the nearby Vaughan Mills Shopping Centre for the residents of Woodbridge. In addition, the proposed development plan provides for a full internal road network to facilitate complete transportation ingress, egress, and circulation within the development block.

Community Consultation

The Landowners Group would like to work closely with the community to address feedback and concerns as they relate to the proposed development concept. Based on discussions with City Staff and the local Councillor, it is the intent of the Landowners Group to host a public open house with the community in order to seek feedback and address concerns from the public. However, given the current circumstances surrounding the global COVID-19 pandemic, it has not been possible to arrange for and host an open house event in advance of Council’s consideration of Staff’s employment conversion recommendations. As such, we are requesting a deferral of the consideration of the conversion request for the subject lands in order to allow for the hosting of a public open house and to provide time to address the concerns of the community.

Local Planning Appeal Tribunal Appeal

On June 26, 2014, York Region Council approved Amendment No. 2 to the City of Vaughan Official Plan (“OPA 2”), the Vaughan Mills Centre Secondary Plan (“VMCSP”). OPA 2 proposes to designate the subject lands within the “Vaughan Mills Centre Business District” for Prestige Office Employment and Prestige Employment uses. The proposed land use pattern will further segregate the subject lands from mixed-use areas proposed for the east side of Highway 400 and south of Rutherford Road. As a result, the Landowners Group appealed OPA 2 to the Ontario Municipal Board (continued as the Local Planning Appeal Tribunal (“LPAT”)), pursuant to s. 17(36) of the Planning Act. The Landowners Group also appealed portions of the City of Vaughan Official Plan (“VOP 2010”), which was adopted by City Council on September 7, 2010.

Both VOP 2010 and OPA 2 were adopted at a time when the 2006 version of the Growth Plan for the Greater Golden Horseshoe applied. The LPAT had scheduled a first phase hearing of the Landowners Group appeals of VOP 2010 and OPA 2 (Case Nos. PL140839 and PL111184); however, on consent of the Landowners Group, the City of Vaughan and York Region, the LPAT adjourned the originally scheduled hearing. The parties requested the adjournment, in part, given the anticipated amendments to the Growth Plan and to allow the parties sufficient time to pursue settlement discussions.

Description of Proposed Development Concept

The proposed development concept for the subject lands envisions a mixed-use development consisting of low to high-rise residential uses on the west side of the lands, higher-order office employment and commercial uses on the east side, and open space uses. A public open space ("Greenway Public Open Space") containing a portion of the Black Creek extends through the centre of the subject lands, separating the proposed residential and employment uses from one another. The residential uses are proposed to have building heights ranging from 4-storeys in the northwest corner, 6-storeys for the proposed buildings fronting onto Weston Road, 5 to 18-storeys in the interior of the west side, and 8-storeys for the proposed buildings abutting the proposed Greenway Public Open Space. The proposed office employment uses will have building heights ranging from 2 to 8-storeys. Two 9-storey hotels and 1- to 2-storey retail buildings are also proposed on the east side of the subject lands.

The concept plan proposes that employment uses on the subject lands are situated on the east side of the proposed greenway channel, closest to Highway 400 and are appropriately separated from the low-density residential community west of Weston Road. Approximately 21 hectares (51.9 acres) of the site are proposed to remain within the employment designation, which includes 5 hectares (12.4 acres) of public open space associated within the realigned Black Creek. The intensification of employment uses on the east side of the subject lands will provide for a significant amount of employment on these currently vacant lands.

On the west side of the subject lands, an appropriate mix and variety of housing types are proposed for all incomes to support the principle of creating a complete community. Approximately 17 developable hectares (42 acres) are proposed for conversion to non-employment uses to facilitate the proposed residential intensification. This represents less than half of the total site being proposed for conversion. To clarify, the proposed employment conversion does not apply to the full 39 hectares.

Employment Densities

The VMCSPP contemplates a total of 7,590 jobs for the 'Vaughan Mills Centre Business District', which includes the entirety of the subject lands as well as the lands to the north fronting Rutherford Road (the "Rutherford Lands"). IBI Group has determined that approximately 512 jobs can be appropriately accommodated on the Rutherford Lands, which would leave 7,078 jobs to be accommodated on the subject lands based on original forecasts. In our opinion, the City has failed to adequately justify the employment numbers contemplated by the VMCSPP, and these projections

remain unsubstantiated and unsupportable on the subject lands given their physical and market context.

The proposed employment, retail / service, and potential hotel uses on the subject lands will yield approximately 5,033 jobs on site. This employment target will be met through both the commercial space contained within the mixed-use area of the plan and through the higher density employment uses fronting Highway 400. Approximately 4,700 of these jobs will be created from the higher-order office employment uses along the Highway 400 corridor. The total employment density will therefore comprise over 300 jobs per hectare across the entire site. This employment yield will complement the density target of 200 jobs and persons per hectare set for the Vaughan Metropolitan Centre ("VMC"), which is emphasized as an office priority area, and functions as the City's Urban Growth Centre. In our opinion, this represents a level of potential employment that will not compete with the VMC, compared with the original employment targets prescribed by York Region of over 7,000 jobs.

In addition to those identified in the VMCSPP, Regional job density targets have been established for York Region. The target density for employment uses including Major Office is 54 jobs per net hectare. Based on the area of the subject lands, approximately 1,700 jobs would need to be accommodated on the site to meet Regional employment land density targets. The proposed employment densities exceed the Region's target by 3,333 jobs and represents over 2 times the planned target. As a result, although the proposed concept does not provide the ongoing anticipated number of jobs identified by the VMCSPP as described above, the proposal does provide an appropriate employment density for the subject lands given their location and context that well exceeds the number of jobs anticipated or planned by the Region.

Furthermore, the densities proposed by the concept are more respectful of the context applicable to the subject lands and recognize a complimentary relationship with the VMC. Without the necessary infrastructure, including higher order transit facilities such as a subway line, the development of the subject lands with the VMCSPP target of 7,000 jobs would serve to compete with the function of the VMC in an area that does not have the appropriate services to support it. Achieving an employment density as proposed by the VMCSPP would, in our opinion, threaten the viability of the VMC as a major employment centre and would not be sustainable on the subject lands given its contextual location and lack of higher order transit services. The proposed employment density exceeds the 200 jobs and persons per hectare densities targeted for the VMC. As a result, the proposed concept will serve to better complement the City's Urban Growth Centre, rather than compete with it, particularly in emphasizing the VMC as an office priority area.

In consideration of the recent global circumstances surrounding the COVID-19 pandemic, it is anticipated that employment-related development patterns will be permanently altered. Given the recent shift to physical distancing and working from home, traditional compact office buildings based on floor space rate of 75 square feet per employee will no longer be the standard work space. Increased opportunities for work from home employment have been contemplated by the development proposal.

Complete Community & Housing Affordability

The compact, mixed-use development concept incorporates a mix of residential, commercial, open space, and employment uses, providing a place where residents can live, work, and play close to home. The proposed built form incorporates a range of densities and appropriately transitions from employment in the east to residential in the west. It is designed to maintain compatibility with the adjacent low-rise, established residential neighbourhood to the west of the site. As well, the residential uses on the west side will step down in height and density towards Weston Road, respecting the adjacent neighbourhood.

Furthermore, the proposed concept allows for the provision of alternative forms of housing in terms of built form, tenure and affordability. A greater range of housing styles and affordability will be accommodated on the subject lands through the proposed apartment-style built form, compared to the previously proposed forms. This supports the Provincial, Regional and local objectives for the creation of complete communities and the reduction in the number of required automobile trips.

Conclusions

Based on the foregoing, we submit that the proposed employment conversion for the subject lands is appropriate and reflects the overall objectives of the City, Region and Province. However, given the circumstances around the global COVID-19 pandemic, it is necessary to defer City Council's consideration of this request. We respectfully request that:

- Consideration of the employment conversion request for the subject lands by City Council be deferred until a public consultation meeting can be held with stakeholders in order to address feedback and concerns related to the proposed development concept.
- The proposal does not constitute a conversion of the full subject lands in their entirety. Only the western portion of the site abutting Weston Road, comprising a total developable area of 17 hectares (42 acres), is proposed for conversion as part of this redevelopment scheme, which represents less than half of the total site area. The remaining lands (approximately 21 hectares) are to remain for prestige employment uses and a central public open space.
- The employment numbers currently contemplated by the VMCSPP are unsupported and unrealistic, and would result in densities that exceed those within the VMC. The proposed concept contemplates more appropriate employment densities which still exceed the regional target for Major Office employment, but which better respect the locational context of the subject lands, consider the availability of services and infrastructure to serve the site, and better complement the function of the VMC as the primary office hub rather than compete with it.
- The proposed concept would allow for the creation of a complete mixed-use community which would provide opportunities for living and working within close proximity. A range

and mix of alternative housing forms will be accommodated, while also maintaining significant employment densities in order to meet Regional and Provincial targets.

- In the context of the proposed development concept, the proposed conversion request should be properly presented and discussed with the neighbouring community, and in our view, represents good planning and should ultimately be supported.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 240 or extension 241 should you have any questions regarding this submission.

Yours truly,

Weston Consulting

Per:



Mark N. Emery, BES, MCIP, RPP
President

and



Ryan Guetter, BES, MCIP, RPP
Senior Vice President

- c. Vaughan Mills Centre Secondary Plan Landowners Group, Client
Bill Kiru, City of Vaughan
Fausto Fillipeto, City of Vaughan
York Region Clerk
City of Vaughan Clerk



May 19, 2020

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Attention: Mayor and Members of Council

Dear Mayor Bevilacqua and Members of Council:

**Re: *Item 4.10, March 20, 2020 Committee of the Whole
Request for Comments: York Region Evaluation of Employment Land
Conversion Requests
Request for Conversion, 291 Edgeley Boulevard, City of Vaughan***

I am the planning consultant to National Homes, the owner of 291 Edgeley Boulevard (the "owner"). Further to the letters provided to the Region of York, I am writing to request the Committee's consideration for a conversion of the lands north of the Vaughan Metropolitan Centre (VMC) Secondary Plan boundary, including the property municipally known as 291 Edgeley Boulevard (the "site").

I have reviewed the staff report on conversion requests throughout the Region and note that, while the Site has been identified as request number 31 on Attachment 3 to the report, there is no specific discussion on this request contained within the text of the staff report.

The staff report does not address the matters outlined in our March 10, 2020 letter to the Region, which described the advantages of a conversion towards: 1. implementing a policy framework that provides for an appropriate transition in height, density and land use abutting the northerly boundary of the VMC Secondary Plan; and 2. Implementing a policy framework that will facilitate redevelopment of the area north of the current VMC Secondary Plan boundary for transit supportive increased jobs and residents in proximity of the TTC Millway Subway Station. Specifically, within an 800 metre radius of a Major Transit Station as per the Growth Plan definition.

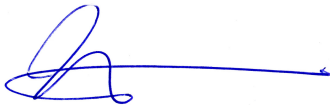
Notwithstanding that owner's specific request was not considered in the subject staff report, we note that there was discussion on a request made for conversion of lands north of Portage Parkway. The reasoning set out in the staff report for not allowing a conversion of the lands north of the VMC Secondary Plan is based, in part, on the lack employment growth and the amount of mixed-use lands that remain vacant. In this respect, we believe an in-depth review and consultation should be undertaken with the landowners in this area. Such review would serve to fully understand the function of the area, and the opportunity it holds to boost the number of jobs, if facilitated through catalytic redevelopments with a broader range of uses. It is not the owner's intent to request outright residential

permissions, but rather to create a complete community that will stimulate job growth within the VMC, in proximity to higher order transit.

While Portage Parkway may be a truck route, there should also be consideration of the fact that the lands redevelopment of lands north of Portage Parkway would result in a better transition between the immediately adjacent 50 storey residential towers and single storey light industrial and office uses to the north. In our view, the VMC area, in proximity to such an important transit investment as a TTC subway station, deserves more study and consideration.

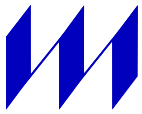
We had intended on having discussions with staff in the coming months, however these recommendations are moving forward without that opportunity. The aim of such discussions being to accomplish a policy framework that could unlock the potential of this employment area, which has a unique opportunity to boost jobs in the form of a complete community in proximity to the Millway TTC Subway Station, in the City of Vaughan's evolving new downtown. We request that this item be deferred as it relates to the subject site, in order to have further discussions on this request.

Bousfields Inc.



Michael Bissett, MCIP, RPP

- c. Rocco Pantalone, National Homes
- Jason Pantalone, National Homes
- Sandra Malcic, York Region
- Fausto Filepetto, City of Vaughan
- Clerk, City of Vaughan



**WESTON
CONSULTING**

planning + urban design

**COMMUNICATION C : 21
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

May 19, 2020
File 9112

Attn: Mayor Bevilacqua and Members of City Council

Dear Sir,

**RE: Response to City Committee of the Whole (2) Report (Committee Item 10)
Employment Lands Conversion Recommendation
163 and 175 Bowes Road**

Weston Consulting is the planning consultant for the owner of the lands legally described as Part of Lot 21 Registered Plan 7925 City of Vaughan and Part of Lot 7 Concession 3 City of Vaughan (herein referred to as the 'subject lands'; see Appendix A). The intent of this correspondence is to express the owner's support in the recommended conversion of the subject lands for mixed-uses through the York Region Municipal Comprehensive Review Process.

Description of Subject Lands

The subject lands are located at 163 and 175 Bowes Road at the intersection of Oster Lane in the City of Vaughan. The lands are located within the Concord GO Secondary Plan, which designates the lands as *General Employment* and *Natural Areas*. Surrounding land uses are designated *General Employment* to the north, *High-Rise Mixed Use* to the east and *Employment Commercial Mixed-Use* to the south. The City of Vaughan Zoning By-law 1-88 zones the subject lands as *General Employment Area (EM2)*.

Background

York Region is currently undertaking their Municipal Comprehensive Review (MCR), part of which will define Major Transit Station Area (MTSA) boundaries. The Region's preliminary analysis has identified a portion of the Concord GO Secondary Plan area within MTSA 15; see Appendix C to this letter. In May of 2019 correspondence was forwarded to York Region requesting the inclusion of the entirety of 162 and 175 Bowes Road within the MTSA boundary. To facilitate mixed- uses on the subject lands, an Employment Lands Conversion Request was submitted in June 2018 to York Region Planning Staff.

In November of 2019, a letter was submitted to the Ministry of Municipal Affairs and Housing, requesting that the subject lands be excluded from the proposed Provincially Significant Employment Zone 10 (York). The Ministry of Municipal Affairs and Housing proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe 2017 on January 15, 2019. The proposed amendment designates the subject lands as within a Provincially Significant Employment Zone (Appendix B). The request argued that the exclusion of the lands would facilitate an efficient use of the lands, contributing to Provincial goals and objects through the Concord GO Secondary Plan and MTSA 15.

On March 12, 2020 York Region Planning Staff presented a report to the Regional Committee of the Whole entitled “Planning for Employment and Employment Conversions”. The Report outlined the various supported conversions throughout the Region including the subject lands south of Oster Lane. While it is acknowledged that this recommendation is consistent with the proposed MTSA boundary, we note that final delineation of MTSA boundaries is targeted for Q3 of 2020 and there is an opportunity to revise the proposed boundary.

On May 13, 2020 City of Vaughan released a report to be presented at the Committee of the Whole on May 20, 2020 entitled “Request for Comments: York Region Evaluation of Employment Land Conversion Requests”. The Report outlines City Staff’s supported conversion of the lands south of Oster Lane and recommends that the future land uses be considered through the Concord GO Mobility Hub Study (MHS). The portion of the lands outside the Concord GO MHS are recommended to remain as employment lands. The Report is found to be consistent with the recommendations made by the Region.

Planning Rationale

Weston Consulting, on behalf of the owner, would like to thank the Region and the City for reviewing our conversion request and providing partial support. This conversion, along with the MTSA delineation, will help the Region and City meet growth and intensification targets around higher-order transit corridors. However, we would like the Region, with the City’s support, to recommend conversion of the entire 175 Bowes property for non- employment, mixed -uses.

The MTSA mapping prepared by the Region illustrates a boundary that has limited redevelopment potential in some areas. Lands south of Highway 7 are encumbered by natural heritage features or are part of a stable residential neighbourhood. It is our opinion that significant intensification in these areas is not likely. The Provincial Growth Plan defines an MTSA as being with 500 metres to 800 metres of a transit station. The northern limit of the MTSA boundary is approximately 500 metres from the Bowes Rd./ Highway 7 intersection (Concord BRT Station). Extending this boundary an additional 300 metres would capture the portion of 175 Bowes Rd., which is presently excluded from the conversion. The Growth Plan directs the Region to achieve a growth target of 160 people and jobs per hectare for MTSA’s served by light rail or bus rapid transit. Given the limited redevelopment opportunities south of the BRT corridor, it is our opinion that the remaining 175 Bowes Rd. lands should be recommended for conversion to assist in achieving the growth targets.

We would also note that the conversion proposed by the Region and the City would bisect 175 Bowes Rd., thereby creating two separate land use designations on a single property. It would be more appropriate, in our opinion, to maintain a single designation for comprehensive redevelopment. While we understand that surrounding lands will maintain their employment uses, the hedgerow to the west and rail corridor to the east are natural transition features and would aid in limiting impacts and disruption to existing employment operations in the area.

Next Steps

At this time, we respectfully request that the entirety of the subject lands be recommended by the City to be converted from Employment in order to provide greater use permissions that will help realize Provincial, Regional and local Municipal mandates. Weston Consulting, on behalf on the owner, will also continue to participate in the Regional MCR in the future.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or extension 266 should you have any questions regarding this submission.

Yours truly,

Weston Consulting

Per:



Ryan Guetter, BES, MCIP, RPP
Senior Vice President

and



Martin Quarcoopome, BES, MCIP, RPP
Associate

- c. Tel Matrondola, Laurentel Developments
- Paul Freeman, York Region, Chief Planner
- Paul Bottomley, York Region, Manager Policy, Research and Forecasting
- Bill Kiru, City of Vaughan
- Fausto Filipetto, City of Vaughan
- York Region Clerk
- City of Vaughan Clerk

Appendix:

- A. Context Air Photo
- B. Proposed Provincially Significant Employment Zones – Vaughan North, Area Number 10
- C. Proposed York Region Major Transit Station Area 15- Concord BRT Station
- D. Regional Recommended Modifications for Regional Official Plan Employment Zones Mapping
- E. City of Vaughan Recommended Modifications for Employment Lands Conversion Request

Appendix A



Aerial Photograph of the Subject Lands

Appendix B

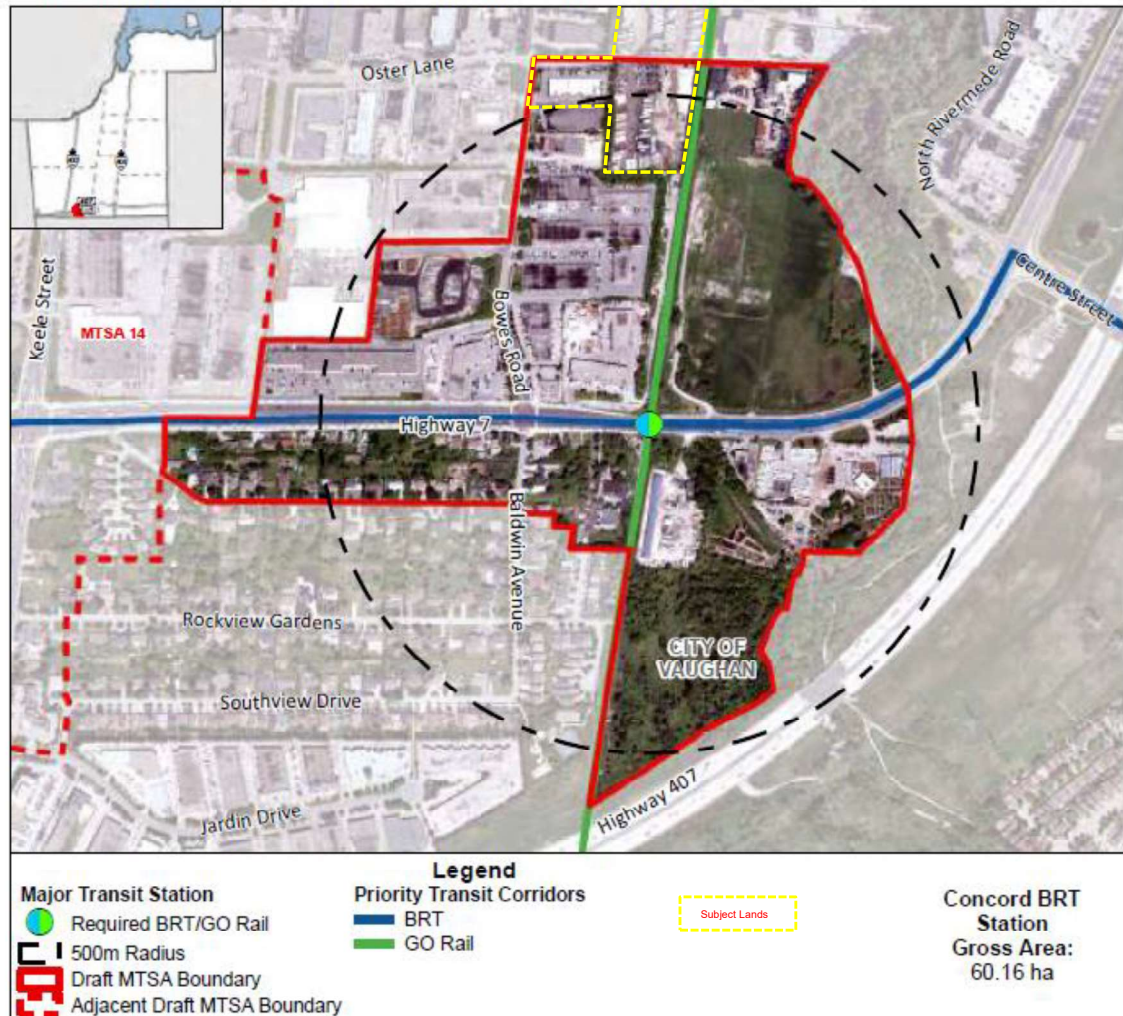


Excerpt of Subject Lands within PSEA Zone 10

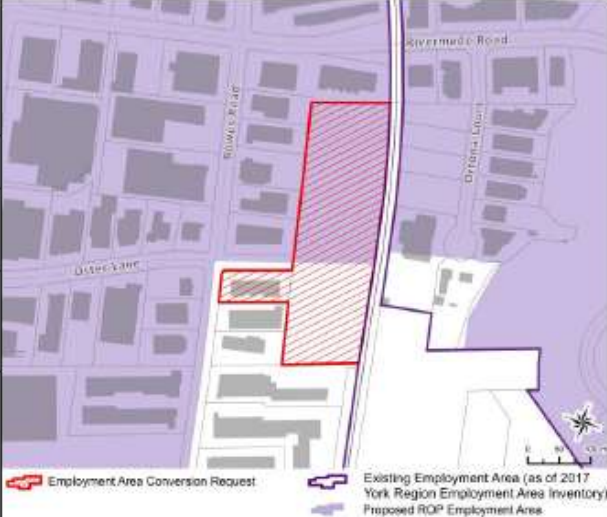
Appendix C

Concord BRT Station**MTSA 15****On Highway 7 BRT / Barrie GO Line Corridor**

Along Highway 7 at Bowes Road/Baldwin Avenue, Vaughan

*Proposed York Region Major Transit Station Area 15- Concord BRT Station*

Appendix D

Request#: V16		City of Vaughan
Address	163 & 175 Bowes Road	
Site Area	5.91 ha	
Employment Area	Keele	
Applicant	Weston Consulting	
Owner	Unknown	
Nature of Request	A request to re-designate lands from employment to a mixed-use.	
Summary of Assessment	<ul style="list-style-type: none">- Conversion to non-employment uses supports the local municipal planning objectives of the evolving urban structure proposed through the Concord GO Secondary Plan- The lands north of Oster Lane to be designated as employment in the Regional Official Plan. Lands south of Oster Lane to be designated at the discretion of the Local Municipality.	
Local Municipal Council Position	No position at this time.	
Recommendation: A portion of the area recommended for conversion to non-employment uses. Designate remainder as employment in the Regional Official Plan.		

York Region Recommended Modifications for ROP Employment Zones Mapping

Appendix E

ID	Applicant	Address
16	Weston Consulting	163 and 175 Bowes Road

Location

Located southeast of Oster Lane and Bowes Road.

Request

To convert the subject employment lands to permit residential and commercial uses.

Staff Recommendation

Support the conversion of lands identified within Deferral Area A in VOP 2010 to continue to pursue a GO station at this location through the Concord GO Mobility Hub Study .



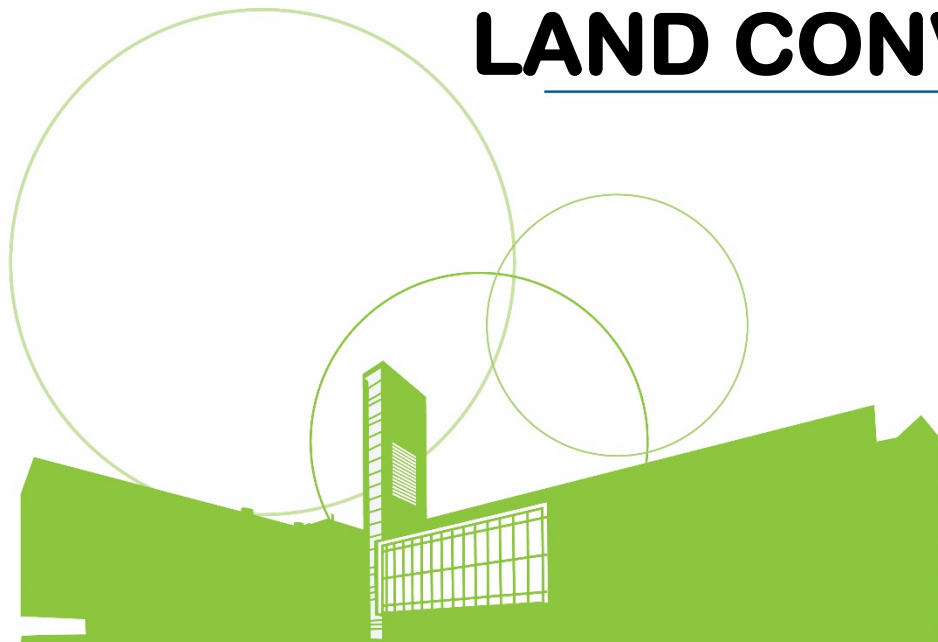
Staff Comment

- The subject lands are partially within Deferral Area A in the Concord GO Centre Secondary Plan, Volume 2 of Vaughan Official Plan 2010, as identified by York Region.
- The City is currently undertaking the Concord GO Mobility Hub Study (MHS) to determine the future land uses within the study area.
- The portion of the lands outside the Concord GO MHS should remain employment lands.
- The underlying studies that support the MHS will determine the appropriate land uses. The “market-based approach” to the delivery of the station is currently being explored. The study will include the accommodation of the GO station and its infrastructure to inform the future Transit Project Assessment.
- The lands form part of a logical planning unit which is currently part of a developing Secondary Plan study.

City of Vaughan Recommended Modifications for Employment Lands Conversion Request

REQUEST FOR COMMENT: EVALUATION OF EMPLOYMENT LAND CONVERSION REQUESTS

**COMMUNICATION : C 22
COMMITTEE OF THE WHOLE (2)
MAY 20, 2020
ITEM # 10**



Outline

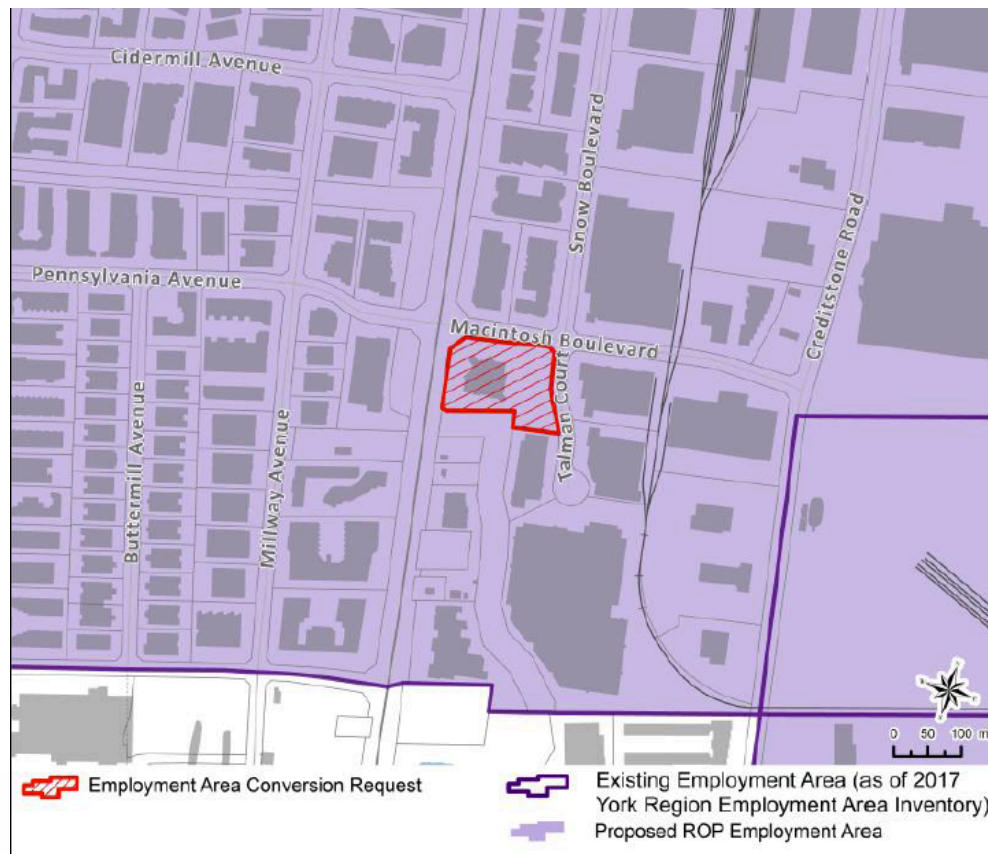
- Rules
- Employment Areas
- Summary of Requests
- Strategic Areas

What are the Rules

The Province sets the rules through:

- The ***Planning Act***
 - identifies uses permitted in employment areas
- The **Provincial Policy Statement**
 - the importance of protecting employment lands
- The **Growth Plan 2019**
 - Provides process for assessing employment land conversions through a Regional Municipal Comprehensive Review (MCR)

What are Employment Land Conversion Requests?



What are the roles?

York Region:

York Region undertakes a Municipal Comprehensive Review (MCR):

- To conform with the Growth Plan
- Conversions only permitted through an MCR
- The responsibility rests with the Region



What are the roles?

Vaughan:

- Conform with the updated Regional Official Plan
- Work with York Region
- York Region has requested Vaughan Council's position on these requests





Process to-date

1. Region staff worked with local municipal staff to develop Regional Conversion Criteria—based on Growth Plan 2019—which were endorsed by Regional Council on March 7, 2019
2. Landowners presented requests to Region and City staff in person
3. York Region has evaluated all requests
4. City staff evaluated requests in Vaughan using local and Regional criteria
5. Region staff brought forward preliminary recommendations to Regional COW on March 12, 2020

The Value of Employment Areas – Recent Findings

- Continue to be major drivers of economic activity
 - **67% of the city's jobs** in 2017
 - 52% of the City's total employment growth until 2024
 - Workplaces accessible by subway & BRT transit are necessary to attract and retain new employees
 - Regional Centres and Corridors are well positioned to attract highly skilled, knowledge-based jobs
-
- Planning for Employment Background Report (York Region, 2019)
 - Economic Development and Employment Sectors Study (City of Vaughan, 2019)

Vaughan is a Leader

- 50% of York Region's employment lands are in Vaughan
- 40% of all vacant employment lands in York Region are in Vaughan
- Employment areas in Vaughan are strategically located, close to:
 - two national rail networks
 - TTC subway
 - three 400-series highways
 - GO train and bus rapid transit service
 - Toronto Pearson International Airport

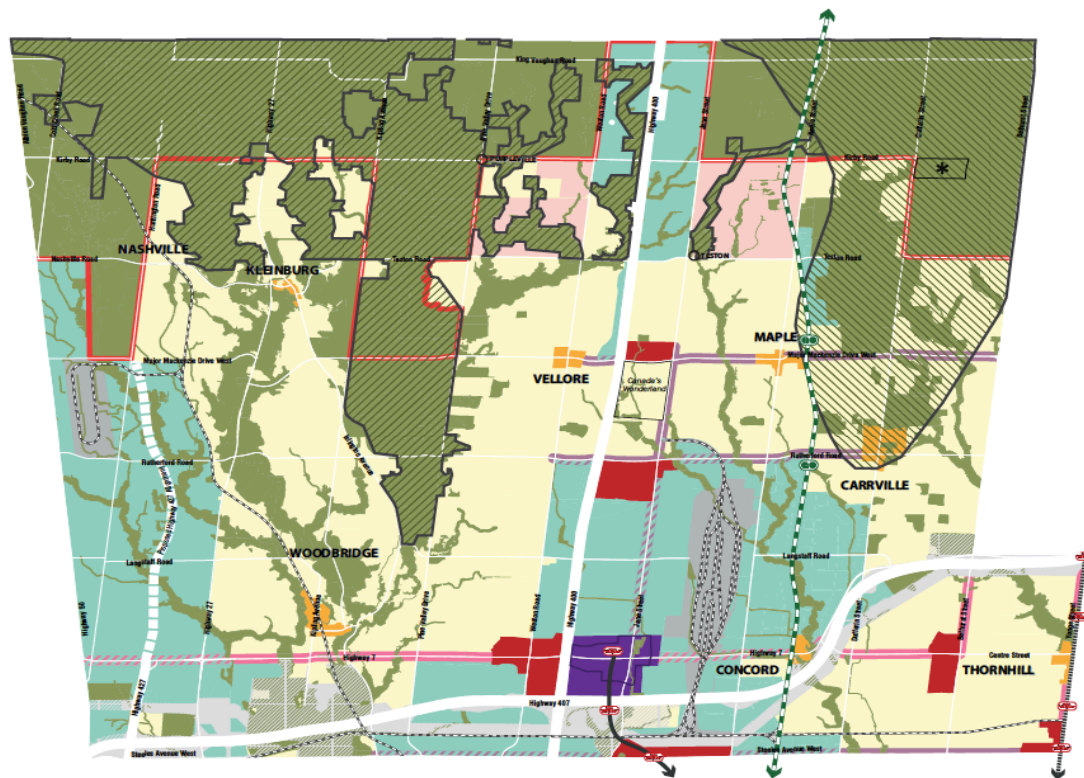
Employment land conversions present a risk to municipalities

- The over-arching objective of the Growth Plan 2019:

build complete communities

- Building complete communities requires a comprehensive community planning process that examines logical planning areas

Employment land conversions present a risk to municipalities



Summary of Requests

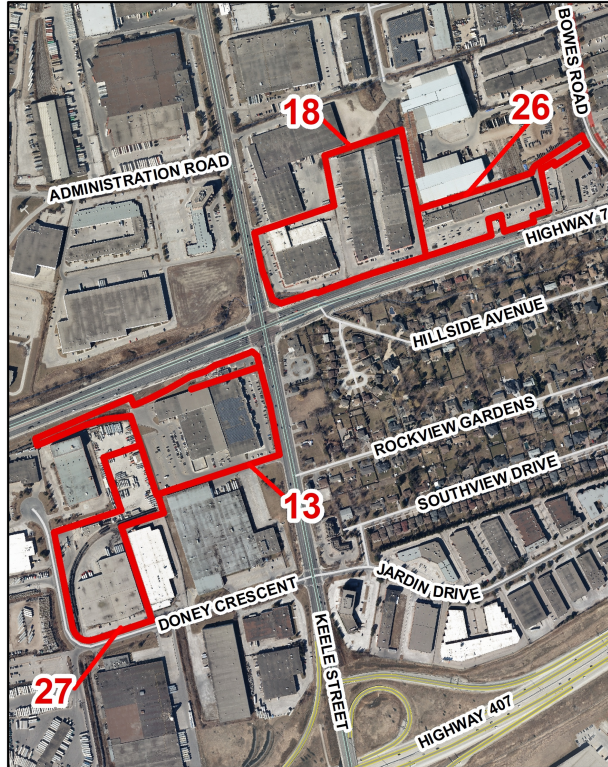
- York Region received 71 requests
- Vaughan received 30 requests
 - over twice as many as the next municipality – Markham (12)
- Three were identified as not a conversion
- Five are recommended for conversion
- The rest are recommended that no conversion occur

Strategic Areas - Vaughan Metropolitan Centre



- Approx. 70% of mixed-use lands in the VMC remain vacant
- Conversion of lands north of Portage Parkway for residential uses will destabilize the surrounding employment lands
- The Vaughan 400 employment area – north of Portage Parkway – has the highest and fastest growing number of jobs of any employment area in the City
- VMC residential targets are being met

Strategic Areas – Keele St. / Highway 7



- Would set a precedent for further conversion requests in the surrounding stable employment area
- The lands form part of logical employment area which is planned for employment intensification
- Requests in proximity to the CN MacMillan Yard present major compatibility issues

Next Steps

- Council's position will be forwarded to Regional Council for consideration
- The Region has tentatively planned for a Public Information Session in June for further comment from landowners, prior to reporting to Regional Council in the Fall

Questions

Local Criteria

	Criteria
1	The conversion involves the introduction of a sensitive use (i.e. residential) into an area that is predominated by uses that are incompatible with sensitive uses
2	The conversion is located close to major public infrastructure that, either individually or cumulatively, provides a further level of incompatibility (e.g. rail yards, major highways)
3	The conversion is in an area that would constitute an unplanned expansion of a defined secondary plan area that is either approved or identified as an area requiring a secondary plan
4	The conversion is located in area where its approval would constitute piece-meal planning, potentially prejudicing the future of the current uses and creating expectations of further conversions
5	The conversion is located in an area that is deficient in the appropriate ambience and services, (e.g. for residential) such as walkability, parks, community level retail and amenities, schools and community facilities
6	The conversion area is part of a logical planning unit, which would speak to prematurity and the need for a comprehensive planning exercise to establish the long-term future (secondary plan) and confirm the appropriate uses and densities; and ensure that all the required infrastructure (e.g. internal roads and accesses , water, sewers, stormwater management) , services and amenities are in place to support the community

Regional Criteria

	Criteria
1	The following employment areas will not be considered for conversion as they have not yet had the opportunity to develop due to servicing constraints or have recently been brought into the urban boundary to accommodate employment land employment growth to 2031: Keswick Business Park, Queensville, Highway 404 (ROPA 1), ROPA 3, and Highway 400 North (ROPA 52).
2	The employment area will not be considered for conversion if the entire perimeter of the site is surrounded by lands designated for employment uses and is not viable to continue as an employment area.
3	The lands are not required over the horizon of the Growth Plan for the employment purposes for which they are designated (Growth Plan 2.2.5.9 b).
4	The Region and local municipality will maintain sufficient employment lands to accommodate forecasted employment growth, including sufficient employment land employment growth, to the horizon of the Growth Plan (modified Growth Plan 2.2.5.9.c).
5	Non-employment uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets and other policies in the Growth Plan (modified Growth Plan 2.2.5.9 d).
6	There are existing or planned infrastructure and public service facilities to accommodate the non-employment uses (e.g. sewage, water, energy, transportation) (modified Growth Plan 2.2.5.9 e).
7	There is a need for the conversion (GP 2.2.5.9 a)
8	The conversion will not destabilize or adversely affect current or future viability and/or identity of the employment area with regards to: a) Hindering the operation or expansion of existing or future businesses b) Maintaining lands abutting or in proximity to the conversion site for employment purposes over the long term c) Attracting a broad range of employment opportunities and maintaining clusters of business and economic activities d) Providing appropriate buffering of employment uses from non-employment uses.
9	Cross-jurisdictional issues have been addressed
10	The conversion to a non-employment use is compatible with the surrounding uses such as existing employment uses, residential or other sensitive land uses and will mitigate existing and/or potential land use conflicts.

From: MARIO FERRI [REDACTED]
Sent: Wednesday, May 20, 2020 10:16 AM
To: Todd Coles
Subject: Indemnification By-law

C 23
COMMUNICATION
CW - MAY 20/20
ITEM - 17

Fellow Members of Council,

I have reviewed the current proposed draft Indemnification By-law and wish to provide the following comments.

Firstly, I must commend staff for their hard work and diligence in responding to inquiries of Council members respecting previous versions of the Indemnification By-law. Through the hard work of both staff and members of Council, it is my respectful opinion that the proposed Indemnification By-law has been clarified and strengthened. Through the collaborate effort of staff and members of Council, and especially the efforts of Ms. Law (and her staff including Ms. Hall-McGuire) and the guidance provided by Ms. Craig, we have arrived at an Indemnification By-law which I am proud of and fully support. While not all of my fellow members of Council may share the same respect I have for open dialogue and discussion, I firmly believe that open discussion is what democracy not only calls for, but requires. The process followed in coming to this point is a testament to what can be achieved when staff and Council work together in an iterative process, guided by mutual respect and driven with the aim of finding solutions that are right for Vaughan and what I trust is our shared vision of Vaughan as a world class City.

Secondly, I implore my fellow members of Council to support the proposed draft Indemnification By-law. As you are well aware, I have spent many hours reviewing the proposals from staff and setting out in detail my principled views respecting what the indemnification by-law should strive to achieve. In my view, the current proposal achieves the appropriate balance between protecting eligible persons and achieving the City's interests.

Respectfully

Mario Ferri

Deputy Mayor and Regional Councillor