

November 27, 2023

By E-Mail to [clerks@vaughan.ca](mailto:clerks@vaughan.ca)

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

Dear Mayor Del Duca and Council:

**Re: City of Vaughan Response to the Provincial Modifications to York Region  
Official Plan, 2022  
Special City Council Meeting on November 29, 2022 – Agenda Item 1**

We are counsel to H&L Title Inc. and Ledbury Investments Ltd. (collectively, “Title/Ledbury”), the owner of approximately 10 ha of land east of Weston Road and south of Rutherford Road in the City of Vaughan, municipally known as 9081 Weston Road (the “Title/Ledbury Lands”).

Our clients have owned the Title/Ledbury Lands for nearly 50 years, and although the lands have been designated for employment uses for approximately 30 years, they have remained largely vacant that entire time, and are currently occupied by a landscape supply business on the western portion of the lands. Thus, the Title/Ledbury Lands are woefully underutilized, providing little in the way of employment opportunities and doing nothing to address the current housing supply crisis facing the City of Vaughan, the Region of York and the Province of Ontario.

**For the reasons set out below, we request that Mayor Del Duca respond to Minister Calandra’s invitation to submit feedback to the Ministry of Municipal Affairs and Housing (“MMAH”) regarding the York Region Official Plan 2022 (“YROP”) by December 7, 2023, by confirming the City of Vaughan’s support for the following modifications to the YROP:**

- 1. Redesignating lands east of Weston Road and south of Rutherford Road from “Employment Area” to “Community Area” (Modification No. 75 of the MMAH Decision dated November 4, 2022), as further modified by also redesignating the adjacent Title/Ledbury Lands (PIN: 032800172) from “Employment Area to Community Area”; and**

- 2. Establishing a new policy applicable to the lands that are subject to the redesignation in item 1 above, which requires a “minimum density of 200 units per hectare applicable to the whole of the lands and a minimum building height of 18 storeys for any high density residential built form on the site” (Modification No. 14 of the MMAH Decision dated November 4, 2022), as further modified by also including the adjacent Title/Ledbury Lands (PIN: 032800172) within this area-specific policy.**

Combining the Title/Ledbury Lands with the adjacent lands owned by 281187 Ontario Ltd. (“281187”) and Anland Developments Inc. (“Anland”), these lands comprise the vast majority of the block bounded by Weston Road on the west, Rutherford Road on the north, Highway 400 on the east and the planned extension of Bass Pro Mills Drive on the south (see **Map 1**).

Although the block southeast of the intersection of Weston Road and Rutherford Road has been designated for employment uses for a number of decades, the potential for introducing residential uses within this block has also long been recognized. In fact, in a 2009 background study prepared for the Vaughan Official Plan 2010 (“VOP”), the City’s planning consultant, Urban Strategies Inc., identified the lands north and south of Rutherford Road, between Weston Road and Highway 400, as an “Opportunity Area” for residential intensification (see **Map 2**), together with the following statement: “The west side of Highway 400 south of Rutherford Road has the most potential in this Opportunity Area as it is mostly unbuilt. The lands are currently designated employment lands and while the assumed mix would promote office and pedestrian related retail, significant residential development could be introduced here” [emphasis added]. Notably, both the City and York Region also recently confirmed that there is existing and planned infrastructure capable of accommodating significant employment and/or residential development on the lands owned by Title/Ledbury, 281187 and Anland.

Title/Ledbury, 281187 and Anland worked together for 10+ years in seeking residential permissions on at least a portion of their lands and developing comprehensive land use and development plans for the lands in their entirety. In that regard, these adjacent landowners jointly retained a number of consultants, including a land use planner, land economist, commercial market expert, transportation engineer and servicing engineer, to advance their collective interest in seeking residential permissions on their lands. To that end, through the most recent municipal comprehensive review exercise undertaken by York Region, which led to the YROP, Weston Consulting submitted an employment land conversion request jointly on behalf of Title/Ledbury, 281187 and Anland (see **Map 3 – Request V10**).

In its decision to modify and approve the YROP, dated November 4, 2022, MMAH redesignated the adjacent lands owned by 281187 and Anland from “Employment Area” to “Community Area” (Modification No. 75), and established a new Policy 4.2.33, applicable to the lands owned by 281187 and Anland (PINs: 032800301, 032800173 and

032800289), which directs a “minimum density of 200 units per hectare applicable to the whole of the lands and a minimum building height of 18 storeys for any high density residential built form on the site” (Modification No. 14). As a result of what appears to be an oversight by MMAH, the Title/Ledbury Lands (PIN: 032800172) were excluded from these modifications and remained designated as “Employment Area” in the YROP (**see Map 4**).

The effect of the MMAH decision was to render the Title/Ledbury Lands as an isolated employment area parcel, to be surrounded by residential uses (including high-density residential) to the south and east, an extensive low-density residential community to the west of Weston Road, and lands designated primarily for retail and other commercial uses to the north, on the south side of Rutherford Road. If the Title/Ledbury Lands are left as an orphaned employment parcel, there is serious concern that these lands are likely to remain largely vacant for the foreseeable future, generating minimal employment and little economic benefit for the City, while continuing to contribute nothing to address the current housing supply crisis.

Conversely, if the Title/Ledbury Lands receive similar residential permissions in the YROP as MMAH approved for the adjacent lands owned by 281187 and Anland, development of these lands would generate substantial public and economic benefits, including significant construction employment, development charges, community benefit charges, increased parkland, increased property taxes, increased customers and potential employees for the extensive existing and planned commercial development in the area, etc.

As you know, in Minister Calanda’s letter of November 2, 2023, in which he sought feedback from the mayors of York Region’s local municipalities regarding potential modifications to the YROP, he emphasized the importance of addressing Ontario’s housing shortage and using municipal official plans as a tool to combat that challenge:

*Official plans are an important tool for addressing Ontario’s shortage of housing. To that end, as you prepare your feedback, I encourage you to ensure your proposed approach to meet your housing targets is ambitious and reflective of the serious need to get more homes built quickly. In particular, I encourage you to look for opportunities to systematically increase density and align this density with existing and planned transit within your municipality. Getting more homes built faster will help more people in your municipality find a home that meets their needs and budget and help municipalities access funding under Ontario’s all-new \$1.2 billion Building Faster Fund.*

In responding to Minister Calandra’s comments and encouragement, we note that by supporting the requested modifications to the YROP that we have identified above you will be taking important steps to assist the City in meeting its target of 42,000 new housing

units by 2031. More specifically, assuming a minimum density of 200 units per hectare, in accordance with the new YROP policy 4.2.33 that was established by the MMAH decision in November 2022, the Title/Ledbury Lands alone would generate a minimum of approximately 2,000 residential units. Notably, the immediate area is very well served by existing and planned transportation infrastructure and transit, with both Weston Road and Rutherford Road being identified on Schedule 10 of the VOP as forming part of the “Regional Transit Priority Network”, and with access to Highway 400 from both Rutherford Road and Bass Pro Mills Drive. Further, as noted, the lands within this block are largely vacant with existing and planned infrastructure to accommodate significant residential development, thereby allowing “more homes built quickly”.

Accordingly, we urge Mayor Del Duca to write to MMAH by December 7, 2023, to confirm the City’s support for the proposed modifications to the YROP that we have set out above.

We thank you for your consideration of this request. In the meantime, if you have any questions regarding the contents of this letter, we would be pleased to discuss this with you and/or City staff at your convenience.

Yours truly,  
**DAVIES HOWE LLP**

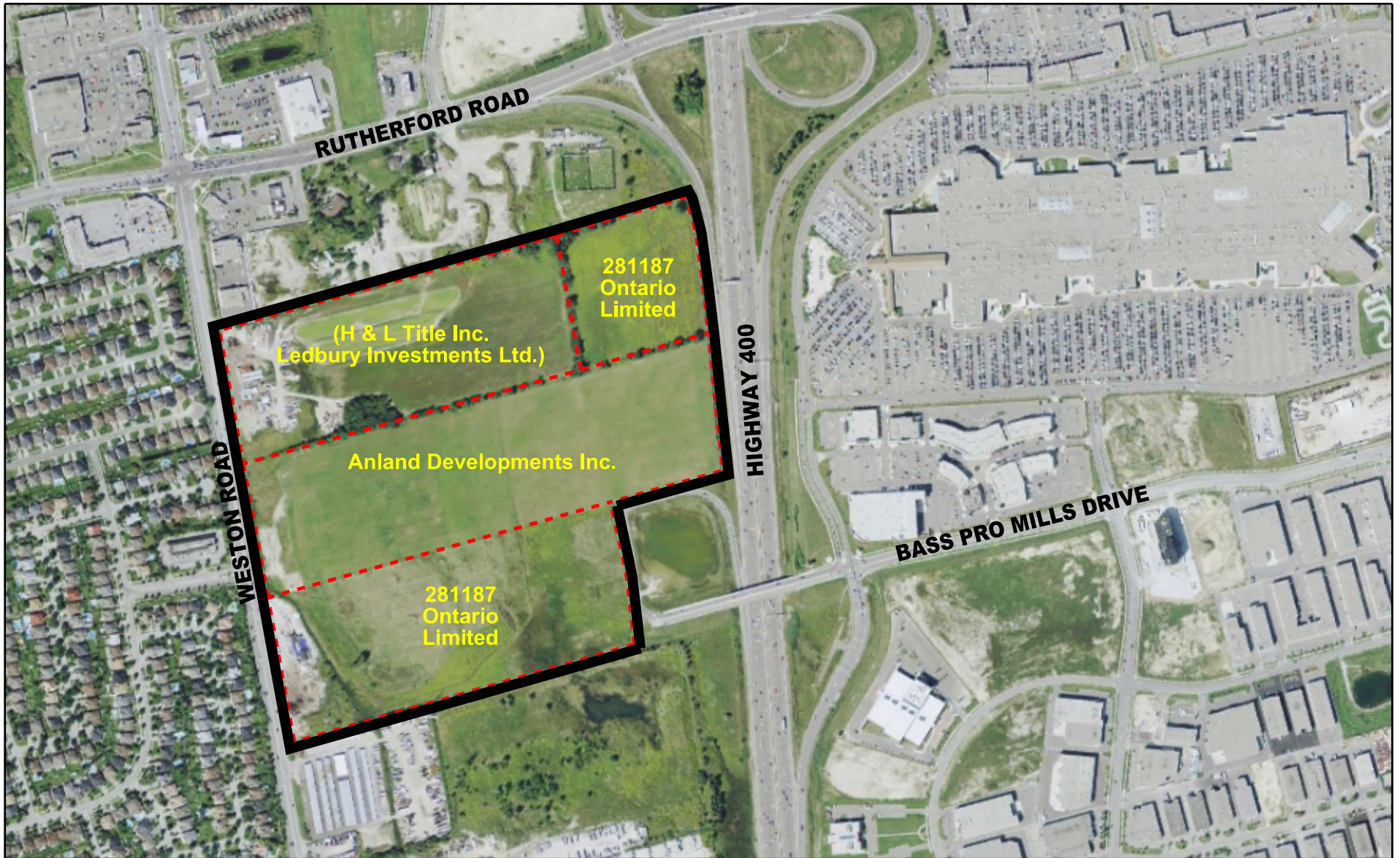


Mark R. Flowers  
Professional Corporation

encls.

copy: Wendy Law, Deputy City Manager, Legal and Administrative Services and City Solicitor  
Haiqing Xu, Deputy City Manager, Planning and Growth Management  
H&L Title Inc. and Ledbury Investments Ltd.  
Ryan Guetter, Weston Consulting

# Map 1



**WESTON  
CONSULTING**  
planning + urban design

File Number: 3867  
Date Drawn: 30 JUL 2014  
Drawn By: SM/SB  
Planner: JL  
Scale: NTS  
CAD: 3867/schedules/3867\_Ownership map.dgn



## LEGEND

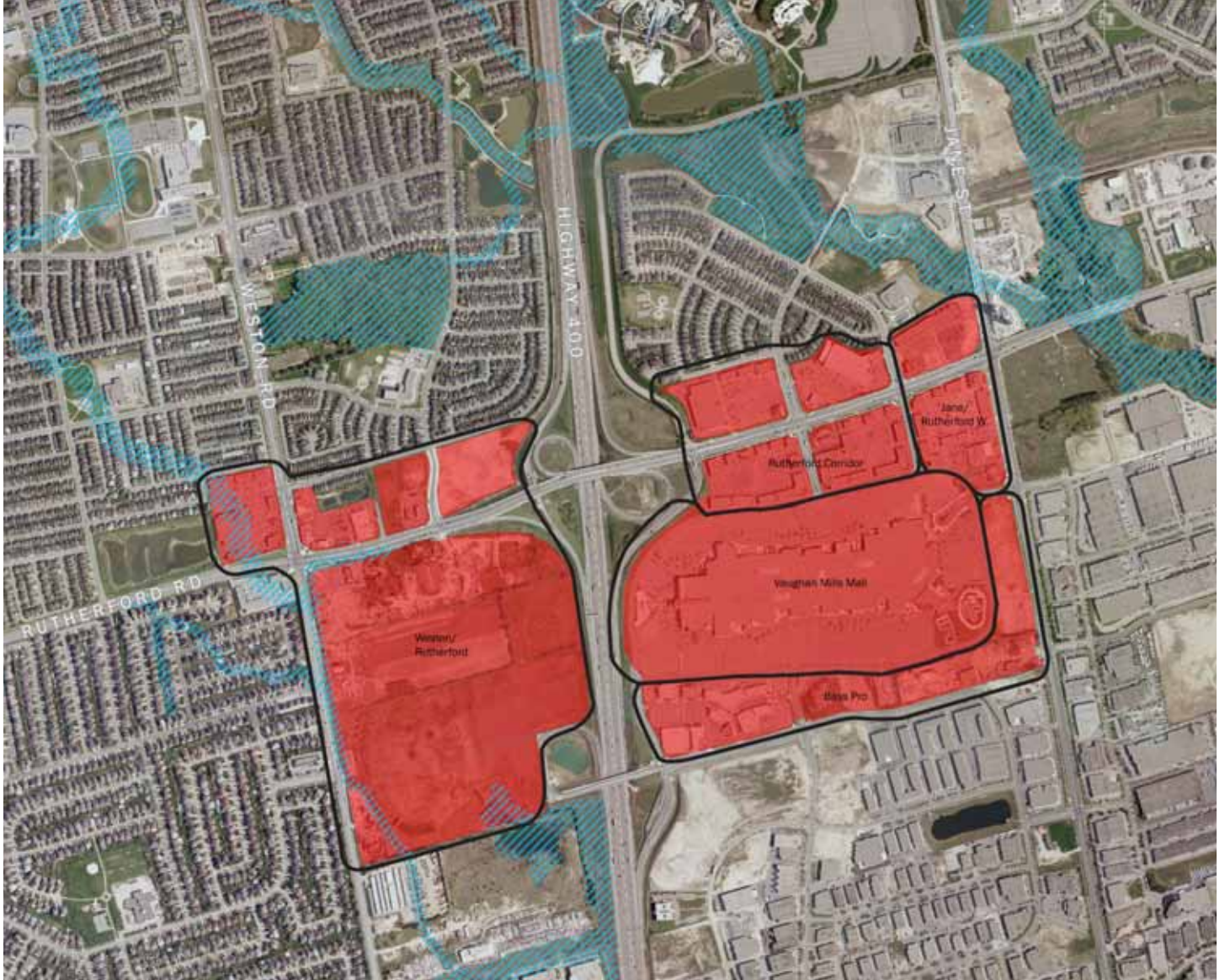
 LAND OWNERS GROUP

Areas are approximate, based on available mapping, and subject to confirmation by survey.

Air Photograph from Google Earth Pro.  
Date of photography: August 2009

## LAND OWNERSHIP MAP

# vaughan mills



# Map 2

## Intensification Assumptions

This opportunity area consists of two major areas on either side of Highway 400: a large collection of vacant parcels at Weston and Rutherford Roads and the strip plazas at the intersection, as well as the lands surrounding Vaughan Mills Mall. The Mall itself is not identified as an intensification area, however the extensive parking areas surrounding it have been. The plaza immediately north of the mall could also be intensified though it is recognized that the units are in condominium ownership and may be a challenge to land assembly. On the north side of Rutherford Road, the large format retail areas and strip plazas have extensive parking that could accommodate additional uses, as previously envisioned by the Vaughan Centre plan. The north side of Bass Pro Mills Drive is also a logical extension of the intensification potential of the mall parking areas. The west side of Highway 400 south of Rutherford Road has the most potential in this Opportunity Area as it is mostly unbuilt. The lands are currently designated employment lands and while the assumed mix would promote office and pedestrian related retail, significant residential development could be introduced here. When the extension of Bass Pro Mills drive is completed, it, together with Rutherford, will form the closest pair of links over the 400 and create the opportunity for a community to form that bridges the Highway.

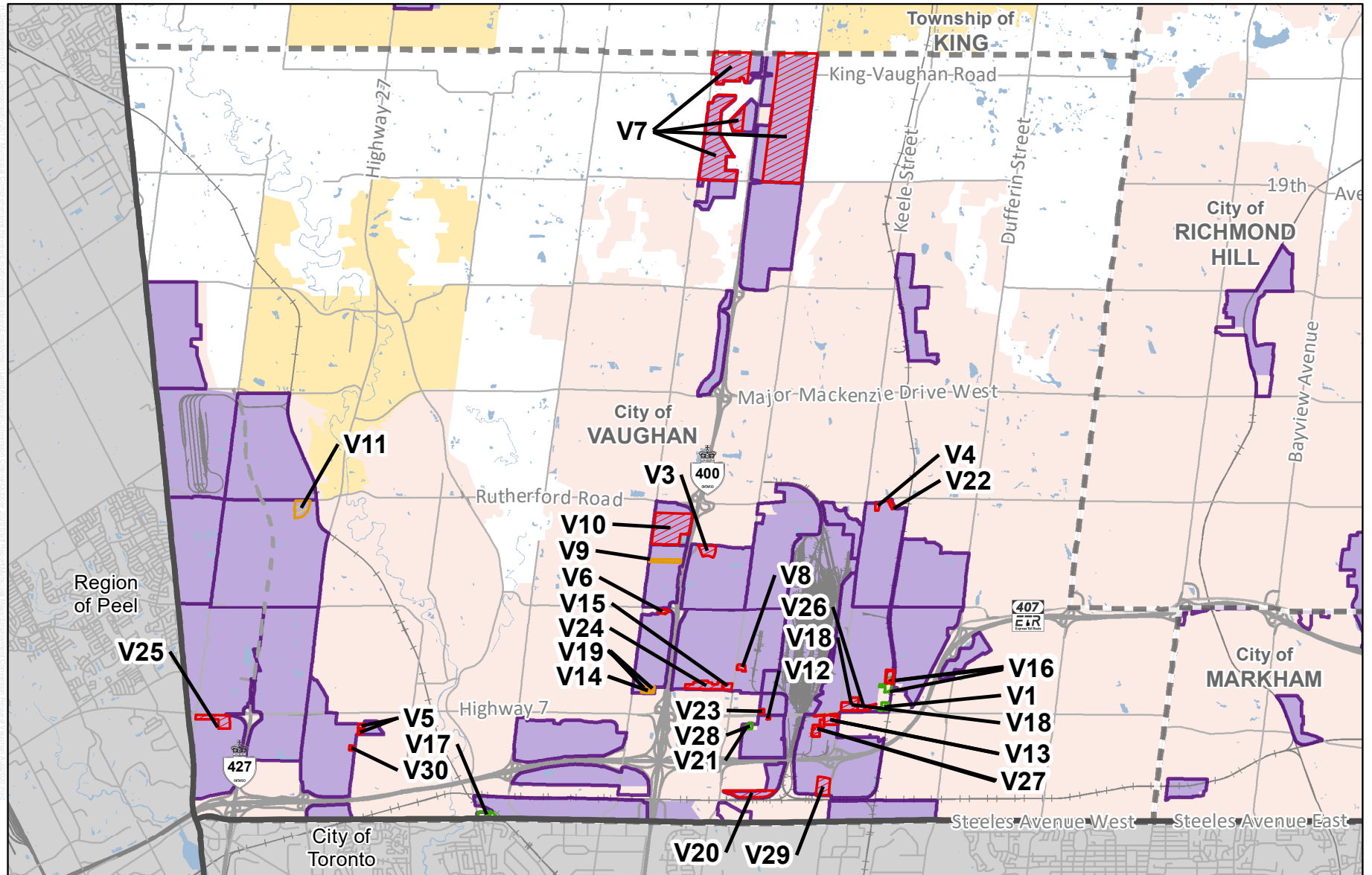
**Key Map**



## Intensification Summary

	Units	People
Weston / Rutherford	2,863	6,443
Rutherford Corridor	1,011	2,241
Jane / Rutherford W.	916	1,941
Vaughan Mills Mall	2,939	6,097
Bass Pro	1,091	2,387
<b>TOTAL</b>	<b>8,820</b>	<b>19,110</b>

# Map 3



## City of Vaughan Proposed ROP Employment Area Mapping and Conversion Requests

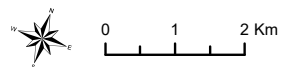
October 2020

- |  |   |  |                             |
|--|---|--|-----------------------------|
|  | Employment Area conversion request supported                                |  | Towns and Villages          |
|  | Employment Area conversion not required                                     |  | Urban Area                  |
|  | Employment Area conversion request not supported                            |  | Lake/River                  |
|  | Existing Employment Area (as of 2017 York Region Employment Area Inventory) |  | Railway                     |
|  | Proposed ROP Employment Area  |  | Regional Municipal Boundary |
|  |   |  | Local Municipal Boundary    |

Produced by:  
The Regional Municipality of York  
Corporate Services,  
Planning and Economic Development  
September 2020

Data: © Queen's Printer for Ontario 2003-2020

See York.ca for disclaimer information.



The local municipal land use designation of lands south of Teston Road, north of Major Mackenzie Drive, between the railway and Keele Street is currently subject to a LPAT appeal.



# Map 4



**WESTON  
CONSULTING**  
planning + urban design

File Number: 3867  
Date Drawn: 10 JUNE 13  
Drawn By: SM  
Planner: JL  
Scale: NTS  
CAD: 3867/schedules/3867 Ownership map.dgn



## LEGEND

 LAND OWNERS GROUP

Air Photograph from Google Earth Pro.  
Date of photography: August 2009

## LAND OWNERSHIP MAP