

Reply to the Attention of: Mary Flynn-Guglietti  
Direct Line: 416.865.7256  
Email Address: Mary.flynn@mcmillan.ca  
Our File No.: 210424  
Date: June 20, 2022

**BY EMAIL ([clerks@vaughan.ca](mailto:clerks@vaughan.ca))**

The Office of the Clerk  
City of Vaughan  
City Hall Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

**Attention: Todd Coles, Clerk of the City of Vaughan**

Dear Chair and Members of the Committee of the Whole:

**Re: Vaughan Committee of the Whole Meeting of June 21, 2022  
Item No. 6.2 – File No. 26.7  
Promenade Centre Secondary Plan (“PCSP”)  
Our Client: 1529749 Ontario Inc. (“Torgan”)  
Our Client’s Lands: 7700 Bathurst Street, City of Vaughan**

We are the solicitors retained by 1529749 Ontario Inc. (“**Torgan**”), the owners of the lands municipally known as 7700 Bathurst Street, in the City of Vaughan. Our client’s lands are located at the southwest corner of the intersection of Bathurst Street and Centre Street and fall within the boundaries of the PCSP. Applications for an Official Plan amendment and Zoning By-law Amendment for the Phase 1 lands, consistent with Minutes of Settlement entered into between our client and the City of Vaughan, were filed on July 7, 2020 with updated resubmissions on September 23<sup>rd</sup>, 2021 and January of 2022.

Both our client and our client’s planning consultants, Weston Consulting have actively participated in the PCSP consultation process. We have also had an opportunity to review the draft of the PCSP and the Draft Official Plan Amendment (“draft OPA”) that is being considered at the June 21, 2022 meeting of the City’s Committee of the Whole. We appreciate the time and energy of City staff’s work on the PCSP and we are supportive of many of the policies of the PCSP, such as the land use designations and permissions proposed for our client’s lands.

However, although Torgan’s Planning Consultants have had many meetings with City staff and have provided written submissions regarding our concerns related to the various drafts of the PCSP, we note that the proposed draft of the PCSP before the Committee of the Whole for consideration fails to modify the PCSP to address our concerns. Specifically the proposed PCSP does not adequately consider the existing site-specific conditions and historic

planning approvals granted by the Ontario Municipal Board (now referred to as the Ontario Land Tribunal) for the our client's lands related to the existing road network and infrastructure conditions and agreements.

Attached to my letter is correspondence from Weston Consultants dated June 20, 2022 that sets out our specific concerns related to the draft PCSP. Both Mr. Guetter of Weston Consulting and myself will be available for the Committee of the Whole's meeting to make a deputation related to the PCSP and the draft OPA. Kindly ensure that my correspondence and Mr. Guetter's attached correspondence is made available to the Members of the Committee of the Whole.

Kindly ensure that we are provided with notice of any matters related to the PCSP.

Yours truly,



Mary Flynn-Guglietti

Encl.

CC: Johnathan MacIntyre  
Ryan Guetter, Weston Consulting  
Matthew Halo, Weston Consulting  
Mitch Gascoyne, Centrecourt



# WESTON CONSULTING

planning + urban design

Planning and Development Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

June 20, 2022  
File 5803

**Attn: City of Vaughan Committee of The Whole**  
**RE: Vaughan Committee of the Whole Meeting of June 21, 2022**  
**Item No. 6.20**  
**Promenade Centre Secondary Plan ("PCSP"), File No. 26.7**  
**1525749 Ontario Inc.**  
**7700 Bathurst Street**

Weston Consulting is the authorized planning consultant for 1529749 Ontario Inc., ("**Torgan**") the registered owners of **PCL 5-1, SEC 65MM2325; BLK 5, PL 65M2325; EXCEPT PTS 1 AND 6 ON PLAN OF EXPROPRIATION YR2278033, CITY OF VAUGHAN**, municipally known as 7700 Bathurst Street in the City of Vaughan (herein referred to as the '**Subject Property**'). A re-submission of planning applications OP.16.006 & Z.20.19 for Phase 1 of the Subject Property was provided to the City of Vaughan in January 2022. This application is now before the Ontario Land Tribunal. This letter is prepared in response to the Promenade Centre Secondary Plan ("**PCSP**") Staff Recommendation Report being presented to City of Vaughan Committee of the Whole on June 21, 2022.

Both our client and their legal representative, McMillan LLP, have actively participated in the in the PCSP consultation process. We have also had an opportunity to review the draft of the PCSP and the Draft Official Plan Amendment ("**draft OPA**") that is being considered at the June 21<sup>st</sup>, 2022, meeting of the City's Committee of the Whole ("**COA**"). We appreciate the matter being advanced; however, we continue to have concerns with the draft PSCP, OPA and Staff Recommendation Report, and are not satisfied that our previous issues have been satisfactorily addressed.

On behalf of Torgan, we have expressed to Vaughan Staff and Council that the draft PCSP does not adequately consider the existing site-specific conditions and historic planning approvals granted by the Ontario Municipal Board for the Subject Property, including existing road and infrastructure conditions and agreements, and does not fully accommodate or consider the active planning applications being reviewed by City of Vaughan Staff (File Nos. OP.16.006 and Z.20.019).

We are attaching letters prepared by McMillan LLP and Weston Consulting that have been included in previous Committee meetings. Many of the concerns identified in the attached letters have not been addressed by City Staff in the recent updates of the Draft PSCP and Staff Recommendation Report.

## **Commentary and Responses on the Draft PSCP OPA and Staff Recommendation Report**

The following themes and specific comments are provided in addition to those issues raised in our previous attached correspondence. We ask that the Committee consider this feedback in response to Item 6.20 – File 26.7 being considered at Vaughan COW on June 21, 2022.

1. We are not supportive of the Multi-Modal Transportation Network proposed in Schedule 'E' of the draft PSCP. The Draft PSCP continues to propose the ultimate relocation of Promenade Circle. Schedule 'E' does not align with the proposed development on the Subject Property, and the development framework that was approved by the Ontario Municipal Board.

We have requested that the north south road, labelled as NS-3 on Schedule F be provided as a private road, not a public road. This request has not be accommodated.

2. We generally support the proposed heights and densities for the Subject Property as set out on Schedule 'D' – Height, Density & Use Parameters of the Draft PCSP. A maximum height of thirty-five storeys and densities of 6.5 times the lot area is generally consistent with the planning applications that are under review by the City of Vaughan for the Phase 1 portion of the Subject Property. However, we are concerned with the redistribution of the height and density within the Secondary Plan Area (i.e., Promenade Mall) and are concerned with the future developability of the Phase 2 portion of the Subject Property, which is not yet the subject of site-specific applications.

We request that the City of Vaughan confirm in the PCSP whether the density is to be calculated on a gross or net (netting parkland dedication/public road conveyances) area basis. If the density calculation is based on net, then it will have a direct impact on the planned development on the Subject Property (phases 1 and 2). Accordingly, we suggest that if density is considered on a gross area basis it be inclusive of parks or land conveyances, alternatively should density be calculated on a net basis the permitted FSI for the Subject Property should be increased.

3. We recognize that the minimum densities for the Disera-Promenade Bus Rapid Transit Major Transit Station Area ('MTSA') was endorsed by Regional Council at 200 people and jobs per hectare ('pjh'), the Secondary Plan Area warrants a population and jobs density that is much greater.

We have reviewed the draft PCSP and request that the projected densities within the Secondary Plan Area be a target, not a maximum.

4. We have concern with the proposed active "Retail, Service Commercial or Public Use Frontage" proposed on Schedule 'D' of the PCSP, as it is in direct conflict with the proposed development of the Phase 1 portion of the Subject Property. Furthermore, the parkland dedication that is illustrated on Schedule 'D' does not align with the proposed development principles that have been discussed with Parks Staff in relation to the Phase

1 development. Discussions have been held with City of Vaughan Planning and Park Planning Staff as part of the Phase 1 development and with Vaughan Planning Staff concerning the parkland dedication for the Subject Property that have not been achieved as it relates to the proposed and final location of the park block for the Subject Property particularly as it relates to the Phase 1 portion of lands and its bearing on the balance of the property. We request that the Draft PCSP policies and schedules be flexible in the location of park blocks and that the size of the parkland be subject to applicable parkland dedication requirements.

5. We have reviewed the proposed policy framework that relates to surface parking in the PCSP and have identified issues with policies in Sections 4.4 and 5.5, as it appears to conflict with the proposed Phase 1 development, which supports surface parking for retail uses. We believe surface parking is key to the ultimate success of the retail component of the development. While we appreciate the desire to generally limit surface parking additional flexibility is required is necessary to support the retail and office component of the development.

Based on input from our client's transportation engineer, we request that the residential, retail and office parking rates from the Vaughan Metropolitan Centre apply to the Subject Property except for visitor parking rates; and we reserve the right to request that reductions via a parking study and Transportation Demand Management (TDM) measures be considered for site-specific planning applications.

Please refer to our suggested modifications to policies 4.4 and 5.5 in our November 2021 letter.

6. We are also have concerns regarding the proposed private and public roads on Schedule F of the PCSP. We have requested that the north south road, labelled as NS-3 on Schedule F be provided as a private road, not as a public road. We have repeatedly requested that the east west road, labelled as EW-1C and EW-1D be considered as a private and not a public road. This is important for the viability of at-grade retail envisioned along these streets. Furthermore, we have concerns with the planned north-south public street ("Public Local Street") as a road greater than fourteen metres in planned width does not reflect the proposed condition in the Phase 1 planning applications for the Subject Property, nor the work conducted by our client's transportation consultant.

In addition, we have concerns with the proposed implementation / sequencing of the proposed roads within the PCSP and suggest appropriate flexibility in these policies to permit an applicant to demonstrate a suitable phasing as part of the development application process as it is advanced.

The functionality of the shared use path has not been appropriately addressed. The shared use paths depicted in Development Area B and C on Schedule F are incompatible with our development proposal, as they impact the viability of the at grade commercial and retail uses. Policy 5.2e of the PCSP proposes additional language in the provision of

“consideration for [the] provision of vehicular access;” however, this policy still does not adequately address the proposed condition on the Phase 1 property and could impact further phases and accordingly is not acceptable. We have anticipated that full access, including pedestrian, bicycle and vehicular, is required to accommodate the proposed development. It should be acknowledged that the modifications to the Shared Use Paths on Schedule ‘E’ of the PCSP that we requested in our November 29, 2021, letter have not been addressed in the draft of the PCSP. We stand by our prior request for modifications set out in our November 2021 letter.

7. Despite repeated requests to the PCSP Team, we were not granted access to the methodology or data supporting the transportation elements of the PCSP, which has limited our client’s transportation consultant’s ability to conduct the appropriate assessment of the Secondary Plan schedules and policies. Access to the methodology and data is crucial to fully understand the proposed PCSP and be able to provide a comprehensive response.
8. We provided our feedback to City Staff and Committee on Section 3.1.4 of the PCSP in November 2021. Our position on this Section remains the same, and we recognize that the policy will be implemented as an overall target that aligns with the Vaughan Official Plan (VOP) 2010 policies. It is noted that this policy should be interpreted contextually in its application rather than an explicit policy requirement for each application.
9. The Subject Property currently operates as a stand-alone retail use permitted as of right in the Vaughan Official Plan and Zoning By-law 1-88. Notwithstanding the planned development on the Phase 1 portion of the Subject Property, the east portion of the Subject Property will continue to operate under its current retail use. We request that Policy 3.2.2 of the plan recognize this appropriately.

### **Concluding Comments**

We are appreciative the efforts that City Staff have made in the preparation of the update to the PCSP and acknowledge that multiple meetings have been held with our clients to discuss the proposed development of the Subject Property. As currently drafted, the proposed PCSP does not appropriately address our client’s concerns and although we support the general principles of the plan and many of its policies, there are key concerns, summarized herein, that remain unresolved and accordingly are not acceptable.

We request that City of Vaughan Committee consider our comments and direct staff to collaborate with us to ensure that the appropriate modifications to the PCSP are made prior to adoption. We therefore recommend that it would be appropriate to defer this matter until such time as our client’s issues can be appropriately addressed.

We appreciate the opportunity to provide these comments and will endeavor to discuss the same with Staff as well. Should you require any additional information or clarification, please do not hesitate to call the under undersigned at extension 241 or Mathew Halo at extension 282.

Yours truly,  
**Weston Consulting**  
**Per:**



Ryan Guetter, BES, MCIP, RPP  
Executive Vice President

cc. Clients  
Mary Flynn-Guglietti, McMillan LLP  
City of Vaughan Clerks Department  
Nick Spensieri, City Manager  
Haiqing Xu, Deputy City Manager  
Fausto Filipetto, Manager Long Range Planning

Encl. Letter from McMillan LLP to Committee of the Whole, dated November 29, 2021

# ATTACHMENT

Reply to the Attention of: Mary Flynn-Guglietti  
Direct Line: 416.865.7256  
Email Address: Mary.flynn@mcmillan.ca  
Our File No.: 210424  
Date: November 29, 2021

**BY EMAIL ([clerks@vaughan.ca](mailto:clerks@vaughan.ca))**

The Office of the Clerk  
City of Vaughan  
City Hall Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

**Attention: Todd Coles, Clerk of the City of Vaughan**

Dear Sir:

**Re: Vaughan Committee of the Whole Meeting of November 30,  
2021  
Item No. 4 - File No. 26.7  
Promenade Centre Secondary Plan ("PCSP")  
Our Client: 1529749 Ontario Inc.  
Our Client's Lands: 7700 Bathurst Street, City of Vaughan**

We are the solicitors retained by 1529749 Ontario Inc., the owners of the lands municipally known as 7700 Bathurst Street, in the City of Vaughan. Our client's lands are located at the southwest corner of the intersection of Bathurst Street and Centre Street and within the PCSP. Applications for an Official Plan amendment and Zoning By-law Amendment for the Phase 1 lands, consistent with Minutes of Settlement entered into between our client and the City of Vaughan were filed on July 7, 2020 with an updated resubmission on September 23<sup>rd</sup>, 2021.

Both our client and our client's planning consultants, Weston Consulting have actively participated in the PCSP consultation process. We have also had an opportunity to review the draft of the PCSP and the Draft Official Plan Amendment ("draft OPA") that is being considered at the November 30<sup>th</sup>, 2021 meeting of the City's Committee of the Whole. We appreciate the time and energy of City staff work on the PCSP and we are supportive of many of the policies of the PCSP, such as the land use designations and permissions proposed for our client's lands.

We are attaching a letter dated November 30, 2021 from Ryan Guetter of Weston Consulting providing a detailed commentary and proposed modifications related to the PCSP and the draft OPA specific to our client's site. Both Mr. Guetter and myself will be available for the Committee of the Whole's meeting to make a deputation related to the PCSP and the draft OPA. Kindly ensure that my correspondence and Mr. Guetter's attached correspondence is made available to the Committee of the Whole.

Kindly ensure that we are provided with notice of any matters related to the PCSP.

Yours truly,



Mary Flynn-Guglietti

Encl.

CC: Johnathan MacIntyre  
Ryan Guetter, Weston Consulting  
Matthew Halo, Weston Consulting  
Mitch Gascoyne, Centrecourt



**WESTON  
CONSULTING**

planning + urban design

Policy Planning and Environmental  
Sustainability Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

November 30, 2021  
File 5803

**Attn: Cameron Balfour, Senior Planner**

**RE: Vaughan Committee of the Whole (Public Hearing)  
Item No. 4, File No. 26.7  
Promenade Centre Secondary Plan ("PCSP")  
7700 Bathurst Street**

Weston Consulting is the authorized planning consultant for 1529749 Ontario Inc., the registered owners of PCL 5-1, SEC 65MM2325; BLK 5, PL 65M2325; EXCEPT PTS 1 AND 6 ON PLAN OF EXPROPRIATION YR2278033, CITY OF VAUGHAN, municipally known as 7700 Bathurst Street in the City of Vaughan (herein referred to as the 'Subject Property'). The Subject Property is located at the southwest corner of the intersection of Bathurst Street and Centre Street. Official Plan Amendment and Zoning By-law Amendment applications for the development of the western portion, known as Phase 1 ("the Phase 1 Applications"), were filed on July 7, 2020 in compliance with Minutes of Settlement executed by the City of Vaughan and the owners of the Subject Property and are currently being reviewed by the City of Vaughan.

As identified in previous letters submitted to the City of Vaughan (Refer to Attachment 3 of this Letter), we are generally supportive of the land use planning and development principles contained in the Draft Promenade Centre Secondary Plan (the "PCSP") that would facilitate the development of the Subject Property for high density mixed uses and support higher-order transit along Centre Street and Bathurst Street.

The purpose of this letter is to provide commentary and response to the City of Vaughan on the latest Draft of the PCSP and the Draft Official Plan Amendment ("draft OPA") that is being considered on November 30, 2021, by the City of Vaughan's Committee of the Whole. In addition to the commentary on the proposed PCSP policies, we have prepared a sketch illustrating proposed modifications to the proposed road network on Schedule 'E' – Multi-Modal Transportation Network (refer to Attachment 1 of this letter), which the City of Vaughan should consider in their next update to the PCSP and Draft OPA.

### **Commentary and Responses on the Draft PCSP and OPA:**

We request that the following be considered by the City of Vaughan, as it reflects our comments and responses to the Draft PCSP and Draft OPA.

1. We support the land use designations and permissions proposed for the subject property as identified in the Draft PCSP policies and in Schedule 'C' – Land Use Plan.
2. We support the proposed heights and densities for the subject property as set out on Schedule 'D' – Height, Density & Use Parameters of the Draft PCSP. A maximum height of 35 storeys and densities of 6.0 to 7.0 times the lot area is generally consistent with the planning applications that are under review by the City of Vaughan for the Phase 1 portion of the subject property.
3. We support policy 3.8.1 in the Draft PCSP as it relates to the flexibility and modification to the size and location of a park without amendment to the PCSP. As identified in this letter, site-specific development applications for Phase 1 of the Subject Property are being reviewed by City Staff. It should be acknowledged that the development application has been considered by Vaughan Design Review Panel and that the applicants have been working with Vaughan Planning and Urban Design Staff to address all site-specific development application comments, including identifying a suitable location for on-site parkland dedication and how the park will be designed and function with the Phase 1 development and future development phases.

We also support policy 3.8.2 of the Draft Secondary Plan as it relates to the location of parks to serve residents within a five minute walk.

4. We support the POPS policies outlined in Section 3.10 of the Draft PCSP. Specifically, we support policy 3.10.1; however, we offer the following proposed modification to the draft PCSP policy (additional proposed policy in blue text below):

*3.10.1 The POPS symbol applies to conceptual locations for spaces that will add to gathering spaces, landscape amenities, and programming for Promenade Centre. Additional POPS may be identified through an agreement with the City as part of the development application process. The size and location of the POPS may be modified without amendment to the Plan through the review of specific development applications.*

The request to include the proposed 'flexibility / modification' provisions in the policy language allows for:

- The ability for a development to meet and adapt to existing and future open and public space demands; and,
  - The ability for a development to adapt to the evolution of the urban form envisioned in the PCSP.
5. We support the principle of the *Retail or Service Commercial Frontage* principle outlined for the subject property in Schedule 'D' – Height, Density & Use Parameters in the Draft

PCSP. Our support is based on the schedule identifying retail frontages along public roads and we support the flexibility of the application of the policies in the Draft PCSP.

6. We support the general principles proposed on Schedule 'E' – Multi-Modal Transportation Network in the Draft PCSP; however, we request that the City consider the following proposed modifications to Schedule E and the corresponding policy framework, as outlined herein:
  - a. We request that the City modify the west leg of the shared use path to be identified as private local linkage on Schedule 'E' of the Secondary Plan. We request that the east-west portion of this linkage not preclude or limit two-way vehicular access.
  - b. We request confirmation that the shared use paths on the east side of the north-south road identified on Schedule 'E' of the Secondary Plan, are flexible in location and will be able to accommodate service and passenger vehicles.
  - c. We request that the north-south road identified on Schedule 'E' of the Secondary Plan be revised to be private, yet provide public access to the City of Vaughan.

We have prepared a modification to Schedule 'E' to reflect the comments as set out above in 6a to 6c. The modifications to Schedule 'E' are enclosed to this letter as Attachment 1 in the Appendix.

7. As part of the proposed development and Phase 1 planning application, LEA Consulting, the Owner/Applicant's Transportation Consultant, prepared plan view drawings (entitled SK01 and SK01) of the proposed interim and ultimate road networks, included as Appendix 'E' of their Transportation Impact Study, dated September 2021, in response to the proposed Secondary Plan's Multi-Modal Transportation Network. These drawings were considered and are under review by the City of Vaughan as part of the latest re-submission of the planning applications. The LEA Consulting interim and ultimate road network drawings are enclosed to this letter as Attachment 2.

We request that the LEA Consulting drawings be accepted or at least not be precluded by the policy framework that is proposed in the Draft PCSP. We request that Figures 4 and 5 included in the Draft PCSP not be binding, and that there be flexibility to accommodate vehicular movements as it relates to the depiction of the Shared Use Path in the LEA Consulting drawings and an ability to implement a greater Right-of-Way for broader vehicular movements.

8. We have reviewed the proposed policy framework that relates to surface parking in the PCSP, and have identified issue with policies within Sections 4.4 and 5.5, as they appear to conflict with each other, and the proposed Phase 1 development and the ultimate development conditions of the subject property.

We want to ensure that the policies do not preclude surface parking where it would be necessary and supportive of retail uses, their functionality and parking for those uses. We propose the following modification to 4.4a as outlined below in blue text.

The following modification to policy 4.4a of the PCSP should be considered by the City of Vaughan:

- 4.4a *It is the objective of this Plan to minimize the amount of surface automobile parking in the Promenade Centre area, in order to realize the urban design objectives of this Secondary Plan. It is recognized that surface parking may be provided for development in the Low-Rise Mixed-Use designation and in High-Rise Mixed-Use designation to support retail and commercial uses, or on an interim basis in the early phases of new development in other designations. It is a requirement of this Secondary Plan that all implementing development processes demonstrate the transition to an end state scenario where buildings, rather than parking, become the predominant feature of the streetscape, yet some surface parking will be necessary to support retail-commercial functionality and viability.*

The following modification to policy 5.5.a.i of the PCSP should be considered by the City of Vaughan:

- 5.5.a.i *Automobile parking facilities shall be primarily underground or in above-ground parking structures. Where surface parking currently exists or is proposed as part of an initial phase of development, a phasing plan shall demonstrate how such parking will be eventually minimized, except where permitted as outlined in Section 4.4., where surface parking is appropriate and necessary to support retail and commercial uses. In accordance with Policy 4.3.2 of the VOP 2010, vehicle parking will be managed to minimize adverse impacts including environmental and visual impacts.*

9. With respect to policies 5.2.e that pertain to the Shared Use Path Network, we have requested modifications to the shared use path depictions on Schedule 'E' of the Secondary Plan, and hereby request modifications to policy 5.2.e.ii as outlined below in blue text:

- 5.2.e.ii *A shared use path network is conceptually illustrated on Schedule E. Specifically, Shared Use Paths as depicted in Schedule E may be removed or relocated, and their location and depiction shall be flexible and the intent of the function of Shared Use Paths shall be determined and fulfilled through the development application process. The actual design and layout of the system, including local network and servicing links, will be determined by the City through the development process working with the landowners. The Shared Use Path width shall permit vehicular two-way travel in conjunction with other modes.*

We have requested modification to the Shared Use Paths to Schedule 'E' based on the above comments. The above-noted modification allows for more certainty and flexibility to the Shared Use Paths, despite our request to modify Schedule 'E' of the Draft Secondary Plan.

10. With respect to the proposed housing policies in Section 3.1.4 of the PCSP, we recognize based on discussions with Vaughan Planning Staff, that this policy will be implemented as an overall target in order to align with the Vaughan Official Plan (VOP) 2010 policies.

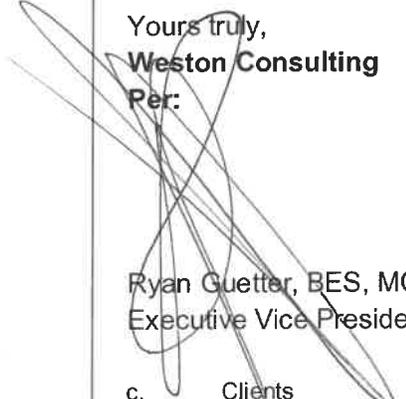
**Concluding Thoughts**

We are appreciative of the efforts of City Staff in the preparation of the update to the PCSP and acknowledge that multiple meetings have been held with our clients and staff to discuss the proposed development for the Subject Property. It is our opinion that the proposed changes herein are appropriate and reflect the Minutes of Settlement provided by the Ontario Municipal Board (OMB) for the Phase 1 development.

We request the City of Vaughan incorporate and implement the comments and modifications proposed in this letter to the PCSP. Notwithstanding this letter and previous letters and correspondence submitted to the City of Vaughan as part of the PCSP review we reserve the right to provide further comments in relation to detailed policies as they are further developed. We request that we be notified of any and all information, meetings, data or statutory meetings in relation to this process.

Thank you for your consideration of our requests, we look forward to discussing these changes with staff. Should you require any additional information or clarification, please do not hesitate to call the undersigned at extension 241 or Mathew Halo at extension 282.

Yours truly,  
**Weston Consulting**  
Per:



Ryan Guetter, BES, MCIP, RPP  
Executive Vice President

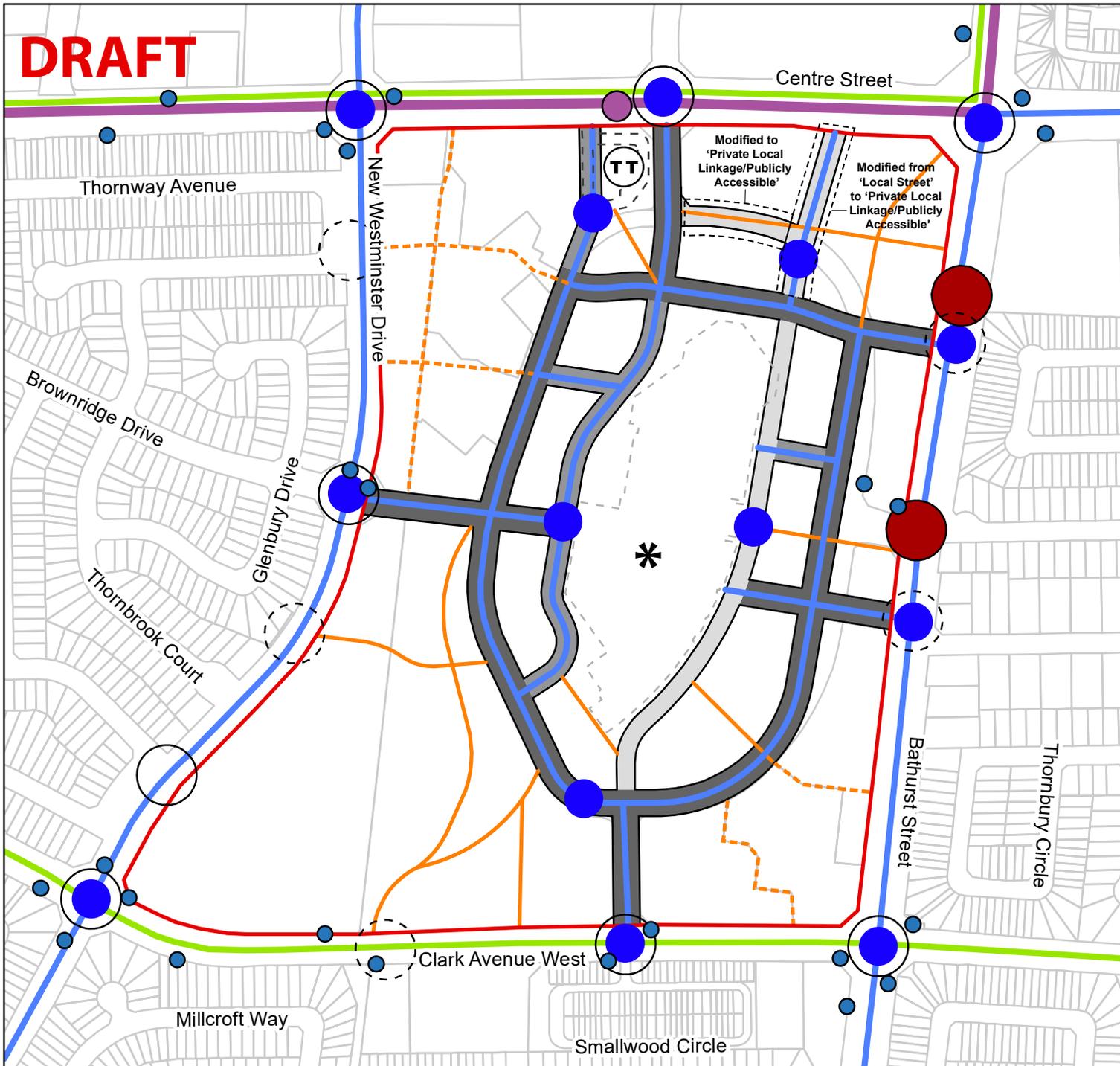
c. Clients  
Mary Flynn-Guglietti, McMillan LLP  
City of Vaughan Clerks Department  
Nick Spensieri, Deputy City Manager  
Fausto Filipetto, Manger Long Range Planner

Att. In Appendix: 1. Modification to Schedule 'E' of the Secondary Plan, Weston Consulting  
2. Interim and Ultimate Road Condition, LEA Consulting  
3. Previous Submissions to City of Vaughan Staff re: Promenade Secondary Plan and Phase 1 development

# **ATTACHMENTS**

# ATTACHMENT 1 - WESTON CONSULTING PROPOSED MODIFICATIONS - NOVEMBER 29, 2021

**DRAFT**



## Schedule E

### MULTI-MODAL TRANSPORTATION NETWORK

#### Legend

- Secondary Plan Area
- Collector Street
- Local Street
- Private Local Linkage / Publicly Accessible
- \* See policies 5.2.f.ii, 5.2.f.iii.
- Existing Cycle Track
- Cycle Track
- Shared Use Path<sup>1</sup>
- Long Term Future Shared Use Path<sup>2</sup>
- Regional Rapid Transit Corridor
- Bus Rapid Transit (BRT) Stop
- Bus Stop
- Shared Mobility Hub
- T Transit Terminal
- Traffic Signal
- Existing Traffic Signal
- Existing Traffic Signal to be relocated
- Existing Mall & Phase 1 Development
- Existing Transit Terminal

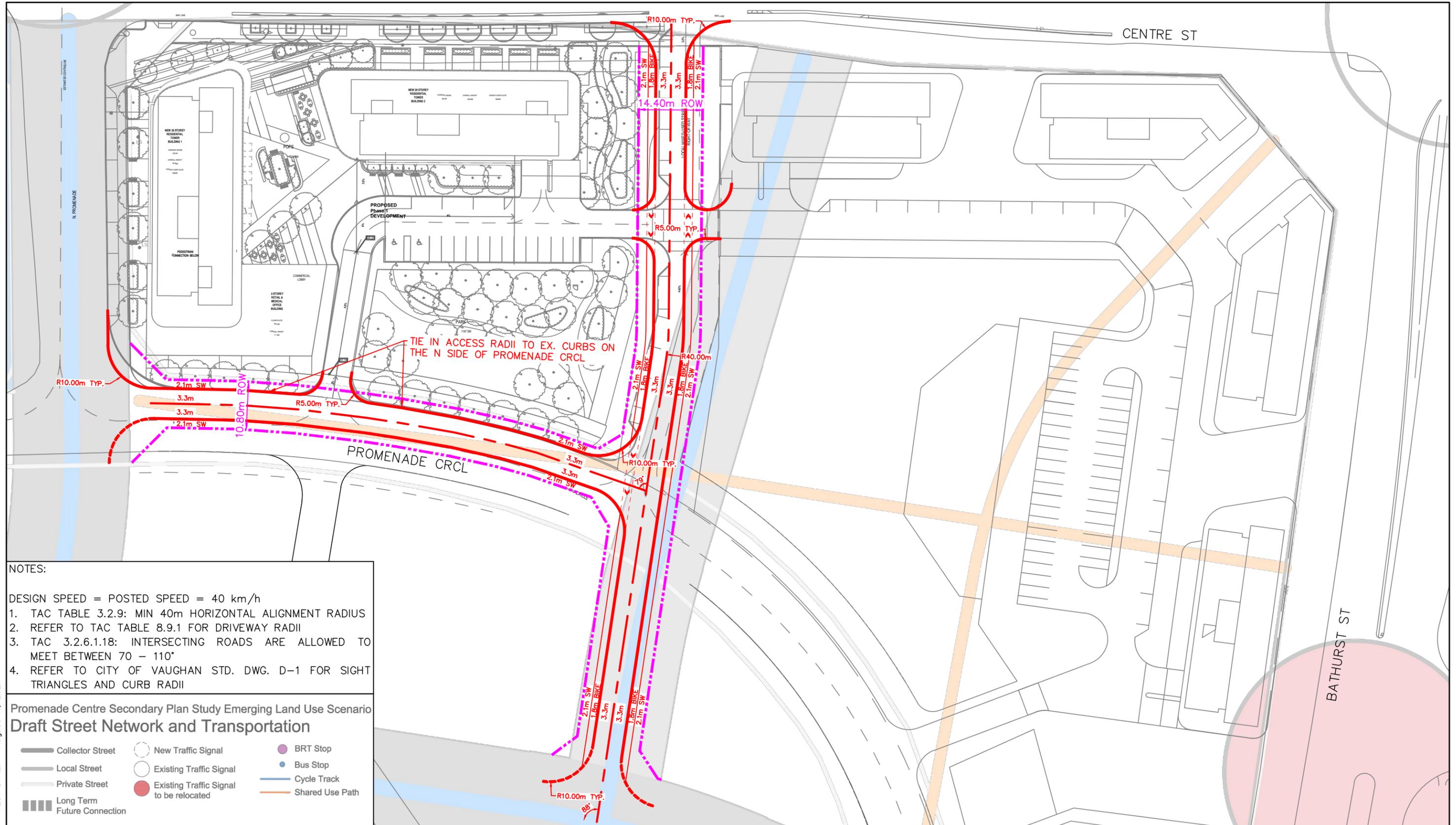
<sup>1</sup> Refer to Policy 5.2.e.ii.

<sup>2</sup> Refer to Policy 5.2.e.v.

0 25 50 100 150 200 Metres



November 2021



NOTES:

DESIGN SPEED = POSTED SPEED = 40 km/h

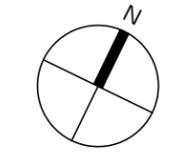
1. TAC TABLE 3.2.9: MIN 40m HORIZONTAL ALIGNMENT RADIUS
2. REFER TO TAC TABLE 8.9.1 FOR DRIVEWAY RADII
3. TAC 3.2.6.1.18: INTERSECTING ROADS ARE ALLOWED TO MEET BETWEEN 70 - 110°
4. REFER TO CITY OF VAUGHAN STD. DWG. D-1 FOR SIGHT TRIANGLES AND CURB RADII

Promenade Centre Secondary Plan Study Emerging Land Use Scenario  
**Draft Street Network and Transportation**

- Collector Street
- Local Street
- Private Street
- ▬ Long Term Future Connection
- New Traffic Signal
- Existing Traffic Signal
- Existing Traffic Signal to be relocated
- BRT Stop
- Bus Stop
- Cycle Track
- Shared Use Path

DRAWN BY: C.W. PLOT DATE: August 11, 2021

LEA Consulting Ltd.  
 Consulting Engineers and Planners  
 www.LEA.ca



Project No.  
 22008

Date  
 AUG 10, 2021

DRAFT

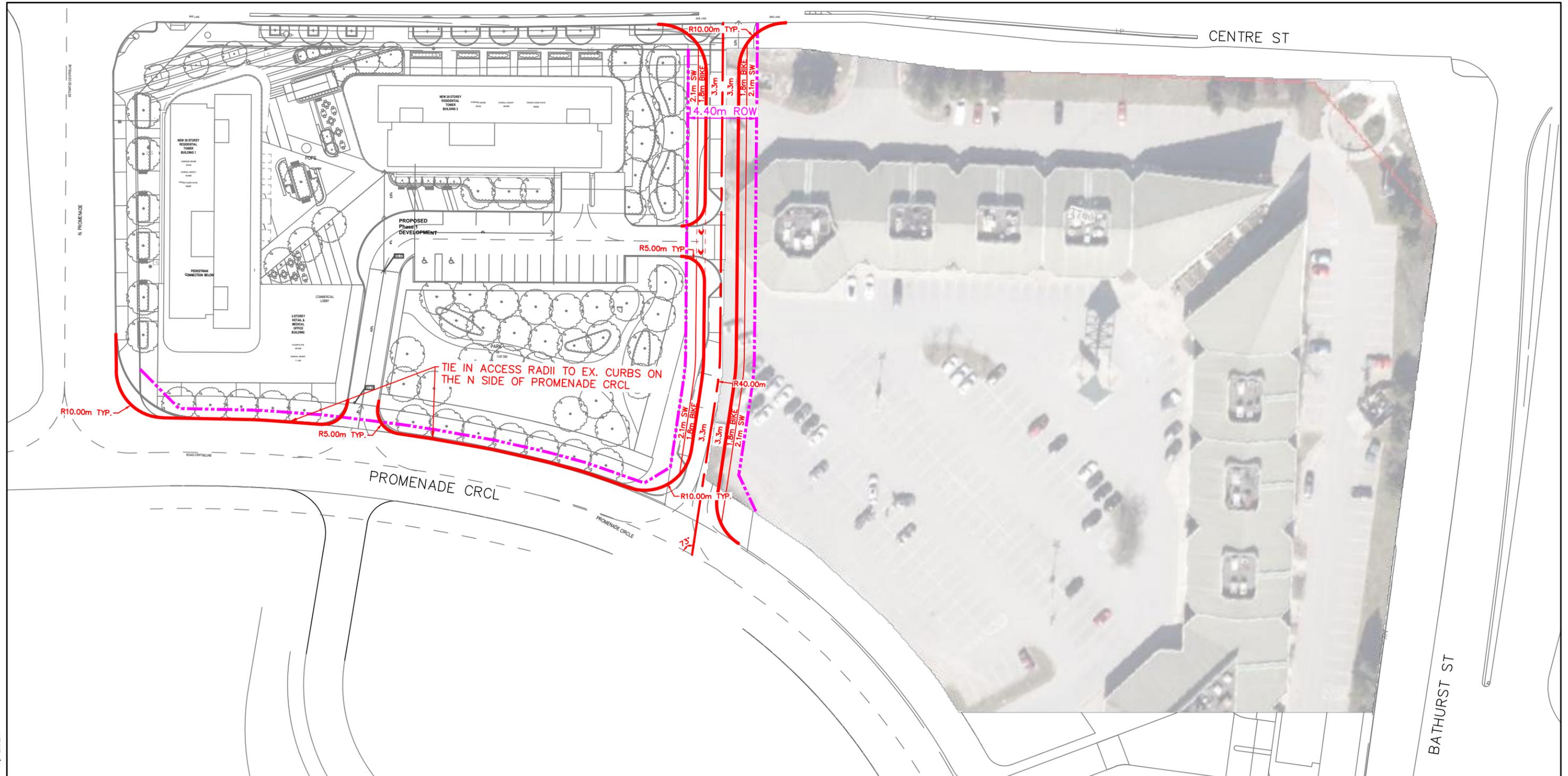
7700 BATHURST ST  
 VAUGHAN ONTARIO

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PROPOSED ROAD NETWORK  
 Ultimate Condition

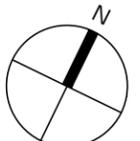
Drawing No.  
 SK01



NOTES:  
 DESIGN SPEED = POSTED SPEED = 40 km/h  
 1. TAC TABLE 3.2.9: MIN 40m HORIZONTAL ALIGNMENT RADIUS  
 2. REFER TO TAC TABLE 8.9.1 FOR DRIVEWAY RADII  
 3. TAC 3.2.6.1.18: INTERSECTING ROADS ARE ALLOWED TO MEET BETWEEN 70 - 110°  
 4. REFER TO CITY OF VAUGHAN STD. DWG. D-1 FOR SIGHT TRIANGLES AND CURB RADII

DRAWN BY: C.W. PLOT DATE: August 11, 2021

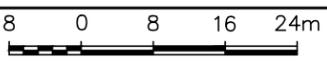
LEA Consulting Ltd.  
 Consulting Engineers  
 and Planners  
 www.LEA.ca

Project No.  
 22008  
 Date  
 AUG 10, 2021

**DRAFT**

**7700 BATHURST ST**  
 VAUGHAN ONTARIO



1:800

PROPOSED ROAD NETWORK  
 Interim Condition

Drawing No.  
 SK02

**ATTACHMENT 3: PREVIOUS SUBMISSION LETTERS TO CITY OF VAUGHAN STAFF RE: PROMENADE CENTRE SECONDARY PLAN AND PHASE 1 DEVELOPMENT**



**WESTON  
CONSULTING**

planning + urban design

Policy Planning and Environmental  
Sustainability Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

July 16, 2021  
File 5803

**Attn: Cameron Balfour, Senior Planner**

**RE: Promenade Centre Secondary Plan ("PCSP"), Draft Preferred Multi-Modal  
Transportation Network and Draft Preferred Land Use Plan  
7700 Bathurst Street**

Weston Consulting is the authorized planning consultant for 1529749 Ontario Inc., the registered owners of PCL 5-1, SEC 65M2325; BLK 5, PL 65M2325; EXCEPT PTS 1 AND 6 ON PLAN OF EXPROPRIATION YR2278033, CITY OF VAUGHAN, municipally known as 7700 Bathurst Street in the City of Vaughan (herein referred to as the '**Subject Property**'). The Subject Property is located at the southwest corner of the intersection of Bathurst Street and Centre Street. Formal planning applications for an Official Plan amendment and Rezoning amendment for the development of the western portion (Phase 1) of the Subject Property have been filed and are currently being reviewed by the City of Vaughan.

We are generally supportive of the Draft Preferred Land Use Plan in principle, and support the principle of a development framework that would facilitate the development of the Subject Property for high density mixed uses, which would support the higher order transit along Centre Street and Bathurst Street. We look forward to the opportunity to review more detailed policies related to heights, densities, use permissions, etc. and reserve the right to comment further on the PCSP, as necessary.

The purpose of this letter is in direct response to the City of Vaughan's Draft Preferred Land Use Plan and more specifically the Draft Preferred Multi-Modal Transportation Network Plan, which was presented to the landowners on June 29, 2021. We have prepared a modified sketch illustrating our preferred proposed modification to the road network (Refer to Attachment 1 of this letter). This letter has been prepared in order to emphasize our concerns with the City's preferred transportation network plan, which have been expressed consistently and repeatedly in various forums and highlight dates where Weston Consulting and the owners have raised concerns about the proposed PCSP Area Road pattern. Formal letters and comments from Weston Consulting on behalf of the landowners are noted throughout and are attached to this letter (Refer to Attachments 2 and 3 of this letter).

In addition to concerns with the City's preferred transportation network plan as outlined herein, this letter requests that the detailed transportation data from the City and its consultants be provided to us in order to inform our analysis of the road network. This information has been requested before on numerous occasions and, to date, has not been provided.

### ***History of Planning Applications and Appeals on the Subject Property***

A site-specific appeal for the Vaughan Official Plan 2010 (VOP2010) was filed with the Ontario Municipal Board (OMB) on October 17, 2012 on behalf of our client. Subsequently, an appeal to the site-specific Official Plan Amendment (OPA) application was filed with the Clerk and the OMB (now the "OLT") on November 22, 2017. A settlement of the aforementioned appeals was reached with the City of Vaughan through Minutes of Settlement endorsed by the LPAT on February 25, 2020 which secure the following:

- The site-specific VOP2010 appeal be withdrawn, subject to the proposed modifications that Volume 2 of the Official Plan shall not apply and that the lands remain designed High-Rise Mixed-Use under Volume 1;
- That the site specific OPA application be revised to include only the Phase 1 portion of the lands for approximately 750 residential units;
- That the City process the revised OPA application and future Zoning By-law Amendment (ZBA) application prior to the completion of the Promenade Centre Secondary Plan;
- That the City may require the conveyance of lands for a future right-of-way to Centre Street through the Phase 1 applications, but that the settlement in no way prohibits the owner from challenging, objecting or appealing any decision of the City respecting the Phase 1 proposal; and
- That no Phase 2 applications will be submitted prior to the adoption of the PCSP.

Since the settlement, as approved by the then LPAT, formal OPA and ZBA applications have been submitted to the City pursuant to the settlement for the Phase 1 portion of the lands. These applications are currently under review. In addition to the planning applications that are in process, Weston Consulting, on behalf of the owners of the subject property, have been actively engaged and involved in various public and landowner meetings from the beginning of the Promenade Centre Secondary Plan process. The following section provides an overview of the property owner's participation in the PCSP's public and landowner meetings.

In addition to the above, it is noted that the property owners have been working actively and collaboratively with the City of Vaughan to modify the proposed development through the planning application and Design Review Panel ('DRP') processes. The application was considered at the City of Vaughan DRP on February 16, 2021. Comments received from commenting and approval agencies, and the DRP will be reflected in future re-submission materials, which are anticipated to be submitted next month.

### ***Property Owner's Participation in Secondary Plan Meetings***

Due to the property owner's holdings within the PCSP area, and historic and active planning applications and decisions on the subject property, the property owner and their consultants have been active with and participated in the Secondary Plan public and landowner meetings since the inception of Secondary Plan process, including planning applications within the Secondary Plan Area. The property owner's most recent involvement with the Secondary Plan process included participation as the follows:

- The third landowners meeting on June 29, 2021;
- A meeting on April 29, 2021 with City of Vaughan Staff;
- A meeting with City of Vaughan Staff on the Promenade Centre Secondary Plan Draft Transportation Network on February 25, 2021; and,
- Public Information Centres (PICs), stakeholder meetings, landowners meetings and other meetings held through 2019, 2020 and 2021.

It should be recognized that the property owners and Weston Consulting have made efforts to be actively informed and engaged in the Secondary Plan process, and formal written correspondence assessing the merits of the proposed draft Secondary Plan documents (including, but not limited to the Draft Transportation Network), has been received by the City of Vaughan. Despite our repeated expressions of concern regarding the plan and the numerous attempts to obtain detailed transportation data, neither the City of Vaughan nor their consulting transportation engineer, HDR, have provided this information to Weston Consulting or the property owners.

We therefore hereby formally request that the City of Vaughan provide the requested transportation data and information that was used to model and produce the *Draft Preferred Multi-Modal Transportation Network Plan* prepared by HDR as part of the PCSP Study. This information is critical to the owner's ability to have its transportation consultant and other team members properly evaluate the suitability and appropriateness of the proposed road network based on their needs and development aspirations in concert with the overall secondary plan objectives.

### ***Commentary on the PCSP Study – Draft Preferred Multi-Modal Transportation Network, prepared by HDR and the City of Vaughan***

The nature of this letter is to provide the following written submissions on the Draft Preferred Multi-Modal Transportation Network, prepared by HDR and the City of Vaughan, as part of the PCSP Study. We request that the following items be considered in future secondary plan mapping, policies and in the ultimate preferred transportation network. We also request that previous written correspondence submitted to the City of Vaughan by the property owner through Weston Consulting, and the Minutes of Settlement, issued by the Ontario Municipal Board ('OMB') be given appropriate consideration where and as relevant to the comments below.

We have organized the comments into three different themes related to the Draft Preferred Multi-Modal Transportation Network.

**1. Proposed North-South Road Connecting through Subject Property:**

- a) We request that this north south road be identified as private, not public or be provided as public with strata permissions beneath the road;
- b) We request that policies in the secondary plan ensure there is sufficient flexibility in the location, width and geometry of the north south road; and
- c) We request that this north south road not preclude the City's approval of our client's Phase 1 development applications in accordance with the Minutes of Settlement.

**2. Proposed Shared-use Path East-West through the Subject Property between the Collector Street and the Local Street:**

- a) We request that the east-west link be modified to be provided as an east west road initially in the same alignment as the existing Promenade Circle from the southerly extension of Disera Drive to the mid-block of our site instead of a Shared-Use Path. This is essential for the owners as they are required to maintain a vibrant commercial and retail business along the current frontage for which they have a permanent easement to connect. It should be noted that Promenade Circle is currently a private road.;
- b) We request that the policies in the secondary plan ensure that there is sufficient flexibility in its width, geometry and location, but that it permit vehicular, cycling and pedestrian access to the Phase 1 development, which is in the general location of North Promenade Circle; and
- c) We request that the policies in the secondary plan contain appropriate phasing policies to permit the advancement of the Phase 1 development in advance of the full ultimate road network being completed.

**3. General Comments on the Shared Use Paths:**

- a) We request confirmation that the shared use path depictions are intended to be flexible in width, location and geometry and that the number of connections, including additions or deletions be permitted without amendment to the secondary plan;
- b) We request confirmation that the shared use path status would not preclude other private access points within blocks or to public or private roads; and
- c) We recommend that the above items be addressed in policies within the secondary plan in order to provide clarity as to intent and implementation.

**Conclusion and Next Steps**

As noted initially in this correspondence we would like to express our general support for the permitted uses and land use designations outlined in the Draft Preferred Land Use Plan, and ask that our requests concerning the Draft Preferred Multi- Modal Transportation Network be reflected in modifications as outlined herein and be secured in the secondary plan policies and schedules.

We reserve the right to provide further comments in relation to detailed policies, permissions, heights and densities as they are further developed and we request that we are notified of any and all information, meetings, data or statutory meetings in relation to this process.

Thank you for your attention to this matter. Should you require any additional information or clarification, please do not hesitate to call the undersigned at extension 241 or Mathew Halo at extension 282.

Yours truly,

**Weston Consulting**

**Per:**

Ryan Buetter, BES, MCIP, RPP  
Executive Vice President

c. **Clients**

Mary Flynn-Guglietti, McMillan LLP  
Nick Spensieri, Deputy City Manager  
Fausto Filipetto, Manger Long Range Planner

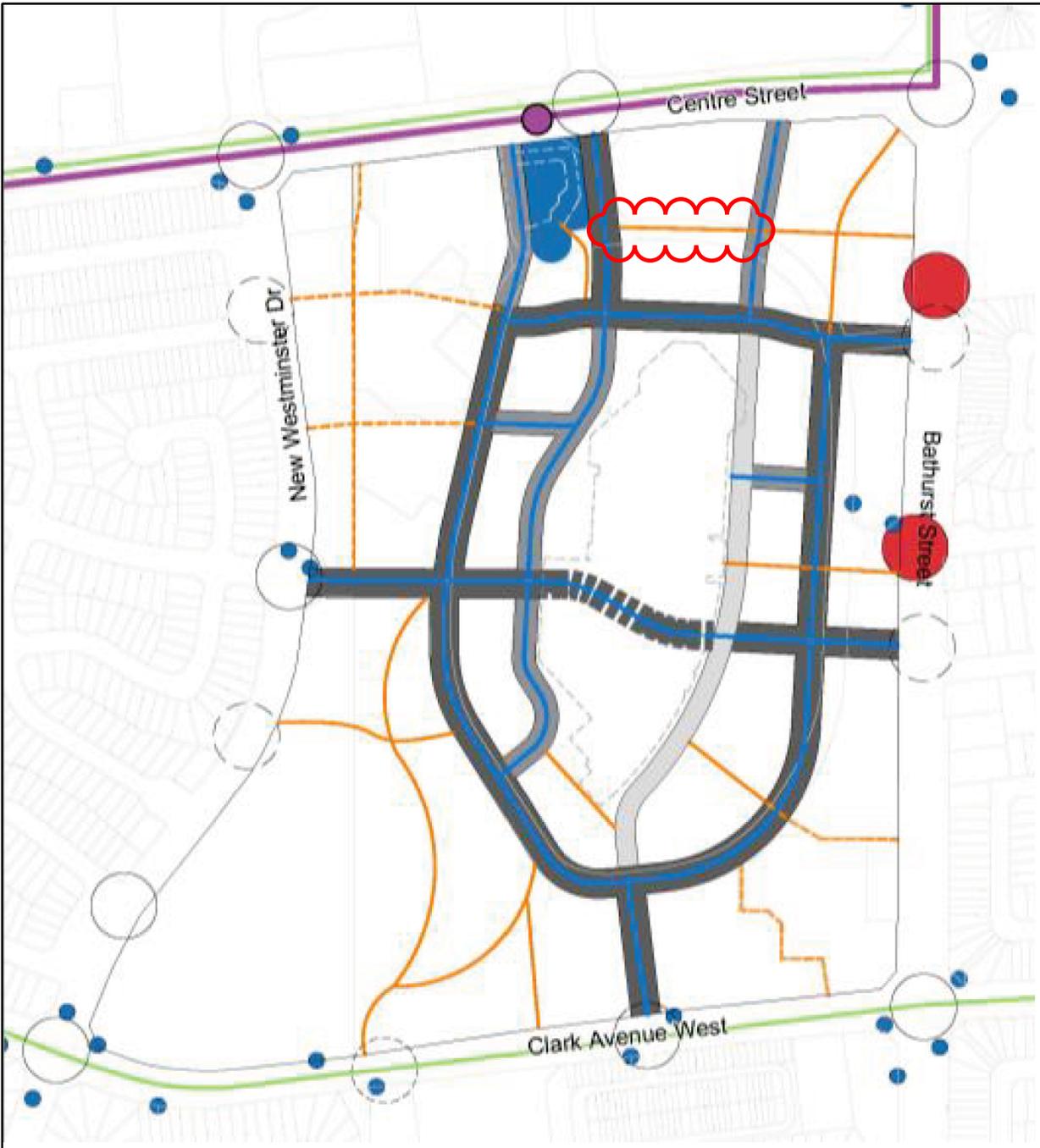
Att. **Attachment 1:** Modified Sketch and Draft Secondary Plan Transportation Network, prepared by Weston Consulting, dated July 14, 2021

**Attachment 2:** Letter to Frank Marzo, Senior Planner at the City of Vaughan on Promenade Centre Secondary Plan, dated May 22, 2020

**Attachment 3:** Letter to James Harnum, City Manager at the City of Vaughan on the Draft Promenade Centre Secondary Plan Area Transportation Network, dated March 12, 2021

# **ATTACHMENTS**

Promenade Centre Secondary Plan Study  
**Draft Preferred Multi-Modal  
 Transportation Network**

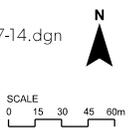


 Private Street

- Notes:
1. Draft Preferred Multi-Modal Transportation Network includes proposed expansion area
  2. Alignment and configuration of streets and paths subject to future implementation process(es)

**ATTACHMENT 1**  
**PROPOSED MODIFICATIONS**  
 7700 BATHURST STREET  
 CITY OF VAUGHAN

Date: 2021-07-14  
 File: 5803/Schedules/Proposed Modifications\_2021-07-14.dgn



Source: Draft Preferred Multi-Modal Transportation Network

# ATTACHMENT 2



**WESTON  
CONSULTING**

planning + urban design

Policy Planning & Environmental  
Sustainability Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

May 22, 2020  
File 5803

**Attn: Frank Marzo**  
**Senior Planner – Short Range Planning**

**RE: Promenade Centre Secondary Plan Area Comments**  
**7700 Bathurst Street – Torgan Group**

Weston Consulting is the planning consultant on behalf of 1529749 Ontario Inc., the registered owners of the lands municipally known as 7700 Bathurst Street herein referred to as the “subject lands”. We have reviewed the April 29, 2020 presentation for the Promenade Centre Secondary Plan and Comprehensive Transportation Study presented at the Stakeholders Meeting held on May 22, 2020. On behalf of our client we participated in the meeting and have the following comments for your review and consideration in response to the presentation materials.

## **Land Use**

We note that the presentation materials reference consistency with Provincial policy, which does not include the 2020 Provincial Policy Statement. We trust that the proposed Secondary Plan will be revised to accommodate changes to the PPS implemented by the province in 2020 and you will ensure consistency with the 2020 PPS.

The subject lands are identified as being located within the Town Centre South Precinct with a High-Rise Mixed Use land use designation under both Land Use Scenarios. The Town Centre South Precinct is intended to direct height and density towards the intersection of Centre Street and Bathurst Street which a range of heights envisioned to a maximum of 40 storeys. The Demonstration Plan proposes a mix of High Rise Residential (40 storey max) and Mid Rise (6 storey max) built forms throughout the subject lands. However, it does not capture ground floor commercial or other grade related uses, which may be appropriate on the subject lands.

Based on our initial review of the proposed land use scenarios and the proposed Precinct description, we are generally supportive of the proposed land use. This includes the High-Rise Mixed Use designation with a maximum height of 40 storeys, as well as the opportunity for Mid-Rise built form. However, we request that policies be provided in the draft Secondary Plan that provide for at grade commercial uses, as well as multi-storey commercial built forms.

We believe that the proposed Transportation Network Alternative 2, more appropriately reflects the development objectives for the subject lands through the 'ring road' configuration, which provides access to the subject lands from Promenade Circle. Alternative 2 is our preferred option as it provides opportunities to maximize the internal private road network on the subject lands, minimizes additional access points along Centre Street, and provides for a more feasible and efficient development of the subject lands.

Alternative 1, which proposes a public road to bisect the subject lands, does not recognize the significant grade changes on the site and the elevation difference between existing Centre St and Promenade Circle. In addition, the proposed roadway has significant impacts on parking efficiency and development feasibility. A public road which inhibit a single underground structure, without the implementation of a stratification agreement with the City. The proposed road also raises issues with site configuration in access, planning and urban design considerations. It also requires significant cooperation by all landowners through existing and proposed developments. From a planning perspective, it is our opinion that the Transportation Network Alternative 2 is the preferred transportation network for the development of the subject lands.

### **Transportation Network**

In consultation with GHD, the following comments are provided for consideration with respect to the proposed Transportation Network Alternatives 1 and 2.

Based on the limited information provided in the stakeholder information, Alternative 1 provides for slightly more favourable network congestion within the Secondary Plan area. However, both alternatives show the same levels of capacity outside of the Secondary Plan area, and have comparable vehicle kilometers traveled with a difference of less than 4% which is comparable between the two alternatives. The information presented also fails to highlight that Alternative 2 still operates at an acceptable operating capacity with a modal split of 0.8 low transit split and 0.64 high transit split, meeting the objectives of the Regional and City policies on transit modal splits.

Both Alternatives 1 and 2 are similar in network congestion where there is no v/c ratio difference between the two options. Additionally, the levels of service at key intersections, being Bathurst Street and Centre Street and Bathurst Street and Clark Avenue are comparable. Both alternatives also provide relatively the same level of connectivity with Alternative 2 providing greater accessibility of population and employment within walking distance to transit.

The information provided in the Stakeholder Presentation does not provide a cost benefit analysis for the two proposed alternatives. Alternative 1 proposes expensive changes to the Secondary Plan for both the proponents and the City in a complete redeployment of the road network, while Alternative 2 provides a more efficient use of existing infrastructure.

Given that parameters outlined above, it is not immediately evident that Alternative 1 is the preferred transportation network alternative as it is supposed in the presentation materials. Scenario 2 is nominally outperformed in terms of network congestion within the Secondary Plan area, but demonstrates similar results outside of the Secondary Plan area. The capacity levels for

Alternative 2 are expected to operate well, especially under high transit mode share assumptions at a v/c of 0.64 for both inbound and outbound, a more likely and preferred assumption, given the Region and City's goals for transit mode share ratios. It is also worth noting that the Alternative 1 is identified as the preferred option in the presentation materials because it proposed more intersections connecting from the Secondary Plan area to Bathurst Street, Centre Street and Clark Avenue. However, these intersections may introduce new and additional congestion and safety concerns due to their proximity to existing major intersections. As well, the proposed network in Alternative 1 may have significant impact on traffic flow and queuing along the surrounding arterial roadways. It is anticipated that the proposed access points along Centre Street would have limited benefit due to spacing restrictions as they will be limited to right-in right-out movements only except for at Disera Drive. This partially explains why, despite additional proposed intersections, Alternative 1 is performing comparably to Alternative 2, especially at the major arterial intersections along Bathurst Street. Based on the above, it is not evident that Alternative 1 is the preferred transportation network alternative.

### **Infrastructure and Servicing**

In consultation with Schaeffer & Associates Ltd., the following comments are provided for consideration with respect to the proposed Transportation Network Alternatives 1 and 2.

Transportation Network Alternative 1 proposes a new public road within the subject lands and does not consider the more than 3.5 metre grade difference between Promenade Circle and Centre Street. This may result in grading issues including the potential for significant retaining walls on either side of the ROW in order to facilitate the transportation connection.

The entirety of the Alternative 1 transportation network requires significant new infrastructure investment including new sanitary, storm watermain and utility infrastructure which results in a substantial increase in infrastructure costs for both the proponents and the City as it relates to the design, construction and long-term maintenance. Alternative 1 also does not consider existing condominiums, including underground structures, which may present challenges in land acquisition and coordination of underground infrastructure and utilities. Whereas, Alternative 2 utilizes existing infrastructure services and significantly decreases the infrastructure investment for the proponent and the City.

Additionally, the existing urban nature of the subject lands and the surrounding lands within the Secondary Plan area, and high levels of imperviousness, results in foreseeable difficulties in dealing with stormwater runoff quantity and rate. Maintaining these thresholds is critical, but made more difficult with the inclusion of a public ROW where large on-line storm sewer will likely be required, which will result in regular maintenance by the City.

The proposed Alternative 2 contemplates substantially less capital investment and utilizes existing infrastructure, services and utilities to optimize the development of the secondary plan area. As such, Alternative 2 is the preferred scenario from a servicing and infrastructure design perspective.

## Recommendations and Conclusion

Based on our review of the preliminary information available through the Stakeholder presentation, we have provided the above noted comments in support of the proposed land use designation for the subject lands. Additionally, it is our recommendation the Transportation Network Alternative 2 be used as the ultimate development scenario for the Secondary Plan area.

We trust that the above noted comments will be considered by Policy Planning and Transportation Engineering Staff through the Secondary Plan process. We appreciate the opportunity to participate as a key Stakeholder in this process and the opportunity to provide comments to the City and Consultant Team for review and consideration during the processing of the Secondary Plan. We reserve the right to provide additional comments through the process as the Secondary Plan and implementing By-law are released for review and further comment. Should you have any questions with respect to the above, or require any additional information, please contact the undersigned or Sabrina Sgotto.

Yours truly,

**Weston Consulting**

**Per:**

Ryan Guetter, BES, MCIP, RPP  
Senior Vice President

- c. Client  
Mary L. Flynn-Guglietti, McMillan  
Sabrina Sgotto, Weston Consulting

# ATTACHMENT 3



## WESTON CONSULTING

planning + urban design

Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

March 12, 2021  
File 5803

**Attn: James Harnum, City Manager**

**RE: Promenade Centre Secondary Plan, Draft Transportation Network  
7700 Bathurst Street**

Weston Consulting is the authorized planning consultant for 1529749 Ontario Inc., the registered owners of PCL 5-1, SEC 65M2325; BLK 5, PL 65M2325; EXCEPT PTS 1 AND 6 ON PLAN OF EXPROPRIATION YR2278033. CITY OF VAUGHAN, municipally known as 7700 Bathurst Street in the City of Vaughan (herein referred to as the 'subject property'). The subject property is located at the southwest corner of the intersection of Bathurst Street and Centre Street and is currently occupied by three commercial buildings with at grade parking. Weston Consulting have made representation on behalf of the owners as part of the Promenade Centre Secondary Plan and have submitted planning applications for the future development of the subject property.

The purpose of this letter is to provide an overview of the history of the lands and the status of current planning applications on the subject property and comment on the draft Promenade Centre Secondary Plan following a virtual meeting held on February 25, 2021, with the City of Vaughan Promenade Centre Secondary Plan team, where a draft Transportation Network Schedule for the Secondary Plan Area was presented in advance of the formal Landowners Meeting and further public engagement. It is our understanding that the draft Land Use Plan and Transportation Network Plan will be circulated to the landowners of review and comment in advance of a future Landowners Meeting. This letter serves as commentary in advance of that release and in advance of a meeting with the City of Vaughan, specific to Promenade Circle and future servicing implications associated with the future development of our client's lands and the evolution of the Secondary Plan's build-out.

In addition to the below, we note that Weston Consulting prepared and submitted a letter, dated May 22, 2020, in response to the City of Vaughan's Promenade Centre Secondary Plan and Comprehensive Transportation Study, dated April 29, 2020, that was presented at the Stakeholders Meeting held on May 22, 2020. The letter dated May 22, 2020 commented on the draft land use plan, transportation network, and infrastructure and servicing issues associated with the Secondary Plan Area and previously supported the proposed Transportation Network, subject to additional comments and modifications within the Secondary Plan policies.

### ***Property Rights and Access Easements***

As noted above, the subject property is identified as Block 5 on Plan 65M2325 (refer to Figure 1 of this Letter). Properties in the M-Plan are bound by Centre Street (The King's Highway No. 7),

to the north, Bathurst Street to the east, Clark Avenue to the south and properties abutting Part of Lot 4, 5, Concession 2 to the west. A majority of the properties within the M-Plan do not afford direct access onto public right-of-way's, and are only afforded access to publicly-owned roadways through Block 10 (refer to Figure 2 of this Letter). These Parts are now known as Promenade Circle, North Promenade, West Promenade and South Promenade.

The subject property is bound by three private roads being Promenade Circle to the south and east, North Promenade to the west. The subject lands have existing easements registered on title that grant unrestricted access, in perpetuity, over the private rights-of-ways. The subject property continues to maintain permanent easement access and subsurface serviceability to these privately-owned Parts in Plan 65M2325 (attached for review).

### ***History of Planning Applications and Appeals on the Subject Property***

A site-specific appeal for the Vaughan Official Plan 2010 (VOP2010) was filed with the Ontario Municipal Board (OMB) on October 17, 2012. Subsequently, an appeal to the site-specific Official Plan Amendment (OPA) application was filed to the OMB November 22, 2017. A settlement of these appeals was reached with the City of Vaughan through Minutes of Settlement endorsed by the LPAT on February 25, 2020 which set out the following:

- The site-specific VOP2010 appeal be withdrawn, subject to the proposed modifications that Volume 2 of the Official Plan shall not apply and that the lands remain designed *High-Rise Mixed-Use* under Volume 1;
- That the site specific OPA application be revised to include only the Phase 1 portion of the lands for approximately 750 residential units;
- That the City process the revised OPA application and future Zoning By-law Amendment (ZBA) application prior to the completion of the Promenade Centre Secondary Plan;
- That the City may require the conveyance of lands for a future right-of-way to Centre Street through the Phase 1 applications, but that the settlement in no way prohibits the objection of the owner from challenging or appealing any decision of the City respecting the Phase 1 proposal; and
- That no Phase 2 applications will be submitted prior to the adoption of the Promenade Centre Secondary Plan.

Since this settlement, OPA and ZBA applications have been made to the City in response to the above for only the Phase 1 portion of the lands. These applications are currently under review.

### ***Impacts of the Draft Transportation Network***

The draft Transportation Network concept presented by Staff in the February 25, 2021 meeting has not been formally shared with us by the City of Vaughan. As such, our analysis to date is preliminary in nature as we have not had the ability to comprehensively study the proposed transportation network changes, nor the technical rationale that would inform these proposed modifications to the road network. We do request that this information be shared as soon as

possible so that the analysis can be further supplemented by a more in-depth review of the transportation network and the background research supporting its recommendations.

Based on our preliminary review of the draft Transportation Network, it fails to recognize the above noted issues that affect the subject property and does not recognize the existence of the easements registered on title in favour of the subject property or the implications of their removal in land locking the subject property from right-of-way access. Through the circulation of the Phase 1 applications, the Region has provided comments that future access by way of private driveway to Centre Street will not be provided. This is consistent for the portion of frontage along Bathurst Street. Therefore, the proposed realignment of Promenade Circle and redesign of Promenade North would render the subject property, and particularly the Phase 1 development lands inaccessible until a future right-of-way connect to Centre Street is built.

Additionally, the proposed Transportation Network does not recognize the intent of the approved Minutes of Settlement previously agreed to by the City of Vaughan that provides for the approval of the Phase 1 applications outside of the scope of the Secondary Plan process. This proposed Transportation Network as presented to us in our recent meeting does not recognize this in again removing the access to the Phase 1 lands or through the requirement of a Centre Street connection, which is ultimately linked to the approval of the Secondary Plan, which would determine the ultimate location of this connection.

### ***Conclusion and Next Steps***

By submission of this letter, we formally request that a meeting be scheduled with yourself and applicable City of Vaughan Staff in order to review and discuss the above in the context of the Phase 1 development of the subject property and the implications of the City's proposed Transportation Network for the Promenade Centre Secondary Plan. We ask that you provide your availability at your earliest in order to advance these discussions prior to a landowners meeting with other stakeholders within the Secondary Plan area.

Thank you for your attention to this matter. Should you require any additional information, please contact the undersigned at extension 241 or Sabrina Sgotto at extension 243.

Yours truly,

**Weston Consulting**

**Per:**



Ryan Guetter, BES, MCIP, RPP  
Executive Vice President

- c. Client  
Mary Flynn-Guglietti, McMillan LLP  
Nick Spensieri, Deputy City Manager  
City Solicitor