

February 22, 2022

**By E-Mail Only to *clerks@vaughan.ca***

His Worship Mayor Maurizio Bevilacqua and Members of Council  
The Corporation of the City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

**Attention: Todd Coles, City Clerk**

Your Worship and Members of Council:

**Re: Committee of the Whole (1), March 1, 2022  
City-Wide Comprehensive Zoning By-law 001-2021 (the “New ZBL”)  
Transition Provision Amendments, File No. Z.21.052  
Submission of 2431247 Ontario Ltd. (the “Company”)**

We are counsel to the Company, the owner of the lands located at the southeast corner of Jane Street and Highway 7, and municipally known as 7725 Jane Street (the “**Subject Lands**”).

The Company is an Appellant in the Ontario Land Tribunal proceeding concerning the New ZBL.

On behalf of the Company, we have reviewed the proposed modifications to the New ZBL, as contained in two separate Staff Reports dated January 18, 2022, respectively addressing transition provisions and technical revisions. We have also reviewed the minutes of the Council Meeting held on January 25, 2022.

The purpose of this letter is to express our client’s concern regarding the proposed revisions to the transitional provisions of the New ZBL (the “**Proposed Amendments**”).

Our client’s concerns regarding relate to, among other things, whether the Proposed Amendments account for possible future amendments and the imposition of a 10-year limit on transition rights.

**Communication : C 1  
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## Related and Future Applications

The transition provisions seem to allow applications (excluding Official Plan Amendments) that implement a zoning approval to be assessed under the Former ZBL under certain conditions as provided for in s. 1.6.2.8.1 of the New ZBL.

However, this provision does not function as intended because building permit applications arising from applications transitioned under s. 1.6.2.8.1 will still be subject to the Former ZBL “as it read on October 20, 2021”. This limiting language is also found in the Preamble to the transition provisions.

## Ten Year Time Limit

The proposed revisions in s. 1.6.4.2, which as written repeals the transition provisions of the New ZBL after 10 years, do not address the fundamental problem of indeterminate liability for property owners, and are arbitrary. Our client urges the City to adopt a more measured approach by converting the 10-year sunset date to a *review* of the transition provisions in 10 years.

## Conclusion

We thank you for the opportunity to provide comments and kindly request confirmation of receipt of these written submissions, along with, notice of all future steps in this matter.

Yours truly,  
**DAVIES HOWE LLP**



John M. Alati

JMA: go

copy: Ms. Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor  
Ms. Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate  
Ms. Candace Tashos, Legal Counsel  
Mr. Nick Spensieri, City Manager  
Mr. Haiqing Xu, Deputy City Manager, Planning and Growth Management  
Mr. Brandon Correia, Manager of Special Projects, Planning and Growth Management  
Mr. Elvio Valente, Building Standards, Manager, Zoning Services and Zoning Administrator