

WARD COUNCILLOR ROSANNA DEFRANCESCA

Vaughan City Hall, Level 400
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May 10, 2021

Dear Councillor De Francesca

I am writing to inform you that I have just recently been made aware of the May 12, 2021 Committee of the Whole (2) Report for 4101 Rutherford Rd. Development Project with its intention to fast track the approval of the Developer's project with minimal overall beneficial changes as requested by the residents surrounding it. I am reflecting concerns for my parents and their neighbours who live on Velmar Drive across the street of the Proposed Development. In addition, I am expressing further concerns of the residents of Santa Barbara Place of which I am one.

As you well know the Weston Downs community at large also raised strong concerns about the Developer's project as it presented a grossly unsightly design and scale. To date there has been permitted only one Community meeting to allow residents of Weston Downs community, and in particular that of the residents that will be immediately adversely impacted by the Development, to view material and address the concerns over the proposal that goes far beyond the VOP 2010 standards. That meeting was on Nov 21, 2019. Unfortunately under the guise of the COVID-19 restrictions, further community input and transparency of the review process has been severely limited. At that meeting the residents were promised that they would be given another opportunity to openly review and comment on the modifications to the Initial proposal, to ensure reasonable and acceptable adjustments where to be made, before council would consider approval. The planning department which had from the start unsympathetically supported the dramatic overdevelopment in a long well-established community of over 30 years, appears to have made little of the concerns of the residents who live every day in the community to which we all have contributed to in significant ways for many decades.

I hope Vaughan Council will not also be equally dismissive of our thoughts and concerns for the changes to be forced upon us, which are to the likely benefit of a few while transferring substantial negative impacts on many of the hard working citizens of this community. In principal I am not opposed to development in a community, however fairness in the process and appropriate balance of sensitivities should be required.

In the spirit of good citizenship and “value of participating in the process”, I have listed below some of my concerns about what appears to be rather dramatic one-sided concessions towards one land owner over others.

The VOP 2010 outlines the requirements for a RA2 Apartment Residential Zoning requirements. The location had previously (in 2016) been designated to permit at maximum a 4 storey building with a density FSI of 1.5. There now appears to be highly questionable criteria used to justify approval of so many variances that exceed zoning requirements.

	VOP 2010	RA2 Apartment Residential Zone <i>Requirement</i>	4101 Rutherford Proposed Exceptions	% Detrimental Change
1.	Building Height	4 storeys	3 - 6 storeys	50 % increase
2.	Floor Space Index	1.5 times area of lot	2.72 times	81 % increase
3.	Mechanical services	To fit within Building Height requirements	7 th floor (Minimized to North face)	Additional building height > Further 25 % increase
4.	Minimum Parking Spaces	300	274	↓ 9.5 %
5.	Minimum Amenity Area	4,135 m ²	2,295 m ²	↓ 45 %
6.	Minimum Building Setbacks	Front Yard - 7.5 m	3.0 m	↓ 60 %
		Interior Side Yard - 10.5 m	2.65 m	↓ 76 %
		Exterior Side Yard - 7.5 m	3.0 m	↓ 60%
		Rear Yard - 7.5 m	5.0 m	↓ 33%
		Sight Triangle - 3.0 m	0.0 m	↓ 100%
7.	Permitted exterior encroachment side yard	1.8 m	2.4 m	↓ reduced side yards

Table of Weston Downs Residents *somewhat* Beneficial Changes from Developer’s **Initial** Proposal.

		Developer’s Initial proposal	Proposed Exceptions to RA2 requirement	% Change	Developer’s Latest proposal
1.	Total GFA	13,035 m ²	11,406 m ²	↓ 12.5%	This reduction is more then made up for by cutting down the required Amenity space by 1840 m²
2.	FSI	3.14	2.75	↓ 12.7%	still 81% above VOP 2010

Upon reviewing the above tables one can see that all variances recommended for approval have in fact been to give the Developer the maximum ability to intensify the saleable square footage **on his plot of land** way beyond all VOP 2010 design standards, with little consideration to the actual negative impacts on the **neighbours properties** and the neighborhood overall.

The Developer is being permitted to eliminate 1840 m² of Amenity space and convert that into an equivalent of 19,805 sq Ft of additional condo units (that value to developer is magnitudes greater than the \$622,000 contribution towards community benefits) !

Many of the zoning variances referenced above are in fact not minor as the planning Department otherwise suggests and need closer scrutiny. The report is also troublesome as it references Recommendation 6. THAT the owner be permitted to apply for further minor variance if required before the second anniversary of the effective implementation Zoning By-law approval. What further changes might this permit that could be detrimental to the residents in the community?

I would like to add a few more comments on some of my concerns about the project.

- The building façade and architecture design materials and colour palette is not in keeping with overall standard of Weston Downs. It is un-appealing and fixes features that are unlikely to ever be modified to a more upscale look that is the general overall characteristic of Weston Downs residences. It is important to get it right from the start, as it has always been easier to progressively upgrade the look of individual residences versus the whole of 6+ storey building once it is set.
- Although the so called **typology** along Velmar Drive has been reduced to 3 storeys, it has been pulled closer to the fronting residences by reducing the required zoning mandated front yard setbacks, all these metrics have been dramatically reduced (60-100%) for this developer. Looking out the front windows the residents on Velmar will have their sky view obstructed not only by a 3 story front building that is at least 60 ft closer than the present commercial structure, but they will also obviously have a further 6+ storey Tall structure behind it and adjacent to it casting shadows and taking away a pleasant skyline. A terraced floor plan would greatly soften the view and enhance the quality of at least some of the units. The present concept of the 3 storey fronting the residential road look like ugly Brown cubicles that look more like cages overhanging the very extreme non-existing front line setback.
- The appeal of the design should meet the general approval of residents who will have to perpetually look at and daily drive by the new project and be affected by any negative changes in characteristics of a new addition to our neighbourhood. There were drawings provided recently by the planning

department which demonstrated a more appealing Architectural design that the Builder ultimately rejected, why?

The Planning Department now suggests all of the variances requested by the property owner are minor and reasonable to approve, however none of them are of benefit to the residents and the Weston Downs community.

It appears that the variances being permitted are for the benefit to further increase the values of the developer's land and the profitability of his project, while simultaneously negatively impacting the values of the home owners living on Velmar Drive and in particular immediately across, and more broadly throughout Weston Downs.

Further difficulties for the Development Proposal are adding to the yet unfixed traffic congestion problems previously created by the Planning Department and Council by permitting expanded and intensified development without considering the future of inadequately designed road structures which created significant and growing problems for residents of Santa Barbara Place and the connecting roads including Velmar Drive at Rutherford Road.

- In fact, due to this type of questionable foresight it resulted in failure to foresee complications of poor design and permitted variances that created a high traffic bottleneck resulting in many problems for local residents. The consequences have been previously reported to City Planning Department and Council, and have included multiple incidents of danger with pedestrian injuries and collisions and damages to property and cars, and even a roll over of a SUV. These problems will worsen with increased density intensification in the subdivision along with Vaughan in general. This has resulted in marked increase in cut through traffic and has yet to be fixed in any effective way !!!
- I note that a Traffic Study was done for this project and reported on July 2020. It concluded that despite the Development adding 135 condo units in addition to replacement for the present commercial plaza use, that all these extra residents would only contribute 38 2-way trips in the morning and 44 2-way trips in the evening. I find that very hard to believe and would at least question its validity as it was carried out during the onset of COVID-19 pandemic with its greatly reduced travel pattern. The report makes minor mention of Left turn lanes blocking the ingress and egress from the Development Project and further obstruction to Velmar residents to also get in and out of their driveways. Further the increased traffic on Velmar Dr. across from community park pose increased danger in particular to the children, cyclists and seniors such as my parents who use it for their daily exercise and walks.

- In summary the Planning Department, and by corollary Vaughan Council, if their recommendations are approved without further transparent review and fair engagement of the community's thought and support will be seen as a travesty of bureaucrats hiding behind self serving manipulation of regulations to deliver profit for the few at the cost to the many. It would lend credence to the fact that there has only been **minor** (insignificant) changes requested by the broad previously gathered community in return for the generous permitted variances demanded by the developer. I think we can agree it has been the developer's appetite for maximum profit that has been limited to only "**minor**" concessions.

I hope you and council will permit a fair opportunity for the community to support you in your laudable efforts of serving the community that is worth living in.

I look forward to your and Vaughan Council's response, and apologize for my late submission but as I mentioned earlier there was little advance notice of the particulars and sudden rapidity to now move the project further.

Respectfully,

Michael Pizzuto M.D.