



**VIA EMAIL**

May 18, 2022

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

Attn: Regional Clerk  
Mayor and Members of Council

**Re: Public Meeting (May 19, 2022)  
New Draft Official Plan (May, 2022)  
Preliminary Comments on Behalf of Choice Properties REIT  
Multiple Properties  
York Region, Ontario  
Our File: CHO/YRK/22-01**

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We are the planning consultants for Choice Properties REIT (“Choice”) regarding the York Region Official Plan Review. Choice owns a number of properties throughout York Region, including the following (referred to as the “Choice Lands”):

- 3940 Highway 7, Vaughan;
- 7850 Weston Road, Vaughan;
- 8345-8555 & 8585 Highway 27, Vaughan;
- 2911 Major Mackenzie Drive, Vaughan;
- 1070 Major Mackenzie Drive, Richmond Hill;
- 13265 Yonge Street, Richmond Hill;
- 3083, 3075, 3155 Highway 7, Markham;
- 7455-7465 Birchmount Road, Markham;
- 7075 Markham Road, Markham;
- 200 Bullock Drive, Markham;
- 210 Earl Steward Drive, Aurora;
- 15900 Bayview Avenue, Aurora;
- 18120 Yonge Street, Newmarket; and
- 20895 Dalton Road, Georgina.

At this time, Choice does not have specific redevelopment intentions for the above sites, and seeks to maintain existing operations as well as opportunities for minor infill and expansion.

On behalf of Choice, we have been monitoring the York Region Official Plan Review process. We reviewed the December 1, 2021 Draft York Region Official Plan and Maps in the context of the Choice Lands and provided comments to the Official Plan Review Team in a letter dated March 30, 2022. We have reviewed the May 2022 Draft York Region Official Plan and Maps in the context of the Choice Lands, as well as the Region’s

response to comments (Attachment 1 to the Staff Report). We continue to have concerns with the Draft York Region Official Plan.

Based on our review of the Draft Official Plan:

- According to Map 1 Regional Structure, all of the Choice Lands are identified as “Urban Area”, with the exception of 20895 Dalton Road, Georgina, which is identified as “Towns and Villages”;
- According to Map 1A Land Use Designations, all of the Choice Lands are identified as “Community Area”, with the exception of 7455-7465 Birchmount Road, which is identified as “Employment Area”;
- According to Map 1B Urban System Overlay, all of the Choice Lands are identified as “Built Up Area”, with the exception of 18120 Yonge Street, which is identified as “Designated Greenfield Area”; and
- According to Map 1B and as delineated further in Appendix 2, the following Choice Lands are identified as Major Transit Station Areas:
  - 3940 Highway 7 (MTSA 53 Ansley Grove BRT Station);
  - 7850 Weston Road (MTSA 69 Weston BRT Station);
  - 2911 Major Mackenzie Drive (MTSA 74 Major Mackenzie BRT Station);
  - 3083, 3075, 3155 Highway 7 (MTSA 18 Montgomery BRT Station);
  - 200 Bullock Drive (MTSA 16 McCowan BRT Station); and
  - 18120 Yonge Street (MTSA 28 Bonshaw BRT Station).

At this time our preliminary comments for the Draft Official Plan are as follows:

- Policy 2.3.11 states: “*That retail, commercial, office, and institutional structures shall be designed in a compact form including multi-storey, mixed use buildings, where appropriate and be pedestrian oriented and transit-supportive.*” Transit Supportive is a defined term that speaks to mixed-use development, and high levels of density. In our submission, such a policy reference to a defined term, which is a requirement, may have implications for standalone retail, commercial, office, or institutional uses. We seek clarification as to how this policy is to be implemented and what threshold would be used to measure if development is transit supportive, and in particular for lands that are not proximate to transit. We suggest revising the policy to introduce flexibility;
  - Staff provided the following response to this comment: “*Acknowledged – to be addressed through implementation and/or implementation plans*”. Given that the language used is requirement language, we are concerned that there may be a lack of opportunity for local municipalities to demonstrate conformity to this Policy, and continue to suggest that there is a need to introduce flexibility in this policy;
- Policy 2.3.19 states “*That local municipalities shall, in consultation with the Region and related agencies, incorporate parking management policies and standards through planning and development tools that include: c. site design that orients the main building entrance(s) to face the public street(s), provides a pedestrian friendly urban form, and where appropriate, as determined by the local municipality, does not permit the placement of surface parking spaces between the main building entrance and the major street*”. In our submission, this is an overly onerous standard that does not consider specific site context or operational needs. A Regional Official Plan Amendment may be required in order for an alternative site design to be considered as it relates to the location of main building entrances. We

- suggest that the existing “where appropriate” be moved to the beginning of subsection c) to ensure that flexibility is maintained;
- Staff provided the following response to this comment: “*No change - adequately addressed with existing content*”. We continue to have concerns with the lack of flexibility within the requirement language, and continue to suggest that “where appropriate” be added;
  - Policy 2.3.2.2 states: “*That a minimum 25% of new housing outside of Regional Centres and major transit station areas be affordable in each local municipality*”, and Policy 2.3.2.3 states: “*That a minimum 35% of new housing in Regional Centres and major transit station areas be affordable in each local municipality.*” Similar draft policies are provided in sections 4.4.2.9, 4.4.23 and 4.4.24. We seek confirmation that such targets are intended to be an area wide target, and are not intended to be accommodated on a site specific basis;
    - Staff provided the following response to this comment: “*No change - adequately addressed with existing content*”. Staff’s response does not address our comment, and we continue to seek Staff confirmation that such policies are area wide-targets, and not to be measured on a site specific basis;
  - Policy 4.4.2.9 provides direction to the local municipality for establishing policy in the Official Plan related to MTSAs, which would need to address a range of factors, including subsection h): “*policies that prohibit the establishment of land uses and built forms that would adversely affect the achievement of the minimum density targets prescribed in Appendix 2.*” Policy 4.4.29 contains similar policy related strategic growth areas. Firstly, we seek clarification that such a policy will not preclude what could be considered interim development. Upwards of 78 MTSAs are identified within the Region, and many more Strategic Growth Areas. We are of the view that redevelopment of this expansive area will require several decades to come to fruition. A number of factors would suggest that development will be long term. For example, the market will need to absorb the growth for new development, and that landowners need to be prepared to develop the lands (i.e. long term lease obligations can preclude redevelopment and dictate phasing for years or decades). In the interim, it is imperative that the existing functions of the lands be supported, including by allowing for interim development type uses (i.e., expansions to existing uses, new infill buildings, etc.). We suggest that Policies 4.4.2.9 and 4.4.29 should add a subsection that would require municipalities to consider and plan for uses that could be considered as interim use;
    - Staff provided the following response to this comment: “*No change – further determination/flexibility to be addressed in a Local Official Plan*”. We continue to be concerned that there may be a lack of opportunity for local municipalities to demonstrate conformity to this Policy, while allowing for interim development, and continue to suggest that there is a need to introduce flexibility in this policy or to add policy that provides municipalities direction for interim uses;
  - Policy 4.4.2.10 notes that a number of stations are not protected MTSAs, and require further approvals for locations and boundaries. This includes MTSA 74 “Major Mackenzie BRT Station”, which is currently delineated to include 2911 Major Mackenzie Drive. We note support for the MTSA delineation to include the Choice Lands, but seek clarification as to why the current MCR process is not sufficient to delineate the boundaries for this station. In total, 78 MTSAs are being

- considered and the boundaries of 17 of those stations are not delineated as part of this MCR. In addition, we and seek clarification as to timing and next steps for MTSA 74;
- Staff provided the following response to this comment: *“No change – would conflict with Provincial conformity”*. We are unclear as to how the delineation of 17 stations would conflict with Provincial conformity, while the other 61 would not, and seek further explanation in this regard, as well as clarification as to timing and next steps for MTSA 74;
  - Map 11 Street Network identifies the ultimate Right of Way for Regional Roads. As it relates to two Choice Sites, the Right of Way width is proposed to be increased from the current Official Plan. This includes a 4m increase along Dalton Road (from 26m to 30m) and a 6m increase along Black River Road (from 30m to 36m) in proximity to 20895 Dalton Road, as well as a 6m increase along Green Lane (from 35m to 41m) in proximity to 18120 Yonge Street. These are substantial increases, and we seek clarification as to the basis and need for the increased road widths;
    - Staff provided the following response to this comment: *“Acknowledged – to be addressed through implementation and/or implementation plans”*. Staff’s response does not address our comment, and we continue to seek clarification as to the basis for the substantial Right of Way increases.

We will continue to review the Draft Official Plan and subsequent revisions, and may provide further comment if necessary.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matters as well as Notice of applicable decisions.

Yours very truly,

**ZELINKA PRIAMO LTD.**



Rob MacFarlane, MPL, MCIP, RPP  
Senior Planner

cc. Client (via email)

encl. Comment Letter dated March 30, 2022



**VIA EMAIL**

March 30, 2022

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

Attention: Draft Region Official Plan

To Whom It May Concern

**Re: New Draft Official Plan (December 1, 2021)  
Preliminary Comments on Behalf of Choice Properties REIT  
Multiple Properties  
York Region, Ontario  
Our File: CHO/YRK/22-01**

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- According to Map 1 Regional Structure, all of the Choice Lands are identified as “Urban Area”, with the exception of 20895 Dalton Road, Georgina, which is identified as “Towns and Villages”;
- According to Map 1A Land Use Designations, all of the Choice Lands are identified as “Community Area”, with the exception of 7455-7465 Birchmount Road, which is identified as “Employment Area”;
- According to Map 1B Urban System Overlay, all of the Choice Lands are identified as “Built Up Area”, with the exception of 18120 Yonge Street, which is identified as “Designated Greenfield Area”; and
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- Policy 2.3.19 states: *“That local municipalities shall, in consultation with the Region and related agencies, incorporate parking management policies and standards that include: a. reduced minimum and maximum parking requirements that reflect the walking distance to transit and complementary uses”.* The draft policy is written as a requirement, whereby a reduced parking standard is universally required across the Region. Parking standards should reflect operational needs and specific uses (i.e. grocery store), and ensure flexibility is maintained for landowners to provide parking that is adequate to their needs. To reflect that there are multiple zoning by-laws and parking standards throughout the Region, some of which may already provide an appropriate parking standard, we suggest that “where appropriate” be added to the beginning of subsection a);
- Policy 2.3.19 states *“That local municipalities shall, in consultation with the Region and related agencies, incorporate parking management policies and standards that include: c. site design that orients the main building entrance(s) to face the public street(s), provides a pedestrian friendly urban form, and where appropriate, as determined by the local municipality, does not permit the placement of surface*

- parking spaces between the main building entrance and the major street*". In our submission, this is an overly onerous standard that does not consider specific site context or operational needs. A Regional Official Plan Amendment may be required in order for an alternative site design to be considered as it relates to the location of main building entrances. We suggest that the existing "where appropriate" be moved to the beginning of subsection c) to ensure that flexibility is maintained;
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  - Policy 4.4.2.10 notes that a number of stations are not protected MTSA's, and require further approvals for locations and boundaries. This includes MTSA 74 "Major Mackenzie BRT Station", which is currently delineated to include 2911 Major Mackenzie Drive. We note support for the MTSA delineation to include the Choice Lands, but seek clarification as to why the current MCR process is not sufficient to delineate the boundaries for this station. In total, 78 MTSA's are being considered and the boundaries of 17 of those stations are not delineated as part of this MCR. In addition, we and seek clarification as to timing and next steps for MTSA 74;
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- We note that there are occurrences of unclear policy numbering and there may be repeat section numbering. For example, Section 2.3.1 “Sustainable and Resilient Communities” follows after a prior Policy 2.3.1, as does Section 2.3.2, 2.3.3, and others.

We will continue to review the Draft Official Plan and subsequent revisions, and may provide further comment if necessary.

We would welcome the opportunity to meet with Staff to discuss our comments further.

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