

HUMPHRIES PLANNING GROUP INC.

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HPGI File No.: 17482
February 12, 2019

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Communication
COUNCIL: <u>Feb 12/19</u>
<u>CW(PH)</u> Rpt. No. <u>8</u> Item <u>3</u>

The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
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**Attn: The Honourable Mayor Maurizio Bevilacqua & Members of Council and
Todd Coles, City Clerk**

**Re: Di Benedetto Group Inc.
Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision
and Draft Plan of Common Element Condominium Applications
City File Nos.: OP.18.019, Z.18.031, 19T-18V012 and 19CDM-18V004
10, 20 & 25 Di Benedetto Lane and 110 Simmons Street**

Dear Sirs,

This letter has been prepared on behalf of our client, the Di Benedetto Group Inc. (the "owner"), registered owner of the lands municipally known as 10, 20 & 25 Di Benedetto Lane and 110 Simmons Street (the "subject lands"). On February 5, 2019, the above noted applications were brought to a statutory Committee of the Whole (Public Hearing), in accordance with the requirements of the *Planning Act*, to obtain comments from Council and the public, pertaining to the proposed development. The purpose of this letter is to address and provide clarification with respect to specific matters raised at the meeting relating to the provision of public parkland, the urbanization of Simmons Street and the status of other applications in the immediate area, as well as their relationship by ownership and design.

On January 22, 2019, City of Vaughan Council approved Official Plan Amendment application OP.17.011, Zoning By-law Amendment application Z.17.031, and Draft Plan of Subdivision application 19T-17V011, submitted by Gemini Urban Design (W) Corp. ("Gemini" or "Gemini Phase 1") for the lands municipally known as 6061 & 6079 Rutherford Road and 134 & 140 Simmons Street. Gemini had previously submitted applications (OP.16.007, Z.16.018 and 19T-16V004) for the lands municipally known as 6061 & 6079 Rutherford Road. These applications were appealed to the Ontario Municipal Board/Local Planning Appeal Tribunal ("the Tribunal") and their approval remains before the Tribunal at this time. For this reason, the Official Plan Amendment and the Amending Zoning By-law will not be brought forward for Council's adoption/passing.

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Gemini, has also submitted development applications (OP.18.020, Z.18.032 and 19T-18V013) for the lands municipally known as 88 Simmons Street, under the name Gemini Urban Design (C) Corp ("Gemini Phase 2"). The Gemini Phase 2 applications are currently under review by City staff and were also brought to the Committee of the Whole (Public Hearing) held on February 5, 2019.

As shown on Figure 1, the subject lands are located immediately to the south of the lands subject to the approved Gemini Phase 1 applications and immediately to the north of the lands subject to the Gemini Phase 2 applications.

FIGURE 1 – LOCATION MAP



With respect to the issues raised as the Public Hearing, as stated above, we would offer the following:

Public Parkland

As part of their comments, Councillor Iafrate and Councillor DeFrancesca questioned whether public parkland would be provided as part of the three developments. Comments were also provided stating that small play areas would not be appropriate and that the subject and surrounding lands were not located close to any public parks.

No public parkland was proposed as part of the approved Gemini Phase 1 development and similarly, no public parkland has been proposed as part of the development of the subject lands or the Gemini Phase 2 lands to the south.

That said, Email correspondence provided on February 1, 2019 by Kevin Huang of the City's Parks Development Department states that the cumulative population created by the Gemini and Di Benedetto applications would not warrant the need for a public park in the development area. Parks staff is satisfied that the playground equipment provided as part of the tot-lots proposed by Gemini is sufficient to serve the area and address the City's target of having playgrounds within 500 metres of urban areas. A copy of this correspondence is attached hereto.

We would also note that a District Park has been proposed for Block 59 to the west and additional public parkland has been identified for Block 60 West to the north. The construction of these facilities, particularly the District Park will provide opportunities for access to public open space for current and future residents seeking.

Simmons Street Urbanization

Comments provided by two local residents, as well as Councillor Carella, and Councillor Defrancesca spoke the current state of the Simmons Street infrastructure and the need for improvements to facilitate the development proposals and in particular address pedestrian walkability and safety.

In this regard, the conditions of Draft Plan Approval for Gemini Phase 1 require that Gemini design and construct at no cost to the City, any external municipal services (watermains, storm sewers, sanitary sewers), required to accommodate the development. It is our understanding that these services will be designed and constructed to accommodate Gemini Phase 1, as well as any further re-development on Simmons Street, including the subject lands and the Gemini Phase 2 lands to the south. The conditions also require that Gemini urbanize their portion of Simmons Street, including the removal of ditches, the construction of the aforementioned storm sewers, the construction of a sidewalk connecting to Rutherford Road and the installation of streetlights. It is expected that similar conditions will be imposed by the City as part of any development approvals for the subject lands, the Gemini Phase 2 lands and any future lands on Simmons Street, should development applications be initiated.

Application Status

Questions were raised by a local resident and by Councillor Defrancesca, with respect to the status of each development application and the relationship between the land owners. Figure 1 above shows the three (3) groupings of land that are currently subject to development application, the applicable application numbers and the name of the registered owner. This information is also provided below:

APPLICATION NO(S)	MUNICIPAL ADDRESS(ES)	REGISTERED OWNER	STATUS
OP.17.011 Z.17.031 19T-17V001 OP.16.007 Z.16.019 19T-16V004	6061 & 6079 Rutherford Road and 134 and 140 Simmons Street	Gemini Urban Design (W) Corp.	OP.17.011, Z.17.031, 19T-17V001 – Approved by Committee of the Whole – January 22, 2019 OP.16.007, Z.16.019, 19T-16V-004 – Appealed to OMB.
OP.18.019 Z.18.031 19T-18V012 19CDM-18V004	10, 20 & 25 Di Benedetto Lane and 110 Simmons Street	Di Benedetto Group Inc.	Currently under review by City of Vaughan. Public Meeting held February 5, 2019.
OP.18.020 Z.18.032 19T-18V013	88 Simmons Street	Gemini Urban Design (C) Corp.	Currently under review by City of Vaughan. Public Meeting held February 5, 2019.

We note that Gemini Urban Design (W) Corp. and Gemini Urban Design (C) Corp., are separate and distinct companies for the purpose of land ownership, but are under the same direction and are generally held by the same owner. Neither of these companies has any relationship or affiliation to the Di Benedetto Group, which is an entirely separate and distinct company, held under different ownership. The owners are working collaboratively with City staff to ensure that their respective developments are appropriately integrated into the larger Simmons Street neighbourhood and coordinated, specifically as it pertains to: building design, municipal servicing and access.

We trust that the above discussion provides clarification with respect to the issues raised by Council and members of the public at the recently held Public Hearing for the subject lands. Further discussion where necessary will be provided to City staff as part of a future submission of the subject applications.

We formally continue to request notification from the City on all matters relating to these applications inclusive of Council decisions.

Di Benedetto Group Inc.
February 12, 2019

Yours truly,
HUMPHRIES PLANNING GROUP INC.



for

Rosemarie Humphries BA, MCIP, RPP
President

cc. Tony Di Benedetto, Di Benedetto Group Inc.
R. Andrew Biggart, Ritchie Ketcheson Hart & Biggart LLP
Clement Messare, City of Vaughan