

From: Clerks@vaughan.ca
To: [Jacquelyn Gillis](mailto:Jacquelyn.Gillis)
Subject: FW: [External] Re: Response to November 22 Committee of the Whole Deputation on Draft Plan of Subdivision File 19T-18V001 and Site Development File DA.19.010 (Rutherford Land Development Corp)
Date: Friday, January 13, 2023 2:52:52 PM
Attachments: [image002.png](#)

From: Diana DiGirolamo <Diana.DiGirolamo@vaughan.ca>
Sent: Friday, January 13, 2023 2:26 PM
To: Clerks@vaughan.ca; IRENE FORD <[REDACTED]>
Subject: FW: [External] Re: Response to November 22 Committee of the Whole Deputation on Draft Plan of Subdivision File 19T-18V001 and Site Development File DA.19.010 (Rutherford Land Development Corp)

Communication for the Block 41 Block Plan (File BL.41.2020) – to be considered at Committee of the Whole (Public Hearing) on February 7, 2023.

Hello Ms. Ford,

Please note your comments has been forwarded to our Clerks Department for inclusion into the public record for the Committee of the Whole (Public Hearing) as it relates to the Block 41 Block Plan (File BL.41.2020).

Best regards,

Diana DiGirolamo, MCIP | RPP
Senior Planner
905-832-8585 ext. 8776 | diana.digirolamo@vaughan.ca

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From: Letizia D'Addario <Letizia.D'Addario@vaughan.ca>
Sent: December 15, 2022 5:38 PM
To: Diana DiGirolamo <Diana.DiGirolamo@vaughan.ca>; Kemi Apanisile <Kemi.Apanisile@vaughan.ca>
Subject: FW: [External] Re: Response to November 22 Committee of the Whole Deputation on Draft Plan of Subdivision File 19T-18V001 and Site Development File DA.19.010 (Rutherford Land Development Corp)

Hi Diana and Kemi,

Please see comments below for your consideration as it relates to applications in Block 41 and Block 34 E.

Ms. Ford requested (in a separate email) that I forward her concerns to the planners managing the applications in these blocks.

I will advise her that it's been sent.

Thanks so much,
Letizia

Letizia V. D'Addario, MES | MCIP | RPP
Senior Planner
905-832-8585 ext. 8213 | letizia.d'addario@vaughan.ca

From: IRENE FORD [REDACTED]
Sent: Tuesday, December 6, 2022 3:03 PM
To: Letizia D'Addario <Letizia.D'Addario@vaughan.ca>
Cc: Mary Caputo <Mary.Caputo@vaughan.ca>; Ruth Rendon <Ruth.Rendon@vaughan.ca>
Subject: [External] Re: Response to November 22 Committee of the Whole Deputation on Draft Plan of Subdivision File 19T-18V001 and Site Development File DA.19.010 (Rutherford Land Development Corp)

Thank you. I appreciate staff efforts and how complex and difficult many of these planning applications have become as a result of political intervention and decision making, legislation frequently and unpredictably changing. Especially, since staff were never given the opportunity to review or comment on the MZO requests that were presented to Council as addenda at Council meetings by the former Mayor. Nonetheless, I was very clear in previous correspondence w/ Ms. Rendon that the staff report should clearly identify that this development, with respect to the woodlot, is inconsistent with the PPS. I realize that MZO's are allowed to be inconsistent with the PPS but staff should have identified this more clearly in the report, rather than blindly saying it was consistent with the PPS. Minister Clark and the PC Government actually changed the [legislation retroactively](#) b/c the court case was going to conclude that they were approving MZO's knowingly that were not consistent with the PPS. It hides the fact that Minister Clark routinely approves MZO that are inconsistent w/ the PPS and there is little to no, recourse for local governments and conservation authorities who are trying to uphold the PPS to protect woodlots and PSW in these eco-regions; ['eco-regions' that are in crisis](#).

Will 2901 Jane St development require any approvals and/or come before York Region Council?

MZO 156/22 will result in the same issues for the City as well as Conservation Authorities if it proceeds as per the current request which shows headwaters, woodlots and PSW paved over with massive warehouses and parking lots, only a narrow strip protected along Highway 400. Connected to the same landowner as 2901 Rutherford.

Block 41 obtained the downgrading of Greenbelt protections from prime agriculture to rural, when York Region's unappealable Official Plan was approved by Minister Clark, still it's not enough now they are going after Greenbelt removal. Block 41 was one of the landowners that appealed Vaughan's natural heritage plan, that was never approved and proceeded to challenge successfully any and all extensions of the natural heritage network proposed by the City of Vaughan.

Staff also said that Block 34E was consistent with the PPS in staff reports last June. This was also not factually accurate. The entire reason the MZO was needed was to destroy 3 small PSW. Mr. Xi refused to acknowledge this and answered questions from Council in a very evasive manner. Support from or approval from the appropriate Ministry does not make the destruction of PSW compliant with the PPS; destruction of PSW are flat out not allowed, the same as the woodlots.

Who knows what will happen under Bill 23 these may be non-issues, but as per existing in effect legislation neither this development, nor the southern part of Block 34, are compliant with the PPS as such staff reports were inaccurate. When the Block 41 staff reports come forward staff may find themselves in a similar situation. The TRCA approvals are more difficult to follow and it's unclear to me if they have approved the destruction of wetlands, grading of natural heritage features that in the absence of a MZO would not be permitted. I have to reread the staff report. This applies only to the non-Greenbelt portions.

I probably can't stop any of this, but I refuse to ignore development that preys upon natural heritage that the public believes is protected and off-limits to development. I respectfully ask staff to be more transparent about this in the future. I know this report went further than most, I know you proceeded with a significant fine and I've never seen this before. But, it serves no one other than the development community to not acknowledge the portions of the development that are inconsistent with the PPS, that are never ever supposed to be destroyed.

Even if degraded, you can't replace that woodlot in my lifetime, how much is it really worth – it's priceless to me.

I appreciate staff's follow up and efforts, please don't take this as criticism of staff. For me it is the larger picture of how flawed MZO's are, as well as the current planning direction being bull-dozed by the provincial government. These clarifications are important to demonstrate that planning and environmental legislative changes are not working as intended and or have unintended outcomes. In addition other provincial ministries who have legislated roles and responsibilities are failing miserably.

Irene

On Tuesday, December 6, 2022 at 01:44:02 p.m. EST, Letizia D'Addario <letizia.d'addario@vaughan.ca> wrote:

Good afternoon Irene,

Hope this email finds you well.

Further to your deputation at the Committee of the Whole meeting of November 22, 2022, regarding Draft Plan of Subdivision File 19T-18V001 and Site Development File DA.19.010 (Rutherford Land Development Corp. or RLDC) for the lands located at the southeast corner of Rutherford Road and Jane Street, please find a response to your deputation below:

With respect to your question regarding Policy 2.1.5 of the Provincial Policy Statement, 2020 ('PPS') which states (in part) that,

"Development and site alteration shall not be permitted in:

b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);*

unless it has been demonstrated that there will be no negative impacts on the natural features or other ecological functions”

City staff acknowledge that the subject lands are located within Ecoregion 7E in accordance with Figure 1 of the PPS and that the subject lands contained approximately 1.32 ha of Significant Woodlands contiguous to the West Don River tributary of the Don River Valleylands System at the time that the above-noted applications were submitted to the City. The Significant Woodland (the ‘Woodland’) is identified as Woodlands by Map 5 - Woodlands of the York Region Official Plan, 2010. As such, City staff also acknowledge that the previously existing and remaining woodlands on the subject lands would be subject to the above-noted policy of the PPS, and that the unauthorized removal of 1.02 ha of the Woodland is not consistent with this policy of the PPS.

The Minister's Zoning Order ('MZO') approved by the Minister of Municipal Affairs and Housing ('MMAH') on November 6, 2020, through [Ontario Regulation 643/20](#), approved as-of-right development permissions for the entirety of the subject lands. In this case, the MZO prevailed over PPS policy, and the decision made by the MMAH to approve the MZO supersedes any planning decisions made at the municipal planning level.

Staff have been working with RLDC to protect the remaining Woodlands on the Subject Lands, in accordance with the recommendations contained in the Council Member's Resolution dated October 21, 2020 (in support of the MZO request) to protect the remaining Woodland on the subject lands. These lands together with a 10 m vegetation protection zone ('VPZ') (buffer) will be conveyed to the City as a condition of Draft Plan of Subdivision approval to ensure its protection and enhancement of the remaining valley lands.

Please also note that every effort was made by City staff based on available information to present a [staff report](#) at the November 22, 2022 Committee of the Whole (1) meeting that was transparent with respect to the events that transpired respecting the unauthorized removal of portions of the significant woodland on the subject lands (pages 3-6 of the staff report) and other background information pertaining to the subject lands (pages 3, 17-18), so that City Council could make an informed decision regarding the above-noted applications.

With respect to your previous correspondence to City staff dated August 23, 2022, and October 19, 2022, we trust that the responses provided by staff were of assistance and provided clarification with respect to your concerns.

Please let us know if you have any further questions or concerns.

Kind regards,

Letizia V. D'Addario, MES | MCIP | RPP

Senior Planner

905-832-8585 ext. 8213 | letizia.d'addario@vaughan.ca

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