



WESTON CONSULTING

planning + urban design

Regional Municipality of York
17250 Yonge Street
Newmarket, ON
L3Y 4W5

October 8, 2019

**Attn: Members of Regional Council
Region of York**

**RE: Region of York Municipal Comprehensive Review
Site-Specific Employment Conversion Request Response**

Weston Consulting is the planning consultant for several landowners with land holdings located within existing employment areas in the Region of York. We have made several submissions to the Region regarding the Municipal Comprehensive Review ("MCR") process, including a number of site-specific employment conversion requests on behalf of our clients.

Weston Consulting attended a number of meetings with York Region Staff regarding the Region's preliminary recommendations with respect to the site-specific employment conversions submitted on behalf of our clients. These meetings took place on August 8 and 9, 2019 and September 10, 2019. The purpose of this letter is to respond to the sum of these meetings and provide further comment with respect to the Region's consideration of employment conversions and the ongoing MCR process. This letter benefits from the input of several planning professionals from our firm, who attended these meetings, representing a variety of clients. It is intended to respond to the MCR process that has been undertaken to date and inform it moving forward.

Land Supply and Forecasts

At the time of presenting their preliminary recommendation on active requests for employment land conversion, the Region had not completed any work related to land supply or employment land forecasts. From a planning perspective, it is our opinion that this significantly and negatively impacts the review and determination of whether a request for employment conversion is appropriate.

The importance of determining land supply as the basis for meeting the needs of the Region to 2041 is not only a question of how much land is available / needed, but also considers the assignment and potential redistribution of land within the context of urban settlement boundaries. It is our opinion that the determination of site-specific conversion requests prior to the completion

and understanding of this work is premature until the assessment of land requirement and supply is established.

Additionally, we understand through previous discussions with Paul Bottomley, Manager of Policy, Research and Forecasting at the Region of York, that a draft forecast and land budget report was to be released in the second quarter of 2019 prior to the draft decisions on employment conversions based on the initial timeline and work plan targeted by the Region published on October 18, 2018. This land supply work should have been completed prior to coming to a potential determination on the site-specific conversion requests.

Growth Plan Employment Conversion Criteria

Section 2.2.5.9 of the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) establishes that the conversion of employment lands to non-employment uses may be permitted only through a Municipal Comprehensive Review where it is demonstrated that:

- a) there is a need for the conversion;*
- b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*
- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;*
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

In order to properly evaluate whether an employment conversion request satisfies these three criteria, a land supply forecast must be completed to understand the employment land needs of the Region. As this land supply work has not been completed, it is our opinion that the initial conversion request recommendations provided by the Region are premature as the Region’s analysis fails to adequately consider the conversion criteria set out by the Growth Plan.

Application of York Region Employment Conversion Criteria

In addition to the Provincial criteria described above, the Region has developed and approved a number of additional criteria to be used in the consideration of requests for employment land conversion. Both the Region and Provincial criteria were used to evaluate the site-specific requests for employment conversion.

Based on our review of the Region’s additional nine (9) criteria and our understanding of the application of these criteria to the employment conversion requests on a site-specific basis, these criteria are geared towards eliminating potential sites from consideration for conversion. However, many of the Region’s criteria for identifying land as quality employment land are also criteria to be considered when evaluating land appropriate for residential and non-employment

intensification. Many of these criteria are not mutually exclusive. For example, one of the criteria - accessibility to Highway 400 and public transportation - is an important consideration for both employment and residential or commercial intensification.

Further to the above, the Region has not demonstrated how each of the criteria has been applied to each employment conversion request on a case by case basis. No information on how the assessment committee came to their decision on their initial recommendation with respect to each of the 14 criteria applicable to employment conversion requests. A detailed decision or assessment notes have not been made available to landowners to review, and the opportunity to respond to the Region's initial assessment as part of the landowner engagement process has not been afforded.

The basis for the Region's decision-making lacks transparency and public engagement. Landowners have not been provided the opportunity to understand the detailed evaluation resulting in the initial recommendation regarding their employment conversion request, and the opportunity for landowners to fully respond to the Region's recommendation based on a full analysis of the application of the 14 conversion criteria is not afforded until the final recommendations are considered by Council in the first quarter of 2020. Due to the lack of information provided to landowners prior to and as part of the landowner meetings, the opportunity for landowners to meaningfully contribute and request further consideration of their site-specific request prior to Council's consideration is compromised.

It is recommended that further opportunities for meaningful engagement and additional meetings with landowners be held. A deeper evaluation including site-specific research and analysis as the basis for arriving at the initial conclusions is required from the Region on a case by case basis and the opportunity for landowners to respond is necessary.

Land Use Designations

The Region has indicated that they have not yet fully considered how employment lands will be designated in the Regional Official Plan in accordance with Section 2.2.5.6 of the Growth Plan, which requires that *"Upper- and single-tier municipalities, in consultation with lower-tier municipalities, will designate all employment areas in official plans and protect them for appropriate employment uses over the long-term..."* It has been indicated that general discussion regarding employment lands policies and designations will be undertaken in the coming months prior to anticipated Council consideration in early 2020.

The Region has advised that they will be considering two options for designated employment lands: 1) a single designation for employment lands with specific land uses to be determined by local municipalities, or 2) a two-tiered land use designation structure with tier one being restrictive with respect to uses and tier two being more flexible with respect to land use permissions. However, these designation options remain unclear in terms of their application.

The question that arises is what the appropriate role the Region has in defining land use patterns on a site-specific level, particularly at a stage where no land supply or forecasting work has been

completed. The Region's responsibility under the Growth Plan is to determine appropriate land supply for employment uses, and to designate this land supply in the Regional Official Plan. The Region's exercise needs not go further in defining the range of employment uses that shall be permitted in these designations. This should be left to the local municipalities to determine based on the local context and municipal objectives. It is our recommendation that the Region promote the definition of detailed land use designations by the local municipalities and allow local municipalities to adapt and respond to local conditions.

Continued Review Process

Based on our discussions with Regional Staff as part of the recent landowner meetings, we understand that the Region's preliminary determination on the site-specific conversion requests is not final, and may be subject to change based on the further consideration to be given to general employment policies and land use designations. The October 10, 2019 Staff Report identifies that all requests other than those already supported or those within the recently designated, vacant employment areas are candidates for Phase 2 consideration.

However, it is not clear what the basis for reconsideration is. Without access to a detailed evaluation by the Region or additional opportunities for engagement with the Region as part of this process, landowners are unable to fully participate in the reconsideration process.

As noted above, it is recommended that further engagement opportunities, including additional landowner meetings, be held so as to allow landowners to participate in the reconsideration process prior to Council's consideration in early 2020.

Summary of Requests

Based on the above, we have some serious concerns with respect to the Region's Municipal Comprehensive Review process, particularly related to the requests for employment land conversion. It is our opinion that the determinations made by the Region regarding the requests for site-specific employment land conversion are premature at this time, given the lack of land supply data. Overall, the basis for the Region's decision-making with respect to the site-specific employment conversion requests lacks transparency and opportunities for meaningful engagement. Also in question is the extent of the Region's role in determining land uses.

On behalf of our clients, we request that the Region's MCR process achieve the following:

- Undertake to provide each landowner with the detailed assessment of the Region's evaluation of the conversion criteria with an understanding of how staff arrived at the preliminary determination for their recommendations, and provide further opportunities for landowners to respond and consult with the Region.
- Complete and release the land forecast and land needs assessment results independent from and in advance of a final determination on the site-specific employment conversion requests, and allow for sufficient time and the opportunity for further consultation to allow

landowners to evaluate and respond to this information in the context of the site-specific requests. The release of the land budget information should be decoupled from the recommendations on the site-specific employment conversion requests.

- Have the Regional Staff's preliminary determinations on the site-specific employment conversion requests set aside until a full evaluation of the requests, including the land budget assessment, has been completed with further consultation with landowners.

Our clients welcome any opportunity to further engage with the Region and City regarding the site-specific conversion requests. Our preference would be to continue to work with Regional Staff with respect to the ongoing consideration of our clients' requests. Individual submissions addressing our clients' employment conversion requests on a site-specific basis will be provided under separate cover.

We request to be notified of any future reports and/or meetings regarding the Regional Municipal Comprehensive Review and request to be notified of any decisions regarding this matter. We intend to monitor the York Region Official Plan Review process on an ongoing basis.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 236 or Jessica Damaren at extension 280 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
 Per:



Kevin Bechard, BES, M.Sc., RPP
 Senior Associate

- c. Hon. Steve Clark, Minister of Municipal Affairs and Housing
 Paul Freeman, York Region, Chief Planner
 Sandra Malcic, York Region, Director, Long Range Planning
 Paul Bottomley, York Region, Manager Policy, Research and Forecasting
 Jason Schmidt-Shoukri, City of Vaughan, Deputy City Manager of Planning and Growth Management
 Bill Kiru, City of Vaughan, Director of Policy Planning and Environmental Sustainability
 Jag Sharma, Town of Newmarket, Chief Administrative Officer
 Jason Unger, Town of Newmarket, Acting Director of Planning
 Peter Weston, Weston Consulting
 Mark N. Emery, Weston Consulting
 John Zipay, John Zipay & Associates