

C26
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Natalie Ast](mailto:Natalie.Ast)
To: Clerks@vaughan.ca
Cc: [Brandon Correia](#); "[Armando Lopes](#)"; [Christopher Tanzola](#)
Subject: [External] Agenda Item #8 - Committee of the Whole June 8, 2021 - Vaughan Comprehensive ZBL - 245
Nashville Rd
Date: June-07-21 10:11:52 PM
Attachments: [ltr re Vaughan Comprehensive ZBL 245 Nashville.pdf](#)

Good evening,

On behalf of our client, Di Poce Management Ltd., please find attached correspondence of today's date, in respect of the June 8, 2021 Committee of the Whole Agenda Item #8, Vaughan Comprehensive Zoning By-law. Please do not hesitate to contact us should you have any questions.

Thank you,
Natalie Ast

Overland LLP

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June 7, 2021

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
Comments – Final Draft of By-law
Committee of the Whole Agenda Item #8**

We are the lawyers for Di Poce Management Limited, in respect of the property municipally known as 245 Nashville Road (the “**Subject Site**”), in the City of Vaughan (the “**City**”) and described further below. At this time, we are writing in respect of the above-noted City of Vaughan New Comprehensive Zoning By-law (the “**New By-law**”). We understand that the Committee of the Whole will consider a report from staff recommending that Council adopt the New By-law at its September 27, 2021 Council Meeting.

Further to email correspondence dated November 17, 2020 and attached hereto, we have not had a response from staff regarding issues raised in the letter. Our client had followed up on this correspondence on December 10, 2020 and January 18, 2021 and did not receive further communication from the City. Our client continues to be concerned that the New By-law removes existing development rights with no studies or explanation provided.

Subject Site

The Subject Site is located on the South side of Nashville Road between Highway 27 and Stevenson Avenue in the community of Kleinburg.

The City’s Official Plan designates a large portion of the Subject Site as *Natural Areas* (Core Features and Built-up Valley Lands), with a small western portion of the Subject Site being designated *Low-Rise Residential*, which permits residential uses including detached, single-detached and townhouse buildings. The *Low-Rise Residential* portion of the Subject Site is subject to the *Valley Policy Area A Site-Specific Plan*, which allows for single-detached dwellings with a maximum density of 2 units per hectare.

The final draft of the New By-law proposes to rezone the Subject Site from Open Space (OS-1) and Agricultural (A) to Environmental Protection (EP) and Environmental Protection Site Specific (EP-459), respectively.

Based on our understanding of the final draft of the New By-law, this proposed zoning would remove the existing development permissions that the Subject Site currently has. This is being proposed without consultation with our client, and without a response to our client's request for additional information.

We reiterate the position from our client's November 2020 correspondence that the existing rights afforded by the City's Official Plan and By-law 1-88 should be recognized in the New By-law. In the alternative, the New By-law and associated mapping should not apply to the Subject Site. We request that these changes be made in advance of Council's adoption of the New By-law.

Further Submissions and Request for Notice

Thank you for providing the opportunity to comment on the final draft of the New By-law. We reserve our rights to make additional submissions in the future, including supplementary submissions.

Would you kindly ensure that we receive a copy of any notices of decisions made by City Council and committees of Council with respect to the New By-law. Our mailing address is contained herein.

Yours truly,
Overland LLP



Per: Natalie Ast
Associate

Encl.
c. Client

From: [Natalie Ast](#)
To: [Natalie Ast](#)
Subject: FW: City of Vaughan New Comprehensive Zoning By-law - Comments Third Draft of By-law - 245 Nashville Road
Date: Monday, June 7, 2021 5:55:21 PM

From: Armando Lopes
Sent: Tuesday, November 17, 2020 3:35 PM
To: brandon.correia@vaughan.ca; Clerks@vaughan.ca
Cc: Nicole Cimadamore <nicole.cimadamore@dpml.ca>
Subject: City of Vaughan New Comprehensive Zoning By-law - Comments Third Draft of By-law - 245 Nashville Road

Good afternoon Brandon,

We (Di Poce Real Estate Holdings Limited) are the registered property owners for the lands municipally addressed 245 Nashville Road in the City of Vaughan. The subject property is located on the south side of Nashville Road between Highway 27 and Stevenson Avenue in the community of Kleinburg. We are writing to express our concerns and objection with the proposed zoning changes to this property relative to the third draft of the City's proposed Zoning By-law.

The City of Vaughan Official Plan designates a large portion of the subject property *Natural Areas* (Core Features and Built-up Valley Lands) with a small portion of the site, on the west side, designated *Low-Rise Residential*. The *Low-Rise Residential* designation is intended for residential uses and permits detached, semi-detached and townhouse buildings. The *Low-Rise Residential* part of the subject property is also subject to the *Valley Policy Area A Site-Specific Plan*, which only allows for single detached dwellings at a maximum density of 2 units per hectare.

The third draft of the Zoning By-law proposes to modify the zoning of the property from Agricultural (A) and Open Space One (OS1) to Environmental Protection (EP) and Environmental Protection Site Specific (EP-459) without any studies to support a more restrictive zone and completely neglects the current development permissions afforded by the City's Official Plan.

We are respectfully requesting that the same zones which are in effect today through By-law 1-88 be maintained in the third draft of the proposed Zoning By-law such that we are able to utilize the lands for uses currently permitted in the Agricultural (A) and Open Space One (OS1) Zones.

We would appreciate the opportunity to review and discuss our request with Staff at the earliest convenience.

Sincerely,
Armando Lopes

ARMANDO LOPES, BURPL, MCIP, RPP
DI POCE Management Limited
DEVELOPMENT MANAGER

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