

Honourable Mayor Bevilacqua and Council Members

My name is Nick Ciappa and I have been a Weston Downs resident for over 20 years.

I am here to convince you to reject the rezoning application for 4101 Rutherford.

I hope you, Vaughan Council, are listening and understanding that the majority of Weston Downs residents are against this application for an 8 floor condo (it's not 6 floors as falsely stated but 6 floors plus a 2 floor high, large mechanical enclosure on the roof).

I have reviewed the report issued by Vaughan Planners and I disagree with their conclusions to recommend approval to you.

I have also reviewed the Ontario Growth Plan, and both the York Region and the Vaughan Official Plans, and I conclude, contrary to Vaughan Planners, that this application DOES NOT meet the policies and intent of these documents.

It appears that the developer for this application has written this report for Vaughan Planners, for them to simply endorse. There is no way that a seasoned and unbiased Planning Group could conclude to approve and defend this application.

The main reasons for my disagreement with this report are;

1. The Ontario Growth plan establishes minimum intensification and density targets for Regions and Municipalities to implement.
2. The York Region and VOP Official Plans have identified Regional and Primary Intensification Corridors.
3. **4101 Rutherford is not identified in these Intensification Corridors and therefore this application should be rejected.**
4. **Some key excerpts from VOP-2010 that support rejection are:**

- i. New developments must ensure the character of established communities are maintained.
- ii. New development that respects and reinforces the existing scale, height, character and planned function of the immediate local area is permitted.
- iii. Limited intensification may be permitted in Community Areas but must be sensitive to and compatible with the character, form and planned function of the surrounding context.

5. The York Region Planning was not requested to review this application.

Additional reasons as to why you must reject this application are:

1. A decision by Vaughan Council to approve this application is precedent setting. Approval, will tell property owners/developers that Vaughan Council and Planners will approve any major change to an existing zoning bylaw, regardless of its impact to existing communities.

It will likely result in additional 8+ story rezoning applications, **that will have to be approved by PRECEDENT and will further, change the character of and devalue Weston Downs to the major negative: Like at,**

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- i. **Astona Plaza.**
 - ii. **Residential Property at SW - Rutherford and Babak.**
 - iii. **Plaza at SW - Weston and Rutherford.**
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2. VOP-2010 is still not fully approved.

VOP states, ***“The policies which have NOT been approved are highlighted in yellow throughout.”***

Land Use Schedule 13 – **Has several yellow areas indicating not approved, including the 4101 Rutherford, so H4 designation for this property is NOT APPROVED.** Its’ C3 zoning still legally applies.

3. The Vaughan Comprehensive Zoning Bylaws Update, in its 3rd and final draft, maintains this property as C3. The reason is the C3 zoning for 4101 Rutherford is still legally in force.

4. Vaughan Council ask yourself why there are no 4 to 8+ floor buildings along both Rutherford and Major Mackenzie between Islington and Keele. There are only 1- 3 story high plazas / townhouses & condos. **The reason is simply, it does not fit the character of the surrounding communities.**

5. Zoning Bylaws are critical to reviewing proposed developments in a systematic and ethical manner.

There must be in place, an extremely high set of standards to be met, to significantly change an existing zoning bylaw. This rezoning application does not meet any high standard for change approval.

I want to remind Vaughan Council and Planners that the perception residents have of their actions is of paramount, ethical importance. There is discussion in the community of unethical relationships the owner/developer of 4101 Rutherford, who has submitted this application, has had or is having with Vaughan Council members and Planning staff.

If true, anyone involved or perceived to be involved in any comprising situation with this developer or his agents must recuse themselves from evaluating and/or voting on this application. **Perhaps this entire application should be rejected because of this perception.**

Lastly I want, you Vaughan Council, to reflect on what it says about your character, priorities and work ethics, when the residents of a community, like Weston Downs, organize to hire a Lawyer to defend and litigate for their concerns against a developer, because they cannot trust their Vaughan Elected Officials and Planners to do their due diligence and to support the residents against this very unreasonable rezoning application at 4101 Rutherford.

In closing, I believe I have **presented** you with facts, and I respectfully ask you, **Vaughan Council, to completely reject this rezoning application for 4101 Rutherford and maintain its' C3 zoning.**

Thank you for allowing me to make my case for rejection to you.
