

Reply to the Attention of: Mary Flynn-Guglietti
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Our File No.: 210424
Date: March 1, 2021

BY EMAIL (Clerks@vaughan.ca)

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

Attention: Chair & Members of the Committee of the Whole

Dear Sirs/Mesdames:

**Re: Official Plan Amendment Application by 1529749 Ontario Inc. (the "Torgan Group")
– PHASE 1
7700 Bathurst Street: Official Plan Amendment File No. OP.16.006
Committee of the Whole March 1st, 2022 Agenda Item #3 for 1:00 pm**

We are the solicitors representing 1529749 Ontario Inc. ("**Torgan**"), the owners of the lands municipally known as 7700 Bathurst Street in connection with the above noted matter. We have had an opportunity to review the letter filed with the Committee of the Whole by Goodmans dated February 27, 2022 on behalf of its client Promenade Limited Partnership ("**PLP**"), owners of the Promenade Shopping Centre and wish to provide a response. The Goodman's letter was not provided to us until late in the afternoon of February 28, 2022.

By way of background, on February 25, 2020 the City of Vaughan and Torgan entered into Minutes of Settlement regarding their site-specific Official Plan Amendment application for its lands and in order to resolve Torgan's appeal of the City of Vaughan's Official Plan 2010. The agreement reached was to allow Torgan to submit a rezoning application for its Phase 1 lands only, that would be reviewed and considered under the existing policies. Torgan agreed that its Phase 2 lands would not be the subject of a rezoning application until completion of the Promenade Centre Secondary Plan ("**PCSPlan**"). This direction was clearly articulated in the Minutes of Settlement that the Phase I lands could proceed in advance of the PCSPlan and not be subject to the policies of the PCSPlan.

In the letter to the Committee of the Whole on behalf of PLP it, states that it has “no general objection to the Torgan Phase 1 Development, but it is anticipating and requesting that any Official Plan Amendment that would permit such development contain cost sharing policies similar to those set forth in Policy 11.7.3 of the draft PCSPlan”. We respectfully submit that to insert the policy requested by PLP would be contrary to the Minutes of Settlement as the Torgan Phase I Official Plan Amendment is not to be subject to the PCSPlan. Torgan fully appreciates that the Torgan Phase 2 lands will not be processed until the PCSPlan has been completed and would be subject to the final policies of the PCSPlan once adopted by Council. Additionally the PCSPlan has not been approved by Council and is only in draft form, accordingly, it would be premature to subject the Torgan Phase I lands to a “draft” policy of a “draft” Secondary Plan.

We, therefore, respectfully request that to impose a “draft” policy from the PCSPlan is legally contrary to the binding February 25th, 2020 Minutes of Settlement and premature as the PCSPlan is a draft only and has not been adopted by Council.

Kindly ensure that this correspondence is provided to the Chair & Members of the Committee of the Whole prior to their meeting of March 1, 2022.

Yours truly,



Mary Flynn-Guglietti

Encl.

cc: John Macintyre, Torgan
Effie Lidakis, City of Vaughan Legal