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File No. 18066

<p>C 10 Communication CW(1) – March 5, 2024 Item No. 2</p>
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March 4, 2024

By email @ Rebecca.Roach@vaughan.ca

Members of the Committee of the Whole
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Members:

Re: 5012526 Ontario Inc.: Official Plan Amendment File OP.20.010 and Zoning By-Law Amendment File Z.20.031 Part of Lots 7 and 8, Concession 8, Vicinity of Woodbridge Avenue and Kipling Avenue

Our client Canuck Properties Ltd.

We are counsel to Canuck Properties Ltd. (“Canuck”), the registered owners of the lands municipally known as 8214 Kipling Avenue (the “Property”). The Property is located on the west side of Kipling Avenue, north of Woodbridge Avenue and is immediately west of the proposed development. It is a large property leased to Woodbridge Foam, a large manufacturing facility. Our client’s property has vehicle access to Kipling Avenue but not Woodbridge Avenue.

The purpose of this letter is to support the staff recommendations in the March 5, 2024 report to Committee of the Whole subject to a small modification and confirmation of the extent of the staff proposed public easement.

Canuck has no immediate or medium-term development plans for the Property but the current use (manufacturing) is not the City’s planned use in the long term. The City’s Official Plan designates the Canuck property as *Community Areas* and thus intends for

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the Canuck property to be redeveloped for residential uses. In addition, the City's ongoing GO Station study includes the Canuck property. Regardless of whether the Canuck property is ultimately the site of a new GO station or a residential redevelopment (the latter being Canuck's clear preference), good land use and transportation planning demands that a vehicle access be provided to Woodbridge Avenue to access the Canuck property. That access needs to go through 5012526's property. This was conveyed to the city in our letter of May 18, 2023 (attached). To be clear, Canuck is not suggesting that its present use (Woodbridge Foam) or any other industrial use should have access to Woodbridge Avenue. It is only when the Canuck property redevelops or is used as a GO station that vehicle access to Woodbridge Avenue is required. Until that time a physical barrier can be provided at the common property line to ensure that industrial traffic does not go through 5012526's property.

Attachment 8 to the staff report is City staff's preferred development and it includes a surface, s-shaped public easement road from Woodbridge Avenue to the Canuck property. Our client supports this public vehicle easement provided it is intended to permit future (post redevelopment) vehicles from the Canuck property. The staff report does not elaborate on the extent of the public easement and city staff might not have planned to consult with my client when the public easement was going to be drafted. Accordingly, my client requests that City Council resolve:

1. That the public easement will permit vehicles from the post-redevelopment (i.e. not industrial traffic) of the Canuck property to use the public easement; and
2. That the design and extent of the public easement provide safe access to/from the Canuck property. Respecting this second matter, we attach a sketch that demonstrates, in a general sense, the small modification that needs to be made to the public easement to permit vehicles to enter and exit the Canuck property. It results, potentially, in a small triangle of the amenity area being included in the public easement.

Canuck is a party to the OLT appeal filed by 5012526. Through that hearing Canuck intends to advance the position outlined above. Canuck would like to be fully aligned with the City in that OLT hearing and hopes that City Council will support the modest requests made in this letter.

Lastly, Canuck has never requested vehicle access through 5012526's lands (and then through lands owned by the adjacent condominium corporation). It appears that staff are under the impression that such access was requested but it was not requested by our client and we do not know if it came from 5012526.

Thank you for your kind consideration of our client's request.

KAGAN SHASTRI DeMELO WINER PARK LLP

A handwritten signature in cursive script that reads "Ira Kagan".

Ira T. Kagan

Cc: Client
Humphries Planning Group

Enls: Letter to City Council of May 18, 2023
Modified Attachment 8 outlining connection to the Property

Please reply to the: Yorkville Office

Attachment 1



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May 18, 2023

By email

Mayor and Members of Council
City of Vaughan
Vaughan City Hall, Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Attn: Mr. Todd Coles, City Clerk

Dear Mr. Coles:

**Re: Request for Notice/ Letter of Concern
2668654 ONTARIO INC.
Official Plan Amendment File OP.20.010
Zoning By-law Amendment File Z.20.031
Vicinity of Kipling Avenue and Woodbridge Avenue**

We are counsel to Canuck Properties Ltd (“Canuck”), the registered owners of the lands municipally known as 8214 Kipling Avenue. Our client’s property is located on the west side of Kipling Avenue, north of Woodbridge Avenue. Our client’s property contains Woodbridge Foam, a large manufacturing facility that employs a significant number of employees.

In the future our client’s property might be redeveloped for higher density uses, in accordance with the City’s Official Plan. Such redevelopment would benefit from a road connection to Woodbridge Avenue. In our client’s opinion, such a road connection is possible and required when 2668654 Ontario Inc.’s property is redeveloped. Our client appreciates that development plans change as they proceed through the review process and so our client wishes to be on the record that it will

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oppose development on the land unless a road connection is provided through the land from our client's property to Woodbridge Avenue. Our client requests that the City make the road connection a requirement of the development.

Thank you for your kind consideration of our client's concern. We hereby request notice of all meetings and decisions regarding the above-noted matter.

KAGAN SHASTRI DeMELO WINER PARK LLP

A handwritten signature in cursive script that reads "Ira Kagan".

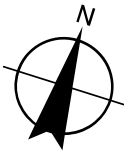
Ira T. Kagan

Cc: Client

Humphries Planning Group

Please reply to the: Yorkville Office

Attachment 2



Site of Canuck Properties

Proposed Access location

Parking (14 Spaces)

Future Public Parkette

Multi-Use Path

Woonerf with Multi-Use Path

Multi-Use Path

S-Turn Driveway with Public Easement

Bollards

Pedestrian Mews

Loading Area Relocation

WOODBIDGE AVENUE

Non-Residential Uses at Grade

Proposed Vehicular Access

Amenity Space

Amenity Space

Fire Route

3-Storeys

Residential Apartment Building 2

Fire Route

5-Storeys

Residential Apartment Building 1

7-Storeys

YORK REGION CONDOMINIUM PLAN No. 1115

Existing Semi-Detached Buildings

8032 Kipling Ave

Proposed Connection to Existing Private Driveway

Existing 5-Storey Condominium Building

YORK REGION CONDOMINIUM PLAN No. 1141

8026 Kipling Ave

Fencing

Private Amenity Space

Existing Condominium Building

8010 Kipling Ave

KIPLING AVENUE

LOT 8

Underground Parking Garage Access Relocation

LOT 7

Fencing

546

LOT 6

WILLIAM STREET

PLAN

LOT 5

Pedestrian Walkway

LOT 4

Partially Covered Parking under Building

LOT 3

VILLAGE

3 Burton's Ln

Removeable Bollards

BURTON'S LANE

4-Storey Podium

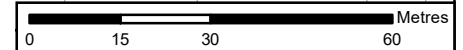
LOT 2

7960 Kipling Ave

LOT 1



Subject Lands



Conceptual Site Plan with Recommended Modifications



Attachment

FILES:
OP.20.010 and Z.20.031

DATE:
March 5, 2024

8

LOCATION:
Part of Lots 7 and 8, Concession 8

APPLICANT:
5012526 Ontario Inc.