



David R. Donnelly, MES LLB  
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February 18, 2020

Mayor Bevilacqua and Council  
City of Vaughan  
2141 Major Mackenzie Dr.  
Vaughan ON L6A 1T1

**Re: Vaughan Official Plan (2010) Amendment Application (O.P.18.001) for the Clubhouse Properties Inc., Country Club Lands (formerly known as Toronto Board of Trade Golf Course)**

Dear Mayor Bevilacqua and Council,

Donnelly Law ("we" or the "Firm") represents Keep Vaughan Green in the above-noted matter.

Keep Vaughan Green and a number of concerned ratepayers associations are very concerned about the scale and potential impacts from the Toronto Board of Trade Golf Club ("Country Club") development application.

Specifically, this revised proposal has been propelled through a process at great speed, without the input of residents. Residents now respectfully request that Council adopt an Interim Control By-law ("ICBL") under section 38 of the *Planning Act*, to allow residents the opportunity to make meaningful submissions to Council.

### **Background**

The lands for the proposed development ("Subject Lands") are comprised of approximately 118 hectares (ha), an additional 9.6 ha is owned by Toronto and Region Conservation Authority ("TRCA") and leased as a golf course. The developer RGF Real Estate Fund L.C. initially proposed 660 low-rise residential units on 27.6 ha of land. The newest application, addressed at the Public Hearing on March 3, 2020, is for 1,215 units composed of 475 single-detached dwellings, 124 townhouses, and 616 units from two mixed-block 6-storey apartment buildings.

The loss of the golf course would not only represent a significant loss of unplanned green space, but the community firmly believes that it would constitute the loss of a significant cultural and natural heritage landscape.

The Subject Lands are located north of the core of the historic Village of Woodbridge, in close proximity to Boyd Park and the Greenbelt. Physically, the Subject Lands contain two distinct areas of table land that are generally outside of the TRCA regulated area and valley associated with the main branch of the Humber River.

The plateau areas consist of approximately 40.5 ha, whereas the areas below the valley, including buffers, consist of approximately 79.2 ha and an additional area of about 9.6 ha owned by the TRCA that is adjacent to the east side of Clarence Street which is elevated and outside of the Regional Flood Plain. The wooded areas are predominately located along or associated with the valley banks or walls and include the Environmentally Significant Area found in the northeast corner referred to as Smith's Beach Forest.

Given that the proposal for amendment to the OP on the formerly known as Board of Trade Golf Course lands represents one of the largest infill developments in Vaughan history, and given that the lands have cultural heritage and natural heritage value to the existing community, Keep Vaughan Green and other ratepayers have concluded that in addition to the social impact of the development, there are several other important and complex issues surrounding the golf course that will require careful and thorough consideration by the City and the Community. We therefore would like to request the following;

1. That the City of Vaughan implement an Interim Control By-law restricting the County Club land to its existing uses, with consideration that a one-year extension may be required.

An ICBL that is enacted in good faith, based on legitimate planning rationale and in conformity with the Vaughan Official Plan (2010), York Region Official Plan and the Provincial Growth Plan is not only reasonable and prudent but is also appropriate and necessary to ensure that the City of Vaughan and the Community has sufficient time to complete key studies on the property and to consider all options available.

Specifically, the purpose of the ICBL is to ensure that the City of Vaughan and the Community has sufficient time to complete key and independent studies on the property that include the following:

- a. Comprehensive Land Use Analysis of the Country Club Lands;
- b. Community Area Specific Study;
- c. Community Economic Impact Analysis Study;
- d. Community Social Impact Study;

- e. Environmental Impact Study;
  - f. Mental Health Impact Assessment;
  - g. Cultural Heritage Landscapes Strategy and Implementation Study of the Country Club Lands, formerly known as the Toronto Board of Trade Golf Club;
  - h. Thorough Archeological Impact Assessment, plus First Nations consultation. Other studies may be required; and
  - i. Any other studies that may be required.
2. The Community is concerned about currently permitted development or alterations occurring during the study period that could have adverse impacts on potential cultural or natural heritage landscapes on the site. We therefore recommend that the proposed Interim Control By-Law must prohibit permitted site alterations of the Country Club lands. In addition, the By-law should prohibit the construction, site alteration, expansion or demolition of any building, structure or landscape(s) on lands, including tree removal.
  3. That Keep Vaughan Green and others be granted the right, after consultation with its legal team and the City of Vaughan, to select the qualified experts to conduct the studies.
  4. That the studies be funded by the City of Vaughan for later reimbursement by the developer to ensure such studies are conducted without bias.
  5. A Conservation Easement protecting at least 66% of the Country Club lands should be executed immediately.
  6. We are also extremely concerned that Vaughan is now violating its longstanding practice of deferring to the Toronto Region Conservation Authority ("TRCA") on environmental matters. Can Council reassure us there will be no repeat of the unfortunate circumstances suffered by the residents in the Grand Trunk ravine (Dufferin Vistas) OMB Hearing [PL160978]?

### **Importance of a Cultural Heritage Landscapes Strategy and Implementation Study**

For approximately 50 years, the Toronto Board of Trade Golf Club has defined an important character of the Woodbridge Community. While it is most widely recognized as a prestigious golf course, the 290-acre property has a diverse past that contributes to our cultural heritage. Cultural Heritage Landscape is "a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community..." (Provincial Policy Statement 2014, section 6.)

In Ontario, municipalities have the ability under Part IV and V of the *Ontario Heritage Act* to designate properties that may be deemed of cultural heritage value and interest. Section 6.0 of the January 2017 Vaughan Official Plan 2010, Volume 1 (Policies) outlines Council's Cultural Heritage Landscape Policy, including its responsibility to identify, designate and protect cultural heritage landscapes from being altered.

As part of a broader resolution to Vaughan Council, we request that you include a Cultural Heritage Landscape Strategy and Implementation Study and work with the Urban Design and Cultural Heritage Department and the Community to prepare a designation report for Council's consideration that identifies Country Club lands as a significant Cultural Heritage Resource. The Toronto Board of Trade Cultural Heritage Impact Report conducted by ERA on behalf of the property owners has provided a report that is limited in scope. It does not adequately assess the Cultural Heritage Landscapes of the terrace portions above the floodplain.

We are confident that when a independent third party Cultural Heritage Survey is completed, we will be able to serve the landowners and the Ontario Heritage Trust with a notice of intent to protect the Cultural Heritage Character of the Country Club lands under the terms of the *Ontario Heritage Act*. Furthermore, we are confident that the Cultural Heritage Character of inadequately assessed areas of the Golf Course, falls within the Criteria Designation stipulated by the *Ontario Heritage Act* under ONTARIO REGULATION 9/06 Criteria for Determining Cultural Heritage Value or Interest.

According to the provisions of the *Ontario Heritage Act*, to qualify for designation as a Cultural Heritage Landscape a property must exemplify one or more of the following:

Design Value:

- has a rare, unique or early example of a style or type; a high-degree of craftsmanship or technical achievement

Historical or Associative Value:

- has direct association with a significant theme; or contribution to an understanding of a community or culture, or to the work or ideas of a significant architect, artist, builder, designer or theorist

Contextual value:

- is important in defining, maintaining or supporting the character of an area;

- is physically, functionally, visually or historically linked to its surroundings;
- is a landmark O. Reg. 9/06, s. 1 (2)

There is nothing extraordinary about this request. This is almost exactly the initiative undertaken by the Town of Oakville May and Council. Is Vaughan's environment any less valuable? Are we not entitled to the same prudent course of action?

### **Hydrogeology**

Keep Vaughan Green retained a hydrogeologist, Dr. Ken Howard, to review the hydrogeological studies conducted in support of the previous proposal. Dr. Howard found the documents to be "seriously deficient," in that they fail to address the proposed development's potential impact upon the natural environment and local hydrogeological conditions.

Specifically, in the 2017 Geohydrology and Geotechnical Reports by McClymont & Rak Engineers Inc. ("MCR"), MCR utilized only 13 boreholes, and ignored well data for the site available from the Ministry of the Environment and Climate Change. As a result, MCR failed to identify key aquifers beneath the site.

MCR also failed to identify groundwater flow directions, potential Groundwater Dependant Ecosystems, and did not calculate a water balance for current or post-development conditions.

Further, no surface water samples were collected, and the water quality of both surface water and groundwater was essentially ignored in the MCR reports.

### **Ecology**

Keep Vaughan Green retained a biologist/ecologist, Mr. Gord Miller, to review the proposal. Mr. Miller conducted a site visit in June of 2018. Mr. Miller found that the property is a part of a natural linkage corridor that ultimately connects with the Oak Ridges Moraine. As a result, Mr. Miller concluded that the proposed development has the potential to disrupt the entire Natural Heritage System of Vaughan.

The Subject Lands are listed as a "Core Feature" of the Vaughan Official Plan's Natural Heritage Network. Mr. Miller observed a large number of mature, native trees on the site that are of high ecological value. He noted that the site is part of a river valley system, which links and creates continuity between other features with Vaughan's Natural Heritage System.

Further, Mr. Miller points to Vaughan's Natural Heritage Network study, which identifies Core Features as those which provide critical ecosystem functions, and which thus must be protected and enhanced through the policies of the Official Plan.

Mr. Miller concurs with Dr. Howard that the studies performed for the proposed development did not address how the development will impact the hydrogeological and other environmental systems of the property.

It is extremely unlikely that adding a significant amount of density, cars, people, cats, dogs, pavement, etc. will enhance the environmental performance of the development.

### Conclusion

Keep Vaughan Green and the undersigned are counting on your support on the complete framework outlined in this letter to facilitate all, but not limited to, the studies and requests identified in this correspondence under an Interim Control By-law.

We ask on their behalf for a meeting with Staff at their earliest convenience to discuss.

Please do not hesitate to contact me at 416-572-0464, or by email at david@donnellylaw.ca, cc'ing alexandra@donnellylaw.ca and morgan@donnellylaw.ca should you have any questions or comments concerning this correspondence.

Yours Truly,



David R. Donnelly

cc: Keep Vaughan Green  
Vaughan Ratepayers

## Signatory Vaughan Ratepayers' Groups

KEEP VAUGHAN GREEN  
Name of Organization

Bob MAROZ  
Representative (please print)


[Signature]  
Signature

Feb. 22, 2020  
Date

## Signatory Vaughan Ratepayers' Groups

Village of Woodbridge Ratepayer's Association  
Name of Organization

MARIA UERNA  
Representative (please print)

  
Signature

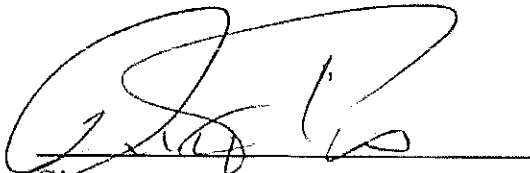
Feb 25, 2020  
Date



Signatory Vaughan Ratepayers' Groups

The West Woodbridge Homeowners Association Inc.  
Name of Organization

Nick Pinto  
Representative (please print)


  
Signature

FEB 24/2020  
Date

Signatory Vaughan Ratepayers' Groups

CARRYING PLACE RATEPAYERS ASSOC.  
Name of Organization

TONY ALATI - PRESIDENT  
Representative (please print)

  
Signature

21 FEB 20.  
Date

Signatory Vaughan Ratepayers' Groups

Klamburg & Area Ratepayers' Assoc.  
Name of Organization

Kathryn Angus  
Representative (please print)

Kathryn Angus  
Signature

27 February 2020  
Date

Signatory Vaughan Ratepayers' Groups

South Maple Ratepayers Association  
Name of Organization

Laura Rinaldo, President  
Representative (please print)


Laura Rinaldo  
Signature

Feb 21, 2020  
Date

Signatory Vaughan Ratepayers' Groups

FRIENDS OF GRAND TRUNK RAVINE  
Name of Organization

FURIO LIBERATORE  
Representative (please print)

  
Signature

FEB 24 / 2020  
Date

**Signatory Vaughan Ratepayers' Groups**

Mackenzie Ridge Ratepayers Association

**Name of Organization**

Robert A. Kennedy, President

**Representative (please print)**



**Signature**

March 1, 2020

**Date**

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**Subject:** [External] File 19T-19V007 20 Lloyd St.  
**Attachments:** 03022001.PDF; ATT00001.txt

-----Original Message-----

From: KVG Board of Director <kvgdirector1@gmail.com>  
Sent: Monday, March 02, 2020 2:50 PM  
To: Clerks@vaughan.ca; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Jackson, Linda <Linda.Jackson@vaughan.ca>; Messere, Clement <Clement.Messere@vaughan.ca>  
Cc: Keep Vaughan Green <Keepvaughangreen@gmail.com>; Bob Moroz <bobm@rfidcanada.com>; David Donnelly <david@donnellylaw.ca>  
Subject: [External] File 19T-19V007 20 Lloyd St.

Good afternoon Mayor Bevilacqua and Council,

Please see the attached letter from Keep Vaughan Green, in collaboration with several concerned ratepayers groups, written by our legal counsel Mr. David R. Donnelly. This letter outlines the request to adopt an Interim Control By-Law under section 38 of the Planning Act, to allow residents the opportunity to make meaningful submissions to Council.

Sincerely,

Keep Vaughan Green

Village of Woodbridge Ratepayers Association

The West Woodbridge Homeowners Association Inc.

Carrying Place Ratepayers Association

Kleinburg & Area Ratepayers Association

South Maple Ratepayers Association

Friends of Grand Trunk Ravine

Mackenzie Ridge Ratepayers Association