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KLM File: P-2813

June 7, 2021

City of Vaughan
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Communication : C 39
Committee of the Whole (2)
June 8, 2021
Item # 8

Attn: Hon. Mayor Bevilacqua & Members of Council

**Re: Comments on Draft City-wide Comprehensive Zoning By-law
Betovan Construction Limited
City File No's. DA.19.052 & Z.19.009
Municipal Address: 520 Worth Boulevard, City of Vaughan,
Legal Description: Block 114 Plan 65M-2884
City of Vaughan, Region of York**

Hon. Mayor Bevilacqua & Members of Council,

KLM Planning Partners Inc. is the land use planner for Betovan Construction Limited. (the "Owner"), the owners of the above noted lands in reviewing the Draft City-wide Comprehensive Zoning By-law (the "CZBL"). The lands are located west of Bathurst Street and south of Highway 407 on lands municipally known as 520 Worth Boulevard (the "Subject Lands"). The above noted applications for Zoning By-law Amendment and Site Plan Approval were approved by the City of Vaughan Council on May 18, 2021. The lands are currently vacant.

We understand the City of Vaughan (the "City") is undertaking a City-wide comprehensive review of its Zoning By-law to create a progressive By-law with updated, contemporary uses and standards. One of the stated intents of the CZBL is to recognize site-specific approvals that have already gone through a public statutory approval process, and to minimize legal nonconformity to the greatest extent possible. Based on our review of Schedule A – Map 78, the zoning designation for the Subject Lands indicates the subject lands are proposed to be zoned as the R2A without the exceptions approved by Council and should be rectified.

Furthermore, with respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the base zone requirements of the CZBL which has different provisions, additional provisions and different definitions than By-law 1-88.

With respect to the Transition clauses of the CZBL, we do not believe the provisions will ensure approved site plans where building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern.

It would be our preference that the Subject Lands be left out of CZBL and that said lands be governed by Zoning By-law 1-88 until such time as building permits for all lots and blocks have been successfully obtained. To that end, we believe By-law 1-88 should not be repealed; rather, lands which would be subject to the new CZBL could simply be removed from By-law 1-88 while the above noted lands shall remain within and be subject to the provisions of By-law 1-88, as amended. Alternatively, additional clear transition provisions are required that specify that the existing approved zone categories, exceptions and all provisions of By-law 1-88, as amended, continue to apply.

Based on the foregoing, we would request that Committee and Council not include in the resolution, as recommended by staff, that By-law 1-88, as amended, be repealed and that they direct the above changes before the adoption of the CZBL and direct these requested changes prior to adoption. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

We look forward to the opportunity to engage in a collaborative discussion with Council and City staff to ensure the Subject Lands are appropriately zoned to facilitate the development as approved by Vaughan Council.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Rob Lavecchia, B.U.R.Pl.
SENIOR PLANNER II

cc: Betovan Construction Limited
Jim Harnum, City Manager
Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brendan Correia, Manager, Special Projects