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January 27, 2026

Ministry of Municipal Affairs and Housing
Municipal Services Office - Central Ontario
777 Bay St, 16th Floor
Toronto, ON
M7A 2J3

Attention: Mr. Matthew Meighoo

RE: Modification Request: City of Vaughan Official Plan
Ministry Reference Number: 19-OP-246866
ERO Number: 025-1420
130 Racco Parkway, City of Vaughan, Region of York *("Subject Lands")*

Dear Sir,

I write to provide a Modification Request, as it pertains to the adopted *City of Vaughan Official Plan* on behalf of the Registered Owners of the above captioned lands *(e.g., Kartelle 130 Racco Parkway GP Inc.)*.

The Modification Request seeks to have the adopted Official Plan revised to redesignate the Subject Lands from the 'Non-Residential Mixed Use *(D – 1.5 & H – 4)*' designation to a 'High Rise Mixed-Use *(D-4.5 & H- 35)*' designation.

As detailed below, the Modification Request is supportable, in that, the Subject Lands are presently under-utilized lands and proposed for mixed use development including residential apartment dwellings, purpose built rental dwellings, hotel units and supportive commercial land uses. See enclosed Conceptual Architectural Plans. The proposed 'Non-Residential Mixed Use' designation, per the adopted Official Plan would not permit the proposed residential land uses.

Further, as detailed below, the City of Vaughan's adopted Official Plan carried over the prior Region of York's Official Plan employment designations and conversions without a proper reassessment of employment lands based on the updated Definitions of an 'Employment Area' and 'Area of Employment' per the *Provincial Planning Statement* and *Planning Act*.

Accordingly, the Modification Request merits the Ministry's consideration and implementation as it will remove administrative barriers associated with a required Official Plan Amendment to

permit the proposed mixed-use development of the Subject Lands while helping to expedite much needed housing supply being a key Provincial Interest.

Site Location & Description:

The Subject Lands are located within the City of Vaughan and municipally addressed as 130 Racco Parkway with a Total Site Area of approximately 3.09 Hectares or 30,979 Square Metres.

The Subject Lands are currently occupied by an existing 2-storey Building of approximately 13,010 Square Metres, along with surface parking.

The existing uses include recreational *(sports, fitness, and entertainment)* uses, and such uses are representative of an under utilization of the Subject Lands, with a 'low activity rate,' due to the lack of residents residing within the immediate area.

The same 'low activity rate' has also been experienced by the adjacent Canadian Tire Department Store. Redevelopment of the Subject Lands will provide the opportunity to ensure the full utilization of the lands while supporting the sustainability of the nearby commercial and institutional uses.

The Subject Lands are municipally serviced with existing water, wastewater, storm services, hydro and gas.

Existing Site Access is from a Municipal Road being, Racco Parkway, with immediate access to Highway No. 407, Highway 7, and Dufferin Street.

Surrounding land uses include an existing Canadian Tire Department Store *(adjacent to the south)*, Vaughan Community Church *(adjacent to the north)*, various existing employment businesses, a Fire Station, extensive recreational uses including a community centre *(to the east and south)* and residential uses, located approximately 1 to 2 kilometers to the north and south of the Subject Lands.

The unique location of the Subject Lands permits intensification of uses without any impacts to the nearby established neighbourhood*(s)*, as the lands are sufficiently separated while having direct access to community services.

As mentioned, the Subject Lands are currently under utilized and ready for redevelopment, capable of providing meaningful housing options to sustain the existing commercial uses and meet local community's housing needs.

Existing Land Use Policies and Regulations:

Development and land use planning of the Subject Lands is governed by Provincial, and Municipal polices.

Provincial policy includes the *Provincial Planning Statement (2024)* that combines and replaces the existing *Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*.

The new *Provincial Planning Statement (2024)* outlines the Province's policies governing land use planning including growth management, settlement boundary expansions, housing and employment areas, natural and cultural heritage, transportation, and infrastructure. All development applications and Municipal Official Plans including Zoning By-laws must be consistent with the new *Provincial Planning Statement (2024)*, as required by Section 26 of the *Planning Act*.

The proposed mixed-use development of the Subject Lands is consistent with the objectives of the *Provincial Planning Statement (2024)*.

The Subject Lands are located within the 'Urban Area' and designated as 'Employment' per the *Region of York Official Plan*, located within the Highway 400 and Highway 407 Employment Zone with a Density Target of 70 jobs per hectare. The Regional Official Plan has been transferred to the local municipalities of York.

The Subject Lands are presently designated as 'Employment Commercial Mixed-Use' per the 2010 *City of Vaughan Official Plan* and are located along a 'Regional Intensification Corridor within Employment Areas'.

As mentioned, the City of Vaughan has now updated its Official Plan, removing the Subject Lands from an Employment Area and forming part of the City's Community Areas while proposing a 'Non-Residential Mixed Use' designation with a maximum density of 1.5 times the Site Area and Maximum Building Height of 4 Storeys.

The proposed designation represents a new land use designation not presently part of the in-effect Official Plan and intended to address the updated 'Employment Area' and 'Area of Employment' Defined Terms of the *Provincial Planning Statement* and *Planning Act*, respectively.

Such a designation is ambiguous as it is not a traditional land use designation *(e.g., Residential, Commercial, Employment or Mixed Use)* and is representative of an 'afterthought' in assessing the City's Employment Lands, as required by Provincial Policy.

Such a designation is also contrary to the Ministry's efforts of streamlining Municipal Official Plans, which is currently the subject of Public Consultation. Accordingly, the Ministry should consider removing such a designation from the Official Plan.

The Subject Lands are Zoned 'GC-General Commercial' Zone with Exception 739 per *City of Vaughan Zoning By-law No. 001-2021*.

A Zoning By-law Amendment will be required to regulate the proposed mixed-use development and will be advanced in accordance with the standard *Planning Act* process should the Ministry grant this Modification Request to the Vaughan Official Plan. The Amendment process will ensure appropriate standards governing development of the Subject Lands.

Lastly, the Subject Lands are not located within the Toronto and Region Conservation Authority's Regulated Area and therefore, development of the Subject Lands does not encroach upon any Natural Heritage or Hazard Feature.

Proposed Mixed-Use Development of Subject Lands:

To sustain the economic viability of the Subject Lands and nearby commercial uses, our Client is seeking to redevelop the lands. The proposed redevelopment includes retention and intensification of the existing commercial uses together with proposed Apartment Buildings including Purpose Built Rental Units, Amenity Areas, a Hotel, a Park, Parking Areas, Retail and Ancillary uses.

The proposed redevelopment would provide significant benefits including housing options, regeneration of use to sustain existing uses, support for nearby commercial uses and convenient access to services including institutional uses.

The proposed redevelopment is conveniently located near Arterial Roads and Transit Services with proximity to major Highways. Transit bus service and stops are located at the 'doorstep' of the Subject Lands on Dufferin Street with Regional Rapid Transit Service *(Viva Line)* located within 600 metres to the North on Highway 7 and within 900 metres to the south on Centre Street. A new Subway Line is also located in proximity to the Subject Lands.

Accordingly, the Subject Lands have direct access to a robust road network and transit services.

Under the current land use policy framework, the proposed redevelopment would require an Official Plan Amendment, to permit residential uses as the adopted designation of 'Non-Residential Mixed Use' prohibits residential uses and seeks to have such a designation act as a 'buffer' to employment lands. The in-effect Official Plan*(s)* designations would require an

Employment Land Conversion despite the Subject Lands not containing any existing employment land uses.

The Modification Request will remove the administrative barrier of requiring an Official Plan Amendment. As the Subject Lands are not currently utilized for employment uses and do not include land uses in accordance with the updated Defined Terms of an 'Employment Area' and 'Area of Employment,' the Modification Request, to redesignate the Subject Lands is logical and representative of good land use planning.

As mentioned, Conceptual Architectural Plans, depicting the proposed redevelopment of the Subject Lands are enclosed with this Modification Request.

Provincial Planning Statement & Area of Employment:

As part of the Province's continued efforts to expedite housing supply, a new *Provincial Planning Statement* together with an updated Defintiion of 'Employment Area' was generated which is also part of the updated *Planning Act* and referred to as an 'Area of Employment.'

Our Client has participated throughout the process with Written Comments provided, to the Ministry, dated May 29th, 2023, and May 1st, 2024.

Our prior Written Comments are enclosed with this submission for ease of reference.

The prior Written Comments are supportive of the policy direction and resulting Definitions of an 'Employment Area' and 'Area of Employment,' which excludes institutional and commercial, including retail and office uses not ancillary to and not associated with the primary employment use.

Further, the Province abolished Provincially Significant Employment Zones which the Subject Lands were once located within.

As mentioned, the Subject Lands do not presently include any existing employment uses but existing commercial uses. The introduction of residential uses would support the nearby employment area by means of making housing readily available within the existing community without any compatibility concerns.

The required and implementing Zoning By-law Amendment will address appropriate development standards to implement mixed-use development on the Subject Lands while Site Plan Control can address any design elements to ensure appropriate development of the Subject Lands.

Throughout the policy process and since the Province commenced a revisiting of Employment Lands as part of Ontario's Land Use Planning Framework, our Client has actively participated and communicated its intention of advancing mixed-use development on the Subject Lands.

City of Vaughan Official Plan Review & Proposed Designation:

As required, the City of Vaughan undertook an Official Plan Review which commenced prior to the issuance of the *Provincial Planning Statement* and updated 'Employment Area' and 'Area of Employment' Definitions within the Statement and *Planning Act*.

While the City is advancing a subsequent analysis to the adopted Official Plan, which seeks to implement the updated Defined Terms and resulting changes to the Official Plan, for the Minister's consideration, the Subject Lands are proposed to be designated in a manner which restricts residential uses and seeks to have the lands be a 'buffer' to the existing Employment Area.

The Subject Lands are better suited to provide meaningful housing supply along with commercial uses, which will support the existing Employment Area. To restrict residential use from a non-employment designation is not in keeping with the *Provincial Planning Statement's* objective of complete communities and a resilient economy.

As mentioned, the proposed 'Non-Residential Mixed Use' designation is ambiguous and contrary to the Ministry's efforts of streamlining Municipal Official Plans. Further, the proposed designation's policies imply buffering Employment Lands may only occur through negating residential uses which is contrary to the principles of good land use planning, specifically mixed-use development.

Proposed Modification Request & Planning Justification:

The Modification Request seeks to have the adopted Official Plan revised to redesignate the Subject Lands from the 'Non-Residential Mixed Use *(D – 1.5 & H – 4)*' designation to a 'High Rise Mixed-Use *(D-4.5 & H- 35)*' designation.

The Modification Request has merit and is supportable from a land use planning perspective, in that, the Subject Lands enjoy direct proximity to Highway 407, existing commercial uses, and an adjacent Place of Worship with extensive parkland, playing fields, and a community centre to the south of the Subject Lands. The surrounding land uses will greatly benefit from the addition of residential uses. The surrounding neighbourhood mostly consists of ground related housing, with few housing types available to serve all ages and existing residents including the nearby commercial uses.

The proposed mixed-use development is compatible with surrounding land uses, setback sufficiently from existing employment uses and intensification is opportune as the lands are not located within an established residential neighbourhood, removing any shadow, overlook impacts to low rise residential uses. See Figure 1, below:

Figure 1: Surrounding Land Use Map



Source: Google Earth

Currently, the Subject Lands remain underutilized, with only existing commercial land use permissions and a high vacancy rate.

Approving this Modification Request will help ensure the timely redevelopment of the Subject Lands with revitalization of uses through appropriate intensification while removing the need for an Official Plan Amendment.

As the Subject Lands are currently designated as part of an 'Employment Area' per the in-effect Municipal Official Plans, the various Employment Conversion policies of the *Provincial Planning Statement* and the City's updated Official Plan were assessed in support of this Modification Request.

The *Provincial Planning Statement* outlines the following criteria in considering Employment Conversions:

> *Planning authorities may remove lands from employment areas only where it has been demonstrated that:*
>
> *a) there is an identified need for the removal, and the land is not required for employment area uses over the long term;*
>
> *b) the proposed uses would not negatively impact the overall viability of the employment area by:*
>
> > *1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5;*
> >
> > *2. maintaining access to major goods movement facilities and corridors;*
>
> *c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and*
>
> *d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.*

In reviewing the above Employment Conversion criteria, the following is noted, as it pertains to the Subject Lands:

i. Removal of the Subject Lands from the proposed Employment Area designation has already occurred by virtue of the City's proposed inclusion, of the lands, as part of the City's 'Community Areas.' The Subject Lands represent a minor portion of the overall Employment Area*(s)*, are not required for employment area uses over the long term, nor are suitable to accommodate such land uses when you consider the immediate surrounding land uses context consisting of commercial uses, recreational uses, and the adjacent Place of Worship. The nearby, existing employment uses will be well buffered in terms of setbacks from the Subject Lands ranging from approximately 130 metres and up to approximately 360 metres. Further, there are no noxious land uses in proximity to the Subject Lands.

ii. Removal of the Subject Lands from the in-effect Employment Area designation would not impact the planned Employment Area*(s)* uses, with the existing area

context consisting of a mixed-use community including existing commercial, employment, institutional, and residential uses.

iii. Existing infrastructure and Public Service Facilities are available to accommodate the intended mixed-uses for the Subject Lands.

iv. Removing the Subject Lands from the in-effect 'Employment Area' designation is considered a minor removal and would not bring the City's Employment Land Base into deficiency.

The above *Provincial Planning Statement* policies are carried over within the adopted *City of Vaughan Official Plan 2025*, with the following, added Employment Conversion policies, per Section 2.2.4.5 of the proposed Official Plan:

That further to policy 2.2.4.4, where conversions of lands in Employment Areas are proposed, it should be shown the conversion:

a. does not impact the configuration, location, and contiguous nature of the Employment Area;

b. does not impede access form Employment Areas to major transportation corridors;

c. does not impact the City's ability to provide a variety of land types and sizes in the Employment Area;

d. does not introduce land use compatibility concerns through potential direct or indirect Adverse Effects, such as odour, noise, and other contaminants, to future residents or employees; and

e. does not create risks to public health and safety.

In reviewing the above adopted policies as it pertains to the Subject Lands, the following is noted:

i. Removing the Subject Lands from the in-effect 'Employment Area' designation will not impact the configuration, location, and contiguous nature of the overall Employment Area since the Subject Lands are already proposed to be part of the City's 'Community Areas' with existing non-employment land uses already present without any impact to the configuration, location and contiguous nature of the existing Employment Area.

ii. Access to major transportation corridors will be maintained despite the proposed redesignation of the Subject Lands.

iii. Removing the Subject Lands from the 'Employment Area' designation does not impact the City's ability to provide a variety of land types and uses within the proposed and larger Employment Area since the Subject Lands will continue to provide a wide range of land uses through a mixed-use format, implemented through a subsequent *Planning Act* process.

iv. Removal of the Subject Lands from the 'Employment Area' designation will not introduce direct or indirect potential adverse impacts such as odour, noise, and other contaminants. The required Zoning By-law Amendment and Site Plan Control process will ensure appropriate mitigation measures for any noise impacts and appropriate design to assure no compatibility uses arise. Allowing mixed-use development, on the Subject Lands will compliment and make use of existing institutional uses which are adjacent to the lands including the adjacent Place of Worship and nearby recreational uses including support for existing commercial uses which are under performing.

v. There is no risk to public health and safety by means of removing the Subject Lands from the in-effect 'Employment Area' designation.

Closing Remarks & Request for Notice of Decision

Based on the, we respectfully request the *City of Vaughan Official Plan 2025* be Modified in accordance with this Modification Request.

To summarize, the Modification Request to have the Subject Lands re-designated to a 'High Rise Mixed-Use *(D-4.5 & H- 35)*' designation is supportable based on the following land use planning principles:

- ✓ The Subject Lands are under utilized and proposed for mixed-use development which will provide much needed housing supply including Purpose Built Rental Units and supporting commercial uses which will create significant benefits to the local economy and community.

- ✓ The Subject Lands are suitable to accommodate the proposed mixed-use designation and subsequent *Planning Act* processes will ensure appropriate design and standards are maintained to implement the proposed development while removing the need for an Official Plan Amendment.

- ✓ The Subject Lands have already been proposed for removal from an 'Area of Employment' and to form part of the City's 'Community Areas.' However, the proposed 'Non-Residential Mixed Use' designation is ambiguous and not appropriate, in that, it is contrary to the Provincial objective of streamlining Municipal Official Plans. A more appropriate designation would be the proposed 'High Rise Mixed-Use' designation with a site density of 4.5 and maximum building height of 35 storeys.

- ✓ The surrounding land use context supports mixed-use development on the Subject Lands without any adverse impacts.

- ✓ The employment conversion criteria per the *Provincial Planning Statement* and adopted City Official Plan have been assessed and there are no impacts removing the lands from the in-effect employment designation, which has been supported by the City's Official Plan Review.

- ✓ The Subject Lands have direct access to sufficient transportation networks, Public Service Facilities and Municipal Services to accommodate the proposed mixed-use development.

- ✓ The proposed redevelopment is consistent and conforms with Provincial Policy and addresses matters of Provincial Interest by means of providing housing supply, a range of housing typers and supporting commercial uses which will contribute to the local and regional marketplace with job creation and tax assessment.

Thank you for the opportunity to comment on the new Official Plan and for the Ministry's consideration of our request. We also request to be provided any Notice of Decision pertaining to the *City of Vaughan Official Plan 2025.*

Your attention regarding our Written Comments and Request is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Email Copy:

Client