

**COMMUNICATION – C11
COUNCIL – MAY 18, 2021
Committee of the Whole
Report No. 26, Item 4**

From: Britto, John
To: [REDACTED]
Cc: Antoine, Mark
Subject: RE: 4101 Rutherford Road Vaughan - Velmar Centre Property Limited - FILE OP.19.003; Z.19.008; DA.19.042;
Date: Tuesday, May 11, 2021 5:23:56 PM
Attachments: [image002.png](#)
[image004.png](#)

Section 2.1(9)d of the Procedure By-law states: Communications received for a Standing Committee after noon on the last business day prior to the commencement of the meeting may be referred directly to Council.

In view of the above, your email communication, which was received past the noon deadline, will be forwarded to appropriate staff to be processed for receiving at the May 18, 2021 Council meeting.

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From: Rob Salerno [REDACTED]
Sent: Tuesday, May 11, 2021 4:04 PM
To: DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Jackson, Linda <Linda.Jackson@vaughan.ca>; lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Clerks@vaughan.ca; DevelopmentPlanning@vaughan.ca
Cc: Nadia Magarelli [REDACTED]; Lisa Durante [REDACTED]; [REDACTED]; [REDACTED]; Victor Lacaria [REDACTED]; John Losiggio [REDACTED]; [REDACTED]; Kevin Doan <[REDACTED]>
Subject: [External] 4101 Rutherford Road Vaughan - Velmar Centre Property Limited - FILE OP.19.003; Z.19.008; DA.19.042;

Dear Honourable Mayor, Members of Council, City Clerk

My name is Rob Salerno, I live at [REDACTED] Polo Crescent and I am the Vice President of the Weston Downs Ratepayers Association. I have been a resident of Weston Downs since 2004. I grew up in the Jane Finch Corridore and was one of those kids who looked north at Vaughan and aspired to live in a community such as Weston Downs.

The original developers of Weston Downs had a vision of building a planned community. Capped Feature Entrances, Minimum Lot widths, Interlock driveways, etc.... It has been pointed out by City Planners that the Weston Downs (Block 38) Urban Design Guidelines has no merit in the acceptance or rejection of the proposed building at 4101 Rutherford road. But I believe it does. The guidelines provide developers and residents with the “rules” to building in Weston Downs. For years, the guidelines have been adhered to. We see little variance in their application. The guidelines do not provide guidance to the construction of a low- or mid-rise structure in the community. City planners would lead you to believe that this nullifies the guidelines. That the guidelines are antiquated. But the absence of low- or mid-rise structures in the guidelines is by design. There is no guidance because this type of structure was not to be allowed in the community.

Although City Planners have been willing to meet with Community Members, I found planners to be dismissive of Community members concerns. The weight given to our concerns is put at the bottom of the priority list. The landowners’ needs are put at the top. Case in point, the 4101 Rutherford Redevelopment proposal. A proposal that lists 18 variances without a single objection from City planners. In fact, City planners have stated to us that the change from the approved VOP2010 4-story height to 2019 submitted 7 story height is a “subtle change”. If we include a 1 story mechanical floor and increased ceiling heights on the first floor that puts the actual height of the building at 9 stories. By my math that is over 100% increase in height. Does that sound like a subtle change to anyone?

My review of recently approved proposals by council, show that City Planners continually dismiss most community members as Nimby’s. I want to set the record straight, we, the residents of Weston Downs, are not Nimby’s. In 2016 we accepted, through city guidance, to accept the VOP and allow for a building with a maximum height of 4 stories. A plan that was accepted by the community, by the City planners, by the LPAT and by the Landowner himself. The landowner had every opportunity during the planning stage of the VOP to request greater intensification. He did not.

Discussions with City Planners and the landowner have been incredibly futile. City Planners seem to adapt policy from different areas to incorrectly support the landowner’s proposal. In incorrectly siting policy, City Planners have built a perfect system of passing the blame. The City Planners continually site the Province to blame for their decisions. The province provides guidance through the “A place to grow Growth Plan”, The provincial Policy statements and the VOP2010. These plans outline intensification corridors, projected growth, and the rules for how policy is to be applied. The province states that intensification must happen. That is a very true statement, we are in a housing shortage. But the province also states where this level of intensification should happen. Any intensification outside of those must have a strong argument and adhere to the character of the community. Yet planners will use the VOP2010 as the bible in some cases and in other cases they will sight other policies and state that the VOP2010 is dated. The VOP 2010 is an active robust, and balanced plan that is in effect until 2031.

Landowners and City Planners cannot selectively choose policy to make arguments to dismiss community input.

In the last month, the Landowner had been working with city planners to incorporate the community's concerns. Through numerous iterations the landowner had provided a design that was respectful to the community. We, the community, city planners, and the landowner were so close to having a design that everyone could be happy with. Sadly, the landowner abruptly stopped his negotiations and continued with the flawed submission you see in front of you.

Recently it has come to my attention that the Landowner has circumvented this council by submitting his application to the LPAT. I understand that he is sighting delay as his reasoning. The landowner is in his rights to do so. But he is also returning to his original proposal of 2019. A proposal for a 7-story structure with no tiering and a proposed FSI of 3.14. Again, by my math that is over 100% of the approved intensification for this area.

An Intensification that Karen Whitney, York Regions Director of Community Planning and Development, rejected with the following comments:

"The VOP 2010 contains a planned urban structure to ensure orderly city building efforts and contains a hierarchy of intensification areas. The intent is to direct the highest and most intense development to the Vaughan Metropolitan Centre (VMC) Area, while limiting redevelopment in Community Areas and prohibiting development in Natural Heritage Areas. The subject lands are within a Community Area and not within an area identified for intensification. The proposed density of 3.14 FSI is more appropriate for planned intensification areas, such as along a Regional Corridor or within a Region Centre

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The applicant is encouraged to revise their proposal to comply with the role and function of the immediate area and to better reflect the approved heights and densities prescribed by the Vaughan 2010 Official Plan. Please also note that the Regional Official Plan calls for a 43m ROW on Rutherford Road, a widening is required as per the attached technical comments from Development Engineering. "

The widening of Rutherford requires an updated site plan which could require changes to setback and design.

So, I ask council to reject the proposal as it stands. Not because I am a Nimby but because it grossly exceeds the density requirements of Weston Downs. I suggest that council use this opportunity to send a message to landowners and to city planners to build community centric buildings that align with their city growth plan and not the Landowners.

Regards

Rob Salerno,

Vice President, Weston Downs Ratepayers Association

Chief Technology Strategist
Rivit Technology Partners Inc.

Direct: [REDACTED]

