

RUSSELL D. CHEESEMAN
- Barrister & Solicitor -

REAL ESTATE DEVELOPMENT | MUNICIPAL LAW | ENVIRONMENTAL LAW

March 21, 2022

C292

COMMUNICATION

COUNCIL – MARCH 22, 2022

CW (1) - Report No. 9, Item 1

VIA EMAIL

Mayor Maurizio Bevilacqua and Members of City Council
Corporation of the City of Vaughan
Vaughan City Hall, Level 100
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Your Worship and Members of Council:

**Re: City-Wide Comprehensive Zoning By-law 001-2021
Z.21.052 – Repeal and Replace Transition Provisions
Council Meeting – March 22, 2022
Property Address: 9650 Highway 27**

We are counsel for 2708971 Ontario Inc. (“270”), the owner of the lands known municipally as 9650 Highway 27 (the “Lands”) in the City of Vaughan (the “City”). 270 has filed an appeal of the City’s City-Wide Comprehensive Zoning By-law 001-2021 (the “Comprehensive ZBL”).

On behalf of 270, we have reviewed the Staff Report dated March 1, 2022 which was presented to the Committee of the Whole at a meeting on March 1, 2022. This Report contained certain proposed transitional provisions (the “Transitional Provisions”; section 1.6) to the Comprehensive ZBL.

We are writing to provide 270’s concerns with the proposed alterations to the Comprehensive ZBL.

270 filed its appeals of the Comprehensive ZBL specifically in respect of an intended high density and commercial use development on the Lands described above. An application was made to the City in respect of this development on December 16, 2021. Our client is of the opinion that its proposed use of the Lands would be in accordance with the York Region and City of Vaughan Official Plans, which designated the Lands as “Town and Villages” and “Regional Greenlands System” under the York Regional Official Plan and as “Stable Areas and “Natural Heritage Network” under the City’s Official Plan. However the Comprehensive ZBL has altered the zoning of the Lands from “Open Spaces” to “Environmental Protection Zone”.

Royal Building
277 Lakeshore Road East, Suite 211
Oakville ON L6J 1H9



Toronto Meeting Rooms
Brookfield Place, 161 Bay Street, Suite 2700
Toronto ON M5J 2S1

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Should 270 be successful and it is deemed that the former Zoning By-law 1-88 applies to the Lands under the Transitional Provisions, the proposed high density and commercial shall be developed upon the Lands. However, we would note that under section 1.6.4 of the Transitional By-laws, Section 1.6 shall be repealed in its entirety ten years after October 20, 2021. If the entire development is not completed in this time, former Zoning By-law No. 1-88 will cease to apply to the Lands and the Lands would then be subject to the Comprehensive ZBL, which would again zone the Lands as an “Environmental Protection Zone”. The completed approved development would then become legal non-conforming.

270 respectfully encourages the City to rezone the lands in the Comprehensive ZBL to be consistent with the approvals issued for the Lands or, in the alternative, provide a clear mechanism in which the Comprehensive ZBL incorporates applications submitted under former Zoning By-law 1-88.

For the reasons stated above and as set out in our appeal of the Comprehensive ZBL, we wish to express our client’s continued concerns regarding proposed revisions to the Transitional Provisions.

We thank you for the opportunity to provide comments and request confirmation of receipt of these submissions.

Yours very truly,

A handwritten signature in black ink that reads "R. D. Cheeseman". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Russell D. Cheeseman

RDC/saf

Encl.

Cc: Anatolia Block 59 Developments Limited