



**COMMUNICATION C5.
ITEM NO. 3
COMMITTEE OF THE WHOLE
(WORKING SESSION)
May 4, 2022**

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MGP File: 11-2003

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via email: clerks@vaughan.ca

Dear Mayor Bevilacqua and Members of Council:

**RE: Parkland Dedication By-law– May 4, 2022 Committee of the Whole (Working Session) Report
Comments from Block 41 Landowners Group**

Malone Given Parsons Ltd. (“MGP”) is the Planning Consultant for the Block 41 Landowners Group, who own approximately 297 gross hectares of land within the City of Vaughan. Block 41 is one of two New Community Areas intended to accommodate growth up to the 2031 planning horizon in the City of Vaughan.

On behalf of the Block 41 Landowners Group (“LOG”), we have reviewed the Parkland Dedication By-law Committee of the Whole (Working Session) Report, dated May 4, 2022. We are concerned that the proposed credits for parks within Greenbelt lands do not reflect the active programming that is achievable and intended for these lands.

Lands within the Greenbelt Plan that are not encumbered or restricted from typical park programming and comply with the City’s Official Plan definitions for parkland should be granted more than the proposed 66% credit. As such, we respectfully request that Council allow for 100% parkland credit for lands within the Greenbelt Plan boundary subject to the lands qualifying as a park as per the policies of the City’s Official Plan. In addition, Greenbelt parkland should be subject to Section 3(1) of the Draft By-law.

Furthermore, we respectfully request that Passive Recreational Uses (i.e. trails), POPS, and Strata Parks be granted 100% parkland credit, consistent with Council’s February 15, 2022 resolution.

ROPA 7 Facilitates Active Recreational Parks Within the Greenbelt Plan

The permission for active parkland and recreational uses within the Greenbelt Plan will be facilitated by the approval of Regional Official Plan Amendment No. 7 (“ROPA 7”), which has been adopted by York Region Council and is currently being reviewed by the Ministry of Municipal Affairs and Housing. We note that, at its core, ROPA 7 proposes a designation change within the York Regional Official Plan to recognize these portions of the Greenbelt

Plan as rural areas. It further clarifies the permission for active recreational uses within rural areas of the Protected Countryside, in accordance with the Greenbelt Plan policies.

Alternatively, this permission is also facilitated by the current 2021 Draft York Region Official Plan, which shows the intended result of ROPA 7 under the proposed updated framework. Ministerial approval of these policies as part of the updated York Region Official Plan will also facilitate the permission for active recreational uses within the Greenbelt Plan.

Parks Within the Greenbelt Plan Contribute to the City's Goals

Among the key elements of the new Parkland Dedication By-law presented to Council, we understand that it is the City's preference for land conveyance over payment-in-lieu of parkland. In our opinion, the reduced credit for parkland within the Greenbelt Plan is contrary to this goal as it removes incentive for landowners to explore options for land dedication.

It is recognized that every acre of land is valuable in the creation of communities. Lands within the Greenbelt Plan have limited opportunities for community building uses due to policy restrictions; however, these lands remain viable on a practical and policy basis for parkland that supports housing and is part of creating a complete community. In turn, this allows for lands outside of the Greenbelt Plan to be efficiently used for the core uses to achieve growth, including residential, commercial, and institutional uses.

The policies of the Greenbelt Plan permit major recreational uses (which includes active recreational uses) on rural lands within the Protected Countryside designation. In our opinion, there is "tableland" within the Greenbelt Plan, being lands within the Greenbelt Plan Area boundary that are not encumbered by natural heritage and/or hydrologic features and their vegetation protection zones, which would otherwise be developable except for their inclusion in the Greenbelt. These tableland Greenbelt lands can functionally provide the same parkland benefit and active programming potential as tablelands outside of the Greenbelt Plan.

An estimated 13,500 residents are currently planned for in Block 41. With a total of 20.35 ha of proposed parkland, Block 41 will achieve a service level of approximately 1.5 ha per 1,000 residents. Block 41 contributes to achieving the City-wide target of 2 ha per 1,000 residents and represents 22% of the Greenfield Community conveyance target of 91 ha. The proposed parkland quantum is in addition to the Community Centre block and additional multi-use trails that connect the Block 41 community with natural heritage spaces and the surrounding area.

If the City's preference is to receive land conveyance, granting 100% credit for lands within the Greenbelt Plan will further this goal. In doing so, the City will receive land viable for active park programming that is characteristically the same as lands outside of the Greenbelt Plan. In our opinion, the park's function should NOT be weighed against the park's location if both parks provide a similar level of programmability. Whether the park is within or outside of the Greenbelt Plan, it is a recreational amenity to residents and a significant part of a complete community.

Parks Within the Greenbelt Plan in Block 41 Are Proposed for Active Programming

As part of the Block Plan process, Block 41's Landscape Architect has prepared Facility Fit Plans for each proposed park to demonstrate potential programming, which are currently under review by the City's Parks Department. Active recreational uses are proposed within the Greenbelt Plan boundary, as permitted by the Greenbelt Plan policies.

It appears that the only difference in the amount of credit contemplated for parkland lies solely on the location of each park area – either outside or within the Greenbelt Plan Area boundary. We are concerned with this approach as it does not recognize the function of the parkland. The programmability of each park block proposed within Block 41 remains the same despite their location within or outside of the Greenbelt Plan boundary.

The proposed parks within the Greenbelt Plan are located and oriented to generally meet the requirements for parks under the City of Vaughan Official Plan as well as the Block 41 Secondary Plan. Therefore, the characteristics of the proposed Greenbelt Plan parks are similar to parks located wholly outside of the Greenbelt Plan. Accordingly, Greenbelt Plan parks should also be considered under the category of parks eligible for 100% credit, being lands that meet the City's Official Plan definitions for parkland.

Trails and Passive Recreational Uses

We recognize that the City's Draft Parkland Dedication Bylaw provides a 66% credit for passive recreational uses such as trails. The Draft Bylaw assumes that passive uses (trails) would only be developed on Greenbelt Lands, which is not the case. Trails and other passive recreational uses have been developed outside of the Greenbelt Plan Area throughout the City.

Furthermore, the proposed 66% credit for passive recreational uses (trails) is not consistent with the February 15, 2022, Council resolution that provides direction on the new Parkland Dedication Bylaw to consider:

"That passive recreational uses such as trails and sitting areas approved by staff be given full parkland credit through the Planning Act dedication requirements".

As such, we request that the Draft Parkland Dedication Bylaw be amended to be consistent with Council's direction to provide 100% credit for passive parkland (trails).

Privately-Owned Public Spaces (POPS) and Strata Parks

Similarly, the City's Draft Parkland Dedication Bylaw proposes a 33% credit for POPS and 66% credit for Strata Parks. This is inconsistent with the February 15, 2022, Council resolution that provides direction on the new Parkland Dedication Bylaw as follows:

"That Consideration 24 and Consideration 25 of the Parkland Dedication Guideline, as outlined in Attachment 1, be amended to state that Vaughan supports providing full parkland credits for POPS as well as Strata ownership".

As such, we request that the Draft Parkland Dedication Bylaw be amended to be consistent with Council's direction to provide 100% credit for POPS and Strata Parks as well.

Provisions for Greenbelt Parkland

The Draft Parkland Dedication Bylaw requires owners to enter into an agreement with the City, which provides that the lands are designed, built and maintained to City standards and that the parks are to be open and accessible to the public at all times. These requirements imply that Greenbelt parks would not be conveyed to the City as public parks.

In our opinion, there is no functional difference between parkland located within or outside of the Greenbelt Plan boundary. Parkland proposed within the Greenbelt Plan Area will provide viable lands for active park programming that is characteristically the same as lands outside of the Greenbelt Plan. As such, Greenbelt Parkland should not be treated any differently and should be subject to Section 3(1) of the Draft Bylaw.

Conclusion

As noted, the location of parkland should not be outweighed by the function that it provides to the community. Greenbelt Plan parks that comply with the City's Official Plan definition of parks should be treated as a typical tableland park for conveyance at a similar credit percentage and subject provisions.

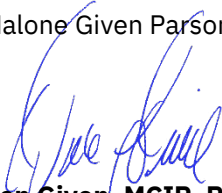
In addition, passive recreational uses (i.e. trails) and POPS are not fully credited under the Draft By-law and require amendment to be consistent with Council's previous direction for 100% credit.

We thank you for the opportunity to provide input on the Parkland Dedication By-law and look forward to continuing to engage with Staff through further discussions.

Should you have any questions or wish to discuss our comments, please do not hesitate to contact me at 905.513.0170

Yours very truly,

Malone Given Parsons Ltd.



Don Given, MCIP, RPP
Founder

cc *Block 41 Landowners Group*
Vince Musacchio, City of Vaughan