

February 28, 2019

Charles O'Hara
Ontario Growth Secretariat
Ministry of Municipal Affairs and Housing
17th floor 777 Bay Street
Toronto, ON M5G 2E5

Dear Mr. O'Hara:

**RE: Proposed Amendment 1 to the Growth Plan
Comment Submission on behalf of Maple Industrial Landowners Group (MILG)
10351, 10431 and 10445, 10475 Keele Street, City of Vaughan
ERO No. 013-4504
OUR FILE 9061BQ, 0818E, 13115A**

MHBC is pleased to submit comments on behalf of CRH Canada Group Inc. (**CRH**), Coco Paving Inc. (**Coco**) and Blair Building Materials Inc. (**Blair**) (collectively, the Maple Industrial Landowners Group (**MILG**)). These are the registered owners of four individual parcels of lands known municipally as 10351, 10431 and 10445, 10475 Keele Street, Vaughan, which collectively comprise an area of approximately 12.4 hectares (30.64 acres) (**MILG Lands**). The location of the MILG lands are shown in the context of the map showing Proposed Provincially Significant Employment Zones on **Figure 1** attached.

CRH is one of the country's largest vertically integrated building materials and construction company, including providing materials and services for Canada's largest infrastructure projects, needed to support growth. In this location, the CRH property is approximately 4.8 ha (11.9 acres) in area and has two main uses/operations: (i) a concrete batching plant operation and (ii) an aggregate transfer station. Outdoor storage of aggregate materials (and recycled concrete) is necessary. A concrete batching operation has existed on CRH's lands for approximately 50 years. The estimated number of full-time jobs generated by the CRH operation at this location is 40. CRH employs over 3,000 people and its main headquarters is located in the City of Vaughan.

Coco specializes in the production of asphalt and in heavy construction (sewer and water mains, road construction and hydro works). In this location, Coco's property is approximately 4.2 ha (10.5 acres) in area and is mainly used for an asphalt plant operation. Outdoor storage of aggregate materials (including recycled asphalt and concrete) is necessary. An asphalt plant operation has existed on this site for approximately 34 years. Asphalt produced at the Coco site is mainly used for provincial road projects / maintenance and some municipal road projects. A small percentage may also be used for ICI (industrial commercial institutional) projects.

Blair Building materials is a family-run private business providing construction material in the GTA. Blair's site is approximately 3.4 ha (8.3 acres) in area and is mainly used for the production of stucco, including tinting and sale of building materials. Blair's Building Materials has been operating from this site for approximately 40 years. This is Blair's only site.

For all three companies, the MILG lands are strategically located for their individual operations. All three companies want to continue their operations from the MILG Lands for many more years.

In the case of the asphalt and concrete operations, locating these operations is highly strategic as the product has a time sensitive shelf life (concrete must be off loaded 1.5 hr from loading) and must be close to market (i.e. areas being developed).

MILG is appreciative and supportive of the Province reviewing the current policy regime to enhance and protect employment lands within the Province of Ontario. We appreciate the Province's genuine interest in considering our comments as businesses that support infrastructure and growth, key objectives of the Province.

MILG Lands

The MILG Lands are located within a larger tract of lands located north of McNaughton Road, east of Keele Street, south of Teston Road, and west of the former Keele Valley Landfill Site (**Employment Triangle**) as more particularly shown on **Figure 2**. The lands in the Employment Triangle are currently occupied by industrial uses including, but not limited to aggregate operations, concrete producers, a lumber yard, a roof truss manufacturing company, and self-storage facilities.

APPEAL AND MOTION BEFORE THE LPAT

MILG have a long-time vested interest in protecting the viability of their businesses in an employment area in the City of Vaughan from the encroachment of non-employment and sensitive land uses.

Accordingly, they are subject to an appeal currently before the LPAT. MILG have reached a settlement with the City of Vaughan and Region of York. This settlement would see the MILG lands protected for employment use.

However, Argo Lumber Inc. and Alpa Trusses Inc. (**Alpa**) own a approximately 9.7 ha parcel immediately adjacent to (south of) the MILG lands and are also a party to this appeal. Alpa wants to convert its parcel of land to permit residential land uses and it is anticipated Alpa will challenge the settlement with the City and Region and will continue to put pressure on the City to convert these employment lands to non-employment uses that will closely encroach onto long-standing industrial uses.

Growth Plan Amendment 1 – Recommendations / Clarifications

Based on our review of the amendment, it is understood that conversion of employment lands will continue to require a comprehensive assessment. The most significant proposed change is the introduction of Provincially Significant Employment Zones ("PSEZ") mapping across the GTA.

Our concerns/recommendations are focussed on two matters:

(i) the addition of the Employment Triangle and adjacent employment area as a PSEZ:

- to allow for the long-term protection of long-standing, construction and aggregate-related businesses, as well as other important industry, that support planned growth in the City; and,

(ii) transition provisions be put in place to provide relief to decisions made by LPAT and the need for conformity relative to Growth Plan Amendment 1

- in order to allow current motions prepared and submitted to the LPAT for consideration based on Growth Plan 2017.

The following comments on the proposed Growth Plan Amendment 1 are being submitted on these two matters formally in response to the Environmental Bill of Rights Notice.

ADDITION OF EMPLOYMENT TRIANGLE AND ADJACENT EMPLOYMENT AREA AS A PSEZ

The Employment Triangle and the adjacent Employment Area (identified on Figures 1 and 2) should be identified as a PSEZ in Growth Plan mapping for the following reasons:

- a. The Employment Triangle has historically been designated employment and industrial uses and significant industrial operations have been established within the Employment Triangle, including on the MILG Lands, for many years;
- b. The Employment Triangle lands have direct access onto Keele Street with close access to Highway 400 and critical markets to these industries;
- c. The industrial uses located in the Employment Triangle do not conflict with the adjacent rail line and surrounding Industrial land uses to the east;
- d. Prestige industrial uses flanking Keele Street and the Keele Street right-of-way (23 to 36 metres) and the McNaughton Road right-of-way (20 to 30 metres) themselves currently provide a physical setback and separation to surrounding residential land uses;
- e. Lands within the Employment Triangle have historically and continue to be used by various industrial operations, with more intensive industrial uses being located closer to the railway track.
- f. An introduction of non-employment sensitive land uses within the Employment Triangle has the potential to cause adverse impact on employment and industrial uses situated within the Employment Triangle and east of the railway corridor, particularly those that already have ECAs.
- g. There is a need for industrial uses in our communities, particularly in areas that are in close proximity to major transportation networks.
- h. Establishing industrial uses in a new location is often contentious, particularly an asphalt plant or concrete batching plant. As a result, there is high risk and potential cost involved in seeking new Planning Act and Environmental Protection Act approvals required to relocate industrial uses. For

these types of land uses, having sites that are (i) recognized as a permitted use in the Official Plan; (ii) recognized as a permitted use in the Zoning By-law and (iii) has MOECC Environmental Compliance Approvals (ECA) in place is extremely valuable and critical to protect so that such operations can continue to supply the markets they serve.

- i. Further, this location is highly strategic for asphalt (Coco) and concrete batching operations (CRH) given the time sensitive shelf life of asphalt and concrete. Accordingly, access to major road networks and proximity to construction / development sites are critical components of these types of operations.
- j. Proposed policies related to employment areas within a PSEZ would provide for greater level of protection and a more comprehensive assessment of conversion requests, ensuring long-term protection of certain employment areas which will be impacted by conversion and by a further encroachment of non-employment uses.

TRANSITION PROVISIONS BE PUT IN PLACE TO PROVIDE RELIEF TO DECISIONS MADE BY LPAT AND THE NEED FOR CONFORMITY RELATIVE TO GROWTH PLAN AMENDMENT 1

Policy 2.2.5.9 would allow for existing employment areas to be converted outside of a municipal comprehensive review “until the next *municipal comprehensive review*”. The City of Vaughan recently completed its municipal comprehensive review and is largely in-effect except for site-specific matters, including MILG’s appeal relating to the Employment Triangle.

MILG reached a settlement with the City and Region in 2015. MILG have also been trying to reach a settlement with Alpa but with no success.

In November 2018, the City filed a request for written motion with LPAT whether Policy 2.2.5.9 of the Growth Plan 2017 would preclude the Tribunal from approving certain official plan policy amendments in the absence of a municipal comprehensive review initiated by the Region. **The LPAT will be hearing that motion and evidence from all parties at a hearing scheduled for April 15 to 26, 2019.**

This Policy coming into effect now would significantly disrupt and undermine the pending motion by the City to LPAT, would complicate evidence prepared and will further delay a decision on this matter.

It is our view certain employment areas require greater protection from continual pressure for conversion and that such conversion requests remain at an upper-tier (or Provincial) level in those cases. We believe that this is one such case.

In addition, it is important to note that the new policy language in Policy 2.2.5.9, allows for existing employment areas to be converted outside of a municipal comprehensive review “until the next *municipal comprehensive review*”. Whether intentional or not, the addition of this language may be interpreted to mean that conversion may always occur between *municipal comprehensive reviews*, because there will always be a “next *municipal comprehensive review*”.


SUMMARY

As noted above, MILG is appreciative and supportive of the Province reviewing the current policy regime to enhance and protect employment lands within the Province of Ontario.

We hope our formal submission in response to the Environmental Bill of Rights Notice, is received and considered by the Province.

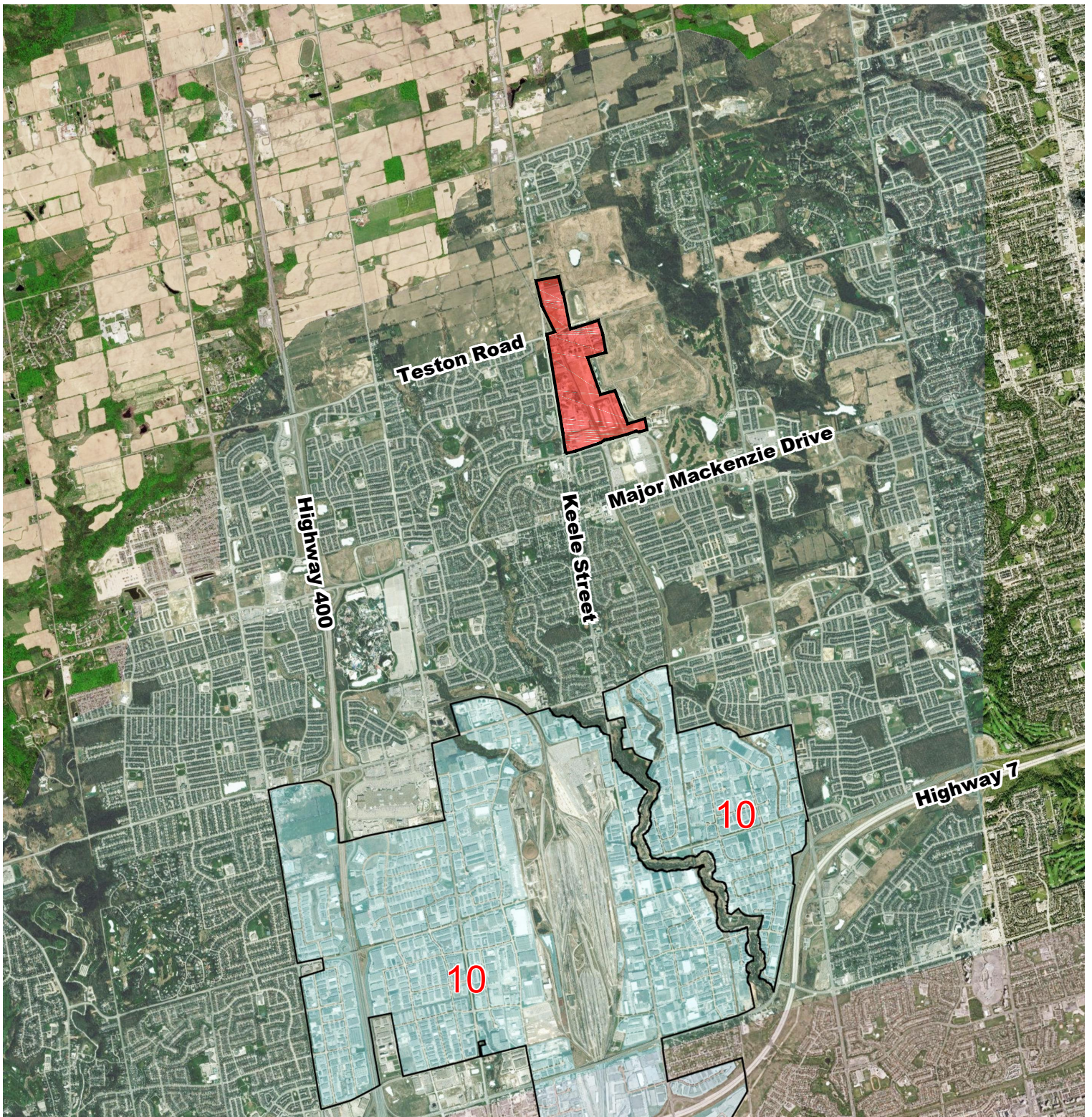
Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Debra Kakaria", with a stylized flourish at the end.

Debra Kakaria (Walker), MBA, MCIP, RPP
Partner

cc: *CRH Canada Group Inc.*
Coco Paving Inc.
Blair Building Materials Inc.



Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2019)

Figure 1

Request for Lands to be Added to Provincially Significant Employment Zone

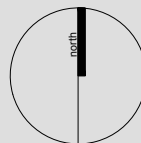
Vaughan, Ontario

LEGEND

- Request Lands be Added to Provincially Significant Employment Zone
- Proposed Provincially Significant Employment Zones [Source Map: Proposed Amendment 1 to Growth Plan for the Greater Golden Horseshoe 2017 (2019)]

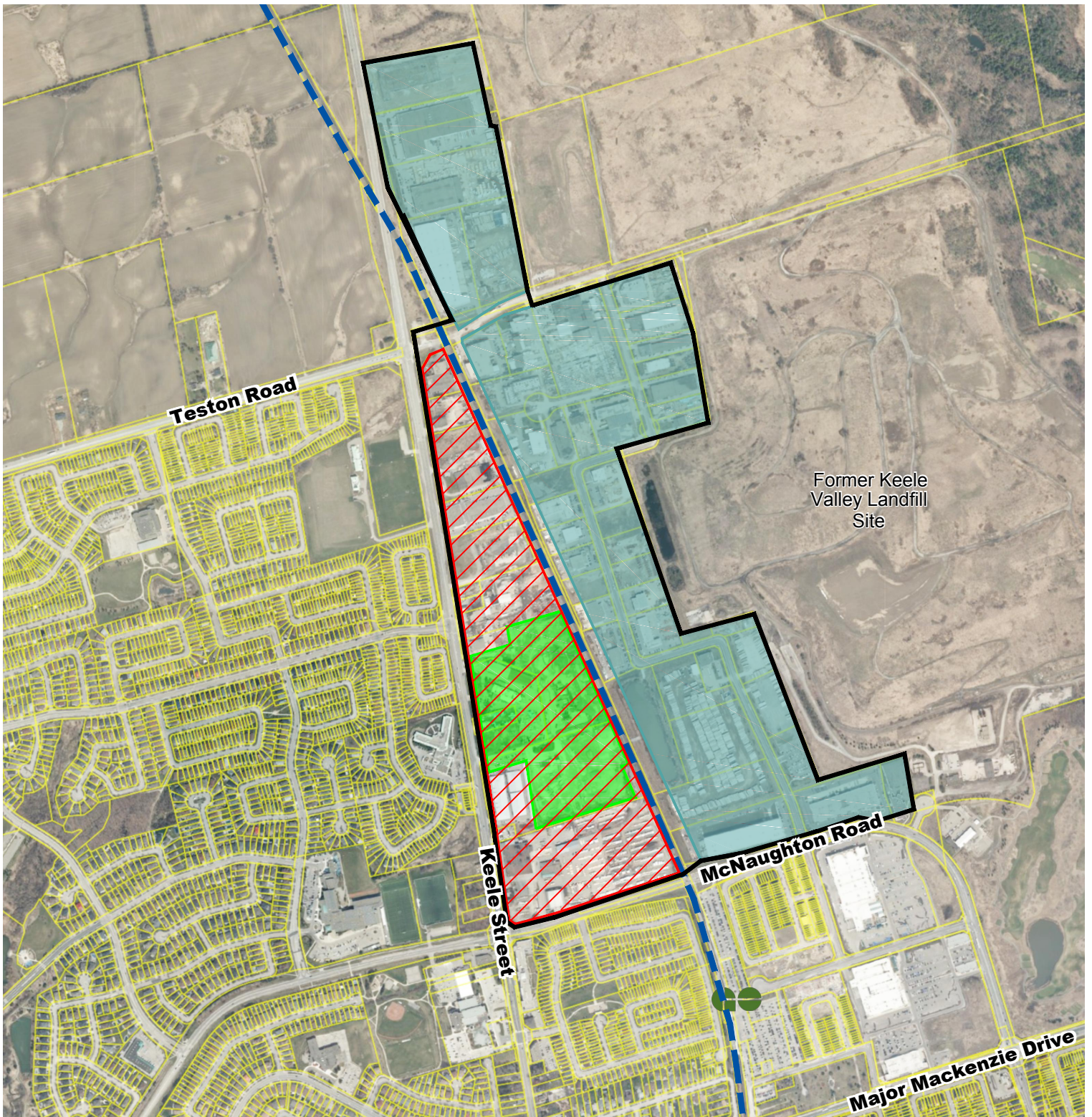
DATE: February 28, 2019

SCALE 1:75,000



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**PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE**
MHBC
 230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7
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Data: First Base Solutions Aerial Flown 2018

Figure 2

Request for Lands to be Added to Provincially Significant Employment Zone

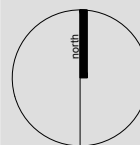
Vaughan, Ontario

LEGEND

- MILG Lands
- Lands Currently Subject to Appeal ("Employment Triangle")
- Employment Areas (City of Vaughan Official Plan)
- Request lands be Added to Provincially Significant Employment Zone
- Metrolinx Rail Corridor
- Maple GO Station

DATE: February 28, 2019

SCALE 1:15000



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