

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 Home Depot of Canada Inc.
Various Lands across GGH
ERO No. 013-4504
OUR FILE 9316HA**

MHBC is pleased to submit comments on behalf of Home Depot of Canada Inc. ("Home Depot").

We appreciate the Province's genuine interest in considering our comments as a substantial landholder in the Province. To become better informed and exchange comments on the Proposed Amendment 1 (hereinafter "Amendment") to the Growth Plan, Home Depot together with MHBC have attended a number of Regional Workshops hosted by the Province.

Home Depot is appreciative and supportive of the Province reviewing the current policy regime to enhance and protect employment lands within the Province of Ontario. It is our understanding the policy framework aims to:

- increase and promote economic growth;
- reduce congestion and provide residents easy access to business and services; and
- build communities that maximize infrastructure investments, while balancing local needs for the agricultural industry and natural areas.

Furthermore, the proposed amendment of the Growth Plan will allow employment area conversions to be approved prior to the next Municipal Comprehensive Review ("MCR"), allowing flexibility to municipalities to support mixed use development and protect employment areas.

Based on our review of the Amendment, it is understood that conversion of employment lands will continue to require a comprehensive assessment and the implications for economic development by the Ministry of Municipal Affairs and Housing (MMAH). The most significant proposed change is the introduction of Provincially Significant Employment Zones (“PSEZ”) mapping across the GTA. We are concerned with the extent of this mapping and its accuracy vis-à-vis existing land uses and municipal Official Plan mapping.

The following comments on the Amendment are being submitted formally in response to the Environmental Bill of Rights Notice. To assist we have identified key themes to guide our discussion in regards to our recommendations.

RECOMMENDATIONS / CLARIFICATIONS

1. We request the removal of 3 sites which are located in Major Transit Station Areas (“MTSAs”) from being within PSEZ due to:
 - Intent for increased densities within a MTSA through Municipal Official Plan Policies;
 - Existing Land Use Designation (not employment);
 - Planning Infrastructure (high-order transit and intensification corridors); and
 - Create complete communities close to higher order transit.

2. We request 7 sites outside of MTSAs be removed from PSEZ due to:
 - Existing Land Use Designation (not employment);
 - Surrounding Context;
 - Identified as an intensification and/or transit corridors within Municipal Official Plans.

3. We propose the following policy modifications and / or request clarifications to existing and proposed policy with the rationale as outlined below:

A. Policy 2.2.4.2 and new 2.2.4.5

Province delineates MTSA boundaries with policy revisions requiring implementation by municipalities.

Response: The concept of intensification around MTSAs has been in place since the 2006 Growth Plan was released. Since this time, few municipalities have undertaken the necessary exercises to delineate MTSAs. Where these exercises have occurred, densities have been minimized especially where existing low density residential areas are in proximity or within MTSAs.

To fully utilize transit investment and expedite new housing starts, the Province should delineate these areas.

This would be a similar exercise / policy response as was undertaken for the delineation of Urban Growth Centres by the Province.

B. Policy 2.2.4.3

Revise minimum density requirements to reflect Floor Space Indexes (FSIs) and be increased as follows:

- a) Minimum of 8.0 FSI for those that are served or planned to be served by subways;
- b) Minimum of 5.0 FSI for those that are served or planned to be served by light rail transit or bus rapid transit;
- c) Minimum of 5.0 FSI for those that are served by the GO Transit rail network; and,
- d) Minimum of 8.0 FSI for those that are served or planned to be served by the interchange of two or more of the above higher order transit services.

Response: The use of FSIs as a basis for measurement is more appropriate and provides a relationship with municipal Official Plan policies which utilize FSIs rather than persons and jobs per hectare. Alternatively, the persons and jobs per hectare minimums should be increased to the equivalent FSIs noted in our recommendation.

Based on recent municipal exercises for areas that would meet the definition of being designated as a MTSA, the density provisions being set by municipalities set the level of intensification too low thus resulting in an underutilization of transit investment.

The proposed FSI is a minimum and it is encouraged for municipalities to go beyond the proposed minimum FSI within a MTSA.

C. Policy 2.2.5.7 c)

Delete

Response: The 2006 Growth Plan (and carried through the 2017 Growth Plan) discriminated against major retail facilities from locating within employment areas, despite these facilities providing significant jobs. We request that this policy be deleted so that all types of employment will be recognized in employment areas.

D. Policy 2.2.5.7 c)

Delete

Response: The 2006 Growth Plan (and carried through the 2017 Growth Plan) discriminated against major retail facilities from locating within employment areas, despite these facilities providing significant jobs. We request that this policy be deleted so that all types of employment will be recognized in employment areas.

E. NEW

ADD a new policy following Policy 2.2.5.9 which states:

“Notwithstanding Policy 2.2.5.9, an application of the conversion of lands within employment areas to non-employment uses may be permitted within a Major Transit Station Area (MTSA) outside of a Municipal Comprehensive Review, where it can be demonstrated that:

- a) Compatibility of the proposed land use with existing employment uses or employment uses permitted in the zoning by-law in the Employment Area;
- b) Provide for and contribute to a broad range of stable employment opportunities;
- c) Provide prominent, access and visible locations for proposed uses;

- d) Contribute to a balance between jobs and housing to reduce the need for long-distance commuting and encourage travel by transit, walking and cycling; and/or Provide work opportunities for residents within the immediate area.”

Response: The addition of this policy would allow for flexibility within a MTSA to allow for proposals to come forward outside of a MCR.

The proposed policy would allow development within a MTSA to fully utilize transit investments made by the Province and municipalities by allowing a mix of uses at transit supportive densities.

We understand there is a need for employment within Major Transit Station Areas, however, not allowing the flexibility of residential uses (along with the employment uses including retail and institutional uses) within these areas will not meet the intent of this Plan in achieving complete communities at a municipal level and result in an underutilization of transit investments.

F. Policy 2.2.5.10 a) (as amended)

AMEND policy 2.2.5.10 to read:

“Notwithstanding policy 2.2.5.9 or **Policy 2.2.5.X**, until the next municipal comprehensive review, lands within existing employment areas may be converted to a designation that permits non-employment uses, provided the conversion would:

- a) the requirements of policy 2.2.5.9 a), d) and e); and, **policy 2.2.5.X**

Response: The addition of working to policy 2.2.5.10 is to recognize our recommendation for additional policy above for sites within a MTSA.

G. Policy 2.2.5.10 b) (as amended)

- b) maintain ~~a significant~~ **the same or increase** the number of jobs on those lands.

Response: We request further clarification be provided for “*significant number of jobs*” in Policy 2.2.5.10

It is important to ensure that clarity be provided so that abuse of this policy does not occur when requests for conversions are made. We suggest that the policy be revised to maintain or increase existing employment levels.

H. Policy 2.2.5.11

Delete Policy 2.2.5.11

Response: The 2006 Growth Plan (and carried through the 2017 Growth Plan) discriminated against major retail facilities from locating within employment areas, despite these facilities providing significant jobs. We request that this policy be deleted so that all types of employment will be recognized in employment areas.

I. Policy 2.2.5.12

Clarification of policy intent and mapping.

Response: We appreciate the Province’s intentions to protect and promote Employment Areas. However, the policy intent should be clarified such that the designation of PSEZ’s should not be used to arbitrarily result in the denial of conversion requests by municipalities. Further, the PSEZ mapping should be applied to major and / or heavy industries. Lastly, as is noted later in this submission the PSEZ mapping should be corrected where mixed use and other “non-employment” designations (as currently defined by the Growth Plan) exist in Municipal Official Plans.

J. Policy 2.2.5.14 (NEW)

Delete Policy 2.2.5.14

Response: The Growth Plan has a long history of protecting *employment areas* (a defined term effectively meaning a “cluster” of businesses or economic activities).

The proposed Growth Plan also intends to project the existing or potential jobs on a standalone employment parcel (employment lands). It is suggested that there are numerous standalone employment land parcels that are underutilized and/or not developed for employment uses in various areas subject to the Growth Plan that are inappropriate or unviable for employment land purposes.

The forced retention of all or a portion of these lands has the opportunity to reduce the viability of nearby or adjacent housing uses through incompatible uses. It is submitted that the new employment area conversion policies of 2.2.5.10 are not even afforded to the employment land policy of 2.2.5.14 and thus, employment lands are now more greatly “protected” than employment areas.

It is requested that these “employment lands” not be afforded the same or similar retention policies as “employment areas” which are typically viable locations for numerous jobs to be created.

K. Add definition of Employment Uses

Employment Uses shall include land uses where persons are employed and shall include, but not be limited to manufacturing, warehousing, offices, retailing, service commercial, institutional uses, health care, retirement / long term care, education, and community uses.

Response: Employment uses are recognized in the Provincial Policy to include any and all uses that generate employment. Retail (all forms and sizes), institutional health care, retirement / long term care, education, community uses are important contributors to job creation and retention in the Province. In many cases, these uses employ significantly more persons than manufacturing and warehousing uses. These employment uses should not be discriminated against and should be recognized as important components of the Province’s economy. To this extent, they should be recognized as the employment uses they are, being permitted within Employment Areas and not considered conversions under the Growth Plan policies.

We note that other policies in the Provincial Policy Statement and Growth Plan require compatibility to be achieved and thus these employment generating uses should not be excluded from locating arbitrarily from locating in Employment Areas.

L. Definition of Major Retail

Delete

Response: Given the policy request above, the definition of Major Retail should be deleted.

M. Add Definition of Job

A job shall mean all work place status types, including those with no fixed place of work and those who work at home; and all industry types including retail, industrial and service jobs, regardless of location.

Response: Jobs should not be distinguished between by type and should be treated equally relative to land use policy decisions.

N. Definition of Major Transit Station Areas

The area including and around any existing or planned higher order transit station or stop within a settlement area', or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate ~~500 to~~ 800 metre radius of a transit station, representing about a 10-minute walk.

Response: Modify definition to increase to 800 metre minimum limit, as this may be used to limit intensification around MTSA's.

Based on the recommendations above we believe flexible language in Provincial policy: will achieve appropriate built form, public realm, and transit supportive densities which will fully utilize transit investments within MTSA and Employment Areas.

PROVINCIALY SIGNIFICANT EMPLOYMENT ZONE MAPPING

We have reviewed a number of Home Depot sites and believe that revisions to the proposed Provincially Significant Employment Zones (PSEZ) should occur. The rationale for these requests is outlined below but can be summarized as follows:

1. The sites are within 800 metres of a MTSA and based on our recommendations above should be permitted to be redeveloped for a mix of uses at transit supportive densities;
2. Are not designated as "employment" in the municipality's Official Plans;
3. Contextually should not be considered "Provincially Significant" due to existing and / or planned uses on and surrounding the site.

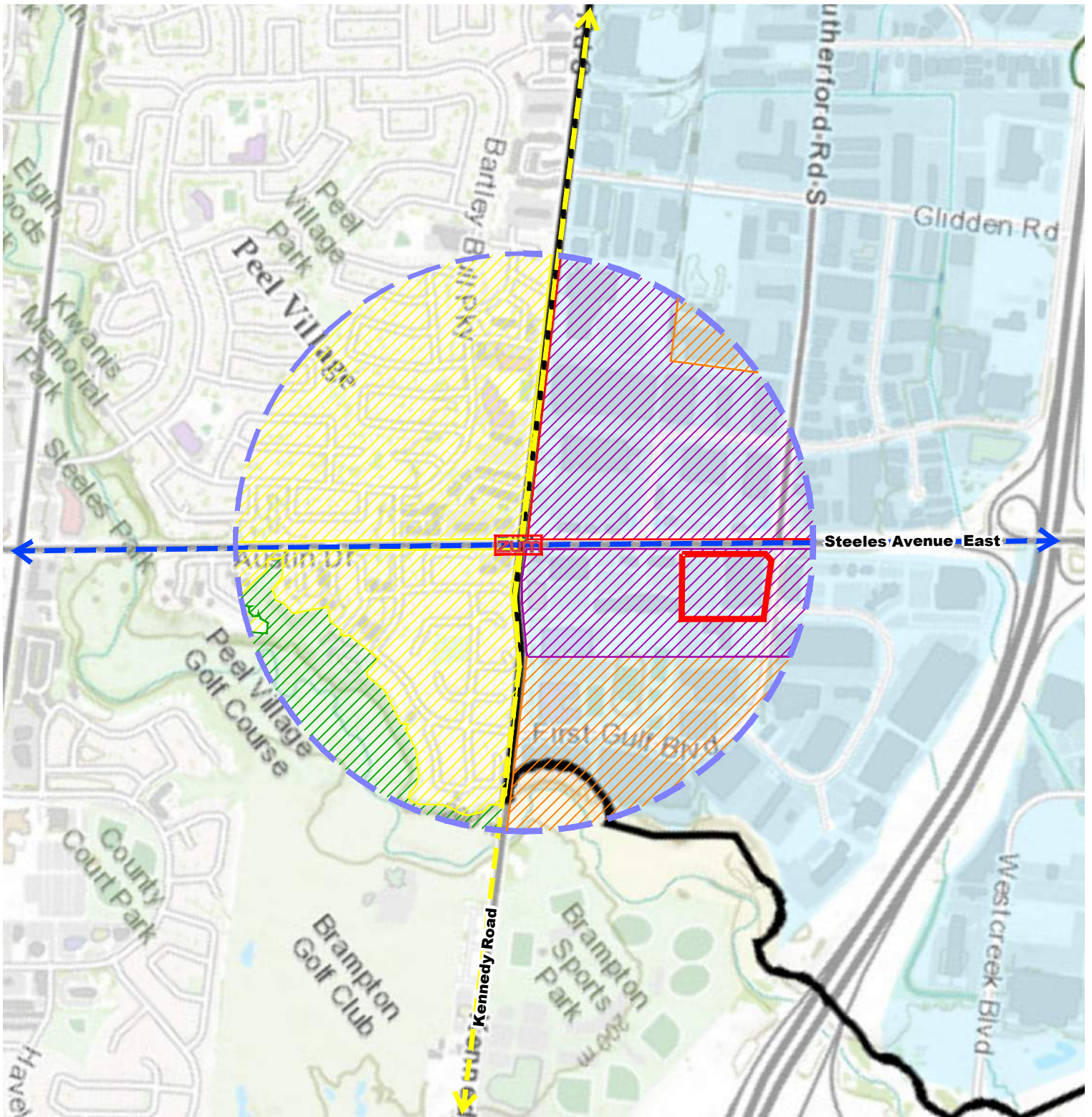
Based on our evaluation we have created figures to illustrate the specific Home Depot sites requesting removal. The attached figures include Provincial Significant Employment Area and Official Plan Mapping overlays.

REGION OF PEEL

City of Brampton

Home Depot owns one site identified within Provincially Significant Employment Area 14 (Pearson Airport Hub) within the City of Brampton. These sites include:

Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
49 First Gulf, Brampton (Figure 1)	Yes (Zone 14)	No, however along a planned BRT Corridor (Steeles Avenue) and in proximity (650 m) to a Primary Transit Corridor (Kennedy Road)	Business Corridor;	<p>The subject lands are used for commercial purposes and are adjacent to a planned intensification corridor which has been identified by the Brampton Official Plan (Schedule C) for further growth and intensification through high-order transit and increased densities. Therefore limiting the subject lands to Employment Uses will not accurately articulate the existing or planned context of these lands.</p> <p>Therefore we request removal from the PSEZ.</p>
9105 Airport Road, Brampton (Figure 2)	Yes (Zone 14)	No, Queen Street East and Airport Road are both BRT	Business Corridor; Lester B. Pearson International Airport (LBPIA) Operating Area	<p>The subject lands are used for commercial purposes and are adjacent to a planned intensification corridor which has been identified by the Brampton Official Plan for further growth and intensification through high-order transit and increased densities. Therefore limiting the subject lands to Employment Uses will not accurately articulate the existing or planned context of these lands.</p> <p>Therefore we request removal from the PSEZ.</p>



Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

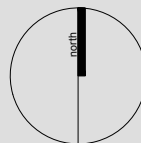
Figure 1
Proposed Provincially Significant Employment Zones

LEGEND

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|--|---|--|
|  Subject Lands |  Lands Designated Business Corridor (Brampton Official Plan) |  Brampton Transit Bus Stop |
|  Proposed Provincially Significant Employment Zones |  Lands Designated Residential Areas (Brampton Official Plan) |  Steeles Avenue Transit Corridor |
|  Lands Designated Industrial (Brampton Official Plan) |  Lands Designated Public Open Space (Brampton Official Plan) |  Kennedy Road Primary Transit Corridor |
| | |  800 Metre Radius Around Transit Stations |

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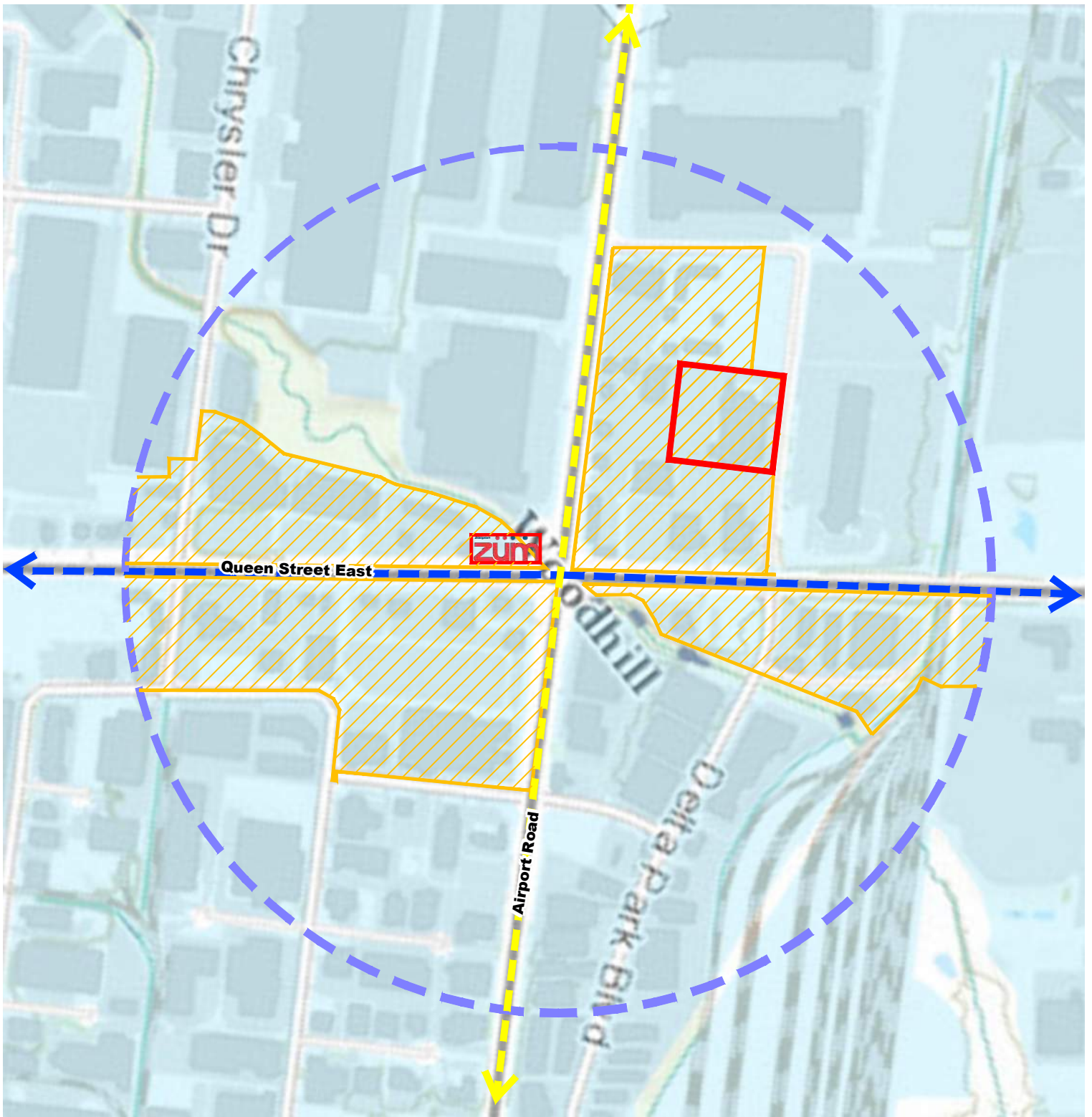
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**49 First Gulf Drive,
 Brampton, Ontario**

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Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

Figure 2
Proposed Provincially Significant Employment Zones

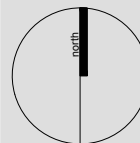
LEGEND

- Subject Lands
- Proposed Provincially Significant Employment Zones
- Commercial

- zum Brampton Transit Bus Stop
- ↔ Queen Street Transit Corridor
- ↔ Airport Road Transit Corridor
- ⊙ 800 Metre Radius Around Transit Stations

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City of Mississauga

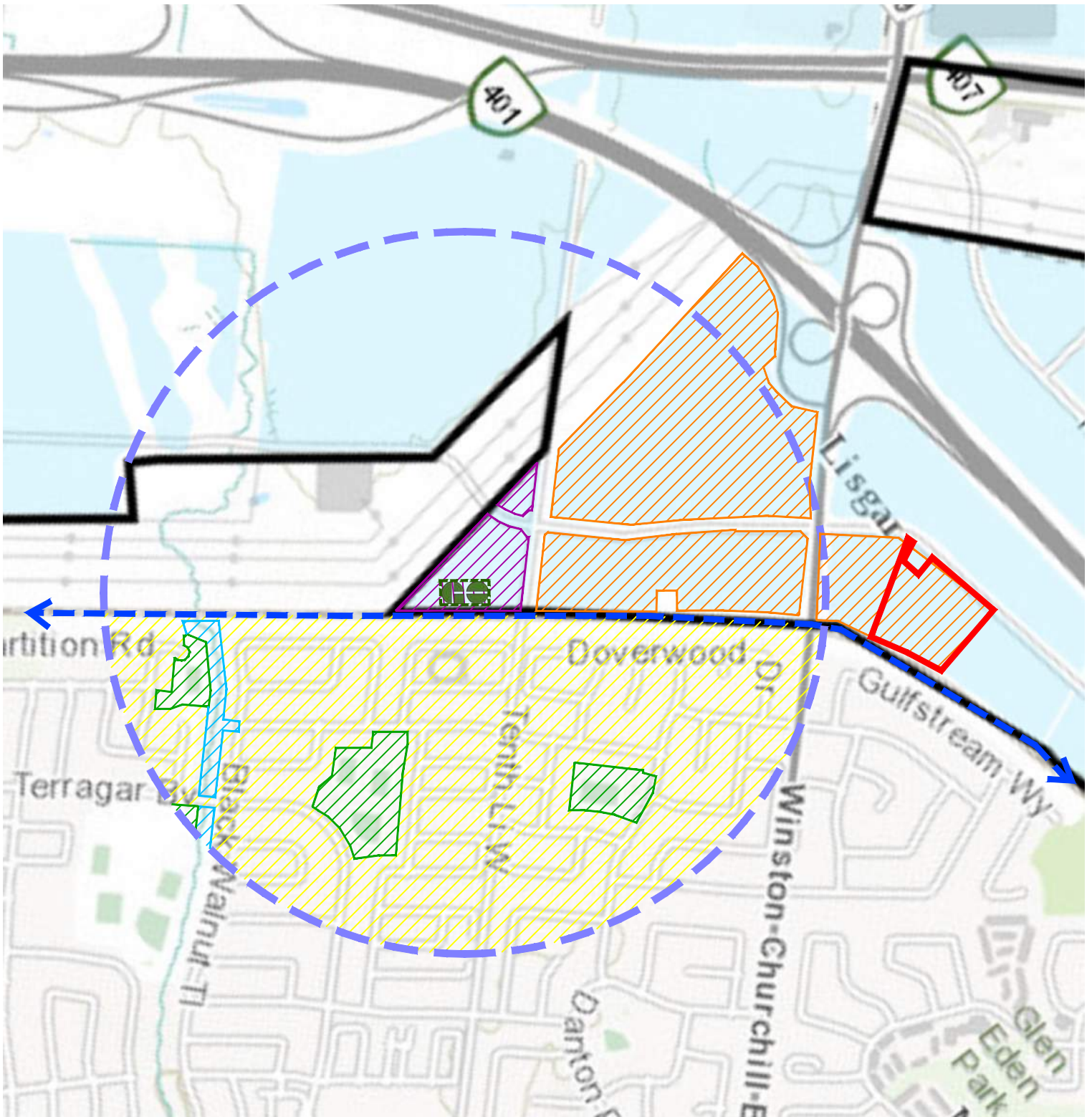
Home Depot owns one site identified within Provincially Significant Employment Area 18 (Meadowvale) within the City of Mississauga.

Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
2920 Argentia Road (Figure 3)	Yes (Zone 18)	No	Business Employment within an Corporate Centre	The subject lands are used for commercial purposes and are adjacent to the existing an existing commuter rail line. Furthermore the site and surrounding area which includes large areas of residentially designated lands that do not represent an employment area which warrants provincial protection in our opinion. Therefore we request removal from the PSEZ.

TORONTO

Home Depot owns four sites identified within Provincially Significant Employment Area 4 (Canadian Pacific), 9 (Keele Dufferin), and 13 (427 QEW).

Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
60 Grand Marshall Drive, Scarborough (Figure 4)	Yes (Zone 4)	No, however identified along a Transit Priority Segment (Sheppard Avenue)	Employment Areas	The subject lands are used for commercial purposes and are adjacent to a planned transit corridor which has been identified by the Toronto Official Plan for further growth and intensification through high-order transit and increased densities. Furthermore the site and immediate surrounding area do not represent an employment area which



Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

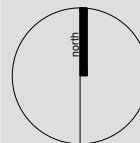
Figure 3
Proposed Provincially Significant Employment Zones

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|--|---|-----------------------------|
| Subject Lands | Lands Designated Residential Low Density II (Mississauga Official Plan) | Lisgar GO Transit Station |
| Proposed Provincially Significant Employment Zones | Lands Designated Public Open Spaces (Mississauga Official Plan) | Existing Commuter Rail Line |
| Lands Designated Business Employment (Mississauga Official Plan) | Lands Designated Greenlands (Mississauga Official Plan) | |
| Commercial Lands | 800 Metre Radius Around Transit Stations | |

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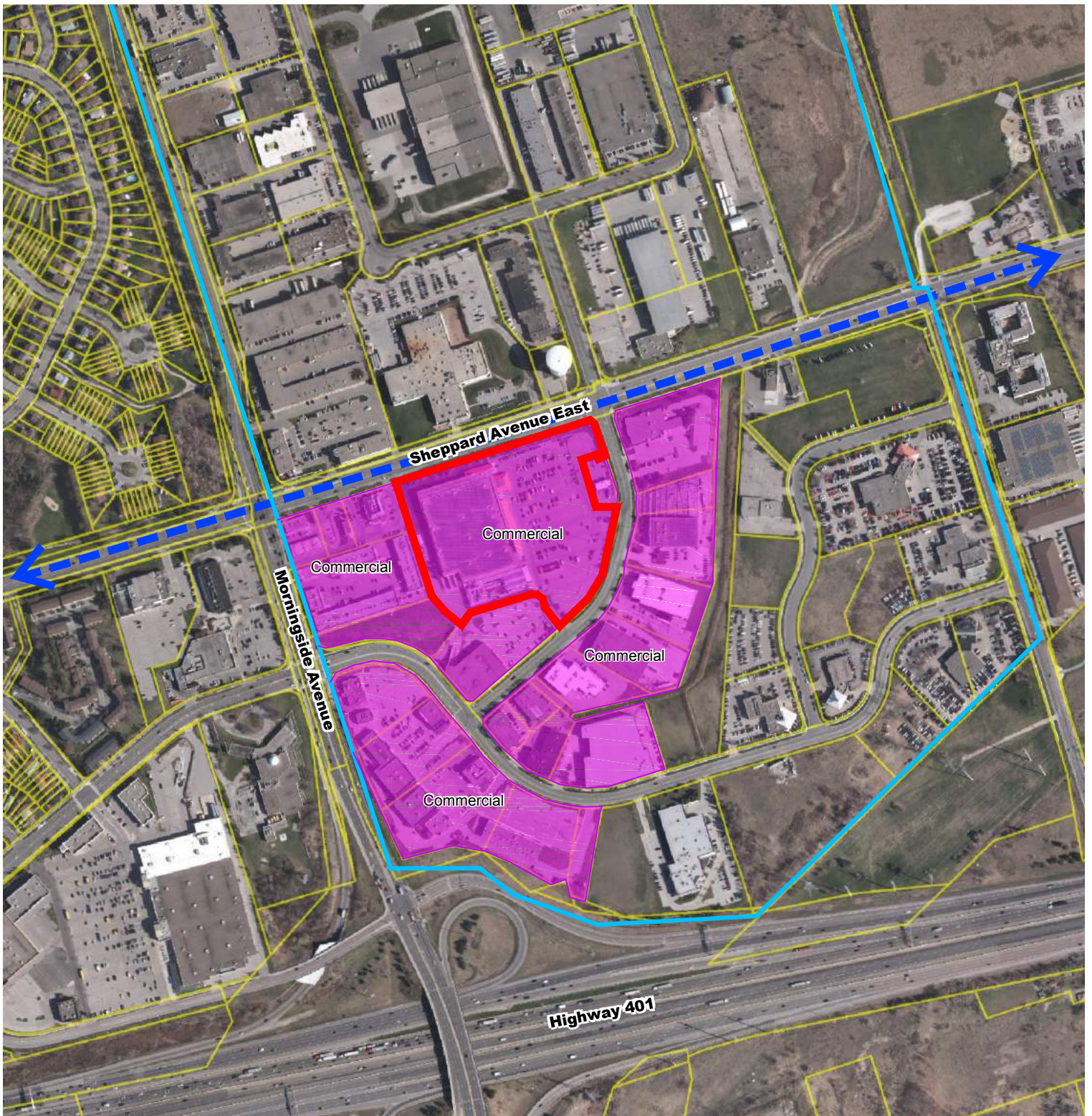
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**2920 Argentia Road,
 Mississauga, Ontario**

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Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

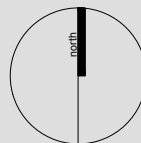
Figure 4
Proposed Provincially Significant Employment Zones

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- Subject Lands
- Commercial Lands
- ↔ Sheppard Avenue Transit Priority Segment

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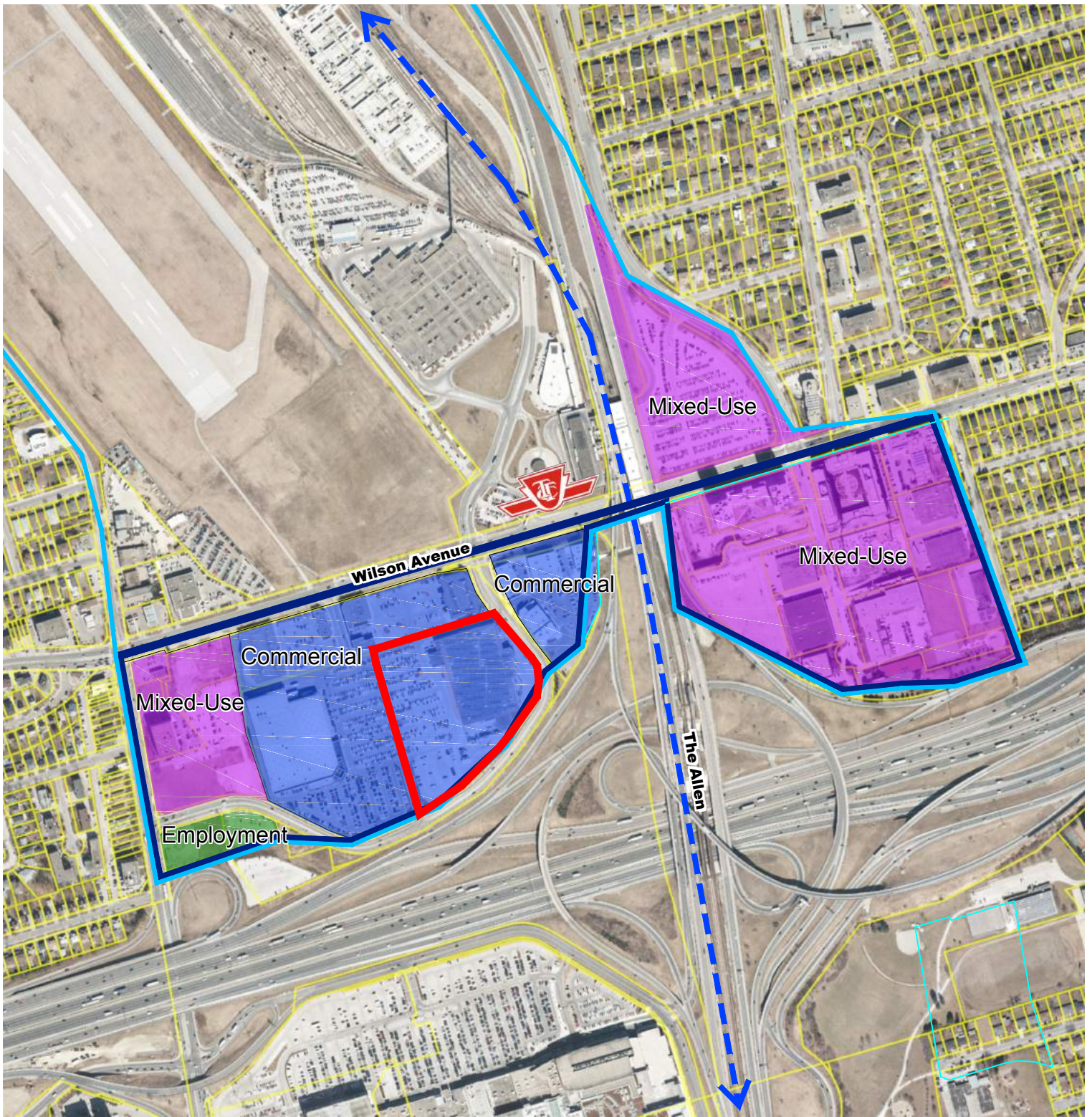


60 Grand Marshall Drive
Toronto, Ontario

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Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
				warrants provincial protection in our opinion. Therefore we request removal from the PSEZ.
90 Billy Bishop Way, North York (Figure 5)	Yes (Zone 9)	Yes, Wilson Subway Station	Employment Areas	The subject lands are used for commercial purposes and are within an 800 m radius of a MTSA –existing Wilson Subway Station. Furthermore, lands to the west and east have been redesignated to Mixed Use Areas. Therefore we request removal from the PSEZ.
2375 Steeles Avenue West, (Figure 6)	Yes (Zone 9)	Yes, York University GO Station and Steeles Avenue is a Transit Priority Segment	Employment Area	The subject lands are used for commercial purposes and are within an 800 m radius of a MTSA –existing York University GO Station. Therefore we request removal from the PSEZ.
193 North Queen Street (Figure 7)	Yes (Zone 13)	Yes, previously identified West Mall GO Station (Milton GO) and Proposed Bloor-Danforth Line and The West Mall TTC Subway Station	Mixed Use Area	The subject lands are used for commercial purposes and are designated as Mixed Use Area in the Toronto OP. The subject lands are within an 800 m radius of a MTSA –previously identified GO and TTC Stations. Therefore we request removal from the PSEZ due to the existing Mixed Use designation and to implement increased density and



Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

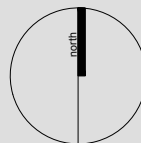
Figure 5
Proposed Provincially Significant Employment Zones

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- Subject Lands
- Proposed Provincially Significant Employment Zones
- Commercial Lands
- Mixed Used Lands
- Employment
- Lands to be Removed from PSEZ
- ↔ Existing Commuter Rail Line
- Wilson Subway Station

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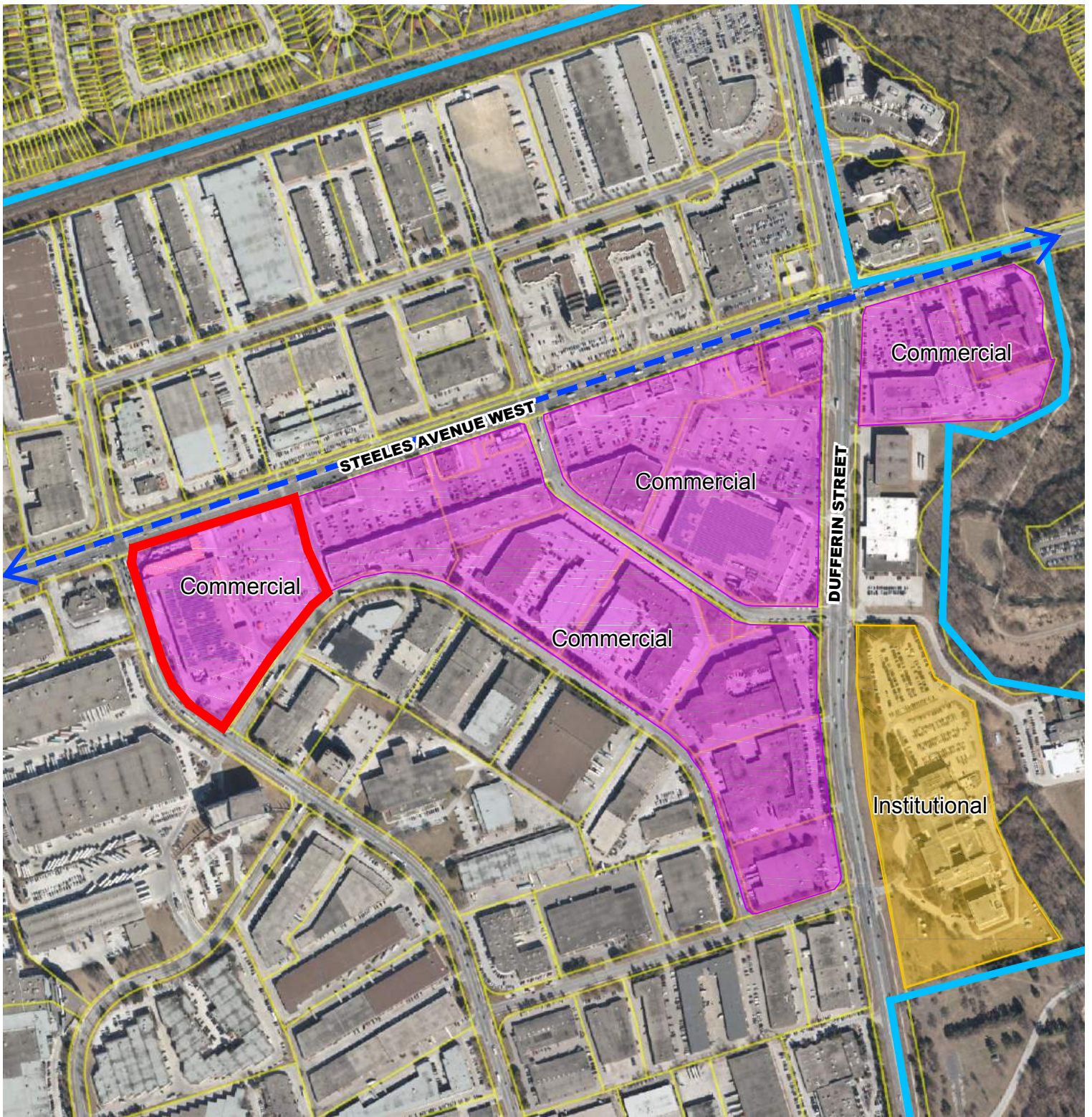
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Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

Figure 6
Proposed Provincially Significant Employment Zones

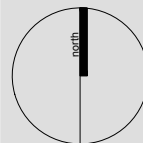
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- Subject Lands
- Commercial
- Institutional

- Proposed Provincially Significant Employment Zones
- ↔ Steeles Avenue Transit Priority Segment

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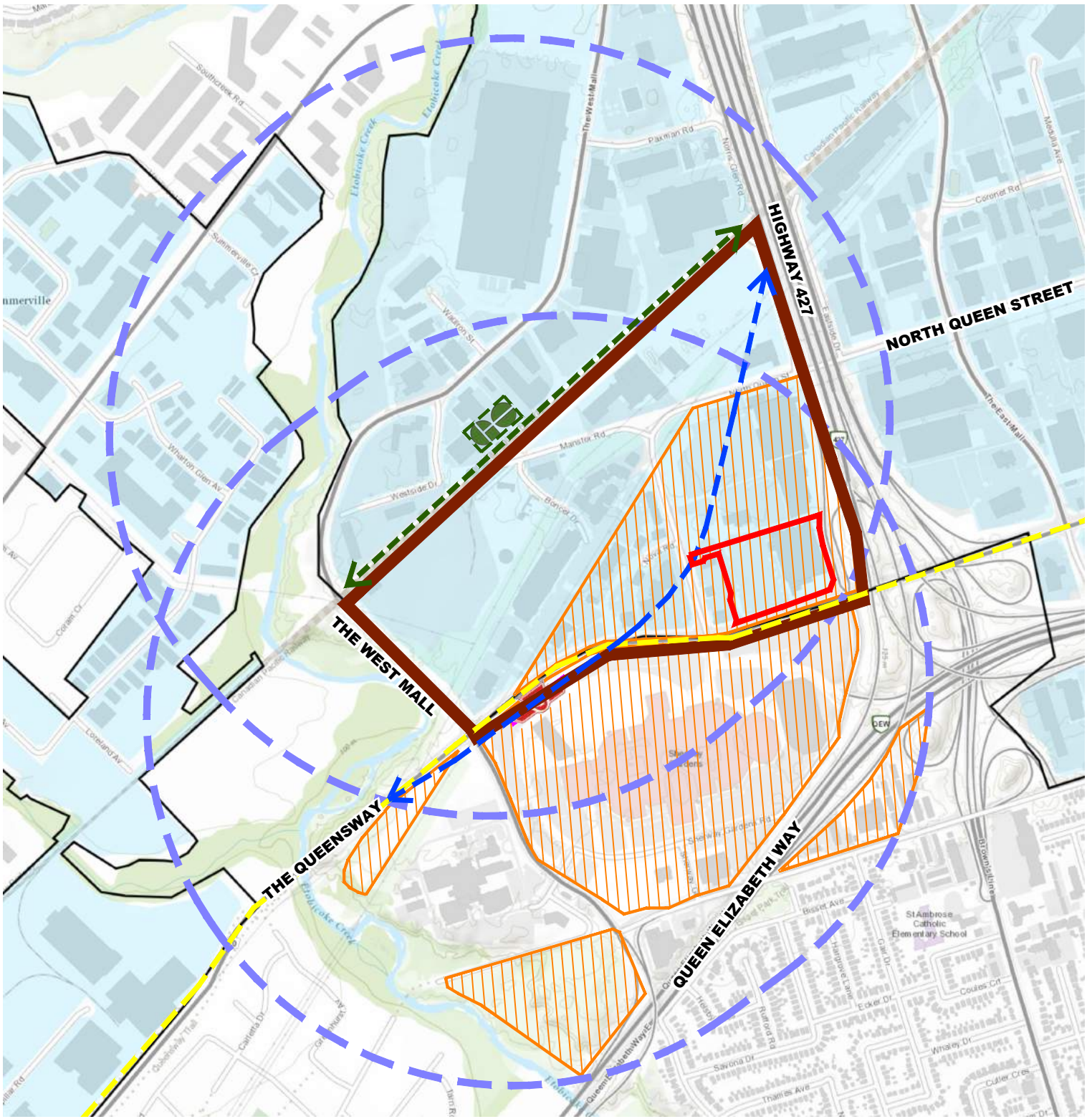
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2375 Steeles Avenue West
Toronto, Ontario

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Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

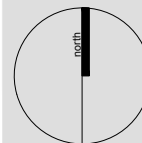
Figure 7
Proposed Provincially Significant Employment Zones

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- 193 North Queen Street
- Lands to be Removed from PSEZ
- Proposed Provincially Significant Employment Zones
- Lands Designated Mixed-Use Areas (Toronto Official Plan)
- 800 Metre Radius Around Transit Stations
- Previously Identified West Mall GO Station- GO Milton
- Proposed Bloor-Danforth Line and The West Mall Subway Station
- The Queensway Transit Priority Segment

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**193 North Queen Street,
 Toronto, Ontario**

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Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
				investment with a mix of uses within a MTSA.

HALTON REGION

Oakville

Home Depot owns one site identified within Provincially Significant Employment Area 18 (Meadowvale), which we are recommending removal from the PSEZ.

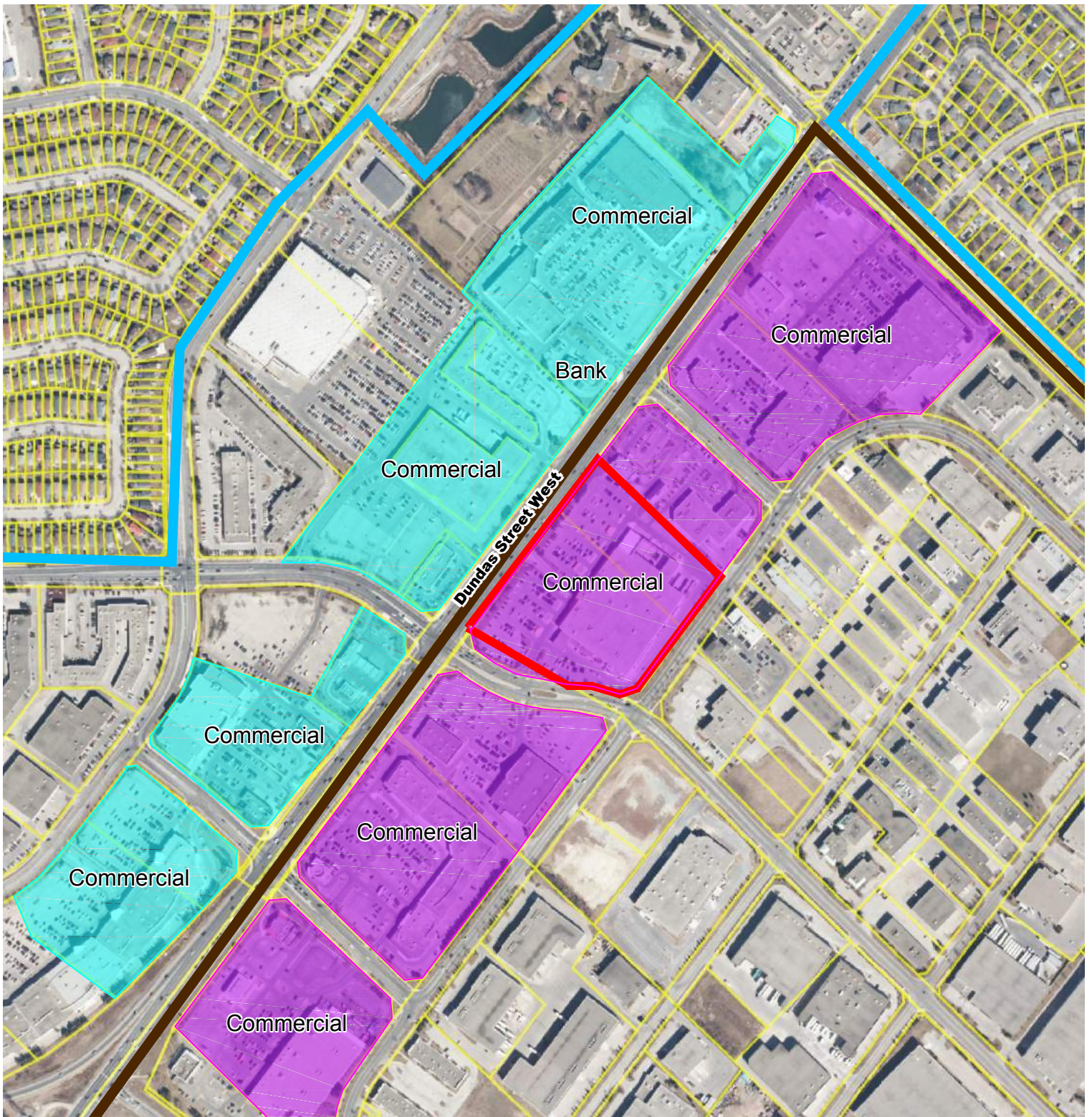
Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
2555 Bristol Circle, Oakville (Figure 8)	TBD (Zone 18) outside of blue area but within black boundary	No	Core Commercial	The subject lands are used for commercial purposes and are designated as Core Commercial lands which do not form part of the Town's employment land base. Therefore we request removal from the PSEZ.

YORK REGION

Richmond Hill

Home Depot owns one site identified within Provincially Significant Employment Area 7 (404 407).

Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
10885 Leslie Street, (Figure 9)	Yes (Zone 7)	N/A	Employment Area with Special permissions for retail uses	The subject lands are used for commercial purposes and the surrounding areas are designated for residential, recreational, and cemetery uses that do not represent an employment area which warrants provincial protection in our opinion.



Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

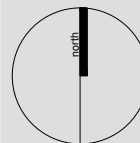
Figure 8
Proposed Provincially Significant Employment Zones

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- Subject Lands
- Proposed Provincially Significant Employment Zones
- Core Commercial (Oakville Official Plan)
- Mixed-Use (Mississauga Official Plan)
- Municipal Boundary

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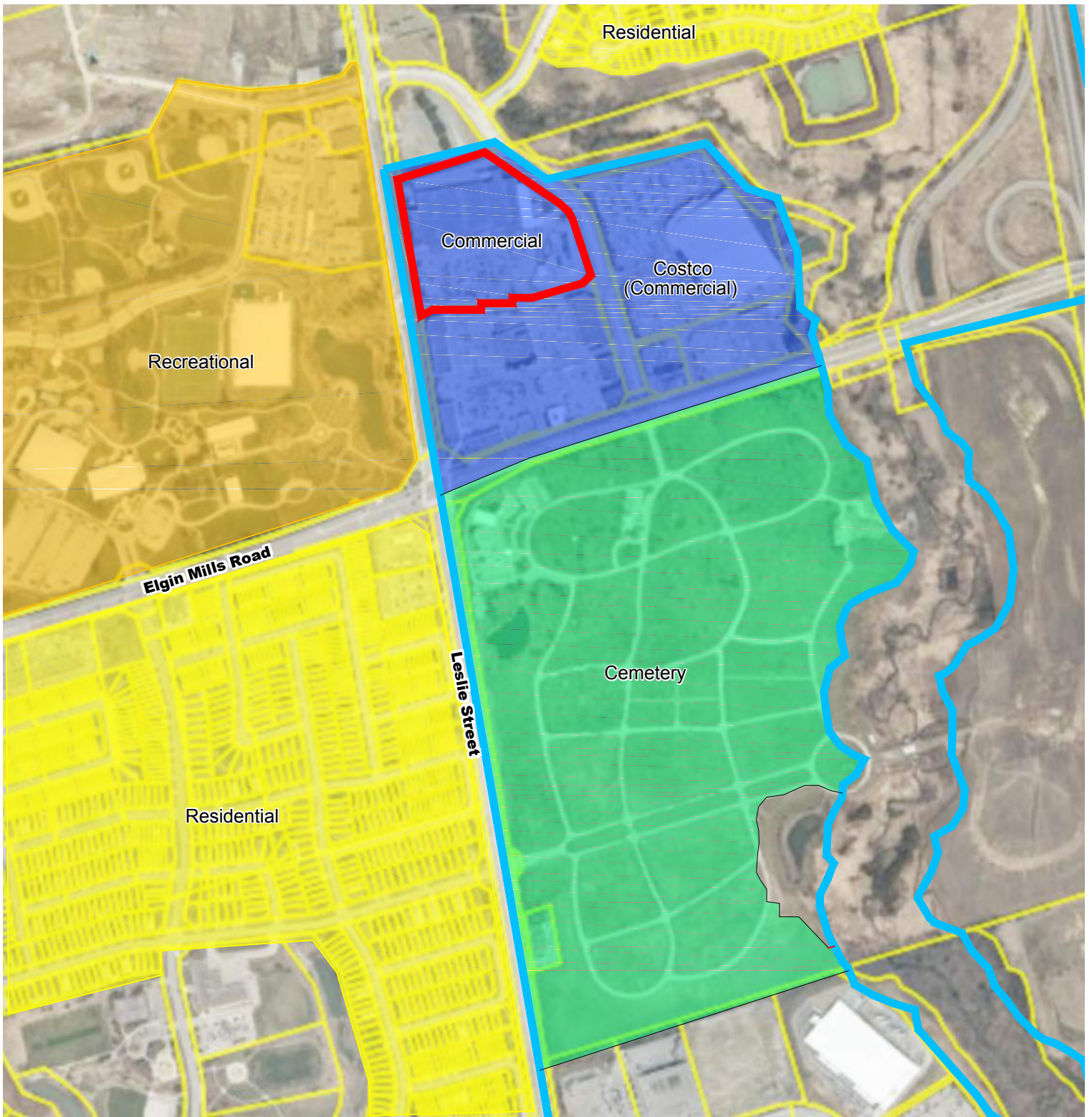
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**2555 Bristol Circle,
 Oakville, Ontario**

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Data Source: First base Solutions Aerial Flown 2018

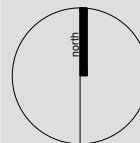
Figure 9
Proposed Provincially Significant Employment Zones

LEGEND

- Subject Lands
- Proposed Provincially Significant Employment Zones

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**10885 Leslie Street,
 Richmond Hill, Ontario**

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MHBC PLANNING
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 & LANDSCAPE
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 230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7
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Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
				Therefore we request removal from the PSEZ.

DURHAM REGION

Whitby

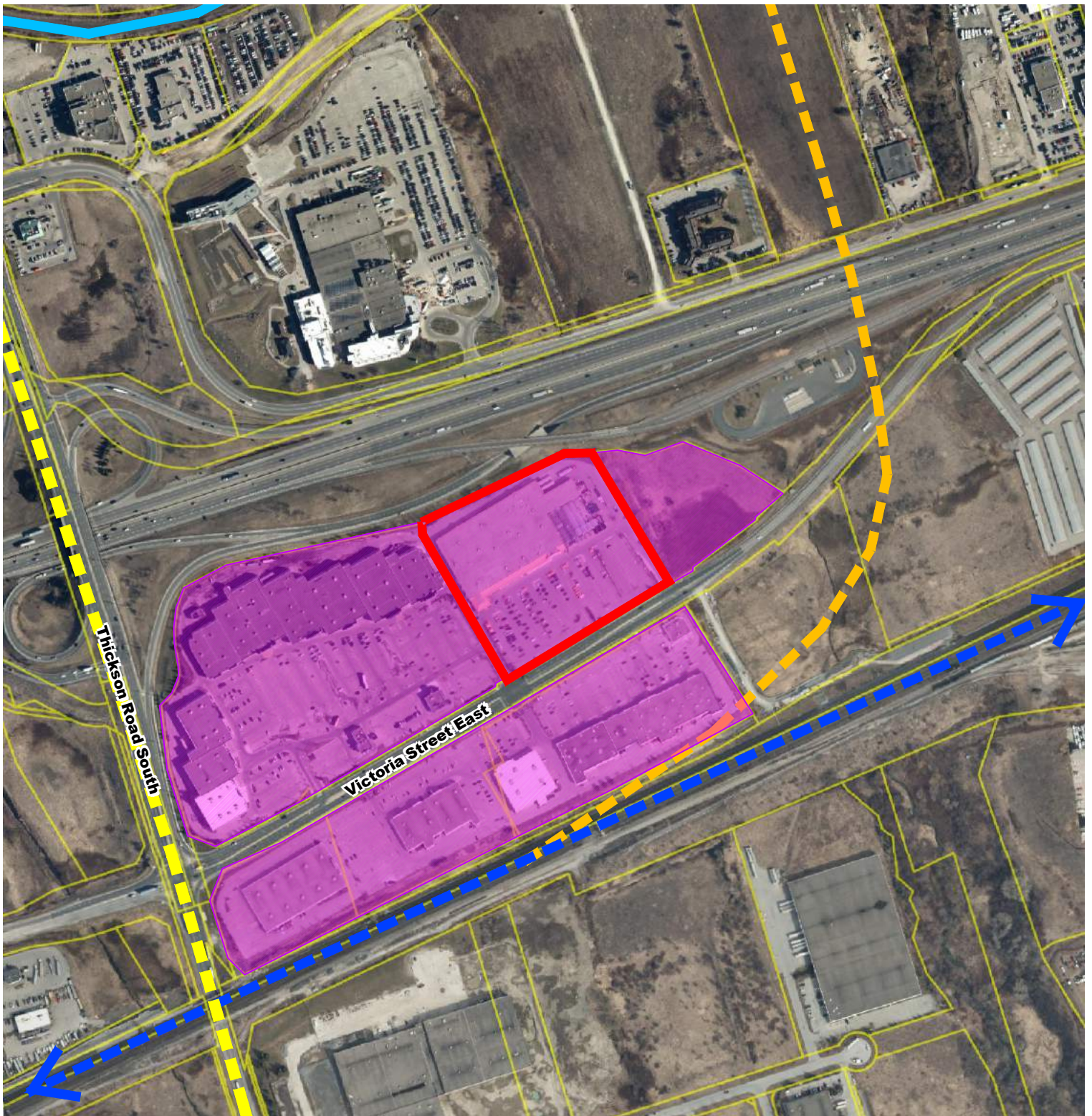
Home Depot owns one site identified within Provincially Significant Employment Area 2 (Oshawa and Whitby).

Site Address	Provincially Significant Employment Area	Major Transit Station Area (within 800 m)	Municipal OP Designation	Rationale for Removal
1700 Victoria Street East, (Figure 10)	Yes (Zone 2) outside of blue area but within black boundary	No, identified along a proposed intensification corridor (Victoria Street East) and future commuter rail line	Special Activity Node	The subject lands are used for commercial purposes and are designated special activity node which are primarily used for retail and commercial purposes. Furthermore the site and surrounding area do not represent an employment area which warrants provincial protection in our opinion. Therefore we request removal from the PSEZ to

SUMMARY

We therefore request the subject lands and surrounding lands be removed from the PSEZ. In addition, we request that should the mapping be modified that additional consultation is undertaken to ensure the mapping is accurate and request the Province undertake further consultation with affected landowners on PSEZ mapping where municipalities have requested increased PSEZ limits which was not subject this consultation.

We appreciate your attention to this matter and hope that our request to correct this mapping is undertaken.



Data Source: Government of Ontario- Proposed Provincially Significant Employment Zones Web Mapping (2018)

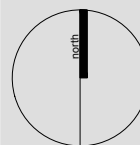
Figure 10
Proposed Provincially Significant Employment Zones

LEGEND

- Subject Lands
- Proposed Provincially Significant Employment Zones
- Commercial
- ↔ Existing Commuter Rail Line
- Future Commuter Rail Line
- Thickson Road Transit Spine

DATE: February 28, 2019

SCALE 1:6,000



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**1700 Victoria Street,
 Whitby, Ontario**


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Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'David McKay', written over a circular stamp or mark.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc.: Jacob Williams, Home Depot