



**COUNCIL MEETING – NOVEMBER 17, 2020  
COMMUNICATIONS**

		<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
<b><u>Distributed November 13, 2020</u></b>				
C1	Sonia Zorzi, dated October 19, 2020	50	1	Committee of the Whole (Public Meeting)
C2	Christopher J. Tanzola, Overland LLP, Yonge Street, Toronto, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C3	Christopher J. Tanzola, Overland LLP, Yonge Street, Toronto, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C4	Christopher J. Tanzola, Overland LLP, Yonge Street, Toronto, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C5	Paula Bustard, SmartCentres, Highway 7, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C6	Mary Mauti, Vaughanwood Ratepayers Association, Forest Circle Court, Woodbridge	50	1	Committee of the Whole (Public Meeting)
C7	Christopher J. Tanzola, Overland LLP, Yonge Street, Toronto, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C8	Aaron Gillard, Larkin Land Use Planners Inc., Kingdale Road, Newmarket, dated September 30, 2020	50	1	Committee of the Whole (Public Meeting)
C9	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C10	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C11	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C12	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C13	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)

**Disclaimer Respecting External Communications**

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**Please note there may be further Communications.**



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COMMUNICATIONS**

		<b><u>Rpt. No.</u></b>	<b><u>Item No.</u></b>	<b><u>Committee</u></b>
C14	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C15	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C16	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C17	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C18	Christopher J. Tanzola, Overland LLP, Yonge Street, Toronto, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C19	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C20	Kurt Franklin, Weston Consulting, Millway Avenue, Vaughan, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C21	Sandra K. Patano, Weston Consulting, Millway Avenue, Vaughan, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C22	Oz Kemal, MHBC Planning, Weston Road, Woodbridge, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C23	Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C24	Saint John The Evangelist Committee, Old Orchard Grove, Toronto, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C25	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C26	Michael Bissett, Bousfields Inc., Church Street, Toronto, dated October 27, 2020	50	1	Committee of the Whole (Public Meeting)

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**COUNCIL MEETING – NOVEMBER 17, 2020  
COMMUNICATIONS**

		<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
C27	Michael Bissett, Bousfields Inc., Church Street, Toronto, dated October 27, 2020	50	1	Committee of the Whole (Public Meeting)
C28	Michael Bissett, Bousfields Inc., Church Street, Toronto, dated October 27, 2020	50	1	Committee of the Whole (Public Meeting)
C29	Joe Di Giuseppe, Greenpark Group, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C30	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C31	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 28, 2020	50	1	Committee of the Whole (Public Meeting)
C32	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C33	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C34	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 29, 2020	50	1	Committee of the Whole (Public Meeting)
C35	Mark Condello, Glen Schnarr & Associates Inc., Kingsbridge Garden Circle, Mississauga, dated October 30, 2020	50	1	Committee of the Whole (Public Meeting)
C36	Dario Giannantonio, Hwy 27, Vaughan	52	1	Committee of the Whole (Public Meeting)
C37	David Milano, Malone Given Parsons, Renfrew Drive, Markham, dated November 4, 2020	52	1	Committee of the Whole (Public Meeting)
C38	Nadia Zuccaro, EMC Group Limited, Keele Street, Vaughan, dated November 10, 2020	54	9	Committee of the Whole
C39	Maria Pizzitola, dated November 11, 2020	54	9	Committee of the Whole
C40	T.J. Cieciora, Design Plan Services, The East Mall, Toronto, dated October 22, 2020	50	1	Committee of the Whole (Public Meeting)

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**Please note there may be further Communications.**



**COUNCIL MEETING – NOVEMBER 17, 2020  
COMMUNICATIONS**

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		<b><u>Rpt. No.</u></b>	<b><u>Item No.</u></b>	<b><u>Committee</u></b>
C41	Deputy City Manager, Infrastructure Development, dated November 17, 2020			By-Law 156-2020
<b><u>Distributed November 17, 2020</u></b>				
C42	Presentation material.			Ceremonial Presentation #1

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**Please note there may be further Communications.**

**From:** Sonia Zorzi [REDACTED] >  
**Sent:** Monday, October 19, 2020 2:44 PM  
**To:** Clerks@vaughan.ca  
**Subject:** [External] Zoning by-law meeting October 29

To whom it may concern,

This is in regards to the:

Comprehensive Zoning By-law for Committee of the Whole (Public Meeting) [on October 29](#)

This email is to voice my concern and let you know that I am AGAINST the building of multi unit condos, townhouses & houses in that area. I have lived in the area for a number of years and do NOT want to see that green space built on.

Please reject any plans for a zoning change so no multi unit developments can be built.

Thank you  
Sonia Zorzi

Sent from the Cat Lady on her iPhone >^..^<

October 28, 2020

**VIA EMAIL**

Mayor Maurizio Bevilacqua and Members of City Council  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**Attention: Brandon Correia  
Manager, Special Projects**

Your Worship and Members of Council:

**RE: City of Vaughan New Comprehensive Zoning By-law  
177-197 Woodbridge Avenue  
Transition Concerns**

We are the lawyers for 2735447 Ontario Inc. (the “**Company**”), the owner of the lands municipally known as 177, 185, and 197 Woodbridge Avenue in the City of Vaughan (the “**Site**”). The Company acquired the Site on January 16, 2020.

The Site is the subject of applications for an Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval (the “**Applications**”). As described below, the Applications were appealed to the former Ontario Municipal Board (the “**OMB**”, now the Local Planning Appeal Tribunal “**LPAT**”), and have been approved in principle (LPAT Case No. PL160284). The Company is continuing the approvals process and anticipates requesting the LPAT’s Final Order for the Applications in the short term.

We are writing following our earlier letter dated June 1, 2020, which provided comments on the second draft of the City of Vaughan’s new Comprehensive Zoning By-law (the “**New Vaughan ZBL**”). We have now reviewed the third draft of the New Vaughan ZBL.

**Background – Settlement of Appeals at OMB/LPAT for 6-Storey Mixed Use Building**

As outlined in our previous letter, the Site is the subject of applications for Official Plan and Zoning By-law Amendment which were submitted to the City of Vaughan in July 2015, and appealed to the OMB on the basis of a non-decision by the City.

In its Order issued May 24, 2017, on the basis of a settlement between the appellant and the City, the OMB approved in principle the rezoning for the Site. A form of Zoning By-law Amendment was entered into evidence as Exhibit 3 during the hearing. City Staff and the Company are currently working to finalize the details of the Site Plan application and the final

COMMUNICATION – C2  
Council – November 17, 2020  
Committee of the Whole (Public  
Meeting)  
Report No. 50, Item 1

form of the Zoning By-law Amendment (the “**Site-Specific ZBA**”), with a view to requesting the issuance of the LPAT’s Final Order in the near term.

### **The Site-Specific ZBA**

The Site-Specific ZBA (which has been approved in principle) permits the development of the Site with a 6-storey (20-metre, excluding mechanical penthouse) mixed use building with a maximum floor space index of 3.0 times the area of the lot (the “**Proposed Development**”). The Site-Specific ZBA approved for the Site is supported by a corresponding Official Plan Amendment to the Woodbridge Centre Secondary Plan, also approved in principle by the OMB (Exhibit 2 in the hearing).

The Site-Specific ZBA is supported by an application for Site Plan Approval for the Proposed Development which has been underway concurrently, and it is anticipated that execution of the Site Plan Agreement between the Owner and the City will occur imminently.

### **The New Vaughan ZBL (3<sup>rd</sup> Draft)**

We have reviewed the third draft of the New Vaughan ZBL released in September 2020. We note that this version has introduced transition provisions which apply to circumstances where *Planning Act* applications are underway and significantly advanced at the time of the passing of the New Vaughan ZBL, including instances where a Site Plan Approval application predates the New Vaughan ZBL, or where the LPAT has granted an approval in principle, but withheld its Final Order subject to conditions (Section 1.6.3 of the New Vaughan ZBL).

Notwithstanding the possibility that the Site and Applications may be protected by these new transition provisions, we note that a zone symbol of “WMS-H(4)-D(1.0)” is proposed to be applied to the Site. It continues to be our position that the permissions in the Site-Specific ZBA should be reflected in any new zoning to be applied to the Site. As drafted, the WMS-H(4)-D(1.0) zone provides for a number of standards with respect to height, density, yard sizes and setbacks, as well as other performance standards that are not consistent with the Proposed Development approved for the Site nor with the Site-Specific ZBA.

We also note the possibility that the LPAT may issue a Final Order on the site-specific Official Plan Amendment and Site-Specific ZBA before the City finally adopts the New Vaughan ZBL, in which case it would be in appropriate for the New Vaughan ZBL to impose zoning on the Site that is not reflective of these contemporary approvals.

Thank you for providing the opportunity to comment on the draft New Vaughan ZBL. Would you kindly ensure that we receive a copy of any notices for public meetings, revised draft of the by-law, and any consideration or decisions made by City Council and committees of Council with respect to the New Vaughan ZBL.

Please provide notice to each of the following. Our mailing address is shown above. Our email addresses are as follows:

- Christopher Tanzola ([ctanzola@overlandllp.ca](mailto:ctanzola@overlandllp.ca))
- Greg Smith ([gsmith@overlandllp.ca](mailto:gsmith@overlandllp.ca))

Yours truly,  
**Overland LLP**



Per: Christopher J. Tanzola  
Partner





Overland LLP  
**Christopher J. Tanzola**  
Tel: (416) 730-0337 x. 112  
Direct: (416) 730-0645  
Email: ctanzola@overlandllp.ca

October 28, 2020

**COMMUNICATION – C3  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**VIA EMAIL**

Mayor Maurizio Bevilacqua and Members of City Council  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**Attention: Brandon Correia  
Manager, Special Projects**

Your Worship and Members of Council:

**RE: City of Vaughan New Comprehensive Zoning By-law  
7887 Weston Road**

We are the lawyers for Wedgewood Columbus Limited (the “**Owner**”), the owner of the property located at 7887 Weston Road (the “**Property**”).

We are writing to provide comments on behalf of the Owner regarding the third draft of the City of Vaughan Comprehensive Zoning By-law (the “**New Vaughan ZBL**”).

In particular, we are concerned that the proposed rezoning of the Property in the New Vaughan ZBL does not appropriately recognize the Property’s redevelopment potential and should not proceed in isolation of the development applications that have been submitted by the Owner and which are currently before the City for consideration.

**The Property**

The Property is located a block north of Highway 7, along the east side of Weston Road between Northview Boulevard and Chrislea Road. The Property has an area of approximately 1.6 hectares and is currently occupied by a single-storey commercial plaza with multiple tenancies and surface parking.

The Property is within the area identified for the Weston Road and Highway 7 Secondary Plan, where significant intensification and a mix of uses, including residential uses, are anticipated. The Property is designated “Mid-Rise Mixed Use” without a prescribed height or maximum density in the 2010 Vaughan Official Plan.

The current zoning of the Property under By-law 1-88 is “C7 Service Commercial Zone” subject to site-specific Exception 9(754B). The site-specific exception expands the range of commercial uses permitted under the basic C7 zoning.

## **Development Applications**

Through *Planning Act* applications submitted to the City as detailed below, the Owner is proposing to redevelop the Property with four new mixed-use towers with heights ranging from 40 to 49 storeys containing a total of approximately 2,000 residential units (the “**Proposed Development**”).

On December 23, 2019, the Owner submitted applications for an Official Plan Amendment (City File No. OP.19.015) and a Zoning By-law Amendment (City File No. Z.19.039) in respect of the Proposed Development (the “**Applications**”). Although initially deemed incomplete by the City and made the subject of a motion by the Owner to the Local Planning Appeal Tribunal (LPAT Case No. MM200005), the Applications were subsequently determined to be complete on July 27, 2020 and the motion was withdrawn.

The Applications were the subject of a Planning Report that was taken to a Public Meeting on September 15, 2020.

The Applications call for the rezoning of the Property under By-law 1-88 to a site-specific “RA3 Apartment Residential Zone”, with exceptions that would specifically permit the proposed height and density of development, together with performance standards for the Property that reflect the Proposed Development.

## **Proposed Zoning in Current Draft**

Notwithstanding the foregoing, the most recent draft of the New Vaughan ZBL proposes that the Property be zoned “GMU-461”, which is a “General Mixed Use” zone, with a site-specific exception that provides for an assortment of commercial uses, parking standards, and definitions. There is a cross-reference in Section 17.461.2.1 that appears to be in error (it refers to Section 17.745.1.1 and 17.745.1.2). Notwithstanding that the 2010 Vaughan Official Plan designates the Property for a mix of uses, no residential uses are permitted by this proposed zoning. The proposed height limit of 11 metres is less than would be permitted for mid-rise development in accordance with the Official Plan designation.

Apart from the proposing zoning and the site-specific exception, the New Vaughan ZBL also contains transition provisions that purport to apply to various *Planning Act* matters. These are found in Section 1.6 of the New Vaughan ZBL. In particular, Section 1.6.3 applies to certain *Planning Act* applications that are in progress at the time of the adoption of the New Vaughan ZBL. However, this section refers only to minor variance applications (Section 1.6.3.1), site plan approval applications (Section 1.6.3.2) and certain land division applications (1.6.3.3). No transition is provided for complete applications for Official Plan Amendments and Zoning By-law Amendments submitted prior to the passing of the New Vaughan ZBL.

**Concerns with Current Draft**

Based on the review above, we state the following concerns on behalf of the Owner:

- The proposed “GMU-461” zoning appears to contain a typographical error in certain cross-references.
- In any event, the proposed “GMU-461” zoning for the Property does not conform to the 2010 Vaughan Official Plan designation for the Property as “Mid-Rise Mixed Use”. A new Zoning By-law should not be adopted by the City that does not conform to the Official Plan.
- Furthermore, the proposed “GMU-461” zoning does not appropriately reflect the development potential for the Property, and as such is not consistent with the Provincial Policy Statement and does not conform to the Growth Plan in terms of the appropriate location for growth and intensification in areas where significant transit and public infrastructure exist.
- If the City does not intend to reflect the true development potential of the Property through the current City-wide rezoning exercise, then transition provisions in the New Vaughan ZBL ought to recognize the Applications that have been submitted under the *Planning Act* and transition the Property out of the New Vaughan ZBL so that a site-specific determination of the appropriate zoning can be made. As currently drafted, the Owner (as well as all owners who are working through on-going development applications, but have not yet submitted site plan approval applications) will be required to appeal the New Vaughan ZBL to ensure that it does not prejudice the consideration of the Applications.

**Request for Notice**

Thank you for providing the opportunity to comment on the New Vaughan ZBL. Would you kindly ensure that we receive a copy of any notices for public meetings, revised drafts of the by-law, and any consideration or decisions made by City Council and committee of Council with respect to the New Vaughan ZBL.

Please provide notice to each of the following. Our contact information is shown above. Our email addresses are as follows:

- Christopher Tanzola ([ctanzola@overlandllp.ca](mailto:ctanzola@overlandllp.ca))
- Greg Smith ([gsmith@overlandllp.ca](mailto:gsmith@overlandllp.ca))

Yours truly,

**Overland LLP**



Per: Christopher J. Tanzola  
Partner



Overland LLP  
**Christopher J. Tanzola**  
Tel: (416) 730-0337 x. 112  
Direct: (416) 730-0645  
Email: ctanzola@overlandllp.ca

October 28, 2020

**COMMUNICATION – C4  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**VIA EMAIL**

Mayor Maurizio Bevilacqua and Members of City Council  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**Attention: Brandon Correia  
Manager, Special Projects**

Your Worship and Members of Council:

**RE: City of Vaughan New Comprehensive Zoning By-law  
1150 Centre Street**

We are the lawyers for 1150 Centre Street GP Inc. (the “**Owner**”), the owner of the property located at 1150 Centre Street (the “**Property**”). The Owner acquired the Property on September 11, 2020.

We are writing to provide our comments on behalf of the Owner regarding the third draft of the City of Vaughan Comprehensive Zoning By-law (the “**New Vaughan ZBL**”).

In particular, we are concerned that the proposed zoning of the Property in the New Vaughan ZBL does not appropriately recognize the Property’s redevelopment potential and should not proceed in isolation of an ongoing appeal in respect of the Property of the 2010 Vaughan Official Plan (“**VOP 2010**”) or a forthcoming site-specific development application which the Owner intends to submit in the coming weeks.

**The Property**

The Property is located at the northeast corner of Centre Street and Vaughan Boulevard, west of Bathurst Street. The property is currently vacant. Pursuant to a previous site-specific rezoning, the Property has permissions for a commercial plaza with retail and office/medical office uses in 3 buildings up to a maximum height of 3 storeys (15.5 metres).

The Property is located along a Regional Intensification Corridor and Regional Rapid Transit Corridor (i.e. Centre Street, west of Bathurst Street) that is recognized in the VOP 2010. The Property is designated “Mid-Rise Mixed Use” and “Low-Rise Mixed Use” by VOP 2010. The Property is also within an area that is subject to an Area Specific Plan under the VOP 2010, namely: the Centre Street Corridor.

The Centre Street Corridor policies are found in Section 12.9 of the VOP 2010, as adopted by the City of Vaughan and subsequently modified by the Region of York (and currently under appeal). Under these policies (not yet approved), the Property has three designations: “Mid-Rise Mixed Use B” (1.6 FSI); “Mid-Rise Mixed Use A” (2.8 FSI); and “Low-Rise Residential A” (0.75 FSI). Maximum heights range from 2 to 8 storeys.

The policies of the VOP 2010 with respect to the Centre Street Corridor are currently under appeal at the Local Planning Appeal Tribunal (Case No. PL111184). A hearing of the Centre Street Corridor policies, including a consideration of the land use, height, and density of development along this corridor, is scheduled for May 2021. The Owner recently assumed Appeal No. 105 in respect of the Centre Street Corridor policies (formerly, the appeal of TDC Medical Properties Inc.).

The current zoning of the Property under By-law 1-88 is “C1 Commercial Zone” subject to site-specific Exceptions 9(826) and 9(776). As noted above, Exception 9(826) provides for a variety of commercial uses, height, density, and performance standards to permit an office/commercial development in 3 buildings located on the Property in defined building envelopes. Exception 9(776) appears to apply site-specific exceptions to the “R3” residential zoning, which was the prior zoning of the Property.

#### **VOP 2010 Appeal and Site-Specific Zoning**

As noted, the Official Plan policies applicable to the Property are under appeal by the Owner and others, and are scheduled to be considered by the Local Planning Appeal Tribunal in mid-2021. The outcome of the appeal of these policies will determine, amongst other matters, the permitted heights and densities of uses along the Centre Street intensification and rapid transit corridor.

In addition, the Owner intends to submit site-specific development approval applications for the Property within the coming weeks, and is currently seeking to schedule a Pre-Application Consultation meeting with City Staff. Given the locational attributes of the Property and the Provincial, Regional, and local planning policies concerning development along mixed-use intensification corridors where significant public investment has been made in infrastructure and rapid transit, the development applications will be seeking permissions that are significantly in excess of what is currently permitted by the C1 zoning and the existing site-specific exceptions.

#### **Proposed Zoning in Current Draft**

The most recent draft of the New Vaughan ZBL proposes that the Property be zoned “GMU-518, 481”, which is a “General Mixed Use” zone with site-specific exceptions that generally replicate the permissions and restrictions under By-law 1-88. Notwithstanding that the VOP 2010 and the Centre Street Corridor policies would permit residential uses (if in effect), the proposed zoning does not permit residential uses. Similarly, the proposed height limit of 3 storeys or 15.5 metres, is less than would be permitted by the proposed designations under the Official Plan.

The New Vaughan ZBL also contains transitions provisions for certain *Planning Act* matters that are in process. These are found in Section 1.6 of the New Vaughan ZBL. However, these provisions do not account for ongoing appeals of the City's Official Plan which are still to be disposed of. No transition provision is provided to ensure that the zoning to be applied to the site through the New Vaughan ZBL process will conform with the outcome of the ongoing VOP 2010 appeals.

Similarly, in the event that a site-specific development approval application is made for the Property in the near term, the transition rules would not appear to apply to Official Plan Amendment/Zoning By-law Amendment applications, but rather only apply in the case of minor variance applications, Site Plan Approval applications, and certain applications for land division.

### **Concerns with the Current Draft**

Based on the review above, we state the following concerns on behalf of the Owner:

- The proposed "GMU-518, 481" zoning for the Property has not accounted for the ongoing appeals of VOP 2010, including the Owner's Appeal No. 105; nor would it even conform with the version of VOP 2010 adopted by the City and modified by the Region. A new Zoning By-law should not be adopted by the City that does not implement the City's Official Plan, and that does not take into account the outcome of pending appeals.
- Furthermore, the proposed "GMU-518, 481" zoning does not appropriately reflect the development potential for the Property, and as such it is not consistent with the Provincial Policy Statement and does not conform to the Growth Plan in terms of the appropriate location for growth and intensification in an area where significant public investment has been made in infrastructure and public transit. It is not clear what the City's rationale is in passing a new Zoning By-law that simply replicates the existing zoning.
- If the City does not intend to reflect the true development potential of the Property through the current City-wide rezoning exercise, then transition provisions in the New Vaughan ZBL ought to recognize existing appeals that are in front of the LPAT, where matters germane to zoning, such as height, density, built form, and use permissions will be adjudicated. The New Vaughan ZBL ought also to recognize and provide appropriate transition for site-specific development applications (both those that have been made and those that will be made imminently), so that a site-specific determination of the appropriate zoning can be made. As currently drafted, the Owner will be required to appeal the New Vaughan ZBL to ensure that it does not prejudice its appeal of the VOP 2010/Centre Street Corridor policies and the consideration of its forthcoming development applications.

### **Request for Notice**

Thank you for providing the opportunity to comment on the New Vaughan ZBL. Would you kindly ensure that we receive a copy of any notices for public meetings, revised drafts of the by-

law, and any consideration or decisions made by City Council or committees of Council with respect to the New Vaughan ZBL.

Please provide notice to each of the following. Our contact information is shown above. Our email addresses are as follows:

- Christopher Tanzola ([ctanzola@overlandllp.ca](mailto:ctanzola@overlandllp.ca))
- Greg Smith ([gsmith@overlandllp.ca](mailto:gsmith@overlandllp.ca))

Yours truly,

**Overland LLP**



Per: Christopher J. Tanzola  
Partner



**SMARTCENTRES®**  
REAL ESTATE INVESTMENT TRUST

**COMMUNICATION – C5**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

3200 HIGHWAY 7 • VAUGHAN, ON • L4K 5Z5  
T 905 326 6400 • F 905 326 0783

October 28, 2020

Brandon Correia – Manager, Special Projects  
City of Vaughan  
Office of the Deputy City Manager, Planning and Growth Management Portfolio  
2141 Major Mackenzie Dr.  
Vaughan, ON  
L6A 1T1

Dear Mr. Correia:

**RE: CITY OF VAUGHAN – COMPREHENSIVE ZONING BY-LAW REVIEW 3<sup>rd</sup> DRAFT COMMENT LETTER**

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**SmartCentres** (through our various ownership corporations) is pleased to provide this letter regarding the third draft of the Comprehensive Zoning By-law (hereinafter the “draft Zoning By-law”) being considered for approval by Council. We had provided comments to the City on the first draft of the Comprehensive Zoning By-law on August 14<sup>th</sup>, 2019 (see attached letter) and second draft of the Comprehensive Zoning By-law on March 10<sup>th</sup>, 2020, April 23<sup>rd</sup>, 2020, and May 20<sup>th</sup>, 2020 (see attached letters).

## **GENERAL COMMENTS**

Please note that our comments are by no means exhaustive, and we would like to meet with staff to discuss all aspects of the third draft. We feel that more discussions need to occur prior to the by-law being brought before council. Also, it would be appreciated if a track changed version of the draft by-law noting changes between the first draft, the second draft and the third draft and in the future subsequent versions be provided.

## **VAUGHAN METROPOLITAN CENTRE LANDS**

SmartCentres owns 100 acres of land within the Vaughan Metropolitan Centre (“VMC”) and has worked very closely with City Staff for many years on various planning policies and significant development proposals. Specifically, a mediation process which took several years between the City and stakeholders during the implementation of the Vaughan Metropolitan Secondary Plan (“VMC Secondary Plan”). The proposed zoning provisions in the VMC are significantly more stringent and restrictive than the intentions of the VMC Secondary Plan and will stifle creativity throughout the design process.

It is our understanding the intent of the draft by-law is to implement the City of Vaughan Official Plan and VMC Secondary Plan. Given an update to the VMC Secondary Plan is to occur shortly, which will likely include numerous changes to the policies affecting development in the VMC, the City should delay implementation of the VMC Zones until the Secondary Plan update occurs. If



not, what is the City's plan for further updating the Comprehensive Zoning By-law once the VMC Secondary Plan review is completed?

It appears that SmartCentres comments regarding a number of inconsistencies with the Phase 2B second draft have not been reflected in the Phase 2C third draft. These include:

### 1. VMC Zone Land Uses

It appears that SmartCentres comments regarding land uses in the VMC Zones (V1 to V4) have not been addressed. We reiterate that the VMC Secondary Plan provides for the broadest range of uses in the City and this should be incorporated into the VMC Zones accordingly to encourage a diverse, mixed use community that is adequately able to respond to market conditions. For example:

- Multiple townhouse dwelling units are only permitted in the V3 Zone, the multiple townhouse dwelling units should be permitted within all VMC zones. Multiple townhouse dwelling units were recently approved for Transit City 1 and 2 within the VMC.
- Schools are not permitted within a V4 Zone, however the VMC Secondary Plan identifies lands which are proposed to be zoned V4 as potential school sites on Schedule E and Policy 3.4. Thus, Schools should be provided within all VMC zones.

Furthermore, there is concern with the additional requirements to Table 10-2. Item 4 notes *apartment dwellings shall not be permitted within the ground floor frontage, except that a maximum of 15% of the ground floor frontage may be used for lobby or other common areas associated with the apartment dwelling.* There has been approvals within the VMC which permit at-grade apartment dwellings (Transit City 3), it is our opinion that this additional requirement should be removed, as this built form currently exists within VMC.

Item 5 notes *this use shall only be permitted in the ground floor frontage and the total gross floor area shall not exceed 10% of the gross floor area of all uses on the lot.* We request this additional requirement be removed as it restrictive on the type of use that can be provided at grade. We have experienced in the past that some tenants required a specific gross floor area to operate their businesses, not having the flexibility limit potential tenants.

### 2. Lot and Building Standards

It appears that SmartCentres comments on lot and building standards in the VMC Zones have not been addressed. We reiterate these comments and request further discussion on the issues raised previously. For example:

- The draft by-law seeks to implement a *minimum office tower separation of 20 m.* The VMC secondary plan policy 8.7.18 states *the distance between the facing walls of a residential tower and an office tower may be reduced to a minimum of 20 metres, subject to appropriate site and building design. Lesser separation distances between office towers may be permitted.* By applying a minimum 20 m separation distance the proposed provision contradicts the VMC secondary plan policies, as lesser separation distances may be permitted.
- The draft by-law seeks to implement a *maximum residential floor plate of 750 sq. m.* It is our opinion this provision will limit creativity and flexibility within future developments within VMC. Approvals have been granted for larger tower floor plate sizes within VMC, for example a maximum tower floor plate size of 820 sq. m. We understand the VMC secondary plan policy 8.7.10 states *the maximum size of a residential tower floor plate*

*shall be approximately 750 square metres.* However, this is an 'approximate' it is not a required maximum.

### 3. Landmark Locations

The Landmark Location provision from Schedule A2 of Zoning By-law 1-88 has not been carried forward into the draft by-law. The landmark provision permits unlimited height in key locations along Highway 7. The inclusion of Landmark Location provisions in By-law 1-88 should be brought forward into the draft By-law. We are not supportive of the exclusion of these provisions from the draft By-law, which if excluded, essentially downzones the Landmark Locations that is inconsistent with provincial policy related to urban growth centres and Major Transit Station Areas.

### 4. Active Frontages

It appears the Active Use Frontages are no longer defined in the third draft, rather added to section 2.3.2 and 4.2 of the by-law. It is our recommendation that these provisions be removed from the draft by-law as it is restrictive and implemented through the VMC Secondary Plan (policies 8.1.2 and 8.6). Furthermore, there are discrepancies within Schedule B-1 as it does not correctly reflect Schedule H of the VMC Secondary Plan. Specifically, Schedule B1 adds active use frontage (convertible) along portion of Buttermill Avenue which is not identified on Schedule H of the VMC Secondary Plan.

### 5. Parking Rates

The VMC is home to the new constructed York Region VIVA Bus Terminal and VMC TTC Subway Station. The investment in higher-order transit facilities within this area is a major driving force to create an enormous opportunity for an increase in development within this area.

To encourage the use of the transit investment within the VMC, lower parking rates should be required for this area. The draft by-law currently requires the following minimum parking rates:

- A minimum range of 1.0 to 0.6 parking spaces for residential uses;
- A minimum range of 0.25 to 2.0 parking spaces for commercial uses; and
- A minimum range of 0.25 to 3.0 parking spaces for community uses.

SmartCentres has received a number of approvals for reduced parking rates which include:

- Transit City 1 and Transit City 2, approved in 2017 with a minimum parking rate of:
  - 0.5 parking spaces per unit and commercial parking.
- Transit City 3, approved in 2018 with a minimum parking rate of:
  - 0.33 parking spaces per unit.
  - No parking shall be required for retail uses.
- East Block Phase 2, approved in 2019 with a minimum parking rate of:
  - 0.41 parking spaces per unit.
  - Visitor, commercial and commercial paid parking spaces permitted off site.

It is our recommendation that the minimum parking rates for residential uses be reduced for VMC zones. As shown through a number of recently approved applications within the VMC reduce rates are supported by the amount of transit infrastructure within VMC. It appears the proposed rates do not reflect the investment in higher-order transit, rather encourages the use of vehicles.

Further, we recommend for all other uses within the VMC zone that the minimum parking space requirements be removed. This is consistent with the first draft of the by-law which did not require minimum rates for non-residential uses.

We would be happy to have a meeting with staff to discuss the work that has been completed to support reduced parking rates within the VMC through the above noted applications.

## **WESTON / 7 SECONDARY PLAN AREA LANDS**

The SmartCentres lands within the Weston / 7 Secondary Plan Area are proposed to be zoned General Mixed Use (GMU) in the draft By-law. The GMU Zone does not reflect the current designations in VOP2010 nor the current applications (file no.'s OP.19.012 and Z.19.036) filed for the Highway 400 / 7 lands. Further the Weston / 7 Secondary Plan is still underway (with Phase 2 expected in 2021) and likely will provide additional details for height, density and permitted uses which the GMU Zone does not reflect.

We therefore request that the draft By-law exclude the Weston / 7 Secondary Plan Area lands until such time as the Secondary Plan is completed. Should the City not exclude these lands, we request that the draft By-law implement the VOP2010 designations for the Plaza del Sole lands (a MMU Zone would be appropriate). To zone the lands GMU Zone would not be consistent with VOP2010. We also recommend the list of existing uses be included as permitted uses subject to regulation 2.5.1.4 in the draft Zoning By-law.

## **9200 BATHURST STREET**

It appears the recommendations noted in our comment letter dated April 23, 2020, for 9200 Bathurst Street has not been addressed.

The subject lands are proposed to be zoned GMU which permits the majority of the existing permitted uses on the subject lands; however, the new draft Zoning By-law propose is to update the existing zoning to implement the Official Plan. The proposed GMU zone restricts the subject lands and is not consistent with the permitted land use designation for the subject lands as outlined in the Official Plan. As such, we recommend the subject lands be rezoned to permit residential uses, maximum density of 3.5 and maximum height of 12-storey subject to a holding provision which would require a Zoning By-law Amendment to permit additional uses, density and height on the subject lands.

In addition, we have not received a response to the list of items listed included within the chart of our attached letter for further clarification and confirmation of the interpretation of permitted uses. If there is any discrepancy in the existing uses and the proposed uses, we formally request that all existing uses be permitted within the GMU zone.

## **HWY 427/ HWY 7**

It appears the recommendations noted in our comment letter dated February 19, 2020, for Lands east and west of New Huntington Road, north of Highway 7 has not been addressed.

### **1. Permitted Uses**

The EMU zone provides a number of permitted uses, including Retail. However, the retail use is subject to the following condition on Table 8-2: *(2) this use shall only be permitted as part of a mixed-use development and the total amount of gross floor area of all uses subject to this portions shall be limited to a maximum of 30% of the gross floor area of all uses on the lot.*

As stated in the Official Plan (Policy 9.2.2.7.d), lands designated Employment Commercial Mixed-Use Areas located on Regional Intensification Corridors within Employment Areas are subject to a **minimum of 30% of the total gross floor area of all uses shall consist of uses other than retail uses**. Condition 2 above does not meet the intent of Policy 9.2.2.7.d) rather provides further restrictions for retail uses within lands designated Employment Commercial Mixed-Use Area. The Official Plan permits upwards of 70% of Gross Floor Area can be Retail on lands designated Employment Commercial Mixed-Use Areas, rather the draft Zoning is maximizing the permitted retail use at 30%.

Therefore, we recommend this condition be removed as the Official Plan will regulation the Gross Floor Area distribution for lands designated Employment Commercial Mixed-Use Areas.

## 2. Additional Uses

We recommend that **"Self-Storage Facility"** with the condition for mixed-use built form be considered as a permitted use within the By-law. The condition of the mixed-use built form would allow self-storage to be in combination of other commercial/retail uses on the Subject Lands. A self-storage facility in mixed use built-form provides the opportunity for a high-demand use for daily needs of residents and business within an urban setting be integrated in a built-form that is not land extensive, enhances the retail experience and pedestrian realm on the Subject Lands.

We recommend that both **"Warehousing and Distribution Facility"** and **"Manufacturing or Processing Facility"** be added as an additional use. The intent of the EMU zone is to provide for a wide range of employment and other uses and a limited amount of commercial uses. Therefore, permitting manufacturing or processing facility would permit more industrial uses like a distribution centre.

The subject lands are designated "Employment Area" and within a "Regional Intensification Corridor" which permits a range of industrial, manufacturing warehousing and where appropriate, office uses. The additional uses will assist with implementing the vision of the Official Plan policies for employment areas.

## **SUMMARY**

We believe that there are still a number of inconsistencies between the draft zoning by-law and the City Official Plan (including the VMC Secondary Plan). As the draft by-law stands today is restrictive and approval of this by-law will implement a by-law that is stifle the creativity of development within the City of Vaughan.

We request a meeting with staff to discuss our comment noted within this letter, and all previously letters submitted to City Staff.

We reserve the right to provide further comments on the draft By-law.

Thank you.



Yours truly,  
**Paula Bustard**

cc. *Matthew Kruger - SmartCentres*  
*David A. McKay, Celeste Salvagna - MHBC*



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REAL ESTATE INVESTMENT TRUST

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**DELIVERED ELECTRONICALLY**

DATE May 20, 2020

TO: Mr. Brandon Correria  
Manager, Special Projects  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**RE: City of Vaughan Comprehensive Zoning By-law, Phase 2 (B) Comments**

Dear Mr. Correria,

Further to our discussion on April 3<sup>rd</sup>, 2020, SmartCentres is pleased to provide the following comments on **Phase 2 (B) of the City of Vaughan Comprehensive Zoning By-Law**. We and our consultants have participated in the entirety of the public process to date and we look forward to working with staff to address our concerns prior to the finalization of this By-Law.

SmartCentres owns over 250 acres of land in the City of Vaughan, including 100 acres in the Vaughan Metropolitan Centre (VMC). We have worked closely with City staff for many years on the advancement of various planning policies and significant development proposals throughout the City of Vaughan. We have always strived to work collaboratively with the City of Vaughan including the significant developments we have advanced within the VMC.

Thank you.

Yours Truly,

**Matthew Kruger**  
Associate, Development  
SmartCentres REIT

CC: Paula Bustard, SmartCentres  
David McKay, MHBC

COMMENTS		PROPOSED BY-LAW 2020-____ SECOND DRAFT	RECOMMENDATIONS
<b>GENERAL COMMENTS– SECOND DRAFT ZONING BY-LAW</b>			
1	It would be appreciated if a track changed version of the draft By-law was available.	N/A	The track changed version of the draft By-law noting changes between the first draft, the second draft and in the future subsequent versions be provided.
2	We understand from discussions with City staff that existing site specific permissions will be incorporated over the coming months to reflect the permissions granted through site specific By-law amendments to By-law 1-88.	N/A	We request being provided these exceptions as soon as they are ready for our review and comment.
3	Active Use Frontage (required) Definition	Section 3.0 Definitions  “Means the ground floor of a building or structure facing a street line that is permeable, transparent, and contains entrances for permitted retail uses in the subject zone. Emergency access doors, garage doors, service doors and loading doors are not permitted along the street line.”	The definitions for Active Use Frontage (required) and Active Use Frontage (convertible) are unclear and do not provide the flexibility as outlined in the VMC Secondary Plan (Policies under Section 8.6).  We recommend the Proposed Schedule B-1 in the draft By-law be revised to reflect Schedule H in the VMC Secondary Plan. Further we recommend the definitions of Active Use Frontage be revised to include the legend notes noted on Schedule H in the VMC Secondary Plan.
4	Active Use Frontage (convertible) Definition	Section 3.0 Definitions  “Means the ground floor of a building or structure facing a street line that is designed for active use frontage, but where all uses in the subject zone are permitted.”	
5	Gross Floor Area Definition	Section 3.0 Definitions  “In reference to a building or structure, means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, mechanical penthouse, elevator, elevator shaft, escalators, bicycle parking space, loading space, a dedicated waste storage area, or any portion of a garage or parking structure located above or below grade; or,  In reference to a secondary suite, the aggregate area of that portion of a dwelling devoted to and exclusively used as a secondary suite.”	We believe the following exclusions should be included into the definition of GFA: <ul style="list-style-type: none"> <li>• Lockers;</li> <li>• Mechanical/Electrical shafts;</li> <li>• Garbage chute;</li> <li>• Stair shafts;</li> <li>• Washrooms; and</li> <li>• Amenity Space required by the By-law</li> </ul> <p>The exclusions listed above are common elements that are not included in the calculation of GFA within other municipalities, such as the City of Toronto. It is our opinion the exclusions above be removed from the calculation of GFA as these are communal spaces for residents and visitors of a development.</p>
6	Landmark Locations	Schedule A2 By-law 1-88	We recommend the inclusion of Landmark Location provisions in By-law 1-88 should be brought forward into the draft By-law.  SmartCentres is not supportive of the exclusion of these provisions from the draft By-law, which if excluded, essentially downzones the Landmark Locations that is inconsistent with provincial policy related to urban growth centres and Major Transit Station Areas.
7	Proposed Schedule B-1 base mapping.	Proposed Schedule B-1 draft By-law.	We recommend Schedule B-1 base mapping in the VMC be updated as it is incorrect and should reflect existing and planned road networks. In particular, SmartCentres has built Applewood Crescent which is not properly shown.
<b>SECTION 10.0 VAUGHAN METROPOLITAN CENTRE ZONES – SECOND DRAFT ZONING BY-LAW</b>			
8	There is a significant variation and differences between the proposed uses within V 1 V2, V3 and V4.	10.2.1 Permitted Uses within V1 and V2	

COMMENTS	PROPOSED BY-LAW 2020-____ SECOND DRAFT	RECOMMENDATIONS
<p>These differences are inconsistent, lack rationale and do not permit a broad range of uses as contemplated in the VMC plan.</p>	<ul style="list-style-type: none"> <li>• Existing Uses <ul style="list-style-type: none"> <li>○ Existing uses buildings and structures that do not otherwise conform to the provisions of this By-law.</li> </ul> </li> <li>• Commercial Uses <ul style="list-style-type: none"> <li>○ Art studio</li> <li>○ Business services</li> <li>○ Clinic</li> <li>○ Commercial school</li> <li>○ Financial intuition</li> <li>○ Health and fitness centre</li> <li>○ Hotel</li> <li>○ Micro-manufacturing</li> <li>○ Place of entertainment</li> <li>○ Person service</li> <li>○ Public hall</li> <li>○ Restaurant</li> <li>○ Retail</li> <li>○ Retail, convenience</li> <li>○ Retail, major</li> <li>○ Theatre</li> </ul> </li> <li>• Employment Uses <ul style="list-style-type: none"> <li>○ Office</li> </ul> </li> <li>• Residential Uses <ul style="list-style-type: none"> <li>○ Apartment dwelling (condition 5)</li> <li>○ Block townhouse dwelling</li> <li>○ Live-work dwelling</li> <li>○ Podium townhouse dwelling</li> <li>○ Street townhouse dwelling</li> </ul> </li> <li>• Community Uses <ul style="list-style-type: none"> <li>○ Community facility</li> <li>○ Community Garden</li> <li>○ Day care centre</li> <li>○ Day care centre, adult</li> <li>○ Emergency service</li> <li>○ Long term care facility</li> <li>○ Place of worship</li> <li>○ Post-secondary school</li> <li>○ Public parking</li> <li>○ School</li> <li>○ Urban square</li> </ul> </li> <li>• Specified Accessory Uses (all subject to condition 1) <ul style="list-style-type: none"> <li>○ Home occupation</li> <li>○ Outdoor display</li> <li>○ Outdoor patio</li> <li>○ Temporary sales office</li> <li>○ Short-term rental</li> </ul> </li> </ul>	<p>We request that multiple-unit townhouse dwellings be permitted within the next draft. Residential dwelling is permitted within the VMC Secondary Plan.</p>
<p>9 There is a significant variation and differences between the proposed uses within V 1 V2, V3 and V4.</p>	<p>10.2.1 Permitted Uses within V3</p>	<p>Permitted uses in V3 are too restrictive. A broader spectrum of uses should be permitted within these lands. The VMC Secondary Plan (policy 8.4.1)</p>

COMMENTS	PROPOSED BY-LAW 2020-____ SECOND DRAFT	RECOMMENDATIONS
	<ul style="list-style-type: none"> <li>• Existing Uses                             <ul style="list-style-type: none"> <li>○ Existing uses buildings and structures that do not otherwise conform to the provisions of this By-law.</li> </ul> </li> <li>• Commercial Uses                             <ul style="list-style-type: none"> <li>○ Clinic</li> <li>○ Financial intuition</li> <li>○ Person service (condition 6)</li> <li>○ Restaurant (condition 6)</li> <li>○ Retail, convenience (condition 6)</li> </ul> </li> <li>• Employment Uses                             <ul style="list-style-type: none"> <li>○ Office (condition 4)</li> </ul> </li> <li>• Residential Uses                             <ul style="list-style-type: none"> <li>○ Apartment dwelling (condition 5)</li> <li>○ Block townhouse dwelling</li> <li>○ Live-work dwelling</li> <li>○ Podium townhouse dwelling</li> <li>○ Street townhouse dwelling</li> </ul> </li> <li>• Community Uses                             <ul style="list-style-type: none"> <li>○ Community facility</li> <li>○ Community Garden</li> <li>○ Emergency service</li> <li>○ Long term care facility</li> <li>○ Place of worship</li> <li>○ School</li> <li>○ Urban square</li> </ul> </li> <li>• Specified Accessory Uses (all subject to condition 1)                             <ul style="list-style-type: none"> <li>○ Home occupation</li> <li>○ Outdoor patio</li> <li>○ Temporary sales office</li> <li>○ Short-term rental.</li> </ul> </li> </ul>	<p>permits retail, service and commercial uses as complimentary/ancillary uses if it is deemed appropriate and conforms with VMC Secondary Plan policy 8.6 (retail requirements).</p> <p>Art studio, business service, commercial school, health and fitness centre, hotel, micro-manufacturing, place of entertainment, public hall, retail, retail (major) and theatre are not permitted. Why? We ask these uses be permitted within the next draft.</p> <p>We request that multiple-unit townhouse dwellings be permitted within the next draft.</p> <p>We request that day care centre, day care centre (adult) and post-secondary school be permitted within the next draft.</p> <p>We request that public parking be permitted within the next draft. Public parking is particularly important in residential zones (i.e. public parking / shared parking opportunities).</p> <p>We request that colleges and university be permitted within the next draft. This proposed change does not contemplate the emerging/ shifting trends in people's personal behaviours and preferences. There is a growing need to provide public parking or shared parking opportunities.</p> <p>We request that outdoor display be permitted in the next draft.</p>
<p>10 There is a significant variation and differences between the proposed uses within V 1 V2, V3 and V4. These differences are inconsistent, lack rationale and do not permit a broad range of uses as contemplated in the VMC plan.</p>	<p>10.2.1 Permitted Uses within V4</p> <ul style="list-style-type: none"> <li>• Existing Uses                             <ul style="list-style-type: none"> <li>○ Existing uses buildings and structures that do not otherwise conform to the provisions of this By-law.</li> </ul> </li> <li>• Commercial Uses                             <ul style="list-style-type: none"> <li>○ Art studio</li> <li>○ Business services</li> <li>○ Clinic</li> <li>○ Commercial school</li> <li>○ Financial intuition</li> <li>○ Hotel</li> <li>○ Place of entertainment</li> <li>○ Person service</li> </ul> </li> </ul>	<p>We request that art studio, business service, health and fitness centre, micro-manufacturing, retail (major) and theatre be permitted in the next draft.</p>



COMMENTS		PROPOSED BY-LAW 2020-____ SECOND DRAFT	RECOMMENDATIONS										
		<ul style="list-style-type: none"> <li>○ Public hall</li> <li>○ Restaurant</li> <li>○ Retail</li> <li>○ Retail, convenience</li> <li>● Employment Uses                             <ul style="list-style-type: none"> <li>○ Office</li> <li>○ Light manufacturing use</li> <li>○ Research and development</li> </ul> </li> <li>● Community Uses                             <ul style="list-style-type: none"> <li>○ Community Garden</li> <li>○ Emergency service</li> <li>○ Place of worship</li> <li>○ Public parking</li> <li>○ Urban square</li> </ul> </li> <li>● Specified Accessory Uses (all subject to condition 1)                             <ul style="list-style-type: none"> <li>○ Home occupation</li> <li>○ Outdoor display</li> <li>○ Outdoor patio</li> <li>○ Temporary sales office</li> <li>○ Short-term rental.</li> </ul> </li> </ul>	<p>We request that community facility, day care centre, day care centre (adult), long term care facility, post-secondary school and school be permitted in the next draft.</p> <p>We request that colleges and university be permitted within the next draft. These proposed changes do not contemplate the emerging/ shifting trends in people's personal behaviours and preferences. There is a growing need to provide public parking or shared parking opportunities.</p> <p>We request that outdoor display area and short-term rental be permitted within the next draft.</p>										
11	Condition Number 3	Section 10.2.1  3. The use shall only be permitted in the ground floor frontage and the total gross floor area shall not exceed 10% of the gross floor area of all uses on the lot.	We recommend condition 3 should be deleted from the draft By-law. We request that staff provide further rationale for permitting only ground floor commercial uses. Furthermore we would like to discuss the proposed 10% GFA restriction.										
12	Condition Number 4	Section 10.2.1  4. Office uses shall only be permitted in the V3 Zone subject to the areas shown on Schedule B-1.	We recommend condition 4 should be deleted. This policy/note in conjunction with Schedule B-1 of the draft By-law does not match the intent of the VMC Secondary Plan. Please see Schedule H of the VMC Secondary Plan which is not intended to be a prohibitive schedule. This policy is overly restrictive within lands designated as V3.										
13	Condition Number 5	Section 10.2.1  5. Apartment dwellings shall not be permitted within the ground floor frontage.	We request staff provide further rationale in regards to this condition. This condition exists and was approved by Council within the Transit City Condominiums (1 and 2) at 898 Portage Parkway and 5 Buttermill Avenue in VMC.										
14	Condition Number 6	Section 10.2.1  6. This use shall only be permitted on a corner lot and within the first storey of the building.	What is the rationale for limiting and prescribing specific uses on corner lots only? This is unclear and very restrictive.										
15	Condition Number 2	Section 10.2.2  2. The minimum exterior side yard shall be 3.5 m where the exterior side yard abuts a walkway, greenway or Stormwater management facility.	What is the rationale for the exact numerical measurement? This includes a higher setback than would typically be required.										
16	Podium Tower Requirements	Section 10.2.2  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Requirement</th> <th>V1</th> <th>V2</th> <th>V3</th> <th>V4</th> </tr> </thead> <tbody> <tr> <td>Min. podium height (m)</td> <td>10.5</td> <td>10.5</td> <td>10.5</td> <td>10.5</td> </tr> </tbody> </table>	Requirement	V1	V2	V3	V4	Min. podium height (m)	10.5	10.5	10.5	10.5	The podium and tower requirements for buildings with a height of 30 m or greater; the setbacks, step backs, and tower floor plate requirements are very restrictive.
Requirement	V1	V2	V3	V4									
Min. podium height (m)	10.5	10.5	10.5	10.5									

COMMENTS		PROPOSED BY-LAW 2020-____ SECOND DRAFT				RECOMMENDATIONS	
		Max. podium height (m)	20.0	14.0	14.0	14.0	<p>As per the VMC Secondary Plan, flexibility is provided if the applicant can demonstrate that there are no/reduced negative shadow, privacy and/or wind impacts. The specific policy within the Secondary Plan was negotiated at length between the landowners and the City. The key issue was providing flexibility to allow for creative building designs that fits the context of a given site. The parameters established for tower floor plate, setbacks and separation are more onerous than the Secondary Plan. Furthermore, the City has worked collaboratively with the development community throughout the evolution of the VMC on a variety of tower floor plates that exceed what is now being proposed. These projects have been highly regarded and in no way has the larger floor plates diminished the high-quality architecture and design. As such imposing a reduced floor plate restriction now would stifle creative design. The VMC benefits from opportunity for larger than normal tower separations. It is critical the City maintains the flexibility to look at these issues in a holistic nature and review each application on the appropriateness of the design. Imposing these standards will make those discussions and collaborations much more difficult.</p> <p>The City of Vaughan has approved a variety of larger tower floor plate sizes within the VMC, particularly:</p> <ul style="list-style-type: none"> <li>• approximately <b>866 sq. m.</b> for Transit City 3, approved by Council May 23, 2017 (file no. OP.17.003, Z.17.027, and DA.17.062)</li> <li>• approximately <b>809 sq. m.</b> for Transit City 4, approved by Council May 14, 2019 (file no. OP.18.018, Z.18.030., and DA.17.074)</li> </ul> <p>In the above recent examples, SmartCentres was able to demonstrate minimal impact on the public realm. Additionally, Policy 9.2.3.6 from the Vaughan Official Plan permits a maximum floor plate of 850 sq. m above the 12<sup>th</sup> storey, therefore the reduced floor plate permissions of 750 sq. m within the draft By-law remain unclear.</p> <p>Additionally, the tower setbacks pertaining to the lot lines should be removed. SmartCentres is the majority landholder throughout a significant number of these VMC zones, meaning each respective tower proposal's separation distance should primarily be based on other proposals, as opposed to property lines.</p>
		Min. tower step-back (m)	3.0	3.0	3.0		
		Min. tower separation for residential towers (m)	25.0	25.0	25.0		
		Min. residential tower setback from any rear lot line and interior side lot line (m)	12.5	12.5	12.5		
		Min. tower separation for office towers (m)	20.0	20.0	20.0	20.0	
		Min. office tower setback from a rear lot line or interior side lot line (m)	10.0	10.0	10.0	10.0	
		Maximum residential tower floor plate (sq. m)	750	750	750		
17	Maps 50 and 51	N/A					<p>OS1 Zone (western flank of site) on Maps 50 and 51, we note the delineation line will move as per Policy 6.2.3 in VMC Secondary Plan. SmartCentres is planning to engineer significant features of open space and will be impacted by features such as the size of the pond. Further rationale is included within the VMC Secondary Plan. Flexibility must exist to modify this boundary at the appropriate time to match Policy 6.2.3 of the VMC Secondary Plan.</p>

COMMENTS		PROPOSED BY-LAW 2020-____ SECOND DRAFT	RECOMMENDATIONS
18	VMC Secondary Plan Policies General Comment.	N/A	<p>There are various policies within the VMC Secondary Plan that do not appear to be properly referenced in the comprehensive zoning By-law, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Policy 3.4 (University or College Presence);</li> <li>• Policies within Section 8.6 (Schedule H) and Policy 8.12;                             <ul style="list-style-type: none"> <li>○ Flexibility of Active Frontages on Schedule B-1 of draft By-law;</li> </ul> </li> <li>• Policy 8.2.2 (Station Precinct Permitted Uses) and Policy 8.41 (Neighbourhood Precincts Permitted Uses)                             <ul style="list-style-type: none"> <li>○ Permits multi-townhouse dwellings, therefore should be included as a permitted use within V1 and V2 zones;</li> </ul> </li> <li>• Policy 8.3.1 (South Precinct Permitted Uses)                             <ul style="list-style-type: none"> <li>○ Preferred location for a post-secondary institution, therefore universities and colleges should be included as a permitted use within the V3 zone.</li> </ul> </li> <li>• Policy 8.3.2 (South Precinct Permitted Uses)                             <ul style="list-style-type: none"> <li>○ All uses permitted within the Station Precinct shall also be permitted within the South Precinct. Therefore all permitted uses within V1 and V2 zones should be permitted within V3 zone.</li> </ul> </li> <li>• Policy 8.5.1 (East and West Employment Precincts Permitted Uses)                             <ul style="list-style-type: none"> <li>○ Permits a range of industrial and commercial uses which are not reflected in the proposed V3 zone.</li> <li>○ Retail stores and personal service uses are permitted as an ancillary use where they are integrated into a building, therefore the recommended uses noted in Comment 10 should be included in the next draft.</li> </ul> </li> </ul> <p><b>We request a meeting to review these matters directly with staff.</b> We are concerned about the interpretation and implementation of the Secondary Plan policies with these omissions. As stated previously extensive negotiations occurred between all parties to settle the VMC Secondary Plan. It is essential that nothing in the Secondary Plan is diluted as a result of this proposed By-law.</p>

March 10, 2020

Brandon Correria – Manager, Special Projects  
City of Vaughan  
Office of the Deputy City Manager, Planning and Growth Management Portfolio  
2141 Major Mackenzie Dr.  
Vaughan, ON  
L6A 1T1

Dear Mr. Correia:

**RE: CITY OF VAUGHAN – COMPREHENSIVE ZONING BY-LAW REVIEW 2<sup>nd</sup> DRAFT COMMENT LETTER  
SMARTCENTRES  
VAUGHAN METROPOLITAN CENTRE & WESTON / 7 SECONDARY PLAN PROPERTIES  
OUR FILE: 07132BA**

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On behalf our client, SmartCentres (through their various ownership corporations), we are providing this letter regarding the second draft of the Comprehensive Zoning By-law (hereinafter the “draft Zoning By-law”) being considered for approval by Council. SmartCentres had provided comments to the City on the first draft of the Comprehensive Zoning By-law on August 14, 2019 (see attached letter).

We provide the following comments for lands located within the Vaughan Metropolitan Centre (approximately 100 acres located north and west of Highway 7 and Jane Street) and their landholdings located in the Weston / 7 Secondary Plan area (Plaza Del Sole, Highway 400 / 7 – approximately 62 acres).

### **GENERAL COMMENTS**

1. It would be appreciated if a track changed version of the draft by-law noting changes between the first draft (hereinafter “Phase 2A (first draft)”, the second draft (hereinafter “Phase 2B (second draft)”) and in the future subsequent versions be provided.
2. We understand from discussions with City staff that existing site specific permissions will be incorporated over the coming months to reflect the permissions granted through site specific by-law amendments to By-law 1-88. We request being provided these exceptions as soon as they are ready for our review and comment.
3. The draft Zoning By-law has revised the definition for Gross Floor Area. The draft Zoning By-law defines Gross Floor Area as:

“In reference to a building or structure, means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, mechanical penthouse, elevator, elevator shaft, escalators, bicycle parking space, loading space, a dedicated waste storage area, or any portion of a garage or parking structure located above or below grade; or,

In reference to a secondary suite, the aggregate area of that portion of a dwelling devoted to and exclusively used as a secondary suite.”

We believe the following exclusions should be included into the definition of GFA:

- Lockers;
- Mechanical/Electrical shafts;
- Garbage chute;
- Stair shafts;
- Washrooms; and
- Amenity Space required by the By-law

The exclusions listed above are common elements that are not included in the calculation of GFA within other municipalities, such as the City of Toronto. It is our opinion the exclusions above be removed from the calculation of GFA as these are communal spaces for residents and visitors of a development.

4. We appreciate that the City has recognized the transit-oriented nature of the VMC and reduced parking requirements accordingly. Having said this, SmartCentres has provided justification provided by BA Group to further reduce parking requirements through their site specific applications. We request that the City review these reports and adjust required parking accordingly. For example, SmartCentres’ East Block development at 175 Millway Avenue was approved by Council on May 14, 2019 with a reduced parking rate of 0.41 parking spaces per residential unit. In addition to this, Council approved an off-site shared residential, visitor, commercial parking structure, allowing for flexibility, should consumer preferences shift over time.

## **VAUGHAN METROPOLITAN CENTRE LANDS**

5. Given an update to the VMC Secondary Plan is to occur shortly which will likely include numerous changes to the policies affecting development in the VMC, should the City delay implementation of the VMC Zones until the Secondary Plan update occurs? If not, what is the City’s plan for further updating the Comprehensive Zoning By-law once the VMC Secondary Plan review is completed?
6. In addition to our comments on Gross Floor Area above, how is the City implementing the various additional exemptions contained in the VMC Secondary Plan (such as set out in Policy 8.1.19) in the draft By-law? Further how is the calculation of density (Floor Space Index) as outlined in the VMC Secondary Plan policies being implemented in the draft By-law? How is the City intending to implement a number of the other density and height policies?
7. It appears that SmartCentres comments regarding land uses in the VMC Zones (V1 to V4) have not been addressed. We reiterate that the VMC Secondary Plan provides for the broadest range of uses in the City and this should be incorporated into the VMC Zones accordingly to encourage a diverse, mixed use community that is adequately able to response to market conditions.

8. As per SmartCentres August 14, 2019 submission letter (**Appendix A**), it does not appear that the restrictions on permitted uses have been modified. We again request further discussion on these restrictions.
9. It appears that SmartCentres comments on lot and building standards in the VMC Zones have not been addressed. We reiterate these comments and request further discussion on the issues raised previously.
10. We request that the City provide its mapping in AutoCAD such that an overlay of the mapping on the existing or under construction road network within the VMC can be verified. Further we question the inclusion of roads which, while proposed in the VMC Secondary Plan are not yet built at this time. It would be more appropriate to modify the road mapping base as the blocks within the VMC are approved / developed. For example the current base mapping does not reflect the approval by Council on May 14, 2019 of the East Block lands where the roads have been modified.
11. The definitions of Active Use Frontage (required) and Active Use Frontage (convertible) are unclear and do not provide the flexibility as outlined in the VMC Secondary Plan (Policies under Section 8.6).
12. As discussed in SmartCentres previous comments, the inclusion of Landmark Location provisions in By-law 1-88 should be brought forward into the draft By-law. SmartCentres is not supportive of the exclusion of these provisions from the draft By-law, which if excluded, essentially downzones the Landmark Locations that is inconsistent with provincial policy related to urban growth centres and Major Transit Station Areas.

### **WESTON / 7 SECONDARY PLAN AREA LANDS**

13. The SmartCentres lands within the Weston / 7 Secondary Plan Area are proposed to be zoned General Mixed Use (GMU) in the draft By-law. The GMU Zone does not reflect the current designations in VOP2010 nor the current applications filed for the Highway 400 / 7 lands. Further the Weston / 7 Secondary Plan is still underway and likely will provide additional details for height, density and permitted uses which the GMU Zone does not reflect. We therefore request that the draft By-law exclude the Weston / 7 Secondary Plan Area lands until such time as the Secondary Plan is completed. Should the City not exclude these lands, we request that the draft By-law implement the VOP2010 designations for the Plaza del Sole lands (a MMU Zone would be appropriate). To zone the lands GMU Zone would not be consistent with VOP2010. We also recommend the list of existing uses be included as permitted uses subject to regulation 2.5.1.4 in the draft Zoning By-law.

Our client reserves the right to provide further comments on the draft By-law.

We would be pleased to discuss our comments further and work with City staff to come to resolution on the above noted items.

Thank you.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'David A. McKay', written over a circular scribble.

David A. McKay, BES, MSc, MLAI, MCIP, RPP  
Vice President and Partner

cc. *Client*

# Appendix **A**





**SMARTCENTRES®**

3200 HIGHWAY 7 | VAUGHAN, ON. CANADA L4K 5Z5  
T 905 326 6400 F 905 326 0783

August 14, 2019

Mr. Brandon Correria  
Manager, Special Projects  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Mr. Correria:

**RE: SMARTCENTRES  
VAUGHAN COMPREHENSIVE ZONING BY-LAW - COMMENTS**

---

SmartCentres is pleased to provide the following comments on the First Draft of the City of Vaughan Comprehensive Zoning By-Law. We and our consultants have participated in the entirety of the public process to date. We look forward to working with staff to address our concerns prior to the finalization of this By-Law.

SmartCentres owns over 250 acres of land in the City of Vaughan, including 100 acres in the Vaughan Metropolitan Centre (VMC). We have worked closely with City staff for many years on the advancement of various planning policies and significant development proposals throughout the City of Vaughan. We have always strived to work collaboratively with the City of Vaughan including the significant developments we have advanced within the VMC.

#### Existing Site-Specific Planning Permissions

Our landholdings include a wide variety of properties throughout the City and all these sites have been subject to site specific planning permissions. Our existing properties (which include multiple landholdings) include:

- VMC (100 Acres) – Site bounded by Highway 7 to the south, Jane Street to the east, Portage to the north, Highway 400 to the west
- Applewood Cres (15 acres) – located north of Portage on the west side of Applewood Cres
- Highway 400 / Highway 7 (22 acres) – Site bounded by Highway 400 to the east, Highway 7 to the south, Northview Blvd to the north and west, Chrislea Rd to the north

- Plaza Del Sole (40 acres) – Site bounded by Weston Rd to the east, Highway 7 to the south and Fieldstone Dr to the north.
- Thornhill (20 acres) – Northwest corner of Bathurst St and Centre St
- Vaughan 427 & 7 (13 acres) – bounded by Hwy 427 extension to the east, Hwy 7 to the south, New Huntington bisects lands
- Vaughan NW (42 acres) – northeast corner of Major Mackenzie and Weston Road
- Rutherford Village (10 acres) – southwest corner of Bathurst & Rutherford

SmartCentres has worked with the City of Vaughan and the broader community to achieve extensive planning permissions for each of these sites. The result has been many site-specific zoning by-laws that have been implemented throughout the last 20 years. Some by-laws were approved and enacted as recently as June 2019 yet are not noted in anyway in the Comprehensive Zoning By-law. It is unclear to us how the implementation of this Comprehensive By-Law will deal with site specific zoning by-laws for our individual properties and how these exemptions will be integrated in the context of this By-Law. Further, the reduction or modification of any existing permission from our site-specific exemptions would be of grave concern to us if that is what is being proposed.

**We respectfully request a working session with City staff to discuss our site specific polices and the integration and implementation with this proposed By-Law.**

In addition to our concerns above we also need to understand how the Comprehensive Zoning By-Law will integrate with other planning processes that are underway. For example, we have been actively participating in the Weston Road and Highway 7 Secondary Plan process. We presented at the Committee of the Whole Working Session in May 2019 and provided a written submission outlining our concerns with the homogenous land use permissions being proposed in context of the site location adjacent to rapid transit. We urged for more flexibility and a broader spectrum of uses to be permitted including residential. We were advised that these uses would be reconsidered in Phase 2 of the Secondary Plan process. The current version of the Comprehensive Zoning By-law contemplates extremely restrictive permissions on these lands. **We would therefore like to understand the City's plan to augment and update the Comprehensive Zoning By-Law as new planning policies such as the Weston Road Secondary Plan come into effect to ensure consistency.**

Lastly, some of our properties have been the subject of proposed intensification. We would like the opportunity to discuss the appropriateness of the heights and densities being proposed for each of these sites and the rationale for different zone categories on these properties. **We feel a working session with staff would be most beneficial to discuss these granular matters.**

### Vaughan Metropolitan Centre

SmartCentres owns 100 acres in the heart of the VMC and has advanced over 3.3 million sf of developments in the VMC to date. We have worked closely with the City on the development of the VMC Secondary Plan and worked through the extensive mediation process with the City and other landowners.

Through our review of the VMC portions of the Comprehensive Zoning By-Law we are concerned that in some cases a more restrictive and prescriptive approach has been taken than when compared with the VMC Secondary Plan. The VMC Secondary Plan was negotiated over many years with all parties and a key component of the final settlement was appropriate and measured

flexibility in the policies. We have also completed 5 separate site-specific zoning by-laws within the VMC lands that have worked within the approved policies of the VMC Secondary Plan. In all cases there has been a flexible approach to development standards.

**We are concerned that a prescriptive and restrictive approach to the Comprehensive Zoning By-Law could stifle the creative and collaborative approach to City building that has been occurring in the VMC.** As a starting point, we ask that you reconsider the following (we will present additional comments at our meeting with City staff):

#### 10.2 – Permitted Uses

- Overall, there is significant variation and differences between VMC1, VMC2, VMC3, and VMC4. These differences are inconsistent and lack rationale and don't allow a broad range of uses, as contemplated in the VMC Secondary Plan.
- Permitted uses in VMC3 (Neighborhood Precinct) are too restrictive. A broader spectrum of uses should be permitted within these lands. The VMC Secondary Plan (Policy 8.4.1) permits retail, service, and commercial uses as complimentary / ancillary uses if it is deemed appropriate and conforms with VMC Secondary Plan Policy 8.6 (retail requirements).
- Further to the above, why are college / university uses not permitted within VMC3 and VMC4?
- Why is public parking not permitted within VMC3? This proposed policy does not contemplate the emerging / shifting trends in people's personal behaviors and preferences. There is a growing need to provide public parking or shared parking opportunities.
- Note No. 3 should be deleted. What is the rationale of permitting only Ground Floor commercial uses? Furthermore, we would like to discuss the proposed 10% GFA restriction.
- Note No. 4 should be deleted. This policy / note in conjunction with Schedule B-1 does not match the intent of the VMC Secondary Plan. Please see Schedule 'H' of the Secondary Plan, which is not intended to be a prohibitive schedule. This policy is overly restrictive within the lands designated as VMC3.
- Note No. 5 is unclear. What is the rationale? This condition exists within the Transit City Condominiums (TC1 and TC2). Perhaps a capped percentage can be included, should the City of Vaughan wish to limit the uses.
- Note No. 6 is unclear and too restrictive. What is the rationale for limiting and prescribing specific uses on corner lots only?

#### 10.3 – Lot and Building Requirements for the VMC Zones

- Note No. 2 includes a higher setback than would typically be required. What is the rationale for the exact nominal measurement?
- Podium and Tower Requirements for Buildings with a Height of 30m or Greater: the setbacks, step backs, and tower floor plate requirements are very restrictive, and flexibility is desired if SmartCentres can demonstrate there are no / reduced negative shadow, privacy, and wind impacts. The City of Vaughan has approved a variety of higher tower floor plate sizes (ranging from 1,570 sq. m. to 2,520 sq.

m.) as SmartCentres demonstrated minimal impact on the public realm. Additionally, policy no. 9.2.3.6 from the Vaughan Official Plan permits a maximum of 850 sq. m. above the 12<sup>th</sup> storey so the reduced floor plate permissions remain unclear.

### VMC By-Law Mapping

#### *MAPS 50 and 51*

- OS1 Zone (western flank of site): the delineation line will move, as per policy 6.2.3 in VMC Secondary Plan. SmartCentres is planning to engineer significant features of the Open Space and will be impacted by features such as the size of the pond. Further rationale is included within the VMC Secondary Plan. Flexibility must exist to modify this boundary at the appropriate time to match policy 6.2.3 of the Secondary Plan

#### *Schedule B-1*

- Base Mapping in the VMC is incorrect and should reflect existing and planned road networks. In particular, SmartCentres is building Applewood Crescent which is not properly shown.
- What is the definition of “Active Use Frontage (convertible)”?

### Definitions

- GFA – SmartCentres has discussed the definition of GFA with the City on many occasions. In light of this current zoning review we would like to have a further discussion about the definition and proposed exclusions to match how GFA is defined in other urban municipalities.

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### Current Zoning Provisions – Landmark Provisions

SmartCentres request that the existing landmark provisions from schedule A2 of the Zoning By-Law 1-88 that pertain to gateway locations along Highway 7 be carried forward in the Comprehensive Zoning By-Law. The City has already approved some development applications within these locations (and within the landmark provision policies) and it is critical that these permissions are carried forward for consistency.

## Conclusion

SmartCentres is generally supportive of the Comprehensive Zoning By-Law and are appreciative of the efforts by staff to bring this forward. We would like the opportunity to meet with staff to discuss the issues above. We look forward to continuing to work with staff in a collaborative manner to facilitate high quality developments throughout the City of Vaughan.

Thank you,



Paula Bustard  
Senior Vice President, Development

cc: David McKay, MHBC



**SMARTCENTRES®**

3200 HIGHWAY 7 | VAUGHAN, ON. CANADA L4K 5Z5  
T 905 326 6400 F 905 326 0783

August 14, 2019

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Manager, Special Projects  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

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Thank you,



Paula Bustard  
Senior Vice President, Development

cc: David McKay, MHBC

**VAUGHANWOOD RATEPAYERS ASSOCIATION  
52 FOREST CIRCLE COURT  
WOODBRIIDGE ONTARIO**

**RE: City-wide Comprehensive Zoning By-Law  
Between Islington Avenue and Wigwoss Avenue**

**TO: City of Vaughan, Office of the City Clerk  
TO: Brandon Correia**

**COMMUNICATION – C6  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**Due to another personal commitment I will not pursue deputation, however please accept my written submission on our concerns.**

**The Vaughanwood Ratepayers Association will go on records that the zoning of the small area between Islington and Wigwoss Avenue on Highway 7 remain residential and not allow intensification due to geographical area will not permit density due safety reasons along Highway 7.**

**I hope that when the new Vaughan Official Plan is reviewed it will provide consideration in not allowing intensification for only in this small pocket where mature estate lots back onto the area between Islington and Wigwoss on Highway 7. The height should remain only for the built of a residential home.**

**Please provide notification of Council's decision in respect to the new zoning.**

**Mary Mauti  
President of the Vaughanwood Ratepayers**



Overland LLP  
Christopher J. Tanzola  
Tel: (416) 730-0337 x. 112  
Direct: (416) 730-0645  
Email: ctanzola@overlandllp.ca

October 28, 2020

**COMMUNICATION – C7**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

**VIA EMAIL**

Mayor Maurizio Bevilacqua and Members of City Council  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**Attention: Brandon Correia**  
**Manager, Special Projects**

Your Worship and Members of Council:

**RE: City of Vaughan New Comprehensive Zoning By-law**  
**5317 Highway 7**  
**Proposed Zoning and Recent VOP 2010 Approval (PL111184)**

We are the lawyers for Liberata D'Aversa (the "Owner"), the owner of the lands municipally known as 5317 Highway 7 in the City of Vaughan (the "Site").

The Site was the subject of a recent settlement between the City of Vaughan (the "City") and Owner of an appeal of the 2010 Vaughan Official Plan ("VOP 2010"). A copy of the November 26, 2019 Order of the Local Planning Appeal Tribunal is enclosed with this correspondence.

In our submission, in addition to recognizing existing permissions for the Property, the City's New Comprehensive Zoning By-law (the "New Vaughan ZBL") should conform to the recently-approved Official Plan policy for the Site and recognize the increased height and density approved by the LPAT as part of a settlement agreed to with the City.

In this context, we are providing our comments on the third draft of the New Vaughan ZBL.

**Background**

The Site is located on the south side of Highway 7, west of Kipling Avenue and currently contains a commercial building, residential apartments, and surface parking. The Site is within an intensification corridor along Highway 7 as recognized by the Regional Official Plan and by the VOP 2010.

The Owner appealed the proposed designation of the Site in VOP 2010 as "Low-Rise Mixed-Use" with a maximum height of 4 storeys and a maximum 1.5 Floor Space Index ("Appeal No. 148").

The Owner and the City reached a settlement of Appeal No. 148 whereby the permitted height was increased to 5 storeys, with the potential for a limited use sixth storey, and an increase to 1.95 FSI. The City's planner, Mr. David Marcucci provided evidence to the LPAT in support of the settlement, testifying that the modifications allow for intensification within the built boundary along the Highway 7 corridor with convenient access to transit, and facilitate the efficient use of land, infrastructure, and community services. The approved policies applicable to the Site also ensure that appropriate consideration is given to surrounding uses in the design of any redevelopment. The approved land use designation under VOP 2010 permits a mix of uses, including residential.

### **Current Zoning**

The Site is currently zoned C1 Restricted Commercial Zone, with site-specific permissions for commercial uses and 4 second-floor residential apartment units, as set out in Section 9(884) of By-law 1-88.

The in-effect zoning does not give effect to the more intense height and density recognized in the 2019 LPAT settlement, and now included as part of the City's Official Plan.

### **The New Vaughan ZBL (3rd Draft)**

We have reviewed the third draft of the New Vaughan ZBL released in October 2020. As currently drafted, the New Vaughan ZBL now proposes to zone the Site as GMU (General Mixed Use), with site-specific Exception No. 573.

While the GMU zone provides for a mix of commercial, office, and institutional uses, residential uses are not permitted. However, Exception No. 573 generally imports the provisions of previous Section 9(884) and permits, in addition to commercial uses, a maximum of 4 residential, second-floor apartments.

The current draft of the New Vaughan ZBL does not recognize the LPAT-approved Official Plan designation of Low-Rise Mixed-Use (which includes commercial permissions as well as permissions for an entirely residential building), the permitted height of 5 storeys (with additional uses permitted on a sixth floor), or the 1.95 FSI, or the additional building elements and performance standards secured through the settlement of the Owner's appeal.

In our submission, the proposed GMU-573 zoning for the Site is not in conformity with the City's Official Plan or the recently concluded LPAT settlement. Revisions to the New Vaughan ZBL should be considered prior to adoption by City Council that would recognize, in addition to the ongoing commercial and residential uses permitted on the Property (as seems to be the intention of the current draft), also the intensification potential for these lands along an important transportation corridor, as has been done in the City's Official Plan.

In our view, it is not appropriate to only replicate or approximate the current C1 zoning (with site-specific exception) in considering a new zoning regime for the Site. Although it is appropriate to recognize existing permissions so as not to create an issue of legal non-conforming status, the City should also consider the more recent planning determinations that have been made for the

Property in the City's Official Plan. Under Sections 24(1) and 26(9) of the *Planning Act*, zoning by-laws are required to conform with the municipality's Official Plan and are required to be updated within a specified time in order to achieve such conformity.

We note that the City's website for the New Vaughan ZBL states the following (emphasis added):

*The City of Vaughan is undertaking a City-wide comprehensive review of its Zoning By-law that aims to create a progressive By-law with updated, contemporary uses and standards. The City's Official Plan (VOP 2010) is in place to help shape the future of Vaughan and guide its continued transformation into a vibrant and sustainable city of the future. The new Zoning By-law will implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law.*

Thank you for providing the opportunity to comment on the draft New Vaughan ZBL. Would you kindly ensure that we receive a copy of any notices for public meetings, revised draft of the by-law, and any consideration or decisions made by City Council and committees of Council with respect to the New Vaughan ZBL.

Please provide notice to each of the following. Our mailing address is shown above. Our email addresses are as follows:

- Christopher Tanzola ([ctanzola@overlandllp.ca](mailto:ctanzola@overlandllp.ca))
- Greg Smith ([gsmith@overlandllp.ca](mailto:gsmith@overlandllp.ca))

Yours truly,  
Overland LLP



Per: Christopher J. Tanzola  
Partner

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** November 26, 2019

**CASE NO(S):** PL111184

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1042710 Ontario Limited (aka Royal Centre)
Appellant:	1096818 Ontario Inc.
Appellant:	11333 Dufferin Street et al
Appellant:	1191621 Ontario Inc.; and others
Subject:	Failure to announce a decision respecting Proposed New Official Plan
Municipality:	City of Vaughan
OMB Case No.:	PL111184
OMB File No.:	PL111184
OMB Case Name:	Duca v. Vaughan (City)

**Heard:** November 20, 2019 by telephone conference call

**APPEARANCES:**

**Parties**

**Counsel**

City of Vaughan ("City")

C. Guerette

Liberata D'Aversa ("Appellant")

C. Tanzola

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON NOVEMBER 20, 2019 AND ORDER OF THE TRIBUNAL**

---

## PROCEEDINGS

[1] This Decision approves a settlement reached by the Parties pertaining to a 0.22 hectare property in the southwest part of the City at 5317 Highway 7 (“property”). This settlement resolves Appeal 148 by Liberata D’Aversa to the City of Vaughan Official Plan, 2010 (“VOP”).

[2] In support of the settlement, David Marcucci, Registered Professional Planner and Senior Planner with the City, provided an affidavit testifying to the proposed modifications to the VOP to resolve the appeal. Mr. Marcucci has been qualified by the Tribunal previously in these proceedings to provide opinion evidence in the area of land use planning.

[3] Mr. Marcucci explains that the property fronts on the south side of Highway 7, 200 metres to the west of Kipling Avenue. The property is located within the Low-Rise Mixed-Use designation in the VOP and within the intensification corridor of Highway 7 in the VOP and the Regional Municipality of York Official Plan (“ROP”). The property contains a commercial building and is proposed for redevelopment with a five to six storey mixed use or residential building. The surrounding land uses are stacked townhouses abutting to the east, detached dwellings abutting to the south and west, and commercial and office uses across Highway 7 to the north.

[4] The proposed modifications to the VOP permit a height increase from four storeys to five storeys with the potential for a limited use sixth storey, and an increase from 1.5 Floor Space Index (“FSI”) to 1.95 FSI. The policies permit commercial uses on the ground floor, require a 45 degree angular plane from the south lot line, ensure minimum shadow impacts on adjacent sensitive uses, require appropriate landscaping, and provide for an access easement in favour of the townhouses to the east if required.

[5] Mr. Marcucci considers the proposed modifications to fit with the urban structure and policies of the VOP for the Low-Rise Mixed-Use designation and to conform with the ROP. The modifications allow for intensification within the built boundary along the



Highway 7 corridor with convenient access to transit, and facilitate the efficient use of land, infrastructure and community services. The policies ensure that appropriate consideration is given to surrounding uses in the design of any redevelopment.

[6] Based on the above, Mr. Marcucci opines that the modifications have regard for s. 2 of the *Planning Act*, conform with the A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2019, are consistent with the Provincial Policy Statement, 2014, conform with the ROP and represent good planning.

[7] In response to the settlement of the Parties and having accepted the uncontradicted planning evidence of Mr. Marcucci, the Tribunal finds that the modifications satisfy all statutory tests as noted above and approves the modifications as set out below.

## **ORDER**

[8] The Tribunal orders that, in accordance with the provisions of s. 17(50) of the *Planning Act*, in respect of the City of Vaughan Official Plan, 2010 ("VOP"), as adopted by the City on September 7, 2010 subject to Council modifications on September 27, 2011, March 20, 2012 and April 17, 2012, and as modified and endorsed by the Regional Municipality of York on June 28, 2012, the appeal of Liberata D'Aversa (Appeal 148) is allowed in part and the VOP, Volume 2, policy 12.10.1.5 and Map 12.10.A are modified in accordance with Attachment 1 to this Order, and the VOP as modified is approved in respect of the property at 5317 Highway 7.

"S. Tousaw"

S. TOUSAW  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

### **Local Planning Appeal Tribunal**

A constituent tribunal of Tribunals Ontario - Environment and Land Division  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**Proposed Amendments to Policy 12.10.1.5 Volume 2 VOP 2010**

1. Renumber Policy 12.10.1.5 to 12.10.1.6
2. Add the following new policy 12.10.1.5

"12.10.1.5 For lands identified as Area C on Map 12.10.A, the following criteria apply:

- a. Residential units shall be permitted up to 5 storeys; in addition, the second floor of two-storey residential units and/or residential amenity space, and/or mechanical penthouse, or a combination of these elements shall be permitted above 5 storeys;
- b. Portions of new development exceeding a height of 12.8 m shall generally respect a 45-degree angular plane measured from the south property line;
- c. The maximum Floor Space Index (FSI) shall not exceed 1.95 FSI;
- d. The ground floor frontage may or may not contain commercial/office/retail uses;
- e. As a condition of Site Plan approval, an access easement over the subject lands to be granted in favour of the lands to the east for the purpose of providing mutual pedestrian and vehicular access to Hwy 7, if needed to the satisfaction of the City and Region;
- f. New development shall minimize shadow impacts on adjacent sensitive land uses demonstrated through the preparation of sun/shadow diagrams to the satisfaction of the City; and
- g. A landscape buffer area shall be provided abutting all lands designated Low-Rise Residential."

3. Amend Map 12.10.A as identified

Map T2.10.A: Kipling Avenue and Highway 7 Land Use

Amend to  
H5 D1.95



Current Designation is H4 D1.5

2020-09-30

VIA EMAIL: brandon.correia@vaughan.ca

Brandon Correia  
Manager, Special Projects  
Planning & Growth Management Portfolio  
City of Vaughan  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: Submission to the City of Vaughan Comprehensive Zoning By-law Review in regards to Part of Lots 7 and 8, Concession 8, City of Vaughan, Regional Municipality of York**

We are writing on behalf of the owners of Part of Lots 7 and 8, Concession 8 in the City of Vaughan (Subject Lands) which is located on the north side of Woodbridge Avenue just west of Kipling Avenue. LARKIN+ Land Use Planners Inc. has been retained to represent the Owners (2232394 Ontario Inc.) with respect to planning applications and planning matters that may impact their property. Most recently, we submitted a planning application for the Subject Lands to support a Mixed Use Development which conforms to the Kipling Avenue Corridor Secondary Plan (KACSP).

Our review of the Third Draft – Comprehensive Zoning By-law Review reveals that the City is proposing to re-zone the Subject Lands from the current M3 Zone in the City of Vaughan Zoning By-law I-88 which permits industrial uses to a U Zone in the new proposed 3<sup>rd</sup> draft of the City of Vaughan Comprehensive Zoning By-law which permits utilities (see attached Map 45). We have several concerns in regards to this proposed zone category:

1. The Subject Lands are designated as Low Rise Residential B and Mid-Rise Mixed Use in the Kipling Avenue Corridor Secondary Plan which regulates land uses in this part of Vaughan. It is our understanding that one of the purposes of the Comprehensive Zoning By-law Review is to bring the existing Zoning By-law No. I-88 into conformity with the Vaughan Official Plan and, as directed by the Vaughan Official Plan, with the KACSP. It is important that the new proposed Vaughan Comprehensive Zoning By-law Map 45 and Zone Categories be consistent with and correctly reflect the designations that are identified within the KACSP.
2. Our client recently submitted planning applications for the Subject Lands and is in the process of submitting development applications to facilitate the development of the property for a mixed use mid-rise building and residential townhomes which are reflective of the official plan designations that apply to the property. The approval of the new City of Vaughan Comprehensive Zoning By-law with the proposed Utility (U) Zone Category could hinder the development of the Subject Lands due to the two year moratorium on zoning by-law amendment applications after the approval of the new zoning by-law.
3. The proposed Utility (U) Zone Category is not reflective of the existing use (vacant) of the Subject Lands nor the future uses as envisioned by the KACSP.



We respectfully request that the City of Vaughan reconsider the proposed Zone Category on the Subject Lands and modify the category to reflect the Vaughan Official Plan/KACSP and to facilitate the re-development of the Subject Lands for much needed residential uses.

We hope that this letter clarifies our position and we look forward to hearing your response. We also are happy to meet with the City to further discuss this matter.

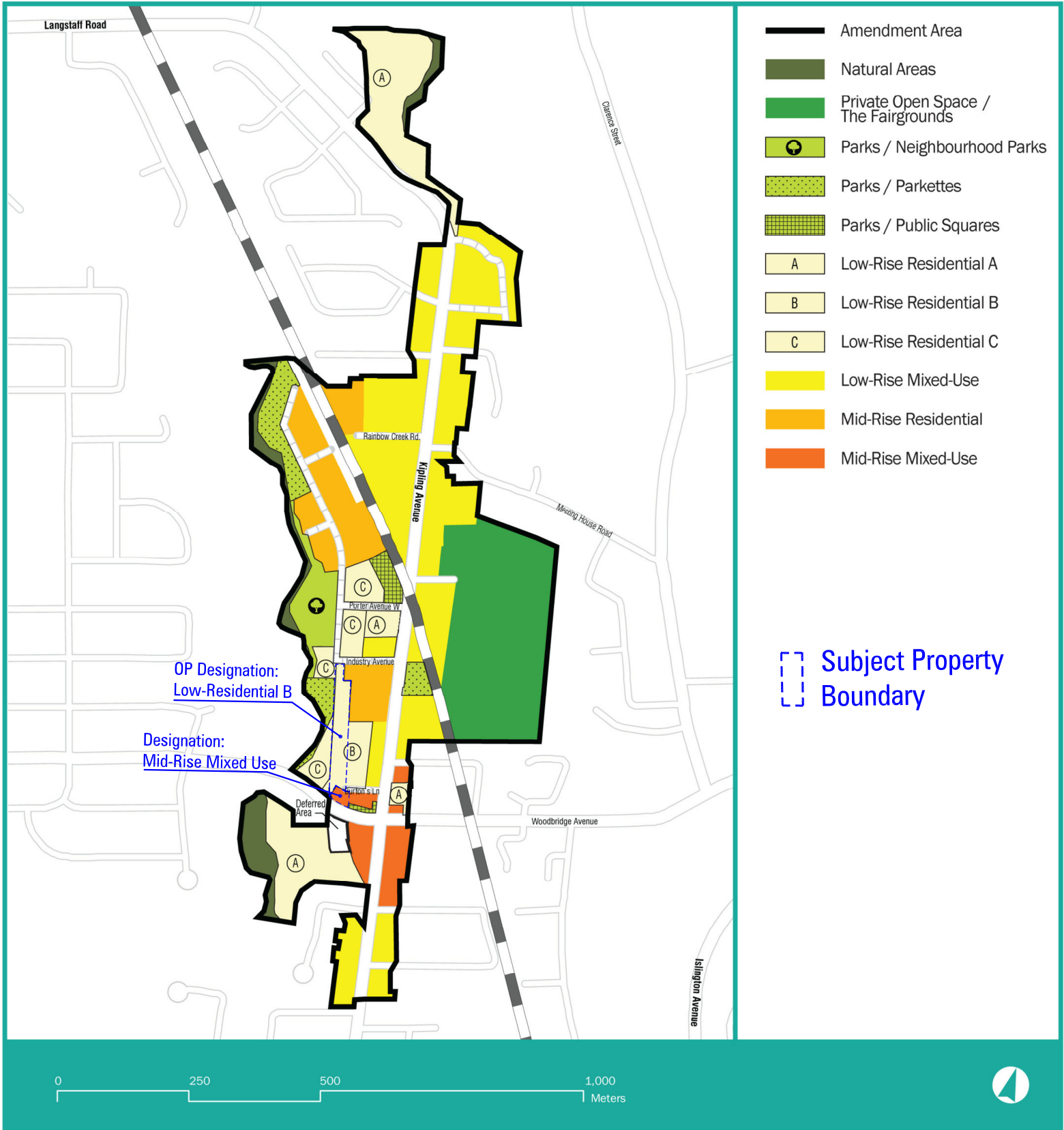
Sincerely,

**LARKIN+**

Aaron Gillard, MCIP, RPP  
Managing Associate  
[amg@larkinplus.com](mailto:amg@larkinplus.com)

cc Jim Harnum, Acting City Deputy Manager for Planning [jim.harnum@vaughan.ca](mailto:jim.harnum@vaughan.ca)  
Mauro Peverini, Director of Development Planning [mauro.peverini@vaughan.ca](mailto:mauro.peverini@vaughan.ca)  
Juan Carlos Molina, Manager, Data Management and Analytics [juancarlos.molina@vaughan.ca](mailto:juancarlos.molina@vaughan.ca)  
Gerry Sciara, 2232394 Ontario Limited

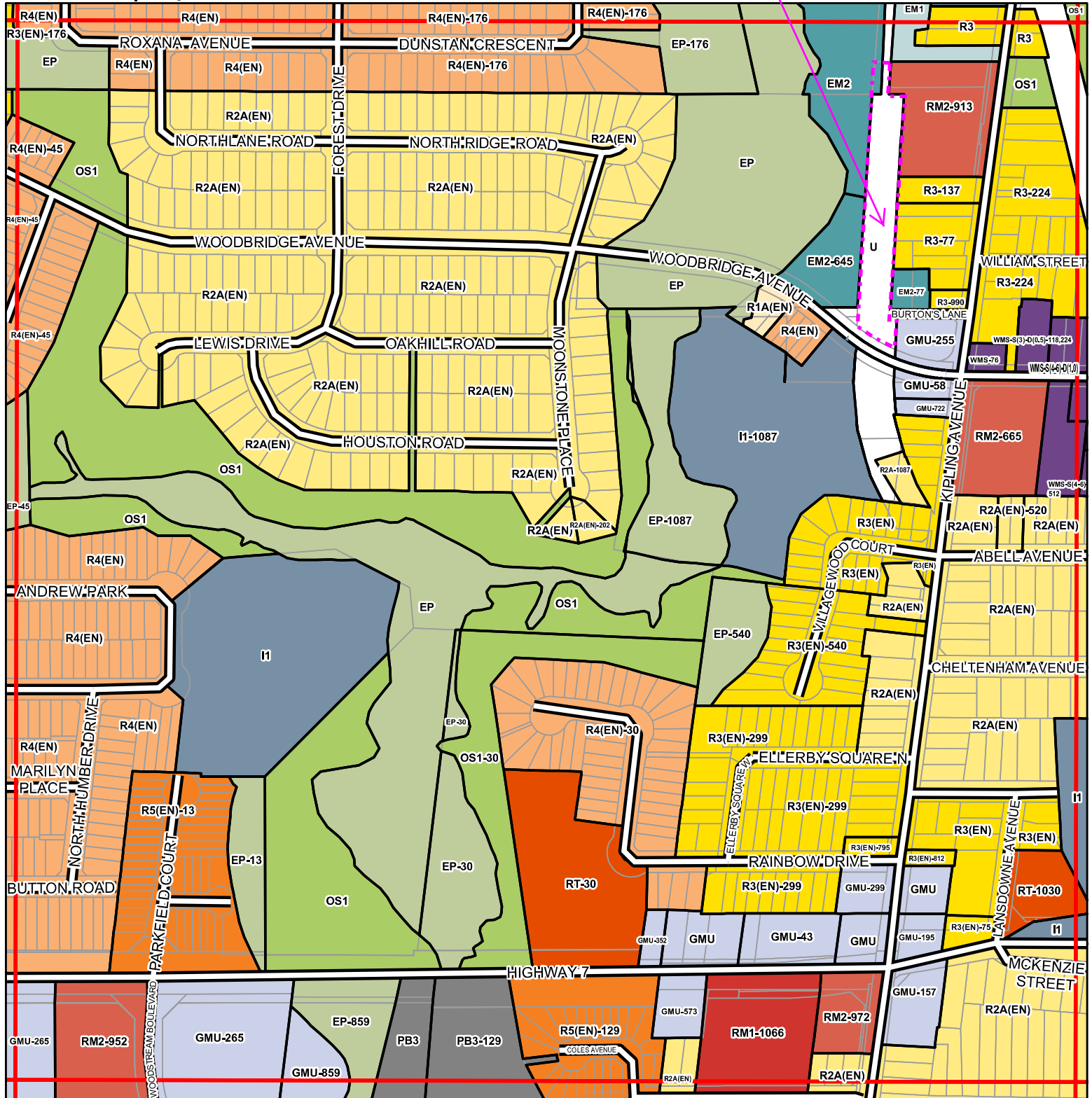
▼ Map 11.5.A  
Kipling Avenue - Land Use



# Zoning By-law - 2020

## Schedule A | Map 45

Subject Lands



### Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

### Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
- V2 (South Precinct Zone)
- V3 (Neighbourhood Precinct Zone)
- V4 (Employment Precinct Zone)

### Residential Zones

- R1 (First Residential Zone)
- R2 (Second Residential Zone)
- R3 (Third Residential Zone)
- R4 (Fourth Residential Zone)
- R5 (Fifth Residential Zone)
- RT (Townhouse Zone)
- RM1 (Multiple Residential Zone 1)
- RM2 (Multiple Residential Zone 2)
- RE (Estate Residential Zone)

### Commercial Zones

- GC (General Commercial Zone)
- NC (Neighbourhood Commercial Zone)
- CC (Convenience Commercial Zone)
- SC (Service Commercial Zone)
- LMU (Low-Rise Mixed-Use Zone)
- MMU (Mid-Rise Mixed-Use Zone)
- HMU (High-Rise Mixed-Use Zone)
- GMU (General Mixed-Use Zone)
- CMU (Community Commercial Mixed-Use Zone)

### Employment Zones

- EMU (Employment Commercial Mixed-Use Zone)
- KMS (Main Street Mixed-Use - Kleinburg Zone)
- MMS (Main Street Mixed-Use - Maple Zone)
- WMS (Main Street Mixed-Use - Woodbridge Zone)
- EM1 (Prestige Employment Zone)
- EM2 (General Employment Zone)
- EM3 (Mineral Aggregate Operation Zone)

### Other Zones

- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
- PB1 (Parkway Belt Public Use Zone)
- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)

<b>VAUGHAN WSP</b>				
83	84	85	86	87
63	64	65	66	67
43	44	45	46	47
23	24	25	26	27
3	4	5	6	7



1:5,000

Third Working Draft: September, 2020



TOPOGRAPHIC SURVEY OF  
**PART OF LOT 7**  
**CONCESSION 8**  
 CITY OF VAUGHAN  
 REGIONAL MUNICIPALITY OF YORK  
 SCALE 1 : 400



**SPEIGHT, VAN NOSTRAND & GIBSON LIMITED**  
 ONTARIO LAND SURVEYORS  
 2016

**(C)** THE REPRODUCTION, ALTERATION OR USE OF THIS PLAN, IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF SPEIGHT, VAN NOSTRAND & GIBSON LIMITED IS STRICTLY PROHIBITED.

KIPLING AVENUE

**ELEVATION NOTE**

ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM THE CITY OF VAUGHAN BENCHMARK No. 51-4.

LOCATION :

VAUGHAN FIRE HALL NO. 3, WEST OF KIPLING AVENUE, SOUTH SIDE OF WOODBRIDGE AVENUE, NORTHWEST CORNER OF BUILDING, 0.30 M SOUTH OF NORTHWEST CORNER AND 0.100M BELOW BRICK WORK ON WEST FACE, NO. 325 WOODBRIDGE AVENUE.

ELEVATION:

PUBLISHED ELEVATION = 169.974 metres.

**BOUNDARY NOTE**

BOUNDARY INFORMATION IS TAKEN FROM PLAN 65R-32167

**METRIC**

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**LEGEND**

MH	DENOTES	MANHOLE
SMH	-	SEWER MANHOLE
CB	-	CATCH BASIN
FH	-	FIRE HYDRANT
WV	-	WATER VALVE
WA	-	WATER
WHP	-	WOODEN HYDRO POLE
GUY	-	GUY WIRE
MLS	-	METAL LIGHT STANDARD
O/H	-	OVERHEAD
B	-	BOLLARD
⊙	-	DECIDUOUS TREE
⊙*	-	CONIFEROUS TREE
▭	-	CONCRETE
▭	-	WOOD
▭	-	GRAVEL

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT :  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON SEPTEMBER 29, 2016.

DATE : OCTOBER 14, 2016

*(Signature)*  
 LES RUDNICKI  
 ONTARIO LAND SURVEYOR

**SPEIGHT, VAN NOSTRAND & GIBSON LIMITED**  
 ONTARIO LAND SURVEYORS  
 750 OAKDALE ROAD, Units 65 & 66  
 TORONTO, ONTARIO M3N 2Z4  
 TEL. 416 749-SVNG(7864) FAX 416 749-7866  
 E-MAIL: toronto@svng.on.ca

DRAWN :	E. D.	FILE NAME :	A1600270.DWG
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REF. No. :	119-CON 8 VAUGHAN	UPDATED :	



## HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 10244

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
2180 Langstaff Road, City of Vaughan (the “Property”)  
Langvalley Holdings Inc. (the “Owner”)**

Humphries Planning Group represents Langvalley Holdings Inc., owner of the property located at 2180 Langstaff Road within the City of Vaughan and legally described as Part of Lot 11, Concession 3. The Owner has an active Official Plan and Zoning By-law Amendment Applications on the Property, amending the currently in-force By-law Number 1-88, City of Vaughan file numbers OP.12.012 and Z.12.009.

As such the Owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. It is our understanding that the intended adopted of the Proposed By-law is late 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications that are currently active.

Based on the above concerns and the Owner’s active development application submission, we request that a site-specific deferral be considered for the Property to facilitate the finalization of the development application submission.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

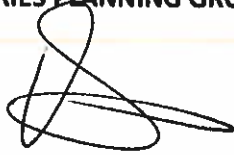
T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)

~ Do Something Good Everyday! ~ STAY SAFE ~

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Langvalley Holdings Inc.

# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**COMMUNICATION – C10  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**City Council**

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention: City Clerk, City of Vaughan**

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
2109179 Ontario Inc**

Humphries Planning Group represents 2109179 Ontario Inc., owner of property within the City of Vaughan. As such the owner has a vested interest in the Third Draft Comprehensive Zoning By-law scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correl, Manager, Special Projects  
2109179 Ontario Inc

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
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## HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 15417

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

### City Council

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
10568 Islington Ave (the “Subject Property”)  
Portside Developments (Kleinburg) Inc. (the “Owner”)**

Humphries Planning Group represents Portside Developments (Kleinburg) Inc., owner of the property located at 10568 Islington Avenue within the City of Vaughan and legally described as Part 1, 65R16052. The Owner has an active Zoning By-law Application on the Property, amending the currently in-force By-law Number 1-88, City of Vaughan file number Z.17.018, as well as an associated site development application, City of Vaughan file number DA.17.042.

Based on the potential timeline of the City of Vaughan Third Draft – Comprehensive Zoning By-law and the status of the Owner’s Zoning By-law Application we request that a site-specific deferral be enacted for the Property to facilitate the continuation of the active application.

Further, we ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Portside Developments (Kleinburg) Inc.

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)

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## HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 13340

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

### City Council

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
4101 Rutherford Road (the “Subject Property”)  
Velmar Centre Property Inc. (the “Owner”)**

Humphries Planning Group represents Velmar Centre Property Inc., owner of the property located at 4101 Rutherford Road in the City of Vaughan and legally described as Block 31, Plan 65M-2948. The Owner has an active Zoning By-law Application on the Property, amending the currently in-force By-law Number 1-88, City of Vaughan file number Z.19.008. As well as other associated development applications, City of Vaughan file numbers OP.19.003 and DA.19.042.

Based on the potential timeline of the City of Vaughan Third Draft – Comprehensive Zoning By-law and the status of the Owner’s Zoning By-law Application we request that a site-specific deferral be enacted for the Property to facilitate the continuation of the active application.

Further, we ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Phil Campione, Velmar Centre Property Inc.

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

## HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 0449

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

### City Council

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
Block 34/35, City of Vaughan  
Vaughan 400 Landowners Group**

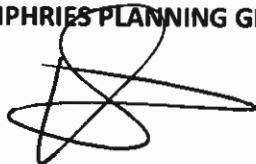
Humphries Planning Group represents the Vaughan 400 Landowners Group, owners of the property know as Block 34 W and Block 35 East and West within the City of Vaughan and include the lands generally located north of Teston Road east of Weston Road and west of Jane Steet and extending slightly north past King Vaughan Road. As such the owners have a vested interest in the Third Draft Comprehensive Zoning By-law scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Vaughan 400 Landowners Group

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
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## HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 16438

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
11, 27, & 37 Jacob Keefer Parkway (the “Subject Property”)  
Robvit Developments Inc. (the “Owner”)**

Humphries Planning Group represents Robvit Developments Inc., owner of the property located at 11, 27, & 37 Jacob Keefer Parkway within the City of Vaughan and legally described as Part of Lot 15, Concession 3, City of Vaughan, Lots 1, 2 and 3 Plan 65M-2795. The Owner intends to submit a future development application for the redevelopment of the Property.

As such the owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications that are currently active or those which will be submitted prior to the adoption of the Proposed By-law. Further, the Owner has concerns regarding the potential two-year restriction on amendments for the Proposed By-law once it is adopted, as per section 34(10.0.0.1) of the *Planning Act*.

Based on the above concerns and the intended adoption date of late 2020, we request that a site-specific deferral be considered or that a city-wide provision exempting properties from the two-year restriction be incorporated into the Proposed By-law.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries

190 Pippin Road  
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Vaughan ON  
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190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, appearing to be 'Rosemarie Humphries', written over a light blue horizontal line.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Robvit Developments Inc



## HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 20648

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**  
Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
Fossil Hill & Major Mackenzie**

Humphries Planning Group represents the owner of the property located at the south west corner of Fossil Hill and Major Mackenzie within the City of Vaughan (the "Property"). The Owner intends to submit a future development application for the redevelopment of the Property.

As such the owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the "Proposed By-law") scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications which will be submitted prior to the adoption of the Proposed By-law. Further, the owner has concerns regarding the potential two-year restriction on amendments for the Proposed By-law once it is adopted, as per section 34(10.0.0.1) of the *Planning Act*.

Based on the above concerns and the intended adoption date of late 2020, we request that a site-specific deferral be considered or that a city-wide provision exempting properties from the two-year restriction be incorporated into the Proposed By-law.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

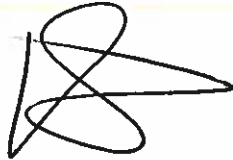
190 Pippin Road  
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L4K 4X9

T: 905-264-7678  
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[www.humphriesplanning.com](http://www.humphriesplanning.com)  
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We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects

# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 20664

**COMMUNICATION – C16**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review**  
**7476 Kipling Ave, City of Vaughan (the “Property”)**  
**Portside Developments (Kipling) Inc. (the “Owner”)**

Humphries Planning Group represents Portside Developments (Kipling) Inc., owner of the property located at 7476 Kipling Ave in the City of Vaughan and legally described as Lot 9, Concession 3. The Owner has an active Site Plan Application, City of Vaughan File number DA.18.030, and has received approval in principle from the Local Planning Appeal Tribunal for their Zoning By-law Amendment Application, which requires finalization.

As such the Owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. It is our understanding that the intended adopted of the Proposed By-law is late 2020.

Based on the above concerns and the Owner’s active development application submission, we request that a site-specific deferral be considered for the Property to facilitate the finalization of the development application submission.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

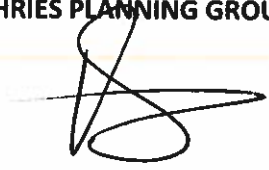
T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)

~ Do Something Good Everyday! ~ STAY SAFE ~

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, appearing to be 'Rosemarie', written over a horizontal yellow line.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Portside Developments (Kipling) Inc.

# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 19627

**COMMUNICATION – C17  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention: City Clerk, City of Vaughan**

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
400 Bradwick Drive, City of Vaughan (the “Property”)  
TDC Medical Properties Inc (the “Owner”)**

Humphries Planning Group represents TDC Medical Properties Inc, owner of the property located at 400 Bradwick Drive in the City of Vaughan and legally described as Lot 9, Concession 3. The Owner has an active Zoning By-law Amendment Application on the Property, amending the currently in-force By-law Number 1-88, City of Vaughan file number Z.20.012, and intends to submit a Site Plan Application imminently.

As such the Owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. It is our understanding that the intended adopted of the Proposed By-law is late 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications that are currently active.

Based on the above concerns and the Owner’s active development application submission, we request that a site-specific deferral be considered for the Property to facilitate the finalization of the development application submission.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

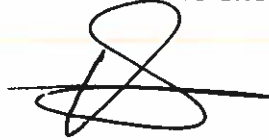
T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)

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We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, consisting of a large, stylized loop at the top, followed by a horizontal line that crosses under the loop and extends to the right.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
TDC Medical Properties Inc.



Overland LLP  
Christopher J. Tanzola  
Tel: (416) 730-0337 x. 112  
Direct: (416) 730-0645  
Email: ctanzola@overlandllp.ca

October 29, 2020

**VIA EMAIL**

Mayor Maurizio Bevilacqua and Members of City Council  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**Attention: Brandon Correia  
Manager, Special Projects**

Your Worship and Members of Council:

**RE: City of Vaughan New Comprehensive Zoning By-law  
89 & 99 Nashville Road and Part of 10515 Highway 27**

We are the lawyers for Highview Building Corp Inc. ("**Highview**"), the applicant with respect to applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Site Plan Approval pertaining to the lands municipally known as 89 & 99 Nashville Road and part of 10515 Highway 27 (the "**Property**").

We are writing to provide comments on behalf of Highview regarding the third draft of the City of Vaughan Comprehensive Zoning By-law (the "**New Vaughan ZBL**").

**Background – Proposed Development and Settlement at LPAT**

The Property is located at the southeast corner of Nashville Road and Regional Road 27. The Property includes two addresses on Nashville Road, Nos. 89 and 99, as well as a portion of the property at 10515 Highway 27 that was severed off from a larger landholding pursuant to a consent approved by the Committee of Adjustment.

Highview proposes to develop the Property with 25 dwelling units (4 townhouse dwellings, 2 semi-detached dwellings, 19 detached (above-grade) dwellings), all connected by a below-grade parking structure, while the two heritage homes on the Property would be conserved (the "**Proposed Development**").

On September 9, 2016, the then-owner of the Property made applications to the City of Vaughan for an Official Plan Amendment (City File No. OP.16.009), Zoning By-law Amendment (City File No. Z.16.036), and Draft Plan of Subdivision (City File No. 19T-18V006) (the "**Applications**"). On May 18, 2017, on behalf of the owner, we appealed the Applications to the Ontario Municipal Board, now the Local Planning Appeal Tribunal ("**LPAT**"). The Local Planning Appeal Tribunal has designated these as Case No. PL170602 (the "**Appeals**").

**COMMUNICATION – C18  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

Highview has since assumed responsibility for the Appeals and has subsequently made an application for Site Plan Approval (City File No. DA.18.028).

In addition to the LPAT adjudication process, the Proposed Development was the subject of a public review and thorough consultation process as follows:

- On June 25, 2018, Highview hosted a community open house to present the Proposed Development local residents, and respond to questions and comments;
- On September 17, 2018, the Vaughan Committee of the Whole received a report and public comments at the statutory public hearing for the Proposed Development;
- On May 15, 2019, Heritage Vaughan considered the proposed relocation and restoration of the heritage homes on the Subject Property, and recommended that council approve the Proposed Development; and
- On June 12, 2019 City Council adopted the Committee of the Whole recommendation that Council endorse the approval of the Proposed Development, and to settle the Appeals at the LPAT on that basis.

To that end, a settlement between the City and Highview was presented to the LPAT on October 10, 2019 in respect of the Proposed Development.

In its Order issued October 23, 2019, the LPAT approved the Development Proposal, including the Official Plan Amendment and the Zoning By-law Amendment, in principle, with its Final Order withheld pending the finalization of the functional servicing report, Site Plan Approval conditions, and the final form of the planning instruments.

The LPAT decision of October 23, 2019 is appended to this letter.

### **The New Vaughan ZBL (3<sup>rd</sup> Draft)**

#### *Transition*

We have reviewed the third draft of the New Vaughan ZBL released in September 2020. We note that this version has introduced transition provisions which apply to circumstances where *Planning Act* applications are underway and are significantly advanced at the time of the passing of the New Vaughan ZBL, including instances where a Site Plan Approval application predates the New Vaughan ZBL, or where the LPAT has granted an approval of a Zoning By-law Amendment in principle, but has withheld its Final Order subject to conditions (Section 1.6.3 of the New Vaughan ZBL). We note that these transition provisions are intended to be time limited.

#### *Proposed Zoning*

The proposed zoning for the Property in the third draft of the New Vaughan ZBL is "KMS-S(2.5)-D(0.2-1.0), 525" for a portion of the lands fronting Nashville Road and "I1" for the portions of the lands that were formerly part of 10515 Hwy 27.



These permissions are not reflective of the rezoning approved by the LPAT and accepted in principle by City Council, subject to the finalization of the Site Plan. Notwithstanding the possibility that the Property and the Applications may be protected by the new transition provisions referred to above, we submit that the New Vaughan ZBL should reflect the permissions and form of development for the Property that have already been endorsed by City Council, and approved in principle by the LPAT.

It is not appropriate to apply the basic "KMS" and "I1" zones to the Property that do not incorporate the necessary permissions for the Proposed Development in these circumstances, particularly where the transition provisions are only intended to be time limited. The proposed zoning should reflect the LPAT approval; alternatively, the Property should be left out of the New Vaughan ZBL altogether.

*Refinements to Draft By-law Mapping*

In addition to incorporating the recently-LPAT-approved zoning standards for the Property, we submit that the mapping within the New Vaughan ZBL should recognize the updated ownership of the Property. The extent of land included in the Applications was based on an earlier staking exercise which was undertaken to determine the southern limit of future development. This boundary was the basis of the consent for severance which separated the Property from the Montessori School landholding to the south. Given the foregoing, the entirety of the Property should be subject to one single, consistent set of zoning regulations in the New Vaughan ZBL. This parcel is shown as "Schedule '1'" in the draft Zoning By-law Amendment presented in evidence to the LPAT, which has been attached to this letter for convenience.

*Correcting errors in Draft By-law Mapping*

The Property is found on Map 177 in Schedule A of the New Vaughan ZBL. The zone symbol applied to the Subject Property includes reference to Exception Number 525. The text of Exception Number 525 refers to Schedule E-915, which appears to have been carried forward from Vaughan Zoning By-law 1-88. However, the Property does not appear to be included within the lands shown on Schedule E-915, and the Parent Zone identified within the exception does not match the zone symbol shown on the Subject Property.

Thank you for providing the opportunity to comment on the draft New Vaughan ZBL. Would you kindly ensure that we receive a copy of any notices for public meetings, revised draft of the by-law, and any consideration or decisions made by City Council and committees of Council with respect to the New Vaughan ZBL.

Please provide notice to each of the following. Our mailing address is shown above. Our email addresses are as follows:

- Christopher Tanzola ([ctanzola@overlandllp.ca](mailto:ctanzola@overlandllp.ca))
- Greg Smith ([gsmith@overlandllp.ca](mailto:gsmith@overlandllp.ca))

Yours truly,  
Overland LLP



Per: Christopher J. Tanzola  
Partner

Encl.  
c. Y. Pelech (BPA Inc.)  
Client

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** October 23, 2019

**CASE NO(S):** PL170602

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Highview Building Corp Inc.
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	"Low-Rise Mixed-Use" and "Mainstreet Commercial"
Proposed Designation:	"Mid-Rise Mixed-Use"
Purpose:	To permit the development of a 9 to 11 storey mixed-use residential building in an L-shaped configuration along Highway 27 consisting of 173 dwelling units and at-grade commercial uses, as well as a 2-storey standalone building along Nashville Road providing commercial and amenity uses
Property Address/Description:	88 & 99 Nashville Road and 10515 Highway 27/ Part of Lot 24, Concession 8
Municipality:	City of Vaughan
Approval Authority File No.:	OP.16.009
OMB Case No.:	PL170602
OMB File No.:	PL170602
OMB Case Name:	Highview Building Corp Inc. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Highview Building Corp Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Neglect of application by the City of Vaughan

Existing Zoning:	"Residential R1"
Proposed Zoning:	"Mainstreet Commercial C11", with site-specific exceptions to allow site-specific permissions for building height, density, building envelopes, building setbacks, parking requirements and other performance standards
Purpose:	To permit the development of a 9 to 11 storey mixed-use residential building in an L-shaped configuration along Highway 27 consisting of 173 dwelling units and at-grade commercial uses, as well as a 2-storey standalone building along Nashville Road providing commercial and amenity uses
Property Address/Description:	88 & 99 Nashville Road and 10515 Highway 27/ Part of Lot 24, Concession 8
Municipality:	City of Vaughan
Municipal File No.:	Z.16.036
OMB Case No.:	PL170602
OMB File No.:	PL170603

**Heard:** October 10, 2019 in Vaughan, Ontario

#### **APPEARANCES:**

##### **Parties**

##### **Counsel/Representative\***

Highview Building Corp. Inc.

Chris Tanzola

City of Vaughan

Caterina Facciolo

2537299 Ontario Inc

Nadia Zuccaro\*

Kleinberg Mews Inc.

Nadia Zuccaro\*

#### **MEMORANDUM OF ORAL DECISION DELIVERED BY SHARYN VINCENT AND ORDER OF THE TRIBUNAL**

---

#### **INTRODUCTION**

[1] Highview Building Corp. Inc., having taken over the appeals originally jointly filed with Domenic and Anna Marzano against Council's failure to make decisions with

respect to applications to amend the Official Plan and Zoning By-law for lands located at the south east corner of the intersection of Highway 27 and Nashville Road, known municipally as 89 and 99 Nashville Road, has brought a settlement for the consideration of the Tribunal.

[2] The original proposal for a nine storey, mixed use development has been significantly revised and has now been endorsed by all interested parties to this matter, including, the Toronto and Region Conservation Authority (TRCA), Heritage Vaughan and Kleinberg and Area Ratepayers Association (KARA). The drainage issues between Kleinberg Mews and 2537299 Ontario Inc. have been addressed privately through Minutes of Settlement.

[3] At its meeting on June 9, 2019, Council approved in principle a 27 unit residential development comprised of a mix of detached, semi-detached and townhouse units, including the retention of the two existing structures on the site, all sharing a common below grade parking garage with access from both Nashville Road and the driveway shared with the neighbouring Montessori school located immediately to the south.

[4] The ultimate design of the development is driven both by the topography of the site, which slopes approximately 9 metres from the north-east corner to the south-west corner, and the overarching planning principles that the built form on the site must address both the strategic gateway function and the cultural heritage objectives of the Kleinberg-Nashville Heritage Conservation District Plan (KNHCD), including the retention and restoration of the two existing structures on the site.

[5] The proposed re-designation from Mainstreet Commercial and Natural Area to Village Residential was commended through the uncontroverted evidence of Yurij Pelech, who was qualified to give expert opinion evidence in areas of land use planning.

## **REVISED PROPOSAL**

[6] The proposal incorporates 19 detached dwellings (above grade), 2 semi-

detached dwellings, 4 townhouse dwellings, and retains 2 heritage detached dwellings which are organized on the site to create an enhanced pedestrian environment along the perimeter, and to reinforce the cultural heritage of the Nashville frontage by being informed particularly by the architecture and materiality of the development located to the north.

[7] The proposed heights are marginally higher than those otherwise contemplated in the Official Plan at 9.8 metres and 10.65 metres, and are in part a function of the change in grade across the site, which although presenting a challenge along the Highway 27 frontage, has been resolved through the introduction of a stone mill wall to both accommodate and screen the underground parking, while at the same time acting as an acoustic buffer. The design innovation precludes the need for an acoustic noise fence along the mayor roadway while meeting design objectives for the public realm.

[8] The upper floors of the dwelling units are also stepped back to reduce the massing and to create private amenity areas.

## **ANALYSIS**

[9] Having heard all of the evidence of Mr. Pelech, the Tribunal is persuaded that the proposal in an appropriate infill development on an underutilized site capable of accommodating the proposed mix and density of residential units within a settlement area.

[10] The revised proposal is consistent with and conforms to provincial policy promoting appropriate intensification, compact urban form, a broader range and mix of unit types, and is organized in such a way so as to meet cultural heritage objectives, create a sense of place both as a gateway, and internally on the site, and address an acoustical challenge to the betterment of the public realm.

[11] The merit in removing the commercial aspirations for the site from the proposal and designation given the topographical challenges, has been supported through

market analysis and the gateway objectives have otherwise been realized through the overall massing and architectural details proposed together with the retention and restoration of the 2 heritage structures.

[12] The Tribunal finds that the revised proposal is consistent with the policies of the Provincial Policy Statement and the conforms to the Growth Plan for the Greater Golden Horseshoe.

[13] The Tribunal also finds that the proposed Official Plan and Zoning By-law amendments conform to the various goals, objectives and policies of both the regional and local Official Plans.

[14] The Tribunal is satisfied that the proposal represents good planning within both the context of the geography and policy regimes.

#### **ORDER**

[15] The Tribunal allows the appeals in part to amend the Official Plan and Zoning By-law generally in accordance with the draft instruments proffered as Exhibits 4 and 5, and withholds its final order until advised by the Parties that the functional servicing report and site plan conditions have been finalized, and that final form amendments have been submitted to the Tribunal.

[16] The Parties are to advise the Tribunal no later than May 29, 2020 on the progress towards achieving the issuance of the final order.

*"Sharyn Vincent"*

SHARYN VINCENT  
MEMBER

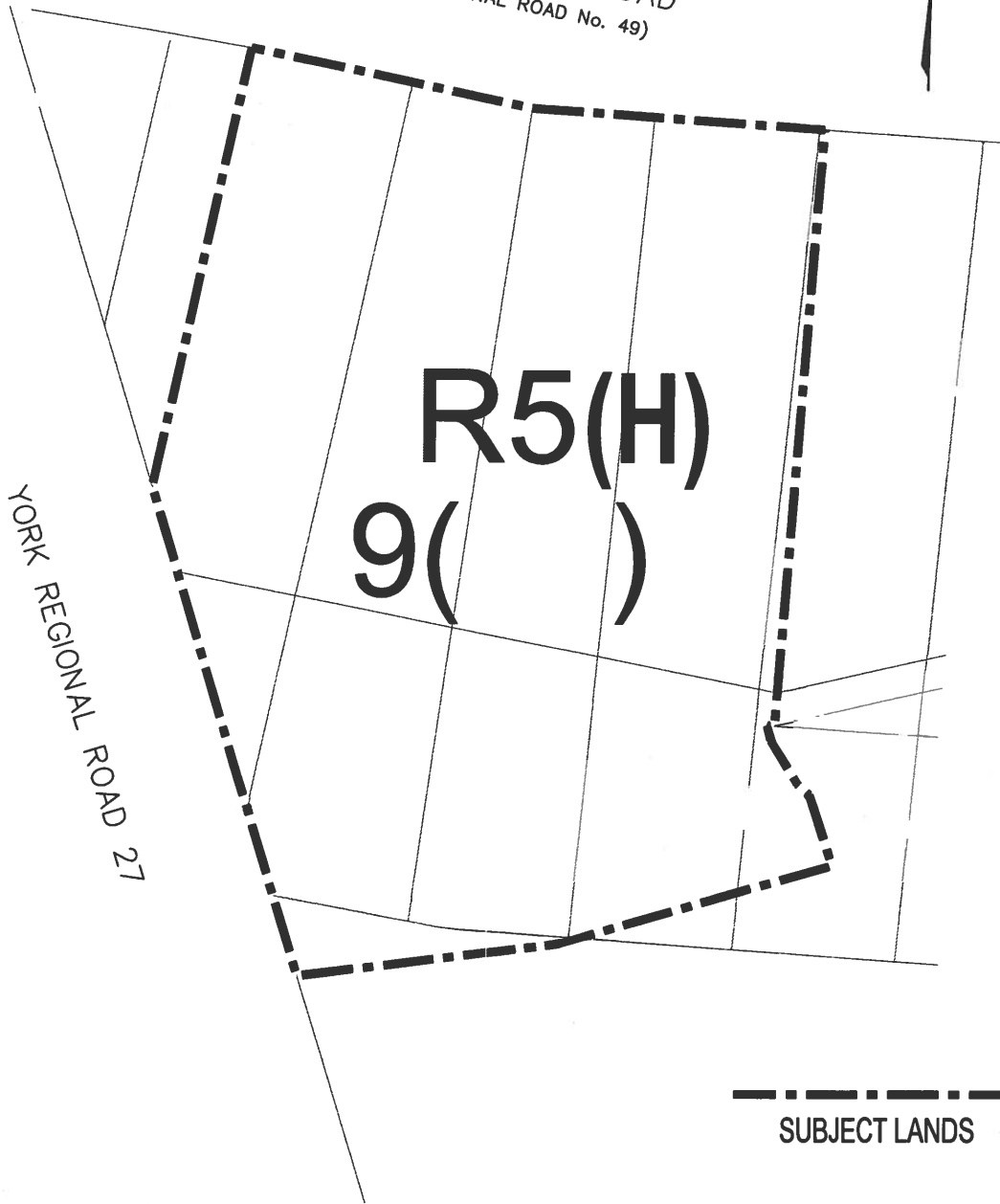
If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Tribunals Ontario - Environment and Land Division  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248



NASHVILLE ROAD  
(YORK REGIONAL ROAD No. 49)



Not to Scale

**THIS IS SCHEDULE '1'**  
**TO BY-LAW -2019**  
PASSED THE            DAY OF    , 2019

OPA FILE \_\_\_\_\_  
LOCATION: Part of Lot 24, Concession 8  
APPLICANT: Highview Building Corp./Stateview Homes  
CITY OF VAUGHAN

SIGNING OFFICERS  
\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CLERK

October 28, 2020  
HPGI File: 17519

**COMMUNICATION – C19  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**  
Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
8337-8359 Islington Ave, City of Vaughan (the “Property”)  
Pristine Homes (the “Owner”)**

---

Humphries Planning Group represents Pristine Homes, owner of the property located at 8337-8359 Islington Ave in the City of Vaughan and legally described as Part Lots 1, 2, 3, 4, 5 and 6, Plan M1111. The Owner has an active Official Plan and Zoning By-law Amendment Applications on the Property, amending the currently in-force By-law Number 1-88, City of Vaughan file numbers OP.20.004 and Z.20.011.

As such the Owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. It is our understanding that the intended adopted of the Proposed By-law is late 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications that are currently active.

Based on the above concerns and the Owner’s active development application submission, we request that a site-specific deferral be considered for the Property to facilitate the finalization of the development application submission.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

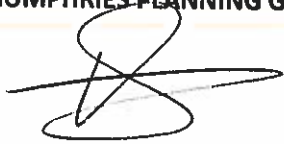
Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

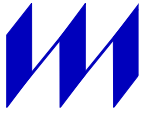
We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, appearing to be 'RH', written over a horizontal line.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Pristine Homes, Michael Cortellucci



**WESTON  
CONSULTING**

planning + urban design

**COMMUNICATION – C20  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

October 29, 2020  
File 9195

**Attn: Mr. Brandon Correia, Manager – Special Projects**

Dear Sir,

**RE: 165 Cityview Boulevard, Vaughan  
Draft Zoning By-law  
City of Vaughan**

Weston Consulting are the Planners for 2694663 Ontario Inc., the owners of the property located at 165 Cityview Boulevard in the City of Vaughan. We have reviewed the Phase 3 Draft Zoning By-law material and note that while the above noted property is to maintain the existing *EM1 – Prestige Employment* zoning, the Phase 3 Draft Zoning By-law does not list a Hotel as a permitted use within the *EM1* zone category.

Weston, along with the owner and project team, are currently preparing a full submission for a Site Plan Approval application, in accordance with PAC understanding PAC.19.100, which took place on January 23<sup>rd</sup>, 2020. The concept proposed at the meeting was for a 10-storey building containing a hotel and eating establishment, with a rooftop helicopter pad. It was noted that the proposed uses were permitted as-of-right by the in-place Zoning By-law 1-88.

At this time, a date for the full submission has not been set, however it is anticipated that a submission will be taking place during the first half of November, and will include all materials requested as per the PAC understanding. We are anticipating that the Site Plan Approval application will be submitted prior to the enactment of the Comprehensive Zoning By-law.

Based on our understanding of Section 1.6.3 – Provision 3, the site plan application will be evaluated against Zoning By-law 1-88 provided that the application is deemed complete and that the application is in compliance with Zoning By-law 1-88 and any finally approved minor variances.

It would be greatly appreciated if you could please confirm our interpretation of this policy?

Thank you in advance for your assistance.

Yours truly,  
**Weston Consulting**

A handwritten signature in black ink, appearing to read 'K. Franklin', written in a cursive style.

Kurt Franklin BMath, MAES, MCIP, RPP  
Vice President

cc. Raj Dass, J. Dass Inc.



City of Vaughan  
Office of the City Clerk  
2141 Major Mackenzie Dr.  
Vaughan, ON  
L6A 1T1

October 29, 2020  
File 8502

**Attn: City Clerk**

**Re: City-Wide Comprehensive Zoning By-law  
Committee of the Whole (Public Meeting)  
2338 Major Mackenzie Drive West, Vaughan**

Weston Consulting is the planning consultant representing 2338 Major Mackenzie Inc., the owner of the property municipally known as 2338 Major Mackenzie Drive West (herein referred to as the “subject property”) in the City of Vaughan, within the community of Maple. We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the “CZBL”) and are pleased to provide the enclosed comments on behalf of the landowner.

The subject property is currently zoned “*Restricted Commercial Zone (C1)*” under the in-force City of Vaughan Zoning By-law 1-88 and is subject to site-specific Exception 9(356) and Schedule E-370. Site-specific Exception 9(356) permits various site-specific uses and the following site-specific standards:

- Minimum Landscape Strip abutting a public street (Major Mackenzie Drive) shall be 1.1 m;
- 1.8 m high maintenance privacy fence shall be provided along the northerly property line;
- Minimum interior side yard setback (west) to institutional use – 6.4 m;
- Minimum front yard setback (Major Mackenzie Drive) – 3.8 m;
- Minimum of 83 parking spaces for all uses;
- An outdoor patio may be permitted to be located between a building and residential zone (on the south side of Major Mackenzie Drive); and,
- The calculation of gross floor area shall include the existing 269 m<sup>2</sup> mezzanine.

The purpose of this letter is to confirm that, through the implementation of the CZBL, the site-specific exceptions, as they relate to the current Commercial zoning of the property, do not preclude any future applications on the subject property.

Upon review of the third draft of the CZBL, the subject property is proposed to be zoned as “*Main Street Mixed-Use – Maple Zone (MMS-196)*” and is subject to Site-Specific Exception 196. It is recognized that most permitted uses and all site-specific provisions have been captured under Exception 196 of the draft CZBL, recognizing that a Photography Studio has been incorporated under Personal Service Shops and that Video Store appears to have been phased out as these

establishments are now mostly obsolete. Furthermore, we acknowledge that the proposed CZBL introduces residential uses as permitted uses on the subject property in order to achieve a mixed-use corridor along this portion of Major Mackenzie Drive West.

Notwithstanding the draft CZBL, applications for an Official Plan Amendment and Zoning By-law Amendment were made to permit 83 stacked townhouse units and 321 m<sup>2</sup> of commercial space. It is noted that this proposed mixed-use redevelopment of the site is generally consistent with the proposed new zoning for the site under the draft CZBL. However, we are also aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject property given the intention to file site-specific development applications.

We understand that the intent of the transition provisions of Section 1.6.3 is to allow for various active planning applications to proceed without having to comply with the CZBL. Upon the submission and approval of the forthcoming Zoning By-law Amendment application, it is our request that the site-specific zoning be implemented for the site through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

In summary, we support the proposed zoning category of MMS-196 for the subject property as set forth by the current draft of the CZBL. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis, and request to be notified of any future reports, meetings and decisions regarding the CZBL.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 245 should you have any questions regarding this submission.

Yours Truly,

**Weston Consulting**

Per:



Sandra K. Patano, BES, MES, MCIP, RPP  
Associate

- c. Nick Spensieri, Deputy City Manager, Infrastructure Development  
Brandon Correia, Manager of Special Projects  
2338 Major Mackenzie Drive Inc., Client

October 29, 2020

Brandon Correria – Manager, Special Projects  
City of Vaughan  
Office of the Deputy City Manager, Planning and Growth Management Portfolio  
2141 Major Mackenzie Dr.  
Vaughan, ON  
L6A 1T1

Dear Mr. Correia:

**RE: CITY OF VAUGHAN – COMPREHENSIVE ZONING BY-LAW REVIEW COMMENT LETTER  
CHOICE PROPERTIES REIT  
3900-3940 HIGHWAY 7, 200 WINDFLOWER GATE, 2911 MAJOR MACKENZIE DRIVE WEST,  
AND 8345 – 8555 & 8585 HIGHWAY 27  
OUR FILE: Y329AO**

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On behalf our client, Choice Properties REIT, we are providing this letter regarding the third draft of the City of Vaughan Comprehensive Zoning Review By-law (hereinafter the “draft Zoning By-law”) being considered for approval by Council. Our client owns several parcels of lands in the City of Vaughan, municipally addressed as follows:

- 3900-3940 Highway 7 and 200 Windflower Gate (“The Highway 7 Lands”),
- 2911 Major Mackenzie Drive West (“The Major Mackenzie Lands”) and
- 8345 – 8555 & 8585 Highway 27 (“The Highway 27 Lands”).

The Highway 7 and Major Mackenzie lands are proposed to be zoned General Mixed Use (GMU), and the Highway 27 lands are proposed to be zoned Neighbourhood Commercial (NC) under the draft Zoning By-law.

This letter builds on comments provided in two previous letters, dated March 4, 2020 and February 19, 2020, respectively, which provided comments on the second draft of the draft Zoning By-law.

We note that our previous request to permit seasonal commercial uses in the GMU zone was adopted in the third draft. Several comments remain outstanding from the second draft however, and we hold a new issue with the proposed site specific exceptions, introduced in the third draft of the draft Zoning By-law.



## **1. Specific Use Provisions – Outdoor Patio (Section 5.12)**

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Outdoor Patios have several specific use provisions under the proposed draft Zoning By-law. Several of the provisions have changed since the first draft, specifically the minimum setbacks from adjacent residential or institutional zones. The proposed setback of 30m for ground floor patios and 40m for second floor and above patios generously buffer adjacent sensitive uses. The provisions read;

4. *An outdoor patio located at grade and with direct access from the first storey of a building shall have a minimum setback of 30.0 m from any lot line abutting a residential use or Institutional Zone.*
5. *An outdoor patio located above the first storey of a building shall have a minimum setback of 40.0 m from any lot line abutting a residential use or Institutional Zone. For the purpose of this provision, the minimum setback shall be interpreted as follows:*
  - a. *The minimum setback of an outdoor patio located above the first storey shall be measured horizontally from the nearest part of an outdoor patio to the nearest lot line abutting a Residential Zone or Institutional Zone.*

**We believe additional flexibility in this provision is required. The proposed setback requirements are generous and a provision to allow for a reduced setback subject to an appropriate study of impacts to the adjacent residential or institutional uses would be appropriate. Additionally, clarification of how the setback should be measured in the case when a road separates the proposed outdoor patio from the residential or institutional use should be provided. In this case, it is not clear which property line (the residential/institutional property line or outdoor patio property line) should be used. We would recommend that separation distances be measured to the actual uses versus property lines to ensure that true intent of the separation distance is met.**

## **2. Specific Use Provisions – Seasonal Commercial Use (Section 5.18)**

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Seasonal Commercial Use provisions in section 5.18 set out standards requiring that they not obstruct a required parking space, and that they may operate only 120 days a year;

1. *A seasonal commercial use shall not obstruct a required parking space, driveway access, aisle, or loading space.*
2. *A seasonal commercial use shall not be permitted for more than 120 days within a single calendar year, as calculated either cumulatively or consecutively.*

**We believe that requiring Seasonal Commercial Uses to not obstruct required parking spaces will inhibit the efficient development of land. If these provisions are retained, dedicated space on the lands would be required to accommodate the Seasonal Commercial Use, despite its temporary nature, creating land that sits unused for the majority of the year, or alternatively requires additional parking areas to be provided beyond the Zoning By-law rates. It is therefore recommended that the requirement for Seasonal Commercial Uses to not obstruct a required parking space be removed.**

**Additionally, the length of time in which a seasonal garden centre tends to change year over year and is dependent on seasonal weather. An arbitrary 120 day limit is potentially limiting to the operations of a facility such as a garden centre, as growing seasons regularly exceed that time-length. An increased limit to the maximum amount of time or removal of the 120 day limit is recommended.**

### 3. Transition (Section 1.5)

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This section outlines transition issues regarding the implementation of the Draft Zoning By-law. Clauses allowing for existing approved minor variances to continue to apply are particularly appreciated.

**An additional clause allowing for minor variances within the 2-year no amendment period under Section 34 (10.0.0.1) of the Planning Act is recommended. Not allowing minor variances city-wide for a period of two years would create challenges in making minor changes to existing uses and operations of the subject lands, especially considering many site specific provisions require zoning provisions that exceed the new By-law (i.e. parking rates), so variances would be required to bring property standards more in line with the new Zoning By-law.**

**Additionally, given the inability for the draft By-law to accurately predict all legal non-conforming uses and accommodate their needs, a general clause should be added to allow for minor modifications and expansions of existing legal non-conforming uses, up to a certain percentage of the existing GFA (i.e. 20%). This clause would allow legal-non conforming uses to grow and change in their existing location without requiring relief from the draft Zoning By-law.**

### 4. Proposed Zone (Section 9.0)

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The proposed zone for the Highway 27 lands in the draft Zoning-By-law is Neighbourhood Commercial (NC). This zone represents a reduction in permitted uses over the existing zoning in By-law 1-88. Uses generally permitted on the lands today but not permitted in the draft Zoning By-law include:

- Place of Entertainment
- Pet Care Establishment
- Art Studio

We note that this list is smaller than in the second draft of the draft Zoning By-law as the site specific exception zones, introduced in the third draft of the draft Zoning By-law, added several permissions to the Highway 27 lands not permitted in the base NC zone. The above noted uses however remain outstanding in that they are currently permitted uses on the Highway 27 lands in Zoning By-law 1-88, and are not proposed to be carried forward to the draft By-law.

The proposed NC zone additionally does not align with the official plan designation for the lands, in which the lands are designated Low-Rise Mixed Use.

**Due to the Official Plan designation of the lands, we believe a Low-Rise Mixed Use (LMU) zone or General Mixed Use Zone (GMU) zone would be more appropriate for the Highway 27 lands. These designation's permitted uses more closely align with Zoning By-law 1-88 and more closely relate to the land use designation under the Official Plan.**

### 5. Exception Zones (Section 14.0)

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The third draft of the draft Zoning By-law included for the first time the site specific exception zones and provisions. These provisions largely bring forward existing site specific provisions in Zoning By-law 1-88, regardless of changes in regulations in the draft Zoning By-law.

Each of the three sites subject to this letter are proposed to be subject to a site specific exception zone in the draft Zoning By-law. The Highway 7 lands are proposed to be subject to exception 287, the Highway 27 lands are proposed to be subject to exception 462, and the Major Mackenzie lands are proposed to be subject to exception 765.

By primarily bringing forward existing site specific provisions from Zoning By-law 1-88, the proposed site specific provisions create several issues with interpretation. The site specific provision applying to the Highway 7 lands for example, exception 287, identifies the lands as a variety of zones applicable in By-law 1-88 (C5, RM1, RM2, C2, OS2) in Figure E-537A. The exception however makes no references to these designations in the site specific provisions, or how these designations should be interpreted and whether they override the GMU zone applicable in the draft Zoning By-law.

Additionally, each site specific exception identifies several permitted uses in addition to the uses otherwise permitted in the GMU or NC zone. As these permitted uses are brought forward from Zoning By-law 1-88, they generally do not match the defined terms for uses in the draft Zoning By-law. Exactly how these uses should be interpreted is not clear.

Finally, several of the site specific exceptions place stricter regulations on a site specific basis on the lands than what is proposed in the base draft By-law zones. Parking rates in particular are significantly higher in the site specific provisions for each site. The existing site specific provisions in By-law 1-88 allow for lower parking ratios than required otherwise, however when brought forward to the draft Zoning By-law, now represent a significant increase in the minimum amount of required parking for the lands. This is counter to the goal of modernizing parking requirements in the City of Vaughan, and leaves many lands across the city fixed to parking rates set out in the previous by-law that are now outdated and no longer required.

**We request that the site specific provisions applying to the Lands, exceptions 287, 462, and 765, be modified with updated permitted uses and figures that better align with the definitions and requirements of the draft Zoning By-law. Alternately, further clarification is requested on how site specific provisions should be interpreted and if zones set out in the site specific figures are applicable under the draft Zoning By-law.**

**Additionally, the provisions should be modified so that whenever the site specific provision conflicts with the base by-law, the less restrictive policy prevails. This includes, but would not be limited to, the removal of most site specific parking provisions which are typically higher than the requirements set out in the draft Zoning By-law.**

## **SUMMARY**

Based on the information provided and understood to date, the Highway 7 and Major Mackenzie Lands are proposed to be zoned GMU, and the Highway 27 lands zoned NC.

While the Draft Zoning By-law is generally supported by MHBC and our client, we believe that additional flexibility is needed for outdoor patios, seasonal commercial uses, and transition issues. Additionally, we find the proposed site specific provisions to be difficult to interpret and overly restrictive by bringing forward many requirements that are more restrictive than otherwise proposed in the draft Zoning By-law. The draft Zoning By-law as currently proposed could produce operational challenges for existing uses through limitations on Seasonal Commercial Uses, and produce challenges in attracting new tenants with limitations on the ability to apply for Minor Variances and operate Outdoor Patios.

Please continue to provide updates on the Draft Zoning By-law, particularly involving matters outlined above. If you have any questions, please do not hesitate to contact us.

Thank you.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'Oz Kemal', written in a cursive style.

Oz Kemal, BES, MCIP, RPP  
Partner



64 Jardin Drive, Unit 1B  
Concord, Ontario  
L4K 3P3  
T. 905.669.4055  
F. 905.669.0097  
**klmplanning.com**

P-3138

October 29, 2020

**By E-Mail**

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

**Attention: City Clerk**

Dear Council:

**Re: Draft City-Wide Comprehensive Zoning By-law  
Committee of the Whole Meeting on October 29, 2020 - Agenda Item 3.1**

We are the planning consultants for Ms. Concetta Marciano, the owner of the lands currently occupied by Club Pro and municipally known as 170 Doughton Road (the "Lands"). Our client has reviewed the current draft City-wide Comprehensive Zoning By-law in relation to the Lands, which we understand will be considered by the Committee of the Whole at its meeting on October 29, 2020.

Our client is satisfied with the proposed Draft City-Wide Comprehensive Zoning By-law for the Lands.

Kindly ensure that we receive notice of any decision(s) made by the Committee and/or City Council regarding the Comprehensive Zoning By-law, as well as any further public meeting(s), so we can continue to monitor this matter.

Yours truly,

**COMMUNICATION – C23  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**KLM Planning Partners Inc.**



Mark Yarranton, BES, MCIP, RPP  
President

copy: Clients  
Parente Borean – Gerard C. Borean

**COMMUNICATION – C24  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

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**From:** Bogdan Mujoiu <bogdanmujoiu@gmail.com>  
**Sent:** Thursday, October 29, 2020 12:54 PM  
**To:** Clerks@vaughan.ca  
**Subject:** [External] High Importance 9520 Jane St. - Third Draft Zoning By-law 7pm Meeting 29 October

To whom it may concern,

We are reaching out, as new owners of the property located at **9520 Jane St Vaughan L6A1S1** with a number of concerns related to the future zoning shown in Phase 3: Third Draft Zoning By-law map. These concerns have risen as we plan in the future on building a place of worship at the above location.

Kindly address during the meeting the points below:

- Future zoning for the property will be Environmental Protected ( EP-93), what is the primary factor for this change from Agricultural to Environmental Protected?
- What are the steps in order to keep the zoning as General Commercial ( GC ) mentioned in Phase 2B: Second Draft Zoning By-law map?
- Why is there a discrepancy between current zoning of the land according to the online interactive maps?
- If land is placed under Environmental Protected zoning, can we build on the property? Our intention is to build the future church on the footprint of the existing shed (not the main house). The dimensions for the future church building would be w:10m x l:20m x h:9.5m.

Please find attached the documents regarding our charity.

Thank you for your time and consideration on this time sensitive matter.

God bless you,

Saint John The Evangelist Committee  
100 Old Orchard Grove, Toronto, ON, M5M 2E2



Ms. María Todea  
Secretary  
The Romanian Orthodox Church  
"St John The Evangelist" Toronto  
303 Maria Street  
Toronto, Ontario  
M6P 1W6

3012537

February 23,2000

Dear Ms. Todea:

**NOTIFICATION OF REGISTRATION**

The Romanian Orthodox Church "St John The Evangelist" Toronto

We are pleased to inform you that, based on the information supplied, and assuming that the activities will be as stated in the application, we have determined that the organization qualifies for tax-exempt status as a registered charity under paragraph 149(l)(f) of the *Income Tax Act* (the "Act").

**REGISTRATION INFORMATION**

the charity's **Business Number** is **88129 5729 RR0001**

the charity is registered effective **January 1,2000**

the charity is **designated as a Charitable Organization**

the charity will have to **file** its first **annual return** on or before **June 30,2001**

**The following paragraphs and the documents attached to this letter will further explain the operational requirements the charity must meet, its filing requirements, the issuance of receipts, etc. Please take a few minutes to look over this information, and refer to this letter for any questions relating to the charity's status.**



### **General Information**

Enclosed are copies of a document titled "Information on the Income Tax Act and Registered Charities" which will assist you in complying with the operational and filing requirements that must be satisfied in order to maintain the organization's registered charity status. If you have any questions or require further assistance, please do not hesitate to contact our Client Assistance Section, either by phone at (613) 954-0410 or toll free 1-800-267-2384, or by mail at the Charities Division, Canada Customs and Revenue Agency, Ottawa, Ontario, K1A 0L5. Any questions pertaining to the GST may be addressed by telephoning toll-free at 1-800-959-5525.

### **The Charity's Business Number**

The Business Number (BN) system has been implemented as of April 1997. The BN consists of a nine-digit root, followed by a two-letter, four-digit account identifier. The nine-digit root is the same for each account the organization may have with Canada Customs and Revenue Agency. However, the two-letter, four-digit identifier will be different for each account. The organization's charitable status is acknowledged by the **RR 0001** account identifier. Please note that the charity's BN should be written **in full**, including its charity account identifier, on all receipts it issues.

### **The Charity's Designation**

We have determined that the organization is a Charitable Organization because it meets the requirements of that definition as set out under subsection 149.1(1) of the *Act*. This designation determines the operational requirements which the charity will have to meet under the *Act*, and are described in the information document referred to above. However, if you think this designation does not accurately reflect the present structure, source of funding or mode of operation of your organization, please write us within sixty days of the mailing of this letter, clearly setting out your reasons.

At a later date, if the charity undergoes some of the modifications described below, it may be required to change its designation. You may also wish, for other reasons, to see the organization's designation changed. In both cases, you would have to apply for re-designation by completing form T2095.

### **Changes in the Charity's Purposes, Activities, Sources of Support or Directors**

Canada Customs and Revenue Agency (CCRA) has registered the organization based on the information provided with the application. If the organization wishes to formally change its stated purposes or objects, it should obtain our prior approval, because this may affect its status. If the organization wishes to undertake programs and activities that are materially different from those in the information already submitted to us, it should make

sure that they are within the scope of the organization's stated purposes. Moreover, if the programs or activities are different from those we reviewed, they may not be charitable. So as a precaution, we recommend that you check with us beforehand. If the organization actually undertakes programs that are not charitable, its registration may be revoked.

Furthermore, if the charity's sources of support, character, or method of operation were also to change, you would be required to advise us immediately, so that we may consider any impact this may have on its registered status. In addition, you would be required to advise us if the relationships (by blood, marriage or adoption) among the directors and officials change.

These types of changes might affect the charity's designation and the operational requirements it has to meet under the *Act*.

### **Issuing Receipts Acknowledging Gifts to the Charity**

In order for donors to benefit from the tax incentives associated with gifting to a charity, they must submit an official receipt issued by a registered charity with their income tax return. Official receipts are those issued by a registered charity that meet the requirements set out under Regulation 3501 of the *Income Tax Regulations*. Please refer to Appendix C of the enclosed document titled "Information on the Income Tax Act and Registered Charities" in this regard. Official receipts can only be issued to acknowledge **gifts** to the charity. Interpretation Bulletin IT 110R3 defines a gift as a voluntary transfer of property without valuable consideration. For more information on what constitutes a gift in charity law, please refer to the aforementioned Interpretation Bulletin.

### **Fund-raising**

Many charities engage in fund-raising activities such as bingos, dinners, golf tournaments, etc. Certain payments made in the context of fund-raising activities (such as a ticket for a lottery draw, an admission fee, etc.) are not eligible for an official receipt, since the transfer of funds within the fund-raising activity does not meet the legal definition of a gift. If you are unsure whether a fund-raising activity would be acceptable for a registered charity, you should contact our Client Assistance Section at (613) 954-0410 or toll free 1-800-267-2384 for approval before undertaking it.

### **Filing the Charity's Annual Return**

Every year each registered charity must file a "Registered Charity Information Return" (form T3010 - the "Return") and a financial statement within six months following its fiscal year end. As you have indicated that the charity's fiscal year end is December 31, its first return should be filed on or before June 30, 2001 for the fiscal period ending December 31, 2000. The information required on the Return may differ substantially from

that available in your current books and records. Here are some of the items of information you will have to provide on the Return:

- a breakdown of gifts including those for which "official tax receipts" were issued and those from other registered charities;

disbursements including amounts spent on fund-raising, administrative expenditures, political activities, and those spent specifically on charitable programs; and,

- a breakdown of remuneration to directors, executive officers, to employees engaged in charitable activities and to employees engaged in other activities.

Although the Return form is forwarded annually to all registered charities for their use and to remind them that the Return must be filed, it is the charity's responsibility to ensure that it meets its annual filing requirements, without our prior notice. **Failure to file the Return within the prescribed six-month period following each fiscal year end could result in the revocation of the organization's registered status. The charity would then lose its tax-exempt status as well as its authority to issue official receipts for income tax purposes, and would be subject to a tax equal to the value of any remaining assets not disposed of in a prescribed manner.** Should you wish to obtain a copy of the Return, you may contact any of the CCRA's Tax Services Offices or the Charities Division, in writing, at the Charities Division, Canada Customs and Revenue Agency, Ottawa, Ontario, K1A 0L5 or by telephoning our toll-free line at 1-800-267-2384.

#### **Other Possible Requirements Associated with Charitable Status**

The organization is now registered for federal income-tax purposes. However, depending on which part of Canada it carries on its activities, there may be provincial legislation or municipal by-laws that could govern its operations. These rules may require you to file reports or annual returns, or to apply for licenses in connection with various aspects of its activities, such as fund-raising. If you are unfamiliar with these requirements, you should contact the appropriate provincial and municipal authorities to determine the relevant requirements. Please note that if you intend to issue receipts to residents of Quebec for Quebec provincial income tax purposes, the charity must also be formally registered with Revenu Quebec.

#### **Charity Audits**

Through ongoing audit and review programs, CCRA endeavours to ensure that the requirements for continued registration are met. Further, a number of registered charities are investigated by CCRA each year on the basis of random sampling and a review of the annual returns filed by charities. Where the charity is not complying with the Act, its registration may be revoked.

**Because this letter could help resolve any questions about the charity's charitable status, you should keep it in your permanent records.**

Yours truly,

A handwritten signature in black ink, appearing to read "Jim O'Neil", written over a light gray rectangular background.

Jim O'Neil  
Charities Examiner  
for Neil Barclay, Director  
Charities Division

Attachments  
/km



Canada  
Corporations Act

Loi sur les  
corporations canadiennes

C A N A D A

LETTERS PATENT

WHEREAS an application has been filed to incorporate a corporation under the name

THE ROMANIAN ORTHODOX CHURCH "ST. JOHN THE EVANGELIST" TORONTO

THEREFORE the Minister of Industry by virtue of the powers vested in him by the *Canada Corporations Act*, constitutes the applicants and such persons as may hereafter become members in the corporation hereby created, a body corporate and politic in accordance with the provisions of the said Act. A copy of the said application is attached hereto and forms part hereof.

Date of Letters Patent - December 29, 1999.

GIVEN under the seal of office of the Minister of Industry.

for the Minister of Industry

File Number: 370771-7



# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 28, 2020  
HPGI File: 19628

**COMMUNICATION – C25  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**  
Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention: City Clerk, City of Vaughan**

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
3180 Teston Road (the “Property”)  
Lorwood Holdings Inc. (the “Owner”)**

---

Humphries Planning Group represents Lorwood Holdings Inc., owner of the property located at 3180 Teston Road within the City of Vaughan and legally described as Part of Lot 26, Concession 5. The Owner is actively working towards submitting Zoning By-law Amendment and Draft Plan of Subdivision applications to the City of Vaughan.

As such the Owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications that are currently active or those which will be submitted prior to the adoption of the Proposed By-law. Further, the Owner has concerns regarding the potential two-year restriction on amendments for the Proposed By-law once it is adopted, as per section 34(10.0.0.1) of the *Planning Act*.

Based on the above concerns and the Owner’s imminent development application submission, we request that a site-specific deferral be considered for the Property to facilitate the future development application submission.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)

~ Do Something Good Everyday! ~ STAY SAFE ~

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a vertical line through it, and a horizontal line extending to the right.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Michael Guglietti, Lorwood Holdings Inc.



# BOUSFIELDS INC.

Project No. 1049

October 27, 2020

City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

**COMMUNICATION – C26**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

Dear Mayor Bevilacqua and Members of Committee of the Whole

***Re: Comprehensive Zoning By-law Review***

---

We are planning consultants to MCN (Pine Valley) Inc., owner of an approximate 64 hectare property located on the east side of Pine Valley Road, south of King-Vaughan Road, municipally known as 12011 Pine Valley Road (the “subject property”).

We have attached an LPAT Decision, dated October 5, 2020, implementing a settlement to accurately reflect that Natural Heritage designations on the subject site. It appears that Schedule B4 to the Draft Zoning By-law does not accurately reflect the features per the attached LPAT decision. We request that this be reviewed and confirmed.

Should you require additional information, or wish to discuss the contents of this letter further, please do not hesitate to contact the undersigned.

Yours very truly,

Michael Bissett, MCIP RPP  
**Bousfields Inc.**

*cc. Brandon Correia, Manager, Special Projects, City of Vaughan*



**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** October 05, 2020

**CASE NO(S):** PL111184

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1042710 Ontario Limited
Appellant:	1096818 Ontario Inc.
Appellant:	11333 Dufferin St et al
Appellant:	1191621 Ontario Inc.; and others
Subject:	Failure to announce a decision respecting Proposed New Official Plan City of Vaughan
Municipality:	City of Vaughan
OMB Case No.:	PL111184
OMB File No.:	PL111184
OMB Case Name:	Duca v. Vaughan (City)

All Appellants: See Attachment 1

**Heard:** October 1, 2020 by telephone conference call

**APPEARANCES:**

**Parties**

**Counsel**

MCN (Pine Valley) Inc.

S. Ferri and M. Ng

Block 42 Landowners Group Inc.

M. Melling and A. Margaritis

City of Vaughan

E. Lidakis

Toronto and Region Conservation  
Authority

T. Duncan

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON  
OCTOBER 1, 2020 AND ORDER OF THE TRIBUNAL**

---

[1] This proceeding was a settlement hearing to resolve the appeals of MCN (Pine Valley) Inc. (Appeal 57) (“Pine Valley”) and Block 42 Landowners Group Inc. (Appeal 151) (“Block 42 Landowners”) to the 2010 Vaughan Official Plan (“VOP”). Over the past several years, the 168 appeals to the VOP have been managed according to various categories by area or subject matter. Where a settlement is reached, as is the case here, a hearing is held to consider the settlement and resulting modifications to the VOP, if any.

[2] In support of the settlement for Block 42 Landowners, and with the consent of all Parties, the signed Affidavits of the following professionals were marked as Exhibit 1: Ryan Mino-Leahan, Registered Professional Planner (“RPP”) and Brian Henshaw, Ecologist.

[3] In support of the settlement for Pine Valley, and with the consent of all Parties, the signed Affidavits of the following professionals were marked as Exhibit 2: Michael Bissett, RPP, Bradley Baker, Ecologist and Paul Neals, Agrologist.

[4] As covered in detail in the Affidavits, both of these matters relate to the manner in which the VOP designates and applies policies for natural heritage areas.

[5] The area known as Block 42 covers approximately 500 hectares at the centre of the municipality’s northern boundary, bounded by Kirby Road to the south, Pine Valley Drive to the west, Weston Road to the east, and the municipal boundary to the north. The area is situated outside of the designated Urban Area and is dominated by agricultural land uses, but may be considered for future urban development based on studies underway by the Regional Municipality of York.

[6] The resolution of the Block 42 Landowners’ appeal involves renaming natural features on Schedule 2 of the VOP to clarify that such features will be determined at the time of future development, and including policies that provincially significant wetlands

will be surrounded by a 30 metre (“m”) protection zone and other wetlands by a 10 m zone, and setting out the circumstances when an evaluation of wetlands and environmental impact studies are required.

[7] Mr. Mino-Leahan attests that the proposed modifications to the VOP satisfy all legislative requirements by appropriately addressing the protection of ecological systems, the protection of agricultural resources, orderly development and coordinated planning, as set out in s. 2 of the *Planning Act* (“Act”), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (“GP”), the Provincial Policy Statement, 2020 (“PPS”) and the Regional Municipality of York Official Plan (“ROP”). Mr. Mino-Leahan also opines that the proposed modifications are in harmony with the policy intent of the VOP.

[8] The lands affected by the Pine Valley appeal are approximately 60 hectares within the northwest part of Block 42. The resolution of the appeal involves modifying Schedule 2 of the VOP to remove the designations of Core Feature and Enhancement Area from three swales that cross and form part of the cropped fields on the property, and to add a policy allowing the small wetland in the southwest part of the property to be studied further at the time of a development application.

[9] Mr. Bissett attests that the proposed modifications to the VOP satisfy all legislative requirements by appropriately addressing the protection of ecological systems, the protection of agricultural resources, orderly development and coordinated planning, as set out in the Act, GP, PPS and ROP. Mr. Bissett also opines that the proposed modifications conform with the intent of the VOP.

[10] On the unchallenged planning evidence of Mr. Mino-Leahan and Mr. Bissett as supported by the technical conclusions of the other affiants, and the consent submissions of the Parties, the Tribunal finds that the proposed modifications to the VOP have regard for s. 2 of the Act, conform with the GP, are consistent with the PPS, and conform with the ROP. The Tribunal approves the requested modifications to the VOP as set out below.

**ORDER**

[11] The Tribunal orders, pursuant to s. 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, in respect of the City of Vaughan Official Plan 2010 as adopted by the City of Vaughan on September 7, 2010, subject to Council modifications on September 27, 2011, March 20, 2012, and April 17, 2012, and modified and endorsed by the Regional Municipality of York on June 28, 2012, that:

1. Appeals 57 and 151 of the City of Vaughan Official Plan 2010, filed by MCN (Pine Valley) Inc. and Block 42 Landowners Group Inc. respectively, are allowed in part;
2. The City of Vaughan Official Plan 2010 is hereby modified and approved as modified in respect of lands subject to Appeals 57 and 151 in accordance with Attachment 2 attached to and forming part of this Order; and
3. The balance of Appeals 57 and 151 of the City of Vaughan Official Plan 2010 are hereby dismissed.

*“S. Tousaw”*

S. TOUSAW  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.olt.gov.on.ca](http://www.olt.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Ontario Land Tribunals

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**ATTACHMENT 1**

**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
Briardown Estates Inc.	33	Patrick Harrington
Amar Transport Inc.	81	
Solmar Inc.	3	Michael Melling / Andy Margaritis / Jamie Cole (except Appellant 151)
Tesmar Holdings Inc.	04	
1668872 Ontario Inc.	5	
<del>77 Woodstream Inc.</del>	<del>25</del>	
Block 40/47 Developers Group Inc.	28	
Auto Complex Limited	40	
York Major Holdings Inc.	55	
1539253 Ontario Inc.	68	
Celebration Estates Inc.	96	
Overriver Holdings Ltd.	98	
Block 66 West Landowners Group Inc.	125	
Teston Green Landowners Group	149	
Block 42 Landowners Group	151	
Lucia Milani and Rizmi Holdings Ltd.	62	Matthew Di Vona
Teston Villas Inc.	152	
Teston Sands Inc.	162	
<del>2264319 Ontario Inc.</del>	<del>6</del>	Ira T. Kagan
<del>Block 41-28E Developments Limited, Block 41-28W Developments Ltd., 1212765 Ontario Inc. and 1213763 Ontario Ltd.</del>	<del>35</del>	
7040 Yonge Holdings Ltd. and 72 Steeles Holdings Ltd.	38	
Castlepoint Huntington Ltd.	49	
Salz & Son Ltd.	51	
Monarch Castlepoint Kipling North & South	154	
Queen's Quay Avante Limited	155	
<del>Haulover Investments Ltd.</del>	<del>7</del>	
David and Kathy Lundell	42	Jeffrey Streisfield

**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
Portside Developments (Kipling) Inc.	116	
<del>Mario Tedesco</del>	<del>417</del>	
York Region Condominium Corporation 730	137	Reza Fakhim / Ali Shojaat / Domenica Perruzza
<del>Baif Developments Limited</del>	<del>8</del>	
<del>Costco Wholesale Canada Ltd.</del>	<del>9</del>	
<del>Wal-Mart Canada Corp.</del>	<del>40</del>	
First Vaughan Investments Inc., Ruland Properties Inc. and Skyrange Investments Inc.	72	Roslyn Houser / Ian Andres / Joseph Hoffman
Calloway REIT (Sevenbridge) Inc.	73	
<del>LTF Real Estate Company, Canada Inc. ("Life Time")</del>	<del>134</del>	
<del>836115 Ontario Inc.</del>	<del>18</del>	
<del>1191621 Ontario Inc.</del>	<del>19</del>	
<del>Granite Real Estate Inc. (formerly MI)</del>	<del>20</del>	
<del>1834375 Ontario Ltd.</del>	<del>29</del>	
<del>1834371 Ontario Ltd.</del>	<del>30</del>	
<del>Delisle Properties Ltd.</del>	<del>34</del>	
<del>1541677 Ontario Inc.</del>	<del>43</del>	
<del>Novagal Development Inc.</del>	<del>52</del>	
<del>2159645 Ontario Ltd. (Liberty)</del>	<del>56</del>	
<del>Nine-Ten West Limited</del>	<del>80</del>	
<del>Cedarbrook Residential</del>	<del>103</del>	
<del>Allegra on Woodstream Inc.</del>	<del>112</del>	
<del>588701 Ontario Limited</del>	<del>124</del>	
<del>2128475 Ontario Corp.</del>	<del>146</del>	
<del>1930328 Ontario Inc.</del>	<del>147</del>	
<del>West Rutherford Properties Ltd.</del>	<del>16</del>	
<del>Ozner Corporation</del>	<del>17</del>	
<del>Hollywood Princess Convention and Banquet Centre Ltd.</del>	<del>50</del>	Quinto M. Annibale / Steven Ferri

**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
MCN (Pine Valley) Inc.	57	
785345 Ont. Ltd and I & M Pandolfo Holdings	59	
Kirbywest Ltd.	66	
Royal 7 Developments Limited	84	
Maple Industrial Landowners Group	118	
Blue Sky Entertainment Corp.	126	
Holcim (Canada) Inc.	129	
2203012 Ontario Limited	130	
Blair Building Materials Inc.	131	
Caldari Land Development Corporation	150	
Lormel Developments Ltd.	167	
Blackwood Realty Fund I Limited Partnership	24	John Alati / Susan Rosenthal
2117969 Ontario Inc.	406	
Midvale Estates Ltd.	407	
2431247 Ontario Limited (Zen 2)	108	
Covenant Chapel	415	
Ivanhoe Cambridge II Inc.	142	
RioCan Holdings Inc. (Coulter's Mills Marketplace)	31	Joel D. Farber
RioCan Holdings Inc. (Springfarm Marketplace)	32	
Riotrin Properties (Langstaff) Inc., SRF Vaughan Property Inc., and SRF Vaughan Property II Inc.	36	
Riotrin Properties (Vaughan) Inc., Riotrin Properties (Vaughan2) Inc. and Riotrin Properties (Vaughan3) Inc.	48	
RioCan Holdings Inc. (Centre Street Corridor)	82	
1306497 Ontario Inc. (Sisley Honda)	133	
Canadian Fuels Association	41	N. Jane Pepino
Imperial Oil Ltd.	71	
Country Wide Homes (Pine Valley Estates) Inc.	166	
Home Depot Holdings Inc.	044	Steven A. Zakem /

**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>	
Granite Real Estate Inc. and Magna International Inc.	110	Andrea Skinner	
<del>350 Creditstone Investments</del>	<del>143</del>		
<del>Lorwood Holdings Incorporated</del>	<del>158</del>		
<del>Casertano Development Corporation and Sandra Mammone</del>	<del>45</del>	Mary Flynn-Guglietti / Annik Forristal	
<del>Danlauton Holdings Ltd.</del>	<del>46</del>		
<del>1529749 Ontario Inc. (the "Torgan Group")</del>	<del>47</del>		
<del>Suncor Energy Products Partnership</del>	<del>54</del>		
<del>GST Canada Co.</del>	<del>85</del>		
<del>2157160 Ontario Inc.</del>	<del>99</del>		
<del>Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd., and 1510905 Ontario Ltd.</del>	<del>100</del>		
<del>1693143 Ontario Inc. and 1693144 Ontario Inc.</del>	<del>101</del>		
<del>Antonia &amp; Bertilla Taurasi</del>	<del>138</del>		
<del>390 Steeles West Holdings Inc.</del>	<del>153</del>		
<del>398 Steeles Avenue West Inc.</del>	<del>160</del>		
<del>2090396 Ontario Ltd.</del>	<del>60</del>		Mark R. Flowers
<del>Arthur Fisch &amp; 1096818 Ontario Inc.</del>	<del>61</del>		
<del>H&amp;L Title Inc. &amp; Ledbury Investments Ltd.</del>	<del>75</del>		
<del>Centre Street Properties Inc.</del>	<del>78</del>		
<del>Vogue Investments Ltd.</del>	<del>79</del>		
<del>Teefy Developments Inc.</del>	<del>63</del>	Chris Barnett	
<del>Anland Developments Inc.</del>	<del>83</del>		
<del>281187 Ontario Ltd.</del>	<del>64</del>	Gerard C. Borean	
<del>L-Star Developments Group</del>	<del>65</del>		
<del>Kipco Lands Development Inc.</del>	<del>86</del>		
<del>Lanada Investments Limited</del>	<del>87</del>		
<del>Market Lane Holdings Limited</del>	<del>88</del>		
<del>Gold Park (Woodbridge) Inc.</del>	<del>89</del>		



## Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
Mrs. Anna Greco	90	
<del>Luigi Bros. Paving Company Ltd.</del>	91	
Mr. Silvio Di Giammarino	94	
1034933 Ontario Ltd.	120	
Luigi Bros. Paving Company Ltd.	128	
Concetta Marciano	135	
Pro Catering Ltd.	136	
<del>Michael Termini, Salvatore Termini and Rosa Bancheri</del>	145	
Yonge & Steeles Developments Inc.	39	
<del>Blue Water Ranch Developments Inc.</del>	67	
Berkley Commercial (Jane) Inc.	119	
<del>Teresa Marando</del>	123	
FCF Old Market Lane 2013 Inc.	140	
Liberata D'Aversa	148	
8188 Master Holding Inc.	157	
1966711 Ontario Inc.	164	
Glenwood Property Management Ltd. and The Gupta Group	165	
Royal Group Inc.	70	David Tang
Langvalley Holdings	77	Nicholas T. Macos
<del>K &amp; K Holdings Limited</del>	132	
Camelot on 7 Inc. and Elia Breda	93	Paul R. Bottos
Tien De Religion Lands	141	Alan Heisey
TDC Medical Properties Inc.	105	Stephen D'Agostino
Mr. Antonio Di Benedetto	109	Self-Represented
Bentall Kennedy (Canada) LP	111	Patrick Duffy
Toromont Industries Ltd.	114	Michael Miller
Tan-Mark Holdings Limited & Telast Enterprises Inc.	156	William Friedman
Tan-Mark Holdings Limited, Gino Matrundola and Telast Enterprises Inc.	168	
10350 Pine Valley	163	Steven Ferri

## Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
1042710 Ontario Ltd.	4	Patricia A. Foran / Patrick Harrington
Highway 27 Langstaff GP Ltd.	2	Susan Rosenthal
Highway 27 Langstaff GP Ltd.	22	
Longyard Properties Inc.	23	
TDL Group Corp.	11	Michael S. Polowin / -Denise Baker
McDonald's Restaurants of Canada Ltd.	12	
A&W Food Services of Canada Inc.	13	
Wendy's Restaurants of Canada Inc.	14	
Ontario Restaurant Hotel & Motel Association	15	
Roybridge Holdings Ltd., Vaughan West II Ltd., and Squire Ridge Investment Ltd.	26	Susan D. Rogers
Adidas Canada Ltd., 2029832 Ontario Inc., and Conair Consumers Products Inc.	27	
John Duca	113	
Ms. Ronni Rosenberg	37	Amber Stewart
165 Pine Grove Investments Inc.	53	Adam J. Brown / Jessica Smuskowitz
1525233 Ontario Inc.	97	
Estates of Gladys Smith	58	Robert Miller
Palmerston Properties Limited	122	
York Condominium Corporation 499	139	
2058258 Ontario Ltd. (Forest Green Homes)	69	Christopher J. Williams / Andrea Skinner
Ms. Traci Shatz	76	Aynsley L. Anderson
United Parcel Service Canada Ltd.	92	Tim Bermingham
Weston Downs Ratepayers Association	95	Anthony Francescucci
Mr. Alex Marrero	102	Alex Marrero
Monica Murad	127	Michael Simaan
Seven 427 Developments Inc.	144	Valeria Maurizio / Johanna Shapira

**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
<del>Kau &amp; Associates LP</del>	74	Caterina Facciolo
<del>Trimax on Islington</del>	404	
<del>Dufferin Vistas Ltd.</del>	21	David Bronskill
<del>Country Wide Homes Woodend Place Inc.</del>	121	Jane Pepino
<del>2464879 Ontario Inc. and Ultra Towns Inc.</del>	159	Leo Longe
<del>The Ravines of Islington Encore Inc.</del>	161	

<b><u>Parties</u></b>	<b><u>Party No.</u></b>	<b><u>Representative</u></b>
Haulover Investments Ltd.	7	Jeffrey Streisfield
Region of York	A	Pitman Patterson / Bola Ogunmefun
Ministry of Municipal Affairs and Housing	B	Ugo Popadic / Anna-Lee Beamish
Toronto and Region Conservation Authority	C	Tim Duncan / Coreena Smith
<del>PEARLS Inc.</del>	<del>D</del>	<del>Bruce McMinn</del>
<del>UPS Canada</del>	<del>E</del>	<del>Tim Bermingham</del>
<del>611428 Ontario Ltd.</del>	<del>F</del>	<del>David Bronskill</del>
<del>York Region Catholic District School Board</del>	<del>G</del>	<del>Tom McRae / Christine Hyde</del>
<del>York Region District School Board</del>	<del>H</del>	<del>Gilbert Luk</del>
<del>FCHT Holdings (Ont) Corp</del>	<del>I</del>	<del>Steven A. Zakem / Andrea Skinner</del>
<del>Magna International Inc. and Granite Real Estate Inc.</del>	<del>J</del>	
<del>CNR</del>	<del>K</del>	<del>Alan Heisey</del>
<del>Alex &amp; Michelle Marrero (5859 Rutherford)</del>	<del>L</del>	
<del>Ivanhoe Cambridge Inc. (now Appeal 142)</del>	<del>M</del>	<del>John Alati</del>
<del>Vaughan 400 North Landowners Group Inc.</del>	<del>N</del>	<del>Michael Melling</del>
<del>1233389 Ontario Inc.</del>	<del>O</del>	<del>Alan Heisey</del>
<del>Sustainable Vaughan</del>	<del>P</del>	<del>Sonny Rai</del>
<del>RioCan Holdings Inc.</del>	<del>Q</del>	<del>Joel Farber</del>
<del>Brownridge Ratepayers Association</del>	<del>R</del>	<del>Mario G. Racco</del>

**Schedule "A"**

<b><u>Parties</u></b>	<b><u>Party No.</u></b>	<b><u>Representative</u></b>
Joseph & Teresa Marando	S	Carmine Marando
Velmar Centre Property Ltd.	T	Michael Melling
Argo Lumber Inc., Alpa Trusses Inc.	U	Thomas Barlow / Sarah Jane Turney
One-Foot Developments Inc.	AA	
Two Seven Joint Venture Limited	AB	
Anatolia Capital Corp.	AC	
Di Poce Management Limited	AD	
Toromont Industries Ltd.	AE	
John Simone	AF	
Domenic Simone	AG	
Silvia Bellissimo	AH	
Enza Cristello	AI	
Maria Simone	AJ	
Anthony Simone	AK	
Annarita Guida	AL	
<del>Cole Engineering Group Ltd.</del>	<del>AM</del>	
Roybridge Holdings Ltd., Vaughan West II Ltd. and Squire Ridge Investment Ltd.	V	Susan D. Rogers
Adidas Canada Ltd., 2029832 Ontario Inc. and Conair Consumers Products Inc.	W	Susan D. Rogers
<del>Part of Block 50 Landowners Group</del>	<del>X</del>	<del>Thomas Barlow</del>
Sidney Isenberg (Medallion Fence Ltd.)	Y	Shelly Isenberg
<del>Liberta D'Aversa (now Appeal 148)</del>	<del>Z</del>	<del>Gregory Grygue</del>
Teresa Marando	AN	Chris Tanzola / Daniel Artenosi
Seven 427 Developments Inc.	AO	Johanna Shapira

<b><u>Yonge Steeles Secondary Plan Parties</u></b>	<b><u>Representative</u></b>
City of Toronto	Ray Kallio
City of Markham	Bruce Ketcheson / Francesco Santaguida

**Schedule "A"**

<b><u>Yonge Steeles Secondary Plan Parties</u></b>	<b><u>Representative</u></b>
2636786 Ontario Inc. (Toys "R" Us)	Roslyn Houser
Roman Catholic Episcopal Corporation for the Diocese of Toronto	David Tang
Mizrahi Constantine (180 Saw) Inc.	Quinto Annibale / Brendan Ruddick
Yonge Steeles Landowners Group (Appellants 38, 40, 41, 165)	Ira Kagan / Kristie Jennings
Associated Vaughan Properties Limited	Mary Flynn-Guglietti / Kailey Sutton

<b><u>Participants</u></b>	<b><u>No.</u></b>	<b><u>Representative</u></b>
Block 27 Landowners	1	Michael Melling
City of Brampton	2	Diana Soos
Antonio DiBenedetto	3	Self
Americo Ferrari	4	joseph.jgp@gmail.com
Crown Heights Coop Housing	5	Ellen Schacter
Maria, Yolanda, Laura, Guiseppe Pandolfo and Cathy Campione	6	Guiseppe Pandolfo
Brownridge Ratepayers Association	7	Mario G. Racco
Bellaterra Corporation	8	Gerard C. Borean
Mary Mauti and Elisa Testa	9	Mary Mauti / Elisa Testa
The Village of Woodbridge Ratepayers Association	10	Maria Verna

## ATTACHMENT 2

### Schedule "B"

#### LPAT approval of the following VOP 2010 schedules and revisions

1. **LPAT approval of Schedule 2 – Natural Heritage Network as approved by LPAT on September 21, 2016 with the following revisions and attached as Attachment 1:**
  - a. For the Lands subject to Appeal 57, remove all features identified on Schedule 2 outside of the Greenbelt Plan Area Boundary, except a small portion in the southwest area of the lands that will be identified as "To be determined through Future Development (4)"
  - b. For all remaining lands within Block 42 amend features within Block 42 currently identified as "Unapproved" to "To be determined through Future Development (4)"
  - c. The following note to be added to Schedule 2:

"(4) Sites under consideration for Core Feature additions, or classification as an Enhancement Area to be determined through appropriate technical studies during the secondary plan and/or the development approval process."
  
2. **LPAT approval of the following revisions to the VOP 2010 to add a Special Site Policy within Volume 2 to VOP 2010:**
  - a. Add to Volume 1, Schedule 14-C "Areas Subject to Site Specific Policies" by identifying all lands within Block 42 as #56 and known as "Block 42 Lands".
  - b. Adding to Volume 2, policy 13.1 "Site Specific Policy" the following policy, to be renumbered in sequential order:

13.1.1.56        "The lands known as Block 42 Lands are identified on Schedule 14-C as Item 56 and are subject to the policies set out in Section 13.57 of this Plan."
  - c. Adding the following policies to Volume 2, Section 13 – "Site Specific Policies" and renumbering in sequential order

13.57            Block 42 Lands

13.57.1        General

13.57.1.1      The following policies shall apply to the lands identified on Map 13.57.A

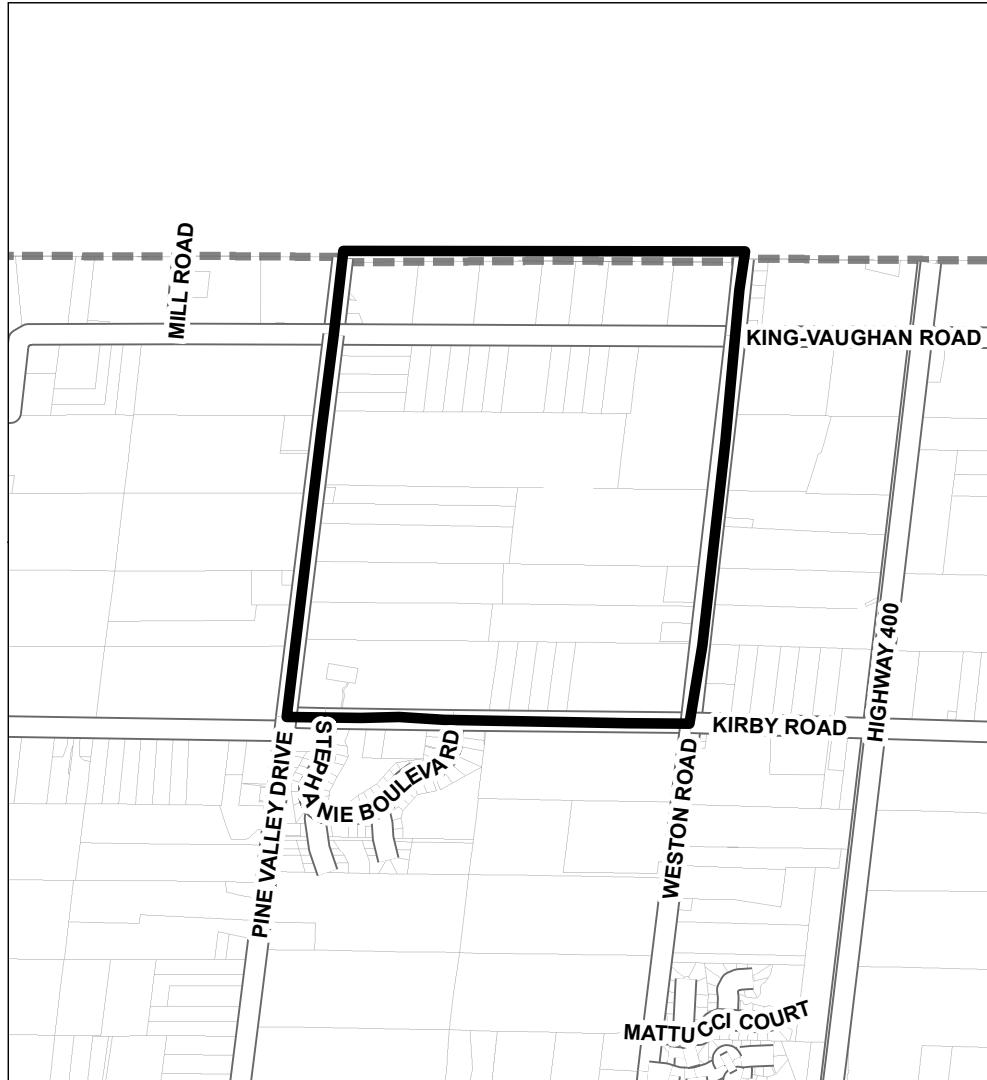
13.57.1.2.     Notwithstanding Volume 1 Policies 3.2.3.4 b the following policies shall apply:

- a. *Wetlands* on the Oak Ridge Moraine or Greenbelt, and those identified as provincially *significant*, with a minimum 30 metre vegetation protection zone.
- b. Other *wetlands*, with a minimum vegetation protection zone in accordance with the Region of York Official Plan and TRCA Living City Policies.

13.57.1.3 That notwithstanding 3.3.2.2 the following policies shall apply to *development* within the lands, excluding the GTA West Corridor proposal for which 3.3.2.2 shall remain to apply:

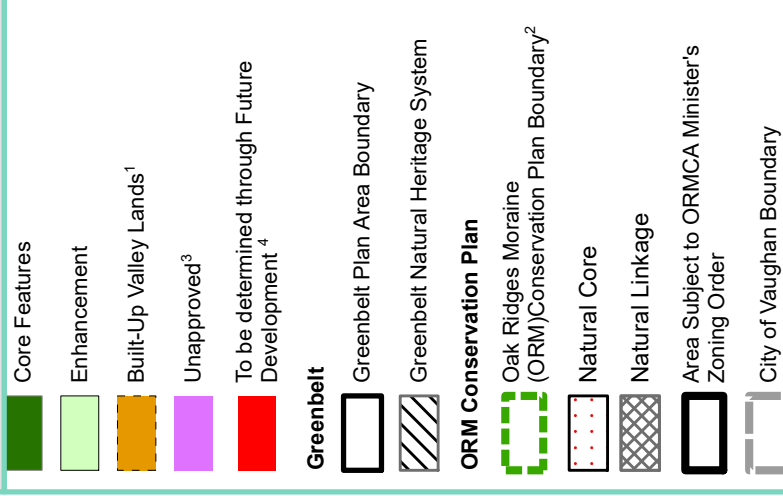
- a. If the lands are included within the Urban Boundary, that prior to any *development* of the lands for potential urban uses, through the Secondary Plan and/or Block Plan process a *wetlands* evaluation in accordance with the Provincial criteria shall be undertaken.
- b. That prior to the completion of the Secondary Plan and/or Block Plan, for non-urban or temporary use *development* or *site alteration* proposed within 120 metres of provincially *significant wetlands* and all other *wetlands*, an environmental impact study shall be prepared that determine their importance, functions and means of protection and /or maintenance of function to the satisfaction of the City and TRCA.

Map 13.57.A  
Block 42 Lands





# Natural Heritage Network

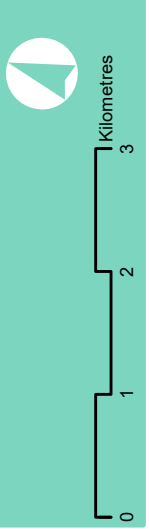


The policy text in Chapter 3 prevails over the mapping shown on Schedule 2 in determining the Natural Heritage Network. Core features shall be precisely delineated on a site-by-site basis through the approval of the Planning Act Applications supported by appropriate technical studies. Refinements to the NHN may occur through Secondary Plan or development approval processes and shall be reflected on this schedule without the need for an Official Plan Amendment. Where the schedule does not accurately reflect an existing development approval, the schedule may be updated without the need for an Official Plan Amendment.

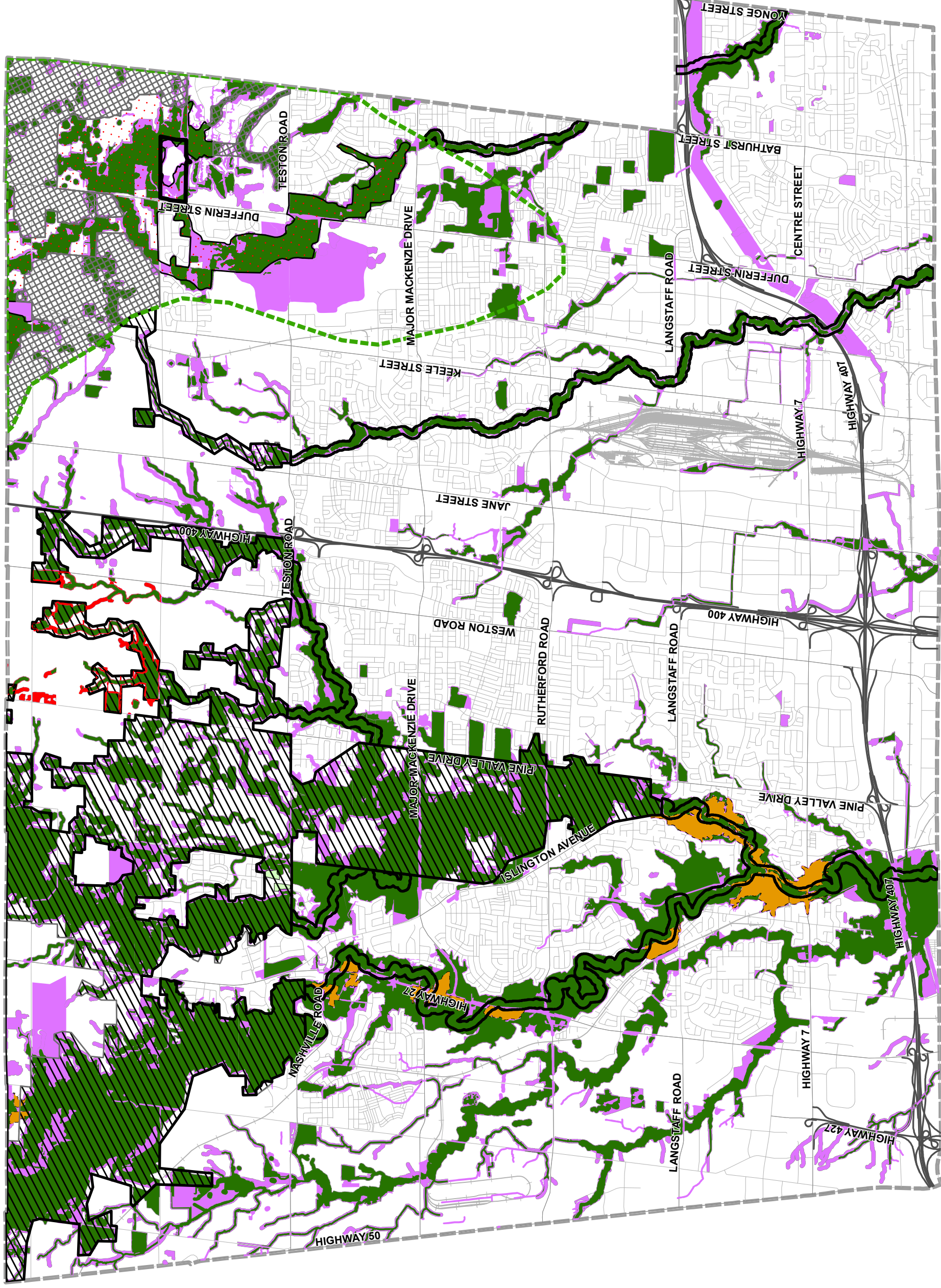
For watercourses and waterbodies outside of well-defined valleys, the vegetation protection zone is to be established according to the policies in Chapter 3.

Enhancement areas are identified conceptually on Schedule 2 and the text shall be consulted to determine the final location and design.

- 1) Data provided by Urban Strategies.
- 2) See Schedule 4 for limits and the land use information of the Greenbelt Plan Area and the Oak Ridges Moraine Conservation Plan Area.
- 3) Sites under consideration for Core Feature additions, Core Feature deletions, or classification as an Enhancement Area.
- 4) Sites under consideration for Core Feature additions, or classification as an Enhancement Area to be determined through appropriate technical studies during the secondary plan and/or the development approval process.



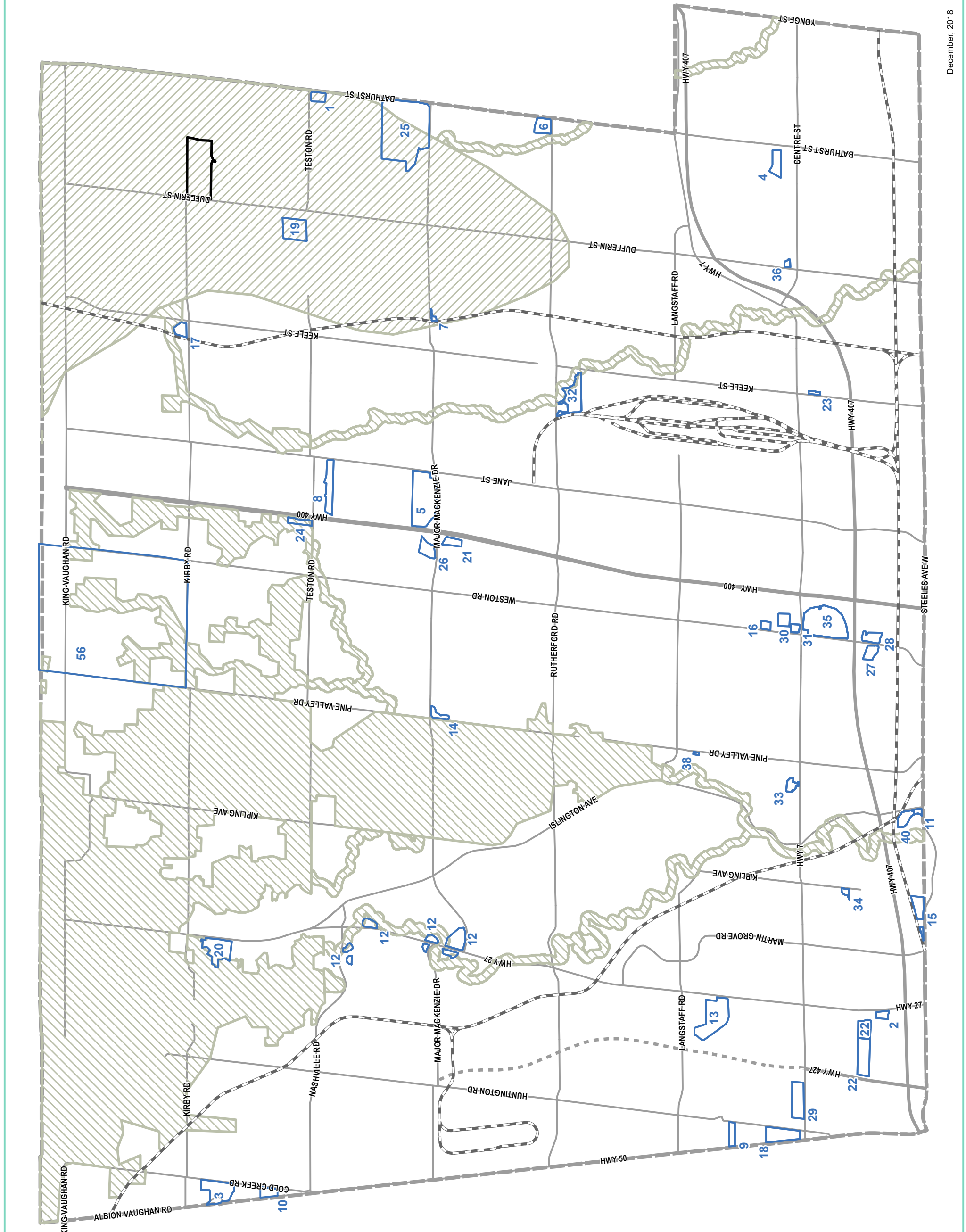
Attachment 1



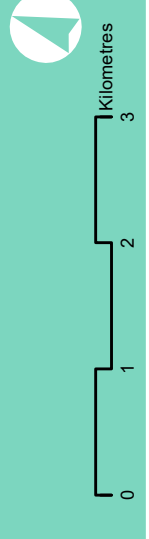


**Areas Subject to Site Specific Plans, Map 2/2**

- Site #, Name, and Chapter**
- 31; NE Corner of Weston Rd. and Highway 7; 13.32
  - 32; 600, 800 & 1000 Tesma Way; 13.33
  - 33; 4650 Highway 7; 13.34 (OPA #11)
  - 34; Kipling Avenue South; 13.35
  - 35; Colossus Centre; 13.36
  - 36; 7803 and 7815 Dufferin Street; 13.37
  - 38; Rear Portion of 61, 71 & 83 Hayhoe Ave; 13.39 (OPA #18)
  - 40; 7082 Islington Ave.;
  - 56; Block 42 Lands
  - See Minister's Decision on ORMCP Designation
- Municipal Boundary



Note: Legend details for sites 1-30 are shown on map 1





# BOUSFIELDS INC.

Project No. 12125

October 27, 2020

City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

**COMMUNICATION – C27**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

Dear Mayor Bevilacqua and Members of Committee of the Whole

***Re: Comprehensive Zoning By-law Review***

---

We are planning consultants to Rutherford Land Development Corporation (the “RLDC”), owners of the lands located at the southeast corner of Jane Street and Rutherford Road, legally described as Part of Lot 15, Concession 4, Parts 1, 4, 5, 6 & 8 on Reference Plan 65R-26506 and municipally known as 2901 Rutherford Road, in the City of Vaughan (the “subject lands”).

In its Decisions dated December 24, 2019 and June 21, 2018 (Case Nos. PL140839, PL140154 and PL140116) the Local Planning Appeal Tribunal approved site-specific amendments to By-law 1-88, which included rezoning the subject lands from EM1 to RA3. The Decisions are appended to this letter as Attachment A and B.

The comprehensive zoning by-law should reflect this approval accordingly.

Should you require additional information, or wish to discuss the contents of this letter further, please do not hesitate to contact the undersigned.

Yours very truly,

Michael Bissett, MCIP RPP  
**Bousfields Inc.**

*cc. Brandon Correia, Manager, Special Projects, City of Vaughan*

# ATTACHMENT A

**LOCAL PLANNING APPEAL TRIBUNAL**

**IN THE MATTER OF** proceedings commenced under subsections 17(36), 22(7) and 34(11) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

Appellant: Rutherford Land Development Corporation (formerly Delisle Properties Limited)

Subject: Appeals in respect of the Vaughan Mills Centre Secondary Plan forming part of Volume 2 of the Vaughan Official Plan 2010 (the “VOP 2010”), and site specific applications for Official Plan Amendment and Zoning By-law Amendment filed with respect to 2901 Rutherford Road (“Subject Lands”).

Municipality: City of Vaughan

LPAT Case Nos.: PL140116, PL140154, PL140839

LPAT File Nos.: PL140116, PL140154, PL140839

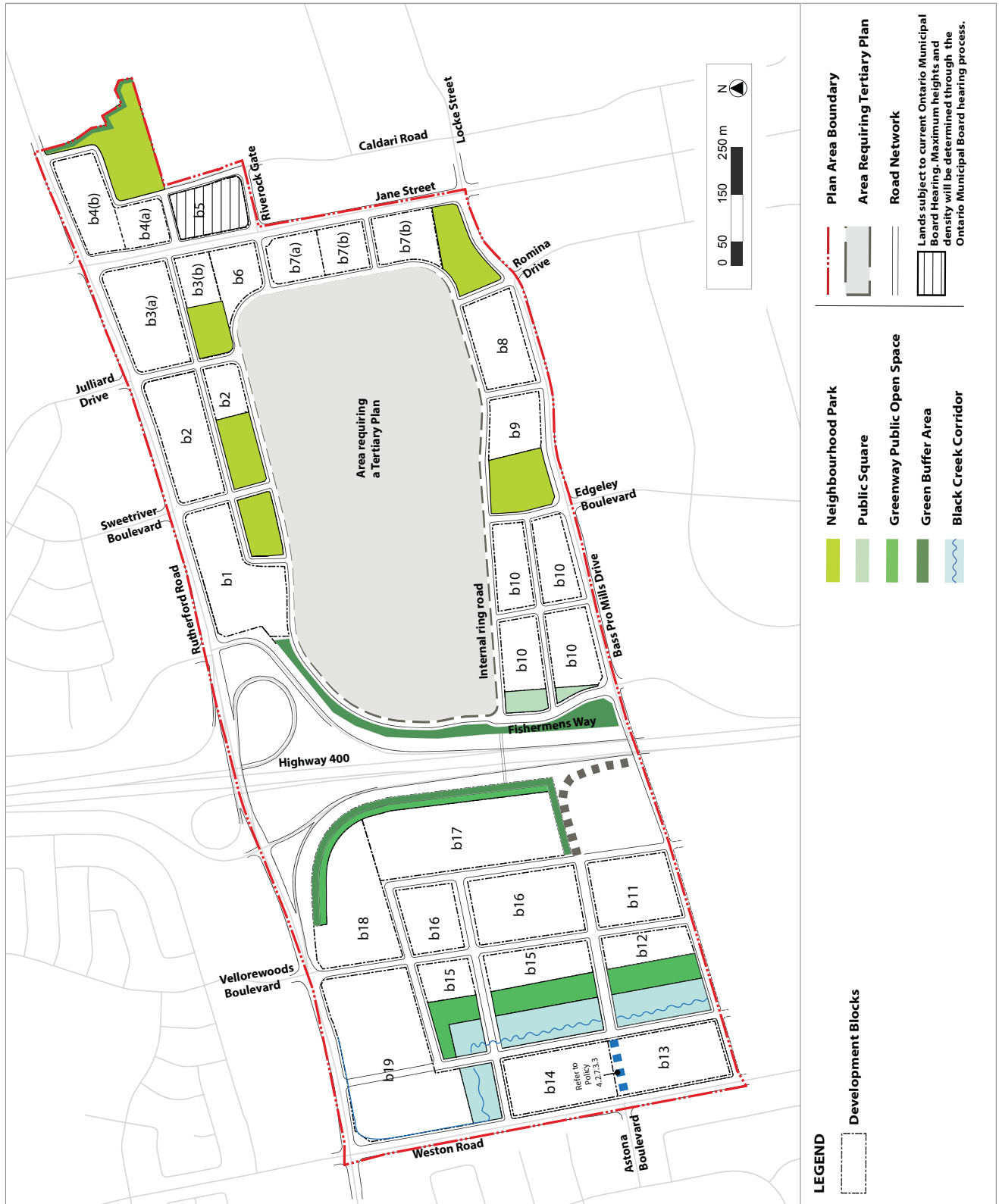
**THESE MATTERS** having come on for a public hearing,

**THE TRIBUNAL ORDERS** that in accordance with the provisions of sections 17(50) and 34(26) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, in respect of the Vaughan Mills Centre Secondary Plan, being Official Plan Amendment No. 2 to the VOP 2010 and forming part of Volume 2 of the VOP 2010, as adopted by the City of Vaughan on March 18, 2014, and modified and approved by the Region of York on June 26, 2014 and in respect of the City of Vaughan Zoning By-law No. 1-88:

1. The policies and schedules of the Vaughan Mills Centre Secondary Plan are hereby modified as set out in Attachment “A” attached hereto and forming part of this Order, as they relate to the Subject Lands. The policies and schedules of the Vaughan Mills Centre Secondary Plan are hereby modified as set out in Attachment “B” attached hereto and forming part of this Order, as they relate to the portion of the Subject Lands identified as Block b4(a) on Schedule I provided as Attachment “A” attached hereto (“Block b4(a) Lands”). Schedules “B” and “D” of the said Plan are hereby approved as they relate to the Block b4(a) Lands only. The foregoing modifications and approvals shall be without prejudice to and without limiting the ability of Rutherford Land Development Corporation or the City of Vaughan to seek further modifications of the Vaughan Mills Centre Secondary Plan on a site-specific basis in relation to the balance of the Subject Lands not affected by this Order, pursuant to the Appellant’s site-specific appeals.

2. City of Vaughan Zoning By-law 1-88, as amended, is hereby further amended as set out in Attachment “C” attached hereto and forming part of this Order.
3. This partial approval of the Vaughan Mills Centre Secondary Plan shall be strictly without prejudice to, and shall not have the effect of limiting, (a) the rights of any other party to seek to modify, delete or add to the unapproved policies, schedule, maps, figures definitions, tables and associated text in the said Plan, or (b) the jurisdiction of the Tribunal to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the said Plan on a general, area-specific or site-specific basis, as the case may be.
4. The appeals by the Appellant with respect to the Vaughan Mills Centre Secondary Plan are hereby allowed to the extent necessary to give effect to this Order, and in all other respects are hereby dismissed, subject to paragraph 1 hereof.
5. The appeals by the Appellant with respect to its site specific applications for Official Plan and Zoning By-law Amendment are hereby allowed to the extent necessary to give effect to this Order with respect to the Block b4(a) Lands, and in all other respects, as they relate to the balance of the Subject Lands, are hereby adjourned *sine die*.
6. This Order shall be withheld until such time as (i) the Tribunal’s final Decision/Order related to the Vaughan Mills Centre Secondary Plan, as it applies to the Subject Lands, delivered orally and withheld subject to conditions on January 25, 2018 is issued, and (ii) the Tribunal has received confirmation in writing from the Appellant, and a written acknowledgment of same by Canadian National Railway Company (“CNR”), that an agreement addressing the concerns of CNR has been executed and registered on title to the Subject Lands.

## Schedule I: DEVELOPMENT BLOCKS





**RLDC Draft OPA – June 21, 2018**

Note: All gross floor area and density numbers are approximate and shall be confirmed.

The Ontario Municipal Board Orders:

1. That the Vaughan Mills Centre Secondary Plan, being Official Plan Amendment Number 2 to the City of Vaughan Official Plan 2010, be amended by:
  - (a) Amending Section 18.5 "Special Provisions Covering the Development of Block B4" as set out below.
  - (b) Amending Schedule I and substituting therefore the Schedule I attached hereto

18.5 Special Policies Governing the Development of Block B4 (a)

- 1) The following policies will apply to the development of the lands shown as "B4 (a)" on Schedule I:
  - a) The subject lands be developed in Phase 1 time horizon, corresponding with the time horizon outlined in Table 2 "Transportation Network Improvements", and subject to the delivery of infrastructure identified in Policy 7.4.1 (Part C) pertaining to Block B4 in accordance with site specific policies which follow. The boundaries of the Phase 1 area will be confirmed through the implementing zoning by-law or any amendment thereto. Development within each Phase may be staged through a site development application (s) in a manner satisfactory to the City and the Region.
  - b) A by-law may be passed under Section 34 of the Planning Act to increase heights and densities above those permitted in Schedule B: "Heights and Densities" of this Secondary Plan, in accordance with Policies 18.5 c) and d) below, subject to the application of Section 37 of the *Planning Act*, as specified in policy 9.0 (Part C) of this Secondary Plan, and provided that the use of the Subject Lands shall be subject to the removal of a Holding Symbol "H" in accordance with Policy 10.3 (Part C) of this Secondary Plan and the policies contained in this Policy 18.5.
  - c) Notwithstanding the heights permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the Planning Act to increase the average height for development in Block B4(a) to 26-storeys and 30-storeys. Individual building heights shall be prescribed in the by-law, and no individual building shall exceed a maximum of 30 storeys.
  - d) Notwithstanding the maximum densities permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the Planning Act to increase the permitted density (FSI) to permit the development of a total maximum Gross Floor Area of 70,800 m<sup>2</sup> (consisting of 66,000 m<sup>2</sup> residential GFA, 1,800 m<sup>2</sup> non-residential GFA and 3,000 m<sup>2</sup> below grade), provided that the maximum number of residential units shall not exceed 985 residential units in Phase 1.
  - e) Private Outdoor Amenity Space having a minimum size of 2,500 m<sup>2</sup> shall be provided on the lands, subject to an easement for public access in favour of the City of Vaughan.

Residential, commercial/retail and employment uses are not permitted on the Private Amenity Space. Private Amenity Space shall not count toward parkland dedication.

- f) All new development requiring the conveyance of lands for streets, parks and/or other public facilities shall be subject to a draft plan of subdivision or development agreement as per Policy 14.0 (Part C) of this Plan.
- g) The following policies shall apply to the removal of the Holding Symbol (“H”) for the development of the Subject Lands, and shall be included, without limitation, as conditions for the removal of the Holding Symbol (“H”) in the implementing zoning by-law under Section 34 of the Planning Act:
  - i. The Owner successfully obtain approval of Draft Plan of Subdivision File 19T-18V001, or phase thereof, from Vaughan Council or the Local Planning Appeal Tribunal;
  - ii. Water and sewer servicing capacity being identified and allocated by the City of Vaughan;
  - iii. The City of Vaughan shall be in receipt of confirmation of a Ministry of Environment and Climate Change Acknowledgement/Registration of the Record of Site Condition;
  - iv. The submission of an Environmental Noise Impact Study and an Environmental Vibration Report, prepared in consultation with the operators of the “Rail Yard” and the “Existing Industrial Lands”, to the satisfaction of the City of Vaughan. For the purposes of this Zoning By-law a “*Rail Yard*” is defined as the McMillan Rail Yard and the “Existing Industrial Lands” are defined as the Maple Stamping Plant;
  - v. The provision and/or securing of any required noise mitigation and control measures at the Owner’s expense as the City of Vaughan may require;
  - vi. If necessary, the execution of agreements satisfactory to the City of Vaughan between the Owner and owner(s) of neighbouring lands containing stationary noise sources to secure any noise mitigation measures which may be required on these neighbouring lands, as the City may require;
  - vii. The Owner successfully obtaining the approval of a Site Development Application from Vaughan Council or the Local Planning Appeal Tribunal for the Development;
  - viii. The execution of a Site Plan Agreement, or other such agreement, satisfactory to the City of Vaughan to be registered on title which obligates the Owner to include in all Offers of Purchase and Sale, warning clauses for the Subject Lands and to provide notice of the Class 4 Area classification to prospective purchasers of residential units on the Subject Lands to the satisfaction of the City;

- ix. The Owner successfully obtaining a resolution passed by Vaughan Council classifying the Subject Lands as a Class 4 Area;
- x. A Subdivision Agreement and any other necessary agreement(s), has been executed and registered with respect to the Subject Lands securing the conveyance and construction of the public streets, including the completion of the extension of Caldari Road to Rutherford Road, the completion of Street B, and the widening of Jane Street; the payment of cash-in-lieu of parkland, or provision of parkland, in accordance with Section 42 of the Planning Act; cost sharing; and, the installation of the necessary municipal service and utilities, to the satisfaction of the City; and
- xi. An agreement pursuant to Section 37 of the Planning Act has been executed and registered, providing for a contribution equivalent to \$4.1 million with respect to the increase in building height and density for the Development of the Subject lands consisting of the payment of money, or the provision of facilities, services, or other matters or a combination thereof.

2) In addition to the Built Form policies in Section 3.8, Part B of this Plan, the following site-specific building design criteria shall apply:

- a) Podium heights may vary between 2 and 6 storeys.
- b) Buildings must be set back by a minimum of 3 metres along all public street frontages. Above a height of 6 metres, building may extend to a setback of 1.5 metres from the property line.
- c) Podium design shall incorporate active street related uses, including retail, residential lobbies, amenity areas and live-work units with building frontages oriented toward public streets and the Private Amenity Space and connections.
- d) Towers shall generally be setback 3 m from the podium. design shall provide for a distinct tower and base that provides for appropriate wind mitigation and good proportion and articulation to achieve the objectives of the Secondary Plan.
- e) Notwithstanding Policy 3.8.2, Part B, the tower elements of high-rise buildings shall be designed as slender towers with floorplates not exceeding 750 m<sup>2</sup> in area. The towers shall be designed to minimize shadow and wind impact, particularly on open spaces and publicly accessible privately-owned amenity space. Sun/shadow and wind impact analysis and mitigation studies shall be submitted to the satisfaction of the City.
- f) Notwithstanding Policy 3.8.2, Part B, the distance between any portion of the high-rise building above twelve storeys and another tower shall be a minimum of 25 metres.

- g) Site Design shall incorporate a minimum 2,500 m<sup>2</sup> of Private Amenity Space which shall be subject to an easement for public access in favour of the City of Vaughan.
- h) The Private Amenity Space shall be connected to Jane Street by a mid-block at-grade landscaped pedestrian connection with a minimum width of 6 m. Other landscaped/streetscaped connections on the development site will be secured at the site plan stage.
- i) Pedestrian access to buildings will be integrated with adjacent public streets to ensure access is convenient and safe. Multiple entrances and active grade related uses should be provided along Jane Street and along the mid-block pedestrian connection where possible.
- j) Safe, efficient and convenient vehicular access which minimizes pavement and is pedestrian friendly shall be provided.
- k) Buildings shall be designed with high-quality materials, selected for their performance, durability, and energy efficiency. The use of Exterior Insulation Finish System (EIFS) is not permitted.

### 3) Site Plan Control and Land Use Compatibility

The following policies shall be applicable to any application for Site Plan Approval on the lands.

- a) In this section the McMillan Rail Yard is referred to as the *“Rail Yard”* and the Maple Stamping Plant is referred to as the *“Existing Industrial Lands”*.
- b) Residential development on Block B 4(a) shall be designed to minimize adverse impacts from the adjacent *“Rail Yard”* and *“Existing Industrial Lands”* and any required mitigation measures shall be addressed in the studies required in this section.
- c) When considering development approval applications on the lands, regard shall be had to all applicable Federal, Provincial and municipal policies, regulations and guidelines to ensure that compatibility will be achieved and maintained with regard to noise, vibration, dust, odour and air quality, so as to achieve the goals of:
  - i. Preventing undue adverse impacts from the existing and future operations of the *“Rail Yard”* and the *“Existing Industrial Lands”*, onto the proposed residential uses to be located on the lands;
  - ii. Minimizing and where possible, preventing complaints from residents of residential development on the lands.
  - iii. Permitting the *“Existing Industrial Lands”* to comply with existing and/or future Environmental Compliance Approvals (ECA) issued by the Ministry of the Environment.

- iv. Ensuring the continued operation of the “*Rail Yard*” on a 24 hour, 365 day/year basis.
  - v. Sensitive land uses may be limited in the implementing zoning (through massing, siting, buffering, and design mitigation measures) in proximity to the “*Rail Yard*” and “*Existing Industrial Lands*” to ensure compatibility.
- d) Block b(4) has been confirmed by Vaughan Council by resolution as a “Class 4 Area” pursuant to the MOE *Environmental Noise Guideline Stationary and Transportation Sources – Approval and Planning Publication NPC 300* (“NPC 300”), as amended from time to time, subject to compliance with the City’s requirements. The classification will be implemented through the use of Zoning By-laws with the holding symbol “H”; a site plan approval; and an amendment to the City’s Noise By-law for the lands and the “*Existing Industrial Lands*”. The implementing Zoning By-laws shall include the following conditions for the removal of the holding symbol “H”:
- i. Site plan approval;
  - ii. The submission of a Noise Impact Study satisfactory to the City which addresses any noise mitigation and control measures required in conjunction with the detailed building design;
  - iii. The provision and/or securing of any required noise mitigation and control measures at the Owner’s expense, as the City may require;
  - iv. If appropriate, the execution of agreements satisfactory to the City between the Owner and owner(s) of neighbouring lands containing stationary noise sources to secure any noise mitigation measures which may be required on those neighbouring lands, as the City may require;
  - v. The execution of a site plan agreement, or other such agreement, satisfactory to the City which obligates the Owner to register noise warning clauses on title to the Subject Lands and provide notice of the Class 4 Area classification to prospective purchasers of residential units on the lands.
  - vi. A resolution is passed by Vaughan Council classifying the site as a Class 4 Area.

## Environmental Noise Impact Study

- i. A detailed environmental noise impact study and detailed design plans shall be required in support of a development application for sensitive land uses on Block B4(a). Such report is to specify how compatibility will be achieved and maintained between the “*Rail Yard*” and “*Existing Industrial Lands*” and the proposed development on the lands and shall include measures aimed at eliminating or minimizing impacts.
- ii. The environmental noise impact study and design of noise attenuation measures shall be based on the relevant noise criteria of the City of Vaughan, the Region of York and the Ontario Ministry of Environment and approved by the City in consultation with other public agencies, and the operator of the “*Rail Yard*” and the “*Existing Industrial Lands*”.
- iii. The environmental noise impact study shall include:
  - a. The assessment of the lands in accordance with the applicable MOE Guidelines.
  - b. A determination of the planned and predictable worst case noise impact from all relevant noise sources, taking into account expansion or alteration plans identified by the stationary source(s) that can reasonably be expected to be implemented in the future.
  - c. A determination of the impact from all noise sources at the Rail Yard, taking into account the existing 2013 operation processing approximately 1,000,000 rail cars a year, Cargoflo, diesel shop, truck terminal, general rail operations and future capacity of the Rail Yard that could include, in addition to the existing operations, the processing of in excess of 1,000,000 rail cars a year, attendant additional truck movements, a new CargoFlo operation in the northwest quadrant of the Rail Yard and other rail operations operating 24 hours a day, 365 days per year.
  - d. The identification of all receptor locations in the proposed development with the potential to experience adverse noise impacts;
  - e. A determination of the numerical noise excess at such receptors, if any;
  - f. The preparation of specific recommendations for mitigation at receptor and/or at source to create an appropriate sound environment for future occupants/users of the proposed development;
  - g. An assessment of: applicable Ministry of the Environment regulations and guidelines, and existing Certificates of Approval, or Environmental Compliance Approval, if publicly available, for those industries that are the source of the relevant noise emissions.
  - h. The environmental noise impact study shall be prepared by a qualified acoustical engineer and shall be consistent with professional standards and good practice for such studies.
- iv. Where an environmental noise impact study completed to the satisfaction of the City identifies and recommends appropriate mitigation measures, the recommendations shall be implemented in the Zoning By-law or as conditions of Site Plan and/or Condominium Approval, where appropriate. Mitigation Measures may include:

- a. Sound isolation or sound reduction measures, construction techniques, and materials including the acoustical performance of exterior walls, windows and doors;
  - b. Layout and design of the structure including the size and location of windows and doors, or outdoor living areas, and the location of non-noise sensitive space within the structure to further mitigate impacts;
  - c. Spatial separation from the noise source, including the insertion of permitted non-sensitive land uses between the source and the receptors; and/or
  - d. Where needed, the construction of the residential buildings may incorporate enclosed noise buffers, as defined by MOECC guideline NPC-300 to act as a barrier to the noise experienced at the interior living room and/or bedroom windows.
- v. The analysis and design of any mitigation measures and their architectural details shall take into account the full frequency spectrum characteristics of sound sources, in accordance with good engineering practice and the noise guidelines.
  - vi. Mitigation to be installed at the source will be at the cost of the proponent of the sensitive land use, subject to acceptance and agreement of the user.
  - vii. New technologies may offer opportunities for innovative noise and vibration abatement techniques not yet contemplated. The development and use of such techniques shall be considered and encouraged, where appropriate.

### **Environmental Vibration Report**

- i. A detailed environmental vibration report and detailed design plans may be required in support of a development application for sensitive land uses on lands. Such report is to specify how compatibility will be achieved and maintained between the *“Rail Yard”*, the *“Existing Industrial Lands”* and the proposed development on the lands and shall include measures aimed at eliminating or minimizing impacts.
- ii. The environmental vibration report, if required, and design of any necessary vibration attenuation measures shall be based on the relevant criteria of the Ontario Ministry of Environment and approved by the City in consultation with other public agencies and the operators of the *“Rail Yard”* and the *“Existing Industrial Lands”*
- iii. The environmental vibration report, if required, shall include a study of vibration from transportation sources, and stationary source(s) and include specific recommendations for mitigation features to be incorporated into the design of the development taking into account commonly used criteria in Ontario for assessing vibration in building(s).
- iv. The environmental vibration report, if required, shall be prepared by a qualified engineer and shall be consistent with professional standards and good practice for such studies.

### **Environmental Emissions Report**

- i. A detailed environmental emissions report and detailed design plans may be required in support of a development application for sensitive land uses on the lands. Such report is to specify how compatibility will be achieved and maintained between the “*Rail Yard*”, the “*Existing Industrial Lands*” and the proposed developments on the lands and shall include measures aimed at minimizing adverse impacts.
- ii. The environmental emissions report and design of emissions attenuation measures, if required, shall be based on the relevant emissions criteria of the Ontario Ministry of Environment and approved by the City in consultation with other public agencies and the operators of the “*Rail Yard*” and the “*Existing Industrial Lands*”.
- iii. The environmental emissions report, if required, shall include a study of emissions from transportation sources, and stationary source(s) and include specific recommendations for mitigation features to be incorporated into the design of the development taking into account commonly used criteria in Ontario for assessing emissions abatement.
- iv. The environmental emissions report, if required, shall be prepared by a qualified engineer and shall be consistent with professional standards and good practice for such studies.

#### **Environmental Site Assessment Report**

- i. Environmental site assessment reports shall be required in support of development applications, in accordance with City policy.

#### **Warning Clauses**

- i. Specific warning clauses shall be included in all agreements of purchase and sale and lease, including agreements pertaining to the resale or lease of individual residential condominium units, site plan agreements and condominium declarations. Such warning clauses shall specify that, notwithstanding the inclusion of certain mitigation features within this development to lessen potential noise, air emissions, dust, odour, vibration, and visual impact from “*Rail Yard*” and the “*Existing Industrial Lands*”, from time to time noise is likely to be audible, odours may be unpleasant, and dust and light emissions may be bothersome and such potential noise, air emissions, dust, odour, vibration, and visual impact may impact the enjoyment of indoor and outdoor areas of the development. The “*Rail Yard*” and the “*Existing Industrial Lands*” will not be responsible for any complaints or claims arising from any of the activities at or relating to such facilities, property or operations thereon.

#### **Implementation of Environmental Studies**

- i. The recommendations of the Environmental Reports described above shall be incorporated into the design of the residential buildings on the lands and shall be included in the drawings required to be approved pursuant to the Site Plan Control provisions of the Planning Act.



- ii. Prior to issuance of building permits, the architectural drawings shall be reviewed and certified by a qualified acoustical engineer indicating that any required noise mitigation measures have been incorporated into the building design.
- iii. Prior to occupancy of the residential units, any required mitigation measures will be inspected by a qualified acoustical engineer and a letter prepared certifying that the noise mitigation measures have been installed in accordance with the approved drawings.
- iv. Where the environmental noise report completed to the satisfaction of the City identifies and recommends that actual or potential noise impacts should be indicated to future tenants or purchasers, the recommendations may be implemented through conditions of Site Plan and/or Condominium approval, and may include noise impact advisories such as warning clauses, or clauses in subdivision and condominium agreements.

# Schedule "C"

Draft By-law – June 4, 2018

## BY-LAW NUMBER - 2018 (OMB)

### A By-law to amend City of Vaughan By-law 1-88

The Ontario Municipal Board orders:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - A. Rezoning the lands shown as "Subject Lands" on Schedule "2" attached hereto from EM1, Prestige Employment Zone, subject to Exception 9(1170), to RA3, Apartment Residential Zone, subject to site specific zone exceptions and with the addition of the Holding Symbol "H" in the manner shown on the attached Schedule "2".
  - B. Adding the following paragraph to Section 9.0 "EXCEPTIONS":

"9(\*\*\*\*) The following provisions shall apply to all lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-\* ", until the Holding Symbol "(H)" is removed pursuant to Subsection 36 (3) or (4) of the Ontario Planning Act:

    - a) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of By-law\_\_\_-2018. Notwithstanding the foregoing, the following are permitted prior to the removal of the Holding Symbol "(H)":
      - i. One (1) temporary sales office, in accordance with Subsection 3.25 respecting Temporary Sales Office in the City of Vaughan By-law Number 1-88; and,
      - ii. An underground parking structure.
    - b) Holding Symbol "(H)" Removal Conditions:

A By-law to remove the Holding Symbol "(H)" on the lands identified on Schedule "E-\_\_\_\_", or any portion thereof, shall not be enacted until the following conditions are satisfied:

      - i. The Owner successfully obtain approval of Draft Plan of Subdivision File 19T-18V001, or phase thereof, from Vaughan Council or the Local Planning Appeal Tribunal;
      - ii. Water and sewer servicing capacity being identified and allocated by the City of Vaughan;
      - iii. The City of Vaughan shall be in receipt of confirmation of a Ministry of Environment and Climate Change Acknowledgement/Registration of the Record of Site Condition;
      - iv. The submission of an Environmental Noise Impact Study and an

Environmental Vibration Report, prepared in consultation with the operators of the "Rail Yard" and the "Existing Industrial Lands", to the satisfaction of the City of Vaughan. For the purposes of this Zoning By-law a "Rail Yard" is defined as the McMillan Rail Yard and the "Existing Industrial Lands" are defined as the Maple Stamping Plant;

- v. The provision and/or securing of any required noise mitigation and control measures at the Owner's expense as the City of Vaughan may require;
- vi. If necessary, the execution of agreements satisfactory to the City of Vaughan between the Owner and owner(s) of neighbouring lands containing stationary noise sources to secure any noise mitigation measures which may be required on these neighbouring lands, as the City may require;
- vii. The Owner successfully obtaining the approval of a Site Development Application from Vaughan Council or the Local Planning Appeal Tribunal for the Development;
- viii. The execution of a Site Plan Agreement, or other such agreement, satisfactory to the City of Vaughan to be registered on title which obligates the Owner to include in all Offers of Purchase and Sale, warning clauses for the Subject Lands and to provide notice of the Class 4 Area classification to prospective purchasers of residential units on the Subject Lands to the satisfaction of the City;
- ix. The Owner successfully obtaining a resolution passed by Vaughan Council classifying the Subject Lands as a Class 4 Area;
- x. A Subdivision Agreement and any other necessary agreement(s), has been executed and registered with respect to the Subject Lands securing the conveyance and construction of the public streets, including the completion of the extension of Caldari Road to Rutherford Road, the completion of Street B, and the widening of Jane Street; the payment of cash-in-lieu of parkland, or provision of parkland, in accordance with Section 42 of the Planning Act; cost sharing; and, the installation of the necessary municipal service and utilities, to the satisfaction of the City; and
- xi. An agreement pursuant to Section 37 of the Planning Act has been executed and registered, providing for the contribution equivalent of \$4.1 million with respect to the increase in building

height and density for the Development of the Subject Lands, consisting of the payment of money, or the provision of facilities, services, or other matters or combination thereof, to the satisfaction of the City of Vaughan. Payment of the Section 37 amount shall be pro-rated based upon the percentage of the approved number of units and payable prior to the issuance of the first Building Permit for any above grade structure(s) (other than the temporary sales office).

- C. Notwithstanding the provisions of:
- a) Section 2.0 respecting the Definition of “Car Share”, “Lot”, “Parking Space”, and “Underground Parking Structure”;
  - b) Subsection 3.8 a) respecting Minimum Parking Requirements, 3.8 c) respecting Residential Visitor Parking, and 3.8 g) respecting access and/or driveway requirements;
  - c) Subsection 3.9 respecting Loading Spaces;
  - d) Subsection 3.13 respecting Minimum Landscaped Areas;
  - e) Subsection 3.17 respecting Portions of Buildings Below Grade;
  - f) Subsection 4.1.6 respecting Minimum Amenity Areas;
  - g) Subsection 4.1.7, and Subsection 4.12 respecting permitted uses in the RA3 Apartment Residential Zone;
  - h) Schedule ‘A’ respecting zone requirements in the RA3, Apartment Residential Zone.

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-”:

- ai) The subject lands are designated as a Class 4 area pursuant to Ministry of Environment and Climate Change *Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning – Publication NPC-300*
- aii) CAR SHARE means a membership based car rental service with a network of shared vehicles readily available 24 hours a day, 7 days a week. It does not include a Motor Vehicle Sales Establishment or Car Brokerage;
- aiii) LOT – Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the Planning Act, R.S.O. 1990, CP. 13 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be

deemed to be a parcel of land and a reserve shall not form part of the lot. For the purposes of zoning conformity the lands shown as "Subject Lands" on Schedule "E-\*" shall be deemed to be one lot regardless of the number of buildings or structures erected and regardless of any conveyances, consents, subdivisions, easements, or condominiums, or other permissions granted after the approval of this By-law, shall be deemed to comply with the provisions of this By-law;

- aiv) PARKING SPACE - Means a rectangular area measuring at least 2.7 metres by 5.7 metres, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles.
- av) UNDERGROUND PARKING STRUCTURE – Means a building or structure constructed below grade used for the temporary parking of motor vehicles and shall not include the storage of impounded, scrap or derelict motor vehicles;
- bi) A minimum of 900 parking spaces are required on the subject lands subject to the following:
  - i) Residential Apartment Dwellings:
    - Bachelor/1 bedroom – 0.85 spaces per unit
    - 2 bedrooms – 0.95 spaces per unit
    - 3+ bedrooms – 1.15 space per unit
  - ii) Residential Visitor Spaces – 0.2 spaces per unit
  - iii) Commercial/Institutional Spaces – 3.0 parking spaces per 100 m<sup>2</sup> of GFA;
- bii) The parking spaces for Residential Visitors, Commercial and Institutional uses may be shared and do not need to be individually designated;
- biii) All parking, either in part or in whole, dedicated to parking either above or below ground shall remain fully unenclosed;
- biv) A two-way access driveway shall be a minimum of 6.0 metres and a maximum of 7.5 metres;
- ci) Subsection 3.9 shall not apply;
- di) A strip of land not less than 1.5 m in width shall be provided along a lot line which abuts a street line, and 0.0 metres abutting a sight triangle and shall be used for no other purpose than landscaping. This shall not prevent the provision of access driveways across the said strip;

- ei) The minimum setback from a streetline to the nearest part of a building below grade shall be 0.0 metres;
- fi) The minimum Amenity Area provided on the Subject Lands shall be 2.5 m<sup>2</sup> per Dwelling Unit;
- fii) A Privately Owned Publicly Accessible Open Space shall be provided on the subject lands, having a minimum area of 2,500 square metres, and subject to an easement in favour of the City of Vaughan;
- gi) The permitted uses within the site-specific RA3, Apartment Residential Zone as shown on Schedule "E-\*\*\*\*" shall include the following:

- i. Residential Uses having a total maximum Gross Floor Area of 66,000 m<sup>2</sup> and a maximum total of 985 units.

Residential

Apartment Residential Dwelling

- ii. Non-residential uses having a maximum Gross Floor Area of 1,800 m<sup>2</sup> restricted to the ground floor, provided the uses are carried on within a wholly enclosed building without open storage as follows:

Commercial

- Bank or Financial Institution
- Brewers Retail Outlet
- Business or Professional Office
- Car Share
- Club or Health Centre
- Eating Establishment
- Eating Establishment, Convenience
- Eating Establishment, Take-Out
- Personal Service Shop
- Pet Grooming Establishment
- Pharmacy
- Retail Store
- Veterinary Clinic
- Video Store

Institutional Uses

- Community Centre
- Day Nursery

- Independent Living Facility
- Long Term Care Facility
- Public or Private School
- Technical or Commercial School
- Public Library

gii) An outdoor patio shall only be permitted as an accessory use to an Eating Establishment, Convenience Eating Establishment, or Take-Out Eating Establishment and then only in accordance with the following provisions:

- a. The Outdoor Patio shall not exceed fifty percent (50%) of the gross floor area devoted to patron use of the eating establishment in conjunction with which the outdoor patio use is permitted;
- b. Parking shall not be required for an Outdoor Patio;
- c. An Outdoor Patio may be permitted in any yard;
- d. Any lighting facilities illuminating an Outdoor Patio shall be arranged so as to deflect light away from adjoining properties and streets;
- e. The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or audio-visual presentations, music concerts and shows, may be permitted in areas designated for Outdoor Patio use;
- f. The ground surface of an Outdoor Patio shall be of concrete or other hard surface;
- g. An Outdoor Patio shall only be permitted in accordance with an approved Site Development Application;
- h. An outdoor patio of an eating establishment licensed to serve alcohol, in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with the exception of at least one (1) exit to be used only in the case of emergency and which is not from the interior of the main building;

hi) The minimum lot area per dwelling unit shall not apply;

- hii) The minimum distance between buildings above 7-storeys shall be 25.0 m;
- hiii) The maximum floorplate of a residential apartment tower above the podium shall not exceed 750 square metres;
- hiv) the maximum permitted Building Height shall be as follows:
  - a. Building A1 - 26 storeys (85.5m)
  - b. Building A2 - 26 storeys (85.5m)
  - c. Building A3 – 30 storeys (98.5m)
- hv) The minimum floor to floor height of a Commercial unit or Non-residential unit on the ground floor shall be 4.5 m;
- hvi) The minimum setback to a sight triangle shall 0.0 metres;
- hvi) A minimum setback from the streetline to the first two-storeys of any building above finished grade shall be 3.0 metres;
- hvi) Any portion of the building above the first two-storeys (including balconies) may encroach into the minimum setback a distance of 1.5 metres.”

- D.
  - a) Deleting Schedule “E-1295” and substituting therefore the schedule “E-1295” attached hereto as Schedule “1”.
  - b) Adding Schedule “E-\_\_\_\_\_” attached hereto as Schedule “2”.
  - c) Deleting Key Map 4C and substituting therefor the Key Map 4C attached hereto as Schedule “3”.

2. Schedules “1”, “2” and “3” shall be and hereby form part of this By-law.



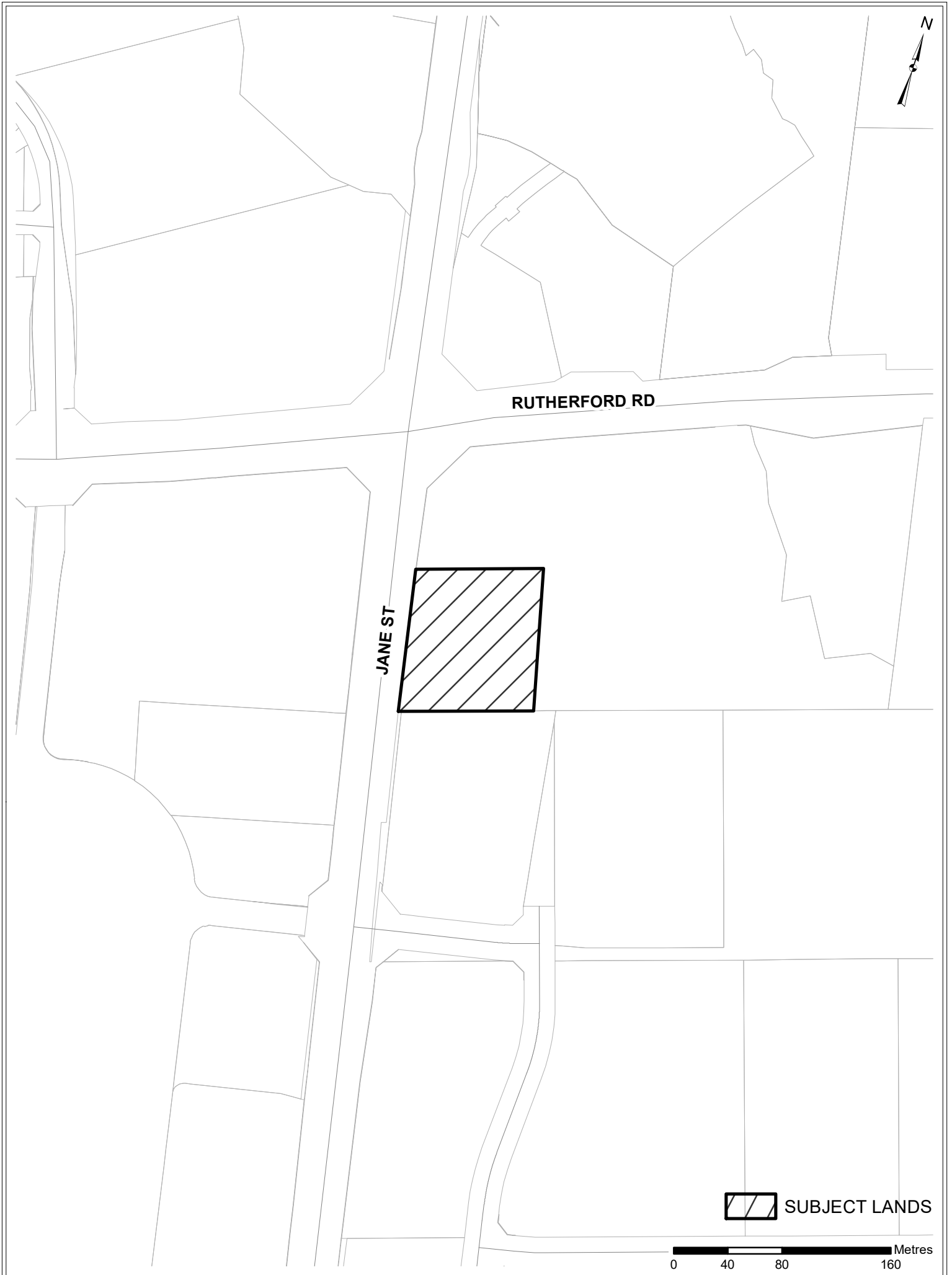
## SUMMARY TO BY-LAW -2018

The lands subject to this By-law are generally located on the east side of Jane Street, South of Rutherford Road, in Part of Lots 15, Concession 4, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from EM1 Prestige Employment to RA3 (H) Apartment Residential Zone, with the Holding Symbol, with site-specific zoning exceptions to permit the development of one (1) 30-storey and two (2) 26-storey residential apartment buildings, containing a total of 815 apartment units, and a maximum gross floor area of 1800 m<sup>2</sup> devoted to commercial uses.

The by-law includes conditions for removal of the Holding Symbol "(H)", including conditions for Section 37 Contributions. This By-law removes the lands subject to this Bylaw from the Exception 9(1170) and Schedule "E-1295" and creates a new Exception and Schedules, including the following site-specific zoning exceptions:

- a) site-specific definitions of "car share", "lot", "parking space" and "underground parking structure"
- b) reduced parking requirements
- c) reduced minimum setbacks from public streets to portions of the building above and below grade
- d) reduced setbacks to daylight triangles
- e) maximum building heights
- f) maximum number of residential apartment dwelling units
- g) provisions for density bonussing for the Subject Lands
- h) site-specific commercial uses with no open storage
- i) relief to the outdoor patio provisions



# LOCATION MAP TO BY-LAW \_\_\_\_\_-2018

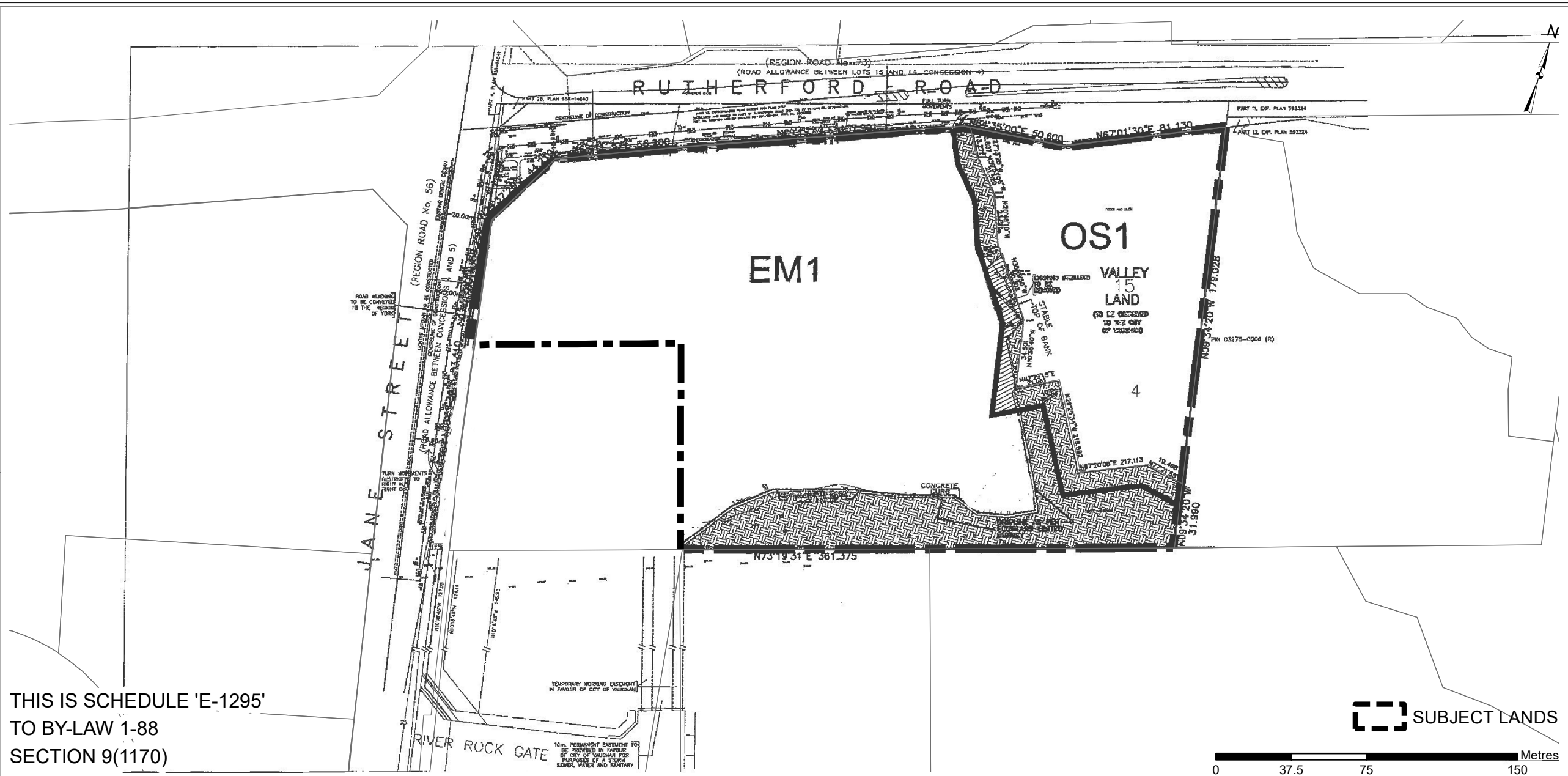
FILE: Z.06.075

RELATED FILES: OP.06.028


LOCATION: PART OF LOT 15, CONCESSION 4

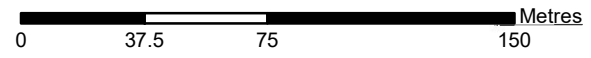
APPLICANT: RUTHERFORD LAND DEVELOPMENT CORP.

CITY OF VAUGHAN



THIS IS SCHEDULE 'E-1295'  
 TO BY-LAW 1-88  
 SECTION 9(1170)

 SUBJECT LANDS



FILE: Z.06.075  
 RELATED FILES: OP.06.028  
 LOCATION: PART OF LOT 15, CONCESSION 4  
 APPLICANT: RUTHERFORD LAND DEVELOPMENT CORP.  
 CITY OF VAUGHAN

THIS IS SCHEDULE '1'  
 TO BY-LAW \_\_\_\_\_-2018  
 PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

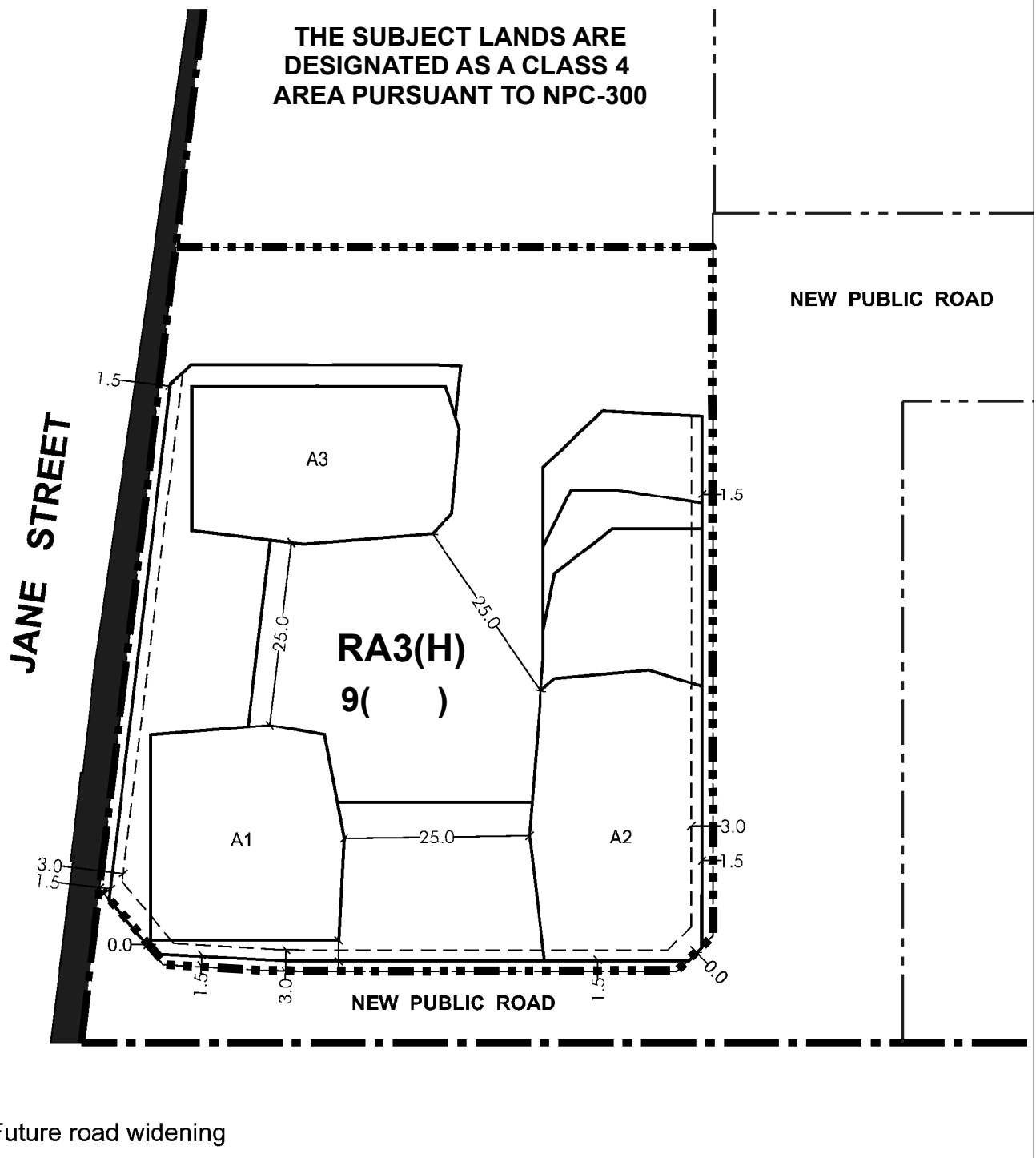
SIGNING OFFICERS

\_\_\_\_\_ MAYOR


\_\_\_\_\_ CLERK



THE SUBJECT LANDS ARE DESIGNATED AS A CLASS 4 AREA PURSUANT TO NPC-300



THIS IS SCHEDULE 'E-\_\_\_\_'  
TO BY-LAW 1-88  
SECTION 9(\_\_\_\_)

 SUBJECT LANDS

THIS IS SCHEDULE '2'  
TO BY-LAW \_\_\_\_\_-2018  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

FILE: Z.06.075  
RELATED FILES: OP.06.028  
LOCATION: PART OF LOT 15, CONCESSION 4  
APPLICANT: RUTHERFORD LAND DEVELOPMENT  
CITY OF VAUGHAN

SIGNING OFFICERS

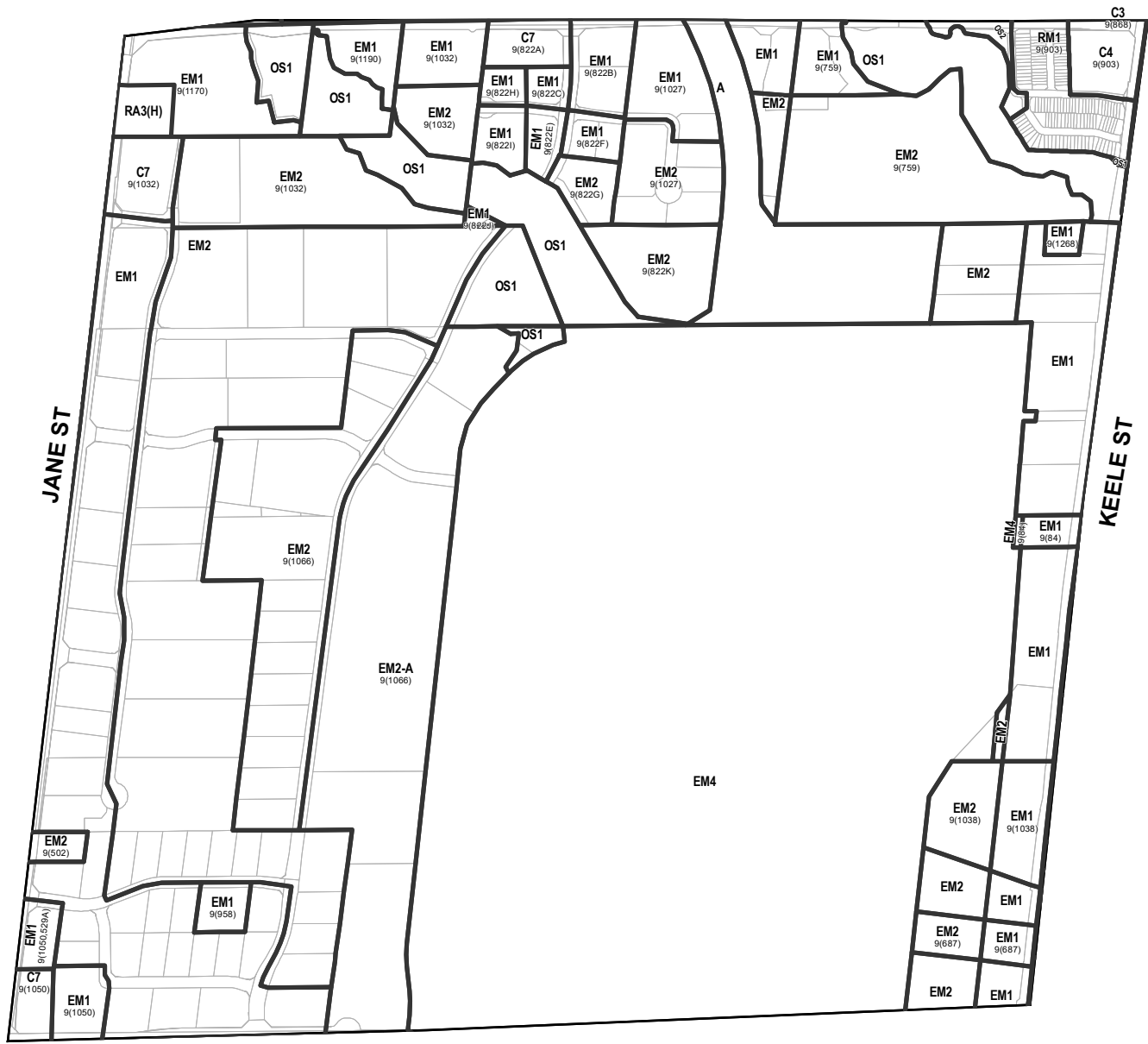
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



RUTHERFORD RD

C3  
9(888)

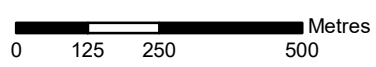


LANGSTAFF RD

JANE ST

KEELE ST

KEY MAP 4C  
BY-LAW NO. 1-88



THIS IS SCHEDULE '3'  
TO BY-LAW \_\_\_\_\_-2018  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

FILE: Z.06.075  
RELATED FILES: OP.06.028  
LOCATION: PART OF LOT 15, CONCESSION 4  
APPLICANT: RUTHERFORD LAND DEVELOPMENT  
CITY OF VAUGHAN

SIGNING OFFICERS  
\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CLERK

# ATTACHMENT B

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** December 24, 2019      **CASE NO.:** PL140839  
PL140154

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellants (jointly): Casertano Developments Corporation and Sandra Mammone  
Appellants (jointly): Limestone Gallery Investments Inc. and Damara Investment Corp.  
Appellants (jointly): Granite Real Estate Investment Trust and Magna International Inc.  
Appellants (jointly): H & L Title Inc. and Ledbury Investments Ltd.  
Appellant: Canadian National Railway  
Appellant: Rutherford Land Development Corporation  
Appellant: 281187 Ontario Ltd.  
Appellant: Anland Developments Inc.  
Subject: Proposed Official Plan Amendment No. 2 to the Official Plan for the City of Vaughan (2010)  
Municipality: City of Vaughan  
OMB Case No.: PL140839  
OMB File No.: PL140839  
OMB Case Name: Mammone v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Rutherford Land Development Corp.  
 Subject: Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment  
 Existing Designation: "Prestige Area" under Official Plan Amendment No. 450 (Employment Area Plan)  
 Proposed Designation: "High Density Residential/Commercial" under Official Plan Amendment No. 600  
 Purpose: To permit a mixed-use development consisting of approximately 303,000 square metres (3,261,464 square feet) in size containing 3,700 residential units in a built form containing 13 towers above a podium base with heights up to 38 storeys, as well as 10,300 square metres (110,868 square feet) of retail/institutional/community space and 4,500 square metres (48,437 square feet) of office space  
 Property Address/Description: 2901 Rutherford Road (south-east corner of Jane Street and Rutherford Road)  
 Municipality: City of Vaughan  
 Approval Authority File No.: OP.06.028  
 OMB Case No.: PL140154  
 OMB File No.: PL140154  
 OMB Case Name: Rutherford Land Development Corp. v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Rutherford Land Development Corp.  
 Subject: Application to amend Zoning By-law 1-88, as amended – refusal or neglect of the City of Vaughan to make a decision  
 Existing Zoning: EM1 Prestige Employment Zone  
 Proposed Zoning: "RA3(H)" Apartment Residential (Holding) Zone and "OS2" Open Space Park Zone  
 Purpose: To permit a mixed-use development consisting of approximately 303,000 square metres (3,261,464 square feet) in size containing 3,700 residential units in a built form containing 13 towers above a podium base with heights up to 38 storeys, as well as 10,300 square



Property	metres (110,868 square feet) of
Address/Description:	retail/institutional/community space and 4,500 square
Municipality:	metres (48,437 square feet) of office space
Municipal File No.:	2901 Rutherford Road (south-east corner of Jane Street
OMB Case No.:	and Rutherford Road)
OMB File No.:	City of Vaughan
	Z.06.075
	PL140154
	PL140155

BEFORE:

MARIE HUBBARD	)	Tuesday, the 24 <sup>th</sup> day of
ASSOCIATE CHAIR	)	
	)	December, 2019

**THIS MATTER** having come on for a motion hearing and the Tribunal, in its Decision issued on December 18, 2018, having withheld its Order until it is informed by the Appellant and CNR that their agreement has been registered on title;

**THE TRIBUNAL ORDERS** that the appeal with respect to Phase 1 of the Official Plan Amendment is allowed in part and the Official Plan for the City of Vaughan is modified in accordance with the amendment to the Vaughan Mills Centre Secondary Plan as set out in Exhibit 39 and as modified is approved;

**AND THE TRIBUNAL ORDERS** that the appeal with respect to Phase 1 of the Zoning By-law amendment is allowed in part, and By-law No. 1-88, as amended, is hereby amended in the manner set out in Exhibit 39. The Tribunal authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

*“Evelyn Dawes”*

DEPUTY REGISTRAR

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Tribunals Ontario – Environment and Land Division  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248



# BOUSFIELDS INC.

Project No. 1808

October 27, 2020

City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

**COMMUNICATION – C28**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

Dear Mayor Bevilacqua and Members of Committee of the Whole

**Re: Comprehensive Zoning By-law Review - Comments**

We are the planning consultants for Royal 7 Developments Limited, owner of 2920 Highway 7 West (the “subject site”), which is the part of the Expo City mixed-use development located east of Jane Street on the north side of Highway 7 (the “subject lands”).

Expo City includes approved high-rise residential towers on the broader subject lands (Files Z.06.051 and 19T-00V21). This approval has specifically been recognized within the 2010 Vaughan Official Plan and VMC Secondary Plan.

With respect to the subject site, minor variances have been approved, providing adjustments to the zoning by-law (File Nos.A106/18 and A163/19). The Notice of Decisions are included as Attachments A and B. The comprehensive zoning by-law should reflect these approvals accordingly.

Should you require additional information, or wish to discuss the contents of this letter further, please do not hesitate to contact the undersigned.

Yours very truly,

Michael Bissett, MCIP RPP  
**Bousfields Inc.**

*cc. Brandon Correia, Manager, Special Projects, City of Vaughan*

# **ATTACHMENT A**



Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
T 905 832 8585  
E CofA@vaughan.ca

**Final & Binding Notification**  
**Minor Variance Application A106/18**

**Date:** October 17, 2018  
**Applicant:** Royal 7 Developments Ltd.  
**Property:** 2920 Hwy 7 Bldg 5 Vaughan ON

Pursuant to Subsection 45(21) of the Planning Act, R.S.O 1990, as amended, you are hereby notified that there have been no appeals received within the 20 (twenty) day appeal period.

The decision by the Committee of Adjustment made on September 27, 2018 is now final and binding.

**Conditions of Approval:** It is the applicant's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision prior to the issuance of a Building Permit.

Christine Vigneault, ACST  
Manager of Development Services and  
Secretary-Treasurer to Committee of Adjustment  
City of Vaughan

# ATTACHMENT B



COMMITTEE OF ADJUSTMENT  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
Phone: (905) 832-2281  
Email: [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

## NOTICE THAT DECISION IS FINAL AND BINDING MINOR VARIANCES

July 10, 2020

Royal 7 Developments Ltd.  
2800 Hwy 7 Suite 301  
Vaughan ON  
L4K 1W8

Delivered by Email: [peter.cortellucci@cortelgroup.com](mailto:peter.cortellucci@cortelgroup.com); [nicole.s@cortelgroup.com](mailto:nicole.s@cortelgroup.com)

Re: Minor Variance Application A163/19 (2920 Hwy 7 Bldg 5 Vaughan ON)

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Pursuant to Subsection 45 (14) of The Planning Act, you are hereby notified that since there have been no appeals received within the 20 (twenty) day appeal period after the making of the decisions by the Committee of Adjustment for the above noted applications, the decisions made on Thursday, June 11, 2020 are final and binding.

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (**if required**). This clearance letter must be provided to the Secretary-Treasurer to finalize approval.

**All applicable conditions must be cleared prior to the issuance of a Building Permit.**

A handwritten signature in black ink, appearing to read 'C.V.' with a period.

Christine Vigneault  
Manager of Development Services and  
Secretary-Treasurer to Committee of Adjustment

**COMMUNICATION – C29  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**Da:**

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**From:** Joe Di Giuseppe <joed@greenpark.com>  
**Sent:** Thursday, October 29, 2020 3:55 PM  
**To:** Clerks@vaughan.ca; Correia, Brandon <Brandon.Correia@vaughan.ca>  
**Subject:** [External] Draft Comprehensive Zoning Bylaw - City of Vaughan

City Clerk  
Committee of the Whole  
October 29, 2020

Good Afternoon Brandon,

We are the owners of the property noted above along with various other land holdings that are affected by the new Comprehensive Zoning By-law. The subject lands are located on the West side Jane Street south of Rutherford Road and immediately south of the York Region Public Health Building.

The property was approved for development through an Ontario Municipal Board Order issued on September 17, 2018 (OMB File No. PL110420). Zoning bylaw 033-2019 was enacted by the City of Vaughan to implement the approval from the OMB. The bylaw provided many exceptions to the existing comprehensive zoning bylaw being By-law 1-88. The site specific zoning bylaw rezoned the lands to RA3(H) – Apartment Residential Zone with a Holding provision and was noted as exception 9(1472).

Upon review of the latest draft of the bylaw It appears that the property is zoned GMU(H) – General Mixed Use Zone with exception (699). The exception does not include the provisions of our site specific by-law and does not permit the main use Apartment Building. I trust that this is an oversight and the City will correct the error by implementing the appropriate Zone Category and provisions of our site specific bylaw.

In addition to the specific site above we have concern with many parts of the Draft Comprehensive Zoning By-law and the effects it will have on future development projects. We have reviewed the proposed draft and have the following comments that I hope we can address before final approval from Council.

1. Par. 1.6.4 - Lapse of Transition Provisions: The paragraph indicates that the provisions of this new bylaw shall apply “Once a permit or approval has been granted”.



I have a concern that after an approval has been granted all new provisions will apply to a building permit application. We request clarification on this paragraph.

2. Definition – Storey: The proposed definition provides that mezzanines shall be considered a story.

Previous definition of Storey did not include a mezzanine. Inclusion of this will cause thousands of non conforming situations. This will affect the Gross Floor Area calculations, parking requirements and limit Architectural expression.

Department Letter issued by Mr. John Studdy, Zoning Supervisor November 1990 provided that mezzanines are not storey's, and are not included in parking and GFA calculations. This will cause unnecessary minor variance applications. We request that this be amended.

3. Par. 4.20 – Rooftop Mechanical Penthouses: The paragraph has provisions for maximum height of equipment before they are required to be in an enclosure.

Maximum height of a mechanical penthouse are included and a percentage of area where roof top equipment can be open and unenclosed.

The provisions are not required as it will be the technical elements of the mechanical penthouse that drive the size and shape. This would part of the Urban Design experience with staff. This provision will cause unnecessary minor variance applications. We request that it be amended.

4. Par. 4.24 – Waste Storage: The paragraph has specific requirements that are currently with the City's Waste Collection Design Standards.

Waste storage facilities will vary from site to site. It would best left as Design Standard rather than a bylaw requirement. This provision will cause unnecessary minor variance applications. We request that it be amended.

5. Par. 5.6.2 – Temporary Sales Offices: The paragraph allows for a sales office to be constructed once all approvals are in place.

-

The previous provision allowed sales offices when the official plan permitted the intended use. This provided flexibility for owners to time the completion of the sales office with the approval of the planning application filed. More flexibility to get a building permit earlier in the process.

6. Par. 5.12 – Outdoor Patio: The Paragraph requires that outdoor patios be setback in accordance with the zone requirements. The percentage of outdoor

Patios has been reduced from 50% to 40% of the GFA of the main use.  
Setback requirements for patios located above the first storey.

This provision is too restrictive. Most existing buildings are constructed to the minimum setback. This would cause unnecessary minor variance applications.

7. Par. 6.5 – Bicycle Parking Space Requirements; This provision existed in the VMC Zones but was not as specific and with not as many design requirements.

Main concerns are for paragraphs 6.5.4, 6.5.5 and 6.5.6.

No provisions existed outside the VMC boundary. Perhaps the requirements or numbers should be a bylaw requirement, but the supporting paragraphs could be part of a design criteria or policy. This would cause unnecessary minor variance applications.

-

These are the major items that currently get my attention. I do have other definitions and provision that I felt were not my primary issues. I wish to add that the format of the previous bylaw was acceptable and only required updates rather than a total restructuring of the document. I don't think it is as user friendly. We look forward to future discussions with you and City staff on this matter.

Thank you,

Joe Di Giuseppe  
Development Manager  
Greenpark Group.

October 29, 2020  
HPGI File: 20646

**COMMUNICATION – C30**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**  
Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review**  
**7803 Kipling Ave, 15 & 40 Burwick Ave and 36 Landsdowne Ave**

Humphries Planning Group represents the owner of properties in the City of Vaughan municipally known as 7803 Kipling Ave, 15 & 40 Burwick Ave and 36 Landsdowne Ave (the "Property"). The Owner intends to submit a future development application for the redevelopment of the Property.

As such the owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the "Proposed By-law") scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications which will be submitted prior to the adoption of the Proposed By-law. Further, the owner has concerns regarding the potential two-year restriction on amendments for the Proposed By-law once it is adopted, as per section 34(10.0.0.1) of the *Planning Act*.

Based on the above concerns and the intended adoption date of late 2020, we request that a site-specific deferral be considered or that a city-wide provision exempting properties from the two-year restriction be incorporated into the Proposed By-law.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

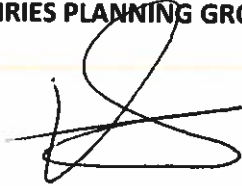
190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
~ Do Something Good Everyday! ~ STAY SAFE ~

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, appearing to be 'RH', written over a horizontal yellow line.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects

October 28, 2020  
HPGI File: 20637

**COMMUNICATION – C31  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**City Council**  
Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
3911 Teston Road, City of Vaughan (the “Property”)  
3911 Teston Road Inc. (the “Owner”)**

Humphries Planning Group represents 3911 Teston Road inc., the owner of the property municipally known in the City of Vaughan as 3911 Teston Road. The Owner intends to submit a future development application for the redevelopment of the Property and has already participated in a PAC meeting with city staff, City of Vaughan file number PAC 19.099.

As such the owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications which will be submitted prior to the adoption of the Proposed By-law. Further, the owner has concerns regarding the potential two-year restriction on amendments for the Proposed By-law once it is adopted, as per section 34(10.0.0.1) of the *Planning Act*.

Based on the above concerns and the intended adoption date of late 2020, we request that a site-specific deferral be considered or that a city-wide provision exempting properties from the two-year restriction be incorporated into the Proposed By-law.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

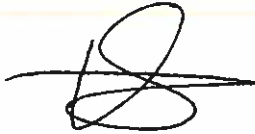
T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)

~ Do Something Good Everyday! ~ STAY SAFE ~

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, appearing to be 'RH', with a horizontal line extending to the left from the base of the letters.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
3911 Teston Road Inc.

# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 29, 2020  
HPGI File: LI20AA

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

## City Council

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
242 Applewood Crescent, City of Vaughan (the “Property”)  
Michael Cortellucci (the “Owner”)**

**COMMUNICATION – C32  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

Humphries Planning Group represents Michael Cortellucci, owner of the property located at 242 Applewood Crescent in the City of Vaughan. As such the Owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the “Proposed By-law”) scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020.

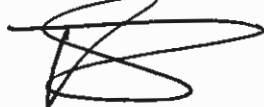
The Owner has advised that the existing use of the Property includes an automotive detailing service; a use that has existed on the Property, without issue, for over 7 years. The Owner is asking that the existing automotive detailing service use be recognized via a site-specific provision in the Proposed By-law.

We also ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Michael Cortellucci

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
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# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 29, 2020  
HPGI File: 19634

**COMMUNICATION – C33  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

## City Council

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention: City Clerk, City of Vaughan**

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
7300 & 7370 Martingrove Road, City of Vaughan**

Humphries Planning Group represents Martingrove North Properties Inc. & Martingrove South Properties Inc., the owners of the properties municipally known in the City of Vaughan as 7300 & 7370 Martingrove Road (the "Property"). The Owner intends to submit a future development application for the redevelopment of the Property.

As such the owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the "Proposed By-law") scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. The transition regulations in the Proposed By-law do not appropriately address zoning by-law amendment applications which will be submitted prior to the adoption of the Proposed By-law. Further, the owner has concerns regarding the potential two-year restriction on amendments for the Proposed By-law once it is adopted, as per section 34(10.0.0.1) of the *Planning Act*.

Based on the above concerns and the intended adoption date of late 2020, we request that a site-specific deferral be considered or that a city-wide provision exempting properties from the two-year restriction be incorporated into the Proposed By-law.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
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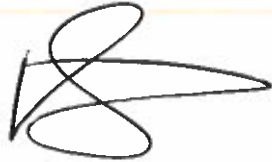
[www.humphriesplanning.com](http://www.humphriesplanning.com)

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We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects

# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 29, 2020  
HPGI File: 19628

**SUBMITTED VIA EMAIL:** clerks@vaughan.ca

**COMMUNICATION – C34  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 50, Item 1**

**City Council**

Vaughan City Hall, Level 100  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

**Attention:** City Clerk, City of Vaughan

**Re: Public Hearing – Third Draft Comprehensive Zoning By-law Review  
265 & 277 Cityview Blvd, City of Vaughan**

Humphries Planning Group represents Lorwood Holdings Inc., the owner of the properties located 265 & 277 Cityview Blvd in the City of Vaughan (the "Property"). As such the owner has a vested interest in the Third Draft Comprehensive Zoning By-law (the "Proposed By-law") scheduled to be presented at the City of Vaughan Public Hearing on October 29, 2020. The Owner has concerns regarding the potential two-year restriction on amendments for the Proposed By-law once it is adopted, as per section 34(10.0.0.1) of the *Planning Act*.

Based on the above concerns and the intended adoption date of late 2020, we ask that a city-wide provision exempting properties from the two-year restriction be incorporated into the Proposed By-law.

We ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.  
c/o Rosemarie Humphries  
190 Pippin Road, Suite A  
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie Humphries, BA, MCIP, RPP  
President

cc: Mr. Brandon Correia, Manager, Special Projects  
Michael Guglietti, Lorwood Holdings Inc.

190 Pippin Road  
Suite A  
Vaughan ON  
L4K 4X9

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
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October 30, 2020

GSAI file: 959-003

City of Vaughan  
 Planning and Growth Management  
 2141 Major Mackenzie Drive  
 Vaughan, ON  
 L6A 1T1

**COMMUNICATION – C35**  
**Council – November 17, 2020**  
**Committee of the Whole (Public Meeting)**  
**Report No. 50, Item 1**

**Attention:** Mr. Brandon Correia  
 Manager, Special Projects

**RE: Comments on Third Draft – Comprehensive Zoning By-law Review**  
**6061 & 6079 Rutherford Road and 134 & 140 Simmons Street**  
**City of Vaughan**

---

Glen Schnarr and Associates Inc. (GSAI) are the planning consultants for Pine Valley Kleinburg Homes Ltd. (c/o Gemini Urban Design (W) Corp.), the owner of the lands municipally known as 6061 & 6079 Rutherford Road and 134 & 140 Simmons Street (the ‘subject lands’). The purpose of this letter is to comment on the Third Draft of the City’s Comprehensive Zoning By-law Review (the ‘Draft ZBL’), dated September 2020, as it relates to the subject lands. It is understood that a public hearing on the matter was held on October 29, 2020.

In the Draft ZBL, as shown on Schedule 120, the subject lands are proposed to be zoned as ‘Estate Residential’ with the ‘Established Neighbourhood’ suffix (RE(EN)). The proposed zoning for the subject lands does not recognize previous development approvals. These lands were subject to an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision (City File Nos. OP.16.006, Z.16.019 and 19T-16V004), which were approved by City Council on February 12, 2019. The applications were subsequently appealed by a neighbouring landowner to the Local Planning Appeal Tribunal (LPAT); however, the appeal was withdrawn on June 15, 2020 and notice from the LPAT on the approvals being final and binding was provided on June 16, 2020. These approvals were assigned (1) By-law No. 041-2019, being a by-law to amend the City of Vaughan By-law No. 1-88 and (2) By-law No. 042-2019, being a by-law to amend the City of Vaughan Official Plan. A Site Plan application (DA.18.070) has been submitted and is currently under review with City staff.

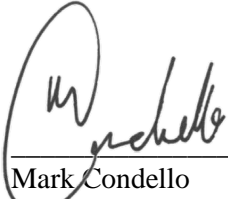
Further, it is recognized that the Draft ZBL contains transitional provisions in Section 1.6.3 as it relates to active Site Plan applications, as well as applicable LPAT orders. We formally request that the previous approvals outlined in By-law 041-2019 be incorporated into the final draft of the Comprehensive Zoning By-law prior to adoption.

10 KINGSBRIDGE GARDEN CIRCLE  
 SUITE 700  
 MISSISSAUGA, ONTARIO  
 L5R 3K6  
 TEL (905) 568-8888  
 FAX (905) 568-8894  
 www.gsai.ca



We also request that this correspondence be added to the public record and that we be notified of any further revisions, approvals and notices applicable to the Zoning By-law Review process. Should you have any questions or require additional information, please contact the undersigned at ext. 265 or at markc@gsai.ca.

Respectfully Submitted,  
**GLEN SCHNARR & ASSOCIATES INC.**



---

Mark Condello  
Planner

cc. K. Slater, Gemini Urban Design (W) Corp.  
C. Messere, City of Vaughan  
T. Coles, City Clerk, City of Vaughan  
J. Levac, Glen Schnarr and Associates Inc.

Attachment(s):

By-law 041-2019

By-law 042-2019

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## BY-LAW NUMBER 041-2019

### **A By-law to amend City of Vaughan By-law 1-88.**

**WHEREAS** the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

**AND WHEREAS** there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are in in conformity;

**NOW THEREFORE** the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88 be and it is hereby further amended by:
  - a) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from RR Rural Residential Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol “(H)”, RR Rural Residential Zone and OS1 Open Space Conservation Zone, in the manner shown on Schedule “1”.
  - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1474) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1605”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(1) or (3) of the *Planning Act*.

    - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 041-2019, or the production of field crops. The removal of the Holding Symbol “(H)” is contingent upon the following:
      - a) the Owner obtaining and filing for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (‘RSC’) following remediation and verification sampling to the satisfaction of the City of Vaughan.
      - b) The Owner successfully obtaining the approval of a Site Development Application and the required allocation of servicing capacity from Vaughan Council.
      - c) The Subject Lands are located in an area, adjacent to Regional roads (Rutherford Road and Regional Road 27), that are tributary to the future sanitary trunk sewer scheduled to be installed by York Region in 2028. The Holding Symbol “(H)” is to only be lifted under one of the following two scenarios:

- i) The sanitary trunk sewer on Regional Road 27 is constructed by York Region and the Owner has secured the necessary lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the sanitary sewer between Simmons Street and Regional 27; or,
- ii) The Owner has demonstrated that an alternate interim sanitary outlet to Royalpark Way as shown within the Functional Servicing Report can be achieved utilizing an adequate easement width and a comprehensive study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, and available allocation, to the satisfaction of the City.

B. Notwithstanding the provisions of:

- a) Section 2.0 respecting Definitions;
- b) Sections 4.1.9, 4.22, 4.29 and Schedule "A3" respecting permitted uses and Residential Zone Requirements and Minimum Zone Standards in the RT1 Residential Townhouse Zone;
- c) Sections 4.1.2 and 4.1.4 (f) respecting Minimum Soft Landscaped Areas and Dimensions of Driveways;
- d) Section 3.21 respecting Frontage on a Public Street;
- e) Section 3.8 (g) respecting maximum Driveway Width;
- f) Section 3.14 (h) respecting the placement of air conditioner units;
- g) Sections 4.1.9, 4.2 and Schedule "A" respecting permitted uses and Residential Zone Requirements and Minimum Zone Standards in the RR Rural Residential Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1605":

- ai) for the purposes of this By-law, the following Definitions shall apply:

DWELLING, STREET TOWNHOUSE – means a townhouse dwelling in which each dwelling unit is situated on its own lot, or parcel of tied land ("POTL"), which abuts a public street or private common element condominium road;

LOT – means a parcel of land fronting on a public street or private common element condominium road;

STREET LINE – means the dividing line between a lot and a street or a private common element road or the dividing line between a lot and a reserve abutting a street or private common element

condominium road;

PARALLEL VISITOR PARKING SPACE – means a rectangular area measuring at least 2.0 m by 6.0 m;

b) the following zone requirements shall apply to the RT1 Residential Townhouse Zone:

i) the minimum Lot Depth shall be 23 m/unit; 22 m for Unit 110, 20 m for Unit 43, and 19 m for Unit 111;

ii) the minimum Lot Area shall be:

160 m<sup>2</sup> - Units 67 & 109

150 m<sup>2</sup> - Units 2-5, 8, 9, 19-21, 24, 25, 33, 34, 50-53, 68, 69, 90-93, and 108

145 m<sup>2</sup> - Units 18, 28, 32, 37, 38, 41, 42, 45, 72-75 and 110

135 m<sup>2</sup> - Units 46, 47, 56-59, 62, 63, 78-81, 84-87, 96, 97, 100, 101, 104 and 105;

iii) the minimum Lot Frontage shall be 5.8 for units 12 and 15;

iv) the minimum Rear Yard setback shall be:

7.2 m for Block 1

7 m for Blocks 11 and 18

6.3 m for Blocks 10, 12, 13, 16, 17, 19, 20 and 21

5.8 m for Unit 110

5 m for Unit 111;

v) the minimum Exterior Side yard setback (private road) shall be:

1.25 m for Block 1

1.0 m to porch, 2.7 m to main wall for Block 4

1.1 m to Block 5

2.6 m for Block 7

1.1 m to porch, 2 m to main wall for Block 11

1.9 m to Block 13

3.6 m for Block 18

3.8 m for Block 21;

vi) the minimum Interior Side yard setback to a Greenway or buffer block shall be 1.5 m for Block 22;

vii) the minimum setback to a Sight Triangle for (private road) shall be:

1.2 m for Block 4

1.6 m for Block 5

2.6 m for Block 7

2.1 m for Block 11

2.6 m for Block 16

2.7 m for Block 22;

viii) the maximum Building Height shall be 11.5m;

ci) a minimum Front Yard Landscaped Area of 19 % shall be required of which a minimum thirty-five percent (35%) of the required minimum landscaped front yard shall be comprised of soft landscaping for Units 12, 13, 14 and 15;

di) a street townhouse dwelling situated on a freehold lot shall be

- permitted to front onto a private element condominium road;
  - ei) the maximum width of a driveway entrance shall be 9.32 m;
  - fi) air conditioner units shall be permitted above the garages in Blocks 1, 2 and 3;
  - gi) the minimum Lot Area for the lands zoned RR Rural Residential Zone shall be 3,700 m<sup>2</sup>;
- c) Adding Schedule "E-1605" attached hereto as Schedule "1".
  - d) Deleting Key Map 9C and substituting therefor the Key Map 9C attached hereto as Schedule "2".

2. Schedule "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of March, 2019.


\_\_\_\_\_  
Hon. Maurizio Bevilacqua, Mayor

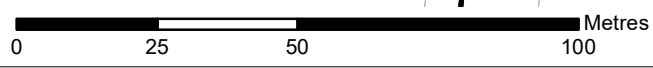
\_\_\_\_\_  
Todd Coles, City Clerk





This is Schedule 'E-1605'  
 To By-Law 1-88  
 Section 9(1474)

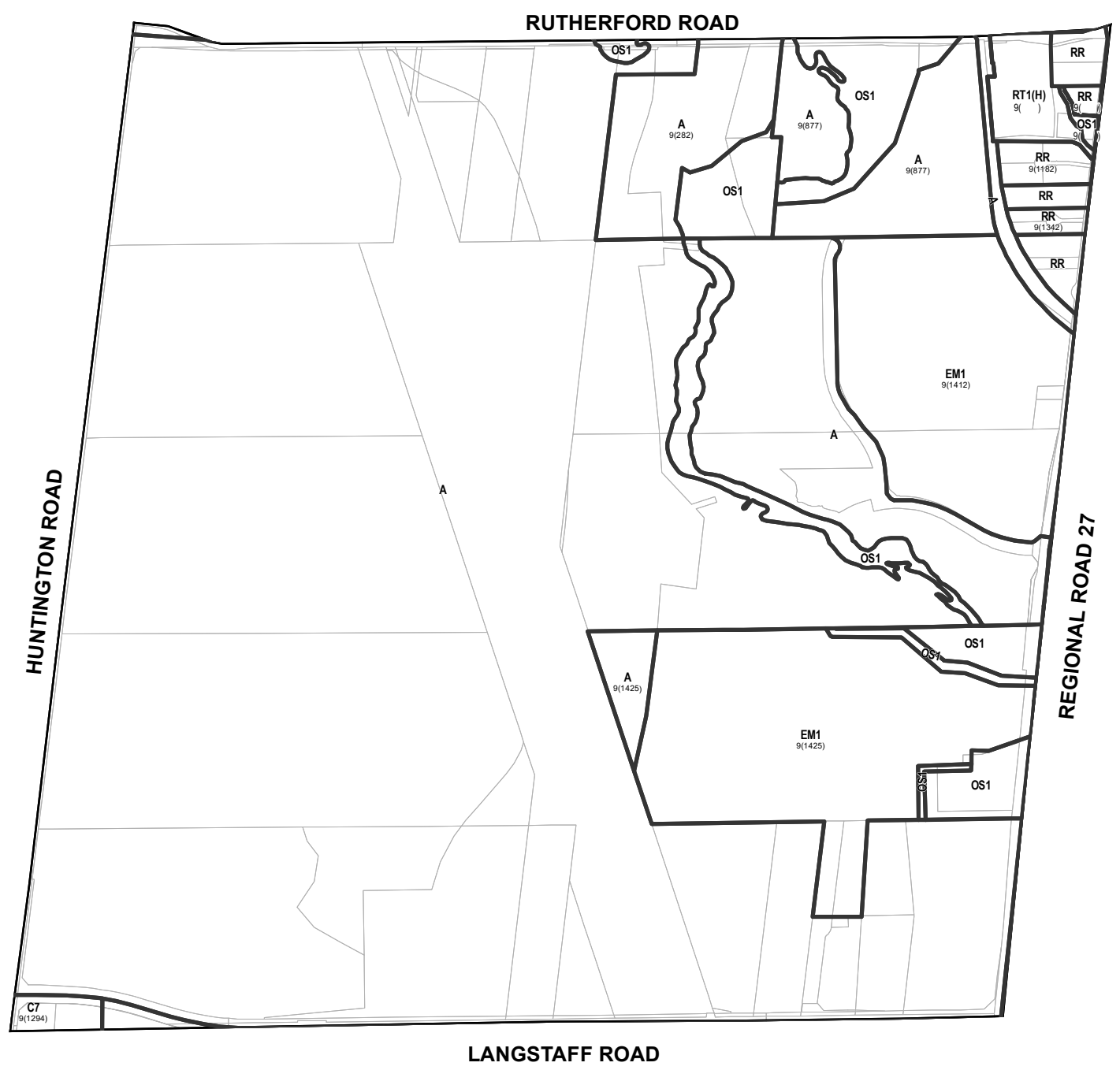
 Subject Lands



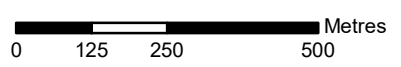
This is Schedule '1'  
 To By-Law 041-2019  
 Passed the 19th Day of March, 2019

**File:** Z.17.031  
**Related Files:** OP.17.011, 19T-17V011  
**Location:** Part of Lot 15, Concession 9  
**Applicant:** Gemini Urban Design (W) Corp.  
**City of Vaughan**

Signing Officers  
 \_\_\_\_\_  
 Mayor  
 \_\_\_\_\_  
 Clerk



Key Map 9C  
By-Law No. 1-88



This is Schedule '2'  
To By-Law 041-2019  
Passed the 19th Day of March, 2019

**File:** Z.17.031  
**Related Files:** OP.17.011, 19T-17V011  
**Location:** Part of Lot 15, Concession 9  
**Applicant:** Gemini Urban Design (W) Corp.  
**City of Vaughan**

Signing Officers

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

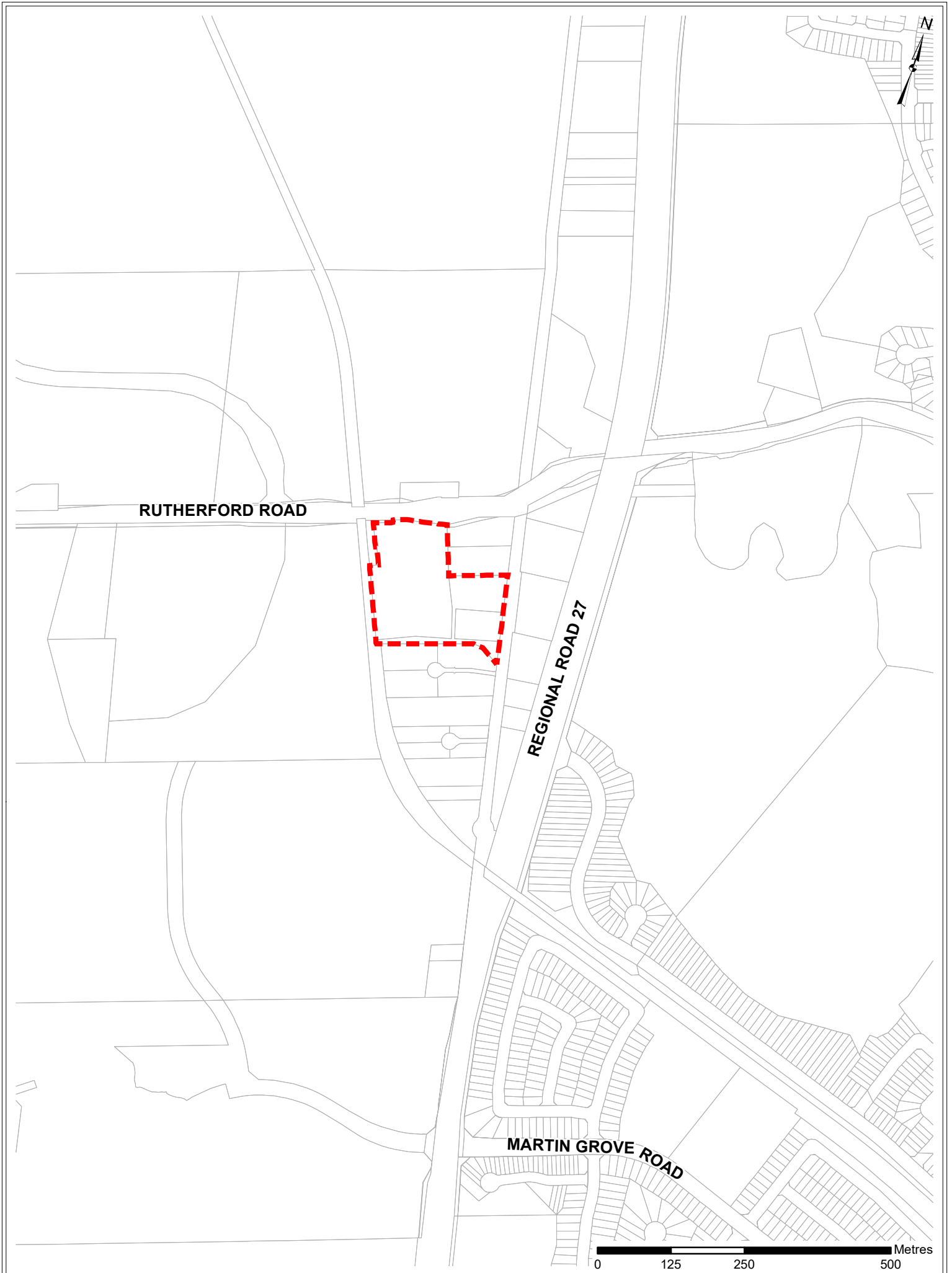
### **SUMMARY TO BY-LAW 041-2019**

The lands subject to this By-law are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street, being Part of the East Half of Lot 15, Concession 9, City of Vaughan.

The purpose of this zoning by-law amendment is to rezone the subject lands from RR Rural Residential Zone to the RT1 (H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)" and RR Rural Residential Zone with site-specific zoning exceptions, and the OS1 Open Space Conservation Zone, to facilitate the development of 111, 3-storey townhouse dwelling units, within 22 blocks, on common element condominium roads.

The Holding Symbol "(H)" shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following conditions are satisfied:

- d) the Owner obtaining and filing for a Ministry of the Environment, Conservation and Parks ("MECP") Record of Site Condition ('RSC') following remediation and verification sampling to the satisfaction of the City of Vaughan.
- e) The Owner successfully obtaining the approval of a Site Development Application and the required allocation of servicing capacity from Vaughan Council.
- f) The Subject Lands are located in an area, adjacent to Regional roads (Rutherford Road and Regional Road 27), that are tributary to the future sanitary trunk sewer scheduled to be installed by York Region in 2028. The Holding Symbol "(H)" is to only be lifted under one of the following two scenarios:
  - iii) The sanitary trunk sewer on Regional Road 27 is constructed by York Region and the Owner has secured the necessary lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the sanitary sewer between Simmons Street and Regional 27; or,
  - iv) The Owner has demonstrated that an alternate interim sanitary outlet to Royalpark Way as shown within the Functional Servicing Report can be achieved utilizing an adequate easement width and a comprehensive study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, and available allocation, to the satisfaction of the City.



## Location Map To By-Law 041-2019


**File:** Z.17.031

**Related Files:** OP.17.011, 19T-17V011

**Location:** Part of Lot 15, Concession 9

**Applicant:** Gemini Urban Design (W) Corp.

**City of Vaughan**

 Subject Lands

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 042-2019**

**A By-law to adopt Amendment Number 38 to the Official Plan of the Vaughan Planning Area.**

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 38 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) "1" is hereby adopted.
2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of March, 2019.

\_\_\_\_\_  
Hon. Maurizio Bevilacqua, Mayor

\_\_\_\_\_  
Todd Coles, City Clerk

**AMENDMENT NUMBER 38  
TO THE OFFICIAL PLAN  
OF THE VAUGHAN PLANNING AREA**

The following text and Schedule “1” constitutes Amendment Number 38 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix “I” and “Appendix “II”

## I PURPOSE

The purpose of this Amendment to Vaughan Official Plan 2010 ('VOP 2010') is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically Volume 1 and Volume 2, to permit the development of 111 townhouse units to be served by common element roads.

## II LOCATION

The lands subject to this Amendment, hereinafter referred to as "Subject Lands", are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street, being Part of the East Half of Lot 15, Concession 9, City of Vaughan, shown on Schedule "1" attached hereto as "Lands Subject to Amendment No. 38".

## III BASIS

The decision to amend VOP 2010 is based on the following considerations:

1. The Provincial Policy Statement 2014 ("PPS") provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment. The proposed development is consistent with the intent of the settlement areas and housing policies of the PPS, which promote the efficient use of land and support a healthy community.

The Subject Lands are located within a defined settlement area identified by the PPS. The Development achieves the intention of the Settlement Areas and Housing policies of the PPS by making efficient use of the Subject Lands, as it minimizes land consumption, proposes a housing typology that adds to the range and mix of housing types in the City.

2. The Provincial Growth Plan for the Greater Golden Horseshoe 2017 ("Growth Plan") is intended to: guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

The proposed development conforms with the policy framework of the Growth Plan as it makes a more efficient use of the Subject Lands and existing infrastructure and provides a housing type at

a density that is supportive of the Growth Plan objectives.

3. The York Region Official Plan 2010 ('YROP 2010') designates the Subject Lands as "Urban Area" by Map 1 - "Regional Structure", which permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. York Region advised that Official Plan Amendment File OP.17.011 is considered to be of local significance in accordance with York Region Official Plan 2010 policy 8.3.8, as the proposed Amendment does not adversely affect Regional planning policies or interests. The proposed development conforms to YROP 2010. On May 29, 2018, York Region exempted this Amendment from Regional approval, in accordance with Regional Official Plan Policy 8.3.8, as it does not adversely affect Regional planning policies or interests.
  
4. The Subject Lands are designated "Low-Rise Residential" by VOP 2010, which permits detached, semi-detached and townhouse units. The lands are also within a "Community Area" as identified in Schedule 1, "Urban Structure" of VOP 2010, and subject to Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2 regarding compatibility criteria, urban design and built form. There is no associated density requirement prescribed by this designation. The compatibility criteria directs that new development should be designed to respect and reinforce the physical character of the established neighbourhood within which it is located.

In recognition of the increased development pressure stable residential neighbourhoods are facing, Council directed Staff to undertake a policy review of the Low-Rise Residential designation of VOP 2010 in October 2015. Following Council's direction, the Policy Planning and Environmental Sustainability Department initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods ('Guidelines') and the Community Area Policy Review for Low-Rise Residential Designations Study ('Study'). The Guidelines were approved by Vaughan Council on October 19, 2016. The Study was approved by Vaughan Council on April 19, 2017, and Official Plan Amendment Number 15, to implement the Study recommendations, was adopted by Council on September 27, 2018, which has been forwarded to York Region for approval.

The Guidelines identify the Subject Lands as being part of a "Large Lot Neighbourhood". The Applications were submitted on August 27, 2017 (Applications) and were deemed "Complete" on February 14, 2018. The commencement of the Applications pre-date the approval of OPA Number 15. However, the Development has regard for the following provisions of the Guidelines:



- The townhouse blocks contain a maximum of 6 units
- The minimum unit size is 6 m x 12 m (with the exception of 2 units)
- The common amenity areas are located in prominent locations that are visible and easily accessed from all units
- The majority of the front and interior yard setbacks are consistent with the Guideline requirements of 4.5 m and 1.5 m respectively
- A minimum 50% of each front yard consists of soft landscaping (with exception of 2 units)
- Each townhouse has a private backyard as set out in the Guidelines
- The total number of visitor parking spaces complies with Zoning By-law 1-88, although a variance for the width of certain parallel spaces within the private road is required.

In consideration of the above, the Development Planning Department is satisfied that the proposed development has regard for the “Community Area” policies of VOP 2010, and the Council approved Guidelines. The proposal provides a low-rise residential development that is appropriate, but not identical, with the surrounding development(s).

5. Vaughan Council considered the Applications at 2 Public Hearings. Additionally, a non-statutory community meeting was held.

A Statutory Public Hearing was held on April 4, 2018, to consider Application OP.17.011, Z.17.031 and 19T-17V011. Vaughan Council on April 11, 2018, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting

6. On January 29, 2019, Vaughan Council ratified the January 22, 2019 recommendation of the Vaughan Committee of the Whole to approve Official Plan Amendment Application File OP.17.011.

#### IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 38 to the Official Plan of the Vaughan Planning Area, hereby amends VOP 2010 by:

1. Modifying Volume 1, Schedule 14-C “Areas Subject to Site Specific Plans” as #44 by adding the Subject Lands on Schedule 1 to this Amendment attached hereto 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street.

2. Amending Volume 2, Section 13.1 “Areas Subject to Site Specific Policies” by adding the following policy to be renumbered in sequential order:

“(OPA #38) 13.1.1.44 The lands known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street are identified on Schedule 14-C as Item 44 and are subject to the policies set out in Section 13.45 of this Plan.”

3. Amending Volume 2, Section 13 “Site Specific Policies”, by adding the location map attached on Schedule 1 and adding the following policies in sequential order:

“(OPA #38) 13.45 6061 and 6079 Rutherford Road, 134 and 140 Simmons Street

13.45.1 General

13.45.1.1 The following policies shall apply to the lands identified on Map 13.45.A.

13.45.1.2 Notwithstanding Sections 9.1.2.2., 9.1.2.3 and 9.2.3.2 respecting new development within established “Community Areas”, 111 townhouse units are permitted on the Subject Lands identified on Map 13.45.A. Site-specific development standards shall be established in the implementing zoning by-law.”

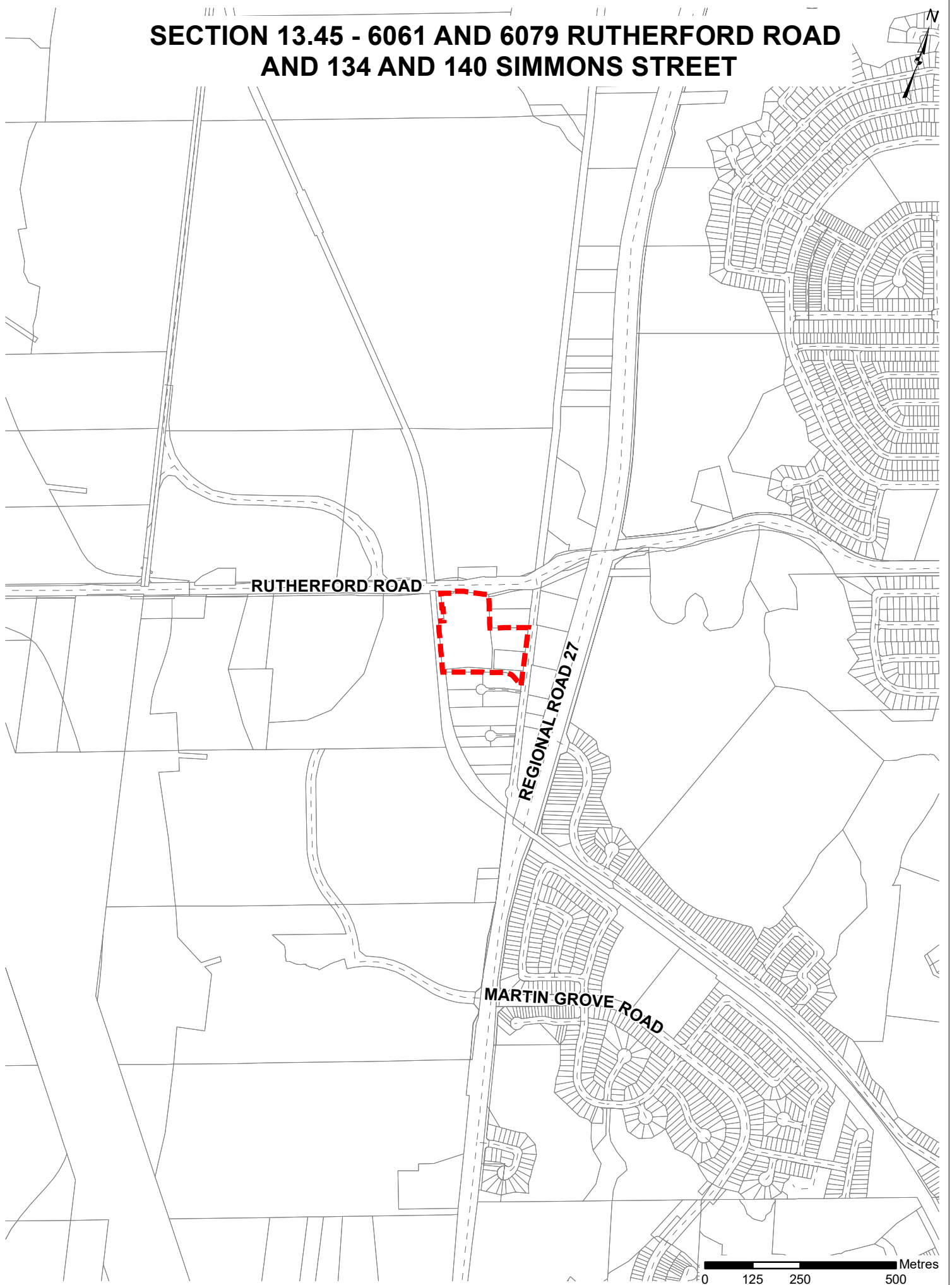
## V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands will be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, Draft Plan of Subdivision Approval and Site Development approvals, pursuant to the *Planning Act*, R.S.O. 1990, c. P.13.

## VI INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

**SECTION 13.45 - 6061 AND 6079 RUTHERFORD ROAD  
AND 134 AND 140 SIMMONS STREET**



**THIS IS SCHEDULE '1'  
TO OFFICIAL PLAN AMENDMENT NO. 38  
ADOPTED THE 19TH DAY OF MARCH, 2019**

**FILE:** OP.17.011

**RELATED FILES:** Z.17.031, 19T-17V011

**LOCATION:** Part of Lot 15, Concession 9

**APPLICATION:** Gemini Urban Design (W) Corp.

**CITY OF VAUGHAN**



**LANDS SUBJECT TO  
AMENDMENT NO. 38**

## APPENDIX I

The lands subject to this By-law are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street, being Part of the East Half of Lot 15, Concession 9, City of Vaughan.

The purpose of this Amendment is to amend the Vaughan Official Plan 2010 ("VOP 2010"), to permit the development of 111 townhouse units to be served by common element roads. Site-specific development standards shall be established in the implementing zoning by-law.

On January 29, 2019 Vaughan Council ratified the January 22, 2019 recommendation of the Committee of the Whole, to approve Official Plan Amendment File OP.17.011 (Gemini Urban Design (W) Corp.) as follows (in part):


- "1. THAT Official Plan Amendment File OP.17.011 (Gemini Urban Design (W) Corp.) BE APPROVED, to amend the following policies of Vaughan Official Plan 2010 ("VOP 2010") for the Subject Lands:
  - a) Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2 respecting new development within established "Community Areas" to permit the development of 111 townhouse units."

**6061 AND 6079 RUTHERFORD ROAD  
AND 134 AND 140 SIMMONS STREET  
THIS IS PART OF SCHEDULE 13 - LAND USE  
TO VAUGHAN OFFICIAL PLAN 2010, VOLUME 1**



**APPENDIX II  
EXISTING LAND USES  
OFFICIAL PLAN AMENDMENT NO. 38**

**FILE:** OP.17.011  
**RELATED FILES:** Z.17.031, 19T-17V011  
**LOCATION:** Part of Lot 15, Concession 9  
**APPLICANT:** Gemini Urban Design (W) Corp.  
**CITY OF VAUGHAN**

 **LANDS SUBJECT TO  
AMENDMENT NO. 38**

**COMMUNICATION – C36  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 52, Item 1**

***Dario Di Giannantonio***

9348 Hwy 27,  
Vaughan, On. L4H 4Y6  
647-444-0758 905-893-7295  
Email: [Dario5466@gmail.com](mailto:Dario5466@gmail.com)  
[Casablancacentres@gmail.com](mailto:Casablancacentres@gmail.com)

City of Vaughan  
City Clerk's Office  
Committee of the whole  
2141 Major Mackenzie Drive.,  
Vaughan, On. L6A 1T1

Messrs. Mayor and Members of Council-Committee of the Whole

Re: Committee of the Whole (Public Meeting) Tuesday, November 03, 2020  
File Bl.60E.2018  
Block 60 East Landowners Group Inc. Block Plan

We wish to acknowledge the application for Block Plan 60E and understand that this is a comprehensive planning process that is initiated by Block landowners and not the municipality.

After reviewing the proposed block plan with information provided by planning staff there are a number of concerns that we hope will be addressed in this process that have a direct affect and may be detrimental to us in Block 53 (abuts block 60E and runs from Rutherford Rd to Major Mackenzie Dr.).

1. We are aware and knowledgeable to the fact that the city is nearing completion of its Interim Servicing Strategy (ISS) Study. This showing two outlets for sanitary/storms at Royalparkway and the Huntington Road sanitary sewer at Block 61.

**Question: Does this Interim Servicing Strategy (ISS) initiated NOT by Block 60E landowners but by the city include consideration for our Block 53?**

York Region staff identified that the proposed 60E Block would be serviced by the future regional servicing north of Rutherford as part of the Region's West Vaughan Servicing Phase 2, beyond the 10-year capital plan.

**Question: Does the West Vaughan servicing plan by York Region take Block 53 into consideration and allocations?**

2. **From where is Block 60E receiving its trunk natural gas line?**


Our Block 53 has been left in limbo with NO servicing of natural gas from Rutherford Rd to Major Mackenzie Dr. Land owners on both sides of 27 are on propane or oil.

Block 60E has a road conveniently connecting the block through the center of Block 53, two (2) entrances for a projected 3500-person community appears sparse when taking traffic, transportation and emergency service access. This is our observation in light of what has been presented by the Block 60E.

We sincerely hope you will take Block 53 in strong consideration before you finalize the Block 60E.

We respectfully submit our comments and concerns with the community's best interest at heart.

Best wishes, stay safe and healthy,

A handwritten signature in black ink, appearing to read 'Dario Di Giannantonio', written over a light blue horizontal line.

DARIO DI GIANNANTONIO

Director/c

CC; Fiora Di Giannantonio  
Emireno Di Giannantonio  
Fiora Catering Limited  
DDiGiannantonio Holdings & Dev

**COMMUNICATION – C37  
Council – November 17, 2020  
Committee of the Whole (Public Meeting)  
Report No. 52, Item 1**

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**From:** David Milano <DMilano@mgp.ca>  
**Sent:** Wednesday, November 04, 2020 11:56 AM  
**To:** Clerks@vaughan.ca  
**Subject:** [External] Nov 3, 2020 CoW Public Hearing - Correspondence

Good Morning,

This is regarding the item on the Committee of the Whole Public Hearing meeting last night – File BL.60E.2018 Block 60 East Block Plan Preliminary Report. My office, MGP gave a presentation on behalf of the applicant.

There were two pieces of correspondence attached to the agenda item. During the meeting, it was brought up that another piece of correspondence was forwarded to the City Clerk that morning by Councillor Jackson, from Dario Di Giannantonio. I am wondering if you are able to circulate this piece of correspondence as it is in response to the Block Plan report. If not, can you please let me know what meeting this correspondence will be brought to.

Thank you,

David Milano  
Planner



*40 years of making great places.*

T: 905.513.0170 x131 M: 416.525.8525

140 Renfrew Drive, Suite 201, Markham, ON, L3R 6B3 Canada [www.mgp.ca](http://www.mgp.ca)

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**COMMUNICATION – C38  
Council – November 17, 2020  
Committee of the Whole  
Report No. 54, Item 9**

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**From:** Nadia Zuccaro <[nzuccaro@emcgroup.ca](mailto:nzuccaro@emcgroup.ca)>  
**Sent:** Tuesday, November 10, 2020 10:45 AM  
**To:** Ciampa, Gina <[Gina.Ciampa@vaughan.ca](mailto:Gina.Ciampa@vaughan.ca)>  
**Subject:** [External] FW: Recommended Closure of Stegman's at Napier Street

Hi Gina, I tried to send this email to Marilyn but it keeps bouncing back. Can you please pass it along to her.

Thank you,

Nadia Zuccaro  
EMC Group Limited

---

**From:** Nadia Zuccaro [<mailto:nzuccaro@emcgroup.ca>]  
**Sent:** Tuesday, November 10, 2020 10:42 AM  
**To:** 'marilyn.iafrate@vaughan.ca.' <[marilyn.iafrate@vaughan.ca](mailto:marilyn.iafrate@vaughan.ca).>  
**Subject:** Recommended Closure of Stegman's at Napier Street

Hi Marilyn,

I hope you are doing well.

We just came across item No.9 on the November 10<sup>th</sup> CoW Agenda regarding the closure of the intersection of the Napier Street at Stegman's Mill.

We are very pleased to see the resolution, and we support and applaud your efforts in working towards a solution to this very dangerous intersection.

We were not part of the petition that was circulated, however since our family own the properties: 6 Napier Street, 376 Stegman's Mill and 31 Napier Street we wanted to express our support.

We would be more than happy to work with staff to come up with a solution and provide some suggestions if required.

Regards,

Nadia Zuccaro, MCIP, RPP  
Planner

**EMC Group Limited**  
**Engineers, Planners, Project Managers**  
7577 Keele Street, Suite 200, Vaughan, Ontario, L4K 4X3

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[www.emcgroup.ca](http://www.emcgroup.ca)

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**COMMUNICATION – C39  
Council – November 17, 2020  
Committee of the Whole  
Report No. 54, Item 9**

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

From: Maria Pizzitola [REDACTED]

Sent: Wednesday, November 11, 2020 11:46 AM

To: Clerks@vaughan.ca

Cc: Iafrate, Marilyn <Marilyn.Iafrate@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; Jackson, Linda <Linda.Jackson@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>

Subject: [External] Road Closure at Napier and Stegmans (Agenda#9: Nov.10/20 Meeting)

Good morning,

I was in attendance in yesterdays' Committee of the Whole Meeting, item # 9, as well as a speaker in full support of the closure of Napier and Stegmans Mill.

Please see attached letter for your review.

## Road Closure of Napier and Stegmans

It is disheartening to see how

- a list of signatures in support of closure,
- real accounts of residential experiences who live and breathe the reality on a daily,
- the obvious topography of the village (narrow streets, no sidewalks, 3 blind spots at the top hair pin turn, steep hill,
- not a modern day suburb,
- being a tourist attraction site, naturally drawing in cyclists, and families strolling the quaint streets,

are not enough reasons to deem it necessary for request of closure to be taken seriously with immediate action.

### **Does a child have to get hit and then action required?**

There are numerous studies conducted in the recent past. Just multiply and intensify the outcome. We are a *site-specific area*, with *unique circumstances* and as a resident who has gotten into an accident, am urgently requesting immediate action be taken.

In response to what some of the points Councillors DeFrancesca, Carella and Rocca said:

### **In response to Councillor DeFrancesca's points:**

The Kleinburg core is unique:

- if a comparison be made, then it need be with apples to apples
- cannot compare a modern day suburban subdivision like Weston Downs as DeFrancesca did with the town of Kleinburg (I have family who lives in Weston Downs and children who go to school there so I know it well)
- historic** community was built over **100 years ago**
- the roads are not wide,
- there are no sidewalks, and if there are, cars will ignore no parking signs and park on them
- homes are built practically on the street,
- meant for horse and buggy
- *Modern day* suburbs are built: –
  - to accommodate the large vehicles people now drive, like SUV's
  - accomodate traffic and volume
  - keep driving visibility open
  - keep pedestrians safe with designated walking areas
  - with the intent of having all the above in mind

***In addition, being an historic town, this draw in tourists, cyclists, and pedestrians to add to the already strained limited space.***

**Carella/Transportation** speaker: in response to your comment about more public consultation needed:

*-what more studies are needed when you have signatures pleading for the closure?*

-I would invite you to sit on my porch to get a first hand account of the fear I live in on a daily basis as my heart pounds out of my chest when my children walk and hope they will not be victim to a speeding driver. Or having to fear for the very life one is trying to maintain with a daily fitness regimen of walking when crossing the intersection of Stegmans and Napier as vehicles are going at great speeds with no visibility or concern for pedestrians.

### **Does someone have to die before action is taken?**

**Councillor Carella** who stated that the 427 extension would be a solution:

-not sure if he is aware, the last 12 months literally thousands of new homes taken possession by home owners in neighboring communities

-living in the village, you begin to recognize the patterns of people

-many of the speeding vehicles are coming in from nearby neighborhoods to get to either Woodbridge, Maple or Richmondhill -905 destination -where they work or children go to school, not a relevant point for this specific street. Comment out of context.

***-This is a long overdue solution to a problem that has been left alone for too long.***

### **Councillor Racco:**

-it is disappointing to be hearing comments from a Councillor who has not taken the time or done the research for this site specific neighbourhood

- **Councillor Jackson and Councillor Iafrate** seemed to be the only two who had taken the time to research the area, and seemed to know the area well

- Comments cannot be made if one does not know the facts and listens to the immediate residents who are *affected* by the problem on a *daily basis*.

### *In Closing:*

Seeing these are city owned streets, it is possible to forego further studies to close off this intersection. It is imperative.

-unanimous decision by residents for closure with petition provided

-if fire truck access is a concern, removable barriers can be in place

-if money is a concern, inexpensive plants can be strategically placed to enhance the landscape as well as serve the purpose

A concerned resident,

Maria



DESIGN  
PLAN  
SERVICES  
TOWN  
PLANNING  
CONSULTANTS

Brandon Correia, BES PMP  
Manager, Special Projects  
City of Vaughan  
Office of the Deputy City Manager  
Planning and Growth Management Portfolio  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

**COMMUNICATION – C40  
Council – November 17, 2020  
Committee of the Whole (Public  
Meeting)  
Report No. 50, Item 1**

By e-mail: [brandon.correia@vaughan.ca](mailto:brandon.correia@vaughan.ca)

Thursday October 22<sup>nd</sup>, 2020

DPS File: 1984

**RE: Vaughan City-Wide Comprehensive Zoning By-Law Review  
10150 Keele Street, 9920 Keele street & 9 & 11 Church Street, Vaughan  
Comments on Third Draft Zoning By-law**

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We are writing this letter on behalf of the owners of the above noted properties in the City of Vaughan. This letter constitutes our formal submission to the City on the comprehensive zoning by-law review, and comments on the third draft zoning by-law released through the City's website and specifically located at <http://www.zonevaughan.ca/> as found on October 13th, 2020.

The lot noted as 10150 Keele Street in the subject line above is located within the block between Keele Street and McQuarrie Lane, North of Killian Road and south of the Maple Library and Community Centre. More specifically, the subject lot at 10150 Keele Street is the most northern lot within the block, just south of the Maple Library and Community Centre. The subject lot at 10150 Keele Street currently does not contain any structures or buildings.

Further, the lots noted as 9, 11 & 15 Church Street in the subject line above are located between Jackson Street and Keele Street, north of Naylon Street and south of Church Street. More specifically, they are located at the southeast corner of Jackson Street and Church Street, fronting onto Church Street. 11 & 15 Church Street are occupied by buildings or structures that may have some cultural heritage value, and the owner acknowledges this and is willing to work with the City to integrate the potential heritage structures into any future use or development of the subject lots.

Page 1

The lot noted as 9920 Keele Street in the subject line above is located south of Church Street and west of Keele Street. More specifically, 9920 Keele Street is located on Keele Street, in between Church Street and Naylor Street.

Regarding 10150 Keele Street, 9920 Keele Street and 9, 11 & 15 Church Street, we note that the subject lots, and some of the immediately abutting land, are designated as “Low-Rise Mixed-Use H3 D1.25” (Maximum Height of 3 Storeys and Maximum Floor Space Index of 1.25 times the area of the site) as shown on Schedule 13 of the Vaughan Official Plan. The “Low-Rise Mixed-Use” designation allows for an integrated mix of residential, community and small scale retail uses intended to serve the local population. This designation also permits residential units in townhouses, stacked townhouses, low-rise buildings (detached houses and semi-detached houses), and public and private institutional buildings, among the other permitted uses.

As per a phone conversation with the undersigned and Brandon Correia on September 30, 2020, it is our understanding that the methodology used for applying the proposed site-specific exception zones consisted of bringing forward existing site-specific exception zones from the current Zoning By-law 1-88 into the new draft by-law. We are in agreement that exception zone 412 which is proposed to be applied to 10150 Keele Street is likely outdated. As per the Official Plan designation of “Low Rise Mixed-Use” applicable to 10150 Keele Street, the “Low-Rise Mixed-Use” designation allows for an integrated mix of residential, community and small scale retail uses intended to serve the local population. As such, removing exception zone 412 entirely in this new draft by-law would bring the proposed new zoning by-law into conformity with the current Official Plan. In addition, we are aware that 9929 Keele St., 9983 Keele st., 9994 Keele St., 10048 Keele St., 10059 Keele St., 10211Keele St., 10037Keele st., and more have had high turnover of tenants for well over 30 years. Today there is quite a lot of empty space that still exists within these and surrounding commercial buildings, and the situation is getting worse. Due to the Covid-19 Pandemic, more and more people appear to be working from home or alternate locations. Another example, 9920 Keele St, which is owned by the same owner as 10150 Keele Street, was used as a DayCare for the last 10 years but now the owner is struggling to sell or lease that location/space as office space. It is our opinion based on the history provided by the owner that additional office space is not needed as there is plenty of empty space available in the immediate area. Additional residential space is needed as there is a lack of supply, and this land is designated to permit a wide variety of land uses. Furthermore, 10037 Keele Street and 10150 Keele Street are both zoned “C1” as per Zoning By-law 1-88. However, 10037 Keele Street is proposed to be zoned “MMS” with no exception while 10150 Keele Street is proposed to be zoned “MMS” exception zone 412. What is the justification for doing so?

In regards to 9, 11 & 15 Church Street, it is our professional opinion that permitting semi-detached dwellings through a site-specific exception zone on the properties known as 9, 11 & 15 Church Street will increase the range of options on this site, and therefore, increase the flexibility to preserve the heritage aspects of these lots. As well, the Official Plan designation of “Low-Rise Mixed-Use” applicable to 9, 11 & 15 Church Street permits residential units in the following building types; townhouses, stacked townhouses, low-rise buildings (detached houses and semi-detached houses). As such, permitting semi-detached dwellings or single detached dwellings on 25 ft lots on the properties known as 9, 11 & 15 Church Street will also bring the proposed new zoning by-law into conformity with the Official Plan. Further, 9, 11 & 15 Church Street are directly adjacent to a Mosque which is to the east of the properties, to the south is a 3-storey condominium building and there are 3-storey townhouse dwellings directly across the street from the properties to the north. As such, it is our opinion that either 2 semi-detached or 2 - 25 ft. single detached dwellings are appropriate for the subject properties at 9, 11 & 15 Church Street and should be permitted.

In regards to 9920 Keele Street, it is our professional opinion that exception zone 534 which is proposed to be applied to 9920 Keele Street is also likely outdated. As per the Official Plan designation of "Low Rise Mixed-Use" applicable to 10150 Keele Street, the "Low-Rise Mixed-Use" designation allows for an integrated mix of residential, community and small scale retail uses intended to serve the local population. As such, removing exception zone 534 entirely as it applies to 9920 Keele Street would bring the proposed new zoning by-law into conformity with the Official Plan.

On October 14th, 2020 the City of Vaughan held a live-stream public open house to discuss the Comprehensive Zoning By-law Review and some key recent changes that are proposed with the Third Draft Zoning By-law. During the live-stream public open house, Bobby Gauthier and Bradon Correia both had reiterated that they would like to examine the Exception Zones brought forward from Zoning By-law 1-88 in more detail. As well, Bobby Gauthier and Brandon Correia also both mentioned that they want the Zoning By-law to be as permissive as possible and they do not want to impose any unnecessary restrictions.

In addition, we would note that the Province of Ontario has recently released "A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)". This plan reinforces that all municipalities in the Growth Plan area should be looking at encouraging intensification throughout the built up area and to achieve complete communities that can provide a variety of choices for living, working and playing throughout an entire lifetime.

The "Zoning Strategy Report" dated March 2018, prepared by WSP Group indicates that any revisions to the zoning by-law must be consistent and conform to the Official Plan for the City of Vaughan. We agree with this premise, and believe that the changes to the third draft zoning by-law being requested through this letter conforms to the Official Plan and would further the goal of the Comprehensive Zoning By-law Review in a more efficient and appropriate way. We believe the changes suggested in this correspondence could be done at this time while the opportunity presents itself through this Comprehensive Zoning By-Law Review. A stated goal of the Comprehensive Review of the Zoning By-Law is that:

*"due consideration must be given to developing a zoning regime that is intuitively structured, easily interpreted, and efficiently administered. With these principles in mind, regard for developing an effective zoning bylaw that communicates both complex technical standards and concepts clearly and efficiently must be a principal of this exercise."*

We agree that this is an important consideration in any by-law, and would encourage the City to allow a broader range of uses and lot types for the subject lots, which will make the application of the by-law more efficient for the City.

We would be happy to discuss these comments further with the City at your convenience. Should you have any questions or concerns please do not hesitate to contact the undersigned.



Sincerely,

**DESIGN PLAN SERVICES INC.**



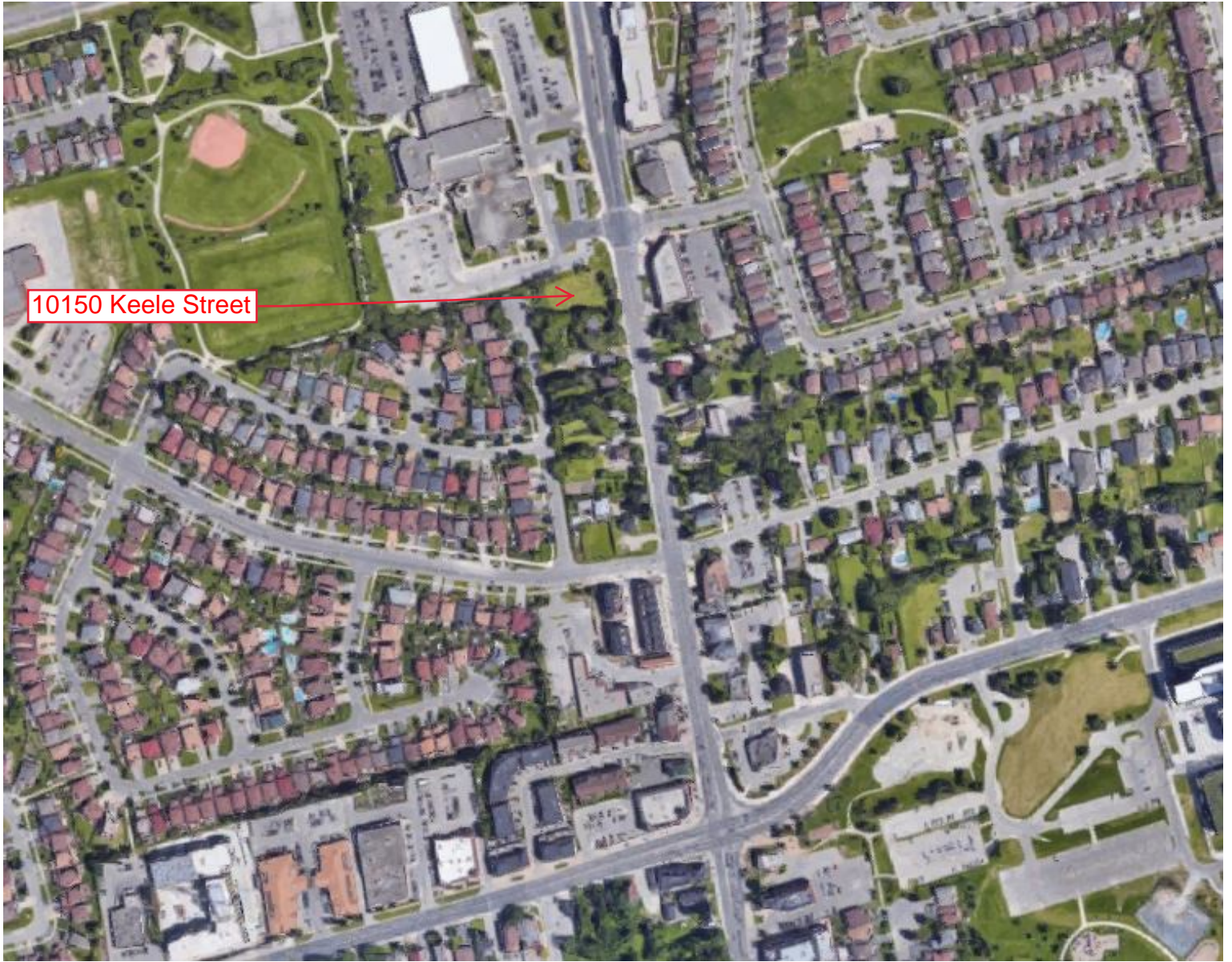
**T.J. Cieciora, MSc MCIP RPP  
PRESIDENT**

Encl.

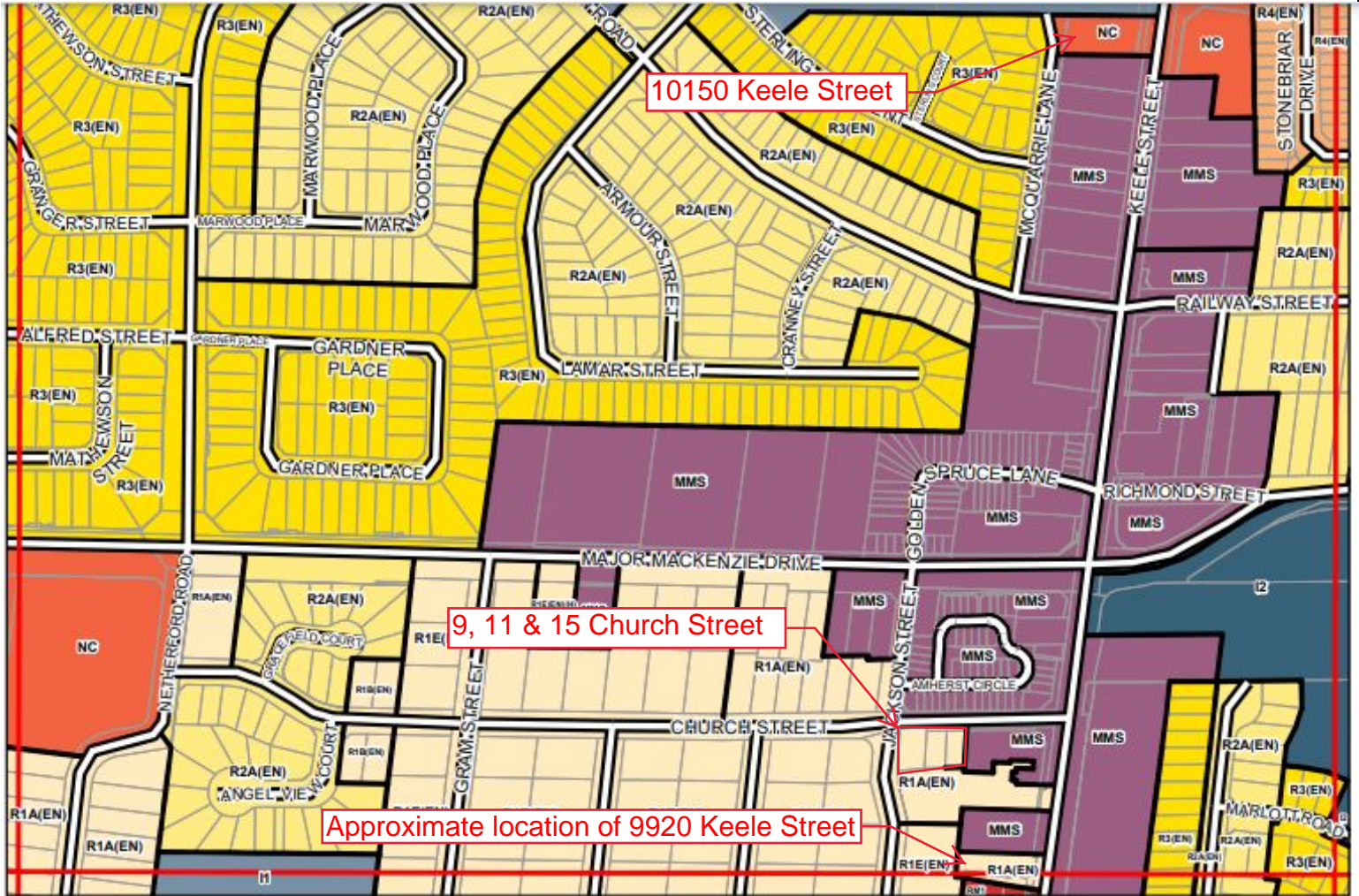
TJC/DI

Cc. R. Tomasone  
G. Mosillo



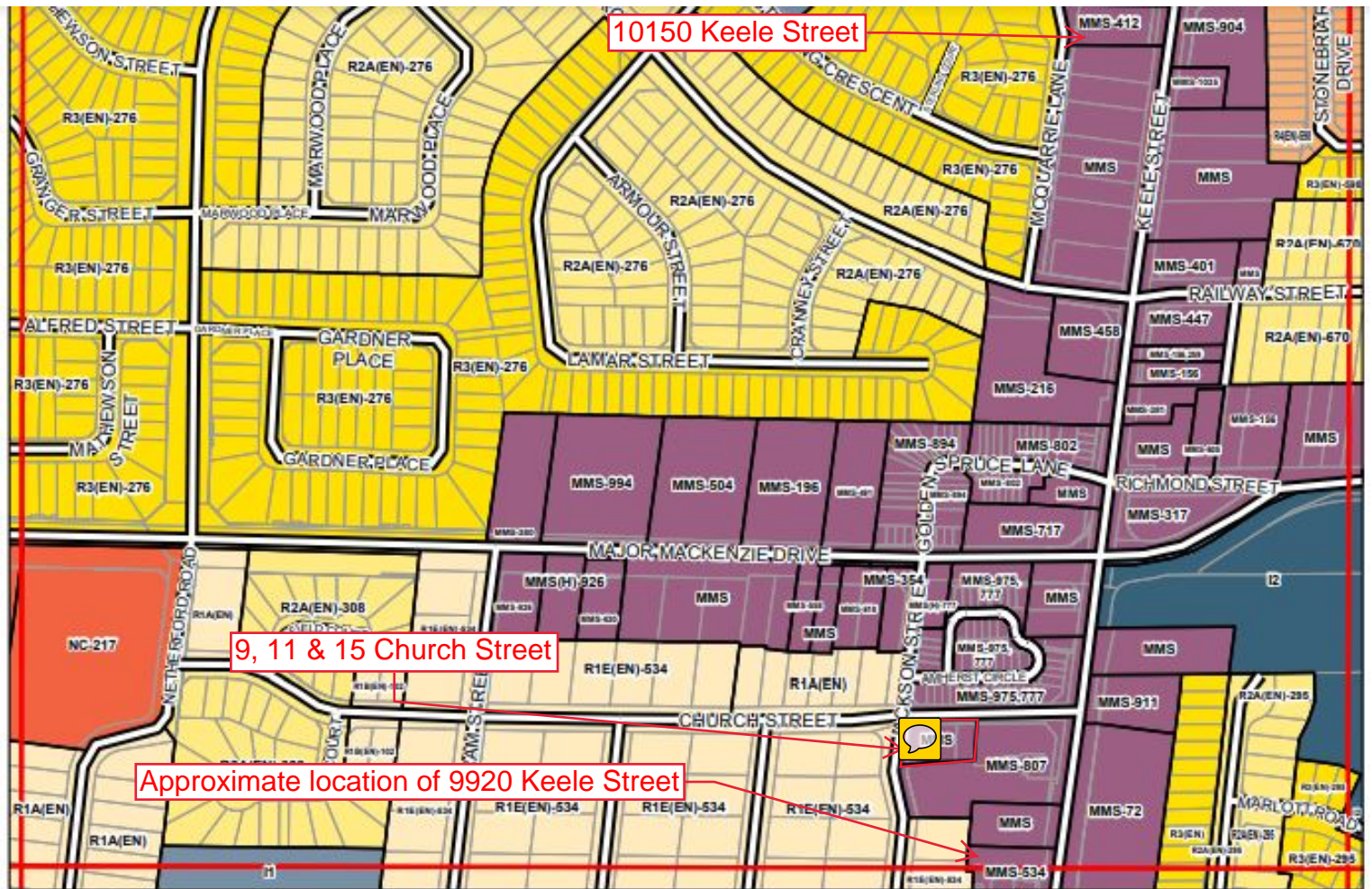






- Conservation, Open Space and Agricultural Zones**
  - A (Agriculture Zone)
  - OS (Public Open Space Zone)
  - GR (Golf Recreation Zone)
  - C (Conservation Zone)
- Vaughan Metropolitan Centre Zones**
  - V1 (Station Precinct Zone)
  - V2 (South Precinct Zone)
  - V3 (Neighbourhood Precinct Zone)
  - V4 (Employment Precinct Zone)
- Residential Zones**
  - R1 (First Residential Zone)
  - R2 (Second Residential Zone)
  - R3 (Third Residential Zone)
  - R4 (Fourth Residential Zone)
  - R5 (Fifth Residential Zone)
  - RT (Townhouse Zone)
  - RM1 (Multiple Residential Zone 1)
  - RM2 (Multiple Residential Zone 2)
  - RE (Estate Residential Zone)
- Commercial Zones**
  - GC (General Commercial Zone)
  - NC (Neighbourhood Commercial Zone)
  - CC (Convenience Commercial Zone)
  - SC (Service Commercial Zone)
- Mixed-Use Zones**
  - LMU (Low-Rise Mixed-Use Zone)
  - MMU (Mid-Rise Mixed-Use Zone)
  - HMU (High-Rise Mixed-Use Zone)
  - GMU (General Mixed-Use Zone)
- Employment Zones**
  - EM1 (Prestige Employment Zone)
  - EM2 (General Employment Zone)
  - EM3 (Mineral Aggregate Operation Zone)
- Other Zones**
  - I1 (General Institutional Zone)
  - I2 (Major Institutional Zone)
  - U (Utility Zone)
  - FD (Future Development Zone)
  - PB1 (Parkway Belt Public Use Zone)
  - PB2 (Parkway Belt Complementary Use Zone)

VAUGHAN WSP				
204	205	206	207	208
184	185	186	187	188
165	166	167	168	169
146	147	148	149	150
128	129	130	131	132



10150 Keele Street

9, 11 & 15 Church Street

Approximate location of 9920 Keele Street

**Conservation, Open Space and Agricultural Zones**

- A (Agriculture Zone)
  - O61 (Public Open Space Zone)
  - O62 (Private Open Space Zone)
  - EP (Environmental Protection Zone)
- Vaughan Metropolitan Centre Zones**
- V1 (Station Precinct Zone)
  - V2 (South Precinct Zone)
  - V3 (Neighbourhood Precinct Zone)
  - V4 (Employment Precinct Zone)

**Residential Zones**

- R1 (First Residential Zone)
- R2 (Second Residential Zone)
- R3 (Third Residential Zone)
- R4 (Fourth Residential Zone)
- R5 (Fifth Residential Zone)
- RT (Townhouse Zone)
- RM1 (Multiple Residential Zone 1)
- RM2 (Multiple Residential Zone 2)
- RS (Estate Residential Zone)

**Commercial Zones**

- GC (General Commercial Zone)
  - NC (Neighbourhood Commercial Zone)
  - CC (Convenience Commercial Zone)
  - SC (Service Commercial Zone)
- Mixed-Use Zones**
- LMU (Low-Rise Mixed-Use Zone)
  - MMU (Mid-Rise Mixed-Use Zone)
  - HMU (High-Rise Mixed-Use Zone)
  - GMU (General Mixed-Use Zone)

**Employment Zones**

- EMU (Employment Commercial Mixed-Use Zone)
- KMS (Main Street Mixed-Use - Kleinburg Zone)
- MMS (Main Street Mixed-Use - Maple Zone)
- WMS (Main Street Mixed-Use - Woodbridge Zone)
- EM1 (Prestige Employment Zone)
- EM2 (General Employment Zone)
- EM3 (Mineral Aggregate Operation Zone)

**Other Zones**

- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
- PB1 (Parkway Belt Public Use Zone)
- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)

**VAUGHAN WSP**

204	205	206	207	208
184	185	186	187	188
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3-Storey Condominium Building.





3-Storey Townhouse Dwellings





3-storey Townhouse Dwellings on the east side of Keele

Townhouse Dwellings directly south of 9920 Keele Street





**TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL**

**FROM: NICK SPENSIERI, DEPUTY CITY MANAGER, INFRASTRUCTURE DEVELOPMENT**

**DATE: NOVEMBER 17, 2020**

**RE: COMMUNICATION ADMINISTRATIVE AMENDMENT TO BY-LAW 092-2020**

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**Recommendation**

The Deputy City Manager, Infrastructure Development recommends:

1. That By-law 092-2020 be amended by deleting Section ki) xviii) of Exception 9 (1500) , to be replaced with the following:

“Section 37

The maximum Gross Floor Area of 181,014.60 m<sup>2</sup> shall be conditional until such time as the Owner pays to the City a Section 37 contribution in the amount of \$1,093,781.00 prior to the issuance of the first Building Permit for any below grade structure(s) to the satisfaction of the City and in accordance with the executed Section 37 agreement between the City and the Owner dated June 25, 2020.”

**Background**

On June 29, 2020, Vaughan Council enacted By-law 092-2020, which amends the City of Vaughan Zoning By-law 1-88 to facilitate the development of a mixed-use proposal on lands municipally known as 3301 Highway 7.

Section ki) xviii) of Exception 9 (1500) on By-law 092-2020 requires the payment of a Section 37 contribution in accordance with the corresponding executed agreement specified as follows:

**“Section 37**

The maximum Gross Floor Area of 181,014.60 m<sup>2</sup> shall be conditional until such time as the Owner pays to the City a Section 37 contribution in the amount of \$1,093,781.00 prior to the issuance of the first Building Permit for any below grade structure(s) to the satisfaction of the City and in accordance with the executed Section 37 agreement between the City and the Owner dated June xx, 2020.”

The executed date of the Section 37 agreement was inadvertently not inserted into the draft by-law prior to the enactment of By-law 092-2020. In this regard, an administrative correction is now required to amend By-law 092-2020 to incorporate the Section 37 agreement execution date of June 25, 2020. No other amendments are proposed.

**Conclusion**

The VMC Program recommends that Council approve the administrative amendment to By-law 092-2020 as per Recommendation 1. This recommendation is in keeping with Council’s original approval on June 29, 2020.

**Prepared By**

Jessica Kwan, VMC Senior Planner, ext. 8814  
Amy Roots, VMC Senior Manager, ext. 8035  
Christina Bruce, Director, VMC Program, ext. 8231

Respectfully submitted,



Nick Spensieri  
Deputy City Manager, Infrastructure Development

Copy to: Todd Coles, City Clerk

**C 42**  
**COMMUNICATION**  
**Council – November 17, 2020**  
**Item: Ceremonial Presentation #1**

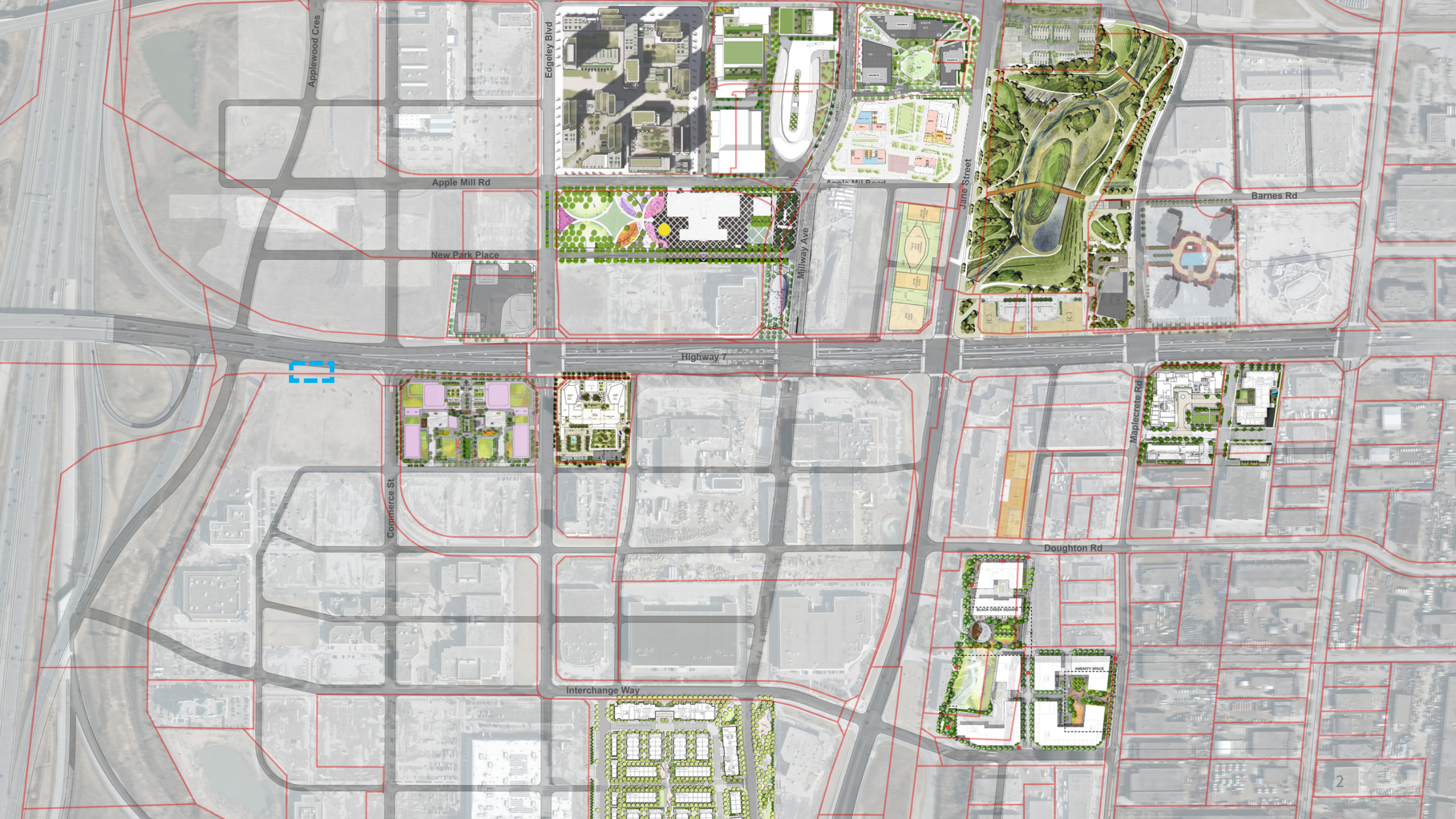
# **FIRST Temporary Public Art Installation at the VMC**



DOWNTOWN

**vaughan**

METROPOLITAN CENTRE



Applewood Cres

Apple Mill Rd

New Park Place

Edgeley Blvd

Millway Ave

Highway 7

Jane Street

Barnes Rd

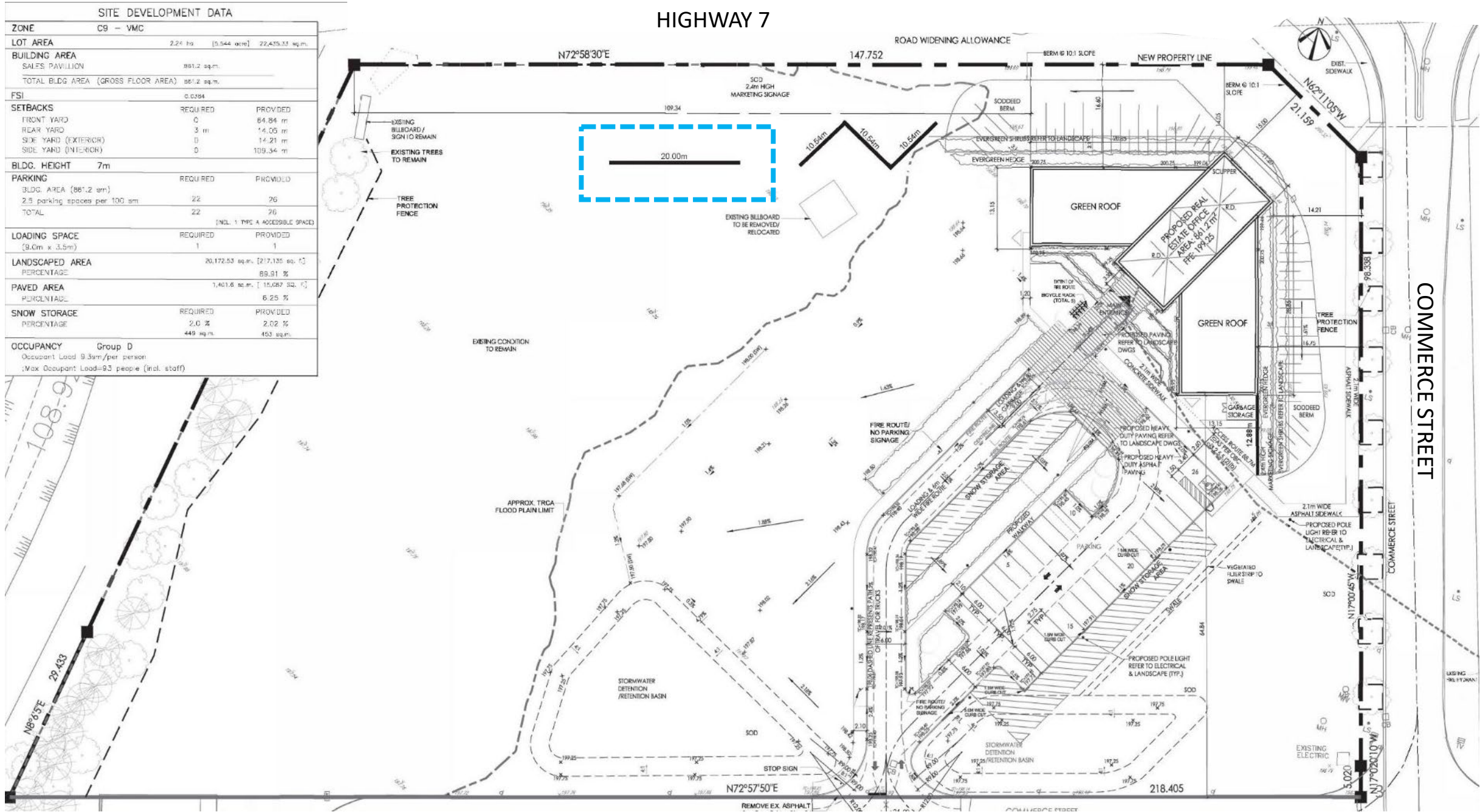
Commerce St

Maplecrete Rd

Doughton Rd

Interchange Way

SITE DEVELOPMENT DATA		
ZONE	C9 - VMC	
LOT AREA	2.24 ha	[0.944 acre] 22,435.33 sq.m.
BUILDING AREA	861.2 sq.m.	
SALES PAVILION	861.2 sq.m.	
TOTAL BLDG AREA (GROSS FLOOR AREA)	861.2 sq.m.	
FSI	0.0384	
SETBACKS	REQUIRED	PROVIDED
FRONT YARD	0	64.84 m
REAR YARD	3 m	14.05 m
SIDE YARD (EXTERIOR)	0	14.21 m
SIDE YARD (INTERIOR)	0	109.34 m
BLDG. HEIGHT	7m	
PARKING	REQUIRED	PROVIDED
BLDG. AREA (861.2 sq.m)		
2.5 parking spaces per 100 sq.m	22	76
TOTAL	22	76
	[INCL. 1 TYPE A ACCESSIBLE SPACE]	
LOADING SPACE	REQUIRED	PROVIDED
(9.0m x 3.5m)	1	1
LANDSCAPED AREA	20,172.53 sq.m. [217,135 sq. ft.]	
PERCENTAGE	89.91 %	
PAVED AREA	1,401.6 sq.m. [15,087 sq. ft.]	
PERCENTAGE	6.25 %	
SNOW STORAGE	REQUIRED	PROVIDED
PERCENTAGE	2.0 %	2.02 %
	449 sq.m.	453 sq.m.
OCCUPANCY	Group D	
Occupant Load	9.3sqm/per person	
Max Occupant Load	=93 people (incl. staff)	





DESIGN IS PEOPLE.







SUBWAY

VAUGHAN METROPOLITAN CENTRE



DOWNTOWN

**vaughan**

METROPOLITAN CENTRE