

**Communication: C1
Committee of the Whole (PM)
February 28, 2023
Item #3 & 4**

■ TORONTO ■ VAUGHAN



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SENT BY EMAIL: clerks@vaughan.ca

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

Dear Sir/Madame:

**Re: City of Vaughan Committee of the Whole (Public Hearing) – February 28, 2023
Your File No. OP.22.019/OP.22.020/OP.22.017/OP.22.028
Z.22.039/Z.22.040/Z.22.041/Z.22.037
File No. 01220216**

We are counsel to TACC Developments and Fieldgate Developments (the "Landowners").

Several years ago, the Landowners, who were also landowners within Blocks 33 and 40 South, located south of the lands associated with the above noted applications, installed oversized and/or extra depth sewer pipes (the "Upgraded Pipes") in Blocks 33 and elsewhere to provide improved sewer conveyance capacity for the future development of Block 41. The cost of the Upgraded Pipes is estimated to be approximately \$5.5 million.

Since that time, several other land developers have initiated development applications in the tributary area of the Upgraded Pipes. Given that the Upgraded Pipes currently have conveyance capacity, the Landowners are concerned that other developers may make/have made applications to the City of Vaughan (the "City") to make use of this currently available capacity for their developments, such that when it comes time for Block 41 to actually make use of the Upgraded Pipes, a reduced capacity may be available, thereby limiting the development of the Landowners' lands within Block 41. Furthermore, the Landowners are concerned that they will not be compensated by others for their investment in the pipes.

These applicants have not made any financial contributions towards the Upgraded Pipes. The Landowners assert that no development should be permitted for the above noted Applications

without the following policies and provisions being included in the Official Plan Amendment and implementing Zoning By-law:

1. For the Official Plan Amendment, that a policy be included in the Official Plan Amendment to permit the City to use Holding ("H") provisions as per the *Planning Act*; and
2. For the Zoning By-law, that an H provision be imposed on the lands subject to the application requiring the following to occur in order for it to be removed:
 - (a) Confirmation from the Landowners that they have been provided full allocation for their lands; and
 - (b) Confirmation from the Landowners that they have been compensated on a pro rata basis for any use of the pipes.

The Landowners also request timely notification of all decisions and upcoming meetings relating to the Applications and notification of any future applications that may occur on the lands subject to these applications.

Yours truly,

Stevenson Whelton LLP



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EH/al

Enclosure

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