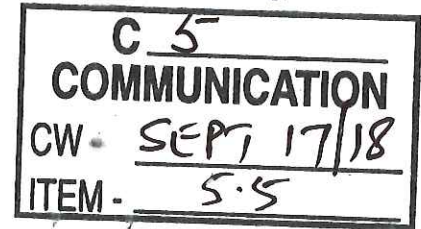


Monday, September 17th, 2018

Committee of the Whole
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, L6A 1T1



By email: clerks@vaughan.ca

MGP File: 14-2282

**Re: Agenda Item # 5, Sept. 17 Committee of the Whole
Evelyn Charters, Draft Plan of Subdivision 19T-04V12 & Z.04.049
Ward 1 – Vicinity of Bathurst Street and Teston Road, Block 12
Subdivision Conditions of Approval - Clarification**

Dear Members of Committee:

On behalf of the applicant, I am asking the City to modify Recommendation 6 to match the intent of the City's Draft Plan Conditions 40 and 41 or to delete the recommendation.

Recommendation 6 requires a clause in the subdivision agreement requiring the owner to pay cash-in-lieu of parkland to the City. The Conditions of Draft Plan Approval require the owner to pay cash-in-lieu only if they are not in good standing with the Developer's Cost Sharing Group.

The block, including the Charters subdivision, at time of Block Plan approval was over-dedicated in parklands.

The recommendation and conditions are copied below.

City of Vaughan Draft Plan Approval Conditions:

41. That prior the final approval of the Plan, the Owner shall provide formal correspondence from the Block 12 Landowner Trustee indicating that the subject landowner has entered into a Developers' Group Agreement with the other participating landowners within Block 12 and has fulfilled all cost sharing obligations including requirements relating to parkland dedication.

42. Should the Owner be unable to fulfil Condition No. 41, as noted above, then the following condition will be applicable:

That the Owner is required to pay cash-in-lieu of parkland dedication, in accordance with the City's Cash-In-Lieu of Parkland Policy.

Suggested Clarification of Recommendation 6:

6. *THAT unless the Owner has provided formal correspondence from the Block 12 Landowner Trustee indicating that the subject landowner has entered into a Developers' Group Agreement with the other participating landowners within Block 12 and has fulfilled all cost sharing obligations, the Subdivision Agreement for Draft Plan of Subdivision File 19T-04V12 shall include the following clause:*

- a) *"The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."*

We trust this request for clarification meets the intent of the City as evidenced in the Conditions of Draft Plan Approval. We would also like to thank City staff for their efforts in getting this item on the September agenda.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Joan MacIntyre, MCIP, RPP
Principal
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- c. Evelyn Charters
Brendan Charters, Eurodale Dev.
David Bronskill, Goodmans
Carol Birch, City of Vaughan