

**COUNCIL MEETING – OCTOBER 29, 2024
COMMUNICATIONS**

		<u>Rpt. No.</u>	<u>Item(s) No.</u>	<u>Committee</u>
<u>Distributed October 25, 2024</u>				
C1.	Franca Porretta, dated October 8, 2024.	32	12	Committee of the Whole
C2.	RDangar, dated October 8, 2024.	33	3	Committee of the Whole (Public Meeting)
C3.	CN Proximity, dated October 9, 2024.	33	3	Committee of the Whole (Public Meeting)
C4.	Memorandum from the Deputy City Manager, Planning and Growth Management, dated October 22, 2024.	32	3	Committee of the Whole
C5.	Regional Councillor Mario Racco.	35	15	Committee of the Whole
C6.	Japji Mangat, on behalf of 2631622 Ontario Corp., dated October 24, 2024.	32	3	Committee of the Whole

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Please note there may be further Communications.

C1

Communication

Council – October 29, 2024

CW(1) – Report No. 32 Item No. 12

From: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
To: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
Subject: FW: [External] Cultural Heritage Landscape Designation Request
Date: October-08-24 12:11:28 PM

From: Francesca Mancuso <[REDACTED]>
Sent: Tuesday, October 8, 2024 11:23 AM
To: Linda Jackson <Linda.Jackson@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Gila Martow <Gila.Martow@vaughan.ca>; Clerks@vaughan.ca; Francesca Cesario <Francesca.Cesario@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Mario G. Racco <MarioG.Racco@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Nancy Tuckett <Nancy.Tuckett@vaughan.ca>; Lucy Cardile <Lucy.Cardile@vaughan.ca>; mayor@vaughan.ca; Marcos <marcos.zottas@pc.ola.org>; Adriano Volpentesta <Adriano.Volpentesta@vaughan.ca>; Francesca Mancuso <[REDACTED]>; michael.tibolloco@pc.ola.org; Chris Ainsworth <Chris.Ainsworth@vaughan.ca>
Subject: [External] Cultural Heritage Landscape Designation Request

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Good Day Honorable Mayor Del Duca & Ward Councillor Volpentesta

I hope this message finds you both well. On behalf of our community, I want to extend our sincere thanks for your recent visit to Pinegrove and for taking the time to engage with the residents. Your confirmation of support for designating our neighborhood as a Cultural Heritage Landscape is greatly appreciated.

We trust that we can count on your continued backing when it comes time to vote on the proposed designation along with the Impact Assessment Study previously discussed. This study will be crucial in ensuring that our unique neighborhood is protected from overburdening intensification, while preserving its historical significance, uniqueness and charm.

Thank you once again for your commitment to the preservation of Pinegrove, and we look forward to your favorable support in the upcoming discussion at today's Committee of The Whole Meeting.

Franca Porretta

From: [Assunta Ferrante](#)
To: [Adelina Bellisario](#)
Subject: FW: [External] Official Plan Amendment File OP.21.012 Zoning By-Law Amendment File Z.21.019 Woodbridge Park Limited, 5390 Steeles Av W
Date: October-09-24 3:38:05 PM

From: RANCHHOD AYAR [REDACTED]
Sent: Tuesday, October 08, 2024 11:45 AM
To: Clerks@vaughan.ca; DevelopmentPlanning@vaughan.ca
Cc: David Harding <David.Harding@vaughan.ca>
Subject: [External] Official Plan Amendment File OP.21.012 Zoning By-Law Amendment File Z.21.019 Woodbridge Park Limited, 5390 Steeles Av W

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To,

City of Vaughan,
Office of the clerk,
2141 Major Mackenzie Drive< Vaughan< ON, L6A 1T1

**Subject: Official Plan Amendment File OP.21.012 Zoning By-Law Amendment File Z.21.019
Woodbridge Park Limited, 5390 Steeles Av W, Vaughan**

Good morning,

I am resident of the Vaughan and one of the unit owner of Woodbridge Park community, I am extremely disappointed with the new proposal of the Sierra builders for building additional 31 new townhomes in very dense and narrow area with very limited parking space in already congested area with only one exit and entrance.

City of Vaughan must consider safety, parking and traffic issues prior to approve anymore additional building of new townhome units in limited space that only going to more problems ad chaos in community.

When we have purchased one of the unit back in 2017 we have not been advised properly about the future plans by the developer to make correct decision at the time of the purchase in 2017 for one of the unit also I believe we have been misguided or misled by the developer.

We are currently having 249 town home units with only 37 visitor parking space, due to that we have lotd of problems related to the parking in the community.

Every road is too narrow for the emergency vehicles like firetrucks, police vehicles or

ambulances. They are having really difficult time to move within the community, additional homes going to make more problems for future emergency handling the situation and city must consider the lives of people and their properties.

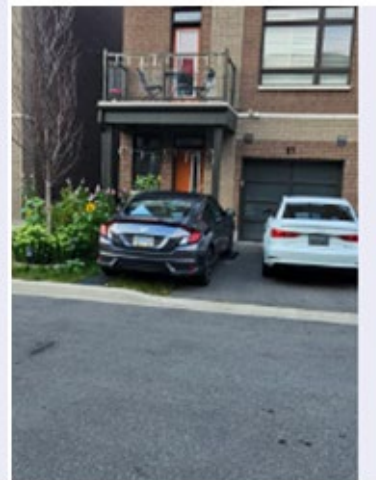
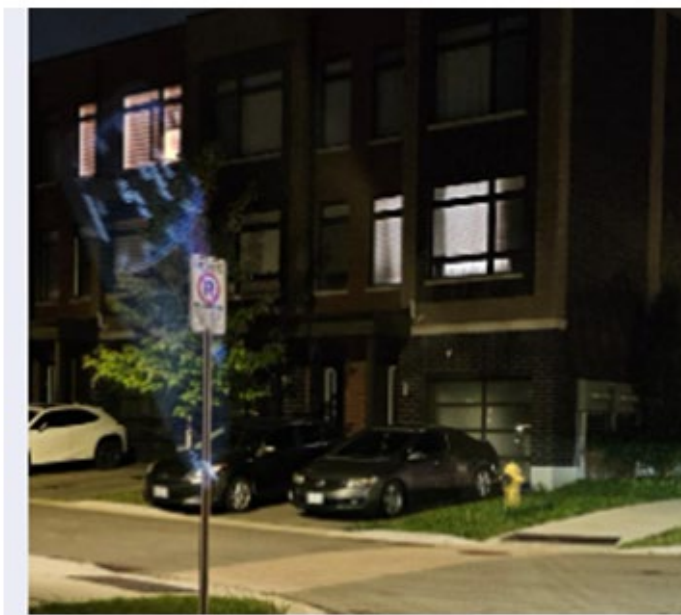
Our community suffering unauthorized parking by people who are visiting the senior home and people who are visiting the parks that came from neighboring homes that does not belong to our community, they can enjoy the public park but they can't park their vehicles in our private community as maintained by Woodbridge Park Condo corporation and not by the city. City of Vaughan does not come to enforce the by law and if additional homes build with only 5 (five) more visitors parking make things even worse.

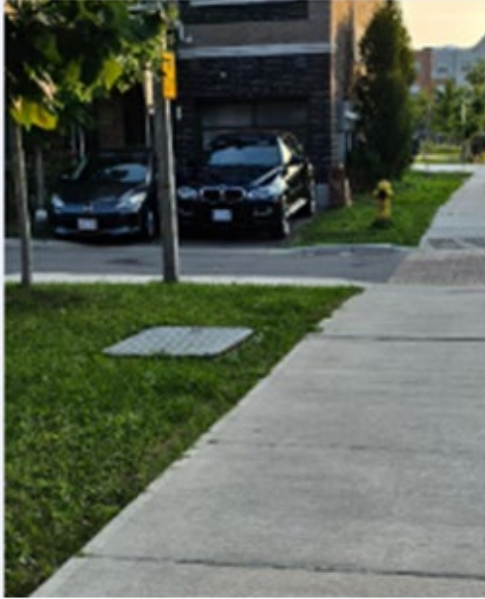
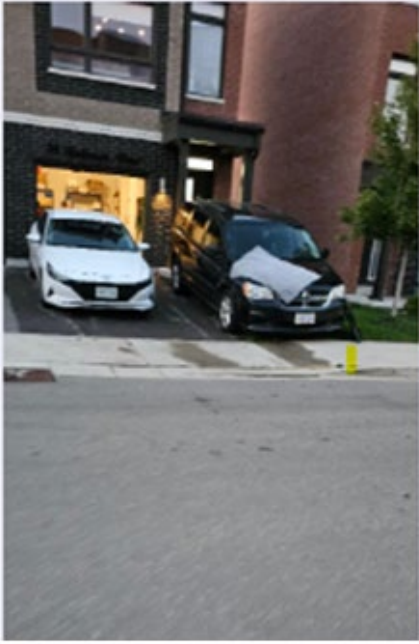
The roads are that narrow that even the school bus won't enter in the community for kids and kids have to gather out side of the community as school bus drivers having hard time to move around within streets of the existing community.

We are tax paying unit owners and residents of the City of Vaughan but we don't have any basic facility like community center, or something for kids or elder person in the winter months nearby and city must enforce that in this vacant land instead approving more homes, also City does not enforce any parking and we as condo corporation bearing the cost of that now with new proposal with limited parking going to have more negative impact on our budget.

I have attached some pictures for parking nightmare's that resident's parked their cars on neighboring streets(fire-route) , on abandon road behind plaza, in frontt of the old age home of the entrance that blocking the view for other cars coming in or going out and some residents park 2 cars on their driveway for lack of visitor parking space within community for your reference. Please see below.

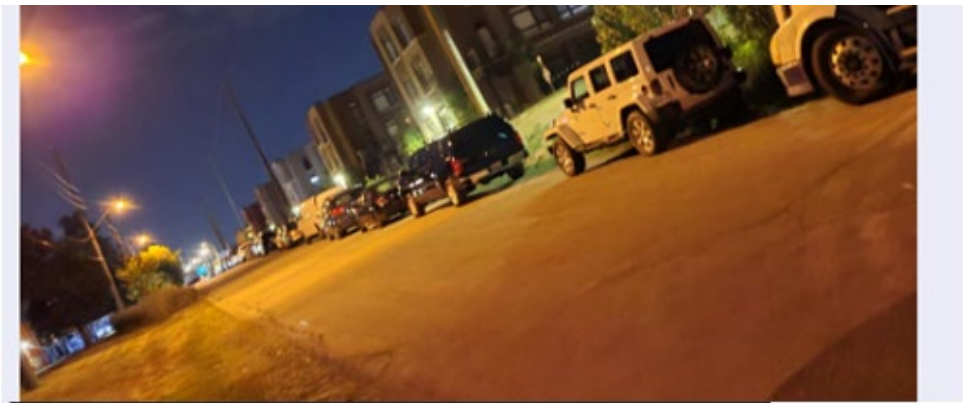
Sincerely,
RDangar.











From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] 2024-10-09-CN Comments_File: OP.21.012_File: Z.21.019 -5390 Steeles Avenue West-Vaughan
Date: October-10-24 8:33:48 AM
Attachments: [Notice of PM Z.21.019 OP.21.012.pdf](#)

From: Proximity <proximity@cn.ca>
Sent: Wednesday, October 9, 2024 7:41 PM
To: Clerks@vaughan.ca
Subject: [External] 2024-10-09-CN Comments_File: OP.21.012_File: Z.21.019 -5390 Steeles Avenue West-Vaughan

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Hello,

Thank you for circulating CN on the proposed development project noted in subject. It is noted that the subject site is adjacent to CN's Main Line. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN's objective regarding developments in proximity to railway operations is to mitigate railway-oriented impacts such as noise, vibration, and safety hazards, to ensure that the quality of life of the future development's residents and users is not negatively affected. CN, in collaboration with Railway Association of Canada and the Federation of Canadian Municipalities, developed the Guidelines for New Development in Proximity to Railway Operations in order to promote proper planning around railway operations. The Guidelines can be found at <https://www.proximityissues.ca>.

CN requests for the implementation of the following criteria as conditions of an eventual application approval:

- ☐☐☐ Safety setback of principal buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 meters above grade at the property line, with side slopes not steeper than 2.5 to 1.
- ☐☐☐ The Owner shall install and maintain a chain link fence of minimum 1.83 meter height along the mutual property line.
- ☐☐☐ The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, CN may consider other measures recommended by an approved Noise Consultant.
- ☐☐☐ Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 meters of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to

ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.

☐☐☐ The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

☐☐☐ The storm water management facility must be designed to control storm water runoff to pre-development conditions including the duration and volume of the flow and accordingly have no impacts on CN right of way, including ditches, culverts and tracks. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from CNR and be substantiated by a drainage report to the satisfaction of the Railway.

☐☐☐ The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and noise/vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.

☐☐☐ The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.

☐☐☐ The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

CN anticipates the opportunity to review a detailed site plan, a N&V study and a storm water management report taking into consideration FCM/RAC development guidelines.

We request that CN Rail and the proximity@cn.ca email be circulated on public notices and notices of decisions with respect to this and future land use planning applications with respect to the subject site.

In order to ensure the safety of railway operations, CN's operations and infrastructure are not to be impaired or affected by any construction works or any other works. Additionally, any work performed on CN's property must be arranged through a work permit.

Thank you



CN Proximity

proximity@cn.ca



C4

Communication

Council – October 29, 2024

CW(1) – Report No. 32 Item No. 3

DATE: October 22, 2024

TO: Mayor and Members of Council

FROM: Haiqing Xu, Deputy City Manager, Planning and Growth Management

RE: COMMUNICATION – Council, October 29, 2024

Report #32, Item #3

**CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 –
GENERAL AND SITE-SPECIFIC AMENDMENTS, ZONING BY-LAW
AMENDMENT FILE Z.24.018: THE CORPORATION OF
THE CITY OF VAUGHAN**

Recommendation

1. THAT Attachment 2 to Item 3 of the October 8, 2024, Committee of the Whole (1) Report No.32 be DELETED AND REPLACED with the revised Attachment 2, attached hereto to this Communication, to reinstate 11151 Highway 50 into the list of site-specific amendments proposed to the Comprehensive Zoning By-law (“CZBL”).

Background

Council, on September 24, 2024, resolved to receive a public meeting report for proposed general and site-specific amendments to the CZBL (Zoning By-law Amendment File Z.24.018) and adopted to defer a site-specific zoning amendment proposed for 11151 Highway 50 to a later date.

The technical report prepared for File Z.24.018 was heard at the October 8, 2024, Committee of the Whole (1) Meeting, and excluded 11151 Highway 50 from the list of site-specific amendments.

The Committee of the Whole, on October 8, 2024, resolved to reinstate the proposed site-specific amendment for 11151 Highway 50, as shown on the revised Attachment 2, attached hereto to this Communication. A Zoning By-law reflecting the site-specific zoning amendment for 11151 Highway 50 is also proposed to be heard at the October 29, 2024, Council Meeting.

For more information, contact Michael Torres, Acting Senior Planner - Comprehensive Zoning By-law ext. 8933.

Respectfully submitted by

A handwritten signature in black ink, appearing to read 'Haiqing Xu', written in a cursive style.

Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Attachments

1. Attachment 2 – Site-specific Amendments Proposed to Comprehensive Zoning By-law 001-2021 (“CZBL”)

ATTACHMENT 2**Site-specific Amendments Proposed to Comprehensive Zoning By-law 001-2021 (“CZBL”)**

Property/ Address	File Number	Committee/ Council Date	Objective of Amendment	Proposed Amendment
7117 Bathurst Street	N/A	N/A	To correct the inadvertent removal of Clinic as a permitted use in site-specific exception 14.572 of the CZBL, which was permitted as a Business and Professional Office under Zoning By-law 1-88 but is now defined separately as a Clinic in the CZBL.	To add a Clinic as a permitted use to site-specific exception 14.572 of the CZBL.
156 Chrislea Road	Z.19.012	March 11, 2020 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 088-2021.	To amend site-specific exception 14.628 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 088-2021.
7681 Highway 27	N/A	N/A	To correct the inadvertent removal of Clinic as a permitted use in site-specific exception 14.1047 of the CZBL, which was permitted as a Business and Professional Office under Zoning By-law 1-88 but is now defined separately as a Clinic in the CZBL.	To add a Clinic as a permitted use to site-specific exception 14.1047 of the CZBL for Buildings A, B and C on the lands.

8298, 8310, 8320 Highway 27	Z.19.026	March 22, 2022 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 060-2022.	To rezone the lands from A Agricultural Zone to SC Service Commercial Zone subject to a new site-specific exception in accordance with Zoning By-law 1-88 site-specific approvals granted under By-law 060-2022.
10951 Highway 50	Z.00.064, Z.14.012	August 25, 2003 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 265-2002.	To rezone the lands from A Agricultural Zone to GC General Commercial Zone subject to a new site-specific exception in accordance with Zoning By-law 1-88 site-specific approvals granted under By-law 265-2002.
11065 and 11133 Highway 50, 11050 Cold Creek Road, Lot 28, Concession 11	N/A	N/A	To correct the inadvertent rezoning of the lands in the CZBL to GC General Commercial Zone which is contrary to Vaughan Official Plan, 2010 ("VOP 2010").	To rezone the lands from GC General Commercial Zone to A – Agricultural Zone to conform with VOP 2010.
11151 Highway 50	N/A	N/A	To correct the inadvertent rezoning of the lands to the GC General Commercial Zone which is contrary to VOP 2010, while maintaining the provisions of site-specific exception 14.714.	To rezone the lands from the GC General Commercial Zone to the A – Agricultural Zone subject to site-specific exception 14.714 in conformity with VOP 2010.
2851 Highway 7	Z.19.024		To correct site-specific provisions in the CZBL for minimum landscape strip width and minimum setbacks from site-	To amend site-specific exception 14.1123 of the CZBL to include the minimum requirement of a 3.2 m landscape strip abutting

			specific amendment 9(1505) in Zoning By-law 1-88 and correct zone boundaries shown in Schedule 'A' for the lands.	the east lot line, correct reference to minimum setbacks where the building height exceeds 10.2 m to 9.0 m and 8.5 m, and to amend Schedule 'A' of the CZBL to reflect the correct zone boundaries as shown in Figure E-1636 in exception 14.1123.
2871, 2899, 2907 Highway 7	Z.21.010	June 28, 2022 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-laws 157-2022, 018-2023 and 099-2023.	To amend site-specific exception 14.1124 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-laws 157-2022, 018-2023 and 099-2023.
6640 Highway 7	Z.21.037	June 28, 2022 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 137-2022.	To amend site-specific exception 14.1021 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 137-2022.
7899 Huntington Road	N/A	N/A	To correct the inadvertent rezoning of the lands in the CZBL to EM1 Prestige Employment Zone which is contrary to VOP 2010.	To rezone the lands from EM1 Prestige Employment Zone to EM2 General Employment Zone to conform with VOP 2010.
161 Innovation Drive	N/A	N/A	To correct the inadvertent rezoning of the lands in the CZBL	To rezone the lands from SC Service Commercial Zone to

			to SC Service Commercial Zone which is contrary to VOP 2010.	EM2 General Employment Zone to conform with VOP 2010.
7034 & 7040 Islington Avenue	Z.21.024	October 17, 2023 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 215-2023.	To rezone the lands from A Agricultural Zone and EM1 Prestige Employment Zone to RM3 Multiple Unit Residential Zone and OS1 Public Open Space Zone (or other similar zone as appropriate) subject to a new site-specific exception in accordance with Zoning By-law 1-88 site-specific approvals granted under By-law 215-2023.
7082 Islington Avenue	Z.19.035, 19T- 17V006, DA.18.015 DA.20.007 & Z.22.016	February 17, 2021 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 096-2021.	To amend site-specific exception 14.959 of the CZBL to rezone a portion of the lands from RT1(H) Townhouse Residential Zone to OS2 Private Open Space Zone and carry over revised site-specific exceptions in accordance with Zoning By-law 1-88 site-specific approvals granted under approved By-law 096-2021.
8750 Jane Street	Z.21.052	May 17, 2022 Council	To permit the temporary use of a personal service shop in unit 14 which was previously permitted under the C7 Service Commercial Zone in Zoning By-law 1-88 and afford time for the City's next Official Plan Review to be completed which is	To extend the duration of the existing temporary use permissions established in Zoning By-law 1-88 under By-law 095-2022 to permit the temporary use of Personal Service (hair salon) in Unit 14 for an additional 3 years.

			anticipated to permit the use as of right	
9505 Keele Street	N/A	N/A	To carry forward the permitted use of a take-out restaurant from site-specific amendment 9(810) in Zoning By-law 1-88 which was inadvertently removed from site-specific exception 14.506 in the CZBL.	Add take-out restaurant as a permitted use in exception 14.506 of the CZBL.
9675, 9687, 9697 Keele Street	Z.20.025	May 2, 2023 Committee of the Whole	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 105-2023.	To amend site-specific exception 14.404 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 105-2023.
7938 Kipling Avenue	Z.19.005, A001/22	December 17, 2019 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-specific approvals granted under By-law 105-2023 and Minor Variance Application A001/22.	To amend site-specific exception 14.722 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 122-2020 and Minor Variance Application A001/22.
2057 Major Mackenzie Drive West	Z.16.006, DA.19.070	October 24, 2019 LPAT (OLT) Order Case No. PL170305	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-	To rezone the lands from A Agricultural Zone to RM2 Multiple Unit Residential Zone (or other similar zone(s) as appropriate) and OS1 Public Open Space Zone in accordance with the Zoning By-law 1-88 site-

			specific approvals granted under By-law 193-2022.	specific approvals granted under By-law 193-2022.
46 Uplands Avenue	N/A	N/A	To correct reference to incorrect zone categories within site-specific exception 14.496 of the CZBL.	Change reference to "GR Zone" which does not exist under the CZBL to OS2 Private Open Space Zone.
236 Wallace Street	N/A	September 18, 2020 OLT Order Case No. PL111184	To correct the inadvertent rezoning of the lands in the CZBL to EP Environmental Protection Zone which is contrary to VOP 2010 and the related OLT Decision.	To rezone the lands from EP Environmental Protection Zone to R3 Residential Zone to conform with VOP 2010.
7600 Weston Road	N/A	N/A	To recognize the gross floor area ("GFA") of the existing Shopping Centre located on the lands which exceeds the permitted 10,000 m ² under the GMU General Mixed-Use Zone.	To add to site-specific exception 14.443 of the CZBL permission for a Shopping Centre to have a maximum GFA of 10,419 m ² which was previously permitted in Zoning By-law 1-88.
7777 Weston Road	N/A	N/A	To correct the inadvertent inclusion of a Restaurant as a prohibited use in site-specific exception 14.124 of the CZBL where a Restaurant was previously permitted under site-specific exception 9(246) in Zoning By-law 1-88.	To delete reference to "Restaurant" under section 14.124.1.3.c of site-specific exception 14.124 of the CZBL, thereby permitting a Restaurant use on the lands.
7979 Weston Road	Z.21.030	February 15, 2022 Council	To correct the site-specific development standards and mapping of the CZBL to accurately reflect the zoning applicable to the lands pursuant to Zoning By-law 1-88 site-	To amend site-specific exception 14.604 of the CZBL to include the Zoning By-law 1-88 site-specific approvals granted under By-law 045-2022 and to restore Supermarket and Service or Repair Shop as permitted uses.

			<p>specific approvals granted under By-law 045-2022.</p> <p>Additionally, the permitted uses of a Supermarket and Service or Repair Shop were inadvertently not carried forward into the CZBL for the lands from site-specific exception 9(222) in Zoning By-law 1-88.</p>	
14.205	N/A	N/A	To delete site-specific exception 14.205 in the CZBL which was erroneously applied in Zoning By-law 1-88 and carried forward into the CZBL.	To delete site-specific exception 14.205 from the CZBL and amend Schedule A to remove all references to it.
14.272 - Part Lots 28 & 29, Concession 1)	N/A	N/A	To carry forward into the CZBL the provisions of Schedule T-12 of site-specific exception 9(471) in Zoning By-law 1-88.	To amend site-specific exception 14.272 of the CZBL to include the lot and building provisions of Schedule T-12 of site-specific exception 9(471) in Zoning By-law 1-88.
14.676	N/A	N/A	To correct the inadvertent removal of RV2 Zone and RV4 Zone categories from site-specific exception 14.676 of the CZBL.	Add reference to RV2 Zone to Section 14.676.1.1 and reference to RV4 Zone to Section 14.676.1.2 of site-specific exception 14.676 in the CZBL.
14.891	N/A	N/A	To correct references to the RD3 Zone category instead of the R3 Zone category and the inadvertent removal of front yard and rear yard requirements for certain lots.	To amend site-specific exception 14.891 to change reference to RD3 Zone to R3 Zone, consistent with Figure E-1377 in exception 14.891, and to carry over the minimum required rear

				yard setback of 6.8 m for Lot 44 and the minimum required front yard setback of 5.8 m for lots in the R4 Zone on Streets "A" and "D".
14.1118	N/A	N/A	To clarify the permitted uses on lands subject to site-specific exception 14.1118 that are zoned with a Holding Symbol "(H)".	To permit uses within an existing building that were permitted by the corresponding zone under Zoning By-law 1-88, notwithstanding the Holding Symbol "(H)".

Dear Council,

I request that the agenda item referable to the Integrity Commissioner's Decision be adjourned sine die.

There are numerous – and serious - factual errors in the Integrity Commissioner's report dated October 4, 2024.

Further, I have recently learned that the IC has entirely botched her investigation and purported to find me guilty of matters that were never raised in the actual Complaints against me!

In brief on the “botched investigation” issue:

1. As you know our procedures(attached) require formal complaints to be by way of sworn affidavit and for these formal complaints to be provided within 10 days to the Councillor against which the complaint was made.
2. The IC breached the mandatory requirement in our procedures to provide me with a copy of one of the 2 complaints that was apparently made against me.
3. The Complaint that was not provided to me is Complaint 071624a.
4. The IC sent me 071624b – but not 071264a—on July 19, 2024.
5. Although she says this was an administrative error on her behalf, this led to me (understandably) not knowing that there were 2 formal complaints against me and being confused by the incomplete information the IC had provided me.
6. In more detail, (I only recently learned this), it seems there were two formal complaints by way of affidavit made against me by Councillor [REDACTED] on July 15, 2024.
7. The IC numbered these complaints 071624a and 071624b. I attach these complaints (without the attached emails) to this document.
8. The IC also sent me a number of emails that she said related to another complaint - but I never received a copy of any Complaint document.
9. When I responded to what I had received - Complaint #071624b plus the added emails - I took the position that (as far as I was aware) there was no formal Complaint with respect to the added emails and allegations with respect to those emails ought not be considered.
10. However (and unknown to me) the Commissioner actually had a formal Complaint 071624a and she proceeded to purportedly make a Decision on that Complaint.
11. In her Decision she said that this complaint (which she called “Complaint #1”) contained allegations that I had:
 - made derogatory comments about a matter that was the subject of litigation before the OLT knowing that [Councillor [REDACTED]] would be unable to respond;
 - commented himself on the matter before the OLT, denigrating Council's decision-making; and
 - made disparaging comments about a majority of Members of Council.

And proceeded to find me guilty of all three allegations

12. It was only on October 15, 2024 – 91 days after the IC received the Complaint--that I (through my lawyers) got a copy of the actual Complaint 071624a.
13. In reading Complaint 071264a it is clear that it does **not** contain **any** of the three allegations the Decision says it had.

In summary I was not given (what I now know) the IC considered was the major complaint against me – 071264a – and was confused by this.

Further, the IC then purported to find me guilty of three allegations that are not even in Complaint 017264a!

She then used that to support her finding on the other complaint.

Clearly the IC should vacate her Decision and if Councillor [REDACTED] wants to continue to pursue these Complaints, someone other than the present IC needs to be found to do that.

Lastly, I attach

- (i) Emails between my lawyers and the IC;
- (ii) some informal notes on the major fact errors made by the IC – these errors are pretty obvious to a fair minded person

Thank you,

Mario Racco

Mario G. Racco
Notes of Major Facts Error - IC
Accusations by the complainant – Not correct.
18 October 2024

Complaint # 071624a 10,20, 24 Wigwoss-Woodbridge

COMPLAINANT:

All the accusations are a boiler plate. Done via STATEMENT OF FACTS which means that the complainant may be exposed to Prosecution.

1. There was an email, as reported & filed, dated July 5 2024 at 12:11 pm (13/13) from [REDACTED]
2. I responded to [REDACTED] & copied members of staff on July 5 2024 a 3:48 pm (12/13).

Facts:

1. The email did NOT go to:
 - a. Ratepayers Associations
 - b. The Media
 - c. Elected OfficialsIt went to staff on July 5 2024 at 3:48 pm (12/13)
2. Nobody asked the complainant nor anyone else, to respond.
3. There was nothing insulting. The only thing I wrote was. “Any reply?”
4. There was no public response.

INTEGRITY COMMISSIONER – COMPLAINT ALLEGATIONS

In her Decision she said that this complaint (which she called “Complaint #1”) contained the following allegations:

1. Making derogatory comments about a matter that was the subject of litigation before the OLT knowing that the respondent would be unable to respond.

I did nothing that the IC wrote. I responded to one email from [REDACTED] & copied staff that [REDACTED] had copied. The only thing I wrote was, “Any reply?”.

You can see that:

[REDACTED]-5 July 2024 at 12:11 pm; page 13 of 13.

Mario G. Racco – 5 July 2024 at 3:48 pm; page 12 of 13.

2. Commenting himself on the matter before the OLT, denigrating Council’s decision-making.

I did not comment on the application that was before the OLT. There is nothing filed that shows I made nor wrote anything about the OLT relating to 10, 20, 24 Wigwoss-Woodbridge.

3. Making disparaging comments about a majority of Members of Council.

I did not mention any members of Council, therefore I could not have disparaged them.

Clearly this file is confusing.

The complainant wrote anything that was damaging to me without any thought to the fact that she was signing an Affidavit, and the accusations will be evaluated by the Integrity Commissioner at the City and potentially the Province & the Superior Court of Ontario.

Complaint # 071624b - 11875 Steeles Ave. W. – Toronto.

Complainant raised the issues of:

1. I removed the complainant from an email thread.

That is incorrect.

There is no evidence, from the evidence provided by the IC, that I removed the complainant from the email thread when I replied to [REDACTED] on June 25, 2024 at 6:12:14 pm.- page 6 of 15. The email does not show who got copied on my email. Also, there is nothing written on the email that can be considered denigrating.

The other email I sent to [REDACTED] on June 26, 2024 at 10:49:03 am-page 5 of 15, is a new email. [REDACTED]

██████ did not send me an email, so mine was a new one and I can copy whom ever I want.

2. Called ████████████████████ on the same day; June 25, 2024 and discussed the topic at length.

The claim does not make sense. If it is true that ██████ & ██████ spoke at length on the same day of the email on June 25, 2024, then why would ██████ write on the email dated June 28 2024 at 10:23:24 pm- page 14 of 15, “Perhaps if she acknowledged or offered comments it would have indicated she could help or was not too busy”.

Clearly ██████ did not know that she wanted to help. Also, ██████ only once copies ██████ but everybody else including her executive assistant did not copy the complainant. So, why the fuss with me.

3. Unfortunately, the present members of council and the Provincial government are not helping. You should know that.

██████████ and I had number of meetings and emails exchanges for the last 4 years. We had various discussions and were/are aware of the existing legislation and how limited we are to keep the area as we want it to be. We discussed that the province & the municipalities had agreed on certain densities and our

opposition was not going to do much, but we should argue our case to make sure that the result will be better than otherwise. We also discussed how the City of Vaughan had managed the Centre St. & Dufferin area, first by opposing the application, but later settling, against the wishes of the community. That is the reason I said that the present members of council and the provincial government are not helping. It is fair. It does not slander anyone. I did not mention any name.

4. Denigrating comments about the complainant.

Nowhere did I mention the name of the complainant nor anyone else by name. The comments were based on what I said above, #3. It is a fact that the province has legislated higher density anywhere where there is public transportation. The area in question has the TTC service on Steeles Ave. and on Dufferin St. Also, the subway is close. It is a fact that the present policies at the Province, the Region and the City will not help any argument to keep the densities low at Dufferin & Steeles. That is what I said, the facts not a comment to denigrate the complainant.

INTEGRITY COMMISSIONER FINAL DECISION

1. The Integrity Commissioner's conclusion that I removed the complainant from the email thread is incorrect.

I responded to the email from

██████████ on June 25, 2024 at 4:52:43 pm page 2/15

M. G. Racco -June 25, 2024 at 6:12:14 pm page 6/15

I wrote "to make a reasonable decision, I need & I am required to see a staff technical report."

There is no evidence showing that I did not copy the complainant.

If the evidence used is the emails from

MG Racco dated June 26, 2024 at 10:49:03 am- page 5 of 15, then the email is new. ██████████ did not copy me

nor the complainant with his email. I sent one to him because we worked on the file for a few years, and I could not speak on the file until I had a technical staff report.

2. The IC conclusion that I made disparaging comments on the complainant without her knowledge and to ascribe a negative motive to the complainant's lack of action, is incorrect.

I sent an email on June 25, 2024 at 6:12:14 pm- page 6 of 15, to ██████████ and there is no

evidence that I made disparaging comments about the complainant.

I sent an email to [REDACTED] on June 26, 2024 at 10:49:03 am.- page 5 of 15.

The comments that I made are reasonable. They were based on legislation that has been forced by the province to the GTA municipalities. Also, Council's position on applications around Centre St. and Dufferin St. went against the community position, so there have been discussions among [REDACTED] me and others that the community is not getting a fair deal. There is nothing I wrote that showed that the complainant has not acted in the best interest of the community. Also, her name was not mentioned in any communication.

Conclusion:

The conclusions made by the IC are not based on facts, but on a reaction to material provided by the complainant to the IC that was/were:

1. Incorrect.
2. Misleading.
3. Not filed as required by an Affidavit.
4. Not related to the two complaints filed.
5. Intended to confuse the issues.

Complaint Protocol for the Code of Ethical Conduct for Members of Council and Local Boards

Authority: Municipal Act, 2001, S.O. 2001, (as amended) CHAPTER 25 and as adopted by Council at its meeting held on 2009/21/09, Amended 2019/06/12.

1. Until such time as a new/revised Council Code of Ethical Conduct is adopted, only complaints relating to behaviour or activity occurring subsequent to March 1, 2019 will be addressed by this procedure.
2. After December 31, 2008 all complaints must be addressed in accordance with the below captioned procedure within six (6) months of the alleged violation or no action will be taken on the complaint.
3. Defined terms used but not defined in this Complaint Protocol shall have the same meaning as set out in the Code of Ethical Conduct for Members of Council and Local Boards (the "Code of Conduct").

PART A: INFORMAL COMPLAINT PROCEDURE

4. Individuals (including City employees, members of the public, Members of Council or local boards) who identify or witness behaviour or activity by a Member that appears to be in contravention of the Code of Conduct, or sections 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act ("MCIA") in the case of Council Members, may address the prohibited behaviour or activity themselves as follows:
 - i) Advise the Member that the behaviours or activity appears to contravene the Code of Conduct, or section 5, 5.1 or 5.2 of the MCIA in the case of Council Members;
 - ii) Encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behaviour or activity;
 - iii) Document the incidents including dates, times, locations, other persons present, and any other relevant information. Request that the Integrity Commissioner assist in the informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. If applicable, confirm to the Member your satisfaction with the response of the Member; or, if applicable, advise the Member of your dissatisfaction with the response; and

At the earliest possible juncture, the Member whose behaviour is complained of will be advised of an inquiry to the Integrity Commissioner under the Informal Complaint Procedure, and any complainant will be so advised;
 - iv) Pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.

Individuals are encouraged to pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that they believe violates the Code of Conduct. The informal complaint procedure will not apply to complaints against Members in respect of section 5, 5.1 or 5.2 of the MCIA. With the consent of both the complaining individual and the Member, the Integrity Commissioner may participate in any informal process. The parties involved are encouraged to take advantage of the Integrity Commissioner's potential role as a mediator/conciliator of issues relating to a complaint. However, it is not a precondition or a prerequisite that those complaining to pursue the informal complaint procedure prior to pursuing the formal complaint procedure in Part B. The Integrity Commissioner will assess the suitability of the informal complaint process for settlement or resolution on an ongoing basis and may at any time decline to continue participation in the process.

The complainant or the respondent can decline to participate in the informal complaint process at any time. The informal complaint procedure is an informal process, and the Integrity Commissioner will not perform an official investigation nor provide a public report, even if the parties agree to involve the Integrity Commissioner in this informal process.

PART B: FORMAL COMPLAINT PROCEDURE

Formal Complaints

5. Electors and individuals acting in the public interest (including City employees, members of the public, and Members of Council or local boards) who identify or witness behaviour or an activity by a Member that they believe is in contravention of the Code of Conduct, or sections 5, 5.1, or 5.2 of the MCI A in the case of Council Members, may file a formal complaint with the required information on the proscribed affidavit (see page 6 of this procedure):
 - i) All complaints must be made on the Complaints Form/Affidavit and shall be dated and signed by an identifiable individual;
 - ii) The complaint must include an explanation for why the issues raised may be a contravention of Code of Conduct or the MCI A. Evidence in support of the allegation must also be included;
 - iii) Witnesses in support of the allegation must be named on the complaint form;
 - iv) The Integrity Commissioner will provide a summary of the complaint to the respondent and to others who may be involved in carrying out this procedure;
 - v) The complaint form/affidavit must include the name of the alleged violator, the provision of the Code of Conduct or MCI A allegedly contravened, facts constituting the alleged contravention, the names for the complainant during normal business hours;
 - vi) Receipt of formal complaints will be acknowledged in writing;
 - vii) If the complaint relates to an alleged violation of sections 5, 5.1, or 5.2 of the MCI A, the complaint must be made within six weeks after the applicant became aware of the alleged contravention. The complainant must also provide a statutory declaration to this effect in their application.

Filing of Complaint and Classification by Integrity Commissioner

6. i) The complaint shall be filed with the City Clerk who shall forward the matter to the Integrity Commissioner for initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct, or sections 5, 5.1, or 5.2 of the MCI A in the case of Council Members, and not covered by other legislation or other Council policies as described in subsection 3. The Integrity Commissioner shall make a decision regarding classification within 30 days of receiving the complaint from the City Clerk.
- ii) If the complaint is not in the prescribed form, the Integrity Commissioner may defer the classification until a Complaint Form/Affidavit is received.

Not A Violation

- iii) If the complaint, including any supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct, or sections 5, 5.1, or 5.2 of the MCI A in the case of Council Members, or the complaint is covered by other legislation or complaint procedure under another Council policy, the Integrity Commissioner shall advise the complainant in writing as follows:

Criminal Matter

- a) If the complaint on its face is an allegation of a criminal nature consistent with the Criminal Code of Canada, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate Police Service.

Municipal Conflict of Interest Act

- b) If the complaint on its face is with respect to non-compliance with the Municipal Conflict of Interest Act, save an except sections 5, 5.1, and 5.2, the complainant shall be advised to review the matters with the complainant's own legal counsel.

MFIPPA

- c) If the complaint is more appropriately addressed under the Municipal Freedom of Information and Protection of Privacy Act, the complainant shall be advised that the matter must be referred to the City Clerk for Access and Privacy Review.

Other Policy Applies

- d) If the complaint seems to fall under another policy, the complainant shall be advised to pursue the matter under such policy.

Lack of Jurisdiction

- e) If the complaint is, for any reason not within the jurisdiction of the Integrity Commissioner, the complainant shall be so advised and provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

Matter Already Pending

- f) If the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a court proceeding, Human Rights complaint or similar process, the Integrity Commissioner may, in his/her sole discretion suspend any investigation pending the result of the other process.
- g) If the Integrity Commissioner has already reviewed and rendered a decision or has investigated the matter subject of the complaint, the complainant will be advised that the matter cannot be further pursued through the Code complaint process

Individual Not Acting in the Public Interest

- h) If the Integrity Commissioner is of the opinion that the individual making the complaint is not acting in the public interest, the complainant shall be so advised, and the Integrity Commissioner shall not conduct an investigation. In assessing whether a complainant is acting in the public interest, the Integrity Commissioner shall consider: (i) whether the complainant is advancing a concern, issue or complaint that involves an issue of importance to some or all citizens of Vaughan rather than a private interest which is mainly of interest to the affected parties; and (ii) whether the complaint is vexatious, frivolous, or unreasonably persistent, as set out in the City of Vaughan's Vexatious and Frivolous Complaints Policy. The Integrity Commissioner may also consider any other relevant facts in assessing whether a complainant is acting in the public interest.

Investigation

- 7. i) Where the Integrity Commissioner determines that an investigation is warranted, he/she will proceed as follows, except where otherwise required by the Public Inquiries Act, 2009, S.O. 2009, c. 33, Sched. 6:
 - a) Give the complaint to the Member whose conduct is in question with a request that a written response to the allegation be provided within ten days; and
 - b.) Give a copy of the response provided to the complainant with a request for a written reply within ten days.
 - ii) If necessary, after reviewing the submitted materials, the Integrity Commissioner may speak to anyone, access and examine any other documents or electronic materials and may enter any City work location relevant to the complaint for the purpose of investigation and potential resolution.
 - iii) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances or interference, obstruction, delay or retaliation encountered during the investigation.
 - iv) If the Integrity Commissioner is of the opinion that the referral of a matter to him/her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity

Commissioner shall not conduct an investigation, and where this becomes apparent in the course of an investigation, terminate the investigation.

Opportunities for Resolution

8. Following receipt and review of a formal complaint, or at any time during the investigation, where the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution.

No Complaint Prior to Election

9. i) Notwithstanding any other provisions of this Protocol, no complaint may be referred to the Integrity Commissioner, or forwarded by the Clerk for review and/or investigation between the regularly scheduled nomination day and voting day in any year in which a regular municipal election will be held.
- ii) If the Commissioner has not completed an inquiry before nomination day for a regular election the Commissioner shall terminate the inquiry on nomination day.
- iii) If an inquiry is terminated in accordance with section 12(ii), the Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election the person who made the application or the Member or former Member whose conduct is concerned applies in writing to the Commissioner for the inquiry to be carried out.
- iv) Where an inquiry has been terminated, and the complainant or former Member has requested the inquiry be carried out, the Integrity Commissioner shall be permitted to use any information and evidence obtained prior to the termination. If no request is made to carry out the inquiry, no review or investigation shall be made.

Reporting on Code of Conduct Investigations

10. i) The Integrity Commissioner shall report to the complainant and the Member generally no later than 90 days after the receipt of the Complaint Form/Affidavit of the complaint. If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report and must advise the parties the date the report will be available.
- ii) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, the terms of any settlement, or recommended corrective action. Where the complaint is not sustained, the Integrity Commissioner shall report to Council the result of the investigation.
11. i) Where the Integrity Commissioner reports to Council that in her or his opinion, there has been a violation of the Code of Conduct, the municipality may impose penalties and remedial actions in accordance with the Municipal Act and the Code of Conduct. The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any respondent unless the respondent has had notice of the basis for the proposed finding and any recommended sanction or remedial action, and an opportunity either in person or in writing to comment on the proposed findings.
- ii) If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner may so state in the report and may make appropriate recommendations pursuant to the *Municipal Act* and the Code of Conduct.
- iii) The Integrity Commissioner shall give a copy of the report to the complainant and the Member whose conduct is concerned.
- iv) Upon receipt of a report, the Clerk shall process the report for the next meeting of Council's Committee of the Whole.

Reporting on MCIA Investigations

12. i) The Integrity Commissioner shall complete his/her investigation into alleged contraventions of sections 5, 5.1, or 5.2 of the MCIA within 180 days after the receipt of the Complaint Form/Affidavit. However, this section does not apply if the investigation is terminated in accordance with section 223.4.1(12) of the Municipal Act.
- ii) If, upon completion of the investigation, the Integrity Commissioner determines that on a balance of probabilities there has been a violation of the MCIA, or is otherwise of the opinion that it is in the City's interest for a judge to determine if there has been a violation of the MCIA, the Integrity Commissioner may apply to a judge for such a determination. For greater certainty, nothing in this Protocol shall prevent a complainant from bringing their own application to a judge for a determination of whether there has been a violation of sections 5, 5.1, or 5.2 of the MCIA.
- iii) Upon completion of the investigation, the Integrity Commissioner shall advise the complainant whether the Commissioner will be making an application to a judge for a determination if there has been a violation of the MCIA. The Integrity Commissioner shall publish written reasons for his/her decision within 90 days of such decision. The Integrity Commissioner shall periodically report to Council on the outcome of his/her investigations of alleged MCIA contraventions.

No Reports Prior to Election

13. Notwithstanding any other provisions of this Protocol, between nomination day and voting day for a regular municipal election, the Integrity Commissioner shall not make any report to Council or to any other person about whether a Member has contravened the Code of Conduct, including sections 5, 5.1, or 5.2 of the MCIA in the case of Council Members.

Duty of Council

14. Council shall consider and respond to the report within 45 days after the day the report is presented to it (this timeline shall be extended as necessary in the case of summer hiatus and festive closure).

Public Disclosure

15. i) The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where this does not interfere with the course of any investigation, except as required by law and as required by this complaint protocol.
- ii) At the time of the integrity Commissioner's report to Council, and as between the parties, the identity of the Respondent shall not be treated as confidential information.
- iii) All reports from the Integrity Commissioner to Council will be made available to the public.

Fini, Erica

From: Integrity Commissioner <Integrity.Commissioner@vaughan.ca>
Sent: October 17, 2024 1:52 PM
To: Chapman, John; Fini, Erica
Cc: Suzanne Craig; legalspc@raccogroup.com; Chan, Andy; Integrity Commissioner
Subject: RE: [External] Request to have Final Decision Dated Oct 4, 2024 Vacated and Annulled [MTDMS-Legal.FID11907713]

Good day Mr. Chapman:

You indicated that this Office would hear from Ms. Fini today. Once we have received those comments from Ms.Fini, the Office will respond to Ms. Fini's and your emails.

Sincerely,

Suzanne Craig

From: Chapman, John <jchapman@millerthomson.com>
Sent: Wednesday, October 16, 2024 3:48 PM
To: Integrity Commissioner <Integrity.Commissioner@vaughan.ca>; Fini, Erica <efini@millerthomson.com>
Cc: Suzanne Craig <Suzanne.Craig@vaughan.ca>; legalspc@raccogroup.com; Chan, Andy <achan@millerthomson.com>
Subject: RE: [External] Request to have Final Decision Dated Oct 4, 2024 Vacated and Annulled [MTDMS-Legal.FID11907713]

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

As an additional comment, if your complaint 1 is the 071624a complaint I would be obliged to you if you could answer the same questions on it.

JOHN CHAPMAN
Partner

Pronouns: He, Him, His

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jchapman@millerthomson.com

View my [web page](#)



From: Chapman, John <jchapman@millerthomson.com>

Sent: Wednesday, October 16, 2024 10:30 AM

To: Integrity Commissioner <Integrity.Commissioner@vaughan.ca>; Fini, Erica <efini@millerthomson.com>

Cc: Suzanne Craig <Suzanne.Craig@vaughan.ca>; legalspc@raccogroup.com; Chan, Andy <achan@millerthomson.com>; Chapman, John <jchapman@millerthomson.com>

Subject: RE: [External] Request to have Final Decision Dated Oct 4, 2024 Vacated and Annulled [MTDMS-Legal.FID11907713]

Ms. Fini is engaged today on other matters and will reply tomorrow.

However, I note your decision states:

Complaint #1 alleges that the Respondent did not conduct himself with appropriate decorum in contravention of Rule 15 of the Code, when he responded by email on June 26 and July 5 to resident emails about a development project that was the subject of litigation before the Ontario Land Tribunal (“OLT”). The Respondent copied executives from ratepayer associations throughout the city, elected officials from all levels of government, and various media outlets. The Complainant alleged that in the email, the Respondent:

1. made derogatory comments about a matter that was subject of litigation before the OLT knowing that [Councillor ██████████] would be unable to respond;
2. commented himself on the matter before the OLT, denigrating Council’s decision-making; and
3. made disparaging comments about a majority of Members of Council.

Can you confirm that “Complaint #1” is the Complaint attached to the Notice for 071624b that you provided to us yesterday by email and that this Complaint 071264b was never modified or amended by the Complainant.

If this is in fact the case, we would ask the process that occurred by which your Notice referenced allegations not in Complaint 71624b and by which your Decision dealt with allegations not made in the Complaint.

JOHN CHAPMAN
Partner

Pronouns: He, Him, His

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Toronto, Ontario | M5H 3S1
T +1 416.595.8547
jchapman@millerthomson.com

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From: Integrity Commissioner <Integrity.Commissioner@vaughan.ca>
Sent: Tuesday, October 15, 2024 7:11 PM
To: Fini, Erica <efini@millerthomson.com>
Cc: Suzanne Craig <Suzanne.Craig@vaughan.ca>; legalspc@raccogroup.com; Chan, Andy <achan@millerthomson.com>; Chapman, John <jchapman@millerthomson.com>; Integrity Commissioner <Integrity.Commissioner@vaughan.ca>
Subject: [**EXT**] RE: [External] FW: Request to have Final Decision Dated Oct 4, 2024 Vacated and Annulled [MTDMS-Legal.FID11942640]

Good evening, Ms. Fini:

Kindly see attached memorandum on behalf of the Integrity Commissioner, Ms. Craig, with respect to your email below.

Sincerely,

Cathy Passafiume on behalf of –
Suzanne Craig
Integrity Commissioner and Lobbyist Registrar

City of Vaughan | Office of The Integrity Commissioner
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

From: Suzanne Craig <Suzanne.Craig@vaughan.ca>
Sent: Tuesday, October 15, 2024 1:32 PM
To: Fini, Erica <efini@millerthomson.com>
Cc: legalspc@raccogroup.com; Chan, Andy <achan@millerthomson.com>; Chapman, John <jchapman@millerthomson.com>; Integrity Commissioner <Integrity.Commissioner@vaughan.ca>; Suzanne Craig <Suzanne.Craig@vaughan.ca>
Subject: RE: [External] FW: Request to have Final Decision Dated Oct 4, 2024 Vacated and Annulled [MTDMS-Legal.FID11942640]

Good afternoon, Ms. Fini:

The Office of the Integrity Commissioner is in receipt of your emails dated October 11, 2024 and October 15, 2024 and will respond at my earliest opportunity.

Sincerely,

Suzanne Craig
Integrity Commissioner and Lobbyist Registrar
905-832-2281 ext. 8301

City of Vaughan | Office of The Integrity Commissioner
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

From: Fini, Erica <efini@millerthomson.com>
Sent: Tuesday, October 15, 2024 9:55 AM

To: Suzanne Craig <Suzanne.Craig@vaughan.ca>
Cc: legalspc@raccogroup.com; Chan, Andy <achan@millertomson.com>; Chapman, John <jchapman@millertomson.com>
Subject: [External] FW: Request to have Final Decision Dated Oct 4, 2024 Vacated and Annulled [MTDMS-Legal.FID11942640]

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Dear Commissioner Craig,

I am writing to request a response to our request on October 11, 2024, that you vacate and annul your decision concerning Councillor Racco.

Given the importance of this matter, we would appreciate receiving your reply as soon as possible.

Thank you for your attention, and we look forward to hearing from you.

Best regards,

Erica Fini

ERICA FINI
Articling Student

Pronouns: She, Her, Hers

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100 New Park Place, Suite 700
Vaughan, Ontario | L4K 0H9
T +1 905.532.6697
efini@millertomson.com



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From: Fini, Erica <efini@millertomson.com>
Sent: Friday, October 11, 2024 3:30 PM
To: Suzanne Craig <Suzanne.Craig@vaughan.ca>
Cc: legalspc@raccogroup.com; Chan, Andy <achan@millertomson.com>; Chapman, John <jchapman@millertomson.com>
Subject: Request to have Final Decision Dated Oct 4, 2024 Vacated and Annulled [MTDMS-Legal.FID11942640]

Dear Commissioner Craig,

We write with respect to the Commissioner's decision dated Oct. 4, 2024.

The decision states that the Commissioner provided Councillor Racco with Notice of the two complaints on July 19, 2024.

This is incorrect.

We attach the material received by him with respect to the “decorum” complaint.

You will see that although certain emails were provided to Councillor Racco you did not at that time (and never did) provide him a copy of any proper Complaint on that issue (which is required to be in an affidavit form).

Mr. Racco previously objected to you proceeding on this matter.

Having failed to follow the mandatory procedural requirements the Commissioner’s decision must be vacated and annulled and your report cannot be provided to Council nor posted on the website.

We reserve the right to comment further on the errors in your decision but raise this as an urgent mater.

Thank you,

ERICA FINI
Articling Student

Pronouns: She, Her, Hers

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efini@millerthomson.com



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DATE: Wednesday, October 15, 2024

TO: Erica Fini, Articling Student, Miller Thomson LLP
Via email: efini@millerthomson.com

FROM: Suzanne Craig, Integrity Commissioner and Lobbyist Registrar

RE: **Formal Code of Conduct Complaint Investigations: Complaints # 071624a and 071624b**

I am in receipt of your correspondence dated October 11, 2024 received in my City of Vaughan inbox at 3:30 pm and October 15, 2024 received in my City of Vaughan inbox at 09:55 am.

I provided Regional Councillor Racco with Notice of the Complaints on July 19, 2024. In my Notice of Complaint Cover Letters, I noted that I was including a copy of the Complaint Form and supporting documentation to the Complaint. Due to an administrative error, I provided the supporting documentation but not the Complaint Form; however, for each Complaint, the content of the Complaint Form was included in the Cover Letter. For your reference, I have attached the Complaint Forms here. In addition, I also attach the Cover Letters that were previously forwarded to your client.

While I regret this technical error, I note that Regional Councillor Racco had notice of the Complaints and an opportunity to respond to the Complaints (which he did). Accordingly, I intend to proceed with this matter.

Sincerely,

Suzanne Craig
Integrity Commissioner and Lobbyist Registrar

/attach

DATE: Friday, July 19, 2024
TO: Regional Councillor Mario G. Racco **via email**
FROM: Suzanne Craig, Integrity Commissioner and Lobbyist Registrar
RE: **Notice of Formal Code of Conduct Complaint Investigation:
Complaint # 071624a**

Please be advised that I am in receipt of a Formal Complaint under Part B of the Code of Conduct Complaint Protocol (the "Complaint Protocol") in which you have been named as the Respondent (the "Respondent").

In particular, I note that the allegations contained in the complaint are with respect to non-compliance with Rules 15 of the Code of Ethical Conduct for Members of Council and Local Boards (the "Code"), which require Members to:

Rule No. 15 - Discreditable Conduct

1. Members shall conduct themselves with appropriate decorum at all times.

I attach the Complaint to this Notice of Formal Complaint Investigation, a copy of the Complaint Form and supporting documentation to the Complaint.

While I require you to review the Complaint and respond to the allegations as set out, I submit that on its face, the Complaint raises the following issues:

- The allegation that you intentionally removed Councillor [REDACTED] from the email thread that was initiated by her resident, on which she was included and that this hampered her ability to do her job as a Member of Council representing and responding to her constituents;
- The allegation that you removed Councillor [REDACTED] from the email thread, the result of which was not only that she would not be able to respond to her constituents, but also that she would not see you disparaging her in your responses in the email thread after you removed her;
- The allegation that Deputy City Manager Xu had advised all Members of Council "please don't comment" and therefore, your comments on the email thread left Councillor [REDACTED] with only two unpalatable options regarding the email thread initiated on July 5th at 12:11 pm :
 - o Option 1: stay silent and not defend her position;
 - o Option 2: Go against the advice and request of the esteem leadership team by responding to both the email chain and the "insulting accusations

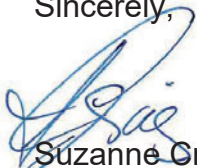
in Regional councillor Racco's public response".

In accordance with section 6 of the Complaint Protocol, I am required to conduct an initial classification to determine if the matter is, on its face a complaint with respect to non-compliance with the Code of Conduct, and not covered by other legislation or other Council policy as described in subsection 3 of the Complaint Protocol.

I have completed my preliminary review and I have decided to proceed with an investigation of this matter as I have determined that the Complaint appears *prima facie*, to be a complaint within the jurisdiction of the Integrity Commissioner and that it appears not to be frivolous, vexatious or made in bad faith. In accordance with section 7.i(a) of the Complaint Protocol, I request that you provide me with a written response to the allegations in the Complaint within ten days on or before July 29th, 2024.

Please be advised that the Integrity Commissioner and every person acting under her jurisdiction shall preserve confidentiality where appropriate and where this does not interfere with the course of any investigation. Therefore, I respectfully require that you refrain from sharing with others any information about this complaint, including any correspondence to and from this Office, for the duration of the process.

Sincerely,



Suzanne Craig
Integrity Commissioner and Lobbyist Registrar

/ attachment #1 Formal Complaint 071624a

DATE: Friday, July 19, 2024
TO: Regional Councillor Mario G. Racco **via email**
FROM: Suzanne Craig, Integrity Commissioner and Lobbyist Registrar
RE: **Notice of Formal Code of Conduct Complaint Investigation:
Complaint # 071624b**

Please be advised that I am in receipt of a Formal Complaint under Part B of the Code of Conduct Complaint Protocol (the "Complaint Protocol") in which you have been named as the Respondent (the "Respondent").

In particular, I note that the allegations contained in the complaint are with respect to non-compliance with Rules 15 of the Code of Ethical Conduct for Members of Council and Local Boards (the "Code"), which require Members to:

Rule No. 15 - Discreditable Conduct

1. Members shall conduct themselves with appropriate decorum at all times.

I attach the Complaint to this Notice of Formal Complaint Investigation, a copy of the Complaint Form and supporting documentation to the Complaint.

While I require you to review the Complaint and respond to the allegations as set out, I submit that on its face, the Complaint raises the following issues:

- The allegation that you intentionally removed Councillor [REDACTED] from the email thread that was initiated on June 25th at 4:52 pm by a representative of one of the resident groups in [REDACTED] Vaughan which included their group, Councillor [REDACTED] staff [REDACTED] Councillor Christ Ainsworth, Regional Councillor Racco, and his staff Anthony Tersigni, on which she was included and that this hampered her ability to do her job as a Member of Council representing and responding to her constituents;
- The allegation that you removed Councillor [REDACTED] from the email thread and as the email thread continued on June 26th, Councillor [REDACTED] staff continued to be cc'ed and notice she was removed. Without any knowledge of Councillor [REDACTED] lengthy phone call with the author of the email thread, Regional Councillor Racco posted the unfortunate comment "Unfortunately, the present Members of Council & the Provincial Government are not helping. You should know that."
- On June 27th at 7:52 pm the author of the email thread notice that Councillor

██████ was removed the thread and commented “I think he was trying to respond but noticed ██████ and ██████ were on the cc list”. Immediately following Councillor ██████ apparent removal by Regional Councillor Racco, he proceeded to post denigrating comments about Councillor ██████ impugning motive without knowledge that Councillor ██████ had spoken at length with the resident;

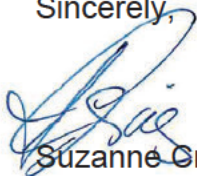
- The allegation that Regional Councillor Racco’s actions were “a deliberate act of malice towards [Councillor ██████], which could conceivably damage [her] personal and professional reputation;
- The allegation that Regional Councillor Racco’s actions are a breach of corporate laws of decorum insofar as both Regional Councillor Racco and Councillor ██████ are also co-directors on the corporate entity of Vaughan Holdings Inc., and the “far-reaching public comments could be seen as damaging to the City’s reputation].

In accordance with section 6 of the Complaint Protocol, I am required to conduct an initial classification to determine if the matter is, on its face a complaint with respect to non-compliance with the Code of Conduct, and not covered by other legislation or other Council policy as described in subsection 3 of the Complaint Protocol.

I have completed my preliminary review and I have decided to proceed with an investigation of this matter as I have determined that the Complaint appears *prima facie*, to be a complaint within the jurisdiction of the Integrity Commissioner and that it appears not to be frivolous, vexatious or made in bad faith. In accordance with section 7.i(a) of the Complaint Protocol, I request that you provide me with a written response to the allegations in the Complaint within ten days on or before July 29th, 2024.

Please be advised that the Integrity Commissioner and every person acting under her jurisdiction shall preserve confidentiality where appropriate and where this does not interfere with the course of any investigation. Therefore, I respectfully require that you refrain from sharing with others any information about this complaint, including any correspondence to and from this Office, for the duration of the process.

Sincerely,



Suzanne Craig
Integrity Commissioner and Lobbyist Registrar

/attachment #1 – Formal Complaint 071624b

C6

Communication

Council – October 29, 2024

CW(1) – Report No. 32 Item No. 3

Dated: Oct 24, 2024

The Honourable Mayor Mr. Del Luca and Esteemed Regional and Local council members.

The City of Vaughan

2141 Major MacKenzie Dr W, Vaughan, ON L6A 1T1

Subject: RE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 GENERAL AND SITE-SPECIFIC AMENDMENTS ZONING BY-LAW AMENDMENT FILE Z.24.018 THE CORPORATION OF THE CITY OF VAUGHAN

Linked for your information is Item 3, Report No. 28, of the Committee of the Whole (Public Meeting), which was adopted, as amended, by the Council of the City of Vaughan on September 24, 2024.

In correspondence to above mentioned email sent to Japji Mangat on Oct 21, 2024, the following feedback was provided by the City Staff

“The referenced item was brought forward to the Committee of the Whole (1) meeting of October 8, 2024, and any recommendations that were made at that meeting may be further discussed and ratified at the Council meeting of October 29, 2024.

Speakers are not permitted at Council, so you will not be able delegate the matter that day. You may submit written comments by email to clerks@vaughan.ca. The deadline for written submissions is by 12pm on Monday, October 28th. The corresponding Council agenda will be made available on Friday, October 25th by 5pm at the following link.”

Dear Honourable Mayor and Esteemed Regional and Local Council Members of the City of Vaughan

This letter is in objection to “The referenced item was brought forward to the Committee of the Whole (1) meeting of October 8, 2024” mentioned above. Following are the reasons which describe in detail why 11151 Highway 50 (Part 4) Vaughan ON (Tax Roll No: 1928000363012000000, Location 0 Highway 50, Legal Dscr: CON 11 PT LT 28 RS65R19710 PT 4) property should be kept General Commercial under ZBI-001-2021

1) **Regulatory Complications:** On Sep 26, 2024, the lawyers representing the city and the lawyers representing 2631622 Ontario Corp and its shareholders reached on a plea agreement which is slated to be signed by the honorable Judge of Peace on Nov 13, 2024 (date which was provided by the honorable Judge of Peace in August 2024).

As per the disclosure provided by the City officials with respect to above mentioned summons, 2631622 Ontario Corp and its shareholders were prosecuted upon the complaint of 11133 Hwy 50 Vaughan. But the truth of the matter is that owners of 11133 Hwy 50 Vaughan have been in violation for uses Outside Storage, truck trailer parking, storing containers for the last 6 yrs or more years, yet City has failed to send any legal notice to this property owner but took all the necessary steps to protect and empower this property owner by not prosecuting them. Neither this owner pays any relevant property taxes nor has filed for any OPA, ZBA application to conform the use. Yet no action has been taken by the city till date against this owner. Proof of the violation is present in the City Files since Oct 2018. Also, the proof of violation of this neighbor has been provided by the expropriation documentation provided by York Region to 2631622 Ontario Corp.

Furthermore, as per the disclosure, there are 6 Pictures which reflects violation done by our other neighbour who has been illegally operating since 2018 yet 2631622 Ontario Corp is the only one summoned and prosecuted by the City not anyone else even with hundreds of thousands of dollars paid to city in terms of Taxes and planning fees for past 3 yrs.

The motion under which this item no was brought back in for review again (after it was deferred on Sep 10 then adopted on Sep 24, 2024) sighting this would assist legal departments, by-law officers and lawyers to prosecute 2631623 Ontario Corp. The motion does not have a standing as the City and its staff has already successfully prosecuted 2631622 Ontario Corp. The fundamental grounds on which this motion was brought forward again does not exist long before this motion was brought forward.

Furthermore, in the **CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021 GENERAL AND SITE-SPECIFIC AMENDMENTS ZONING BY-LAW AMENDMENT FILE Z.24.018 THE CORPORATION OF THE CITY OF VAUGHAN** the 11151 Hwy 50 (Part 4) is being labelled as part of 11151 Hwy 50. As matter of fact 11151 Hwy 50 (Part 4) is separate parcel of land owned by 2631622 Ontario Corp but 11151 Hwy 50 (Part 1), 11151 Hwy 50 (Part 2) and 11151 Hwy 50 (Part 3) are owned by 946489 Ontario Corp. Every time these 4 different properties are labelled as one property due to which accusations, summons, prosecutions, repercussions and convictions whether it's through the Ontario Court of Justice or by City of Vaughan are being levied and specifically targeted only to 11151 Hwy 50 (Part 4) and owners of this property get exclusively subjected and face consequences with respect to that.

2631622 Ontario Corp and its shareholders would like to add there are so many properties which are currently violating different by-laws including properties which are zoned or not

zoned or the ones who only have Official Plans in favour but not zoning and they have not applied for any formal application within the City are able to continue to operate **without any retributions and without paying any Industrial/Commercial Taxes**. Yet no motion till date has been brought up by City of Vaughan which deliberately targets a particular owner or specific corporation which specifically targets prosecuting, victimising and causes exceptionally high monetary losses even though mentioned earlier, City has collected hundreds of thousands of dollars in term of Taxes and other fees for past 3 yrs and suffering to a landowner by deliberately reverting their General Commercial lands to Agriculture and/or Employment to Agriculture and/or changing Official Plans from Employment to Agriculture. If the City reverts the subject lands from General Commercial to Agriculture does not reflect as a planning decision but renders a direct judgement against the property owners.

2) Planning Implications: When this CBZL was brought before this Council for consideration, there is no mention of the fact that there is an active Official Plan Amendment and Zoning By-law amendment application currently under review i.e., **OP.23.005 & Z.23.008 - Vaughan Official Plan Amendment and Temporary Zoning By-Law Amendment Application**. To convert these lands from Commercial to Agriculture the Council is obligated to proceed through the existing planning application not through CZBL. More then \$86,621.24 has been provided to the City for processing this planning application which in its final stages of completion. Along with this more then \$400000 have been spent by the owners of this corporation towards this planning application. The entire application has been submitted in accordance with site specific exemption to General Commercial Use. This reversion from General Commercial Use to Agriculture is going to trash years of hard work and so many man hours spent on this application and cost hundreds of thousands of dollars. This reversion not only dismisses efforts of team 2631622 Ontario Corp but thousands of man hours spent on this application by the City Planners which are funded by tax payers of the City of Vaughan.

Currently and for the last 3 consecutive year this property is zoned General Commercial and has permitted uses of Office and Motor Vehicle Sales in accordance with ZBL 2021. If the property is reverted from General Commercial to Agriculture, why should we be devoid of these existing permitted uses which had been legal for the last 3 years and all of a sudden, they will be illegal, and we will have to pay more fees and monies for a planning application and City will intentionally prosecuting us.

- 3) **Financial Impact to the City:** From Nov 2022, City has collected \$228037.67 in form of Fully Commercial Taxes (2022, 2023 & 2024) & Industrial Stormwater Charges (\$21026.04) apart from the planning costs mentioned in Planning Implications section of this letter. As per City of Vaughan's website, <https://www.vaughan.ca/residential/property-tax-assessment/assessment-information>
- “Under General assessment information**
- The last property assessment notices due to reassessment were mailed to residents in Vaughan on June 13, 2016. The values are utilized to calculate the municipal (City of Vaughan and York Region) and education portions (Province of Ontario) of the property tax bill for the tax years 2017 through to 2020 (now 2022, 2023, and 2024). If there has been any change to the property, an updated assessment notice was mailed out in November 2023. **An assessment increase does not necessarily mean your property tax will increase.** When property values increase, the tax rate is adjusted down to accommodate the increase as the City of Vaughan receives the same total amount of tax dollar revenue.” If the General Commercial zoning as per ZBL -001-2021 is an error still
- a) Notice of Change of Assessments and Notice of Assessment were issued in 2022 contrary to verbiage mentioned on City of Vaughan's website.
 - b) Contrary to the City of Vaughan verbiage 2631622 Ontario Corp was taxed, and monies were collected
 - c) For three consecutive years City of Vaughan has been executing all its actions whether its taxation, regulation or planning in accordance with General Commercial zoning as per ZBL-001-2021
 - d) The taxes imposed on this property were approved by the City Council and charged as land being fully developed and used but not as vacant in accordance 2022 Tax Rate Schedule, 2023 Tax Rate Schedule & 2024 Tax Rate Schedule posted on City of Vaughan's website.
 - e) 2631622 Ontario Corp have already been paying fully Industrial/Commercial taxes same as existing zoned properties in the same Ward of Vaughan which is 54 times more than non-zoned properties.

All these monies are going to be wasted due to one single decision of the city. Does the City intend to refund this money with interest plus compensations of the harassment that we had to go for past so many years once this rezoning occurs and does the City want us to file for a new development application since all the planning and submissions were done in to get site-specific exemptions for General Commercial.

- 4) **Financial Impacts to the Owner:** The reversion if the property form General Commercial to Agriculture will have serious ramifications in terms of astronomical

devaluation of the subject lands amounting in millions of dollars and City will be sentencing a direct judgement and nullifying the efforts of property owners whether they are directed towards their existing efforts of tax payments and efforts done to bring the property to compliance and causing a huge delay in the planning process.

General Commercial uses allows us to set up office, truck sales center, truck wash center, truck repair center as per ZBL-001-2021 and through our planning application all we are asking is a permission to use the site as Intermodal facility where trucks can be parked for a period of three years temporarily (while not requesting any water or sewer facility from the City, savings of millions of dollars of the City which can be invested in other essential infrastructural projects). Through this application, we would like to explain why nothing else can be done on site and this application is the most prudent and efficient way to fully optimize these lands, bring further taxes to the city, fight inflation and increase employment resulting in economic growth.

5) Background

2018: This property was purchased after former Premier of Ontario Kathleen Wayne had scrapped Highway 413 with a vision of establishing a fueling station, Hotel, Warehouse with Truck Trailer parking area as an accessory storage predominantly consisting mixed use development combining both commercial and employment uses. The layout of the vision was showcased in person meeting with City Officials in Oct 2018. At that time City Officials directed us that OP 2010 and Zoning By-Law 1-88 do not support such development and told us to bring a development which is supported under Agriculture uses. The owners were exponentially disappointed as they had bought this property by consulting with the City prior to buying this property in May 2018.

2019: Still the owners of the property wanted to develop this property as the mortgage and interest costs on this property were exceptionally high and to afford it, with detailed review of the existing policies, in 2019 a tennis court facility development PAC agreement was filled which was approved by the City and consequently Development Application was formally filed in 2020.

2021: All the requirements by the City were fulfilled, the owners were waiting for a dig permit to fill the ground when in April 2021 the City objected on the file sighting that the property was in FAA of Highway 413 but is not on the actual route, therefore its not going to get expropriated in the process of the development of Highway 413. City cannot give any kind of permanent permits till the property is in FAA of Highway 413. Pursuant to this we desperately tried to sell the property, when the Real Estate was all time high, but we did not get even a

single offer, because the buyers used to contact the City and City Officials informed the buyers that no building permit can be built on site.

In October 2021, City passed the ZBL 2021 which converted the lands from Agriculture to General Commercial (H).

2022: April 2022, City approved the PAC agreement for OPA and ZBL amendment from General Commercial to add Intermodal facility.

Nov 2022: Back dated Supplementary General Commercial taxes were issued by the City.

Nov 2022: Formal inquiry was made regarding what does "(H)" means under ZBL-001-2021 General Commercial(H). In response to which City officials responded that (H) is a Holding symbol which is an error which can be removed through an amendment, sighting that there is no Hold on the property and property is GC.

March 2023: City removed the Holding symbol "H" by passing amendment to Vaughan By-law 001-2021 and enacted zoning By-Law 029-2023 and the property was officially zoned GC(H) to GC (General Commercial) and the City notified the landowners.

May 2023: First submission of OPA-ZBA application in accordance site-specific amendment to General Commercial zone was done. Public Meeting was held in September 2023 where staff supported the application.

Furthermore in the zoning remarks sent by the City Planner dated July 14, 2023 in response to the first submission sighted that the following "To correct this error, the City plans to bring forward an administrative amendment to Zoning By-law 001-2021 which will involve a future Public Meeting and subsequent Committee of the Whole Meeting, to reinstate the "Agricultural" zone for the Subject Lands and surrounding properties, to be consistent with the Official Plan designation and zone category in Zoning By-law 1-88. Should the Development Planning Department find merit in the applications through the assessment of further information requested in the 1st submission comments, there may be an opportunity to correct the error through these development applications, **should the Owner agree.**"

Prior to this City never indicated, GC zoning of the property under the ZBL-001-2021 is an error rather every action of the City directed towards the subject land whether it was in form of Regulatory Charges, Planning, Taxation were in conformity to ZBL-001-2021 but not in accordance with ZBL 1-88. City's Comprehensive Zoning By-law 001-2021 (subject lands General Commercial as per this law) is in effect since Oct 2021 and York Regional Official Plan 2022 (subject lands in Employment Area as per this law) is in effect since November 2022 which supersedes VOP 2010. Then why does the City wants to revert lands to conform with ZBL 1-88 when the City of Vaughan's official website clearly indicates the Zoning By-Law

001-2021 is in force and Vaughan Official Plan is being amended to conform York Region Official Plan 2022.

July 2024: Second submission in regard to OP.23.005 & Z.23.008 - Vaughan Official Plan Amendment and Temporary Zoning By-Law Amendment Application has been made and City staff and consultants of 2631622 Ontario Corp are working on the file as its on its final level.

Sep-Oct 2024: **EXPROPRIATION**, 2631622 Ontario Corp through means of general inquiry got to know Region of Peel and Region of York are collaborating to widen Hwy 50 and an expropriator from York Region has been assigned to deal with this matter. 2631622 Ontario Corp contacted this Region of York Official who notified that the subject lands are getting expropriated. On meeting zoom meeting the Official told 2631622 Ontario Corp, that Region of York has mailed out the Expropriation Notice on a wrong address back in May 2024 and that the Region shall be acquiring the lands through our planning application which is slated to be acquired in the First Quarter of 2025. On Oct 11, 2024 York Region's representative emailed the original expropriation notice and documents reflecting how much of the property is getting expropriated. So far no City Official has notified 2631622 Ontario Corp that subject lands are getting expropriated and how does the City intends to proceed in this matter. This is extremely disheartening that City of Vaughan who works in partnership with Region of York when it comes to vital construction projects and widening of Hwy 50 as mentioned on Region of York's website has not cared to inform 2631622 Ontario Corp that their lands are either getting expropriated or getting acquired through the planning application or both, but is actually concealing this material fact about the fate of the subject lands. City is supposed to inform the representatives of 2631622 Ontario Corp to modify the application accordingly which is going to cost 2631622 Ontario Corp hundreds of thousands of dollars. Since Region and City are aware of this expropriation since May 2024, the city should have notified 2631622 Ontario Corp to modify the contents of application before second submission was done. Through this letter, I humbly request that City becomes more transparent about what is going on with respect to the OPA/ZBA application so that there is no further delay, which is inevitably going to happen as the whole application must be modified to fit the needs of City & Region.

OPA/ZBA Application (OP.23.005 & Z.23.008 - Vaughan Official Plan Amendment and Temporary Zoning By-Law Amendment Application)

This application is only for temporary use for three years as the City cannot not allow any permanent use on the City sighting the location of the property is in FAA of 413. There current application is of the highest and optimum utilization of the subject lands due its proximity to existing resources such as CPKC and CN Rail terminal and Highway 427 extension. At its

inception in 1991 Vaughan CPKC and CN Rail Intermodal Terminal was built to accommodate and serve less than 26 million Canadian population. Today Canada has more than 42 million people which needs to be served. The entire area where these subject lands are located are either used for Intermodal facilities or exponentially large warehouses are existing or getting established and providing exponentially large employment opportunities. Currently Canada is standing at its worst rate of Unemployment in many years and this facility provides employment opportunities to directly or indirectly to thousands of people who are the backbone of Transportation Industry which contributes billions in GDP across all modes. Canada's transportation networks form the literal backbone of the country's economy. Furthermore, this Intermodal Facility in a lay man's terms is a miniature version of CPKC and CN Rail facility without railway lines in it.

Due to exponentially high population growth, CPKC Vaughan terminal is overflowing with excessive demand of essential and non-essential commodities. There are no other facilities provided by the City nor the City is approving sites where Intermodal facilities can be established to cater the needs of growing population. Scarcity of Intermodal facilities increases costs of storage and transportation. Just like Canada is facing the highest residential property shortages, similar is the situation of single truck-trailer parking sites to large intermodal facilities. This cost is driving up the property costs of day-to-day commodities driving inflation exponentially high. Supporting transportation industry is prudent to support the needs of every Canadian resident.

City has been granting zoning to property owners whose properties are directly in the main route of Highway 413, such is the case of 10951 Hwy 50 Vaughan, further sporting the GC zoning through this CZBL-Z.24.018. Furthermore, Region of York, City of Vaughan, Region of Peel & City of Brampton collectively united to grant the use of Temporary Intermodal Facility and Outside Storage for a period of 3 years to 11176 Hwy 50 Brampton in Dec 2023 (this property is located on the actual route of Hwy 413 and is located only fronting on Hwy 50 jurisdictionally this which is shared by 4 all authorities mentioned above). Yet City is not willing to work on our application which is steps away from the properties mentioned above and is not getting expropriated by future development of Hwy 413.

No one knows the fate of Highway 413, which is only on paper for the last fourteen years and nobody can say when the subject lands are going to be out of FAA. Businesses can not run, and mortgages cannot be paid out on the anticipation as to when something is going to happen. Most importantly York Region Official Plan 2022 puts the subject lands into Employment Areas which City of Vaughan is obligated conform before November 2025. There are provisions both in York Region Official Plan 2022 & VOP 2010 which supports this

development. Through this application we plea the City of Vaughan to allow this use as its compatible to needs for our society.

All these monies are going to be wasted due to one single decision of the City. Does the City intend to refund this money with interests and compensations once this rezoning occurs and does the City want us to file for a new development application since all the planning and submissions were done in to get site-specific exemptions for General Commercial

Lastly, we urge the honourable Mayor and esteemed council please consider our plea in this matter and we are confident that they will make there decisions as per the merits of OP.23.005 & Z.23.008 - Vaughan Official Plan Amendment and Temporary Zoning By-Law Amendment Application not based on intentionally prosecuting 2631622 ON Corp and its shareholders. 2631622 Ontario Corp shareholders are living in life of fear as the members of their ethnicity are getting specifically targeted in Canada by internal and external sources. With this letter we plea that prosecution, justice and law should be equal to all without the discrimination of caste, color, creed, religion of sex of the individual.

Please feel free to contact us without any hesitation as we want to corporate to build and contribute to the economy of the City of Vaughan.

Thanks for this opportunity.

Kind Regards



Japji Mangat

(On behalf of 2631622 ON Corp, Owner of 11151 Hwy 50 (Part 4) Vaughan

Mailing Adress for Corp: 6 Fanfare Pl Brampton ON L6P4B8)

[REDACTED]

[REDACTED]

[REDACTED]

S. Sarai Oct 24, 2024

Satnam Singh Sarai

(Shareholder 2631622 Ontario Corp)

[Redacted]

[Redacted]



24-10-2024

Barinder Singh Sarai

(Shareholder 2631622 Ontario Corp)

[Redacted]

bindy@saraitrucking.com

[Redacted]



Oct 24, 2024.

Amanpreet Singh Saggu

(Shareholder 2631622 Ontario Corp)

[Redacted]

[Redacted]

[Redacted]

From: japi.mangat
To: [Assunta Ferrante](mailto:Assunta.Ferrante)
Cc: Clerks@vaughan.ca; [Adelina Bellisario](mailto:Adelina.Bellisario); mayor@vaughan.ca; [Linda Jackson](mailto:Linda.Jackson); [Gino Rosati](mailto:Gino.Rosati); [Mario Ferri](mailto:Mario.Ferri); [Mario G. Racco](mailto:Mario.G.Racco); [Gila Martow](mailto:Gila.Martow); [Marilyn Iafrate](mailto:Marilyn.Iafrate); [Adriano Volpentesta](mailto:Adriano.Volpentesta); [Rosanna DeFrancesca](mailto:Rosanna.DeFrancesca); [Chris Ainsworth](mailto:Chris.Ainsworth); [Bindy Sarai](mailto:Bindy.Sarai);
Subject: Re: [External] Re: Item 3, Committee of the Whole (Public Meeting) - Report No. 28, Council September 24, 2024
Date: October-24-24 3:55:30 PM
Attachments: [Letter of objection .pdf](#)

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Good Afternoon to the Respectable Authorities

Attached is the Letter of Objection to the referenced item mentioned below.

**RE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021
GENERAL AND SITE-SPECIFIC AMENDMENTS ZONING BY-LAW
AMENDMENT FILE Z.24.018 THE CORPORATION OF THE CITY OF
VAUGHAN**

[Linked](#) for your information is Item 3, Report No. 28, of the Committee of the Whole (Public Meeting), which was adopted, as amended, by the Council of the City of Vaughan on September 24, 2024. The referenced item was brought forward to the [Committee of the Whole \(1\) meeting of October 8, 2024](#), and any recommendations that were made at that meeting are scheduled for further discussed and ratified at the Council meeting of October 29, 2024.

Kindly Consider our plea stated in the attachment before making a decision.

Thank you

Kind Regards

Japji Mangat

(On behalf of 2631622 Ontario Corp)

██████████

On Tue, Oct 22, 2024 at 9:22 AM Assunta Ferrante <Assunta.Ferrante@vaughan.ca> wrote:

Good Morning,

The referenced item was brought forward to the [Committee of the Whole \(1\) meeting of October 8, 2024](#), and any recommendations that were made at that meeting may be further discussed and ratified at the Council meeting of October 29, 2024.

Speakers are not permitted at Council, so you will not be able delegate the matter that day. You may submit written comments by email to clerks@vaughan.ca. The deadline for written submissions is by 12pm on Monday, October 28th. The corresponding Council agenda will be made available on Friday, October 25th by 5pm at the [following link](#).

Thank you,

Assunta Ferrante, M.Ed., TESL, Hon B.Sc.

Legislative Specialist

905-832-8585, ext. 8030 | assunta.ferrante@vaughan.ca

City of Vaughan | Office of the City Clerk

2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

vaughan.ca



From: japji mangat <[REDACTED]>

Sent: Monday, October 21, 2024 6:30 PM

To: Clerks@vaughan.ca

Subject: [External] Re: Item 3, Committee of the Whole (Public Meeting) - Report No. 28, Council September 24, 2024

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Thanks Mr. Coles for your email.

Can you please put forward my name Japji Mangat, resident of [REDACTED] Balloon Cres, Brampton, ON [REDACTED], Canada.

I shall be delegating for the said property again as this matter has been rebrought up and discussion on the same subject matter Council Meeting is scheduled for Oct 29, 2024. Please register my request to speak on this matter again on Oct 29, 2024.

Please provide confirmation that you have received this email and my name has been registered as a delegator in this regard.

Thanks again

Kind Regards

Japji Mangat

On Mon, Oct 21, 2024, 9:58 a.m. Clerks@vaughan.ca <Clerks@vaughan.ca> wrote:

Sent on behalf of Todd Coles, City Clerk

**RE: CITY-WIDE COMPREHENSIVE ZONING BY-LAW 001-2021
GENERAL AND SITE-SPECIFIC AMENDMENTS ZONING BY-LAW
AMENDMENT FILE Z.24.018 THE CORPORATION OF THE CITY OF
VAUGHAN**

[Linked](#) for your information is Item 3, Report No. 28, of the Committee of the Whole (Public Meeting), which was adopted, as amended, by the Council of the City of Vaughan on September 24, 2024.

To assist us in responding to inquiries, please quote the item and report number.

Sincerely,

Todd Coles

City Clerk

905-832-8504 | clerks@vaughan.ca

City of Vaughan | Office of the City Clerk

[2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1](#)

vaughan.ca



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