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File No. 702275

June 5, 2018

Urgent: For Immediate Delivery to Committee of the Whc

Chairperson Sandra Yeung Racco and
Members of the Committee of the Whole
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

By E-Mail Only to clerks@vaughan.ca

Dear Chairperson Yeung Racco and Members of the Committee:

**Re: Committee of the Whole Meeting of June 5th, 2018
Item 5.33
New Community Area – Block 27 Secondary Plan Study**

We are counsel to the Block 27 Landowners' Group Inc., the constituent members of which own the bulk of the lands subject to the proposed Secondary Plan. I have attached a list of the Group's Members.

Our client is generally supportive of the revised version of the Secondary Plan which is attached to the Staff Report before you, and is grateful for the opportunity to work with Staff to get the document to this point. However, our client does have some remaining concerns, as follows.

Policy Changes

- **Policy 3.1.2 a. - Density**

This policy should be revised to identify a density target for the Transit Hub Centre on a *per* hectare basis. The following are our client's recommended changes (in bold and italics):

- a. Through the policies of this Plan, the City shall seek to meet an overall ~~density target~~ minimum density of 70 people and jobs per hectare by 2031 for Block 27 and a minimum density ***target*** of 100 people and jobs ***per hectare*** for the Kirby GO – Transit Hub Centre Local Centre – Kirby GO Transit Hub, with a minimum density target of 150 people and jobs ***per***

c <u>2</u>
Communication
COUNCIL: <u>June 19/18</u>
<u>CW</u> Rpt. No. <u>21</u> Item <u>33</u>

hectare within 500 metres, an approximate 10 - minute walking distance, of the Kirby GO Station ~~Transit Hub~~.

- **Policy 3.2.3 c. – Low-Rise Residential**

This policy should be expanded to allow all forms of townhouses to be four storeys in height where this will not have an adverse impact on the context and lot configuration. The following is our client's recommended change (in bold and italics):

- c. Townhouse including back-to-back and stacked townhouses. Back-to-back townhouses provide a primary building frontage on two sides, with units sharing a rear wall, to avoid back-lotting onto pathways, lanes and streets. ~~and~~ **All forms of townhouses including alternate built form** may be up to four storeys in height, and will not have an adverse impact on the context and lot configuration ~~and other similar building types; and...~~

- **Policies 3.3.4 and 3.3.5 – Low-Rise Mixed-Use**

This policy should be expanded to increase the maximum building height and FSI at key intersections along Jane Street and Kirby Road to 8-storeys and 3.0 respectively. The following are our client's recommended changes (in bold and italics):

3.3.4 The maximum density in the Low-Rise Mixed-Use designation along arterial roads and the main east-west collector shall be a *Floor Space Index ("FSI")* of 1.5 and the maximum building height shall be five *storeys*. However, the maximum permitted density generally located at the intersections of arterial and collector roads shall be an **FSI of 2.0 3.0** and the maximum building height shall be ~~six storeys~~ **eight storeys save and except lands along the Teston Road corridor** pursuant to the provisions of Section 9.2.3.4 b. to 9.2.3.4 d. of the **VOP 2010**. The minimum height in the Low-Rise Mixed-Use designation shall be two *storeys* or equivalent, ~~excluding~~ with the exception of lands in the Hamlet of Teston as designated on Schedules B and C where building shall not exceed two *storeys*.

3.3.5 ~~The minimum height in the Low-Rise Mixed-Use designation shall be two storeys or equivalent, excluding lands in the Hamlet of Teston as designated on Schedules B and C.~~ In addition, lowrise buildings exceeding five *storeys* along arterial roads and the east-west collector road, as well as low-rise buildings exceeding **six eight storeys** at the intersection of two arterials or arterials and collectors, may be permitted subject to the bonusing provisions of Policy 3.1.3 of this Plan, where appropriate.

- **Policy 3.4.5 – Mid-Rise Residential**

This policy should be clarified to apply to Mid-Rise Residential lands outside the 500m radius. The following is our client's recommended change (in bold and italics):

3.4.5 In addition, Mid-Rise Buildings ***outside of the 500m Radius, as illustrated on Schedule B***, exceeding 8 storeys may be permitted subject to the bonusing provisions of policy 3.1.3 of this Plan, where appropriate.

- **Policy 3.12.3 – Natural Areas Special Study Areas**

This policy should be refined to mandate that the Natural Areas Special Study Areas to be studied, and the results of the study, be implemented through a required official plan amendment. The following are our client's recommended changes (in bold and italics):

If through an Environmental Assessment, and/or equivalent study it is determined appropriate to modify and/or realign the Evaluated Wetlands, Provincially Significant Wetlands and/or drainage features(s) within the Natural Areas Special Study Areas, all efforts shall be made to minimize any resulting negative impacts. Where modifications result in the inability to maintain hydrologic and environmental integrity of wetlands(s) and/or drainage feature(s), then works must be undertaken to provide for Net Positive Environmental Outcomes in accordance with Section 6.4 of this Plan. ~~land use designations and street configurations, including the Natural Areas Evaluated Wetlands designation, in the Natural Area Special Study Areas on Schedule B, Land Use Plan, reflect available information. Additional analysis will be carried out through the Block Plan process to better define key natural heritage features and key hydrologic features in the Natural Area Special Study Areas while ensuring a viable development pattern including a connected, continuous, grid-like street network designed to accommodate all modes of travel. If through the Block Plan process key natural heritage features and hydrologic features require modification and/or realignment of the features~~ ***The results of the Environmental Assessment and/or equivalent study will be finalized through an Official Plan Amendment.*** Where such modification and/or realignment occurs, the applicable policies of the adjacent land use designation shall apply, provided the *development* reflects the results of the monitoring and analysis conducted as part of the Block Plan approval process ~~analysis as follows:~~ In such instances, an Official Plan amendment shall **not** be required to redesignate the Natural Areas Special Study Areas. Modifications to Provincially Significant Wetlands shall be authorized by the Ministry of Natural Resources and Forestry.

- **Policies 3.15.2 b. vii. & viii., and g. ii. – Urban Design (Built Form & Retail)**

The numerical requirements should be removed, and the policy defer to the required urban design guidelines. The following are our client's recommended changes (in bold and italics):

- b. vii. Buildings should be designed to create mid-block pedestrian connections, massed and articulated to avoid long building facades. Buildings shall ~~generally not exceed 80m in length.~~
- viii. In mixed-use buildings and all buildings on the "Main Street", grade level units should incorporate a high proportion of transparent glass (***generally 70% or greater***) that allows activity to be seen from the street.
- g. ii. *Retail* buildings should be designed to address the public street with grade level units incorporating a high proportion of transparent glass (***generally 70% or greater***) that allows activity to be seen from the street or display windows. Buildings should have a minimum height of two storeys or equivalent, and a ~~second storey~~ is additional storeys up to the maximum building height encouraged.

- **Policy 4.1.1 d. (Street Network)**

This policy should be further refined. The following are our client's recommended changes (in bold and italics):

- d. Teston Road/Keele Street Study Area

The Teston Road Individual Environmental Assessment ("IEA") is currently underway. The IEA is required to determine the alignment of Teston Road between Keele Street and Dufferin Street. As a result, the York Region of York requires that all future *development* in the northwest quadrant of Keele Street and Teston Road be ***either limited or*** restricted until the completion of the IEA, as shown on Schedule D of this plan.

- **Policy 9.2.3 (Infrastructure)**

This policy should be refined to require all landowners to enter into an agreement(s) to equitably distribute infrastructure costs. The following are our client's recommended changes (in bold and italics):

- 9.2.3 In addition to the policies identified in Chapter 10 of Volume 1 of the Official Plan, the City ***may shall*** require that landowners enter into an

agreement or agreements to coordinate development and equitably distribute the costs of shared infrastructure, including but not limited to streets and street improvements, water and wastewater services, parkland, Multi-Use Recreational Trail ~~Pathway~~ system, stormwater management facilities, and land for *schools* and other community services.

Mapping Changes:

Please see the attached redlined Schedules.

I trust that this is of assistance. Thank you for the opportunity to provide these comments.

Yours sincerely,
DAVIES HOWE LLP

Michael Melling
MWM:af

encls. As above
copy: Mr. David Falletta and Ms. Emma West
Client

BLOCK 27 LANDOWNER GROUP MEMBERS

Lormel Developments Ltd. (Lormel Homes Ltd.)

Di Poce Consulting Inc. (Di Poce Management Limited)

Keltree Developments Inc.

West Jane Developments Inc. (DG Group)

Gusgo Holdings Ltd. (Nideva Properties Inc.)

Erica La Posta, Peter La Posta, Stephen Di Biase, Adrian Di Biase, Eliana Di Biase

Rosehollow Estates Inc. (Gold Park Group)

Vincenza Petricca

Heathfield Construction Ltd. (Armland Group)

Keele Street Properties Limited

Estate of Giuseppe Battistella, Palmira Battistella

Ferrara Glade Investments Inc. (Armland Group)

Bayview-Wellington Properties Inc. (ARG Group Inc.)

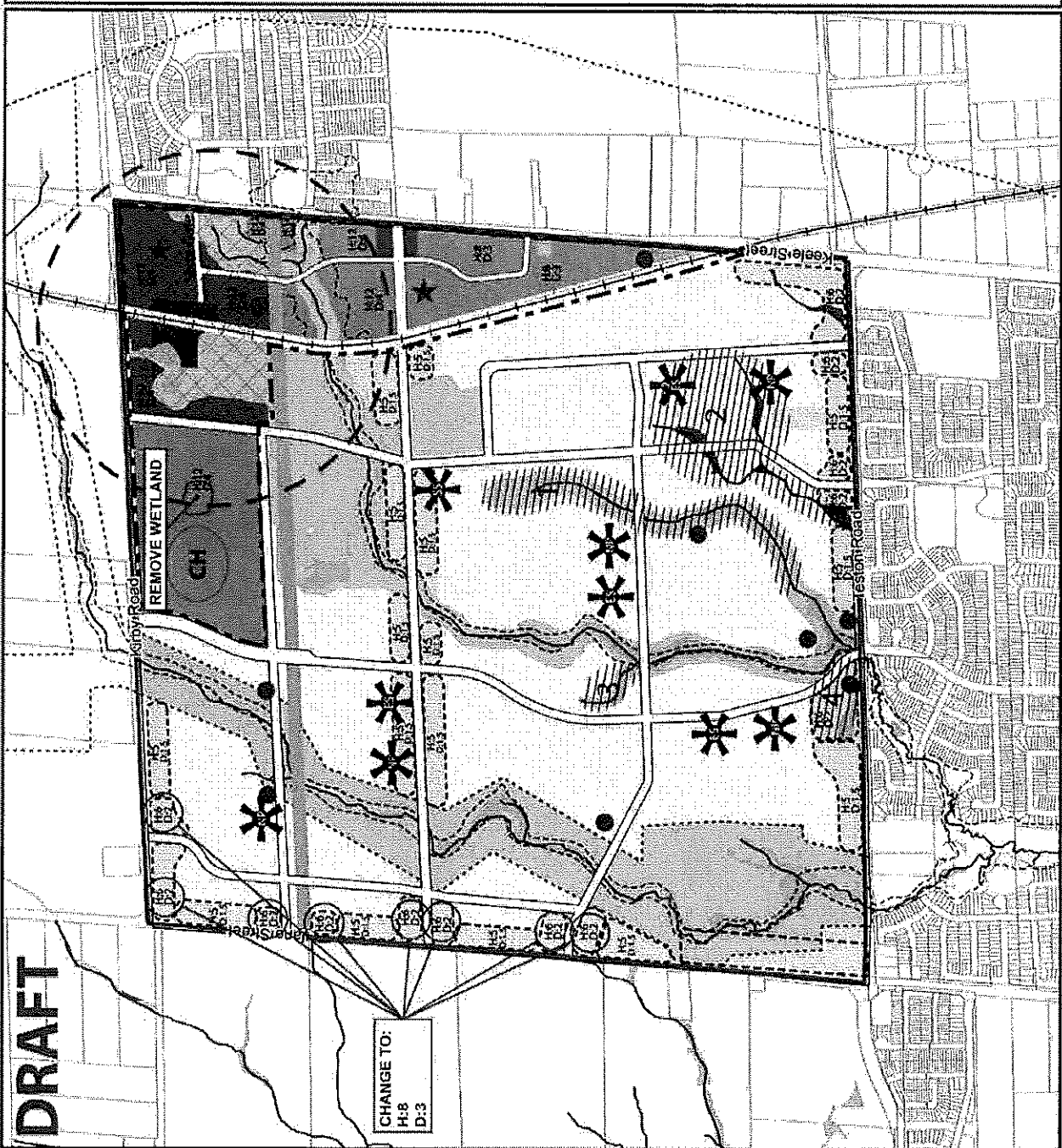
Gold Park (Maple) Inc. (Gold Park Group)

Teston Woods Development Corporation (State Building Group)

Alderlane Estates Inc. (Royal Pine Homes)

SCHEDULE B BLOCK 27 LAND USE PLAN

- Legend**
- Secondary Plan Area
 - Kirby GO - Transit Hub Centre
500m Radius
 - Transit Hub Special Study Area
 - Potential Enhancement Area
 - Hamlet
 - Low-Rise Residential
 - Low-Rise Mixed-Use
 - Mid-Rise Residential
 - Mid-Rise Mixed-Use
 - Community Hub
 - Transit Hub
 - Neighbourhood Park
 - Public Square
 - Elementary School
 - Secondary School
 - Private Open Space
 - Infrastructure and Utilities
 - Potential SWM Facility
 - Natural Area
 - Natural Area - Provincially Significant Wetlands
 - Natural Area - Evaluated Wetlands
 - Greenbelt Plan Area
 - Railway Line
 - Stream
 - Engineered Floodline
 - Natural Area Special Study Area
 - Maximum Height
 - Maximum Density



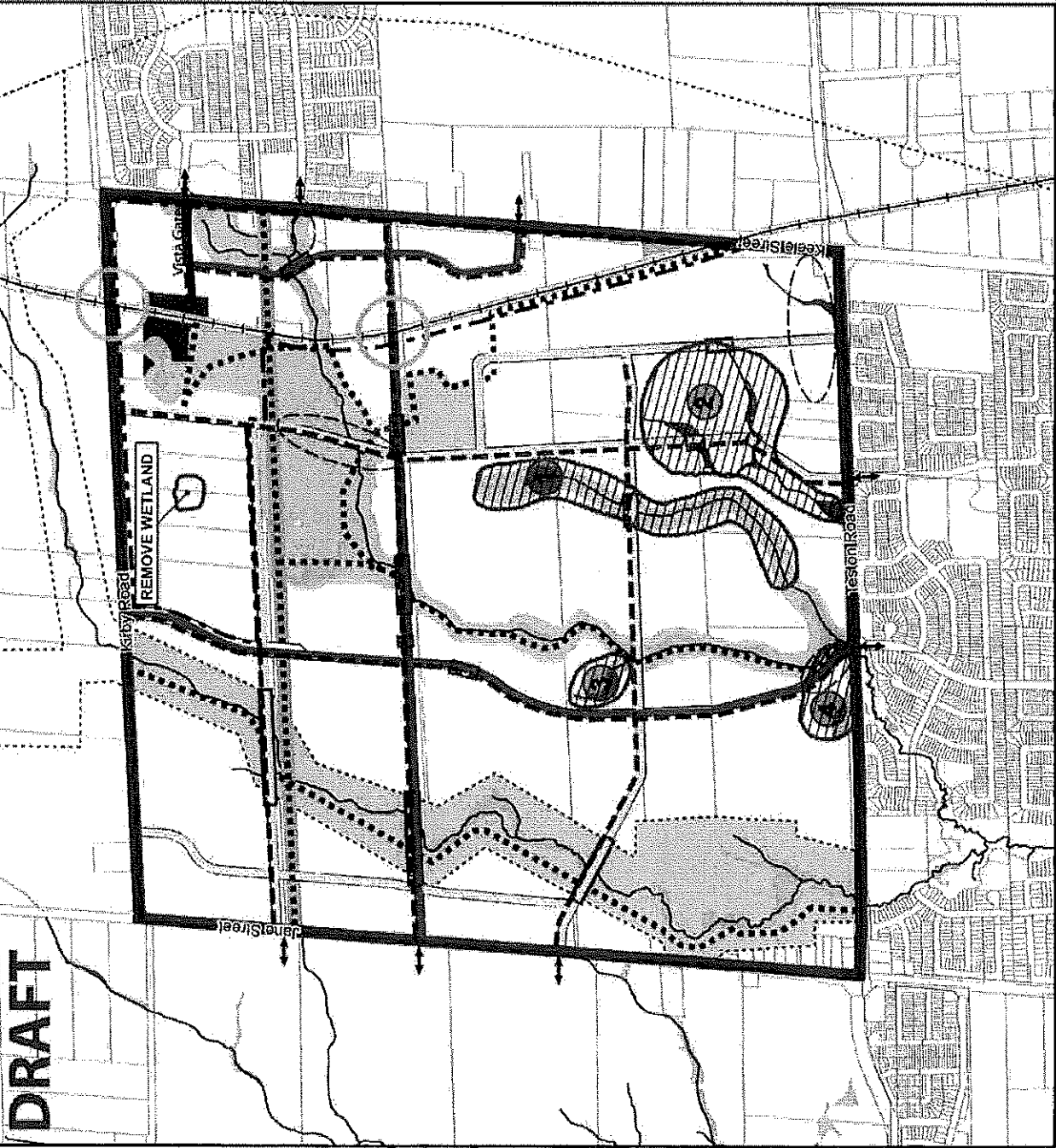
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CHANGE TO:
H:8
D:3

SCHEDULED BLOCK 27 MULTI-MODAL TRANSPORTATION NETWORK

- Legend**
- Secondary Plan Area
 - Kirby GO - Transit Hub Centre
 - Arterial Street
 - Major Collector Street³
 - Collector Street³
 - Main Street
 - External Connections
 - Grade Separation
 - Routes/Alignment Subject to Further Study
Refer to Policy 4.1.1c and d
 - Transit Hub
 - Separated Cycling Facility
 - Multi-Use Recreational Path
 - Natural Area
 - Potential Enhancement Area
 - Natural Area - Provincially Significant Wetlands
 - Natural Area - Evaluated Wetlands
 - Greenbelt Plan Area
 - Infrastructure and Utilities
 - Railway Line
 - Stream
 - Potential Valley Crossing
Refer to Policy 4.1.1c and d
 - Natural Area Special Study Area

Note: 1. Main Street functions as a Collector Road
2. See IVNCTMP for description of roads
3. Route/Alignment subject to further study



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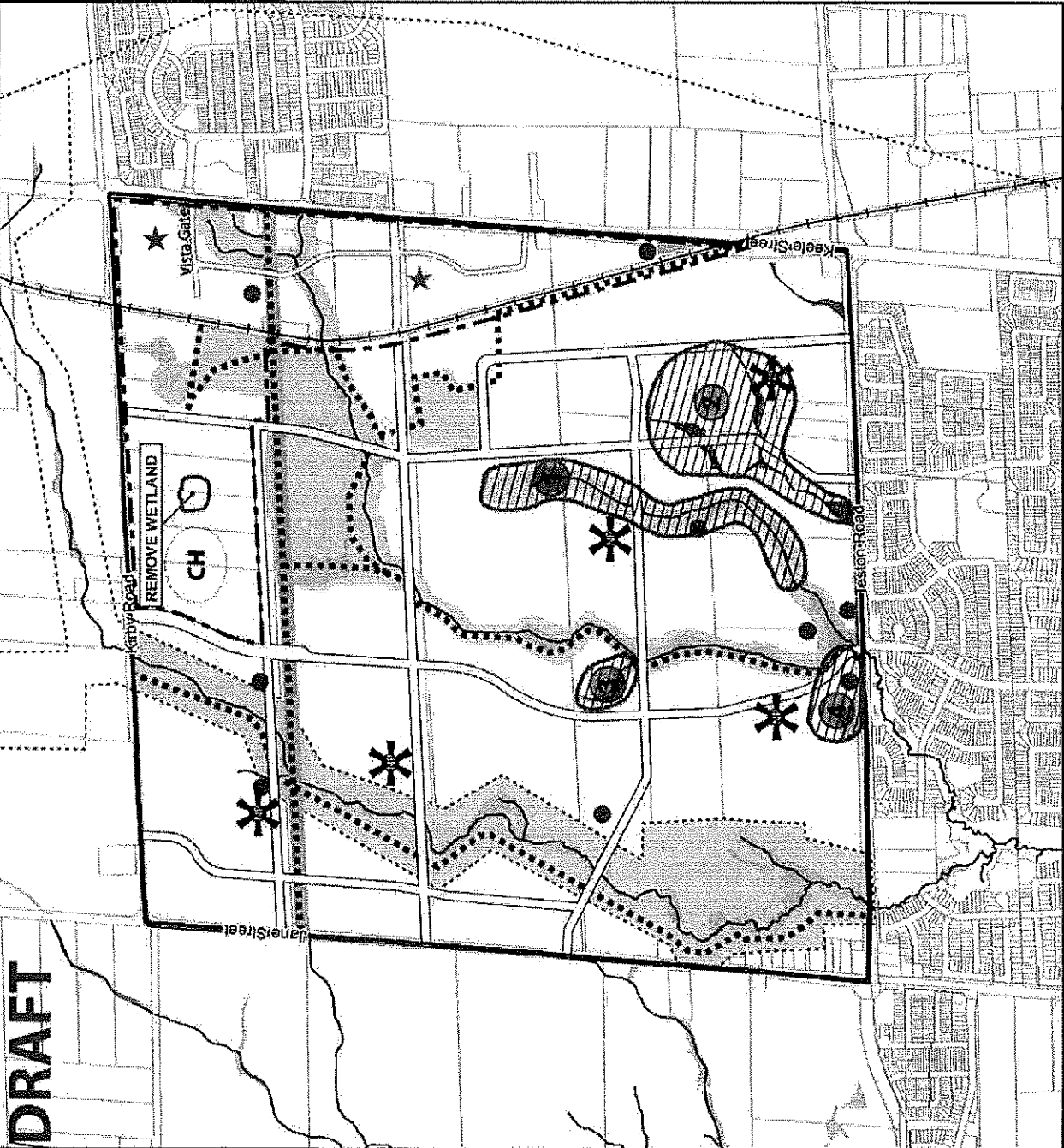
SCHEDULEE

BLOCK 27

NATURAL HERITAGE NETWORK AND OPEN SPACE SYSTEM

- Legend**
- Secondary Plan Area
 - Kirby GO - Transit Hub Centre
 - Community Hub
 - Neighbourhood Park
 - Public Square
 - Infrastructure and Utilities
 - Potential SWM Facility
 - Multi-Use Path
 - Natural Area
 - Potential Enhancement Area
 - Natural Area - Provincially Significant Wetlands
 - Natural Area - Evaluated Wetlands
 - Greenbelt Plan Area
 - Railway Line
 - Stream
 - Natural Area Special Study Area

Note: Location and number of potential SWM to be finalized through the Block Plan/MESP process



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Subject: Block 27 Secondary Plan Study - URGENT (702275)
Attachments: Letter from M. Melling to COW re Block 27 Secondary Plan Study (June 5, 2018) (01129946xCDE1C).pdf

Importance: High

From: Brittany Willis [<mailto:BrittanyW@davieshowe.com>]
Sent: Tuesday, June 05, 2018 11:00 AM
To: Clerks@vaughan.ca
Cc: Falletta, David (dfalletta@bousfields.ca) <dfalletta@bousfields.ca>; Emma West (ewest@bousfields.ca) <ewest@bousfields.ca>; Michael Melling <MichaelM@davieshowe.com>
Subject: Block 27 Secondary Plan Study - URGENT (702275)
Importance: High

Good morning,

The attached document is for immediate delivery to the Committee of the Whole.

Thank you,
Brittany

Brittany Willis
Legal Assistant

Davies Howe LLP
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425 Adelaide Street West
Toronto, Ontario M5V 3C1
416.977.7088

Davies Howe 
LAND DEVELOPMENT ADVOCACY & LITIGATION

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