

VIA EMAIL

May 15, 2023

Commissioner of Planning and Economic Development
c/o Envision Durham
Regional Municipality of Durham
605 Rossland Road East, PO Box 623
Whitby, ON L1N 6A3

Attention: Mr. Brian Bridgeman, Commissioner of Planning and Economic Development

**Re: Council Meeting on May 17, 2023, Item 7.1
Draft Regional Official Plan (May 2023), File: D12-01
Region of Durham Official Plan Review – Envision Durham
Comments on Behalf of Belmont Equity (Rossland Landing) Ajax Ltd.
Request for Conversion of Employment Lands CNR-14
1, 3, 5 and 7 Rossland Road East and 901 Harwood Avenue North
Ajax, Ontario**

Our File: BEP/AJX/19-01

For the Region of Durham Official Plan Review and the associated Municipal Comprehensive Review (MCR), we are the planning consultants for Belmont Equity (Rossland Landing) Ajax Ltd. ("Belmont"), which is the owner of the approximately 3.9 ha (9.5 ac) lands in the Town of Ajax known municipally as 1, 3, 5 and 7 Rossland Road East and 901 Harwood Avenue North (the "Belmont Lands"). A request for conversion (CNR-14) was submitted on behalf of Belmont on September 21, 2020 as noted in the context of Region of Durham Staff Report #2020-P-11. On June 9, 2021, Belmont revised the conversion request to the undeveloped 0.6 ha (1.4 ac) portion of the Belmont Lands (the "Belmont Conversion Request Lands"). On September 17, 2021, we provided comments for the Housing Intensification Technical Report and on October 22, 2021, we provided the comments for the Employment Strategy Technical Report. Lastly, on March 31, 2023, we provided the enclosed comments for the Draft Regional Official Plan dated February 2023.

It is our understanding from Region of Durham Staff Report 2023-P-15 dated May 17, 2023 that as part of the Region's Official Plan Review and MCR, that the Draft Regional Official Plan dated May 2023 ("Draft ROP") is recommended for adoption. Based upon our review of Staff Report 2023-P-15 and the Draft ROP, on behalf of Belmont we have preliminary comments as outlined below. We will continue to review the documents in more detail and may provide further comments as required.

REQUEST FOR CONVERSION AND STAFF RESPONSE

In our preliminary comments dated March 31, 2023 for the Draft Regional Official Plan dated February 2023, we reiterated the request for conversion for the Belmont Conversion

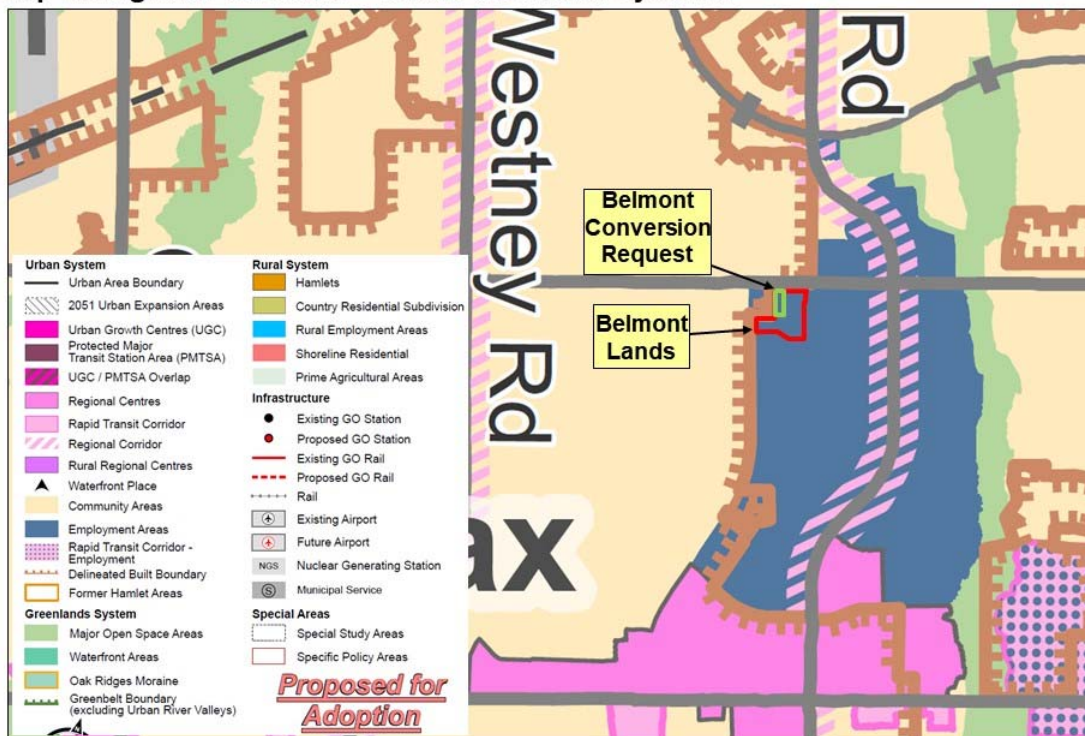
Request Lands. Under the original request and subsequent submissions, we set out the planning rationale for the conversion of the undeveloped 0.6 ha (1.4 ac) portion of the Belmont Lands for Community Area uses, including that the Belmont Conversion Request Lands if developed with high-density residential uses would add to the diversity of housing types in a neighbourhood node well served by public transportation and within walking distance to the mix of retail and community-based employment businesses, schools, the woodlot to the south and community uses.

In the response to our preliminary comments found in Report 2023-P-15, Staff stated “Staff’s position remains unchanged; regarding the requested conversion for CNR-14, also known as the Belmont lands. The Town of Ajax did not support the conversion request. Rossland Road East is a logical boundary between Employment Areas and Living Areas in this location. Existing permitted uses provide an appropriate transition between the Employment Areas to the south and Community Areas to the north. See Report #2021-P-25 regarding Employment Conversion Requests.”

DRAFT REGIONAL OFFICIAL PLAN (MAY 2023)

According to the Draft ROP, on Draft Map 1 Regional Structure – Urban & Rural Systems, the Belmont Lands are shown as Employment Areas and outside of the Built Boundary (see Figure 1). Accordingly, the Belmont Conversion Request has not been accommodated under a Community Areas designation for the Belmont Conversion Request Lands.

Draft Regional Official Plan (May 2023)
Map 1. Regional Structure – Urban and Rural Systems



Note: Boundary and location are approximate

BILL 97 AND THE DRAFT PROVINCIAL PLANNING STATEMENT

As noted in Staff Report 2023-INFO-29 dated April 21, 2023, the Province released a draft Provincial Planning Statement dated April 6, 2023 (“Draft PPS”), which corresponds with changes that are proposed to the *Planning Act* under Bill 97, which relate to the Provincial goal of achieving the construction of 1.5 million new homes by 2031. The Draft PPS represents a significant departure as it relates to Provincial Employment Areas policies.

The Draft PPS Staff Report 2023-INFO-29 states that “From an economic development and servicing perspective, *Employment Areas would be identified as areas that would be set aside principally for manufacturing, warehousing and goods movement. Major office, retail, and other population-serving uses would be excluded from these more focussed Employment Areas.* [emphasis added] Employment Areas would still be protected and preserved, but conversions would be allowed outside a municipal comprehensive review process” (p. 4).

According to the Draft PPS related to Employment Areas:

- Draft Policy 2.8.2.2 states “Planning authorities shall designate, protect and plan for all employment areas in settlement areas by: a) *planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities* [emphasis added]; b) *prohibiting residential uses, commercial uses, public service facilities and other institutional uses* [emphasis added]; c) *prohibiting retail and office uses that are not associated with the primary employment use*; d) prohibiting other sensitive land uses that are not ancillary to the primary employment use; and [emphasis added] e) including an appropriate transition to adjacent non-employment areas to ensure land use compatibility.”
- Draft Policy 2.8.2.3 states “3. Planning authorities shall assess and update employment areas identified in official plans to ensure that this designation is appropriate to the planned function of employment areas.”
- The Employment Areas definition is proposed to be changed to mean “those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. *Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above.* [emphasis added]”

According to the Proposed Approach to Implementation of the Proposed Provincial Planning Statement dated April 6, 2023 (“Proposed Implementation Approach”), the “Ministry is proposing to release the final policies for a short period of time before they take effect (targeting fall 2023). Any decision on a planning matter made on or after the effective date of the new policy document would be subject to the new policies”. As to Areas of Employment, the Proposed Implementation Approach states that Bill 97 “will, if passed, *change the definition in the Planning Act of “area of employment” to scope them to only those uses that cannot locate in mixed-use areas and require protection against conversion (e.g., heavy industry, manufacturing, large-scale warehousing, etc.)* [emphasis

added]. This change is proposed to take effect on proclamation, to facilitate alignment with the new policy document. *As many municipalities' existing employment areas currently allow a range of uses, including a mix of office, retail, industrial, warehousing, and other uses, time-sensitive official plan updates will be needed to align with the new definition. Once the proposed legislative and policy changes (if approved) take effect, areas that do not meet the definition would no longer be subject to policy requirements for "conversions" to non-employment uses [emphasis added].* To maintain the integrity of employment areas that are intended to remain protected over the long-term, municipalities should update their official plans to explicitly authorize the site-specific permission of any existing uses that do not align with the new definition."

CONCLUSION

The Draft PPS represents a significant change to Provincial Employment Areas policies, including the direction that a municipality's definition of Employment Areas must be consistent with the PPS (and not be more restrictive), including that commercial, retail and office uses would be prohibited from Employment Areas.

Under Bill 97 and the Draft PPS, the Belmont Lands that are developed with existing retail and office commercial uses (and not manufacturing and warehousing, and uses accessory or associated with such uses) would no longer fall under the definition of Employment Areas. Due to their size and configuration, as well as surrounding land uses and a location removed from proximity to major transportation corridors and/or goods movement infrastructure, the Belmont Lands are not appropriate for land extensive industrial uses such as manufacturing and warehousing, which is the intention of the Employment Areas designation. **In our submission, within the context of the emerging Provincial Policy and the planning rationale provided for the conversion request, a Community Areas designation permitting the existing uses along with residential uses would be appropriate for the Belmont Lands. Accordingly, we reiterate the request for conversion for the Belmont Conversion Request Lands to a Community Areas designation.**

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matter as well as notice of the adoption of the Official Plan Amendment.

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

Sincerely,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPl, MCIP, RPP
Principal Planner

cc. Belmont Equity (Rossland Landing) Ajax Ltd. (via email)
Envision Durham (via email)

APPENDIX A

Comments dated March 31, 2023

VIA EMAIL

March 31, 2023

Envision Durham
Planning and Economic Development
Regional Municipality of Durham
605 Rossland Road East, PO Box 623
Whitby, ON L1N 6A3

Attention: Envision Durham C/O Planning and Economic Development Department

**Re: Draft Regional Official Plan (February 2023), File: D12-01
Region of Durham Official Plan Review – Envision Durham
Comments on Behalf of Belmont Equity (Rossland Landing) Ajax Ltd.
Request for Conversion of Employment Lands CNR-14
1, 3, 5 and 7 Rossland Road East and 901 Harwood Avenue North
Ajax, Ontario**

Our File: BEP/AJX/19-01

For the Region of Durham Official Plan Review and the associated Municipal Comprehensive Review (MCR), we are the planning consultants for Belmont Equity (Rossland Landing) Ajax Ltd. (“Belmont”), which is the owner of the approximately 3.9 ha (9.5 ac) lands in the Town of Ajax known municipally as 1, 3, 5 and 7 Rossland Road East and 901 Harwood Avenue North (the “Belmont Lands”). A request for conversion (CNR-14) was submitted on behalf of Belmont on September 21, 2020 as noted in the context of Region of Durham Staff Report #2020-P-11. On June 9, 2021, Belmont revised the conversion request to the undeveloped 0.6 ha (1.4 ac) portion of the Belmont Lands (the “Belmont Conversion Request Lands”). On September 17, 2021, we provided comments for the Housing Intensification Technical Report and on October 22, 2021, we provided the enclosed comments for the Employment Strategy Technical Report.

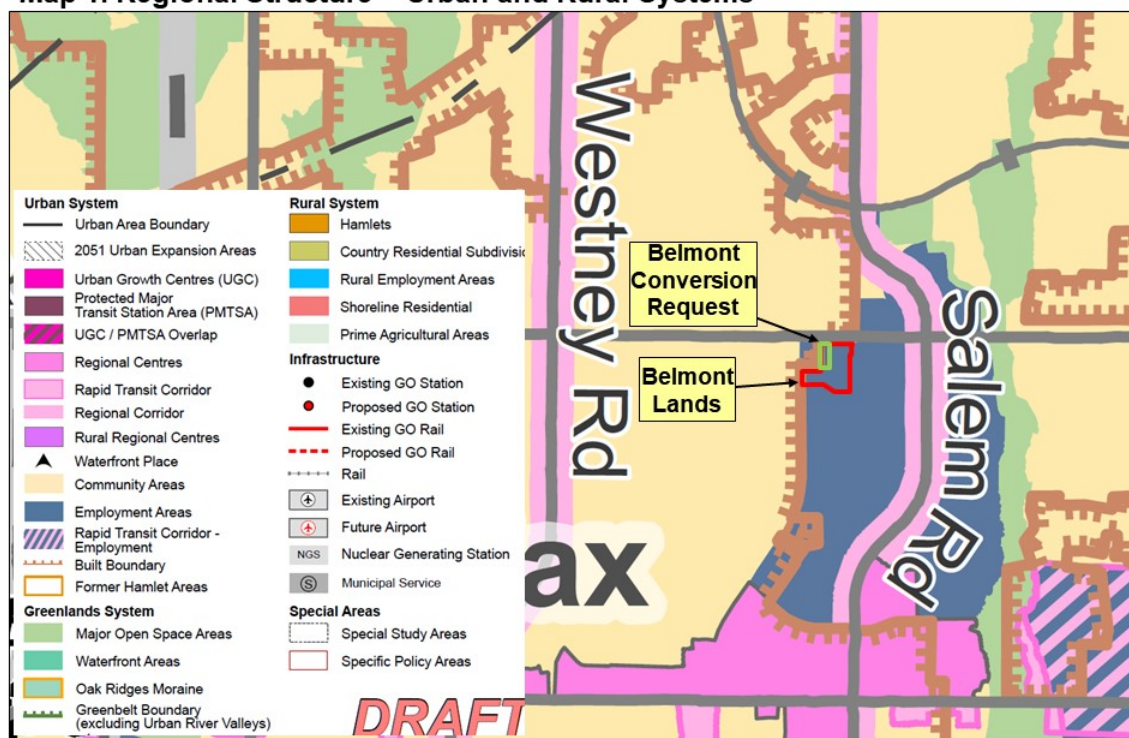
It is our understanding from Region of Durham Staff Report 2023-P-6 dated March 7, 2023 that as part of the Region’s Official Plan Review and MCR, that all submissions received on the Draft Regional Official Plan dated February 2023 will be referred to the Planning Division for consideration. Based upon our review of Staff Report 2023-P-6 and the Draft Regional Official Plan (“Draft ROP”), on behalf of Belmont we have preliminary comments as outlined below. We will continue to review the documents in more detail and may provide further comments as required.

According to the Draft ROP:

- On Draft Map 1 Regional Structure – Urban & Rural Systems, the Belmont Lands are shown as Employment Areas and outside of the Built Boundary (see Figure 1);
- On Draft Map 3a Transit Priority Network, Rossland Road along the frontage of the Belmont Lands is shown as High Frequency Transit Network;

- On Draft Map 3b Road Network, Rossland Road is shown as a Type B Arterial Road and Harwood is shown as a Type C Arterial Road;
- On Draft Map 3c Strategic Goods Movement Network, neither Rossland Road or Harwood form part of the Strategic Goods Movement Network; and
- On Draft Map 3d Active Transportation Network, Rossland Road along the frontage of the Belmont Lands is shown as Existing Primary Cycling Network (PCN) Facility.

Figure 1
Draft Regional Official Plan (February 2023)
Map 1. Regional Structure – Urban and Rural Systems



Note: Boundary and location are approximate

At this time, our preliminary comments for the Draft ROP are as follows:

- In the enclosed submission to the Region dated October 22, 2021, we requested that Staff reconsider their evaluation of CNR-14 in the context and justification for the Additional Area 2 - North Harwood Avenue Cluster (Ajax) located immediately to the north of the Belmont Lands, which according to Figure 1 are shown as Community Areas lands under the Draft ROP. We reiterate the request for conversion for the Belmont Conversion Request Lands. Under the original request and subsequent submissions, we set out the planning rationale for the conversion of the undeveloped 0.6 ha (1.4 ac) portion of the Belmont Lands for Community Area uses;
- The Belmont Conversion Request Lands represent an opportunity to achieve intensification in a suitable location that will achieve the Region of Durham

objectives under the in-effect Regional Official Plan and in the context of the Draft ROP. Under existing Policy 8C.3.2 (and corresponding Draft ROP Policy 10.3.9), the existing major retail uses on the Belmont Lands are permitted and effectively represent a de facto conversion of employment lands, although not for residential uses. Unlike other employment uses such as manufacturing and warehouse uses, major retail uses do not require separation from residential uses. Through the proposed conversion of the Belmont Conversion Request Lands to a Community Areas designation under the Draft ROP on Map 1, the Belmont Lands would effectively represent a “Mixed Use Employment Area” where the employment function and jobs would be maintained on the employment areas portion of Belmont Lands, while a residential component would be accommodated on the 0.6 ha (1.4 ac) undeveloped portion within a Community Areas designation;

- The Belmont Conversion Request Lands if developed with high-density residential uses would add to the diversity of housing types in a neighbourhood node well served by public transportation and within walking distance to the mix of retail and community-based employment businesses, schools, the woodlot to the south and community uses;
- The Draft ROP reflects the conversion of all of the Additional Area 2 - North Harwood Cluster lands to Community Area. In our submission, it does not make sense to convert this Additional Area 2, while leaving the Belmont Lands at the south-east corner of the intersection as the only remaining employment area at Rossland Road and Harwood Avenue. As the Belmont Lands are located at the western edge of the Employment Area and are separated from the Employment Area by the adjacent woodlot, stormwater management pond and wetland to the south and west, the Belmont lands are an isolated parcel of Employment Areas lands under the Draft ROP;
- Due to their size at 0.6 ha and configuration, as well as surrounding land uses and a location removed from proximity to major transportation corridors and/or goods movement infrastructure, the Belmont Conversion Request Lands are not appropriate for land extensive industrial uses such as manufacturing and warehousing, which is the intention of the Employment Areas designation;
- We reiterate that the Belmont Conversion Request Lands satisfy the criteria for conversion under Policy 2.2.5.9 of the Growth Plan (2019):

- Criteria a) “there is a need for the conversion”

The Region’s Land Needs Assessment concluded that there is a shortfall of Community Area lands. In our submission, the Belmont Conversion Request Lands can help fulfill the need for additional Community Area lands while maintaining retail and prestige employment uses at grade and provide for additional prestige employment uses on the second floor with residential above as components of a mixed-use building.

- Criteria b): “the lands are not required over the horizon of this Plan for the employment purposes for which they are designated”

The Belmont Conversion Request Lands are shown as "Built" under the Region’s Employment Lands Inventory (2018). Therefore, their conversion will

not have an impact on the supply of underutilized or vacant Employment Area lands and the Region's ability to achieve the employment forecasts. The total job yield on the entirety of the Belmont Lands will be maintained with the conversion, as the existing commercial uses will remain, while the Belmont Conversion Request Lands will maintain retail and prestige employment uses at grade and provide for additional prestige employment uses on the second floor with residential above as components of a mixed-use building.

- Criteria c) "the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan"

In our submission, the 0.6 ha Belmont Conversion Request Lands that are considered "Built" under the Region's Employment Lands Inventory (2018) are insignificant in the context of the 1,171 ha of land within Urban Employment Areas needed to accommodate anticipated job growth to 2051 (based on the Durham Region Growth Management Study (G.M.S.) – Phase 2 dated October 17, 2022). The 0.6 ha Belmont Conversion Request Lands are unlikely to develop for industrial or office uses.

- Criteria 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"

The Belmont Conversion Request Lands are separated from the main body of the Employment Area to the south and east due to the existing mixed-use commercial development on the Belmont Lands as well as the woodlot, stormwater management pond and wetland. The lands to the north are shown as Community Areas under the Draft OP. While located in the Designated Growth Area and not the Built-up Area, the Belmont Conversion Request Lands will still help to fulfill a market need to provide a diverse range of housing options.

- Criteria e) "there are existing or planned infrastructure and public service facilities to accommodate the proposed uses"

Any enhancements for existing and planned infrastructure needed for the 0.6 ha Belmont Conversion Request Lands would be in the context of enhancements required for new development within the approximately 40 h adjacent Additional Area 2 - North Harwood Avenue Cluster (Ajax) lands to the north that are shown as Community Areas under the Draft ROP.

- The conversion request is supported in the context of the existing Regional Official Plan. In our submission, the conversion request is supported by the Draft ROP policies as well, including as follows:
 - In general, the goals and policies of the Draft ROP focus on providing a wide range of diverse housing options with additional residential units on vacant or underdeveloped lands such as the Belmont Conversion Request Lands and planning for complete communities that improve the quality of life for residents including through encouragement of the creation of residential units above commercial uses. According to Section 3.3, the Region is committed to building

- complete communities that are walkable, well-connected, age-friendly and have a mix of housing options that foster community safety and well-being;
- Draft ROP Policy 3.3.1 supports the development of healthy, sustainable and complete communities that incorporate a mix of housing options, employment opportunities and community hubs (a clustering of community uses, services, facilities, and shopping), which would be represented by the Belmont Lands with the addition of residential uses on the Belmont Conversion Request Lands;
 - The addition of residential uses on the Belmont Conversion Request Lands would make efficient use of existing and planned infrastructure, including transit, municipal water and sewage services, and public service facilities by representing development on a Local Corridor along Rossland Road (Draft ROP Policy 5.1.8 states “Strive to ensure development within Urban Areas makes efficient use of land, and supports the efficient use of existing and planned infrastructure, including transit, municipal water and sewage services, and public service facilities, by prioritizing and promoting intensification, redevelopment and growth within:… b) … Local Corridors”);
 - The addition of residential uses on the Belmont Conversion Request Lands would contribute to the creation of a complete community that would include a mix and diversity of uses and amenities on the Belmont Lands, where the vacant portion of the Belmont Lands are underutilized (Draft ROP Policy 5.1.15 states “Support the planning and development of Urban Areas as complete communities … Development within Urban Areas will be supported on the basis of the following principles: … b) logical and sequential development patterns, with new development generally taking place adjacent to existing developed areas … c) a mix and diversity of uses and amenities offering convenient access to local amenities, community hubs, parks, trails, open spaces and other recreational facilities, services, shopping, job opportunities and public service facilities; … f) existing underutilized shopping centres and plazas are encouraged to redevelop at higher densities with a mix of uses including residential uses, incorporating transit supportive and pedestrian-oriented built form, particularly within Strategic Growth Areas); and
 - The Belmont Conversion Request Lands are located on a Local Corridor and are an appropriate location for higher density residential uses (Draft ROP Policy 5.3.14 states “Promote Local Centres as locations for higher density residential uses, concentrations of commercial and retail uses, and public service uses and other community-based uses and amenities, at scale suitable to their surrounding communities”).

In addition, we have preliminary comments for specific draft policies of the Draft ROP as follows:

- Draft ROP Policy 5.5.19 states “Permit, on a limited basis, standalone uses that support and serve the overall function of the Employment Area including but not limited to restaurants, personal service and retail uses. Such uses shall be limited in size and scale in area municipal official plans and zoning by-laws to ensure they only form a minor component of the overall Employment Area (e.g. 10% of the

gross floor area), with individual uses not exceeding 500 square metres”, which represents revised language based upon existing Policy 8C.2.12 that states “Limited personal service and retail uses, serving the immediate designated Employment Area may be permitted as a minor component (e.g. 10%) of the aggregate gross floor area of the uses in the designated Employment Area, subject to the inclusion of appropriate provisions in the area municipal official plan and/or zoning by-law. In any case, a single use shall not exceed 500 m2.”

We request clarification as to the intention for the inclusion of the “stand alone” language, and if it is intended to differentiate uses that are not associated with an employment use as opposed to reflecting a built form where a use would only be permitted in a stand alone building; and

- Draft ROP Policy 5.5.20 states “Permit, notwithstanding Policy 5.5.19, standalone uses that support the overall function of the Employment Area up to a maximum of 2,000 square metres by amendment to an area municipal plan and zoning by-laws, subject to the following conditions: ...”. As Draft ROP Policy 5.5.20 is not found within the current ROP, and in order to provide for clarity, the site specific Draft ROP Policy 10.3.9 for the Belmont lands should be updated so as to notwithstanding Draft ROP Policy 5.5.20 (i.e., the text should be updated to “Permit, notwithstanding Policies 5.5.11, ~~and~~ 5.5.19 **and 5.5.20** or any other policies of this Plan to the contrary, the retailing of goods and services and personal service uses, including single uses in excess of 500 square metres, and major retail uses may also be permitted ...” from “Permit, notwithstanding Policies 5.5.11 and 5.5.19 or any other policies of this Plan to the contrary, the retailing of goods and services and personal service uses, including single uses in excess of 500 square metres, and major retail uses may also be permitted...”).

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 matter as well as notice of the adoption of the Official Plan Amendment.

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

Sincerely,

ZELINKA PRIAMO LTD.



Jonathan Rodger, MScPI, MCIP, RPP
Principal Planner

cc. Belmont Equity (Rossland Landing) Ajax Ltd. (via email)

APPENDIX A

Comments for the Employment Strategy Technical Report dated October 22, 2021



VIA EMAIL

October 22, 2021

Envision Durham
Planning and Economic Development
Regional Municipality of Durham
605 Rossland Road East, PO Box 623
Whitby, ON
L1N 6A3

Attention: Envision Durham C/O Planning and Economic Development Department

**Re: Employment Strategy Technical Report (File D12-01)
Region of Durham Official Plan Review – Envision Durham
Comments on Behalf of Belmont Equity (Rossland Landing) Ajax Ltd.
Request for Conversion of Employment Lands CNR-14
1, 3, 5 and 7 Rossland Road East and 901 Harwood Avenue North
Ajax, Ontario**

Our File: BEP/AJX/19-01

For the Region of Durham Official Plan Review and the associated Municipal Comprehensive Review (MCR), we are the planning consultants for Belmont Equity (Rossland Landing) Ajax Ltd. (“Belmont”), which is the owner of the approximately 3.9 ha (9.5 ac) lands in the Town of Ajax known municipally as 1, 3, 5 and 7 Rossland Road East and 901 Harwood Avenue North (the “Belmont Lands”). A request for conversion (CNR-14) was submitted on behalf of Belmont on September 21, 2020 as noted in the context of Region of Durham Staff Report #2020-P-11. On June 9, 2021, Belmont revised the conversion request to the undeveloped 0.6 ha (1.4 ac) portion of the Belmont Lands (the “Belmont Conversion Request Lands”). On September 17, 2021, we provided comments for the Housing Intensification Technical Report.

It is our understanding from the Region of Durham Staff Report 2021-INFO-97 dated September 24, 2021 that as part of the Region’s Official Plan Review and MCR, the Employment Strategy Technical Report (“Employment Strategy”), which is the third of four technical reports prepared in support of the Land Needs Assessment (LNA), was released for agency and public comment, while the complete LNA with all supporting technical reports will be brought forward to Committee in the fall of 2021. Based upon our review of Staff Report 2021-INFO-97 and the Employment Strategy, on behalf of Belmont we have preliminary comments as outlined below, including in particular that we respectfully request that Staff reconsider their evaluation of CNR-14 in the context and justification for the Additional Area 2 - North Harwood Avenue Cluster (Ajax) located immediately to the north of the Belmont Lands. We will continue to review the documents in more detail and may provide further comments as required.

At this time, our preliminary comments for the Employment Strategy and recommendations for CNR-14 are outlined below.

Commercial Market Considerations

- The Employment Strategy states “As the regional economy continues to evolve, there are increasing needs and pressures for Employment Areas to accommodate commercial, service, retail and community/institutional uses. To varying degrees, ancillary uses, such as restaurants, entertainment facilities and personal services (e.g. dry cleaners and service or repair shops) are permitted in Employment Areas with the intention that these uses support and/or complement employment uses.” (p. 26)
- In our submission, the existing development on the Belmont Lands provides for commercial uses, while the preliminary Concept Design Package that was prepared as part of the conversion request to confirm development feasibility for a 14-storey residential building to be located on the Belmont Conversion Request Lands will maintain retail and prestige employment uses at grade and provide for additional prestige employment uses on the second floor with residential above as components of a mixed-use building.

Industrial Market Considerations

- The Employment Strategy states “Over the past decade, industrial development in the GTHA has been largely oriented to large-scale industrial buildings housing wholesale trade, transportation/warehousing and multi-tenant industrial condominiums, accommodating a range of industrial and non-industrial uses ... Location factors play a key role in the distribution of the dominant business clusters visible across the Region today, such as manufacturing, transportation/logistics, utilities, wholesale trade, and construction ... access to transportation infrastructure is critical, including direct or unencumbered access to major highways, proximity to intermodal facilities and other regional transportation infrastructure such as regional airports.” (pp. 36-37)
- In our submission, due to their size at 0.6 ha and configuration, as well as surrounding land uses and a location removed from proximity to major transportation corridors and/or goods movement infrastructure, the Belmont Conversion Request Lands are not appropriate for land extensive industrial uses.

Office Market Considerations

- The Employment Strategy states “Office development and the employment sectors they typically accommodate have certain site-specific requirements, including: access to skilled labour; proximity to related industry clusters (companies and public institutions such as universities); access to high-order public transit and major highways; and access to on-site amenities/services and proximity to off-site services.” (pp. 38-39)
- In addition, the Employment Strategy states “Looking forward, market demand for stand-alone office space is anticipated to strengthen over the long term within mixed-use environments, such as within Durham’s proposed MTSA’s, which will be transit-supportive, pedestrian-oriented and will offer proximity/access to amenities,

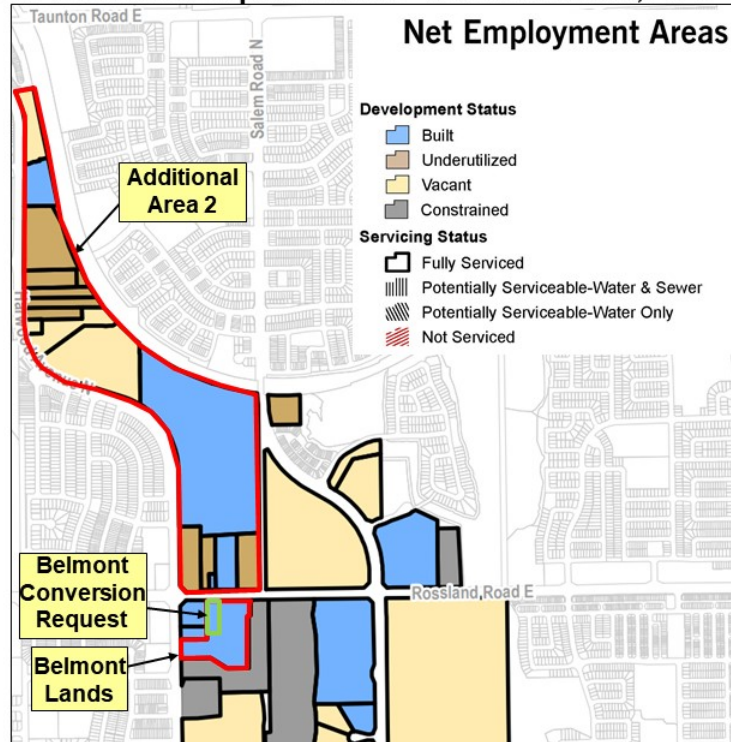
entertainment, cultural activities, and public spaces. There is also likely to be a growing trend for office development within mixed-use developments featuring residential and retail components.” (p. 39)

- The Employment Strategy goes on to state “It is anticipated that the long-term market for office-based employment within Durham will be largely focused within the Region’s mixed-use areas and Employment Areas that are characterized and potentially designated as “Prestige Employment” or “Business Park” in area municipal Official Plans.” (p. 67)
- Lastly, the Employment Strategy states “Office Development Potential Outweighs Demand – In planning for MTSAs, the Region and its area municipalities should be realistic about the amount of office growth that might be attracted to these areas over the planning horizon. While OPs have provisions in place to encourage office development, the reality is that potential supply outweighs demand.” (p. 80)
- In our submission, the Belmont Lands have limited market potential for larger office uses due to lack of on-site parking (since providing structured parking to support an office development in this market is not financially viable) and limited access to major transit and major highways.

Employment Land Supply

- The Employment Strategy states “Durham Region has approximately 2,550 gross ha (6,300 gross acres) of developed urban employment land ... The Region has a designated vacant urban employment land supply of 2,389 gross ha (5,903 gross acres).” (p. 43)
- In addition, the Employment Strategy states “Based on a 15% intensification target and an overall target employment density of 26 jobs per gross ha, the Region will require a total of 3,130 gross ha of land within Urban Employment Areas to accommodate anticipated job growth to 2051, which will require the addition of 1,164 ha of land designated as Employment Areas in the Regional Official Plan.” (p. 96)
- The Belmont Conversion Request Lands are shown as "Built" under the Region's Employment Lands Inventory (2018) (see Figure 1). The 0.6 ha Belmont Conversion Request Lands are insignificant in the context of the Region's employment land supply and in the context of the 3,130 gross ha of land within Urban Employment Areas needed to accommodate anticipated job growth to 2051. Therefore, their conversion will not have an impact on the supply of underutilized or vacant Employment Area lands and the Region's ability to achieve the employment forecasts.

Figure 1
Region of Durham – Employment Lands Inventory (2018) and the Belmont
Lands, Region of Durham Report #2020-P-11 dated June 2, 2020 – Attachment #8



Employment Land Density

- The Employment Strategy states “Reflective of anticipated trends in employment growth and employment density by sub-sector, as previously discussed, it is anticipated that forecast employment growth within Employment Areas over the 2019 to 2051 period will average 32 jobs/net ha (13 jobs/net acre). Comparatively, forecast employment densities are anticipated to be significantly higher than employment density levels recently achieved across Durham Region’s Employment Areas over the 2011 to 2019 period.” (p. 72)
- In addition, the Employment Strategy states “It is recommended that the Region of Durham plan for a minimum average density target of 26 employees per hectare for all Urban Employment Areas in Durham Region by 2051.” (p. 86)
- In our submission, with a mixed-use building (retail and prestige employment uses at grade, additional prestige employment uses on the second floor and residential uses above) on the Belmont Conversion Request Lands, the total job yield on the entirety of the Belmont Lands can be maintained and improved well in excess of the overall Regional target employment density of 26 jobs per ha by 2051 as recommended in the Employment Strategy.

Location and Sensitive Uses

- The Employment Strategy states “Employment uses in Employment Areas ... primarily accommodate industries that require adequate separation from sensitive land uses (e.g. residential uses, education and health care facilities, day care centres). Designating new Employment Areas in a municipality becomes challenging without adequate consideration for the requirements that support their success. For these reasons, it becomes increasingly important to protect existing Employment Areas because they provide the opportunity to accommodate employment uses that cannot be easily accommodated in other areas of the Region.” (p. 93)
- “Urban Employment Areas require ... separation from sensitive land uses (i.e. residential uses). They also benefit from locating within proximity to similar employment uses.” (p. 43)
- In our submission, the Belmont Conversion Request Lands are compatible with surrounding land use permissions and potential land use conflicts can be mitigated. The Belmont Conversion Request Lands are located in close proximity to existing sensitive uses, including residential uses to the west, schools immediately to the north and a day care on-site. The Additional Area 2 - North Harwood Avenue Cluster (Ajax) located immediately to the north of the Belmont Lands that is recommended for conversion and the adjacent lands to the south and east designated Environmental Protection provide for separation for employment lands located to the south and east (see Figures 2 and 3).

Figure 2
Town of Ajax, Official Plan, Schedule A-1 Land Use (Jan. 15, 2016)

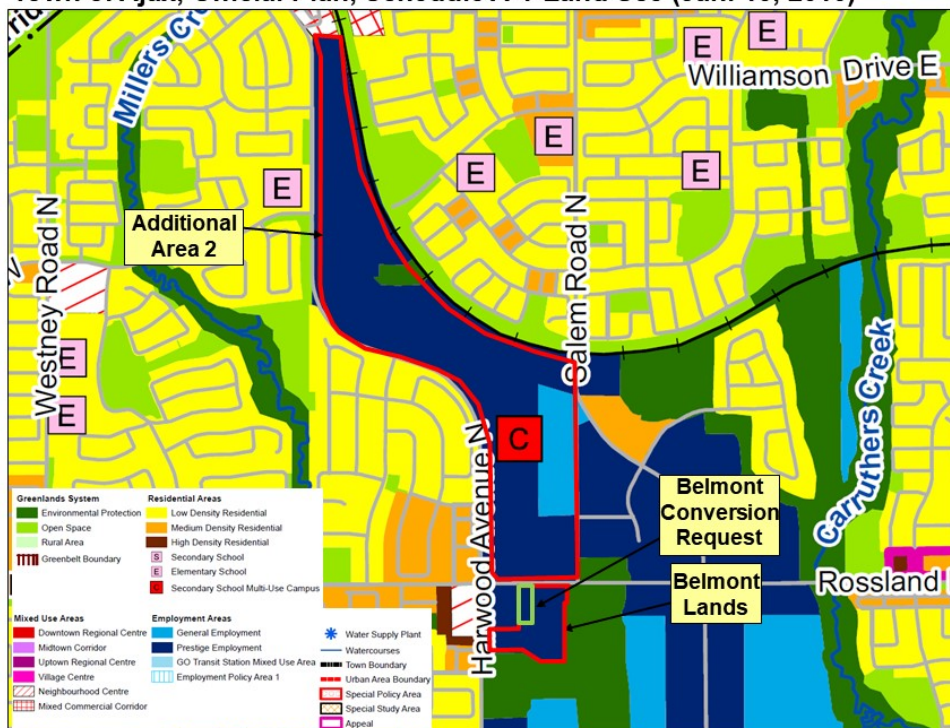


Figure 3
The Belmont Lands, Conversion Request CNR-14 (Approx. 0.6 ha) and
Additional Area 2 – North Harwood Avenue Cluster

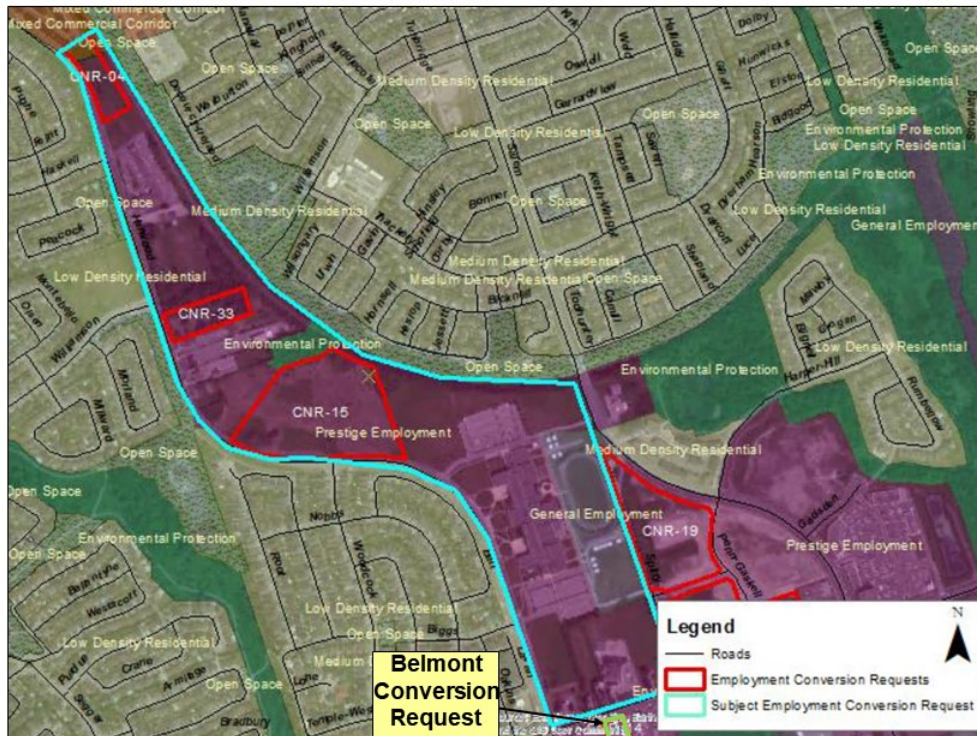


Conversion Requests

- The Employment Strategy states “Regional staff and the Consultant Team has undertaken a site-by-site review of each of the 45 active proposed Employment Area conversion sites ... to determine if a conversion to a non-employment use is appropriate and justified from a planning, economic/market demand and long-term urban land needs perspective. Additional sites that were not subject to a private request, but merited consideration for conversion due to strategic location, constraint for employment use, and other factors were also considered. This exercise was completed under the provincial policy framework as set out in the PPS and the Growth Plan.” (p. 57)
- In addition, the Employment Strategy states the “Employment Area lands north of Rosland Road, west of the CP Rail Corridor, which can be described as a sliver of employment area lands generally surrounded by residential development [(see Figure 4)], have been designated for employment purposes since the early 1990s, but includes detached dwellings as well as a host of community-oriented uses including two secondary schools, places of worship, service commercial uses, as well as recreational uses which are incompatible with employment type uses. Many of the uses are sensitive in nature, such as schools and a long-term care facility which is being developed as a part of a recently approved MZO (O. Reg 438/20). The total area of the site is approximately 49 ha which includes the Employment

Area parcels under request for conversion: CNR-04, CNR-15 and CNR-33. The Employment Area, excluding the lands under separate conversion requests previously noted, is approximately 40 ha.” (p. 59)

Figure 4
Region of Durham – Employment Strategy Technical Report
Appendix D: Additional Area 2 – North Harwood Avenue Cluster (Ajax)

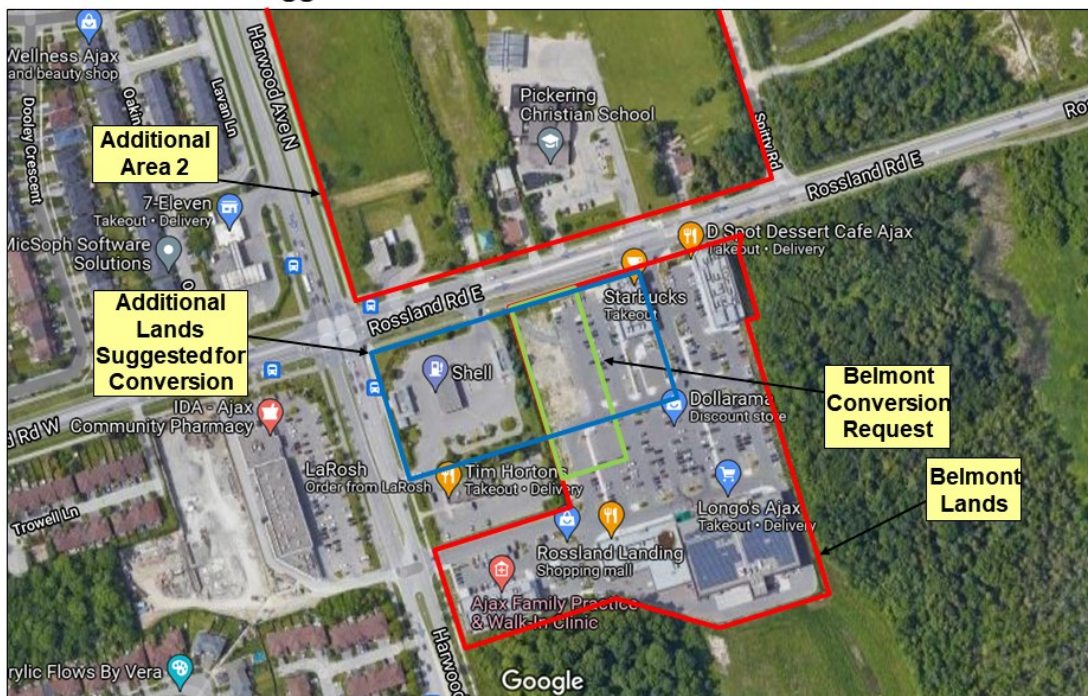


Note: Boundary and location are approximate

- Based upon our review of the Employment Strategy evaluation of the Belmont Conversion request CNR-14, we have provided responses to the commentary based on the Regional Conversion Criteria (see Appendix A). In general, it appears that the evaluation of CNR-14 in the Employment Strategy was prepared in the absence of the context of the Additional Area 2 - North Harwood Avenue Cluster (Ajax) located immediately to the north of the Belmont Lands that is recommended for conversion. Based upon our review and responses to the Employment Strategy evaluation, the only criteria for conversion that are not met are that the conversion request CNR-14 is not within an MTSA and the conversion request was not supported by the Town of Ajax Council. We respectfully request that Staff reconsider their evaluation of CNR-14 in the context and justification for the Additional Area 2 - North Harwood Avenue Cluster (Ajax) located immediately to the north of the Belmont Lands.
- In the context of Regional Planning Staff having, on their own initiative, recommended conversion of all the Additional Area 2 - North Harwood Cluster as far south as Rossland Road, Belmont would be receptive to considering a similar initiative by Staff to mirror the proposed conversion of the north frontage of Rossland, on the south side of the road (see Figure 5). The urban design and

planning context would be stronger with both sides of Rossland at this location featuring the same kind of development. This approach could create an intensification opportunity at this node, creating a walkable complete community with access to public transportation. It does not make sense to convert this Additional Area 2, while leaving the Belmont Lands at the south-east corner of the intersection as the ONLY remaining employment area at this node.

Figure 5
Region of Durham – Employment Strategy Technical Report
Appendix D: Additional Area 2 – North Harwood Avenue Cluster (Ajax)
Additional Lands Suggested for Conversion



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 matter as well as notice of the adoption of the Official Plan Amendment. Should you have any questions, or require further information, please do not hesitate to call.

Sincerely,

ZELINKA PRIAMO LTD.

JR

Jonathan Rodger, MScPI, MCIP, RPP
 Senior Associate

cc. Belmont Equity (Rossland Landing) Ajax Ltd. (via email)

APPENDIX A

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
PPS (a)	1.3.2.4 – Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.	As per the draft LNA, there is a shortfall of Community Lands, therefore a need for additional Community Area lands.	Noted.
PPS (b)		Results of draft LNA have identified that the lands are required for employment purposes over the long term.	The Belmont Conversion Request Lands are shown as "Built" under the Region's Employment Lands Inventory (2018) (see Figure 1). Therefore, their conversion will not have an impact on the supply of underutilized or vacant Employment Area lands and the Region's ability to achieve the employment forecasts. In contrast, the 40 ha Additional Area 2 - North Harwood Avenue Cluster (Ajax) that is recommended for conversion under the Employment Strategy and located immediately to the north of the Belmont Lands (not including 9 ha under request for conversion: CNR-04, CNR-15 and CNR-33) includes parcels that form part of the Region's vacant and underutilized land supply. Lastly, the total job yield on the entirety of the Belmont Lands will be maintained with the conversion, as the existing commercial uses will remain, while the Belmont Conversion Request Lands will maintain retail and prestige employment uses at grade and provide for additional prestige employment uses on the second floor with residential above as components of a mixed-use building.

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
Growth Plan Policy 2.2.5.9	The conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:		
Growth Plan (a)	There is a need for the conversion;	As per the draft LNA, there is a shortfall of Community Lands, therefore a need for additional Community Area lands.	Noted. The Belmont Conversion Request Lands can help fulfill the need for additional Community Area lands while maintaining retail and prestige employment uses at grade and provide for additional prestige employment uses on the second floor with residential above as components of a mixed-use building.
Growth Plan (b)	The lands are not required over the horizon of this Plan for the employment purposes for which they are designated;	Results of draft LNA have identified that the lands are required for employment purposes for which they are designated.	The Belmont Conversion Request Lands are shown as "Built" under the Region's Employment Lands Inventory (2018) (see Figure 1). Therefore, their conversion will not have an impact on the supply of underutilized or vacant Employment Area lands and the Region's ability to achieve the employment forecasts. In contrast, the 40 ha Additional Area 2 - North Harwood Avenue Cluster (Ajax) that is recommended for conversion under the Employment Strategy and located immediately to the north of the Belmont Lands includes parcels that form part of the Region's vacant and underutilized land supply. Lastly, the total job yield on the entirety of the Belmont Lands will be maintained with the conversion, as the existing commercial uses will remain, while the Belmont Conversion Request Lands will maintain retail and prestige employment uses at grade and provide for additional prestige employment uses on the second floor with residential above as components of a mixed-use building.

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
Growth Plan (c)	The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;	Since there is an anticipated shortfall of employment lands to 2051, the Municipality will not be able to maintain sufficient employment lands to accommodate forecast growth over the plan horizon.	The 0.6 ha Belmont Conversion Request Lands that are considered "Built" under the Region's Employment Lands Inventory (2018) are insignificant in the context of the 3,130 gross ha of land within Urban Employment Areas needed to accommodate anticipated job growth to 2051 (based on the Employment Strategy). The 0.6 ha Belmont Conversion Request Lands are unlikely to develop for industrial or office uses. The evaluation for the 40 ha Additional Area 2 - North Harwood Avenue Cluster (Ajax) that is recommended for conversion under the Employment Strategy and located immediately to the north of the Belmont Lands featured the identical comment for Growth Plan (c).
Growth 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	The conversion of the site will adversely impact the overall viability of the employment area.	The Belmont Conversion Request Lands are separated from the main body of the Employment Area to the south and east due to the existing mixed-use commercial development on the Belmont Lands as well as the woodlot, stormwater management pond and wetland. In addition, the 40 ha Additional Area 2 - North Harwood Avenue Cluster (Ajax) that is recommended for conversion under the Employment Strategy is located immediately to the north of the Belmont Lands, for which the Employment Strategy notes that "The conversion of the [40 ha] site will not adversely impact the overall viability of the remainder of the broader Carruthers Creek Employment Area."

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
		<p>The site is located within the DGA. The proposed conversion will not contribute to Region and Area Municipality's ability to achieve the intensification targets set forth in the Growth Plan.</p>	<p>While located in the Designated Growth Area and not the Built-up Area, the Belmont Conversion Request Lands will still help to fulfill a market need to provide a diverse range of housing options. For the Additional Area 2 - North Harwood Avenue Cluster (Ajax) to the north that is recommended by Staff for conversion, Staff note that "The majority of the site is located within the BUA", whereby being within the Built-up Area is not a pre-condition for conversion.</p>
		<p>Based on the draft LNA conducted, the Region can achieve the density targets without conversion of the site.</p>	<p>In our submission, the Belmont Conversion Request Lands will help to fulfill a market need to provide a diverse range of housing options.</p>
<p>Growth Plan (e)</p>	<p>There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.</p>	<p>Proposed conversion will result in a need for enhancing infrastructure or public service facilities.</p>	<p>For the Additional Area 2 - North Harwood Avenue Cluster (Ajax) that is recommended for conversion, the Employment Strategy states "Proposed conversion may result in a need for enhancing infrastructure or public service facilities." Accordingly, any enhancements for existing and planned infrastructure needed for the 0.6 ha Belmont Conversion Request would be in the context of enhancements required for new development within the adjacent Additional Area 2 - North Harwood Avenue Cluster (Ajax) lands.</p>

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
Location	The site is not located in proximity to major transportation corridors (e.g. highways, goods movement network, cross-jurisdictional connections) and goods movement infrastructure (e.g. airports, intermodal yards, and rail).	The site is located on Arterial Road B (Rossland Ave) and is about 4 km from Highway 401.	As stated in the 2021 Employment Strategy "Urban Employment Areas require access to transportation infrastructure (including goods movement infrastructure)" (p. 43) and "Employment uses in Employment Areas (e.g. manufacturing, warehousing and logistics) typically require large tracts of land with good access to trade corridors near major highway interchanges and other major transportation facilities, such as ports, rail yards, intermodal facilities and airports" (p. 93). In our submission, the Belmont Conversion Request Lands do not offer direct access to major transportation corridors and/or goods movement infrastructure, including Highways 401 and 412, airports, harbours/ports or railways. For the Additional Area 2 - North Harwood Avenue Cluster (Ajax) to the north that is recommended for conversion, the Employment Strategy states that the "Site is in proximity to Arterial Road A (Taunton Rd) and Highway 412." The Belmont Lands do have direct access to Rossland Road East (Type B Arterial Road) and Harwood Avenue North (Type C Arterial Road) as shown under the Region of Durham Official Plan, however these roads are not situated, designed or promoted as major transportation corridors and/or goods movement infrastructure.

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
Access	The site does not offer direct access to major transportation corridors (e.g. highways, goods movement network, cross-jurisdictional connections) and goods movement infrastructure (e.g. airports, intermodal yards, and rail).	The site has direct access from an arterial road, which is also a major transportation corridor.	The Belmont Conversion Request Lands do not offer direct access to major transportation corridors and/or goods movement infrastructure, including Highways 401 and 412, airports, harbours/ports or railways. In contrast, for the Additional Area 2 - North Harwood Avenue Cluster (Ajax) to the north that is recommended for conversion, the Employment Strategy states "Site does not have direct access to a Highway or the strategic goods movement network." The size of the Belmont Conversion Request Lands at 0.6 ha is not sufficiently large accommodate warehouse or manufacturing uses that benefit from access to a strategic goods movement network and the market for office uses on the Lands is limited.

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
Employment Area Configuration	The site is located outside or on the fringe of an assembly of Employment Areas.	The site is located towards the western end of the Carruthers Creek Business Park and is part of the broader contiguous Employment Area. Conversion of the site has the potential to result in encroachment / erosion of the broader Employment Area.	The Belmont Lands currently form part of a community hub that includes retail and commercial uses (including a supermarket), gas stations, schools and a daycare. The Belmont Conversion Request Lands are located on the fringe of the Carruthers Creek Business Area and are separated from the broader contiguous Employment Area to the south and east due to the existing mixed-use commercial development on the Belmont Lands as well as the woodlot, stormwater management pond and wetland, while the Additional Area 2 - North Harwood Avenue Cluster (Ajax) lands located immediately to the north of the Belmont Lands are recommended for conversion under the Employment Strategy (see Figure 3). The evaluation for the Additional Area 2 - North Harwood Avenue Cluster (Ajax) lands does raise any concerns with encroachment / erosion of the broader Employment Area. Accordingly, there is limited potential for the Belmont Conversion Request Lands to result in encroachment / erosion of the broader Employment Area.
Site Configuration	The site offers limited market supply potential for Employment Areas development due to size, configuration, access, physical conditions, servicing constraints, etc.	The site is large, irregular shaped, with a gross area of 3.9 ha. The revised conversion request applies to a 0.6 hectare portion of the site. The majority of the site functions as a commercial plaza.	Noted. The Belmont Conversion Request Lands are shown as "Built" under the Region's Employment Lands Inventory (2018) (see Figure 1). Therefore, their conversion will not have an impact on the supply of underutilized or vacant Employment Area lands and the Region's ability to achieve the employment forecasts.

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
Land Use	The proposed conversion to non-employment uses is compatible with surrounding land use permissions and potential land use conflicts could be mitigated.	The site is within the Carruthers Creek Business Park. The proposed conversion has the potential to erode and undermine the broader planned function of the Carruthers Creek Business Park Employment Area.	<p>Mixed-uses (including Residential) for the Belmont Conversion Request Lands are compatible with surrounding land uses and potential land use conflicts can be mitigated. The Belmont Conversion Request Lands are located in close proximity to existing sensitive uses, including residential uses to the west, schools immediately to the north (J. Clarke Richardson Collegiate, Notre Dame Catholic Secondary School and the Pickering Christian School) and a day care (located on the Belmont Lands). A mixed-use building on the Belmont Conversion Request Lands would be complementary and consistent with the existing commercial uses on the Belmont Lands. There is limited potential to erode and undermine the broader planned function of the Carruthers Creek Business Park Employment Area considering that the Additional Area 2 - North Harwood Avenue Cluster (Ajax) lands that are recommended for conversion under the Employment Strategy are located immediately to the north of the Belmont Lands, while the lands immediately to the west of the Belmont Conversion Request Lands are developed with a gas station and drive-through restaurant.</p> <p>The Belmont Conversion Request Lands are separated from the main body of the Employment Area to the south and east due to the existing woodlot, stormwater management pond and wetland (see Figure 3).</p>

Review of Belmont Conversion Request CNR-14 in the Context of Employment Strategy (2021) Evaluation of Sites Against Conversion Criteria

2021-10-22

Parameter	Regional Conversion Criteria	Notes	Response
Supply	The conversion of the proposed site to non-employment uses would not compromise the overall supply of large Employment Area sites at both the Regional and local level.	Site is approximately 4 Ha in size, with the revised conversion request applying to a 0.6 hectare portion of the site. Conversion of the site will not compromise the overall supply of large Employment Area sites at the local and Regional level.	Noted. At only 0.6 ha the Belmont Conversion Request Lands are not considered a “large” Employment Area site in Ajax or Durham Region (the 2021 Employment Strategy classifies medium- and large-scale sites as over 5 ha (p. 89)), while the lands are considered "Built" under the Region's Employment Lands Inventory (2018) (see Figure 1). Therefore, their conversion will not have an impact on the supply of underutilized or vacant Employment Area lands and the Region's ability to achieve the employment forecasts.
Jobs	The conversion request demonstrates total job yield of the site can be maintained or improved.	As per planning rationale section 3.3, the existing job density will be maintained.	Noted. With conversion, the total job yield on the Belmont Lands can be maintained and improved well in excess of the overall Regional target employment density of 26 jobs per ha by 2051 as recommended in the Employment Strategy.
Major Transit Station Area	The conversion request is within a Major Transit Station Area.	The site is not within a proposed MTSA boundary.	Noted. The Additional Area 2 - North Harwood Avenue Cluster (Ajax) lands that are recommended for conversion under the Employment Strategy are also not in a proposed MTSA Boundary.
Municipal Interests and Policy	The conversion request is supported by Area Municipal Councils	Municipality does not support the conversion.	Noted.
Municipal Interests and Policy	The conversion request does not conflict with municipal interests and policies.	No cross-jurisdiction issues or impacts are anticipated	Noted.
Recommendation	The conversion of the site would not present negative cross-jurisdiction impacts that could not be overcome.	Not recommended for conversion.	Based on the review above and as outlined in our various submissions, the 0.6 ha Belmont Conversion Request Lands are an appropriate candidate for conversion.