



File: P-2179

May 16, 2020

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

**COMMUNICATION : 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