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File No. 18066

C21.
Communication
CW(PM) – May 7, 2024
Item No. 1

May 6, 2024

By email

Mayor and Members of Council sitting as the Committee of the Whole
City of Vaughan
Vaughan City Hall, Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Attn: Mr. Todd Coles, City Clerk

Dear Mayor and Members of Council:

Re: Item 4(1), Committee of the Whole Report (Tuesday May 7, 2024)
Woodbridge Go Station Land Use Study
City File No. BU-9571-20
Vicinity – Kipling Avenue and Meeting House Road
Our client: Canuck Properties Ltd.

We are counsel to Canuck Properties Ltd (“Canuck”), the registered owner of the lands municipally known as 8214 Kipling Avenue. Canuck’s property is located on the west side of Kipling Avenue, north of Woodbridge Avenue. Our client’s property contains Woodbridge Foam, its long-time tenant and large multinational manufacturing facility that employs a significant number of employees. Despite being multinational, Woodbridge Foam as its name suggests, started right here.

The Woodbridge Foam site is identified as site 1 on the image below (taken from the city’s study).

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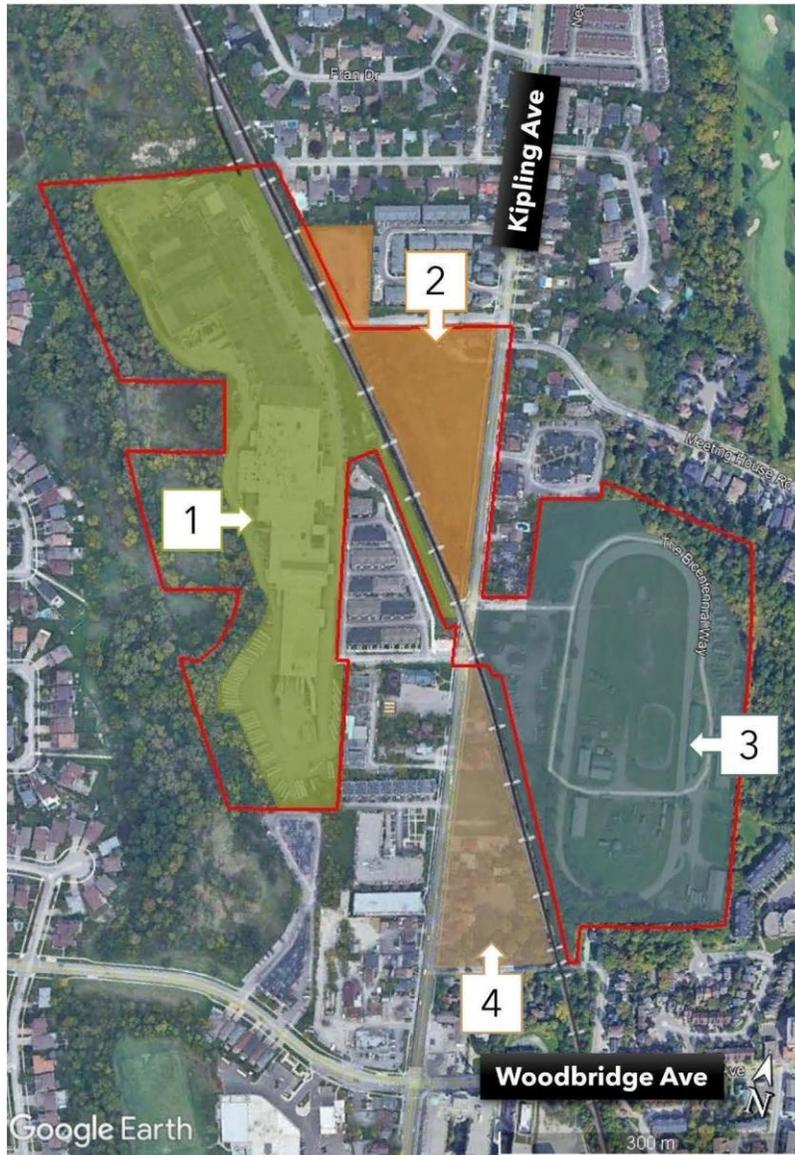


Figure 12: The four potential station locations centred around the Kipling Avenue railway crossing with the ICBL boundaries in red

While Canuck appreciates the importance of expanded public transit in the GTA and for the city to plan for same, its property has been proposed as the preferred site for the GO Station and, accordingly, Canuck has concerns. Its first concern is for the more immediate future and the impact that the city's decision could have on the continued operation of this industrial site. Its second concern is for the longer term and the impact that the city's decision could have on the redevelopment of the site, in accordance with provincial policy and municipal official plan policy.

Canuck and its consulting team have met with city staff and its consulting team to discuss the staff report and the consultant's report. We thank the city for these meetings and believe that they have been productive. We believe that city staff and your consultants understand and appreciate Canuck's concerns and that we collectively are optimistic that a solution is possible which would meet the city's public interest objectives while respecting Canuck's reasonable concerns. This solution will require modifications to the proposed Official Plan Amendment ("OPA") and Canuck is committed to working with the city on this.

NEAR TERM CONCERN - EXISTING INDUSTRIAL OPERATION

Our client's tenant, Woodbridge Foam, plays a very important role in the city's economy. The Woodbridge Foam facility represents a substantial investment in the city and its operation provides important employment for city residents. As drafted the OPA could be interpreted as requiring Woodbridge Foam (or Canuck or any future industrial tenant) to demonstrate that an expansion of the existing industrial operation or even a new industrial operation would "accommodate or not impede" a future Go Station. This is not a reasonable requirement for any industrial operation let alone a tenant looking to commit (or re-commit) to a long-term lease. Things would be different if the Canuck property was proposed to be redeveloped for residential or mixed-use, in accordance with the City's Official Plan, and we deal with that scenario later in this letter. We do not expect that it was staff or the consultant's intent for the proposed OPA to have any application whatsoever in the case of industrial use of the property. While those with skill in reading official plan policy might be able to discern this for themselves, we should not require industrial tenants to possess this skill and thus it would be far better for the OPA to make this perfectly clear. **Accordingly, Canuck recommends and requests that the OPA be modified to state clearly that it does not apply to industrial uses (either existing, expanded or new) and is only intended to apply in the case of redevelopment for non-industrial uses.** Canuck would be pleased to work with city staff and the city's consultant on such modification.

LONG TERM CONCERN – FUTURE REDEVELOPMENT

While Canuck has no immediate plans to redevelop the property for residential or mixed-use purposes, those plans might change if Woodbridge Foam relocates and a replacement industrial tenant cannot be found. The city's Official Plan intends residential uses as the long-term land use for the property. We do not believe that staff or its consultants intended for the OPA to be a barrier to such redevelopment but unfortunately, as drafted, it might well have that unintended consequence. Only Metrolinx will decide if and when a GO Station will be built on the site. Our understanding is that Metrolinx has no current plans for such a GO Station and that a decision on this might be decades away. The redevelopment of the Canuck site for residential or mixed-use should not have to await that long. Moreover, neither Canuck nor the city can or would design a future GO Station. There are many possible design options and each has their own unique land needs both in terms of area and configuration. This is very well illustrated in Figures 14 & 15 from the study (reproduced below). These design options represent only two of possible many and, as is readily apparent, they result in very different parcels that remain available for residential development. Canuck's concern, therefore, is that the OPA as drafted would be very difficult if not impossible for Canuck to comply with since Canuck could not be expected to design a GO Station for the site. Even if it were to do so, the city would presumably share that design with Metrolinx and seek its reaction. Metrolinx might not even respond since it might have no short-term plans for a GO Station on the site or it might prefer that the entire site be reserved for a GO Station (not just the portions proposed in the study options below). Regardless, either scenario has the potential to stifle redevelopment of the site. **Accordingly, Canuck requests that the OPA be modified to address these concerns.** Canuck would be pleased to work with city staff and the city's consultant on such modification.

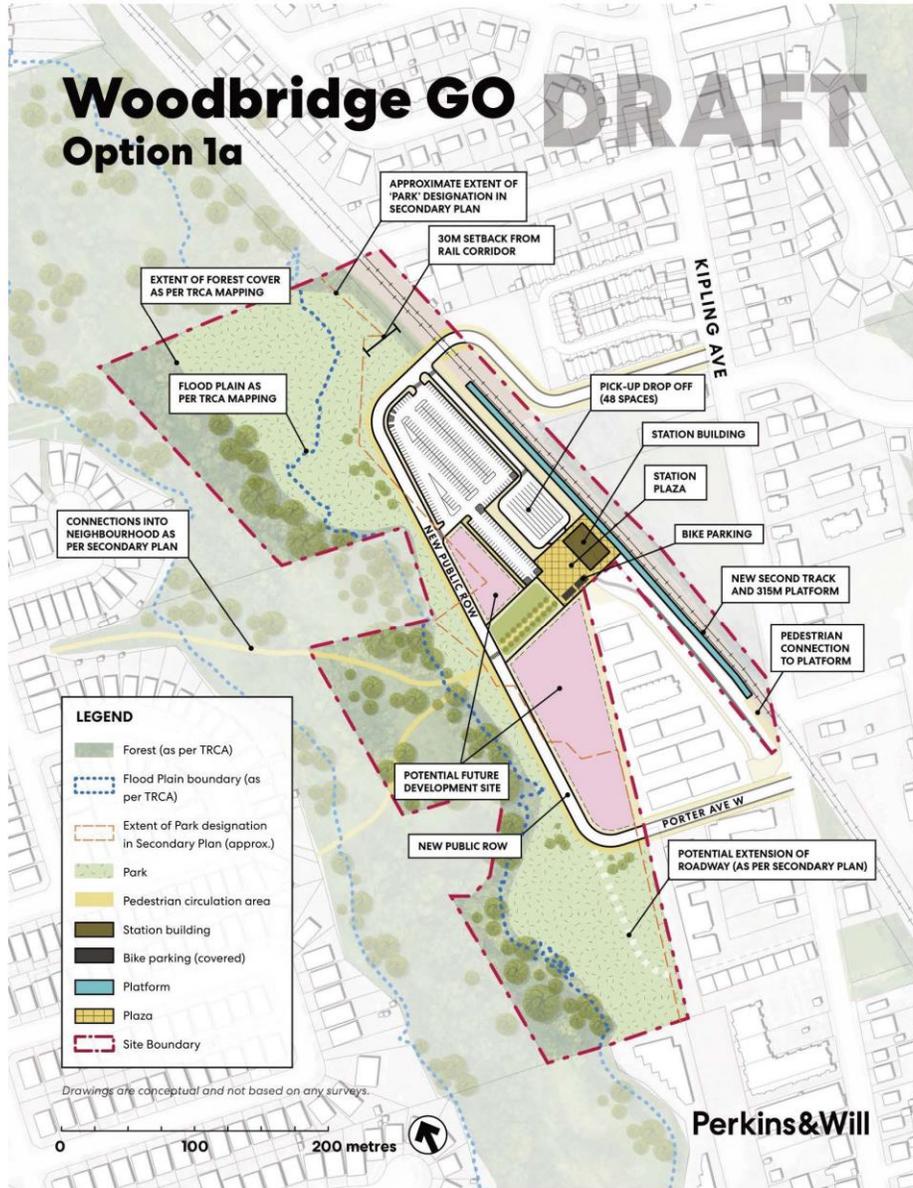


Figure 14: Option 1a conceptual plan for Site 1 and Woodbridge GO Station

Draft for public review – 2024-04-17

Hertel Planning

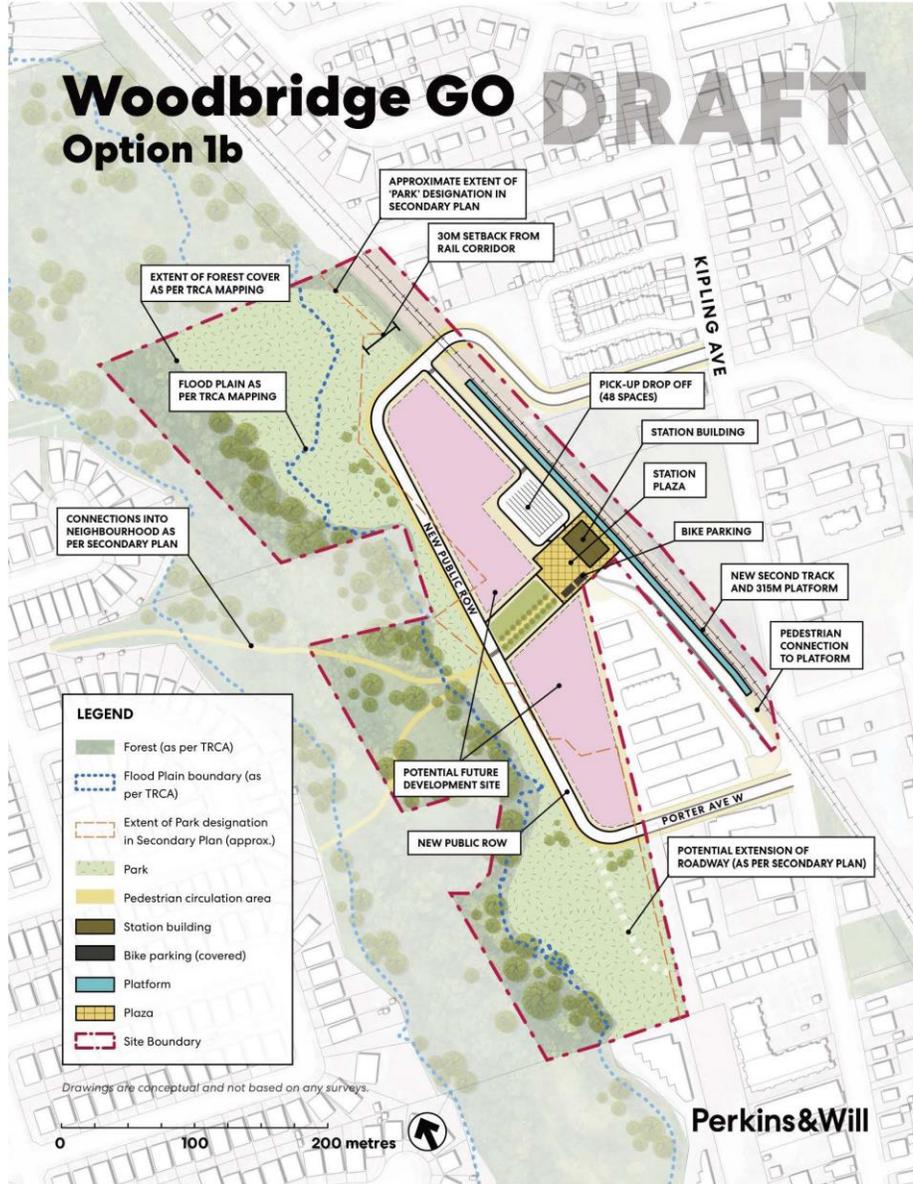


Figure 15: Option 1b conceptual plan for Site 1 and Woodbridge GO Station

Draft for public review – 2024-04-17

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Thank you for your kind consideration of Canuck's concerns.

KAGAN SHASTRI DeMELO WINER PARK LLP

A handwritten signature in cursive script that reads "Ira Kagan". The signature is written in black ink and is positioned below the company name.

Ira T. Kagan

cc: Client

Humphries Planning Group

Please reply to the: Yorkville Office