

**C10  
COMMUNICATION  
COUNCIL – February 22, 2023  
CW (2) - Report No. 9, Item 4**

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**To:** [Adelina Bellisario](mailto:Adelina.Bellisario)  
**Subject:** FW: [External] Fwd: Item 4, CW, February 14 - Tesmar Holdings Inc OP.21.020 and Z.21.041  
**Date:** February-14-23 12:27:53 PM

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**From:** Sandra Yeung Racco <[REDACTED]>  
**Date:** February 13, 2023 at 11:25:53 PM EST  
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**Subject:** RE: Item 4, CW, February 14 - Tesmar Holdings Inc OP.21.020 and Z.21.041

Dear Mayor & Members of Council,

Please accept this e-mail as my submission on Item 4 of February 14, 2023 Committee of the Whole meeting - Tesmar Holdings Inc OP.21.020 and Z.21.041.

After reviewing this report, I must say that I am **very disappointed** that, despite all the efforts and commitments made previously with this application, it was always the understanding that in order for the applicant to move this Phase 2 forward, he **MUST** comply to the **requirement of a minimum of 5,000 m2 of non-residential uses be provided (i.e. office spaces).**

**The Vaughan Official Plan does not permit the Development**

The Subject Lands are designated “High-Rise Mixed-Use” within the VM CSP, Volume 2, Section 11.7, subject to Section 18.4 “Special Provision Governing the Development of Block b5”. This designation permits residential uses to have a total maximum GFA of up to 45,000 m2 and a maximum of 600 residential units. **This designation also requires that a minimum of 5000 m2 of non-residential uses be provided, including office uses** having a minimum GFA of 4,200 m2, and commercial uses having a maximum of 800 m2 with no outdoor storage, a maximum FSI of 3.7, and at grade private amenity space having a minimum size of 1,840 m2 with public access in favour of the City of Vaughan.

For those members who are new on Council, let me give you a brief history on this application.

Originally, the applicant wanted to convert employment land to mixed residential uses and was refused. As the local councillor of the area at the time, he pleaded with me and after careful consideration and negotiation with staff, we decided that as long as he will commit to, within his development, have a portion reserved to non-residential uses, such as office use, than we will allow this project to move forward.

The agreement was supposed to apply to Phase 1 but the applicant negotiated with planning staff at the time to allow him to build Phase 1 without that requirement and pushed it to Phase 2.

Now Phase 2 is in front of us and he wants it to be eliminated. This is what happens when you deal with an unscrupulous developer who does not stand by his own commitment. The ironic thing is that the planner who wrote the previous reports is the current planner of the applicant and therefore knows what had taken place and in fact, he was one of the planners that agreed to the original recommendation.

So my question is how is it that staff is now recommending to allow this applicant to move forward with his amended application when clearly the OLT had issued orders, with Section 18.4 Special Provisions Governing the Development of Block b5? This is not right nor is it proper.

The Local Planning Appeal Tribunal ('LPAT'), now known as the Ontario Land Tribunal ('OLT'), **issued orders** associated with LPAT Case No(s) PL140839 and PL070347. Section 18.4 Special Provisions Governing the Development of Block b5 was added to the VMCSPP in accordance with the OLT Orders.

Approval for a portion of Block b5 (Phase 1A and 1B) has been granted through File DA.14.087 **to permit two apartment buildings with heights of 23-storeys and 20-storeys having a total of 568 residential units.** Phases 1A and 1B also included an 1,840 m<sup>2</sup> POPs a portion of which is located on the Subject Lands.

**An amendment to VOP 2010 is required to amend the policies of the "High-Rise Mixed- Use' designation and Special Provisions Governing the Development of Block b5 in the VMCSPP to permit a residential building have a maximum building height of 30-storeys including 301 dwelling units, 6.74 FSI and no non-residential GFA.**

While the market analysis or studies may show that office component is not viable or encouraged at this location, however this is a very minimum requirement of office space and will not negatively impact in the area. In fact, this area is currently filled with shopping centre/retail/commercials and a number of

approved residential condos right along Jane/Rutherford area, it would only make proper sense to add a small portion of office component in order to build a complete community and help to alleviate some of the transportation issues that we are facing currently.

Let me remind everyone that if it wasn't for the negotiation of keeping some employment land within this subject land, the applicant would never have received the luxury of building his residential towers.

**I am asking you, as Member of Council, to stand by decisions and commitments that were made, and NOT to endorse the recommendation of:**

**1 (d) Eliminate the required minimum 5,000 m2 of non-residential uses;**

Residents are counting on you to make the proper decision on this matter.

Respectfully yours,

*Sandra Yeung Racco, B. Mus.Ed., A.R.C.T.*

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**President & C.E.O., RACCO & Associates**

**Founding President, Empowering YouR Vision**

**President, FCCV (Federation of Chinese Canadians Vaughan Chapter)**

**Former Councillor, City of Vaughan**

*“We don't need a title to lead. We just need to care. People would rather follow a leader with a heart than a leader with a title.”*