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**C80
COMMUNICATION
COUNCIL – MARCH 22, 2022
CW (1) - Report No. 9, Item 1**

March 1, 2022

By E-Mail: clerks@vaughan.ca

Mayor Maurizio Bevilacqua and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: Todd Coles, City Clerk

Dear Mayor Bevilacqua and Members of Council:

**Re: Committee of the Whole, March 1, 2022
City-Wide Comprehensive Zoning By-law 001-2021
Amendments to Transition Provisions**

Aird & Berlis LLP are solicitors for My Place On 7 Inc., owners of the lands municipally known as 4850 Highway 7 and 79 Arrowhead Drive in the City of Vaughan.

On June 15, 2021 our client filed applications for an Official Plan Amendment (City File OP.21.015) and a Zoning by-law Amendment (City File Z.21.026) to facilitate a mixed-use redevelopment of the Subject Property. The Applications were deemed complete on July 26, 2021.

Our Client is also an appellant in the Ontario Land Tribunal proceeding in respect of the new City Wide Comprehensive Zoning By-law ("**New By-law**"), assigned Appeal No. 002752. Through their appeal, our client cited their concerns that the New By-law does not adequately address and accommodate the proposed redevelopment of our client's lands, by failing to properly recognize in-progress complete development applications and ensure that those applications may be processed and approved under the New By-law.

We have become aware of the Staff Report dated March 1, 2022 which recommends that Council repeal and replace the transition provisions of the New ZBL which is before the Tribunal at this time.

On behalf of our client, we remain concerned with the effect of the proposed replacement transition provisions.

The effect of the transition provisions being proposed is that if our client's Applications receive final approval by Council, they will immediately become legal non-conforming by operation of proposed subsections 1.6.3.3.4. and 1.6.4.1. That result is inconsistent with having received final approval for a development proposal. We would expect that the City would instead reflect these approvals through a full exception under the New ZBL or by recognizing the approval under the New ZBL.

March 1, 2022
Page 2

Moreover, it is not clear to us that the process recommended – adoption of a new by-law to repeal and replace provisions under appeal - is the most efficient or appropriate process to follow in order to address the transition appeals.

We would welcome the opportunity to consult with City Staff on the proposed changes contained in the above-noted Staff report to ensure that they fully address our client's interests.

Moving forward, we would also request that we be notified in writing of any future reports and public meetings in respect of proposed amendments to the transition provisions of the New By-law.

Yours truly,

AIRD & BERLIS LLP



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MH:tp