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COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: [David Donnelly](mailto:David.Donnelly@vaughan.ca)
To: Clerks@vaughan.ca
Cc: [Denisa Mertiri](mailto:Denisa.Mertiri@vaughan.ca)
Subject: [External] Official Plan Amendment #7
Date: June-08-21 9:57:29 AM
Attachments: [2021 06 08 Blk 27 and 41 ltr final.pdf](#)

Please find attached correspondence from the Friends to Conserve Kleinburg concerning the proposed private Amendment on Blocks 27 and 41, City of Vaughan re Committee of the Whole (2) Report, June 8, 2021.

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June 8, 2021

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON L6A 1T1

Attention: The Clerk,

**Re: Response to York Region's Request
Regional Official Plan Amendment 7 - City of Vaughan**

Donnelly Law ("we" or the "Firm") represents the Friends to Conserve Kleinburg ("FTCK") regarding a privately initiated Regional Official Plan Amendment for the purpose of opening up 72 ha (178 acres) of land on Blocks 41 and 27 to urban development in the Greenbelt (the "Subject Lands"). The Friends were founded in order to preserve the East Humber River, the Greenbelt and Natural Heritage Network of Vaughan, Ontario.

The Subject Lands are identified as protected prime agricultural areas within the Provincial Agricultural System of the Growth Plan and the Greenbelt Plan. The OP Amendment No. 7 is proposed by a group of landowners that are part of 201 ha (497 acres) of Greenbelt land designated in the current Official Plan.

Having only recently been advised of these proposed changes, my client wishes to be kept informed in writing of the progress of this landowners' request.

The current Agricultural Area designation in the Greenbelt is restrictive, whereas the Rural designation permits urban types of development such as schools, roads, cemeteries, etc. According to the City of Vaughan Committee of the Whole (2) Staff Report, June 8, 2021 the proposed change in the designation could introduce major development in these so-called "Greenbelt fingers", resulting in "significant site alteration and disturbance.

Equally concerning is the clear advantage changing the designation will accrue to landowners seeking Parkland Designation credits on lands explicitly protected against active recreational uses and associated infrastructure, a

prohibition confirmed by the Ontario Municipal Board in the *Lionheart Enterprises Ltd. vs Richmond Hill (Town)* (PL020446) case in 2006.

The Government of Ontario and the Ontario Ministry of Agriculture, Food and Rural Affairs (“OMAFRA”) is opposed to development of the Agricultural System in the Greenbelt:

The Greenbelt Plan, 2017 and A Place to Grow, 2020 policies recognize the importance of both the *Natural Heritage System* and the *Agricultural System* to the Greater Golden Horseshoe and the people of Ontario. The two overlapping systems are mutually supportive. The protection of these resources is vitally important to the long-term vision for the Greater Golden Horseshoe.¹ [emphasis added]

Notwithstanding the fact that the Greenbelt is protected, there is no planning justification provided whatsoever for these proposed changes.

Furthermore, in Block 27 the agricultural lands have been contemplated for many years for natural heritage restoration and naturalization pursuant to Vaughan’s Natural Heritage Network and response to the Climate Emergency it declared on June 12, 2019. In addition, York Region’s tree canopy targets requires land to be restored and re-forested to meet its environmental objectives. The Block 41 lands are listed as having opportunities for restoration of wetlands, woodlands, fish habitat, significant wildlife habitat and other key natural heritage features.

Blocks 27 and 41 contain 201 ha (497 acres) of designated Greenbelt lands that should not be changed. There is no apparent merit to re-designating protected land and removing 178 acres from protected status, which would undermine important provincial, regional and local objectives. This letter strongly supports dismissing this private Amendment and keeping Ontario’s Greenbelt protected.

Please do not hesitate to contact me at david@donnellylaw.ca, cc’ing denisa@donnellylaw.ca and justine@donnellylaw.ca, should you have any questions or comments concerning this correspondence.

Yours truly,



David R. Donnelly

cc. Client

¹ www.omafra.gov.on.ca/english/landuse/agsys-sum.htm