

COMMITTEE OF THE WHOLE (2) – JUNE 21, 2022**COMMUNICATIONS**

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COMMITTEE OF THE WHOLE (2) – JUNE 21, 2022**COMMUNICATIONS**

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Distributed June 21, 2022

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**C2
COMMUNICATION
CW (2) – June 21, 2022
Item 2**

From: [Adelina Bellisario](#)
To: [Adelina Bellisario](#)
Subject: FW: [External] Fwd: Response to May 10, 2022 Committee of the Whole Communication - DC Study and CBC Strategy
Date: June-16-22 4:09:33 PM

From: Cam Milani [REDACTED]
Sent: Thursday, June 16, 2022 12:35 PM
To: Michael Coroneos <Michael.Coroneos@vaughan.ca>; Clerks@vaughan.ca; Matthew Di Vona <matthew@divonalaw.com>; augustonalli [REDACTED] Vince Musacchio <Vince.Musacchio@vaughan.ca>; Michael Frieri <Michael.Frieri@vaughan.ca>
Subject: [External] Fwd: Response to May 10, 2022 Committee of the Whole Communication - DC Study and CBC Strategy

Hi,

Please include these as comments to the DC Item on Committee of the Whole next week.

Unfortunately we continue to disagree. The benefit to existing being carried at 0% is not tenable. That position will not survive on appeal. A suggestion that current residents do not benefit at all from the entire TMP and engineering projects is not realistic.

Further, not disclosing the appraisal for the basis of values attributable to the land component requirements in the DC Study will also not survive on appeal. You will be forced to defend the rationale for the values in the Background Study and the DC before the OLT. I'm not sure why you would not disclose the report to the taxpayers and your Council when the OLT will force you to disclose it.

Lastly, we continue to believe you are missing a variety of infrastructure requirements in NE Vaughan that are eligible for growth related funding. Happy to sit down and discuss those with Engineering as needed. Who would we speak to on that?

Thanks.

Cam Milani

----- Forwarded message -----

From: **Brianne Clace** <Brianne.Clace@vaughan.ca>
Date: Wed, May 11, 2022 at 1:33 PM
Subject: RE: Response to May 10, 2022 Committee of the Whole Communication - DC Study and CBC Strategy
To: Cam Milani Milanigroup <[REDACTED]>
Cc: Michael Coroneos <Michael.Coroneos@vaughan.ca>, Nick Spensieri <Nick.Spensieri@vaughan.ca>, matthew@divonalaw.com <matthew@divonalaw.com>, Vince Musacchio <Vince.Musacchio@vaughan.ca>, Michael Frieri <Michael.Frieri@vaughan.ca>, Carlos Couto <Carlos.Couto@vaughan.ca>, Nelson Pereira <Nelson.Pereira@vaughan.ca>, Caterina Facciolo <Caterina.Facciolo@vaughan.ca>, Paul Salerno <Paul.Salerno@vaughan.ca>, amirabella

<amirabella@hemson.com>, cbalette <cbalette@hemson.com>

Hi Cam,

My apologies, I had to make a minor correction to the memorandum. I forgot to note that the information was being shared on a without prejudice basis and for discussion purposes. I've added that note to the revised memo above.

Thanks,
Brianne

From: Brianne Clace

Sent: Wednesday, May 11, 2022 11:02 AM

To: Cam Milani Milanigroup [REDACTED]

Cc: Michael Coroneos <Michael.Coroneos@vaughan.ca>; Nick Spensieri <Nick.Spensieri@vaughan.ca>; matthew@divonalaw.com; Vince Musacchio <Vince.Musacchio@vaughan.ca>; Michael Frieri <Michael.Frieri@vaughan.ca>; Carlos Couto <Carlos.Couto@vaughan.ca>; Nelson Pereira <Nelson.Pereira@vaughan.ca>; Caterina Facciolo <Caterina.Facciolo@vaughan.ca>; Paul Salerno <Paul.Salerno@vaughan.ca>; Andrew Mirabella (amirabella@hemson.com) <amirabella@hemson.com>; cbalette <cbalette@hemson.com>

Subject: Response to May 10, 2022 Committee of the Whole Communication - DC Study and CBC Strategy

Hi Cam,

Please find attached a response to your email dated May 3, 2022. If you have any additional questions please feel free to contact me directly.

Thanks,

Brianne Clace

Project Manager, Development Finance

905-832-8585, ext. 8284 | brianne.clace@vaughan.ca

City of Vaughan | Financial Planning & Development Finance

2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

vaughan.ca



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**C3
COMMUNICATION
CW (2) – June 21, 2022
Item 3**

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C4
COMMUNICATION
CW (2) – June 21, 2022
Item 36

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] LONG GRASS AND WEEDS BY-LAW
Date: June-17-22 9:11:42 AM

From: Colin MacDougall [REDACTED]
Sent: Thursday, June 16, 2022 3:37 PM
To: Clerks@vaughan.ca
Subject: [External] LONG GRASS AND WEEDS BY-LAW

I would like to suggest an amendment to the proposed LONG GRASS AND WEEDS BY-LAW.

If the appeal process is being removed by the municipality, then there should be a longer period given to the homeowner to cut the grass weeds. I would propose at least 7-14 days (instead of the current 3) - as this problem is most likely to occur during summer months, when the homeowner may not be residing at the residence.

I would also suggest that the monetary penalty and fine options be reserved for instances of repeated non-compliance, and that this be clearly indicated in the new bylaw.

Thanks,

Colin MacDougall
[REDACTED] Broomlands Dr
Maple, ON
[REDACTED]

C5
COMMUNICATION
CW (2) – June 21, 2022
Item 25

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study
Date: June-17-22 9:52:24 AM
Attachments: [image001.png](#)

From: Rachel N [REDACTED]
Sent: Thursday, June 16, 2022 9:05 PM
To: Gina Ciampa <Gina.Ciampa@vaughan.ca>; Ward 1 Support Staff <SupportStaff.Ward1@vaughan.ca>; Clerks@vaughan.ca; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Council@vaughan.ca
Cc: Soheil N [REDACTED]; Rachel N [REDACTED]
Subject: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study

Hello,

Thank you for sharing.

I would like to bring to your attention that since the traffic study took place on Thanksgiving week last year (which had less traffic due to the holiday anyways), there has been a significant amount of families that have moved into the area since then. We have seen countless cars speeding as if it is a highway where our kids are playing on their property. There are buses that take the Mactier route and a stop specifically at Mactier/Canard and the bus driver is consistently honking at cars that are speeding and/or going past the bus. I can speak from experience that every day when I pick up my daughter, I am extremely fearful for our lives as we cross the street together from the bus stop to our house to get home safely. The concerns for the children in this area are extremely high and it is very disappointing to read a report that says a 4 way stop will not be implemented.

Measures of simple signs around the area are not stopping motorists from speeding. We already have Slow Down signs in the area and there has been no impact from these signs. Motorists are still driving at extremely high speeds. We need preventative measures in place installed ASAP. This is an area with many many children.

I would like to know what exactly is being done and when will a 4 way stop be installed at Mactier/Canard? This is an urgent issue that needs to be addressed ASAP.

I look forward to the resolution of this problem that is endangering the people in this community.

Rachel

On Thu, Jun 16, 2022 at 2:04 PM Gina Ciampa <Gina.Ciampa@vaughan.ca> wrote:

Good afternoon,

Councillor Marilyn lafrate has asked that I make you aware of a staff report on the **Block 61 West Traffic Review** which will be coming forward at the **Committee of the Whole (2) Meeting on Tuesday, June 21st at 1:00 p.m.**

The link to this item can be found [here](#).

Item 6 – 25 [BLOCK 61 WEST TRAFFIC REVIEW](#)

Purpose: To inform Council on the study findings of the neighbourhood traffic study conducted for Block 61 West, also known as the Kleinburg-Nashville Community.

Please read the report and provide your comments to clerks@vaughan.ca and council@vaughan.ca. Your email must be received before 12 noon on June 20th to be included in the meeting.

Meetings can be watched live at vaughan.ca/LiveCouncil.

Respectfully,

My work day may look different than yours. Please do not feel obligated to respond out of your normal working hours.

Gina Ciampa

Executive Assistant to Councillor Marilyn lafrate

905-832-8585, ext. 8723 | gina.ciampa@vaughan.ca

City of Vaughan | Office of Councillor, Ward 1, Maple/Kleinburg

2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

vaughan.ca



To subscribe to Councillor Marilyn lafrate's E-Newsletter, please click [here](#)

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C6
COMMUNICATION
CW (2) – June 21, 2022
Item 25

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Additional STOP signs at Mactier Dr, Kleinburg
Date: June-17-22 9:52:37 AM

From: sohil kalra [REDACTED]
Sent: Thursday, June 16, 2022 4:53 PM
To: Clerks@vaughan.ca; Council@vaughan.ca
Subject: [External] Additional STOP signs at Mactier Dr, Kleinburg

Hi,

I am resident in Kleinburg (on Mactier Dr) and wanted to submit my concern over vehicle speed on the drive. I read the traffic report for Kleinburg / Nashville area and highly recommend we add more all-way stop signs on Mactier drive (including all way stop sign at Mactier & Canard).

Thanks!

Sohil Kalra

C7
COMMUNICATION
CW (2) – June 21, 2022
Item 26

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Kleinburg community centre and library direction
Date: June-17-22 9:52:57 AM

From: sohil kalra [REDACTED]
Sent: Thursday, June 16, 2022 5:00 PM
To: Council@vaughan.ca; Clerks@vaughan.ca
Subject: [External] Kleinburg community centre and library direction

Hi,

I live in the Kleinburg area and wanted to respond to the direction for the Kleinburg community center and library decision.

As we all know the Kleinburg area (and not Nashville) have seen exponential growth over the last few years. I read the options report for the community center and truly do not believe that option 1 (status quo) CANNOT support the growing needs of the community here. The closest proper community center can take upwards of 30min of driving time based on traffic at times.

I highly recommend that we go for option 2 or 3; ideally option 2 as it helps provide year round facilities for the residents.

Sohil Kalra

C8
COMMUNICATION
CW (2) – June 21, 2022
Item 29

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Reference #29 Pickleball
Date: June-17-22 9:53:09 AM
Importance: High

From: [REDACTED]
Sent: Thursday, June 16, 2022 5:13 PM
To: Council@vaughan.ca; Clerks@vaughan.ca
Cc: Gina Ciampa <Gina.Ciampa@vaughan.ca>
Subject: [External] Reference #29 Pickleball
Importance: High

Hi there,

Gina Ciampa suggested that I send you my email regarding item #29 on next week's council agenda.

I would have liked to attend and to meet, but unfortunately, I'm at the Collision conference that afternoon in downtown Toronto and my challenge is knowing what time item 29 will happen (I can't sit in front of my screen unfortunately because of the conference).

But for me – what I think it should be important to Vaughan (and to the councilors of Vaughan) is that pickleball is the fastest growing sport in North America – and while it started as a sport for 50+ year olds – the best players in the world are now 20-30 years olds. It is growing at a much faster pace than tennis because frankly it's much easier to play and can be played AND enjoyed by people at multiple skill levels including those of limited mobility.

Most importantly to the city of Vaughan and all of the councilors is that the majority of the players are still the +50 demographic – people with wealth and solid taxpayers and people of influence.

Also, please note that both Etobicoke and Richmond Hill have seen massive growth in numbers of pickleball players in the past year simply because of the large number of courts available. Additionally, the councilors for Etobicoke have recognized the growth of the sport and the attributes of pickleball players and have committed to build more courts including indoor courts that can be used year-round by players. And this can be done economically because 4 pickleball courts can go into the space of a single tennis court.

In the US, most of the courts are fully surfaced courts – similar to surfaced tennis courts – which makes them very consistent. The challenge is that there are only 3 pickleball courts in all of Woodbridge/Vaughan (Maple community center, Giovanni Caboto – which is so poor that it's beyond words - and Maxey Park – and I haven't even been able to find any surfaced tennis courts in

Woodbridge/Vaughan except for the courts in Kleinburg (Bindertwine Park and none have been painted for pickleball). Any of the courts where pickleball lines have been painted on tennis courts in Woodbridge/Vaughan area (see the 3 courts referenced), the court surface is in very bad shape which causes the pickleball to bounce unevenly (a bigger problem for pickleball than tennis) and is very hard on our knees and joints. As someone who has had 5 knee operations and torn Achilles and planter facia, things like that are impactful.

I'm asking that pickleball lines be painted on more courts within Vaughan and in particular on surfaced tennis courts within Vaughan (including Bindertwine Park) which is located near our home in Kleinburg and that time be allocated to allow pickleball players to gain access to those courts.

While I'm happy for tennis players and pickleball players to co-exist on courts, pickleball players should be given the same sorts of access that is granted to tennis players. As a FYI, feel free to do a Google search of pickleball equipment and see how many mainstream retailers carry pickleball gear including SportChek and Decathlon as well virtually every tennis retailer to get a sense of how fast this sport is growing.

I've attached links for those unfamiliar with pickleball so that you have a sense of why this sport is growing so rapidly and how much fun it is play. Let's make Vaughan the pickleball capital of Canada!

<https://usapickleball.org/what-is-pickleball/>
<https://www.youtube.com/watch?v=kqLRRNOpe8U>

Cheers,

chuck

R. Charles (Chuck) Allen
Toronto, Ontario
Canada

E: [REDACTED]
M: [REDACTED]
Twitter: [REDACTED]

DATE: June 16, 2022

TO: Mayor and Members of Council

FROM: Vince Musacchio, Deputy City Manager, Infrastructure Development
Zoran Postic, Deputy City Manager, Public Works

RE: **COMMUNICATION**
Committee of the Whole (2) Report - June 21, 2022
Item 31 - Award of Tender and Request for Additional Funds for the
Dufferin Operations Centre – 8020 Dufferin Street

Purpose

To provide background and context for the proposed Dufferin Operations Centre at 8020 Dufferin Street.

Background

The City of Vaughan's Public Works departments operate out of three locations, namely: the Joint Operations Centre, the Woodbridge Operations Centre and the Dufferin Operations Centre.

The Dufferin Operations Centre is well-located to service the Thornhill and Concord communities. Activities undertaken include winter clearing operations, turf maintenance, sports fields maintenance and garbage pickup. The current facility, located at 8090 Dufferin Street, comprises of a leased administration building with one (1) indoor bay and a salt storage dome (on City-owned land). The administration building was previously a mechanic garage and never intended to occupy the current number of staff and equipment.

In March 2012, IBI Group completed a consulting assignment entitled "Public Works, Forestry and Parks Operations Centre and Location Study Report for the City of Vaughan". In this report, the current state assessment of the Dufferin Operations Centre identifies several needs and deficiencies, summarized below:

Deficiencies Entering the Facility

- The vehicle entrance is challenging, not at a signalized intersection which creates both delays and risk for accidents
- There is a requirement for a larger, improved employee parking area

Site Inadequacies

- The yard is not paved, creating soft surface conditions during thaw/freezing cycle of winter months
- Security is a concern, and the yard requires both better lighting and security

Insufficient Office Amenities

- There is a need for more employee amenities
- There is insufficient office space, including offices, training and muster room

Insufficient Operations Space/Set-up

- There is insufficient storage space; there is extremely limited opportunity to store vehicles/materials during the winter season. Currently, materials are stored under a tarp and there is no indoor storage space for the sidewalk tractors
- There are no wash bays and refueling pumps which is inefficient for operations; vehicles must travel to the JOC for washing, or to a gas station for fueling
- Bulk materials are not stored in well-designed bunkers or bins for easy access/storage - including diamond clay, wood chips, screenings/aggregates, gravel, and playground sand
- Garbage/recycling areas are not well-designed for ergonomic dump/collection

To supplement these deficiencies, there are notable health and safety concerns:

1. Indoor Air Quality – There have been complaints made to the Ministry of Labour regarding the indoor air quality. Due to the amount of snow clearing, equipment is required to be inside the building during the winter months, there have been concerns from staff about exposure to diesel fumes in the bay and office areas.
2. Limited staff space – With the number of staff who work from this site, particularly during the summer months, there is not enough space where staff can use the designated change rooms. As a result, additional lockers have been placed in the open operation bay where equipment and chemicals are stored. This makeshift area in the operations bay is where staff are expected to change.
3. Limited washrooms/infrastructure - Females have only one washroom and males have four washrooms (connected to the change room). As the toilets are connected to a septic system, there have been a number of overflows and backups in the mechanical bays. As a result, there have been associated odors when this occurs. The septic system is in need of repair and with the number of staff using the building, this septic system was not designed for the current occupant use.
4. No meeting area – During busy times of the year, the Supervisors have created multiple staggered shifts to accommodate spacing needs in the building. This creates inconsistencies and inefficiencies.
5. No potable water at this location –To ensure water is available, water jugs and a water station is in place for staff to use since the well water is not consumable.

In 2018, the capital project for a renovation for the Dufferin Satellite Operation Centre was approved.

Conclusion

The preceding information provides background for the requested budget amendment for the award of the tender as described in Committee of the Whole (2) Report - June 21, 2022, Award of Tender and Request for Additional Funds for the Dufferin Operations Centre – 8020 Dufferin Street.

For more information, please contact:

Jack Graziosi, Director, Infrastructure Delivery, ext. 8201

Nadia Paladino, Director, Parks, Forestry and Horticulture Operations, ext. 6146

Approved by



Vince Musacchio
Deputy City Manager,
Infrastructure Development



Zoran Postic
Deputy City Manager,
Public Works

C10
COMMUNICATION
CW (2) – June 21, 2022
Item 26

From: paul.turco
To: Clerks@vaughan.ca; Council@vaughan.ca
Subject: [External] RE: REQUEST FOR DIRECTION ON THE KLEINBURG COMMUNITY CENTRE AND LIBRARY (BLOCK 55/62)
Date: June-17-22 3:47:50 PM

Good afternoon,

My name is Paul Turco, I am a resident of Kleinburg, my address is [REDACTED] Port Royal Ave, Kleinburg, ON.

I am writing to provide comments on the above noted Committee of the Whole (2) Report, **Item 6 – 26 - REQUEST FOR DIRECTION ON THE KLEINBURG COMMUNITY CENTRE AND LIBRARY (BLOCK 55/62)**.

I would like to strongly express my support for **Scenario 2**, a full service community recreation centre with gymnasium, pool and aquatic facility, 2 ice rinks, etc. Further, I would like to add the consideration be made to include an outdoor skating rink or skating trail, as this is a feature that is included at the Vellore Village community center for which is the basis of reference for Scenario 2.

Kleinburg is a rapidly growing community of young families, a full service community centre is desperately needed to provide access to recreational programs and facilities.

Thank you,

Paul Turco
[REDACTED] Port Royal Avenue,
Kleinburg, ON
[REDACTED]

C11
COMMUNICATION
CW (2) – June 21, 2022
Item 26

From: [Kathryn Angus](#)
To: Clerks@vaughan.ca; Council@vaughan.ca
Subject: [External] Request for Direction on the Kleinburg Community Centre and Library (Block 55/62) will be coming forward at the Committee of the Whole Meeting (2) on June 21st at 1pm.
Date: June-18-22 3:53:26 PM

Good afternoon I would like to inform you that the Kleinburg & Area Ratepayers' Assoc. is supportive of, as its first choice Scenario 2, and its second choice would be Scenario 3.

Regards

Kathryn Angus, President
Kleinburg & Area Ratepayers' Assoc.

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

June 20, 2022
HPGI: 20637

**Clerk/Mayor and Members of Council
City of Vaughan**
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

**Re: June 21 2022 – Committee of Whole – Item 9
3911 Teston Road Inc.
3911 Teston Road
City File No.OP.21.005, Z.21.008, 19T-21V002**

Humphries Planning Group Inc. represents 3911 Teston Road Inc. ("3911") owner of lands located at 3911 Teston Road and subject to City of Vaughan application file numbers OP.21.005, Z.21.008, 19T-21V002. We have reviewed the staff recommendation report and have a number of serious concerns with matters related to the provision of parkland.

Parkette areas have already been provided in the plan to serve the development and further parkette space is being requested by staff.

The staff report is not clear as to whether the proposed areas and further areas requested will be taken by the City as parkland contribution and when asked about this specifically they were uncertain.

A Master Parkland Agreement is currently in place for these lands as related to low rise development. These applications do not propose a change in land use designation from low to medium density residential. However staff are still suggesting additional parkette area and a cash in lieu payment. This is not appropriate and appears to be asking for compensation twice for the same related item.

The City of Vaughan is also now considering a new Parkland Dedication Bylaw which further confuses the matter of parkland as related to the timing of these applications. Comments provided by staff on these applications do not appear to have taken the new Parkland Dedication By-law into account.

Aside from the above noted issues respecting parkland dedication matters we further note that Attachment 1a) to the staff report containing City of Vaughan Conditions of Draft Plan Approval incorrectly references the wrong Plan recommended for approval.

Given the above, we respectfully ask the Committee to defer the applications to a future committee of whole meeting to allow the applicant and city staff to meet and discuss matters respecting parkland contribution for this development and make appropriate changes to the conditions of draft plan approval which identify the proper plan and other matters which may result from discussions.

Yours truly,

HUMPHRIES PLANNING GROUP INC.

A handwritten signature in black ink, appearing to be 'Rosemarie L. Humphries', written over a horizontal line.

Rosemarie L. Humphries BA, MCIP, RPP
President

cc. 3911 Teston Road Inc.
Haiging Xu, Deputy City Manager-Planning and Growth Management
Nancy Tuckett, Director of Development Planning



EDUCATION CENTRE – AURORA

60 Wellington Street West, Box 40

Aurora, Ontario L4G 3H2

Tel: 905.727.3141 905.895.7216 905.722.3201 416.969.8131

Fax: 905.727.0775

Website: www.yrdsb.edu.on.ca

**C13
COMMUNICATION
CW (2) – June 21, 2022
Item 21**

Via Email: Clerks@vaughan.ca

June 17, 2022

Attention: City Clerk

Honourable Mayor and Members of Council

Re: RP B3S HOLDINGS INC. (BLOCK 3S) OFFICIAL PLAN AMENDMENT FILE OP.21.016
ZONING BY-LAW AMENDMENT FILE Z.21.027

The School Board has significant concerns regarding the density of approved and proposed development in the Vaughan Metropolitan Centre (VMC) which significantly exceeds the original Secondary Plan targets by well over 200%. Proceeding ahead with the substantial increase in densities without addressing the deficiency in school accommodation will result in residents not being served by a local school. Schools are an important part of a complete community such as VMC and without the appropriate required school sites, a substantial proportion of students will need to be bussed to multiple schools in other communities on a permanent basis.

The York Region District School Board had designated two elementary school sites to serve the Vaughan Metropolitan Centre based on the initial population targets identified during the preparation of the VMC Secondary Plan. Based on current development trends, the School Board will require a minimum of three additional elementary school sites based on projections by staff.

While the Board recognizes the need for additional residential units and higher density development especially in major transit hubs such as VMC, due to the substantial increase in population above the original targets for the VMC, there will be insufficient school accommodation to serve VMC if additional and appropriate school sites are not made available.

Board staff have been investigating reducing land area required for schools to recognize the built form in high density communities such as the new elementary school in Markham Centre proposed to open in September 2025 on a 3.5-acre site through collaboration and contributions from the landowner to reduce the site size from its original 5 acres. This approach is also consistent with the intent and policy language in the VMC Secondary Plan.

Yours truly,

Board Chair,
York Region District School Board

THORNHILL-CARRVILLE HOCKEY SCHOOL **RESOLUTION**

Committee of the Whole (2) Report In response to item#38 (CSO and FA Policies Revision Consultation Report)

DATE: Tuesday, June 21st, 2022

TITLE: The Need for Fairness and Transparency of Ice Permit Allocation

FROM: Hiten Patel, Founder of Thornhill-Carrville Hockey School (TCHS), CSO Minor

Whereas, TCHS was informed that Rosemount Arena cannot operate with ice-in beyond mid March but when CVHA requested ice to extend ice-in season for at least two more weeks for March CVHA received the slots belonging to TCHS and Thornhill Figure Skating Club (TFSC). TCHS was never informed of the ice-in extension.

Whereas, TCHS was informed that Rosemount cannot operate during 7-8am (morning) Saturday and Sunday.

Whereas, Weekdays 4-5pm are considered prime time despite neighbouring municipalities consider this slots to be non-prime at their city arenas.

Whereas, TCHS only receives ice times Rosemount CC Mondays 8-9pm and Sports Village Saturdays 6:30-8:30pm which are not appropriate for ages 12 and under.

Whereas, CVHA left ice vacant but always had an excuse when challenged by TCHS.

It is therefore recommended:

1. That city staff be transparent with TCHS and TFSC about extension of ice-in season being afforded to other user groups.
2. That Rosemount CC Arena operate during 7-8am mornings Saturday/Sunday.
3. That Saturday/Sunday 7-8am and Monday-Friday 4-5pm be assigned as NON-PRIME.
4. That TFSC and TFSC be given priority over CVHA at Rosemount and Garnet Williams (when re-opened) to ensure programming is offered at appropriate and times for community programs.



C14
COMMUNICATION
CW (2) – June 21, 2022
Item 20

Barristers & Solicitors
Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7
Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: (416) 597-5168
jhoffman@goodmans.ca

June 20, 2022

Our File No.: 171939

Via Email

Committee of the Whole
Vaughan City Hall, 2nd Floor
2141 Major Mackenzie Drive
Vaughan, Ontario

Attention: City Clerk

Dear Sirs/Mesdames:

Re: Item 6.20 – Promenade Centre Secondary Plan

We are counsel to Promenade Limited Partnership (“**PLP**”), the owner of the lands municipally known as 1 and 180 Promenade Circle in the Thornhill Vaughan Community (the “**Promenade Lands**”). We write on behalf of our client to provide comments on the draft Promenade Centre Secondary Plan (the “**Draft Secondary Plan**”) that is before the Committee.

As outlined further below, our client is generally supportive of the overall direction of the Draft Secondary Plan, as it supports the intensification of the Promenade Lands. However, our client has a number of concerns with the Draft Secondary Plan in its current form. Two key concerns for PLP and the requested modifications to address these concerns are outlined below. These relate to references in the Draft Secondary Plan to the number of people, jobs and units to be accommodated, and the location of public parks. We kindly request that the Committee direct staff to incorporate these modifications to the Draft Secondary Plan.

Background

As you are aware, PLP owns approximately 51 acres of land within the Promenade Centre Secondary Plan Study (the “**Study**”) area, representing the vast majority of the lands subject to the Draft Secondary Plan. Given the extent of its land holdings, our client and its consultant team have engaged with City staff with respect to the Promenade Lands for many years and participated actively in the Study process since it commenced in Q3 2019.

In January 2020, as input into the Study, PLP formally presented its Master Plan for the Promenade Lands to the City and its consultants. The Master Plan illustrated a phased development, comprising approximately 7,900 residential units, 170 hotel rooms, 95,230 square metres of retail uses and 43,795 square metres of office uses. The Master Plan demonstrated that the Promenade Lands could accommodate significant intensification, while providing substantial contributions to public realm and advancing a number of other policy objectives.

Following submission of the Master Plan, our client and its consultants engaged extensively with City staff and other stakeholders with respect to the content of the proposed secondary plan, in order to ensure that it properly reflected provincial and regional policy direction. This engagement included many submissions to staff and this Committee. In addition, our client has been in touch regularly with City staff through the processing of the Study. Our client appreciates City staff's engagement throughout the Study process.

Requested Modifications

Our client supports the overall direction of the Draft Secondary Plan that is before the Committee, which clearly encourages intensification of the Promenade Lands. However, there remain certain aspects of the Secondary Plan that give rise to concerns and require modification.

Planned People, Jobs and Residential Units

One of the key areas of our client's concerns as conveyed to staff in the course of its discussions throughout the Study was the number of people and jobs planned to be accommodated on the lands subject to the Secondary Plan. The draft materials presented at the November 2021 public meeting provided that approximately 17,235 to 21,162 persons and jobs could be accommodated in the Secondary Plan at ultimate build-out. This equated to approximately 10,700 residential units, which could be developed as new units, as shown on concept plans submitted by landowners within the Draft Secondary Plan area.

In contrast, the Draft Secondary Plan that is now before the Committee references a lower amount of people, jobs and units – namely, 15,500 people, 2,300 jobs and approximately 8,100 residential units. This revision reflected in the Draft Secondary Plan was made without justification and, in our view, it is unfounded. The reference to 8,100 residential units is particularly troubling. There are already 1,610 units existing on the lands today, that were built decades ago. Accordingly, the Draft Secondary Plan would seem to contemplate only approximately 6,490 new units. This represents a significant underutilization of lands that are well-suited to accommodating intensification to help meet the City's need for new housing and more diverse housing options. The Master Plan and supporting materials submitted to the City demonstrate that the Promenade Lands can comfortably accommodate more than 8,100 new units from a planning, urban design and infrastructure perspective.

We request that the Draft Secondary Plan be modified to remove any reference to an approximate unit count, as the number of units will result from the height and density permissions which are included elsewhere in the Draft Secondary Plan. Further, the number of planned people and jobs referenced in section 5.0 of the Draft Secondary Plan should be 21,162 as referenced in City staff's November 2021 materials. The Draft Secondary Plan should also include language to recognize that the planned number of people and jobs is general in nature, is not intended to be a maximum at ultimate build out, and that a greater number of people and jobs may be accommodated where justified through individual development applications.

The Bathurst Street Park

Schedules C and D of the Draft Secondary Plan show a small parkette located just west of the northwestern portion of the existing shopping centre, on the south side of the new east-west road in

that area (the “**Northwest Parkette**”). The Northwest Parkette is too small to be functional and inappropriately constrains development opportunities on the southern portion of that block. Removing the Northwest Parkette and increasing the size of the park shown along Bathurst Street would significantly improve the overall public realm within the Secondary Plan area. A larger public park along Bathurst Street presents enhanced opportunities for park programming in a prominent location, providing an important amenity to both the planned community within the Secondary Plan area and the existing community east of Bathurst Street.

Accordingly, we ask that both Schedules C and D of the Draft Secondary Plan be revised to extend the High-Rise Mixed-Use land use designation northward to replace the Park land use designation shown for the area of the Northwest Parkette, and correspondingly increase the size of the designated Park on PLP lands along Bathurst Street.

Other Refinements

In addition to the matters outlined above, there are other aspects of the Draft Secondary Plan that require refinement. Based on our discussions with City staff to date, our client is hopeful that it will be able to work through these matters prior to Council adoption of the Draft Secondary Plan through continued collaboration with staff.

Conclusion

Our client appreciates the opportunity to provide input throughout the Study process and City staff’s continued engagement on the content of the Draft Secondary Plan. While PLP is generally supportive of the overall thrust of the Secondary Plan, we urge the Committee to modify the Draft Secondary Plan in the manner requested above. We would also appreciate the opportunity to work with staff on other matters requiring refinement before the Draft Secondary Plan proceeds to Council for adoption.

We will be available at the Committee meeting, along with representatives of PLP, to answer any questions.

Yours very truly,

Goodmans LLP



Joe Hoffman
JBH/MXL

cc. Michael Uster and Jim Baird, PLP

C16
COMMUNICATION
CW (2) – June 21, 2022
Item 26

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Response for Committee of the Whole -June 21st at 1pm - Direction on the Kleinburg Community Centre & Library
Date: June-20-22 9:44:42 AM

-----Original Message-----

From: Carolyn Smith [REDACTED]
Sent: Sunday, June 19, 2022 11:11 PM
To: Clerks@vaughan.ca; Council@vaughan.ca
Subject: [External] Response for Committee of the Whole -June 21st at 1pm - Direction on the Kleinburg Community Centre & Library

Good afternoon,

It has been brought to my attention that community input is sought for the report conducted involving direction of a community centre in the Kleinburg community.

I am a resident in the Kleinburg Impressions community and prefer Scenario 2. I prefer this option because we are in desperate need of an indoor skating rink and pool. Currently our parks are beyond capacity for the number of families in the area- a district sized park is badly needed.

Our community continues to experience immense population growth and we need a district park with the many amenities that Scenario 2 lists. New developments continue to be built and expanded within Kleinburg and Scenario 1 would not accommodate our needs.

Thank you for considering my feedback and preference for Scenario 2.

-Carolyn

Sent from my iPhone

Re: City of Vaughan, Committee of the whole (2) Tuesday June 21,2022 at 1 Pm

Item# 38: Community Service Organization and Facility Allocation Policy

Thankyou Mayor and Vaughan councillors for giving me the opportunity to speak.

My name is Harvey Korman and I have lived in Vaughan since 1981.

I am a founding member of the City of Vaughan Hockey Association, when at that time the population of Vaughan was under 60,000. In the beginning I was on the committee that negotiated with the city that set the parameters for facility allocation as it relates to hockey. Today the population of Vaughan is over 350,000 and things have changed, yet the facility allocation policy has not.

I served on the CVHA board for over 12 years and held various titles including President, House league East convenor, Referee in Chief, coach and served on many committees. In the second year of the CVHA, I coached the first and only CVHA OMHA championship team that year. Deputy Mayor, Local and regional councillor, Mario Ferri's son played on that team.

I am on the board of directors for the Thornhill Community Hockey Association (TCHL) and we currently have over 200 Vaughan residence registered in our house league and select program. That number would be a lot higher with new players from Vaughan East if Vaughan would allow a second house league district in East Vaughan with CSO ice allocation at Vaughan east rinks.

Markham allows L4J Vaughan postal codes to play on their ice

Markham has 3 house league districts; Richmond Hill has 2 and Mississauga has 5. Vaughan has only one house league district.

There are multiple districts for soccer and baseball in the City of Vaughan and yet there is only one district for Hockey in Vaughan.

Background information as it relates to Rep hockey.

- 1) Vaughan is the largest source of rep hockey players in the GTHL.**
- 2) The City of Vaughan Hockey Association can not adequately supply the needs of Vaughan residence's appetite for rep hockey.**

- 3) There are many GTHL organizations that have large numbers of Vaughan residence.**
- 4) One organization, The Avalanche Minor Sports Inc has just under 75% Vaughan residence registered.**
- 5) The problem is, there are over 100 players in Vaughan, in each age category, that want to and are good enough to play A and AA Rep hockey but Vaughan only has positions for 17 at any one age division, starting with U10 (nine years old's) and going up to U21.**
- 6) So, if you live in Vaughan and want to play rep hockey you must find a club outside of Vaughan that has openings.**

I was interviewed by one of the consultants that wrote this report for Vaughan and he said that he does not live in Vaughan, never played minor hockey and does not have any kids in a hockey program.

In Conclusion:

Item 38 talks about Community Service Organization and Facility Allocation Policy Revision.

I would like to say to council that this current report does not address the issues appropriately relating to hockey, in Vaughan, and that we strongly request that someone with experience and knowledge of the Vaughan hockey situation be asked to provide a detailed report on this issue and that the current report not be acceptable as it relates to Hockey.

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

June 20, 2022
HPGI: 17519

Clerk/Mayor and Members of Council

City of Vaughan

2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

**Re: June 21 2022 – Committee of Whole – Item 19
Pristine Homes (Pine Grove) Inc.
8337, 8341, 8345, 8353, 8359 Islington Avenue
City File No.OP.20.004, Z.20.011**

Humphries Planning Group Inc. represents Pristine Homes (Pine Grove) Inc. ("Pristine") owner of lands located at 8337, 8341, 8345, 8353, 8359 Islington Avenue and subject to City of Vaughan application file numbers OP.20.004, Z.20.011. We have reviewed the staff recommendation report and are in general support of the recommendation to approve the proposed development as proposed by staff with the exception of matters specifically related to the Holding Zone provisions as outlined below.

As currently recommended by City staff, Pristine has significant concerns with the holding condition in the draft zoning by-law that would require the Owner to obtain an access easement over the private common element condominium road of the lands to the South.

Pursuant to Section 17 of the site plan agreement dated July 13th 2015 entered into between the City and the developer of the lands to the south, the Condominium Corporation is required to grant an access easement over the proposed condominium road at the time Pristine's lands develop.

Pristine is not a party to the site plan agreement and is therefore not able to enforce this obligation. Despite repeated requests, City staff have not confirmed that the City will enforce this requirement of the condominium corporation to provide access. Because of this, there is no way that Pristine on its own can ensure that this access is secured.

In addition, the condition as drafted would require Pristine to file and obtain approval of a consent application over the private condominium road. Legally, this is not possible without the express authorization of the condominium corporation because Pristine is not the owner of the lands in question. The Planning Act provides that consent applications may only be filed by the owner of the land subject to the application.

Notwithstanding this, Pristine is willing to accept a condition that addresses access but requests that the proposed condition in section 1.b).A.(b).ii be deleted in its entirety and substituted with the following:

- 1. The Owner shall take all reasonable steps within its control to secure an access easement over the private common element road of the abutting lands to the south in favour of the Subject Lands in order to create a shared access onto Islington Avenue, recognizing that the Owner does not have the ability to require the abutting Condominium Corporation to grant such an easement and that the City has the power to do so pursuant to section 17 of the Site Plan Agreement entered into with Statesview Homes (S Collection) Inc. dated July 13th, 2015 and registered on title to the abutting lands as instrument YR2324168. In the event the City is unwilling or unable to obtain the easement, this condition shall be deemed to have been automatically satisfied.**

We respectfully ask the Committee to amend the staff recommendation as outlined above.

Yours truly,

HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP
President

Encl. Extracts of Site Plan Agreement

- cc. Pristine Homes (Pine Grove) Inc.
Haiging Xu, Deputy City Manager-Planning and Growth Management
Nancy Tuckett, Director of Development Planning

YR 2324168

SITE PLAN AGREEMENT

THIS AGREEMENT DATED THE 13th DAY OF July 2015

THE CORPORATION OF THE CITY OF VAUGHAN

AGREEMENT MADE PURSUANT TO

SECTION 41 OF THE PLANNING ACT

BETWEEN:

THE CORPORATION OF THE CITY OF VAUGHAN

hereinafter called "Vaughan"

OF THE FIRST PART

- and -

STATESVIEW HOMES (S COLLECTION) INC.

hereinafter called the "Owner"

OF THE SECOND PART

WHEREAS the Owner is the owner of certain lands in the City of Vaughan, in Part of Lot 9, Concession 7; being Lots 7, 8 and 9, on Registered Plan M-1111; PIN 03296-0010(LT), 03296-0011(LT) and 03296-0012(LT);

AND WHEREAS Council has enacted By-law Numbers 123-2013 designating the whole of the Municipality of the City of Vaughan as a Site Plan Control Area;

AND WHEREAS this Agreement is entered into pursuant to Section 41 of the Planning Act, R.S.O. 1990;

NOW THEREFORE, in consideration of the premises, the Owner and Vaughan hereby mutually covenant and agree as follows:

GENERAL CONDITIONS

1. The lands subject to this Agreement, hereinafter referred to as "the lands", are situate in the City of Vaughan in The Regional Municipality of York, in Part of Lot 9, Concession 7; being Lots 7, 8 and 9, on Registered Plan M-1111; PIN 03296-0010(LT), 03296-0011(LT) and 03296-0012(LT).
2. The Owner shall develop the lands in accordance with Schedules "A", "B1", "B2", "B3", "B4", "B5", "B6", "B7", "B8", "B9", "B10", "C1", "C2", "C3", "C4", "C5", "C6", "D1", and "D2", attached hereto, and shall not use any area of the lands for any purpose other than the use designated on the said Schedules.
3. Prior to issuance of a building permit, the Owner shall ensure completion of all conditions required by Schedule "X".
4. The Owner shall complete and maintain all building elevations in accordance with Schedule "D1" and "D2", attached hereto.
5. The Owner shall complete grading, sodding, landscaping, fencing, parking, and curbing shown on Schedules "A", "B1", "B2", "B3", "B4", "B5", "B6", "B7", "B8", "B9", "B10", "C1", "C2", "C3", "C4", "C5", and "C6" within three (3) months of the date of the first occupancy of the building(s). If occupancy

occurs between November 1 and April 30, completion is required within two (2) months of April 30. The Vaughan Development Engineering and Infrastructure Services Department in conjunction with the Vaughan Development Planning Department may waive the provision with regard to sodding and landscaping if adverse weather conditions or material shortages exist.

6. Prior to the release of the Letter of Credit, the Owner shall ensure completion of all conditions required by Schedule "Y".

7. All outside lighting erected on the lands shall be diffused and directed downward and inward from adjacent land uses and public streets. If, in the opinion of the Vaughan Development Transportation Engineering Department or other authorities having jurisdiction over adjacent residential areas and public streets, lighting shields are necessary to stop direct peripheral lighting to such areas and streets, then the Owner shall erect same forthwith.

8.i) Should the development of the lands, in accordance with this Agreement, require the installation of services on or access over a public road allowance or public lands, the Owner shall restore the road allowance or lands to their former condition and shall repair all damage to the satisfaction of the Vaughan Development Engineering and Infrastructure Services Department. Should the Owner fail to restore the affected area when required by and to the satisfaction of Vaughan, the work may be done by Vaughan at the Owner's expense.

8.ii) The Owner shall keep all public and private lands, roads, sidewalks and public rights-of-way used for access or adjacent to the lands in good, mud and dust free condition and free from debris, junk, rocks, refuse, rubbish, litter, fill and building and servicing materials during the construction of services and buildings.

8.iii) The Owner shall maintain all roadways, sidewalks, ditches, catch-basins, watermains, storm and sanitary sewers and appurtenances adjacent to the lands clean and free from disturbance by site development operations during the construction of services and buildings.

8.iv) In the event the Owner fails to comply with Subsections 8.i), 8.ii) and 8.iii) to the satisfaction of Vaughan, the Vaughan Development Engineering and Infrastructure Services Department may, after 24 hours written notice, undertake the work that it deems to be necessary at the expense of the Owner. In the case of an emergency as determined by the Vaughan Development Engineering and Infrastructure Services Department, the work may be undertaken without notice. Should Vaughan be involved, the following rate shall apply:

- (a) where Vaughan forces are used, the greater of cost – times 2.5 or 4 hours times normal hours for crew and equipment used.
- (b) where Vaughan retains independent contractors – cost times 2.0.
- (c) minimum charge shall be one day.

Note: Where the actual cost exceeds \$30,000.00 the upset limit to be charged shall be the actual cost plus the greater of 15% or \$15,000.00.

The Owner shall pay Vaughan within 30 days of demand and, if payment is not made, Vaughan may recover its charges from the Letter of Credit.

9. The lands shall be serviced by underground hydro. The Owner shall construct the facilities and appurtenances to the satisfaction of PowerStream Inc.

10. Prior to commencement of work on the lands, the Owner shall arrange a site meeting with representatives of the Vaughan Development Engineering and Infrastructure Planning Services Department to advise Vaughan of the intended construction schedule, contact names and telephone numbers and details of means to protect and keep clean roadways, municipal services and properties beyond the lands.

11. The Owner shall control and minimize erosion on-site and in downstream areas during and after construction. The Owner shall install and maintain siltation and erosion control devices at its expense. Following completion of construction, and establishment of adequate ground cover to prevent erosion, the Owner shall remove the foregoing devices.

12. The Owner shall install and maintain paved construction access to the lands. Any sidewalk adjacent to the lands shall be maintained in a safe and useable condition by the Owner for the duration of the construction.

13. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 5% or 1 ha per 300 units of the value of the subject lands prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's "Cash-In-Lieu of Parkland Policy". The Owner shall submit an appraisal of the subject lands, in accordance with Section 42, of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

14. The Owner shall indemnify and save harmless Vaughan and/or its employees from all actions, suits, claims and demands whatsoever which may arise directly or indirectly by reason of a requirement of this Agreement, save and except for damage caused by the negligence of Vaughan or its employees. Upon execution of this Agreement, the Owner shall file a certificate with the Vaughan Clerks Department, showing that the Owner is carrying public liability insurance in an amount specified in Schedule "X", attached hereto, and that Vaughan is named as a co-insured. The said Insurance Certificate shall remain in effect until such time as the Letter of Credit is released by Vaughan.

15. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision (whether or not similar) nor shall such waiver constitute a continuing waiver unless otherwise expressly provided. Any waiver of, or consent to depart from, the requirements of any provisions of this Agreement shall be effective only if it is in writing and signed by an authorized representative of the party giving it, and only in the specific instance and for the specific purpose for which it has been given. No failure on the part of any party to exercise, and no delay in exercising, any right under this Agreement shall operate as a waiver of such right. No single or partial exercise of any such right shall preclude any other or further exercise of such right or the exercise of any other right.

SPECIAL CONDITIONS

16. The Owner shall ensure that all roof-top mechanical equipment is not visible from adjacent roads and highways. If it is determined by Vaughan that the roof-top mechanical equipment is visible upon construction of the building(s), the Owner shall be responsible to mitigate this situation at their cost by taking appropriate measures to screen the roof-top mechanical, to the satisfaction of the Vaughan Planning Department.

17. The Owner and future Condominium Corporation agrees to grant an access easement over the proposed condominium road in favour of the landowners to the north and south when these lands develop, and that the requirement to grant the easement be included in the Condominium Agreement, Condominium Declaration and all Offers of Purchase and Sale or Lease to ensure that the Condominium Corporation and all future Owners are aware of this requirement;

18. That a temporary plywood fence shall be erected along the perimeter of the subject lands to mitigate noise, dust and visual impact from the surrounding residential properties for the duration of construction;

19. Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the Vaughan Planning Department, Urban Design and Cultural Heritage Section shall be notified immediately;

20. In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the Vaughan Planning Department, Urban Design and Cultural Heritage Section, the York Region Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services;

21. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots:

"Purchasers and/or tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic, may occasionally interfering with some activities of the occupants as the sound levels exceed the Ministry of the Environment's and City's noise criteria."

22. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Units 1 to 5:

"Purchasers and/or tenants are advised that, despite the inclusion of noise control features in this development area and within the dwelling unit, the noise levels from increasing traffic may continue to be of concern, occasionally interfering with some activities of the occupants. This dwelling has, therefore, been equipped with forced air heating and ducting etc., as well as central air conditioning which will allow windows to be kept closed, thereby achieving indoor sound levels within the limits recommended by the Ministry of the Environment and in compliance with the City's noise requirements."

"Purchasers and/or tenants are advised that due to the proximity of the existing commercial facilities, sound levels from the facilities may at times be audible."

23. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Units 6 to 12:

"Purchasers and/or tenants are advised that, despite the inclusion of noise control features within the development area, road noise will continue to increase occasionally interfering with some activities of the dwelling occupants. This dwelling has, therefore, been equipped with forced air heating and ducting, etc. sized to accommodate the future installation of air conditioning by the purchaser and/or tenant. The location and installation of the outdoor air conditioning device should be done so as to minimize the noise impacts."

24. The following warning clause shall be included in all Offers of Purchase and Sale or Lease and in the Condominium Agreement and Declaration for Units 5 and 12:

"All future purchasers of these units that all south facing windows shall remain as fritted glass and that the privacy screens on the rear balconies shall remain in place and in good repair"

25. Prior to the issuance of the first Building Permit, the Owner shall provide to the Vaughan, financial securities in the amount of \$2,500.00 per unit for townhouses, to a maximum of \$500,000.00, to guarantee the satisfactory completion of all occupancy requirements, including final inspections, in accordance with the provisions of the Ontario Building Code (OBC) and this Agreement for each unit covered by this Agreement. Such security may be provided by irrevocable Letters of Credit, in the amount of \$30,000.00 (12 townhouse units @ \$2,500.00 = \$30,000.00) and in a format satisfactory to the Vaughan Development Finance Department.

These securities may be drawn on by the Vaughan Development Finance and Investments Department as required if, in the opinion of the Director of Building Standards, the Owner has not complied with the provisions of the OBC and the agreement for occupancy and final inspections. In the event of a draw on the said securities, the Owner agrees to replenish the amount drawn within 30 (thirty) days of written notice thereto.

The Owner is advised that there shall be no reduction of the securities posted until such time as all units, save and except the last 50 units, have received final clearance in the form of a completed final inspection from the Director of Building Standards following which, Vaughan may reduce the Letter of Credit by \$2,500 for each subsequent unit so completed.

26. City-wide Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. Development Charges are payable on the date a building permit is issued at the rate in effect at that time.

The owner acknowledges that the City collects development charges on behalf of the Region of York, York Region District School Board and York Catholic District School Board.

REGISTRATION OF AGREEMENT

27. The Owner understands and acknowledges that waste collection services and winter road maintenance operations (snow ploughing, removal etc.) be the responsibility of the Owner. The Owner implement waste diversion programs as stipulated in applicable legislation, including but not limited to the Environmental Protection Act.

28. This Agreement, with the Schedules thereto, shall be registered upon the title to the lands. The covenants, Agreements, conditions, and undertakings herein contained on the part of the Owner shall run with the lands and shall be binding upon it, its successors, or assigns as owners from time to time. The Owner hereby appoints its successors or assigns as its attorney and agent with full authority to enter into any Agreement with Vaughan to amend this Agreement in any way that is mutually agreeable. Prior to registration of this Agreement the Owner shall pay to the Vaughan Clerks Department all costs to register this Agreement. The Owner further agrees to pay to the Vaughan Clerks Department any further costs incurred by Vaughan as a result of the registration of this or any other document pursuant to this Agreement.

NOTIFICATION

29. If any notice is required to be given by Vaughan to the Owner with respect to this Agreement, such notice shall be delivered, mailed or faxed to:

Stateview Homes
410 Chrislea Road, Unit 16
Woodbridge, Ontario
L4L 8B5
ATTENTION: Daniel Ciccone, CFO
Fax: (905) 851-1841

Or such other address as the Owner has given the City Clerk in writing or notice may be given to the Owner by prepaid registered mail and any such notice shall be deemed to have been delivered on the third business day after mailing or same day if by fax. If notice is to be given by the Owner to Vaughan it shall be similarly given to:

The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1
ATTENTION: Mr. Jeffrey A. Abrams, City Clerk
Fax: 905-832-8535

PERFORMANCE AND MAINTENANCE GUARANTEE

30. Upon the execution of this Agreement, the Owner shall file a Letter of Credit in a format satisfactory to the Vaughan Development Finance and Investments Department in the amount specified

in Schedule "X", attached hereto, to guarantee completion of the works under this Agreement and restoration and clean up of abutting private lands, public lands and municipal services that may have been disturbed or damaged by the construction of the works referred to in this Agreement. The Letter of Credit shall also guarantee the completion of any works in the road allowance of affecting adjacent public and private lands. If the Owner fails to complete all of the works within one year from the date hereof, then Vaughan may draw upon the Letter of Credit for its estimate of the cost of completing the work and enter upon the lands for that purpose. In the event that the Letter of Credit is not sufficient to cover such expenses, Vaughan may recover the deficit by action against the Owner or in like manner as municipal taxes owing upon the lands. In the event that the Owner is delayed in substantially completing the said works by any act beyond its reasonable control and without limiting the generality of the foregoing by reason of unavailability of building permits, adverse weather conditions, labour disputes, strikes and lockouts, national shortages, acts of God or the Queen's enemies, riots, insurrection or damage by fire, lightning or tempest, the date set for the substantial completion and agreed to by Vaughan shall be automatically extended by a period of time equal to such delay. The Letter of Credit shall be kept in force by the Owner until it has fulfilled all of its obligations under this Agreement. If the Vaughan Development Finance and Investments Department is not provided with a renewal of the Letter of Credit required by this Agreement at least thirty (30) days prior to its expiration, it may draw the funds secured by such Letter of Credit and hold them on the same basis as it held the Letter of Credit.

31. The Owner shall complete and maintain all of the works required to be done, as set out in this Agreement, to the satisfaction of Vaughan and if in default thereof the provisions of Section 446(1) of the Municipal Act, R.S.O. 2001, shall apply.

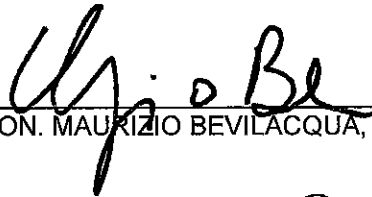
32. The Corporation of the City of Vaughan, its agents and/or authorized employees are hereby authorized and directed to sign, deliver, and register electronically this Agreement.


33. The provision of this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals
duly attested to by their proper signing officers on that behalf or their hand and seal as the case may be.


SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE
CITY OF VAUGHAN


HON. MAURIZIO BEVILACQUA, MAYOR


BARBARA A. MCEWAN DEPUTY CITY CLERK
JEFFREY A. ABRAMS, CITY CLERK
I/WE have the authority to bind the Corporation

STATESVIEW HOMES (S COLLECTION) INC.


I/WE have the authority to bind the Corporation

(FILE DA.12.037)

(print signing officer's name and position below signature)

SCHEDULE X

BUILDING PERMIT CONDITIONS

The Owner shall ensure the conditions listed in this schedule are fulfilled to the satisfaction of the following Departments:

1. Vaughan Building Standards Department.

- a) Plans submitted with the Building Permit Application(s) shall indicate all proposed fire routes in accordance with Vaughan's By-law 1-96.
- b) The Owner shall provide certification from PowerStream Inc. (Engineering Department) that the financial requirements of PowerStream Inc. have been satisfied.
- c) The Owner shall provide confirmation of application to Vaughan Engineering Department for the installation of any water or sewer services or curb cuts required in the public road allowance as shown on Schedule "B1", "B2", "B3", "B4", "B5", "B6", "B7", "B8", "B9", and "B10". Such services or curb cuts shall be completed by Vaughan at the Owner's expense.

2. Vaughan Clerks Department:

- a) The Owner shall provide proof of liability insurance in an amount of not less than \$5,000,000.00.
- b) The Owner shall provide the following Letters of Credit in a format satisfactory to the Vaughan Development Finance and Investments Department:
 - i) \$162,000.00 Performance and Maintenance Guarantee as per Section 30; and,
 - ii) \$30,000.00 Building Permit Securities as per Section 25.
- c) The Owner shall provide confirmation that cash-in-lieu of parkland dedication equivalent to 5% of the appraised value of the subject lands, in accordance with the Planning Act, has been paid by certified cheque.

3. Vaughan Development Finance and Investments Department

- a) The Owner shall pay all taxes as levied to the satisfaction of the Vaughan Development Finance and Investments Department.
- b) The Owner shall pay all Development Charges, all additional municipal levies, if applicable, and all other financial requirements of this development to the satisfaction of the Vaughan Development Finance and Investments Department.

SCHEDULE Y

IRREVOCABLE LETTER OF CREDIT CONDITIONS

Prior to the release of the Irrevocable Letter of Credit, the Owner shall fulfill the conditions of each Department as set out below in this Schedule to the satisfaction of Vaughan. The Owner shall arrange for an inspection of the lands through the Vaughan Finance Department. The Inspection Fee dollar (\$) amounts, payable by cash or certified cheque, for the release of the Irrevocable Letter of Credit shall be as stipulated in Schedule "A" (Inspections) to Vaughan's Consolidated Fees and Charges By-law, in effect at the time of the inspection request to the Vaughan Finance Department. The Irrevocable Letter of Credit will be released in stages, as follows:

- a) the first inspections for the release of the Irrevocable Letter of Credit by each of the Vaughan Development Planning and Vaughan Development Transportation Engineering Departments to commence within 24 months of the issuance of a Building Permit;
- b) an Irrevocable Letter of Credit reduction of 100% of the Engineering component upon completion of all required servicing works being constructed;
- c) a two stage Irrevocable Letter of Credit release for the Landscaping component based on:
 - i) a First stage reduction of 80% of the Landscaping component upon completion of all soft and hard landscaping works being constructed; and,
 - ii) a Second stage release of the remaining 20% holdback of the Landscaping component upon completion of a 12 month warranty period (following the First stage release) for the soft and hard landscaping.

If the Owner has not initiated the required inspections within the time-frames stipulated in this Agreement, a notice letter will be sent to the Owner, from the Vaughan Development Planning Department, informing the Owner to contact the Vaughan Development Finance and Investments Department to initiate the required inspections by the Vaughan Development Planning Department and Vaughan Development Transportation Engineering Department.

Upon completion of all works required by this Agreement and rectification of all deficiencies, to the satisfaction of the City Departments noted in this Schedule, the Irrevocable Letter of Credit may be released by the Vaughan Development Finance and Investments Department, subject to any adjustment for outstanding inspection fees. The conditions which must be fulfilled by the Owner are as follows:

1. Vaughan Development Engineering and Infrastructure Planning Services Department:

- a) The Owner shall complete all drainage works in accordance with Vaughan Standards and as shown on the attached Schedules. The Owner shall maintain all said works so that the post-development storm water flows do not exceed the allowable out flow from the site as approved by Vaughan Development Transportation Engineering Department. These works shall include all components necessary to incorporate roof top storage where applicable. In the event that the Owner fails to fulfil its obligation in this matter, Vaughan may construct the appropriate works to control the stormwater runoff from the lands to within the allowable limits at the Owner's expense and the Owner hereby waives any claims for damages which may result from the construction of such works by Vaughan.

b) If the information on the said Schedules is incorrect, the Owner shall complete the grading in a manner satisfactory to Vaughan Development Transportation Engineering Department. Prior to the release of the Letter of Credit, the Owner shall submit to Vaughan Development Engineering and Infrastructure Planning Services Department an "as built" site plan approved by the Vaughan Development Engineering and Infrastructure Planning Services Department and a Professional Engineer as defined by the Professional Engineers Act.

2. Vaughan Planning Department:

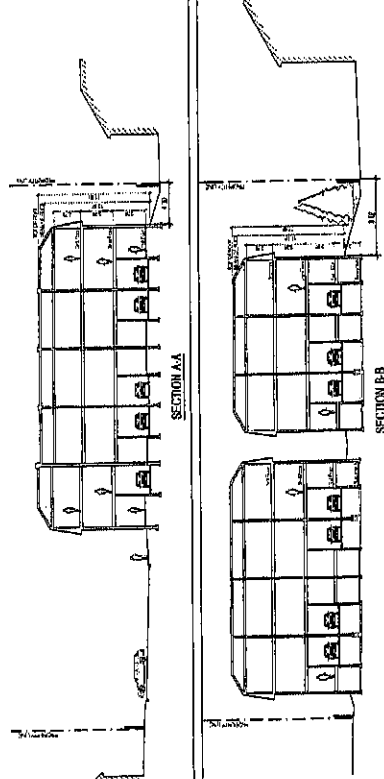
a) The Owner shall complete all landscaping in accordance with Schedules "C1", "C2", "C3", "C4", "C5" and "C6", attached hereto, and shall maintain all landscape work in a healthy and growing state. The Owner shall replace any unsatisfactory landscape components and/or plant material not in a healthy or growing state as soon as possible and prior to any inspection by the Vaughan Planning Department.

b) The Owner agrees to protect existing trees to be retained and maintained during construction. All tree protection measures are to be in accordance with Schedule "C1", attached hereto, and the Owner shall replace any trees that have died on a "per caliper basis", to the satisfaction of the Vaughan Planning Department.

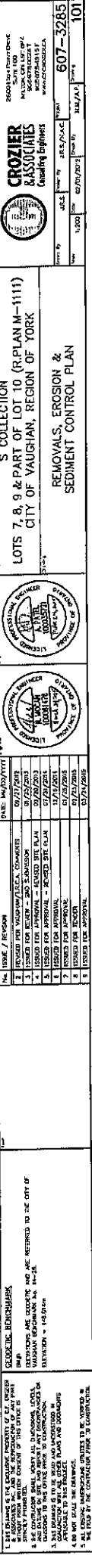
c) The Owner shall ensure that any above-ground hydro facilities and appurtenances shall be in a location satisfactory to the Vaughan Planning Department.

d) Prior to any landscape inspection by the Vaughan Planning Department, for the purpose of the release of a Letter of Credit, the Owner shall submit a letter, signed by the landscape architectural consultant, certifying that all landscape work has been completed in accordance with Schedule "C1", attached hereto.

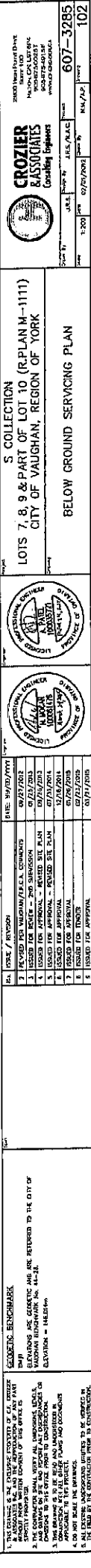
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT

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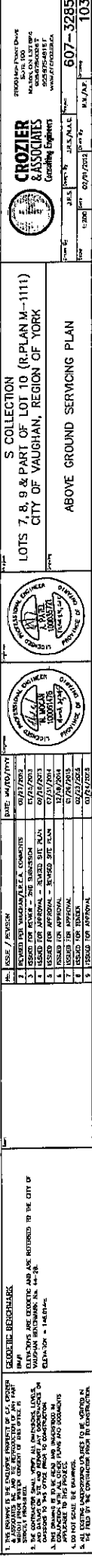
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



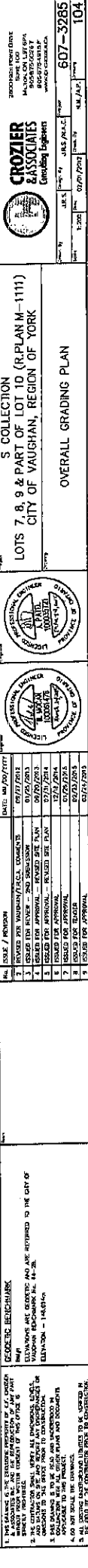
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



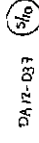
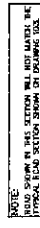
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT

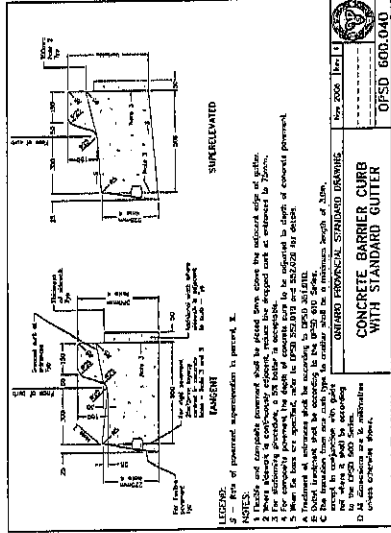


MR April 20, 2015
To Mr. L. April 20, 2015
* Subject to conditions of approval from Region of York
* Subject to redlined comments

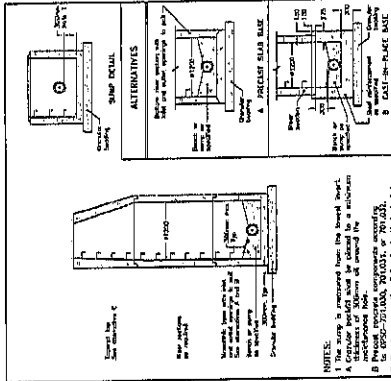
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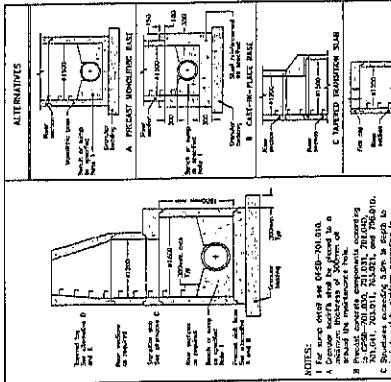
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



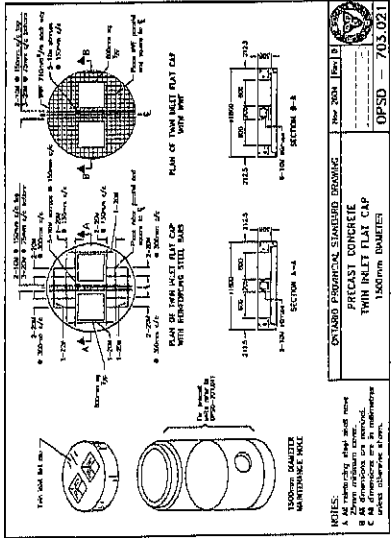
CONCRETE BARRIER CURB
WITH STANDARD GUTTER



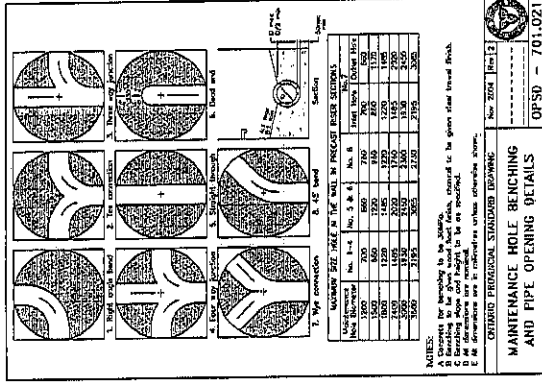
PRECAST CONCRETE
MAINTENANCE HOLE



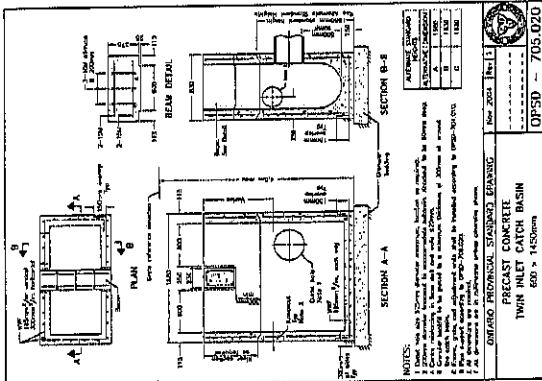
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MAINTENANCE HOLE



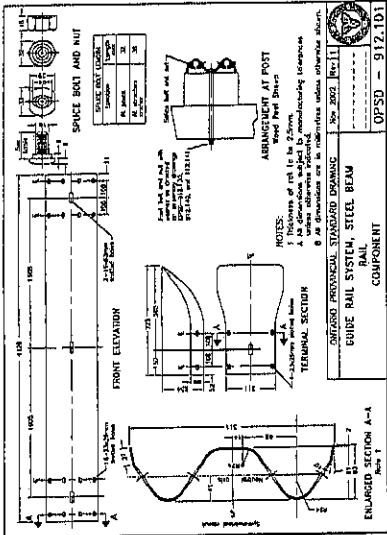
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MAINTENANCE HOLE



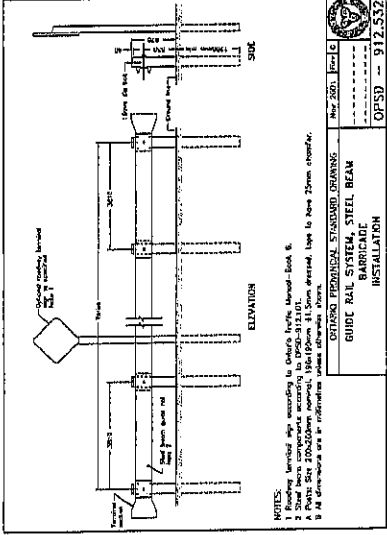
PRECAST CONCRETE
MAINTENANCE HOLE



PRECAST CONCRETE
MAINTENANCE HOLE



PRECAST CONCRETE
MAINTENANCE HOLE



PRECAST CONCRETE
MAINTENANCE HOLE

NO.	DATE / REVISION	BY	CHKD
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3	07/12/2015	07/12/2015	07/12/2015
4	07/12/2015	07/12/2015	07/12/2015
5	07/12/2015	07/12/2015	07/12/2015
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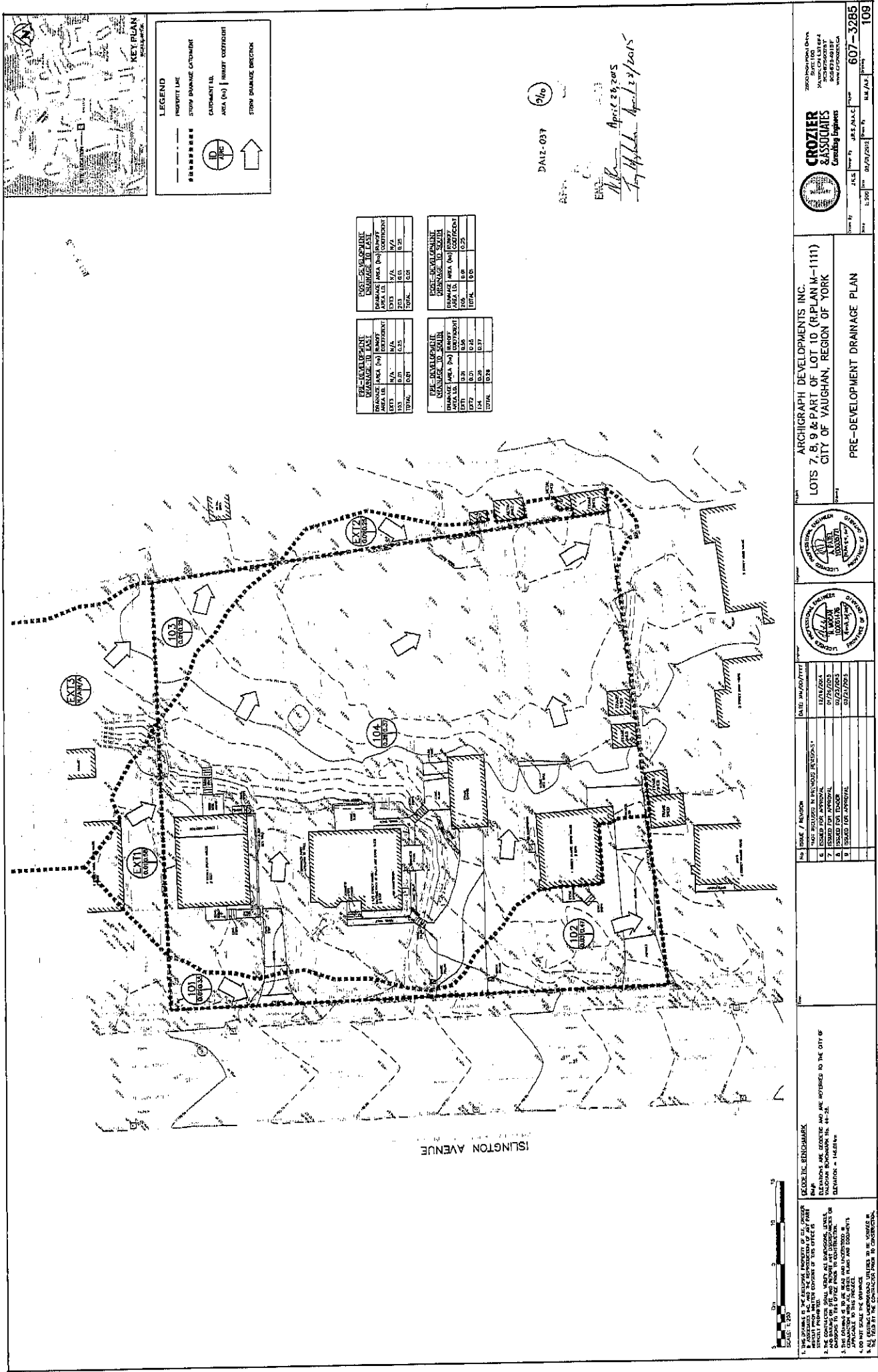
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5	07/12/2015	07/12/2015	07/12/2015
6	07/12/2015	07/12/2015	07/12/2015
7	07/12/2015	07/12/2015	07/12/2015
8	07/12/2015	07/12/2015	07/12/2015

NO.	DATE / REVISION	BY	CHKD
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5	07/12/2015	07/12/2015	07/12/2015
6	07/12/2015	07/12/2015	07/12/2015
7	07/12/2015	07/12/2015	07/12/2015
8	07/12/2015	07/12/2015	07/12/2015

NO.	DATE / REVISION	BY	CHKD
1	07/12/2015	07/12/2015	07/12/2015
2	07/12/2015	07/12/2015	07/12/2015
3	07/12/2015	07/12/2015	07/12/2015
4	07/12/2015	07/12/2015	07/12/2015
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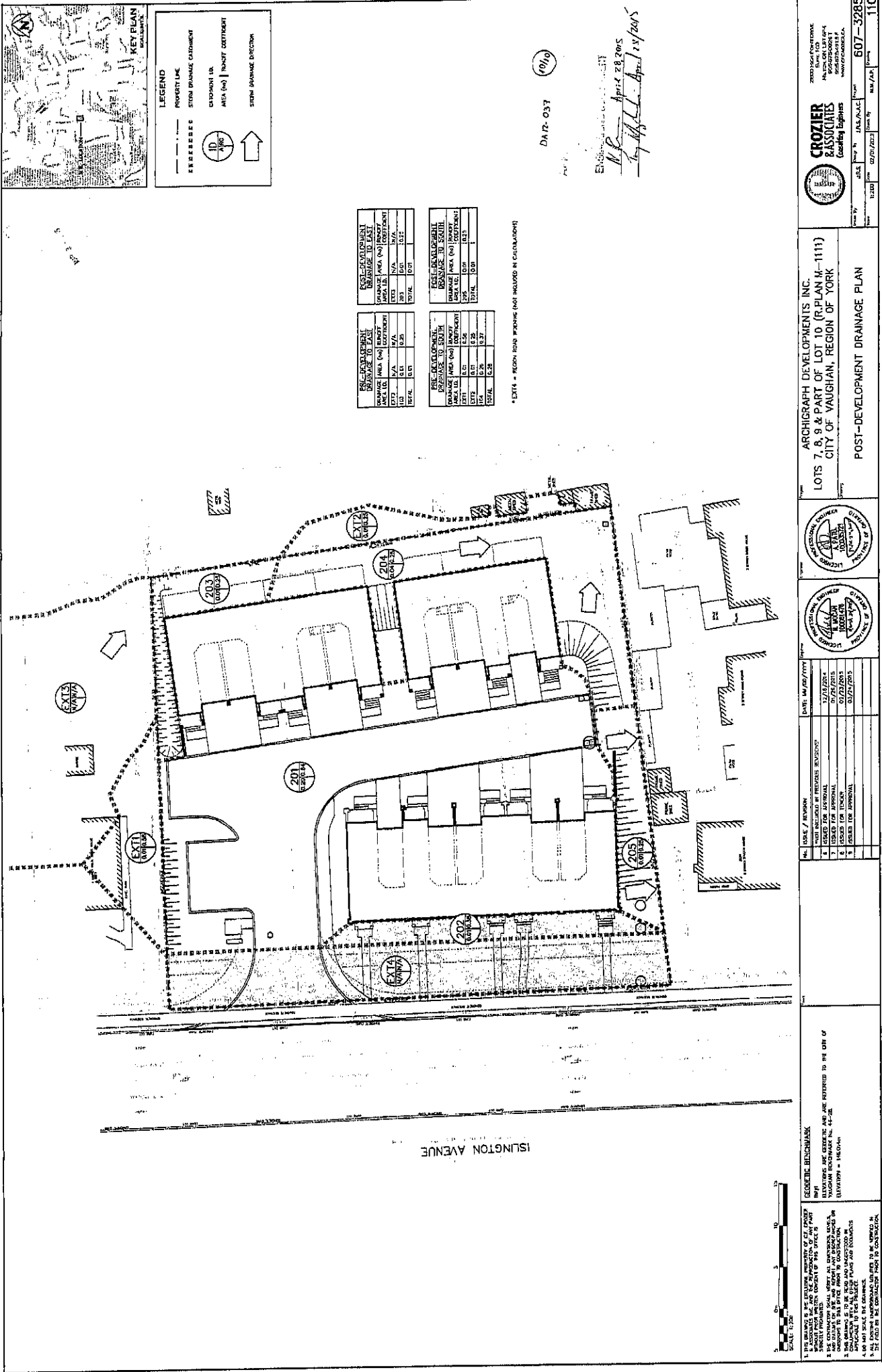
THIS IS SCHEDULE 'B9' TO AGREEMENT

FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



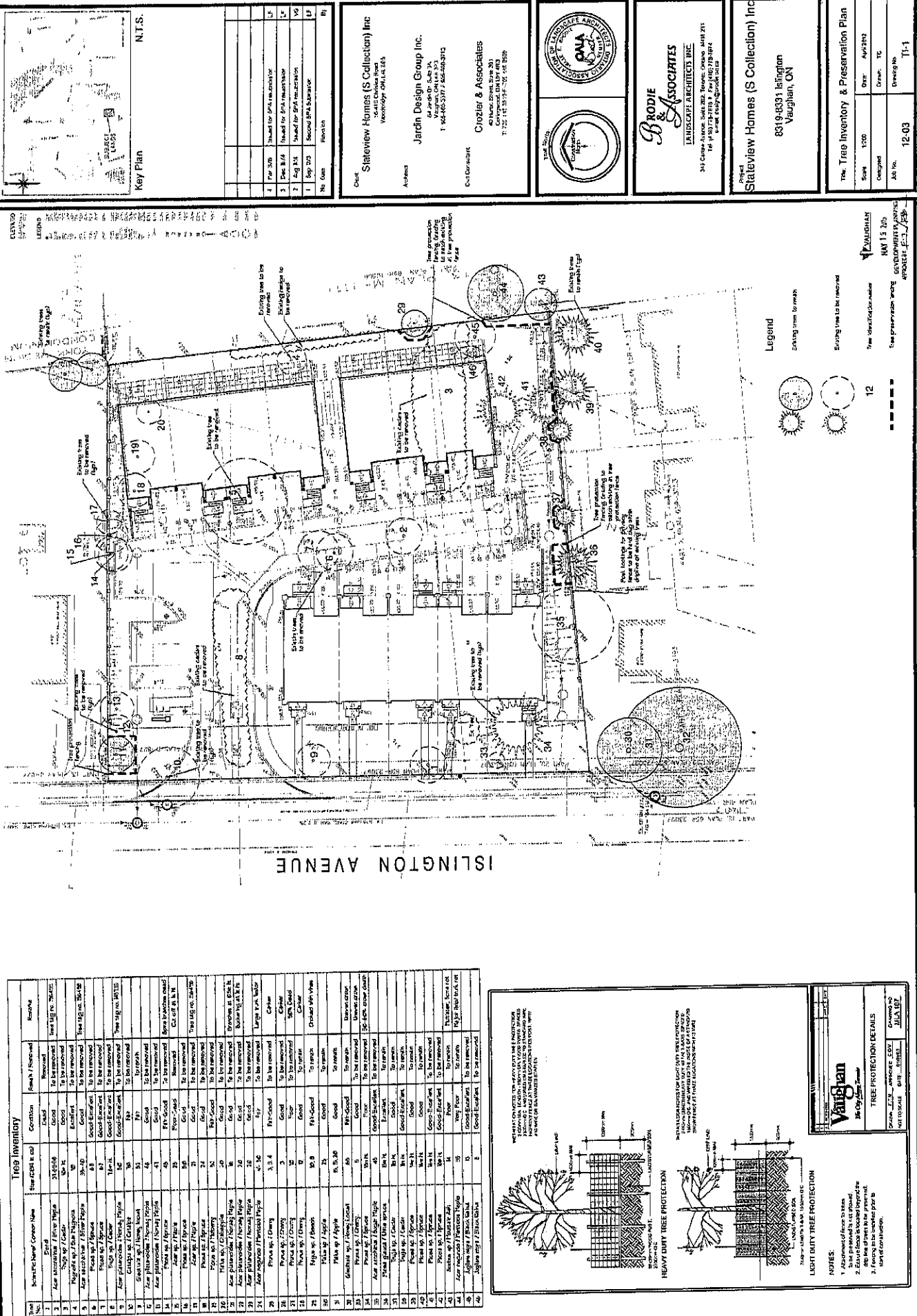
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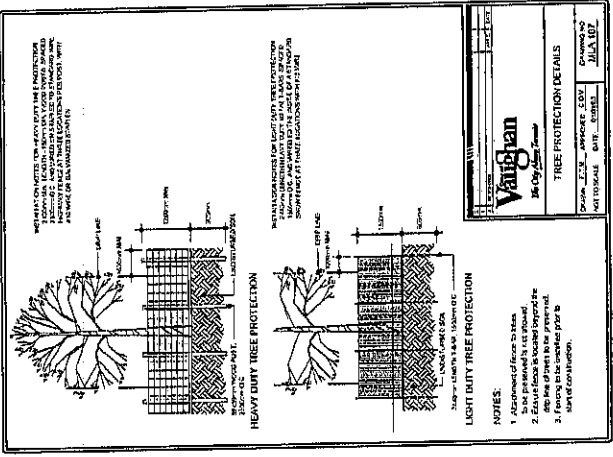


THIS IS SCHEDULE 'C1' TO AGREEMENT

FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



Tree Inventory			
Tree No.	Scientific Name / Common Name	Condition	Remarks
1	Acacia saligna	Good	Retain
2	Acacia saligna	Good	Retain
3	Acacia saligna	Good	Retain
4	Acacia saligna	Good	Retain
5	Acacia saligna	Good	Retain
6	Acacia saligna	Good	Retain
7	Acacia saligna	Good	Retain
8	Acacia saligna	Good	Retain
9	Acacia saligna	Good	Retain
10	Acacia saligna	Good	Retain
11	Acacia saligna	Good	Retain
12	Acacia saligna	Good	Retain
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44	Acacia saligna	Good	Retain
45	Acacia saligna	Good	Retain
46	Acacia saligna	Good	Retain



Client: Stateview Homes (S Collection) Inc.
10415 Oakview Road
Vaughan, ON L4L 8E5

Architect: Jardin Design Group Inc.
10415 Oakview Road
Vaughan, ON L4L 8E5
1-800-361-7777

Consultant: Crozier & Associates
10415 Oakview Road
Vaughan, ON L4L 8E5
1-800-361-7777

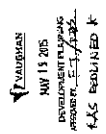
Project: Stateview Homes (S Collection) Inc.
8319-8331 Islington
Vaughan, ON

Tree Inventory & Preservation Plan
Scale: 1/2" = 1'-0"
Date: April 2012
Designed: TC
Drawn: TC
Job No.: 12-03
Drawing No.: T1-1

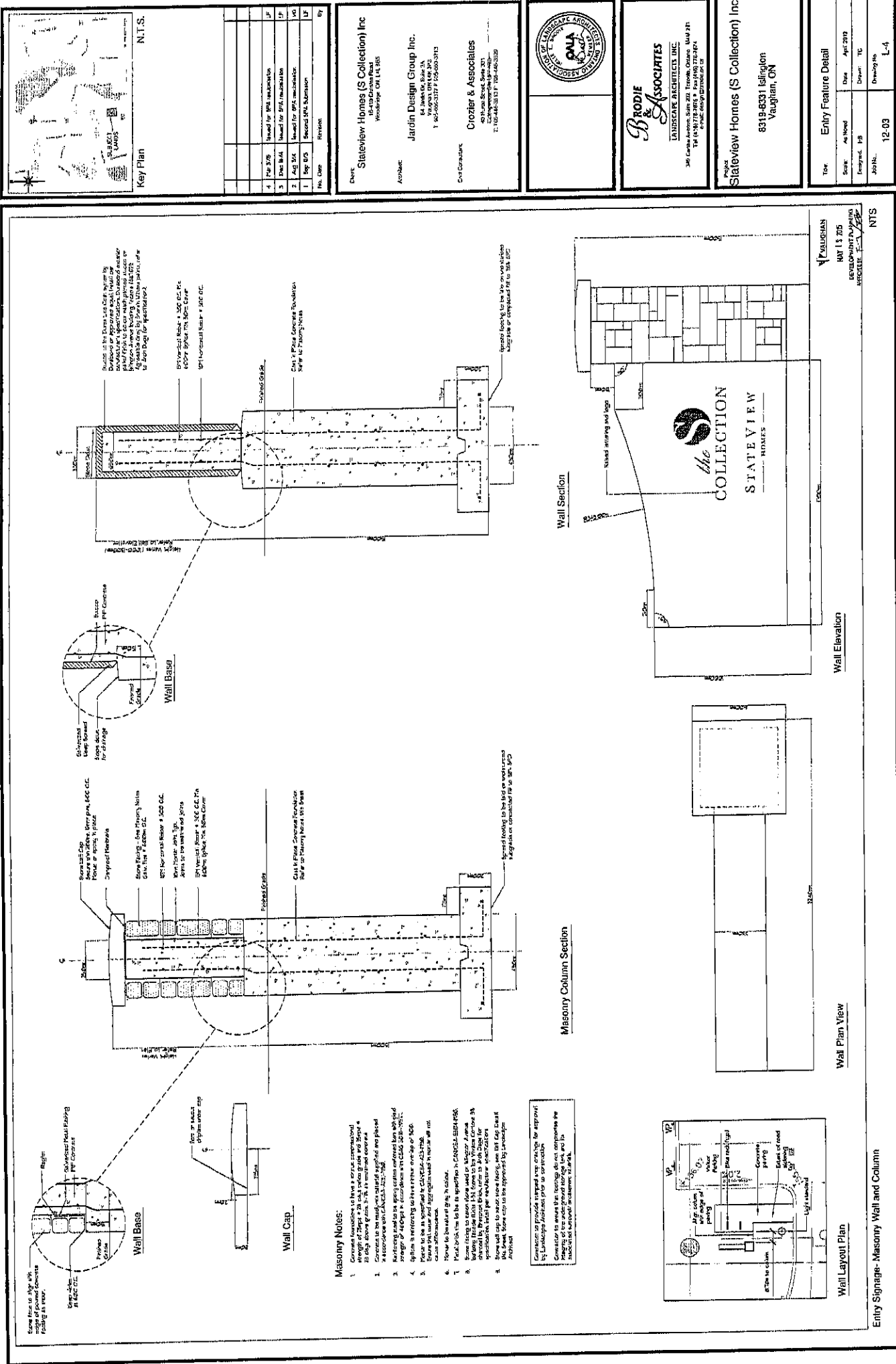
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT.

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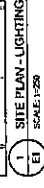
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



THIS IS SCHEDULE 'C5' TO AGREEMENT
FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT

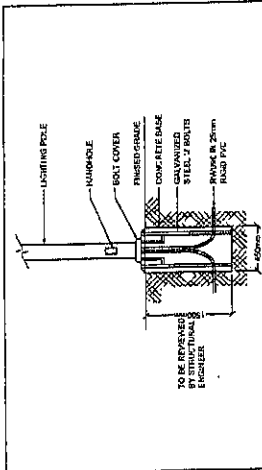


DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



MINI & RSCHEIN

LUMINAIRE SCHEDULE						
Symbol	Label	Qty	Calling Number	Description	Itemized Unit	Qty
	A	4	NON-DIMMABLE CFL 30W 4000K 1500LM E17 BASE ALUMINUM HUSK	LANTIERNE POUR MONTAGE EN PLAFOND A LUMIERE CFC 30W 4000K 1500LM MONTAGE EN PLAFOND BOULON EN ALUMINUM	ALUMINAIRE 30W 4000K 1500LM	4200
						0.05
						70



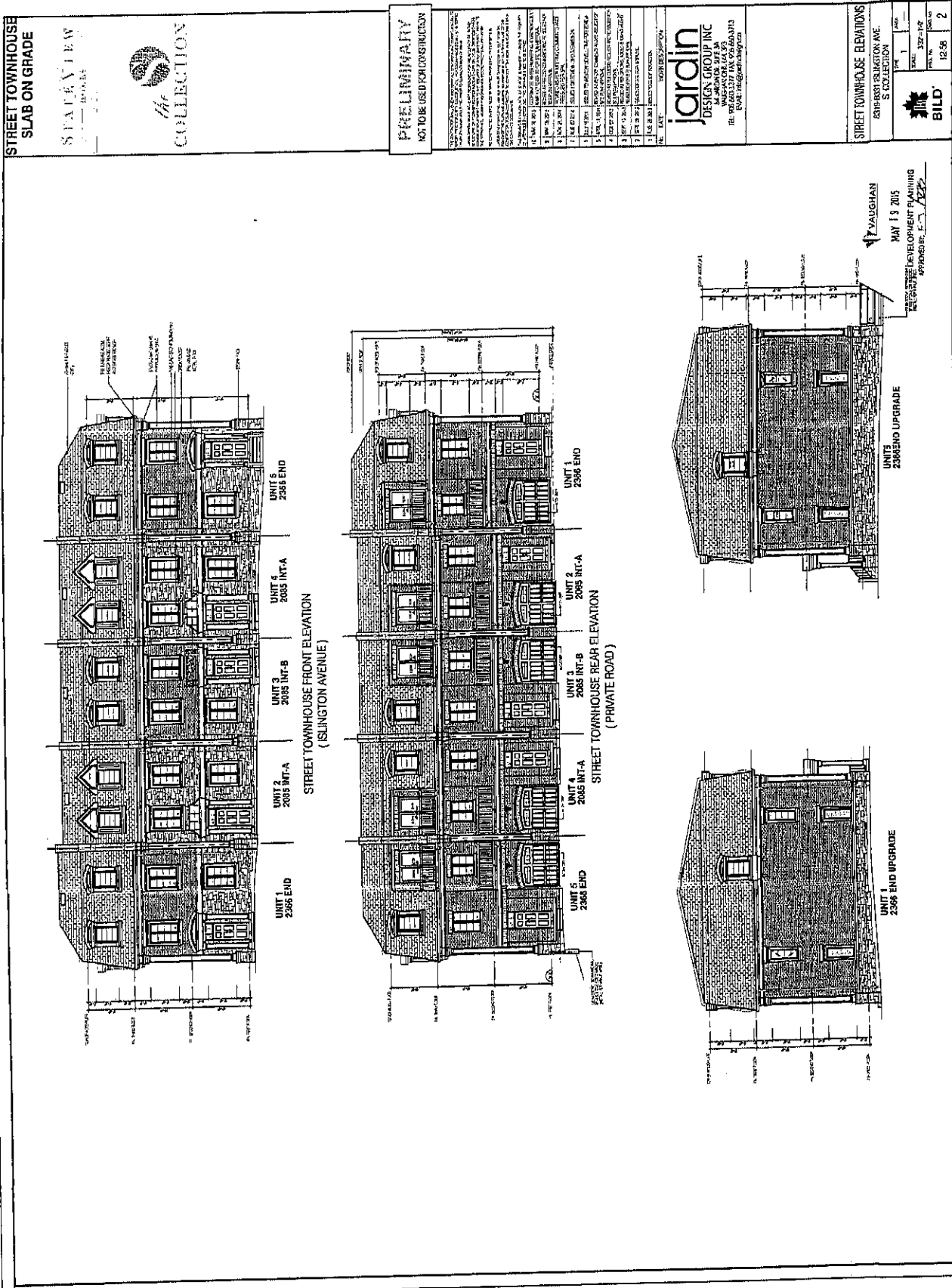
<p>ALL drawings, specifications and related documents are the copyright property of AEC Consultants Ltd. and shall be returned upon request to the originator. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage or retrieval system, without the written permission of AEC Consultants Ltd. All rights reserved.</p> <p>AEC Consultants Ltd. must be notified of any discrepancies prior to proceeding with the work.</p>		<p>no date</p> <p>01 SEPT. 12, 2013 GENERAL REVISIONS</p> <p>02 AUG. 17, 2014 GENERAL REVISIONS</p>	<p>revisions</p>
03	AUG. 12, 2014	BUILDING PERMIT	
02	SEPT. 12, 2013	BUILDING PERMIT	
01	JULY 03, 2012	BUILDING PERMIT	
NO	DATE	ISSUES	
<p>AEC CONSULTANTS LTD.</p> <p>317 DENTARY AVE. RICHMOND HILL, ON L4E 6E9 PHONE 905 887 1489 FAX 905 887 1490 www.aecconsultants.com</p>			
<p>Project: 8319-8331 ISLINGTON AVE ARCHICGRAPH DEVELOPMENT INC.</p>			
<p>drawing title: MAY DEVELOPMENT</p>			
<p>SITE PLAN - LIGHTING</p>			
<p>APPROVED BY: 1</p>			
<p>N</p>		<p>AS NOTED</p>	
<p>Scale:</p>		<p>P.A.</p>	
<p>drawn by:</p>		<p>G.W.</p>	
<p>checked by:</p>		<p>1116</p>	
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 VAUGHAN

SITE PLAN - LIGHTING
MAY 07 2015
DEVELOPMENT PLANNING
APPROVED BY: TH / PER

THIS IS SCHEDULE 'D1' TO AGREEMENT

FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT



FOR SPECIFIC DETAILS REFER TO LARGE CONDOMINIUM
DRAWINGS DEPOSITED WITH THE CITY OF VAUGHAN PLANNING DEPARTMENT

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CITIZEN'S RESOLUTION

Committee of the Whole (2) Report In response to item#38 (CSO and FA Policies Revision Consultation Report)

DATE: Tuesday, June 21st, 2022

TITLE: The Need for Multiple Community Children/Youth House League Hockey Districts

FROM: Hiten Patel, Vaughan Resident on Thornhill Woods Drive

Whereas house league hockey programs' primary objective is to support community-oriented values such as diversity, equity, and inclusion (DEI) and by its name "house" and inherent purpose should be under one "roof" (location) or at most two locations (local league) close together. So, CVHA does not provide any house league programs since the programs are city-wide at six different far apart locations with a total of eight to ten pads under city jurisdiction. Schwartz Reisman JCC does provide house-league but on a very limited basis (weekly Sunday afternoon/evening) as they are under the umbrella of CVHA

Whereas, Vaughan's population as of 2022 has more than tripled since 1990 when one entity City of Vaughan Hockey Association (CVHA) was created and has since been granted exclusive access and priority on permits and subsidies for all house league, select and rep hockey programs at arena locations under city jurisdiction.

Whereas, CVHA's constitution and by-laws have been made increasing undemocratically restrictive since 2008; anyone inclined to challenge the President's seat on CVHA Executive Board is blocked from doing so and the current president is able to serve 12+ continuous years (from 2010 to the present) acclaimed each time the seat is scheduled for an election (currently every two years).

Whereas, there is no mechanism or audit of how CVHA use their ice allocation permits (community (house league and learn to play) vs. competitive (rep/select) or no show) which results in lack of ice allocation for emerging and other CSO Ice User Groups.

It is therefore recommended:

- 1) That Vaughan council, create three districts as follows.
 - a) **“Thornhill-Carrville”** which would include Rosemount CC, Garnet CC, and future arenas east of Dufferin Street.
 - b) **“Woodbridge-Kleinberg”** which would include Woodbridge Arena, Al Palladini CC (2 pads), and future arenas west of Pine Valley Drive.
 - c) **“Maple-Concord”** which would include Maple Arena and Sports Village (2 to 4 pads) and future arenas between Dufferin and Pine Valley.
- 2) And that City of Vaughan Hockey Association (CVHA) no longer have jurisdictional priority in Thornhill-Carrville. Instead, other existing CSOs and residents should have the opportunity to provide local community house leagues.
- 3) And that City of Vaughan Hockey Association (CVHA) can continue to have jurisdiction in Maple-Concord and Woodbridge-Kleinberg.
- 4) And that Vaughan staff develop an ice allocation policy like Mississauga and Toronto so that CSO groups work together to make optimal use of ice time rather than hold onto their existing slots due to lack of trust and collaboration.
- 5) That the enacting By-laws for implementing the recommendation from 1,2, 3 and 4 be brought forward for Council approval at its meeting on June 28, 2022, to be included with the CSO and FA Policies Revision Consultation Report

DATE: June 21, 2022

TO: Mayor and Members of Council

FROM: Zoran Postic, Deputy City Manager, Public Works

RE: **COMMUNICATION – June 21, 2022 CW(2)**
Replacing Attachment 1 of Revision of Cemetery By-law No 180-92
Report

1. Purpose

The purpose of this Staff Communication is to provide Mayor and Council information regarding deleting existing Attachment 1 and replacing it with revised Attachment 1 which pertains to recommendation 1 of the Report.

2. Analysis

Public Works staff have prepared a report to seek Council endorsement to enact a new Cemetery By-law and repeal the existing by-laws, By-law 180-92 and By-law 406-2002. The Report included a draft Cemetery By-law as Attachment 1. Legal staff continued addressing minor changes to the draft Cemetery By-law after the agenda review period.

Accordingly, we are deleting Attachment 1 and replacing it with new Attachment 1, as attached to this Communication.

Respectfully submitted,



Zoran Postic
Deputy City Manager Public Works

Attachment 1: Revised Cemetery By-law

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2022

A By-law to govern cemeteries owned or operated by the Corporation of the City of Vaughan and to repeal By-law 180-92 and By-law 406-2002.

WHEREAS on July 1, 2012, the *Cemetery Act*, R.S.O. 1990 c.4 was repealed and replaced by the *Funeral, Burial and Cremation Services Cemetery Act*, 2002 S.O. 2002, c.33 (the Cemetery Act);

AND WHEREAS subsection 53(7) of the *Funeral, Burial and Cremation Services Cemetery Act*, 2002, S.O. 2002, c.33, and section 85 of Ontario Regulation 30/11 under the Cemetery Act, authorizes the Corporation of the City of Vaughan (the “City”) to act as the trustee for care and maintenance money, fund, or account for Cemeteries;

AND WHEREAS pursuant to the provisions of subsection 150 (1) of Ontario Regulation 30/11 under the Act, a Cemetery operator may make by-laws governing the operation of the Cemetery and, in particular, governing rights, entitlements and restrictions with respect to Interment and scattering rights;

AND WHEREAS section 11 of the *Municipal Cemetery Act, 2001*, S.O. 2001, c. 25, as amended, confers the power to the municipality to pass by-laws with respect to services and things that the municipality is authorized to provide;

AND WHEREAS it is necessary to amend the rules and regulations for the City of Vaughan’s Cemeteries to be compliant with the Cemetery Act;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1.0 DEFINITIONS and INTERPRETATION

1.1 In this By-law terms defined in the “*Funeral, Burial, and Cremation Services Cemetery Act*, 2002, S.O. 2002, c. 33” and any regulation made thereunder shall have the meaning ascribed to them unless expressly defined otherwise herein.

1.2 For the purposes of this By-law the following words shall have the following meaning unless context requires otherwise:

“Adult” means a Person over the age of eighteen (18) years of age

“Applicant” means a Person who makes an application to the City for a Right of Interment, an Interment or a Memorial permit

“At-need” means at the time of death or after a death has occurred

“Burial Permit” means the legal document acknowledging the registration of a death issued under the *Vital Statistics Act*, R.S.O. 1990, c. V.4

“Care Fund” means the *Care and Maintenance Fund/Account* established, held, and administered by the City in accordance with the Cemetery Act and held for the purpose of funding the long-term care and maintenance of the City’s Cemeteries

“Casket” (or “Container”) means a receptacle used to enclose Human Remains for Interment but does not include a Grave Liner, burial vault, or an Urn

“Cemetery” (or “Cemeteries”) means any land owned, set aside, used, operated, or maintained by the City as a place of Interment of Human Remains or Cremated Remains, and includes any incidental or ancillary buildings on the land

“Cemetery Act” means the *“Funeral, Burial, and Cremation Services Cemetery Act, 2002*, S.O. 2002, c. 33” and any regulation made thereunder as amended, or repealed, and replaced from time to time

“Cemetery Plan” means the land surveys, Lot plans, Lot designations, Interment Rights designations, landscape plans, and all drawings and design documents for the City’s Cemeteries

“Cemetery Service” (or “Cemetery Services”) means the supply of a service or good rendered at a Cemetery in respect of an Interment Right, a Lot, Memorial, or Memorial installation

“Certificate of Interment Rights” means a document, set out in a form prescribed by the City, which describes a Right of Interment and the terms and conditions that govern the Right of Interment for a Lot in a City Cemetery and issued only after all Lot purchase Fees have been paid in full

“Child” (or “Children”) means a Person between the age of one (1) year and seventeen (17) years of age

“City” means The Corporation of the City of Vaughan and together or separately includes but is not limited to, the Council of the City, a department of the City, a Person appointed by Council, or their designate, who is responsible for Cemetery

management, administration, operation, maintenance, and application and enforcement of this By-law, or a Person or Persons employed by the City, or an agent authorized by the City to perform work related to the development, management, operation, provision of service, care, and maintenance of a Cemetery

“Contract” means a document, in a form prescribed by the City, which in compliance with all of the Cemetery Act, sets out details relating to,

- (a) the purchase of an Interment Right for a Lot in a Cemetery;
- (b) the purchase of a permit for the approval to install a Memorial in a Cemetery;
- (c) the rights of a purchaser to a 30-day cooling off period in which the purchaser may cancel their Contract without penalty; and
- (d) the rights of a purchaser to sell back to the City an unused Interment Right.

“Council” means the elected Council of the City of Vaughan

“Cremated Remains” means the human bone fragments and residue of other materials cremated with the Human Remains remaining after cremation

“Deceased” means a Person who has died

“Disinterment” means the removal of Human Remains or Cremated Remains from a Lot in which the remains are interred for the purpose of an alternative disposition or relocation

“Exhumation” means the exposure of interred Human Remains for the purposes of viewing or examination and where such viewing or examination may occur in the Lot where the remains are interred, or the remains are removed from the Lot where they are interred, and the exhumed remains are re-interred into the same Lot after the viewing or examination has been completed

“Family Member” means a spouse, a Child (natural, adopted or step), a parent or stepparent, a sibling (natural, adopted or step), a grandparent or step grandparent, or a grandchild (natural, adopted or step)

“Fee” means the Fee prescribed for a cemetery Interment Right, Interment service or ancillary service or good as set out in the City’s Fees and Charges By-law, as amended

“Funeral Service Provider” means a Person who carries on a business licensed to

provide funeral services, bereavement rites and ceremonies

“Grave Liner” means a receptacle with a lid, constructed of wood or a durable material, which may or may not have a bottom, into which a “Casket” or an Urn is placed as part of an Interment and may include, but is not limited to, a wooden rough box, concrete or fiberglass liner, or lined concrete grave vault

“Holiday” means any day or part of a day as may be proclaimed from time to time as a day of observance or a Holiday to be observed by the City

“Human Remains” means a dead human body in any stage of decomposition, or the body of a stillborn Infant in any stage of decomposition, but does not include Cremated Remains

“Immediate Family Member” means a spouse, a Child (natural, adopted or step), a parent or stepparent, a sibling (natural, adopted or step), a grandparent or step grandparent, or a grandchild (natural, adopted or step)

“Infant” means a Person less than one (1) year of age and includes a stillborn Infant

“Interment” means disposition by,

- (a) in-ground burial of Human Remains or Cremated Remains;
- (b) above ground entombment of Human Remains; or
- (c) above ground inurnment of Cremated Remains.

“Interment Right” means a right of use granted in perpetuity, and acquired through purchase, inheritance or permitted transfer

- (a) for the Interment of Human Remains or Cremated Remains in a Lot at a Cemetery;
- (b) for the installation of a Memorial on a Lot at a Cemetery; and
- (c) issued in accordance and compliance with the Cemetery Act and this By-law.

“Interment Authorization” means a document, set out in a form prescribed by the City, which is completed and signed At-need by the Person having the legal authority to authorize the Interment of Human Remains or Cremated Remains of a Deceased Person

“Lot” (or “Lots”) (or “Grave”) (or “Graves”) means a designated space in a Cemetery used or intended to be used for,

(a) the Interment of Human Remains, or cremated Human Remains under a Right of Interment; and

(b) the installation of a Memorial to memorialize a Deceased Person.

“Medical Officer of Health” means a Person appointed from time to time under the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7 to act as Medical Officer of Health in the Province of Ontario

“Memorial” (or “Memorials”) means a product used or intended to be used to identify a Lot, or to Memorialize a Deceased Person, including but not limited to,

(a) a flat marker, upright monument, plaque, or other form of marker on a Lot; or

(b) other Memorial products approved for installation at a Cemetery.

“Memorial Dealer” means a Person who or corporation that offers for sale or installs Memorials for the public

“Person” (or “Persons”) means, and includes but is not limited, a natural person, an individual, corporation, trust, partnership, fund, or an unincorporated association or organization. In this By-law “Person” does not include the City, its employees or their delegates.

“Personal Representative” means a Person who, or an agency that, by order of priority set out in the *Succession Law Reform Act*, R.S.O. 1990, c. S.26 has the right to control the disposition of the Human Remains or the Cremated Remains of a Deceased Person

“Plot” means a grouping of two or more Lots sold under a single Contract

“Public Health Act” means the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7

“Rights Holder” means a Person who,

(a) has purchased a Right of Interment to be held in their name for a Lot in a Cemetery;

(b) has a Right of Interment for a Lot registered in their name for a Lot in a Cemetery, but is not the original purchaser;

(c) is the Personal Representative of a Deceased Person who has a Right of Interment held in a Deceased Person’s name for a Lot in a City Cemetery;

- (d) has, in compliance with this By-law, had a Right of Interment transferred to be held in their name for a Lot in a Cemetery; or
- (e) is a legal heir or successor of a Deceased Interment Rights Holder and by demonstration of a right of legal succession to the satisfaction of the City may be entitled to inherit control of a Deceased Person's Right of Interment for a Lot in a City Cemetery.

"Urn" means a Container used for the containment of Cremated Remains

"Without Prior Notice" means that for maintenance and operational actions deemed necessary by the City there is no obligation of the City to make or provide, in any form or manner, advance notice of said action occurring, to an Interment Rights Holder, the Personal Representative of a Deceased or their heir or successor

- 1.3 Headings given to the sections, paragraphs or parts in this By-law are for convenience of reference only. They do not form part of this By-law and shall not be used in the interpretation of this By-law.
- 1.4 A singular term shall be construed to mean the plural where necessary, and a plural term the singular.
- 1.5 In the instance any section, paragraph, or part of this By-law is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining content of this By-law.

2.0 ADMINISTRATION

- 2.1 The City's Cemeteries are acquired, established, and laid out for the purpose of making approved Cemetery Services available to all Persons and are established more specifically to provide,
 - (a) suitable space for the Interment of Human Remains and cremated Human Remains; and
 - (b) such other Cemetery Services as may be approved from time to time in the future by the City.
- 2.2 The following described real properties are set aside, held, laid out, developed, improved, used, operated, and maintained by the City as Cemeteries and dedicated for that use, and shall continue to be used, operated, and maintained for

that purpose and shall not be used for any other purpose.

ACTIVE CEMETERIES

- (a) Baker Cober Cemetery, 8799 Dufferin St., E Side of N on Hwy #7
- (b) Carrville United Church Cemetery, 910 Rutherford Rd., N side of Rutherford, W of Bathurst
- (c) Edgeley (Mennonite) Cemetery, 7981 Jane St., N of Hwy #7 E Side
- (d) Knox Vaughan Presbyterian Cemetery, 6316 Rutherford Rd., Between Hwy #7 and Huntington Rd. N side
- (e) Maple United Church Cemetery, 2000 Major Mackenzie Dr., N Side of Major Mackenzie, E of Keele
- (f) Nashville Cemetery, 10445 Nashville Rd., E Side of Huntington Rd, N of Major Mackenzie Dr, S of Nashville Rd
- (g) St. Paul's Presbyterian Cemetery, 10100 Pine Valley Dr., W Side of Pine Valley Dr, N of Major Mackenzie Dr.

INACTIVE CEMETERIES

- (h) Co-Leraine Wesleyan Methodist Cemetery, 7001 Major McKenzie Dr.,
- (i) Fisherville (Presbyterian) Cemetery, 1450 Steeles Ave. W
- (j) Hope Primitive Methodist Cemetery, Keele St., N of Teston Rd., W Side
- (k) McNaughton Memorial Cemetery, 20 Topaz Court - Maple
- (l) Old Methodist (Purpleville) Cemetery, Pine Valley Dr., S of Teston Rd., E Side
- (m) Old Presbyterian Church Cemetery, 10365 Pine Valley Dr., Major Mackenzie at Teston
- (n) Old Methodist (Kleinburg) Cemetery, Islington, Hwy #7, S Side of Nashville Rd.
- (o) Pine Grove Baptist Church Cemetery, 63 Gamble St., W of Islington Ave.
- (p) Rupert's Settlement (Sherwood) Cemetery, N Side of Rutherford Rd., E of Keele St.
- (q) St. Andrews Presbyterian Cemetery, 9851 Keele St., S of Major Mackenzie Dr., E side
- (r) St. Stephen's Anglican Cemetery, 2077 Langstaff Rd., E of Keele, S Side

- (s) Woodbridge Wesleyan Methodist Cemetery, 120 Meeting House Rd., E of Kipling
- (t) Hadwin Cemetery (located within Cranston Park), 491 Cranston Park Avenue, south/east corner of Cranston Park Avenue and Teston Road.

2.3 The City is responsible for,

- (a) The management, administration, records, control and charge of the City's Cemeteries and the services and goods provided by the City therein;
- (b) maintaining, in accordance with the Cemetery Act, a register of all Interments that is available at all times to the public for viewing during the regular office hours of the City;
- (c) the direction of all City workers, and all outside contractors employed by the City to perform work within the limits of a Cemetery;
- (d) refusing the admission of and removing or ordering the removal of any unauthorized product, adornment, material, tree, shrub, plant, or floral tribute brought into or placed at a Cemetery Lot or in a Cemetery in contravention of this By-law; and
- (e) refusing admission to or expelling from a Cemetery any Person or corporation if such action is warranted.

2.4 *The* administration of this By-law shall be performed by the Director, Parks, Forestry and Horticulture Operations, or her or his successor, and by any other such Person authorized for that purpose by the Director, Parks, Forestry and Horticultural Operations, or her or his successor.

2.5 The enforcement of this By-law shall be performed by a Municipal Law Enforcement Officer appointed by the Director, By-law and Compliance, Licensing and Permit Services, or her or his successor, or by any other such Person appointed for that purpose by the Director, By-law and Compliance, Licensing and Permit Services, or her or his successor.

2.6 The City shall,

- (a) have the full, and complete control, and management over the land, buildings, plantings, roads, utilities, books, records, and finances of the City's Cemeteries; and

- (b) have the right to manage Interments, disinterments, sale and resale of interment lots, transfer of lots, survey, resurvey or alter the Interment areas, Memorials, roads and pathways, buildings, utility infrastructure, change or remove plantings, grade, alter in shape or size, or otherwise to change all or any part of a Cemetery as they deem necessary or appropriate and subject to compliance with the Cemetery Act.

3.0 CEMETERY CARE and MAINTENANCE

3.1 The City shall ensure,

- (a) the care and maintenance of its Cemeteries is performed in accordance with all applicable laws;
- (b) the Cemeteries are maintained to an aesthetic appearance consistent with general community standards;
- (c) the roads, entrances, pathways, grounds, and landscaping of the Cemeteries are maintained in a safe, operational, and good state of repair; and
- (d) no public health nuisance or safety hazard arises from the operation of the City's Cemeteries.

3.2 The City shall establish, set aside, invest in, and maintain a Care Fund for its Cemeteries.

3.3 For every Interment Right sold or Memorial installed in a Cemetery, a portion of the Fee charged shall be set aside as a contribution to the Care Fund, and the contribution amounts shall be those set out in the City's Fees and Charges By-law, as amended.

3.4 All Care Fund contributions shall,

- (a) meet or exceed the rate of contribution set out for Care Fund contributions in the Cemetery Act; and
- (b) be collected, held, and invested in accordance with all requirements of the Cemetery Act.

3.5 The principal of the Care Fund shall not be reduced other than in accordance with provisions set out in the Cemetery Act.

3.6 The City may accept voluntary donations to the Care Fund from any Person or organization.

4.0 INTERMENT RIGHTS

4.1 An Applicant may, on an At-need or on a reserve basis and upon payment in full for a Fee set out in the City's Fees and Charges By-law, as amended, purchase an Interment Right for no more than four (4) members, or for the total number of Immediate Family Members for burial and cremation services.

4.2 Possession of an Interment Right,

(a) confers to a Rights Holder, a right to use, in compliance with this By-law, a Lot for the Interment of Human Remains or Cremated Remains of a Person or Persons named on a Certificate of Interment Rights;

(b) does not confer to a Rights Holder, any title to, ownership of, or interest in the land of a Cemetery or of a Lot therein or any other special privilege over any land of a Cemetery; and

(c) does not require the City to perform an Interment of Human Remains or Cremated Remains into a Lot until the Rights Holder complies in all other respects with this By-law and any rules and regulations made thereto as relate to the Interment of Human Remains or Cremated Remains, or the purchase and placement of a Memorial and, without limitation, the payment of all Fees.

4.3 The City shall issue to an Applicant paying in full the Fee set out in the City's Fees and Charges By-law, as amended for an Interment Right, a Certificate of Interment Rights in a form prescribed by the City, which sets out the Lot location and the rights of Lot use attributed to the purchaser identified on the certificate.

4.4 An Interment Rights Holder shall have the authority to designate who, other than themselves, may be authorized to use or to control the exercise of an Interment Right registered in their name.

4.5 An Interment Rights Holder, at the time of purchase, shall reserve the right to use a Lot they have purchased for themselves or assign the right of any secondary rights in a Lot to another Person to which the Interment Right refers where an assignee so named shall be an Immediate Family Member of the Rights Holder.

- 4.6 An Interment Rights Holder may designate only one (1) Lot in a Cemetery for their own use.
- 4.7 The exercise of an Interment Right, every Interment or every other form of disposition of Human Remains or of Cremated Remains or installation of a Memorial within the limits of a Cemetery is subject to,
- (a) compliance with all provisions of this By-law; and
 - (b) payment in full of any applicable Fee set out in the City's Fees and Charges By-law, as amended.

5.0 TRANSFER / RESALE / RECLAMATION of INTERMENT RIGHTS

- 5.1 Interment Rights for an unused Lot may only be surrendered back to the City.
- 5.2 The private sale or transfer of Interment Rights to a third party, to which the City is not a party, is prohibited. Where a private sale or transfer of an Interment Right is made, then the City shall have no obligation to honour an Interment Right acquired under such a transaction and subsequently presented to the City for use or sale back to the City.
- 5.3 The sale of an Interment Right back to the City and any refund issued in relation to the surrender of an Interment Right shall be made in compliance with the Cemetery Act.
- 5.4 The surrender of an Interment Right back to the City shall be permitted providing,
- (a) there are no Interments in, or Memorials on a Lot being surrendered;
 - (b) the original Interment Rights Holder or their Personal Representative has made written application to the City, in a form prescribed by the City, stating their desire to surrender the Interment Right;
 - (c) the original Certificate of Interment Rights is surrendered to the City; and
 - (d) if the surrender occurs within thirty (30) days of the original date of purchase one hundred (100%) percent of the Fees paid for the Right of Interment shall be refunded; or,
 - (e) if the surrender occurs thirty-one (31) or more days after the original date of purchase, a Right of Interment shall be refunded at a value equal to one hundred (100%) percent of the current selling price of a similar Interment

Right less the amount of funds collected at the time of original purchase for the Cemetery Care Fund.

- 5.5 In the instance an unused Interment Right survives an original Rights Holder and evidence of assignment, transfer, inheritance, succession, or authority cannot be provided by the Personal Representative or heir of an original Rights Holder then the City shall have the authority to,
- (a) determine the Person or Persons who may be entitled to exercise a surviving Right of Interment and under what conditions a surviving Right of Interment may be exercised; or
 - (b) if a clear and distinct right of succession cannot be ascertained, prohibit the use of any surviving Interment Rights in a Lot.
- 5.6 Pursuant to the Cemetery Act, an Interment Right for an unused Lot may be reclaimed by the City if all of the following have occurred,
- (a) there are no Interments in, or Memorials on a Lot being reclaimed;
 - (b) not less than twenty (20) years have elapsed from the original date of purchase of the Interment Right;
 - (c) the City has had no contact from or with the original purchaser, their Personal Representative, heir, or successor for not less than twenty (20) years;
 - (d) an application in writing to declare the Interment Right abandoned and the intent to reclaim the Interment Right for resale has been made to the Cemetery Act Registrar; and
 - (e) the City has satisfied any instruction or requirement of the Cemetery Act Registrar to locate, contact or provide notice to the Interment Rights Holder, their Personal Representative, heir, or successor and the City has had no response to the notice provided.
- 5.7 Pursuant to section 5.6, upon the Cemetery Act Registrar declaring the Interment Right abandoned, the City may resell the abandoned Interment Right to another purchaser.

6.0 INTERMENT

- 6.1 Only Human Remains, or cremated Human Remains shall be interred in a City Cemetery.
- 6.2 Every Interment of Human Remains, or cremated Human Remains shall be conducted in a manner consistent with this By-law, the dignity of adjacent Lots, the Cemetery, and general community standards.
- 6.3 Every Interment into a Lot shall conform to the Cemetery Plan and Interment Rights established by the City for a Lot.
- 6.4 The following specifications shall constitute the Lot types and permitted Interment densities for Lots as they may be designed and surveyed for Interments in a Cemetery,
 - (a) **Human Remains Lot:** limited to the single depth Interment of the Human Remains of one (1) Person and the secondary Interment of not more than two (2) Cremated Remains, or where no Interment of Human Remains is made in the Lot then the Interment of not more than four (4) Cremated Remains;
 - (b) **Infant / Child Lot:** limited to the single depth Interment of the Human Remains of one (1) Infant or Child and the secondary Interment of not more than two (2) Cremated Remains, or where no Interment of Human Remains is made in the Lot then the Interment of not more than three (3) Cremated Remains; and
 - (c) **Cremated Remains Lot:** limited to the Interment of the Cremated Remains of one (1) Person.
- 6.5 No Interment, Disinterment or Exhumation at a Cemetery shall be permitted until,
 - (a) it is ascertained the Deceased holds a valid Interment Right at a Cemetery or a Rights Holder at a Cemetery provides authorization for a Deceased's Human Remains or Cremated Remains to be interred in a Lot for which they hold an Interment Right;
 - (b) the Personal Representative of a Deceased completes, signs, and delivers to the City, in a form prescribed by the City, an Interment Authorization form;
 - (c) all outstanding Fees relating to the Interment Right being used, the Interment Fee and the Fee for any other Cemetery Service provided by the

City to facilitate the Interment, has been paid in full to the City;

- (d) proper notice, in a manner prescribed by the City, has been provided to the City;
- (e) for Human Remains, a Province of Ontario Burial Permit has been submitted to the City;
- (f) for Cremated Remains, a Certificate of Cremation has been submitted to the City; and
- (g) where a death has occurred in a jurisdiction other than the Province of Ontario, a disposition document confirming legal registration of the death in the other jurisdiction, deemed acceptable to the City, has been surrendered to the City.

6.6 The City shall have the right to establish and assign Interment times and to control, limit or restrict the type and number of Interments that may occur in a Cemetery on a given day.

6.7 Advance notice for an Interment is required and the advance notice, along with all documents and Fees, in accordance with the City's Fees and Charges By-law, as amended, related to an Interment shall be delivered to the City,

- (a) not less than forty-eight (48) hours in advance of a proposed Interment, where not less than sixteen (16) hours of the notice period are regular operating hours of the City;
- (b) the failure to provide advance notice to the City may result in an Interment being delayed or denied; and
- (c) no booking or notice for an Interment will be accepted by the City more than thirty (30) days in advance of a proposed date of Interment.

6.8 In the instance an Interment is requested in a time period shorter than the notice period set out in subsection 6.7 of this By-law the Interment, at the discretion of the City, may be accommodated subject to payment of an additional Fee set out in the City's Fees and Charges By-law, as amended.

6.9 Upon provision of proper authorization and notice to the satisfaction of the City, Interments at a Cemetery,

- (a) shall occur between 8:30 a.m. to 2:30 p.m. on Monday to Friday; or

- (b) subject to payment of an additional Fee, may occur on a Saturday between 8:30 a.m. and 2:30 p.m.; and
 - (c) shall occur at a time provided and confirmed by the City and shall conclude within two (2) hours provided time.
- 6.10 Human Remains for Interment into a Cemetery Lot shall be enclosed in a Casket or alternative Container of a design, size and material approved by the City.
- 6.11 Cremated Remains for Interment into a Cemetery Lot shall be enclosed in an Urn or Container of a design, size and material approved by the City.
- 6.12 The City shall have the authority to suspend or cancel an Interment service at, and limit or prohibit public access to a part or all of a Cemetery, where weather, road or grounds conditions, or other extraordinary circumstance may warrant or pose a hazard to the public, City staff or their agents.
- 6.13 Only the City, or a contractor authorized by the City may excavate, prepare, and close an Interment Lot in a Cemetery.
- 6.14 The Interment of Human Remains, on an optional basis, may be made into a Grave Liner of a design established by and accepted for Interment by the City. The use of an optional Grave Liner may, depending on Grave Liner size, limit or eliminate the option to permit the secondary Interment of Cremated Remains in the Lot.
- 6.15 Where a Grave Liner that meets in every way the standard established by the City is proposed to be used then the,
 - (a) City shall supervise the installations of the Grave Liner into the Lot;
 - (b) installation of a Grave Liner shall be made at a day and time set by the City;
 - (c) purchase, delivery, and installation of a Grave Liner shall be at the expense of a Personal Representative of a Deceased, an Interment Rights Holder, or their heir or successor; and
 - (d) installation of a Grave Liner may be subject to a Fee set out in the City's Fees and Charges By-law, as amended and the Fee shall be paid in full to the City prior to the delivery of a Grave Liner and installation into a Lot.
- 6.16 Where the secondary Interment of Cremated Remains is permitted into a Human Remains Lot a Cremated Remains Interment may only be made after the Human Remains Interment is made in the Lot.

- 6.17 The scattering of Cremated Remains on the surface of an Interment Lot or anywhere in the grounds of a Cemetery is prohibited.
- 6.18 Where an Interment is directed under the Public Health Act, written instructions with respect to all procedures to be followed for the Interment, to protect the health and safety of all Persons who may come into contact with the burial Container bearing the Human Remains, shall be provided to the City by a Medical Officer of Health or their agent in advance of the Interment. The City shall be obligated to accommodate an Interment directed Public Health Act as and when so ordered.

7.0 DISINTERMENT & EXHUMATION

- 7.1 Every Disinterment or Exhumation of Human Remains or Cremated Remains from a Lot in a Cemetery shall be made in compliance with the Cemetery Act, arranged by and conducted under the supervision of a licensed Funeral Service Provider, engaged by and at the expense of an Applicant, and performed in a manner consistent with the dignity of adjacent Lots, the City, and general community standards.
- 7.2 In the instance an Applicant requests a discretionary Disinterment of Human Remains or Cremated Remains from a Lot under their control the Applicant shall first provide in writing to the City at their expense, and in a form prescribed by the City, a document setting out,
- (a) such proof as the City may request, up to and including sworn affidavits, to establish the identity and the legal right and authority of the Applicant to make the request;
 - (b) such other information as the City may request as to the purpose and reason for the Disinterment; and
 - (c) with the understanding the provision of such information shall not bind the City to permit a discretionary Disinterment the City shall have the right to require an Applicant making a discretionary Disinterment request to acquire, at their expense, a Court order that compels the City to make the Disinterment requested.
- 7.3 No Disinterment or Exhumation shall be allowed until,
- (a) the Personal Representative of the Deceased who has the right to authorize

the Disinterment of a Deceased Person's remains has acquired, completed, duly signed, and provided to the City a Disinterment authorization, in a form prescribed by the City; and

- (b) all outstanding Fees relating to a Right of Interment, the Disinterment/Exhumation from the Lot, and any other service provided, or product supplied by the City to facilitate the Disinterment/Exhumation, have been paid in full to the City where the Fees for Disinterment and Exhumation are set out in the City's Fees and Charges By-law, as amended.

7.4 Except where ordered by a Court of competent jurisdiction or under the Public Health, no Person other than the City along with a duly contracted Funeral Service Provider shall be permitted to be present at a Disinterment, or Exhumation of Human Remains, or Cremated Remains from a Lot in a Cemetery.

7.5 A Funeral Service Provider employed at the expense of an Applicant for a Disinterment or Exhumation shall be responsible for the arrangement, performance, and supervision of:

- (a) the physical removal of the interred Human Remains from the Lot and transfer of those remains into a Container that fully encloses the remains;
- (b) the removal and disposition of any remnants of a "Casket", Container, or Grave Liner
- (c) the City shall not be compelled to handle or participate in the removal of exposed Human Remains from any Lot where a Disinterment or Exhumation is being performed.

7.6 Other than the recovery of the Human Remains or Cremated Remains readily apparent and present in a Lot opened for a Disinterment / Exhumation the City makes no representation or warranty as to what other material, personal effect or other extraneous item may be recovered as part of a Disinterment or Exhumation process.

7.7 The application for and authorization of a Disinterment/Exhumation shall grant the City sole and discretionary authority to dispose of, in a safe, environmentally sensitive, and dignified manner, all extraneous materials that may incidentally be residue from a Disinterment or Exhumation.

- 7.8 A Disinterment or Exhumation in a Cemetery shall, without exception, be performed on a day and at a time of the City's choosing.
- 7.9 The re-interment of disinterred Human Remains or Cremated Remains into another Lot within a Cemetery shall comply with this By-law.
- 7.10 The City shall not be responsible for emotional, psychological, or physical injury that may occur to a living Person or injury to Human Remains, or damage to a "Casket", Grave Liner, Urn, or other form of burial container sustained as part of an Interment, Disinterment or Exhumation.

8.0 MEMORIALS: GENERAL RULES

- 8.1 Every Memorial and the installation in a Cemetery shall conform with this By-law and any policy, rule or specification established by the City that is current at the time a Memorial is to be installed, and for clarity, not at the date a Right of Interment was purchased, when an Interment was made or when a Memorial was purchased.
- 8.2 It is the responsibility of a Rights Holder, the Personal Representative of a Deceased, or an organization or Memorial supplier acting on behalf of a Personal Representative of a Deceased, to arrange for the supply and installation of a Memorial on a Cemetery Lot.
- 8.3 Every Memorial and the installation thereof shall conform to the Cemetery Plan established for a Cemetery and for the Lot on which a Memorial is proposed to be installed.
- 8.4 No Memorial, inscription, engraving, ornamentation, or combination thereof that is inconsistent with the dignity of adjacent Lots, the Cemetery or community standards shall be placed on any Cemetery Lot.
- 8.5 No Memorial shall be installed on a Lot or inscription made on a Memorial until,
- (a) an application that details the Memorial type with specifications describing fully the Memorial's proposed size, inscription design, material, and location have been submitted to the City, in a form known as the Application for Monument / Marker Approval Form prescribed by the City;
 - (b) it is determined by the City that the Memorial or inscription described on the application complies in every way with the specifications set out for Memorial placement on the Lot where installation is proposed;

- (c) all Fees, as set out in the City's Fees and Charges By-law, as amended, and as relates to an Interment Right, Interment and Memorial installation has been paid in full to the City; and
- (d) upon satisfying all of the above, a Memorial permit may be issued by the City to allow installation or inscription of a Memorial.

- 8.6 It is the responsibility of the Applicant for a Memorial permit to confirm the correct location for a Memorial proposed for installation and, in the case of a companion Memorial on a side-by-side Lot, to further confirm the correct layout for the companion inscription on the Memorial. The City shall bear no responsibility or financial liability for a Memorial where it can be shown this due diligence was not performed by the Applicant.
- 8.7 The City shall have the authority to refuse to issue a Memorial permit to an Applicant if the Applicant has failed to comply with the requirements of this By-law, or any requirement established by the City governing Memorials at a Cemetery. In the instance a refusal may occur, the City will inform the Applicant what is not compliant about the Memorial permit application and the steps that must be taken to resolve the deficiency within a reasonably timely manner.
- 8.8 The City shall have the authority to reject a Memorial, despite the prior issuance of a Memorial permit, when a Memorial delivered for installation at a Lot does not match the specifications described in a Memorial permit application or does not comply with the requirements of this By-law, or the Memorial, inscription, engraving, or ornamentation or combination thereof is, in the judgement of the City, inconsistent with the dignity of adjacent Lots, the Cemetery or community standards. In the instance a refusal may occur, the City will inform the Applicant what is not compliant about the Memorial delivered for installation and the steps that must be taken to resolve the deficiency within a reasonably timely manner.
- 8.9 Every Memorial at a City Cemetery shall be installed, relocated, or removed, subject to the direction of the City, by a Person, Memorial supplier or dealer, or an agent authorized by the City.
- 8.10 The installation of Memorials shall occur only during the regular operating hours of a City Cemetery, unless otherwise authorized in writing by the City.

- 8.11 The City shall be responsible to maintain the land on which a Memorial is placed or installed but shall not be responsible for the maintenance of any Memorial. The City shall not be liable for, or obligated to repair, any scratch, breakage, or damage to a Memorial in a Cemetery.
- 8.12 A Rights Holder or their Personal Representative is required to keep in good repair, at their expense and to the satisfaction of the City, all Memorials on their Lot. In the instance a Memorial is placed or installed on a Lot in a Cemetery and subsequently falls into a state of disrepair, the City shall document the condition of the Memorial and shall have the authority, Without Prior Notice, to have the Memorial removed from the Lot and from the City Cemetery, in each case at the expense of a Rights Holder or their Personal Representative.
- 8.13 Where it is determined a Memorial or its installation do not comply with this By-law then the City may request and require, at the expense of a Rights Holder or their Personal Representative, that the non-compliant Memorial be moved, reinstalled, or permanently removed from a Cemetery.
- 8.14 Except for a Cemetery Lot memorialized or embellished prior to the date of adoption of this By-law the surface of every in-ground Lot in a Cemetery shall be soil and turf grass.
- 8.15 For a Cemetery Lot memorialized or embellished prior to the date of adoption of this By-law, the City subject to their discretionary authority, may,
- (a) permit pre-existing Memorials and embellishments to remain on a Lot providing they are well maintained, do not pose a safety hazard, and are kept in good repair by and at the expense of the Rights Holder, their Personal Representative, or their heir or successor; and
 - (b) permit, or order, at the expense of a Rights Holders their Personal Representative, or their heir or successor, that a pre-existing, deteriorated, or damaged Memorial or embellishment be replaced on a Lot providing the replacement Memorial or embellishment is identical to the Memorial or embellishments being replaced to the original items being replaced terms of size, type, and form.
- 8.16 The City may, Without Prior Notice, remove and restore the surface of a Lot with

soil and turf grass, and dispose of any curbing, Grave cover, coping, fence, railing, hedge, planting, or any other form of delineation that is in an advanced state of disrepair, has created an unsafe ground condition, become a hazard to Persons using, visiting, or working in the Cemetery, or that has otherwise deteriorated to a state that is inconsistent with the dignity of adjacent Lots and the general aesthetic of the Cemetery.

9.0 MEMORIALS: SPECIFICATIONS

- 9.1 Every Memorial, and the installation of every Memorial in a Cemetery shall conform to the Cemetery Plan, and for the Lot and the section of the Cemetery in which the Memorial is to be installed.
- 9.2 Every Memorial shall be constructed of granite, or bronze on a granite base, or of another permanent and durable material approved by the City.
- 9.3 The type and design of a Memorial and, the maximum width, depth, and thickness of a Memorial and, the form and style of a Memorial inscription is conditional on the type of Lot or Lots on which it is being installed.
- 9.4 Any Memorial shall conform to the specifications set out in this section and any further requirement that may be established by the City for a Lot at a Cemetery at the time the Memorial is placed or installed, not at the time the Memorial is purchased or at the time of death.
- 9.5 Memorial installation shall be made under the supervision of the City and the cost of the Memorial, and its installation shall be borne by the Applicant.
- 9.6 The design, layout, dimensions, location of Interments and location and placement of Memorials for every Lot type in a City Cemetery shall be those set out in the Cemetery Plan and this By-law.
- 9.7 Memorial dimensions set out in herein may have a variance of not more than plus or minus 1.3 cm.
- 9.8 **FLAT GRANITE MARKER:** Every flat granite marker shall conform to the following specifications:

FLAT GRANITE			
SINGLE LOT	Length	Width	Minimum
	61 cm	46 cm	

DOUBLE LOT	Length 91 cm	Width 46 cm	Thickness 10 cm
INFANT / CHILD LOT	Length 46 cm	Width 30 cm	
CREMATION LOT	Length 46 cm	Width 30 cm	

9.9 Every flat granite marker shall be installed onto a foundation, installed at an Applicant’s expense, which consists of,

- (a) sufficient excavation of the Memorial installation site;
- (b) placement and compaction of sufficient subsurface consolidated aggregate materials to ensure a stable and level, vertical and horizontal installation of the flat marker flush with the surface level of the Lot; and
- (c) placed on a reinforced concrete base not less than five (5) cm thick.

9.10 **FLAT BRONZE MARKER:** Every flat bronze marker shall conform to the following specifications:

FLAT BRONZE MARKER			
SINGLE LOT	Length 51 cm	Width 30 cm	Minimum Base Thickness 10 cm
DOUBLE LOT	Length 71 cm	Width 30 cm	
INFANT / CHILD LOT	Length 41 cm	Width 25 cm	
CREMATION LOT	Minimum Length 40 cm	Minimum Width 25 cm	

9.11 Every bronze flat marker shall be installed on a granite base that is,

- (a) not less than ten (10) cm thick;
- (b) have the top and bottom smooth finished;
- (c) have rock-pitch sides that are true and perpendicular with the top surface of the attached marker;
- (d) an exposed, smooth granite surface five (5) cm wide showing around each edge of the bronze marker; and

- (e) holes drilled through, to accommodate the attachment of the bronze marker with corrosion resistant, threaded bosses and washers, to be supplied by the Memorial supplier.

9.12 Every bronze marker shall,

- (a) have the letters, numerals and ornamentation chased and buffed that shall not protrude more than one (1) cm above the surface of the marker, and each casting shall be true and free from defects and roughness, and further;
- (b) cast with sufficient integral bosses on the underside, tapped or drilled to receive anchor lugs or bolts which shall be non-corroding of a minimum diameter of one (1) cm and if metal, electrolytically similar to the marker; and
- (c) be securely attached to a granite base by four or more of the fasteners to a base. All base tops and bottoms shall be smooth finished.

9.13 **UPRIGHT MONUMENTS:** Every upright monument, including the base, shall conform to the following specifications,

UPRIGHT MONUMENTS			
LOT TYPE	GRANITE TABLET		MATCHING GRANITE BASE
ONE LOT	Width 61 cm	Minimum Height 61 cm	Minimum Thickness 16 cm Maximum Border 8 cm polish finish, exposed granite around all sides of tablet.
TWO LOTS	Width 122 cm	Minimum Height 61 cm	
THREE LOTS	Width 142 cm	Minimum Height 61 cm	
FOUR LOTS	Width 162 cm	Minimum Height 61 cm	

<p>No monument on its base shall have a combined height exceeding 107 cm in height.</p> <p>Upright monuments extending over more than two (2) Lots may be considered, on a custom basis, subject to specifications established by the City.</p>
<p>Every monument tablet shall be pinned to its base using a dowel of not less than 1.3 cm diameter, and a length of not less than 15 cm extending equally into the tablet and base.</p>

- 9.14 Every upright monument shall be installed onto a foundation, installed at an Applicant's expense, which shall consist of,
- (a) sufficient excavation of the foundation installation site;
 - (b) placement and compaction of sufficient subsurface, consolidated aggregate materials;
 - (c) installation of a reinforced concrete pad of not less than twenty-five (25) MPa, sulfate resistant, air entrappings four (4) - seven (7) percent air content;
 - (d) for a monument under ninety-one (91) cm in height, a thickness of not less than ten (10) cm;
 - (e) for a monument over ninety-one (91) cm in height, a thickness of not less than fifteen (15) cm;
 - (f) for every monument, the top finished surface of a foundation shall have not less than ten (10) cm wider and longer than the base of the Memorial to be installed on the Lot; and
 - (g) a foundation installed with a finished surface flush to the ground level of the Lot so as to ensure a stable and level, vertical and horizontal installation of the monument and base above the surface level of the Lot is achieved.
- 9.15 No upright monument shall be installed over the space of a Lot that has been or may be opened to accommodate an Interment of Human Remains.
- 9.16 An upright monument with a design feature that is an integral part of the Memorial may be permitted so long as the Memorial, including the design feature, conform to the specifications set out herein.

- 9.17 An upright monument in the form of a freestanding design shall not be permitted.
- 9.18 The City at its discretion and expense, or at the request and expense of an Applicant, may install, flush with the surface of a Grave, Corner Post Marker at the Grave corners for the purpose of indicating and identifying the location of a Grave or Plot.

10.0 GENERAL RULES & REGULATIONS

- 10.1 The days and hours of operation of the City's Cemeteries and the Cemetery office, for the following purposes, shall be,
- (a) **Cemetery Visiting:** Cemeteries are open every day of the year for visiting between 8:30 a.m. and sunset. No Person, without the express written permission of the City, shall be in a Cemetery between one (1) hour after sunset and 8:30 a.m. the following morning,
 - (b) **Interment:** subject to provisions established in this By-law, Interment services may occur Monday through Friday,
 - i. between the hours of 8:30 a.m. and 2:30 p.m., or
 - ii. an Interment that goes beyond 2:30 p.m., or an Interment requested outside of the hours prescribed above, or an Interment on a weekend or Holiday, is subject to the written authorization of the City and payment of an additional Fee as set out in the City's Fees and Charges By-law, as amended.
 - (c) **Cemetery Arrangements:** Cemetery arrangements and the payment of Cemetery Fees shall be administered and coordinated through the City of Vaughan Joint Operations Centre, 2800 Rutherford Rd., Monday through Friday, from 8:30 a.m. to 4:30 p.m. The office is closed on Saturday, Sunday, days of observance and Holidays observed by the City.
- 10.2 Floral tributes may be placed at a Cemetery in accordance with the following rules,
- (a) on the day of Interment and for a period of fourteen (14) days following Interment, all forms of floral tributes, including fresh cut flowers, wreaths, artificial and seasonal floral tributes are permitted to be placed on the Lot. After fourteen (14) days, flowers placed on the day of Interment may, Without Prior Notice, be removed and disposed of by the City;

- (b) between March 1 and October 31 only fresh cut flowers, placed on a Lot or displayed in a vase approved by the City, and placed at a location on the Lot established by the City, are permitted on a Lot;
- (c) between October 31 through February 28 all forms of floral tributes, including fresh cut flowers, wreaths, artificial and seasonal floral tributes are permitted to be placed on a Lot, at a location on the Lot established by the City;
- (d) all floral tributes are placed at a Cemetery with the understanding that, Without Prior Notice, a floral tribute may be removed and disposed of if the flowers have withered, become unsightly, detract from the general aesthetic of adjacent Lots, or pose a hazard to Cemetery visitors or workers conducting Cemetery maintenance; and
- (e) a limit of one (1) flower vase of a design approved by the City and placed at a location established by the City, may be permitted for the placement of flowers at a Cemetery Lot.

10.3 Placing any form of decoration, adornment, personal memento, or other extraneous object, unless in compliance with this By-law, is not permitted on any Lot in a Cemetery.

10.4 Unauthorized items placed on any Lot or in any City Cemetery may, Without Prior Notice, be removed or ordered removed by the City. This includes, but is not limited to, photographs, pictures, frames, solar lights, boxes, shells, toys, wire screens, decorative rock, trellises, benches, or any other form of memorabilia.

10.5 No open flame, candle, or burning of any substance or other material may take place inside a Cemetery without prior written authorization of the City and conducted only under the direct supervision of the City.

10.6 The City is not liable for the deterioration, damage or loss of flowers, decorations, adornments, or any other subsection attached to or placed on a Lot, at a Memorial site or in a Cemetery.

10.7 Except as may be provided for elsewhere in this By-law, no Lot or other part of a Cemetery may be decorated or adorned in any manner by any Person other than the City, or an authorized agent of the City, without the express written consent of

the City and where the exercise of such consent shall be within the limited discretion and authority of the City.

- 10.8 No turfgrass, tree, shrub, plant, bulb, flower, or other decorative plant may be planted, pruned, cut down, removed, or otherwise altered on a Lot or anywhere else within the limits of a Cemetery without the express written consent of the City, and where all such work shall be performed by the City, or by an authorized agent of the City.
- 10.9 Cemetery roadways are for the exclusive use of interment processions, cemetery visitors, or other persons as may be approved by the City, and no vehicle shall exceed the speed of five (5) kilometers per hour, and every operator of a vehicle shall, at all times, obey the directions of the City.
- 10.10 No Person shall drive or park a vehicle over any lawn, garden, or flower bed without the express written permission of the City, and as subject to the supervision of the City.
- 10.11 Every Person, including those in funeral processions, upon entering and while within a Cemetery, shall follow every instruction of the City.
- 10.12 In a Cemetery, no Person shall:
- (a) disperse, dispose of, or inter any Cremated Remains or bury any Human Remains except in compliance with this By-law and any rule or regulation made thereto;
 - (b) define or delineate any Lot or group of Lots by a Grave cover, Grave cap, fence, railing, curb, hedge or by any other means that contravenes this By-law or its schedules;
 - (c) willfully or negligently destroy, mutilate, deface, damage, vandalize, injure, or remove anything from a City Cemetery, including and without limitation, any Memorial, plant, flower, tree, rock, or other item located within the limits of a Cemetery;
 - (d) carry out any activity other than attendance at an Interment or Memorial service or the visitation of a Lot for the purpose of paying respect to the dead;
 - (e) drive a vehicle anywhere other than on a designated roadway for vehicles

and in compliance with posted speed regulations or other directives;

- (f) operate a snowmobile or any other form of recreational vehicle or all-terrain vehicle;
- (g) conduct them self in a manner so as to disturb the peace, quiet and good order of the Cemetery generally or an Interment or Memorial service being conducted therein;
- (h) discharge a firearm other than at a military funeral for which a firearm salute has been authorized by the City and is conducted under the direct command of an officer in charge and only during an Interment or Memorial service being conducted therein;
- (i) bring into or dump any rubbish, debris or other offensive item or matter or make an unauthorized removal of any Cemetery refuse, waste, or rubbish;
- (j) allow a Child or Children under the age of sixteen (16) years within the limits of a Cemetery that is not accompanied by a parent, guardian, or an Adult;
- (k) play any manner of sport, sports game, or sport activity within the limits of a Cemetery;
- (l) bring any pet or animal, other than a certified personal assistance animal, into a Cemetery;
- (m) otherwise violate any provision of this By-law.

10.13 No gratuity or extraordinary consideration shall be paid to or accepted by an employee or agent of the City for any service rendered in connection with a City Cemetery.

10.14 All work within a Cemetery shall be performed by the City or by authorized agents of the City. A Person other than those authorized agents of the City who perform work in a Cemetery, including a Person that performs work on behalf of a Rights Holder or Personal Representative of a Deceased, or their heir or successor shall supply to the City, prior to commencement of any work within the limits of a Cemetery, and in a form prescribed by the City, proof of Workplace Safety and Insurance Board coverage, Public Liability Insurance and Motor Vehicle Insurance in a form and amount acceptable to the City.

10.15 The behavior of a contract worker including a contractor performing work on behalf

of a Rights Holder or Personal Representative of a Deceased or their heir or successor within a Cemetery shall be subject to the supervision of the City.

10.16 A contract worker working in a Cemetery shall immediately cease work in the vicinity of any Interment or Memorial service until the conclusion of the service and those Persons attending the service have left the area where the service was being conducted.

10.17 No work may be performed at a Cemetery except during the regular business hours of the City, or a Cemetery, except where work outside of said days or hours has been authorized in writing by the City.

10.18 The City shall, at all times, have the right of passage in any manner it sees fit over every Lot and all the land of every Cemetery so as to ensure that Cemetery operations and maintenance can be performed in a safe, efficient, and timely manner.

10.19 Notwithstanding subsection 10.12(d) of this By-law the City shall have the authority to conduct or permit to be conducted public or private events within a Cemetery that are, in the opinion of the City, deemed appropriate for and in keeping with the dignity and purpose of a Cemetery.

10.20 In the instance a Person does not behave with proper decorum within a Cemetery or who disturbs the peace, quiet and good order of a Cemetery then the City may take such steps it deems appropriate to expel the Person from a Cemetery and bar them from entering into a Cemetery in the future.

10.21 In the instance a Person contravenes any subsection of this By-law then the Person may be subject to application of a penalty as set out in *Section 11.0 Offences and Fines*.

11.0 OFFENCES and FINES

11.1 Any Person is guilty of an offence if the Person,

- (a) contravenes this By-law;
- (b) fails to follow the direction of an enforcement Officer in order to achieve compliance with this By-law; or

(c) willfully interferes with, obstructs or assaults a representative of the City in the exercise or performance of an Officer's duties related to the administration and enforcement of this By-law.

11.2 A Person guilty of an offence, in accordance with subsection 11.1, is liable to a fine of not more \$5,000 as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.

11.3 An offence under this By-law that continues more than one day may constitute a continuous offence and be punishable as such.

12.0 REPEAL OF OTHER BY-LAWS

12.1 By-law No. 180-92 and By-law No. 406-2002 are hereby repealed.

13.0 ENACTMENT

13.1 This By-law shall come into full force and effect on the day that it receives approval from the Registrar as appointed under the Cemetery Act.

Enacted by City of Vaughan Council this 28th day of June, 2022.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

June 20, 2022

Mayor Bevilaqua and Members of Council

City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON
L6A 1T1

Sent via email to clerks@vaughan.ca

**RE: CITY OF VAUGHAN | ITEM 6.2 2022 CITY-WIDE AND AREA SPECIFIC
DEVELOPMENT CHARGES BACKGROUND STUDY AND BY-LAWS UPDATE**

On behalf of our York Chapter members, the Building Industry and Land Development Association (BILD) would like to take this opportunity to thank the City of Vaughan for its exemplary consultation process throughout the City's 2022 Development Charges Review. We are pleased to highlight our appreciation to City staff for the extensive stakeholder engagement, professionalism, fulsome conversations and dialogue throughout this process. From the beginning of this process, BILD advocated that constructive dialogue with the industry would be essential to offer the greatest chance for consensus on this important matter. We are pleased to acknowledge that the City of Vaughan accomplished this sentiment successfully.

Further, we would like to acknowledge and thank staff for recommending the proposed transitional period for the development industry to June 1, 2023. This proposed transition recognizes that growth pays for growth, but at the same time distinguishes the importance of affordability and housing supply.

As your community building partner, thank you again for the opportunity to be involved in this process, and always look forward to future discussions on important policy matters with the City.

Respectfully,



Victoria Mortelliti
Manager, Policy & Advocacy

CC: BILD Review Team
Gabe DiMartino, York Chapter Co-Chair
Mike McLean, York Chapter Co-Chair
Paula Tenuta, SVP, BILD
Brianne Clace, City of Vaughan
Members of the BILD York Chapter



The Building Industry and Land Development Association is an advocacy and educational group representing the building, land development and professional renovation industry in the Greater Toronto Area. BILD is the largest home builders' association in Canada, and is affiliated with the Ontario Home Builders' Association and the Canadian Home Builders' Association. It's 1,500 member companies consists not only of direct industry participants but also of supporting companies such as financial and professional service organizations, trade contractors, as well as manufacturers and suppliers of home-related products.

**C22
COMMUNICATION
CW (2) – June 21, 2022
Item 25**

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Re: Barons street parking south of Mactier drive
Date: June-20-22 9:31:33 AM

From: Nick Manna [REDACTED]
Sent: Sunday, June 19, 2022 12:25 PM
To: Clerks@vaughan.ca; Council@vaughan.ca; [REDACTED] Gina Ciampa
<Gina.Ciampa@vaughan.ca>
Subject: [External] Re: Barons street parking south of Mactier drive

On Sat., Jun. 18, 2022, 10:13 a.m. Nick Manna, [REDACTED] wrote:

Hello, I heard that there is no allowable parking on the road; east side of Barons street south of Mactier drive.

Would it be possible to remove the bike lane on the east side of Barons street to allow for parking?

I am the original owner of a home on Barons street and there was no mention of no parking on the front of my property.

I think that this devalues our properties and causes an inconvenience when we have visitors.

I hope we can come up with a solution

.

Regards, Nick Manna

C23
COMMUNICATION
CW (2) – June 21, 2022
Item 25

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Item 6 - 25 BLOCK 61 WEST TRAFFIC REVIEW
Date: June-20-22 9:31:28 AM

-----Original Message-----

From: Luis Santos [REDACTED]
Sent: Sunday, June 19, 2022 12:26 PM
To: Clerks@vaughan.ca
Subject: [External] Item 6 - 25 BLOCK 61 WEST TRAFFIC REVIEW

We live at [REDACTED] Barons St and have reviewed the proposed parking plan and believe that it would be great and convenient to have visitor parking for our visitors.

Thank you
Carina Da Silva and Luis Santos
[REDACTED]

Sent from my iPhone



IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

C24
COMMUNICATION
CW (2) – June 21, 2022
Item 2

June 17, 2022

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

Dear City Clerk:

**2022 CITY-WIDE AND AREA SPECIFIC DEVELOPMENT CHARGES BACKGROUND STUDY
AND BY-LAWS UPDATE**

IBI Group represents 2748355 Canada Inc. and their affiliates for their landholdings within the Vaughan Metropolitan Centre (VMC). 2748355 Canada Inc. and affiliates own approximately 84 acres within the southwest quadrant of the VMC, which are being impacted by the proposed Area Specific Development Charge (ASDC) for the “VMC Interchange SWM Pond Retrofit Works”, the proposed ASDC for the “VMC Jane Street Sanitary Sewer Improvements” and of course, the “City-wide Development Charge By-law”.

2748355 Canada Inc. maintains an active appeal on existing ASDC By-law 090-2018, associated with the “VMC Interchange SWM Pond Retrofit Works”. The appeal is summarized in Appendix 1 attached hereto, and is ultimately related to concerns regarding the feasibility and ultimate design of the Pond. 2748355 Canada Inc. is currently engaged in detailed engineering design for the entire quadrant, working with City Staff and their consultants as part of the ongoing update to the 2012 Master Environmental Servicing Plan (MESP), by which existing By-law 090-2018 is based. Through the active appeal, and the continued efforts to finalize design of the stormwater pond, the introduction of a new by-law is premature.

2738355 Canada Inc. contends that any new by-law should be based on the results of the ongoing engineering work and be resolved through the active appeal process. This would be similar to the approach taken with appealed By-law 094-2018 (i.e. Interchange Sanitary works), which was repealed and replaced by By-law 107-2021.

In addition, while 2748355 Canada Inc. is aware of the need for downstream upgrades associated with Sanitary infrastructure because of ongoing development in the VMC and the broader Jane Street corridor. However, the introduction of a new ASDC which is to be assessed through unit-rates in advance of the final engineering design is premature. 2748355 Canada Inc. front-ended, and constructed sanitary infrastructure serving most of the southwest quadrant and parts of the northwest quadrant of the VMC. Through this work, downstream improvements were highlighted as a need. Notwithstanding this required infrastructure, there is ambiguity associated with how the costs in the ASDC were derived as the update to the 2012 MESP remains ongoing.

In light of the foregoing, 2748355 Canada Inc. opines that the introduction of these by-laws is premature, and requests that Committee defers the approval of these items until such time that the work to update the 2012 MESP is finalized, and costs for these infrastructure improvements are further understood.

Thank you for your consideration on these matters.

Sincerely,

IBI Group Professional Services Inc.

City Clerk – Item 6.2 – Committee of the Whole, June 21, 2022

A handwritten signature in dark ink, appearing to read "Stephen Albanese". The signature is fluid and cursive, with the first name "Stephen" written in a larger, more prominent script than the last name "Albanese".

Stephen Albanese MCIP RPP
Associate Director – Planning

cc: Jay Claggett, 2748355 Canada Inc.
Randy Grimes, RGI Enterprises Ltd.
Patrick Duffy, Stikeman Elliott LLP

City Clerk – Item 6.2 – Committee of the Whole, June 21, 2022

APPENDIX 1: APPEAL LETTER 090-2018

Patrick Duffy
Direct: (416) 869-5257
E-mail: pduffy@stikeman.com

June 29, 2018

Delivered by Courier
File No. 142455 1008

Vaughan City Hall, Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T

Attention: City Clerk

Re: Notice of Appeal of a By-Law to Impose Area Specific Development Charges – VMC – Interchange SWM Pond Retrofit Works (By-Law 090-2018) Pursuant to Section 14 of the *Development Charges Act, 1997*, S.O. 1997, c. 27

Appellant: 2748355 Canada Inc.

Property: 7540 Jane Street, 101 Exchange Avenue, and 30, 50, 55, 60, 70, 80, 90 and 120 Interchange Way in the City of Vaughan

We are counsel to 2748355 Canada Inc. (the “**Appellant**”).

The Appellant

The Appellant is the registered owner of lands that include the lands municipally known as 7540 Jane Street, 101 Exchange Avenue, and 30, 50, 55, 60, 70, 80, 90, and 120 Interchange Way in the City of Vaughan (legally described and shown on Appendix “A” and referred to as the “**Appellant’s Lands**”). The Appellant’s Lands contains multiple retail and industrial businesses, among other uses.

Grounds for Appeal

By-Law 090-2018 approved development charges regarding a retrofit of the Vaughn Metropolitan Centre Interchange Storm Water Management Pond (the “**Service**”), which are to be imposed upon the service area in Schedule B of the By-Law. The Appellant is the largest landowner within the service area.

The Appellant has concerns regarding the feasibility and ultimate design of the Service. Among other concerns, the Appellant has identified significant design issues with the currently proposed retrofit that will materially and unnecessarily increase the cost of the retrofit; for example, it requires the removal of a currently operating hotel and an office building.

For this reason and any others that we reserve the right to bring forward, we hereby appeal By-Law 090-2018. In support of this Notice of Appeal, please find enclosed:

- a) Legal description and map of Appellant’s Lands;
- b) Completed Appellant Form A1; and
- c) Cheque for the LPAT appeal filing fee in the amount of \$300.00.

Stikeman Elliott

If you have any questions or require any addition information, please contact me. Thank you for your attention to this matter.

Yours truly,

for: Patrick Duffy 

encl.

cc: Patrick Corney, *Stikeman Elliott LLP*
Jay Claggett, *IBI*
Michael Reel, *QuadReal Property Group*

Appendix "A"

PIN 03228-0278 (LT)

PT LTS 4 & 5, CON 5, PTS 5, 15, 17, 26 TO 34, 36, 42, 43, 53 TO 64, 65R20291, SAVE & EXCEPT PT LT 4 CON 5, PTS 1 TO 10, 65R23408 & SAVE & EXCEPT PT LT 4 CON 5, PTS 2, 3, 4, 5, 6, 7, 8, 31, 32, 40, 41, 42, 43 & 44, 65R24974; EXCEPT PT LT 4, CON 5, PTS 2,3,4,5 & 7, 65R28054, EXCEPT PT LT 4 CON 5, PTS 7,9,10,11,15,18,20,22,23 & 28 ON EXPRO. PLN YR1590046; S/T EASE OVER PTS 17, 26, 27, 43 & 60, 65R20291 & PTS 17 & 18, 65R24974, AS IN LT1357479 . S/T EASE OVER PT 34 65R20291, AS IN LT1357483 . S/T EASE OVER PTS 27 & 28, 65R20291 & PTS 17 & 18, 65R24974, AS IN LT1357485 . S/T EASE OVER PTS 27, 28, 29, 54, 55, 56, 58 & 64, 65R20291 & PTS 17 & 18, 65R24974, AS IN LT1357486 . S/T EASE OVER PTS 27, 28 & 29, 65R20291 IN FAVOUR OF PT LT 4 CON 5, PTS 1 TO 10 65R23408, AS IN LT1601211 . T/W EASE OVER PT LT 4 CON 5, PTS 4 TO 10, 65R23408, AS IN LT1601211. S/T EASE OVER PTS 19 & 20, 65R24974, AS IN YR163356 . S/T EASE OVER PTS 19 & 20, 65R24974, AS IN YR163358 . S/T EASE OVER PT 19 65R24974, AS IN YR163362 . T/W EASE OVER PT LT 4 CON 5, PTS 6, 31, 43 & 44, 65R24974, AS IN YR163400 . T/W EASE OVER PT LT 4 CON 5, PTS 6, 7, 8, 40 & 44, 65R24974, AS IN YR163400 . T/W EASE OVER PT LT 4 CON 5, PTS 6, 40 & 44, 65R24974, AS IN YR163400 . S/T EASE OVER PT LT 4 CON 5, PTS 10, 11, 12, 13, 14, 15 & 16, 65R24974, PTS 15, 16, 17 & 18, 65R24974, PTS 19, 20, 21, 22, 23, 24, 33, 35, & 36, 65R24974 & PTS 19 & 20, 65R24974, IN FAVOUR OF PT LT 4 CON 5, VAUGHAN, PTS 2 TO 8 INCL. PTS 31, 32, 40, 41, 42, 43 & 44, 65R24974 , AS IN YR163445 . S/T EASE OVER PTS 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26 & 27, 65R24974, IN FAVOUR OF PT LT 4 CON 5, VAUGHAN, PTS 2 TO 8 INCL., & PTS 31, 32, 40, 41, 42, 43 & 44, 65R24974, AS IN YR163461 ; S/T EASE OVER PTS 8 & 9, 65R28054 IN FAVOUR OF PT LT 4, CON 5, PTS 2,3,4,5 & 7, 65R28054 AS IN YR698001; S/T EASE OVER PT 18, 65R24974 IN FAVOUR OF PT LT 4, CON 5, PTS 2,3,4,5 & 7, 65R28054, AS IN YR698001; S/T EASE OVER PTS 17,18,19 & 20, 65R24974 IN FAVOUR OF PT LT 4, CON 5, PTS 2,3,4,5 & 7, 65R28054 AS IN YR698001; S/T EASE OVER PTS 1,3,6,14,17,19,21 & 25 ON EXPRO. PLN YR1590046; S/T EASE OVER PTS 8,13,24 & 27 ON EXPRO. PLN. YR1590046; S/T TEMP. EASE OVER PTS 5,6,12,14,16,25 & 26 ON EXPRO. PLN. YR1590046; CITY OF VAUGHAN.

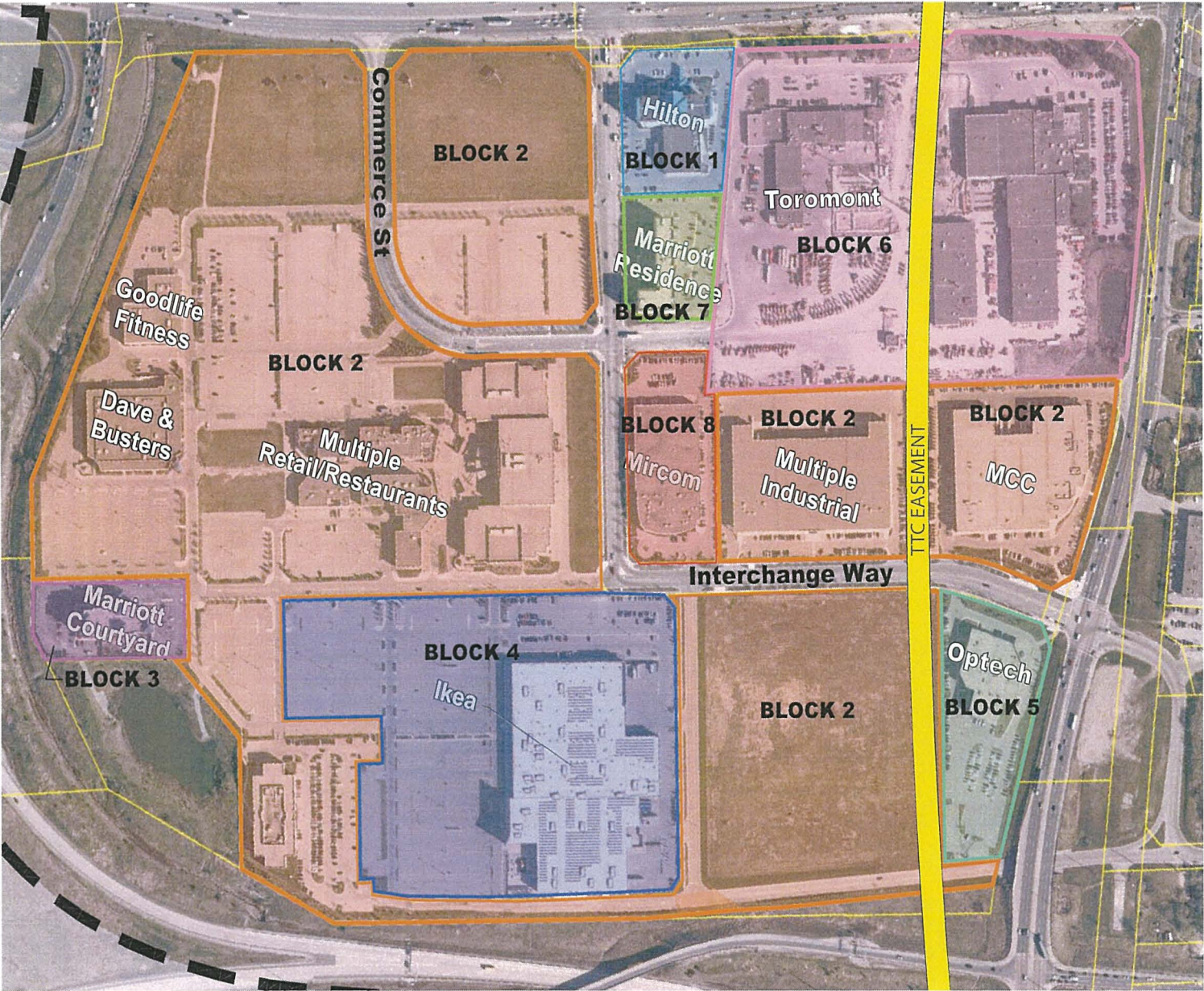
PIN 03228-0286 (LT)

PT LTS 4 & 5, CON 5 (VGN) PTS 24 & 35, 65R20291, EXCEPT PTS 1 & 2, 65R25360, EXCEPT PT 1, 65R28896, EXCEPT PTS 2 & 4 ON EXPRO. PLN YR1590046; S/T EASE OVER PT 24 65R20291 AS IN LT1357479; T/W EASE OVER PT LT 4 CON 5, PTS 4,8 & 9, 65R23408, AS IN LT1601211. T/W EASE OVER PT LT 4 CON 5, PTS 5,6,7 & 10, 65R23408, AS IN LT1601211; T/W EASE OVER PT LT 4 CON 5, PTS 6,31,43 & 44, 65R24974; PT LT 4 CON 5, PTS 6,7,8,40 & 44, 65R24974 & PT LT 4 CON 5, PTS 6, 40 & 44, 65R24974, AS IN YR163400; S/T EASE OVER PTS 1 & 3 ON EXPRO PLN YR1590046; CITY OF VAUGHAN.

PIN 03228-0289 (LT)

PT LT 5, CON 5, PTS 1, 3, 4, 9, 19, 20, 66-69 INCL. PL 65R20291 EXCEPT PT 6 ON EXPRO PLN YR1694787; S/T EASE OVER PT 66 65R20291 AS IN LT1357479. T/W EASE OVER PT LT 4 CON 5 PTS 4, 8 & 9 65R23408 AS IN LT1601211 ; T/W EASE OVER PT LT 4 CON 5 PTS 5, 6, 7 & 10 65R23408 AS IN LT1601211 . T/W EASEMENTS OVER :- PT LT 4 CON 5, PTS 6, 31, 43 & 44, 65R24974; PT LT 4 CON 5, PTS 6, 7, 8, 40 & 44, 65R24974 & PT LT 4 CON 5, PTS 6, 40 & 44, 65R24974, AS IN YR163400. S/T EASE OVER PTS 28, 29 & 30, 65R24974 IN FAVOUR OF PT LT 4 CON 5, PTS 2 TO 8 INCL., & PTS 31, 32, 40, 41, 42, 43 & 44, 65R24974, AS IN YR163461; S/T TEMPORARY EASE OVER PT 1 EXPRO PL YR2137850 UNTIL AUGUST 11, 2018; CITY OF VAUGHAN.

Block Ownership - Southwest Quadrant of the Vaughan Metropolitan Centre





Environment and Land Tribunals Ontario
Local Planning Appeal Tribunal
 655 Bay Street, Suite 1500
 Toronto ON M5G 1E5
 Telephone: 416-212-6349
 Toll Free: 1-866-448-2248
 Website: www.elto.gov.on.ca

Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

LPAT Case Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority

To file an appeal, select one or more below *

- ☐ Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- ☐ Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act*, 2017, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- ☒ Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

1 C. Other Appeal Types (Please check all applicable boxes) *

Subject of Appeal	Type of Appeal	Reference (Section)
Development Charges Act Matters		
Development Charge By-law	<input checked="" type="checkbox"/> Appeal a Development Charge By-law	14
	<input type="checkbox"/> Appeal an amendment to a Development Charge By-law	19(1)
Development Charge Complaint	<input type="checkbox"/> Appeal municipality's decision regarding a complaint	22(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	22(2)
Front-ending Agreement	<input type="checkbox"/> Objection to a front-ending agreement	47
	<input type="checkbox"/> Objection to an amendment to a front-ending agreement	50
Education Act Matters		
Education Development Charge By-law	<input type="checkbox"/> Appeal an Education Development Charge By-law	257.65
	<input type="checkbox"/> Appeal an amendment to an Education Development Charge By-law	257.74(1)
Education Development Charge Complaint	<input type="checkbox"/> Appeal approval authority's decision regarding a complaint	257.87(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	257.87(2)
Aggregate Resources Act Matters		

Subject of Appeal	Type of Appeal	Reference (Section)
Aggregate Removal Licence	<input type="checkbox"/> One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	<input type="checkbox"/> One or more objections against an application for a 'Class B' aggregate removal licence	
	<input type="checkbox"/> Application for a 'Class A' licence – refused by Minister	11(11)
	<input type="checkbox"/> Application for a 'Class B' licence – refused by Minister	
	<input type="checkbox"/> Changes to conditions to a licence	13(6)
	<input type="checkbox"/> Amendment of site plans	16(8)
	<input type="checkbox"/> Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
	<input type="checkbox"/> Revocation of licence	20(4)
Municipal Act Matters		
Ward Boundary By-law	<input type="checkbox"/> Appeal the passing of a by-law to divide the municipality into wards	222(4)
	<input type="checkbox"/> Appeal the passing of a by-law to redivide the municipality into wards	
	<input type="checkbox"/> Appeal the passing of a by-law to dissolve the existing wards	
Ontario Heritage Act Matters		
Heritage Conservation District	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation study area	40.1(4)
	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation district	41(4)
Other Act Matters		
Subject of Appeal Development Charge By-Law	Act/Legislation Name Development Charges Act, 1997, S.O. 1997, c. 27	Section Number 14

2. Location Information

Address and/or Legal Description of property subject to the appeal *

Lands municipally known as 7540 Jane Street, 101 Exchange Avenue, and 30, 50, 55, 60, 70, 80, 90 and 120 Interchange Way. A legal description is included at Appendix "A" of the notice of appeal.

Municipality *
City of Vaughan

Upper Tier (Example: county, district, region)
York Region

3. Appellant/Objector Information

Note: You must notify the LPAT of any change of address or telephone number in writing. Please quote your LPAT Case/File Number(s) after they have been assigned.

Last Name Mike		First Name Reel
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation) 2748355 Canada Inc. (QuadReal Property Group Limited Partnership)		
Email Address mike.reel@quadreal.com		
Daytime Telephone Number * 416-673-7405		ext. Alternate Telephone Number

Mailing Address			
Unit Number 2100	Street Number * 199	Street Name * Bay	PO Box
City/Town * Toronto	Province * Ontario	Country * Canada	Postal Code * M5L1G2

4. Representative Information

☒ I hereby authorize the named company and/or individual(s) to represent me

Last Name Duffy	First Name Patrick
Company Name Stikeman Elliott LLP	
Professional Title Lawyer	
Email Address pduffy@stikeman.com	
Daytime Telephone Number 419-869-5257	ext. Alternate Telephone Number

Mailing Address			
Unit Number 5300	Street Number 199	Street Name Bay	PO Box
City/Town Toronto	Province Ontario	Country Canada	Postal Code M5L 1B9

Note: If you are representing the appellant and are not licensed under the *Law Society Act*, please confirm that you have written authorization, as required by the LPAT's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☐ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

5. Subject Information

Municipal Reference Number(s) * By-Law 090-2018
--

For all other appeal types

Outline the nature of the appeal and the reasons for the appeal

Oral/written submissions to council

If applicable, did you make your opinions regarding this matter known to council?

- ☐ Oral submissions at a public meeting of council
- ☐ Written submissions to council

6. Related Matters

Are there other appeals not yet filed with the Municipality?

☐ Yes ☒ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

☐ Yes ☒ No

7. Case Information

For all other appeal types :

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).


8. Required Fee

Total Fee Submitted * \$ 300

Payment Method * ► ☐ Certified cheque ☐ Money Order ☒ Lawyer's general or trust account cheque

9. Declaration

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Patrick Duffy		2018/06/29

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.

**C25
COMMUNICATION
CW (2) – June 21, 2022
Item 25**

From: [Adelina Bellisario](#)
To: [Adelina Bellisario](#)
Subject: FW: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study
Date: June-20-22 11:24:34 AM
Attachments: [image001.png](#)
[image001.png](#)

From: s [REDACTED] <s [REDACTED]>
Sent: Monday, June 20, 2022 12:04 AM
To: [REDACTED]
Cc: Clerks@vaughan.ca; Council@vaughan.ca; Gina Ciampa <Gina.Ciampa@vaughan.ca>
Subject: Re: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study

Hello- I also wanted to add that I would like street parking/parking spaces added the towns in my block.

Thanks

Sim

Sent from my iPhone

On Jun 20, 2022, at 12:01 AM, [REDACTED] wrote:

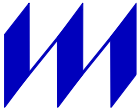
Hello- my name is Sim Badwal and I am a resident at [REDACTED] Barons Street. I ask that the bike lane be removed to allow for street parking in front of my house and along my block of towns. I find it confusing why the bike lane was put oolong my block of towns and the towns after the stop sign after my block are able to park their vehicles. My visitors find it annoying and confusing as well.

Please consider this my formal request to have the bike lane removed.

Thank you,

Sim Badwal

Sent from my iPhone



**WESTON
CONSULTING**

planning + urban design

**C26
COMMUNICATION
CW (2) – June 21, 2022
Item 22**

City of Vaughan
c/o Clerk for City of Vaughan
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

June 20, 2022
File 9497

Attn: Committee of the Whole

Dear Sirs and Madams,

**RE: 9929 Keele Street
Official Plan Amendment and Zoning By-law Amendment Applications
OP.20.016 & Z.20.043**

Weston Consulting is the planning consultant for Sharewell Investments Inc./Trinity Point Developments, the landowner of 9929 Keele Street. We are pleased that staff have provided a Recommendation Report to Committee of the Whole in support of the proposed development. The purpose of this written correspondence is to provide clarification in regards to the accuracy of the wording of some of the recommendations and to request that Committee/Council consider minor revisions to the Recommendations within the enclosed Recommendation Report.

We request the following items be revised within the Recommendations as it relates to matters of Parking and the Implementing Zoning By-law Amendment:

3. In the Zoning By-law Amendment application that was submitted to staff, a parking rate of 4 spaces per 100 m² for restaurant use was proposed. The project transportation consultant, LEA Consulting Ltd. has provided reports dated January 31, 2022 and May 31, 2022 to the City in support of the proposed rate. Based on this, it is our opinion that the proposed parking rate, which is based on the Mid-Rise Mixed-Use parking rate within adopted Zoning By-law 001-2021 (not in effect), is appropriate for the proposed development.

We also request that Council consider the following points of clarification in regards to the Recommendations as it relates to the Site Development Plan Application process and the Noise Study:

6. ii) The Recommendation Report states that the Owner shall submit and obtain approval of a Site Development Plan Application, addressing all the comments provided through Official Plan and Zoning By-law Amendment files to remove the Holding Symbol. We wish to make clear that several comments, particularly as it relates to height and urban design considerations, have not

been incorporated in the development concept that is the subject of the Recommendation Report and that no significant revisions are contemplated in this regard. As such, we recommend that this item be refined for clarity. Site Plan submission is forthcoming.

6. iii) The Recommendation Report states that a Noise Report was not provided in support of the applications. To clarify, a Noise Report, prepared by Valcoustics Canada Ltd, dated February 27, 2022 was, in fact, provided to the City of Vaughan with the resubmission of the development applications. We acknowledge that the Holding Symbol “(H)” shall not be removed until the Noise Report is found to be satisfactory to the City of Vaughan through the continued technical review of the Site Plan Application process.

Given the above, we request re-wording the Recommendations as follows, noting that only sections 3 and 6 have been modified, as bolded below:

Recommendations

1. THAT Official Plan Amendment File OP.20.016 (Sharewell Developments Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 for the subject lands shown on Attachment 1, to increase the maximum permitted building height from 3 to 4-storeys and the maximum permitted Floor Space Index from 1.25 to 1.4 times the area of the lot; (No change)

2. THAT Zoning Amendment File Z.20.043 (Sharewell Development Inc) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands from “C1 Restricted Commercial Zone” subject to site-specific Exception 9(157), to “RA2(H) Apartment Residential Zone”, subject of the “(H)” Holding Symbol, as shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report. including a provision for as red-lined on Attachment 2; (No change)

3. THAT the implementing Zoning By-law Amendment include the following provisions:

- a) Site-specific parking requirements for Restaurant use shall be **4 spaces/100 m2 GFA**;
- b) Site-specific parking requirement for Visitor Parking shall be 0.2 space/unit;
- and,
- c) The canopy overhang for the main building entrance to encroach a maximum of 2 m into the front yard setback.

4. THAT the implementing Zoning By-law Amendment include the provision for a monetary contribution of \$200,000.00 pursuant to Section 37 of the Planning Act towards the following potential community benefits, to be finalized and implemented through a Section 37 Density Bonusing Agreement executed between the Owner and the City of Vaughan in return for the increase in the maximum permitted building height and Floor Space Index, to the satisfaction of the City for: (No change)

- i. recreational improvements for the Maple Community Centre to contribute to the provision of equipment to provide for an outdoor synthetic ice surface in the area of the existing tennis courts; and

ii. the remaining unused portion of the above noted contribution shall be placed into the account identified for Public Art Reserve for a future art, design and sculpture for future public art within the identified areas of the Maple Core.

5. THAT prior to the enactment of the implementing Zoning By-law, the Owner shall enter into and execute a Section 37 Bonus Agreement with the City to secure the contribution and pay to the City the Section 37 Agreement surcharge fee in accordance with the in-effect Tariff of Fees for Planning Applications; (No change)

6. THAT the implementing Zoning By-law Amendment include the Holding Symbol "(H)" which shall not be removed from the subject lands, or any portion thereof, until the following conditions are addressed to the satisfaction of the City:

i. Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Protocol assigning capacity;

ii. the Owner shall submit and obtain approval of a Site Development Plan Application to facilitate the development, to the satisfaction of the City and York Region;

iii. the submitted Noise Report dated February 27, 2022 is satisfactory to the City;

7. THAT The Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands came into effect, to permit minor adjustments to the implementing Zoning By-law. (No change)

We thank staff and members of Committee/Council for their ongoing engagement with the applicant and consultant team and we appreciate staff's recommendation of support of the proposed development. Should you have any further questions, please do not hesitate to contact Sandra K. Patano at extension 245 or the undersigned at extension 241.

Yours truly,

Weston Consulting

Per:



Ryan Guetter, BES, MCIP, RPP
Executive Vice President



Sandra K. Patano, BES, MES, MCIP, RPP
Vice President

c. Haiqing Xu, Deputy City Manager, Planning and Growth Management
G. DiMartino/J. Baldassarra, Sharewell Investments Inc./Trinity Point Developments

C27
COMMUNICATION
CW (2) – June 21, 2022
Item 23

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] TESTON SANDS INC. (ZONING BY-LAW AMENDMENT FILE Z.21.046; DRAFT PLAN OF SUBDIVISION FILE 19T-17V009)
Date: June-20-22 11:37:48 AM
Attachments: [PastedGraphic-4.png](#)

From: Matthew Di Vona <matthew@divonalaw.com>
Sent: Monday, June 20, 2022 11:25 AM
To: Clerks@vaughan.ca
Subject: [External] TESTON SANDS INC. (ZONING BY-LAW AMENDMENT FILE Z.21.046; DRAFT PLAN OF SUBDIVISION FILE 19T-17V009)

Dear Clerks -

I am counsel to Teston Sands Inc., the owner of lands at 1600 Teston Road, Vaughan.

I am writing to express my client's concern with the proposed Draft Plan Conditions 49, 72, 81, and 82. Please register me to make a deputation to Committee on this matter at tomorrow's COW meeting (Item # 6.23).

Kind regards,
M.

Matthew A. Di Vona



Di Vona Law Professional Corporation

77 Bloor Street West, Suite 600
Toronto, ON M5S 1M2
Direct Line 416-562-9729
www.divonalaw.com

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C28
COMMUNICATION
CW (2) – June 21, 2022
Item 25

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Concerns regarding parking on Barons St
Date: June-20-22 11:54:32 AM

From: Amreet S. [REDACTED]
Sent: Monday, June 20, 2022 11:47 AM
To: Gina Ciampa <Gina.Ciampa@vaughan.ca>
Cc: Clerks@vaughan.ca; Council@vaughan.ca
Subject: [External] Concerns regarding parking on Barons St

Hello,

My name is Amreet Sidhu and I would like to echo the concerns held by my neighbors on Barons St.

I would like to thank the city for working on improving our neighborhood and listening to our concerns.

- The lack of a parking inlet on Barons St between Major Mackenzie and Mactier is a safety hazard for our visitors. Many of whom are young children or older family members.
- with the upcoming commercial units on Barons, the lack of parking will be exacerbated
- We are paying the same taxes as our neighbors just up the street but are receiving an unequal distribution of amenities from the city
- The lack of parking unfairly devalues our property.

Please let us know if further clarification is required. Thank you for your time and for listening to our concerns.

--Amreet Sidhu

**C29
COMMUNICATION
CW (2) – June 21, 2022
Item 25**

From: Clerks@vaughan.ca
To: [Adelina Bellisario](#)
Subject: FW: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study
Date: June-20-22 11:37:26 AM
Attachments: [image001.png](#)
[image001.png](#)

From: Gina Ciampa <Gina.Ciampa@vaughan.ca>
Sent: Monday, June 20, 2022 11:24 AM
To: Clerks@vaughan.ca
Cc: Marilyn lafrate <Marilyn.lafrate@vaughan.ca>
Subject: FW: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study

Hello,

Kindly include the communication at the CW June 21st meeting.

Respectfully,

My work day may look different than yours. Please do not feel obligated to respond out of your normal working hours.

Gina Ciampa

Executive Assistant to Councillor Marilyn lafrate
905-832-8585, ext. 8723 | gina.ciampa@vaughan.ca

City of Vaughan | Office of Councillor, Ward 1, Maple/Kleinburg
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca



To subscribe to Councillor Marilyn lafrate's E-Newsletter, please click [here](#)

From: [REDACTED] <[REDACTED]>
Sent: Sunday, June 19, 2022 12:38 PM
To: Gina Ciampa <Gina.Ciampa@vaughan.ca>
Cc: Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Ward 1 Support Staff <SupportStaff.Ward1@vaughan.ca>; [REDACTED]
Subject: Re: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study

Hi Gina,

Yes, please feel free to forward my below comments to the clerks with this addition stressing that when Barons between Mactier and Major Mackenzie gets assumed we need road parking.

Sorry for emailing on a Sunday and hope you had/have a lovely weekend,

Mike

Sent from my iPhone

On Jun 17, 2022, at 9:32 AM, Gina Ciampa <Gina.Ciampa@vaughan.ca> wrote:

Mike,

Would you like me to send your email to Clerks and ask that they include your comments as part of the communication for this item?

Respectfully,

My work day may look different than yours. Please do not feel obligated to respond out of your normal working hours.

Gina Ciampa

Executive Assistant to Councillor Marilyn lafrate
905-832-8585, ext. 8723 | gina.ciampa@vaughan.ca

City of Vaughan | Office of Councillor, Ward 1, Maple/Kleinburg
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca



To subscribe to Councillor Marilyn lafrate's E-Newsletter, please click [here](#)

From: [REDACTED] <[REDACTED]>
Sent: Thursday, June 16, 2022 9:05 PM
To: Gina Ciampa <Gina.Ciampa@vaughan.ca>
Cc: Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Ward 1 Support Staff <SupportStaff.Ward1@vaughan.ca>
Subject: [External] Re: Committee of the Whole - June 21st at 1pm - Kleinburg Block 61 Traffic Study

Good Evening Gina,

Thank you for sending this over. I've read the document and the attachments and made some notes for reference if needed when Barons from Mactier to Major Mac becomes assumed. Sadly the lines have been repainted in this section just the other night.

Besides the lack of accessible crossing from Danby to east corners park (because why would we possibly want to make it easy for people/kids/strollers etc.to follow a trail or cross the street to a park) and the validity of a traffic study during a pandemic; hopefully Mactier gets good traffic calming measures, bike lines and parking because we deserve to be safe :)

Thanks again.

Mike

Sent from my iPhone

On Jun 16, 2022, at 2:04 PM, Gina Ciampa <Gina.Ciampa@vaughan.ca> wrote:

Good afternoon,

Councillor Marilyn Iafrate has asked that I make you aware of a staff report on the **Block 61 West Traffic Review** which will be coming forward at the **Committee of the Whole (2) Meeting on Tuesday, June 21st at 1:00 p.m.**

The link to this item can be found [here](#).

Item 6 – 25 [BLOCK 61 WEST TRAFFIC REVIEW](#)

Purpose: To inform Council on the study findings of the neighbourhood traffic study conducted for Block 61 West, also known as the Kleinburg-Nashville Community.

Please read the report and provide your comments to clerks@vaughan.ca and council@vaughan.ca. Your email must be received before 12 noon on June 20th to be included in the meeting.

Meetings can be watched live at vaughan.ca/LiveCouncil.

Respectfully,

My work day may look different than yours. Please do not feel obligated to respond out of your normal working hours.

Gina Ciampa

Executive Assistant to Councillor Marilyn Iafrate

905-832-8585, ext. 8723 | gina.ciampa@vaughan.ca

City of Vaughan | Office of Councillor, Ward 1, Maple/Kleinburg

2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1

vaughan.ca



To subscribe to Councillor Marilyn Iafrate's E-Newsletter, please click [here](#)

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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)

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 23rd, 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.

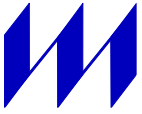
Yours truly,



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 21st, 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 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)

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 23rd, 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 30th, 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.

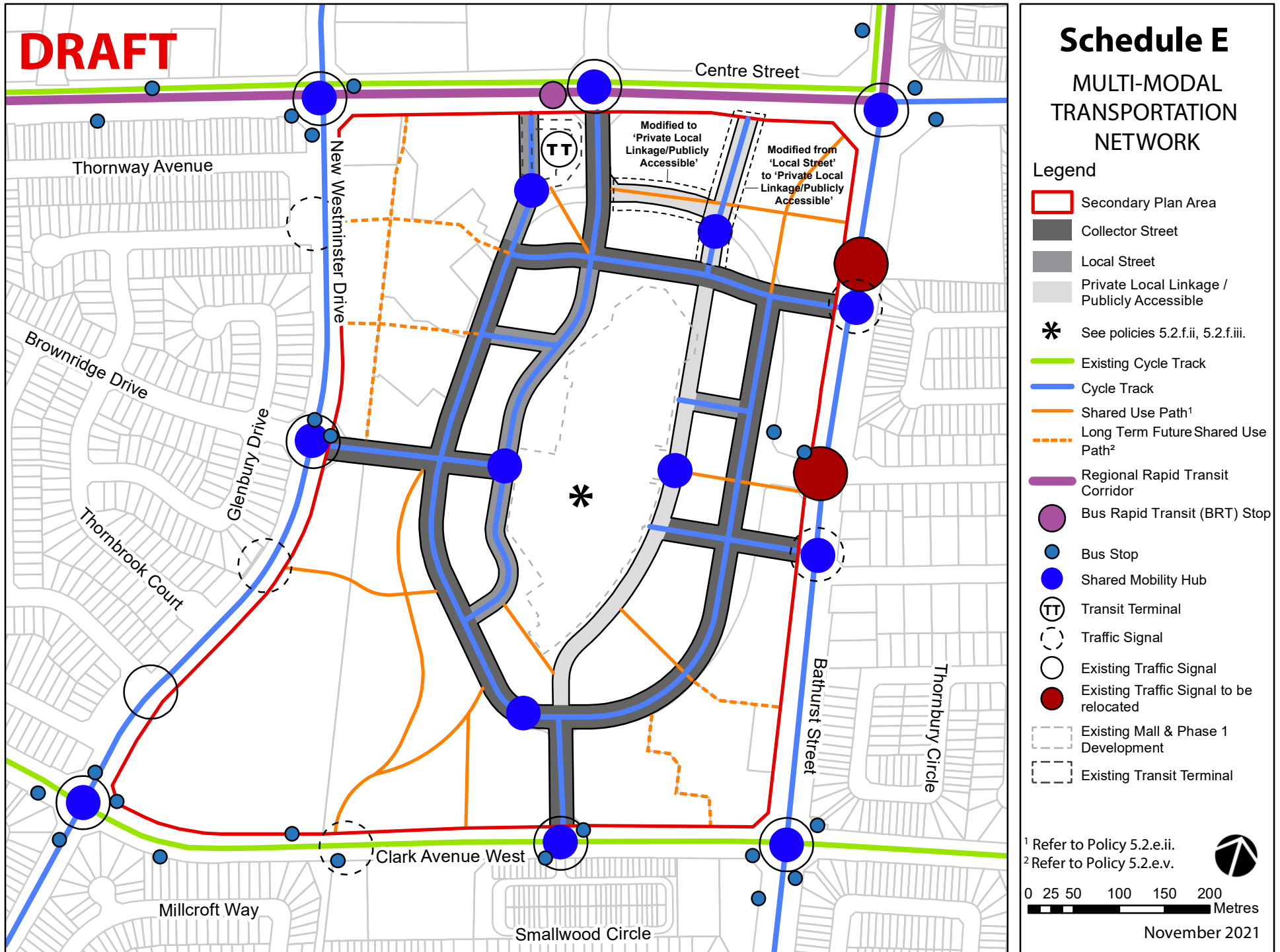
Yours truly,
Weston Consulting
 Per:

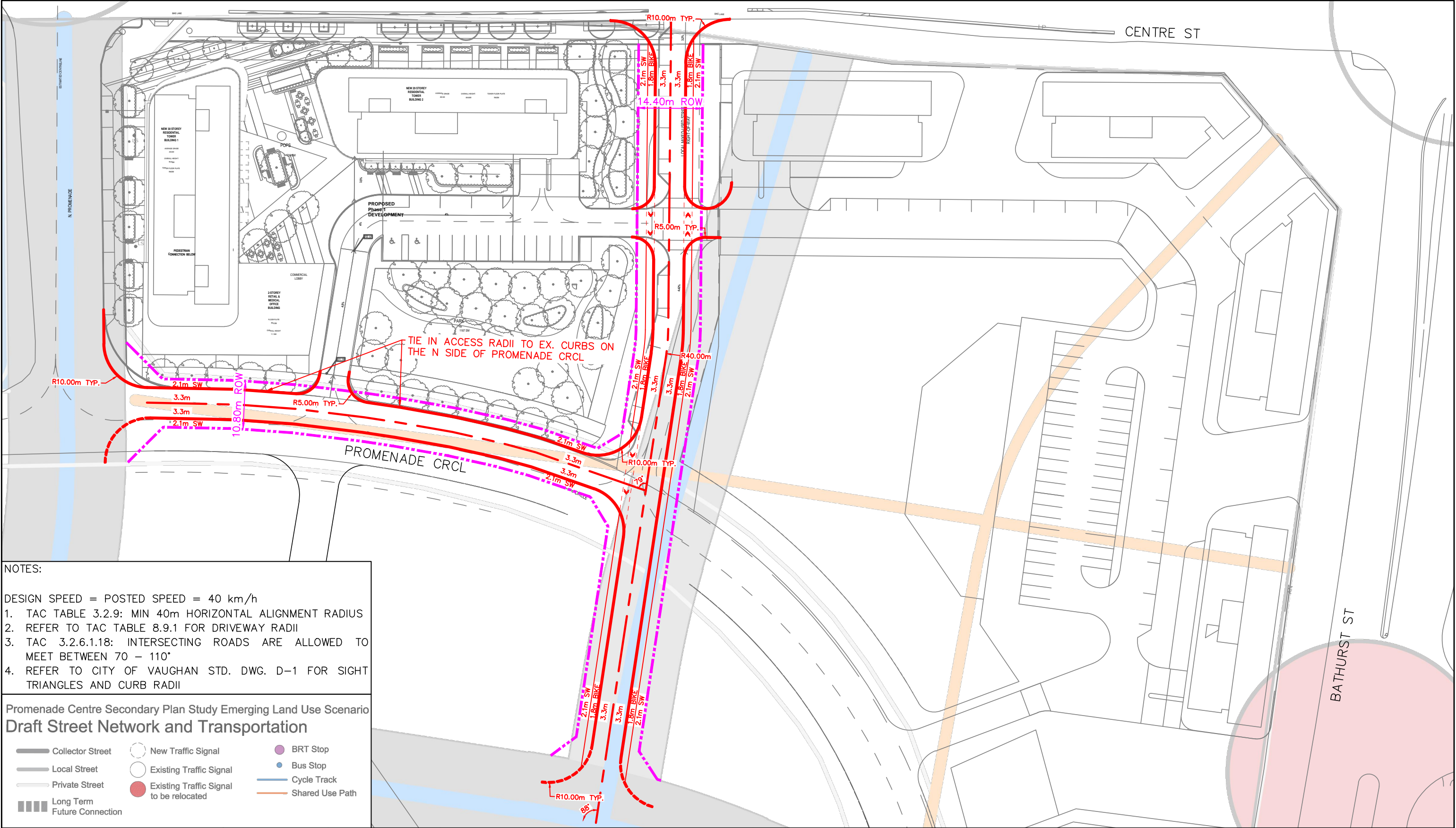
Ryan Guetter, BES, MCIP, RPP
 Executive Vice President

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





NOTES:

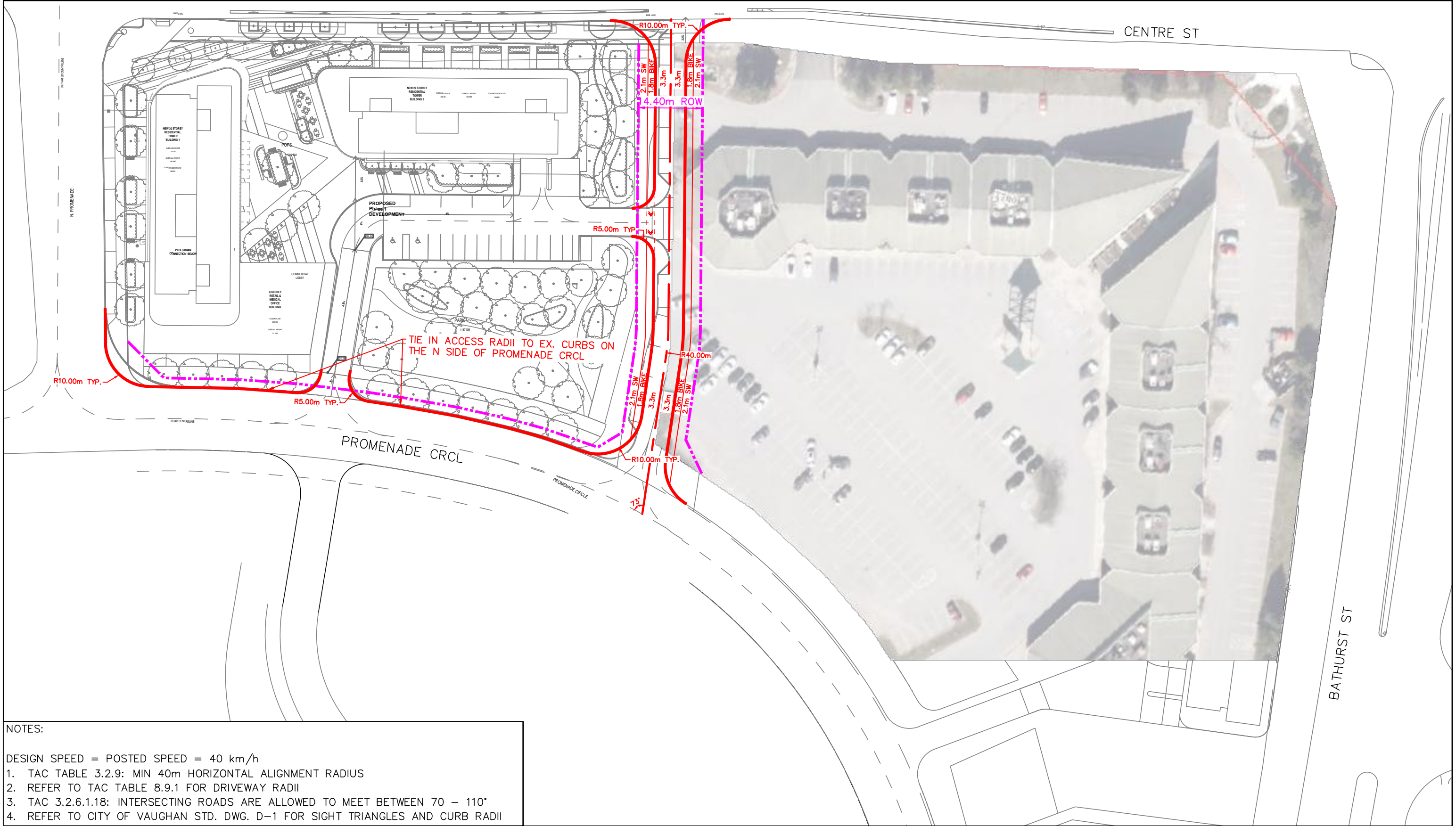
DESIGN SPEED = POSTED SPEED = 40 km/h

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

LEA Consulting Ltd. Consulting Engineers and Planners www.LEA.ca			Project No. 22008	7700 BATHURST ST VAUGHAN ONTARIO	PROPOSED ROAD NETWORK Ultimate Condition	Drawing No. SK01
			Date AUG 10, 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
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LEA Consulting Ltd. Consulting Engineers and Planners www.LEA.ca			Project No. 22008	DRAFT	7700 BATHURST ST VAUGHAN ONTARIO	PROPOSED ROAD NETWORK Interim Condition	Drawing No. SK02
			Date AUG 10, 2021		 1:800		

**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 Quetter, 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)

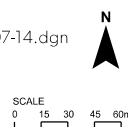
ATTACHMENT 1

PROPOSED MODIFICATIONS

7700 BATHURST STREET
CITY OF VAUGHAN

Date: 2021-07-14
File: 5803/Schedules/Proposed Modifications_2021-07-14.dgn

WESTON
CONSULTING



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:



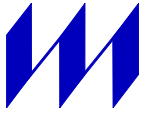
Ryan Guetter, BES, MCIP, RPP
Senior Vice President

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



**C31
COMMUNICATION
CW (2) – June 21, 2022
Item 2**

DATE: June 21, 2022

TO: Mayor and Members of Council

FROM: Michael Coroneos, Deputy City Manager of Corporate Services and City Treasurer

RE: **COMMUNICATION – Committee of the Whole (2)**
Item #2
2022 City-Wide and Area Specific Development Charges Background Study and By-Laws

Recommendation

That recommendation # 2 of Item #2 be replaced with the following recommendation:

2. THAT Committee approve the City-Wide Development Charges By-Law (Attachment #2) and all Area Specific Development Charges By-Laws (Attachments #3 - #14) and that the City-Wide Development Charges By-law come into force on June 1, 2023 and the Area Specific Development Charges By-laws come into force of July 1, 2022 and that staff be authorized to make minor amendments as required, and directed to bring forward a final version of the by-law for passage at the Council meeting scheduled for June 28, 2022;

Background

This is to allow for non-substantive changes to be made to the by-laws in advance of Council passage as required.

For more information, contact Brianne Clace, Project Manager of Development Finance ext. 8284

Respectfully submitted by

Michael
Coroneos

Digitally signed by Michael
Coroneos
Date: 2022.06.20 12:47:44
-04'00'

Michael Coroneos



DATE: June 21, 2022

TO: Mayor and Members of Council

FROM: Michael Coroneos, Deputy City Manager of Corporate Services and City Treasurer

RE: **COMMUNICATION – Committee of the Whole (2)**
Item #3
Community Benefits Charge Strategy and By-Law

Recommendation

That recommendation #1 of Item #3 be replaced with the following recommendation:

1. THAT Council receive and approve the CBC Strategy (Attachment #1) dated June 21, 2022 and associated draft By-Law (Attachment #2), and that staff be authorized to make minor amendments as required;

Background

This is to allow for non-substantive changes to be made to the by-laws in advance of Council passage as required.

For more information, contact Brianne Clace, Project Manager of Development Finance ext. 8284

Respectfully submitted by

Michael
Coroneos
Michael Coroneos

Digitally signed by
Michael Coroneos
Date: 2022.06.20
12:48:38 -04'00'

DATE: June 21, 2022

TO: Mayor and Members of Council

FROM: Vince Musacchio, Deputy City Manager Infrastructure Development

RE: **Item 8 - Committee of the Whole (2), June 21, 2022,**

**2640174 ONTARIO LIMITED SITE DEVELOPMENT FILE DA.19.070
2057 MAJOR MACKENZIE DRIVE WEST VICINITY OF MAJOR
MACKENZIE DRIVE AND PETER RUPERT AVENUE**

Recommendations

That the conditions of site plan approval in attachment No. 1 in the staff report for 2640174 Ontario Limited Site development file DA.19.070 be amended as follows:

1. That condition of approval 1m) be amended as follows:
 - i) 1m) be deleted and replaced with the following:

“1m) The Owner shall provide the Development Engineering Department with a clearance letter from the Trustee of the Block 18 Landowners Group, that they have paid their proportional share and satisfied all obligations to the Developers Group for the municipal water, storm and sanitary infrastructure connections on Petticoat Road and Major Mackenzie Drive, as well as other community use lands and costs for community lands, works, services and infrastructure provided by the Block 18 Landowners Group under the Block 18 Cost Sharing Agreement to the satisfaction of the City of Vaughan Development Engineering Department.”
 - ii) Adding the following condition of approval:

“1x) That 2640174 Ontario Limited develop block 64 on Plan 65M-4190 in conjunction with their abutting lands. The City shall not issue a building permit for the said block until the lands are combined to the satisfaction of the City.”

Background

A condition which already speaks to cost sharing between the Block 18 Landowners Group and 2640174 Ontario Limited has been inserted into Attachment 1 for the development application identified as item 1m). As 2640174 Ontario Limited is already required under this condition to cost share for infrastructure costs, an amendment is being made to this condition to also capture any community use lands and costs for community lands that may be realized. Condition 1m) listed above is being amended for this reason.

A prior development application over lands identified as draft plan of subdivision 19T-00V18 phase 2A, Plan 65M-4190, Fernbrook Homes (Block 18 Gulf), required that block 64 on the plan be developed only in conjunction with the abutting lands located immediately to the west, and that the City would not issue a building permit until the lands were combined to the city's satisfaction. 2640174 Ontario Limited is the developer immediately to the west and will be required to comply with this condition to manage this part block. Accordingly, a new condition 1x) is being added to capture this requirement.

In consideration of the above, Staff recommends Condition 1m) be amended to ensure cost sharing obligations are adhered to by landowners in block 18 and that condition 1x) be added to manage a part block of land within plan 65M-4190 which abuts 2640174 Ontario Limited.

For more information, contact, Frank Suppa, Director, Development Engineering ext. 8255.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'V. Musacchio', with a stylized flourish at the end.

Vince Musacchio
Deputy City Manager Infrastructure Development