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File: P-2948

April 8, 2022

The Regional Municipality of York  
17250 Yonge Street  
Newmarket, ON  
L3Y 6Z1

**Attention: Mr. Paul Freeman, MCIP, RPP, Chief Planner**

**Re: Comments on the 2021 Draft York Region Official Plan  
1539253 Ontario Inc.  
10951 Kipling Avenue  
City Files: OP.09.003, Z.09.026  
Part of Lots 27 and 28, Concession 7  
City of Vaughan, ON**

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Dear Mr. Freeman:

KLM Planning Partners Inc. is the planning consultant for 1539253 Ontario Inc., the owner (the “**Owner**”) of the lands known municipally as 10951 Kipling Avenue (the “**Subject Lands**”), in the City of Vaughan (“**City**” or “**Vaughan**”). We write to request that the proposed land use designation of the Subject Lands as “Agricultural Area” in the 2021 Draft York Region Official Plan (“**Draft YROP**”) be changed to “Rural Area” to reflect current *Planning Act* applications and related ongoing appeals at the Ontario Land Tribunal (“**OLT**”).

#### Background

Applications for an Official Plan Amendment (“**OPA**”) and Zoning By-law Amendment (“**ZBLA**”) (the “**Applications**”) were submitted to the City on September 11, 2009 to facilitate a privately-owned and publicly-accessible outdoor and indoor recreational centre, to be known as the “Kipling Recreational Centre” (the “**Proposed Development**”).

The uses which comprise the Proposed Development are permitted by the in-force Official Plans at the Regional and City levels. The Applications are required to specifically facilitate the Proposed Development on the Subject Lands. A revised submission with updated reports was made on January 19, 2021.

The Owner appealed the Applications, and the City of Vaughan Official Plan 2010 (the “**VOP 2010**”) to the OLT, and is a Party to the consolidated Hearing of remaining appeals of the York Region Official Plan 2010 (the “**YROP 2010**”) (collectively the “**Appeals**”).

As the Appeals remain outstanding, the Subject Lands are currently designated “Rural Policy Area” and “Rural Use Area” under the York Region Official Plan 1994 (“**1994 YROP**”) and Vaughan Official Plan Amendment 600 (“**OPA 600**”), respectively.

These are the applicable land use designations in accordance with which the Applications are to be and have been evaluated when considering the identification and application of the relevant policies within the applicable Provincial Plans and policies (collectively, “**Provincial Policy**”). For further clarity, in the context of evaluation of the Proposed Development against Provincial Policy, the Subject Lands are not currently designated as “prime agricultural” in the 1994 YROP or OPA 600, nor are they considered to be “prime agricultural land” within the Provincial Policy as currently applicable.

Through the respective Municipal Comprehensive Review (“**MCR**”) processes that led to new Official Plans in 2010, both York Region (the “**Region**”) and the City proposed redesignation of the Subject Lands to “Agricultural Area”. This designation would no longer permit recreational uses, other than passive recreational trails. However, those proposed designations are currently under appeal and, accordingly, are not in effect on the Subject Lands.

#### Province of Ontario Agricultural Land Base Mapping and Implementation Procedures

The Province updated its Agricultural Land Base mapping in 2018 (the “**2018 Provincial Mapping**”) to support the Agricultural System policies of the Growth Plan for the Greater Golden Horseshoe, 2020 (the “**Growth Plan**”). The Subject Lands are shown as being within a “Prime Agricultural Area” in the 2018 Provincial Mapping, and are currently designated as “Protected Countryside – Natural Heritage System” in the Greenbelt Plan 2017 (“**GBP**”).

The “Implementation Procedures” for the 2018 Provincial Mapping (the “**Implementation Procedures**”) came into effect in March 2020. They provide direction with respect to the timing and approval of refinements to the 2018 Provincial Mapping. Section 3.3.1 paragraph 2 states:

“Upper- and single-tier municipalities have the option of undertaking refinements in advance of and/or during their municipal comprehensive review. In addition, upper-tier municipalities may undertake refinements for each lower tier municipality separately, or all together across the upper-tier municipality.”

The Region is currently undertaking an MCR which will culminate in the adoption of a new York Region Official Plan (the “**New YROP**”). As part of this MCR process, the Region has the opportunity to refine the 2018 Provincial Mapping to maintain the currently in-force designation of the Subject Lands as “Rural Area” in the New YROP.

## Discussion

A detailed and extensive rationale for the Proposed Development of the Subject Lands is contained in the latest re-submission to the City. The following summary is provided to highlight distinguishing factors affecting the Subject Lands:

- The Subject Lands are located outside of but adjacent to the urban boundary, in a location which is easily accessible to surrounding residential uses; as such, the Subject Lands provide a convenient additional opportunity for recreation within the City.
- With respect to servicing, the approved Master Environmental Servicing Plan for the adjacent Block 55 community to the west contemplated that the Proposed Development would be located on the Subject Lands and would be provided full municipal services. The existing services installed for the adjacent Block 55 community have been sized and constructed accordingly.
- Permitting a larger format recreational use on the Subject Lands would fully utilize infrastructure which has been sized to accommodate the Proposed Development specifically and is consistent with the policy direction in the Provincial Policy Statement, 2020 (the “PPS”), which requires the efficient use of existing infrastructure.
- It is our opinion that from a land use planning perspective, the Proposed Development of the Subject Lands for a larger format recreational use appropriately balances the objectives of Provincial Policy and municipal policy by permitting a larger format recreational use within the GBP, which is permitted outside of Prime Agricultural Areas, while allowing lands within the urban boundary to be more appropriately developed for more intensive urban uses including residential and employment uses.
- For example, the net developable area of the site is 34.46 hectares after environmental and natural self-sustaining areas have been protected. Based on the Draft YROP, new community areas shall be designed to meet or exceed a minimum density target of 65 residents and jobs/hectare. Based on this, if the proposed larger format recreational use was accommodated within the urban boundary, it could potentially result in the loss of housing for approximately 2,240 future residents. This would also have a significant impact on the Region’s Land Needs Assessment, undertaken as part of the Region’s ongoing MCR.
- Seen from this perspective, lands within the urban boundary are more appropriately suited to accommodate residential, commercial, employment, institutional or other such

uses that are capable of efficiently utilizing land served by the full range of hard and community infrastructure associated with and planned as part of future urban areas.

- Permitting the Proposed Development on the Subject Lands will provide much-needed recreational uses on Rural Lands in close proximity to residential communities while creating the potential to free up an equivalent amount of land in the urban area for uses other than recreational uses. This will protect opportunities to provide more housing in the urban areas of Vaughan.
- The City's Active Together Master Plan ("**ATMP**"), which was updated in 2018, contemplates the provision of parks, recreation, and library facilities for the period from 2018 - 2023, and with a view to 2031 when the population is projected to increase from 324,100 in 2018 to 424,500. The proposal to permit privately-owned and publicly accessible recreation uses on the Subject Lands would contribute to the realization of the ATMP vision, supplementing available and planned public facilities to complement the spread and availability of a diversity of recreational options for the residents.
- Considering the ATMP intention to provide parkland, including facilities such as those contained within the Proposed Development, at a rate of 2.0 ha. *per* 1,000 residents, the Proposed Development has the potential to serve approximately 17,230 residents of the City. In a more specific assessment of the ATMP recommendations, Table 1 within the Executive Summary recommends that twelve (12) additional soccer fields, three (3) cricket pitches, two (2) multi-use artificial fields (football, rugby, lacrosse, *etc.*), and twenty (20) tennis courts be developed within the City.
- The uses proposed as part of the Applications would contribute to a high quality of life for residents of the City, not only in providing expanded opportunities to recreate but also by creating opportunities for employment and economic growth.
- Vaughan Committee of the Whole (the "**COW**") on February 9, 2022 considered a report from the Deputy City Manager, Infrastructure Development, regarding the City's Parkland Dedication Guideline Strategy (the "**Strategy**"). As part of the discussion, COW acknowledged the need for more parkland in the City and is recommending that staff explore, as part of the Strategy, opportunities for the City to acquire additional parkland and open spaces including recreational uses such as trails and sitting areas. The Proposed Development would support the current direction of the City to provide more recreational opportunities.

With respect to the Draft ROP, we note that there are no policies that we can identify respecting the transition of current development applications. We ask that staff consider the continued

policy framework from the 2010 YROP respecting the transition of existing development applications currently under review.

We respectfully request that, prior to final adoption of the Draft YROP, it be amended to address these outstanding matters. It is our opinion that the requested revisions would result in an appropriate land use designation for the Subject Lands which is considerate of the application process conducted for them to date.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee and Council meetings and decisions relating to this matter. As always, we would be pleased to meet with staff to discuss our concerns. If you would like to arrange a meeting to discuss the above, please do not hesitate to contact us.

Yours truly,

**KLM PLANNING PARTNERS INC.**



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cc: 1539253 Ontario Inc.