

SPECIAL COMMITTEE OF THE WHOLE – OCTOBER 29, 2020**COMMUNICATIONS****Distributed October 26, 2020****Item**

- | | | |
|-----|---|---|
| C1. | Memorandum from the City Clerk, dated October 26, 2020. | 1 |
| C2. | Memorandum from the City Clerk, dated October 26, 2020. | 2 |

Distributed October 28, 2020

- | | | |
|-----|---|---|
| C3. | Ms. Cathy Ferlisi, Concord West Ratepayers Association, dated October 27, 2020. | 1 |
| C4. | Mr. Marco Filice, Liberty Development, dated October 26, 2020. | 1 |

Distributed October 29, 2020

- | | | |
|-----|---|-------|
| C5. | Memorandum from the City Manager, dated October 28, 2020. | 1 & 2 |
| C6. | Memorandum from the Deputy City Manager Administrative Services & City Solicitor, dated October 29, 2020. | 1 & 2 |

Disclaimer Respecting External Communications

Communications are posted on the City's website pursuant to Procedure By-law Number 7-2011. The City of Vaughan is not responsible for the validity or accuracy of any facts and/or opinions contained in external Communications listed on printed agendas and/or agendas posted on the City's website.

Please note there may be further Communications.

DATE: OCTOBER 26, 2020

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: TODD COLES, CITY CLERK

**RE: COMMUNICATION – SPECIAL COMMITTEE OF THE WHOLE
OCTOBER 29, 2020 – ITEM 1**

**REQUESTS FROM BRACOR LIMITED AND CRINKLEWOOD
DEVELOPMENT INC. FOR A MINISTER’S ZONING ORDER FOR LANDS
LOCATED ON THE NORTH SIDE OF HIGHWAY 7 BETWEEN KEELE
STREET AND BOWES ROAD (REFERRED FROM THE COUNCIL
MEETING OF OCTOBER 21, 2020**

Purpose

To provide information regarding the Member’s Resolution from Mayor Bevilacqua submitted at the Council meeting of October 21, 2020 and subsequently referred to the Special Committee of the Whole meeting of October 29, 2020.

Background

A Member’s Resolution from Mayor Bevilacqua regarding the above noted matter was submitted to the Council meeting of October 21, 2020 as Addendum 4. The Member’s Resolution was considered, and Council adopted the following:

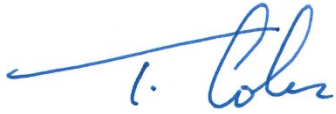
- 1) That consideration of this matter be referred to a Special Committee of the Whole meeting, including the following motion:
 1. Whereas the City of Vaughan is committed to providing affordable housing;

Therefore, that the affordable housing component of this project be incorporated into the earlier phases of the project.
 2. Whereas the City of Vaughan has a significant interest in preserving natural areas such as the waterway identified in this resolution,

Therefore, that the applicant must commit to support a program to preserve and enhance this natural feature in cooperation with the City and the TRCA.
 3. Therefore, in response to the support for the Minister’s Zoning Order by Council the applicant withdraws all appeals to LPAT.

In accordance with Council's recommendation, the Member's Resolution from Mayor Bevilacqua is before you for consideration.

Respectfully submitted by

A handwritten signature in blue ink, appearing to read "T. Coles", with a long horizontal stroke extending to the left.

Todd Coles
City Clerk



C2
COMMUNICATION
SP CW – October 29, 2020
ITEM # 2

DATE: OCTOBER 26, 2020

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: Todd Coles, City Clerk

**RE: COMMUNICATION – SPECIAL COMMITTEE OF THE WHOLE
OCTOBER 29, 2020 – ITEM 2**

**REQUEST FROM JANE STREET NOMINEE INC. AND 1406979
ONTARIO LIMITED FOR A MINISTER'S ZONING ORDER FOR LANDS
IN BLOCK 34 EAST MUNICIPALLY KNOWN AS 11260 & 11424 JANE
STREET (REFERRED FROM THE COUNCIL MEETING OF OCTOBER
21, 2020)**

Purpose

To provide information regarding the Member's Resolution from Mayor Bevilacqua submitted at the Council meeting of October 21, 2020 and subsequently referred to the Special Committee of the Whole meeting of October 29, 2020.

Background

A Member's Resolution from Mayor Bevilacqua regarding the above noted matter was submitted to the Council meeting of October 21, 2020 as Addendum 5. The Member's Resolution was considered, and Council adopted the following:

- 1) That consideration of this matter be referred to a Special Committee of the Whole meeting.

In accordance with Council's recommendation, the Member's Resolution from Mayor Bevilacqua is before you for consideration.

Respectfully submitted by

A handwritten signature in blue ink, appearing to read 'T. Coles'.

Todd Coles
City Clerk

Concord West Ratepayers Association

October 27, 2020

C3
COMMUNICATION
SP CW – October 29, 2020
ITEM # 1

Mayor and Members of Council
2141 Major Mackenzie Drive
Vaughan, Ontario

2215 Steeles Ave. W.

PO Box 431

Toronto, Ontario

M3M 0J3

Executive:

Cathy Ferlisi - President

Rosetta DePriscio - Vice President

Antonietta Giannotti - Treasurer

Loredana Galati - Secretary

Board Members:

Sabino Catenacci

Teresa Panezutti

Vanessa Persichetti

Bruno Simioni

RE: REQUESTS FROM BRACOR LIMITED AND CRINKLEWOOD DEVELOPMENT INC. FOR A MINISTER'S ZONING ORDER FOR LANDS LOCATED ON THE NORTH SIDE OF HIGHWAY 7 BETWEEN KEELE STREET AND BOWES ROAD

Dear Mayor and Members of Council,

The Concord West Ratepayers Association members of the Board are absolutely gob smacked to learn about the above noted application and the urgency to have it approved – especially given that our residential neighbourhood is just across the road and the lack of notice and transparency surrounding this issue.

Instead of approving these specific properties, it would be in the community's best interest; the city's best interest and the region's best interest to develop a comprehensive plan. This prospective plan while it ought to be city-wide, should at the very least begin at the west side of Keele Street – run along Highway 7 and end at Langstaff. All land owners, together with the City and Region ought to work collaboratively to achieve a rich, comprehensive, inclusive and sustainable plan that produces good fruit.

We wonder about the fairness, transparency and justice in pushing these specific developments along at lightening speed when other landowners in the area have worked diligently with the City and Region to ensure that proper consultation and adjustments have been addressed according to public, City and Regional direction.

Furthermore, while we agree with including affordable housing, we are perplexed as to why the City of Vaughan is not asking that affordable housing be incorporated by all landowners across the City of Vaughan. Why only ask this of those developing properties in the Concord West area? Affordable housing should be seeded in every tower, townhouse complex, etc. No one wants another Jane and Finch corridor in their neighbourhood. By infusing affordable housing throughout neighbourhoods throughout the City of Vaughan not just in Concord – high-rise, mid-rise, townhouses or single homes we all gain tolerance, understanding, appreciation and love for one another regardless of financial difficulties or stations in life.

The Concord West Ratepayers is one of the longest standing ratepayer groups in the City of Vaughan. We have always enjoyed a respectful, amiable working relationship with all members of Council including our Mayor – past and present. The by-passing of a wide public consultation – especially the Concord West Ratepayers Association – the most directly impacted and affected, has not even been a

consideration to approving the Minister's Zoning Order regarding the above noted properties is received as a smack and an insult to our community. In fact, were it not for our Local Councillor, Sandra Racco, who brought this to our attention, it would have slipped right by us – but I'm assuming that this was the general plan. You should each hang your head in shame – most especially our Mayor.

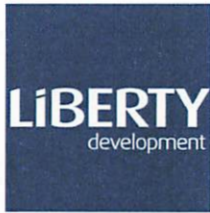
The Concord West Ratepayers Association asks that Council not support this Minister's Zoning request.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script, reading "Cathy Ferlisi".

Cathy Ferlisi



October 26, 2020

VIA EMAIL TO: clerks@vaughan.ca

CITY OF VAUGHAN
Vaughan City Hall, Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

C4
COMMUNICATION
SP CW – October 29, 2020
ITEM # 1

Attention: Office of the City Clerk

Dear City Clerk:

RE: City of Vaughan Council Meeting October 21, 2020
Item #4: Requests from Barcor Limited and Crinklewood Development Inc. for a Minister's Zoning Order for lands located on the north side of Highway 7 between Keele Street and Bowes Road
Special Committee of the Whole Meeting – October 29, 2020

We are writing to you on behalf 1834375 Ontario Inc., the registered owners of the lands municipally known as 1890 Highway 7, in Concord, Ontario, who have owned the lands since 2012.

As you are already aware, our office resurrected and spearheaded, through the York Alliance Group (<https://www.yorkalliancegroup.ca/concordgo>), the Concord GO Station initiative in 2017 and have since been working with planners at the City of Vaughan and Region of York, among numerous other stakeholders, to butterfly Highway 7 to substantiate a modal split and allow mixed uses in the area along Highway 7 between CN Rail and Yonge Street.

A request for a Ministerial Zoning Order (MZO) for Vaughan Council's consideration on October 21, 2020 was submitted by certain landowners. Among other things, the request seeks to re-zone the Corporate Centre (C9) Exception Zone to permit high-density mixed-use development. While this proposal appears to be consistent with the York Alliance Group's Concord GO resurrection initiative, what is inconsistent is Figure 3 of the report titled *A Strategic Opportunity for Transit Support Development*, prepared by Malone Given Parsons Ltd. dated September, 2020 (attached to this letter as 'Attachment 1'), which illustrates a "Proposed GO Station" predominantly situated on lands owned by 1834375 Ontario Inc., just east of the railway. This illustration has caught us by surprise due to the fact that we have been actively involved in working with Metrolinx, York Region, City of Vaughan and neighbouring landowners, including the subject requestors, through the York Alliance Group to resurrect a business case for the Concord Go Station. The illustration in Figure 3 showing the location and orientation of the proposed GO Station has never come up in any discussions with any of the stakeholders. Further, the illustration in Figure 3 is also inconsistent with the 407-

1 Steelcase Rd. W., Unit 8 · Markham, ON · L3R 0T3
Tel: 905.731.8687 Fax: 905.731.6826

Visit us on the Web:
www.libertydevelopment.ca

A handwritten signature in blue ink, appearing to be "WJ", located in the bottom right corner of the page.

Transitway EA (Plate 37), attached to this letter as 'Attachment 2' and the Metrolinx Initial Business Case: Highway 7-Concord (Figure 3-1), attached to this letter as 'Attachment 3'. These concepts are attached to this correspondence for your ease of reference and show the GO platform to be south of Highway 7 and south of 1834375 Ontario Inc.'s lands.

In light of the foregoing and in the absence of any prior consultation between the subject requestor's consultants and ourselves, we respectfully request that the concepts and figures be corrected to reflect a potential for a GO Station that is consistent with previous studies conducted by Metrolinx and other approval authorities and that it be removed entirely from the drawings illustrating a GO Station on 1834375 Ontario Inc.'s lands.

We welcome the opportunity to discuss these concerns further and reserve our rights to provide further comments upon a more fulsome review of the MZO request.

Yours truly,

Liberty Development Corporation



Per: Marco Filice, *Senior Vice President*

For and on behalf of 1834375 Ontario Inc.

Cc. Malone Given Parsons Ltd., Matthew Cory, Principal
Weston Consulting, Martin Quarcoopome, Associate

Encl.

ATTACHMENT 1

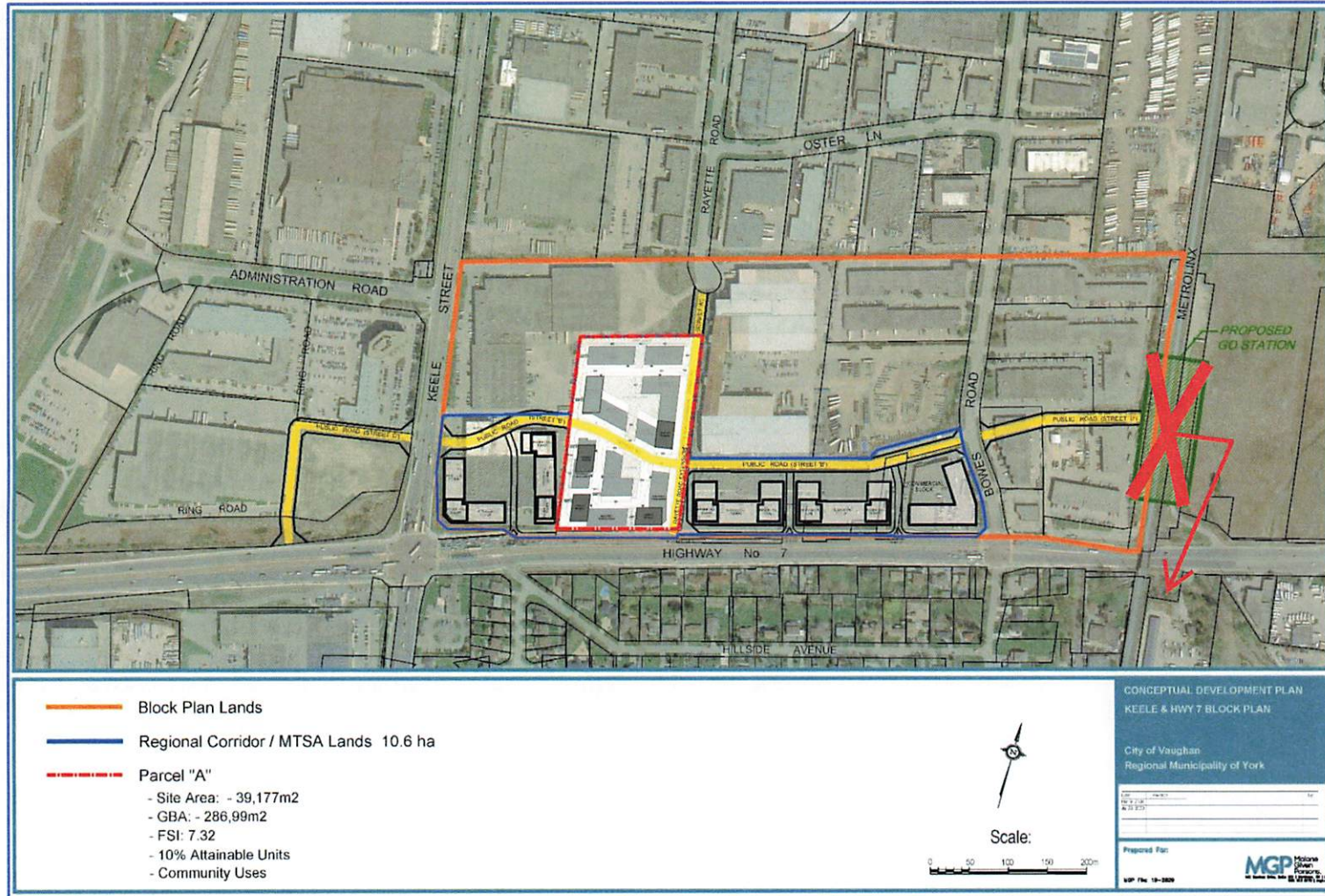
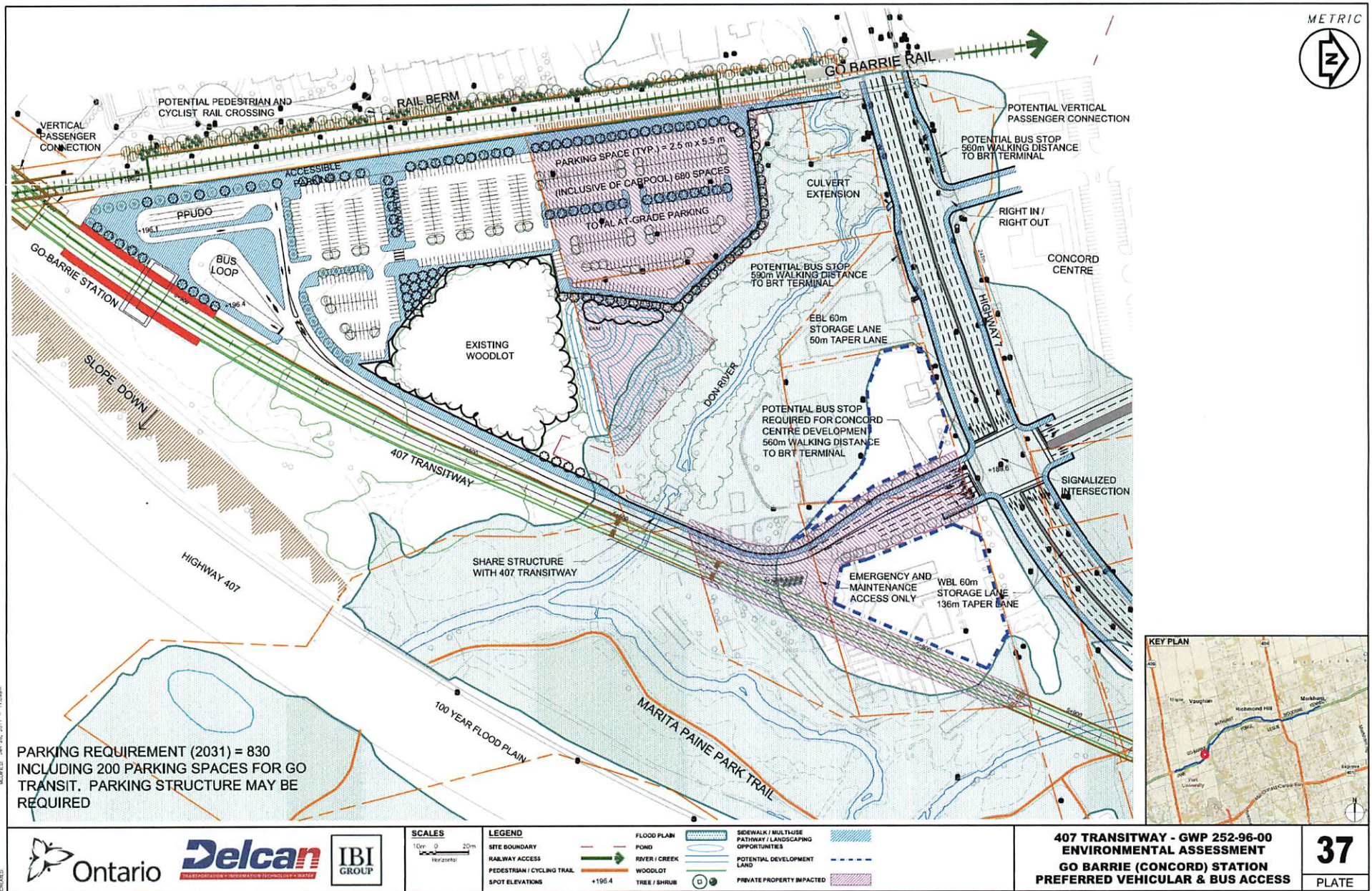


Figure 3 Preliminary Concept Plan

104

ATTACHMENT 2



407 Transitway - EA
(Plate 37)

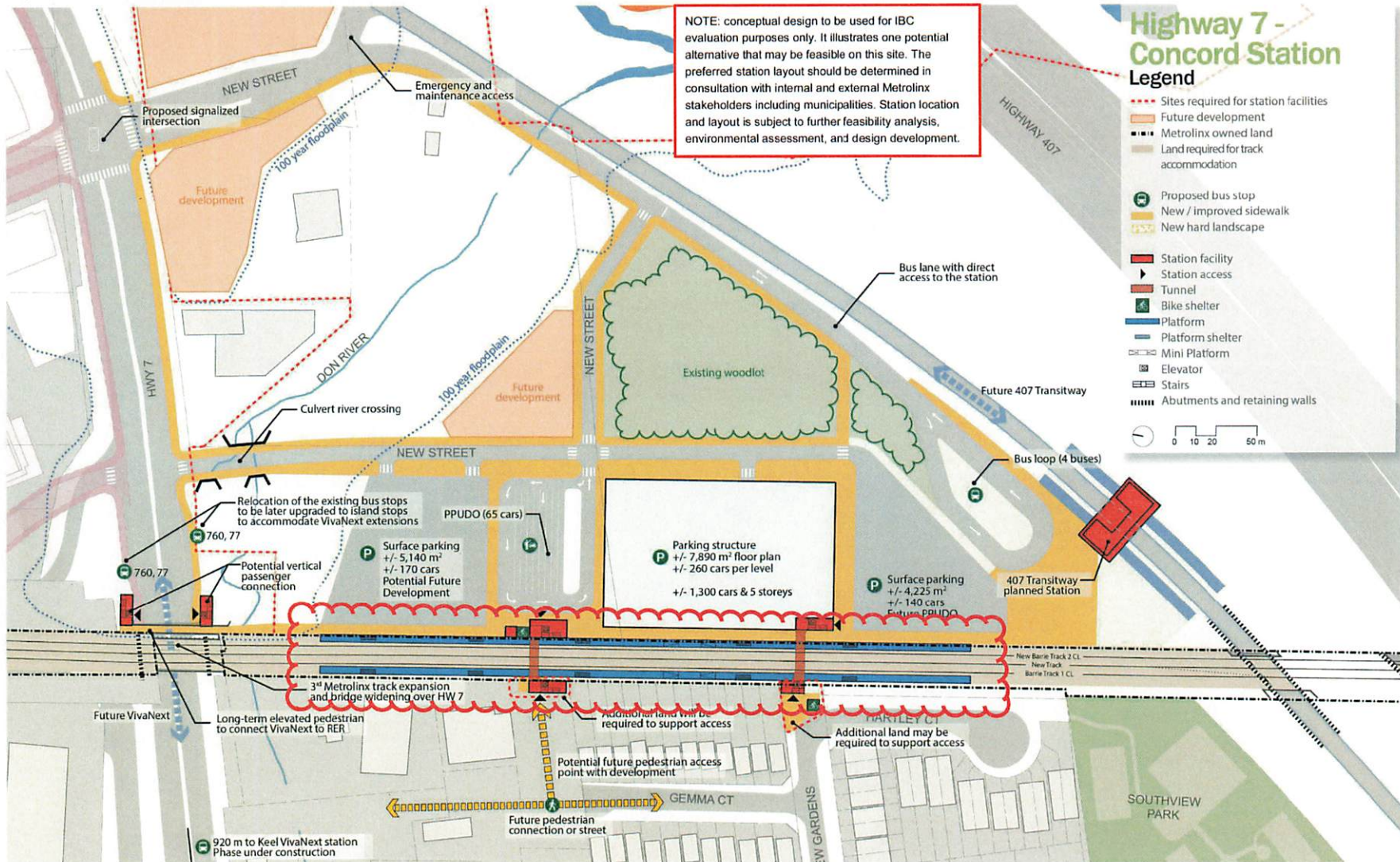


ATTACHMENT 3



RER New Stations Initial Business Case: Highway 7-Concord – draft

Figure 3-1: Highway 7-Concord Station Concept Plan



METROLINX INITIAL BUSINESS CASE: Highway 7-Concord
(Figure 3-1)



C5
COMMUNICATION
SP CW – October 29, 2020
ITEM # 1 & 2

memorandum

COMMUNICATION

DATE: October 28, 2020

TO: Hon. Mayor and Members of Council

FROM: Jim Harnum, City Manager

**RE: STAFF COMMUNICATION
SPECIAL COMMITTEE OF THE WHOLE
OCTOBER 29, 2020 – ITEMS 1 and 2**

Please find attached a chart containing questions/issues with corresponding answers/commentaries with respect to Minister's Zoning Order under s. 47 of the Planning Act and the two proposed orders as contained in the Member's Resolutions before the Special Committee of the Whole on October 29, 2020:

1. REQUESTS FROM BRACOR LIMITED AND CRINKLEWOOD DEVELOPMENT INC. FOR A MINISTER'S ZONING ORDER FOR LANDS LOCATED ON THE NORTH SIDE OF HIGHWAY 7 BETWEEN KEELE STREET AND BOWES ROAD (REFERRED FROM THE COUNCIL MEETING OF OCTOBER 21, 2020)
2. REQUEST FROM JANE STREET NOMINEE INC. AND 1406979 ONTARIO LIMITED FOR A MINISTER'S ZONING ORDER FOR LANDS IN BLOCK 34 EAST MUNICIPALLY KNOWN AS 11260 & 11424 JANE STREET (REFERRED FROM THE COUNCIL MEETING OF OCTOBER 21, 2020).

A handwritten signature in black ink, appearing to read 'Jim Harnum'.

Respectfully submitted by
Jim Harnum
City Manager

Attachments

Attachment 1 – Questions & Answers Minister's Zoning Order

Questions & Answers Minister's Zoning Order's

Attachment 1

	Question	Response
General		
1.	What is a Minister's Zoning Order ("MZO")?	<p>An MZO is a decision made by the Minister of Municipal Affairs and Housing as a regulation made under the <i>Planning Act</i>.</p> <p>The Minister is empowered pursuant to Section 47 of the <i>Planning Act</i> to do a number of things, including exercise any of the powers conferred upon by councils by Sections 34 (Zoning By-laws), 38 (Interim Control By-law), or 39 (Temporary Use Provisions) of the <i>Planning Act</i>, with respect to any land in Ontario.</p> <p>The Minister is afforded a great deal of autonomy to issue such orders whenever s/he deems appropriate, without the necessity of consulting either the public or the municipality in question. The Minister's discretion is unfettered with respect to MZO's enacted pursuant to s. 47 of the <i>Planning Act</i>.</p> <p>Where there is a zoning by-law in effect for the lands subject to the MZO, s. 47(3) of the <i>Planning Act</i> clarifies that the MZO applies (prevails) in cases of a conflict. If there is no conflict, the zoning by-law applies.</p>
2.	Is the Minister required to give notice or hold a hearing prior to making an Order?	<p>No - The Minister is not required to give notice or to hold a hearing prior to making an Order.</p> <p>However, the Minister is required to give notice within 30 days of making an Order (<i>Planning Act</i> ss. 47(5)).</p>
3.	Can an MZO be appealed?	<p>There is no provision in the <i>Planning Act</i> that allows for the appeal or the review of a Minister's decision to enact an Order.</p>

		However, the Minister, on his or her own initiative, or at the request of any person or public body, may amend the Order (<i>Planning Act</i> ss. 47(8)). If the Minister decides to amend an Order notice is required to be given.
4.	Does an MZO need to conform to the Official Plan?	<p>There is no statutory requirement for an MZO to conform with an official plan in effect with respect to the lands subject to the order. This is unlike the <i>Planning Act</i> requirement that all municipal by-laws, including zoning by-laws, must conform with the official plan.</p> <p>However, an MZO, as a decision of a Minister of the Crown, must be consistent with the Provincial Policy Statement, and, generally, must conform or not conflict with provincial plans. A notable exception is that an MZO is not required to conform with a growth plan (<i>Places to Grow Act, 2005</i>, ss. 14(3)).</p>
5.	Can a subsequent approval contravene an MZO?	No. Pursuant to s. 48 of the <i>Planning Act</i> , a licence, permit, approval or permission may not be issued or granted for any land, building or structure where the proposed use of the land or the erection or proposed use of the building or structure would be in contravention of an order made under s. 47.
6.	Who asks for an MZO in the present case?	The current MZO requests were made by the respective applicants. The applicants reached out to us on October 13 th , with an official request for Council to support their application. We assisted the Mayor in preparing the Member's Resolutions as we would support any Member of Council on preparing similar or other Member's Resolutions.
7.	Concern re: no public process.	Notice of this meeting has been posted on the City's website and a social media campaign promoting the meeting was undertaken by Corporate Communications.
8.	Bill 197 Changes to the <i>Planning Act</i> regarding MZOs	<p>Bill 197 amended section 47 of the <i>Planning Act</i> to give the Minister enhanced order-making powers relating to "specified land".</p> <p>"Specified land" is defined as land other than land in the Greenbelt Area within the meaning of the <i>Greenbelt Act, 2005</i> (e.g. areas covered by the Oak Ridges Moraine Conservation Plan).</p>

		<p>The enhanced order-making powers include powers in relation to site plan control and inclusionary zoning. Among other things, this provides the Minister with the ability to require the inclusion of affordable housing units in the development or redevelopment of specified lands, buildings or structures.</p> <p>Also, among other things, a MZO relating to specified land may require that the owner of the specified land enter into an agreement with the relevant municipality respecting specified matters related to development on the land and conditions required for the approval of plans and drawings in a site plan control area. The amendments provide that the Minister may give direction to the parties concerning the agreement. An agreement is of no effect to the extent that it does not comply with the Minister's direction, whether the Minister's direction is given before or after the agreement has been entered into.</p>
Bracor / Crinklewood Proposed MZO		
1.	How much time will the MZO save the applicant?	Staff estimates approximately 3 to 5 years, from the regular York Region's Official Plan, the City's processes including the City's Municipal Comprehensive Review, Secondary Plan, Block Plan and development application process.
2.	Does the MZO reduce the studies typically required?	No. Staff will work to obtain the necessary studies through the Draft Plan of Subdivision and Site Plan Approval processes and in the MZO or separate agreements with the Owner should the Minister enact the MZO.
3.	Will the MZO allow this landowner to "leapfrog" other landowners in the area?	There are no other development applications along this stretch of Hwy 7 at this time. An MZO would allow for the lands subject to the MZO to proceed more quickly than other lands not subject to the MZO. However, landowners typically have different timing schedules for development regardless, such as existing lease obligations, and it is not likely all the lands would be developed at the same time. There are lands zoned on Hwy 7 east of the rail line (former Rose Garden site) that have been zoned and phases of the development are subject to Holding Symbols. The landowners in this area, including the applicant, would still be required to go through the Draft Plan of Subdivision and Site Plan approval processes that could take 6 months to a year to approve.

4.	Would the MZO result in “piecemeal” development along this section of Hwy 7?	The MZO will allow certain lands to be zoned in advance of other landowners and a Secondary Plan being prepared. Typical Secondary Plan requirements will be secured through the MZO language, the processing of the Draft Plan of Subdivision and Site Plans, and through separate agreements.
5.	How many units are proposed in this area?	The documents submitted in support of the MZO suggest approximately 3000 units.
Jane Street Nominee Inc. and 1406979 Ontario Limited		
1.	Are the proposed warehouse buildings permitted by the Official Plan?	The lands are subject to OPA 637 and permit warehouse buildings on the lands.
2.	Concern re Jane Street and the residential community to the east	The Subject Lands are already designated by VOP 2010 (former OPA 637) for employment uses and these uses would ultimately be developed on the subject lands whether they proceeded through a regular planning application process or through an MZO. Jane Street is a Regional Road under their jurisdiction. Under Schedule 9 of VOP 2010 Jane Street is shown as a major arterial and all required road widening will be secured through the draft plan of subdivision / site plan processes.
3.	Will a Draft Plan of Subdivision Application be required?	Yes, as a public road is included on the subject lands forming the midblock collector from Teston Road to Kirby Road.
4.	How are the Environmental features on these lands being considered?	<p>The Member’s Resolution contains 3 specific recommendations regarding environmental features to be secured through the MZO language and through the Subdivision and Site Development application processes:</p> <ol style="list-style-type: none"> 1. <i>That Council supports and has no objection to the Minister of Municipal Affairs and Housing enacting a Minister’s Zoning Order for the Subject Lands which would permit the lands to be developed for employment uses and provide for the protection of the environmental features; and</i> 2. <i>That the Owners work with the TRCA and the MRNF to undertake the appropriate studies to address the environmental considerations, including compensation, as may be appropriate; and</i>

		<p><i>3. That the Minister's Zoning Order be amended by the Owner through a future zoning amendment application, if necessary, to incorporate appropriate open space zone(s) to protect any environmental features as may be determined through the required technical reports;</i></p> <p>This is consistent with the requirements for the Conmar MZO for the lands to the immediate south.</p>
5.	How much time will the MZO save the applicant?	Staff estimates it to be approximately 1 to 2 years. These lands are subject to a Secondary Plan (OPA 637) and the lands have been designated for employment uses already, so the lands would have been subject to a Block Plan process and the typical development applications (Subdivision, Zoning, Site Plan)
6.	Does the MZO reduce the studies typically required?	No. Staff will work to obtain the necessary studies through the Draft Plan of Subdivision and Site Plan Approval processes and in the MZO or separate agreements with the Owner should the Minister approve the MZO.

DATE: OCTOBER 29, 2020

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: WENDY LAW, DEPUTY CITY MANAGER
ADMINISTRATIVE SERVICES & CITY SOLICITOR

RE: STAFF COMMUNICATION – SPECIAL COMMITTEE OF THE WHOLE
OCTOBER 29, 2020

ITEM 1- REQUESTS FROM BRACOR LIMITED AND CRINKLEWOOD DEVELOPMENT INC. FOR A MINISTER’S ZONING ORDER FOR LANDS LOCATED ON THE NORTH SIDE OF HIGHWAY 7 BETWEEN KEELE STREET AND BOWES ROAD (REFERRED FROM THE COUNCIL MEETING OF OCTOBER 21, 2020)

ITEM 2 - REQUEST FROM JANE STREET NOMINEE INC. AND 1406979 ONTARIO LIMITED FOR A MINISTER’S ZONING ORDER FOR LANDS IN BLOCK 34 EAST MUNICIPALLY KNOWN AS 11260 & 11424 JANE STREET (REFERRED FROM THE COUNCIL MEETING OF OCTOBER 21, 2020)

Purpose

To seek Council’s approval of a recommendation to authorize the City Manager to execute agreements as appropriate to give effect to Council’s direction with respect to Items 1 and 2 as noted above, and to provide additional information.

Recommendation

It is recommended that with respect to both Items 1 and 2, that the following recommendation be adopted by Council should Council adopt the respective Member’s Resolutions:

That should any recommendation of Council not be included in the Minister’s Zoning Order, then the City Manager may enter into any agreement(s), as may be required, on behalf of The Corporation of the City of Vaughan, with [Insert Landowners Name(s)] and such other persons as appropriate, to implement and enforce the recommendation(s), in a form satisfactory to the City Solicitor.

We are making this Recommendation to enable staff to execute Council's direction by way of an agreement with the landowner(s), should any parts of the Council recommendations not be captured in the respective Minister's Zoning Orders. This is the same recommendation approved by Council at its October 21, 2020 meeting with respect to the Member's Resolution on 2901 Rutherford Road.

Additional Information re: Item 1 - Member's Resolution from Mayor Bevilacqua and Council's Motion:

The Member's Resolution was considered at Council on October 21, 2020, and Council adopted the following:

1) That consideration of this matter be referred to a Special Committee of the Whole meeting, including the following motion:

- 1. Whereas the City of Vaughan is committed to providing affordable housing;*

Therefore, that the affordable housing component of this project be incorporated into the earlier phases of the project.

- 2. Whereas the City of Vaughan has a significant interest in preserving natural areas such as the waterway identified in this resolution,*

Therefore, that the applicant must commit to support a program to preserve and enhance this natural feature in cooperation with the City and the TRCA.

- 3. Therefore, in response to the support for the Minister's Zoning Order by Council the applicant withdraws all appeals to LPAT.*

Please note that with respect to section 2 of the motion, although the Member's Resolution from Mayor Bevilacqua did not identify a waterway, we have since confirmed with Staff that there are stream corridors/watercourses located on the subject lands.

Regarding section 3 of the motion, we can advise that there are no known LPAT appeals with respect to the lands subject to the MZO request.

Respectfully submitted,



Wendy Law
Deputy City Manager
Administrative Services & City Solicitor

Prepared By:

Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate, ext. 8662