

**COMMUNICATION C28**

**ITEM NO. 2**

**COMMITTEE OF THE WHOLE  
(PUBLIC MEETING)**

**February 2, 2022**



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February 1, 2022

Via email to [clerks@vaughan.ca](mailto:clerks@vaughan.ca)

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

Dear Clerk,

**Re: Public Meeting Comments for Block Plan Application File BL. 55W.2019 –  
Application by Block 55 Northwest Landowners Group Inc.**

Donnelly Law (“**we**” or the “**Firm**”) represents the Friends to Conserve Kleinberg Inc. (“**FTCK**”) and Humberplex Developments Inc. (“**Humberplex**”) regarding the proposed Block 55 West Block Plan and development at Kirby Road and Regional Road 27 (the “**Block Plan**”).

The Block Plan proposes to develop a low-rise, car oriented residential neighbourhood consisting of both two-storey single detached homes and townhouses, a mixed-use block with commercial space, a nine-hole golf course, elementary school and three parks. Block 55 currently has an Open Space Conservation Zone (OS1) designation and is subject to two site-specific Exceptions for Agricultural Zone (A) and Rural Residential Zone (RR) per the City of Vaughan Comprehensive Zoning By-law 1-88.

As you are aware, Official Plan Amendments 47 (“**OPA 47**”) & 48 (“**OPA 48**”), that coincide with the Block Plan are currently under appeal by our Clients. Notwithstanding the Judicial Review application launched by our Clients, the City appears to have permitted substantial site alteration and grading despite the lack of a rezoning and subdivision approval to the point that the road network is clearly visible from Kirby Rd.

This destruction of the landscape prior to the approval of the Block Plan, Zoning and Draft Plan of Sub-Division is unprecedented, in our Clients’ experience. May

we know exactly how many times this extraordinary benefit has been extended to other developers in Vaughan?

It would not surprise our Clients to learn this is the first time such an expansive reading of the site alteration by-law and Building Code has been extended to a developer in Vaughan.

Regarding the Block Plan, it is our Clients' experts' opinion that the Block Plan will result in a significant loss of open space in the Kleinburg Community as well as the broader City of Vaughan. The implications of this loss of open space were not assessed as part of the consideration of both OPA 47 and OPA 48 but needs to be now.

On June 4, 2019, Mayor and Members of Council unanimously passed a Members' Resolution to declare a climate emergency in the City of Vaughan, after a deputation by students from Thornhill Woods Public School, referencing the need for "urgent and transformative" action to limit temperature increase to 1.5 degrees Celsius in the next eleven years to avoid "catastrophic climate change".

On February 26, 2021 UN Secretary-General António Guterres issued the following statement:

2021 is a make-or-break year to confront the global climate emergency. The science is clear, to limit global temperature rise to 1.5°C, we must cut global emission by 45 percent by 2030 from 2010 levels.

Today's interim report from the United Nations Framework Convention on Climate Change is a red alert for our planet. It shows Governments are nowhere close to the level of ambition needed to limit climate change to 1.5°C and meet the goals of the Paris Agreement.

Without significant input from the City Staff and Council, the Block Plan is doomed to fail because OPAs 47 and OPA 48 do not sufficiently address environmental sustainability issues contained in s.1.1.1 and s.3.1.3 of the Provincial Policy Statement such as climate change, resiliency, the efficient use of land and public transit.

Consideration of environmental sustainability issues needs to be assessed on the Subject Lands. The Block Plan must "fix" these extraordinary deficiencies by substantially reducing the density and impermeable surfaces within the subdivision. How this is accomplished should be the subject of a significant design

exercise that engages the most modern Low Impact Development techniques and extensive public consultation.

OPA 47 and OPA 48 were based on low-density, car-oriented designs that are land and energy consumptive, consistent with urban sprawl and inconsistent with Council's declaration of a climate emergency.

The Applicant's submissions do not adequately assess impacts of adjacent lands, particularly the existing residential lands to the south. Studies are required to assess impacts that include, but are not limited to, noise, traffic impact, urban design, transition requirements between land uses. These impacts need to be assessed prior to establishing a Block Plan for the Subject Lands.

Furthermore, the Region of York has not completed its Municipal Comprehensive Review (MCR) to address the extended time horizons and population forecasts of the Growth Plan (2019). The MCR is required to establish the updated allocation of population forecasts to the City of Vaughan. Consideration of the Block Plan is premature until such time as the updated allocation of population forecasts is completed.

Should you have any comments or questions concerning this correspondence, please do not hesitate to contact me at (416) 572-0464, or by email at [david@donnellylaw.ca](mailto:david@donnellylaw.ca) copying [justine@donnellylaw.ca](mailto:justine@donnellylaw.ca).

Yours Truly,



David R. Donnelly

cc: Client