

COMMITTEE OF THE WHOLE (WORKING SESSION) – June 5, 2019

COMMUNICATIONS

Distributed June 5, 2019

	<u>Item</u>
C1. Ms. Paula Bustard, dated June 4, 2019.	1
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Please note there may be further Communications.



C 1
COMMUNICATION
CW (WS) - June 5/2019
ITEM - 1

SMARTCENTRES®

3200 HIGHWAY 7 | VAUGHAN, ON. CANADA L4K 5Z5
T 905 326 6400 F 905 326 0783

June 4th, 2019

Office of the City Clerk

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

Dear City Clerk:

**RE: WESTON RD AND HWY 7 SECONDARY PLAN STUDY – PHASE 1 STATUS UPDATE (FILE 26.2)
COMMENT LETTER – SMARTCENTRES**

As you are aware, **Calloway REIT (Westridge) Inc. & Calloway REIT (400 & 7 Inc.)** (“SmartCentres”) owns approximately 23.1 ha (57.14 ac) within the Weston 7 Secondary Plan area (approximately 18% of the study area). SmartCentres has actively participated in all Secondary Plan public working sessions regarding its Phase 1 status update and have met with staff and the consulting team on numerous occasions to discuss the parameters of the Secondary Plan and our vision for our lands. We also discussed significant technical concerns that we believe must be considered in the early phase of the Secondary Plan process. These concerns include road network and access issues as they relate to Ministry of Transportation (“MTO”) and York Region.

From the onset we expressed a desire to work with the City to advance a dynamic, mixed used community and to build on our wealth of experience with the City of Vaughan through our Vaughan Metropolitan Centre (“VMC”) work. As you are aware, SmartCentres, in partnership with others, owns over 100 acres of land within the VMC and has worked closely with the City of Vaughan, York Region, the MTO and all other government agencies over the last decade on the development of the VMC Secondary Plan and the advancement of over 3 million SF of active development in the VMC. Through our work in the VMC and in collaboration with the City of Vaughan, we have advanced two class A office buildings, a YMCA, City Library, City Square, significant road infrastructure, the facilitation of a Regional Bus Terminal and significant residential developments and open spaces. It has been our hope to bring forward similar high-quality mixed-use developments in the Weston 7 area. It was extremely discouraging and disappointing to see the early options prepared by your consulting team whereby

large portions of our lands were recommended to be homogenous commercial zones. This is not in keeping with the mixed-use intensified vision discussed throughout this process.

A large portion of our landholding in the Weston 7 Secondary Plan area are in close proximity to the vast array of amenities in the VMC and are connected via the Portage Overpass and through Viva on Highway 7. We believe the City is missing a tremendous opportunity by proceeding with an overly prescriptive and restrictive land use plan for the Weston 7 Secondary Plan.

We have reviewed the background material produced to date which depicted three draft scenarios for the Weston and Highway 7 Secondary Plan area and we provided written comments in March 2019. We have also had the chance to review the Phase 1 report prepared by Urban Strategies. We are very concerned that the options prepared to date take a homogenous approach to portions of the lands and fail to allow for creative, flexible urban development. Based on these concerns we do not believe these options should be used as the basis of any phase 2 works. We respectfully ask that Council confirm that the Phase 1 options are only for information and that they will not be used as a starting point for phase 2 study. Our detailed comments are as follows:

1. We are significantly disappointed that the City has taken an approach to divide land uses into different categories (i.e. High-Rise Mixed Use, Mid-Rise Mixed Use, Community Commercial) in all the scenarios. While we understand that the basis for these designations was the 2010 Vaughan Official Plan ("2010 VOP"), the three scenarios fail to re-evaluate the land use designations in recognition that significant provincial policy changes have occurred since adoption, including the 2014 Provincial Policy Statement and the 2017 Growth Plan for the Greater Golden Horseshoe. It is noted that Policy 10.1.1.3 speaks to, amongst other matters, that land use designations will be examined. To this extent we believe that the City and their consultants should have evaluated first and foremost whether the current land use designations in 2010 VOP were still relevant given provincial policy objectives, rather than using the current land use designations as a basis for preparation of scenarios.

We do not, for example, accept that our lands located adjacent to Highway 400 should remain as "community commercial" in all of the scenarios. Furthermore, we do not believe that identifying specific land use areas, such as the "retail focus" or "retail node" should be included in a Secondary Plan schedule.

Based on the above and our experience in the VMC, we believe that a full mix of uses should be provided throughout the Secondary Plan, with policies being utilized to encourage and provide guidance for specific policy goals which the City and landowners wish to achieve in this area. **We therefore request that the City place one, mixed use designation on the lands as a starting point, with refinements and guidance to specific policy goals being established in the policies.**

2. To ensure that this area redevelops to its full potential, flexibility in land use permissions must occur. We remind the City that the VMC Secondary Plan was originally written very prescriptively and would not have provided sufficient flexibility to allow for creative architecture and design to occur. The VMC Secondary Plan policies were significantly revised through extensive mediation and are generally working to achieve the desired built form and policy objectives. **We therefore recommend that the City and their consultants review the VMC Secondary Plan, as revised through mediation as a basis for the policy framework.**

3. While we understand that the VMC should remain as the primary intensification area in the City, the Weston 7 Secondary Plan area has tremendous connectivity to the subway station and VIVA bus terminal. In addition, there are two Major Transit Station Areas (“MTSAs”) located in the Weston 7 Secondary Plan area. It is estimated by York Region that both of these MTSAs have an estimated persons and jobs per hectare of 65 and are targeted for 250 persons and jobs per hectare (per York Region Planning for Intensification report, March 2019). We agree with York Region’s assessment that these attributes are to be recognized and appropriate land use permissions, height and density need to be provided for to achieve (at a minimum) this target. **We therefore request that development permissions within the Weston and Highway 7 Secondary Plan area should be such as to optimize these infrastructure investments as directed by provincial policy.**
4. There are a number of park locations and a community hub / school identified on all of the scenarios. We believe it is premature to identify these community facilities at this time until other component pieces of the Secondary Plan are established. We do note that while some community facilities to be located in the VMC Secondary Plan area were identified in the Community Services Facility, such as the new Library under construction, others, such as the parkland to be provided, was not. **Given that it is acknowledged that these facilities can draw from a wider area than just the Weston 7 Secondary Plan, we believe that revised analysis may need to occur.**
5. It appears that underlying the three scenarios, new road fabric has been identified. This is despite the statement on the slides that these will be analyzed in Phase 2 of the study. It is unclear where these new roads originate from and the analysis which supports their location, size, etc. Through our discussions with staff and the consulting team we expressed serious concerns about the complexity of the road network issues and access approvals from the MTO and Region of York. Even though we have yet to advance any redevelopment of our lands we have spent many years working with the agencies to resolve issues related to adjacent development applications. The absolute critical need to resolve basic road network issues is essential in the early stages of the Secondary Plan work. It is not clear to us what work has been done, what discussions have been advanced with the agencies and what the overall technical strategy is. **We therefore request additional information on transportation matters and consultation as to the impacts these roads on our various properties.**

While we appreciate the work completed to date, we feel that the process has not been sufficiently interactive with landowners in the Secondary Plan area. The vast majority of ideas and discussion had with the consulting team seem to have been completely disregarded. Additional, meaningful consultation, with sufficient notice, needs to occur. We are encouraged that the City is contemplating proceeding to Phase 2 of the study work but we strongly object to the options in Phase 1 being considered a starting point for Phase 2. The options should have no formal status moving forward.

We have a history of working well with City staff, creating exciting and beautiful city building projects. We believe we have a tremendous amount of experience which we can provide to the City through thoughtful dialogue, which we feel has not occurred through the study process to date. **We would therefore be pleased to meet with City staff on an ongoing basis to help bring forward this Secondary Plan.**

Thank you.

Yours truly,



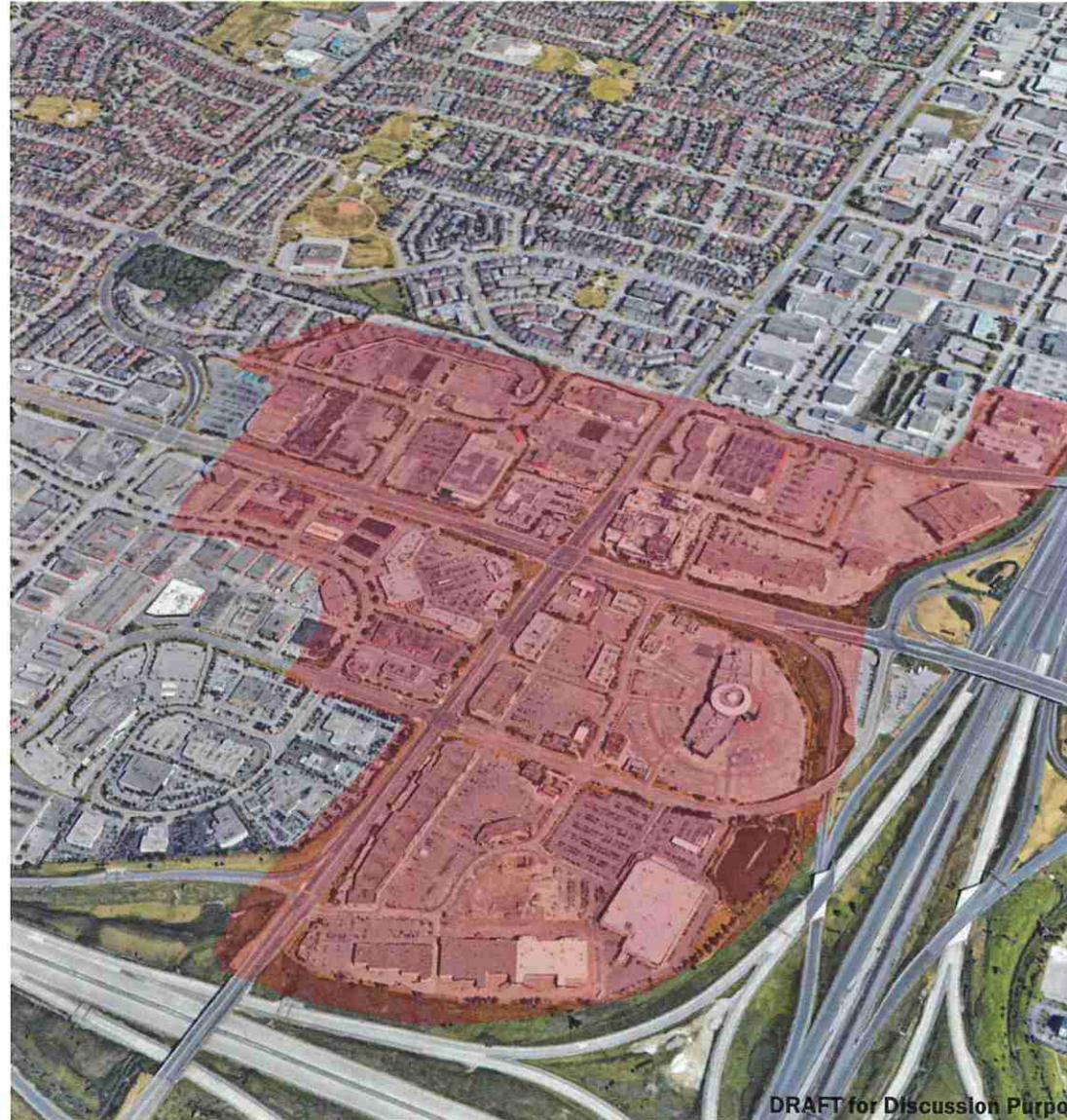
Paula Bustard M.PL, MCIP, RPP
Senior Vice President, Development



Weston 7

Secondary Plan Phase 1

Committee of the Whole
Working Session
June 5, 2019



DRAFT for Discussion Purpo

Today's Presentation

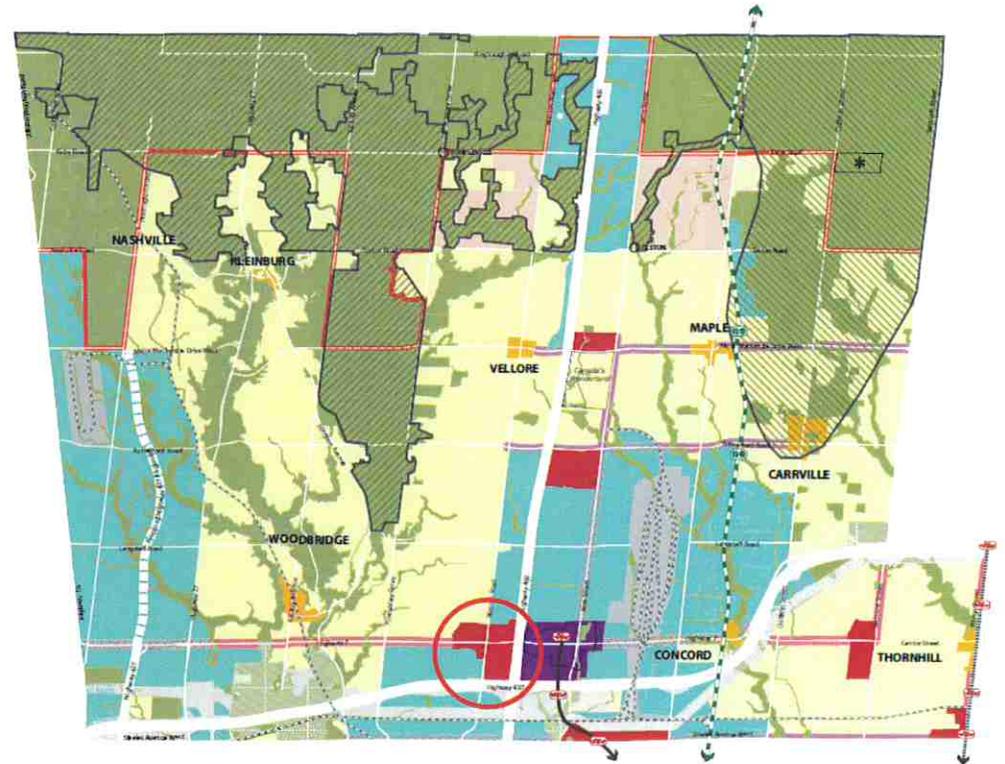
Intent and Outcome of the Study

The Role of the Study

Study and Process Highlights

Draft Land Use Scenarios

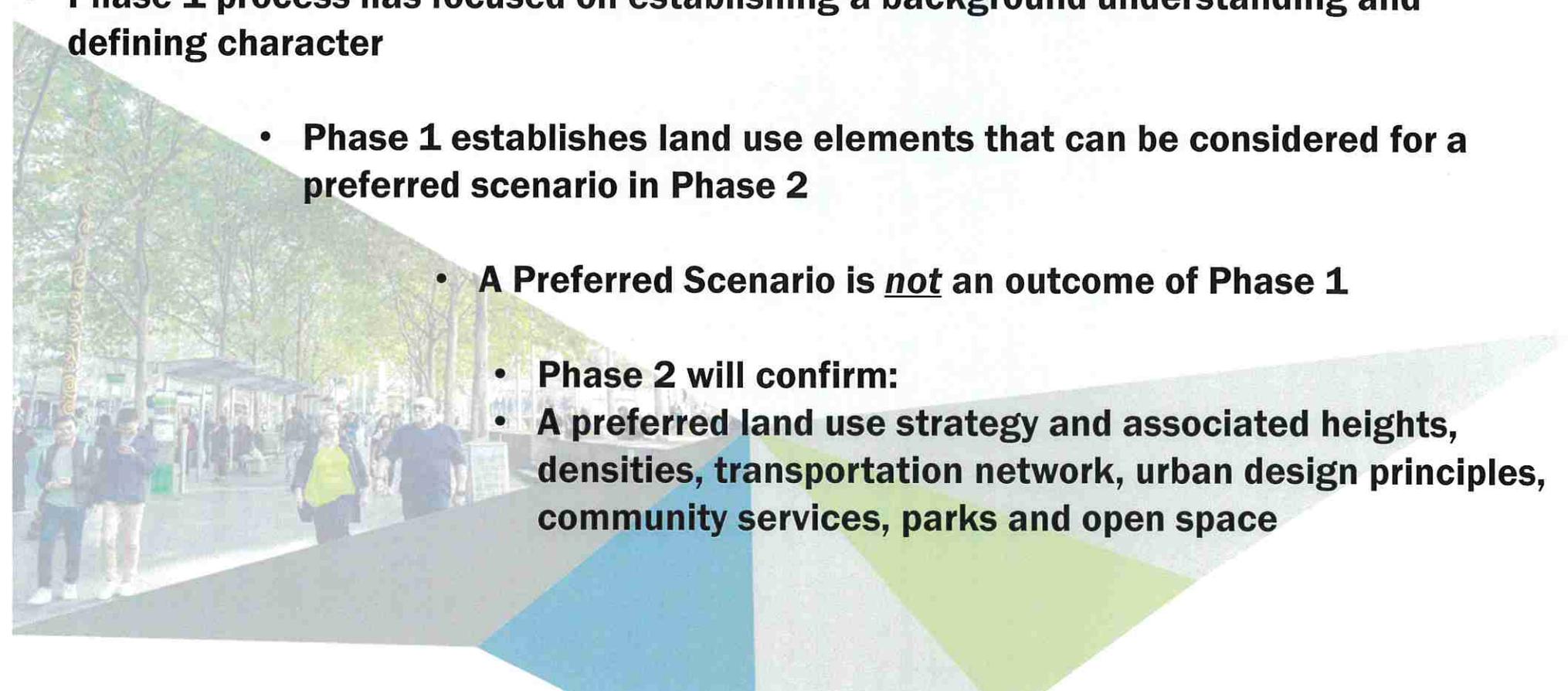
What to Expect from Phase 2



DRAFT for Discussion Purposes

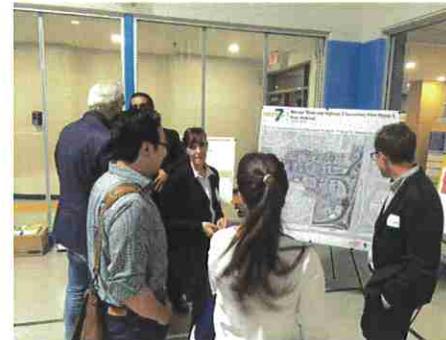
Intent and Outcome

- **Phase 1 process has focused on establishing a background understanding and defining character**
 - **Phase 1 establishes land use elements that can be considered for a preferred scenario in Phase 2**
 - **A Preferred Scenario is not an outcome of Phase 1**
 - **Phase 2 will confirm:**
 - **A preferred land use strategy and associated heights, densities, transportation network, urban design principles, community services, parks and open space**



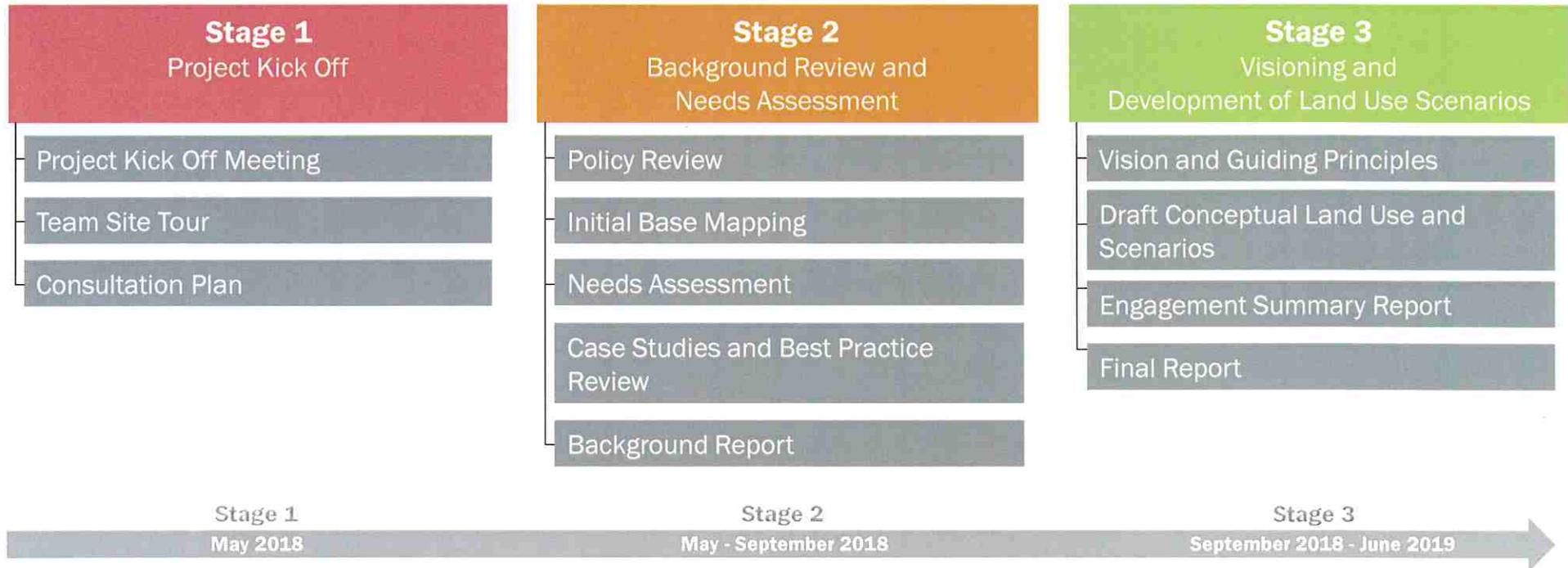
The Role of the Study

- A Secondary Plan is required for Weston 7 as defined in the VOP 2010.
- A secondary plan will establish the vision and development expectations for this area, defining the form, function and role of the community within the city as a whole.

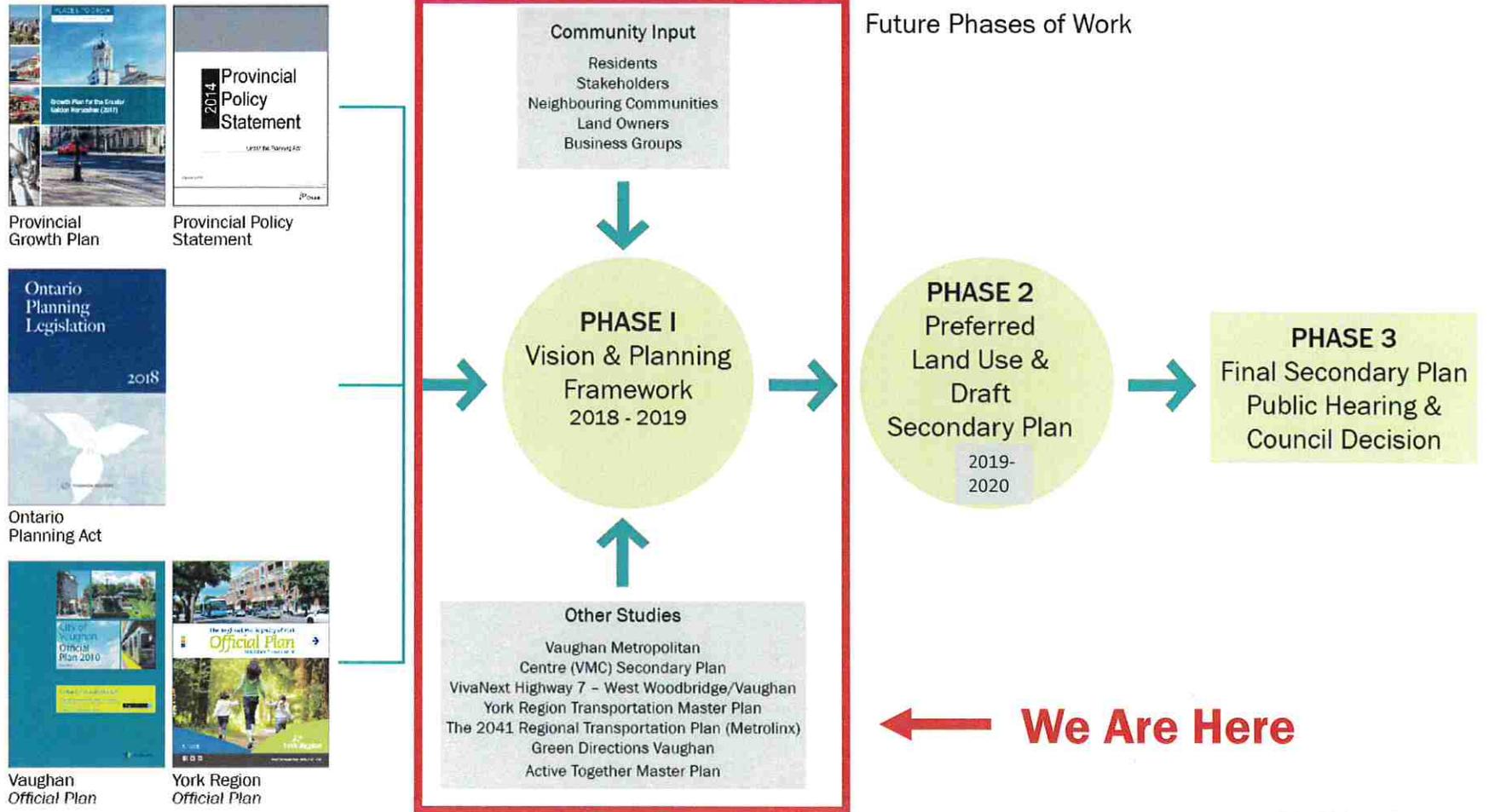


Role of the Study: Work Plan Overview

Stakeholder Interviews, a Background Report, Visioning and Draft Land Use Scenarios



Role of the Study: A Three Phase Process to a Secondary Plan



Study and Process Highlights- May 2018-September 2018

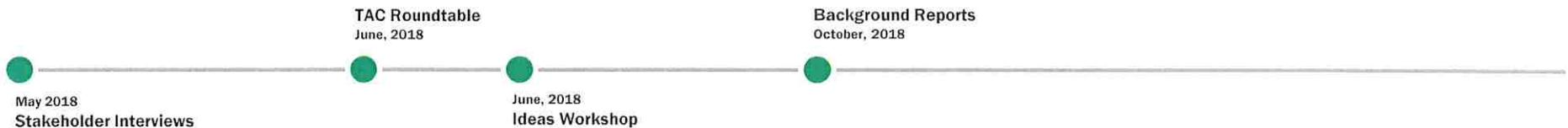
- Stakeholder interviews
- TAC Roundtable Summit
- Public Ideas Workshop



Study and Process Highlights- Background Reports October 2018

Background Reports

- Transportation Needs Assessment Report, HDR
- Population and Employment Outlook and Commercial Use Assessment, Hemson Consulting
- Sustainability Analysis, Urban Equation
- Community Energy Plan, Urban Equation
- Planning Policy Analysis, Urban Strategies
- Community Facilities and Services Study, Urban Strategies
- Preliminary Water, Wastewater and Stormwater Servicing Analysis, TMIG
- Telecommunications Memo, RTG Systems



Study and Process Highlights- Vision and Principles- November 2018



Role



Multimodal



Public Realm



Well-Being



Balanced Intensification



Housing



Sustainable



Design Excellence



May 2018
Stakeholder Interviews

TAC Roundtable
June, 2018

June, 2018
Ideas Workshop

Background Reports
October, 2018

November, 2018
Vision and Principles

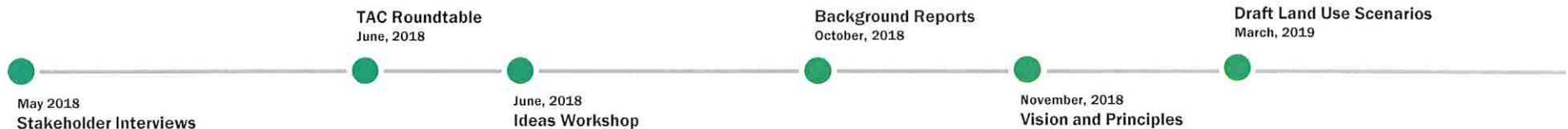
Study and Process Highlights- Draft Land Use Scenarios: Vaughan Official Plan 2010 Land Use Designations

The draft Land Use Scenarios begin with the existing in-force Official Plan Land Use as a base assumption.

The in-force Official Plan Land Use shapes where the draft Scenarios show High-Rise Mixed Use areas, Mid-Rise Mixed Use areas and Community Commercial Areas.

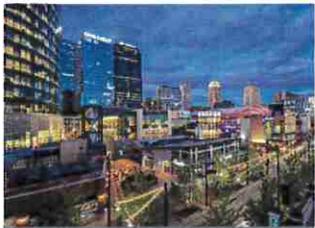


-  Study Area
-  VIVA Next Stops
-  500m Buffer from Stations
-  Mid-Rise Mixed-Use
-  High-Rise Mixed-Use
-  Community Commercial Mixed-Use



DRAFT LAND USE SCENARIOS : What the Scenarios Examine

The Scenarios focus on where different elements of a mixed-use community might be located such as:



**Entertainment
Precinct**



**Office uses within
High-Rise
Mixed Use Areas**



**Low-Rise Transition
Area**



**Retail Nodes and
Corridors**

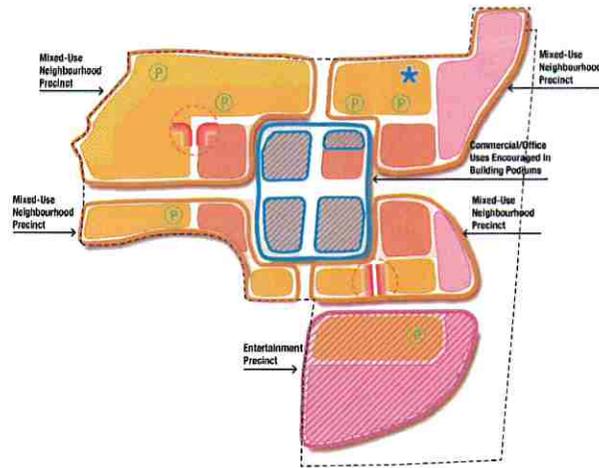


**Mid-Rise
Mixed Use Areas**

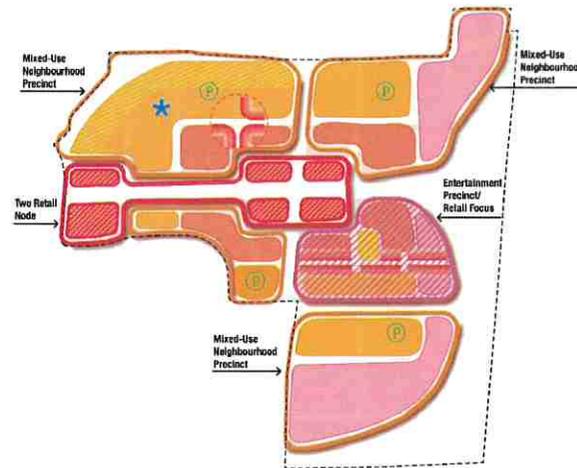


**School or
Community Facility**

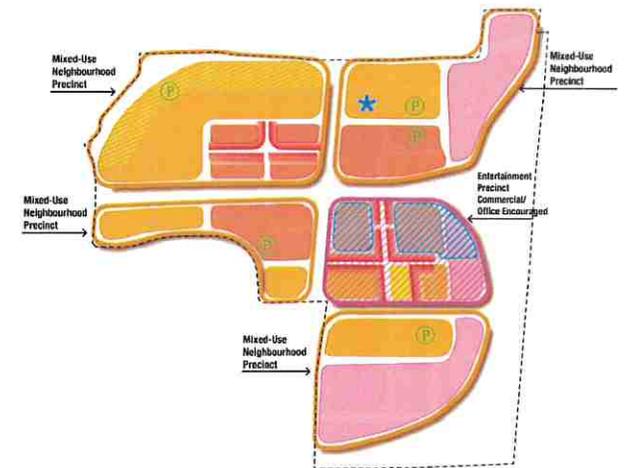
DRAFT LAND USE SCENARIOS : Overview



Scenario 1
Four Corners Central Node



Scenario 2
Two Nodes Retail Focus



Scenario 3
Mixed Use Entertainment Precinct

Location, size, and configuration of Parks and Open Space and required community facilities will be refined through detailed analysis in Phase 2

Draft Land Use Scenarios: Stakeholder and Public Engagement

In March 2019, the Technical Advisory Committee, Area Landowners, and the General Public provided feedback on the draft land use scenarios:

- TAC Workshop- March 12th
- Landowners Workshop- March 18th
- Public Open House- March 25th

What we've heard:

- Widespread support for public gathering places in the preferred scenario to be identified in Phase 2- this should be located close to public transit along the Highway 7 corridor.
- Question of the amount of office and non-residential development to be encouraged. Potential competition with the VMC's planned intent as the City's focus for office employment.
- The finer-grained transportation network and more complex mix of uses in Scenario 3 was generally supported, but needs more testing.
- Concerns were raised regarding achieving an appropriate mix of uses and transitioning between incompatible uses, as well as phasing the transformation of Weston 7 so as not to inhibit current commercial uses.
- Transportation network changes along Highway 7 will require consultation and coordination with MTO.

What to expect from Phase 2

Phase 2 will result in the identification of a preferred land use concept and undertake additional testing and analysis in a number of topic areas.

Character and Role: How can policy be used to assist in the realization of the area character?

Land Use: What, if any, modifications will be needed to existing designations to support growth as envisioned?

Density: What is the appropriate minimum and maximum densities for Weston 7? How does density connect to character?

Height: what typologies should be encouraged and where?

Transportation: What transportation network is necessary to support the character, density and desired role of Weston 7?

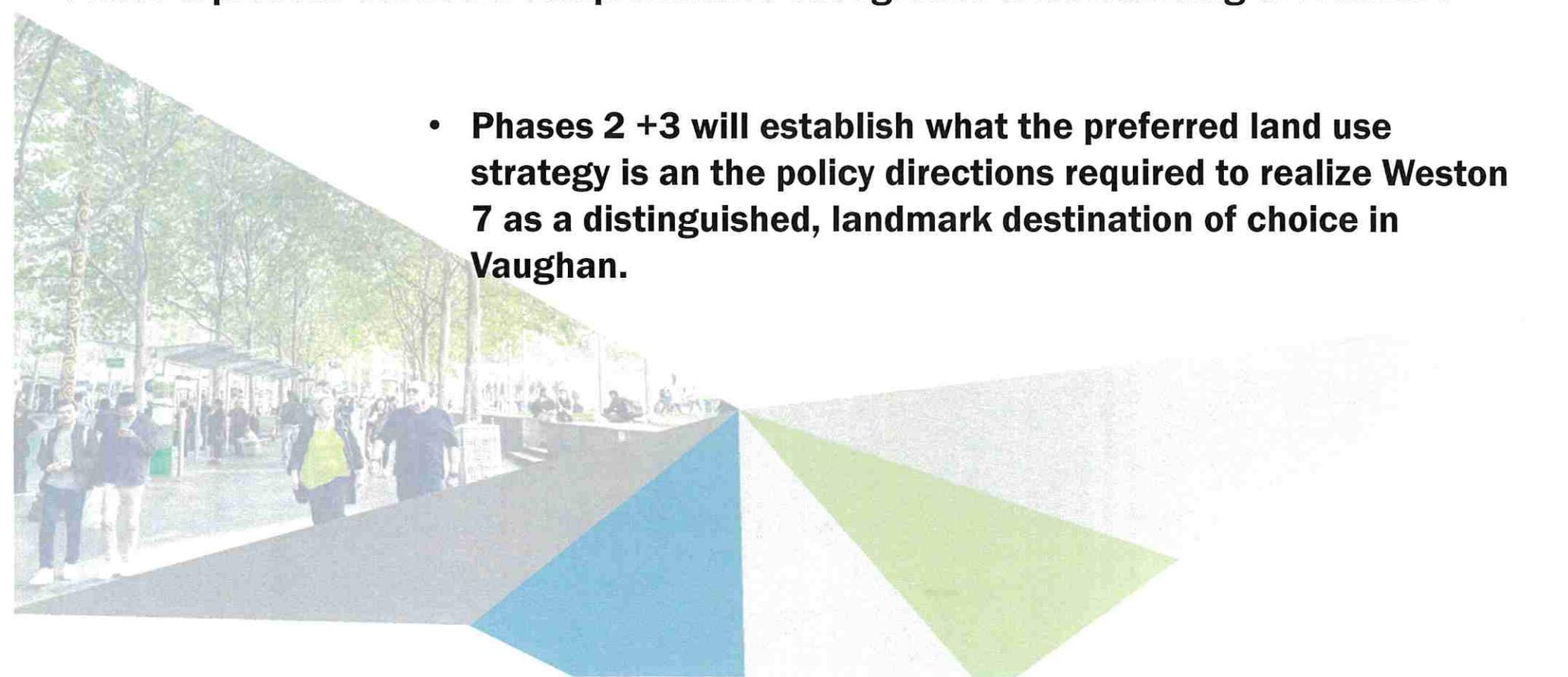
Servicing: What servicing improvements are necessary to support future growth?

Community Services: What are the impacts of the planned densities on what services will be required?

Parks and Open Space- What is the right long term parkland provision target for the area? What is the preferred network?

Thank You

- **Phase 1** process defined a comprehensive background understanding of Weston 7
 - **Phases 2 +3** will establish what the preferred land use strategy is and the policy directions required to realize Weston 7 as a distinguished, landmark destination of choice in Vaughan.



**City of Vaughan
Land Acquisition Strategy
5 June 2019**



Land Acquisition Strategy

Project Background



- ▶ The City's current population is approximately 325,000 and rapid growth is forecasted, with an expected population growth to 497,400 by 2041.¹
- ▶ Through council directive, the need for a Land Acquisition Strategy to support forecasted growth and intensification for the City was identified.

¹Source: Ontario Ministry of Finance 2017 Population Projections

Land Acquisition Strategy

Project Goals



- ▶ Prepare the City for growth and development to year 2041.
- ▶ Review all current municipal land holdings.
- ▶ Identify potential future requirements for population growth and development.
- ▶ Provide framework to guide and evaluate timely and cost-effective land acquisition.
- ▶ Development of a framework for managing third-party real estate requests.
- ▶ Conduct cost benefit analysis of various acquisition tools and options.
- ▶ Provide a financial strategy which supports fiscal sustainability.
- ▶ Consider alternatives to full acquisition for all municipal property.

Land Acquisition Strategy

Steering Committee Formed in 2018



- ▶ The Terms of Reference developed by the Steering Committee contemplates all City property requirements; Recreational Centres, Libraries, Parkland, Fire Stations, Operations Centres, Trails and Natural Heritage Land.

- ▶ Steering Committee includes the following City departments:
 - Parks Development
 - Development Planning
 - Recreation Services
 - Vaughan Public Libraries
 - Fire and Rescue Services
 - Infrastructure Delivery
 - Legal Services
 - Development Engineering
 - Policy Planning and Environmental Sustainability
 - Transportation Services, Parks and Forestry Operations
 - Environmental Services
 - Infrastructure Planning and Corporate Asset Management
 - Financial Planning and Development Finance
 - Real Estate

- ▶ RFP issued in Spring 2018 with Ernst and Young LLP and MHBC Planning selected in August 2018 through a competitive procurement process which included a presentation to steering committee.

Land Acquisition Strategy

Project Status



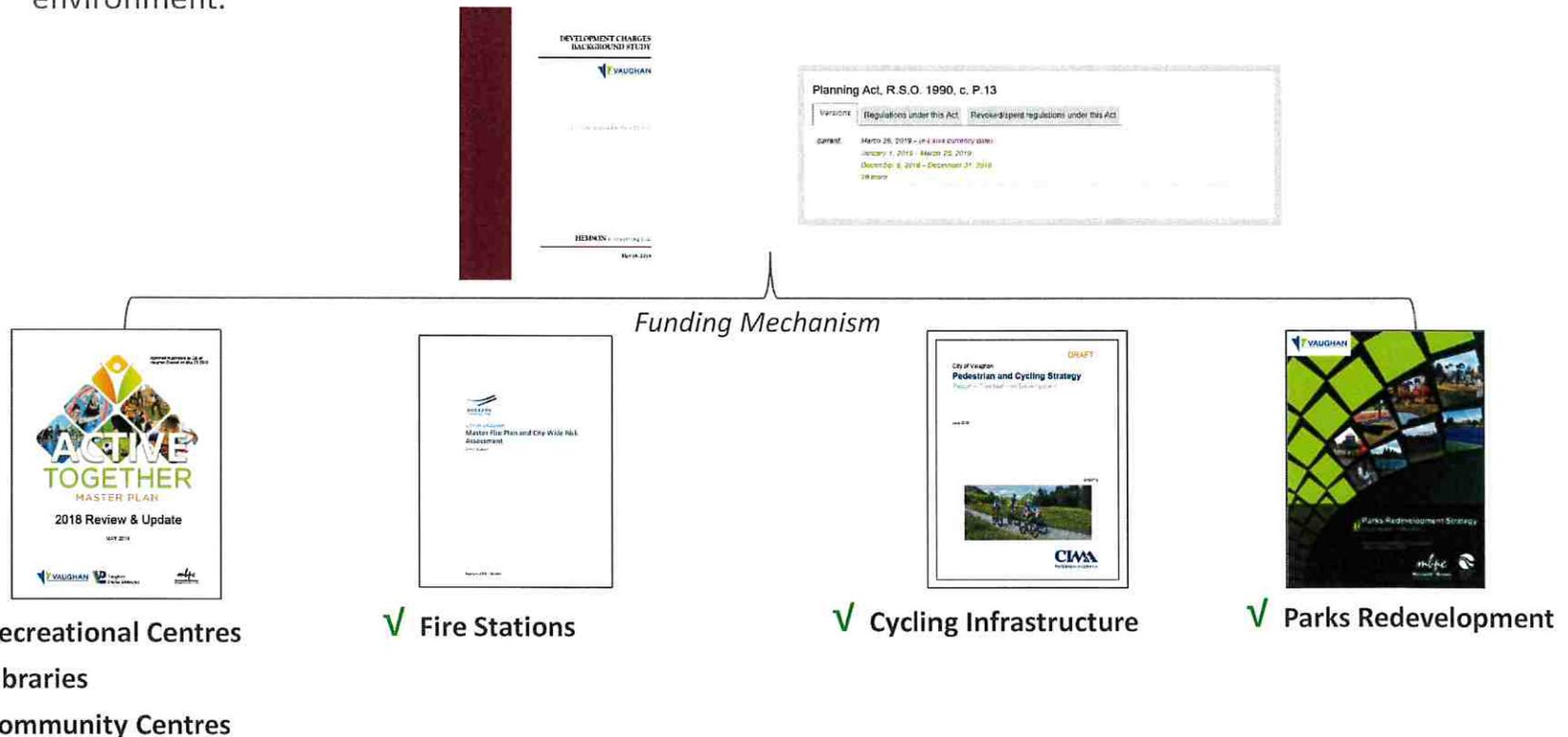
- ✓ Steering Committee consultation to review project goals confirm direction.
- ✓ Desktop review of master planning documents, regional and provincial planning policies, enabling legislation, and other municipal Land Acquisition Strategies.
- ✓ Municipal land demand forecast prepared and shared with Steering Committee.
- ✓ One-on-one meetings were held with Steering Committee to confirm land requirements, potential gaps, and related policies/legislation.
- ✓ Draft analysis of the guiding themes prepared which will drive the development of final recommendations.

Land Acquisition Strategy

Current Approach



- ▶ Land requirements for many municipal asset classes are well-documented and funded through Development Charges (DC's) and parkland provisions within the *Planning Act*.
- ▶ Recently proposed provincial changes (Bill 108) to DC, Section 37 and parkland conveyance funding mechanism are unknown. Further Council update in Q4 2019.
- ▶ The City's 2018 citizen's survey results demonstrate exceptional municipal provision standards in today's environment.



Land Acquisition Strategy

Bill 108



- ▶ In May 2019, the provincial government introduced Bill 108, which addresses the shortage of affordable housing by finding faster ways of getting a greater mix of housing supply.
- ▶ As part of this housing initiative, Bill 108 significantly alters the financial tools for development and redevelopment which have been available to municipalities.
- ▶ Funding for soft services (e.g. libraries, recreation, and parks) would be blended into a new Community Benefits Charge (“**CBC**”) from the existing system of DCs and parkland dedication.
- ▶ Changes to the Development Charges Act for soft services would allow municipalities to collect CBCs up to a percentage of the appraised value of land to pay for costs of facilities, services, and matters required because of development or redevelopment.
- ▶ Under the proposed amendment, a municipal CBC strategy would need to identify the capital needs that would otherwise be funded out of Section 37, parkland dedication and DCs for soft services.

Land Acquisition Strategy

Challenges and Opportunities



- 1) Community service level targets provision standards, revenue tools, and funding gaps.
- 2) Municipal asset value maximization.
- 3) Maturity of City policies in today's growth environment.

Land Acquisition Strategy

Funding Gap



- ▶ A requirement of the Planning Process for new residential development, municipalities have control over how developers may provide or secure for land dedication and or securement.
- ▶ Within intensification areas, the development community will likely be more inclined to provide cash-in-lieu for parkland over land dedication where land values exceed cash-in-lieu collection.
- ▶ Bill 108 recently proposed changes to the *Development Charges Act* (DC funding of soft services), and the *Planning Act* (parkland dedication, Section 37 community benefits).
 - These proposed changes may impact funding mechanisms currently available to municipalities for the delivery of community centres, libraries, parks, and open space trails.

Land Acquisition Strategy

Emerging Themes: Policy Framework



- ▶ In consultation with stakeholders, investigate:

A balanced policy framework that contemplates alternative site dedication using pre-determined evaluation criteria.

- ✓ *Good physical accessibility to the area.*
- ✓ *Alignment to Official Plan.*
- ✓ *Achieve City requirements.*



Recreational uses in open space



Stratified Title Dedication



Trails Investment

Land Acquisition Strategy

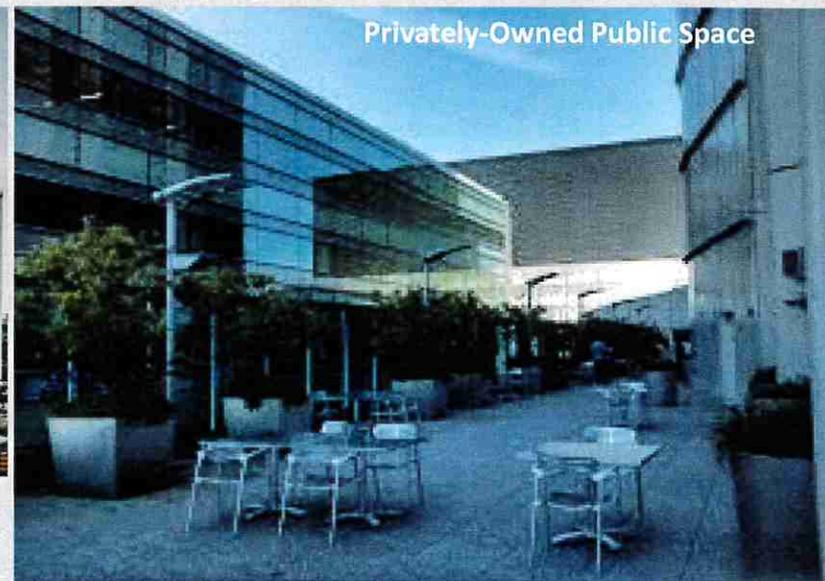
Emerging Themes: Funding



- ▶ In consultation with stakeholders, investigate:

Revise funding to reflect costs to acquire land and meet targets.

Providing greater clarity of desired community outcomes for Section 37¹ negotiations.
(e.g. parkland/public realm investment, privately-owned public spaces)



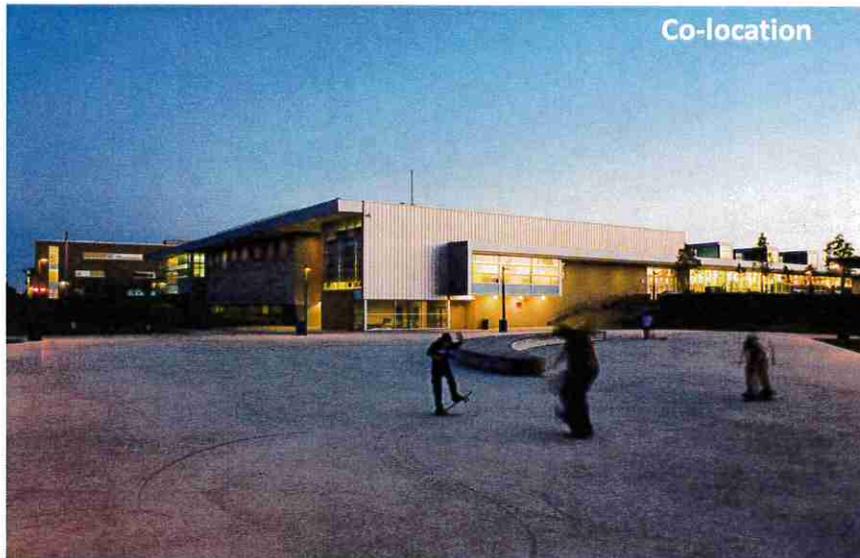
¹ Proposed changes as part of Bill 108 may impact both CIL and Section 37.

Land Acquisition Strategy

Emerging Themes: Fee Simple Alternatives



- ▶ Easements
- ▶ Co-location relationships/partnerships
- ▶ Stratified Title
- ▶ Leasing
- ▶ Section 37 Opportunities (POPS)



Land Acquisition Strategy

Emerging Themes: Asset Maximization



- ▶ The increasing cost of land may impact future land acquisition opportunities.
- ▶ To respond, the City should maximize use for owned sites in strategic locations where intensification is imminent such as the VMC or Vaughan Mills.
- ▶ As the City explores municipal use intensification, surplus property may be identified.
- ▶ The City should explore the creation of a Land Acquisition Reserve Fund (LARF) to fund future land acquisition from the sale of surplus municipal.
 - Parkland Acquisition is currently funded through a dedicated Cash-in-Lieu funding mechanism.

1980 Municipal Land Acquisition (e.g. Fire Station)



Flow of Land
Acquisition Funds
\$\$\$\$



Future Municipal Land Acquisition (e.g. Mixed-Municipal Use)



Historical DC funding used to acquire municipal land in which is then sold as surplus property should be re-purposed for future municipal land acquisition to ensure the preservation and recycling of historical DC land acquisition funds.

Land Acquisition Strategy

Emerging Themes: Policy Maturity



- ▶ To stimulate industrial development, in 1992 the City adopted and implemented a cash-in-lieu (CIL) waiver policy.
- ▶ Given the current limited vacant land inventory of industrial property in Vaughan, this incentive may no longer be required and the CIL policy for industrial land should be revisited.



Land Acquisition Strategy

Emerging Themes: Unsolicited Proposals



- ▶ To better position the City to respond to unsolicited proposals for real estate assistance, a study of best practices across other jurisdictions (e.g. Infrastructure Ontario, municipal) has been undertaken.

- ▶ A solution for Vaughan is being developed which includes clear processes for how the City undertakes any disposition and/or leasing of assets, clear guidelines how proposals would be evaluated, and communications tools with the general public.

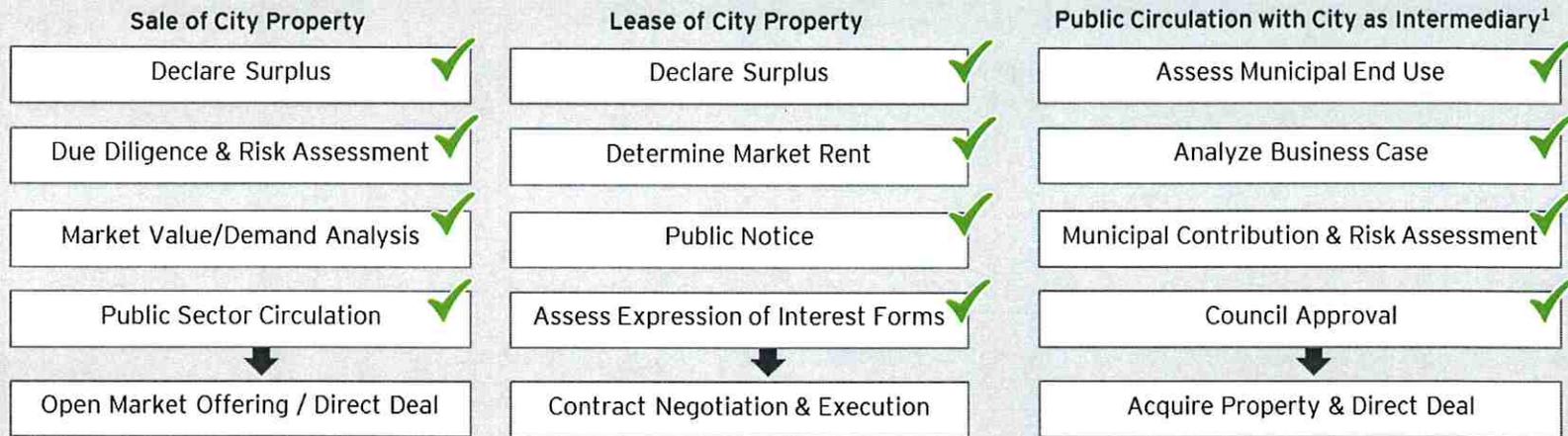
- ▶ The following guiding principles would be at the heart of any policy developed:
 - Fair and transparent process.
 - City requirements shall always remain the highest priority outcome.
 - Maximize value to the City.
 - Responsive approach to supporting community and/or economic benefits.
 - Minimize City risk and abide by relevant legislation.

Land Acquisition Strategy

Emerging Themes: Unsolicited Proposals



The City should update its Real Property Disposition By-Law to provide clarity to the public on City processes and guidelines in managing real property requests.



Use checklist-style criteria to communicate how the City would explore unsolicited requests.



To strengthen public communication create a communications tool such as a Real Property Disposal & Leasing landing page on the City's webpage.

¹ Assumes City is asked to act as intermediary and use priority in public-sector circulation to then sell direct to third-party.

Land Acquisition Strategy

Next Steps



- 1)** Take back any comments/questions received from Committee of the Whole, Working Session, prepare draft report.

- 2)** Review report with Steering Committee and finalize.

- 3)** Finalize report, and present final recommendations to Council in Q4 2019.



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ED None

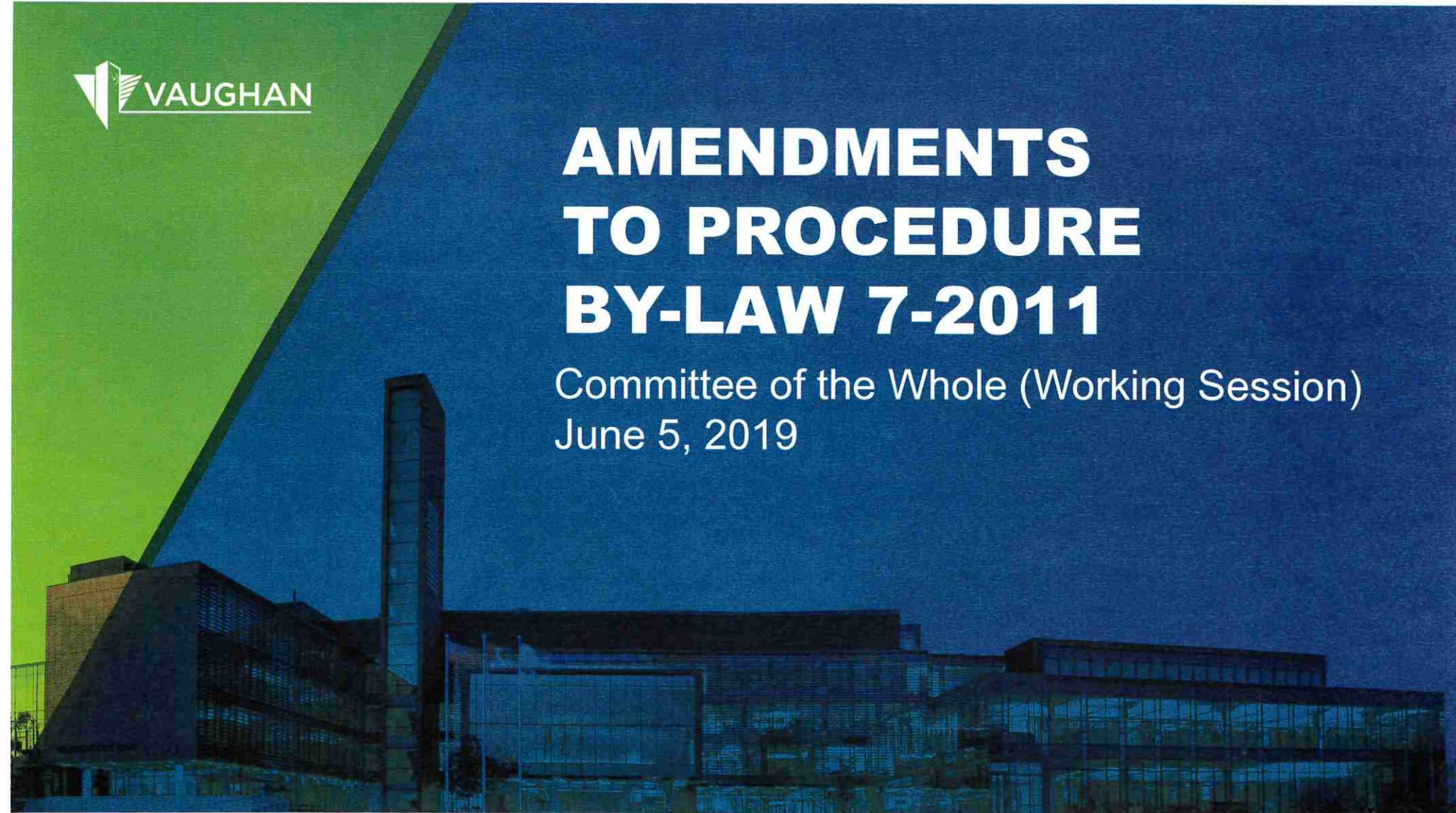
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AMENDMENTS TO PROCEDURE BY-LAW 7-2011

Committee of the Whole (Working Session)
June 5, 2019





Aboriginal Territorial Acknowledgment

Council Meetings

Committee Meetings

Statutory Committee Meetings

Communications

New Submission Deadline

- Communications due by NOON on the last business day prior to the meeting

Late Communications

- Communications that miss the Committee deadline will be forwarded to the Council
- Communications that miss the Council deadline will be forwarded to Staff

Staff Communications

Shall be for information purposes only and shall not include any recommendations for Committee

Not required to be related to an item on the agenda

Shall be listed under the heading 'Staff Communications' on the Committee agenda

May be called for discussion, however no decisions shall be made by Committee other than a request for further information, or that Committee directs that a staff report be prepared for a future Committee meeting

Deadline for submitting a Staff Communication to the Office of the City Clerk for inclusion on an agenda shall be noon on the Friday prior to the meeting. Addendums shall not be permitted.



Declaration of Interest

Member who has declared an interest in an item being discussed shall file with the City Clerk a written statement of the interest declared and its general nature, when the interest is declared or as soon as possible afterwards

The City Clerk maintain a registry of declarations of interest filed by the Members and that registry shall be available for public inspection during normal business hours, and a summary of the declarations shall be posted on the City's website

Other Amendments

Deputation Requests

Inaugural Meeting

Calling of Special Council Meetings

Document Templates

Conclusion

The proposed amendments to Procedure By-law 7-2011 are intended to improve efficiency and transparency.

The amendments proposed in this report continue to build upon the governance model established by the Procedure By-law.