



**COUNCIL MEETING – JUNE 22, 2021
COMMUNICATIONS**

	<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
<u>Distributed June 18, 2021</u>			
C1. Hiten Patel, dated June 1, 2021.	29	23	Committee of the Whole
C2. Interim Deputy City Manager, Community Services /Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, dated May 18, 2021.			By-Law 074-2021
C3. Irene Ford, dated June 7, 2021.	32	10	Committee of the Whole
C4. Camille Hannays, dated June 7, 2021.	31	3	Committee of the Whole (Working Session)
C5. Roy Mason, KLM Planning Partners Inc., dated June 7, 2021.	32	8	Committee of the Whole
C6. Kim Empringham, dated June 8, 2021.	32	9	Committee of the Whole
C7. Mustafa Alidina, dated June 7, 2021.	33	3	Committee of the Whole (Closed Session)
C8. Rosetta Ciarlandini dated June 7, 2021.	33	3	Committee of the Whole (Closed Session)
C9. Tony Gullo, dated June 7, 2021.	33	3	Committee of the Whole (Closed Session)
C10. Rosalba & Tony Gullo, dated June 7, 2021.	33	3	Committee of the Whole (Closed Session)
C11. Di Paola Family, dated June 8, 2021.	33	3	Committee of the Whole (Closed Session)
C12. Alan Fiddes, dated June 8, 2021.	33	3	Committee of the Whole (Closed Session)
C13. Angela D'Alessandro, dated June 8, 2021.	33	3	Committee of the Whole (Closed Session)
C14. Matthew A. Di Vona, Di Vona Law, dated June 7, 2021.	32	8	Committee of the Whole

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Please note there may be further Communications.



**COUNCIL MEETING – JUNE 22, 2021
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	<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
C15. Matthew A. Di Vona, Di Vona Law, dated June 7, 2021.	32	8	Committee of the Whole
C16. Michael Bissett, Bousfields Inc. dated June 7, 2021.	32	8	Committee of the Whole
C17. Michael Bissett, Bousfields Inc. dated June 7, 2021.	32	8	Committee of the Whole
C18. Michael Bissett, Bousfields Inc. dated June 7, 2021.	32	8	Committee of the Whole
C19. Nadia Zuccaro, EMC Group Limited, dated June 7, 2021.	32	8	Committee of the Whole
C20. Phil Stewart, Pound and Stewart Planning Consultants, dated June 7, 2021.	32	8	Committee of the Whole
C21. Phil Stewart, Pound and Stewart Planning Consultants, dated June 7, 2021.	32	8	Committee of the Whole
C22. Annik Forristal, McMillan LLP, dated June 7, 2021.	32	8	Committee of the Whole
C23. Annik Forristal, McMillan LLP, dated June 7, 2021.	32	8	Committee of the Whole
C24. Jack Wong, Malone Given Parsons, dated June 7, 2021.	32	8	Committee of the Whole
C25. Libby Aquino, dated June 7, 2021.	32	16	Committee of the Whole
C26. Natalie Ast, Overland LLP, dated June 7, 2021.	32	8	Committee of the Whole
C27. Mark and Lucia Pulciani, dated June 7, 2021.	32	13	Committee of the Whole
C28. Giuseppe and Josie Ciaravella, dated June 7, 2021.	32	13	Committee of the Whole
C29. Andrew Palumbo, MHBC Planning, Urban Design & Landscape Architecture, dated June 8, 2021.	32	8	Committee of the Whole
C30. John Alati, Davies Howe LLP, dated June 8, 2021.	32	8	Committee of the Whole
C31. David R. Donnelly, Donnelly Law, dated June 8, and June 18, 2021.	32	9	Committee of the Whole
C32. Tarah Coutts, Aird & Berlis LLP, dated June 8, 2021.	32	8	Committee of the Whole
C33. Sam Folino, dated June 8, 2021.	32	13	Committee of the Whole

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**COUNCIL MEETING – JUNE 22, 2021
COMMUNICATIONS**

	<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
C34. Joseph Brunaccioni, dated June 9, 2021.	32	32	Committee of the Whole
C35. Paola Maria Stefania Crocetti, dated June 9, 2021.	32	13	Committee of the Whole
C36. Ryan Mino-Leahan and Christine Halis, KLM Planning Partners Inc., dated June 15, 2021.	32	8	Committee of the Whole
C37. Elvira Caria, Vellore Woods Ratepayers Association, dated June 15, 2021.	36	5	Committee of the Whole (Public Hearing)
C38. Memorandum from the Deputy City Manager, Corporate Services, Chief Financial Officer and City Treasurer and the City Manager, dated June 18, 2021.	32	1	Committee of the Whole
C39. Memorandum from the Deputy City Manager, Corporate Services, Chief Financial Officer and City Treasurer and the City Manager, dated June 18, 2021.	32	1	Committee of the Whole
C40. Memorandum from the City Manager and the Deputy City Manager, Corporate Services, Chief Financial Officer, dated June 22, 2021.	31	3	Committee of the Whole (Working Session)
C41. Memorandum from the Deputy City Manager, Planning & Growth Management, dated June 17, 2021.	32	11	Committee of the Whole
C42. Memorandum from the Deputy City Manager, Planning and Growth Management and the Deputy City Manager, Administrative Services and City Solicitor, dated June 18, 2021.	29	8	Committee of the Whole

Distributed June 21, 2021

C43. Ryan Mino-Leahan and Marshall Smith, KLM Planning Partners Inc., dated June 18, 2021.	32	8	Committee of the Whole
C44. Andre Willi, Strategic Benefits, dated June 19, 2021.	32	9	Committee of the Whole
C45. Angela Grella, dated June 20, 2021.	32	9	Committee of the Whole
C46. David Toyne, Upper Cold Creek Farm, dated June 21, 2021.	32	9	Committee of the Whole

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**COUNCIL MEETING – JUNE 22, 2021
COMMUNICATIONS**

	<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
C47. Louisa Santoro, dated June 21, 2021.	32	9	Committee of the Whole
C48. Tony Malfara, dated June 21, 2021.	32	21	Committee of the Whole
C49. Marco Iannizzi, dated June 19, 2021.	33	3	Committee of the Whole (Closed Session)
C50. Gardner Family, dated June 20, 2021.	33	3	Committee of the Whole (Closed Session)
C51. Stephen Albanese, IBI GROUP, dated June 21, 2021.	32	1	Committee of the Whole
C52. Irene Ford, dated June 21, 2021.	32	21	Committee of the Whole
C53. Paola Maria Stefania Crocetti, dated June 21, 2021.	32	21	Committee of the Whole
C54. Irene Ford, dated June 21, 2021.	32	9	Committee of the Whole
C55. Mathew Halo, Weston Consulting, dated June 21, 2021.	32	8	Committee of the Whole
C56. Irene Ford, dated June 21, 2021.	29	2	Committee of the Whole
C57. Jean-François Obregón, dated June 21, 2021.	32	9	Committee of the Whole
C58. Bharat Patel, dated June 19, 2021.	36	5	Committee of the Whole (Public Hearing)
<u>Distributed June 22, 2021</u>			
C59. Submitted by Councillor Yeung Racco on behalf of Seven View Chrysler Ltd., dated June 21, 2021.	29	8	Committee of the Whole
C60. Frank Troina, dated June 21, 2021.	32	9	Committee of the Whole
C61. Mary and Ferdinando Torrieri, dated June 21, 2021.	32	9	Committee of the Whole

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C1
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 29, Item 23

From: [Bellisario, Adelina](#)
To: [Bellisario, Adelina](#)
Subject: FW: approve sustainable developments so that risk of tragedies like those on Athabasca can be minimized
Date: June-02-21 11:34:00 AM
Attachments: [Outlook-horizontal.png](#)

From: HP [REDACTED] >
Sent: Tuesday, June 01, 2021 11:52 PM
To: Council@vaughan.ca
Cc: Clerks@vaughan.ca
Subject: [External] approve sustainable developments so that risk of tragedies like those on Athabasca can be minimized

The tragedy on Athabasca Drive was preventable but not by publicly funded police presence, speed cameras and certainly not by speed bumps or other traffic calming initiatives.

Speeding and other harmful moving violations are the same dollar amount for drivers from all walks of life. Working class motorists are kept in line as they simply can't afford any traffic ticket and don't have the leisure time to drive around Vaughan with no economic purpose or utility while well to do individuals with high end performance cars the tickets are simply a minor nuisance of using their cars at its maximum speed to pass their time. So unless the latter group magically and suddenly develop a social conscience speeding and stunt driving will always occur in car dependent culture of Vaughan and much of York Region.

When looking at the development of MacKenzie Ridge from an aerial view, it is clear that out of control vehicles will easily and often hop the curb on even numbered properties on Athabasca Drive. Why was such a dangerous design approved? This was horrible development, and the city needs to start approving instead non-car dependent multi-family dwellings along major regional roads in ALL of Vaughan. I'm sick and tired of the NIMBYs who complain ad nauseam that "existing character" or property values of their neighbourhoods would be destroyed but fail to understand their homes were part of developments that ate away virtually any future infill development opportunities along much of regional roads in their area. Apartment dwellers don't create traffic. They lead simple local lives and/or use transit during peak business rush hours. Residents that use exclusively private motor vehicles just to grab a loaf of bread or head to Starbucks because they are bored in their McMansions are the real traffic issue.

According to Canada Post Thornhill L4J has almost 8,000 apartments while Maple L6A only has about 2,300 mostly on or near Jane Street. This needs to change to give the streets and sidewalks back to vulnerable residents and make Vaughan affordable for working class and modest end of Ontario's middle class.

MacKenzie Ridge has no public schools, no corner plazas and no common public spaces within walking distance. The steep rolling Hills of Dufferin Street as you enter the area prime un-conscientious motorists to drive recklessly for no reason except their selfish "need for speed". I bicycle from Thornhill Woods to MacKenzie Ridge monthly during spring/summer for the past four years and I've never seen pedestrians or other cyclists on this route north of Major MacKenzie.

To drastically reduce such a high risk to residents on their driveways or front yards, barriers either heavy stone or metal barrier must be erected by homeowners. But perhaps this has not been done since homeowners likely would feel they are unsightly or expect the public to pay for them.

Thank you for reading,

Hiten N. Patel, Community Advocate

Call or Text [REDACTED]
<https://HitenPatel.ca>



DATE: May 18, 2021

TO: Mayor and Members of Council

FROM: Gus Michaels, Interim Deputy City Manager, Community Services/Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services

RE: COMMUNICATION – Council Meeting, June 22, 2021

Recommendation

That a technical amendment to correct the numbering in Fence By-law 189-2020 and to repeal by-law amendment 167-2020 be made.

Background

Fence By-law 189-2020 is a result of a consolidation and review of Fence By-law 80-90 and its subsequent amendments. Staff identified an error in the numbering of one of the sections. In addition, one of the amendments to By-law 80-90 (By-law 167-2020) was inadvertently missed in the list of repealed by-laws.

For more information, contact Gus Michaels, Interim Deputy City Manager, Community Services/Director & Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8735.

Respectfully submitted by,

A handwritten signature in blue ink, appearing to read "Gus Michaels".

Gus Michaels, CMM III, MLE Executive, Property Stds. Professional
Interim Deputy City Manager, Community Services and
Director & Chief Licensing Officer, By-Law & Compliance, Licensing & Permit Services

C3
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 10

From: IRENE FORD

Sent: Monday, June 7, 2021 11:53 AM

To: Clerks@vaughan.ca

Cc: Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>

Subject: [External] REQUEST FOR COMMENT: YORK REGION PROPOSED 2051 FORECAST AND LAND NEEDS ASSESSMENT

Vaughan Council, [REDACTED]

Please find attached a copy of my deputation given May 12 on the Proposed 2051 Forecast and Land Needs Assessment. I want to commend and thank staff for putting this report forward and identifying the following issues with MZO's, specifically that these approvals have destabilized planning areas:

- *"It should be noted that six Minister Zoning Orders have been approved in Vaughan since 2018. It will be critical that MZO's are considered and planned in the context of the wider area of which they are part."*

- *"Past experience indicates growth will exceed what is planned Vaughan's experience with growth over the last ten years shows that forecasted growth has the potential to be exceeded, and the City must be prepared to plan for this density. The VMC for example, is estimated to be 194% more residents and 254% more jobs than what was originally envisioned in the secondary plan."*
- *"There is a risk that the City becomes underserved on several levels The amount of potential growth that is directed at Vaughan creates a risk that many parts of the City will become underserved for parks, schools, and infrastructure. Vaughan is expected to accommodate the second highest share of population growth in York Region (29%), with a 2051 population of 568,700. This total is based on an intensification rate of 56%."*
- *"There is a risk that employment areas will be under pressure for more employment land conversions Significant changes to land use permissions have recently been made through MZO's and employment land conversions, most frequently on the edge of employment areas. Landowners in adjacent employment lands will see a significant increase in land value as an incentive to pursue the conversion of their own employment lands to community lands in the next Municipal Comprehensive Review."*
- *"Lands within the city have been affected by MZOs and employment land conversions, and planned Whitebelt expansions. Ensuring the successful development of these areas into complete communities should be guided by principles identified in the City's overall growth management strategy and translated into effective policy through the Official Plan Review (OPR) and other Master Plan processes."*

I continue to have grave concerns about the extend of the urban boundary expansion proposed. Already development applications are arriving that are on or near the proposed areas. Development applications have also already started to arrive that are destroying the Greenbelt even though the current government says they remain committed to protecting and growing the Greenbelt. The last review of the Greenbelt Plan was weakened to allow parkland this results in the conversion of prime agricultural land and a reduction in the protection of natural heritage and core natural features. The Greenbelt will disappear and shrink if this is allowed.

The Official Plan 2051 is not a document that should be pushed through in this manner during a pandemic and a climate emergency. These are documents that governments are obligated to take the proper time, to follow due process and consult with the public properly. This document will and is integral to the future of our communities.

I urge Council to pass a motion today recognizing the importance of this document, the importance of proper public consultation and to send a letter to the province and York Region expressing concerns and that more time must be allotted. I also Council to express extreme concern about the 30 year planning horizon which is forcing such expansive urban boundary expansions. It is unnecessary, once the urban boundary is expanded it never goes back and it is only a matter of time before the land is paved over.

What is happening now and being forced upon municipalities goes against all planning research for best practices, actions that must be taken now to mitigate and avoid the very worst impacts of Climate Change. These are wicked problems with no easy solutions and elected officials must make decisions

that reflect the reality of what society faces today and in the very near future.

Please also find attached my request to speak.

Thank you,
Irene Ford

C4
COMMUNICATION
COUNCIL – June 22, 2021
CW (WS) - Report No. 31, Item 3

From: [Adelina Bellisario](#)
To: [Adelina Bellisario](#)
Subject: FW: [External] Proposed Off Leash Dog Park
Date: June-11-21 11:00:44 AM

From: camille hannays <[REDACTED]>
Sent: Monday, June 07, 2021 3:00 PM
To: Clerks@vaughan.ca
Cc: southmapleratepayers@gmail.com
Subject: [External] Proposed Off Leash Dog Park

Dear Committee Members,

I am sending this email in opposition to the proposed Off Leash Dog Park in The Sports Village. As a homeowner on Hollybush Drive whose home directly face this park, we already deal with the detrimental impact of people who now uses the baseball diamond and surrounding area as an unauthorized off-leash area.

We are coping with several problems already with this practice. Far too often, dog owners park their cars and let their dogs loose allowing them to run unbounded across to open areas with no consideration for the safety of anyone walking by or enjoying the park. This is dangerous and inconsiderate. Perhaps, when someone is mauled, the city will consider it a serious issue.

Along with families with young children, seniors use this park, yet no thought is given to the needs of others.

Because we care about our environment, we become the de facto sanitation officials, picking up discarded water bottles and coffee cups, that litter the grass, we draw the line and leave the poop-filled discarded bags for others.

When cars are parked directly in front of our home it creates a challenge to exit the driveway, as we do not have a sidewalk or a driveway directly across from us. This is particularly dangerous when pedestrians are walking on the road or two cars are coming from opposite directions.

While I understand that dog owners desire a place for their pets to run freely, placing an off-leash park directly in the midst of homes is not optimal. I urge the committee to consider an area where residents of the street are not directly and devastatingly impacted.

Sincerely,

Camille Hannays

C5
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Adelina Bellisario](#)
To: [Adelina Bellisario](#)
Subject: FW: Emailing: Canvas Developments - City of vaughan Comprehensive Zoning By-law Review June 2021
Date: June-11-21 11:34:38 AM
Attachments: [Canvas Developments - City of vaughan Comprehensive Zoning By-law Review June 2021.pdf](#)

-----Original Message-----

From: Roy Mason <RMason@KLMPlanning.com>
Sent: Monday, June 07, 2021 3:03 PM
To: Clerks@vaughan.ca
Cc: Bill Kiru <Bill.Kiru@vaughan.ca>; Haiqing Xu <Haiqing.Xu@vaughan.ca>; lucio polsinelli [REDACTED]
[REDACTED]; 'Albert Vitullo' <albert@canvasdevelopments.ca>
Subject: [External] Emailing: Canvas Developments - City of vaughan Comprehensive Zoning By-law Review June 2021

Todd Coles:

Attached you will find a letter submitted on behalf of Canvas Developments addressing the City of Vaughan Comprehensive Zoning By-law which is scheduled to go to Committee of the Whole on June 8, 2021 (Item No. 8). Please ensure that the letter is received by the Committee of the Whole at their meeting.

Best regards

KLM Planning Partners Inc.

Roy Mason

Your message is ready to be sent with the following file or link attachments:

Canvas Developments - City of vaughan Comprehensive Zoning By-law Review June 2021

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

June 7, 2021

Office of the Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles

Dear Sir:

**RE: City of Vaughan Comprehensive Zoning By-law Review – June 8, 2021
Committee of the Whole – Agenda Item 8**

Further to my letter dated October 27, 2020, on behalf of Canvas Developments, for the Public Meeting held on October 29, 2020, I wish to advise that the comments and concerns contained in my October 27, 2020 letter addressing various Canvas Development properties remain valid. Also, further to our initial October 27, 2020 request to meet with staff it is requested that staff be directed to meet with my client in order to resolve the concerns prior to the comprehensive zoning by-law being passed by Council.

For ease of reference I have incorporated the October 27, 2020 comments for the various properties into this letter as follows:

1. 8810 and 8820 Jane Street – The proposed new EM1 zone category is less permissive than the EM1 zoning under By-law 1-88, as amended. In particular, commercial and accessory and ancillary retail uses have been removed or scaled back. My client would like the proposed EM1 zone category to better reflect the previous EM1 permissions by including supporting commercial uses such as restaurants, health centres, and service shops and allow accessory and ancillary retail sales to 30% of GFA to a maximum of 930 square metres, as previously permitted. In addition, given Jane Street as a potential major transportation corridor the lands in this vicinity of Jane Street should be considered for uses that complement the enhanced transportation infrastructure.

2. 8520 Jane Street – The new zoning by-law will rezone the subject property from C7 - Service Commercial to EM1 Prestige Employment. This is a drastic change and would create numerous non-conformities on this property. It is requested that Vaughan planning staff consider implementing either a new zone category consistent with the existing C7 category or provide permitted use exceptions to the new EM1 zoning as it applies to this property. In addition, given Jane Street as a potential major transportation corridor the lands in this vicinity of Jane Street should be considered for uses that complement the enhanced transportation infrastructure.
3. East side of Jane Street, east to Kayla Crescent – The new zoning by-law will rezone these two parcels from C2(H0 Neighbourhood Commercial to GMU (H) General Mixed Use and from RV4 to R4A(EN)-755, respectively. The R4A(EN) zoned property should not be restricted to Institutional and Recreational uses only. Both parcels should be considered for a higher density residential zone category given location of the parcels on Jane Street directly across from Wonderland, also given the fact that Jane Street is main transit corridor leading directly to the new subway station located in the north east quadrant of Jane Street and Highway 7.
4. 3603 Langstaff Road – The new zoning by-law will replace the existing C4 -Neighbourhood Commercial to GC-592 – General Commercial. While Exception #592 permits an Automotive Retail Store as an additional permitted use, the GC zone category does not permit a Supermarket, as previously permitted under the C4 zone category.
5. 310, 330 & 346 Millway Road - The proposed new EM1 zone category is less permissive than the EM1 zoning under By-law 1-88, as amended. In particular, commercial and accessory retail uses have been removed or scaled back. My client would like the proposed EM1 zone category to better reflect the previous EM1 permissions by including supporting commercial uses such as restaurants, health centres, and service shops and allow accessory retail sales to 30% of GFA to a maximum of 930 square metres, as previously permitted. Given the proximity of these lands to the walkable subway stop further discussion is warranted regarding future land uses.
6. 9796 Dufferin Street – The proposed zoning by-law will rezone the subject lands from A – Agricultural to A – Agricultural and RE-54 Residential Estate. The new zoning permits one single family detached dwelling and allows the existing on site uses to continue. It may be beneficial to specify the existing uses on the subject property through the Exceptions.
7. 9828 Dufferin Street – The new by-law zones the subject property A -Agricultural which is consistent with the previous A - Agricultural zone category under By-law 1-88, as amended. The A – Agricultural zone category effectively services as a holding category until such time as the lands are developed in accordance with the provisions of the Official Plan.

8. North side of Valley Vista Drive, east side of Dufferin Street – The proposed RM2-899 zoning replaces the RA3(H) zoning of By-law 1-88, as amended. The new RM2 zone category permits a variety of residential uses, and Exception #899 provides for a broad range of commercial uses, which appear to be acceptable provided the zoning standards are consistent with the previous zoning.

9. 2067 & 2077 Rutherford Road and 696 Westburne Drive – The proposed zoning by-law will zone the lands GMU – 781 - General Mixed Use from the C7 – Service Commercial zone category under Zoning By-law 1-88, as amended. Exception #781 incorporates the provisions of the site plan approved for 2077 Rutherford Road.
The GMU permitted uses are similar to the uses permitted under the C7 zone category, but it seemingly only permits a banquet hall on Lot 21, RP 65M-2795, and only permits automotive related uses if they are legally existing at the timing of the new zoning by-law. In addition, accessory retail sales will not be permitted on Lot 22, RP 65M-2795. The omitted uses should be included under the exceptions in the new zoning by-law. It should be noted that Council has supported the conversion of these lands from employment use to residential use, and while it is acknowledged that the Official Plan has yet to be amended to reflect the conversion, this should be considered when determining appropriate uses for these lands, in view of the MTSA designation in support of the Rutherford GO Station hub.

10. South Side of Highway 7, east of Pine Valley Drive and west of Marycroft Drive – The existing zoning is C7 – Service Commercial. The proposed zoning by-law zones the easterly 1/3 of the lands GMU - General Mixed Use, and the westerly 2/3rds of the lands GMU-533. Exception #533 allows motor vehicle repair on repair on the north east corner of Lot 2, RP 65M-2167, and an accessory drive-through with a restaurant use. It should be noted that these lands are within a Regional intensification corridor, which may include higher density residential uses and supports the implementation of Regional and local transit infrastructure. As such, the new zoning category should be more reflective of higher intensity uses permitted in the Official Plan.

Again, my client requests an opportunity to meet with City of Vaughan Planning staff in order to discuss potential additional appropriate land uses and development standards in order to ensure that the new zoning by-law is acceptable prior to being passed by Council.

Please ensure that this letter is received by the Committee of the Whole at their meeting on June 8, 2021, 1PM, Agenda Item 8 – City Wide Comprehensive Zoning By-law.

Yours very truly,

KLM PLANNING PARTNERS INC.

A handwritten signature in black ink, appearing to read 'Roy Mason', with a long horizontal flourish extending to the right.

Roy Mason

cc: Haiqing Xu, Deputy City Manager, Planning and Growth Management
Bill Kiru, Acting Director of Development Planning
Mayor and Members of Council
Lucio Polsinelli, c/o Canvas Developments



YORK REGION

FEDERATION OF AGRICULTURE

SERVING THE FARM COMMUNITY SINCE 1940

C6
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

June 8, 2021

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

Via email: clerks@vaughan.ca

Dear Mayor Bevilacqua and Members of Council:

Re: Committee of the Whole Report (June 8, 2021) titled Response to York

Region's Request for Comments on Regional Official Plan Amendment 7

The York Region Federation of Agriculture is a non-profit organization that represents its 650 registered farm business members in York Region on matters that affect their farms as well as decisions that will affect agriculture in the future.

To truly support and promote agriculture, it must go beyond just words in policies and translate into action taken to protect the agricultural land base into the future. Blanket redesignation of Prime Agricultural areas is precedent setting and would result in the depletion of the significant natural resource afforded to us in the form of rich agricultural soils.

This correspondence is in response to the staff report received by Committee of the Whole at its meeting of June 8, 2021 regarding proposed Regional Official Plan Amendment (ROPA) No. 7. As noted in the report, ROPA No. 7 is a privately initiated amendment which proposes to redesignate lands within the Greenbelt from "Agricultural Area" to "Rural Area". While we generally support staff's position opposing this privately initiated ROPA for a proposed blanket redesignation of the subject lands, we have some additional concerns and offer the following comments:

- While YRFA concurs that a blanket redesignation of the "Agricultural Area" to "Rural Area" is not advisable or appropriate, we are also concerned that proper consideration needs to be given to appropriate acreage, lot configuration, designation and zoning to ensure that agricultural activities are supported and sustained.

BUY THE FOOD ONTARIO GROWS



YORK REGION

FEDERATION OF AGRICULTURE

SERVING THE FARM COMMUNITY SINCE 1940

- The staff report includes reference to the Provincial Policy Statement and specifically refers to the protection of Prime Agricultural Areas for long-term use for agriculture. We concur that the protection of agricultural lands and the promotion of urban agriculture opportunities, which include private agricultural businesses, must be taken into account when considering any redesignation of Prime Agricultural lands within the Protected Countryside of these Greenbelt fingers. We note that the PPS specifically speaks to the designation of prime agricultural areas and retaining such designations to ensure that agricultural activities are sustained. The vision of the Greenbelt Plan is to protect quality agricultural areas, provide flexibility for appropriate farm uses, and strengthen the agricultural system by considering the impacts of development on agricultural areas and planning for local food and near-urban agricultural uses.
- The applicant's ROPA 7 submission states that urban uses surrounding the "Greenbelt fingers" is sufficient justification for the redesignation of these lands. It contends that the location of such urban areas would cause agriculture to no longer be sustainable or viable. It is our opinion that agricultural and agriculturally-related uses can continue to exist though surrounded by future urban areas and that such agricultural and agriculturally-related uses are both viable and suitable for these areas, especially given its proximity of the urban market.
- The applicant's ROPA 7 submission states that agricultural activities would not be viable as these would be "small, fragmented parcels". In 2016, there were 712 farms of various sizes across the Region. *As stated in York Region's Edge Planning Background Report, "Farms between 4 to 52 hectares represented 59% of farms in York Region in 2016, (12% of farms were smaller than 4 hectares, and 29% were larger than 52 hectares.)"* Contrary to the applicant's position, small farms are just as viable and sustainable as large farms. The ROPA 7 subject lands in Block 27 contain 23 ha of agricultural land and Block 41 contains 48 ha. This land area can easily sustain viable agricultural activities.
- The applicant's ROPA 7 submission also refers to the development of "complete communities". It is our position that agriculture, and in specific urban agricultural opportunities, are indeed part of what would constitute a complete community and that urban agriculture needs to be protected and promoted. We concur with City staff that the "Rural Area" land use designation in the York Region Official Plan would be overly permissive for lands in the Greenbelt Area. A blanket redesignation to "Rural Area" would broaden the extent of urban uses, including active parkland and other recreational and institutional uses, into lands within the Protected Countryside of the Provincial Greenbelt Plan and would have significant negative implications on the protection of Prime Agricultural lands and ultimately on the ability to provide for and promote urban agriculture.



YORK REGION

FEDERATION OF AGRICULTURE

SERVING THE FARM COMMUNITY SINCE 1940

- As noted in staff's report, York Region is currently refining the Agricultural System mapping and policies through its Municipal Comprehensive Review (MCR) process. The long-term agricultural viability of the Greenbelt fingers in the City of Vaughan and the City of Markham are being reviewed by Regional staff as part of this MCR process. It is YRFA's opinion that the review of agricultural viability of these areas would be more appropriately considered as part of the MCR process and should include appropriate municipal staff as well as representatives of the agricultural sector. It is also our opinion that any consideration of redesignation of prime agricultural lands should be subject to a process similar to that of the review of the Region's Land Evaluation and Area Review (LEAR) study. This type of process is referenced as an Agriculture Impact Assessment in the Region's Planning for Agriculture Background Report of June 2019.

We understand that Regional staff is considering potential redesignation of these areas to Rural or an equivalent designation but we also note that, at present, these are only proposed and no approvals are in place. It is a stated objective in the York Region Official Plan to protect Agricultural and Holland Marsh Specialty Crop Areas for the future to ensure a sustainable agricultural industry. The York Region Edge Planning Background Report speaks to the importance of farmland not only for the production of food and its direct economic benefits but also its benefits to surrounding urban residents in the form of such things as water filtration, carbon sequestration, pollination, and on-site farmers markets. YRFA will continue, in discussions with the Region, to advance its position that to truly protect for agriculture into the future, the designation of prime agricultural areas needs to remain.

Yours truly,

Kim Empringham
Secretary/Treasurer/Director
York Region Federation of Agriculture
york@ofa.on.ca

C7
COMMUNICATION
COUNCIL – June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: [Musti Alidina](mailto:Musti.Alidina)
To: Clerks@vaughan.ca; Council@vaughan.ca; [Marilyn Iafrate](mailto:Marilyn.Iafrate)
Subject: [External] JANE/TESTON HOLDINGS
Date: June-07-21 4:29:27 PM

Good Afternoon councillors

This email is in reference to Jane/Teston Condo development.

I am sure you have heard everything there is to hear about how dissatisfied the residents are with the proposed development of high rise at JANE/TESTON. All that we ask is that the lands be developed in accordance with the city's newly approved VOP 2010 plan which establishes clear guidelines for how the land can be developed. The city spent millions of dollars creating a long term plan for our area to ensure that any future development was thoughtful and doesn't negatively impact the existing residents of our community.

All we ask is that developer respect these plans and revise their application accordingly. Please drop plans for high rise towers and stick to the current zoning. The land at JANE/TESTON is currently zoned for low density development which includes single family homes and town homes up to 3 stories in height.

While making your decisions for the above land, please keep in mind how a large 12 tower building will impact the residents living in the area. You are going to substantially reduce the quality of our lives...

Thank you

Mustafa Alidina

■ Giotto Crescent, Vaughan.

C8
COMMUNICATION
COUNCIL - June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: [Rosetta Ciarlandini](#)
To: [Clerks@vaughan.ca](#); [Council@vaughan.ca](#); [gina.ciampia@vaughan.ca](#); [Marilyn Iafrate](#)
Subject: [External] Jane Teston Holdings/Giotto Crescent community
Date: June-07-21 7:55:03 PM

We have received recent communication that Jane teston holdings is continuing with their application for a 12 story structure right behind where we live.

We are opposed to this. This is a quiet neighborhood. We have lived here 19 years. Your approval to this will take away our peaceful community environment. This development will have a negative impact on the value of our homes.

We realize the land is prime real estate and we were told that in the future more houses would be built hence the name Giotto CRESCENT. Obviously some thought was given to this area to name our street a crescent. Any type of single family housing is something that the community would approve . Definitely not a high rise. As a supporter and tax payer your first obligation is to your existing community members. Our concerns should and must come first. For these reasons we apposed the 12 story building in our backyards .

Regards
Rosetta Ciarlandini
[REDACTED] Giotto crescent
[REDACTED]

C9
COMMUNICATION
COUNCIL - June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: [Tony Gullo](#)
To: Council@vaughan.ca; Clerks@vaughan.ca; [Gina Ciampa](#)
Subject: [External] Jane Teston Holdings OP.17.002
Date: June-07-21 8:36:03 PM

Hello my name is Tony Gullo and I reside at [REDACTED] Giotto Cres Maple ON.

I as a longtime resident on Giotto Cres strongly appose this application. It will have a negative effect in my neighborhood for me and my family and it just does not make sense. I understand that this property should be developed but not what is being proposed. Giotto Cres is a Cres when we purchased our home and should always remain a Cres not a through street. A high rise building behind us will just destroy our neighborhood that we love so much.

Thanks
Tony Gullo

C10
COMMUNICATION
COUNCIL - June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: [Rosalba Gullo](mailto:Rosalba.Gullo@vaughan.ca)
To: Clerks@vaughan.ca; Council@vaughan.ca
Cc: [Gina Ciampa](mailto:Gina.Ciampa@vaughan.ca)
Subject: [External] JANE TESTON HOLDINGS INC. OP.17.002
Date: June-07-21 8:54:01 PM

Dear members of Vaughan Council and planning departments.

We are residents who live on Giotto Crescent. After years of having to deal with the proposed building development at Jane and Teston which is in our backyards, it seems that the matter is now in the hands of the provincial government.

We have been residents on Giotto Crescent for 20 years. It is a beautiful, peaceful neighborhood where we enjoy our privacy. We were shocked to find that developer now wants to come in here and take that all away and destroy the beauty of our neighborhood and our privacy. It will have a negative effect for our family and just doesn't make any sense! This is the reason we bought out home here!

The idea of having an 11 storey building casting a literal and figurative shadow over our neighborhood is offensive. Especially for the families whose homes directly back on to this outrageous eyesore. A further insult is that they are asking to use our private, dead end street as access to this building. Again the reason we bought here!

How can the representatives even allow this to happen or even giving this the time of day. We were told by council that such a building goes against existing building codes. So why are we even having this discussion? Unfortunately, the reputation of the province of Ontario is such that the builders will almost always get their way... at the cost of the community.

Even with the proposed setbacks, It is clear that our privacy will be gone. In addition, The beautiful sunsets we now enjoy will be permanently blocked out. Jane & Teston **IS NOT** the place for this 11, 10, 9, 8 ,7 etc. storey building!

We sincerely hope that this plan is in fact **NOT APPROVED**. It would be a blight on our neighborhood and would create great anger and animosity amongst our neighbors.

You need to fight for your residents not the developers! It's the residents that make a great community! This proposed plan just proves that cause they don't care about the residents that have worked so hard to buy a beautiful home in a beautiful community and now they want to come and destroy it so they can fill their pockets! If they want it so bad then they can put the 11 storey building in their backyards and neighborhood! Propose that to them from the Giotto residents.

As voters, as community members, as friends of Vaughan, we cannot stand by and allow this development to go forward.

Sincerely,
Rosalba & Tony Gullo

█ Giotto Crescent
Maple, Ontario

█
█

C11
COMMUNICATION
COUNCIL - June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: [lucy di paola](mailto:lucy.di.paola)
To: Clerks@vaughan.ca; Council@vaughan.ca
Subject: [External] Jane Teston Holdings
Date: June-08-21 12:11:03 PM

To whom it may concern,

We would like to voice our concerns about this application being heard again when the applicant was instructed to come with another option at last council meeting. Our concern lies in that the integrity of our neighbourhood will be compromised if this application were to go through. The land is approved for low rise residential dwellings and changing this would change the dynamics greatly as well as infringing on the current residents' dwelling in an invasive manner both physically and emotionally. Also, our great concern for current residents' safety of the opening from Teston Road. This would pose an immense safety concern to the current residents and increase the amount of traffic for neighbouring area.

We ask that the council continue to support our community by standing by their original request, for the applicant to come up with a better suited option.

Thank you for your co-operation and help in this matter,

Di Paola family
■ Giotto Crescent

C12
COMMUNICATION
COUNCIL - June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: [Alan Fiddes](#)
To: Clerks@vaughan.ca; Council@vaughan.ca
Cc: [Gina Ciampa](#)
Subject: [External] Te: JANE TESTON HOLDINGS INC. OP.17.002
Date: June-08-21 1:01:19 PM

Hello,

I am the homeowner of [REDACTED] Giotto Crescent, Vaughan, ON [REDACTED]. With respect to the application cited above, I wish to register my strong objection to this project being permitted to move forward.

The local neighborhood is a broad mix of retirees and working families, with more and more young families moving into the area over the past few years. Every night there are young children and families playing street hockey, basketball, and riding their bikes through the neighborhood. Many of these children also walk to and from school every day. Simply put, this neighborhood is not designed to handle the traffic and associated parking required to make high-density housing viable. Public transit access is limited, there are no shopping amenities within walking distance, and street parking is already overwhelmed. More cars will destroy the fabric of this neighborhood.

Also, while I appreciate the business of government must continue during the pandemic, I am convinced that my neighbors would turn out in droves at council (as they did previously) if given the opportunity again. The timing of this hearing is effectively silencing our voices.

Regards,
Alan Fiddes.

C13
COMMUNICATION
COUNCIL - June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: [Angela D](#)
To: Clerks@vaughan.ca; Council@vaughan.ca
Subject: [External] JANE TESTON HOLDINGS INC. OP.17.002
Date: June-08-21 4:28:41 PM

Dear Council,

RE: OBJECTIONS TO JANE/TESTON MID-RISE DEVELOPMENT

It has come to our attention that a hearing is to be held today regarding the development proposed by Jane Teston Holdings Inc., as a home owner and resident of the community I am disappointed, shocked and violated that the voices and wishes of the residents of the surrounding area have been grossly ignored for the past 3 years. Years ago, it was the recommendation of Council that Jane Teston Holdings Inc. reach out to the residents which never occurred. The lack of interest and respect from the developer is an indication that the motives and intention is that to cause harm at the expense of the residents.

We are writing to express our firm opposition to the mid-rise building development at Jane/Teston, which raises the following issues:

- Indigenous concerns given the history of remains and artifacts already discovered in the area.
- Public safety concerns with granting access on Giotto Crescent
- Traffic generation and road access
- Deprive current residents of quiet enjoyment of our sub-division
- Nuisance to nearby houses, obstructing sunlight and overshadowing
- Loss of privacy
- Noise and disturbance resulting from use
- Hazardous materials
- Smells
- Loss of trees
- Local planning policies
- Loss of property value

We ask that our local Councilors represent the best interest of the residents of the community in a lawful and responsible manner. On behalf of myself, my family and my fellow neighbours we plead that you deny this application.

Thank you,
Angela D'Alessandro
Resident Giotto Crescent and Ashton Drive

Delivered by E-Mail to brandon.correia@vaughan.ca

June 7, 2021

Mr. Brandon Correia, Manager Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review (the “New ZBL”)
Committee of Whole Meeting on June 8, 2021
Agenda Item 8**

We are counsel to the following entities, being the respective owners of the referenced properties in the City of Vaughan (collectively, the “Properties”):

- i. Stellex Properties Inc., being the owner of 10481 Highway 50 (PIN 033210046);
- ii. 2268005 Ontario Limited, being the owner of N/A Highway 50 (PIN 033210058);
- iii. Guscon Mackenzie GP Inc., being the owner of 7050 Major Mackenzie Drive (PIN 033210227); and
- iv. Gusgo Holdings Ltd., being the owner of 7050 Major Mackenzie Drive (PIN 033210212).

We are writing in advance of the Committee of the Whole’s consideration of the above noted item regarding the New ZBL. Please forward this correspondence to Committee and Council, in advance of its consideration of this item or a related matter.

Concerns with New ZBL

The New ZBL proposes to rezone the Properties, in part, to FD, FD-402, and EP. The FD (Future Development) Zone’s stated purpose is to permit only existing uses, limit the building envelope, and require a planning application to amend the by-law in order to evaluate a proposal for urban development.



In our respectful submission, the proposed zoning of the Properties in the New ZBL does not represent good land use planning for a number of reasons, including, but not limited to:

- i. In general, the FD Zone is overly restrictive and limiting in its purported permissions, or lack thereof;
- ii. The New ZBL fails to reflect prior approvals and decisions of the (then) Ontario Municipal Board, respecting part of the Properties;
- iii. The Properties do not contain any environmental features worthy of the extent of the proposed EP zoning in the New ZBL;
- iv. The New ZBL does not conform with the Vaughan Official Plan, applicable Secondary Plan, and the York Official Plan;
- v. The New ZBL does not conform with, or not conflict with, applicable Provincial Plans;
- vi. The New ZBL is not consistent with applicable Provincial Policy Statements; and
- vii. The New ZBL does not comply to the *Planning Act*, including, sections 2, 2.1, and 3.

Request

We respectfully request that Committee and Council direct staff to engage our clients in discussions relating to our specific concerns and the appropriate zoning of the Properties in the New ZBL, in advance of Council's final decision in this matter.

We trust that this is satisfactory. Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Clients

C15
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Matthew Di Vona](#)
To: [Brandon Correia](#); Clerks@vaughan.ca
Subject: [External] City-Wide Comprehensive Zoning By-law Review - COW Meeting June 8, 2021 (Item 8)
Date: June-07-21 4:53:47 PM
Attachments: [PastedGraphic-4.png](#)
[ATT00001.htm](#)
[Letter to COWCouncil \(June 7, 2021\)-1.pdf](#)
[ATT00002.htm](#)
[Letter to COWCouncil \(June 7, 2021\)-2.pdf](#)
[ATT00003.htm](#)
[Letter to COWCouncil \(June 7, 2021\)-3.pdf](#)
[ATT00004.htm](#)
[Letter to COWCouncil \(June 7, 2021\)-4.pdf](#)
[ATT00005.htm](#)
[Letter to COWCouncil \(June 7, 2021\)-5.pdf](#)
[ATT00006.htm](#)
[Letter to COWCouncil \(June 7, 2021\)-6.pdf](#)
[ATT00007.htm](#)

Dear Mr. Correia and Clerks -

Please find attached our correspondence of today's date.

Kind regards,
M.

Matthew A. Di Vona

Delivered by E-Mail to brandon.correia@vaughan.ca

June 7, 2021

Mr. Brandon Correia, Manager Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review (the “New ZBL”)
Committee of Whole Meeting on June 8, 2021
Agenda Item 8**

We are counsel to the owner of lands legally described as PT LOT 9 CON 9 (VGN), PT 6 65R29429, EXCEPT PT 1 EXPRO PL YR2226983, in the City of Vaughan (the “Property”).

We are writing in advance of the Committee of the Whole’s consideration of the above noted item regarding the New ZBL. Please forward this correspondence to Committee and Council, in advance of its consideration of this item or a related matter.

Concerns with New ZBL

In our respectful submission, the proposed zoning of the Property in the New ZBL does not represent good land use planning for a number of reasons, including, but not limited to:

- i. The New ZBL does not conform with the Vaughan Official Plan and the York Official Plan;
- ii. The New ZBL does not conform with, or not conflict with, applicable Provincial Plans;
- iii. The New ZBL is not consistent with applicable Provincial Policy Statements; and
- iv. The New ZBL does not comply to the *Planning Act*, including, sections 2, 2.1, and 3.



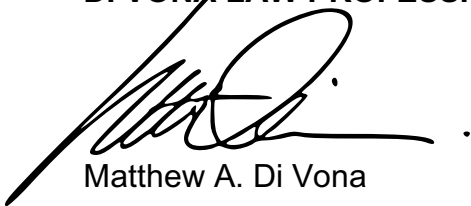
Request

We respectfully request that Committee and Council direct staff to engage our client in discussions relating to our specific concerns and the appropriate zoning of the Property in the New ZBL, in advance of Council's final decision in this matter.

We trust that this is satisfactory. Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Client

Delivered by E-Mail to brandon.correia@vaughan.ca

June 7, 2021

Mr. Brandon Correia, Manager Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review (the “New ZBL”)
Committee of Whole Meeting on June 8, 2021
Agenda Item 8**

We are counsel to the owner of lands legally described as PT LT 26 CON 3 VAUGHAN AS IN VA41897, in the City of Vaughan (the “Property”).

We are writing in advance of the Committee of the Whole’s consideration of the above noted item regarding the New ZBL. Please forward this correspondence to Committee and Council, in advance of its consideration of this item or a related matter.

Concerns with New ZBL

In our respectful submission, the proposed zoning of the Property in the New ZBL does not represent good land use planning for a number of reasons, including, but not limited to:

- i. The New ZBL does not reflect the prior approvals by the LPAT relating to the Property;
- ii. The New ZBL does not conform with the Vaughan Official Plan and the York Official Plan;
- iii. The New ZBL does not conform with, or not conflict with, applicable Provincial Plans;
- iv. The New ZBL is not consistent with applicable Provincial Policy Statements; and
- v. The New ZBL does not comply to the *Planning Act*, including, sections 2, 2.1, and 3.



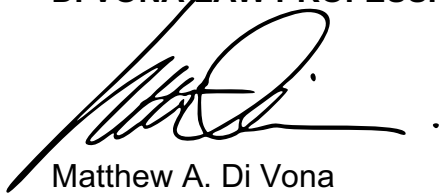
Request

We respectfully request that Committee and Council direct staff to engage our client in discussions relating to our specific concerns and the appropriate zoning of the Property in the New ZBL, in advance of Council's final decision in this matter.

We trust that this is satisfactory. Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Client

Delivered by E-Mail to brandon.correia@vaughan.ca

June 7, 2021

Mr. Brandon Correia, Manager Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review (the “New ZBL”)
Committee of Whole Meeting on June 8, 2021
Agenda Item 8**

We are counsel to the owner of lands legally described as PT LOT 26, CON 2 VAUGHAN (WEST 100 ACRES MORE OR LESS) EXCEPT PT 1, 65R10540, PTS 3 & 4, 65R14739, PT 1, PL D965, PT 1, D968 & PT 1, D969; PT LT 27 CON 2 VAUGHAN AS IN R355117(SECONDLY); PCL 4-1 SEC 65M2597; BLK 4 PL 65M2597; PT LOT 26 CON 2 (VGN), PT 1, 65R10431, EXCEPT PT 2, 65R10540 & EXCEPT PT 1, EXPROP PL D967, in the City of Vaughan (the “Property”).

We are writing in advance of the Committee of the Whole’s consideration of the above noted item regarding the New ZBL. Please forward this correspondence to Committee and Council, in advance of its consideration of this item or a related matter.

Concerns with New ZBL

In our respectful submission, the proposed zoning of the Property in the New ZBL does not represent good land use planning for a number of reasons, including, but not limited to:

- i. The New ZBL does not reflect the prior approval by the LPAT relating to the Property;
- ii. The New ZBL does not conform with the Vaughan Official Plan and the York Official Plan;
- iii. The New ZBL does not conform with, or not conflict with, applicable Provincial Plans. In particular, the New ZBL does not incorporate the permissions within the *Oak Ridges Moraine Conservation Plan*, as it relates to small-scale commercial, industrial, and institutional uses, on the Property;



- iv. The New ZBL is not consistent with applicable Provincial Policy Statements; and
- v. The New ZBL does not comply to the *Planning Act*, including, sections 2, 2.1, and 3.

Request

We respectfully request that Committee and Council direct staff to engage our client in discussions relating to our specific concerns and the appropriate zoning of the Property in the New ZBL, in advance of Council's final decision in this matter.

We trust that this is satisfactory. Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Client

Delivered by E-Mail to brandon.correia@vaughan.ca

June 7, 2021

Mr. Brandon Correia, Manager Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review (the “New ZBL”)
Committee of Whole Meeting on June 8, 2021
Agenda Item 8**

We are counsel to the owner of lands legally described as PT LT 19 CON 8 VAUGHAN AS IN VA66140 EXCEPT PT 3 MISC PL R587279, PT 11 EXPROP PL R464429 AND EXCEPT PTS 1 & 2, EXPROP. PL YR2372503, in the City of Vaughan (the “Property”).

We are writing in advance of the Committee of the Whole’s consideration of the above noted item regarding the New ZBL. Please forward this correspondence to Committee and Council, in advance of its consideration of this item or a related matter.

Concerns with New ZBL

In our respectful submission, the proposed zoning of the Property in the New ZBL does not represent good land use planning for a number of reasons, including, but not limited to:

- i. The New ZBL does not conform with the Vaughan Official Plan and the York Official Plan;
- ii. The New ZBL does not conform with, or not conflict with, applicable Provincial Plans;
- iii. The New ZBL is not consistent with applicable Provincial Policy Statements; and
- iv. The New ZBL does not comply to the *Planning Act*, including, sections 2, 2.1, and 3.



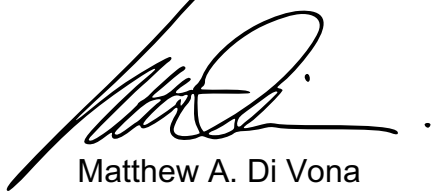
Request

We respectfully request that Committee and Council direct staff to engage our client in discussions relating to our specific concerns and the appropriate zoning of the Property in the New ZBL, in advance of Council's final decision in this matter.

We trust that this is satisfactory. Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Client

Delivered by E-Mail to brandon.correia@vaughan.ca

June 7, 2021

Mr. Brandon Correia, Manager Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review (the “New ZBL”)
Committee of Whole Meeting on June 8, 2021
Agenda Item 8**

We are counsel to the owner of lands legally described as PT LOT 17 CON 3 VGN PT 1, 65R5194 EXCEPT PT 2, 65R29377, in the City of Vaughan (the “Property”).

We are writing in advance of the Committee of the Whole’s consideration of the above noted item regarding the New ZBL. Please forward this correspondence to Committee and Council, in advance of its consideration of this item or a related matter.

Concerns with New ZBL

In our respectful submission, the proposed zoning of the Property in the New ZBL does not represent good land use planning for a number of reasons, including, but not limited to:

- i. The New ZBL does not reflect the prior approvals by the LPAT relating to a part of the Property;
- ii. The New ZBL does not conform with the Vaughan Official Plan and the York Official Plan;
- iii. The New ZBL does not conform with, or not conflict with, applicable Provincial Plans;
- iv. The New ZBL is not consistent with applicable Provincial Policy Statements; and
- v. The New ZBL does not comply to the *Planning Act*, including, sections 2, 2.1, and 3.



Request

We respectfully request that Committee and Council direct staff to engage our client in discussions relating to our specific concerns and the appropriate zoning of the Property in the New ZBL, in advance of Council's final decision in this matter.

We trust that this is satisfactory. Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Client

Delivered by E-Mail to brandon.correia@vaughan.ca

June 7, 2021

Mr. Brandon Correia, Manager Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review (the “New ZBL”)
Committee of Whole Meeting on June 8, 2021
Agenda Item 8**

We are counsel to the respective owners of lands legally described as PT LT 29 CON 2 VAUGHAN; PT LT 30 CON 2 VAUGHAN PTS 1-8 64R6003 EXCEPT PT 3 EXPROP PL R602558 ; S/T VA41581 PARTIALLY RELEASED BY R283556; S/T VA82915; PT LT 31 CON 2 VAUGHAN AS IN R276312 EXCEPT PTS 1 & 2 EXPROP PL R602587; PART OF LOT 31 CONCESSION 2 PART 2; VAUGHAN ON PLAN 65R-31874; PT NE1/4 LT 30 CON 2 VAUGHAN AS IN R364765 EXCEPT PTS 1 & 2 65R17688; and, PT LOT 30, CON 2 PT 1, 65R7855; SAVE AND EXCEPT PT 1, 65R32323 AND PTS 1 TO 11, 65R31771, in the City of Vaughan (the “Property”).

We are writing in advance of the Committee of the Whole’s consideration of the above noted item regarding the New ZBL. Please forward this correspondence to Committee and Council, in advance of its consideration of this item or a related matter.

Concerns with New ZBL

In our respectful submission, the proposed zoning of the Property in the New ZBL does not represent good land use planning for a number of reasons, including, but not limited to:

- i. The New ZBL does not reflect the prior approvals and decisions by the OMB relating to various parts of the Property;
- ii. The New ZBL does not reflect the prior Minister’s Order dated February 3, 2015, relating to part of the Property;
- iii. The New ZBL does not conform with the Vaughan Official Plan and the York Official Plan;



- iv. The New ZBL does not conform with, or not conflict with, applicable Provincial Plans;
- v. The New ZBL is not consistent with applicable Provincial Policy Statements;
- vi. The New ZBL does not comply to the *Planning Act*, including, sections 2, 2.1, and 3; and
- vii. The New ZBL does not appropriately zone abutting lands, legally described as PART OF LOT 31 CONCESSION 2 VAUGHAN, PART 1 ON PLAN 65R-31874, in the City of Vaughan.

Request

We respectfully request that Committee and Council direct staff to engage our client in discussions relating to our specific concerns and the appropriate zoning of the Property in the New ZBL, in advance of Council's final decision in this matter.

We trust that this is satisfactory. Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Client

C16
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Michael Bissett](#)
To: Clerks@vaughan.ca
Cc: [Brandon Correia](#); [Nicole Sgrignuoli](#)
Subject: [External] Correspondence Item 6.8 COW (June 8 2021)
Date: June-07-21 4:59:35 PM
Attachments: [Hollywood Letter \(June 2021\).pdf](#)

This message's attachments contains at least one web link. This is often used for phishing attempts. Please only interact with this attachment if you know its source and that the content is safe. If in doubt, confirm the legitimacy with the sender by phone.

Good afternoon

Please find attached correspondence respecting Item 6.8 to the June 8, 2021 COW meeting (respecting the Comprehensive Zoning By-law).

Thank you very much,

Michael Bissett | Partner

MCIP, RPP

Bousfields Inc.

PLAN | DESIGN | ENGAGE

Toronto

3 Church Street, Suite 200 | Toronto, Ontario | M5E 1M2

Cell: 416-903-6950 | Office: 416-947-9744 Ext. 206 | Fax: 416-947-0781

Hamilton

1 Main Street East, Suite 200 | Hamilton, Ontario | L8N 1E7

Tel: 905-549-3005 | Fax: 416-947-0781

WWW.BOUSFIELDS.CA

****Open for Business - Remote Location Alert****

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BOUSFIELDS INC.

Project No. 1049

June 7, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Mayor Bevilacqua and Members of Committee of the Whole:

Re: Comprehensive Zoning By-law Review

We are planning consultants to Hollywood Princess Convention and Banquet Centre Inc. ("Hollywood"), owners of the lands located at the northwest corner of Highway 7 and Creditstone Road, municipally known as 2800 Highway 7, in the City of Vaughan (the "subject site").

We have reviewed the proposed permitted uses within the V1, V3 and V4 zones that are proposed to apply to the subject site, and it is our opinion that the use permissions are not sufficiently flexible in respect to what is permitted under the VMC Secondary Plan. We look forward to discussing further with staff.

Should you require additional information, or wish to discuss the contents of this letter further, please do not hesitate to contact the undersigned.

Yours truly,
Bousfields Inc.

Michael Bissett, MCIP, RPP

c. Brandon Correia, Manager Special Projects

From: [Michael Bissett](#)
To: Clerks@vaughan.ca
Cc: [Brandon Correia](#); [Nicole Sgrignuoli](#)
Subject: [External] Correspondence Item 6.8 COW (June 8 2021)
Date: June-07-21 4:57:49 PM
Attachments: [RLDC Letter \(June 2021\).pdf](#)

C17
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

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Good afternoon

Please find attached correspondence respecting Item 6.8 to the June 8, 2021 COW meeting (respecting the Comprehensive Zoning By-law).

Thank you very much,

Michael Bissett | Partner

MCIP, RPP

Bousfields Inc.

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3 Church Street, Suite 200 | Toronto, Ontario | M5E 1M2

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1 Main Street East, Suite 200 | Hamilton, Ontario | L8N 1E7

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BOUSFIELDS INC.

Project No. 1049

June 7, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Mayor Bevilacqua and Members of Committee of the Whole:

Re: Comprehensive Zoning By-law Review

We are planning consultants to Rutherford Land Development Corporation (the "RLDC"), owners of the lands located at the southeast corner of Jane Street and Rutherford Road, legally described as Part of Lot 15, Concession 4, Parts 1, 4, 5, 6 & 8 on Reference Plan 65R-26506 and municipally known as 2901 Rutherford Road, in the City of Vaughan (the "subject lands").

On November 6, 2020, the Minister of Municipal Affairs and Housing issued a Zoning Order (O. Reg. 643/20) permitting mixed use high density development on the subject site (the Zoning Order is attached hereto). Therefore the subject lands should be identified as "These lands shall not be subject to Zoning By-law 2021-01". We also request that staff confirm that By-law 1-88 would not be repealed as it applies to the subject site.

Should you require additional information, or wish to discuss the contents of this letter further, please do not hesitate to contact the undersigned.

Yours truly,
Bousfields Inc.

Michael Bissett, MCIP, RPP

c. Brandon Correia, Manager Special Projects

ONTARIO REGULATION 643/20

made under the

PLANNING ACT

Made: November 6, 2020

Filed: November 6, 2020

Published on e-Laws: November 9, 2020

Printed in *The Ontario Gazette*: November 21, 2020

ZONING ORDER - CITY OF VAUGHAN, REGION OF YORK

Definitions

1. In this Order,

“car share” means a membership based car rental service with a network of shared vehicles readily available 24 hours a day, 7 days a week, and does not include a motor vehicle sales establishment or car brokerage;

“parking space” means a rectangular area measuring at least 2.7 metres by 5.7 metres, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles;

“underground parking structure” means a building or structure constructed below grade used for the temporary parking of motor vehicles, but not used for the storage of impounded, scrap or derelict motor vehicles;

“Zoning By-law” means Zoning By-Law No. 1-88 of the City of Vaughan.

Application

2. This Order applies to lands in the City of Vaughan in the Regional Municipality of York, in the Province of Ontario, being the lands outlined in red on a map numbered 250 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Permitted uses

3. Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in section 2, except for,

- (a) apartment dwellings;
- (b) townhouse dwellings;
- (c) back-to-back townhouse dwellings;
- (d) stacked townhouse dwellings;
- (e) underground parking structures;
- (f) financial institutions;
- (g) business or professional offices;
- (h) a car share;
- (i) clubs;
- (j) health centres;
- (k) eating establishments;
- (l) convenience eating establishments;
- (m) take-out eating establishments;
- (n) personal service shops;
- (o) pet grooming establishments;
- (p) pharmacies;
- (q) retail stores;
- (r) veterinary clinics;
- (s) outdoor patios;

- (t) temporary sales offices;
- (u) community centres;
- (v) day nurseries;
- (w) independent living facilities;
- (x) long-term care homes;
- (y) public or private schools;
- (z) technical or commercial schools;
- (z.1) libraries;
- (z.2) recreational uses; and
- (z.3) uses, buildings and structures that are accessory to the uses set out in clauses (a) to (z.2).

Zoning requirements

4. The zoning requirements for the Apartment Residential “RA3” Zone set out in the Zoning By-law apply to the lands described in section 2, with the following exceptions:

1. There is no minimum lot area.
2. The minimum distance between buildings that are seven storeys or taller is 25 metres.
3. The maximum floorplate in an apartment dwelling above the podium is 750 square metres.
4. The maximum building height is 30 storeys.
5. The maximum floor space index is 8.5.
6. There is no maximum number of dwelling units.
7. There is no maximum gross floor area.
8. The minimum floor to floor height of a non-residential unit on the ground floor of a building is 4.5 metres.
9. There is no minimum setback from a sight triangle.
10. The minimum setback from the street line to the first two storeys of any building above finished grade is three metres.
11. The minimum setback from the street line of any portion of a building above the first two storeys is 1.5 metres.
12. There is no minimum setback from a street line to the nearest portion of a building below grade.
13. The minimum amenity area is two square metres per dwelling unit.
14. The minimum number of required parking spaces is as follows:
 - i. 0.7 parking spaces are required per bachelor or one-bedroom dwelling unit.
 - ii. 0.9 parking spaces are required per two-bedroom dwelling unit.
 - iii. One parking space is required per three or more bedroom dwelling unit.
 - iv. 0.15 residential visitor parking spaces are required per dwelling unit.
 - v. Two parking spaces are required per 100 square metres of commercial gross floor area.
 - vi. 0.45 parking spaces are required per one-bedroom independent living dwelling unit.
 - vii. 0.6 parking spaces are required per two-bedroom independent living dwelling unit.
 - viii. 0.15 visitor parking spaces are required per independent living dwelling unit.
 - ix. 0.2 parking spaces are required per long-term care home bed.
 - x. 0.15 visitor parking spaces are required per long-term care home bed.
15. The minimum width of a two-way access driveway is 6 metres.
16. The maximum width of a two-way access driveway is 7.5 metres.

Terms of use

5. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

6. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the City of Vaughan.

Commencement

7. This Regulation comes into force on the day it is filed.

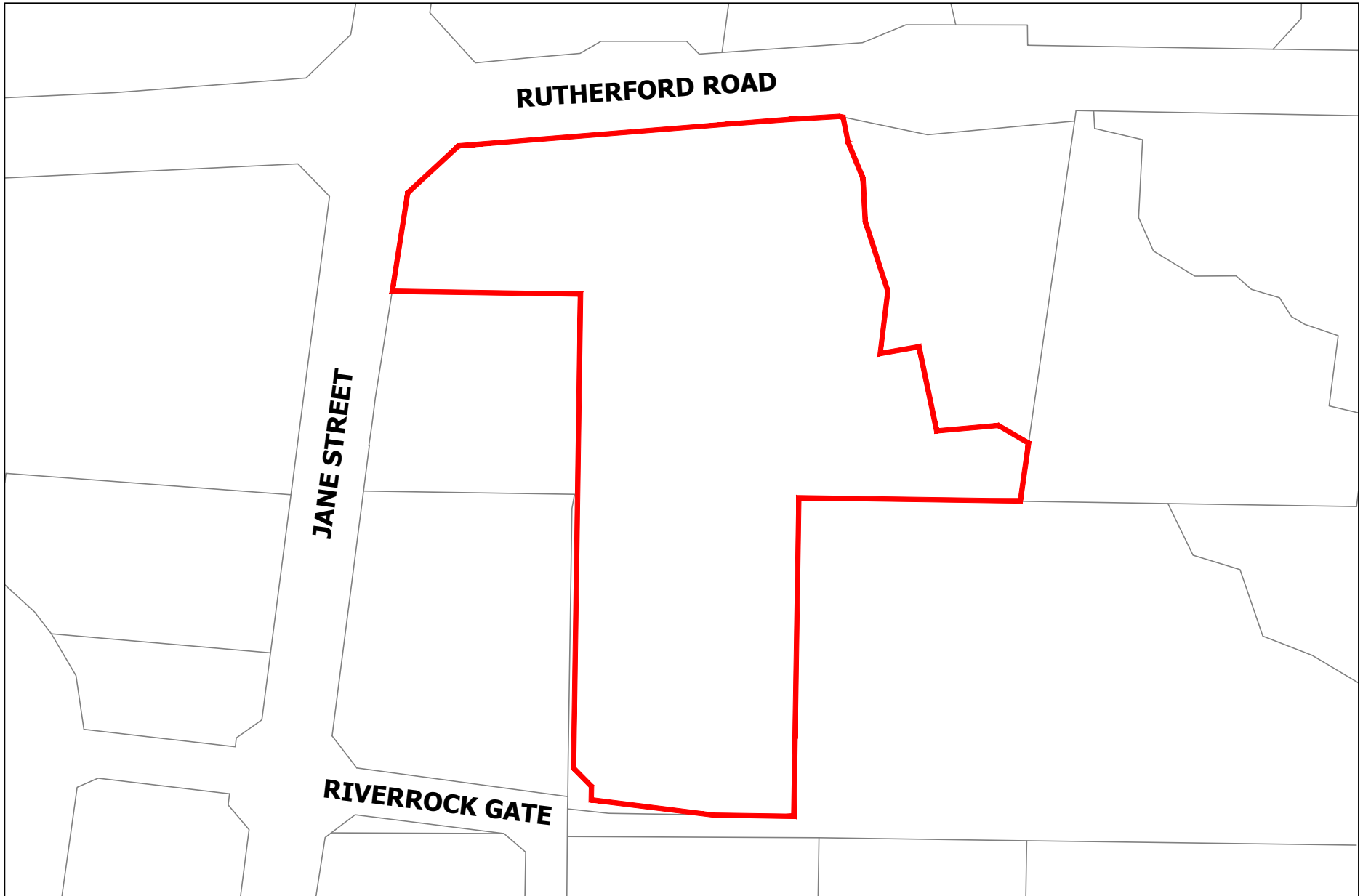
Made by:

STEVE CLARK
Minister of Municipal Affairs and Housing

Date made: November 6, 2020

[Back to top](#)

PART LOT 15, CONCESSION 4, CITY OF VAUGHAN



MAP NO. XXX

Map Filed at the office of the Ontario Ministry
of Municipal Affairs and Housing
777 Bay Street, Toronto, Ontario

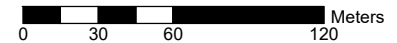
The Planning Act Ontario Regulation:

Date:

Original Signed By:

LEGEND

 Lands Subject to Zoning Order



C18
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Michael Bissett](#)
To: Clerks@vaughan.ca
Cc: [Brandon Correia](#); [Nicole Sgrignuoli](#)
Subject: [External] Correspondence Item 6.8 COW (June 8 2021)
Date: June-07-21 4:14:40 PM
Attachments: [PineValley Letter \(June 2021\).pdf](#)

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Good afternoon

Please find attached correspondence respecting Item 6.8 to the June 8, 2021 COW meeting (respecting the Comprehensive Zoning By-law).

Thank you very much,

Michael Bissett | Partner

MCIP, RPP

Bousfields Inc.

PLAN | DESIGN | ENGAGE

Toronto

3 Church Street, Suite 200 | Toronto, Ontario | M5E 1M2

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Hamilton

1 Main Street East, Suite 200 | Hamilton, Ontario | L8N 1E7

Tel: 905-549-3005 | Fax: 416-947-0781

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BOUSFIELDS INC.

Project No. 1049

June 7, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Mayor Bevilacqua and Members of Committee of the Whole:

Re: Comprehensive Zoning By-law Review

We are planning consultants to MCN (Pine Valley) Inc., owner of an approximate 64 hectare property located on the east side of Pine Valley Road, south of King-Vaughan Road, municipally known as 12011 Pine Valley Road (the "subject property").

Further to our letter dated October 27, 2020, it appears that Schedule B4 to the draft Comprehensive Zoning By-law still does not accurately reflect the LPAT Decision, dated October 5, 2020 (letter and LPAT decision attached hereto). The decision implemented a settlement to accurately reflect the Natural Heritage designations on the subject site. It appears that Schedule B4 to the Draft Zoning By-law still does not accurately reflect the deletion of certain features per the attached LPAT decision. We request that this be reviewed and confirmed.

Should you require additional information, or wish to discuss the contents of this letter further, please do not hesitate to contact the undersigned.

Yours truly,
Bousfields Inc.

Michael Bissett, MCIP, RPP

c. Brandon Correia, Manager Special Projects



BOUSFIELDS INC.

Project No. 1049

October 27, 2020

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Mayor Bevilacqua and Members of Committee of the Whole

Re: Comprehensive Zoning By-law Review

We are planning consultants to MCN (Pine Valley) Inc., owner of an approximate 64 hectare property located on the east side of Pine Valley Road, south of King-Vaughan Road, municipally known as 12011 Pine Valley Road (the "subject property").

We have attached an LPAT Decision, dated October 5, 2020, implementing a settlement to accurately reflect that Natural Heritage designations on the subject site. It appears that Schedule B4 to the Draft Zoning By-law does not accurately reflect the features per the attached LPAT decision. We request that this be reviewed and confirmed.

Should you require additional information, or wish to discuss the contents of this letter further, please do not hesitate to contact the undersigned.

Yours very truly,

Michael Bissett, MCIP RPP
Bousfields Inc.

cc. Brandon Correia, Manager, Special Projects, City of Vaughan

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: October 05, 2020

CASE NO(S): PL111184

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1042710 Ontario Limited
Appellant:	1096818 Ontario Inc.
Appellant:	11333 Dufferin St et al
Appellant:	1191621 Ontario Inc.; and others
Subject:	Failure to announce a decision respecting Proposed New Official Plan City of Vaughan
Municipality:	City of Vaughan
OMB Case No.:	PL111184
OMB File No.:	PL111184
OMB Case Name:	Duca v. Vaughan (City)

All Appellants: See Attachment 1

Heard: October 1, 2020 by telephone conference call

APPEARANCES:

Parties

MCN (Pine Valley) Inc.

Block 42 Landowners Group Inc.

City of Vaughan

Toronto and Region Conservation
Authority

Counsel

S. Ferri and M. Ng

M. Melling and A. Margaritis

E. Lidakis

T. Duncan

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON
OCTOBER 1, 2020 AND ORDER OF THE TRIBUNAL**

[1] This proceeding was a settlement hearing to resolve the appeals of MCN (Pine Valley) Inc. (Appeal 57) (“Pine Valley”) and Block 42 Landowners Group Inc. (Appeal 151) (“Block 42 Landowners”) to the 2010 Vaughan Official Plan (“VOP”). Over the past several years, the 168 appeals to the VOP have been managed according to various categories by area or subject matter. Where a settlement is reached, as is the case here, a hearing is held to consider the settlement and resulting modifications to the VOP, if any.

[2] In support of the settlement for Block 42 Landowners, and with the consent of all Parties, the signed Affidavits of the following professionals were marked as Exhibit 1: Ryan Mino-Leahan, Registered Professional Planner (“RPP”) and Brian Henshaw, Ecologist.

[3] In support of the settlement for Pine Valley, and with the consent of all Parties, the signed Affidavits of the following professionals were marked as Exhibit 2: Michael Bissett, RPP, Bradley Baker, Ecologist and Paul Neals, Agrologist.

[4] As covered in detail in the Affidavits, both of these matters relate to the manner in which the VOP designates and applies policies for natural heritage areas.

[5] The area known as Block 42 covers approximately 500 hectares at the centre of the municipality’s northern boundary, bounded by Kirby Road to the south, Pine Valley Drive to the west, Weston Road to the east, and the municipal boundary to the north. The area is situated outside of the designated Urban Area and is dominated by agricultural land uses, but may be considered for future urban development based on studies underway by the Regional Municipality of York.

[6] The resolution of the Block 42 Landowners’ appeal involves renaming natural features on Schedule 2 of the VOP to clarify that such features will be determined at the time of future development, and including policies that provincially significant wetlands

will be surrounded by a 30 metre (“m”) protection zone and other wetlands by a 10 m zone, and setting out the circumstances when an evaluation of wetlands and environmental impact studies are required.

[7] Mr. Mino-Leahan attests that the proposed modifications to the VOP satisfy all legislative requirements by appropriately addressing the protection of ecological systems, the protection of agricultural resources, orderly development and coordinated planning, as set out in s. 2 of the *Planning Act* (“Act”), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (“GP”), the Provincial Policy Statement, 2020 (“PPS”) and the Regional Municipality of York Official Plan (“ROP”). Mr. Mino-Leahan also opines that the proposed modifications are in harmony with the policy intent of the VOP.

[8] The lands affected by the Pine Valley appeal are approximately 60 hectares within the northwest part of Block 42. The resolution of the appeal involves modifying Schedule 2 of the VOP to remove the designations of Core Feature and Enhancement Area from three swales that cross and form part of the cropped fields on the property, and to add a policy allowing the small wetland in the southwest part of the property to be studied further at the time of a development application.

[9] Mr. Bissett attests that the proposed modifications to the VOP satisfy all legislative requirements by appropriately addressing the protection of ecological systems, the protection of agricultural resources, orderly development and coordinated planning, as set out in the Act, GP, PPS and ROP. Mr. Bissett also opines that the proposed modifications conform with the intent of the VOP.

[10] On the unchallenged planning evidence of Mr. Mino-Leahan and Mr. Bissett as supported by the technical conclusions of the other affiants, and the consent submissions of the Parties, the Tribunal finds that the proposed modifications to the VOP have regard for s. 2 of the Act, conform with the GP, are consistent with the PPS, and conform with the ROP. The Tribunal approves the requested modifications to the VOP as set out below.

ORDER

[11] The Tribunal orders, pursuant to s. 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, in respect of the City of Vaughan Official Plan 2010 as adopted by the City of Vaughan on September 7, 2010, subject to Council modifications on September 27, 2011, March 20, 2012, and April 17, 2012, and modified and endorsed by the Regional Municipality of York on June 28, 2012, that:

1. Appeals 57 and 151 of the City of Vaughan Official Plan 2010, filed by MCN (Pine Valley) Inc. and Block 42 Landowners Group Inc. respectively, are allowed in part;
2. The City of Vaughan Official Plan 2010 is hereby modified and approved as modified in respect of lands subject to Appeals 57 and 151 in accordance with Attachment 2 attached to and forming part of this Order; and
3. The balance of Appeals 57 and 151 of the City of Vaughan Official Plan 2010 are hereby dismissed.

“S. Tousaw”

S. TOUSAW
MEMBER

If there is an attachment referred to in this document,
please visit www.olt.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Ontario Land Tribunals

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
Briardown Estates Inc.	33	Patrick Harrington
Amar Transport Inc.	81	
Solmar Inc.	3	Michael Melling / Andy Margaritis / Jamie Cole (except Appellant 151)
Tesmar Holdings Inc.	04	
1668872 Ontario Inc.	5	
77 Woodstream Inc.	25	
Block 40/47 Developers Group Inc.	28	
Auto Complex Limited	40	
York Major Holdings Inc.	55	
1539253 Ontario Inc.	68	
Celebration Estates Inc.	96	
Overriver Holdings Ltd.	98	
Block 66 West Landowners Group Inc.	125	
Teston Green Landowners Group	149	
Block 42 Landowners Group	151	
Lucia Milani and Rizmi Holdings Ltd.	62	Matthew Di Vona
Teston Villas Inc.	152	
Teston Sands Inc.	162	
2264319 Ontario Inc.	6	Ira T. Kagan
Block 41-28E Developments Limited, Block 41-28W Developments Ltd., 1212765 Ontario Inc. and 1213763 Ontario Ltd.	35	
7040 Yonge Holdings Ltd. and 72 Steeles Holdings Ltd.	38	
Castlepoint Huntington Ltd.	49	
Salz & Son Ltd.	51	
Monarch Castlepoint Kipling North & South	154	
Queen's Quay Avante Limited	155	
Haulover Investments Ltd.	7	
David and Kathy Lundell	42	Jeffrey Streisfield

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
Portside Developments (Kipling) Inc.	116	
Mario Tedesco	417	
York Region Condominium Corporation 730	137	Reza Fakhim / Ali Shojaat / Domenica Perruzza
Baif Developments Limited	8	
Costco Wholesale Canada Ltd.	9	
Wal-Mart Canada Corp.	40	
First Vaughan Investments Inc., Ruland Properties Inc. and Skyrange Investments Inc.	72	Roslyn Houser / Ian Andres / Joseph Hoffman
Calloway REIT (Sevenbridge) Inc.	73	
LTF Real Estate Company, Canada Inc. ("Life Time")	134	
836115 Ontario Inc.	18	
1191621 Ontario Inc.	19	
Granite Real Estate Inc. (formerly MI)	20	
1834375 Ontario Ltd.	29	
1834371 Ontario Ltd.	30	
Delisle Properties Ltd.	34	
1541677 Ontario Inc.	43	
Novagal Development Inc.	52	
2159645 Ontario Ltd. (Liberty)	56	
Nine-Ten West Limited	80	
Cedarbrook Residential	103	
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West Rutherford Properties Ltd.	16	
Ozner Corporation	17	
Hollywood Princess Convention and Banquet Centre Ltd.	50	Quinto M. Annibale / Steven Ferri

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
MCN (Pine Valley) Inc.	57	
785345 Ont. Ltd and I & M Pandolfo Holdings	59	
Kirbywest Ltd.	66	
Royal 7 Developments Limited	84	
Maple Industrial Landowners Group	118	
Blue Sky Entertainment Corp.	126	
Holcim (Canada) Inc.	129	
2203012 Ontario Limited	130	
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Caldari Land Development Corporation	150	
Lormel Developments Ltd.	167	
Blackwood Realty Fund I Limited Partnership	24	John Alati / Susan Rosenthal
2117969 Ontario Inc.	406	
Midvale Estates Ltd.	407	
2431247 Ontario Limited (Zzen 2)	108	
Covenant Chapel	415	
Ivanhoe Cambridge II Inc.	142	
RioCan Holdings Inc. (Coulter's Mills Marketplace)	31	Joel D. Farber
RioCan Holdings Inc. (Springfarm Marketplace)	32	
Riotrin Properties (Langstaff) Inc., SRF Vaughan Property Inc., and SRF Vaughan Property II Inc.	36	
Riotrin Properties (Vaughan) Inc., Riotrin Properties (Vaughan2) Inc. and Riotrin Properties (Vaughan3) Inc.	48	
RioCan Holdings Inc. (Centre Street Corridor)	82	
1306497 Ontario Inc. (Sisley Honda)	133	
Canadian Fuels Association	41	N. Jane Pepino
Imperial Oil Ltd.	71	
Country Wide Homes (Pine Valley Estates) Inc.	166	
Home Depot Holdings Inc.	044	Steven A. Zakem /

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
Granite Real Estate Inc. and Magna International Inc.	110	Andrea Skinner
350 Creditstone Investments	143	
Lorwood Holdings Incorporated	158	
Casertano Development Corporation and Sandra Mammone	45	Mary Flynn-Guglietti / Annik Forristal
Danlauton Holdings Ltd.	46	
1529749 Ontario Inc. (the "Torgan Group")	47	
Suncor Energy Products Partnership	54	
GST Canada Co.	85	
2157160 Ontario Inc.	99	
Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd., and 1510905 Ontario Ltd.	100	
1693143 Ontario Inc. and 1693144 Ontario Inc.	101	
Antonia & Bertilla Taurasi	138	
390 Steeles West Holdings Inc.	153	
398 Steeles Avenue West Inc.	160	
2090396 Ontario Ltd.	60	
Arthur Fisch & 1096818 Ontario Inc.	61	
H&L Title Inc. & Ledbury Investments Ltd.	75	
Centre Street Properties Inc.	78	
Vogue Investments Ltd.	79	
Teefy Developments Inc.	63	Chris Barnett
Anland Developments Inc.	83	
281187 Ontario Ltd.	64	Gerard C. Borean
L-Star Developments Group	65	
Kipco Lands Development Inc.	86	
Lanada Investments Limited	87	
Market Lane Holdings Limited	88	
Gold Park (Woodbridge) Inc.	89	

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
Mrs. Anna Greco	90	
Luigi Bros. Paving Company Ltd.	91	
Mr. Silvio Di Giammarino	94	
1034933 Ontario Ltd.	120	
Luigi Bros. Paving Company Ltd.	128	
Concetta Marciano	135	
Pro Catering Ltd.	136	
Michael Termini, Salvatore Termini and Rosa Bancheri	145	
Yonge & Steeles Developments Inc.	39	
Blue Water Ranch Developments Inc.	67	
Berkley Commercial (Jane) Inc.	119	
Teresa Marando	123	
FCF Old Market Lane 2013 Inc.	140	
Liberata D'Aversa	148	
8188 Master Holding Inc.	157	
1966711 Ontario Inc.	164	
Glenwood Property Management Ltd. and The Gupta Group	165	
Royal Group Inc.	70	David Tang
Langvalley Holdings	77	Nicholas T. Macos
K & K Holdings Limited	132	
Camelot on 7 Inc. and Elia Breda	93	Paul R. Bottos
Tien De Religion Lands	141	Alan Heisey
TDC Medical Properties Inc.	105	Stephen D'Agostino
Mr. Antonio Di Benedetto	109	Self-Represented
Bentall Kennedy (Canada) LP	111	Patrick Duffy
Toromont Industries Ltd.	114	Michael Miller
Tan-Mark Holdings Limited & Telast Enterprises Inc.	156	William Friedman
Tan-Mark Holdings Limited, Gino Matrundola and Telast Enterprises Inc.	168	
10350 Pine Valley	163	Steven Ferri

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
1042710 Ontario Ltd.	4	Patricia A. Foran / Patrick Harrington
Highway 27 Langstaff GP Ltd.	2	Susan Rosenthal
Highway 27 Langstaff GP Ltd.	22	
Longyard Properties Inc.	23	
TDL Group Corp.	11	Michael S. Polowin / -Denise Baker
McDonald's Restaurants of Canada Ltd.	12	
A&W Food Services of Canada Inc.	13	
Wendy's Restaurants of Canada Inc.	14	
Ontario Restaurant Hotel & Motel Association	15	
Roybridge Holdings Ltd., Vaughan West II Ltd., and Squire Ridge Investment Ltd.	26	Susan D. Rogers
Adidas Canada Ltd., 2029832 Ontario Inc., and Conair Consumers Products Inc.	27	
John Duca	113	
Ms. Ronni Rosenberg	37	Amber Stewart
165 Pine Grove Investments Inc.	53	Adam J. Brown / Jessica Smuskowitz
1525233 Ontario Inc.	97	
Estates of Gladys Smith	58	Robert Miller
Palmerston Properties Limited	122	
York Condominium Corporation 499	139	
2058258 Ontario Ltd. (Forest Green Homes)	69	Christopher J. Williams / Andrea Skinner
Ms. Traci Shatz	76	Aynsley L. Anderson
United Parcel Service Canada Ltd.	92	Tim Bermingham
Weston Downs Ratepayers Association	95	Anthony Francescucci
Mr. Alex Marrero	102	Alex Marrero
Monica Murad	127	Michael Simaan
Seven 427 Developments Inc.	144	Valeria Maurizio / Johanna Shapira

Schedule "A"

APPELLANT	APPEAL	REPRESENTATIVE
Kau & Associates LP	74	Caterina Facciolo
Trimax on Islington	104	
Dufferin Vistas Ltd.	21	David Bronskill
Country Wide Homes Woodend Place Inc.	121	Jane Pepino
2464879 Ontario Inc. and Ultra Towns Inc.	159	Leo Longe
The Ravines of Islington Encore Inc.	161	

<u>Parties</u>	<u>Party No.</u>	<u>Representative</u>
Haulover Investments Ltd.	7	Jeffrey Streisfield
Region of York	A	Pitman Patterson / Bola Ogunmefun
Ministry of Municipal Affairs and Housing	B	Ugo Popadic / Anna-Lee Beamish
Toronto and Region Conservation Authority	C	Tim Duncan / Coreena Smith
PEARLS Inc.	D	Bruce McMinn
UPS Canada	E	Tim Bermingham
611428 Ontario Ltd.	F	David Bronskill
York Region Catholic District School Board	G	Tom McRae / Christine Hyde
York Region District School Board	H	Gilbert Luk
FCHT Holdings (Ont) Corp	I	Steven A. Zakem / Andrea Skinner
Magna International Inc. and Granite Real Estate Inc.	J	
CNR	K	Alan Heisey
Alex & Michelle Marrero (5859 Rutherford)	L	
Ivanhoe Cambridge Inc. (now Appeal 142)	M	John Alati
Vaughan 400 North Landowners Group Inc.	N	Michael Melling
1233389 Ontario Inc.	O	Alan Heisey
Sustainable Vaughan	P	Sonny Rai
RioCan Holdings Inc.	Q	Joel Farber
Brownridge Ratepayers Association	R	Mario G. Racco

Schedule "A"

<u>Parties</u>	<u>Party No.</u>	<u>Representative</u>
Joseph & Teresa Marando	S	Carmine Marando
Velmar Centre Property Ltd.	T	Michael Melling
Argo Lumber Inc., Alpa Trusses Inc.	U	Thomas Barlow / Sarah Jane Turney
One-Foot Developments Inc.	AA	
Two Seven Joint Venture Limited	AB	
Anatolia Capital Corp.	AC	
Di Poce Management Limited	AD	
Toromont Industries Ltd.	AE	
John Simone	AF	
Domenic Simone	AG	
Silvia Bellissimo	AH	
Enza Cristello	AI	
Maria Simone	AJ	
Anthony Simone	AK	
Annarita Guida	AL	
Cole Engineering Group Ltd.	AM	
Roybridge Holdings Ltd., Vaughan West II Ltd. and Squire Ridge Investment Ltd.	V	Susan D. Rogers
Adidas Canada Ltd., 2029832 Ontario Inc. and Conair Consumers Products Inc.	W	Susan D. Rogers
Part of Block 50 Landowners Group	X	Thomas Barlow
Sidney Isenberg (Medallion Fence Ltd.)	Y	Shelly Isenberg
Liberta D'Aversa (now Appeal 148)	Z	Gregory Grygue
Teresa Marando	AN	Chris Tanzola / Daniel Artenosi
Seven 427 Developments Inc.	AO	Johanna Shapira

<u>Yonge Steeles Secondary Plan Parties</u>	<u>Representative</u>
City of Toronto	Ray Kallio
City of Markham	Bruce Ketcheson / Francesco Santaguida

Schedule "A"

<u>Yonge Steeles Secondary Plan Parties</u>	<u>Representative</u>
2636786 Ontario Inc. (Toys "R" Us)	Roslyn Houser
Roman Catholic Episcopal Corporation for the Diocese of Toronto	David Tang
Mizrahi Constantine (180 Saw) Inc.	Quinto Annibale / Brendan Ruddick
Yonge Steeles Landowners Group (Appellants 38, 40, 41, 165)	Ira Kagan / Kristie Jennings
Associated Vaughan Properties Limited	Mary Flynn-Guglietti / Kailey Sutton

<u>Participants</u>	<u>No.</u>	<u>Representative</u>
Block 27 Landowners	1	Michael Melling
City of Brampton	2	Diana Soos
Antonio DiBenedetto	3	Self
Americo Ferrari	4	joseph.jgp@gmail.com
Crown Heights Coop Housing	5	Ellen Schacter
Maria, Yolanda, Laura, Guiseppe Pandolfo and Cathy Campione	6	Guiseppe Pandolfo
Brownridge Ratepayers Association	7	Mario G. Racco
Bellaterra Corporation	8	Gerard C. Borean
Mary Mauti and Elisa Testa	9	Mary Mauti / Elisa Testa
The Village of Woodbridge Ratepayers Association	10	Maria Verna

ATTACHMENT 2

Schedule "B"

LPAT approval of the following VOP 2010 schedules and revisions

1. **LPAT approval of Schedule 2 – Natural Heritage Network as approved by LPAT on September 21, 2016 with the following revisions and attached as Attachment 1:**
 - a. For the Lands subject to Appeal 57, remove all features identified on Schedule 2 outside of the Greenbelt Plan Area Boundary, except a small portion in the southwest area of the lands that will be identified as "To be determined through Future Development (4)"
 - b. For all remaining lands within Block 42 amend features within Block 42 currently identified as "Unapproved" to "To be determined through Future Development (4)"
 - c. The following note to be added to Schedule 2:

"(4) Sites under consideration for Core Feature additions, or classification as an Enhancement Area to be determined through appropriate technical studies during the secondary plan and/or the development approval process."

2. **LPAT approval of the following revisions to the VOP 2010 to add a Special Site Policy within Volume 2 to VOP 2010:**
 - a. Add to Volume 1, Schedule 14-C "Areas Subject to Site Specific Policies" by identifying all lands within Block 42 as #56 and known as "Block 42 Lands".
 - b. Adding to Volume 2, policy 13.1 "Site Specific Policy" the following policy, to be renumbered in sequential order:

13.1.1.56 "The lands known as Block 42 Lands are identified on Schedule 14-C as Item 56 and are subject to the policies set out in Section 13.57 of this Plan."
 - c. Adding the following policies to Volume 2, Section 13 – "Site Specific Policies" and renumbering in sequential order

13.57 Block 42 Lands

13.57.1 General

13.57.1.1 The following policies shall apply to the lands identified on Map 13.57.A

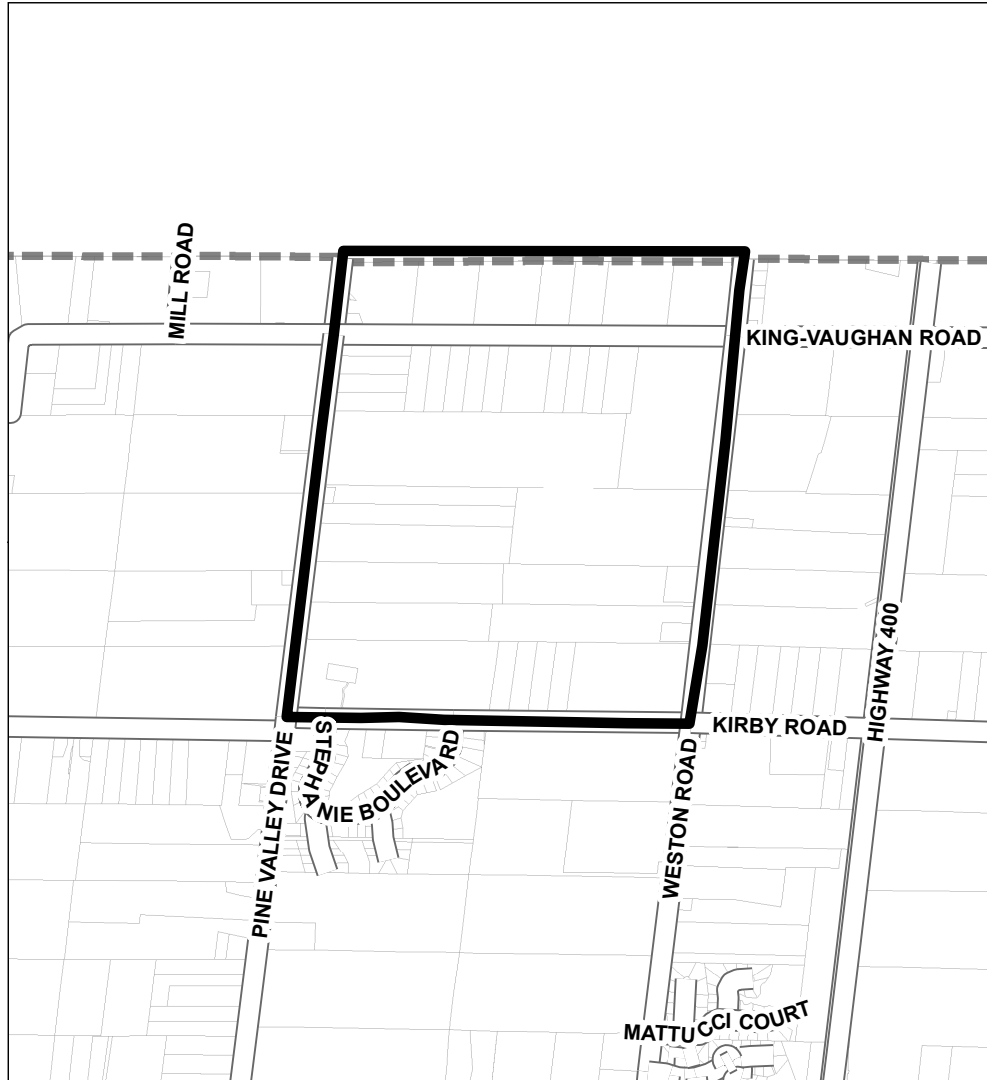
13.57.1.2. Notwithstanding Volume 1 Policies 3.2.3.4 b the following policies shall apply:

- a. *Wetlands* on the Oak Ridge Moraine or Greenbelt, and those identified as provincially *significant*, with a minimum 30 metre vegetation protection zone.
- b. Other *wetlands*, with a minimum vegetation protection zone in accordance with the Region of York Official Plan and TRCA Living City Policies.

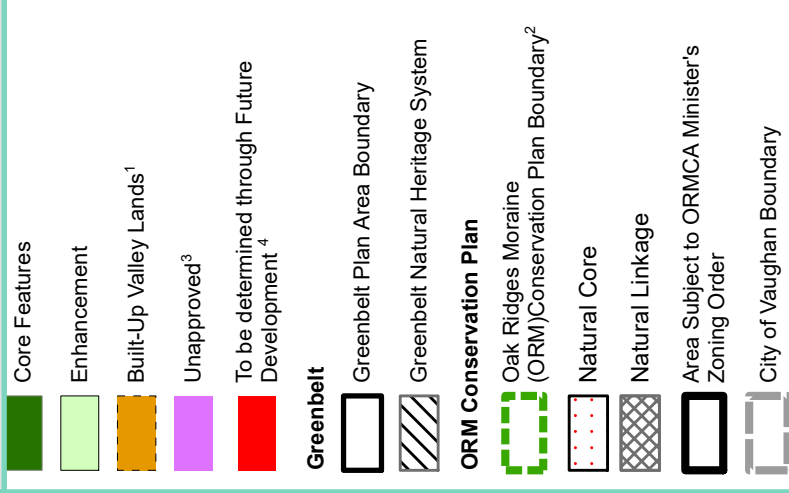
13.57.1.3 That notwithstanding 3.3.2.2 the following policies shall apply to *development* within the lands, excluding the GTA West Corridor proposal for which 3.3.2.2 shall remain to apply:

- a. If the lands are included within the Urban Boundary, that prior to any *development* of the lands for potential urban uses, through the Secondary Plan and/or Block Plan process a *wetlands* evaluation in accordance with the Provincial criteria shall be undertaken.
- b. That prior to the completion of the Secondary Plan and/or Block Plan, for non-urban or temporary use *development* or *site alteration* proposed within 120 metres of provincially *significant wetlands* and all other *wetlands*, an environmental impact study shall be prepared that determine their importance, functions and means of protection and /or maintenance of function to the satisfaction of the City and TRCA.

Map 13.57.A
Block 42 Lands



Natural Heritage Network

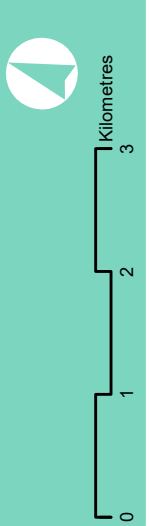


The policy text in Chapter 3 prevails over the mapping shown on Schedule 2 in determining the Natural Heritage Network. Core features shall be precisely delineated on a site-by-site basis through the approval of the Planning Act Applications supported by appropriate technical studies. Refinements to the NHN may occur through Secondary Plan or development approval processes and shall be reflected on this schedule without the need for an Official Plan Amendment. Where the schedule does not accurately reflect an existing development approval, the schedule may be updated without the need for an Official Plan Amendment.

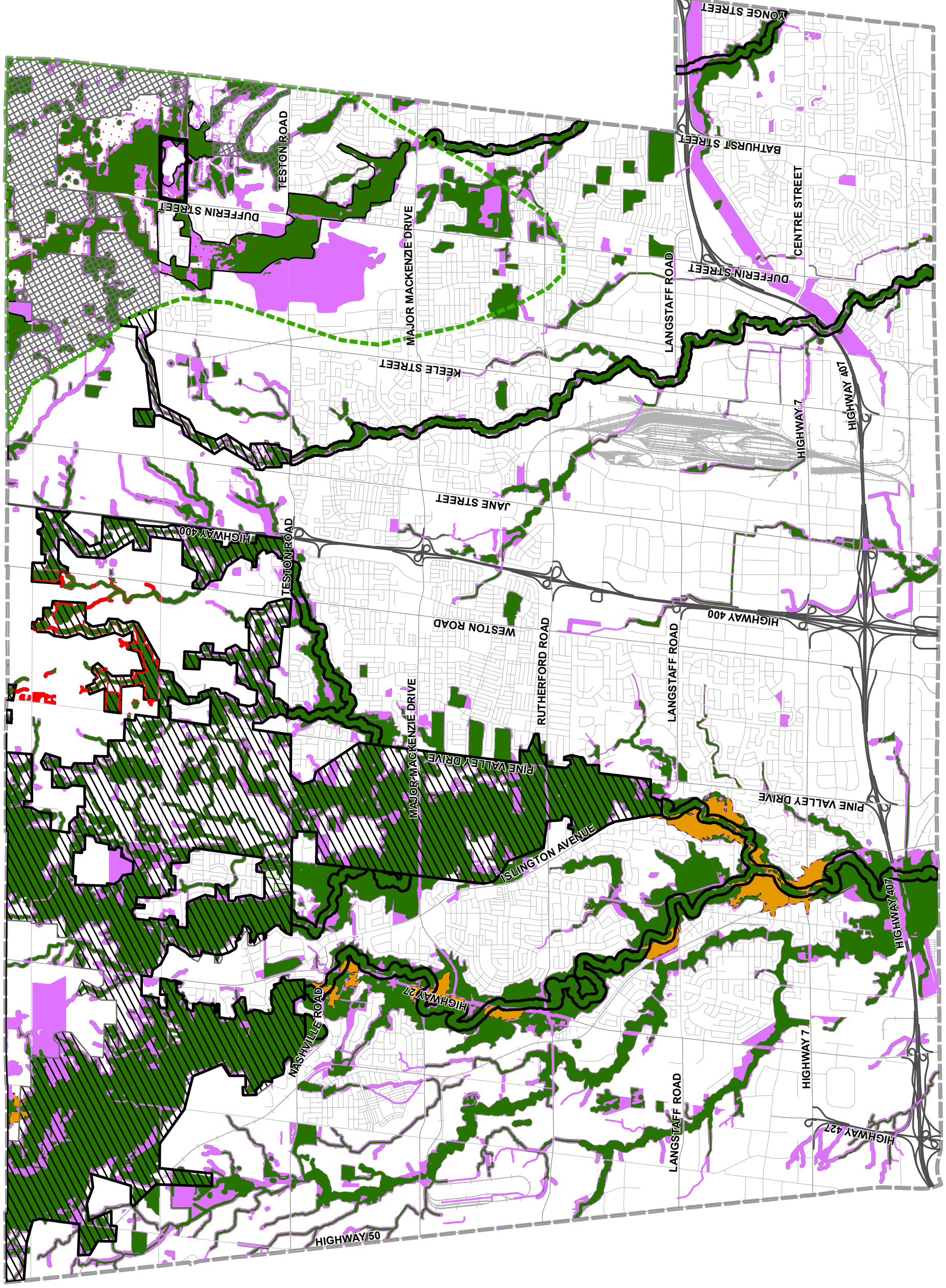
For watercourses and waterbodies outside of well-defined valleys, the vegetation protection zone is to be established according to the policies in Chapter 3.

Enhancement areas are identified conceptually on Schedule 2 and the text shall be consulted to determine the final location and design.

- 1) Data provided by Urban Strategies.
- 2) See Schedule 4 for limits and the land use information of the Greenbelt Plan Area and the Oak Ridges Moraine Conservation Plan Area.
- 3) Sites under consideration for Core Feature additions, Core Feature deletions, or classification as an Enhancement Area.
- 4) Sites under consideration for Core Feature additions, or classification as an Enhancement Area to be determined through appropriate technical studies during the secondary plan and/or the development approval process.



Attachment 1



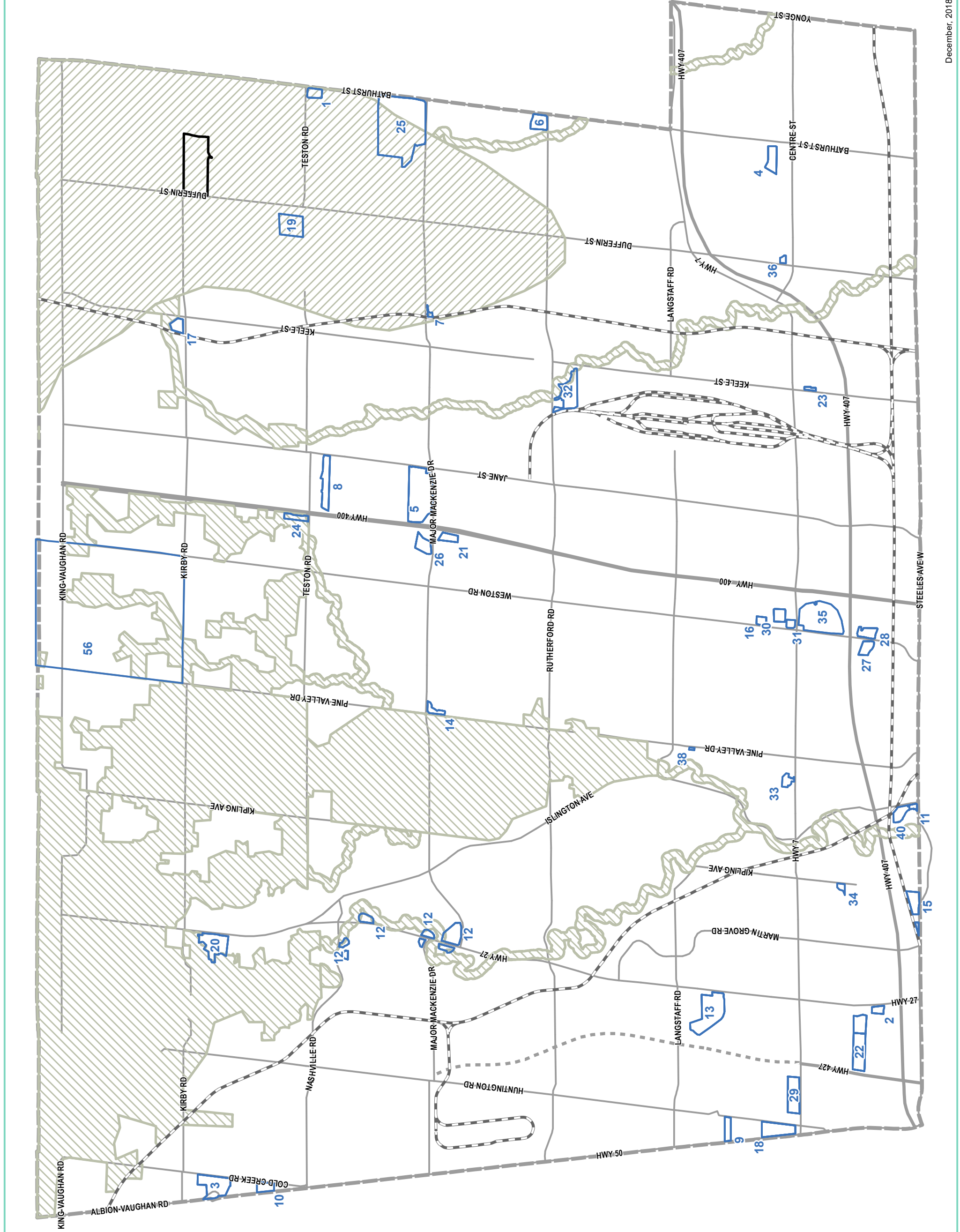
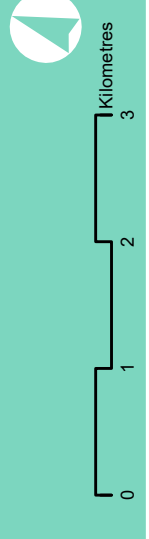
Areas Subject to Site Specific Plans, Map 1/2

- Site #, Name, Chapter**
- 1, SW Corner of Bathurst St. and Teston Rd., 13.2
 - 2, 7242 Highway 27, 13.3
 - 3, 11245 Highway 50, 13.4
 - 4, Thornhill Liberty Lands, 13.5
 - 5, Vaughan Healthcare Campus, 13.6
 - 6, NW Corner of Rutherford Road and Bathurst Street, 13.7
 - 7, 2057 Major Mackenzie Drive, 13.8
 - 8, Ahmadiyya Campus, 13.9
 - 9, 8151 Highway 50, 13.10
 - 10, 10901 Highway 50, 13.11
 - 11, Steeles/Islington Ave. Services Review Area, 13.12
 - 12, Valley Policy Areas, 13.13
 - 13, 2107638/RioCan/SRF Vaughan, 13.14
 - 14, SE Corner of Major Mackenzie Dr. and Pine Valley Dr., 13.15
 - 15, NW Corner of Steeles and Kipling Avenue, 13.16
 - 16, 7979 Weston Road, 13.17
 - 17, NW Corner of Keele Street and Kirby Road, 13.18
 - 18, Huntington South, 13.19
 - 19, 1600 Teston Road, 13.20
 - 20, North Humber Extension, 13.21
 - 21, 77 Eagleview Heights, 13.22 (OPA #7)
 - 22, Parkwaybelt West Amendment Areas, 13.23
 - 23, 7615-7675 Keele St., 13.24
 - 24, 3400 Teston Road, 13.25
 - 25, NW Corner of Major Mackenzie Dr. and Bathurst St., 13.26
 - 26, NE Corner of Cityview Blvd. and Major Mackenzie Dr., 13.27
 - 27, 30 & 70 Aviva Park Dr., 13.28 (OPA #5)
 - 28, SE Corner of Weston Rd. and Highway 407, 13.29
 - 29, NW Corner of Highway 427 and Highway 7, 13.30
 - 30, 140 Northview Boulevard, 13.31

See Minister's Decision on ORMCP Designation

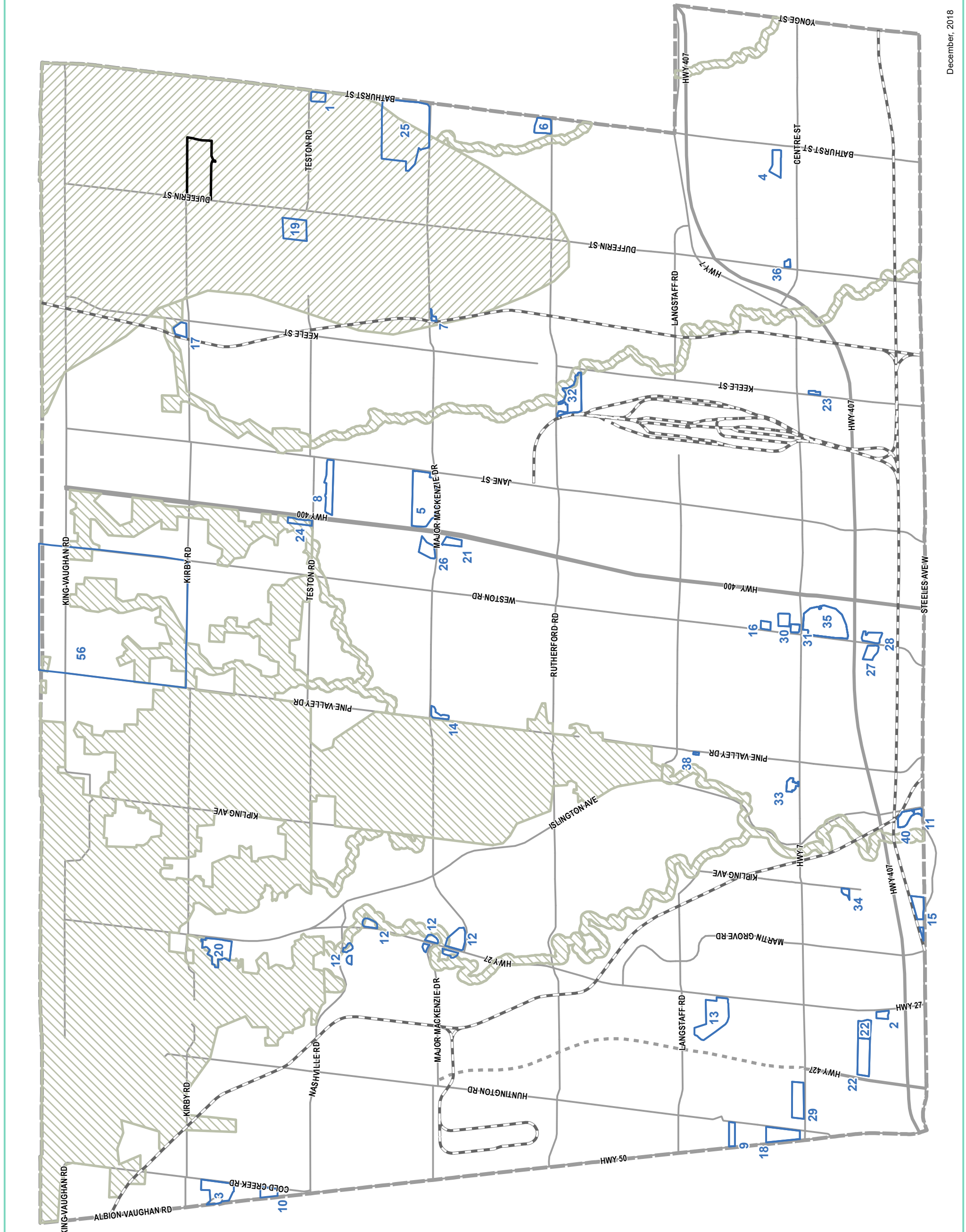
Municipal Boundary

Note: Legend details for sites 31-40 are shown on map 2



Areas Subject to Site Specific Plans, Map 2/2

- Site #, Name, and Chapter**
- 31; NE Corner of Weston Rd. and Highway 7; 13.32
 - 32; 600, 800 & 1000 Tesma Way; 13.33
 - 33; 4650 Highway 7; 13.34 (OPA #11)
 - 34; Kipling Avenue South; 13.35
 - 35; Colossus Centre; 13.36
 - 36; 7803 and 7815 Dufferin Street; 13.37
 - 38; Rear Portion of 61, 71 & 83 Hayhoe Ave; 13.39 (OPA #18)
 - 40; 7082 Islington Ave.;
 - 56; Block 42 Lands
 - See Minister's Decision on ORMCP Designation
- Designation**
- Municipal Boundary



Note: Legend details for sites 1-30 are shown on map 1

0 1 2 3 Kilometres

C19
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Adelina Bellisario](#)
To: [Adelina Bellisario](#)
Subject: FW: Committee of the Whole (2) June 8, 2021- CZBL- Comments re: Item 8
Date: June-11-21 4:25:17 PM
Attachments: [City-wide Comprehensive Zoning By-Law \(June 2021\) 69 & 73 Nashville Road.pdf](#)
[City-wide Comprehensive Zoning By-Law \(June 2021\) 240 Fenyrose \(Final\).pdf](#)
[City-wide Comprehensive Zoning By-Law \(June 2021\) 9867 Highway 27 \(Final\).pdf](#)
[image002.png](#)

From: Nadia Zuccaro, MCIP, RPP <nzuccaro@emcgroup.ca>

Sent: Monday, June 07, 2021 5:22 PM

To: Clerks@vaughan.ca

Subject: [External] Committee of the Whole (2) June 8, 2021- CZBL- Comments re: Item 8

Please accept the attached letters in response to The Committee of the Whole meeting for June 8, 2021 re: Item number 8 – City Wide Comprehensive Zoning By-law.

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

Regards,

Nadia Zuccaro, MCIP, RPP

Senior Planner

nzuccaro@emcgroup.ca

t. [905-738-3939](tel:905-738-3939) x229

d. [289-474-5314](tel:289-474-5314)

EMC GROUP LIMITED

7577 Keele Street, Suite 200

Vaughan, ON, L4K4X3



CONDITIONS OF RECEIPT OF DIGITAL DATA

June 07, 2021

City of Vaughan

Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: Todd Coles
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: Final Draft City-wide Comprehensive Zoning By-law (June 2021)
69 & 73 Nashville Road
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for the property owners of 69 & 73 Nashville Road, Vaughan. The comments to follow outline our concerns with the Final Draft of the Comprehensive Zoning By-law dated June 2021.

We would like to discuss the implications of maintaining the existing site-specific exception E-915 on the subject property in relation to the proposed Main Street Mixed Use - Kleinburg Zone (KMS) as outlined in the City-wide Comprehensive Zoning By-law (June 2021).

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

Yours Truly,

EMC GROUP LIMITED



Nadia Zuccaro, MCIP, RPP
Planner

C:
- Kleinburg Mews Inc.

June 07, 2021

City of Vaughan

Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: Todd Coles
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: Final Draft City-wide Comprehensive Zoning By-law (June 2021)
240 Fenyrose Crescent
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for the property owners of 240 Fenyrose Crescent, Vaughan. The comments to follow outline our concerns with the Final Draft of the Comprehensive Zoning By-law dated June 2021.

EMC Group Limited have provided comments to City of Vaughan Staff (October 23, 2020, Communications No. 16) in reference to the proposed land use zoning (please see attachment). We note the rear portion of 240 Fenyrose Crescent continues to be zoned incorrectly. In Schedule A- Map 107 (May 2021), the By-law illustrates the subject property as Estate Residential (RE) & Public Open Space (OS1-198). We note the lands are private property and should not be zoned for public uses.

For these reasons we object to the proposed zoning of the property. It is our understanding that OS1 is a zone provided for park uses (not for private residential properties).

We note a meeting was held with City Staff on April 9, 2021 & April 12, 2021 to discuss the merits of our previously made comments. However, details regarding the outcome for the subject lands were not provided at the time and this is our first opportunity to see the proposed zoning details.

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

Yours Truly,

EMC GROUP LIMITED



Nadia Zuccaro, MCIP, RPP
Planner

C: - Josie Zuccaro / 240 Fenyrose Crescent

October 23, 2020

City of Vaughan

Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: Todd Coles
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: Comments on City-wide Comprehensive Zoning By-law
240 Fenyrose Crescent
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for the property owners of 240 Fenyrose Crescent, Vaughan. The comments to follow outline our concerns with the Third Draft of the Comprehensive Zoning By-law dated September 2020.

We note that in the Vaughan Official Plan 2010, the subject lands are entirely designated "Low-Rise Residential" which allows for low-rise residential uses. In reference to the Comprehensive Zoning By-law Schedule A- Map 107 (September 2020), the By-law illustrates the subject property as Estate Residential (RE) & Environmental Protection (EP-198). Within the Third Draft of the Comprehensive Zoning By-law 2020 the proposed Environmental Protection zoning for the rear of the subject property does not conform to the City of Vaughan Official Plan 2010 Schedule 13.

From our research, we understand that during the development of the Plan of Subdivision a man-made concrete lined channel was constructed to convey the external drainage from the Weston Downs Subdivision, and that the lands were void of any vegetation when purchased by the current owner. In the last 20 years the owner undertook to landscape the area to its current state similar to the surrounding executive community. The attached air photo gives an overview of the surrounding lands. It is noted that the surrounding lands exhibit the same attributes and all other surrounding properties have remained entirely in the Estate Residential Zone (RE).

For this reason we do not agree with the partial Environmental Protection Zone (EP) of the subject property as seen in Attachment 2.

Should you have any questions or concerns, we are open to meet with you to discuss the merits of this request.

Yours Truly,

EMC GROUP LIMITED

Kevin Ayala Diaz

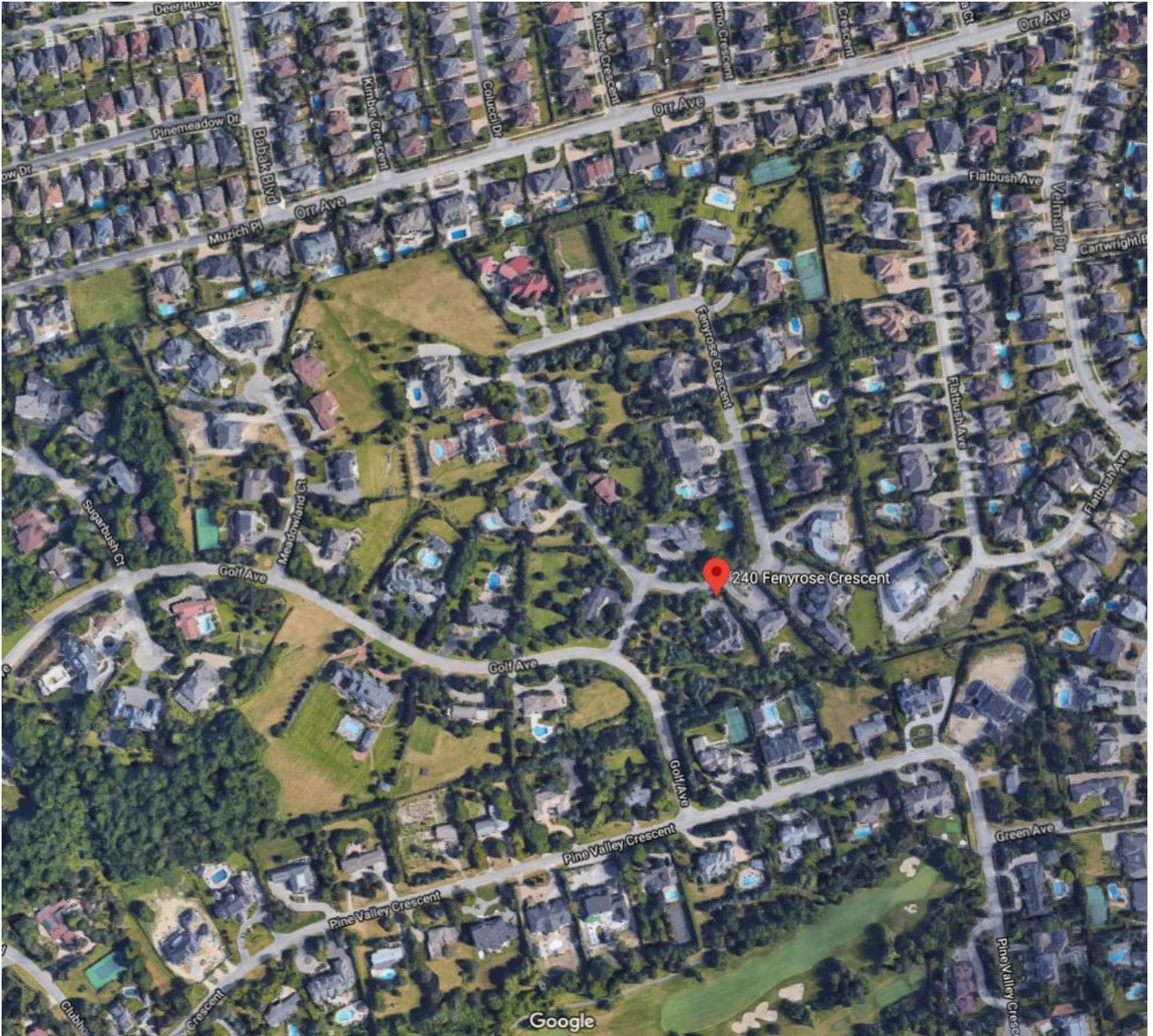
Kevin Ayala Diaz
Planner

Att.

C: - Brandon Correia- Manager of Special Projects
- Josie Zuccaro / 240 Fenytrose Crescent

Attachment 1

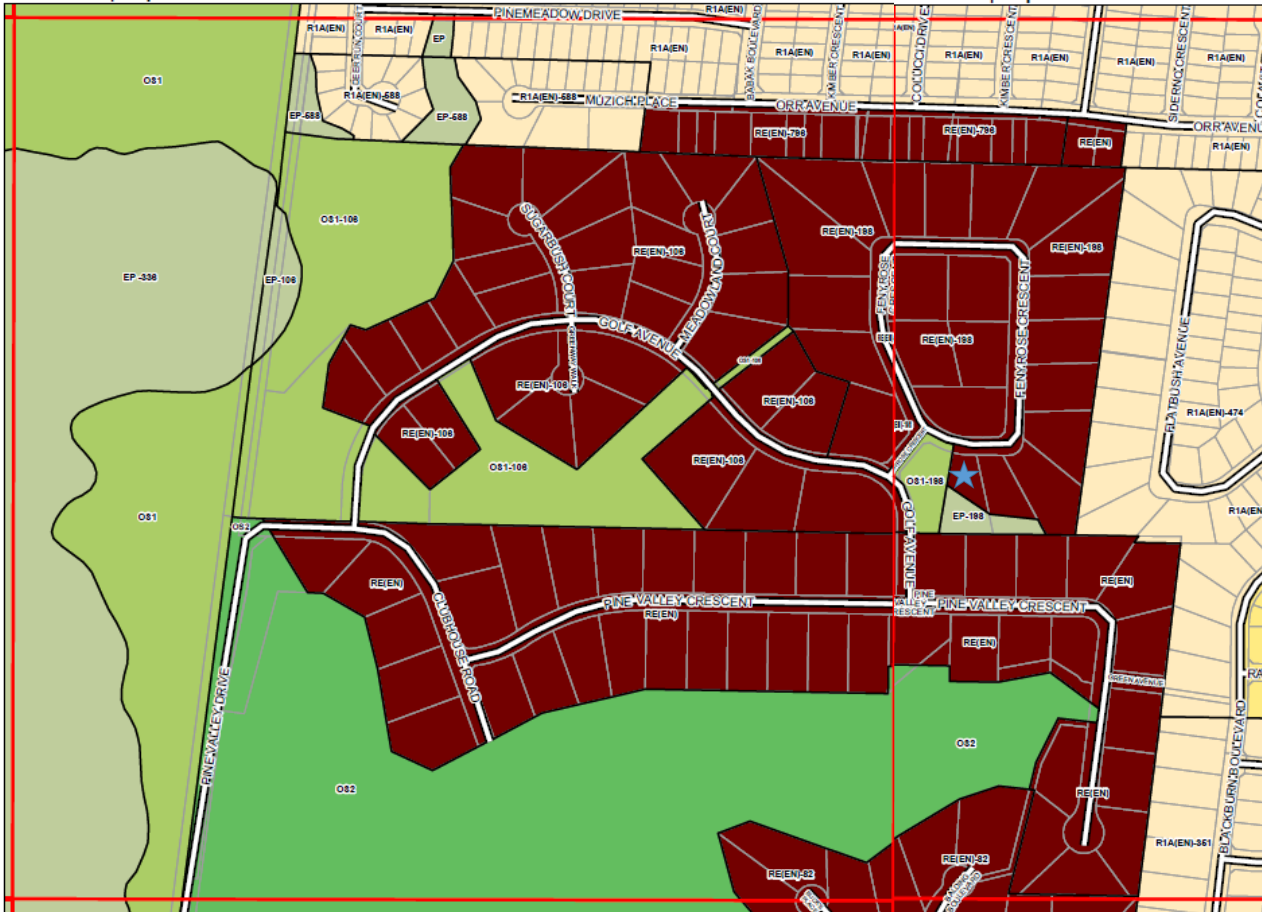
Aerial Photo of 240 Fenyrose Crescent and the Surrounding Residential Area




Attachment 2
Third Draft of the Comprehensive Zoning By Law Schedule A – Map 106 & 107

Zoning By-law - 2020
 Schedule A | Map 106

Zoning By-law - 2020
 Schedule A | Map 107



 Subject Lands

Conservation, Open Space and Agricultural Zones	Residential Zones	Commercial Zones	Mixed-Use Zones	Employment Zones	Other Zones
A (Agriculture Zone)	R1 (First Residential Zone)	GC (General Commercial Zone)	LMU (Low-Rise Mixed-Use Zone)	EM1 (Prestige Employment Zone)	H (General Institutional Zone)
OS1 (Public Open Space Zone)	R2 (Second Residential Zone)	NC (Neighbourhood Commercial Zone)	MMU (Mid-Rise Mixed-Use Zone)	EM2 (General Employment Zone)	I2 (Major Institutional Zone)
OS2 (Private Open Space Zone)	R3 (Third Residential Zone)	CC (Convenience Commercial Zone)	HMU (High-Rise Mixed-Use Zone)	EM3 (Mineral Aggregate Operation Zone)	U (Utility Zone)
EP (Environmental Protection Zone)	R4 (Fourth Residential Zone)	SC (Service Commercial Zone)	GMU (General Mixed-Use Zone)		FD (Future Development Zone)
Vaughan Metropolitan Centre Zones	R5 (Fifth Residential Zone)		CMU (Community Commercial Mixed-Use Zone)		PB1 (Parkway Belt Public Use Zone)
V1 (Station Precinct Zone)	RT (Townhouse Zone)				PB2 (Parkway Belt Complementary Use Zone)
V2 (South Precinct Zone)	RM1 (Multiple Residential Zone 1)				PB3 (Parkway Belt West Recreational Zone)
V3 (Neighbourhood Precinct Zone)	RM2 (Multiple Residential Zone 2)				
V4 (Employment Precinct Zone)	RE (Estate Residential Zone)				


 1:5,000

File: 200170
June 07, 2021

City of Vaughan
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: Todd Coles
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: Final Draft City-wide Comprehensive Zoning By-law (June 2021)
1431613 Ontario Limited
9867 Highway 27
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for 1431613 Ontario Limited with respect to the lands known as 9867 Highway 27, Vaughan. The comments to follow outline our concerns with the Final Draft of the Comprehensive Zoning By-law dated June 2021.

EMC Group Limited have provided comments to staff at the City of Vaughan (October 27, 2020, Communication No. 28) in reference to the proposed land use zoning of 9867 Highway 27 (Please see attachment). In reference to the Comprehensive Zoning By-law Schedule A- Maps 138 and 139 (May 2021) the By-law continues to illustrate the subject property in its entirety, as Environmental Protection (EP-459). The Environmental Protection land designation over the entire 9867 Highway 27 property does not conform to the existing land use designations as outlined in the Vaughan Official Plan (2010) or the OPA #610.

The City of Vaughan Official Plan (2010) Schedule 13 Land Use designates the property as “Low-Rise Residential” which allows for low-rise residential uses. The subject property is further designated as a “Valley Policy Area 4” by Official Plan Amendment #610 which permits a “Residential enclave development”.

Furthermore, the subject property is currently zoned Agricultural (A) and not designated for conservation uses in By-Law 1-88.

For these reasons we object to the proposed zoning of the property.

We note a meeting was held with City Staff on April 9, 2021 & April 12, 2021 to discuss the merits of our previously made comments. However, details regarding the outcome for the subject lands were not provided at the time and this is our first opportunity to see the proposed zoning details.

File: 200170
June 07, 2021
City Wide Comprehensive Zoning By-law
9867 Highway 27
City of Vaughan

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

Yours Truly,

EMC GROUP LIMITED



Nadia Zuccaro, MCIP, RPP
Planner

C: 1431613 Ontario Limited

File: 200170
October 27, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: Todd Coles
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: Comments on City-wide Comprehensive Zoning By-law
1431613 Ontario Limited
9867 Highway 27
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for 1431613 Ontario Limited with respect to the lands known as 9867 Highway 27, Vaughan. The comments to follow outline our concerns with the Third Draft of the Comprehensive Zoning By-law dated September 2020.

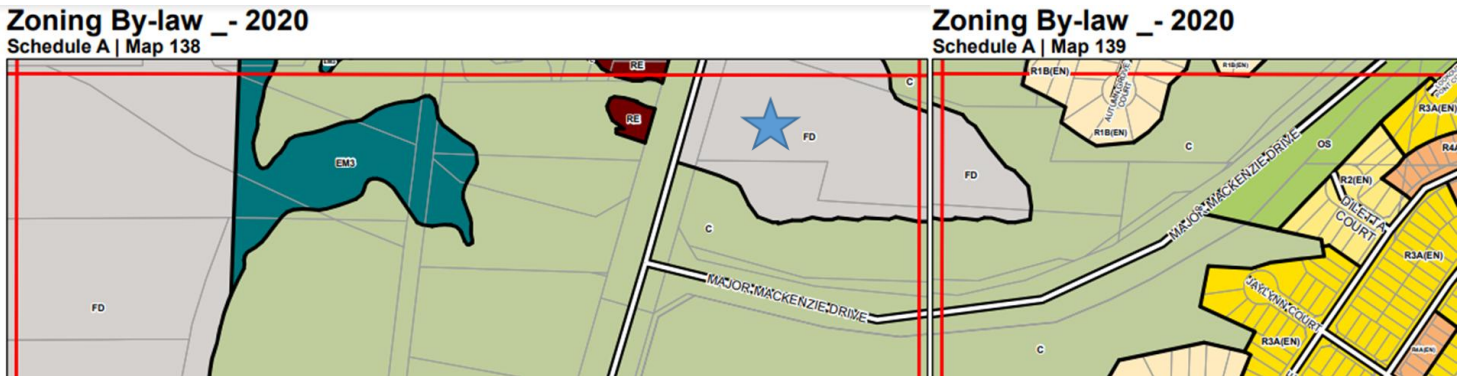
Our comments with respect to the City-Wide Comprehensive Zoning By-Law are in regards to the rezoning of the Subject Lands from Agricultural Zone (A) to Environmental Protection (EP). In reference to the Comprehensive Zoning By-law Schedule A- Maps 138 and 139 (September 2020) the By-law illustrates the subject property in its entirety, as Environmental Protection (EP-459).

We note that the Environmental Protection land designation over the entire 9867 Highway 27 property does not conform to the existing land use designations as outlined in the Vaughan Official Plan (2010) or the OPA #610 (Valley Policy Area 4). The City of Vaughan Official Plan (2010) Schedule 13 Land Use designates the property as "Low-Rise Residential" which allows for low-rise residential uses. The subject property is further designated as a "Valley Policy Area 4" by Official Plan Amendment #610 which permits a "Residential enclave development" (See Attached).

In the Second Draft of the Comprehensive By-law (January 2020) the lands were more accurately reflected as Future Development (FD) and Conservation (C), to which we had previously expressed concerns regarding the by-law schedules and online interactive mapping not corresponding correctly. To our surprise, the updated mapping included in the Third Draft (September 2020) version has been changed inaccurately, further not reflecting the Official Plan and OPA in force.

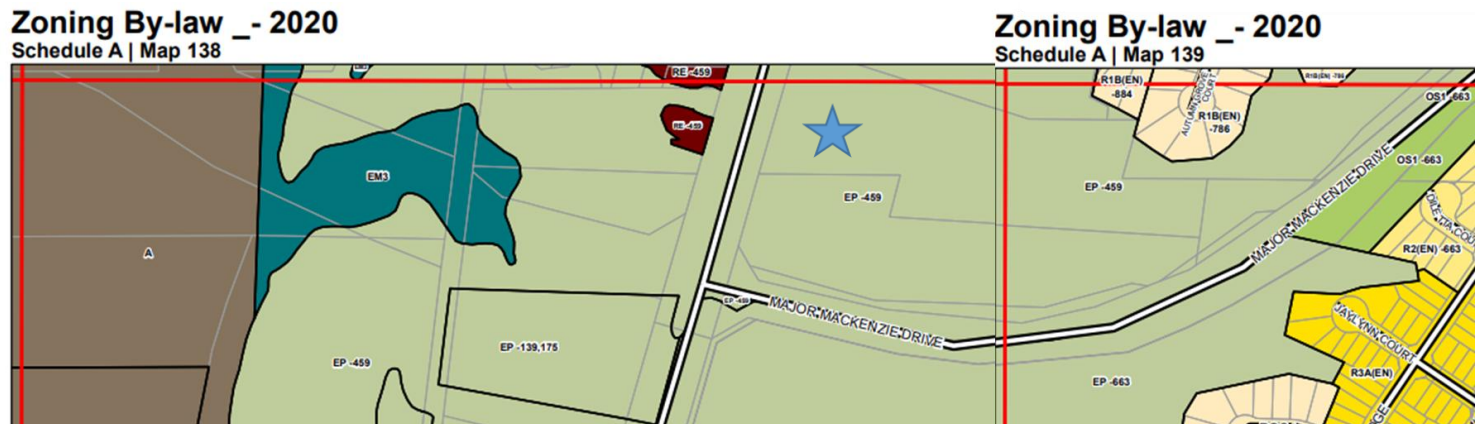
Map images from the Second Draft City Wide Comprehensive By-law (Jan 2020) and the third draft (Sept. 2020) are appended below for ease of reference.

Image 1: Second Draft Comprehensive By-law Schedule A- Maps 138 & 139 (January 2020)



★ Subject Lands

Image 2: Third Draft Comprehensive By-law Schedule A- Maps 138 & 139 (September 2020)



★ Subject Lands

We respectfully request that the Zoning By-Law designations on the subject property be changed to Future Development (FD). This would be consistent with existing planning legislation as per the City of Vaughan Official Plan (2010) and OPA #610 (Valley Policy Area 4).

It is noted that we have actively participated during the various stages of the Vaughan Comprehensive Zoning By-Law process. To date we have not received comments from City Staff. We attach copies of our correspondence.

Should you have any questions or concerns regarding the request, we ask that you please do not hesitate to contact our office.

Yours Truly,

EMC GROUP LIMITED



Nadia Zuccaro, MCIP, RPP
Planner

Att.

C: Brandon Correia- Manager of Special Projects
C: 1431613 Ontario Limited

Certificate of Approval

AMENDMENT No. 610

TO THE

OFFICIAL PLAN FOR THE

CITY OF VAUGHAN PLANNING AREA

This official plan document which was adopted by the Council of the Corporation of the City of Vaughan is approved, as modified, pursuant to Sections 17 and 21 of the Planning Act and came into force on December 17, 2004.

Date: May 18/04



Heather Konefat, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York

I PURPOSE

The purpose of this Amendment to the Official Plan is to amend OPA #601, the Kleinburg-Nashville Community Plan, by redesignating the lands currently designated as "Regional Road 27 Valley Corridor Study Area" to "Valley Policy Area 1", "Valley Policy Area 2", "Valley Policy Area 3", "Valley Policy Area 4" and "Valley and Stream Corridor", and by adding policies relating to development of the five designations and the Regional Road 27 Valleyland Trail.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as "Subject Lands", are shown as "Area Subject to Amendment No. 610" on Schedules "1" and "2" attached hereto. The subject lands are located along Regional Road 27, between Rutherford Road and Nashville Road, comprising the lands within the valley corridor of the main branch of the Humber River, being Parts of Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24, Concessions 8, and Part of Lots 22 and 23, Concession 9, City of Vaughan.

III BASIS

The decision to amend the Official Plan to redesignate the subject lands from "Regional Road 27 Valley Corridor Study Area" to "Valley Policy Area 1", "Valley Policy Area 2", "Valley Policy Area 3", "Valley Policy Area 4" and "Valley and Stream Corridor", is based on the following:

1. Section 4.10.10.1 15) of OPA #601 (the Kleinburg/Nashville Community Plan) contains policies providing for the study of the subject lands to determine if development in portions of the valley (study area) is appropriate, and if so, to identify the appropriate, primarily low intensity land uses.
2. The lands to be redesignated to "Valley Policy Area" are located outside of areas of environmental hazards (Regional Storm Floodplain, steep slopes, erosion areas) and do not contain significant natural heritage features (woodlands, wetlands). All other lands within the study area will be redesignated to "Valley and Stream Corridor", subject to the "Valley and Stream" policies of OPA 601, providing for their long term ecological protection.
3. The land uses permitted in this amendment are consistent with the existing land uses currently within the area and are primarily residential.
4. The Corridor Management Plan prepared in support of this Official Plan Amendment, provides for a comprehensive analysis of the valley corridor and sets out recommendations for both the

- i. lotting, form and structure of the proposed residential development;
 - ii. functional servicing report;
 - iii. opportunities to maximize naturalized open space areas;
 - iv. integration of the Regional Road 27 Trail system;
 - v. protection of natural features; and
 - vi. a comprehensive urban design plan.
- d) To maintain the character of the valley corridor, a landscape buffer shall be provided along Regional Road 27 and shall effectively screen any residential development from the arterial roads. This buffer shall generally be 30-50m wide and landscaped in dense naturalized plant materials. The buffer shall not form part of the parkland dedication, but may be used in the calculation of residential density.
- e) All new development within "Valley Policy Area 2" shall be serviced by full municipal water and sanitary servicing, subject to the policies in Subsection 4.1.2(2) of this Plan, provided servicing capacity is available without compromising the servicing opportunities provided by this amendment for other areas within the Community Plan.

iii) Valley Policy Area 3

- a) Residential development shall be permitted, subject to the "Suburban Residential" policies in Subsection 4.3.2.1 and the "Environmental" Policies in Section 4.10 of this Plan.
- b) All new development within "Valley Policy Area 3" shall be serviced as per Section 4.1.2(2) of this Plan.
- c) All new development shall comply with Section 4.10.14 (3) of this Plan.

iv) Valley Policy Area 4

- a) Lands located west of Regional Road 27:
 - 1. The existing residential uses outside of the Regional Storm Floodplain will be recognized; limited new residential development or redevelopment may be permitted which is

compatible with the existing housing form and lot sizes in the area;

2. All new development shall be serviced in accordance with Subsection 4.1.2(2) of this Plan.

9867 HWY 27

b)

Lands located east of Regional Road 27:

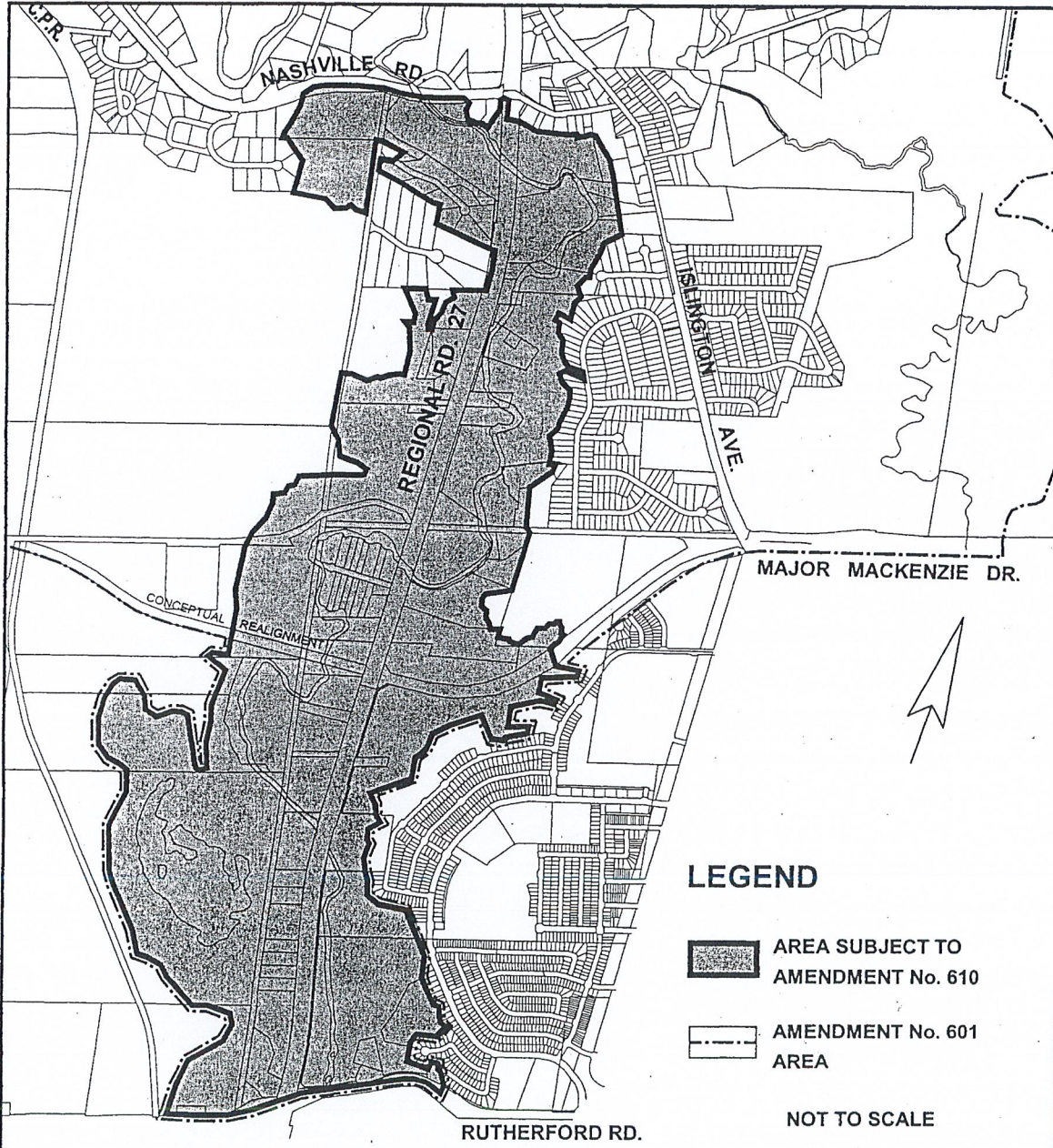
1. Residential enclave development is permitted which low in scale and ground-related, and is buffered and screened from the arterial roads to maintain the sense of a natural valley; development is in a clustered format to maximize naturalized open space opportunities, at an overall density of 5.0 to 7.5 units per hectare.
2. Development is subject to the "Environmental" policies in Section 4.10 of this Plan.
3. Prior to development of this site, a comprehensive development plan shall be prepared by all landowners for approval by Council, which shall detail:
 - i. lotting, form and structure of the proposed residential development;
 - ii. functional servicing report;
 - iii. opportunities to maximize naturalized open space areas;
 - iv. integration of the Regional Road 27 Trail system;
 - v. protection of natural features;
 - vi. a comprehensive Urban Design Plan;
 - vii. integration of a gateway feature;
 - viii. *co-ordinated and consolidated access that minimizes the number of vehicles access points to Regional Roads; and*
 - ix. *provisions for the accommodation of the future jog elimination at Major Mackenzie Drive and Regional Road 27.*
4. To maintain the character of the valley corridor, a landscape buffer shall be provided along Regional Road 27 and shall effectively screen any residential development from the arterial

roads. This buffer shall generally be 30-50m wide and landscaped in dense naturalized plant materials. The buffer shall not form part of the parkland dedication, but may be used in the calculation of residential density.

5. Any development within this Policy Area shall be serviced by full municipal water and sanitary servicing subject to the policies in Section 4.12.2 of this plan, provided servicing capacity is available without compromising the servicing opportunities provided by this amendment for other areas within the Community Plan.
6. All new development shall comply with Section 4.10.14 (3) of this Plan.

e) Adding the following to Section 4.11.2.4 (3):

1. The Regional Road 27 Trail is a north-south local trail connecting to the Inter Regional Trail and other planned and existing trails.
2. The Regional Road 27 Trail shall be established generally in the preferred trail location shown on Schedule "A" and Appendix "B" to this Plan. An amendment to the Official Plan is not required to implement the trail in a location different from that shown on Schedule "A" and Appendix "B", provided that the intent of the Trail Plan is maintained to the satisfaction of the City.
3. The preferred alignment of Regional Road 27 Trail shall be implemented as a condition of approval of Planning Act applications for development/redevelopment of lands, through agreements with private landowners or through public-sponsored projects where the trail is on public lands.
4. Where the City determines that it is not possible to achieve the preferred trail location, the alternate location, associated with the Regional Road 27 right-of-way, may be implemented without amendment to this Plan.
5. The trail shall be constructed in a way which minimizes the ecological impacts, in consultation and partnership with the Toronto and Region Conservation Authority.



LOCATION:
 PART OF LOTS 16 TO 24,
 CONCESSION 8 &
 PART OF LOTS 22 & 23,
 CONCESSION 9

THIS IS SCHEDULE '1'
TO AMENDMENT No. 610
 ADOPTED THE 8th DAY OF MAR., 2004

SIGNING OFFICERS
W.D. Biese
 MAYOR
S. L. ...
 CLERK

N:\DFT\PLANNING\KAREN\Opa610\opa610_z.03.005

THIS IS SCHEDULE 'A'
TO AMENDMENT NO. 601


















ADOPTED THE ___ DAY OF ___, 2001

SIGNING OFFICERS

MAYOR

CLERK

LEGEND

-  SERVICED RESIDENTIAL
-  FUTURE RESIDENTIAL
-  SUBURBAN RESIDENTIAL
-  CORE AREA
-  SPECIAL USE - GOLF
-  RURAL AREA
-  VALLEY AREA
-  OPEN SPACE
-  NEIGHBOURHOOD PARK
-  LINEAR PARK
-  INTER-REGIONAL TRAIL
-  WASTE DISPOSAL ASSESSMENT AREA
-  REGIONAL ROAD 27 TRAIL ROUTE (PREFERRED)
-  REGIONAL ROAD 27 TRAIL ROUTE (ALTERNATE)
-  ELEMENTARY SCHOOL
-  AMENDMENT AREA
-  VALLEY POLICY AREAS 1 TO 4

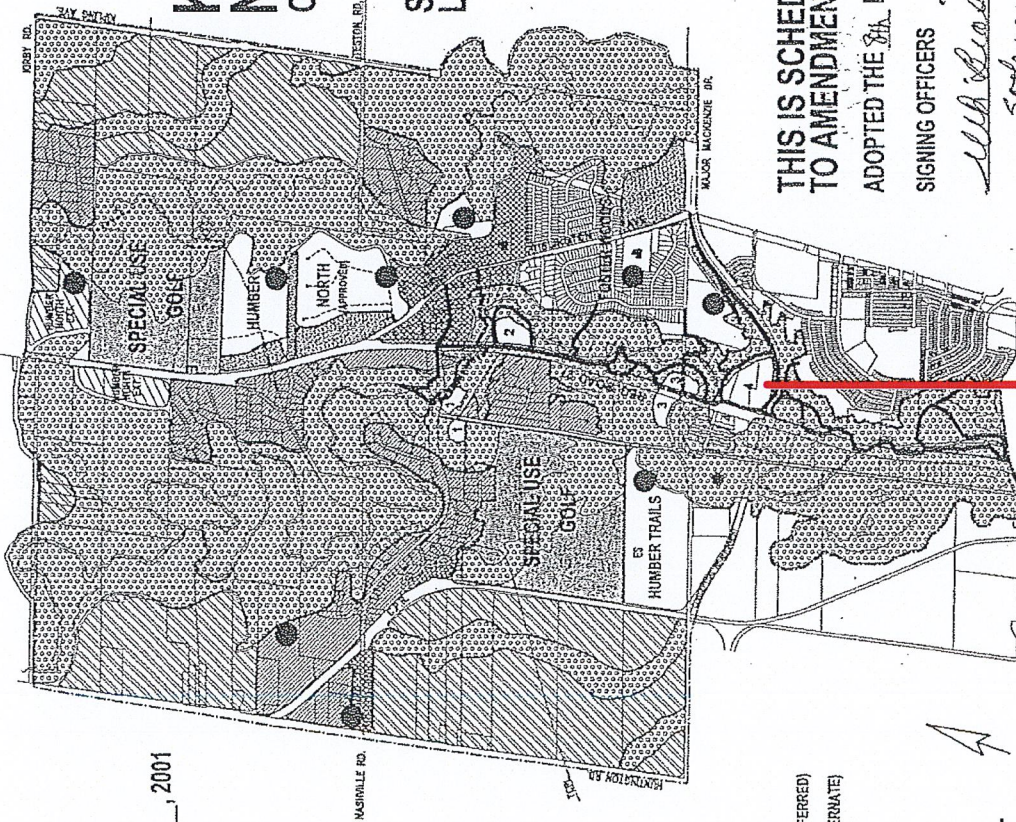
SCALE



IN ACCORDANCE WITH THE CITY OF KLEINBURG

KLEINBURG
NASHVILLE
COMMUNITY PLAN

SCHEDULE 'A'
LAND USE



THIS IS SCHEDULE '2'
TO AMENDMENT NO. 610

ADOPTED THE 31st DAY OF MARCH, 2004

SIGNING OFFICERS

MAYOR

CLERK

Valley Policy Area 4



Re: 9867 Highway 27, Vaughan

COMMENT FORM

City-wide Comprehensive Zoning By-law Review

Event Date: January 28, 2020

Please provide contact information, including your e-mail address, and check the box below if you wish to receive project updates by e-mail or if you wish to be contacted about your comments. You will have the option to unsubscribe from receiving project updates by e-mail at any time. Please add me to the mailing list Please contact me

Name Nadia Zuccaro (EMC Group Ltd.)	E-mail nzuccaro@emcgroup.ca	Telephone 905-738-3939 ext 229
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Comments, Questions, Concerns

We request some clarification with respect to the overlays seen on the online interactive map when viewing the subject properties. On the online interactive map, 9867 Highway 27 has unidentifiable green overlays along the frontage of Hwy 27, and at the rear end of the site. We suggest that the green overlay blocks be removed from the online interactive map to accurately reflect the By-Law Zones. We appreciate if we could also meet to discuss the proposed FD (Future Development Zone) and clarify the implications of this zoning.

Continued on the back...

Brandon Correia, Project Manager Telephone: 905-832-8510 ext. 8227 Email: brandon.correia@vaughan.ca	City of Vaughan, Building Standards Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1
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This form may contain personal information as defined under the Municipal Freedom of Information and Protection of Privacy Act. This information is collected under the legal authority of the Municipal Act, 201, S.O. 2001 c.25, as amended. This information will be used by the City of Vaughan to notify interested parties about the City-wide Comprehensive Zoning By-law Review and will become a part of Building Standards Department files, where applicable. Questions regarding this collection may be directed to Building Standards Department, City of Vaughan, 2141 Major Mackenzie Drive, Vaughan, Ontario L6A 1T1, 905-832-8510.

Nadia Zuccaro

From: Nadia Zuccaro <nzuccaro@emcgroup.ca>
Sent: Wednesday, February 5, 2020 11:06 AM
To: 'brandon.correia@vaughan.ca'
Cc: 'Mario Zuccaro'; 'filing@emcgroup.ca'
Subject: City- Wide Comprehensive Zoning By-law Review- Our Comments
Attachments: City of Vaughan By-Law Review Comment Forms January 28 2020..pdf

Hi Brandon,

Thank you for taking the time to speak with Mario Zuccaro about the City's new draft zoning by-law at the January 28, 2020 'Second Draft Open House' at Father Ermano Bulfon CC. We have had a chance to review the document and have a number of comments relating to specific properties and the by-law in general that we would like to share.

Comments on the following addresses are included in the attachment:

1. 69 & 73 Nashville Road, Kleinburg;
2. 240 Fenyrose Crescent, Woodbridge;
3. 11023 & 11035 Huntington Road, Kleinburg;
4. 9867 Highway 27, Kleinburg;
5. 7575 & 7577 Keele Street, Concord;
6. 7689 Keele Street, Concord;
7. 31 Napier Street, Kleinburg;

As discussed, we would appreciate meeting with you to discuss the issues brought up in the attached comment sheets. Please let us know when you have some time to meet with Mario and I.

Should you have any questions or concerns, please do not hesitate to contact me.

Regards,

Nadia Zuccaro, MCIP, RPP
Planner

EMC Group Limited

Engineers, Planners, Project Managers

7577 Keele Street, Suite 200, Vaughan, Ontario, L4K 4X3

T.905.738.3939 x 229

F.905.738.6993

E. nzuccaro@emcgroup.ca

www.emcgroup.ca

To help us stop the spread of viruses, we request that all email sent to our office includes project name, number, and recipient's name in the subject line.

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Nadia Zuccaro

From: Kevin Ayala Diaz <kayaladiaz@emcgroup.ca>
Sent: Friday, June 26, 2020 12:26 PM
To: brandon.correia@vaughan.ca
Cc: 'Nadia Zuccaro'; filing@emcgroup.ca
Subject: City-wide Comprehensive Zoning By-Law Review -Our Comments

Hello Brandon,

What is the status on the City-wide Comprehensive Zoning By-Law Review.

We have sent our comments and wanted to know if they have been addressed in anyway? Have comments been made back?

Comments on the following addresses were made earlier this year.

1. 69 & 73 Nashville Road, Kleinburg
2. 240 Fenrose Crescent, Woodbridge
3. 11023 & 11035 Huntington Road, Kleinburg
4. 9867 Highway 27, Kleinburg
5. 7575 & 7577 Keele Street Concord
6. 7689 Keele Street, Concord
7. 31 Napier Street, Kleinburg

Please provide any information of the ongoing review. Thanks

Best Regards

Kevin Ayala Diaz, M.E.S., B.Arch.
Planner

EMC Group Limited
Engineers, Planners, Project Managers
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Vaughan, Ontario, L4K 4X3
t. 905.738.3939 x 225
w. www.emcgroup.ca
e. kayaladiaz@emcgroup.ca

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Nadia Zuccaro

From: Kevin Ayala Diaz <kayaladiaz@emcgroup.ca>
Sent: Monday, July 20, 2020 4:34 PM
To: brandon.correia@vaughan.ca
Cc: 'Nadia Zuccaro'; filing@emcgroup.ca
Subject: City-wide Comprehensive Zoning By-Law Review

Hello Brandon.

We would like to inquire over the status of the City-wide Comprehensive Zoning By-Law Review. We submitted comments in January 2020, have they been reviewed or addressed? Please give me a call to discuss, thanks.

Comments on the following addresses were made earlier this year.

1. 69 & 73 Nashville Road, Kleinburg
2. 240 Fenyrose Crescent, Woodbridge
3. 11023 & 11035 Huntington Road, Kleinburg
4. 9867 Highway 27, Kleinburg
5. 7575 & 7577 Keele Street Concord
6. 7689 Keele Street, Concord
7. 31 Napier Street, Kleinburg

I inquired about this in June 2020 and have not heard from you back.

Best Regards

Kevin Ayala Diaz, M.E.S., B.Arch.
Planner

EMC Group Limited
Engineers, Planners, Project Managers
7577 Keele Street, Suite 200
Vaughan, Ontario, L4K 4X3
t. 905.738.3939 x 225
w. www.emcgroup.ca
e. kayaladiaz@emcgroup.ca

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Information contained in this transmission may be of a preliminary nature or subject to revision. The receiver is responsible to confirm the validity of it prior to using it for any purpose authorized by the act of distribution.

Nadia Zuccaro

From: Nadia Zuccaro <nzuccaro@emcgroup.ca>
Sent: Monday, October 19, 2020 5:27 PM
To: 'Correia, Brandon'
Cc: 'Mario Zuccaro'; kayaladiaz@emcgroup.ca
Subject: RE: [External] Comments on Third Draft Comprehensive By-law- RE: 9867 Highway 27
Attachments: OPA 610.pdf

Hi Brandon,

Thank you for your email.

We would appreciate if we could schedule a skype call later this week. I am available everyday generally from 1pm onwards. If you could set up a call I would appreciate it.

But in the meantime, I am having a hard time understanding your response as I understood through the open house presentation, that the Zoning by-law is meant to conform to the Official Plan and should be aligned with the Policies as outlined in the plan.

It is not our intention to have this by-law pre-zone the property, but we find that the EP-459 zone is much more restrictive than the existing A Zone, or even the previously proposed Future development zone. This is what we would like to discuss since the property is designated for some residential uses.

I have attached the OPA document (OPA 610) I had referred to in my last email to show the approved OP uses on the lands. The lands fall into Valley Policy Area 4.

We look forward to meeting with you and being able to further discuss this with the consulting team. Please include both Mario and Kevin on the invite.

Regards,

Nadia Zuccaro, MCIP, RPP
Planner

EMC Group Limited

Engineers, Planners, Project Managers

7577 Keele Street, Suite 200, Vaughan, Ontario, L4K 4X3

T.905.738.3939 x 229

F.905.738.6993

E. nzuccaro@emcgroup.ca

www.emcgroup.ca

From: Correia, Brandon [mailto:Brandon.Correia@vaughan.ca]
Sent: Monday, October 19, 2020 10:55 AM
To: 'Nadia Zuccaro' <nzuccaro@emcgroup.ca>
Subject: RE: [External] Comments on Third Draft Comprehensive By-law- RE: 9867 Highway 27

Hi Nadia,

Can I suggest we set up a time to further discuss your concerns later this week or early next week ? If you provide a time, I can arrange a skype call. Generally, these lands and surrounding are not proposing pre-zoning. An application for re-zoning would be required for some of the uses which may be contemplated at an Official Plan policy level. However, I am happy to discuss this further with staff and our lead consultant.

Best Regards,

Brandon

Brandon Correia, BES PMP
Manager, Special Projects
905-832-8585 ext. 8227 | brandon.correia@vaughan.ca

City of Vaughan | Planning & Growth Management Portfolio
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca

From: Nadia Zuccaro <nzuccaro@emcgroup.ca>
Sent: Thursday, October 08, 2020 1:02 PM
To: Correia, Brandon <Brandon.Correia@vaughan.ca>
Cc: 'Mario Zuccaro' <mzuccaro@emcgroup.ca>
Subject: [External] Comments on Third Draft Comprehensive By-law- RE: 9867 Highway 27

Hi Brandon,

I hope you are doing well. I wanted to send this email as a follow up to my telephone message of yesterday afternoon so you may have some context regarding some very serious concerns we have regarding the third draft comprehensive by-law regarding **9867 Highway 27** located generally at the north east corner of Highway 27 and Major Mackenzie Drive.

In reference to the Comprehensive Zoning By-law Schedule A- Maps 138 and 139 (September 2020) the By-law illustrates the subject property in its entirety, as Environmental Protection (EP-459). The Environmental Protection land designation over the entire 9867 Highway 27 property does not conform to the existing land use designations outlined in the Vaughan Official Plan (2010) or the OPA #610, nor is it in line with the current Agricultural zoning in by-law 1-88.

The City of Vaughan Official Plan (2010) Schedule 13 Land Use designates the property as “Low-Rise Residential” which allows for low-rise residential uses. The subject property is further designated as a “Valley Policy Area 4” by Official Plan Amendment #610 which permits a “Residential enclave development”.

In the Second Draft of the Comprehensive By-law (January 2020) the lands were more accurately reflected as Future Development (FD) and Conservation (C), to which we had previously expressed concerns regarding the by-law schedules and online interactive mapping not corresponding correctly. To our surprise, the updated mapping included in the Third Draft (September 2020) version has been changed inaccurately, further not reflecting the Official Plan and OPA in force.

Map images comparing the second draft City wide Comprehensive By-law (Jan 2020) and the third draft (Sept. 2020) are attached for your ease of reference.

I would like to discuss this as soon as possible, and hope that you could kindly provide me with a response prior to the Virtual Open House meeting next week.

Regards,

Nadia Zuccaro, MCIP, RPP
Planner

EMC Group Limited

Engineers, Planners, Project Managers

7577 Keele Street, Suite 200, Vaughan, Ontario, L4K 4X3

T.905.738.3939 x 229

F.905.738.6993

E. nzuccaro@emcgroup.ca

www.emcgroup.ca

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C20
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Pound&Stewart Planning](#)
To: Clerks@vaughan.ca
Cc: [Todd Coles](#); [Jim Harnum](#); [Haiqing Xu](#); [Brandon Correia](#)
Subject: [External] RE: 131 & 155 Regalcrest Court - June 8, 2021 - Committee of the Whole - Item 8 - City-Wide Comprehensive Zoning By-law Program - City of Vaughan
Date: June-07-21 5:40:06 PM
Attachments: [1711 ltr 131 & 155 Regalcrest Court.CZBL June.7.2021.pdf](#)
[NAPCO-Royal 131&155 Regalcrest Court."CZBL" Dec.30.2020.pdf](#)

Dear Sir or Madame,

Please refer to the attached submission regarding the above captioned property as it relates to tomorrow's Committee of the Whole Meeting - Item 8. - Comprehensive Zoning By-law Program.

Thank you for your consideration.

Phil Stewart, MCIP, RPP
Principal
pstewart@cityplan.com

"Proudly Celebrating over 45 Years of Professional Planning Services"



305 Renfrew Dr., Suite 101, Markham, Ontario, Canada L3R 9S7
Offices: 905 305 9797 • 416 482 9797 • www.cityplan.com

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June 7, 2021

BY EMAIL clerks@vaughan.ca & REGULAR MAIL

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A 1T1

Attn: Mayor Bevilacqua & Members of Council

**Re: Committee of the Whole – June 8, 2021
Agenda Item # 8 – City-wide Comprehensive Zoning By-law ('CZBL')
NAPCO - Royal Pipe & Fittings (a Westlake Company)
131 & 155 Regalcrest Court
Part of Lot 5, Concession 8
Part of Block 2 and all of Block 3 and part of Block 4, Plan 65M-3033
Also described as Plan 65R-26788, Parts 1 to 49 and 69 to 72
And Plan 65R-29851, Parts 6 to 12
City of Vaughan, Region of York
Our File: 1711**

We are the Planners of Record writing on behalf of NAPCO - Royal Building Products, (hereafter referred to as 'NAPCO - Royal'), a stakeholder in the City's proposed Comprehensive Zoning By-law ('CZBL') program. We are writing as it pertains to the final draft of the CZBL as per the above captioned reference, noting that additional comments may be forthcoming.

With respect to our client's property, as captioned above, we previously filed the two written submissions dated, October 28, 2020 and December 30, 2020, with recommendations to better align the proposed zoning of our client's property with the guiding principles and the 3rd draft of the CZBL. A copy of our December 30, 2020 submission is attached herein as Appendix 1.



While we endorse the City's direction on implementing the CZBL, we look forward to further coordination with the City Staff to address zoning related matters as outlined in our submissions, between now and Council's passing of the CZBL, anticipated September 2021, which only specifies our October 28, 2020 in the CZBL Public Comment-Response Matrix, C86.

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your cooperation.

Yours truly,
Pound & Stewart Associates Limited



Philip Stewart

la/1711_itr.NAPCO_Royal.June.07.2021

Attachments: Appendix 1 – December 30, 2020 letter submission

cc. Mr. J. Harnum, City Manager
cc. Mr. H. Xu, Deputy City Manager, Planning & Growth Management
cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. R. Gray, Miller Thomson
cc. Client



December 30, 2020

BY EMAIL clerks@vaughan.ca **& REGULAR MAIL**

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A1T1

Attn: Mr. T. Coles, City Clerk

**Re: NAPCO – Royal Building Products (a Westlake Company)
Comprehensive Zoning By-law ('CZBL') as it applies to 131 & 151 Regalcrest Court
Part of Lot 5, Concession 8
Part of Block 2 and all of Block 3 and part of Block 4, Plan 65M-3033
Also described as Plan 65R-26788, Parts 1 to 49 and 69 to 72
And Plan 65R-29851, Parts 6 to 12
City of Vaughan, Region of York
Our File 1711**

We are the Planners of Record on behalf of NAPCO – Royal Building Products, (hereafter referred to as 'NAPCO - Royal'), a stakeholder of the City's Comprehensive Zoning By-law ('CZBL') program, writing in response to the Office of the City Clerk, Item 1, Report 50, as adopted by City Council November 17, 2020.

Further to our October 28, 2020 'CBZL' submission letter, we are now pleased to advise of a November 24, 2020 Settlement (Issued December 11, 2020) of Appeal No. 70 to the Vaughan Official Plan 2010 ('VOP 2010') of the Local Planning Appeal Tribunal ('LPAT'). The benefit of this timely LPAT decision allows our client to request implementation of the new zoning for the 131 and 155 Regalcrest Court through the 'CZBL' program.

Although two municipal addresses, please note 131 and 155 Regalcrest Court are undivided with 4.24 ha. (10.48 acres) in land area, comprised of two industrial buildings, providing enclosed manufacturing space, offices and staff areas, with site inclusive landscaped areas, parking spaces, driveway access aisles, material storage silos, and areas to support the staging, storage and distribution of manufactured pipe and building products.

POUND & STEWART ASSOCIATES LIMITED



IMAGE 1: NAPCO-ROYAL, CITY OF VAUGHAN
DECEMBER 2020



Legend

- Royal 131 & 155 Regalcrest Court (Owned)
- Royal 101 Regalcrest Court (Leased)
- Royal's Northern & Southern Outside Storage blocks (Leased)
- Royal's Access Route
- Parkway Belt West Plan Area

In addition to the subject property, 'NAPCO – Royal' operates on adjacent properties, collectively totalling about 11.95 ha. (29.5 acres) in land area. Please refer to Image 1. 'NAPCO – Royal's collective lands are located within the Vaughan Enterprise Zone ('VEZ') in south-west Vaughan, providing versatile access for product distribution within regional markets.

1.0 LPAT RESOLUTION OF VAUGHAN OFFICIAL PLAN ('VOP 2010') APPEAL NO. 70

Our October 28, 2020 'Phase 3: Final CZBL' Committee of the Whole Public Hearing submission indicated that resolution of Appeal No. 70 was imminent. On November 24, 2020 the Local Planning Appeal Tribunal ('LPAT') resolved LPAT Case No. 111184, Appeal No. 70 'VOP 2010', as amended, for the 131 and 151 Regalcrest Court property.

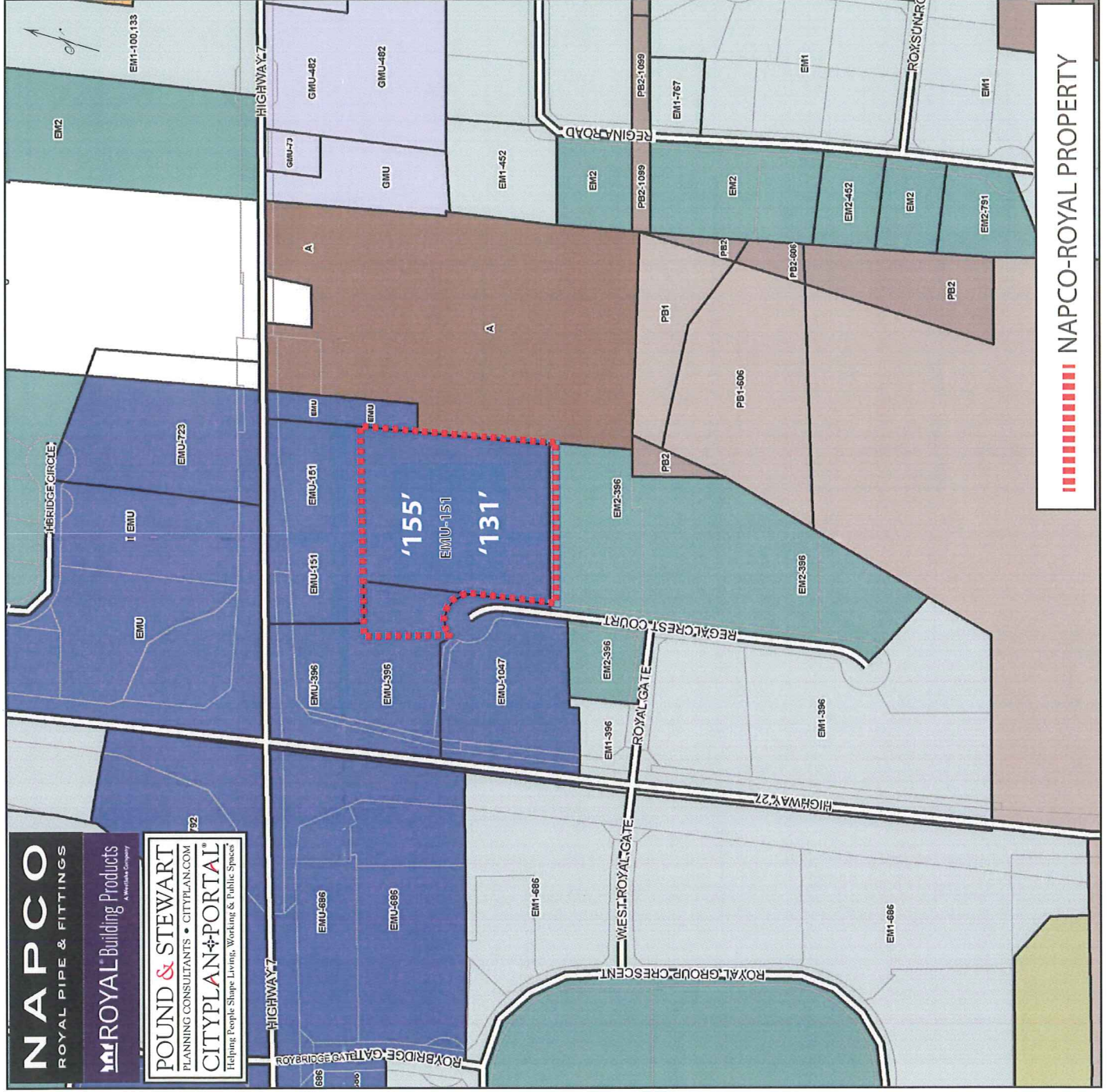
A copy of the LPAT Decision, issued on December 11, 2020, is included herein (See Appendix 'A'), indicating that the VOP 2010, "...is modified as set out in Attachment 3 to this order and is approved as modified in respect of the lands subject of Appeal 70, and the balance of Appeal 70 is dismissed".

Appendix 'A' (Attachment 3) includes a Schedule "A" which outlines the VOP, 2010 Volume 2, Section 13 Site Specific Policies, now in force as it relates specifically to the subject lands, where more specifically:

- *The following policies shall apply to the lands designated Employment Commercial Mixed Use known municipally as 131 and 155 Regalcrest Court ("Subject Lands") as identified in Map 13.XX.A upon which manufacturing, and warehousing is expected to continue until at least 2040.*
- *Notwithstanding Policy 9.2.2.7, manufacturing, warehousing (but not retail warehouse) and processing are permitted on the Subject Lands up to November 30, 2040.*
- *Notwithstanding Policy 9.2.2.7, outdoor storage for only plastic pipes and fittings are permitted on the Subject Lands accommodating an area up to fifteen 15% of the area of the Subject Lands (area of Subject Lands 42,394.2m²) and are permitted on the Subject Lands up to November 30, 2040.*
- *The Gross Floor Area of the existing buildings on the Subject Lands are permitted to expand to a maximum of fifteen percent (15%) of the existing Gross Floor Area (existing Gross Floor Area is 19,524m²).*

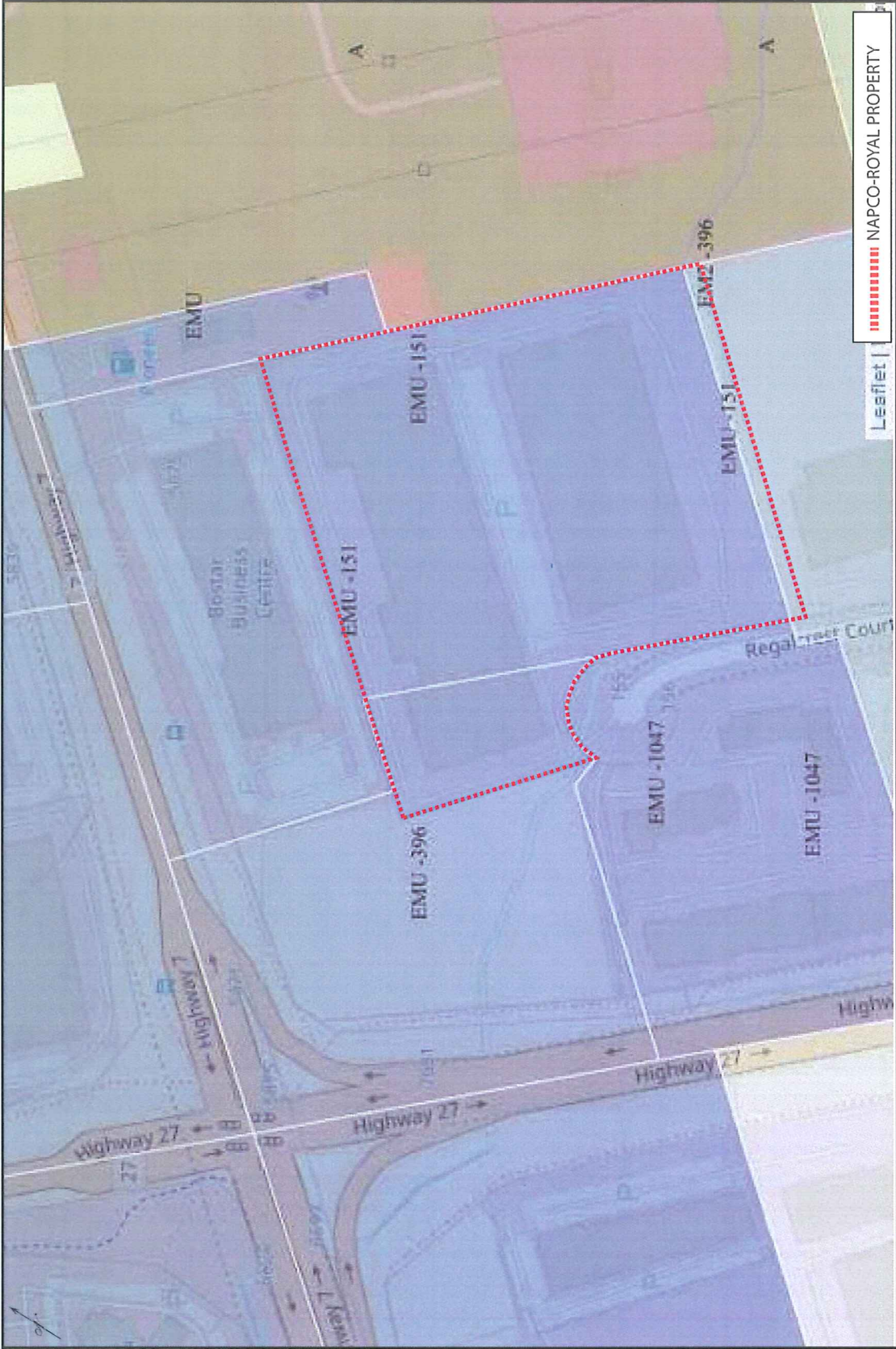


FIGURE 1: CITY OF VAUGHAN ZONING - PHASE 3: FINAL CZBL
131 & 155 REGALCREST COURT - CITY OF VAUGHAN



LEGEND	
MIXED-USE ZONES	<ul style="list-style-type: none"> LMU (Low-Rise Mixed-Use Zone) MMU (Mid-Rise Mixed-Use Zone) HMU (High-Rise Mixed-Use Zone) GMU (General Mixed-Use Zone) CMU (Community Commercial Mixed-Use Zone) EMU (Employment Commercial Mixed-Use Zone) IMS (Main Street Mixed-Use - Kleinburg Zone) MMS (Main Street Mixed-Use - Maple Zone) WMS (Main Street Mixed-Use - Woodbridge Zone)
EMPLOYMENT ZONES	<ul style="list-style-type: none"> EM4 (Prestige Employment Zone) EM2 (General Employment Zone) EM3 (Mineral Aggregate Operation Zone)
COMMERCIAL ZONES	<ul style="list-style-type: none"> GC (General Commercial Zone) NC (Neighbourhood Commercial Zone) CC (Convenience Commercial Zone) SC (Service Commercial Zone)
RESIDENTIAL ZONES	<ul style="list-style-type: none"> R1 (First Residential Zone) R2 (Second Residential Zone) R3 (Third Residential Zone) R4 (Fourth Residential Zone) R5 (Fifth Residential Zone) RT (Townhouse Zone) RM1 (Multiple Residential Zone 1) RM2 (Multiple Residential Zone 2) RE (Estate Residential Zone)
CONSERVATION, OPEN SPACE & AGRICULTURAL ZONES	<ul style="list-style-type: none"> A (Agriculture Zone) OS1 (Public Open Space Zone) OS2 (Private Open Space Zone) EP (Environmental Protection Zone)
OTHER ZONES	<ul style="list-style-type: none"> I1 (General Institutional Zone) I2 (Major Institutional Zone) U (Utility Zone) FD (Future Development Zone) PB1 (Parkway Belt Public Use Zone) PB2 (Parkway Belt Complementary Use Zone) PB3 (Parkway Belt West Recreational Zone)

FIGURE 2: CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW - PHASE 3: FINAL 'CZBL' - INTERACTIVE MAP
 131 & 155 REGALCREST COURT - CITY OF VAUGHAN



711_Figure3_Zoning_Phase3_Dec1520

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VAUGHAN

2.0 'CZBL' SCHEDULE 'A' MAPPING PER 131 AND 155 REGALCREST COURT

As recommended in our October 28, 2020 submission to the City, upon imminent completion of VOP 2010, Appeal No. 70 settlement process, there is value in implementing effective zoning of the subject lands relying on 'Phase 3: Final CZBL' regulation 2.4.3. Exception Zones and Section 14.0 Exception Zones, to achieve conformity and compliance with approved VOP 2010, as amended. Please refer to the attached Figures 1 and 2 providing context and close-up perspectives of the 'Phase 3: Final CZBL', and Schedule 'A' mapping, as it applies to the subject property.

Figure 3 and Table 1 illustrate how the existing Zoning By-law 1-88, as amended, has been carried forward by the 'Phase 3: Final CZBL'. Further modifications to the Final 'CZBL' Exception Zones are now required because the boundaries of the subject lands have changed over the years, are now under different ownerships, the planned functions of adjacent lands and the subject properties are different, and due to the recent LPAT decision, as noted above.

For example;

- Under the 'CZBL', Figure 2 overlays two historical Exception Zones designations on the 'Employment Commercial Mixed Use Zone' reflective of Zoning By-law 1-88, as amended. These are 'EMU-151' (See Appendix 'B') and 'EMU-396' (See Appendix 'C'). Along the southern edge of the subject lands 'EM2-396' is also applied. (See Appendix 'C');
- Per 'CZBR' process it will be necessary to reconcile the site-specific zoning applying to the 'EMU-151' portion, as the subject property shares a Zoning By-law 1-88, as amended, Exception 291 (See Appendix 'D') with the abutting, now unrelated, property to the north, known as 5875 Highway 7, under different ownership. In effect, with the settlement of VOP 2010 Appeal No. 70, Exception 291 is redundant as it relates to the subject lands;
- Per the 'CZBR' process it will also be necessary to reconcile the site-specific zoning applying to the 'EMU-396' portion (Figure 2), as the subject lands shares a Zoning By-law 1-88, as amended, Exception 654A with an abutting property to the west, also owned by an unrelated landowner. There is no need for a collective zoning relationship between these two properties, to enforce Zoning By-law 1-88, Exception 654A. (See Appendix E);
- The 'General Employment Zone' 'EM2-396' (See Appendix 'C') zone per the 'CZBL' is located along the southern edge of the subject lands, bordering 101 Regalcrest Court, having a width of some 8.32m (27.30 ft.). This is represented in By-law 1-88 as EM2 - Exception 654C. (See Appendix 'F'). It would be appropriate to include these lands as part of a new site-specific zoning designation for the subject lands.



TABLE 1
NAPCO - ROYAL BUILDING PRODUCTS – 131 & 155 REGALCREST COURT PROPERTIES
PHASE 3: FINAL ‘CZBL’ - EXISTING & PROPOSED ZONING

Area	Legal Description and Address	Vaughan Official Plan 2010 ('VOP'), as amended Land Use Designations	City of Vaughan, Existing Zoning By-law 1-88, in effect	THIRD DRAFT 'CZBL' SITE SPECIFIC POLICIES AS PROPOSED
Area A	PIN - 03221-0128 (LT) - Part of Block 2, Plan 65M-3033, being Part 72, Plan 65R-26788 Part of 155 Regalcrest Court (0.01 ha +/-)	Employment Commercial Mixed-Use (Planned for Commercial buildings allowing for a variety of uses to support intensification). Please refer to Appendix A for site specific policies approved by the LPAT tribunal on December 11, 2020. Recognizing manufacturing and related uses as a permitted use.	EM1-9(654B) • Employment Uses are permitted (Manufacturing, Warehousing). • Outside Storage is not permitted.	EMU-151 • Provide for a wide range of employment and other uses and a limited amount of commercial uses Exception 151: • Minimum parking of 600 • Restaurant occupancy capped at 500 • Allows for additional commercial uses
Area B	PIN 03221-0130 (LT) - Part of Lot 5, Concession 8 (Vaughan), being Parts 1 to 49, both inclusive, Plan 65R-26788 Parts of 131 and 155 Regalcrest Court (3.57 ha +/-)		EM1-9(291) • Employment Uses are permitted (Manufacturing, Warehousing). • Outside Storage is not permitted.	EMU-151 • Provide for a wide range of employment and other uses and a limited amount of commercial uses. Exception 151: • Minimum parking of 600 • Restaurant occupancy capped at 500 • Allows for additional commercial uses
Area C	PIN 03221-0005 (LT) - Block 3, Plan 65M-3033, being Parts 68, 69, 70 and 71, Plan 65R-26788 Parts of 131 and 155 Regalcrest Court (0.51 ha +/-)		EM1-9(654B) • Employment Uses are permitted (Manufacturing, Warehousing). • Outside Storage is not permitted.	EMU-396 • Provide for a wide range of employment and other uses and a limited amount of commercial uses.
Area D	PIN 03221-0140 (LT) - Part of Block 4, Plan 65M-3033, being Parts 6 to 12, both inclusive, Plan 65R-29851 Part of 131 Regalcrest Court (0.15 ha +/-)		EM2-9(654C) • Employment Uses are permitted (Manufacturing, Warehousing). • Outside Storage is permitted.	EM2-396 • To permit a wide range of employment uses, including outside storage.

Refer to Figure 3 to view above captioned lands on a map.

1711_Table1_Dec.17.20

3.0 OVERVIEW OF PROPOSED EXCEPTION ZONING - 131 AND 155 REGALCREST COURT

The following provides an overview of matters apparent to support effective 'CZBL' Exception Zoning for 131 and 155 Regalcrest Court.

Attached 'Draft Exception Zone Summary', Appendix 'G' has been prepared for further discussion and consideration, as it relates to the 'Phase 3: Final CZBL' approvals process. This document includes a list of proposed exceptions further reviewed below.

3.1 NEED TO REFLECT LPAT RESOLUTION

As noted above in Section 1.0 of this letter, the LPAT resolution relates to additional permitted uses, outdoor storage and expansion of the existing buildings. These details need to be incorporated in the 'CZBL'.

- *Notwithstanding Policy 9.2.2.7, manufacturing, warehousing (but not retail warehouse) and processing are permitted on the Subject Lands up to November 30, 2040.*
- *The Gross Floor Area of the existing buildings on the Subject Lands are permitted to expand to a maximum of fifteen percent (15%) of the existing Gross Floor Area (existing Gross Floor Area is 19,524m²).*

3.2 NEED TO REFLECT 'AS-BUILT' CONTEXT PER 'CZBL' LOT & BUILDING REQUIREMENTS

In review of the 'Phase 3: Final CZBL' Section 8.2.2.2 *Lot and Building Requirements for the 'EMU Zone*, where lands are designated 'Employment Commercial Mixed Use Zone', it is noted that the subject lands, representing an 'as-built' condition, do not meet at least the following 'CZBL' 'Table 8-3 Lot and Building Requirements' including:

- 1. The Minimum Height permitted is 11.0 metres;*
- 2. The Minimum Ground Floor Height permitted is 6.0 metres;*
- 3. Surface Parking is prohibited in the Front and Exterior Side Yards;*
- 4. The Minimum Landscape Strip abutting a Street Line is 5.0 metres;*
- 5. The Minimum Landscaped Open Space is 10%;*



3.3 'OUTSIDE STORAGE' IN TERMS OF 'CZBL' REQUIREMENTS

In accordance with the settlement of Appeal No. 70 to the 'VOP 2010' by 'LPAT' (See Appendix 'A'), 'outdoor storage' (per the VOP, 2010) or 'outside storage' (per the 'CZBL'), where these terms mean the same, is permitted on the subject property as follows:

Notwithstanding Policy 9.2.2.7, outdoor storage for only plastic pipes and fittings are permitted on the Subject Lands accommodating an area up to fifteen 15% of the area of the Subject Lands (area of Subject Lands 42,394.2m²) and are permitted on the Subject Lands up to November 30, 2040.

Outside storage appears to not at least meet 'CZBL' regulations 5.13.1.2, 5.13.3.1 and 5.13.4.1. and it would be appropriate to reconcile this 'as-built' condition with an Exception Zone.

3.4 PARKING & LOADING 'CZBL' REQUIREMENTS

The existing site configuration of 131 and 155 Regalcrest Court complies with the 'Phase 3: Final CZBL' Parking and Loading Requirements based on the following summary:

- It appears that there is a 'CZBL' requirement for 217 parking spaces, where 324 parking spaces are provided on the subject lands, inclusive of barrier free parking spaces. The total parking provided is 107 parking spaces more than required, exceeding the number of parking spaces displaced for outside storage, capped at 15% of the subject land area;
- There is a 'CZBL' requirement for 7 barrier free parking spaces, where 4 barrier free parking spaces are currently provided. While the subject land has adequate space to increase barrier free parking spaces, 'CZBL' Policy 6.1.1 reads:

'Where an existing use is deficient of the minimum required parking spaces of this By-law, it shall be interpreted that the minimum number of required parking spaces of this By-law shall be the legally existing number of parking spaces, provided that the existing use continues and there is no enlargement or expansion that results in a net increase of the gross floor area of the existing use, building, or structure.'

Therefore, the site design and business operations appear to satisfy parking requirements in compliance with the 'CZBL' 'Table 6-2 Parking Requirements for all Zones', per parking requirements for a Manufacturing or processing facility.

The 'CZBL' does not specify a minimum amount of loading spaces for a 'Manufacturing or processing facility', however the subject lands include twenty (20) loading spaces.



CONCLUSIONS & RECOMMENDATIONS

In conclusion, NAPCO – Royal is pleased to provide continuing input as part of the City’s ‘CZBR’ program in support of the following principles:

‘Principle #1: Ensure Conformity with the Official Plan’;

‘Principle #2: Minimizing Legal Non-Conforming Uses and Non-Complying Structures’;

‘Principle #3: Maintaining Permission’s where Possible’, and;

‘Principle #4: Creating a User-Friendly By-law’.

The ‘CZBL’ is a comprehensive, city wide review of the Zoning By-law 1-88, as amended, to implement the policies of VOP 2010, as amended. The ‘CZBR’ program provides an opportunity to reconcile land use permissions, providing functional development standards for employment lands and areas, per VOP 2010, and its successor plans.

In view of the foregoing, there is value in implementing the effective zoning of 131 and 155 Regalcrest Court per ‘Phase 3: Final CZBL’ regulation 2.4.3. Exception Zones and Section 14.0 Exception Zones, to achieve conformity and compliance with approved VOP 2010, as amended.

Therefore, we recommend the attached ‘Draft Exception Zone Summary’, Appendix ‘G’ for further discussion and consideration, as it relates to the ‘Phase 3: Final CZBL’ approvals process.

Also, we recognize that the ‘CZBL’ program is dynamic, and we reserve the right to provide further input and recommendations regarding the implementation of zoning in support our client’s manufacturing and distribution operations at this location.

And, we would also appreciate our firm being placed on the City’s mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your co-operation.

Yours truly,
Pound & Stewart Associates Limited



Philip Stewart
la/1711_itr.Dec.30.20



Attachments: As noted herein

cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. D. Marcucci, MCIP, RPP, Planning & Building Department, City of Vaughan
cc. Miller Thomson
cc. Client

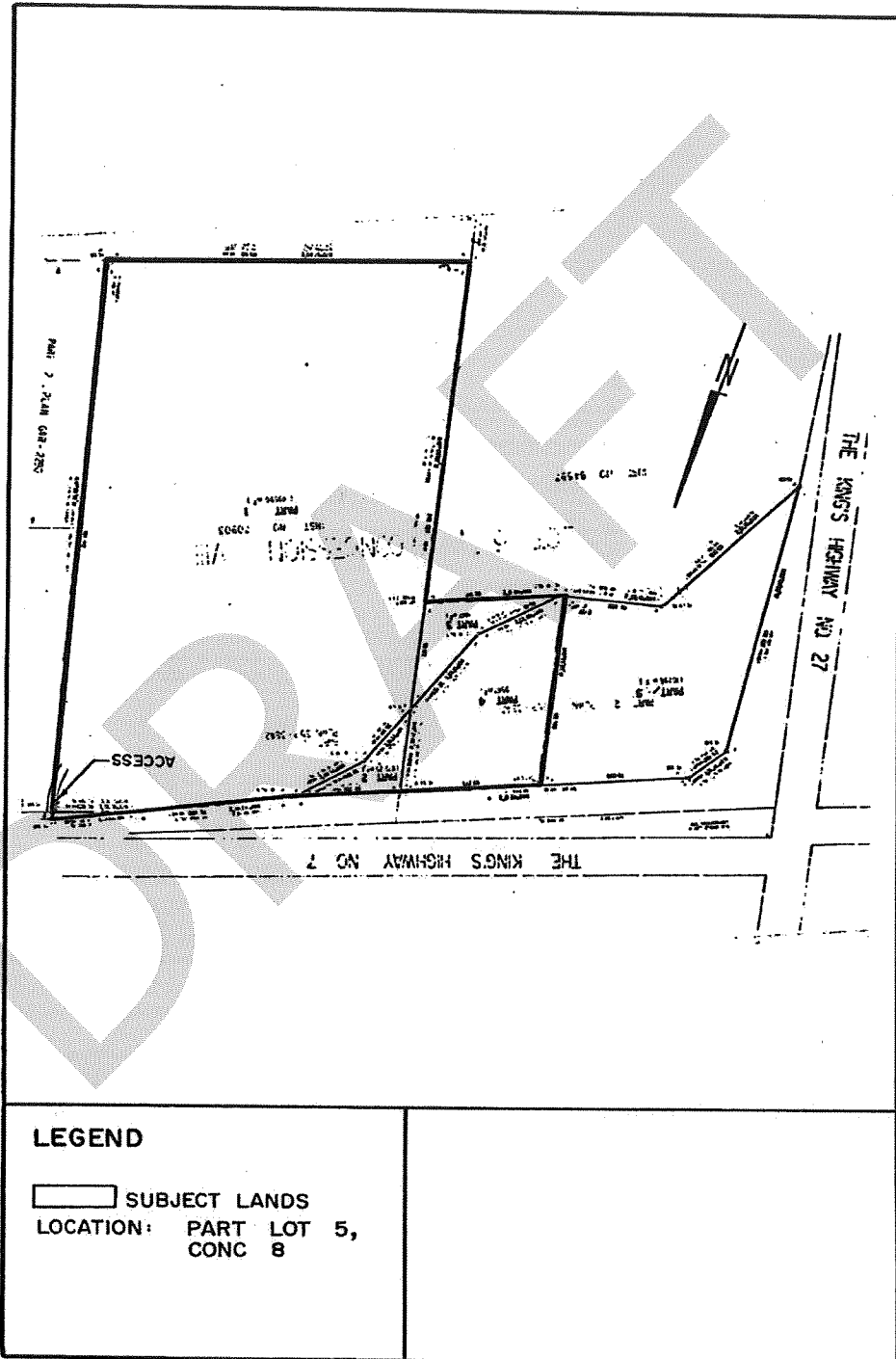


APPENDIX B: 'CBZL' EXCEPTION 151

14.151

Exception Number 151	Legal Description: 131-155 Regal Crest Court, 5875 Highway 7
Applicable Parent Zone: EMU	
Schedule A Reference: 23, 24, 43, 44	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)
14.151.1 Permitted Uses	
<p>1. The following additional uses shall be permitted:</p> <ul style="list-style-type: none"> a. Banquet hall; b. Restaurant; c. Retail; d. Personal service; and, e. Place of entertainment. 	
14.151.2 Lot and Building Requirements	
<p>1. A restaurant may include a banquet hall, provided that the combined maximum gross floor area shall be 930.0 m².</p> <p>2. The maximum combined gross floor area devoted to offices, retail and restaurant and/or banquet hall shall not exceed 35% of the total gross floor area of the development of the Subject Lands.</p>	
14.151.3 Parking	
1. The minimum number of required parking spaces shall be 600.	
14.151.4 Other Provisions	
1. The maximum seating capacity of the restaurant shall be 500.	

Figure E-296



APPENDIX C: 'CBZL', EXCEPTION 396

14.396

Exception Number 396	Legal Description: 10-101 Regal Crest Court, 1-20 Royal Gate Boulevard
Applicable Parent Zone: EM1, EM2, EMU	
Schedule A Reference: 23, 24, 43	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)
14.396.1 Permitted Uses	
<p>1. The following shall be the only uses permitted on the area labelled "C8" on Figure E-733 and Figure 733A:</p> <ul style="list-style-type: none"> a. Hotel; b. Office; c. Office building; and, d. Parking structure, accessory to office building. <p>2. A hotel use in the area labelled "C8" on Figure E-733 or Figure E-733A may include accessory banquet hall, restaurant and retail uses only, provided the hotel building is located a minimum of 200 m south of the Highway 7 road allowance.</p> <p>3. The following uses shall be permitted on the ground floor of an office building with a minimum height of 3 storeys:</p> <ul style="list-style-type: none"> a. Financial institution; b. Health and fitness centre; c. Personal service; d. Pharmacy; e. Restaurant; f. Retail; and, g. Variety store. <p>4. An office building shall not be a permitted use in the areas labelled "EM1," "Block 4" or "9(654D)" as shown on Figure E-733.</p>	

14.396.2 Lot and Building Requirements

1. The following provisions shall apply to the area labelled "C8" on Figure E-733 and Figure E-733A:

- a. The maximum gross floor area of an office building shall be 1.0 times the lot area; and,
- b. The combined gross floor area of all ground floor uses permitted in an office building in 15.654.1.3 shall be 10% of the gross floor area of the office building.

2., The following provisions shall apply to the area labelled "C7" on Figure E-733A:

- a. The minimum lot frontage shall be 43.0 m; and,
- b. The minimum lot area shall be 3,200.0 m².

3. The minimum lot area for the area labelled "C8" on Figure E-733A shall be 5,780.0 m².

4. The minimum gross floor area of a warehousing facility on the area shown as "9(654E)" on Figure E-733 shall be 14,750.0 m².

5. The maximum gross floor area of a warehousing facility on the area shown as "9(654E)" on Figure E-733 shall be 25,500.0 m².

14.396.3 Parking

1. Loading spaces shall be permitted in an exterior side yard abutting the west side of Regal Crest Court on the lands labelled "9(654E)" on Figure E-733.

2. The minimum number of required parking spaces on the lands labelled "9(654E)" on Figure E-733, shall be 305.

3. A shared driveway access along Royal Gate Boulevard shall be provided over Parts 2 and 3, as shown on Figure E-733A.

14.396.4 Other Provisions

1. For the purposes of 16.541.1.3, a variety store shall mean a kiosk serving the daily or occasional needs of the employees in the office building with a variety of goods such as food snacks and beverages, sundries, tobacco, stationery, magazines and newspapers, but not including groceries, meats and produce, with no direct access to the exterior of the building and a gross floor area not exceeding 50.0 m².

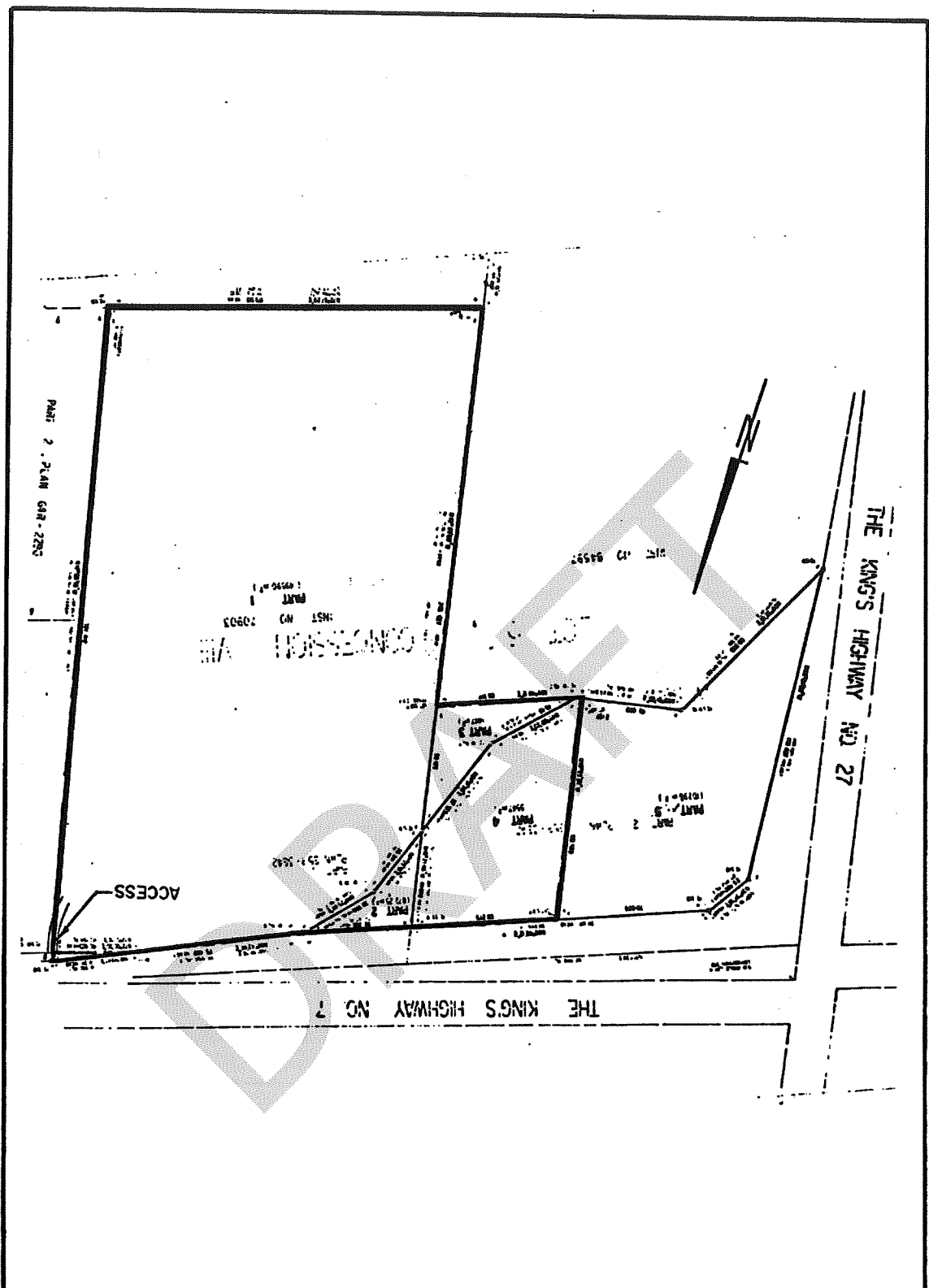
2. Notwithstanding the provisions of Subsection 2 respecting the definition of "Highway, Public", for the purposes of this Exception Paragraph, the following private roads comprising Royal Gate Boulevard and Regalcrest Court within Plan of Subdivision 65M-3033 as shown on Figure E-733 shall each be deemed to be a "public highway".

**APPENDIX D: CITY OF VAUGHAN ZONING BY-LAW 1-88, AS AMENDED
EXCEPTION 9 (291)**

291) The lands shown as Subject Lands on [Schedule E-296](#) attached hereto shall be subject to the following provisions:

- a) Notwithstanding the provisions of Subsection 6.2.1 regarding uses permitted in the EM1 Prestige Employment Area Zone, the following additional uses shall be permitted on the Subject Lands:
 - i) a eating establishment which may include a banquet hall, provided that the combined floor area shall not exceed nine hundred & thirty (930) square metres and the maximum seating capacity of the restaurant is five hundred (500);
 - ii) a retail commercial showroom for the merchandising of home improvement, hardware, recreation, automotive and similar equipment, but without outside storage;
 - iii) a dry-cleaning business;
 - iv) places of entertainment.
- b) The maximum combined Gross Floor Area devoted to offices, retail showroom, and restaurant and/or banquet hall shall not exceed thirty-five percent (35%) of the total Gross Floor Area of the development of the Subject Lands.
- c) Notwithstanding the provisions of Subsection 3.8 regarding parking requirements, the following provision shall apply to the Subject Lands:
 - minimum number of parking spaces to be provided 600

DRAFT



LEGEND

SUBJECT LANDS
 LOCATION: PART LOT 5,
 CONC 8

THIS IS SCHEDULE 'E- 296 '
 TO BY-LAW 1 -88
 SECTION 9(291)

**APPENDIX E: CITY OF VAUGHAN ZONING BY-LAW 1-88, AS AMENDED
EXCEPTION 9 (291)**

654A) The following provisions shall apply to the "Subject Lands" shown on [Schedule E-733](#) to By-law 1-88:

Notwithstanding the provision of Subsections 5.9 regarding the uses permitted in an C8 Office Commercial Zone, only the following uses shall be permitted on the portion of the Subject Lands zoned C8 Office Commercial Zone:

(1) Commercial

- Office Buildings, provided they shall have a maximum G.F.A. of 1 x the lot area;
- Parking Garages accessory to Office Buildings;
- A hotel which may include banquet halls, eating establishment, one tavern and ancillary retail uses as accessory uses only, provided the said hotel building is located a minimum of 200 metres south of the Highway #7 road allowance.

(2) Notwithstanding the provisions of Section 2 respecting maximum gross floor area of additional uses permitted in an office building, the stated uses shall be permitted, provided the combined total gross floor area of all such uses does not exceed 10% of the gross floor area of the office building.

Notwithstanding the provisions of Subsection 2 respecting the definition of "Highway, Public", for the purposes of this Exception Paragraph, the following private roads comprising Royal Gate Boulevard and Regalcrest Court within Plan of Subdivision 65M-3033 as shown on [Schedule "E-733"](#) shall each be deemed to be a "public highway".

DRAFT

**APPENDIX F: VAUGHAN ZONING BY-LAW 1-88, AS AMENDED
EXCEPTION 9 (654C)**

654C) Notwithstanding the provisions of Subsection 6.3.1 respecting uses permitted in an EM2 General Employment Area Zone, an office building is not permitted on the lands identified as Block 4 on [Schedule E-733](#).

Notwithstanding the provisions of Subsection 2 respecting the definition of "[Highway, Public](#)", for the purposes of this Exception Paragraph, the following private roads comprising Royal Gate Boulevard and Regalcrest Court within Plan of Subdivision 65M-3033 as shown on [Schedule "E-733"](#) shall each be deemed to be a "public highway".

DRAFT

DRAFT FOR DISCUSSION PURPOSES
APPENDIX 'G'

RE: NAPCO – Royal Building Products (a Westlake Company)

City of Vaughan’s Phase 3: Third Draft Comprehensive Zoning By-law ('CZBL') with Exception Zone for 131 and 155 Regalcrest Court – to replacing proposed 'CZBL' Draft Exception Nos. 151 and 396

The following summary provides a proposed 'CZBL' Exception to replace draft 'CZBL' Exception Nos.151 and 396 per the City of Vaughan’s Phase 3: Third Draft Comprehensive Zoning By-law ('CZBL') program, issued on October 29, 2020, as it relates to 131 and 155 Regalcrest Court. This Exception incorporates the recent November 24, 2020 settlement (issued December 11, 2020) of Appeal No. 70 to the Vaughan Official Plan 2010 ('VOP 2010') of the Local Planning Appeal Tribunal ('LPAT') regarding the 131 and 155 Regalcrest Court property.

Exception Number 14. _____	Legal Description:
Applicable Parent Zone: 'EMU'	131 and 155 Regalcrest Court
Schedule A Reference: _____	Figure E Link (if applicable)
LPAT Decision Reference: PL111184	Figure T Link (if applicable)
14. _____ Permitted Uses	
<p>1. <i>The following additional Uses shall be permitted on the lot up to November 30, 2040:</i></p> <ul style="list-style-type: none"> a. <i>Manufacturing;</i> b. <i>Warehousing;</i> c. <i>Outdoor Storage for only plastic pipes and fittings accommodating up to 15% of the Lot Area where the Lot Area totals 42,394.2 m²;</i> <p><i>Note: Outdoor Storage means the same as Outside Storage in terms of this Zoning By-law.</i></p>	
14. _____ Permission to Expand Existing Buildings	
<p>1. <i>The Gross Floor Area of the existing buildings on the Lot are permitted to expand to a maximum of fifteen percent (15%) of the existing buildings Gross Floor Area which totals 19,524 m²;</i></p>	
14. _____ Exceptions to Table 8.3 Lot and Building Requirements	
<ul style="list-style-type: none"> 1. <i>Notwithstanding Table 8.3, the Minimum Height permitted is 9.0 metres;</i> 2. <i>Notwithstanding Table 8.3, the Minimum Ground Floor Height permitted is 3.0 metres;</i> 3. <i>Notwithstanding Table 8.3, Surface Parking is permitted in the Front and Exterior Side Yards;</i> 4. <i>Notwithstanding Table 8.3, the Minimum Landscape Strip abutting a Street Line is 2.5 metres;</i> 5. <i>Notwithstanding Table 8.3, the Minimum Landscaped Open Space is 5%;</i> 	
14. _____ Exceptions to Outside Storage 5.13.2 and 5.13.4	
<ul style="list-style-type: none"> 1. <i>Notwithstanding 5.13.1.2, the maximum height of goods or materials stored within an outside storage area shall be 5.0 m.</i> 2. <i>Notwithstanding 5.13.3.1. outside storage need not be fully screened by an opaque fence or other vertical elements.</i> 3. <i>Notwithstanding 5.13.4.1. outside storage shall be permitted within the interior side yard and setback located between the abutting Lot to the south, known as 101 Regalcrest Court.</i> 	
14. _____ Parking	
<p>1. <i>Notwithstanding Table 6.2, a total of 129 parking spaces are required on the Lot.</i></p>	
14. _____ Other Provisions	
Other Provisions or Requirements as determined to ensure compliance of an 'as built' condition	

C21
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Pound&Stewart Planning](#)
To: Clerks@vaughan.ca
Cc: [Todd Coles](#); [Jim Harnum](#); [Haiging Xu](#); [Brandon Correia](#)
Subject: [External] RE: 101 Regalcrest Court - June 8, 2021 - Committee of the Whole - Item 8 - City-Wide Comprehensive Zoning By-law Program - City of Vaughan
Date: June-07-21 5:45:52 PM
Attachments: [1711 ltr 101 Regalcrest Court.CZBL June.07.2021.pdf](#)
[1711 NAPCO-Royal 101 Regalcrest Court.March.25.2021.pdf](#)

Dear Sir or Madame,

Please refer to the attached submission regarding the above captioned property as it relates to tomorrow's Committee of the Whole Meeting - Item 8. - Comprehensive Zoning By-law Program.

Thank you for your consideration.

Phil Stewart, MCIP, RPP
Principal
pstewart@cityplan.com

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June 7, 2021

BY EMAIL clerks@vaughan.ca & REGULAR MAIL

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A 1T1

Attn: Mayor Bevilacqua & Members of Council

**Re: Committee of the Whole – June 8, 2021
Agenda Item # 8 – City-wide Comprehensive Zoning By-law ('CZBL')
NAPCO - Royal Pipe & Fittings (a Westlake Company)
101 Regalcrest Court - Part of Lot 5, Concession 8
Also described as Plan 65R-29851 & Plan 65R-30850, Parts 1-4
City of Vaughan, Region of York
Our File: 1711**

We are the Planners of Record writing on behalf of NAPCO - Royal Pipe & Fittings, (hereafter referred to as 'NAPCO - Royal'), a stakeholder in the City's proposed Comprehensive Zoning By-law ('CZBL') program. We are writing as it pertains to the final draft of the CZBL as per the above captioned reference, noting additional comments may be forthcoming.

With respect to our client's property interest, as captioned above, we have previously filed the two written submissions dated as follows: October 28, 2020 and March 25, 2021, with recommendations to better align the proposed zoning for our client's property with the guiding principles and the 3rd draft of the CZBL. Copies of our March 25, 2021 submission is attached herein as Appendix 1.

While we endorse the City's direction on implementing the CBZL, we look forward to further co-ordination with the City Staff to address zoning related matters as outlined in our submissions, between now and Council's passing of the CZBL, anticipated September 2021. We note CZBL Public Comment - Response Matrix, C86 indirectly specifies our October 28, 2020 submission.

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 • 416 482 9797
305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 • 905 305 9797
WWW.CITYPLAN.COM • INFO@CITYPLAN.COM



POUND & STEWART

PLANNING CONSULTANTS • CITYPLAN.COM

We look forward to providing further input and recommendations regarding the implementation of the CZBL in support our client's manufacturing and distribution operations. Further, this letter does not preclude any other submission being filed related to this same property.

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your cooperation.

Yours truly,
Pound & Stewart Associates Limited



Philip Stewart

la/1711_ltr.NAPCO_Royal.June.07.2021

Attachments: As noted herein

cc. Mr. J. Harnum, City Manager
cc. Mr. H. Xu, Deputy City Manager, Planning & Growth Management
cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. R. Gray, Miller Thomson
cc. Client

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 • 416 482 9797
305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 • 905 305 9797
WWW.CITYPLAN.COM • INFO@CITYPLAN.COM



March 25, 2021

BY EMAIL clerks@vaughan.ca & **REGULAR MAIL**

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A1T1

Attn: Mr. T. Coles, City Clerk

Re: NAPCO – Royal Pipe & Fittings (a Westlake Company)
City of Vaughan – Comprehensive Zoning By-law Review
101 Regalcrest Court – Part of Lot 5, Concession 8
Also described as Plan 65R-29851 & Plan 65R-30850, Parts 1-4
City of Vaughan, Region of York
Our File 1711

We are the Planners of Record writing on behalf of **NAPCO – Royal Pipe & Fittings**, (referred to as ‘NAPCO-Royal’) regarding the above captioned property. This submission is in addition to our initial comments, filed October 28, 2020, concerning the City’s Comprehensive Zoning By-law Review program – 3rd Draft, as referenced by the Office of the City Clerk, Item 1, Report 50, and adopted by City Council November 17, 2020.

‘NAPCO-Royal’ is a well-established manufacturer of building and infrastructure products contributing to environmental sustainability, job creation, and a strong municipal tax base. Over the past twenty years, ‘NAPCO-Royal’ has successfully operated its manufacturing, distribution and office business functions at 101 Regalcrest Court.

This property is seamlessly connected to 131 and 155 Regalcrest Court located to the north, and the Hydro One Networks Inc. (‘HONI’) lands used for outside storage, located to the east within the Utility Corridor. Please refer to **Aerial Image 1**.



A. PURPOSE OF ROYAL’S COMPREHENSIVE ZONING BY-LAW REVIEW SUBMISSION

In implementing the policies of the City of Vaughan Official Plan (‘VOP 2010’), as amended, ‘NAPCO-Royal’ seeks zoning compliance for 101 Regalcrest Court property so as:

- To ensure that all approved Variances and Consents, obtained prior to January 1, 2015, are effectively maintained, ensuring functional compliance under the new Zoning By-law;
- To reconcile the location of ‘Outside Storage’ on its properties, in support of planned function, development standards and regulations;
- To clarify and reconcile the proposed Exception Zone Schedules or Mapping, as determined, and;
- To address any related zoning matters as the Comprehensive Zoning By-law Review evolves.

As the City intends to represent the updated zoning for 101 Regalcrest Court by way of proposed Zoning Exception ‘EM1-396’, there is a need to provide a detailed summary comparing it’s fit with the ‘as-built’ and operational conditions of this ‘NAPCO-Royal’ property, currently subject to Zoning Special Section, 9 (654C), per Zoning By-law 1-88, as amended.

B. THE ‘VOP 2010’ LAND USE PLANNING CONTEXT OF 101 REGALCREST COURT

Aerial Image 2 and Figure 1: City of Vaughan Official Plan (VOP 2010), Office Consolidation June 2019 - Schedule 13 Land Use describes the existing land use context of this property, and associated properties, with the following characteristics:

TABLE 1: THE ‘VOP 2010’ LAND USE PLANNING CONTEXT OF 101 REGALCREST COURT

Municipal Address	VOP, 2010 as Amended	‘NAPCO-Royal’ Business Operations	Block or Land Area	Building GFA
101 Regalcrest Court	‘General Employment’	Warehousing - Manufacturing - Distribution - Office - Outside Storage	1.629 ha.	Warehouse 3,351 sq. m Manufacturing 805 sq. m Accessory Office 892 sq. m
Total			1.629 ha.	5,048 sq. m

E.O.E.



The 'NAPCO-Royal' business operations at 101 Regalcrest Court comply with the City's VOP 2010, as amended, including the 'Employment Area' land use designation and planned function, per **Table 1** noted above.

The 'General Employment' land use designation permits 'A full range of industrial uses including manufacturing, warehousing (but not retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage...' 'Accessory' office uses are permitted, among other uses. (VOP 2010, page 261) (Note: 'outdoor storage' appears to mean 'outside storage').

C. 101 REGALCREST COURT – IN EFFECT ZONING BY-LAW 1-88, AS AMENDED

The 'NAPCO-Royal' 101 Regalcrest Court property is zoned 'EM2 General Employment Area Zone', Special Section, 9 (654C) per Zoning By-law 1-88, as amended, as further set out on **Figure 2 - Zoning Reference Map**.

Special Section, 9 (654C) is included in **Appendix 'A'**.

The planned function of this property includes 'outside storage' which is in support of the 'NAPCO-Royal' manufacturing and distribution operations. The 'General Employment Area' zoning permits 'outside storage' at internal locations, subject to Zoning By-law requirements. Existing site planning and contextual factors contribute to the effective screening of the 'outside storage' areas located at the rear of this property.

Also, it is important to consider that the pipe and fitting systems manufactured by 'NAPCO-Royal', being large in scale, require appropriate lands to facilitate 'outside storage' and future distribution.

In 2007 the City's Committee of Adjustment approved Consent to Sever B010/07 and Consent for Easement B011/07 thru B013/07, together with Variance file A045/07 for shared mutual drive aisle as it relates to the relation of the collective lands supporting 'NAPCO-Royal' business functions. We request these approvals survive under the proposed Comprehensive Zoning By-law by way of an Exception.

The 'NAPCO-Royal' 101 Regalcrest Court property is in compliance with Zoning By-law 1-88, as amended.



D. 101 REGALCREST COURT – ‘PHASE 3: FINAL COMPREHENSIVE ZONING BY-LAW

The attached **Figure 3** depicts the ‘NAPCO-Royal’ 101 Regalcrest Court property, as ‘General Employment Zone’ EM2-396 based on the City’s latest version of the Comprehensive Zoning By-law.

While draft Exception Zone 396, as set out in **Appendix ‘B’**, supports planned industrial functions, its relationship with the ‘NAPCO-Royal’ operational use of this property for the ‘outside storage’ of manufactured pipe products requires further consideration in terms of scale and planned function, consistent with the intent of VOP, 2010 as amended.

The attached **Appendix ‘C’** (‘As-Built Zoning Profile’) and **Appendix ‘D’** (‘Draft Zoning Exception’) provides for further discussion and consideration, as it relates to the ‘Phase 3: Final CZBL’ approvals process.

E. CONCLUSION & RECOMMENDATION

In conclusion, ‘NAPCO-Royal’ is pleased to provide continuing input to the City’s Comprehensive Zoning By-law Review program in support of the following principles:

‘Principle #1: Ensure Conformity with the Official Plan’;

‘Principle #2: Minimizing Legal Non-Conforming Uses and Non-Complying Structures’;

‘Principle #3: Maintaining Permission’s where Possible’, and;

‘Principle #4: Creating a User-Friendly By-law’.

As Zoning By-law definitions, planned functions and development standards and regulations require clarity and consistency to support economic competitiveness and environmental sustainability, it is recommended that a new Exception Zone, specific to the Royal’s 101 Regalcrest Court property be prepared, consistent with the intent of VOP 2010, as amended. This avoids non-compliance and ensures clarity and consistency in terms of VOP 2010, as amended.

Also, it is acknowledged that as the City’s Comprehensive Zoning By-law Review program is dynamic, we reserve the right to provide further input and recommendations regarding its implementation in support of our client’s manufacturing and distribution operations. Further, this letter does not preclude any other submission being filed related to this property.

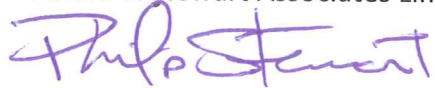


We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your co-operation.

Yours truly,

Pound & Stewart Associates Limited



Philip Stewart, RPP, MCIP

la/1711_ltr.Royal.101.Regalcrest.Mar.24.2021

Attachments: As noted herein

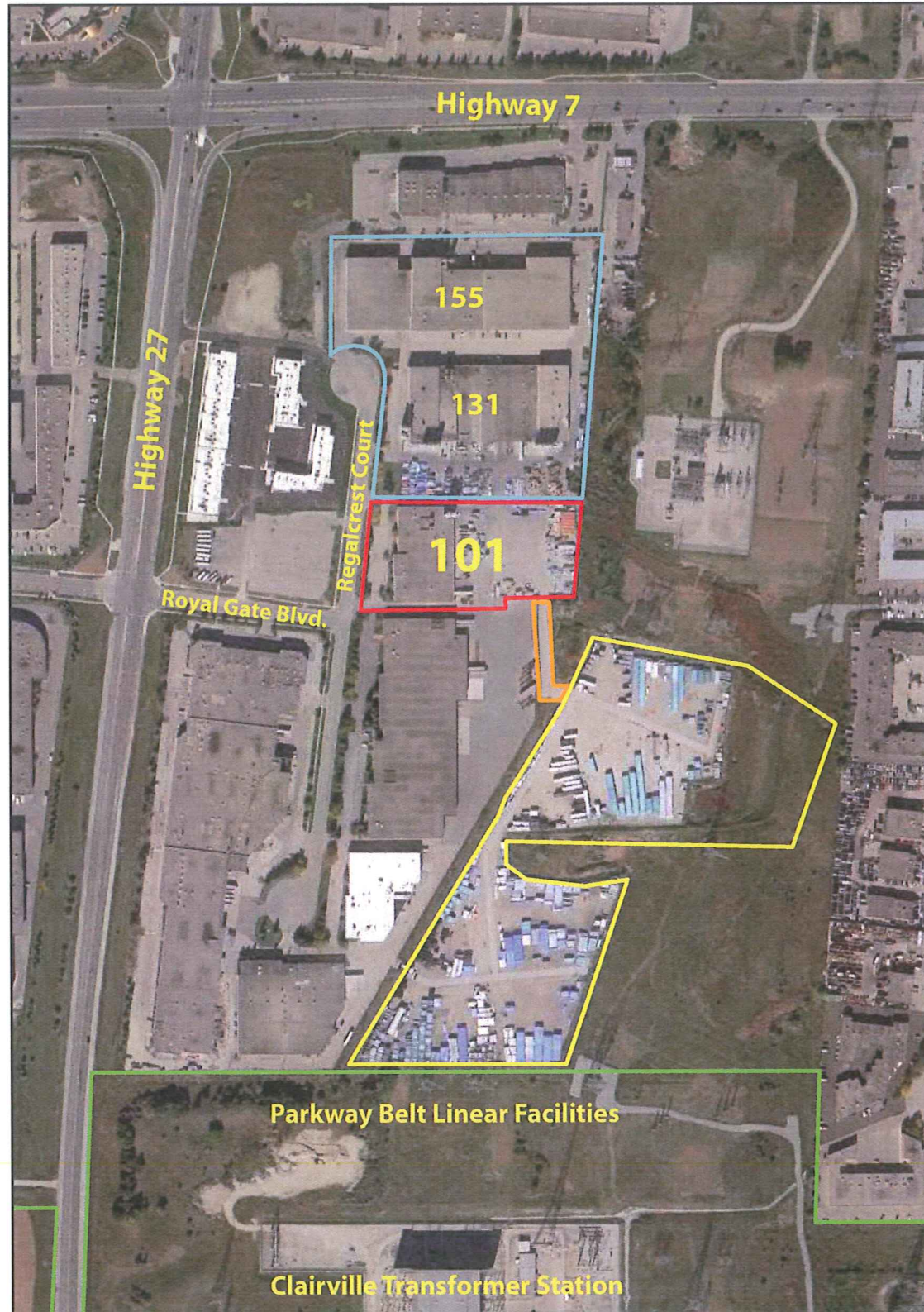
cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan

cc. Mr. R. Gray, Miller Thomson

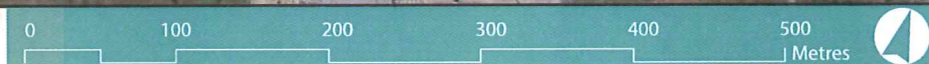
cc. Client



AERIAL IMAGE 1: NAPCO-ROYAL
 101 REGALCREST COURT - CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW



1711_Image1_Mar.01.21



Legend

- 131 & 155 REGALCREST COURT (OWNED)
- 101 REGALCREST COURT (LEASED)
- NORTHERN & SOUTHERN OUTSIDE STORAGE BLOCKS (LICENCED)
- ACCESS ROUTE TO/FROM OUTSIDE STORAGE BLOCKS (LICENCED)
- PARKWAY BELT WEST PLAN AREA

NAPCO
 ROYAL PIPE & FITTINGS

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OBLIQUE IMAGE 2 - EAST VIEW
CITY OF VAUGHAN OFFICIAL PLAN, JUNE 2019 OFFICE CONSOLIDATION, SCHEDULE 13, LAND USE
NAPCO-ROYAL - 101 REGALCREST COURT
PART OF LOT 5, CONCESSION 8 & PLAN 65M-3033



1711_Image2_Mar.01.21

 101 REGALCREST COURT

CITY OF VAUGHAN OFFICIAL PLAN
JUNE 2019 OFFICE CONSOLIDATION
SCHEDULE 13, LAND USE





-  GENERAL EMPLOYMENT
-  PRESTIGE EMPLOYMENT
-  EMPLOYMENT COMMERCIAL MIXED-USE
-  MID-RISE MIXED-USE
-  INFRASTRUCTURE AND UTILITIES
-  PARKWAY BELT WEST LANDS



FIGURE 1
NAPCO-ROYAL
101 REGALCREST COURT
PART OF LOT 5, CONCESSION 8
& PLAN 65M-3033

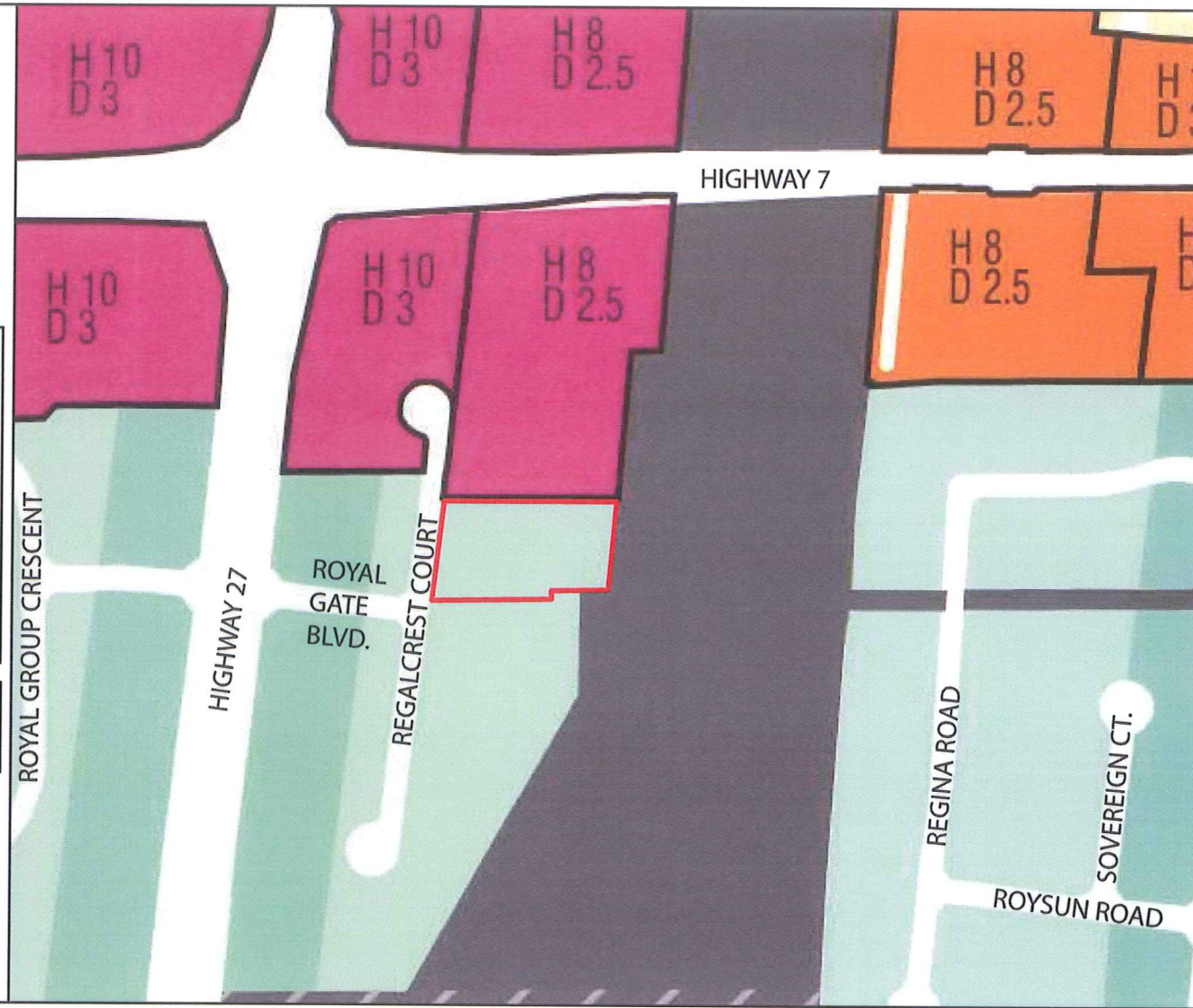


LEGEND

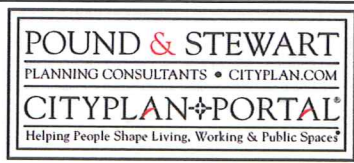
CITY OF VAUGHAN OFFICIAL PLAN
JUNE 2019 OFFICE CONSOLIDATION
SCHEDULE 13, LAND USE

- GENERAL EMPLOYMENT
- PRESTIGE EMPLOYMENT
- EMPLOYMENT COMMERCIAL MIXED-USE
- MID-RISE MIXED-USE
- INFRASTRUCTURE AND UTILITIES
- PARKWAY BELT WEST LANDS

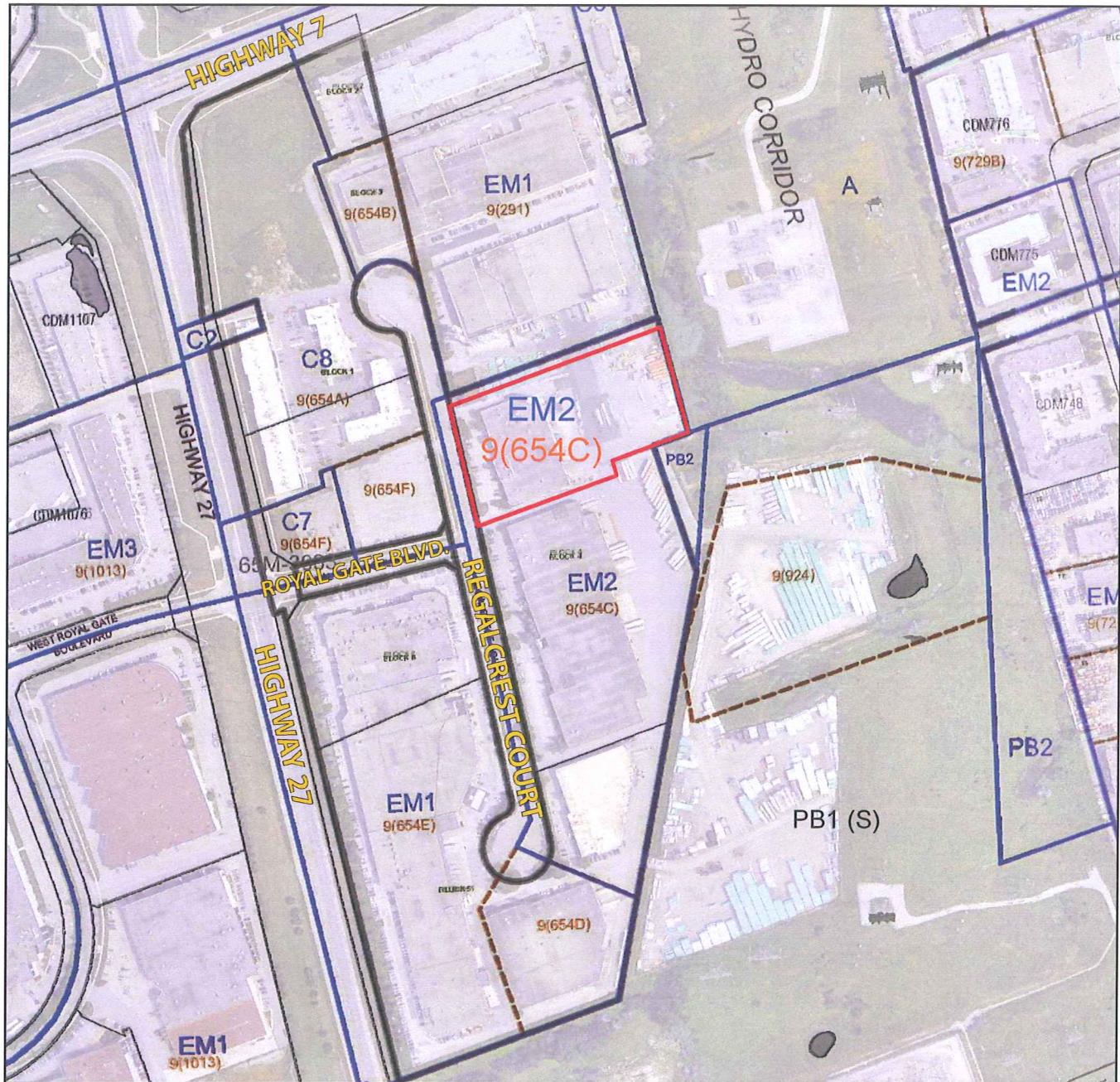
101 REGALCREST COURT



1711_Figure1_VOP_Sch13_LU_Mar.01.21




**FIGURE 2 - ZONING REFERENCE MAP
101 REGALCREST COURT
PART OF LOT 5, CONCESSION 8 & PLAN 65M-3033**



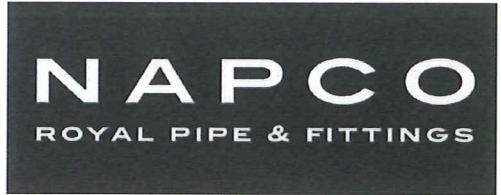
LEGEND

101 Regalcrest Court



**CITY OF VAUGHAN "IN EFFECT"
ZONING BY-LAW 1-88, AS AMENDED
ZONES & PERMITTED USE CATEGORIES**

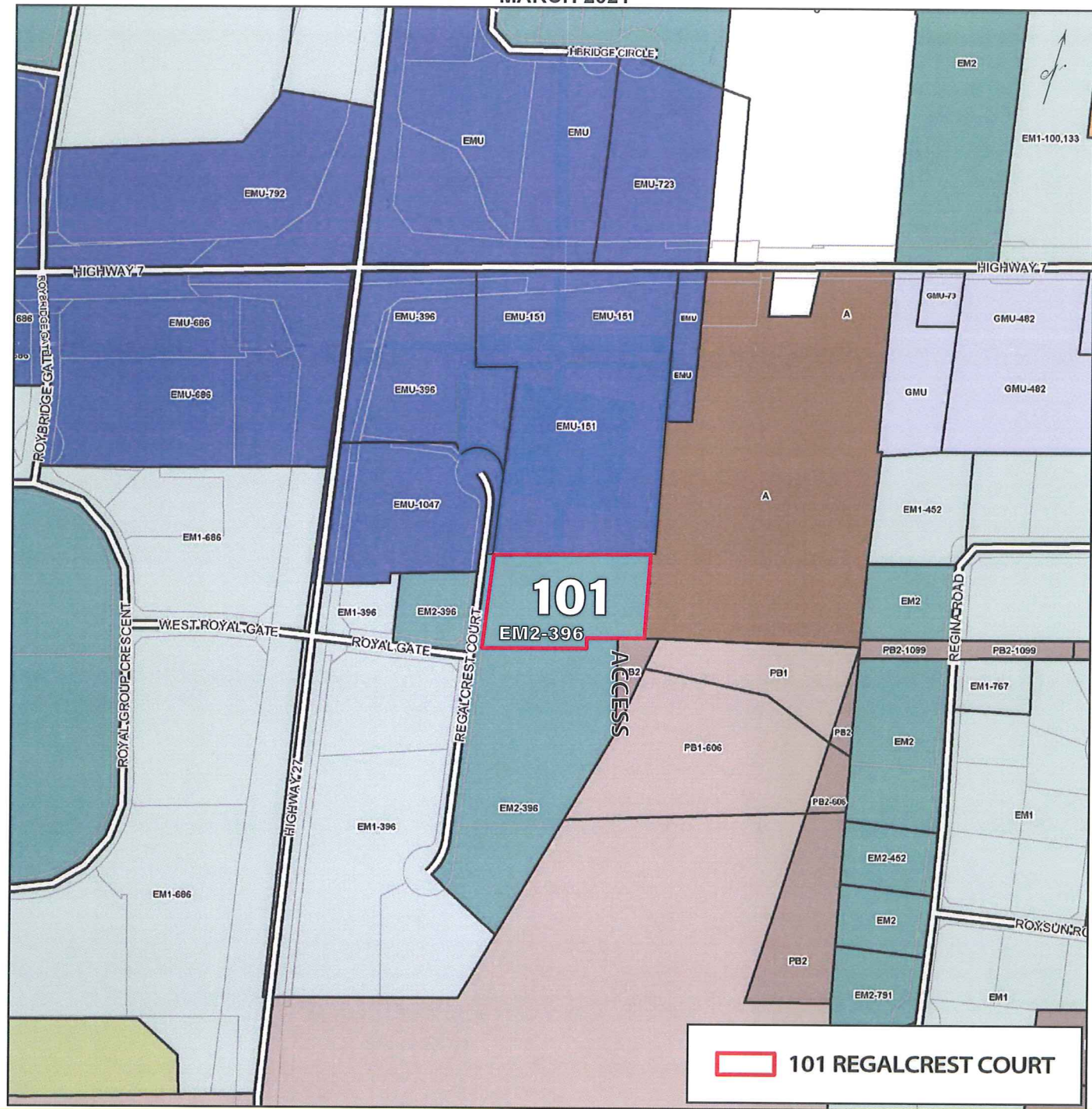
- EM1 - "Prestige Employment Area"
- EM2 - "General Employment Area"
- EM3 - "Retail Warehouse Employment"
- C2 - "General Commercial "Area"
- C7 - "Service Commercial"
- C8 - "Office Commercial"
- PB1(S) - "Parkway Belt Linear Facilities"



Zoning Base Map Source: City of Vaughan By-law 1-88, as amended, March 2021

1711_Figure2_Zoning_Mar.01.21

FIGURE 3: CITY OF VAUGHAN - COMPREHENSIVE ZONING BY-LAW - (3RD DRAFT)
 101 REGALCREST COURT - CITY OF VAUGHAN
 MARCH 2021



101 REGALCREST COURT

LEGEND

EMPLOYMENT ZONES

- EM1 (Prestige Employment Zone)
- EM2 (General Employment Zone)
- EM3 (Mineral Aggregate Operation Zone)

MIXED-USE ZONES

- LMU (Low-Rise Mixed-Use Zone)
- MMU (Mid-Rise Mixed-Use Zone)
- HMU (High-Rise Mixed-Use Zone)
- GMU (General Mixed-Use Zone)
- CMU (Community Commercial Mixed-Use Zone)
- EMU (Employment Commercial Mixed-Use Zone)
- KMS (Main Street Mixed-Use - Kleinburg Zone)
- MMS (Main Street Mixed-Use - Maple Zone)
- WMS (Main Street Mixed-Use - Woodbridge Zone)

CONSERVATION, OPEN SPACE & AGRICULTURAL ZONES

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

OTHER ZONES

- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
- PB1 (Parkway Bell Public Use Zone)
- PB2 (Parkway Bell Complementary Use Zone)
- PB3 (Parkway Bell West Recreational Zone)

NAPCO
 ROYAL PIPE & FITTINGS

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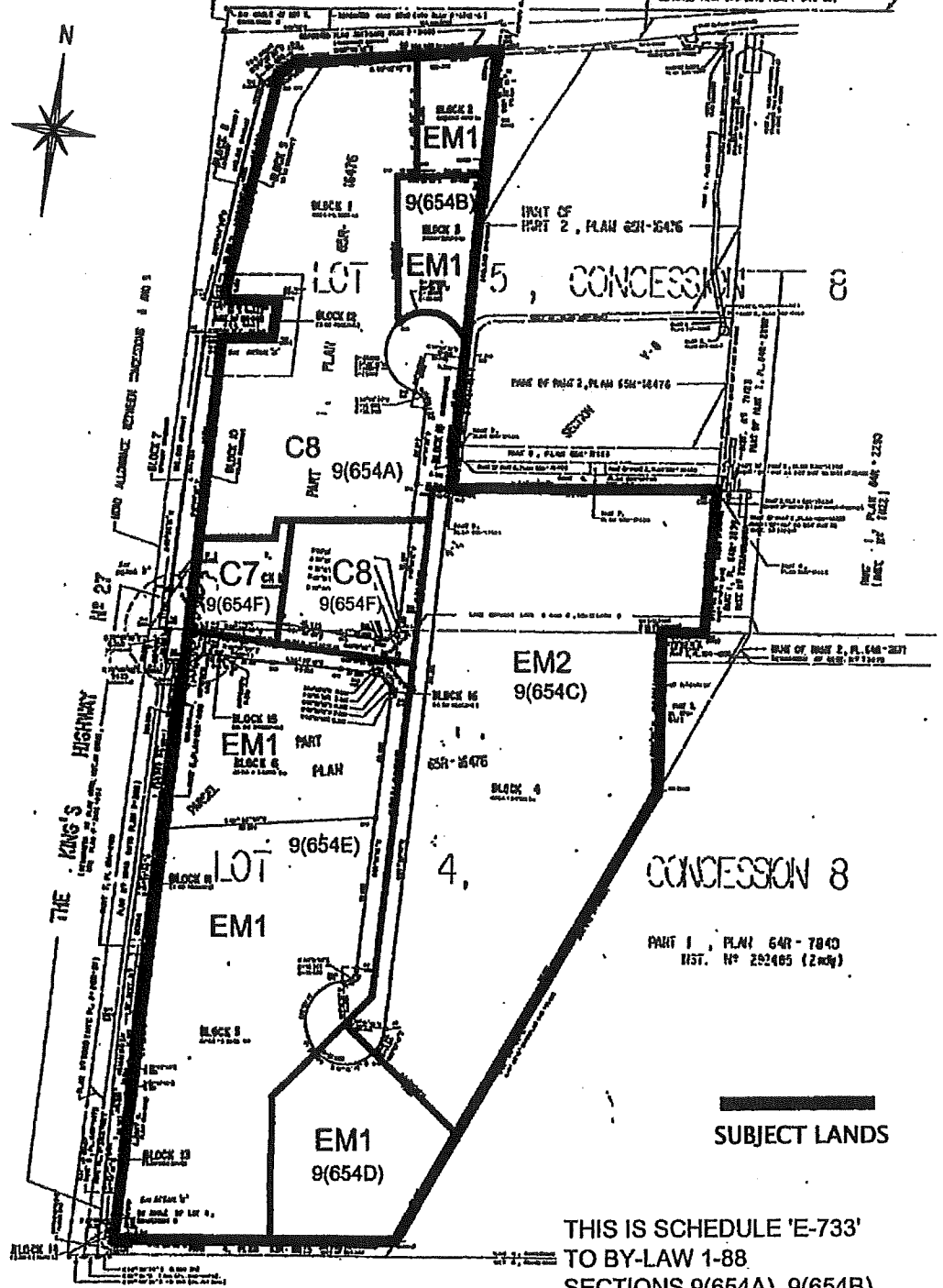
APPENDIX 'A'

654C) Notwithstanding the provisions of Subsection 6.3.1 respecting uses permitted in an EM2 General Employment Area Zone, an office building is not permitted on the lands identified as Block 4 on Schedule E-733.

Notwithstanding the provisions of Subsection 2 respecting the definition of "Highway, Public", for the purposes of this Exception Paragraph, the following private roads comprising Royal Gate Boulevard and Regalcrest Court within Plan of Subdivision 65M-3033 as shown on Schedule "E-733" shall each be deemed to be a "public highway".



THE KING'S HIGHWAY No 7 ROAD ALLOWANCE BETWEEN LOTS 4 AND 5, CONCESSION 8 - RECORDED PLAN 949/0478 PLAN 9-230-104



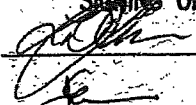
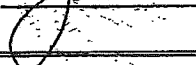
THIS IS SCHEDULE 'E-733'
TO BY-LAW 1-88
SECTIONS 9(654A), 9(654B),
9(654C), 9(654D), 9(654E) & 9(654F)

SUBJECT LANDS

NOT TO SCALE

THIS IS SCHEDULE '2'
TO BY-LAW 162 - 2008
PASSED THE 23RD DAY OF JUNE, 2008

FILE No. Z.08.010
LOCATION: Part of Lot 5, Concession 8
APPLICANT: ROYAL GATE (LAND) NOMINEE INC.
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

APPENDIX 'B'

14.396

Exception Number 396	Legal Description: 10-101 Regal Crest Court, 1-20 Royal Gate Boulevard
Applicable Parent Zone: EM1, EM2, EMU	
Schedule A Reference: 23, 24, 43	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)
14.396.1 Permitted Uses	
<p>1. The following shall be the only uses permitted on the area labelled "C8" on Figure E-733 and Figure 733A:</p> <ul style="list-style-type: none"> a. Hotel; b. Office; c. Office building; and, d. Parking structure, accessory to office building. <p>2. A hotel use in the area labelled "C8" on Figure E-733 or Figure E-733A may include accessory banquet hall, restaurant and retail uses only, provided the hotel building is located a minimum of 200 m south of the Highway 7 road allowance.</p> <p>3. The following uses shall be permitted on the ground floor of an office building with a minimum height of 3 storeys:</p> <ul style="list-style-type: none"> a. Financial institution; b. Health and fitness centre; c. Personal service; d. Pharmacy; e. Restaurant; f. Retail; and, g. Variety store. <p>4. An office building shall not be a permitted use in the areas labelled "EM1," "Block 4" or "9(654D)" as shown on Figure E-733.</p>	

14.396.2 Lot and Building Requirements

1. The following provisions shall apply to the area labelled "C8" on Figure E-733 and Figure E-733A:
 - a. The maximum gross floor area of an office building shall be 1.0 times the lot area; and,
 - b. The combined gross floor area of all ground floor uses permitted in an office building in 15.654.1.3 shall be 10% of the gross floor area of the office building.
- 2., The following provisions shall apply to the area labelled "C7" on Figure E-733A:
 - a. The minimum lot frontage shall be 43.0 m; and,
 - b. The minimum lot area shall be 3,200.0 m².
3. The minimum lot area for the area labelled "C8" on Figure E-733A shall be 5,780.0 m².
4. The minimum gross floor area of a warehousing facility on the area shown as "9(654E)" on Figure E-733 shall be 14,750.0 m².
5. The maximum gross floor area of a warehousing facility on the area shown as "9(654E)" on Figure E-733 shall be 25,500.0 m².

14.396.3 Parking

1. Loading spaces shall be permitted in an exterior side yard abutting the west side of Regal Crest Court on the lands labelled "9(654E)" on Figure E-733.
2. The minimum number of required parking spaces on the lands labelled "9(654E)" on Figure E-733, shall be 305.
3. A shared driveway access along Royal Gate Boulevard shall be provided over Parts 2 and 3, as shown on Figure E-733A.

14.396.4 Other Provisions

1. For the purposes of 16.541.1.3, a variety store shall mean a kiosk serving the daily or occasional needs of the employees in the office building with a variety of goods such as food snacks and beverages, sundries, tobacco, stationery, magazines and newspapers, but not including groceries, meats and produce, with no direct access to the exterior of the building and a gross floor area not exceeding 50.0 m².
2. Notwithstanding the provisions of Subsection 2 respecting the definition of "Highway, Public", for the purposes of this Exception Paragraph, the following private roads comprising Royal Gate Boulevard and Regalcrest Court within Plan of Subdivision 65M-3033 as shown on Figure E-733 shall each be deemed to be a "public highway".

Figure E-733

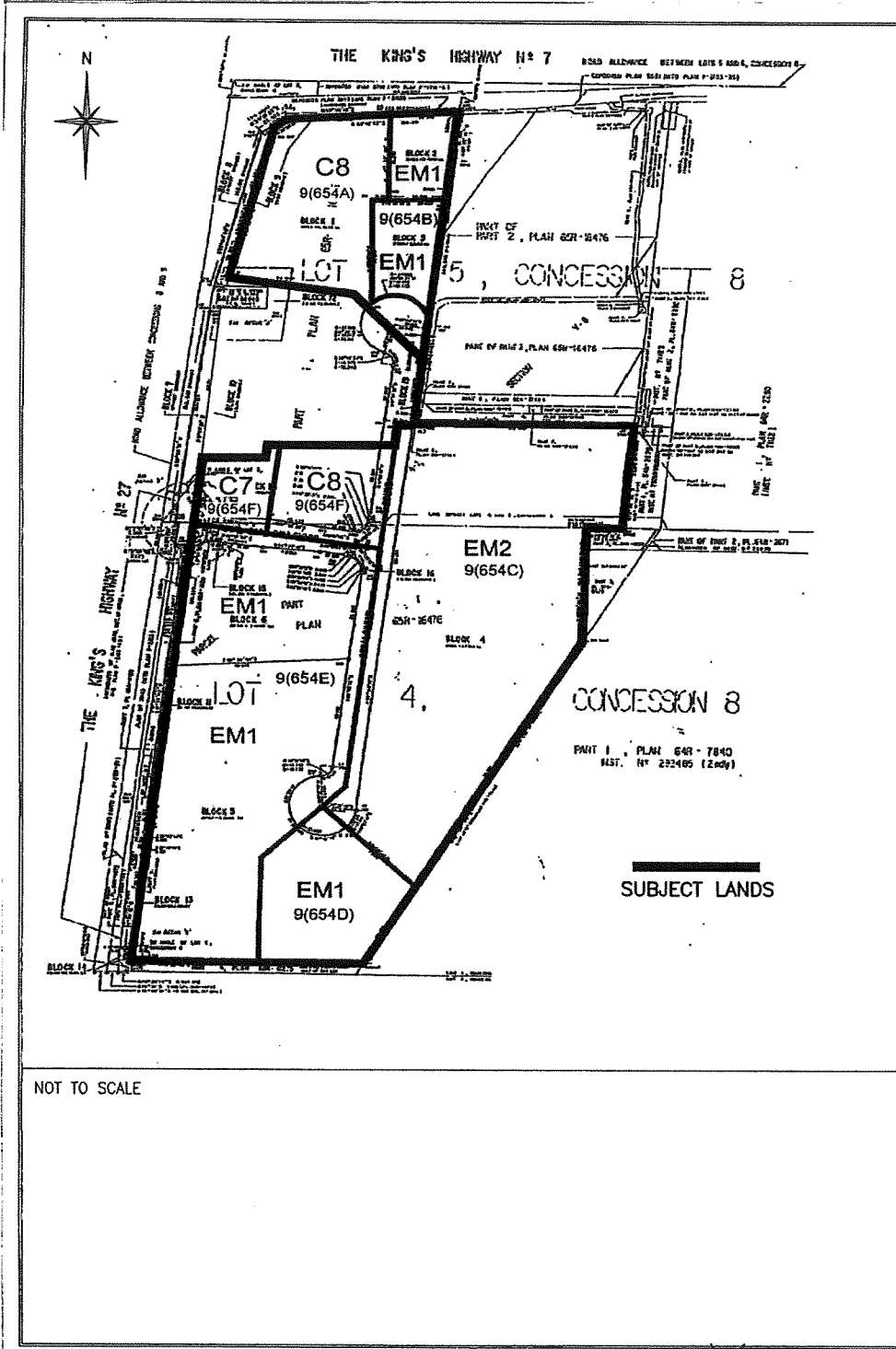
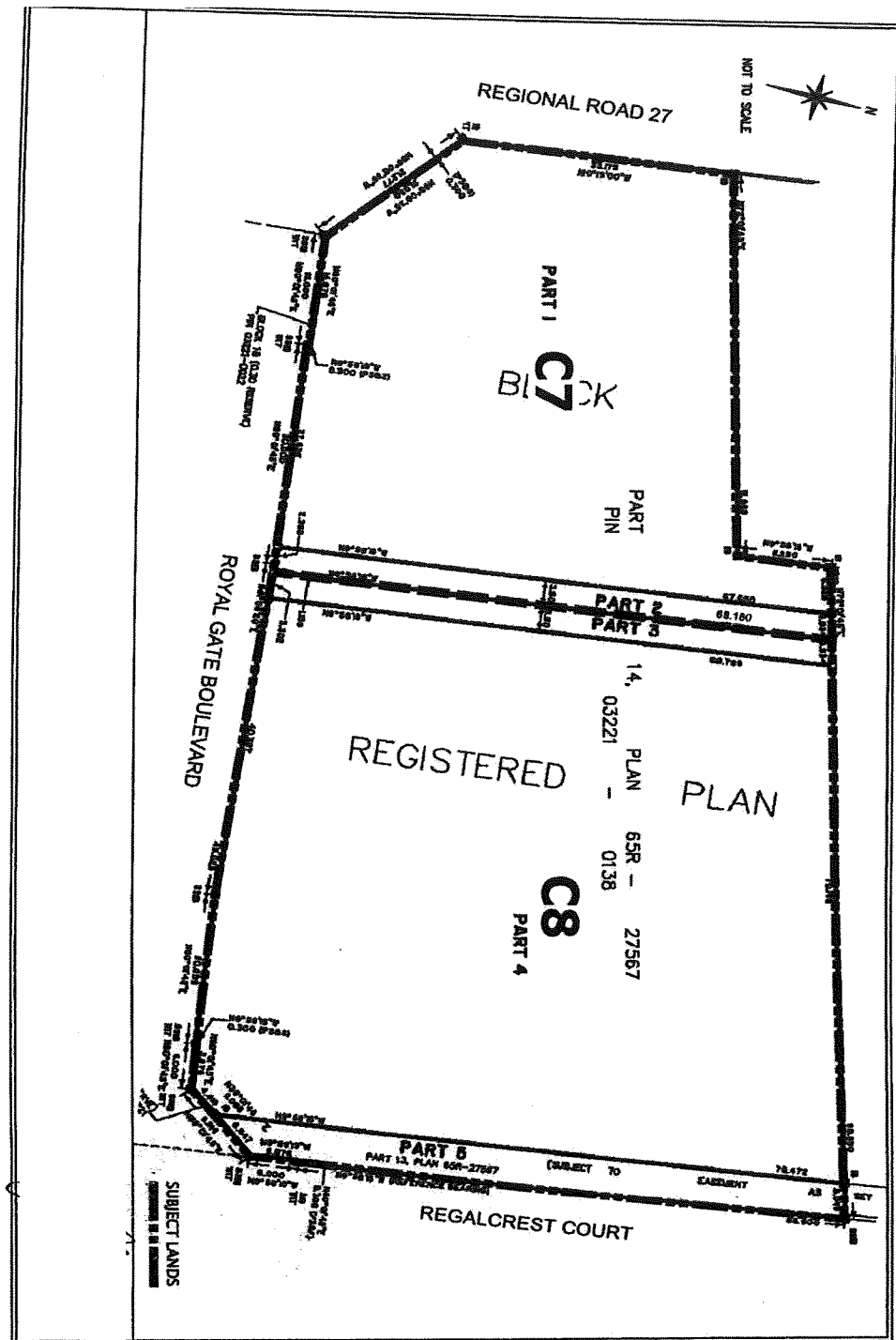






Figure E-733A



APPENDIX 'C'
'As-Built' Zoning Profile for 101 Regalcrest Court
Per 3rd Draft Comprehensive Zoning By-law Review
Prepared on behalf of 'NAPCO-Royal' by Pound & Stewart Planning

Phase 3: Draft Comprehensive Zoning By-law	GENERAL EMPLOYMENT ZONE 'EM2' Regulations	101 Regalcrest Court										
Use	Subject to Table 11.2.2 Lot and Building Requirements and Part 5 of the Zoning By-law	Manufacturing – Distribution – Accessory Office – Outside Storage										
Total GFA	-	5,048 m ²										
Warehouse Area	-	3,351 m ²										
Manufacturing	-	805 m ²										
Storage Mezzanine	-	-										
Chiller Mezzanine	-	-										
Accessory Office	Max 49% of GFA	892 m ² (17.7%)										
Minimum Lot Frontage	30 m	96.59 m										
Minimum Lot Area	0.18 ha.	1.629 ha.										
Minimum Front Yard	6 m	25 m±										
Minimum Rear Yard	12 m	80 m±										
Minimum Interior Side Yard	6 m	6 m±										
Minimum Exterior Side Yard	6 m	Not applicable										
Maximum Lot Coverage (%)	None	40%										
Maximum Building Height	15 m	8.55 m (plus Storage Silos which are 25 m high)										
The maximum building height may exceed 15.0m, provided that the minimum interior side yard is increased by 0.3 m for every 0.6 m in building height greater than 15.0 m, but in no case shall the maximum building height exceed 25.0 m.	Storage Silos are a permitted use	8.55 m (plus Storage Silos which are 25 m high). The existing storage silos are an as-built condition, located approximately 11.0 m from the interior side yard property line.										
Landscape Strip Abutting Street Line	3 m	3 m										
Minimum Landscape Open Space	5 %	4 % provided										
Minimum Parking Space Requirements: 0.5 per 100m – Warehousing 1.0 per 100 m ² – Manufacturing 3.0 per 100 m ² – Accessory Office Minimum Barrier-Free Parking Space Requirements  : 1 + 3% of Total	<table border="1"> <tr> <td>Warehousing</td> <td>17</td> </tr> <tr> <td>Manufacturing</td> <td>8</td> </tr> <tr> <td>Accessory Office</td> <td>27</td> </tr> <tr> <td></td> <td>3</td> </tr> <tr> <td>Total</td> <td>55</td> </tr> </table>	Warehousing	17	Manufacturing	8	Accessory Office	27		3	Total	55	60 provided
Warehousing	17											
Manufacturing	8											
Accessory Office	27											
	3											
Total	55											
Minimum Driveway Width	6.0 m	7.5 m provided										

1711_101_VZBL_Proposed_Exception_Mar.24.21

APPENDIX 'D'

101 Regalcrest Court – Draft Exception Zone No. XXX

Per 3rd Draft Comprehensive Zoning By-law Review

Prepared on behalf of 'NAPCO-Royal' by Pound & Stewart Planning

The following summary provides a proposed **Comprehensive Zoning By-law Review Exception XXX** as it relates to **101 Regalcrest Court** per the City of Vaughan's Phase 3: Third Draft Comprehensive Zoning By-law ('CZBL') program, issued on October 29, 2020, subject to further discussion and confirmation.

Exception Number _____	Legal Description: 101 Regalcrest Court
Applicable Parent Zone : EM2	
Schedule A Reference: 23, 24, 43	Figure E Link (if applicable)
By-law / Tribunal Decision Reference:	Figure T Link (if applicable)
14.____.1 Permitted Uses	
1. The following additional uses shall be permitted on the 101 Regalcrest Court :	
a. Storage Silos	
14.396.2 Lot and Building Requirements	
<i>6. The lands adjacent to the rear of 101 Regalcrest Court zoned PB2 shall provide access to 55 Regalcrest Court.</i>	
14.369.3 Parking	
<i>4. Notwithstanding 6.1.2 Selected parking spaces, barrier-free parking spaces and/or loading spaces may not have direct access to a driveway, aisle, road or lane for 101 Regalcrest Court.</i>	
<i>5. Notwithstanding 6.1.3 Selected parking spaces, barrier-free parking spaces, loading spaces, bicycle spaces, and/or any driveway or aisle providing access to those spaces may be obstructed for 101 Regalcrest Court.</i>	
<i>6. The regulations of 6.3.3, Obstruction of a Parking Space shall not apply to 101 Regalcrest Court.</i>	
14.XXX.4 Exceptions to Outside Storage for 101 Regalcrest Court	

1. Notwithstanding 5.13.1.1, the maximum permitted area of outside storage area shall be greater than 30% of the total lot area.
2. Notwithstanding 5.13.1.2, the maximum height of goods or materials stored within an outside storage area shall be 5.0 m.
3. Notwithstanding 5.13.3.1, outside storage need not be fully screened by an opaque fence or other vertical elements.
4. Notwithstanding 5.13.4.1, outside storage shall be permitted in any required yard or required setback applicable to a principal building, accessory building or accessory structure in this By-law.
5. Notwithstanding Table 11-3, the maximum height of the storage silos may exceed 25 m.

6.6.3 Parking Area Access

6.1.6 Mutual Access

Nothing in this By-law shall prevent a driveway or aisle providing mutual access between two abutting lots in an Employment Zone, provided that the total width of the mutual driveway or aisle satisfies the requirements of this By-law.

11.2.2 Lot and Building Requirements for Employment Zones

1. Notwithstanding 11.2.2 Lot and Building Requirements for Employment Zones, the minimum landscape open space (%) shall be provided at 4%.

Notes – Definitions from: Phase 3: Third Draft Comprehensive Zoning By-law Review Program

Warehousing and Distribution Facility: Means premises used for the indoor storage of goods, wares, merchandise, materials or articles as a principal use, but does not include a retail store.

Manufacturing or Processing Facility: Means premises for the manufacturing, assembly, processing, altering, treating, repair of products, materials or goods.

Distribution Facility: Means premises used primarily for the storage and distribution of goods and materials, including the temporary storage and maintenance of commercial vehicles, heavy commercial vehicles and intermodal containers.

'Outside Storage': means an open area of land used for the temporary storage of materials, equipment, intermodal containers, or finished goods which are associated with the principal use of the lot, and may include the temporary parking of commercial vehicles.

C22
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Annik Forristal](#)
To: Clerks@vaughan.ca
Cc: [Brandon Correia](#); [Mathew Halo](#); [Ryan Guetter](#); [Sandra Patano](#); [Dan Mammone](#); [Mary Flynn-Guglietti](#); [Kailey Sutton](#); [Jocelyn Lee](#)
Subject: [External] [Newsletter/Marketing] Letter of Concern to City Council - Comprehensive Zoning By-law - Mammone
Date: June-07-21 6:30:56 PM
Attachments: [Letter of Concern to City Council - CZBL - June 7, 2021 - Mammone.pdf](#)

Good evening,

Attached please find correspondence to City Council and the Committee of the Whole regarding the City's Comprehensive Zoning By-law.

Thank you,

mcmillan

Annik Forristal

Partner

Pronoun: She/Her/Hers – Elle/La/Sa

d 416.865.7292 | f 416.865.7048

annik.forristal@mcmillan.ca

Assistant: Jocelyn Lee | 416.865.7926 | jocelyn.lee@mcmillan.ca

McMillan LLP

Lawyers | Patent & Trademark Agents

Brookfield Place, 181 Bay Street, Suite 4400

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Reply to the Attention of: Annik Forristal
Direct Line: 416.865.7292
Email Address: annik.forristal@mcmillan.ca
Our File No.: 201539
Date: June 7, 2021

BY EMAIL (clerks@vaughan.ca)

City Council and Committee of the Whole
City Hall Level 200
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Mayor Bevilacqua and Members of Council

Dear Mayor Bevilacqua and Members of Council,

**Re: City-Wide Comprehensive Zoning By-law ("CZBL")
8940 Jane Street, City of Vaughan**

We have reviewed the City's comments set out in rows C83 of the Response Matrix released by the City in June 2021, which comments respond to the concerns regarding the City's proposed CZBL raised in the letter to the Committee of the Whole sent by Weston Consulting on behalf of Sandra Mammone on October 27, 2020 (attached for ease of reference).

While we appreciate the City's intent to have applications that remain before the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal, formerly the Ontario Municipal Board) (the "**Tribunal**") resolved in accordance with the on-going Planning Act process and the CZBL amended at the time of such resolution, the 5 year limit to the City's proposed transition period may not be sufficient to allow such implementation of the Tribunal's decision.

We thus re-iterate the concerns set out in Weston's October 27th letter and request that Exception 570 of the final form of CZBL be revised to fully implement the permissions approved by the Tribunal in 2018. Alternatively, at a minimum, the transition provisions should be revised to allow planning approvals finalized more than 5 years after the CZBL is passed to be incorporated into the CZBL.

Yours truly,

A handwritten signature in black ink, appearing to read "Annik Forristal". The signature is fluid and cursive, with the first name "Annik" written in a larger, more prominent script than the last name "Forristal".

Annik Forristal

Encl.

cc: Ryan Guetter, Mathew Halo and Sandra Patano, Weston Consulting
Dan Mammone
Mary Flynn-Guglietti



**WESTON
CONSULTING**

planning + urban design

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 9979

Attn: City Clerk

**RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
8940 Jane Street, Vaughan**

Weston Consulting is the planning consulting firm for Sandra Mammone, the registered owner of lands municipally known as 8940 Jane Street in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands were previously zoned "*EM1(H) – Prestige Employment Area Zone*" and "*EM2 – General Employment Area Zone*" in Vaughan Zoning By-law 1-88. However, the lands were the subject of Local Planning Appeal Tribunal ("LPAT") proceedings which rezoned the lands to "*RM3(H) – Apartment Residential Zone*" and "*OS2 – Open Space Park Zone*". In a Decision issued on September 17, 2018, the LPAT granted approval in principle of a site-specific Official Plan Amendment and Zoning By-law Amendment and withheld its Order on the Amendments until such time that the Region of York advises the Tribunal in writing that transportation items are fulfilled and the Holding Symbol associated with the rezoning is lifted. Once these terms are satisfied, the LPAT can issue its full Order, approving Official Plan Amendment and By-law Amendment in its final form.

The site-specific Zoning By-law rezoned the lands "*RM3(H) – Apartment Residential Zone*" and "*OS2 – Open Space Park Zone*" to facilitate the development of three blocks with five (5) mixed-use apartment buildings ranging between 18 and 26 storeys in two phases with a maximum of 871 residential units in Phase 1 and 526 units that can be built in Phase 2 and a Public Open Space block. The proposed development will take access on private and municipal roads.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*RM2(H) – Multiple Unit Residential Zone 2*", "*OS1(H) – Public Open Space Zone*" and "*EM1(H) – Prestige Employment Zone*" subject to Exception 570. It is acknowledged that Exception 570 implements the correct site-specific zone to the site as a result of the LPAT-approved Zoning By-law Amendment; however, zone Exception does not capture the LPAT approval specific to the development. We request that the site-specific by-law and Holding conditions be included in its

entirety within the CZBL, as it is referenced in the partial LPAT approval, dated September 17, 2018. See attached decision.

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject lands given the current active status of the LPAT Decision noted-above. With respect to the LPAT Decision, Section 1.6.3 states:

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL will be repealed five years from the effective date of the By-law without further amendment to the By-law.

We are supportive of the above-noted transition provisions and submit that under this provision, any future site development applications for the subject lands implementing the LPAT-approved Zoning By-law Amendment will receive approval and that the subject lands can be developed accordingly without any further amendment required to the CZBL.

In summary, we support that the LPAT-approved site-specific Zoning By-law Amendment provisions are captured in the CZBL. However, we request that Exception 570 be updated to reflect the entirety of the LPAT Decision, dated September 17, 2018.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sandra Patano at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

- c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Sandra & Dan Mammone, Client
Mary Flynn-Guglietti, McMillan LLP
Annik Forristal, McMillan LLP

Encl. Decision

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: September 17, 2018

CASE NO(S): PL140839
PL110419

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellants (jointly):	Casertano Developments Corporation and Sandra Mammone
Appellants (jointly):	Limestone Gallery Investments Inc. and Damara Investment Corp.
Appellants (jointly):	Granite Real Estate Investment Trust and Magna International Inc.
Appellants (jointly):	H & L Title Inc. and Ledbury Investments Ltd.
Appellant:	Canadian National Railway
Appellant:	Rutherford Land Development Corporation
Appellant:	281187 Ontario Ltd.
Appellant:	Anland Developments Inc.
Subject:	Proposed Official Plan Amendment No. 2 to the Official Plan for the City of Vaughan (2010)
Municipality:	City of Vaughan
OMB Case No.:	PL140839
OMB File No.:	PL140839
OMB Case Name:	Mammone v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Casertano Development Corporation
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	"General Commercial"

Proposed Designation: "High-Density Residential/Commercial"
Purpose: To permit the development of six (6) residential apartment buildings ranging from 26 to 40 storeys containing approximately 2,050 residential units and two (2) freestanding 2-storey office/commercial buildings and ground floor retail commercial uses totaling 4,234 square metres (45,574 square feet) in gross floor area in Blocks "B" and "C"

Property Address/Description: 9060 Jane Street
Municipality: City of Vaughan
Approval Authority File No.: OP.07001
OMB Case No.: PL110419
OMB File No.: PL110419
OMB Case Name: Casertano Development Corporation v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Casertano Development Corporation
Subject: Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision

Existing Zoning: "C1(H) Restricted Commercial Zone"
Proposed Zoning: "RA3(H) Apartment Residential Zone"
Purpose: To permit the development of six (6) residential apartment buildings ranging from 26 to 40 storeys containing approximately 2,050 residential units and two (2) freestanding 2-storey office/commercial buildings and ground floor retail commercial uses totaling 4,234 square metres (45,574 square feet) in gross floor area in Blocks "B" and "C"

Property Address/Description: 9060 Jane Street
Municipality: City of Vaughan
Municipal File No.: Z.09.038
OMB Case No.: PL110419
OMB File No.: PL110420

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Sandra Mammone
Subject: Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment

Existing Designation: "General Commercial"
Proposed Designation: "High-Density Residential/Commercial"
Purpose: To permit the development of six (6) residential apartment buildings ranging from 25 to 35 storeys containing approximately 1,600 residential units and two (2) freestanding 2-storey office/commercial buildings (Blocks "D" and "E") and ground floor office/commercial uses in Blocks "A", "B" and "C"

Property Address/Description: 8940 Jane Street
Municipality: City of Vaughan
Approval Authority File No.: OP.09.006
OMB Case No.: PL110419
OMB File No.: PL110455

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Sandra Mammone
Subject: Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision

Existing Zoning: "EM1(H) Prestige Employment Area Zone" and "EM2 General Employment Area Zone"
Proposed Zoning: "RA3(H) Apartment Residential Zone"
Purpose: To permit the development of six (6) residential apartment buildings ranging from 25 to 35 storeys containing approximately 1,600 residential units and two (2) freestanding 2-storey office/commercial buildings (Blocks "D" and "E") and ground floor office/commercial uses in Blocks "A", "B" and "C"

Property Address/Description: 8940 Jane Street
Municipality: City of Vaughan
Municipal File No.: Z.09.037
OMB Case No.: PL110419
OMB File No.: PL110456

Heard: January 25 and 26, 2018 in Vaughan, Ontario

APPEARANCES:

Parties

Counsel*Representative

City of Vaughan

R. Coburn* and C. Storto*

Dulcina Investments Inc. (formerly Casetano Development Corporation), and Sandra Mammone

M. Flynn-Guglietti* and A. Forristal*

Tesmar Holdings Inc.

M. McDermid*

Rutherford Land Development Corporation

Q. Annibale* and B. Ruddick*

Granite Real Estate Inc. and Magna International Inc.

A. Skinner*

Anland Developments Inc.

C. Barnett*

281187 Ontario Limited

G. Borean*

Region of York

B. Ogunmefun*

Canadian National Railway

A. Heisey*

H & L Tile and Ledbury Investments Ltd.

M. Flowers*

Ivanhoe Cambridge II Inc.

J. Alati*

York Region School Board

J. Easto*

Toronto and Region Conservation Authority

C. Bonner

DECISION DELIVERED BY C. CONTI AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] A Pre-hearing Conference (“PHC”) was held before the Ontario Municipal Board (“Board”), now the Local Planning Appeal Tribunal (“Tribunal”), with regard to appeals of the Vaughan Mills Centre Secondary Plan (“Secondary Plan”) and related to applications for amendments to the City of Vaughan (“City”) Official Plan and the Secondary Plan, and for Zoning By-law Amendments (“ZBA’s”) by Dulcina Investments Inc. and Sandra Mammone (“Dulcina and Mammone”) to permit the development of lands at 9060 Jane Street (“Dulcina Lands”) and 8940 Jane Street (“Mammone Lands”).

[2] The Secondary Plan sets out proposed land use designations and policies for an area generally bounded by Rutherford Road to the north and Bass Pro Mills Drive to the south, generally extending to Jane Street to the east and Weston Road to the west. An area to the east of Jane Street and south of Rutherford Road is also included in the Secondary Plan area. Multiple appeals were filed regarding the Secondary Plan, but through discussion among the parties and as a result of Board conducted mediation a number of the appeals were settled and motions were brought forward at the PHC for approvals related to the settlements.

[3] The applications by Dulcina and Mammone have undergone an extensive appeal process which included a number of PHC’s. Through this process, the appeals of the Dulcina and Mammone applications were consolidated with the appeals of the Secondary Plan. At the PHC, the Board heard that many of the issues regarding the Dulcina and Mammone appeals had been settled.

[4] This decision deals with the appeals as they relate to lands owned by Dulcina and Mammone, including a motion for partial approval of modifications to the Official Plan and Secondary Plan and for approval of the ZBA’s to facilitate development of the lands.

MOTION

[5] In support of their motion, Dulcina and Mammone filed a Motion Record (Exhibit 13) which included the Affidavit of Allan Young, a Registered Professional Planner who is President of A. Young Planner Ltd. Mr. Young also provided oral testimony at the PHC. He was qualified by the Board as an expert in land use planning.

[6] The intent of the motion was to approve in principle certain modifications to the City's Official Plan and the Secondary Plan, and to also approve in principle ZBA's for Dulcina Lands and the Mammone Lands in order to permit development of the properties. The Board heard that the Dulcina Lands and the Mammone Lands are two adjoining parcels on the west side of Jane Street, south of Riverrock Gate. According to the evidence, the functional gross areas of the properties for the proposals are 2.83 hectares ("ha") for the Dulcina Lands and 3.08 ha for the Mammone Lands. The lands are located adjacent to the Vaughan Mills Mall and in proximity to the Region of York ("Region") Transit bus terminal. The lands are well removed from the nearest low rise residential area.

[7] The Board heard that the proposal has been revised and the number of proposed units has been reduced as a result of discussions among the parties and Board led mediation. The current proposal for the Dulcina Lands includes the construction of five towers of 24, 26, 26, 28 and 28 storeys containing 1,467 units. The Mammone Lands proposal includes five towers of 18, 18, 24, 26 and 26 storeys containing 1,397 units. Ground level commercial uses are proposed for each site. In addition, Dulcina and Mammone will dedicate approximately 1.54 ha for a public park and contribute to the expansion of the public street network in the area.

[8] According to Mr. Young's evidence, the properties are located within the Vaughan Mills Primary Centre, which is a high priority intensification area. Jane Street is designated as a Regional Rapid Transit Corridor in both the City and the Regional

Official Plans. The lands are designated as High-Rise Mixed Use in the Secondary Plan, which was adopted by the City through Official Plan Amendment No. 2 ("OPA 2") and was approved by the Region on June 26, 2014.

[9] Mr. Young indicated that the draft Official Plan Amendment modifies OPA 2 by adding a new section 18, which incorporates site specific policies for the Dulcina and Mammone lands (Exhibit 14). The provisions require the development of the lands to be undertaken in two phases, the first phase of which would permit up to 1,125 units for the Dulcina Lands and up to 871 units for the Mammone Lands. Development of the second phase is dependent on the completion of a comprehensive transportation assessment. Height and density requirements are included, as well as provisions for the construction and dedication of required public roads and the dedication of the public park. Holding symbols will be placed on each phase of the proposed development.

[10] Mr. Young's evidence was that a ZBA has been prepared for each site, which provides appropriate zoning to permit the development and sets out the requirements for land use, gross floor area height, setbacks, parking and other standards for the development of each property (Exhibit 13, Tab 2E and 2F). The ZBA for the Dulcina Lands also includes clauses to accommodate providing for indoor public recreational space if required by the City.

[11] Mr. Young's opinion was that the proposed Official Plan Amendment and the ZBA's are appropriate and will permit a level of development in a prime intensification area that is consistent with the Provincial Policy Statement, 2014 ("PPS"), conforms to the Growth Plan for the Greater Golden Horseshoe ("Growth Plan"), and conforms to the policies of the Region's Official Plan and the City's Official Plan. It was his opinion that the proposals will provide significant public benefits including the expansion of the public street network and the provision of a public park. Furthermore, he indicated that s. 37 benefits have been secured. He recommended that the Official Plan Amendment and the ZBA's be approved.

[12] Responses to the Motion were filed by Canadian National Railway Company ("CNR") and Manga International Inc., Granite Real Estate Inc., and Granite Reit Inc. ("Magna and Granite") in Exhibits 26 and 28 respectively. Magna and Granite did not oppose the motion. CNR did not oppose the motion, as long as the Board's approval would be without prejudice to the balance of policies appealed by CNR as set out in Schedule B of Exhibit 26.

[13] Magna and Granite and CNR operate facilities in the area which may be impacted by locating sensitive uses in the vicinity. Mr. Young indicated that the requirements of the Ministry of the Environment's NPC-300 Noise Guideline would be met for the proposal to deal with any noise impact concerns. He recommended that the final order be withheld until there was a review of the siting and configuration of the proposed buildings in relation to the guideline.

[14] At the PHC, the Board was asked to approve in principle the Amendment to the Official Plan which will modify the Secondary Plan, and approve the ZBA's in principle with final approval to be withheld. The parties filed a draft order (Exhibit 18) which includes a number of conditions for final approval, and includes requirements that must be fulfilled before Phase 2 can be approved. These include completion of an updated Transportation Impact Study for the Phase 2 development, accommodation of transportation infrastructure improvements, and appropriate implementation of a non-auto modal split for each development.

[15] At the PHC, the Board also heard that the final order should be withheld until the noise issue has been reviewed under the NPC-300 Noise Guideline and until the Board received confirmation that the planning instruments are in their final form.

[16] Also included in the motion was a request for an order of the Board accepting the withdrawal of the appeal of Damarra Investments Corp. ("Damarra") and scoping of the

appeal of Limestone Gallery Investments Inc. ("Limestone") as set out in Exhibit J of Mr. Young's affidavit (Exhibit 13, Tab 2J). The Board heard that Damarra, Limestone and Starburst Investments Inc. ("Starburst") own lands in the Secondary Plan area and that as a result of meetings with the City a number of issues have been resolved and scoped. The Board heard that Damarra had withdrawn its appeal, Limestone intends to continue in the appeal process based upon the scoped issues list, and Starburst will continue its party status sheltering under the Limestone appeal. There was no opposition to this request.

[17] The draft order also included an order related to above-noted withdrawal and scoping matters.

[18] Mark Flowers indicated that he did not oppose the requested approvals provided that they were specific for the subject lands and that the Board's approval orders included certain "without prejudice" clauses. The draft order contained the appropriate clauses.

FINDINGS

[19] The Board considered the evidence and the submissions of the parties. The opinion evidence of Mr. Young was uncontested and no party opposed the requested approvals.

[20] In consideration of the above, the Board agreed with the evidence provide by Mr. Young and found that the proposed modifications to the Official Plan which will amend the Secondary Plan and the proposed ZBA's were consistent with the PPS, conformed to the Growth Plan, conformed to the Regional Official Plan and the City Official Plan and they should be approved.

[21] The Board issued an oral decision approving in principle the modifications to the Official Plan and the Secondary Plan and approving the ZBA's in principle subject to the matters set out in the draft order (Exhibit 18). The final order was to be withheld until a review of the proposal in relation to the NPC-300 Noise Guideline was completed and until confirmation was received from the City, and Dulcina and Mammone that the planning instruments were in their final form.

[22] Subsequent to the PHC, the Tribunal has been informed that the requirements for issuing the final approval of the modifications to the Official Plan and Secondary Plan, for the final approval of the ZBA's have been fulfilled. Based upon the above, the Tribunal finds that it is appropriate to issue final approval of these instruments. The order is provided below.

ORDER

[23] The Tribunal orders that the motion is allowed and the appeal is allowed in part. The City of Vaughan Official Plan, the Vaughan Mills Centre Secondary Plan and the City of Vaughan Zoning By-law No. 1-88 are amended as set out and subject to the matters and conditions included in Attachment 1.

"C. Conti"

C. CONTI
VICE-CHAIR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal
A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

PL140839 and PL110419 – Attachment 1

PL110419
PL110420
PL110455
PL110456
PL140839
PL111184

LOCAL PLANNING APPEAL TRIBUNAL

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

IN THE MATTER OF proceedings commenced under subsections 17(36), 22(7) and 34(11) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended,

Appellant: Dulcina Investments Inc. (formerly Casertano Development Corporation)

Appellant: Sandra Mammone

Subject: Appeals in respect of the City of Vaughan Official Plan 2010 (the “VOP 2010”), and in respect of the Vaughan Mills Centre Secondary Plan forming part of Volume 2 of the VOP 2010 and in respect of Council’s refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan for the land municipally known as 9060 Jane Street and in respect of Council’s refusal or neglect to enact a proposed amendment to the City of Vaughan Zoning By-law No. 1-88, as amended, of the City of Vaughan to rezone lands municipally known as 9060 Jane Street and in respect of Council’s refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan for the land municipally known as 8940 Jane Street and in respect of Council’s refusal or neglect to enact a proposed amendment to the City of Vaughan Zoning By-law No. 1-88, as amended, of the City of Vaughan to rezone lands municipally known as 8940 Jane Street.

Municipality: City of Vaughan

OMB Case Nos.: PL110419, PL110420, PL110455, PL110456, PL140839, PL111184

OMB File Nos.: PL110419, PL110420, PL110455, PL110456, PL140839, PL111184

THESE MATTERS having come on for a public hearing,

THE TRIBUNAL ORDERS that in accordance with the provisions of sections 17(50) and 34(26) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, in respect of the VOP 2010, and in respect of the Vaughan Mills Centre Secondary Plan, being Official Plan Amendment No. 2 to the VOP 2010 and forming part of Volume 2 of the VOP 2010, as adopted by the City of

Vaughan on March 18, 2014, and modified and approved by the Region of York on June 26, 2014 and in respect of the City of Vaughan Zoning By-law No. 1-88:

1. The policies and schedules of the Vaughan Mills Centre Secondary Plan are hereby modified and as set out in Attachment “A” attached hereto and forming part of this Order, and hereby approved as they relate to the lands municipally known as 8940 Jane Street in the City of Vaughan (the “Mammone Site”) and 9060 Jane Street in the City of Vaughan (the “Dulcina Site”), subject to paragraph 5 hereof.
2. City of Vaughan Zoning By-law No. 1-88, as amended, is hereby further amended as set out in Attachments “B” and “C” attached hereto and forming part of this Order, subject to paragraph 5 hereof.
3. This partial approval of the Vaughan Mills Centre Secondary Plan shall be strictly without prejudice to, and shall not have the effect of limiting, (a) the rights of any other party to seek to modify, delete or add to the unapproved policies, schedule, maps, figures definitions, tables and associated text in the said Plans, or (b) the jurisdiction of the Tribunal to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the said Plans on a general, area-specific or site-specific basis, as the case may be.
4. The appeals by the Appellants are hereby allowed to the extent necessary to give effect to this Order, and in all other respects are hereby dismissed. The motion filed by the Appellants pursuant to Section 43 of the *Ontario Municipal Board Act* is hereby withdrawn on consent unconditionally and entirely.
5. This Order as it relates to the approval of Attachments “A”, “B” and “C” in respect of the Phase 2 Lands defined below shall be withheld until such time as the Region of York has advised the Tribunal in writing that:
 - (a) With respect to the development of the Phase 2 Lands being Block “C” shown on Schedule 2 to Attachment “B” to this Order, (the “**Dulcina Phase 2 Lands**”):
 - (i) An updated Transportation Impact Study in respect of the Dulcina Phase 2 Lands, based on the Transportation Impact Study prepared for Blocks “A” and “B” shown on Schedule 2 to Attachment “B” to this Order (the “**Dulcina Phase 1 Lands**”), has been prepared to the satisfaction of the Region. The updated Transportation Impact Study shall indicate and identify what infrastructure improvements listed in Table 2 of the Vaughan Mills Centre Secondary Plan, as amended from time to time (“**Table 2**”), have been completed, outstanding, or planned and what steps will be taken to implement these requirements as of the date of the updated Transportation Impact Study.
 - (ii) The transportation infrastructure improvement requirements identified in Table 2 to accommodate the development of the Dulcina Phase 2 Lands have been implemented or identified in the City of Vaughan’s plans or the Region’s 10-Year Roads and Transit Capital Construction Program.

- (iii) **The Dulcina Site has achieved a non-auto modal split of at least 20 percent in Phase 1 of development of the Dulcina Site. If the said modal split has not been achieved in Phase 1, the owner of the Dulcina Site shall, prior to the lifting of the Holding Symbol (“H”) for the Dulcina Phase 2 Lands, outline steps to be taken, to the satisfaction of the City and the Region, to achieve the said modal split in the development of the Phase 2 Lands; and**
 - (b) **With respect to the development of the Phase 2 Lands being Block “C” shown on Schedule 1 to Attachment “C” to this Order (the “Mammone Phase 2 Lands”):**
 - (i) **An updated Transportation Impact Study in respect of the Mammone Phase 2 Lands, based on the Transportation Impact Study prepared for Blocks “A” and “B” shown on Schedule 1 to Attachment “C” to this Order (the “Mammone Phase 1 Lands”), has been prepared to the satisfaction of the Region. The updated Transportation Impact Study shall indicate and identify what infrastructure improvements listed in Table 2 have been completed, outstanding, or planned and what steps will be taken to implement these requirements as of the date of the updated Transportation Impact Study.**
 - (ii) **The transportation infrastructure improvement requirements identified in Table 2 to accommodate the development of the Mammone Phase 2 Lands have been implemented or identified in the City of Vaughan’s plans or the Region’s 10-Year Roads and Transit Capital Construction Program.**
 - (iii) **The Mammone Site has achieved a non-auto modal split of at least 20 percent in Phase 1 of development of the Mammone Site. If the said modal split has not been achieved in Phase 1, the owner of the Mammone Site shall, prior to the lifting of the Holding Symbol (“H”) for the Mammone Phase 2 Lands, outline steps to be taken, to the satisfaction of the City and the Region, to achieve the said modal split in the development of the Mammone Phase 2 Lands.**
- 6. **The appeal by Damara Investment Corp. (PL140839) is withdrawn and the appeal filed by Limestone Gallery Investments Inc. (PL140839) is scoped on consent of Limestone Gallery Investments Inc., the City of Vaughan, and the Region of York in accordance with Attachment “D” hereto.**

The Local Planning Appeal Tribunal orders:

- i. That the Vaughan Mills Centre Secondary Plan, being Official Plan Amendment Number 2 to the City of Vaughan Official Plan 2010, be amended by:
 - (a) Adding the new Section 18.0 "Site Specific Policies" set out below.
 - (b) Deleting Schedule I "Development Block" and substituting therefor the Schedule I attached hereto
 - (c) Deleting Table 2 – "Transportation Network Improvements" and substituting therefor the Table 2 – "Transportation Network Improvements" attached hereto.
 - (d) Deleting Policy 3.6.1.7, Part B, replaced with Policy 18.2 hereto.
 - (e) Modify Policy 7.4.1, Part C, Block 7 (Bullet 2) to read as "The dedication of the park within Block B7 as identified in this Plan
 - (f) Delete Policy 7.4.1, Part C, Block 8 (Bullet 1)
 - (g) Modify Policy 7.4.1, Part C, Block 8 (Bullet 2) to read as "The dedication of park(s) within Block B8 as identified in this Plan
 - (h) Modify Policy 7.4.1, Part C, Block 7 and 8 (Bullet 1) to read as "The construction of Bass Pro Mills Drive extension to Jane Street. Intersection improvements will be required at this location".

18.0: Site Specific Policies

18.1 Special Provisions Governing the Development of Block B7(b)

The following policies will apply to the development of the lands shown as "B7(b)" on Schedule I:

- a) The subject lands shall be developed in two phases that correspond with the Horizons outlined in Table 2 "Transportation Network Improvements", and subject to the delivery of infrastructure identified in Policy 7.4.1 (Part C) pertaining to Block 7 and Blocks 7 and 8 in accordance with the site-specific policies which follow. The boundaries of the Phase 1 and Phase 2 areas will be confirmed in the implementing zoning by-law or any amendment thereto. Development within each Phase may be staged through a site development application(s) in a manner satisfactory to the City and York Region.
- b) A by-law may be passed under Section 34 of the *Planning Act* authorizing increases in heights and densities above those permitted in Schedule B: "Heights and Densities" of this Secondary Plan, in accordance with Policies 18.1 c) and d) below, subject to the application of Section 37 of the *Planning Act*, as specified in policy 9.0 (Part C) of this Secondary Plan, and provided that the use of the Subject Lands shall be subject to the removal of a Holding Symbol "H" in accordance with Policy 10.3 (Part C) of this Secondary Plan and the policies contained in this Policy 18.1.
- c) Notwithstanding the heights permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to increase the average height for development in Block B7(b) to approximately 26 storeys. Individual building heights shall be prescribed in the by-law, and no individual building shall exceed a maximum height of 28 storeys.
- d) Notwithstanding the maximum densities permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to increase the permitted density (FSI) to permit the phased development of a total maximum Gross Floor Area of 131,702 m² (consisting of 128,962 m² of residential GFA and 2,740 m² of non-residential GFA) for Phase 1 and Phase 2 within the Subject Lands, provided that the maximum number of residential units permitted shall not exceed 1125 residential units in Phase 1; and 342 residential units in Phase 2.

- e) The removal of the Holding Symbol (“H”) may be staged within each Phase, which is set out in the implementing Zoning By-law, to the satisfaction of the City and York Region.
- f) In each Phase, all new development requiring the conveyance of land for streets, parks and / or other public facilities shall be subject to a draft plan of subdivision or development agreement as per Policy 14.0 (Part C) of this Plan.
- g) The following policies shall apply to the removal of the Holding Symbol (“H”) for the development of Phases 1 and 2 within the Subject Lands, and shall be included, without limitation, as conditions for the removal of the Holding Symbol (“H”) in the implementing zoning by-law under Section 34 of the *Planning Act*:

Phase 1 (2021 Horizon)

- i. The provision of the following:
 - a. Satisfactory arrangements are in place for the completion and use of the Bass Pro Mills Drive extension to Jane Street prior to first occupancy, to the satisfaction of the City.
 - b. Satisfactory arrangements for the construction and conveyance of an east/west public street linking Vaughan Mills Circle and Jane Street, including potential signalization, if warranted, to the satisfaction of York Region;
 - c. Submission of an updated “Transportation Demand Management Plan” at each stage of development to the satisfaction of the City and York Region, that meets the objectives of Policy 4.1.1 (Part B), and reviews the progress in implementing the “Recommended Network Improvements” in Table 2, 7.3 (Part C).
 - d. The submission of a Development Concept Report for the development of Phase 1 in accordance with Policy 6.2, (Part C) of this Secondary Plan;
- ii. The final approval of a site plan application under Section 41 of the *Planning Act*, to the satisfaction of the City and York Region;
- iii. The execution and delivery of a subdivision agreement or development agreement securing the following:
 - a. Conveyance of lands, from within the area of subject lands, that are required for the widening of Jane Street; the east/west road linking Jane Street and Vaughan Mills Circle within Development Block B7(b) on Schedule I; and the portion of the proposed “Neighbourhood Park” located on the west side of Jane Street;
 - b. The construction of the east/west road linking Jane Street and Vaughan Mills Circle within Development Block B7(b) on Schedule I;
 - c. The payment of cash-in-lieu in accordance with Section 42 of the *Planning Act* and;
 - d. The extension of public services with respect to the development of Phase 1 in the implementing Zoning By-law;
- iv. Water supply and sewage servicing capacity required for development of Phase 1 to proceed have been identified by York Region and allocated by the City;
- v. The execution and delivery of an agreement under Section 37 of the *Planning Act* to the satisfaction of the City with respect to increases in heights and densities referenced in Policy 18.1 c) and d) above;
- vi. Any necessary agreements required to ensure orderly development of the land have been executed among benefitting landowners, and the City and/or York Region where appropriate, for municipal services, parkland and community services; and
- vii. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

Interim Uses Permitted within Phase 2:

Notwithstanding Policy 9.2.2.6, (Volume 1, VOP 2010), respecting uses permitted in the “High-Rise Mixed-Use” designation, a single storey commercial building with a maximum Gross Floor Area of 1,970 square metres shall be permitted as an interim use within the Phase 2 Lands as identified in the implementing Zoning By-law. Such use shall be permitted while the Holding Symbol (“H”) is in place and such use shall cease prior to the removal of the Holding Symbol (“H”) for the Phase 2 Lands where the building is located and subject to conditions of removal of the Holding Symbol (“H”) as set out in the implementing Zoning By-law.

Phase 2 (2031 Horizon)

- i. In keeping with Policy 7.6 (Part C) of this Plan, the submission of a comprehensive “Jane Street Corridor Area Development Concept Report” as required through Policy 8.0 (Part C), and identified as “Jane Street Corridor Area” identified in Schedule A: “Plan Area” of this Secondary Plan, to the satisfaction of the City and York Region;
- ii. A Comprehensive Transportation Assessment, prepared to the satisfaction of the City and York Region demonstrating development capacity for either complete or staged removal of the Holding Symbol (“H”) as required in Policy 7.6 (Part C) of this Secondary Plan;
- iii. The submission of an updated Development Concept Report for the development of Phase 2 in keeping with Policy 6.2, (Part C) of this Plan;
- iv. The final approval of a site plan application under Section 41 of the *Planning Act*, to the satisfaction of the City and York Region;
- v. The execution and delivery of a subdivision agreement or development agreement securing the conveyance of lands required for any remaining public streets and road widenings and the construction thereof;
- vi. The provision of community facilities, the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*, and the extension of public services.
- vii. Water supply and sewage servicing capacity required for development of Phase 2 to proceed have been identified by York Region and allocated by the City;
- viii. Adequate provision has been made for school sites and community facilities;
- ix. Any necessary agreements required to ensure orderly development of the land, have been executed among benefitting landowners, and the City and/or York Region where appropriate, for municipal servicing and community services; and
- x. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

18.2 Special Provisions Governing the Development of Block B8

The following policies will apply to the development of the lands shown as “B8” on Schedule I:

- a) The subject lands shall be developed in two phases that correspond with the Horizons outlined in Table 2 “Transportation Network Improvements”, and subject to the delivery of infrastructure identified in Policy 7.4.1 (Part C) pertaining to Block 8 and Blocks 7 and 8 in accordance with site specific policies which follow. The boundaries of the Phase 1 and Phase 2 areas will be confirmed in the implementing zoning by-law or any amendment thereto. Development within each Phase may be staged through a site development application(s) in a manner satisfactory to the City and York Region.
- b) A by-law may be passed under Section 34 of the *Planning Act* authorizing increases in heights or densities above those permitted in Schedule B: “Heights and Densities” of this Secondary Plan in accordance with Policies 18.2 c) and d) below, subject to the application of Section 37 of the

Planning Act, as specified in Policy 9.0 (Part C) of this Secondary Plan, and provided that the use of the Subject Lands shall be subject to the removal of a Holding Symbol ("H") in accordance with Policy 10.3 (Part C) of this Secondary Plan and the policies contained in this Policy 18.2.

- c) Notwithstanding the heights permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to increase the average height for development in Block B8 to be approximately 24 storeys. Individual building heights shall be prescribed in the zoning by-law, and no individual building shall exceed a maximum height of 26 storeys.
- d) Notwithstanding the maximum densities permitted in Schedule B to this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to permit the phased development of a total maximum Gross Floor Area of 114,034 m² (consisting of 112,044m² of residential GFA and 1,991m² of non-residential GFA) for Phase 1 and Phase 2 within the Subject Lands, provided that the maximum number of residential units permitted shall not exceed 871 residential units in Phase 1; and 526 residential units in Phase 2.
- e) The removal of the Holding Symbol ("H") may be staged within each Phase, which is set out in the implementing Zoning By-law, to the satisfaction of the City and York Region;
- f) In each Phase, all new development requiring the conveyance of land for streets, parks and / or other public facilities shall be subject to a draft plan of subdivision or development agreement as per Policy 14.0, Part C of this Plan.
- g) The following policies shall apply to the removal of the Holding Symbol ("H") for the development of Phases 1 and 2 within the Subject Lands, and shall be included, without limitation, as conditions for the removal of the Holding Symbol ("H") in the implementing by-law under Section 34 of the *Planning Act*:

Phase 1 (2021 Horizon)

- i. The provision of the following:
 - a. Satisfactory arrangements are in place for the completion and use of the Bass Pro Mills Drive extension to Jane Street prior to first occupancy, to the satisfaction of the City.
 - b. Satisfactory arrangements for the completion of Romina Drive (with provision for the necessary conveyances within the Subject Lands) north to Vaughan Mills Circle, including potential signalization, if warranted, at Romina Drive and Bass Pro Mills Drive.
 - c. Submission of an updated "Transportation Demand Management Plan" at each stage of development, to the satisfaction of the City and York Region, and that meets the objectives of Policy 4.1.1 (Part B), and that reviews the progress in implementing the "Recommended Network Improvements" in Table 2, 7.3 (Part C).
 - d. The submission of a Development Concept Report for the development of Phase 1 in accordance with Policy 6.2, Part C of this Secondary Plan;
- ii. The final approval of a site plan application under Section 41 of the *Planning Act*, to the satisfaction of the City and York Region;
- iii. The execution and delivery of a subdivision agreement or development agreement securing:
 - a. the conveyance of lands that are required for the widening of Jane Street, the extension of Bass Pro Mills Drive to Jane Street, the Romina Drive extension, and the portion of the proposed "Neighbourhood Park" located on the west side of Jane Street, as identified in Schedule 1 of the implementing zoning by-law;
 - b. The construction of Romina Drive extension;
 - c. The construction of the Bass Pro Mills Drive extension to Jane Street, and the entrance of Romina Drive;
 - d. The payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*;

- iv. The extension of public services with respect to the development of Phase 1 as defined in the implementing Zoning By-law.
- v. Water supply and sewage servicing capacity required for development of the Phase 1 Lands to proceed have been identified by York Region and allocated by the City;
- vi. The execution and delivery of an agreement under Section 37 of the *Planning Act* to the satisfaction of the City of Vaughan with respect to increases in heights and densities referenced in Policy 18.2 c) and d) above;
- vii. Any necessary agreements required to ensure orderly development of the land have been executed among benefitting landowners, and the City and/or York Region where appropriate, for municipal servicing, parkland and community services;
- viii. A By-law to remove the Holding Symbol (H) shall not be enacted until such time as the owner has ceased all operations and demolished all buildings and structures for any lands north of the Vaughan Mills Centre Secondary Plan boundary along the southern edge of Bass Pro Mills Drive Right-of-Way as identified on Schedule A of this Plan, that may encroach or encumber the conveyance and/or construction of Bass Pro Mills Drive; and
- ix. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

Phase 2 (2031 Horizon)

- i. In keeping with Policy 7.6 (Part C) of this Secondary Plan, the submission of a scoped comprehensive "Jane Street Corridor Area Development Concept Report" as required through Policy 8.0 (Part C), and identified as "Jane Street Corridor Area" identified in Schedule A: "Plan Area" of this Secondary Plan; to the satisfaction of the City and York Region;
- ii. A comprehensive Transportation Assessment, prepared to the satisfaction of the City and York Region demonstrating development capacity for either complete or staged removal of the Holding Symbol ("H") as required in Policy 7.6 (Part C) of this Secondary Plan;
- iii. The submission of an updated Development Concept Report for the development of Phase 2 in keeping with Policy 6.2 (Part C) of this Secondary Plan;
- iv. The final approval of a site plan application under Section 41 of the *Planning Act* to the satisfaction of the City and York Region;
- v. The execution and delivery of a subdivision agreement or development agreement securing the conveyance of any remaining lands required for public streets and road widenings and the construction thereof, the provision of community facilities, the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act* and the extension of public services;
- vi. Water supply and sewage servicing capacity required for development of Phase 2 to proceed, have been identified by York Region and allocated by the City;
- vii. Adequate provision has been made for school sites and community facilities;
- viii. Any necessary agreements required to ensure orderly development of the land have been executed among benefitting landowners, and the City or York Region where appropriate, for municipal servicing and community services; and
- ix. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

18.3 Special Provisions Governing the Development of Block B3(a)

The following policies will apply to the development of the lands shown as "B3(a)" on Schedule I:

- a) No residential development shall be permitted in Block B3(a) in Phase 1;

- b) Residential development in Phase 2 for Block B3(a), will be subject to the outcome of the required Phase 2 comprehensive Jane Street Corridor Area Development Concept Report and the Comprehensive Transportation Assessment and implementation of the infrastructure identified in Table 2 (Phase 2, 2031 Time Horizon), which will establish the residential capacity for Phase 2.**

Schedule I: DEVELOPMENT BLOCKS



Table 2
Recommended Transportation Network Improvements

HORIZON	DEVELOPMENT LEVEL	RECOMMENDED NETWORK IMPROVEMENTS TO ACCOMMODATE THE PROPOSED DEVELOPMENT LEVEL AT THE STATED HORIZON
<p>PHASE 1: Horizon 2021</p>	<p><i>Includes all of the Jane Street Corridor Area as shown in Schedule A of the Vaughan Mills Centre Secondary Plan</i> (70% of all proposed development east of Highway 400) [#]</p>	<p><i>Road Network Improvements: (Jane Street Corridor Area)</i></p> <ul style="list-style-type: none"> • Complete Bass Pro Mills Drive extension to Jane Street. • Complete Caldari Road extension to Rutherford Road. • Complete Romina Drive extension to Vaughan Mills Ring Road. • Implement a full-moves signalized access on Jane Street midblock between Riverrock Gate and Bass Pro Mills Drive as part of planned development applications. • Provide an additional right-turn lane on southbound Fisherman's Way at Bass Pro Mills Drive.
	<p><i>Within the Vaughan Mills Business District as shown in Schedule A of the Vaughan Mills Centre Secondary Plan</i> (40% of all development west of Highway 400) *</p>	<p><i>Road Network Improvements: (Vaughan Mills Centre Business District Area)</i></p> <ul style="list-style-type: none"> • Northbound dual left-turn lanes on Weston Road at Rutherford Road (dependent on effects of the improvements on Major Mackenzie Drive at Highway 27). • Implement the internal road network as show in the Vaughan Mills Centre Secondary Plan, Schedule F. • Plan for a four-lane cross-section for Vellore Woods Boulevard south of Rutherford Road, and for Creditview Road north of Bass Pro Mills Drive. • Provide an additional right-turn lane on northbound Vellore Woods Boulevard at Rutherford Road.
		<p><i>Other Transportation Improvements:</i></p> <ul style="list-style-type: none"> • Implement a strong internal grid network as outlined in the Secondary Plan to enhance traffic connectivity across the site. • Viva Quick Start rapid bus service on Jane Street, from Rutherford Road to the planned Spadina Subway extension station at Highway 7. • Transit signal priority and queue jump lanes on Jane Street, Weston Road and Rutherford Road. • Enhancement of YRT bus service on Rutherford Road and to the YRT Vaughan Mills bus terminal. • Proactive and aggressive programs and initiatives to reinforce the need to create change in modal split behavior; to promote greater use of transit, to attract more riders and to achieve the assumed modal split. • Create an organized Passenger Pick-up and Drop-off (PPUDO) area adjacent to the Vaughan Mills transit terminal. • Collaborate with car share operators to introduce car-sharing. • Revise parking standards for developments to discourage single-occupancy vehicle use. • Consider use of shared parking, and preferred parking for hybrid and electric vehicles.

HORIZON	DEVELOPMENT LEVEL		RECOMMENDED NETWORK IMPROVEMENTS TO ACCOMMODATE THE PROPOSED DEVELOPMENT LEVEL AT THE STATED HORIZON
<p>PHASE 2: Full Build-Out (Horizon 2031)</p>	<p><i>Includes development within the Rutherford Road Area, and the Bass Pro Mills Area, as shown in Schedule A of the Vaughan Mills Centre Secondary Plan.</i></p>	<ul style="list-style-type: none"> • Up to 672 residential units • Up to 55,931 m² retail and other uses • Up to 31,500 m² of office • Up to 152,400 m² of prestige employment uses • Up to 59,241 m² of office uses • Up to 46,072 m² of neighbourhood and medium format retail uses • Up to 21,781 m² of other uses including hotel, entertainment, and cultural uses 	<ul style="list-style-type: none"> • Implement intelligent parking information systems across the Vaughan Mills Centre area parking lots for more effective distribution of parking demands. • Implement transportation demand management strategies within the Vaughan Mills Centre area to discourage heavy car uses and encourage developing less auto-dependent travel behaviours. • Integrate comprehensive pedestrian and cycling route facilities and network to promote active transportation. • Promote self-contained neighbourhood living/working and recreation within the Vaughan Mills Centre area to help reduce traffic demands on the area's road network.
<p>PHASE 2: Full Build-Out (Horizon 2031)</p>	<p><i>Includes development within the Rutherford Road Area, and the Bass Pro Mills Area, as shown in Schedule A of the Vaughan Mills Centre Secondary Plan.</i></p> <p><i>Includes the remainder of development within the Vaughan Mills Business District as shown in Schedule A of the Vaughan Mills Centre Secondary Plan *</i></p>	<ul style="list-style-type: none"> • Up to 672 residential units • Up to 55,931 m² retail and other uses • Up to 31,500 m² of office • Up to 152,400 m² of prestige employment uses • Up to 59,241 m² of office uses • Up to 46,072 m² of neighbourhood and medium format retail uses • Up to 21,781 m² of other uses including hotel, entertainment, and cultural uses 	<p>Road Network Improvements: (West of Highway 400)</p> <ul style="list-style-type: none"> • Completion of Bass Pro Mills Drive extension to Weston Road. • Install traffic signals at the intersection of Bass Pro Mills Drive at Weston Road. <p>Other Transportation Improvements:</p> <ul style="list-style-type: none"> • Higher-order transit service on Jane Street, in the form of BRT or LRT, with its dedicated right-of-way connecting the Spadina Subway extension to Vaughan Mills Centre and up to Canada's Wonderland and the future Mackenzie Vaughan Hospital on Major Mackenzie Drive. • Enhancing priority transit service on Rutherford Road and introduce Viva service; • Pedestrian and cyclist bridge crossing over Highway 400 midblock between Bass Pro Mills Drive and Rutherford Road to provide additional non-auto connection within the Secondary Plan. • Continue to promote sustainable transportation (transit, walking, cycling) and other transportation demand management programs and measures to encourage a greater shift in travel mode patterns to achieve the assumed modal split.

* Up to 80% of the proposed development east of Highway 400 could be accommodated if the full extension of Bass Pro Mills Drive to Weston Road is also completed by 2021.

* Development thresholds and transportation improvements will be determined through the Block Plan process as identified in Part C, Section 7.4.3 of the Secondary Plan for lands located in the Vaughan Business District Area (west of Highway 400). The Block Plan application will address the matters set out in Policies 10.1.1.15 of VOP 2010 and shall constitute a complete application to the satisfaction of the City of Vaughan.

** The total unit counts for Phase 1 are based on the June 2015 Transportation Assessment Addendum Report for the Vaughan Mills Centre Secondary Plan, subject to Policy 7.3 Part C, and the other policies of Section 7, Part C of this Plan.

Attachment C

Authority: Local Planning Appeal Tribunal Decision/Order issued [DATE] in LPAT File No. PL
Sandra Mammone

BY-LAW NUMBER _____ - 2018 (LPAT)

A By-law to amend City of Vaughan By-law 1-88.

The Local Planning Appeal Tribunal orders:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" and EM2 General Employment Area Zone to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on the said Schedule "1".
 - b) Deleting Exception 9(881) from Section 9.0 "EXCEPTIONS" and substituting therefor the following paragraphs:
 - (881) A. The following provisions shall apply to the RA3 Apartment Residential Zone lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-864", until the Holding Symbol "(H)" is removed pursuant to Subsection 38(3) or (4) of the *Planning Act*:
 - a) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of By-law ____-2017. Notwithstanding the foregoing, one (1) temporary sales office, in accordance with Subsection 3.25 respecting Temporary Sales Office in the City of Vaughan By-law 1-88, and an Underground Parking Structure shall be permitted;
 - b) Upon the enactment of a by-law, or by-laws to remove the Holding symbol "(H)" from any portion of the Subject Lands, development will occur sequentially in two Phases on the lands identified as the "Phase 1 Lands" (Blocks A and B) and "Phase 2 Lands" (Block C), as shown on Schedule "E- ". Development within each Phase may be staged in accordance with a staging plan, to the satisfaction of the City of Vaughan and York Region;
 - c) "Phase 1 Lands" (2021 Horizon) – Holding Symbol "(H)" Removal Conditions:

A By-law to remove the Holding Symbol "(H)" from the "Phase 1 Lands", or any portion thereof, shall not be enacted until the following conditions are satisfied:

 - l) A Development Concept Report, including supporting studies, has been submitted to the satisfaction of the City of Vaughan and York

Region;

- ii) A subdivision agreement or development agreement has been executed and registered securing the conveyance of the Jane Street road widening across the frontage of the Subject Lands, the conveyance of public parkland (identified as the lands zoned OS2 Open Space Park Zone on Schedule "E- "), the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*, and the extension of public services with respect to the development of the Phase 1 Lands and, if efficient and practical, the Phase 2 Lands, as set out on Schedule "E- ";
- iii) Arrangements have been made satisfactory to the City of Vaughan and/or York Region for the completion of the extension of Bass Pro Mills Drive to Jane Street (with all the necessary conveyances) and the extension of the required segment of Romina Drive;
- iv) Final approval of a Site Development Application(s) has been obtained for the Phase 1 Lands, or portion thereof from which the Holding Symbol "(H)" is being removed, in accordance with Section 41 of the *Planning Act*;
- v) An agreement pursuant to Section 37 of the *Planning Act*, to the satisfaction of the City of Vaughan, has been executed and registered, providing for the payment of \$2,181,200 with respect to increases in height and density for the development of the Phase 1 Lands and the Phase 2 Lands. Payment of the Section 37 amount shall be pro-rated based upon the percentage of the approved number of units and payable prior to the issuance of the first Building Permit for any above grade structure(s) (other than the temporary sales office);
- vi) At the City of Vaughan's request, entering into a Park Developer Build Agreement with the City to construct the entire public park block in accordance with the City of Vaughan's Developer Build Parks Policy (Policy No. 07.2.05), which agreement will include "Schedule 'D' – Base Work Requirements for Assumption of a Conveyed Park Block", as shown on Schedule "E- " attached hereto as Schedule "2", to the satisfaction of the City Vaughan Manager of Parks Development Planning Department;
- vii) A cost sharing agreement has been executed to the City's satisfaction to secure the proportionate share of the works

- required to service and deliver the entire public park block(s);
- viii) Water supply and sewage servicing capacity have been identified by York Region and allocated to the Phase 1 Lands, or portions thereof, by the City of Vaughan;
 - ix) The Owner shall have ceased all operations and demolished all buildings and structures within the area of the Phase 1 and Phase 2 Lands, to the satisfaction of the City of Vaughan;
 - x) Any necessary agreements required to ensure orderly development of the Phase 1 Lands have been executed among benefitting landowners, and the City of Vaughan and/or York Region where appropriate, for municipal servicing and community services;
 - xi) The submission of Ministry of Environment and Climate Change (MOECC) Record(s) of Site Condition (RSCs), MOECC Acknowledgment Letter(s) for the Phase 1 Lands, including lands to be conveyed to the City of Vaughan, and all supporting Environmental Site Assessment studies and documentation (including reliance to the City of Vaughan) in accordance with Schedule "E- " and Schedule "E- ", attached hereto as Schedules "3" and "4", respectively, to the satisfaction of the City of Vaughan;
- d) "Phase 2 Lands" (2031 Horizon) – Conditions of Removal of the Holding Symbol "(H)":
- A By-law to remove the Holding Symbol "(H)" from the "Phase 2 Lands", or any portion thereof, shall not be enacted until the following conditions are satisfied:
- i) A scoped comprehensive "Jane Street Corridor Area Development Concept Report" has been submitted to the satisfaction of the City of Vaughan and York Region;
 - ii) A Comprehensive Transportation Assessment has been prepared to the satisfaction of the City of Vaughan and York Region, demonstrating development capacity for either complete or staged removal of the Holding Symbol "(H)" for the Phase 2 Lands, or portion thereof;
 - iii) An updated Development Concept Report for the development of the Phase 2 Lands has been submitted, to the satisfaction of the City of Vaughan;
 - iv) Final approval of a Site Development Application(s) has been

obtained for the Phase 2 Lands, or portion thereof from which the Holding Symbol "(H)" is being removed, in accordance with Section 41 of the *Planning Act*;

- v) A subdivision agreement or development agreement has been executed and registered with respect to the Subject Lands securing the conveyance of lands required for any remaining public streets and road widenings and the construction thereof, the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*, and the extension of public services with respect to the development of the Phase 1 Lands and the Phase 2 Lands within the Subject Lands, as set out on Schedule "E- ";
- vi) Water supply and sewage servicing capacity have been identified by York Region and allocated to the Phase 2 Lands by the City of Vaughan;
- vii) Adequate provision has been made for school sites and community facilities to support the development of the Phase 2 Lands, or portion thereof from which the Holding Symbol "(H)" is being removed, have been provided to the satisfaction of the City of Vaughan;
- viii) The submission of Ministry of Environment and Climate Change (MOECC) Record(s) of Site Condition (RSCs), MOECC Acknowledgment Letter(s) for the Phase 2 Lands, including lands to be conveyed to the City of Vaughan, and all supporting Environmental Site Assessment studies and documentation (including reliance to the City of Vaughan) in accordance with Schedule "E- " and Schedule "E- ", attached hereto as Schedules "3" and "4", respectively, to the satisfaction of the City of Vaughan;

B. Subject to the requirements of Paragraph A above, notwithstanding the provisions of:

- a) Subsection 2.0 respecting the Definition of Lot, Building Height, Care Share, Parking Space, Parking Space – Handicapped, Place of Worship, Service or Repair Shop, and Underground Parking Structure;
- b) Subsection 3.8 (a) respecting Parking Requirements;
- c) Subsection 3.9 respecting Loading Requirements;
- d) Subsection 3.13 respecting Minimum Landscaped Area;
- e) Subsection 3.17 respecting Portions of Buildings Below Grade;
- f) Subsection 4.1.6 respecting Minimum Amenity Area;

- g) Subsection 4.1.8 and Schedule "A" respecting the minimum Zone Standards in the RA3 Apartment Residential Zone;**
- h) Subsections 4.1.7 respecting Uses Permitted in All Residential Zones and 4.12 respecting Uses Permitted in the RA3 Apartment Residential Zone;**
- i) Subsection 6.1.2 and Schedule "A" respecting the minimum Zone Standards in the EM1 Prestige Employment Area Zone;**

the following provisions shall apply to the development of the lands shown as "Subject Lands" on Schedule "E-864" upon the removal of the Holding Symbol "(H)":

- ai) For the purpose of this Exception Paragraph:**
 - i) The Phase 1 and Phase 2 lands shall be deemed to be one lot, regardless of the number of buildings or structures constructed thereon, the creation of separate units and/or lots by way of plan of condominium, conveyance, consent, or other permissions, and any easements or registrations that maybe granted, shall be deemed to comply with the provisions of this By-law;**
 - ii) The definition of Building Height shall exclude accessory roof construction, elevator(s), mechanical room, antenna, parapet wall, canopies, landscape features, or roof-top equipment. Furthermore, any residential floor area on the same storey at, or adjacent to, the roof-top equipment shall not be considered a storey, provided that the said residential floor area is less than 50% of the floor area for that storey and does not increase the maximum number of permitted Dwelling Units on the Phase 1 and Phase 2 lands;**
 - iii) Car Share means a service for local users in support of community transit and environmental goals. It is a membership-based on service offering members access to a dispersed network of shared vehicles 24 hours, 7 days a week. It is primarily designed for shorter times and shorter distance trips providing a public service to enhance mobility options. It does not include a dealership, rental uses or car brokerage use. Car Share parking spaces may be set aside within a covered area on the Phase 1 and Phase 2 lands, and will not count towards satisfying the minimum parking supply requirements of this by-law;**
 - iv) The minimum dimensions of a Parking Space are 2.7 metres by 5.8 metres;**
 - v) Accessible Parking Spaces and Aisles shall be provided in**

accordance with Ontario Regulation 413/12 with a minimum parking space length of 5.8 metres;

- v) Place of Worship shall mean a building used for religious worship and may include accessory facilities such as an assembly hall, auditorium, shrine, and rectory;
 - vii) Service or Repair Shop shall only include the servicing or repairing of small household appliances and electronic devices;
 - viii) An Underground Parking Structure shall mean a building or structure constructed below finished grade for the temporary parking of motor vehicles and shall not include the storage of impounded or derelict motor vehicles;
- bi) The minimum Residential – Apartment Dwelling parking ratio shall be 0.95 parking spaces per unit;
 - bii) The maximum Residential – Apartment Dwelling parking ratio shall be 1.15 parking spaces per unit;
 - biii) The minimum Residential – Apartment Dwelling, Visitor parking ratio shall be 0.20 spaces per unit and may be located in the commercial parking area. The parking spaces provided to satisfy the requirements for the Commercial uses will also count towards satisfying the residential visitor parking requirements;
 - biv) The minimum Commercial parking ratio shall be 3.0 parking spaces per 100 m² Gross Floor Area;
 - ci) Subsection 3.9 (a) shall not apply;
 - di) The following minimum landscape strip widths shall be provided:
 - i) 1.9 m along Bass Pro Mills Drive;
 - ii) 6.0 m along Vaughan Mills Circle;
 - iii) 9.0 m along the west property line;
 - iv) 3.0 m along Romina Drive;
 - ei) The minimum setback from the front lot line (Bass Pro Mills Drive) to the nearest part of the building below finished grade shall be 0.0 m;
 - fi) The Minimum Amenity Area provided on the Subject Lands shall be based on 2.5 m² per unit;
 - gi) The minimum setback to a sight triangle shall be 0.0 m;
 - gii) The minimum front yard setback (Bass Pro Mills Drive) shall be as follows:
 - i) Block 'A' – 10.0 m;
 - ii) Block 'C' – 1.9 m;
 - giii) The minimum rear yard setback (Vaughan Mills Circle) shall be as follows:
 - i) Block 'A' – 6.0 m;

- ii) Block 'B' – 6.0 m;
- giv) The minimum side yard setback (from west property line) shall be as follows:
 - i) Block 'A' – 8.0 m;
- gv) The minimum setback from the east property line (Romina Drive) shall be as follows:
 - iii) Block 'B' – 3.0 m;
- gvi) The maximum permitted Building Height shall be as follows:
 - Block 'A':
 - i) Building 1A – 24-storeys (79.5 m);
 - ii) Building 1B – 18-storeys (59.6 m);
 - Block 'B':
 - i) Building 2 – 26-storeys (83.5 m);
 - Block 'C':
 - i) Tower 3A – 18-storeys (59.6 m);
 - ii) Tower 3B – 26-storeys (83.5 m);
- gvii) The minimum distance between buildings above 7-storeys shall be 22.0m;
- gviii) The maximum permitted number of Dwelling Units within the Phase 1 Lands shall be 871;
- gix) The maximum permitted number of Dwelling Units within the Phase 2 Lands shall be 526;
- gx) The total maximum Gross Floor Area (GFA) on the Phase 1 Lands and the Phase 2 Lands shall be 114,034 m², consisting of 112,044 m² of residential GFA and 1,991 m² of non-residential GFA;
- gxd) A maximum Gross Floor Area of 1,991 m² devoted to Commercial uses shall be permitted on the ground floor of the buildings on the land Zoned RA3 Apartment Residential Zone, where the floor to floor height of a commercial unit shall be a minimum of 4.5 m;
- hi) In addition to the uses permitted in all Residential Zones and in the RA3 Apartment Residential Zone, the following commercial uses shall be permitted only if they are carried on within a wholly enclosed building and with no open storage:
 - i) Bank or Financial Institution;
 - ii) Brewers Retail Outlet;
 - iii) Business or Professional Office;
 - iv) Car Share;
 - v) Club or Health Centre;
 - vi) Community Centre;

- vi) Day Nursery;
 - vii) Eating Establishment;
 - ix) Eating Establishment, Convenience
 - x) Eating Establishment, Take-Out;
 - xi) Independent Living Facility;
 - xii) L.C.B.O Outlet;
 - xiii) Long Term Care Facility;
 - xiv) Personal Service Shop;
 - xv) Pet Grooming Establishment;
 - xvi) Pharmacy;
 - xvii) Photography Studio;
 - xviii) Place of Entertainment;
 - xix) Place of Worship;
 - xx) Public, Technical or Private School;
 - xxi) Public Library;
 - xxii) Recreational;
 - xxiii) Retail Store;
 - xxiv) Service or Repair Shop;
 - xxv) Supermarket;
 - xxvi) Underground Parking Structures;
 - xxvii) Veterinary Clinic;
 - xxviii) Video Store;
- hii) An outdoor patio shall only be permitted as an accessory use to an Eating Establishment, Convenience Eating Establishment, or Take-Out Eating Establishment and then only in accordance with the following provisions:
- i) The outdoor patio shall not exceed fifty percent (50%) of the gross floor area devoted to patron use of the eating establishment in conjunction with which the outdoor patio use is permitted;
 - ii) Parking shall not be required for the outdoor patio;
 - iii) An outdoor patio may be permitted in any yard;
 - iv) Any lighting facilities illuminating an outdoor patio shall be arranged so as to deflect light away from adjoining properties and streets;
 - v) The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or audio-visual presentations, music concerts and shows, may be permitted in areas designated for outdoor patio use;
 - vi) The ground surface of an outdoor patio shall be of concrete or

other hard surface;

vii) An outdoor patio shall only be permitted in accordance with an approved Site Development Application;

viii) An outdoor patio of an eating establishment licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with the exception of at least one (1) exit to be used only in the case of emergency and which is not from the interior of the main building; and,

ii) For the lands zoned EM1 Prestige Employment Area, as shown on Schedule "E-964", the Minimum Lot Frontage shall be 23.0 m and the Minimum Lot Area shall be 2,860 m²."

b) Deleting Schedule "E-964" and substituting therefor the Schedule "E-964" attached hereto as Schedule "1".

c) Adding Schedule "E- " attached hereto as Schedule "2".

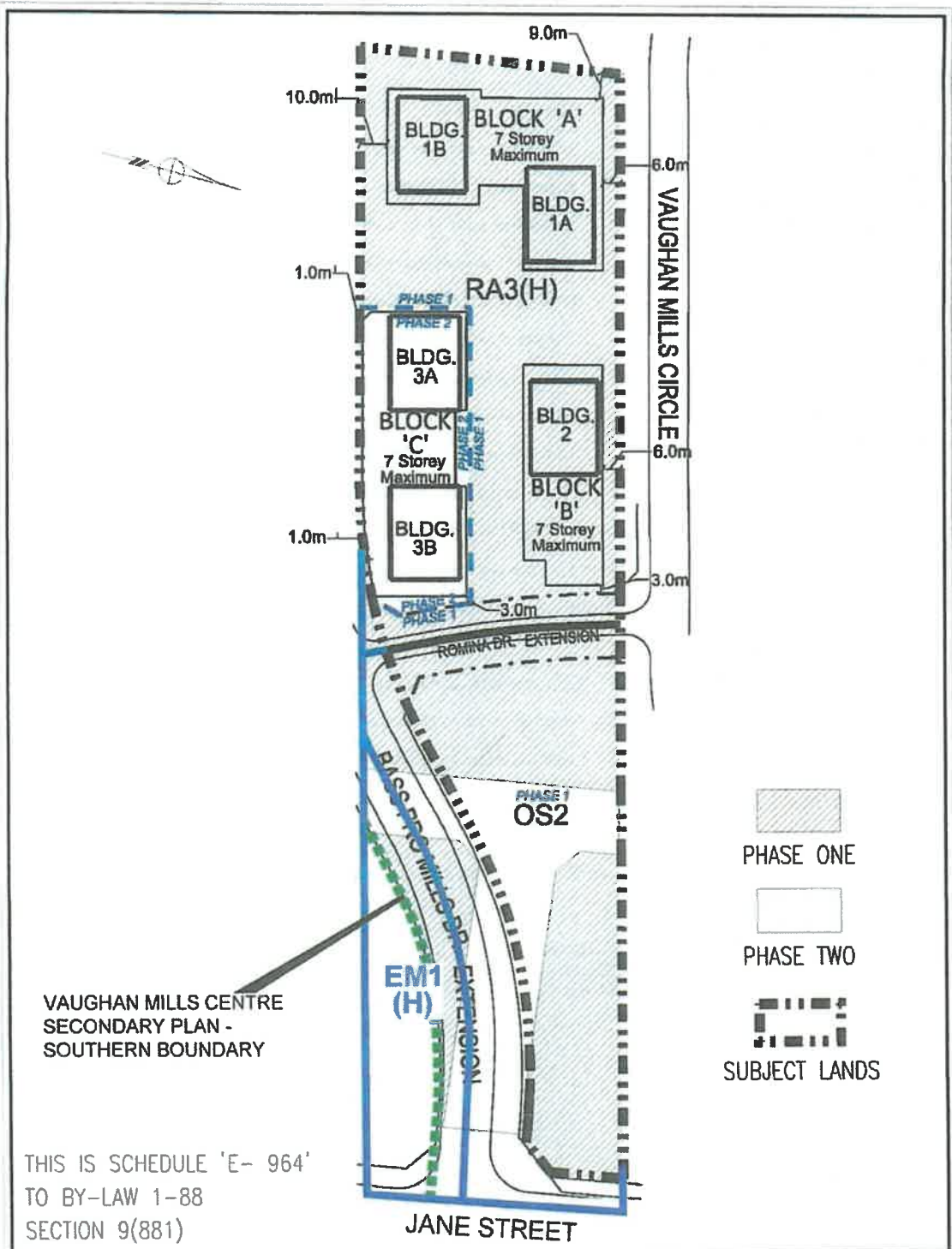
d) Adding Schedule "E- " attached hereto as Schedule "3".




e) Adding Schedule "E- " attached hereto as Schedule "4".

f) Deleting Key Map 5C and substituting therefor the Key Map 5C attached hereto as Schedule "5".

2. Schedules "1", "2", "3", "4", and "5" shall be and hereby form part of this By-law.

PURSUANT TO THE DECISION OF THE ONTARIO
MUNICIPAL BOARD ISSUED [DATE] AND ORDER
ISSUED [DATE] IN THE BOARD FILE NO. PL



 PHASE ONE
 PHASE TWO
 SUBJECT LANDS

VAUGHAN MILLS CENTRE
SECONDARY PLAN -
SOUTHERN BOUNDARY

THIS IS SCHEDULE 'E- 964'
TO BY-LAW 1-88
SECTION 9(881)

THIS IS SCHEDULE '1'
TO BY-LAW _____ - 2017
PASSED THE _____ DAY OF _____, 2017

FILE No.: Z.09.037
 RELATED FILE: OP.09.006
 LOCATION: PART OF LOT 14, CONCESSION 5
 APPLICANT: SANDRA MAMMONE
 CITY OF VAUGHAN

SIGNING OFFICERS

_____ MAYOR

_____ CLERK

SCHEDULE "D"

Base Work Requirements for Assumption of a Conveyed Park Block

I. Part I

1. Archaeological Assessment, Stage I and II is required to determine limits of public park block(s). Proposed public park lands are to be clear of all historically significant heritage features.
2. Proposed public park block(s) grading must not negatively impact adjacent properties with overland flow routes. The public park block(s) cannot be encumbered by overland flow routes from adjacent properties.
3. The public park block(s) shall not be encumbered by any easements for utility services, transformer boxes, temporary or permanent building structural elements, building overhangs, Canada Post mail boxes and/or access, buffers, and the like with the exception of cross easements for servicing, utilities, maintenance and access.
4. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed grading works have been designed to accommodate storm water flows in accordance with the Engineering Department Design Manual at interim and final phases of the public park block(s) development to the satisfaction of the City, acting reasonably.
5. A Park Master Plan to the City's standard level of service shall be prepared and include the following information:
 - a) Boundaries of proposed parkland dedication and the total size of individual blocks;
 - b) Existing conditions plan illustrating topographic information in order to assess slopes and drainage, and vegetation, identifying species, age, size and condition;
 - c) Layout plan which illustrates proposed park program requirements, phasing plan based on adjacent construction activities, pedestrian circulation, and required setbacks as determined by the Parks Development Department;
 - d) Grading plan illustrating proposed storm water run-off, surface drainage patterns and sub-surface storm water servicing requirements including development proposed over lands encumbered with strata conditions and to the Parks Development Department's satisfaction, acting reasonably; and
 - e) A preliminary construction cost estimate.

The plans listed above are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program

THIS IS SCHEDULE 'E-' TO BY-LAW 1-88, SECTION 9()

THIS IS SCHEDULE '2'
TO BY-LAW _____ - 2017
PASSED THE ____ DAY OF _____, 2017

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RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
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CITY OF VAUGHAN

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CLERK

requirements to the satisfaction of the Parks Development Department, acting reasonably.

II. Part II: Public Park Base Condition Works

1. A geotechnical investigation shall be conducted by a qualified Professional Engineer for all public park block(s) in the Park Master Plan to the satisfaction of the Parks Development Department, acting reasonably. In addition, a Phase Two Environmental Site Assessment shall be conducted by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) assessing all public park block(s) in the Park Master Plan for conformity with the applicable MOECC Site Condition Standards for parkland use to the satisfaction of the Parks Development Department, acting reasonably. For both the geotechnical investigation and the Phase Two Environmental Site Assessment a minimum of 4 boreholes are to be taken at regular intervals along the full length of the proposed public park block(s). Borehole reports for the geotechnical investigation will indicate soil type, water content, and density (general compaction). For the Phase Two Environmental Site Assessment all samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants, as required under O.Reg. 153/04 (as amended). Should additional fill be placed to meet required grading levels, the results of the Phase Two Environmental Site Assessment shall be supplemented with a letter report addressed to the City from the Owner's environmental consultant that includes: confirmation of the area where fill has been placed and details regarding dates, sources, volumes, and certification that the placed fill material meets the applicable MOECC Site Condition Standards referenced above and compacted to the standard referenced below. For greater certainty, it is understood and agreed that all obligations under this paragraph will be satisfied for the Casertano Park Block and Mammone Park Block where geotechnical reports for such lands have been prepared by a qualified Professional Engineer in accordance with the attached borehole plans and where Phase Two Environmental Site Assessments have been conducted on such lands by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) and the attached borehole plans.
2. Adequate sized servicing connections are required along the main public park frontage and shall include a water chamber manhole, complete with a curb stop, sanitary manhole and a storm water manhole. All structures are to be located a minimum of 5 meters from adjacent property lines. [Ensure compliance with the most updated Engineering Design Criteria and Standard Drawings.]
3. The approved electrical distribution plan will include a 120/240 volt, single phase, three wire power supply to the public park block(s). The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the block(s). The cable feed will originate

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from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2"x4" wood stake, visible above grade.

4. Public park block(s) grading shall be completed using clean engineered fill compacted to 95% Standard Proctor Dry Density (SPDD) inclusive of any civil work required such as retaining structures, rip rap, swales, and the like to meet grading levels as determined by the City approved grading plan. The park block shall generally be graded to meet and match surrounding levels and allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area.
5. No fill shall be placed on existing topsoil and the stockpiling of topsoil is prohibited on the public park block(s). Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0pH to 7.5pH and shall be capable of sustaining vigorous plant growth. The owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the Parks Development Department, acting reasonably, and results of testing provided to the Parks Development Department for review and approval. Topsoil shall be placed to a minimum depth of 300mm over the entire public park block(s), with the exception of area falling within strata limits, which are to be determined following the detailed design stage. Prior to placement of topsoil, the owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met.
6. All temporary sediment control management measures are to be removed prior to rough grading.
7. The public park block(s) shall be seeded with a seed mix approved by Parks Development Department.
8. Any dead, damaged and hazardous trees based on an arborist's report recommendations shall be removed and disposed of off-site.
9. The perimeter of the public park block(s) shall be fenced off with fencing approved by the City and "No Dumping" signs shall be placed along the perimeter of the public park block(s).
10. The Owner shall be responsible to maintain the public park block(s) until such time as the public park's construction commences or assumption is granted. Maintenance shall entail maintaining sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice summer, erosion repairs, cleaning of catch basins, repair of perimeter

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fencing and removal of any debris that is dumped on the site, to the satisfaction of the City, acting reasonably.

III. Part III: Public Park Development Works to the Ultimate Condition

The following are the general principles that shall be incorporated into and form part of the Development Agreement based on Option A of the Section 13: Compensation and Payment Schedule to Developer(s) under the Developer Build Parks Policy No.: 07.2.05.

Part II: Public Park Base Condition Works and Part III: Public Park Development Works shall collectively be referred to as the "Ultimate Condition".

1. General:

- 1.1 The Owner shall design, tender a construction contract and construct the Public Park in accordance with the Landscape Construction Drawings and Specifications approved by the City. These works constitute projects incorporated in the City's Development Charges By-law 045-2013 and in accordance with the "Developer Build Parks Policy, No. 07.02.05" or the applicable policy version in force at the time of start of the first phase of construction of the Public Park for the Public Park Development Works only and not any works that are required to ensure that the Parklands meet the Part II: Parkland Base Condition Works.
- 1.2 All works necessary to ensure that the Public Park is delivered to the City in the Ultimate Condition shall be at the sole cost and expense of the Owner.
- 1.3 The Owner shall obtain all approvals and permits required to construct the Public Park.
- 1.4 The Owner shall award all contracts and shall supervise all construction and provide all necessary certifications by its Consultant(s) to the satisfaction of the City, acting reasonably.

2. Consultant(s) Services:

- 2.1 The Owner shall retain all necessary construction, landscape architecture, structural & mechanical engineers, electrical engineers, surveying, geotechnical, or other professionals/consultants to complete the Park Design and Construction Supervision and Contract Administration services.
- 2.2 The Consultant(s) shall be qualified in constructing municipal park development projects and have sufficient resources to satisfactorily design, construct and

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administer Public Park development and the Owner shall provide such evidence to the City as requested in this regard.

2.3 The Owner's agreements or contracts with its landscape architect shall include design, general supervision and resident supervision on the construction of the Public Park to the Ultimate Condition and shall provide that the representatives of the City's Parks Development Department shall be entitled to inspect the construction of the Parklands to the Ultimate Condition and to stop any work in the event that the work is being performed in a manner that may result in a completed installation that would not be satisfactory to the City.

2.4 All design drawings shall bear the seal and signature of the professional engineer or landscape architect who is responsible for the relevant designs.

3. Contractor selection and construction costs:

3.1 All design drawings, specifications, and detailed cost estimates shall be approved by the City before any agreement is entered into for the construction of the Public Park to the Ultimate Condition and the total cost shall not exceed available Development Charge funding including all construction costs, landscape architectural services, structural & mechanical engineers, electrical engineers, and geotechnical consultants, testing, surveying, geotechnical certifications, applicable taxes, obtaining approvals and permits, construction contract administration and supervision, contingencies, applicable taxes and all costs reasonably relating to the Public Park to ensure the Park Development Works comply with City Standards and Criteria.

3.2 Prior to awarding a contract for the construction of the Public Park, the Owner shall provide the City with documentation that confirms to the satisfaction of the City, acting reasonably, that a competitive bid process was followed, with a minimum of three (3) qualified landscape general contractors, to tender the construction contract for the Public Park including a copy of the tender document and a summary of unit and total bid price for review and approval by the City. The City shall be satisfied that the selected landscape general contractor is qualified in constructing municipal park development projects, having at least five (5) years' experience in site servicing and park development and has sufficient resources to satisfactorily construct the Public Park prior to the Owner awarding the construction contract. The Owner shall provide the City with an updated cost of the Public Park based on bid prices for information following the tender closing.

3.3 Prior to the commencement of the Public Park works, should the total cost exceed the approved construction budget, the scope of the project will be amended accordingly subject to approval by the Owner and the City. The actual certified cost shall not include any of the Public Park works which are the Owner's obligation to construct The Part II: Parkland Base Condition Works, including but not limited to, design, administration and construction for the clearing and grubbing, tree

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preservation/removal and protective measures, rough grading, topsoil spreading, drainage, seeding, supplying water, storm and electrical service stubs (including chambers and meters as required to property line), temporary perimeter fencing, construction signage and sediment control fencing or all other required Parkland Base Condition Works.

3.4 In the event that there are additional Public Park works requiring use of contingency funds attributable to unforeseen circumstances or other problems encountered during construction by the Owner, the Owner shall notify the City of the use of the contingency. However, the Owner shall not be obligated to obtain the City's consent to authorize such minor additional work or increase in the cost of the Public Park through use of the contingency, except for any major changes that affect quality or facility delivery, or changes that cumulatively exceed 80% of the available contingency of the project, in which case the City's consent shall be required. As construction proceeds, the Owner shall provide copies of all supplementary contracts and change orders to the City for verification.

4. Payments:

4.1 The Owner shall submit a monthly statement on progress payment (invoice) on Public Park works performed during the previous monthly payment period and as agreed upon by the City for works completed. The invoice shall include a certificate sealed by the Landscape Architectural consultant confirming the Public Park works have been inspected and completed as per the approved construction drawings and specifications; copies of invoices from the Consultant, Suppliers and Contractors; a standard Statutory Declaration and a certificate from the Workplace Safety and Insurance Board (WSIB). The City shall reimburse the Owner the total payments for the Public Park works, which shall not exceed the reimbursable consulting fee and construction cost of the Public Park, subject to the funds being available in the approved City Capital Budget.

4.2 Subject to the Developer Build Parks Policy, the Park works' payments will be subject to a five percent (5%) Maintenance Holdback, which will be released thirteen (13) months after the date a certificate of Substantial Performance has been issued, subject to no outstanding deficiencies. In addition, a ten percent (10%) Holdback will be required and shall be released as per the requirements of the Construction Lien Act. All reimbursable consulting fees are to be invoiced separately from the Public Park works and shall not be subject to the five percent (5%) Maintenance Holdback and ten percent (10%) Holdback.

4.3 Prior to the City making the final payment to the Owner for the Public Park works, a comprehensive reconciliation of the costs and payments shall be undertaken to the satisfaction of the City, acting reasonably.

THIS IS SCHEDULE 'E- _____ ' TO BY-LAW 1-88, SECTION 9(_____)

THIS IS SCHEDULE '2' (Con't.)
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4.4 Once the Public Park works are Substantially Performed, the City will begin the process to release the ten percent (10%) Holdback pursuant to the provisions of this Agreement and as per the requirements of the Construction Lien Act, once the following have been confirmed and/or provided:

4.4.1 Substantial Performance of the Public Park works was approved and confirmed by the professional consulting Landscape Architect and 45 days after publication of such in the Daily Commercial News by the Owner and/or his agent has transpired;

4.4.2 The proof of publication has been submitted to the City;

4.4.3 A Statutory Declaration from the Owner confirming that all accounts in connection with the design and construction of the Public Park have been paid in full and that there are no outstanding claims related to the subject works; and

4.4.4 No liens have been registered in regard to this contract, to the satisfaction of the City.

4.5 Notwithstanding that the City will be responsible for the maintenance of the Public Park from the date of Substantial Performance, the Owner shall remain responsible for (i) any and all guarantees for the Public Park for a period of thirteen (13) months; and (ii) all new plant material for a period of 24 months pursuant to the approved Construction Drawing and Specifications.

4.6 The City shall release the five percent (5%) Maintenance Holdback to the Owner for the Public Park once the following have been confirmed/or provided:

4.6.1 Thirteen (13) months have passed from the publication date of the certificate of Substantial Performance;

4.6.2 A thirteen (13) month warranty inspection has been conducted by City staff which shall be scheduled by the Owner twelve (12) months following Substantial Performance;

4.6.3 All noted deficiencies from the thirteen (13) month warranty inspection have been rectified to the City's satisfaction, acting reasonably;

4.6.4 The Owner's professional consulting Landscape Architect has issued a certificate certifying the warranty period has expired and that the noted deficiencies have been completed in general conformance to the construction drawings, specifications and reports; and

4.6.5 Any liens registered in regard to the contract have been released and/or paid by the Owner.

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5. Final Inspection:

- 5.1 The City shall conduct a final inspection of the Public Park and Services to the satisfaction of the City, acting reasonably, prior to the City issuing Substantial Performance Confirmation as defined below.
- 5.2 Prior to scheduling the Final Inspection and the Public Park being considered ready for use by the public to the satisfaction of the City, the Owner shall provide the City with the following information:
 - 5.2.1 A certification from the professional consulting Landscape Architect that confirms that the Public Park have been constructed in accordance with the approved construction drawings, City standards and specifications, and sound engineering/construction practices;
 - 5.2.2 A grading certification from either the professional consulting Landscape Architect or an Engineer based on the review of the Ontario Land Surveyor (OLS) completed survey for the rough grades, confirming the Public Park works have been constructed to the approved construction drawings and specifications;
 - 5.2.3 A copy of the Canadian Safety Association (CSA) certificate for all playground equipment and associated safety surfacing in accordance with CAN/CSA Z614-14 Children's Playspaces and Equipment;
 - 5.2.4 A copy of a third party CSA Children's Playspaces inspection for all playground equipment and associated safety surfacing;
 - 5.2.5 A copy of the Electrical Safety Authority (ESA) clearance letter for the pedestrian pathway lighting associated with the Public Park and a certificate from the electrical design Consultant indicating the electrical load of the pedestrian pathway lighting and a photometric plan of the Public Park confirming a minimum of five (5) lux horizontal average light level maintained along all pathway surfaces;
 - 5.2.6 A copy of the City building permits and required sign-offs from the City building inspector(s) for all works required to construct the Public Park;
 - 5.2.7 A detailed breakdown of the final as-constructed costs of the Public Park certified by the professional consulting landscape architect to the satisfaction of the City, acting reasonably;
 - 5.2.8 Copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Public Park to the satisfaction of the City, acting reasonably;

THIS IS SCHEDULE 'E-' TO BY-LAW 1-88, SECTION 9()

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW _____ - 2017
PASSED THE ____ DAY OF _____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

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5.2.9 Copies of all quality assurance test results, supplementary geotechnical reports and construction related reports;

5.2.10 All project close out information required for all Public Park's facilities and equipment, which shall include, but is not necessarily limited to, maintenance manuals, touch up paint, tool kits, warranty information and weigh bills (for topsoil amendments, fertilizer applied on site, etc.);

5.2.11 Storm Water Management certification from the block engineering consultant that confirms that the park blocks have been designed and constructed in accordance with the approved storm water engineering requirements for the park blocks; and

5.2.12 A Structural Engineer certification from a professional engineer for all structural footings, foundations and structures (shade structure, etc.), confirming that the necessary structures have been designed and constructed in accordance with the associated building permits, drawings and specifications.

6. Inspection and testing by City

6.1 The City may conduct, at the expense of the Owner, any tests that the City, in its absolute discretion, considers necessary to satisfy itself as to the proper construction, installation or provision of the Parklands to the Ultimate Condition.

6.2 The City, its employees, agents and contractors or any other authorized persons may inspect the construction and installation of the Public Park to the Ultimate Condition under any contract, but such inspection shall in no way relieve the Owner from its responsibility to inspect the said construction and installation. If the construction and installation of the Public Park to the Ultimate Condition is not, in the opinion of the City, being carried out in accordance with the provisions of this Park Development Agreement and/or the Final Park Development Agreement, the City may issue instructions to the Owner and/or the Owner's landscape architect or arborist to take such steps as may be deemed necessary to procure compliance with the provisions of this Park Development Agreement and/or the Final Park Development Agreement. Such instructions may be written, or may be verbal, in which case the City shall confirm them in writing within three (3) business days. In the event that neither the Owner nor the Owner's landscape architect or arborist is present at the Site to receive such verbal instructions, the City may instruct the contractor(s) to cease work forthwith.

7. Maintenance until Substantial Performance of the Public Park

THIS IS SCHEDULE 'E- _____ ' TO BY-LAW 1-88, SECTION 9(_____)

**THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW _____ - 2017
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7.1 The Owner shall be responsible to maintain the Public Park until Substantial Performance is issued by the City pursuant to the provisions of this Agreement and once the following have been confirmed and/or provided:

7.1.1 The City conducted a final inspection and is satisfied that the Public Park works have been completed to its satisfaction, acting reasonably, and the City is in agreement with the issuance of the certificate of Substantial Performance;

7.1.2 The Owner's professional consulting Landscape Architect has submitted a certificate, under seal, certifying that the consultant has inspected the construction and the Public Park have been constructed as per the approved drawings and specification and confirms rectification of any major deficiencies identified during the final inspection;

7.1.3 Two (2) cuts of the turf/grass areas have taken place;

7.1.4 All garbage and debris has been removed from the Park blocks;

7.1.5 A complete set of hardcopy (3 full sized sets) and digital (AutoCAD and PDF) "As Constructed" Construction Drawings for the Public Park prepared by an Ontario Land Surveyor and shall include a topographical survey of the final grades at 0.25m contour intervals, servicing structures/inverts, and the location of above-ground Public Park facilities, planting beds and tree bases, electrical items, site furniture, play structures, and play area limits.

8. Emergency Repairs

8.1 At any time prior to the acceptance and/or assumption of the Parklands by the City, if any of the park services do not function or do not function properly or, in the opinion of the City, require necessary immediate repairs to prevent damage or undue hardship to any persons or to any property, the City may enter upon the Parklands and make whatever repairs may be deemed necessary and the Owner shall pay to the City, immediately upon receipt of a written demand, all expenses (including landscape approval fees), based upon the cost of the work incurred in making the said repairs. If the Owner fails to make the payment as demanded by the City, the City shall be entitled to draw upon any security filed pursuant to the Park Development Agreement. The City covenants and agrees to advise the Owner within three (3) business days from the date of entry by the City of the nature and extent of the emergency and repairs which were necessary. Such undertaking to repair shall not be deemed an acceptance of the Parklands by the City or an assumption by the City of any liability in connection therewith and shall not release the Owner from any of its obligations under the Final Park Development Agreement.

9. Damage and Debris

THIS IS SCHEDULE 'E- _____ ' TO BY-LAW 1-88, SECTION 9(_____)

**THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW _____ - 2017
PASSED THE _____ DAY OF _____, 2017**

FILE No.: Z.09.037
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LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

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- 9.1 All lands owned by the City outside the limits of the Site Plan that may be used by the Owner or parties employed by the Owner or others during construction staging area(s) in connection with the construction of the Public Park to the Ultimate Condition shall be kept in a good and usable condition and, if damaged by the Owner or parties employed by the Owner in the construction staging area(s) in connection with the construction of the Parklands to the Ultimate Condition will be repaired or restored immediately;
- 9.2 Not foul the public roads, outside the limits of the Site Plan, leading to the Parklands, and the Owner further agrees to provide the necessary persons and equipment to be available on reasonable notice at all times to keep such roads clean and that all trucks making deliveries to or taking materials from the Site Plan lands shall be adequately covered and reasonably loaded so as to not scatter refuse, rubbish, or debris on the abutting highways and streets;
- 9.3 If in the opinion of the City, in its sole discretion, the aforementioned requirements are not complied with, the City may elect to complete the work as required and the Owner shall forthwith upon demand pay to the City the full cost thereof and that the City may draw on any security filed pursuant to this Park Development Agreement and/or the Final Park Development Agreement if the Owner fails to make the payment demanded by the City;
- 9.4 Not allow and restrain, insofar as it is able to do so, all others, from depositing junk, debris, or other materials on any lands within the Site Plan, including lands to be dedicated for municipal purposes, vacant public land and private land;
- 9.5 Clear debris and garbage on any land within the Site Plan if so requested in writing by the City and that the City shall have the authority to remove such debris and garbage at the sole cost of the Owner if the Owner fails to do so within seventy-two (72) hours of written notice.

THIS IS SCHEDULE 'E-' TO BY-LAW 1-88, SECTION 9()

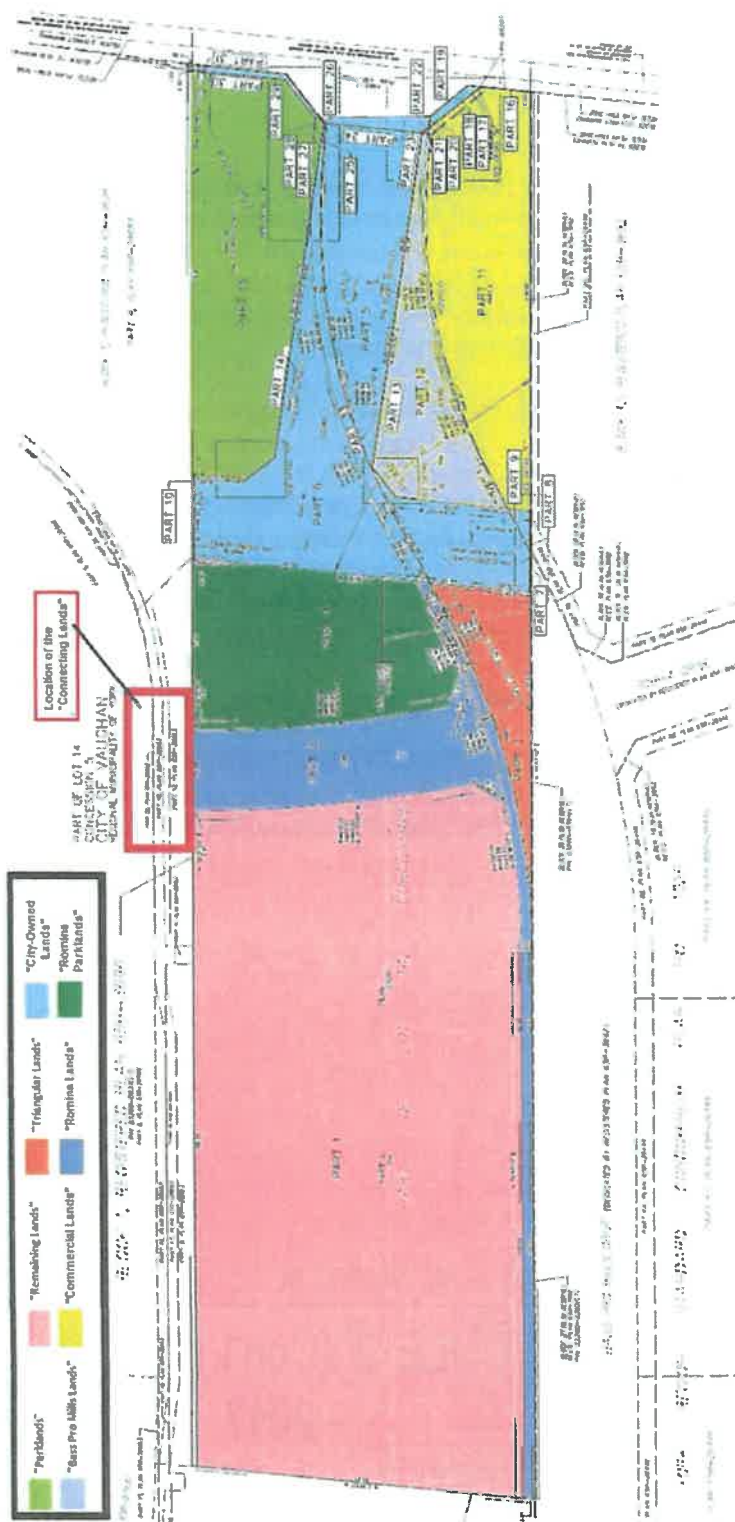
THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW _____ - 2017
PASSED THE ____ DAY OF _____, 2017

FILE No.: Z.09.037
 RELATED FILE: OP.09.006
 LOCATION: PART OF LOT 14, CONCESSION 5
 APPLICANT: SANDRA MAMMONE
 CITY OF VAUGHAN

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 _____ MAYOR
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THIS IS SCHEDULE '3'
TO BY-LAW _____ - 2017
 PASSED THE _____ DAY OF _____, 2017

FILE No.: Z.09.037
 RELATED FILE: OP.09.006
 LOCATION: PART OF LOT 14, CONCESSION 5
 APPLICANT: SANDRA MAMMONE
 CITY OF VAUGHAN

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RSC and Conveyance Plan

Applicable Site Condition Standards

Subject to any exceptions granted by the MOECC, the Records of Site Condition shall confirm, at a minimum, satisfaction of the following site condition standards as set out in the Ministry of Environment Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act dated April 15, 2011, as amended or revised from time to time:

Lands (as identified in Schedule "3")	Applicable Site Condition Standards
Parklands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
City-Owned Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
Triangular Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Industrial/Commercial/Community Property Use
Remaining Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
Romina Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Industrial/Commercial/Community Property Use
Romina Parklands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
Bass Pro Mills Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Industrial/Commercial/Community Property Use
Connecting Lands	Not applicable. No RSC to be obtained by Mammone for the Connecting Lands.

Notwithstanding the foregoing, in the event that the MOECC allows an exemption under section 48(3) of Ontario Regulation 153/04, as amended, in respect of the applicable site condition standards for sodium, electrical conductivity or sodium adsorption ratio, any portions of the Parklands, City-Owned Lands and Romina Parklands that are to be used by the City for parkland shall nevertheless be remediated by Mammone to the applicable site condition standard for sodium, electrical conductivity or sodium adsorption ratio as identified in the table above.

In the event of any amendment, revision or other change to the Applicable Site Condition Standards following the filing of an RSC required under these Minutes, nothing in these Minutes shall be interpreted to require Mammone to obtain a new RSC, to amend or revise a filed RSC, to perform remediation activities not otherwise required to satisfy Mammone's obligations under

THIS IS SCHEDULE 'E-' TO BY-LAW 1-88, SECTION 9()

**THIS IS SCHEDULE '4'
TO BY-LAW _____ - 2017
PASSED THE ___ DAY OF ___, 2017**

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
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CITY OF VAUGHAN

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CLERK

these Minutes, or to re-perform any remediation activities previously completed by Mammone to satisfy its obligations under these Minutes. For greater certainty, Mammone shall only be obligated to file an RSC confirming satisfaction of the Applicable Site Condition Standards in force at the time of the date of filing of the applicable RSC and, to the extent remediation is required for satisfaction of its obligations to obtain RSCs under these Minutes, Mammone shall only be obligated to remediate the lands to the extent necessary to satisfy the Applicable Site Condition Standards in force at the time of the date of the filing of the RSC for such lands. In the case of any other remediation undertaken pursuant to Schedule "D", Mammone shall only be obligated to remediate to the Applicable Site Condition Standards in force at the time of such remediation.

The parties acknowledge and agree that a single RSC may be obtained by Mammone for the Remaining Lands, the Romina Lands and the Romina Parklands, in which case, the Applicable Site Condition Standards shall be the more stringent Applicable Site Condition Standards set out above for such lands.

Milestone Dates

An RSC has already been obtained by Mammone for the Commercial Lands and Bass Pro Mills Lands, therefore, the obtaining of an RSC for such lands is not subject to a milestone date.

The Records of Site Condition required pursuant to this By-law shall be delivered by Mammone in accordance with the following timeline:

Part 1: RSC for Parklands, City-Owned Lands and Triangular Lands

1. Anticipated date for completion of confirmatory sampling: May 1, 2017
2. Anticipated date for submission to MOECC: June 1, 2017
3. Anticipated date for filing and acknowledgment of Records of Site Condition by MOECC: October 16, 2017

Part 2: RSC for Remaining Lands, Romina Lands and Romina Parklands

1. A Record of Site Condition for the Remaining Lands, Romina Lands and Romina Parklands shall be filed by the earlier of:
 - i) the date of first occupancy of a residential building on the Dulcina Site;
 - ii) the date of first site plan approval with respect to any phase or stage of development of the Mammone Site; or
 - iii) the second (2nd) anniversary of the date of the Board's Order approving the OPA and rezoning (subject to "H") with respect to the Phase 1 development of the Mammone Site (the "Romina Conveyance Date").

THIS IS SCHEDULE 'E-' TO BY-LAW 1-88, SECTION 9()

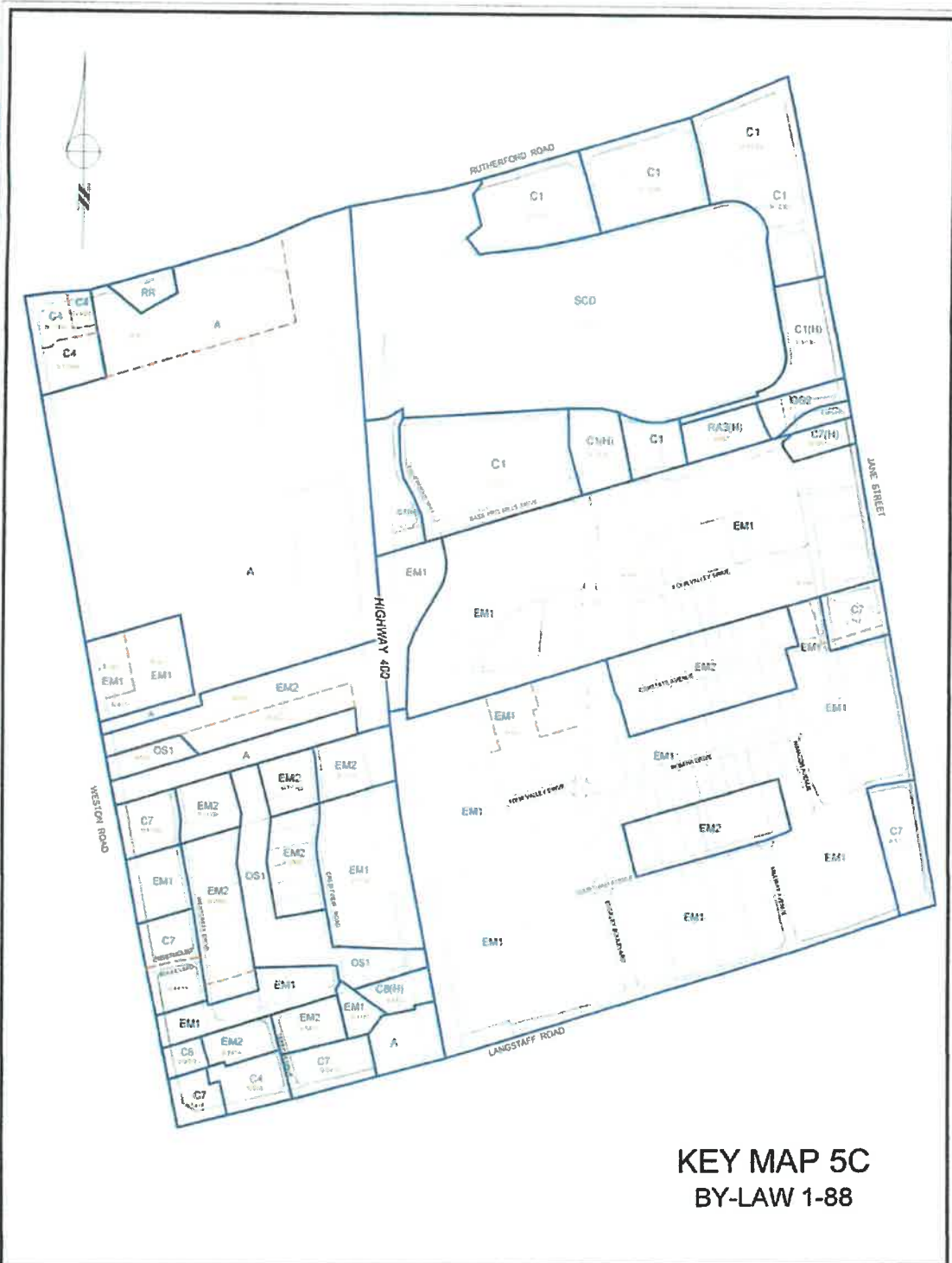
**THIS IS SCHEDULE '4' (Con't.)
TO BY-LAW _____ - 2017
PASSED THE ____ DAY OF ____, 2017**

FILE No.: Z.09.037
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LOCATION: PART OF LOT 14, CONCESSION 5
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CITY OF VAUGHAN

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**KEY MAP 5C
BY-LAW 1-88**

NOT TO SCALE

**THIS IS SCHEDULE '5'
TO BY-LAW _____ - 2017
PASSED THE _____ DAY OF _____, 2017**

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

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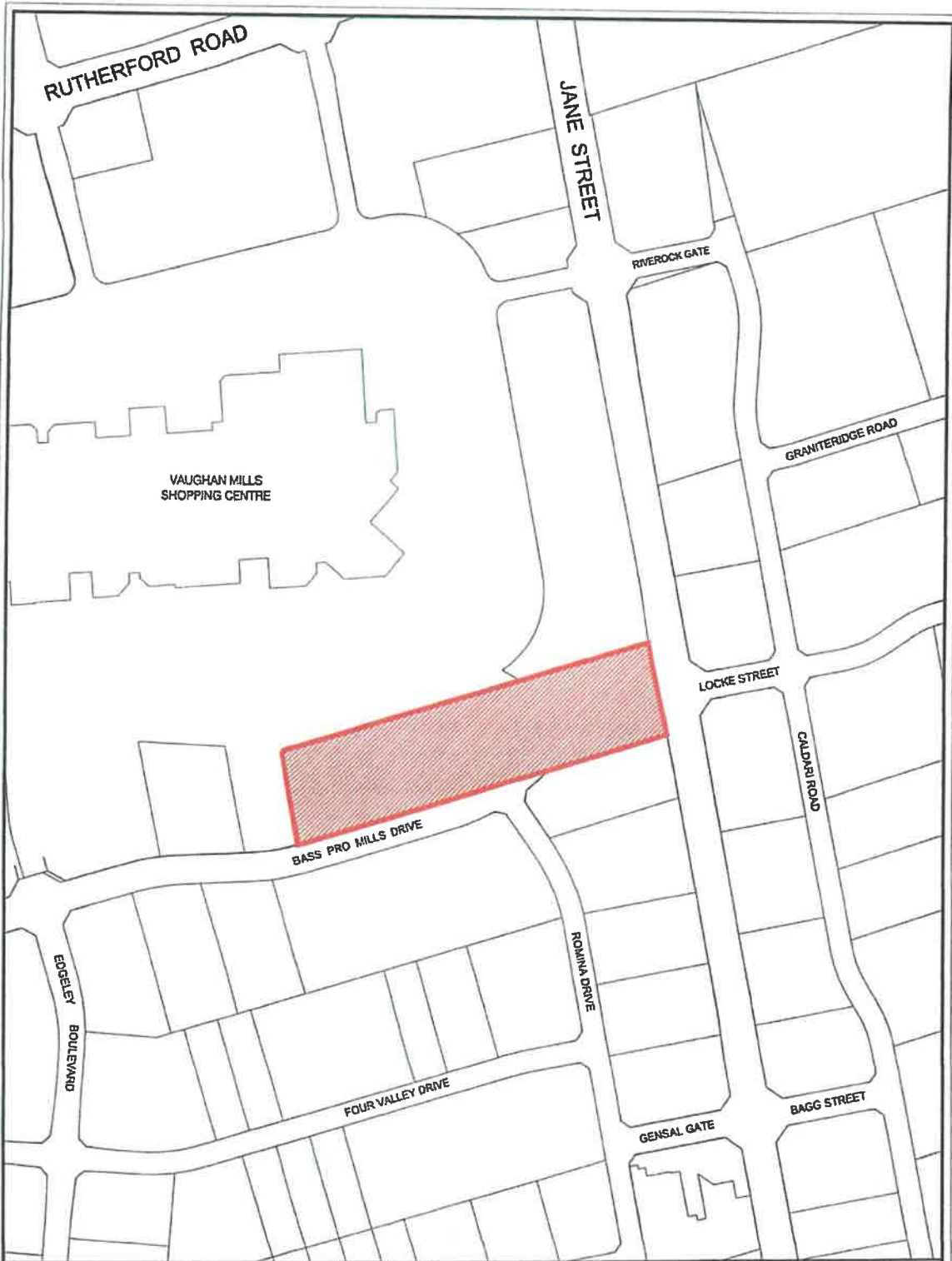
CLERK

SUMMARY TO BY-LAW - 2017

The lands subject to this By-law are located on the west side of Jane Street, south of Rutherford Road, municipally known as 9060 Jane Street, in part of Lots 13 and 14, Concession 5, City of Vaughan.

The purpose of this By-law is to rezone the lands to this By-law from EM1 (H) Prestige Employment Area Zone with the Holding Symbol "(H)" and EM2 General Employment Area Zone to RA3 (H) Apartment Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone. The robust conditions for the removal of the Holding Symbol "(H)" are two-phased to coincide with the orderly and sequential development of the Subject Lands and include conditions for Section 37 Contributions. This By-law deletes and replaces Exception 9(881) and Schedule E-864 thereby including the following site-specific zoning exceptions:

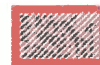
- a) site-specific definitions of "lot", "building height", "car share", "parking space", "parking space – handicapped", "place of worship", "service or repair shop", and "underground parking structure"
- b) reduced parking requirements
- c) reduced minimum setbacks to portions of the building below grade (Bass Pro Mills)
- d) reduced setbacks to daylight triangles
- e) the provisions for building envelopes
- f) maximum building heights
- g) maximum number of residential apartment dwelling units
- h) provisions for density bonussing for the Subject Lands and the Jane Street Corridor Area
- i) maximum ground related commercial areas
- j) site-specific commercial uses with no open storage
- k) minor relief to the outdoor patio provisions to permit flexibility



NOT TO SCALE

LOCATION MAP TO BY-LAW _____ - 2017

FILE No.: Z.09.037
 RELATED FILE: OP.09.006
 LOCATION: PART OF LOT 14, CONCESSION 5
 APPLICANT: SANDRA MAMMONE
 CITY OF VAUGHAN



SUBJECT LANDS



Reply to the Attention of Mary Flynn-Guglietti
Direct Line 416.865.7256
Email Address mary.flynn@mcmillan.ca
Our File No. 201539
Date June 21, 2018

SENT VIA EMAIL

Local Planning Appeal Tribunal
655 Bay Street, Suite 1500
Toronto, ON M5G 2K4

Attention: Mr. Tome Kondinski, LPAT Caseworker

-and-

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L64 1T1

**Attention: Ms. Claudia Storto
Deputy City Manager, Legal and Human Resources**

-and-

Borden Ladner Gervais LLP
Bay Adelaide Centre,
22 Adelaide St. W.
East Tower
Toronto, ON M5H 4E3

Attention: Mr. F.F. (Rick) Coburn

Dear Mr. Kondinski, Ms. Storto and Mr. Coburn:

**Re: Limestone Gallery Investments Inc. (“Limestone”), Damara
Investments Corp. (“Damara”) and Starburst Developments Inc.
 (“Starburst”)
OMB Case No. PL140839 and Consolidated Matters**

We are the solicitors retained to act on behalf of Limestone, Damara and Starburst in connection with matters related to OMB Case No. PL140839 and consolidated matters. On March 18, 2014, the council of the City of Vaughan adopted Official Plan Amendment No. 2, being the Vaughan Mills Centre Secondary Plan (the “VMCSP”), to the City of Vaughan Official Plan (2010). On July 11, 2014, the Council of the Regional Municipality of York modified and approved the VMCSP.

Limestone is the owner of lands in the VMCSF located at the south-east quadrant of Rutherford Road and Highway 400, municipally known as 3255 Rutherford Road. Damara is the owner of lands located in the VMCSF located at the south-west corner of Jane Street and Rutherford Road, municipally known as 9100 Jane Street. Starburst is the owner of two properties in the VMCSF, one located at the south-east corner of Rutherford Road and Sweetriver Boulevard and the other located at the north-west corner of Jane Street and Riverrock Gate and municipally known as 3191 Rutherford Road respectively and 9088 Jane Street.

By letter dated July 25, 2014, Limestone and Damara appealed the Region's decision to approve the VMCSF to the Ontario Municipal Board ("Board") and attended the initial Pre-hearing in September of 2014 for the VMCSF and was granted party status. On September 23, 2014 Starburst sought and was granted party status. On November 17, 2015, Limestone, Damara and Starburst filed with the City a revised Preliminary Issues List, see Schedule "A" attached. Subsequent to being granted party status Limestone, Damara and Starburst have met with the City to determine if its concerns could be amicably addressed.

We wish to formally notify the Board that we hereby withdraw the appeal filed by Damara and will not be participating in the hearing regarding the VMCSF as it relates to its lands. With respect to Limestone it will continue to participate in these proceedings and Starburst will remain a party to these proceedings sheltering under the Appeal filed by Limestone. However, Limestone and Starburst have agreed to further scope their Appeal in accordance with the Issues List attached as Schedule "B" to this letter and further agree that they will not raise, or seek to advance, directly or indirectly issues other than those listed in Schedule "A". For greater certainty, Limestone and Starburst agree not to raise Issues 3, 6, 7 and 13 as set out in the Preliminary Issues List attached as Schedule "A" and in particular will not raise the issue of employment conversion on any of the lands within the VMCSF.

Yours truly,



Mary Flynn-Guglietti

/jl

Encls.

SCHEDULE "A"

PRELIMINARY ISSUES LIST OF LIMESTONE/DAMARA/STARBURST

APPEALS OF THE VAUGHAN MILLS CENTRE SECONDARY PLAN PL140839, PL110419 & PL140154

REVISED: NOVEMBER 16, 2015

Further to meeting with Vaughan Staff on November 9, 2015

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
1.	<p>Do the density/height assignments provide sufficient support to the implementation of a rapid transit corridor along Jane Street and the creation of a Primary Centre at Vaughan Mills?</p> <p>What is the justification for the recommended heights and densities provided in the Secondary Plan?</p> <p>The Auto mall on the west side of Jane St., north of Rutherford has a proposed density of 3.5 and is not within the Primary Centre. The Limestone parcel only has a density of 2.0 and is within the Primary Centre. The densities for this parcel should be higher than that of lands outside of the primary centre, so increasing the densities here to at least 3.5 is justifiable. We understand there will be greater densities in the VMC so we are asking that densities here be complementary to those, not necessarily as high.</p>	<p>Part B 3.2 – "Units, Population and Job Projections by Area" table</p> <p>Part B 3.5.2</p> <p>Schedule "B"</p>

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
2.	<p>Would greater maximum building heights be appropriate while respecting the Vaughan Official Plan principle that the tallest buildings will be in the Vaughan Metropolitan Centre?</p> <p>Given that this is a Primary Centre and growth area, should greater building heights be considered to complement the Vaughan Metropolitan Centre? We understand that the tallest buildings will be in VMC, so we are not necessarily looking for those heights but we think that greater building heights than what is proposed in this Plan are justified, given the provisions for higher order transit and the existing transit terminal at Vaughan Mills. Traffic and transit tend to dictate density.</p> <p>Heights should not matter, as long as density is achieved.</p> <p>What is the justification for the limited height restrictions?</p>	Schedule "B"
3.	<p>Is it appropriate for the Secondary Plan to require a minimum retail frontage?</p> <p>The numbers are too arbitrary.</p> <p>Commercial/retail uses are generally located on the ground levels.</p> <p>Would also like provisions for community/amenity space such as a rec centre. Should not be restricted to commercial/retail uses only</p>	<p>Part B 3.5.3</p> <p>Part B 3.6.1.5</p> <p>Schedule "D"</p>
4.	<p>Is it appropriate for the Secondary Plan to require a minimum FSI to be devoted to non-residential uses in each project?</p> <p>Why is there a minimum requirement for non-residential uses? All non-residential uses will be located on the ground floors, FSI should not matter</p>	Part B 3.5.7

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
5.	<p>Is it appropriate for the Secondary Plan to include numeric parameters relating to built form?</p> <p>The numeric parameters should not be entrenched but should only be used as a guideline. Each project and site will be different and it may not make sense for certain developments to strictly follow these provisions. Separation distances may limit the density allowed based on site/lot configurations.</p> <p>In addition, is there flexibility in the defined locations for each proposed use, specifically in block 1? Can the "Community Commercial Mixed-use" portion be configured differently to work better with lot configurations? (given the grade from the highway ramp).</p>	<p>Part B 3.8.2, 3.8.3, 3.8.4</p>
6.	<p>Could the permitted Development Levels be increased based on the available traffic capacity?</p> <p>Is there or can there be a mechanism for increased density based on traffic studies prepared for future developments?</p>	<p>Part C 7.3 – Table 2 Part C 7.3.1</p>
7.	<p>Does the inclusion of the lands on the east side of Jane Street constitute an employment land conversion and if so has it been justified in the context of a municipal comprehensive review process?</p> <p>What information is available to support the employment land conversion?</p>	<p>Part C 7.4.1 Blocks 4 and 5 Schedules "A" to "I" inclusive</p>

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
8.	<p>Are the proposed park designations required and appropriate?</p> <p>The majority of parkland seems to fall within our lands. What compensation is there and is this much land needed for a park?</p> <p>Why are the designated parks based on the entire land area of the Primary Centre and not justified per parcel?</p> <p>What is the justification for all this dedicated parkland? Flexibility is needed with respect to size and location of parkland.</p> <p>The over-dedicated area of parkland to be compensated back to the land owner with <u>cash</u> at current market value or <u>density</u>, at the discretion of the land owner.</p>	<p>Part B 5.1, 5.2, 5.3</p> <p>Schedules "B", "C", "D", "E", "H" and "I"</p>
9.	<p>Should privately-owned, publicly accessible open spaces be deemed to be equivalent to public parks for the purpose of satisfying the needs of future residents?</p> <p>Why can't the required parkland dedication calculated through the development approval process be used as/towards the public park designation? They serve the same purpose.</p>	<p>Part B 5.1, 5.2, 5.3</p>

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
10.	<p>Is the proposed local street network required and appropriate?</p> <p>Flexibility is needed in the location of the proposed local street network. Although they match up to what currently exists as the private drive aisles through the commercial properties, these locations may not make sense for future residential development.</p> <p>Why do the proposed streets need to be publicly owned when they connect to a private street network? If all parcels are redeveloped at different times, then there will be no consistency to the road network if it is dedicated as public on one site, but still a private drive aisle on the adjacent site.</p> <p>The Landscaped mid-block pedestrian connections split the parcel even more and further limit the development potential of the sites. Flexibility needed in the location of these pedestrian mid-block connections</p> <p>Language needs to be included in the Plan to recognize that the proposed road networks, pedestrian connections, and park locations are conceptual, general guidelines only and that they may be modified to suit the individual site development proposals at the discretion of the land owner, as long as the intent of the Plan is maintained.</p>	<p>Schedules "A" to "I" inclusive</p> <p>Schedule "H"</p>
11.	<p>Should other existing uses, in addition to the mall, be permitted to continue and expand in accordance with the standard approvals process and without requiring an amendment to the Secondary Plan?</p> <p>We would like a provision included to permit the continued as-of-right uses should we need or wish to expand the commercial uses. Only if and when we redevelop to change the existing uses to residential should we be required to follow the provisions of the Secondary Plan.</p>	<p>Part B 3.6.5.1</p>

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
12	<p>Should the individual Block requirements include the dedication of all parks designated in the Plan?</p> <p>Specifically Blocks 1, 3 and 6 what is the reason for the park dedications in all of these blocks? And how is it justified for the landowner?</p> <p>Can the park and road areas be included in the density calculations for the parcels that they are proposed in?</p> <p>The over-dedicated portion of parkland to be compensated back to the land owner at current market value.</p> <p>The over-dedicated area of parkland to be compensated back to the land owner with cash and current market value or density, at the discretion of the land owner.</p>	<p>Part C 7.4.1, 7.4.2</p> <p>Schedule "F"</p>
13	<p>Is a Block Plan approach to the co-ordination of development appropriate and practicable in the context of a non-greenfield Primary Centre?</p> <p>The Block Plan approach for the redevelopment of these lands is not appropriate. We all know that each parcel is owned by a different entity which may or may not choose to redevelop their lands. A Site Plan process is a more practical approach since each parcel has a different agenda. This will ensure that at least some parcels are redeveloped and at their own pace. If the Block Plan approach is used, it could mean that the sites remain as-is indefinitely.</p> <p>And what happens with the centre parcel along Rutherford between HWY 400 and Jane St. that is a commercial condominium with a number of different owners. How will the Block Plan approach deal with this to get all of them on board?</p>	<p>Part C 8.1.8.2, 8.3</p>

C23
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Annik Forristal](#)
To: Clerks@vaughan.ca
Cc: [Brandon Correia](#); [Mathew Halo](#); [Ryan Guetter](#); [Sandra Patano](#); [Dan Mammone](#); [Mary Flynn-Guglietti](#); [Kailey Sutton](#); [Jocelyn Lee](#)
Subject: [External] [Newsletter/Marketing] Letter of Concern to City Council - Comprehensive Zoning By-law - Danlauton
Date: June-07-21 6:30:44 PM
Attachments: [Letter of Concern to City Council - CZBL - June 7, 2021 - Danlauton.pdf](#)

Good evening,

Attached please find correspondence to City Council and the Committee of the Whole regarding the City's Comprehensive Zoning By-law.

Thank you,

mcmillan

Annik Forristal

Partner

Pronoun: She/Her/Hers – Elle/La/Sa

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Reply to the Attention of: Annik Forristal
Direct Line: 416.865.7292
Email Address: annik.forristal@mcmillan.ca
Our File No.: 81376
Date: June 7, 2021

BY EMAIL (clerks@vaughan.ca)

City Council and Committee of the Whole
City Hall Level 200
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Mayor Bevilacqua and Members of Council

Dear Mayor Bevilacqua and Members of Council,

**Re: City-Wide Comprehensive Zoning By-law ("CZBL")
10335 Highway 50 City of Vaughan**

We have reviewed the City's comments set out in rows C82 of the Response Matrix released by the City in June 2021, which comments respond to the concerns regarding the City's proposed CZBL raised in the letter to the Committee of the Whole sent by Weston Consulting on behalf of Danlauton Holdings Ltd. on October 27, 2020 (attached for ease of reference).

While we appreciate the City's intent to have applications that remain before the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal, formerly the Ontario Municipal Board) (the "**Tribunal**") resolved in accordance with the on-going Planning Act process and the CZBL amended at the time of such resolution, the 5 year limit to the City's proposed transition period may not be sufficient to allow such implementation of the Tribunal's decision.

We thus re-iterate the concerns set out in Weston's October 27th letter and request that the final form of CZBL fully implement the permissions approved in principle by the Tribunal in 2009. Alternatively, at a minimum, the transition provisions should be revised to allow planning approvals finalized more than 5 years after the CZBL is passed to be incorporated into the CZBL.

Yours truly,

A handwritten signature in black ink, appearing to read "Annik Forristal". The signature is fluid and cursive, with the first name "Annik" written in a larger, more prominent script than the last name "Forristal".

Annik Forristal

Encl.

cc: Ryan Guetter, Mathew Halo and Sandra Patano, Weston Consulting
Dan Mammone
Mary Flynn-Guglietti



**WESTON
CONSULTING**

planning + urban design

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 4346-1

Attn: City Clerk

**RE: City-Wide Comprehensive Zoning By-law ("CZBL") Review
Committee of the Whole (Public Meeting)
10335 Highway 50, City of Vaughan**

Weston Consulting is the planning consultant for Danlaughton Holdings, the registered owner of the lands at 10335 Highway 50 in the City of Vaughan (herein referred to as the "**subject lands**"). The purpose of this letter is to provide comments on the third draft of the CZBL on behalf of the land owner.

The subject lands are currently zoned "*A – Agricultural Zone*" and "*OS1 – Open Space*" by in-force Vaughan Zoning By-law 1-88. However, the subject lands were the subject of an Ontario Municipal Board ("OMB") decision issued on June 17, 2009 (PL070448) wherein the OMB approved a site-specific Official Plan Amendment and a site-specific Zoning By-law Amendment, in principle. The Zoning By-law Amendment rezones the middle and rear portions of the lands to "*EM2(H) – General Employment Zone*" and "*OS1 – Open Space Conservation Zone*" to allow development of a waste transfer and recycling facility and the ancillary operation of wood grinding. A copy of this decision is attached for ease of reference.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*FD – Future Development Zone*", "*EP – Environmental Protection Zone*" and, "*A – Agricultural Zone*", which are not consistent with the draft Zoning By-law Amendment that has approval in principle by the OMB. We thus request that the draft CZBL be modified to reflect and be consistent with the zoning approved by the OMB for the subject lands.

Although we recognize that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications such as the Owner's current site plan application, these transition provisions are insufficient to properly reflect the existing approvals for the subject lands. Further, we understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL will be repealed five years from the effective date of the CZBL without further amendment to the CZBL. We respectfully submit that the entirety of the zoning permissions approved in the OMB Decision issued on June 17, 2009 for the subject lands be included in the final CZBL to be approved by City Council.

In summary, we recommend that the inclusion of zoning permissions approved in principle by the OMB in 2009 be fully implemented into the final CZBL and any further amendments to such By-law. We reserve the right to provide further comments as part of the ongoing CZBL Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting to be held on October 29, 2020.

We intend to continue to monitor the CZBL Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sandra Patano at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Danlaughton Holdings, Client
Mary Flynn-Guglietti, McMillan LLP
Annik Forristal, McMillan LLP

Encl. Decision

ISSUE DATE:

Jun. 17, 2009



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL070448

Danlauton Holdings Ltd. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to re-designate the tableland portion of the subject lands, located on the east side of Highway No. 50, north of Major Mackenzie Drive, on Part of Lot 23, Concession 10, municipally known as 10335 Highway No. 50, from "Agriculture Area" to "Industrial" to permit an automobile gas bar/service station, an automobile repair shop and an eating establishment with drive-through on the westerly 120 metre portion of the tablelands (2.16 hectares) and to permit a recycling operation, including concrete crushing and wood grinding, and ancillary recycling operation uses on the balance of the tablelands (12.48 hectares).

City of Vaughan File No. OP.99.014

OMB File No. O070075

Danlauton Holdings Ltd. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 1-88, as amended, to rezone the westerly 120 metre tableland portion of the subject lands (2.16 hectares), located on the east side of Highway No. 50, north of Major Mackenzie Drive, on Part of Lot 23, Concession 10, municipally known as 10335 Highway No. 50, from "A" Agricultural Zone" to C6-Highway Commercial Zone" to permit an automobile gas bar/service station, an automobile repair shop and an eating establishment with drive-through and to also rezone the balance of the tablelands (12.48 hectares) from "A" Agricultural Zone" to "EM2-General Employment Area Zone" to permit a recycling operation, including concrete crushing and wood grinding, and ancillary recycling operation uses.

City of Vaughan File No. Z.99.034

OMB File No. Z070050

APPEARANCES:

Parties

City of Vaughan

Major Fifty Investments Inc.

Danlauton Holdings Ltd.

Regional Municipality of Peel
City of Brampton

Toronto Region Conservation Authority

Counsel

Rick Coburn

Patricia Foran
Patrick Harrington

Mary Flynn-Guglietti
Andrew Warman

Stephen Garrod

Jonathan Wigley

DECISION DELIVERED BY J. de P. SEABORN

The matters before the Board are appeals by Danlauton Holdings Ltd. (the Applicant) from a refusal by Council for the City of Vaughan (City) to enact an Official Plan Amendment (OPA) and Zoning By-law Amendment (By-law) to permit a waste transfer and recycling facility on a parcel of land situated on the east side of Highway 50, north of Major Mackenzie Drive in the Regional Municipality of York Region (York Region). A site plan application is also before the Board. However, the Parties requested that if the OPA and By-law are approved, the Board withhold both its decision and order with respect to the settlement of the details of the site plan, including any conditions, to be addressed in a subsequent hearing in the event an agreement is not reached.

The Application and Position of the Parties

The position of the City and the Applicant's neighbour to the north, Major Fifty Investments Inc. (Major Fifty), is that the planning instruments are premature and the appeals should therefore be dismissed. While the City is not opposed to a waste transfer and recycling facility *per se*, approval for any site-specific use should not be given by the Board in advance of comprehensive planning for the entire area. With respect to Major Fifty, it may wish to build offices on its land and is therefore concerned that its plans may be jeopardized if the proposed facility is located next door. Like the City, Major Fifty argued that a site-specific approval is premature in the absence of both secondary and block planning for the area.

At the commencement of the hearing, the Board was advised that the issues raised by the Regional Municipality of Peel (Peel Region), City of Brampton (Brampton) and the Toronto Region Conservation Authority (TRCA) were resolved with the Applicant. Minutes of Settlement were filed in support of agreements reached and accordingly, these three Parties did not participate in the hearing. Mr. Garrod, Mr. Wigley and Ms. Flynn-Guglietti were in agreement that if the appeals were successful, approval of the planning instruments would be subject to the agreements reached between these Parties and the Applicant, as reflected in the Minutes of Settlement.

As a result of the agreement reached with Peel Region, Brampton and the TRCA, the application before the Board was amended and revisions were made to the proposed Official Plan Amendment and Zoning By-law. The site plan was also amended to incorporate certain modifications, some of which were made during the course of the hearing. The scope of the facility proposed by the Applicant includes a waste transfer/recycling building, accessory office building, garage and semi-enclosed area for storing recyclables and wood grinding. The original site plan included a concrete crushing operation as one of the on-site activities, which was withdrawn during the course of the hearing. The east end of the property was originally slated to be paved as an outdoor storage area for vehicles and equipment. Instead it will be dedicated to the TRCA. The main materials handled at the site will be construction materials, including drywall, roofing, wood, cardboard and metal. The site is not intended to handle any household waste or organics, hazardous or contaminated waste, liquids, glass or plastics. The tipping and sorting of waste will occur in the main building, with the recyclables stored in the outside bins, to be trucked off-site. The Applicant will require a Certificate of Approval pursuant to section 27 of the *Environmental Protection Act* (EPA), which will regulate maximum daily volumes at the facility as well as any conditions of approval that the Ministry of Environment may require in connection with the proposed operation. Certificates of Approval under the EPA obviously require an operator to manage the facility in a manner, which does not result in a nuisance or a hazard to health and safety.

Until an internal road network is built, access is proposed from Highway 50 along an existing driveway to the middle of the property where the recycling operation is proposed to be situated. The signals to accommodate access from Highway 50 would likely be removed when the public road network for the entire block is constructed. Similarly, the facility will operate on private services, including a storm water management pond, until municipal services are provided. The Mammone family (who are the principals of the Applicant company) reside in the dwelling at the front of the property, which will be unaffected by the proposal. The original plan called for a gas station and drive-thru restaurant at Highway 50 however the Applicant abandoned that aspect of the proposal. The rear portion of the property (to the east) is traversed by Rainbow Creek and that portion of the property will be conveyed to the TRCA in accordance with the terms of its agreement, if the Applicant is successful.

Despite the settlement with Peel and Brampton in respect of access and with the TRCA with respect to protecting that portion of the site that is environmentally sensitive, the City and Major Fifty remained opposed to the application.

Hearing Process

In support of the appeals the Applicant called several witnesses, including: Alan Young (land use planning); Catherine Dowling (waste management approval process/environmental economics); William Coffey (water resource management); Gordon Wichert (aquatic ecosystem dynamics, assessment, rehabilitation and watershed planning); Dan Cherepacha (transportation planning and parking); John Trought (air quality); and John Emeljanow (noise assessment). In opposition to the approvals sought, Major Fifty called four expert witnesses: Kim Nystrom (transportation); Boris Weisman (air quality); Brian Howe (noise/acoustics); and Murray Evans (land use planning). Witnesses who testified on behalf of the City were: Selma Hubjer (transportation planning and traffic); Tony Iacobelli (terrestrial ecologist/environmental planning); Wayne McEachern (land use planning); and Camela Marrelli (land use planning). In addition John Kersey, the neighbour to the south of the Applicant's property, and Paul Mantella, President of the Nashville Area Ratepayers Association, each gave brief testimony as Participants to the hearing. The Kerses were present throughout the hearing and are opposed to the project, even as amended.

Background

Mr. Young provided background evidence. Briefly, the Applicant's 14.6-hectare property is situated on the east side of Highway 50, north of Major Mackenzie Drive. Highway 50 is a regional road and represents the boundary between Vaughan and Brampton. The Mammone family controls the Applicant, Danlouton Holdings Ltd. The Mammone's operate Mammone Disposal Services Ltd. (Mammone Disposal), which is a waste transfer and recycling facility located at 8940 Jane Street, also in the City of Vaughan. Mammone Disposal was successful in obtaining a zoning amendment in 1997 to permit its operation.

Shortly after Mammone Disposal received its approvals in the late 1990's, Cambridge Mills (also referred to as Vaughan Mills) applied to designate and rezone its lands, which abut Mammone Disposal, for the purpose of commercial uses including an indoor shopping mall, all of which have since been constructed. When Cambridge Mills

made its applications, Mammone Disposal objected on the basis of land use compatibility. A settlement was reached in 1999, which had the effect of giving Mammone Disposal 10 (ten) years to re-locate its waste transfer and recycling facility. Consequently, in May 1999 an application was filed to designate the family property at Highway 50 for employment uses, in order to facilitate a relocation of Mammone Disposal in accordance with the settlement reached. These applications were held in abeyance for several years pending the completion of a policy study for the entire area.

In 2007, the Board conducted a mediation between Mammone Disposal and the City. Minutes of Settlement were executed and the City agreed to: first, support Mammone's request that the Highway 50 property be removed from the Highway 427 Transportation Corridor Study Area; and second, process the Applications without requiring the completion of a Secondary Plan for the area. Mammone Disposal agreed that its operation at Jane Street would cease within one year of receiving approval to operate a waste transfer and recycling facility at Highway 50 or if the applications were not approved, the facility would have to close by July 2012. In short then, under the current agreement with the City, Mammone Disposal must close its operations at the Jane Street site by 2012. The purpose of the application before the Board is to ensure that Mammone Disposal can continue its operations without interruption, by permitting a similar waste transfer and recycling facility at the Highway 50 site.

Issues

The main planning issue before the Board is whether the Applicant's project can proceed in the absence of an approved secondary plan and associated block plan. What flows from this fundamental issue is whether the proposed waste transfer and recycling facility would be compatible with adjacent future development and consistent with the City's policies for employment uses and waste recycling establishments.

The City's planners testified that any approval would be premature and unduly restrict planning options for the area. While the Minutes of Settlement surrounding the Jane Street facility state that the City would "process" the application for a facility at Highway 50 without a secondary plan, the position taken at the hearing was that "process" was never intended to mean that the City would support or approve such an application. Major Fifty argued that the Applicant is essentially seeking a pre-approval, which has the potential to impair and impede the interest of other landowners in the

area. In short, the argument advanced was that any secondary plan and associated block plan prepared for the area would have to account for the Applicant's facility. The existence of the facility would limit future options for adjoining compatible land uses, road networks and environmental protection areas within the block. For these reasons, the City and Major Fifty oppose the approvals sought.

The position of the Applicant was that the approval it seeks would not preclude reasonable options for either the secondary planning area or block plan. The Applicant argued that the level of detail it has provided supports the approvals. The Applicant argued that the conceptual Block Plans it has prepared reinforce that there are limited options for both the future road network and environmental protection areas. Moreover, situating a waste transfer and recycling facility mid-block is consistent with applicable policies for employment lands, the ultimate designation. The Applicant further argued that site-specific exceptions have been made in the past and in light of the level of detail filed to support the Applicant's proposal (expert reports included an ecological review, noise analysis, environmental testing, transportation study, air quality assessment, functional servicing reports and a draft application for a Certificate of Approval under the EPA), this is a case where approval can properly precede the secondary and associated block plan processes.

Necessary Approvals

The Applicant seeks a site-specific Official Plan Amendment (OPA) to the City's OPA 600 because the entire property is designated "Agricultural Area" and "Valley and Stream Corridor". The proposed re-designation (which would apply to the middle portion of the property) is to "General Employment", with a site-specific provision permitting a waste transfer and recycling facility and the ancillary operation of wood grinding. The proposal for a concrete crusher was withdrawn at the hearing. Consistent with the agreement reached with the TRCA, the easterly portion of the property will not be developed and following restoration, that part of the site (described in the Minutes of Settlement, Exhibit 2) will be conveyed to the TRCA. With respect to the westerly portion of the site, which fronts onto Highway 50, it is no longer included in the application for a re-designation. As indicated in the Minutes of Settlement entered into with Peel Region and Brampton (Exhibit 1), plans to establish a gas bar/service station, automobile repair shop and drive-thru restaurant no longer form part of the application before the Board.

With respect to the re-zoning application, the middle and rear portions of the site need to be re-zoned from the agricultural and open space conservation zones. Counsel agreed at the outset that if the Board approved the application, a decision on the Site Plan referral should not be made to allow time for the Parties to attempt to reach an agreement on the details. This approach is also reflected in the Minutes of Settlement between the Applicant, Peel Region, Brampton and the TRCA. In addition and unrelated to the Minutes of Settlement, the Applicant must obtain certificates of approval from the Ministry of Environment (MOE) in order to operate the waste transfer and recycling facility. These applications would however follow land use planning approvals.

Consideration of Policies and Findings

The application before the Board was initially filed in May 1999 and therefore the 1997 Provincial Policy Statement (PPS) is applicable. Mr. Young's opinion was that the project has regard to not only the provisions of the 1997 PPS, but is also consistent with the policies contained in the 2005 PPS. In summary, Mr. Young concluded that the application has regard to matters of Provincial interest, a factor to be weighed by the Board pursuant to section 2 of the *Planning Act*. Waste transfer and recycling facilities are supported by policies contained in the PPS and the Board adopts and relies upon the evidence of Mr. Young in this regard.

All planners agreed that the Region of York Official Plan (ROPA 19) includes the Applicant's property within the Urban Area. When the Region adopted ROPA 19 it re-designated approximately 1700 hectares of land in the area north of Langstaff Road, between Highways 27 and 50, to permit the creation of employment lands. One of the major policy objectives of ROPA 19 was to ensure that lands would be reserved for the extension of Highway 427. As indicated by Mr. Young, when the alternative corridor protection options were made available in June 2007, it became clear that the Applicant's property is not required for the extension. The Ministry of Transportation (MTO) further confirmed this fact in May 2008 with the release of the Technically Preferred Route. On this issue the Board finds that corridor protection for the Highway 427 extension is resolved as it relates to the Applicant's lands. Simply put, the Applicant's lands no longer need to be reserved to accommodate the extension, a fact acknowledged by City witnesses.

The planners testified that the City's Official Plan Amendment No. 600 (OPA 600) implements the policies of ROPA 19 through the Employment Area Designation policies. As set out in Section 3.6 of OPA 600, lands in the Highway 50 corridor (West Vaughan Enterprise Zone) are re-designated Employment Secondary Plan Study Area by OPA 600 in anticipation of their future incorporation within Official Plan Amendment No. 450 (OPA 450). Mr. Evans emphasized that OPA 600 further requires that the area remains subject to rural and agricultural area policies until a Secondary Plan (or Plans) is adopted by the City thereby incorporating the lands into OPA 450, giving them full urban status, and providing appropriate policies including a detailed land use schedule. The planners for the City and Mr. Evans were of the opinion that OPA 600 clearly contemplates the adoption of secondary plans and that the Applicant's lands should remain subject to rural and agricultural use area policies set out in OPA 600, until the applicable secondary plan is approved. Accordingly, the position of Major Fifty and the City was that the lands could not be incorporated into OPA 450 until a secondary plan is approved, and any site-specific approval would be premature.

The planning evidence was clear that the property is currently designated Agricultural Area and Valley and Stream Corridor. Pursuant to OPA 450, the site is within the Employment Secondary Plan Study Area and the clear intention is to re-designate these agricultural lands for employment uses in the future. OPA 450 provides land use direction for the City's employment areas. Mr. Young testified that the Applicant's proposal is entirely consistent with policies of OPA 450 as they relate to an Employment Area designation. Simply put, a waste transfer and recycling facility is permitted within an Employment Area designation and because the Applicant's proposal is consistent with the policies of OPA 450, a secondary plan is not a prerequisite to compliance with the City's Official Plan. Mr. Young described the policies of OPA 450, pointing out that Employment Area General uses are intended to be located in the interior of employment lands, beyond view from Provincial highways and arterial roads. Employment area lands can accommodate a wide range of uses, including outdoor storage, processing, warehousing, and storage operations and transportation and distribution facilities. In fact, because the policies indicate that a waste-recycling establishment can only be permitted in Employment Area General, an interior location such as the Applicant's conforms with these policies.

While the policy framework under consideration contemplates the preparation of a secondary plan prior to development, the issue to be resolved is whether the absence

of a secondary plan automatically precludes development. There are examples within the vicinity of the site where development has been permitted without the requisite secondary plan. In this regard, the Board accepts the evidence of Mr. Young that OPA 600 can be amended in advance of the preparation of a secondary plan. There is precedent for this approach. Mr. Young was correct in his assessment that there have been at least two instances where official plan amendments have been permitted because the new use is not permitted by the agricultural designation under OPA 600 (see *Guscon Transportation Limited* and *Amar Transport Inc.*). Mr. Young was fair in his evidence in agreeing that it is incumbent on the Applicant to demonstrate that the approval of any development proposal cannot unduly prejudice or predetermine the future planning for the area. This in short, is the crux of the difference between the Parties.

To respond to the issue of predetermining development, the Applicant created two conceptual Block Plans, the purpose of which was to demonstrate how the facility would not unduly prejudice or predetermine future planning for the area. Recent planning efforts related to Block 64 (two kilometres to the south) provided a template or guide for Mr. Young's work. Block 64 is similar in size and pursuant to OPA 631, designates the arterial frontage as prestige, designates the interior lands as General Employment Areas, and designates the watercourse corridor as Valley Lands. The Block 64 Block Plan corresponds to a secondary plan, adding additional detail such as secondary road locations. Using Block 64 as a guide, the Applicant's conceptual Block Plans considered land use, environmental protection, transportation improvements, a potential internal road network, location of storm water management ponds, development parcels (which are constrained in any event due to significant natural heritage corridors), and future plans for the site, once full services are introduced. The collective opinion of Mr. Young and the team of experts who assisted him was that any future plan (whether a secondary plan or associated block plan) would necessarily be almost identical to the conceptual Block Plans presented in evidence. It is therefore simply not necessary for the Applicant to have to wait for the formal process in order to proceed with its development. Nothing would be gained by waiting in light of first, the level of detail that accompanies the application; second, the request that the decision on the Site Plan be withheld pending further refinement; and third, the conditions which the Applicant is prepared to accept requiring it to participate in any formal secondary and/or Block Plan planning process.

Major Fifty argued that it was not relying on the requirement for a secondary plan and associated Block Plan to prevent a recycling facility on the Applicant's lands, nor was it seeking process for the sake of process. Mr. Evans testified that landowners are entitled to rely on official plan policies that envision an opportunity for stakeholders to participate in a comprehensive planning process, the purpose of which is to establish goals, objectives, layouts, site designs and land uses for a particular area. Mr. Evan's opinion was that it is important that a "blank slate" be preserved so that an optimal plan is tailored to meet the objectives of all landowners in the area. The Board has carefully considered Mr. Evan's opinion and the opinions of the Municipal planners in this regard. On the facts of this case, the Board is persuaded by both the evidence of Mr. Young, the unique position of the Applicant, as well as the evidence provided by expert witnesses who addressed aspects of the proposal within their respective areas of expertise.

First, as described in the evidence of Mr. Young (and supported by the detailed work undertaken by the individual expert consultants), there are only so many options for the area. There is no question that the property will eventually be part of an employment area and the interior of the site is suited to general employment. Second, the evidence and level of detail provided by the Applicant in the conceptual Block Plans meets the policy requirements of OPA 450. In this regard the Board prefers the evidence of the Applicant's expert team as opposed to that offered by Major Fifty and the City. The Applicant retained experts and provided evidence and reports which undertook, respectively, an environmental analysis, surface water management analysis, transportation analysis and planning analysis. Relying on the approved Block Plan for Block 64 (2 km to the south of Block 66W), Mr. Young developed conceptual Block Plans, which are consistent with the land use-planning framework established in OPA 450. Prestige Areas are laid out on the arterial road frontages. The interior of the Block is designated as General Employment Areas (which permits warehousing, recycling and other such hard uses). In Block 64 the watercourse corridor is protected as Valley Lands, as proposed by the Applicant (and supported by the agreement with the TRCA) for Block 66W. A north/south mid-block collector road and necessary east/west collector roads are identified. Given the location of Rainbow Creek and the topography of the site, there are limited options for the road network and reasonable alternatives have been identified in the conceptual Block Plans. In short, the conceptual Block Plans mirror the Block Plan for Block 64. The conceptual Block Plans were

prepared based on the detailed work of Dr. Wichert, who takes into account the entire TRCA Regulated area, two York Region Greenlands located outside the regulated area, and associated buffers. It is because of the level of detail provided by the experts retained by the Applicant that the Board accepts and relies upon the opinion of Mr. Young that the Applicant's proposal does not unduly prejudice planning for this block. The detailed study and analysis that went into the conceptual Block Plans convinces the Board that reasonable options are not precluded for the area and therefore approval of the planning instruments is not premature in the absence of a secondary plan. In short, nothing would be gained by way of a further planning exercise and nothing would be prejudiced by way of the site-specific Official Plan amendment. Site-specific approvals have been adopted in the past and this application is an appropriate exception to the usual process. The Board also relies on the agreements the Applicant has been able to reach with Peel Region and Brampton in respect of access and the TRCA in respect of protecting the watercourses on site. The Applicant has recommended conditions that require it to first participate in any secondary planning process and second, make the necessary financial contributions. The Board adopts these conditions.

With respect to the use itself, there was no dispute that a waste recycling facility requires the appropriate approvals from the MOE. Clearly the Applicant cannot operate without the necessary certificates of approval issued pursuant to the provisions of the *Environmental Protection Act*. The Board accepts the submissions of Major Fifty that the Certificate of Approval process is not intended to replace the Board's responsibility to consider environmental matters. In this case, the Board is persuaded from a planning perspective that environmental issues have been adequately addressed. The Applicant has considered potential environmental impacts associated with a waste recycling and transfer facility and there is simply no convincing evidence of impact. The fact that the facility cannot operate without the appropriate Certificate(s) of Approval issued by the MOE is further protection for the environment and surrounding landowners. The site plan process is available to ensure that specific impacts, if any, are minimized or eliminated. The Kerseys, who reside to the south, are understandably concerned about site impacts such as noise, odour, and traffic. While the Board appreciates their concerns, the Municipalities have already determined that the area will re-designated for employment purposes, subject to appropriate protection for valley and stream corridors. As indicated previously, all surrounding properties will eventually be re-designated. The decision has already been made that the area will no longer remain

agricultural and a recycling/waste transfer use is permitted in General Employment areas. The evidence in respect of site-specific impacts, given the nature of the operation (non-organic waste) and the proposal for the site configuration (in particular covering outside storage), convinces the Board that there will be little, if any, impact on the abutting neighbours. The amendment of the application to remove the concrete crushing operation will mean that both potential dust and noise impacts are significantly reduced.

Relying on the evidence of Mr. McEachern, Major Fifty and the City argued that a secondary plan could be prepared and in place within the next two years. Accordingly, the position advanced was that there is no prejudice to the Applicant waiting for that process to unfold. While the Board does not doubt Mr. McEachern's opinion on this matter, unforeseen events could clearly delay the entire process. Given the settlement with the City in 1999 which requires the Applicant to move from its Jane Street location and the settlements in these appeals reached with Peel Region, Brampton and the TRCA, the Board is not prepared to delay an approval to await the outcome of the secondary plan process in circumstances where the timing cannot be guaranteed.

Similarly, the City argued that any approval should be for a temporary use until the use is determined through the secondary and block planning process. The Board rejects this proposed condition. For this type of facility, providing a temporary use would not give the Applicant the certainty that it requires to facilitate the move from Jane Street. The Board is persuaded on the evidence that a waste recycling and transfer facility is an appropriate use for an interior site, on employment lands.

Finally, the Board is convinced that the waste recycling and transfer facility can operate in a way that neither results in a nuisance or a hazard. First, improvements, if necessary, can be made to the site plan to ensure there is no impact. The site plan application remains before the Board for settlement at a future hearing. Second, the Applicant simply will not be given its certificate of Approval from MOE unless standards are met. Third, given the type of operation emissions, noise, odour and dust are all potential impacts that are addressed by both separation distance and an appropriate site plan configuration. The waste is non-hazardous and inert and the concrete crushing facility, which posed the greatest potential for impact, has been deleted from the application.

Decision

The appeals in respect of the OPA and By-law Amendment are allowed. The Decision of the Board is to:

1. To re-designate the middle portion of the lands from “Agricultural Area” to “General Employment”, with a site-specific provision permitting only a waste transfer and recycling facility and the ancillary operation of wood grinding, in accordance with the draft OPA described in Exhibit 67.
2. To rezone the middle and rear portions of the site from A Agricultural Zone to EM2 (H) General Employment Area Zone (Holding) and OS1 Open Space Conservation Zone, in accordance with the draft Zoning By-law amendment described in Exhibit 68.
3. The Board will withhold its Order in respect of the OPA and Zoning amendment to permit the Applicant and the City to confer on the precise wording of these amendments.
4. As requested by the Parties, the Board withholds its decision and order with respect to the settlement of the details of the Site Plan, including any conditions. The Applicant has agreed, prior to Site Plan approval, to enter into an agreement with the City whereby the Applicant agrees to:
 - a. Connect the waste transfer and recycling facility to the services for the Block Plan area when available.
 - b. Participate in the Block Plan process, including the cost sharing agreement.
 - c. Dedicate lands for the purpose of establishing a collector road or roads at a location or locations on the subject property to be determined through the secondary plan and block planning process for Block 66W and to the satisfaction of the Commissioner of Engineering and Public Works. These lands shall be conveyed to the City free of charge and at the expense of the owner of the subject lands, and to be accompanied by the filing of a Record of Site Condition at the owner’s expense.

The Parties are to advise when they are ready to proceed before the Board to determine the Site Plan details. In any event, a status update should be provided within three (3) months of the date of this decision. I remain seized of these appeals.

"J. de P. Seaborn"

J. de P. SEABORN
VICE CHAIR

C24
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Jack Wong](#)
To: Clerks@vaughan.ca
Cc: [Joseph Sgro](#); [Sam Speranza](#); gstefani@goldparkgroup.com; [John Alati \(johna@davieshowe.com\)](mailto:John Alati (johna@davieshowe.com)); [Andy Margaritis](#)
Subject: [External] 2732129 Ontario Inc. re: 2938, 2966 and 2986 Highway 7 West
Date: June-07-21 6:52:57 PM
Attachments: [image001.png](#)
[2021_06_07_2732129 Ontario Inc. re City Wide Comprehensive Zoning Bylaw.pdf](#)

Hello,

Please find attached our submission letter regarding Item 6.8 which scheduled to go to Committee of the Whole on June 8th, 2021.

Thank you,

Jack Wong, MCIP, RPP
Associate



140 Renfrew Drive, Suite 201, Markham, ON, L3R 6B3 Canada www.mgp.ca
T: 1.905.513.0170 x113 M: 1.647.889.8016

The information contained in this transmission may be privileged and confidential. It is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication or its attachments is strictly prohibited. If you have received this communication in error, please notify us immediately by return email and delete it.

June 7, 2021

*MGP File: 15-2362 &
15-2365*

The Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

via email: clerks@vaughan.ca

Attention: Mayor Bevilacqua and Members of Council

**RE: Committee of the Whole (2) – June 8th, 2021
City-Wide Comprehensive Zoning Bylaw (Item 6.8)
2938, 2966 and 2986 Highway 7 West
2732129 Ontario Inc.**

Malone Given Parsons is retained by 2732129 Ontario Inc. (“Client”), a joint venture between Midvale Estates Limited and Roybridge Holdings Limited, the owner of 2938, 2966 and 2986 Highway 7 West (“Subject Site”) located at the northeast corner of Jane Street and Highway 7 West in the City of Vaughan.

We would like to thank City staff and the consulting team in preparing the City-Wide Comprehensive Zoning Bylaw. Upon review of the final draft dated June 2021, our client is concerned that our previous submission as it relates to the subject site has not been addressed (a copy of the submission letters are attached hereto in Appendix A).

We would ask that this letter be brought to the immediate attention of the Mayor and all members of Council and we respectfully request Council to defer the approval of the City-Wide Comprehensive Zoning Bylaw and allow additional time for staff to consult with our client. In addition, we request notice of any future correspondence pertaining to this matter. Thank you for your time and consideration.

Yours truly,

MALONE GIVEN PARSONS LTD.



Jack Wong, MCIP, RPP
Associate

Copy: Clients
Mr. John Alati, Davies Howe
Mr. Andy Margaritis, Davies Howe

February 19, 2020

By E-Mail Only to *brandon.correia@vaughan.ca*

Brandon Correia
City of Vaughan
2141 Major Mackenzie Dr.,
Office of the Deputy City Manager, Planning and Growth Management Portfolio
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review
2938 Highway 7, City of Vaughan (the "Subject Lands")
Midvale Estates Limited**

We are counsel to Midvale Estates Limited (the "Owner"), the Owner of the Subject Lands located near the northeast corner of Jane Street and Highway 7.

Background

On December 23, 2010 the Owner submitted applications to amend the City of Vaughan (the "City") Official Plan and Zoning By-law 1-88 (the "ZBL") to permit the development of a residential tower with a podium oriented towards Highway 7 and which podium is proposed to contain commercial/retail uses at grade (the "Applications"). The City deeming the Applications complete pursuant to the *Planning Act*.

Over the course of the review of the Applications, the Applications were amended to reflect a mixed-use building which included both underground, above grade and podium parking, which podium and below grade components would connect to the proposed 2117969 Ontario Inc. ("Zzen") residential tower development site next door (the "Proposal").

Following the submission of the Applications, the Owner appealed the proposed City Official Plan, 2010 (the "VOP") in its entirety including the Vaughan Metropolitan Centre Secondary Plan (the "VMCSP"), due to concerns the VOP and VMCSP would negatively impact the Proposal, and specifically due to the Region of York's failure to make a decision on the VOP within the prescribed time set out in the *Planning Act*. As a result, the City's review of the Proposal was held in abeyance until such time as our client's

appeal of the VOP was addressed. We are pleased to advise that our client's appeal of the VOP has since been resolved.

Existing Tribunal Appeals

However, following the resolution of the VOP appeal the City did not make a decision in respect of the Applications. As a result, the Owner appealed the Applications (the "Appeals") to the Ontario Municipal Board, now continued as the Local Planning Appeal Tribunal (the "Tribunal").

The Tribunal has assigned the following Case/File No. to the Appeals PL180341 and PL180342, which have been administratively consolidated. The associated Zzen applications were likewise appealed to the Tribunal.

It remains the Owner and Zzen's shared intention to continue to work with the City on narrowing any issues and potentially resolving the outstanding private development applications.

City-Wide Comprehensive Zoning By-law Review

We are now in receipt of the Second Draft of the City's Comprehensive Zoning By-law (the "Draft ZBL") and are writing to share our concerns with same.

Currently, the ZBL zones the Subject Lands as "Agricultural". While it is difficult to decipher, Map 52 within Schedule A of the Draft ZBL appears to now seek to re-zone the Subject Lands or portions of the Subject Lands as "Open Space (OS)" – in our view, this is inappropriate.

The City's commentary as gleaned from its website dedicated to the Draft ZBL indicates that the City seeks to create a "progressive By-law with updated, contemporary uses and standards". The "Open Space" zoning that is proposed to be applied to the Subject Lands, or portions of it, is not indicative of the updated use proposed to be made on the Subject Lands, which the City has been aware since at least 2010.

Given that the Subject Lands are proposed to be used for a residential tower site, has had Applications filed for nearly a decade and is the subject of ongoing Appeals at the Tribunal, it would be more appropriate and logical to zone the Subject Lands as a "Future Development Zone" or a "V1 (Station Precinct Zone)" – which would in fact be representative of the updated use to be made of it.

Conclusion

As a result of all of the foregoing, we respectfully request that the City update the proposed zoning of the Subject Lands contained in the Draft ZBL to be either a "Future Development Zone" or a "V1 (Station Precinct Zone)" in its entirety.

Please ensure that we are notified of any future Open Houses, Public Meetings, City staff and recommendation reports and any decisions respecting this matter.

Thank you for the opportunity to make submissions on this matter on behalf of the Owner. Should you have any questions or if you require any additional information, please do not hesitate to contact me, or my associate Andy Margaritis, directly.

Sincerely,
DAVIES HOWE LLP



FOR: John M. Alati

JMA:am

copy: Mr. Jack Wong, Malone Givens Parsons
Mr. Sam Speranze, Zzen
Mr. Joseph Sgro, Zzen
Client

February 19, 2020

By E-Mail Only to brandon.correia@vaughan.ca

Brandon Correia
City of Vaughan
2141 Major Mackenzie Dr.,
Office of the Deputy City Manager, Planning and Growth Management Portfolio
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review
2986 & 2966 Highway 7, City of Vaughan (the "Subject Lands")
2117969 Ontario Inc.**

We are counsel to 2117969 Ontario Inc. (the "Owner"), the Owner of the Subject Lands located at the northeast corner of Jane Street and Highway 7.

Background

On December 23, 2010 the Owner submitted applications to amend the City of Vaughan (the "City") Official Plan and Zoning By-law 1-88 (the "ZBL") to permit the development of a residential tower with a podium oriented towards Highway 7 and which podium is proposed to contain commercial/retail uses at grade (the "Applications"). The City deemed the Applications complete pursuant to the *Planning Act*.

Over the course of the review of the Applications, the Applications were amended to reflect a mixed-use building which included both underground, above grade and podium parking, which podium and below grade components would connect to the proposed Midvale Estates Limited ("Midvale") residential tower development site next door (the "Proposal").

Following the submission of the Applications, the Owner appealed the proposed City Official Plan, 2010 (the "VOP") in its entirety including the Vaughan Metropolitan Centre Secondary Plan (the "VMCSP"), due to concerns the VOP and VMCSP would negatively impact the Proposal, and specifically due to the Region of York's failure to make a decision within the prescribed time set out in the *Planning Act*. As a result, the City's review of the Proposal was held in abeyance until such time as our client's appeal of the

VOP was addressed. We are pleased to advise that our client's appeal of the VOP has since been resolved.

Existing Tribunal Appeals

However, following the resolution of the VOP appeal the City did not make a decision in respect of the Applications. As a result, the Owner appealed the Applications (the "Appeals") to the Ontario Municipal Board, now continued as the Local Planning Appeal Tribunal (the "Tribunal").

The Tribunal has assigned the following Case/File No. to the Appeals PL180343 and PL180344, which have been administratively consolidated. The associated Midvale applications were likewise appealed to the Tribunal.

It remains the Owner and Midvale's shared intention to continue to work with the City on narrowing any issues and potentially resolving the outstanding private development applications.

City-Wide Comprehensive Zoning By-law Review

We are now in receipt of the Second Draft of the City's Comprehensive Zoning By-law (the "Draft ZBL") and are writing to share our concerns with same.

Currently, the ZBL zones the Subject Lands as "Agricultural". However, Maps 51 and 52 within Schedule A of the Draft ZBL now seek to re-zone the Subject Lands as "Open Space (OS)" – in our view, this is inappropriate.

The City's commentary as gleaned from its website dedicated to the Draft ZBL indicates that the City seeks to create a "progressive By-law with updated, contemporary uses and standards". The "Open Space" zoning that is proposed to be applied to the Subject lands is not indicative of the updated use proposed to be made on the Subject Lands, which the City has been aware of since at least 2010.

Given that the Subject Lands are proposed to be used for a residential tower site, has had Applications filed for nearly a decade and is the subject of ongoing Appeals at the Tribunal, it would be more appropriate and logical to zone the Subject Lands as a "Future Development Zone" or a "V1 (Station Precinct Zone)" – which would in fact be representative of the updated use to be made of it.

Conclusion

As a result of all of the foregoing, we respectfully request that the City update the proposed zoning of the Subject Lands contained in the Draft ZBL to either a "Future Development Zone" or a "V1 (Station Precinct Zone)".

Please ensure that we are notified of any future Open Houses, Public Meetings, City staff and recommendation reports and any decisions respecting this matter.

Thank you for the opportunity to make submissions on this matter on behalf of the Owner. Should you have any questions or if you require any additional information, please do not hesitate to contact me, or my associate Andy Margaritis, directly.

Sincerely,
DAVIES HOWE LLP


for John M. Alati

JMA:am

copy: Mr. Jack Wong, Malone Givens Parsons
Mr. Graziano Stefani, Goldpark Group
Client

C25
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 16

From: [Libby Aquino](#)
To: Clerks@vaughan.ca
Subject: [External] FwNapier road closure status update
Date: June-07-21 7:28:14 PM
Attachments: [image.png](#)

This is to advise that I'm for the closure of Napier St. I do not appreciate people taking short cuts thru this street and while doing so speeding way beyond the limit.

■ Napier St.

Subject: Napier road closure status update

Good afternoon,

The committee of the whole is having a virtual meeting tomorrow at 1:00 regarding a status update on the Napier road closure.

I have included what was sent to me.

Any comments can be emailed to the address they provided below.

If anyone wishes to speak they must advise the City by noon tomorrow.

Just a few short weeks ago there was a horrible and tragic incident involving a young driver speeding through a residential street in Vaughan on a Sunday afternoon.

Two children were killed that Sunday.

Let's prevent this from happening on our own street. We all see how fast cars are going here. Let's be proactive.

Now is the time for your voices to be heard .

Committee of the Whole (2)
Tuesday, June 8, 2021
1:00 p.m.

This is an Electronic Meeting
Public comments can be submitted by email to
clerks@vaughan.ca.

If you wish to speak to an item listed on the
Agenda, please pre-register by contacting
Access Vaughan at [905-832-2281](tel:905-832-2281) or
clerks@vaughan.ca by noon
on the last business day before the meeting.

Electronic meetings can be watched live at
vaughan.ca/LiveCouncil.

Item 6-16

[NAPIER STREET ROAD CLOSURE STATUS
UPDATE](#)

Purpose: To provide an update on the work
progress related to the feasibility of closing part or all
of Napier Street at Stegman's Mill Road.

Click [here](#) for further information and to view
documents.

Item 6-21

[2020 WARD BOUNDARY REVIEW FINAL
REPORT](#)



Sent from my iPhone

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](mailto:Brandon.Correia); "[Armando Lopes](mailto:Armando.Lopes)"; [Christopher Tanzola](mailto: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

Natalie Ast
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Tel 416-730-0337
overlandllp.ca



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

T: 905 793 0093 x 235 | C: 416 953 7231 | F: 905 793 1611 | E: armando@dpml.ca | 175 Sun Pac Boulevard,
Unit 1A | Brampton | ON | L6S 5Z6

C27
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 13

From: [Lucia & Mark Pulciani](#)
To: [Clerks@vaughan.ca](#); [Clement Messere](#); [Maurizio Bevilacqua](#); [Gino Rosati](#); [Marilyn Iafrate](#); [Mario Ferri](#); [Tony Carella](#); [Linda Jackson](#); [Rosanna DeFrancesca](#); [Sandra Yeung Racco](#); [Alan Shefman](#); [Council@vaughan.ca](#)
Subject: [External] Re: CLUBHOUSE DEVELOPMENTS INC.: OFFICIAL PLAN AMENDMENT FILE OP.19.014 - ZONING BY-LAW AMENDMENT FILE Z.19.038 - DRAFT PLAN OF SUBDIVISION FILE 19T-19V007 - VICINITY OF CLARENCE STREET & WOODBRIDGE AVENUE
Date: June-07-21 10:19:26 PM
Attachments: [Board of Trade Development June 7, 2021.pdf](#)

Please find attached our response to the agenda item for the Committee of the Whole meeting for June 8, 2021.

Thank you,

Mark and Lucia Pulciani

Mr. and Mrs. M. Pulciani
[REDACTED] Kilmuir Gate
Woodbridge, ON [REDACTED]

June 7, 2021

Re: CLUBHOUSE DEVELOPMENTS INC.: OFFICIAL PLAN AMENDMENT FILE OP.19.014 - ZONING BY-LAW AMENDMENT FILE Z.19.038 - DRAFT PLAN OF SUBDIVISION FILE 19T-19V007 - VICINITY OF CLARENCE STREET & WOODBRIDGE AVENUE

To Whom It May Concern:

By this letter, we are formally submitting our objection to the above highlighted complete application and request that you provide a copy of this letter to the Mayor and all Vaughan Councillors as well as to the city planners.

We have lived in Woodbridge since 1984 and are now raising our children here. We have always loved our community and the peace and safety it provides for us and our family. News about this proposed development has devastated us as it threatens the tranquility and safety that we enjoy in our community. We are very concerned about the traffic that will be funneled into the Woodbridge Avenue area that is already congested! We are also concerned about the destruction of the beautiful green space that is home to many species of plants and animals, including the aquatic life in the Humber River.

We are in support of the peer review for all of the studies and reports submitted by the applicant for this development. This is a huge development on a very precious parcel of land. It is worth all the expenses to ensure that we get this right. We will not be able to change things once it is done. We owe it to ourselves and future generations to make sure that we do everything possible to study the area with **fulsome, unbiased reviews**. It is our responsibility to do the right thing now!

As citizens of Vaughan, it is we, the citizens, that should have a say in how OUR tax dollars are spent. We are hoping that Council will listen to the voices of its residents, and do the right thing.

Thank you for your attention to this matter.

Sincerely,

Marco and Lucia Pulciani and Family

C28
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 13

From: [JOE CIARAVELLA](#)
To: Clerks@vaughan.ca; [Marilyn Iafrate](#); [Mario Ferri](#); [Tony Carella](#); [Linda Jackson](#); [Rosanna DeFrancesca](#); Council@vaughan.ca; [Maurizio Bevilacqua](#); [Gino Rosati](#); [Sandra Yeung Racco](#); [Alan Shefman](#)
Subject: [External] RE: Clubhouse Development Application
Date: June-07-21 10:48:44 PM
Attachments: [Board of Trade Development June 7, 2021 Ciaravella.pdf](#)

Please find attached our response for the Clubhouse Development application agenda item for the Committee of the Whole Meeting for June 8, 2021.

Thank you,

Giuseppe and Josie Ciaravella

Mr. and Mrs. G. Ciaravella
[REDACTED] Woodbridge Avenue
Woodbridge, ON [REDACTED]

June 7, 2021

Re: CLUBHOUSE DEVELOPMENTS INC.: OFFICIAL PLAN AMENDMENT FILE OP.19.014 - ZONING BY-LAW AMENDMENT FILE Z.19.038 - DRAFT PLAN OF SUBDIVISION FILE 19T-19V007 - VICINITY OF CLARENCE STREET & WOODBRIDGE AVENUE

To Whom It May Concern:

By this letter, we are formally submitting our objection to the above highlighted complete application and request that you provide a copy of this letter to the Mayor and all Vaughan Councillors as well as to the city planners.

We have lived in Woodbridge since 1984 and have raised our children here. We are now enjoying watching our grandchildren grow up in Woodbridge as well. We have always loved our community and the peace and safety it provides for us and our family. The proposed development has devastated us as it threatens the tranquility and safety that we enjoy in our community. We are very concerned about the traffic that will be funneled into the Woodbridge Avenue area that is already congested! We are also concerned about the destruction of the beautiful green space that is home to many species of plants and animals, including the aquatic life in the Humber River.

We are in support of the peer review for all of the studies and reports submitted by the applicant for this development. INDEPENDENT, UNBIASED reviews of the current studies completed by the applicant and other necessary studies are required to provide a second opinion for the development of this green space. We only get one chance to make this right and once a decision is made, we cannot go back! The expense for these reviews is well-worth it as it is an investment for the future! Let's make the responsible choice to ensure the beauty of our community and protect the green spaces for future generations – for our grandchildren and their children!

As citizens of Vaughan, we are hoping the Mayor and Councillors, who were elected to represent their citizens, will listen to our voices. Thank you for your attention to this matter.

Sincerely,

Giuseppe and Josie Ciaravella

C29
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Andrew Palumbo](#)
To: Clerks@vaughan.ca
Cc: [Brandon Correia](#); [David McKay](#); [Koenig, Kimberly C](#)
Subject: [External] Final Draft Vaughan Comprehensive ZBL - Home Depot Comment Letters (55 Cityview Blvd & 140 Northview Blvd)
Date: June-08-21 9:51:26 AM
Attachments: [9316HA-11 \(55 Cityview Blvd\) Final Draft ZBL Comment Letter June 7, 2021.pdf](#)
[9316HA-11 \(140 Northview Blvd\) Final Draft ZBL Comment Letter June 7, 2021.pdf](#)

Good morning,

In advance of today's Council meeting on the Final Draft Vaughan Comprehensive ZBL – attached for review and consideration please find two (2) comment letters prepared on behalf of Home Depot of Canada Inc. with respect to their 55 Cityview Boulevard and 140 Northview Boulevard store locations respectively.

Thank you for your consideration of these comments and have a good day,

Andrew

I am currently working remotely - it is best to reach me at apalumbo@mhbcplan.com or (416) 873-1544.

ANDREW PALUMBO, HBA, MCIP, RPP | Associate

MHBC Planning, Urban Design & Landscape Architecture

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June 7, 2021

Brandon Correia
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

**RE: CITY OF VAUGHAN ZONING BY-LAW REVIEW – FINAL DRAFT
FINAL COMMENT LETTER – HOME DEPOT OF CANADA INC.
55 CITYVIEW BOULEVARD, VAUGHAN
OUR FILE: 9316HA-11**

On behalf of our client, Home Depot of Canada Inc. (hereinafter “Home Depot”), we have reviewed the most recent City of Vaughan proposed Final Draft of the Comprehensive Zoning By-law in the context of our client’s lands located at 55 Cityview Boulevard (“the subject lands”).

On August 14, 2019, February 19, 2020 and October 26, 2020, we submitted comments in relation to the subject lands proposed first, second and third draft Zoning By-laws respectively. Based on our review of the current Final Draft Zoning By-law, we understand that the subject lands are proposed to be rezoned to “Employment Commercial Mixed Use (EMU)”, and subject to “Site-Specific Exception Number 865”, similar to the previous (third) Draft Zoning By-law released for public review.

On this basis, and while we appreciate the City’s efforts to recognize our client’s lands through the noted site-specific exception, we continue have the following comments for the City’s consideration and clarification in this respect (which remain the same as per our previous (third) comment letter submission on October 26, 2020):

1. Firstly – one erroneous reference with respect to [Figure E-1347](#) (which is the correct schedule that has been included with this site-specific exception), remains as follows:
 - Section 14.865.1.3 (i.e. accessory uses) of the site-specific exception still makes reference to “Figure E-1346”;This erroneous reference should be corrected to accurately reference [“Figure E-1347”](#) accordingly.
2. Throughout Site-Specific Exception Number 865, there are still several references to “Street A”, which actually applies to “Cityview Boulevard”. As such, all references to Street A should be replaced with Cityview Boulevard accordingly, which is also consistent with the streets and

road labeled on Figure E-1347 of the site-specific exception.

3. We continue to request that the following language in **bold** be added to Section 14.865.2.1 (i.e. lot and building requirements) of Site-Specific Exception Number 865:

“Notwithstanding the provisions of Sections 4.24.2 and 8.2.2 of this By-law, the following provisions shall apply to the lands labelled “C2” on Figure E-1346:”

Inclusion of this “notwithstanding” language serves to prevent the existing Home Depot store from being subject to other restrictive provisions of Final Draft Zoning By-law, which would potentially cause Home Depot to become a legal non-conforming use, and these include (but are not limited to) the following zoning provisions:

- Required 45 degree angular plane in Section 8.2.2
- New minimum landscape open space of 10% in Section 8.2.2
- New required build-to-zone of 5-10m in Section 8.2.2
- New minimum required build-to-line for corner lots of 55% in Section 8.2.2
- Surface parking prohibition in all yards in Section 8.2.2
- Enclosed Waste Storage in Section 4.24.2

4. We continue to request that Section 14.865.2.1.f.i ((i.e. lot and building requirements) be revised to read as follows with respect to the permitted maximum building height (proposed revision is shown in **bold** below):

f. The maximum building height shall be:

*i. **11.3 m** for a commercial or retail use.*

This requested revision is based on the April 10, 2014 Minor Variance Decision for the subject lands previously provided to City staff in our third comment letter submission dated October 26, 2020, which permits a maximum building height of 11.3 metres, not 11 metres as per the current wording in Site-Specific Exception Number 865. As such, this revision would implement the existing minor variance approval in place for the subject lands with respect to maximum building height.

5. Sections 14.865.3.2 and newly added 14.865.3.5 (i.e. parking/loading) of Site-Specific Exception Number 865 now appear to contradict one another, because each noted provision reads as follows:

Section 14.865.3.2 states: **“Loading and unloading shall take place anywhere on the lot except between a building and abutting Highway 400 a building and abutting Street “A” or a building and abutting Major Mackenzie Drive.”**

It should be noted that this provision would result in a legal non-conforming situation for the subject lands, but as noted above, Section 14.865.3.5 reads as follows: **The loading provisions of this by-law shall not apply.**

On this basis, it is uncertain as to which loading provision applies to the lands subject to Site Specific Exception Number 865. As a result, we continue to recommend that the following

“notwithstanding” provision be included in this Section of Site-Specific Exception Number 865, in order to ensure that there are no restrictive loading provisions in effect for the subject lands moving forward.

“Notwithstanding the provisions of this Zoning By-law, loading and unloading shall be permitted to take place between a building and Highway 400 for the lands municipally addressed as 55 Cityview Boulevard.”

In addition, and as per our previous comment letter submission on October 26, 2020, implementing this revision would reflect the April 10, 2014 Minor Variance Decision previously issued for the subject lands, which granted approval to permit loading and unloading as described above. As such, inclusion of this language (or similar) would recognize and implement the existing loading/unloading permissions already in place for the subject lands.

6. We continue to request that Section 14.865.3 (i.e. parking) of Site-Specific Exception Number 865 be revised to add the following two (2) provisions and exceptions (or similar) with respect to vehicular and bicycle parking in association with the subject lands:

- ***“Notwithstanding the provisions of this Zoning By-law, the minimum number of parking spaces required for the lands municipally addressed as 55 Cityview Boulevard shall be provided at a rate of 3.5 parking spaces/100m² of gross floor area.”***

Please be advised that this requested revision reflects the approved minimum parking rate for this site (i.e. 3.5 spaces/100 m²) as granted by the April 10, 2014 Minor Variance Decision for the subject lands.

- ***“Notwithstanding Section 6.5 of this Zoning By-law, no bicycle parking spaces shall be required for the lands municipally addressed as 55 Cityview Boulevard”.***

Provision of these two (2) additional provisions to Site-Specific Exception Number 865 (or similar) avoids the current Home Depot site from becoming a legal non-conforming use relative to the vehicular and bicycle parking requirements of the proposed Final Draft Zoning By-law.

In addition, bicycle parking is not typically associated with a use such as Home Depot whereby bulky and heavy goods are common (and not feasible to transport via bicycle), and thus the request to be exempt from these rates altogether remains in this submission.

As per our previous three comment submission letters and as described above, we wish to reiterate the fact that the subject lands have existing permissions which should be contained within the new Zoning By-law in their entirety. There should be no removal of these permissions, nor should there be any additional restrictions placed on the subject lands which would unduly and unnecessarily impact or impede Home Depot’s operations (which could potentially cause Home Depot to become a legal non-conforming use).

Based on the above, we would appreciate that the City addresses these comments prior to formal adoption of the proposed Final Draft Zoning By-law at City Council.

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

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'David McKay', written over a circular stamp or seal.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner

A handwritten signature in black ink that reads 'Andrew Palumbo'.

Andrew Palumbo, HBA, MCIP, RPP
Associate

cc.: *Kimberly Koenig, Home Depot of Canada Inc.*

June 7, 2021

Brandon Correia
BES PMP Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

**RE: CITY OF VAUGHAN ZONING BY-LAW REVIEW – FINAL DRAFT
FINAL COMMENT LETTER – HOME DEPOT OF CANADA INC.
140 NORTHVIEW BOULEVARD, VAUGHAN
FILE: 9316HA-11**

On behalf of our client, Home Depot of Canada Inc. (hereinafter “Home Depot”), we have reviewed the most recent City of Vaughan proposed Final Draft of the Comprehensive Zoning By-law in the context of our client’s lands located at 140 Northview Boulevard (“the subject lands”).

On August 14, 2019, February 19, 2020 and October 26, 2020, we submitted comments in relation to the subject lands proposed first, second and third draft Zoning By-laws respectively. Based on our review of the current Final Draft Zoning By-law, we understand that the subject lands are still proposed to be rezoned to “Prestige Employment (EM1)”, and subject to “Site-Specific Exception Number 674”, as per the previous third draft Zoning By-law.

Based on our review of the updated the Site-Specific Exception Number 674, we appreciate the City’s efforts to recognize our client’s lands and the existing permissions that apply to the existing Home Depot store at this site, which avoids a legal non-conforming situation for the subject lands.

However, and per our previous three comment letter submissions, it has always been our understanding that the intent of the Draft Zoning By-law is to implement the City of Vaughan Official Plan, 2010 (i.e. VOP 2010). On this basis, the VOP 2010 designates the subject lands “**Mid-Rise Mixed Use**”, and as such we continue request that the new Zoning By-law reflect and implement the zoning for the subject lands accordingly and consistently with VOP 2010. In addition, site specific policies for the subject lands were approved via an OMB Decision issued on July 31, 2015 (OMB Case No. PL111184), as part of the settlement on VOP2010.

On this basis, it remains our opinion that the subject lands should be zoned in accordance with the approved OMB Decision for the subject lands, whereby the City should also consider placing a holding (H) provision on the subject lands that will allow the existing permissions to stay in place until such time that the subject lands are planned for redevelopment as envisioned through VOP2010.

Based on the above, we would appreciate that the City addresses these comments prior to formal adoption of the proposed Final Draft Zoning By-law at City Council.

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

Thank you.

Yours truly,

MHBC



David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner



Andrew Palumbo, HBA, MCIP, RPP
Associate

cc.: *Kimberly Koenig, Home Depot of Canada Inc.*

C30
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Monica Khemraj](#)
To: Clerks@vaughan.ca
Cc: [Andy Margaritis](#); [John Alati](#)
Subject: [External] Committee of the Whole – June 8, 2021 – Item 6.8 - Letter to Mayor and Council re Final Draft ZBL (7725 Jane Street - 702614-2)
Date: June-08-21 9:04:38 AM
Attachments: [image127979.png](#)
[Letter to Mayor and Council re Final Draft ZBL - 8June21 \(01746139xCDE1C\).pdf](#)
Importance: High

ATTENTION: Honorable Mayor Bevilacqua and Members of Council

Good Morning –

Please see attached correspondence on behalf of Mr. John Alati.

We would appreciate if you could confirm receipt of this email.

Kind regards,
Monica

Monica Khemraj

Legal Assistant
416.977.7088



Davies Howe LLP
The Tenth Floor, 425 Adelaide Street West
Toronto, Ontario M5V 3C1
416.977.7088

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June 8, 2021

By E-Mail Only to *clerks@vaughan.ca*

The Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, Ontario
L6A 1T1

ATTENTION: Honorable Mayor Bevilacqua and Members of Council

**Re: Committee of the Whole – June 8, 2021 – Item 6.8
Final Draft of the City-Wide Comprehensive Zoning By-law Review
7725 Jane Street, City of Vaughan (the “Subject Lands”)
2431247 Ontario Limited**

As you are aware, we are counsel to 243127 Ontario Limited (the “**Owner**”), the Owner of the Subject Lands located at the southeast corner of Jane Street and Highway 7 in the City of Vaughan (the “**City**”). There is a two-storey commercial office building with below grade parking as well as surface parking to the west, north and south of the building. The Subject Lands are accessed off of Jane Street towards the southern edge of the property.

City-Wide Comprehensive Zoning By-law Review

On February 19 and October 27, 2020 this office wrote to the City identifying our concerns with respect to the second and third drafts of the City’s Comprehensive Zoning By-law (the “**ZBL**”) in respect of the Subject Lands (the “**Letters**”). It was our hope that these concerns would have been resolved and reflected in the final iteration of the draft ZBL.

We are now in receipt of the final draft ZBL and unfortunately the concerns raised in our Letters have not been addressed. For ease of reference the Letters are enclosed with this submission and our client’s concerns remain valid and are clearly set out in the Letters and this letter serves to reiterate those attached comments.

Conclusion

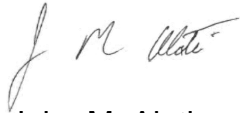
As a result, we request that the this letter and its enclosures (the Letters) be brought to the immediate attention of the Mayor and all members of Council and we respectfully request that Council defer the approval of the final draft ZBL in order to allow staff additional time to consult with the Owner of the Subject Lands with an eye to updating the

final draft ZBL to zone the Subject Lands to either an appropriate form of Commercial Zone or a "V1 (Station Precinct Zone)".

Please ensure that we continue to be notified of any future Open Houses, Public Meetings, City staff and recommendations reports and any decisions respecting this matter.

Should you have any questions or if you require any additional information, please do not hesitate to contact me, or my associate Andy Margaritis, directly.

Sincerely,
DAVIES HOWE LLP



John M. Alati

JMA:am

copy: Client

February 19, 2020

By E-Mail Only to *brandon.correia@vaughan.ca*

Brandon Correia
City of Vaughan
2141 Major Mackenzie Dr.,
Office of the Deputy City Manager, Planning and Growth Management Portfolio
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

**Re: City-Wide Comprehensive Zoning By-law Review
7725 Jane Street, City of Vaughan (the "Subject Lands")
2431247 Ontario Limited**

As you may be aware, we are counsel to 243127 Ontario Limited (the "Owner"), the Owner of the Subject Lands located at the southeast corner of Jane Street and Highway 7 which. The Subject Lands are improved with a two-storey commercial facility that contains below grade parking as well as surface parking to the west, north and south of the facility. The Subject Lands are accessed off of Jane Street towards the southern edge of same.

Existing Tribunal Appeal

The predecessor owner of the Subject Lands filed an appeal of the City's Vaughan Metropolitan Centre Secondary Plan (the "VMC Secondary Plan"). The current Owner assumed the appeal of the VMC Secondary Plan upon its acquisition of the Subject Lands.

The Owner's appeal of the VMC Secondary Plan remains ongoing at the Local Planning Appeal Tribunal.

City-Wide Comprehensive Zoning By-law Review

We are now in receipt of the Second Draft of the City's Comprehensive Zoning By-law (the "Draft ZBL") and are writing to share our concerns with same in respect of the Subject Lands.

Currently, City Zoning By-law 1-88 (the "ZBL") zones the Subject Lands as "C8 Commercial". However, Maps 51 and 52 within Schedule A of the Draft ZBL now seek to re-zone the western portion of the Subject Lands "Open Space (OS)" and its eastern portion as "V1 Station Precinct Zone", the former, in our view is inappropriate.

The City's commentary as gleaned from its website dedicated to the Draft ZBL indicates that the City seeks to create a "progressive By-law with updated, contemporary uses and standards". The "Open Space" zoning that is proposed to be applied to the western portion of the Subject lands is not reflective of the current use of the property as a commercial facility and would, if the Draft ZBL was passed as currently drafted, would result in the Subject Lands being in a state of legal non-compliance.

Given that the building on the Subject Lands is already being used as a commercial facility, which is compliant with the ZBL, it would be more appropriate and logical to zone the western portion of the Subject Lands an acceptable form of Commercial Zone, or even more appropriately, it should be zoned "V1 (Station Precinct Zone)" which would then match the proposed zoning proposed in the Draft ZBL for the easterly portion of the Subject Lands - this would be more indicative of an acceptable future use that could be made on the Subject Lands given that it is located at a key intersection within the City.

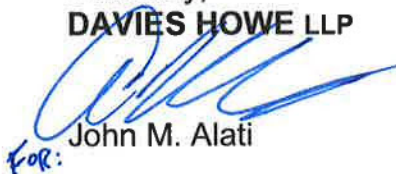
Conclusion

As a result of all of the foregoing, we respectfully request that the City update the proposed zoning of the Subject lands contained in the Draft ZBL to either an appropriate form of Commercial Zone or a "V1 (Station Precinct Zone)".

Please ensure that we are notified of any future Open Houses, Public Meetings, City staff and recommendations reports and any decisions respecting this matter.

Thank you for the opportunity to make submissions on this matter on behalf of the Owner. Should you have any questions or if you require any additional information, please do not hesitate to contact me, or my associate Andy Margaritis, directly.

Sincerely,
DAVIES HOWE LLP


John M. Alati

JMA:am

copy: Mr. Jack Wong, Malone Givens Parsons
Client

October 27, 2020

By E-Mail Only to *brandon.correia@vaughan.ca*

Brandon Correia
City of Vaughan
2141 Major Mackenzie Dr.,
Office of the Deputy City Manager, Planning and Growth Management Portfolio
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

**Re: Third Draft of the City-Wide Comprehensive Zoning By-law Review
7725 Jane Street, City of Vaughan (the “Subject Lands”)
2431247 Ontario Limited**

As you aware, we are counsel to 243127 Ontario Limited (the “**Owner**”), the Owner of the Subject Lands located at the southeast corner of Jane Street and Highway 7. There is a two-storey commercial office building with below grade parking as well as surface parking to the west, north and south of the building. The Subject Lands are accessed off of Jane Street towards the southern edge of the Property.

Existing Tribunal Appeal

The predecessor owner of the Subject Lands filed an appeal of the City’s Vaughan Metropolitan Centre Secondary Plan (the “**VMC Secondary Plan**”). The current Owner assumed the appeal of the VMC Secondary Plan upon its acquisition of the Subject Lands.

The Owner’s appeal of the VMC Secondary Plan remains ongoing at the Local Planning Appeal Tribunal.

City-Wide Comprehensive Zoning By-law Review

On February 19, 2020 this office wrote to you identifying our concerns with respect to the Second Draft of the City’s Comprehensive Zoning By-law (the “**Draft ZBL**”) in respect of the Subject Lands. It was our hope that these concerns would have been resolved and reflected in the next iteration of the Draft ZBL.

We are now in receipt of the third draft of the Draft ZBL and unfortunately the concerns first raised in our February 19, 2020 letter have not been addressed. As a result, we are

writing to reiterate our concerns in advance of the Public Hearing scheduled to be held on October 29, 2020.

Currently, City Zoning By-law 1-88 (the “**ZBL**”) zones the Subject Lands as “C8 Commercial”. However, Maps 51 and 52 within Schedule A of the third Draft ZBL still seek to re-zone the western portion of the Subject Lands “Open Space (OS)” and its eastern portion as “V1 Station Precinct Zone”, the former zoning, in our view remains inappropriate.

The “Open Space” zoning that is proposed to be applied to the western portion of the Subject Lands is not reflective of the current use of the property as a commercial office building and would, if the third Draft ZBL was passed as currently drafted, result in the Subject Lands being in a state of legal non-compliance.

Given that the building on the Subject Lands is already being used as a commercial office use, which is compliant with the ZBL, it remains our opinion that it would be more appropriate and logical to zone the western portion of the Subject Lands an acceptable form of Commercial Zone, or more appropriately, it should be zoned “V1 (Station Precinct Zone)”. This would then match the proposed zoning proposed in the third Draft ZBL for the easterly portion of the Subject Lands and would be more indicative the future use for these lands when considering its location at a key intersection within the City.

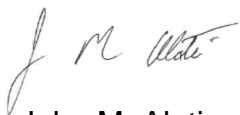
Conclusion

As a result of all of the foregoing, we respectfully request that the City update the proposed zoning of the Subject lands contained in the third Draft ZBL to either an appropriate form of Commercial Zone or a “V1 (Station Precinct Zone)”.

Please ensure that we continue to be notified of any future Open Houses, Public Meetings, City staff and recommendations reports and any decisions respecting this matter.

Should you have any questions or if you require any additional information, please do not hesitate to contact me, or my associate Andy Margaritis, directly.

Sincerely,
DAVIES HOWE LLP



John M. Alati

JMA:am

copy: Client

C31
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: [David Donnelly](#)
To: Clerks@vaughan.ca
Cc: [Denisa Mertiri](#)
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.

David R. Donnelly MES LLB
Donnelly Law
276 Carlaw Ave., Suite 203
Toronto ON M4M 3L1

Tel: 416.572.0464
Cell: 416.722.0220

www.donnellylaw.ca



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



June 18, 2021

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

Attention: Clerk

Re: 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 removing 72 ha (178 acres) of land from protected status 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 the Natural Heritage Network of Vaughan, Ontario.

On Tuesday June 22, 2021, Council is scheduled to vote to endorse opening up the Greenbelt to new development, contrary to the June 8, 2021 written recommendation of Planning Staff. Notwithstanding the fact re-designating lands from "Agricultural Area" to "Rural Area" was debated previously at the Committee of the Whole, Council is proceeding to a vote on this proposal without advising the public of what this will cost taxpayers. It is our conservative estimate that every Councillor that votes for ROPA #7 is essentially forfeiting \$78 million in Parkland Dedication cash, badly needed for future parks and maintenance.

The Friends ask: why this extraordinary \$78 million give away, particularly when the lands are already protected?

If the Friends estimate is incorrect, how many millions of dollars exactly will the City of Vaughan lose if ROPA #7 is approved?

Furthermore, it is our opinion that O/Reg 644/20 will need to be rescinded and a new Minister's Zoning Order ("MZO") will need to be issued, to permit new development, Neighbourhood Parks or other parks, in the Greenbelt.

According to Staff, the MZO for the Block 41 Secondary Plan area, O. Reg. 644/20 was approved by the Province on November 6, 2020. The area zoned by the MZO does not include the lands subject to ROPA #7.

On June 16, 2020, Mayor Bevilacqua introduced a Resolution seeking Council's support for one of these MZOs. It is respectfully submitted that Council should have advised at the time that the Block 41 Landowners Group was also seeking a substantial reduction in the Parkland Dedication credit it would have to pay the residents of Vaughan.

The Mayor's Resolution advertises strongly many of the financial benefits of the project, including \$412 million in Development Charges and \$16 million in Building Permit fees – it's an incredibly detailed list but not one word is mentioned regarding cost to the taxpayer.¹ Furthermore, the Mayor's request for the MZO puts a strict limit on the area to be re-zoned that does not include the protected Greenbelt areas that are the subject of the ROPA #7 request:

Whereas, the City of Vaughan in adopting the Block 41 Secondary Plan included policies requiring that a number of studies be submitted as part of the City's Block Plan approval process, in order to define the ultimate development limits and confirm the land use designations and built form of the Block 41 lands; [emphasis added]

In other words, it is well settled that any new land uses permitted in the Greenbelt will need either a new MZO, or a full *Planning Act* re-zoning application. The Friends will appeal that application.

One major concern of FTCK is that ROPA #7 is political, there is no planning justification, while Planning Staff is opposed.

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

¹ Whereas, the construction of the New Community Area within the Block 41 Secondary Plan will result in substantial economic benefits to the City, the Region and the Province, including the following estimates: \$412 million in development charges and \$16 million in building permit fees; 10,200-person years of employment during the construction of the project, including 6,700-person years of employment in the construction industry; \$2.2 billion in gross output and \$1.1 billion in GDP; 470 permanent jobs from the retail, education and recreation uses; an increase of \$3.6 billion in property assessment values; \$25.1 million in additional annual property tax revenues; \$450 million in HST, including \$290 million for the federal government (GST) and \$241 million for the provincial government (PST); \$70.4 million in revenues for the provincial government through the provincial Land Transfer Tax (LTT); \$201.4 million in retail spending on local goods and services; and the utilization of approximately \$1.074 billion in existing roads, utility, water and sanitary sewer infrastructure;

alteration and disturbance. Absent from the Staff Report is the calculation of how much money Vaughan residents stand to lose if ROPA #7 approved.

Council should refuse to endorse ROPA #7 and Regional Councillors also refuse to adopt ROPA #7 in September when it comes before York Region.

It is our estimate the loss to taxpayers in Vaughan, if ROPA #7 is approved, could be as high as \$78,296,000 – and that's just for Block 41!

In Vaughan, Parkland Dedication is calculated as 5% of overall value of the lot – that's what the landowner must pay the City, or donate land of equivalent value. According to 2019 MPAC data (see attached), in Vaughan land value is calculated at \$25,000 per front foot for townhouses (20 feet frontage) and \$20,000 per frontage foot for 40-footers.

A typical developable acre in Vaughan will yield approximately 8 new lots x 40 feet of frontage @ \$20,000 per front lot foot or \$800,000 per lot, net value. Deducting \$120,000 for Development Charges, each lot is worth \$680,000. We have obtained the development plan for Block 41, including the proposed number of units (see attached "Full Report Council Minutes", page #13).

Multiplying 1,434 single detached units x \$680,000 = \$975,120,000 ÷ 20 (5%) = \$48,756,000. That's the loss to taxpayers for the single detached homes.

The development also will have 1,477 townhouses, calculated at \$25,000 per frontage foot (20 foot frontage). That's \$500,000 per unit, minus \$100,000 for Development Charges. The value of the townhouse lots is \$400,000 x 1,477 units = \$590,800,000 ÷ 20 (5%) = \$29,540,000.

All totalled, ROPA #7 represents a potential gift of \$48,756,000 + \$29,540,000 = \$78,296,000 on Block 41 alone.

In the Block Plan development concept, note on "Attachment B" (see attached), the developer is showing Neighbourhood Parks on tableland – as a result of ROPA #7 being approved, these parks will likely be relocated to the Greenbelt protected "Agricultural System" lands, taking \$78 million away from taxpaying citizens of the City of Vaughan.

Our experience in Vaughan is that Council will agree to creating large, Community and District Parks off-site from a development. If this is permitted for Block 27 and 41, the total potential loss to the City of Vaughan taxpayers is approximately \$1.1 billion, i.e. all 178 acres. No one is suggesting Vaughan would allow all 178 acres to be used for Parkland Dedication **BUT NO ONE KNOWS** how much will be permitted to be exchanged in lieu of real parkland, or

hard cash. FTCK is formally asking Council to disclose how much this loss will be to the taxpayer.

The truly astounding point in this debate is that the land is already protected! Council is now proposing taxpayers should pay to have it protected. Why? No one should be making any money off the Greenbelt, not even 5¢.

Equally concerning is the clear precedent Council's decision will establish. The proposed changes will greatly benefit 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.

In that case, the Ontario Municipal Board held at page 48:

The Town's [Richmond Hill] evidence was that it has never used its parkland dedication that it is entitled to under the *Planning Act* to acquire natural areas. It strives to require dedication of parkland that is suitable for active park use, not compromised by environmental features.

Richmond Hill would not allow protected land to be added to the developable area, even as parkland, because this would mean ultimately having to acquire land that was already protected. This made no sense to Richmond Hill, yet it is exactly what is being proposed by ROPA #7 by "down zoning" prime agricultural land so that the landowners may sell it or obtain credit for parkland.

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.

Re-designating protected land and removing 178 acres from protected status undermines these important provincial, regional and local objectives. Please accept this letter as strong support for keeping Ontario's Greenbelt protected, and a demand for a clear statement from Staff of what this decision will cost.

Councillor Jackson is incorrect, this matter does not come before Regional Council until September, at the earliest. Council seems to be treating this application with some urgency, where none exists. Deferring this vote will

provide ample time for Staff and Council to calculate the loss to taxpayers, and to report back to residents on the true cost of ROPA #7.

Please do not hesitate to contact me at 416-572-0464, or by e-mail to david@donnellylaw.ca, cc'ing justine@donnellylaw.ca, should you have any questions or comments concerning this correspondence.

Yours truly,

A handwritten signature in blue ink, appearing to read "D.R. Donnelly", with a long horizontal flourish underneath.

David R. Donnelly

cc. Client

MCAP GTA & SOUTHWESTERN ONTARIO RESIDENTIAL LAND VALUE **MARKET REPORT**

Spring 2019

Thursday, June 6, 2019



MCAP



MCAP

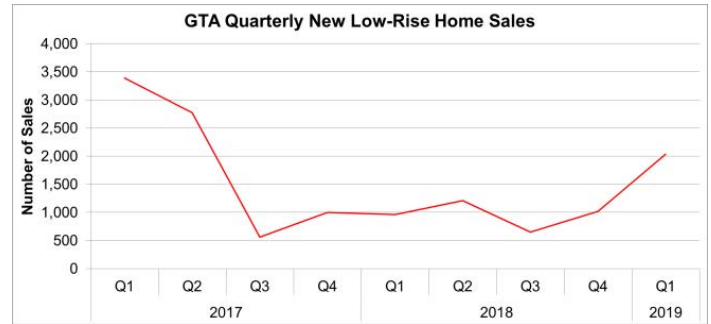
Q1 GTA LOW-RISE MARKET OVERVIEW

HIGHLIGHTS

- MCAP expects sales volume to reach +/- 10,000 units as additional projects launch or re-launch “right priced” product. Any government policy changes that specifically address affordability, for example a downward adjustment to the mortgage stress test qualification rate, could accelerate the pace of sales through late 2019 and 2020.
- Markets like Brampton, Whitby, Milton and Oakville have had their reset buttons hit by larger scale production builders and will move towards sellers’ market conditions. Minor price increases are expected in these markets over 2019. Lot values in these markets appear to be at or near bottom and we expect lot values to start creeping up as new product enters those markets.
- Other markets specifically in York and Durham (excluding Whitby), with a larger supply of lots, will take longer to reach balanced market conditions as they now sit at 17 months of supply and 22 months of supply respectively. Sales prices, and therefore lot values, are expected to dip further in these markets as “right priced” product is released over the next 6 months.

NEW HOME SALES

2019 has shown early signs that it will be a year of transition as sales volumes in Q1 2019 totalled 2,038 units. This represents the best quarter for new home sales since Q2 2017 (2,547) and compares favourably to Q1 2018 which achieved only 927 sales. For further context, Q1 2019 sales represent 53% of total low-rise sales achieved in 2018 (3,831) and 26% of 2017 sales (7,714). MCAP is projecting 2019 sales of +/- 10,000 units. This projection is still off the average of just above 16,000 homes per year between 2010 and 2016, but if achieved, it would still represent a substantial increase over 2017 and 2018 sales volume.



(Sources: RealNet)

Sales will likely remain localized to select markets and projects where larger production style builders have product and are ready to launch at well positioned price points. We are already seeing sales traction beginning to take hold in markets like Brampton, Oakville, Milton and Whitby. In these markets, MCAP expects to see sales velocity trend positively throughout 2019 as builders bring more product on stream.

Much of the Q1 2019 sales traction has been generated by large scale production builders. Specifically, Mattamy Homes represents 36% of Q1 2019 sales. When combined with sales achieved by Great Gulf Homes and Treasure Hill Homes in Q1, these three builders represent a 54% market share for the quarter.

Builder	Project	Municipality	Detached	Towns	Semi-Detached	Q1 Sales
Mattamy Homes	Hawthorne South	Milton	121	170	0	291
Mattamy Homes	Mount Pleasant North	Brampton	127	76	0	203
Mattamy Homes	East Preserve/Preserve	Oakville	154	56	0	210
Mattamy Homes	Queens Common	Whitby	6	31	0	31
Great Gulf	Arbor Peaks	Milton	20	19	7	46
Great Gulf	Whitby Meadows	Whitby	53	20	0	73
Great Gulf	Westfield	Brampton	35	0	22	57
Treasure Hill	Adena Views	Aurora	107	0	0	107
Treasure Hill	Georgina Heights	Georgina	41	0	0	41
Treasure Hill	Trendi Towns	Markham	0	19	0	19
Paradise Developments	High Point	Brampton	0	49	50	99
Total			664	440	79	1183

(Sources: RealNet)



MCAP

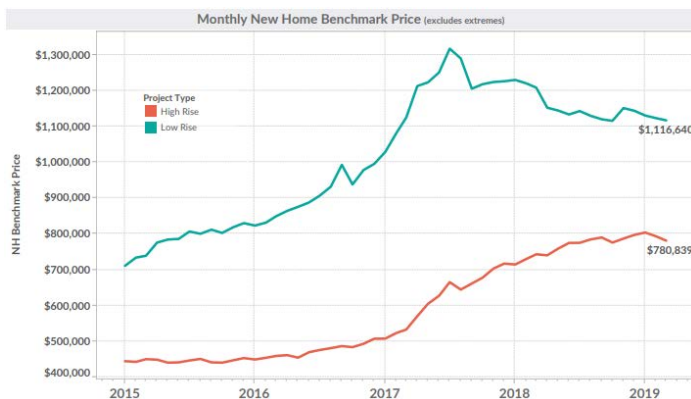
These builders have been able to set the markets in which they are participating and found price points at which they can generate sales. Others builders with product in these markets can now assess their relative value at launch or re-launch. Moderate price appreciation is expected in these markets over 2019.

Some short term price depreciation is anticipated in other markets like York and Durham (outside of Whitby) where significant sales traction has not yet taken place. As homes sold at the peak of the market in 2017 continue to close in these regions, projects will be able to re-launch remaining product or launch the next phase of a project at lower price points. This softening is not expected to last as pent up demand from historically low sales in 2018 begins to enter the market fuelled by stable mortgage rates in 2019 and exceptionally high population growth in Ontario (255,835 people in 2018 and 220,022 in 2017 versus the average from 2006 – 2016 of 95,000 people per year), the GTA being the largest benefactor of this growth.

NEW HOMES SALE PRICES

The benchmark price of a single family home fell slightly from Q4 2018 to \$1,116,640 from \$1,143,505. Although the benchmark price has been hovering just above \$1.1MM since early 2018, it is down +/-16% from its peak in 2017 at just over \$1.3MM but remains 8% above Q4 2016. This implies single family homes purchased Q1 2017 and earlier remain in the money while homes purchased at peak values in mid to late 2017 through early 2018 represent possible future closing risks. Homes purchased in this time frame have begun closing which will continue through early 2020. Based on our experience within the MCAP portfolio and conversations with industry experts, some isolated projects are encountering higher than normal closing issues, but the situation does not appear to be widespread.

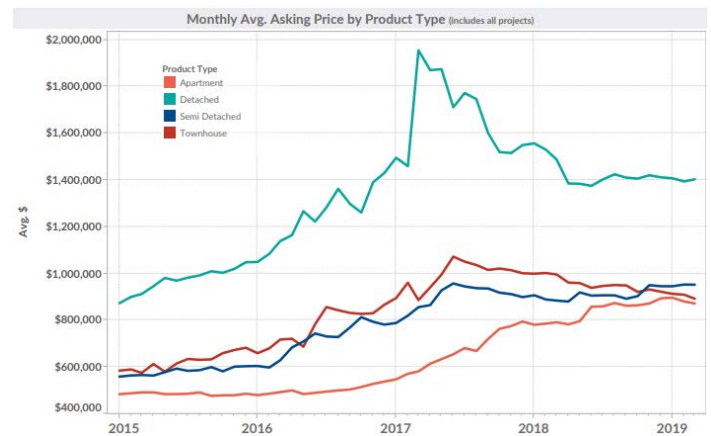
Average asking prices for detached homes have remained relatively flat since early 2018 at +/- \$1.4MM. This is down +/-28% from the 2017 peak of +/- \$1.9MM. As stated earlier, in the short term we could see prices come down further as detached homes sold at the peak close and existing supply is relisted at lower price points.



[Sources: RealNet]

Q1 GTA LOW-RISE MARKET OVERVIEW

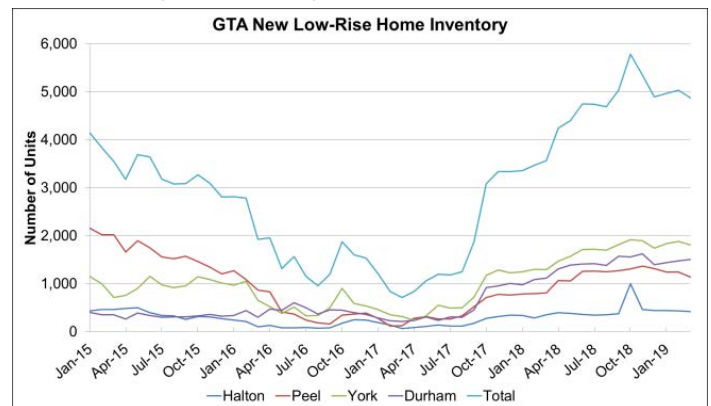
Average asking prices for townhouse product fell slightly over the quarter but remained at +/- \$900,000. Semi-detached product increased back to 2017 levels at +/- \$950,000 but represents a very small segment of the market.



[Sources: RealNet]

NEW HOME INVENTORY

Low-rise lot inventory levels have dropped for the second consecutive quarter since peaking at 5,300 in October 2018, after 6 straight quarters of increases. Inventory now stands at 5,054 lots, representing a +/- 12 month supply based on the historically low sales volume for the prior 12 month period.



[Sources: RealNet]

Compositionally, 49% of the lots are detached lots, 41% are townhouse lots, 9% are semi-detached and 1% of the lots are linked. York currently has a supply of 1,808 lots, Durham has 1,503 lots, Peel has 1,139 lots and Halton has 418 lots.



MCAP

LOT VALUES

For the Period Ending June 6, 2019

YORK REGION

PRODUCT TYPE	TOWNHOUSE	30 F.F. to 36 F.F.	40 F.F.
RICHMOND HILL	\$23,000 - \$25,000	\$22,000 - \$23,000	\$21,000 - \$22,000
MARKHAM	\$27,000 - \$29,000	\$21,000 - \$23,000	\$20,000 - \$22,000
VAUGHAN	\$24,000 - \$25,000	\$18,000 - \$20,000	\$17,000 - \$19,000
EAST GWILLIMBURY	\$9,000 - \$10,000	\$8,000 - \$10,000	\$8,000 - \$10,000

PEEL REGION

PRODUCT TYPE	TOWNHOUSE	30 F.F. to 36 F.F.	40 F.F.
BRAMPTON	\$14,000 - \$15,000	\$11,000 - \$13,000	\$11,000 - \$12,000
CALEDON	\$13,000 - \$14,000	\$12,000 - \$13,000	\$11,000 - \$12,000

DURHAM REGION

PRODUCT TYPE	TOWNHOUSE	30 F.F. to 36 F.F.	40 F.F.
AJAX	\$13,000 - \$15,000	\$9,000 - \$11,000	\$10,000 - \$12,000
WHITBY	\$9,000 - \$10,000	\$9,000 - \$10,000	\$9,000 - \$10,000
OSHAWA	\$8,000 - \$9,000	\$8,000 - \$9,000	\$8,000 - \$9,000
CLARINGTON	\$7,000 - \$8,000	\$7,000 - \$8,000	\$7,000 - \$8,000

HALTON REGION

PRODUCT TYPE	TOWNHOUSE	30 F.F. to 36 F.F.	40 F.F.
OAKVILLE	\$16,000 - \$18,000	\$16,000 - \$18,000	\$16,000 - \$18,000
MILTON	\$11,000 - \$12,000	\$10,000 - \$12,000	\$11,000 - \$12,000

OUTSIDE GTA

PRODUCT TYPE	TOWNHOUSE	30 F.F. to 36 F.F.	40 F.F.
KW	\$8,000 - \$9,000	\$7,500 - \$8,500	\$6,500 - \$7,500
BARRIE / INNISFIL	\$9,000 - \$10,000	\$6,500 - \$7,500	\$6,500 - \$7,000
HAMILTON	\$9,500 - \$10,500	\$7,500 - \$8,500	\$8,000 - \$9,000
GUELPH	\$7,500 - \$8,500	\$7,500 - \$8,500	\$7,500 - \$8,500

* Values include all levies



MCAP

Q1 TORONTO HIGH-RISE CONDOMINIUM MARKET OVERVIEW

HIGHLIGHTS

- Re-sale prices have grown 7% YoY after accelerated growth of 23% for the year prior. This moderation is expected to continue given that the re-sale market is end-user driven and affordability remains the primary issue (Bill B20)
- In the new condominium market, moderate growth is expected for the remainder of 2019 as investors wait for their rental economics to catch up with record high price points
- The lack of new condominium product is helping to buoy the market against price declines as investors pull back
- As Bill 180 takes effect, much needed new housing supply could begin to enter the market, helping alleviate pressures on supply and demand however, this is expected to take time and not materially affect the 2019 outlook

REMARKS

Housing ownership demand has seen a shift down market from low rise to high rise product, fueled by the erosion of low rise affordability, Toronto's vertical transformation, and the continued scarcity of rental housing. A healthy condo market attracts two distinct purchaser groups; owner occupiers and investors, and a frothy condo market adds a third, being speculators.

The re-sale condo market is considered the purest measure of condo supply & demand because it caters primarily to owner occupiers, most of whom are unable/unwilling to project their housing needs 4 years in advance. The creation of new condominium product, on the other hand, is dependent on strong investor support during the pre-construction phase in order to qualify for financing. As detailed below, both the re-sale and new condo markets have been showing signs of moderation, which is expected to continue through 2019. Given the rapid price increases over 2017 & 2018, this moderation is welcomed as that rate of growth was unsustainable and encouraged speculation.

Strong demand for existing condominium product from mid-2016 to mid-2017 resulted in an escalation of the Sales to Listing Ratio (SLR) from 53% to nearly 75% over that same time period. This caused sale prices to increase by approximately 23% over the same time period. However, since the introduction of Bill B-20, the SLR has dropped to about 67% and prices have increased relatively moderately by 7% YoY with approximately 14,200 units selling at an average price of \$760/SF. With the SLR ratio still above the 10-yr. average of 54%, PSF resale prices are not expected to decline and low single-digit growth is expected to continue through 2019.



(Source: Urbanation, TREB)

For those who either cannot afford or prefer not to purchase a home, purpose-built apartments or condominium rentals are the two primary housing options available. New purpose-built rental construction has seen a resurgence in light of strong rental market fundamentals (high rents and low vacancies). This segment of the market is dominated by large, institutional developers who have in part been able to leverage under-utilized residential and commercial assets already owned thus substantially reducing their land cost. The reported 12 month average stabilized purpose built vacancy is just 0.35%, so the 9,500 units currently under construction and scheduled for completion by 2023 will fall far short of servicing demand. Until that changes, investor-owned condominiums will continue to function as Toronto's de-facto rental market.

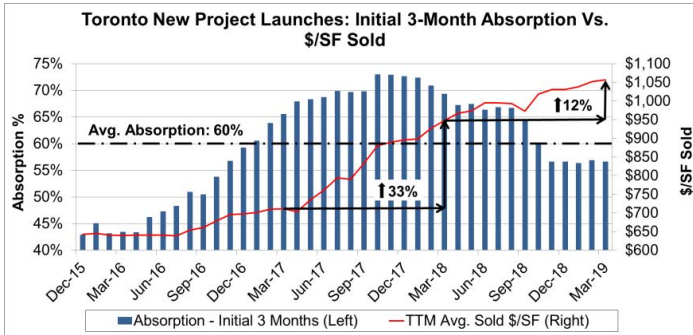
Private condominium investors/landlords have been a key factor in the success of new condominium projects in Toronto by purchasing pre-construction units expecting to achieve an acceptable return on their equity based on the unit's rental economics. Due to the rapid price appreciation of pre-construction condominiums investors return on equity (ROE) has been compressed and they have begun to pull back on new construction purchases.

Since March 2017, PSF prices being achieved on new condominium launches rose 45%. As prices rose, the absorption rate within the first 3 months of launch began to decline, from a peak of 73% in October 2017 to 57% as of March 2019. The initial 3 month absorption of a new condominium project now sits close to the 3 year average of 60%.



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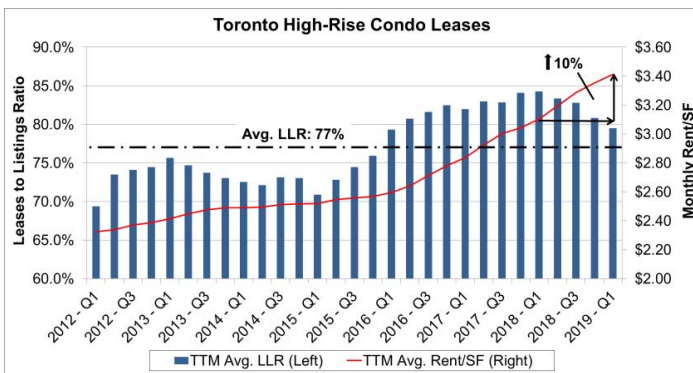
Q1 TORONTO HIGH-RISE CONDOMINIUM MARKET OVERVIEW



[Source: Urbanation, Altus]

This decline can be attributed to decreased interest from speculators looking for a quick return coupled with a loss of investor appetite for condominium product due to reduced ROE expectations. At current rental rates and current condominium launch prices, investor return expectations have been eroded to nearly 0%. Consequently, investors should not be relied upon as heavily to drive pre-construction sales going forward in projects looking to achieve maximum price points.

PSF condominium prices are expected to moderate in 2019 at low single-digit growth, while condominium investors sit on the sidelines waiting for rental rates to appreciate to the point where the rental economics begin to satisfy investor ROE requirements. With the Leases to Listing Ratio (LLR) at 80% and rents increasing 10% YoY, it's expected that investors will not have to wait long for the rental market to catch up to price points.



[Source: Urbanation, TREB]

Any price declines that could have been created by lower investor demand are expected to be offset by a lack of new supply in the market. There were 50 new condominium projects launched in Toronto over the last 12 months, the lowest 12 month rolling total since February 2017. Only 4 launches occurred in Q1-2019, which is the lowest level in Toronto tracking back to December, 2015. This has had a profound impact on active project sales. 12,700 new condominiums were sold in the 12 months to Q2-2019, a YoY decline of 4,500 sales.

Such a statistic typically forms the basis of ominous headlines, likely without the caveat that that 88% of all units in active projects are sold (down only 1% YoY).

On May 2, the Ontario government announced its new Housing Supply Action Plan (Bill 108). One of the most notable and controversial features of the Bill is the reversion of LPAT's authority back to that of the OMB, allowing for the Tribunal to once again make decisions based on the best planning outcome. The creation of the LPAT was intended primarily to show more deference to the municipalities in planning decisions, but the new process produced unintended results at a time when the state of Toronto housing was often regarded as a "crisis." It has been reported that there are currently as many as 1,000 appeal cases, representing about 100,000 housing units in proposed projects across Ontario, that are waiting to be heard at the LPAT. Hopefully Bill 108 will help clear the backlog of cases and bring on much needed housing supply to the Toronto market.



MCAP

Q1 TORONTO HIGH-RISE CONDOMINIUM MARKET OVERVIEW

HIGH-RISE CONDOMINIUM LAND VALUES – JUNE, 2019

The preceding market overview provides the basis for calculating the June, 2019 High-Rise Condominium Land Values. Information from Urbanation, Altus, Glynn Group, and MCAP is utilized to undertake an extensive residual analysis process to arrive at forward-looking, short-term estimates of approved land values in the tracked submarkets. The following commentary touches on key aspects of the tracked submarkets that guided value estimate decisions and provided support to the residual analyses:

DOWNTOWN WEST (DW)

- Alterra launched “Rush” in November, 2018 and sold all 125 units by April, 2019 at an average of \$1,166/SF
- New condominium sales averaged \$840/SF in the last 12 months, up 20% YoY
- Unsold asking price averaged \$1,400/SF in the last 12 months, up 40% YoY
- 4.7 months’ of supply remaining, in line with Q1-2018
- Value estimates edged up from December, 2018 given the strong sales performance, rising sale price points, and consistent supply level but the magnitude of the increases were tempered by the relatively high average asking price and the diverse nature of the submarket
 - DW High is now approximately in-line with the DC Low

DOWNTOWN EAST (DE)

- A project resumed sales in March, 2019 for 1 month only, achieving 16 sales during that time at an average of \$1,076/SF, 11% higher than its prior sales achieved in mid-2018
- New condominium sales averaged \$770/SF in the last 12 months, up 12% YoY
- Unsold asking price averaged \$1,295/SF in the last 12 months, up 42% YoY
- 5.0 months’ of supply remaining, up from 2.5 months in Q1-2018
- Values estimates remain unchanged from December, 2018 given the diverse nature of the submarket, the rising supply level, and the high average asking price
 - Low and High remain approximately in-line with those of DW, High is now generally in-line with DC Low

DOWNTOWN CORE (DC)

- Cresford launched “YSL Residences” in October, 2018 and is 73% sold at an average of \$1,510/SF
 - First DC project launch since Oct. 2017
 - No other new launches, aside from Davpart’s “United BLDG” for which sales data has not yet been released
- Value estimates have been heavily influenced by the recent, successful YSL project launch
 - Value estimate increases are primarily a reflection of the updated sales data used in the residual analyses; previously hesitant to increase values at this magnitude given the lack of new project launch data
 - DC High is now at the Low end of the BY range

TORONTO WEST (TW)

- Three (3) new project launches since October, 2018 that have sold well to date (60-70%) at an average of \$865 to \$1,060/SF
- 6.1 months’ of supply remaining
- Value estimates increased modestly with support from residual analyses conclusions
 - Approximately in-line with TE but with lower high end

TORONTO EAST (TE)

- Fieldgate launched “The Poet” on Queen St. E. in November, 2018 and is ~50% sold at an average of \$1,030/SF
 - Two (2) other recently launched projects are well-sold at ~\$970/SF
- New condominium sales averaged \$635/SF in the last 12 months, up 15% YoY
- Unsold asking price averaged \$960/SF in the last 12 months, up 17% YoY
- 5.6 months’ of supply remaining, up from 4.7 months in Q1-2018
- Value estimate increases are reflective of the solid sales figures reported for recent launches at increasing price points
 - Low end remains unchanged, given diverse nature of the submarket
 - High end is increased, now in-line with the Market Value average for DE & DW

BLOOR-YORKVILLE (BY)

- Lanterra’s “50 Scollard” is the most recent project to launch in BY (June, 2018) achieving 10 sales to date at an average of \$2,100/SF
 - End-user purchaser profile
 - Represents high end of the market
- Seven (7) other active projects previously launched in BY are at least 80% sold
- Value estimate increases are supported by residual analyses utilizing the updated sales data
 - Increases are more reflective of availability of data, not sudden changes in submarket conditions
 - 50 Scollard used as a benchmark ceiling value
 - Residual analyses provide a consistent range for the Market Value and Low estimates



MCAP

Q1 TORONTO HIGH-RISE CONDOMINIUM MARKET OVERVIEW

NORTH TORONTO (NT)

- Tribute launched “Yonge & Soudan” in January, 2019 and is 55% sold at an average of \$1,066/SF
- New condominium sales averaged \$830/SF in the last 12 months, up 13% YoY
- Unsold asking price averaged \$1,120/SF, up 19% YoY
- 5.6 months’ of supply remaining, up from 4.1 months in Q1-2018
- Market Value and Low estimate edged up from December, 2018; High end is now in-line with the DC Market Value average and below the Low end of BY

NORTH YONGE CORRIDOR (NYC)

- The 2nd phase of Aoyuan’s “M2M” development, “T1”, launched sales in March, 2019 and is 51% sold at an average of \$1,005/SF
- New condominium sales averaged \$725/SF in the last 12 months, up 11% YoY
- Unsold asking price averaged \$1,000/SF, up 8% YoY
- 8.6 months’ of supply remaining, down from 15 months in Q1-2018
- Market Value estimate has edged up from December, 2018; High end now just above NT Low

HWY. 7 / YONGE CORRIDOR

- No recent new launches in this submarket
- Most recent launch in Richmond Hill is Sequoia Grove Homes’ “Elgin East at Bayview – 2nd Phase” which launched in March, 2019 and has reported only 11 sales to date at \$713/SF (8.5% higher than Phase 1 sales achieved in 2018)
- Given a lack of reliable data, we have left the values for this submarket unchanged from December, 2018

VAUGHAN

- Cortel Group launched “CG Tower (Expo Phase 5)” in November, 2018 and is 52% sold at an average of \$847/SF (27% higher than Phase 4 sales achieved in 2017)
— Most recent launch since 2017
- Given a lack of reliable data, we have left the values for this submarket unchanged from December, 2018



MCAP

HIGH-RISE CONDOMINIUM LAND VALUES

For the Period Ending June 6, 2019

SUB-MARKET	LOW \$ / SF	HIGH \$ / SF	MARKET VALUE \$ / SF
DOWNTOWN WEST	\$125	\$215	\$165 - \$175
DOWNTOWN EAST	\$120	\$210	\$150 - \$160
DOWNTOWN CORE	\$225	\$330	\$265 - \$275
TORONTO WEST	\$65	\$140	\$95 - \$105
TORONTO EAST	\$60	\$165	\$105 - \$115
BLOOR-YORKVILLE	\$300	\$430	\$350 - \$375
NORTH TORONTO	\$145	\$265	\$170 - \$180
NORTH YONGE CORRIDOR	\$70	\$155	\$90 - \$100
HWY 7/YONGE CORRIDOR	\$45	\$65	\$60 - \$65
VAUGHAN	\$45	\$80	\$55 - \$65

**Values based on Gross Buildable SF (fully approved)*



MCAP

SUBMARKET DELINEATION

SUB-MARKET

DOWNTOWN WEST

DOWNTOWN EAST

DOWNTOWN CORE

TORONTO WEST

TORONTO EAST

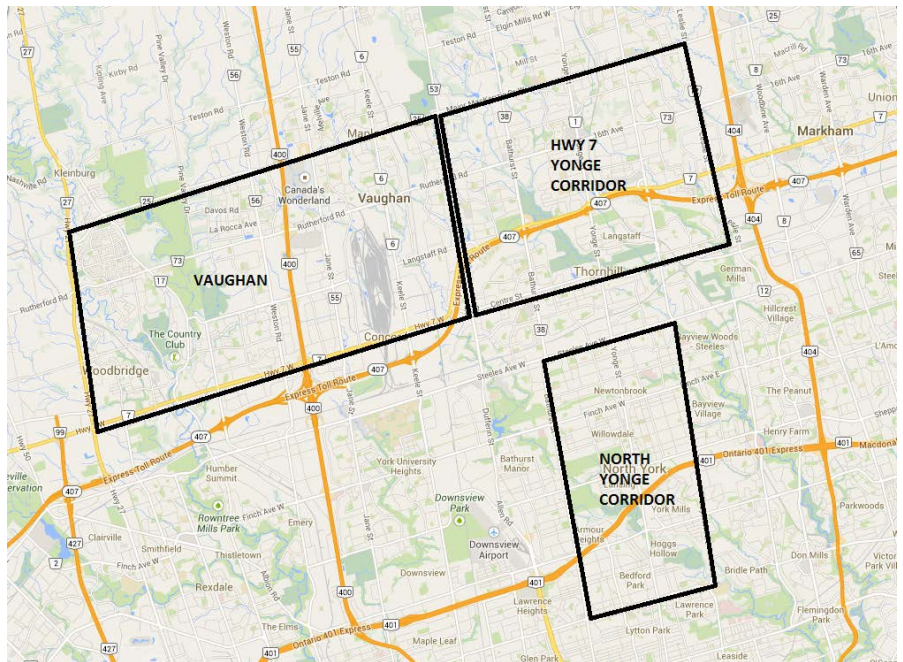
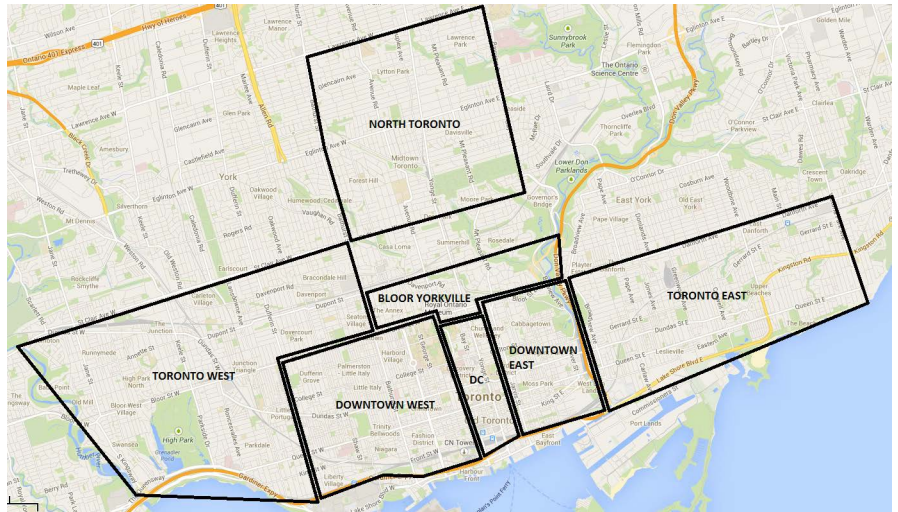
BLOOR-YORKVILLE

NORTH TORONTO

NORTH YONGE CORRIDOR

HWY 7/YONGE CORRIDOR

VAUGHAN





MCAP

2019 LOW-RISE & HIGH-RISE LOANS

June 6, 2019

MCAP's strength is working with developers and builders to create unique value-added financing solutions to meet their individual project needs. We offer a variety of loan types and loan structures to suit a wide range of development initiatives:

LAND LOANS

Land financing so you can acquire the right property for your project. We offer end to end support, working with you every step of the way.

LAND DEVELOPMENT LOANS

Non-revolving development financing and strategies to help get your project underway.

CONDOMINIUM CONSTRUCTION LOANS

MCAP provides financing for your mid-rise and/or high-rise condominium project.

FREEHOLD CONSTRUCTION LOANS

MCAP provides financing for the construction of single detached, semi-detached freehold and condominium townhouses on a revolving and cost to complete basis.

COMMERCIAL CONSTRUCTION LOANS

Financing for the construction of single or multi-tenant commercial buildings such as retail strip plazas, industrial condominiums and commercial office towers.

RESIDENTIAL INVENTORY LOANS

Financing for completed inventory units that are available for sale.

EQUITY AND MEZZANINE LOANS

Postponed and subordinated equity and mezzanine loans to help you meet your financing obligation as required by other MCAP loan facilities or by other Lenders.

MCAP FINANCIAL

Development Finance Group
400-200 King Street West
Toronto, ON M5H 3T4
Tel: 416 598 2665
Fax: 416 368 8822

LAND DEVELOPMENT & CONSTRUCTION LOAN

20 DETACHED UNITS,
MARKHAM

\$25,000,000

HIGH-RISE CONSTRUCTION LOAN

234 HIGH RISE UNITS,
SCARBOROUGH

\$65,025,000

MEZZANINE LOAN

122 MID RISE UNITS,
TORONTO

\$3,400,000

LAND DEVELOPMENT & CONSTRUCTION LOAN

72 STACKED TOWNHOUSE
UNITS, GUELPH

\$10,800,000

LAND DEVELOPMENT & CONSTRUCTION LOAN

14 DETACHED UNITS,
TORONTO

\$18,400,000

CONDO TOWNHOUSES CONSTRUCTION LOAN

77 CONDO TOWNHOUSES,
BRAMPTON

\$29,700,000

LAND DEVELOPMENT & CONSTRUCTION LOAN

37 DETACHED UNITS,
BRAMPTON

\$22,700,000

LAND DEVELOPMENT & CONSTRUCTION LOAN

50 DETACHED UNITS,
THOROLD

\$15,800,000

COMMERCIAL TERM LOAN

31,435 SF. RETAIL SPACE,
ETOBICOKE

\$8,900,000

LOT DEPOSIT & CONSTRUCTION LOAN

24 TOWNHOUSE LOTS &
4 SEMI-DETACHED LOTS,
VAUGHAN

\$6,700,000

LAND DEVELOPMENT LOAN

71 SINGLE DETACHED
LOTS, BRAMPTON

\$8,200,000

LAND LOAN

2.4 ACRE FUTURE
DEVELOPMENT SITE,
MISSISSAUGA

\$3,500,000

FOR FURTHER INFORMATION, PLEASE CONTACT:

BRUNO IACOVETTA: 416 368 8890

bruno.iacovetta@mcap.com

JAMES TOBIAS: 416 847 3484

james.tobias@mcap.com

DAVID GWILLIAMS: 416 847 3550

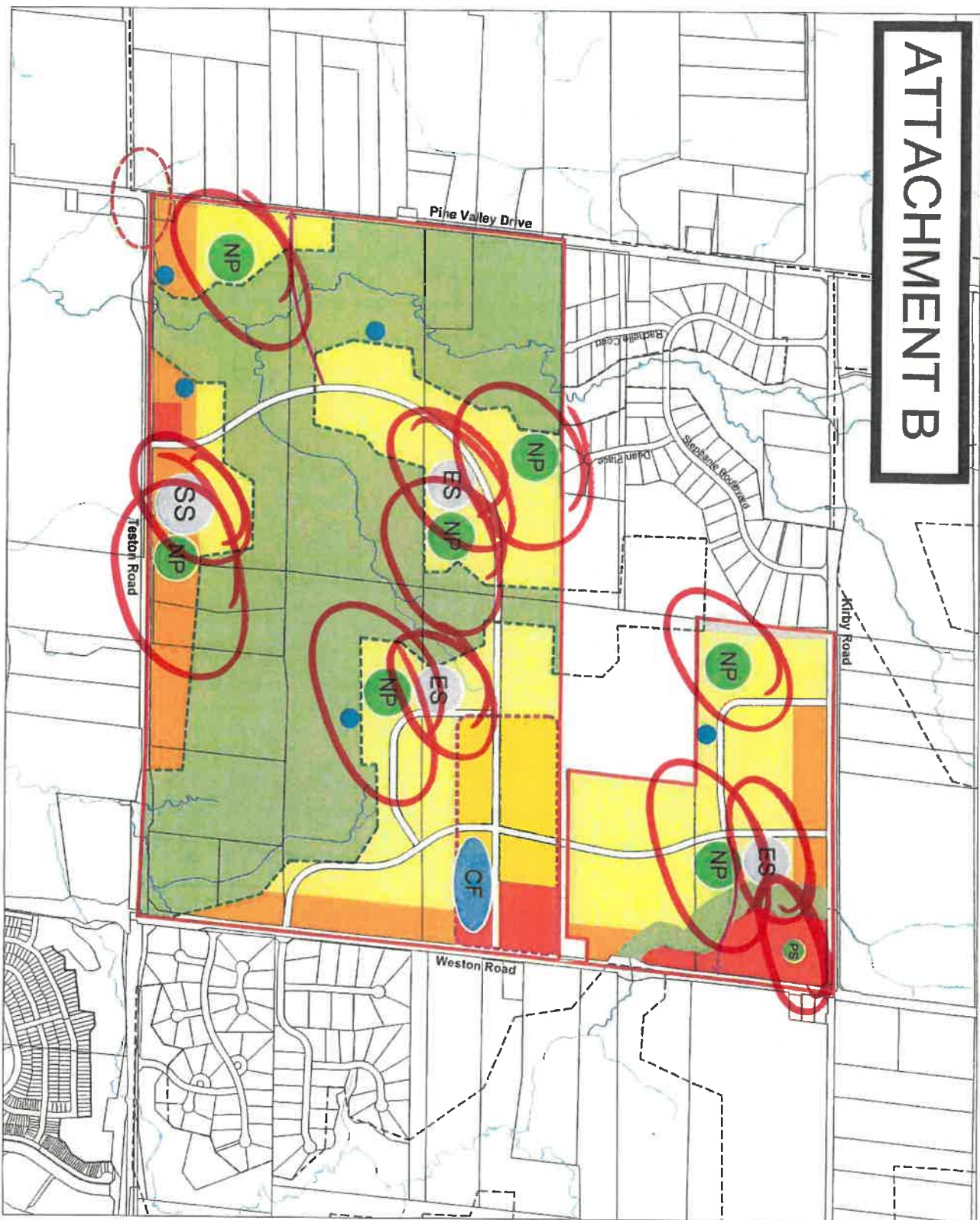
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MCAP Financial Corporation
Ontario Mortgage Brokerage #10600 | Ontario Mortgage Administrator #11790

ATTACHMENT B



SCHEDULE B BLOCK 41 LAND USE PLAN

Legend

- Secondary Plan Area
- Greenbelt Plan Area
- Natural Areas
- Low-Rise Residential
- Low-Rise Mixed-Use
- Mid-Rise Residential
- Mid-Rise Mixed-Use
- Neighbourhood Park
- Public Square
- Elementary School
- Secondary School
- Co-Location Facility
- Community Core
- Infrastructure and Utilities
- Potential Stormwater Management Facility (to be located outside of MHI (sewers))
- Active Transportation Connection (Potential future collector road subject to further study)
- Route Alignment Subject to Intersection Improvements
- Stream
- TransCanada Pipeline and Compressor Lands



March 13, 2019

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 29, 2020

Item 32, Report No. 25, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 29, 2020, as follows:

By receiving the following communications:

- C10** *Mr. Aaron Hershoff, TACC Developments, Applewood Crescent, Vaughan, dated June 15, 2020 on behalf of Block 41 Landowners Group;*
- C12** *Mr. Richard Lorello, dated June 15, 2020;*
- C20** *Mr. Robert A. Kenedy, MacKenzie Ridge Ratepayers Association, dated June 22, 2020;*
- C22** *Ms. Kathryn Angus, Kleinburg & Area Ratepayers' Association, dated June 23, 2020; and*
- C27** *Mr Terri Steeves, Canada Gas Operations, TC Energy, dated June 26, 2020.*

32. REQUEST FROM BLOCK 41 LANDOWNERS GROUP FOR A MINISTER'S ZONING ORDER FOR THE ZONING OF THE LANDS FORMING THE BLOCK 41 SECONDARY PLAN AREA

The Committee of the Whole recommends:

- 1) That the recommendations contained in the following resolution of Mayor Bevilacqua, dated June 16, 2020 be approved;
- 2) That the deputation by Mr. Chris Barnett, Osler, Hoskin Harcourt LPP, King St. W., Toronto, on behalf of TransCanada PipeLines Limited be received; and
- 3) That Communication C5 from Terri Steeves, Vice President, Canada Gas Operations, TC Energy, Calgary, Alberta dated June 15, 2020 be received.

Member's Resolution

Submitted by Mayor Bevilacqua

Whereas, Vaughan Council received a communication from the Block 41 Landowners' Group dated May 21, 2020 [Attachment 1] respecting a request of the Minister of Municipal Affairs and Housing, the Honourable Steve Clark, to enact a Minister's Zoning Order to allow for the development of Block 41 in accordance with the City of Vaughan Official Plan Amendment No. 50 (the "Block 41 Secondary Plan"); and

Whereas, the lands within the Block 41 Secondary Plan were designated in 2009 by York Region as one of two New Community Areas in the City of Vaughan to provide growth to the year 2031; and

Whereas, the York Region Official Plan 2010 (the "YROP") guides economic, environmental and community building decisions across York Region. Through Regional Official Plan Amendment No. 2 to the YROP, the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 29, 2020

Item 32, CW Report 25 – Page 2

Region designated the subject lands Urban Area on the YROP Map 1 “Regional Structure” in order to accommodate future urban residential growth in Vaughan; and

Whereas, through its Growth Plan Conformity exercise, Vaughan Official Plan 2010, the City designated the lands within the Block 41 Secondary Plan as a New Community Area; and

Whereas, the City of Vaughan initiated the formal Block 41 Secondary Plan process in 2015; and

Whereas, the City adopted the Block 41 Secondary Plan on October 9, 2019, and the Region made minor modifications thereto and approved same on January 30, 2020; and

Whereas, the land use designations provided within the Block 41 Secondary Plan, including New Community Area, Natural Areas and Agricultural are consistent with the policies of the Provincial Policy Statement 2020 and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019; and

Whereas, the Block 41 Secondary Plan makes more efficient use of existing and planned infrastructure by locating a residential neighbourhood in a designated New Community Area; and

Whereas, TransCanada Pipeline Limited (“TCPL”) appealed the Block 41 Secondary Plan to the Local Planning Appeal Tribunal (“LPAT”) on February 21, 2020 and TCPL is the sole appellant; and

Whereas, no dates have been scheduled by the LPAT with respect to the appeal of the Block 41 Secondary Plan and any hearing with respect to the appeal will be delayed as a result of the COVID-19 global pandemic owing to the LPAT’s closure of its facilities as of March 16, 2020 and the cancellation of all in-person hearing events. The LPAT has not yet rescheduled those cancelled events and has communicated that they will not begin to schedule new matters until after June 30, 2020; and

Whereas, the construction of the New Community Area within the Block 41 Secondary Plan will result in substantial economic benefits to the City, the Region and the Province, including the following estimates: \$412 million in development charges and \$16 million in building permit fees; 10,200-person years of employment during the construction of the project, including 6,700-person years of employment in the construction industry; \$2.2 billion in gross output and \$1.1 billion in GDP; 470 permanent jobs from the retail, education and recreation uses; an increase of \$3.6 billion in property assessment values; \$25.1 million in additional annual property tax revenues; \$450 million in HST, including \$290 million for the federal government (GST) and \$241 million for the provincial government

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 29, 2020

Item 32, CW Report 25 – Page 3

(PST); \$70.4 million in revenues for the provincial government through the provincial Land Transfer Tax (LTT); \$201.4 million in retail spending on local goods and services; and the utilization of approximately \$1.074 billion in existing roads, utility, water and sanitary sewer infrastructure; and

Whereas, the Minister and the council of a municipality shall have regard to, among other matters, matters of provincial interest enumerated within section 2 of the Planning Act when carrying out their responsibilities under the Planning Act which include, but are not limited to: the protection of ecological systems, including natural areas, features and functions; the orderly development of safe and healthy communities; the protection of the financial and economic well-being of the Province and its municipalities; the resolution of planning conflicts involving public and private interests; and, the protection of public health and safety; and

Whereas, the City of Vaughan in adopting the Block 41 Secondary Plan included policies requiring that a number of studies be submitted as part of the City's Block Plan approval process, in order to define the ultimate development limits and confirm the land use designations and built form of the Block 41 lands; and

Whereas, the Minister of Municipal Affairs and Housing has the power to enact a Zoning Order on any land in Ontario, in accordance with Section 47 of the Planning Act and the development of the Block 41 Lands are of significant importance to the City of Vaughan, the Regional Municipality of York, and the Province of Ontario.

It is therefore recommended:

1. That Council supports the Minister's use of a Minister's Zoning Order for Block 41 and will request that the Minister of Municipal Affairs and Housing enact one; and
2. That Council direct staff to work with the Block 41 Landowners Group and the Ministry of Municipal Affairs and Housing to prepare a Minister's Zoning Order that is in conformity with the Block 41 Secondary Plan (OPA 50); and
3. That this resolution be forwarded to the Minister of Municipal Affairs and Housing as a statement of Council's direction and requests, and be copied to the Regional Municipality of York, Toronto and Region Conservation Authority, and Ministry of Natural Resources and Forestry.



MEMBER'S RESOLUTION

Meeting/Date	COMMITTEE OF THE WHOLE (2) – June 16, 2020
Title:	REQUEST FROM BLOCK 41 LANDOWNERS GROUP FOR A MINISTER'S ZONING ORDER FOR THE ZONING OF THE LANDS FORMING THE BLOCK 41 SECONDARY PLAN AREA
Submitted by:	MAYOR MAURIZIO BEVILACQUA

Whereas, Vaughan Council received a communication from the Block 41 Landowners' Group dated May 21, 2020 [Attachment 1] respecting a request of the Minister of Municipal Affairs and Housing, the Honourable Steve Clark, to enact a Minister's Zoning Order to allow for the development of Block 41 in accordance with the City of Vaughan Official Plan Amendment No. 50 (the "Block 41 Secondary Plan"); and

Whereas, the lands within the Block 41 Secondary Plan were designated in 2009 by York Region as one of two New Community Areas in the City of Vaughan to provide growth to the year 2031; and

Whereas, the York Region Official Plan 2010 (the "YROP") guides economic, environmental and community building decisions across York Region. Through Regional Official Plan Amendment No. 2 to the YROP, the Region designated the subject lands Urban Area on the YROP Map 1 "Regional Structure" in order to accommodate future urban residential growth in Vaughan; and

Whereas, through its Growth Plan Conformity exercise, Vaughan Official Plan 2010, the City designated the lands within the Block 41 Secondary Plan as a New Community Area; and

Whereas, the City of Vaughan initiated the formal Block 41 Secondary Plan process in 2015; and

Whereas, the City adopted the Block 41 Secondary Plan on October 9, 2019, and the Region made minor modifications thereto and approved same on January 30, 2020; and

Whereas, the land use designations provided within the Block 41 Secondary Plan, including New Community Area, Natural Areas and Agricultural are consistent with the policies of the Provincial Policy Statement 2020 and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019; and

Whereas, the Block 41 Secondary Plan makes more efficient use of existing and planned infrastructure by locating a residential neighbourhood in a designated New Community Area; and

Whereas, TransCanada Pipeline Limited ("TCPL") appealed the Block 41 Secondary Plan to the Local Planning Appeal Tribunal ("LPAT") on February 21, 2020 and TCPL is the sole appellant; and

Whereas, no dates have been scheduled by the LPAT with respect to the appeal of the Block 41 Secondary Plan and any hearing with respect to the appeal will be delayed as a result of the COVID-19 global pandemic owing to the LPAT's closure of its facilities as of March 16, 2020 and the cancellation of all in-person hearing events. The LPAT has not yet rescheduled those cancelled events and has communicated that they will not begin to schedule new matters until after June 30, 2020; and

Whereas, the construction of the New Community Area within the Block 41 Secondary Plan will result in substantial economic benefits to the City, the Region and the Province, including the following estimates: \$412 million in development charges and \$16 million in building permit fees; 10,200-person years of employment during the construction of the project, including 6,700-person years of employment in the construction industry; \$2.2 billion in gross output and \$1.1 billion in GDP; 470 permanent jobs from the retail, education and recreation uses; an increase of \$3.6 billion in property assessment values; \$25.1 million in additional annual property tax revenues; \$450 million in HST, including \$290 million for the federal government (GST) and \$241 million for the provincial government (PST); \$70.4 million in revenues for the provincial government through the provincial Land Transfer Tax (LTT); \$201.4 million in retail spending on local goods and services; and the utilization of approximately \$1.074 billion in existing roads, utility, water and sanitary sewer infrastructure; and

Whereas, the Minister and the council of a municipality shall have regard to, among other matters, matters of provincial interest enumerated within section 2 of the *Planning Act* when carrying out their responsibilities under the *Planning Act* which include, but are not limited to: the protection of ecological systems, including natural areas, features and functions; the orderly development of safe and healthy communities; the protection of the financial and economic well-being of the Province and its municipalities; the resolution of planning conflicts involving public and private interests; and, the protection of public health and safety; and

Whereas, the City of Vaughan in adopting the Block 41 Secondary Plan included policies requiring that a number of studies be submitted as part of the City's Block Plan approval process, in order to define the ultimate development limits and confirm the land use designations and built form of the Block 41 lands; and

Whereas, the Minister of Municipal Affairs and Housing has the power to enact a Zoning Order on any land in Ontario, in accordance with Section 47 of the *Planning Act* and the development of the Block 41 Lands are of significant importance to the City of Vaughan, the Regional Municipality of York, and the Province of Ontario.

It is therefore recommended:

- 1. That Council supports the Minister's use of a Minister's Zoning Order for Block 41 and will request that the Minister of Municipal Affairs and Housing enact one; and**
- 2. That Council direct staff to work with the Block 41 Landowners Group and the Ministry of Municipal Affairs and Housing to prepare a Minister's Zoning Order that is in conformity with the Block 41 Secondary Plan (OPA 50); and**
- 3. That this resolution be forwarded to the Minister of Municipal Affairs and Housing as a statement of Council's direction and requests, and be copied to the Regional Municipality of York, Toronto and Region Conservation Authority, and Ministry of Natural Resources and Forestry.**

Respectfully submitted,

Mayor Maurizio Bevilacqua

Attachments

1. Letter to Mayor and Members of Council, dated May 21, 2020

BLOCK 41 LANDOWNERS GROUP
--

May 21st, 2020

Mayor Maurizio Bevilacqua and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Cc: Mary Realì, Deputy City Manager, Community Services

Dear Mayor Bevilacqua and Members of Council,

RE: Block 41 New Community Area Lands, City of Vaughan

As members of the Block 41 Landowners Group (Landowners) we are very concerned that the development of this block will be unduly delayed due to a frivolous appeal of City of Vaughan OPA 50 (the Block 41 Secondary Plan) by TC Energy Corporation/TransCanada Pipeline. This appeal prevents the delivery of a master planned residential community to the City and Region of York, as required by the Growth Plan for the Greater Golden Horseshoe. As such, we request that the City ask The Honourable Steve Clarke, Minister of Municipal Affairs and Housing, to use his power under Section 47 of the Planning Act to enact a Minister's Zoning Order (MZO) that would implement City of Vaughan OPA 50 – the Block 41 Secondary Plan. The TC Energy Corporation/TransCanada Pipeline appeal is the only appeal filed against the Secondary Plan and is the only thing standing in the way of this new community.

Background:

The Block 41 Landowners have been planning and investing for this development for nearly 15 years. This included the installation of sewer and water infrastructure over 10 years ago to serve the new community. The investment in this infrastructure and carrying costs have been incurred by the landowners at no expense and to the benefit of the City and existing residents. This infrastructure was sized to service Block 41 and should be used to its fullest capacity.

The Block 41 Lands were designated in 2009 by York Region as one of two New Community Areas in the City of Vaughan to provide urban growth to the year 2031. Since that time, the Landowners have worked in concert with the City staff to advance a Secondary Plan process. Accordingly, the Block 41 Lands have been planned for more than a decade for residential uses in order to fulfill the objectives of the Provincial Policy Statement and the Growth Plan.

In 2015, the formal Secondary Plan process commenced to develop a complete community with a mix of residential housing and supporting community facilities on the Block 41 Lands. The Secondary Planning process included the completion of a comprehensive set of studies including: transportation, noise, servicing, heritage and a detailed Subwatershed Study which

BLOCK 41 LANDOWNERS GROUP

was submitted to the City in March 2018. Throughout the process the Landowners worked co-operatively with the City of Vaughan and its consultants, the TRCA and other agencies to prepare and ultimately achieve approval of the Secondary Plan

In October 2019, City of Vaughan Council adopted the Block 41 Secondary Plan (OPA 50), which was subsequently forwarded to the Region of York for approval. In January 2020, York Region Council approved the Block 41 Secondary Plan. Unfortunately, the Secondary Plan was appealed to the LPAT by TC Energy Corporation/TransCanada Pipeline (the sole appellant).

Due to the Covid-19 pandemic, the Provincial state of emergency and the significant backlog this is creating at the LPAT, it may be years before the appeal of OPA 50 is resolved. As a result, the implementation and delivery timeline of the Block 41 Secondary Plan will be severely delayed and has put in jeopardy the realization of the 2031 population forecasts.

Solution:

We believe that the best solution is one that the City is familiar with and has recently implemented. The Minister has the authority under Section 47 of the Planning Act, to enact a Minister's Zoning Order (MZO). The MZO would neutralize the severe delay as a result of the TransCanada appeal. Minister Clarke is receptive to using his MZO powers where the local municipality supports the request and therefore, we seek this support from the City.

The MZO will allow Landowners to move forward with preparing the Draft Plans of Subdivision to implement the Block 41 Secondary Plan and accommodate approximately 4,063 new residential dwellings and 12,000 residents. Further, the MZO is an important mechanism to help kick start the economic recovery and increase the number of shovel-ready projects in the province.

Benefits:

The MZO will allow implementation of the City adopted and Region approved Secondary Plan without further delay. The Secondary Plan delivers key community benefits, such as 5.5 hectares of land for a new community centre and park with district level services, lands for three new elementary schools and a new Catholic high school, along with a series of public parks. These community benefits will create a complete community and provide much needed housing. The amenities support the future residents of Block 41, as well as provide broader community services to Vaughan. The Landowners have prepared a Preliminary Block Plan (**Attachment A**) which implements the Secondary Plan Land Use Plan (**Attachment B**).

In addition to these community benefits, there are substantial economic benefits which will be derived from the construction of this community. Altus Group has been engaged to do an economic impact assessment of the Block 41 Lands (**Attachment C**).

BLOCK 41 LANDOWNERS GROUP

This report estimates the following economic benefits for the City, Region and Province as follows:

- \$412 million in development charges and \$16 million in building permit fees;
- 10,200-person years of employment during the construction of the project, including 6,700-person years of employment in the construction industry;
- \$2.2 billion in gross output and \$1.1 billion in GDP;
- 470 permanent jobs from the retail, education and recreation uses;
- An increase of \$3.6 billion in property assessment values;
- \$25.1 million in additional annual property tax revenue;
- \$450 million in HST, including \$209 million for the federal government (GST) and \$241 million for the provincial government (PST).
- \$70.4 million in revenues for the provincial government through the provincial Land Transfer Tax (LTT);
- \$201.4 million in retail spending on local goods and services;
- Utilizing approximately \$1.074 Billion in existing roads, utility, water and sanitary sewer infrastructure.

In this time of economic uncertainty, all stakeholders should work together to encourage the private sector's ability to contribute to the economic well-being of the Province and City of Vaughan residents.

Request to Council:

In closing, we the undersigned encourage Council to do what is necessary to proceed with the development of the Block 41 New Community Area and request a MZO from the Minister of Municipal Affairs and Housing.

Sincerely,

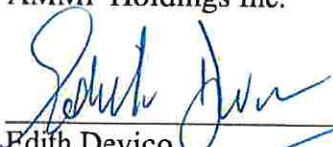
BLOCK 41 LANDOWNERS GROUP



Elyio De Meneghi
Kirbywest Ltd.




Bobby Pilliteri
AMMP Holdings Inc.




Edith Devico
1212763 Ontario Limited
1212765 Ontario Limited



Jack Eisenberger
Block 41-28W Developments Inc



Silvio De Gasperis
Block 41-28E Developments Inc



Eddy Mastrogiuseppe
Richmond Properties (Block 41) Inc.

Attachment A

KIRBY ROAD



PRELIMINARY BLOCK PLAN

BL

- Legend**
- Low Medium Density (street access)
 - Low Medium Density (lane access)
 - Medium Density Block
 - Mid-Rise Mixed Use
 - Institutional
 - Park
 - Storm Water Management Facility
 - Commercial



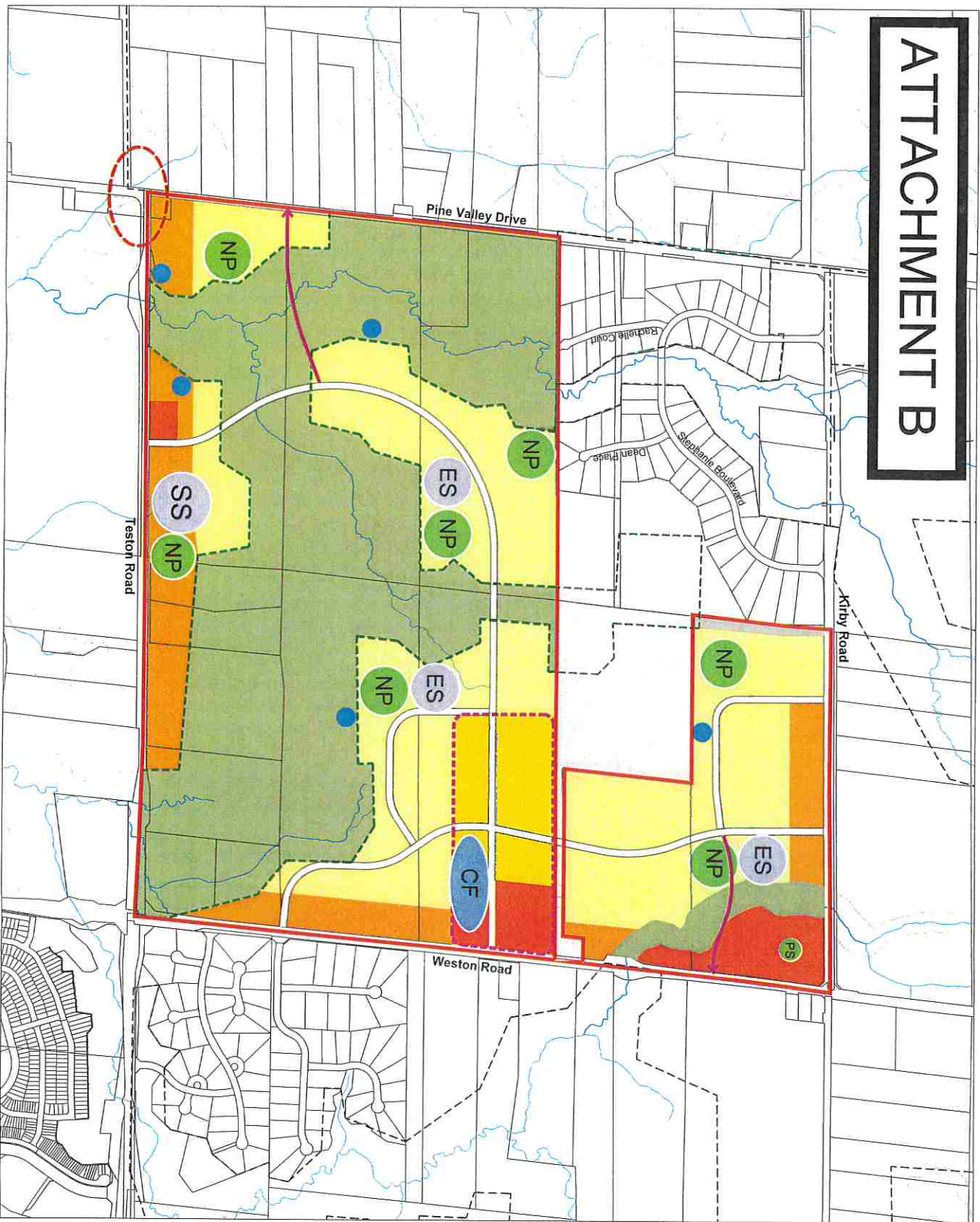
MGP File: 11

Date: May 11



100 Northway Drive

ATTACHMENT B



SCHEDULE B BLOCK 41 LAND USE PLAN

Legend

- Secondary Plan Area
- Greenbelt Plan Area
- Natural Areas
- Low-Rise Residential
- Low-Rise Mixed-Use
- Mid-Rise Residential
- Mid-Rise Mixed-Use
- Neighbourhood Park
- Public Square
- Elementary School
- Secondary School
- Co-Location Facility
- Community Core
- Infrastructure and Utilities
- Potential Stormwater Management Facility (to be located outside of NHN features)
- Active Transportation Connection (Potential future collector road subject to further study)
- Route Alignment Subject to Intersection Improvements
- Stream
- TransCanada Pipeline and Compressor Lands



March 13, 2019

May 20, 2020

Memorandum to: Block 41 Landowners Group
Don Given & Lauren Capilongo, Malone Given Parsons Ltd.

From: Daryl Keleher, Senior Director
Justin Shin, Consultant
Altus Group Economic Consulting

Subject: Vaughan Block 41 – Economic Benefits
Our File: P-6383

Altus Group Economic Consulting (“Altus”) was retained by Block 41 Landowners Group to provide an assessment of the economic benefits relating to the development on the Block 41 in the City of Vaughan. This memorandum provides an overview of the economic benefits that the proposed development would generate.

SUMMARY

The proposed development of Block 41 would generate the following economic and fiscal benefits for the City and Region:

- \$412 million in development charges;
- \$16 million in building permit fees;
- 10,200-person years of employment during the construction of the project, including 6,700-person years of employment in the construction industry;
- \$2.2 billion in gross output and \$1.1 billion in GDP;
- 470 permanent jobs from the retail, education and recreation uses;
- An increase of \$3.6 billion in property assessment values;
- \$25.1 million in additional property tax revenue;
- \$450 million in HST, including \$209 million for the federal government (GST) and \$241 million for the provincial government (PST);
- \$70.4 million in revenues for the provincial government through the provincial Land Transfer Tax (LTT);
- \$201.4 million in retail spending on local goods and services;
- Utilizing approximately \$1.074 billion in existing roads, utility, water, and sanitary sewer infrastructure.

A more detailed explanation of the above estimates is presented in the memorandum below.

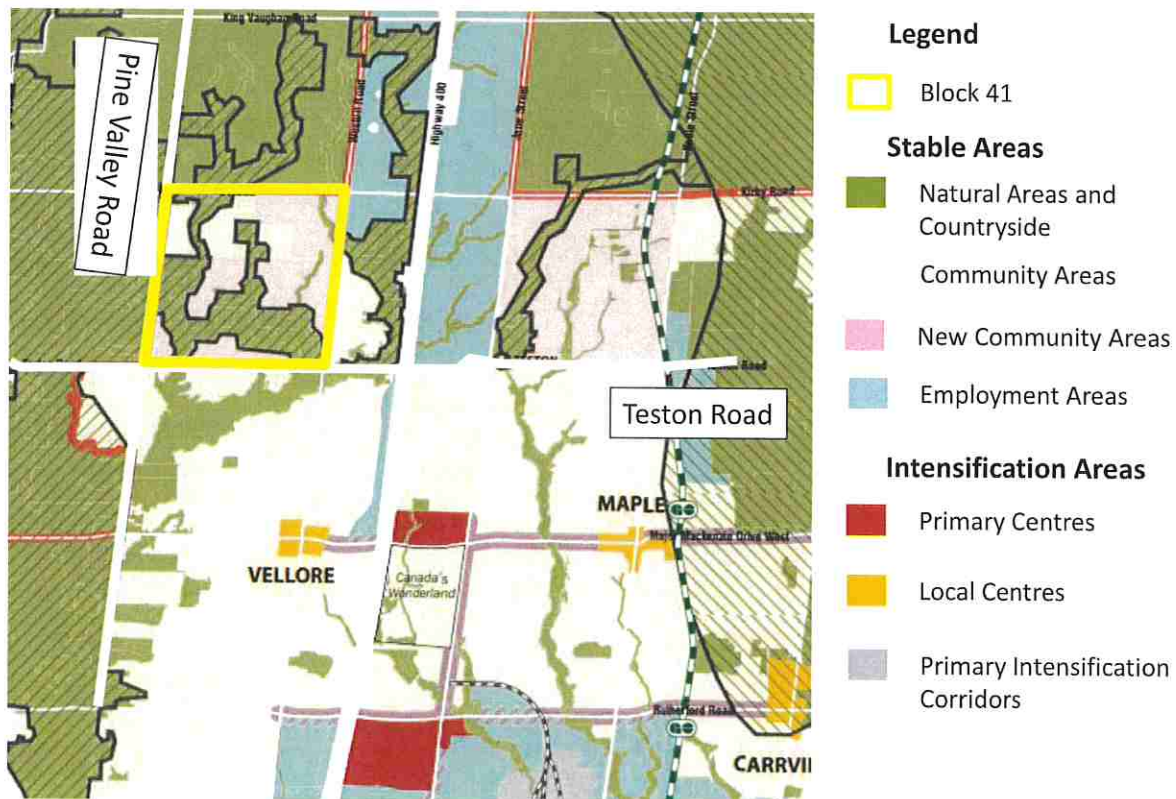
OVERVIEW OF DEVELOPMENT

The area within Block 41 (the “subject site”) is located north east of Pine Valley Drive and Teston Road. The location of Block 41 is shown in Figure 1 below. The lands are bound by:

- Pine Valley Drive to the west;
- Weston Road to the east;
- Teston Road to the south; and
- Kirby Road to the east.

Figure 1

Context Map of Block 41, City of Vaughan



Source: City of Vaughan

The proposed development of the subject site consists of single detached, townhouse, apartment and senior housing units. For the purposes of this study it was assumed that the housing units in medium density areas were townhouses. The non-residential uses consist of commercial space, one community centre, three elementary schools and one secondary school. The commercial space was assumed to be occupied by retail uses.

Figure 2 Development Scenario: Block 41, City of Vaughan

	Assumed Development		
	Units	Person Per Unit	Population
Residential	<i>Housing Unit</i>		<i>Persons</i>
Singles	1,434	3.64	5,220
Townhomes	1,477	3.00	4,431
Medium Density	207	3.00	621
Large Apartments	240	2.22	533
Small Apartments	560	1.60	896
Seniors	145	1.60	232
Total	4,063		11,933
	GFA	Employment Ratio	Employment
Non-Residential	<i>Square Feet</i>	<i>Square Feet/Job</i>	<i>Employees</i>
Retail	93,087	431	216
Community Centre	146,927	7,000	21
Schools	<i>Square Feet</i>	<i>Jobs per School</i>	<i>Employees</i>
Elementary	220,567	40	120
Secondary	247,541	110	110
Total	708,122		467

Source: Altus Group Economic Consulting

ONE-TIME ECONOMIC BENEFITS

Development Charges

The proposed development of Block 41 would generate development charge (DCs) revenues that can be used by the City and Region to fund growth-related capital projects, such as roads, water works, sewers, libraries, recreation facilities, etc. The development of the subject site would also generate Education Development Charges (EDCs) which would provide revenue for local school boards to acquire land for prospective school sites. Schools and community centre were not included in these calculations as the City's bylaw exempts these uses from these charges.

Based on the City's DC rate schedule the proposed development would generate approximately \$411.8 million in DC and EDC revenues, including roughly \$177.2 million for the City, \$206 million for the Region and \$28.6 million for the school boards.

Figure 3 Estimated Development Charge Revenues, Block 41, City of Vaughan

DC Rates				
	City of Vaughan	Region of York	School Boards	Total
<i>Dollars per Unit</i>				
Residential				
Singles	53,626	62,181	7,007	122,814
Townhomes	44,233	50,047	7,007	101,287
Medium Density	44,233	50,047	7,007	101,287
Large Apartments	32,705	36,374	7,007	76,086
Small Apartments	23,573	26,563	7,007	57,143
Seniors	23,573	26,563	7,007	57,143
<i>Dollars per Square Metre</i>				
Non-Residential				
Retail	156.53	593.51	12.17	762
DC Revenues				
	City of Vaughan	Region of York	School Boards	Total
<i>Dollars</i>				
Residential				
Singles	76,899,684	89,167,554	10,048,038	176,115,276
Townhomes	65,332,141	73,919,419	10,349,339	149,600,899
Medium Density	9,156,231	10,359,729	1,450,449	20,966,409
Large Apartments	7,849,200	8,729,760	1,681,680	18,260,640
Small Apartments	13,200,880	14,875,280	3,923,920	32,000,080
Seniors	3,418,085	3,851,635	1,016,015	8,285,735
Non-Residential				
Retail	1,353,671	5,132,674	105,246	6,591,592
Total	177,209,892	206,036,051	28,574,687	411,820,631

Source: Altus Group Economic Consulting based on DC rates in effect as of January 1, 2020

Building Permit Fees

The estimated building permit revenues to be generated on the proposed development is summarized in Figure 4. These revenues contribute a source of funding for the day-to-day operation of the City's building department. Based on the current 2020 fee rates, the development would generate approximately \$16.1 million in building permit revenues for the City.

Figure 4 Estimated Building Permit Revenues, Block 41, City of Vaughan

	Building Permit Rates \$ per Square Metre	GFA Square Metres	Building Permit Revenues Dollars
Residential			
Singles	16.17	532,887	8,616,789
Townhomes	17.85	274,433	4,898,634
Medium Density	17.85	38,462	686,538
Large Apartments	17.85	26,756	477,592
Small Apartments	17.85	41,620	742,921
Seniors	17.85	10,777	192,363
Non-Residential			
Retail	16.01	8,648	138,454
Community Centre	28.25	13,650	385,609
Total		947,233	16,138,902

Source: Altus Group Economic Consulting

CONSTRUCTION-RELATED BENEFITS

Using an economic input-output model, construction-related activity associated with the development scenario of the subject site would generate a variety of one-time short-term economic benefits in the economy, in terms of economic output, direct employment in the construction of the development, as well as derivative benefits for businesses that provide services and materials to the construction industry.

Construction Employment, Employment Income and Income Tax Estimates

Figure 5 summarizes construction-related employment that will be generated from the development of the subject site. In total, the construction of the proposed development is estimated to result in approximately 10,200-person years of employment. This includes approximately 6,700-person-years of employment in the construction industry and approximately 3,500-person years of employment in businesses and services that provide materials and services to the construction industry.

Figure 5 Construction-Related Employment for Block 41, City of Vaughan

	Proposed Development Person-Years of Employment
Construction-Related Employment	
Direct	6,700
Indirect	3,516
Total	10,216

Source: Altus Group Economic Consulting

Figure 6 provides an overview of the estimated income of construction-related employment and associated federal and provincial income taxes throughout the period of construction. In total, the employment income is estimated to be approximately \$659.8 million over the construction period. The

federal and provincial income taxes payable for the estimated income of construction-related employment would be \$90.0 million and \$36.5 million, respectively, over the construction period.

Figure 6 Estimated Income of Construction-Related Employment for Block 41, City of Vaughan

	<u>Proposed Development</u>
	<i>Dollars (000,000s)</i>
Income Associated with Construction-Related Employment	659.8
Income Tax Associated with Construction-Related Employment	<i>Dollars (000,000s)</i>
Federal Income Tax	90.0
Provincial Income Tax	36.5
Total	126.5

Source: Altus Group Economic Consulting

Gross Output and Gross Domestic Product (GDP) Estimates

Economic activity relating to construction of the proposed development on the subject site can be measured from Gross Output¹ or Gross Domestic Product (GDP).² Figure 7 summarizes that the construction of the proposed development would generate \$2.2 billion in Gross Output and \$1.1 billion in GDP

Figure 7 Construction-Related Economic Impact for Block 41, City of Vaughan

	<u>Proposed Development</u>
	<i>Dollars (000,000s)</i>
Impacts on Output and GDP	
Gross Output	2,214.6
GDP	1,054.6

Source: Altus Group Economic Consulting

Harmonized Sales Taxes

The prices of residential units paid by buyers will include a component for harmonized sales tax (HST) which is 13% of the base home price. Of this 13% HST, five percentage points are the federal portion (GST) and eight percentage points are the provincial portion (PST).

The GST payable is eligible for a rebate of 36% for houses priced at \$350,000 or less, with the amount of rebate declining for homes priced between \$350,000 and \$450,000. There are no GST rebates available on homes priced above \$450,000.

¹ Gross output represents a measure of economic activity in the production of new goods and services, and includes intermediate and final outputs

² Gross Domestic Product represents economic activity in the production of new goods and services and includes only final outputs.

The PST payable is also subject to a rebate, which is calculated by applying a 75% factor to the PST payable, up to a maximum rebate of \$24,000 per unit.

It is estimated that the sale of the residential units would generate approximately \$450 million in HST revenues, of which \$209 million would accrue to the federal government, and \$241 million would be generated for the provincial government.

Land Transfer Tax

The Province of Ontario levies a land transfer tax on the purchase of new homes in Ontario. The progressive tax rate applied to each home is as follows:

- 0.5% on amount up to and including \$55,000;
- 1.0% on amounts exceeding \$55,000 up to and including \$250,000;
- 1.5% on amounts exceeding \$250,000 up to and including \$400,000; and
- 2.0% on amounts exceeding \$400,000.

In total, the residential units proposed would generate approximately \$70.4 million in land transfer tax revenues for the province.

ON-GOING ECONOMIC BENEFITS

Permanent Employment and Associated Income

Figure 8 summarizes the number permanent employment that will be generated from businesses occupying space developed upon the completion the project. Upon build-out, the development would generate approximately 470 jobs. The floor space per worker ("FSW") factor used to convert gross floor area into estimates of job generation are industry standards that are used to estimate employment creation for different land uses.

Figure 8 Estimated Permanent Employment in Proposed Development on Block 41, City of Vaughan

Land Use	Floor Space per Worker Factor <i>SF per Job</i>	GFA <i>Square Feet</i>	Employment <i>Jobs</i>
Retail	431	93,087	216
Community Centre	7,000	146,927	21
Schools	<i>Jobs per School</i>		
Elementary	40	220,567	120
Secondary	110	247,541	110
Total		708,122	467

Source: Altus Group Economic Consulting

According to Statistics Canada data, average weekly earnings for retail employees in Ontario (as of 2019) were \$600 per week, educational employees earned \$1,100 per week and recreation employees earned

\$500 per week. Based on the estimated potential for 470 permanent employees on the subject site, the jobs generated in the proposed development would generate roughly \$20.6 million in annual income (see Figure 9). A significant proportion of the annual income earned will be spent at local businesses and service providers.

Figure 9 Estimated Permanent Jobs and Income, Block 41, City of Vaughan

Uses	GFA <i>Square Feet</i>	Employment Ratio <i>Square Feet/Job</i>	Employment <i>Jobs</i>	Average Weekly Earnings (2019) <i>Dollars</i>	Estimated Annual Income <i>Dollars</i>
Retail	93,087	431	216	607	6,826,835
Community Centre	146,927	7,000	21	503	548,600
Schools		<i>Jobs/School</i>			
Elementary	220,567	40	120	1,102	6,875,294
Secondary	247,541	110	110	1,102	6,302,353
Total	708,122		467		20,553,083

Source: Altus Group Economic Consulting based on Table: 14-10-0204-01: Average weekly earnings by Industry, 2019

An increase in personal income tax revenue is another economic benefit that will result from new permanent jobs created under the proposed development. The volume of annual income tax revenue generated from new employment on the Block 41 lands is estimated to generate approximately \$2.4 million in annual federal income tax and \$914,000 in annual provincial income tax revenues.

Estimated Assessment Value and Annual Property Tax Revenues at Full Build-Out

Development of the subject site will result in an increase of the City's property tax assessment base and will generate additional ongoing property tax revenues for the City, Region and school boards. The assessment value estimates were developed using benchmarks of comparable residential and retail properties in northern Vaughan. For residential uses, assessment estimates are based on the average price of actively marketed single-detached and townhouse developments in Vaughan using data generated by Altus Data Solutions. For non-residential uses, the assessment value benchmarks of comparable retail in Vaughan were reviewed. Values for schools and community centre were excluded, as they were assumed to be under ownership by the local school boards and municipality upon completion.

Figure 10 provides a summary of the assessment value that will be generated by the development. Based on the approach outlined above to estimating assessment values, the development would generate approximately \$3.6 billion in new assessment value.

Figure 10 Assessment Value Estimates at Build-Out of Block 41, City of Vaughan

	Proposed Development	Assessment Value Assumption	Total Assessment Value
Residential	<i>Units</i>	<i>\$ / Unit</i>	<i>Dollars</i>
Singles	1,434	1,182,000	1,694,988,000
Townhomes	1,477	846,000	1,249,542,000
Medium Density	207	846,000	175,122,000
Large Apartments	240	670,000	160,800,000
Small Apartments	560	375,000	210,000,000
Seniors	145	224,000	32,480,000
Total	4,063		3,522,932,000
Commercial	<i>Square Feet</i>	<i>\$ / Square Foot</i>	<i>Dollars</i>
Retail	93,087	370	34,442,217
Total			3,557,374,217

Source: Altus Group Economic Consulting

The estimates of annual property tax revenue generated from the proposed development of Block 41 are summarized in Figure 11. Based on the 2019 property tax rates, the proposed development would generate annual property tax revenue of approximately \$25 million, including \$7.1 million per year for the City of Vaughan and \$12.0 million per year for York Region and \$6.0 million for education purposes.

Figure 11 Property Tax Revenue Estimates at Build-Out, Block 41, City of Vaughan

Tax Class	Assessment Value <i>Dollars</i>	2019 Property Tax Rates			Total
		City	Region	Education	
Residential	3,522,932,000	0.19860%	0.33655%	0.16100%	0.69615%
Commercial	34,442,217	0.25409%	0.43058%	0.93183%	1.61650%
		Property Tax Revenues			
		City	Region	Education	Total
Land Use		<i>2019 Dollars</i>			
Residential		6,996,472	11,856,392	5,671,921	24,524,785
Retail		87,513	148,302	320,944	556,759
Total		7,083,986	12,004,694	5,992,865	25,081,545

Source: Altus Group Economic Consulting

Annual Retail Spending by Residents

The residents of the proposed development on the subject site will help support local businesses through regular purchases of goods and services. Based on the estimated annual household spending from Statistics Canada, annual retail spending in the local economy is estimated to be approximately \$49,600 for goods and services.

Figure 12 Estimated Spending on Goods and Services by Future Households in Block 41, City of Vaughan

	<i>Dollars</i>
Total: Estimate of Average Household Spending, Toronto CMA, 2020	103,357
Less: Shelter Costs	24,725
Less: Personal Taxes	19,774
Less: Insurance and Pension Contributions	6,548
Less: Gifts of Money	2,607
Less: Games of Chance (net)	132
Adjusted Total: Estimate of Average Household Spending on Goods and Services, Toronto C	49,571
	<i>Households</i>
Proposed Development	4,063
	<i>Dollars</i>
Estimated Annual Retail Spending by Households in Proposed Development	201,407,998

Note: Household Spending after deductions includes food, household operation, furnishings and equipment, clothing, transportation, health care, personal care, recreation, reading materials and other printed matter, education, tobacco products and alcoholic
Source: Statistics Canada, Tables 203-0001 and 203-0021: Survey of household spending (SHS), The Consumer Price Index (July 2014, July 2016)

Based on the number of residential units on the subject site, the proposed development would generate \$201.4 million in annual spending on goods and services. Much of the annual spending is likely to occur at local stores and services within the City of Vaughan. The estimated retail spending from the proposed development would also mean \$26.2 million in HST revenues, of which \$16.1 million will accrue to the government of the Province of Ontario, and \$10.1 million will be generated for the federal government.

Utilizing Existing Infrastructure

Development of Block 41 represents an opportunity to capitalize on infrastructure in place near the subject lands. Based on information provided by Schaeffers Consulting Engineers, the following existing infrastructure is already in place and can be utilized by the proposed development:

- **Water** – all water infrastructure in Pressure District 7 (PD7) of the Vaughan water supply system can be utilized and can immediately deliver water to the south-easterly corner of Block 41. The value of the existing water works that can be utilized is valued at approximately \$198 million;
- **Sanitary Sewage** – there are many sanitary sewer conveyance lines existing in the area, as well as a sanitary sewer at the south-easterly corner of Block 41 that could immediately convey sewage from the proposed development. In addition, a sewage pumping station has been constructed in the block south of Block 41 that can convey flows from other areas of Block 41. All sanitary sewage flows from Block 41 would be conveyed to the Duffin Creek Wastewater Treatment Plan and Block 41 would utilize various existing infrastructure works that would direct flows to that facility. The value of these existing sanitary sewer works is valued at approximately \$649 million;
- **Roads and Utilities** – the Block is bound by many major access routes, such as Major Mackenzie Drive (for those accessing the nearby community of Maple) and Weston Road (to access Vellore

Block 41 Landowners Group
May 20, 2020

Village). The value of the existing roads likely to be utilized by occupants of the proposed development is valued at approximately \$224 million. The development would also utilize approximately \$2.9 million in existing utilities along Teston Road, Weston Road, Kirby Road and Pine Valley Drive.

In total, the value of existing infrastructure that Block 41 can utilize is valued by Schaeffers at \$1.074 billion. In addition, capital improvements identified in the York Region and City of Vaughan's recent DC background studies include an additional \$194 million in future capital improvements that the proposed development can utilize. In total, the value of existing and future capital improvements amounts to \$1.268 billion, which doesn't account for the significant value associated with additional future investments in adjacent highways, mass transit and downstream servicing infrastructure. A map showing existing and proposed infrastructure in the vicinity of Block 41 is attached to the end of this memorandum.

Sincerely,



Daryl Keleher, MCIP, RPP

Senior Director, Research, Valuation & Advisory, Economic Consulting

Altus Expert Services, Altus Group

SUMMARY OF BENEFITS

Figure 13 provides a summary of the economic benefits that would result from the proposed development of Block 41 in the City of Vaughan.

Figure 13

Economic Benefits – Block 41

DURING CONSTRUCTION

- \$412 million in Development Charges
- 10,200 person-years of Employment
- \$661 million in Wages
- \$450 million in HST revenues
- \$16 million in Building Permit fees
- GDP Impact of \$1.1 billion
- \$127 million in Provincial and Federal Income Taxes
- \$70 million in provincial Land Transfer Tax revenues

ANNUALLY UPON BUILD-OUT

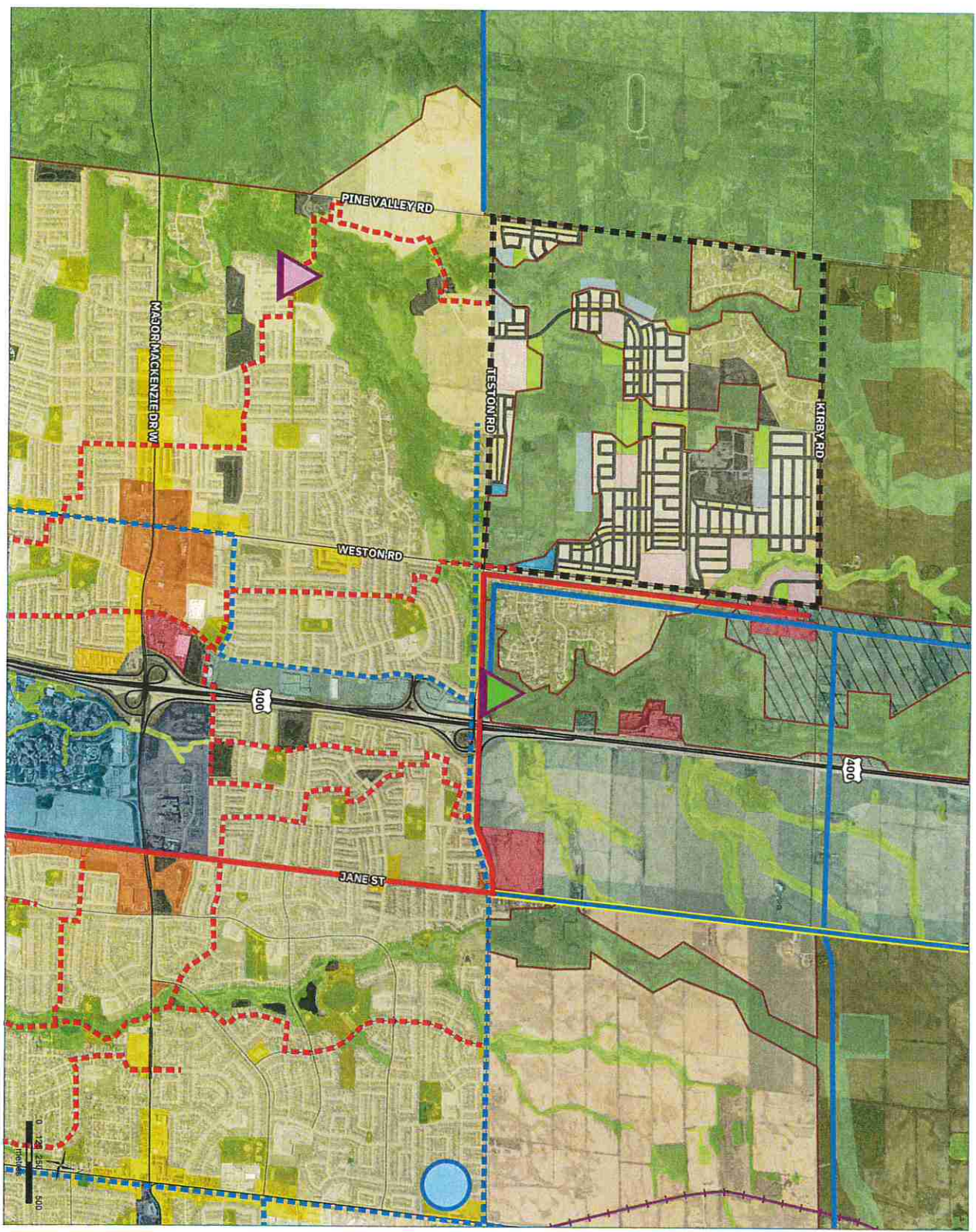
- 470 Permanent Jobs (retail, education, recreation)
- \$20 million in annual income (generating \$3 million in Provincial and Federal income taxes)
- \$201 million in annual retail spending by residents to support local stores and businesses
- \$3.6 billion in taxable assessment value (generating \$25 million in annual property tax revenue)

BENEFITS OF EXISTING INFRASTRUCTURE NETWORK

- Development of Block 41 would build upon, utilize and optimize capacity existing roads, water, sanitary sewer and utility infrastructure valued at \$1.074 billion

CONTEXT MAP

BLOCK 41 and SURROUNDING AREA, VAUGHAN



	Block 41
	Settlement Area Boundary
	Existing GO Train Line
	Greenbelt Plan
	Block 41 - Preliminary Block Plan
	Low Medium Density (street access)
	Low Medium Density (lane access)
	Medium Density Block
	Mid-Rise Mixed-Use
	Institutional
	Commercial
	Park
	SMM
Land Uses	
	Low-Rise Residential
	Low-Rise Mixed-Use
	Mid-Rise Residential
	Mid-Rise Mixed-Use
	Employment Commercial Mixed-Use
	General Employment Area
	Prestige Employment Area
	Prestige Employment Area - Office/Business Campus
	Major Institutional
	New Community Areas
	Theme Park and Entertainment
	Natural Areas
	Parks
	Private Open Space
	Agricultural
	Rural
	Infrastructure and Utilities
	Proposed New Sanitary Trunk / Capacity Improvement
	Existing Sanitary Trunk Sewer
	Proposed Sanitary Pump Station (Sanitary Servicing)
	Existing Sanitary Pump Station (Sanitary Servicing)
	Proposed Trunk Watermain
	Existing Trunk Watermain
	Proposed Regional Trunk Watermain
	Existing Water Storage

Sources: Vaughan Official Plan 2019 - Volume 1 and 2, 2019 Office Consultation
 Contains information derived under the Open Government License - Ontario
 Map File: 19-0003
 Date: May 19, 2020

C32
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: [Tarah Coutts](#)
To: Clerks@vaughan.ca
Cc: [Tom Halinski](#); [Sidonia Tomasella](#); [Tony Medeiros](#); [Victor Chan](#); [Michael Bissett](#)
Subject: [External] 100 Steeles Avenue West - Correspondence RE: City-Wide Comprehensive Zoning By-law (Agenda Item 8)
Date: June-08-21 11:09:56 AM
Attachments: [100 Steeles Ave Letter re City of Vaughan City Wide ZBL.pdf](#)

Good morning,

Please see attached the correspondence on behalf of the owners of the property at 100 Steeles Avenue West, in response to Item 8 of today's Committee of the Whole Meeting Agenda (Tuesday June 8, 2021).

If you can please confirm receipt of the attached.

Best,

Tarah Coutts
Land Use Planner

T 416.637.7571
F 416.863.1515
E tcoutts@airdberlis.com

Aird & Berlis LLP | Lawyers
Brookfield Place, 181 Bay Street, Suite 1800
Toronto, Canada M5J 2T9 | airdberlis.com



This email is intended only for the individual or entity named in the message. Please let us know if you have received this email in error. If you did receive this email in error, the information in this email may be confidential and must not be disclosed to anyone.

June 8, 2021

BY EMAIL (clerks@vaughan.ca)

Our File No. 144666

Mayor Bevilacqua and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mayor Bevilacqua and Members of Council:

**Re: Committee of the Whole Meeting, Tuesday June, 8, 2021 – Item 8
Report on City-Wide Comprehensive Zoning By-law
100 Steeles Avenue West, City of Vaughan**

We are the solicitors for Development Group (100 SAW) Inc., the owner of the property municipally known as 100 Steeles Avenue West, in the City of Vaughan (the “**Property**”).

On January 28, 2020, our client submitted applications for an Official Plan amendment, Zoning By-law amendment and draft plan of subdivision (collectively, the “**Applications**”) respecting the Property. The purpose of the Applications is to permit the redevelopment of the Property with a mixed use development that will reintroduce residential and commercial uses to the Yonge Steeles Corridor. We subsequently appealed these Applications on October 6, 2020, on behalf of our client due to Council’s failure to make a decision. The Tribunal Case Number associated with our client’s appeals is PL200473.

The Applications and subsequent appeals were processed and considered in the context of the City’s existing Official Plan policies and zoning regulations.

We are writing to confirm our understanding that pursuant to Section 1.6.3.3 and Schedule A, Map 19 (enclosed) of the draft Zoning By-law 2021-01 (“**By-law 2021-01**”), the Property shall not be subject to By-law 2021-01. Furthermore, as outlined in the Committee of the Whole Staff report dated June 8, 2021, the Property is encompassed within the Yonge Steeles Centre Secondary Plan (“**YSCSP**”) area which is to be zoned at a later date following a decision of the Ontario Land Tribunal (formerly, the Local Planning Appeal Tribunal). Pursuant to the above, we support the Property being removed from By-law 2021-01.

Kindly provide the undersigned with notice of any further public meetings with respect to the new Draft By-law and the passage of same. Should you require any further information, please do not hesitate to contact the undersigned or Sidonia Tomasella at stomasella@airdberlis.com.

Yours truly,

AIRD & BERLIS LLP

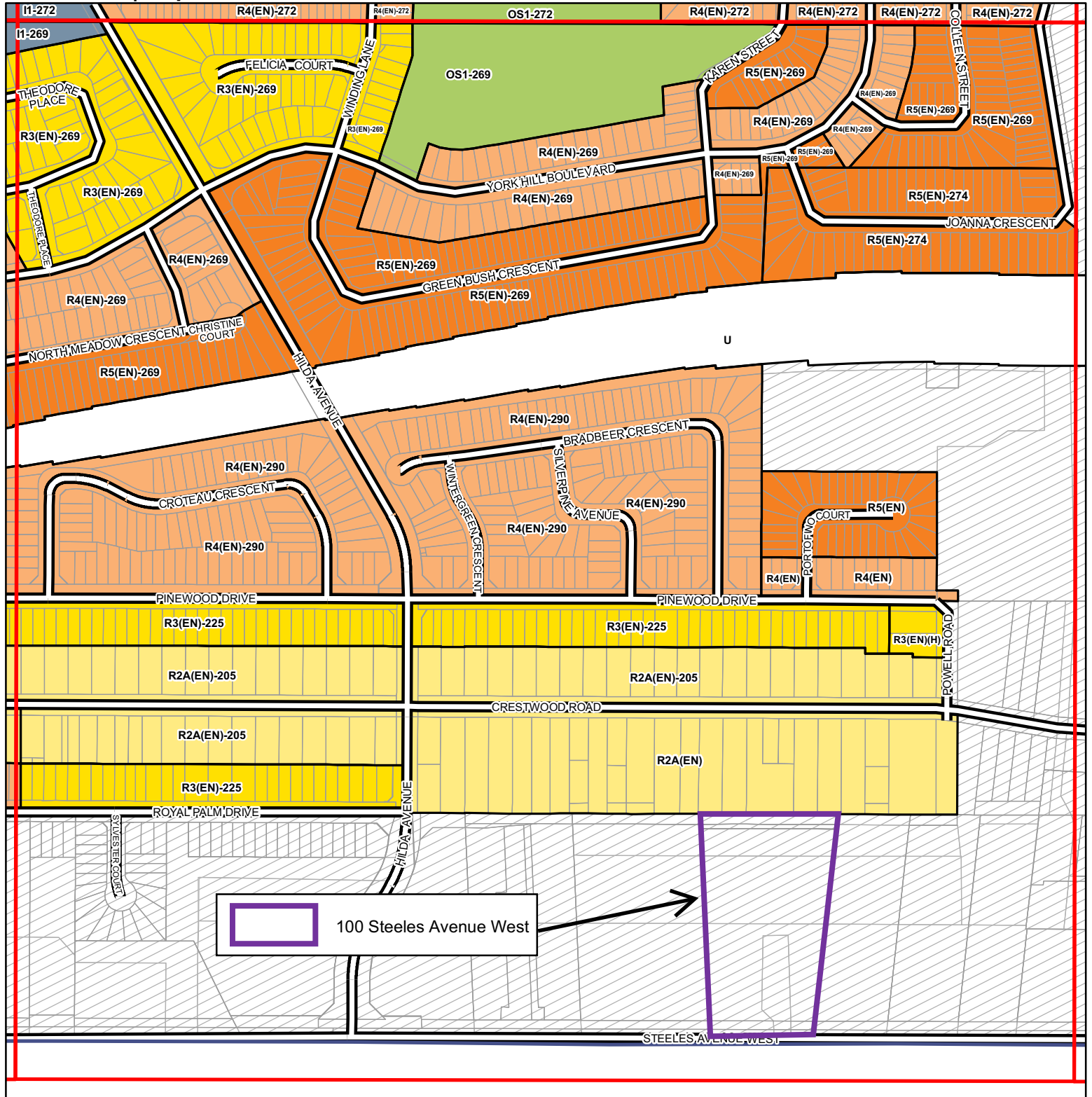


Tom Halinski

TH/SJT/TC/cg
Encl.

Zoning By-law 01- 2021

Schedule A | Map 19



100 Steeles Avenue West

Conservation, Open Space and Agricultural Zones

- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- V1 (Station Precinct Zone)
- V2 (South Precinct Zone)
- V3 (Neighbourhood Precinct Zone)
- V4 (Employment Precinct Zone)

Residential Zones

- R1 (First Residential Zone)
- R2 (Second Residential Zone)
- R3 (Third Residential Zone)
- R4 (Fourth Residential Zone)
- R5 (Fifth Residential Zone)
- RT (Townhouse Zone)
- RM1 (Multiple Residential Zone 1)
- RM2 (Multiple Residential Zone 2)
- RE (Estate Residential Zone)

Commercial Zones

- GC (General Commercial Zone)
- NC (Neighbourhood Commercial Zone)
- CC (Convenience Commercial Zone)
- SC (Service Commercial Zone)
- LMU (Low-Rise Mixed-Use Zone)
- MMU (Mid-Rise Mixed-Use Zone)
- HMU (High-Rise Mixed-Use Zone)
- GMU (General Mixed-Use Zone)
- CMU (Community Commercial Mixed-Use Zone)

Employment Zones

- EMU (Employment Commercial Mixed-Use Zone)
- KMS (Main Street Mixed-Use - Kleinburg Zone)
- MMS (Main Street Mixed-Use - Maple Zone)
- WMS (Main Street Mixed Use - Woodbridge Zone)
- EM1 (Prestige Employment Zone)
- EM2 (General Employment Zone)
- EM3 (Mineral Aggregate Operation Zone)

Other Zones

- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
- PB1 (Parkway Belt Public Use Zone)
- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)

These lands shall not be subject to Zoning By-law 2021-01

57	58	59	60
37	38	39	40
17	18	19	20

Final: May, 2021



1:5,000

the provisions of Zoning By-law 1-88, as amended, as it read on the effective date of this By-law, provided that the building permit application satisfies the following requirements:

- a. The building permit application was deemed a complete application in accordance with the Building Code Act; and
- b. All information is provided to allow for a zoning review to be undertaken.

This By-law includes provisions that allow for various applications that are currently being processed by the City to proceed without having to comply with this new Zoning By-law. The reader should contact the City if there are questions about how this by-law might affect any in-process applications. Only in-process applications that meet the requirements of this section will be eligible for exemption from this new Zoning By-law. Any new applications submitted after the passing of this By-law will have to be in compliance with this By-law.

1.6.2 **Planning Act Approvals**

1. The requirements of this By-law do not apply on a lot where a minor variance to Zoning By-law 1-88, as amended, was authorized by the Committee of Adjustment of the City or the Ontario Municipal Board or Local Planning Appeal Tribunal on or after January 1, 2015 and on or before the effective date of this By-law and a building permit has not yet been issued.
2. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the City or the Ontario Municipal Board or Local Planning Appeal Tribunal on or after January 1, 2015 and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title.
3. The requirements of this By-law do not apply to a lot where a conditional or final site plan approval has been granted by the City or the Ontario Municipal Board or Local Planning Appeal Tribunal on or after January 1, 2015 and on or before the effective date of this By-law and a building permit has not yet been issued.

1.6.3 **Planning Applications in Process**

1. The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for a minor variance has been filed on or before the effective date of this By-law, provided:
 - a. The minor variance application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;
 - b. The minor variance application was in compliance with Zoning By-law 1-88, as amended, except for the aspects of Zoning By-law 1-88, as amended, that are subject to the minor variance application;
 - c. The minor variance approval is subject to Section 45 of the *Planning Act* and receives final approval in the context of Zoning By-law 1-88, as amended; and

- d. Any building permit issued after final approval of the minor variance complies with the provisions of Zoning By-law 1-88, as amended, as it read on the date the application was deemed complete and in accordance with the final approved minor variance.
2. The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval has been filed on or before the effective date of this By-law, provided:
 - a. The site plan application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;
 - b. The site plan application was in compliance with Zoning By-law 1-88, as amended, and any applicable finally approved minor variances, including minor variances qualified by Section 1.6.3.1; and,
 - c. Any building permit issued after final approval of the site plan that complies with the provisions of Zoning By-law 1-88, as amended, and is in accordance with any final minor variances.
3. The requirements of this By-law do not apply to prevent the approval of any minor variance, site plan, plan of subdivision, consent application, part lot control exemption or plan of condominium application that has been filed on or before the effective date of this By-law, provided:
 - a. The application is deemed complete in accordance with the City of Vaughan Official Plan, 2010; and,
 - b. The application was in compliance with Zoning By-law 1-88, as amended, and any finally approved minor variances including minor variances qualified by Section 1.6.3.1.
4. The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

C33
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 13

From: [Sam Folino](mailto:Sam.Folino@vaughan.ca)
To: Clerks@vaughan.ca; [Todd Coles](mailto:Todd.Coles@vaughan.ca); Council@vaughan.ca
Cc: ["njaved@thestar.ca"](mailto:njaved@thestar.ca); ["amartinrobbins@yrmg.com"](mailto:amartinrobbins@yrmg.com); ["jgray@globeandmail.com"](mailto:jgray@globeandmail.com); ["breakingnews@cp24.com"](mailto:breakingnews@cp24.com); ["minister.mah@ontario.ca"](mailto:minister.mah@ontario.ca); [Keep Vaughan Green](#); [Clement Messere](#)
Subject: [External] RE: KEEP VAUGHAN GREEN !
Date: June-08-21 11:36:08 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Re: Clubhouse Developments Inc., 20 Lloyd Street (Board of Trade Golf Course), 241 Wycliffe Avenue, 737 and 757 Clarence Street

Files OP .19.014, Z.19.038 and 19T-19V007

My name is Saverio Folino married to Carolyn Folino with 3 lovely kids Antonia 23, Filippo 21 and Salvatore 14. We live on Modesto Gardens since we got married 25 years ago. My wife and I have been residence in Woodbridge sine 1981 when we lived with our parents.

Growing up as a child we would ride our bikes all around Woodbridge. Going down Pine Valley single lane each direction up and down the hills along side Langstaff to Islington to Boyd park. I would visit friends from all areas of Woodbridge. St Peters Church to St Margaret Mary's and to Immaculate conception when it was inside the gymnasium of Father Bressani. Transit only ran until 5 o'clock and one route that did all of Woodbridge. With our bike us friends we ventured out to all the streets and one day when I came up Clarence I fell in love. The bike ride was like no other in Woodbridge. Curvy rolling road with mature trees on both sides along side the board of trade golf course. I said to myself when I get married and grow a family that I want to be close to Clarence so my kids can enjoy the landscape.

Today we are dealing with a proposal of the largest infill Woodbridge has seen. The community has been talking about this in the most negative way. It is very disturbing that the city has entertain this and has caused many residences very upset. Many questions from traffic and way of life, where can my kids ride safely their bikes? Most roads nearby are multilane and congested with traffic. Where will all the locals go for peaceful walks? Have you ever seen the spring and summer days along Clarence from dusk till dawn? Walking, jogging and bikers enjoying the 2km stretch.

City staff have put forth a report for this upcoming meeting indicating that their position is that no peer reviews of the board of Trade Development application are needed and that such peer reviews will take too much time and may be too costly.

We feel the scale and identified impacts merit peer reviews of the traffic studies (as clearly this development will impact the surrounding communities and the already strained Woodbridge Avenue) , ecology study (as previous peer reviews indicate significant impacts on the ecology of the site) and the heritage impacts (as residents have not been consulted on what they deem to be important aspects of the site in any of the studies).

I ask the council and the city clerks office urging you to set aside the proper funds for the above mentioned peer reviews

I ask that this matter be a priority concern

Thank-you for your attention to this issue that means so much to us,

Re: Clubhouse Developments Inc., 20 Lloyd Street (Board of Trade Golf Course), 241 Wycliffe Avenue, 737 and 757 Clarence Street

Files OP .19.014, Z.19.038 and 19T-19V007

,

Sam Folino

Prima Lighting

t. 905.851.1188

www.primalighting.ca

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From: Sam Folino

Sent: June 26, 2020 4:53 PM

To: 'clerks@vaughan.ca' ; 'Todd.Coles@vaughan.ca' ; 'council@vaughan.ca'

Cc: 'njaved@thestar.ca' ; 'amartinrobbins@yrmg.com' ; 'jgray@globeandmail.com' ; 'breakingnews@cp24.com' ; 'minister.mah@ontario.ca' ; Keep Vaughan Green ; 'clement.messere@vaughan.ca'

Subject: KEEP VAUGHAN GREEN !

Importance: High

June 06, 2020

Dear Mayor and Members of Council:

We would like to formally express our concern over the potential that the Ontario government may be approached to issue a Minister's Zoning Order (MZO) with council's approval over the Board of Trade Golf Course Development (20 Lloyd Street, Vaughan).

We, local residents part of the Keep Vaughan Green community group, ask that should such a MZO come forth with regards to the BOT golf course that council support a democratic process and oppose such a MZO. We as community members have invested many hours of our time and money to bring forth our concerns regarding the impacts of this proposed development on our community.

A draft motion has been submitted to our Ward 2 Councillor Tony Carella resolving that Vaughan Council:

1. Will reject any request of support by the applicant(s) for a Minister's Zoning Order or proposed Minister's Zoning Order that may be forthcoming on the former Board of Trade Golf Course.

2. Will support the normal planning process legislated by the Ontario Planning Act and conferred upon Municipal Governments under the Ontario Planning Act.
3. Will not support any planning directive that does not include all stakeholders, specifically the citizens of the City of Vaughan.
4. Will support our residents to retain their right to be part of the planning process and to play a key role in assessing how the proposed Toronto Board of Trade development application will impact their community

Issuing such a MZO would be unjust to the taxpayers of this community.

We further recommend, in addition to the above, that Vaughan Council support the implementation of an Interim Control Bylaw to facilitate the completion of pertinent independent studies so that an informed decision can be made with respect to the proposed OPA, plan of subdivision and zoning amendment for this site.

We have recently been informed that the Minister of Municipal Affairs and Housing, Steve Clark, has advised of the intention to end the temporary suspension of the Planning Act timelines as of June 22, 2020 and NOT when the province lifts the state of Emergency as originally intended. We ask that the city consider continuing this temporary hold on timelines given the extent to which York Region has been impacted by Covid19, and given that our region has not been able to 'open up' as early as other jurisdictions. We further request that the special COW that is recently scheduled for July 8, 2020 be rescheduled to a later date so as to allow maximal participation of residents (as has been granted to other rate payer groups for other development applications).

Sincerely,

Sam Folino and Family

■ Modesto Garden Woodbridge ON



Sam Folino

Prima Lighting

t. 905.851.1188

www.primalighting.ca



C34
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 32

From: [Joseph Brunaccioni](mailto:Joseph.Brunaccioni@vaughan.ca)
To: Clerks@vaughan.ca; [Todd Coles](mailto:Todd.Coles@vaughan.ca); [Isabel Leung](mailto:Isabel.Leung@vaughan.ca); clerkgeneralline@york.ca
Cc: [Maurizio Bevilacqua](mailto:Maurizio.Bevilacqua@vaughan.ca); [Mario Ferri](mailto:Mario.Ferri@vaughan.ca); [Gino Rosati](mailto:Gino.Rosati@vaughan.ca); [Linda Jackson](mailto:Linda.Jackson@vaughan.ca); [Marilyn Iafrate](mailto:Marilyn.Iafrate@vaughan.ca); [Tony Carella](mailto:Tony.Carella@vaughan.ca); [Rosanna DeFrancesca](mailto:Rosanna.DeFrancesca@vaughan.ca); [Sandra Yeung Racco](mailto:Sandra.Yeung.Racco@vaughan.ca); [Alan Shefman](mailto:Alan.Shefman@vaughan.ca); paul.freeman@york.ca; bruce.macgregor@york.ca; wayne.emmerson@york.ca; [Jim Harnum](mailto:Jim.Harnum@york.ca); [Haiping Xu](mailto:Haiping.Xu@york.ca); [Mauro Peverini](mailto:Mauro.Peverini@york.ca); paul.jankowski@york.ca
Subject: [External] Follow Up, June 8, 2021 - Committee of the Whole Meeting
Date: June-09-21 11:38:07 PM
Attachments: [June 9 Follow Up MOC Meeting.pdf](#)
[June 8 2021 MoC.pdf](#)

Joseph Brunaccioni
[REDACTED] Maison Parc Crt
Thornhill On
[REDACTED]

For the attention of:

City of Vaughan Clerk's Office
Todd Coles
York Region Clerk's Office
Cc List on page 2

RE: Follow Up, June 8, 2021 - Committee of the Whole Meeting

I want to acknowledge and thank T Coles, I Leung and City Clerks for receiving and adding my request to make a presentation at the subject meeting.

The motion to accept my deputation carried.

During the questions and discussion that followed my presentation it was pointed out that Toronto Staff do submit comments to the City of Vaughan on applications they feel will impact the City of Toronto.

In part my submission requested that...departments in both the City of Vaughan and York Region responsible for responding to inquiries/comments from other jurisdictions be coordinated. Comments returned must contain negative and positive feedback from neighbourhoods that may be impacted. Developments should ensure the character and atmosphere of the existing neighbourhoods are enriched and not diminished.

As such it is requested Department Heads responsible for responding to requests for comments initiate a like practice. This could simply be completed by incorporating a step in the process that requires responding Departments to contact the most local Ratepayer Association for their input and incorporating their comments into the responses returned.

As identified in my June 8th, there are 7 hi rise buildings proposed for the southeast corner of Dufferin and Steeles. They would introduce a four-fold increase in the area's density. The impact of development does not disappear at a boarder. The 4.2 km stretch of road along Steeles Ave from Yonge St to Dufferin currently has 47 hi rise buildings either approved or proposed. These 47 hi rise buildings would contain approximately 14,000 units equaling to at least 30,000 new residents. This includes the 6 mostly approved hi rise buildings at the Promenade.

To put it in perspective, 30,000 people equals the population of a Stratford or a Timmins Ontario in only a 4.2 km length of road. Steeles is the boarder Vaughan and Toronto. The politicians on both sides of Steeles Ave must acknowledge and understand what they are leaving future generations. When is enough development enough?

I reiterate, we are not opposed to development, but it must be efficiently managed and benefit the existing neighbourhoods. We welcome new residents but cannot increase the density and related problems exponentially without severe consequences.

June 9, 2021

Joseph Brunaccioni
[REDACTED] Maison Parc Crt
Thornhill On
[REDACTED]

For the attention of:

City of Vaughan Clerk's Office
Todd Coles
York Region Clerk's Office
Cc: See page 2

RE: Follow Up, June 8, 2021 - Committee of the Whole Meeting

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I reiterate, we are not opposed to development, but it must be efficiently managed and benefit the existing neighbourhoods. We welcome new residents but cannot increase the density and related problems exponentially without severe consequences.

I look forward to your response.

June 9 letter CC LIST

MAYOR

Maurizio Bevilacqua
maurizio.bevilacqua@vaughan.ca

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Chief Administrative Officer

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Commissioner Transportation Services

Paul Freeman
paul.freeman@york.ca

Chief Planner, Planning and Economic Development

June 8, 2021

Joseph Brunaccioni

█████ Maison Parc Crt

Thornhill On █████

Thank you for the opportunity.

We moved to the Dufferin and Steeles area, specifically into Glen Shields in 1983 and then to Maison Parc in 2015. There are two other condominiums on Maison Parc and along with the Four Elms Retirement Residence we occupy the northeast corner of the Dufferin & Steeles intersection.

Earlier this year I became aware of two proposals to redevelop the southeast corner of Dufferin and Steeles – these developments would dramatically change the make up of the neighbourhood and impact the City of Vaughan and the Region forever. The proposed 7 hi rise bldgs. and 4 fold increase (approx 4000 people) in density is outrageous. It disrespects all the existing neighbourhoods which include the following identified by Ratepayer and Neighbourhood Associations

Glen Shields, Concord West, Spring Farm, Lakeview, Brownridge, Beverley Glen and Ridgeway RPA which is in Toronto just east of the intersection.

1/ I seek the City of Vaughan and York Region's support. I ask they formally oppose and advise Toronto of our concerns. The developments as proposed will affect the residents of Toronto, Vaughan and ultimately York Region only in negative ways. The impact of developments do not disappear at a boarder. They crossover and overlap. The flow of pedestrians, cyclists, transit, traffic, sun, shadows, water, sewage, and density are all intertwined. An important fact learned from the pandemic is that people are moving out of high-density areas. Cramming people into towers is not conducive to the quality of life we seek.

2/ The struggle to get a response from representatives from the City of Vaughan and York Region regarding their position on development proposals on our border has been unacceptable. It was eventually confirmed that comments if submitted do not include the impact they have on existing communities. I request the departments in both the City of Vaughan and York Region responsible for responding to inquiries/comments be coordinated. Comments returned must contain negative and positive feedback from neighbourhoods that may be impacted. Developments should ensure the character and atmosphere of the existing neighbourhoods are enriched and not diminished.

3/ The rules for engaging the MOC deserve review, it was very frustrating being added today.

4/ We are not opposed to development, but it must be efficiently managed and benefit the existing neighbourhoods. Clearly discussions on how our communities can successfully grow and welcome new residents without overwhelming emergency services, hospital facilities and the green space available are necessary. We cannot increase the density & traffic problems exponentially without severe consequences.

Thank you

=====

I look forward to your response.

Joseph Brunaccioni

C35
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 13

From: [Adelina Bellisario](#)
To: [Adelina Bellisario](#)
Subject: FW: [External] June 8th Committee of The Whole - Vaughan Council
Date: June-14-21 9:48:16 AM
Attachments: [Letter to Council.pdf](#)

From: Paola Apollinaro [REDACTED] >
Sent: June-09-21 7:37 PM
To: Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Clerks@vaughan.ca; Marilyn Iafrate <Marilyn.Iafrate@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>
Cc: Andre Willi [REDACTED] >; Daniela Villani [REDACTED] >; Mark Pulciani <[REDACTED]>; Mark Pulciani <keepvaughangreen@gmail.com>; Mark P. <[REDACTED]>; [REDACTED]; Laura Federico <[REDACTED]>; John Troina [REDACTED]; Flavio Battiston [REDACTED]; Ileana Battiston <ileana.Battiston@dspm.ca>; Daniel Battiston <Daniel.Battiston@dspm.ca>; Hatem Abou El-Neel <[REDACTED]>; Silvana Cantalini <silvanac@rfidcanada.com>; Bob Moroz <bobm@rfidcanada.com>; editorial@lospeschio.com; lettertoed@thestar.ca; newsroom@yrmg.com; rosanpietras <[REDACTED]>; monica guido <[REDACTED]>; Richard Lorello [REDACTED]
Subject: [External] June 8th Committee of The Whole - Vaughan Council

My feelings and thoughts as an output of last night's abomination..

Paola Maria Stefania Crocetti

This email and its attachments are confidential. Any unauthorized use or disclosure is prohibited. If you receive this email in error, please notify me by reply email and permanently delete the original without making any copies or disclosing its contents.

Elected by the People - Vaughan City Council:

Maurizio Bevilacqua, Mario Ferri, Gino Rosati, Linda Jackson, Rosanna De Francesco, Alan Shefman, Sandra (Yeung) Racco

Your behaviour at the Committee of the Whole meeting in dealing with the Peer Review Resolution was abominable I don't know what rules you follow but members of Council did not have the decency to show your faces during the meeting how, not one of you had any questions or comments, for any of the deputants, that spoke! As I said in my deputation you were just going through the motions and your decision was made well ahead, the famed back room politics of City Hall.

- **Mr. Bevilacqua** at a minimum your constituents expectation is that you respect the citizens of Vaughan...all the people of Vaughan those who voted you in those who did not! Your conduct and response towards Richard Lorello was abysmal and certainly unbecoming of any human being least of all a Mayor it was unbelievably dis-respectful and lacked professionalism and leadership. Your lack of engagement, and community support on the BOT agenda item, is a slap in the face, disrespectful and outright neglectful. Vaughan is not the centre of the universe, as you may think Mr. Bevilacqua, you should consider standing down from your mayoral pedestal. Being a "big fish" in a small pond – Vaughan was your second choice seeing that being a "small fish" in a big pond – Ottawa, did not pan out for you.
-
- **Mr. Ferri**, once again, due to an undeclared conflict of interest you did not recuse yourself on this item and have not done so on many other occasions on other items that have gone to Committee of the Whole meetings, as an elected member of council. At a minimum you should have disclosed your conflict of interest at at a minimum exclude yourself from voting
- **Mr. Rosati**...you do not hold your word, to the community! It seems that when it is an election year, promises are made to the community but when the council voting takes place, memory lapses occur Mr. Rosati and the promises made are forgotten. This seems to be a long-time pattern of yours. Do you remember when you stood before a room filled with 500 plus residents when you stated "If the residents don't want this development then I will support you and will not want this development " Was this a promise that was so easily broken
- **Ms. Jackson, Ms. De Francesco, Ms. Yeung-Racco and Mr. Shefman** – why have you voted against the peer review studies? None of you said anything at all about this agenda item and what the deputants had to say yesterday, or even showed any true interest with the community's concerns. If costs were of concern a reasonable threshold could have been established. Other communities were granted some peer reviews, Why is our community any different? Don't you believe that an area of this magnitude and rich historical and cultural value warrants enhanced due diligence before a final decision is made.

Mr. Carella and Ms. lafrate...thank you for motioning in the studies' peer review motion and for seconding it.

Your fellow councillors obviously totally disregarded the community and its citizens.

Your colleagues irrespective of all deputations, presentations, documentation and rallies ignored to properly evaluate the issues, and the rationale supporting the peer reviews raised by the debutants on June 8th, from the debutants that are directly by this proposal fell on deaf ears.

The residents affected have lost all respect, trust and confidence in this Council.

The community was not dealt fairly or in good faith, throughout this entire process with this BOT development application! This is the largest infill development application in a longstanding established community in the heart of Woodbridge! The property in question is the jewel of Vaughan that has existed in excess of 60 years, and is currently zoned as Open Green Space and should remain as such to protect the environmental structure of the area. In this period of Global Warming we should be doing all possible to protect as much green space as possible.

Backroom decisions are made, with no consideration for the very people who live in these communities, the very same people YOU PROFESS TO REPRESENT, pay YOUR SALARIES and your LEGAL BILLS, via our hard-earned tax paying dollars!

Residents in Vaughan are not against development, development applications, City Hall is obligated to make the decisions based on a complete review of all the issues, benefits, flaws and disadvantages in totality to properly assess the proposals so that the best decision is made. With this proposal, the residents, community ratepayer groups directly affected have not been engaged at a minimum the citizen citizens ought to have been engaged in good faith, with respect and with transparency, something that this Council does not understand and does feel the need to follow.

The Mayor easily posts accolades of awards received however poor performance in accounting, ecological improvement and other failures are swept under the rug. In a report card on the health of the Humber River Watershed in 2000, 2013 and 2016, Forest cover by Municipality in the Humber Watershed graded Vaughan with a "D". TRC reports that Vaughan has not met its on-going targets for green space in relation to population growth. In 2018, Vaughan once again received a "D" showing no improvement from 2013.

In academia when a report card shows C or D, one must do better. It's a known fact that there's only limited green space left between here and Lake Ontario. If you look at a map, it's more grey than green, and what is green seems to be golf courses, and we all know the development trend with golf courses. Our future needs to invest in protecting more land in between communities. The Board of Trade lands represent 300 acres and is one of the last green space area in the proximity of Lake Ontario. For the future's sake, members of council, ought to be concerned in making a conscientious well thought out decision that is in the best interest of the community not the developers. Especially within proximity of the Humber River. We all have to think about the long term. This 300 acre lot can be a legacy left behind and accommodate those tens of thousands of people who are aching for green space that isn't packed.

C36
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: 2267 Hwy 7 & 7700 Keele Street - Written Submission
Date: June-15-21 9:16:32 AM
Attachments: [P-3036 Comprehensive ZBL Review Ltr Final.pdf](#)

From: Christine Halis <CHalis@klmplanning.com>
Sent: Monday, June 14, 2021 7:27 PM
To: Clerks@vaughan.ca
Cc: Ryan Mino <RMino@KLMPPlanning.com>; Dani Cohen <dcohen@kingproperties.ca>; Christopher Dunn [REDACTED]
Subject: [External] 2267 Hwy 7 & 7700 Keele Street - Written Submission

Good Evening,

Please find attached a letter to Council in response to Committee of the Whole's consideration of the Comprehensive Zoning By-law Review on June 8th, 2021 (Agenda Item 6.8). Can you please confirm receipt and if this communication will be placed on the Council Agenda on June 22nd.

Regards,

Christine Halis MCIP, RPP
SENIOR PLANNER

KLM PLANNING PARTNERS INC.
Planning | Design | Development

64 Jardin Drive, Unit 1B Concord, Ontario L4K 3P3
C 647.302.8122 E chalis@klmplanning.com

 Please consider the environment before printing this email



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klmplanning.com

SENT VIA EMAIL

File: P-3036

June 14, 2021

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Hon. Mayor Bevilacqua and Members of Council

**RE: Comments on City-Wide Comprehensive Zoning By-law (Final Draft)
Council Meeting - Tuesday June 22, 2021
In Response to Committee of the Whole Agenda Item 6.8 (Tuesday June 8, 2021)
Avenue 7 Developments Inc.
2267 Highway 7 and 7700 Keele Street
City of Vaughan**

Dear Hon. Mayor Bevilacqua and Members of Council:

On behalf of our client Avenue 7 Developments Inc., (“the client”), owner of 2267 Highway 7 and 7700 Keele Street (“the subject lands”), KLM Planning Partners Inc. (“KLM”) is pleased to provide you with the following comments on the City-Wide Comprehensive Zoning By-law (“CZBL”) (Final Draft) and the Site-Specific Zoning Exceptions that are proposed for approval.

Background:

The subject lands are located at the southwest corner of Highway 7 and Keele Street in the City of Vaughan and are comprised of two properties with a total area of approximately 5.5 hectares. They are designated “Employment Commercial Mixed Use” by Vaughan Official Plan (2010) (“VOP 2010”). 2267 Highway 7 is currently zoned C6 – Highway Commercial (Exception 784) while 7700 Keele Street is currently zoned EM1 – Prestige Industrial (Exception 1322), both subject to site-specific provisions. The existing zoning permissions on the subject lands currently allow for entirely commercial retail uses over both parcels of land, as well as a wide range of employment uses.

A request for Employment Land Conversion (“ELC”) to permit a greater range and mix of uses including residential uses on the subject lands was approved by York Regional Council on October 22, 2020, and a pre-consultation has been held with municipal staff to present master-plan level development concepts for the subject lands and determine next steps. Development applications for the subject lands will initially consist of an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision, and are expected to be filed in 2021. It is expected that the approval process will take many months to complete.

Comments on Comprehensive Zoning By-law:

The subject lands are located within the areas depicted on Maps 33 and 53 of the Final Draft CZBL. Both parcels are proposed to be zoned EMU – Employment Commercial Mixed-Use and are subject to site-specific exceptions 487 (2267 Highway 7) and 958 (7700 Keele Street). Upon review of the most recent draft ZBL, site-specific exceptions, and associated staff report, we would like to comment on the transition of approvals from By-law 1-88 and their effect on forthcoming development applications.

The staff report states:

Feedback was received respecting the transition of previous and on-going site-specific approvals from By-law 1-88 to the CZBL, and the status of active and future development applications, in-progress approvals and building permits. Detailed transition provisions are included in the CZBL that focus on previously approved site specific amendments, and in-progress development applications and/or building permit applications. The transition clauses recognize previous planning approvals lawfully obtained in accordance with statutory provisions of the Planning Act. The intent of the transition provisions 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.

We acknowledge that staff have attempted to bring the subject lands into conformity with VOP 2010, and as a result have permitted additional uses on the subject lands through the EMU Zone provisions that we do not object to.

However, the subject lands currently benefit from permissions which were legally obtained through previously approved Zoning By-Law Amendment applications (By-law 163-2009) which have been removed or limited by the current draft ZBL. It is our request that the proposed ZBL recognize all of the existing permissions which were legally obtained in addition to any additional uses staff deem appropriate, acknowledging that the lands will ultimately be re-zoned to implement a greater master plan which will be reviewed by staff and ultimately require Council approval.

In particular, employment uses such as warehousing, major manufacturing, and processing of products have been removed from the list of permitted uses when they currently exist and operate on-site. Additionally, restrictions have been placed on commercial uses including but not

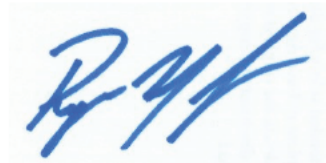
limited to health and fitness centres and supermarkets, permitting them only as part of a mixed use development and limiting their gross floor area to 30% of the entire gross floor area across the site. A health and fitness centre currently exists on the site, and a if a future expansion was planned, may be limited by such zone requirements.

By addressing this discrepancy, the instances of legal nonconforming uses created by the introduction of this By-law will be reduced. Transitioning all of the currently approved and in-force permissions will also provide more certainty to our client with respect to attracting tenants to the site or allowing existing tenants to expand while the development concept for the subject lands is further refined and goes through the proper channels for approval. Therefore, it is our request that the site-specific exceptions for these lands be carried forward in their entirety.

We understand that staff may make stylistic and technical changes to the draft CZBL prior to its approval by Council in October 2021. As such, we respectfully request that this technical change be considered and are open to further dialogue with staff on this matter.

Respectfully submitted,

KLM PLANNING PARTNERS INC.



Ryan Mino-Leahan, MCIP, RPP
Partner



Christine Halis, MCIP, RPP
Senior Planner

C37
COMMUNICATION
COUNCIL – June 22, 2021
CW (PM) - Report No. 36, Item 5

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] COW PUBLIC HEARING ITEM #5 9465 WESTON RD -- ELVIRA CARIA FULL DEPUTATION NOTES FOR THE RECORD
Date: June-15-21 11:27:32 AM
Attachments: [COMDEL PUBLIC HEARING JUNE 2021 ELVIRA SPEECH.pdf](#)

From: Elvira Caria <elvira@elviracaria.com>
Sent: Tuesday, June 15, 2021 8:17 AM
To: Clerks@vaughan.ca; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>
Cc: Sam Audia [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; Valeria [REDACTED]; [REDACTED]; [REDACTED]; Vanessa Galle [REDACTED]; [REDACTED]
Subject: [External] COW PUBLIC HEARING ITEM #5 9465 WESTON RD -- ELVIRA CARIA FULL DEPUTATION NOTES FOR THE RECORD

Good Morning ...

On behalf of the Vellore Woods Ratepayers Association, please find attached FOR THE RECORD and part of our official submission, notes of my deputation last night.

Didn't quite get to it all. BUT this will act as our official CONCERNS ...and need to all be addressed...

Thank You for the support last night, this community looks forward to an update on the Regional & Local Compensation aspect and we look forward to working with the Developer & Staff to decide where this will best be spent back into BLOCK 32

However--we cannot stress it enough - the entire development needs to be buffered with MATURE TREES (not little ones) where we lost hundreds of protected ones

Regards

Elvira

p/ VWRA

--



Elvira Caria
Award Winning
Multi Platform Broadcaster

NEWS TALK
SAUGA 960 AM
The Rush Hour
with
Scholes & Caria
Wednesday 11am-12pm

BUNTING SOUND STUDIO
15 Bunting Drive | Vaughan Ontario | L4H 2E7
Elvira@ElviraCaria.com | 416.520.5926 | ElviraCaria.com



COMMITTEE OF THE WHOLE PUBLIC MEETING

JUNE 14TH 2021

ITEM #5

9465 WESTON LIMITED

OP.21.011 ZONING BY-LAW AMENDMENT FILE Z.21.018 DRAFT
 PLAN OF SUBDIVISION FILE 19T-21V004 9465 WESTON ROAD 2, 6,
 10, 14, 18, 22 AND 26 COMDEL BOULEVARD 11, 12, 15 AND 19
 LICHEN COURT
 INCLUDING BLOCKS 32 AND 33 ON REGISTERED PLAN 65M-3457
 VICINITY OF WESTON ROAD AND COMDEL BOULEVARD
 9465 WESTON RD LTD

Good Evening Chair Regional Councillor Deputy Mayor Mario Ferri, Mayor Bevilacqua, Members of Council, City Staff, Ladies & Gentlemen, and my wonderful fellow neighbours of Vellore Woods

My name is Elvira Caria and I am the Co-Chair of the Vellore Woods Ratepayers Association,

I want to begin by doing something a little unexpected from me this evening. I want to begin by **THANKING** the Applicant in this matter. Let me explain. It has been perhaps quite a few years that we have been blindsided by Developers who have submitted applications to the City **WITHOUT EVER** reaching out to us, the local **Ratepayers Association**. What this has done is put us in a position of **DEFENSE**, and in most cases, has started dialogue in a negative manner. Well this isn't the case here this evening.



The applicant did come to us BEFORE HAND –and we appreciate that and we have been able to start the ball rolling with respect to what we believe will and will NOT work on this site plan.

You heard this evening from many residents who have made it abundantly clear that there are issues of density, traffic concerns, environmental woodlot protection concerns and perhaps one of the biggest issues is the punch out from Lichen Court ...essentially turning a COURT into a main entry into this proposed development. –In an area of our community that is already suffering immense traffic issues especially on Hawkview Blvd ..and now we’re just adding more onto Comdel... where there is a school right at this intersection.

1. I want to begin by speaking on **ACCESS**. It is my understanding and staff can correct me if I am wrong that the DEVELOPER actually proposed to leave Lichen Court alone— BUT STAFF insisted on the 2 access points into the new development. (This is what was communicated to us by the Developer) Well this just can’t happen. Which one of you is



going to knock at the door of these incredible homeowners on Lichen Court and TELL THEM –in their face that the homes they purchased and paid a premium for –is NO LONGER A COURT..but rather a straight through into the new development.

The VWRA is insisting and demanding that there be a right in and right out of this site ONLY from Weston Rd ...LEAVE LICHEN COURT ALONE. Add a few more homes to it if you must –or leave it exactly as is – BUT **LICHEN COURT MUST REMAIN A COURT.**

And before you tell us that it can't be done – WELL IT CAN BE..and it has been done... many many times in the past – including recent sites on Islington Avenue north of Langstaff. Alternatively find a 2nd access point –we need to get creative.

2. **DENSITY**

This is an easy one! It's just too much. Too Too much. We can do better and we are working with the developer to rejig the site plan so that some density can come down. We DON'T need all those back to backs – and we think more single detached belong in this site – especially in the south end.



But again—I want to make it clear to our fellow neighbours that this is just STEP 1 of a work in progress with the applicant.

Speaking of the south end of this development—we don't have any issue with the single detached homes on Comdel Rd.

3. **WOODLOT TREE REMOVAL**

Shame Shame Shame on the City of Vaughan Staff who APPROVED the cut down of the approx. 1.5 hectare of protected woodlot. Well we can't GLUE THEM BACK....but we sure as hell can get compensated for them.

It is our understanding that the developer paid a hefty fine to York Region for cutting down these trees, and that YORK Region is now about \$200,000 dollars richer because of it –and Vellore Woods Community is again stink out of luck. Well not on our watch.. SORRY ...

We are demanding that Regional Councillors go back to the Region and DEMAND that the money they received for this fine—GOES RIGHT BACK into Block 32 community –



As well—The Developers were also directed to compensate the City for this ...and that the compensation would be put back into BLOCK 41!

I don't think so ... NOONE IN YORK REGION AND NOONE IN THE CITY OF VAUGHAN SHOULD benefit from this money on the backs of **VELLORE WOODS COMMUNITY. –EXCEPT VELLORE WOODS COMMUNITY.**

We want to hear from our Regional Councillors who will be willing to stand up for us and take the lead and go back to the Region demanding OUR MONEY go back into OUR COMMUNITY

Therefore –I implore Council to direct Staff and the Developer to sit down with the VW ratepayers association to come up with a comprehensive plan that will see EVERY SINGLE PENNY go back into Vellore Woods.

We –as a community with the developer and Staff will decide EXACTLY HOW this money will be reallocated back into VELLORE WOODS ...BLOCK 32

So—we ask that a motion be put forward that Council request York Region to reallocate those monies BACK into Block 32 and



that any compensation related to this site that is owed to the City similarly be placed back into Block 32

In addition...we would like THE DEVELOPER tonight to go on record to say that he is committed to put that compensation money BACK INTO BLOCK 32

In addition to this ...we want the developer to also go on record to propose additional trail enhancements, woodlot buffer planting and pedestrian connections ..

In other words.. we know you're building here –but we don't want to see you –or hear you –we only want to HEAR the damn birds chirping in the NEW BIG TREES that will be replanted along the site parameter...

4. URBAN DESIGN AND HERITAGE BUILT FORM

We have spoken to the Developer in exhaustive detail about the importance of the integrity of the urban design and heritage built form of this development. It is situated adjacent to the OLDEST HISTORICAL BUILDINGS in Vaughan –that being the original Vellore Town Hall and the Vellore School. We have reassurance from the developer that the highest of URBAN DESIGN HERITAGE BUILT FORM will be respected here ..but we



want it on record that a committee be formed specifically including members of our ratepayers association that will oversee the development and built form of this site.

At this point – we continue a very good working relationship with the applicant and we want to keep it that way—We want to ensure that STAFF understand that history has told us and showed us that when the Ratepayers association work alongside the developer and the City –a BETTER product is ALWAYS PRODUCED ...

We MUST address the issues that we heard this evening from all the residents... and we need to find mutual ground and a mutually satisfactory development.

We want to WELCOME these new neighbours to our community ...and we are fighting for them TODAY

SO THAT THEY CAN BE PROUD OF THEIR HOMES TOMORROW

Thank You

Elvira Caria

VWRA

DATE: June 18, 2021

TO: Mayor and Members of Council

FROM: Michael Coroneos, Deputy City Manager, Corporate Services, Chief Financial Officer and City Treasurer
Nick Spensieri, City Manager

RE: **Item # 1, Report # 32, Committee of the Whole 2, June 8, 2021**

**BLACK CREEK FINANCIAL STRATEGY AREA SPECIFIC
DEVELOPMENT CHARGE BY-LAW UPDATE**

Recommendation

1. That the Development Charges Background Study for the Edgeley Pond and Park and Black Creek Channel Works prepared by Hemson, dated May 25, 2021 (the “**Black Creek DC Background Study**”) (Attachment 1, Item #1, Report #32) be approved;
2. That the Black Creek Financial Strategy Area Specific Development Charge (“**Black Creek ASDC**”) By-law (Attachment 1 of this Memorandum) which is reflective of current rates, pending the completion of further consultation with the development community as per Council’s direction, be enacted;
3. That Council commit to funding the capital forecast to 2041 for the Black Creek Channel Works and Edgeley Pond and Park Works, included in the Black Creek DC Background Study, and subject to maintenance of service levels, the availability of funding and Council policies;
4. That Council commit to funding the future operating costs associated with the capital forecast contained in the Black Creek DC Background Study, which are estimated to reach \$1.7 million annually by 2040, and that this be addressed through future budget cycles;
5. That staff be directed to further consult with landowners who provided feedback in respect of the Black Creek ASDC, and bring back a further Area Specific Development Charge By-law for the Edgeley Pond and Park and Black Creek Channel Works for Council’s consideration in Q4 of 2021; and
6. That staff be authorized to advertise for a Public Statutory Meeting at least twenty (20) days in advance of the date of the meeting in a method that is consistent with the requirements of the *Development Charges Act, 1997*.

Background

The Black Creek Financial Strategy and VMC West Interchange Sanitary Sewer Development Charges Background Studies were presented to the Committee of the Whole on April 7, 2021. A Public Statutory Meeting was held on May 12, 2021 for both the Black Creek works and the VMC West Interchange Sanitary Sewer works. On June 8, 2021, Council approval was sought for the updated Development Charges Background Study and By-law. Several communications were received from the development industry seeking additional clarity on the Black Creek DC Background Study as well as expressing concerns as they related to the affordability of the Black Creek ASDC rates being proposed. Therefore, Council requested that consideration of the Black Creek DC Background Study and draft Black Creek ASDC By-law be deferred to the June 22, 2021 Council meeting. Council had also requested that the new Black Creek ASDC By-law be revised to maintain the same rates that are currently in effect under the existing By-law to allow for additional consultation with the development industry as well as with Mayor and Members of Council.

A new ASDC By-law must be passed in order to continue collecting Development Charges

Subsequent to the feedback received, staff has prepared a new By-law based on Council's direction, which will maintain Black Creek ASDC rates at existing values. The *Development Charges Act* requires that a Development Charges By-law be replaced every five (5) years. The existing By-law (079-2016) expires on July 1, 2021. The *Development Charges Act* does not permit the extension of the existing By-law beyond the five-year expiry; however, Council can enact a new By-law. In order to enact a new By-law, an associated background study must also be approved. By-laws can be passed against a background study for a one (1) year period following the completion of the development charges background study. In order to pass a new By-law, the background study presented on June 8, 2021 needed to be approved. A Development Charges Background Study determines the upset limit of what rates may be charged, but Council has the authority to pass any rate they wish, so long as it does not exceed the upset limit identified in the background study.

There are some risks associated with passing a lower Black Creek ASDC rate than that which was recommended by Staff on June 8, 2021

The updated Black Creek Financial Strategy identifies some significant cost escalations as they relate to land and the more detailed design of the Edgeley Pond and Park engineering components. By passing a lower rate than that which was recommended within Item #1, Report #32 to allow for further public consultation, there is a risk that some developments may be in a position to lock in these lower development charges rates now as a result of the recent amendments made to the *Development Charges Act* which permits the freezing of development charges rates. Additionally, the new Black Creek ASDC By-law, as with all development charges By-laws, is subject to a 40-day appeal period.

Staff have undertaken extensive consultations with the development industry

In 2016, staff undertook extensive consultations with the development industry to determine a framework for the Black Creek Financial Strategy including the development of a methodology to allocate costs across various funding sources in a way that recognized the functional benefit of each component of infrastructure. As these details were established through that consultation process, staff proceeded with the current update by maintaining the same general cost allocation methodology and only adjusted the costs as they related to a more detailed design of the Edgeley Park and Pond and costs escalations as they related to land and the Black Creek Channel Works.

Consultation on the Black Creek Financial Strategy Update began with external stakeholders in February 2021. Since that time, City staff and the consulting team held four group sessions with the industry – one (1) project kick-off meeting initiating the process and three (3) technical sessions to provide them with draft rates and to allow for discussions regarding the more technical aspects of the project and financial strategy. In addition, several site-specific meetings were also held to discuss issues as they may pertain to individual development sites and how the Black Creek ASDC and related Edgeley Pond and Park and Black Creek Channel Works may impact their sites.

Feedback received from the development industry through the consultation process resulted in several changes to the strategy when compared to the rates that were presented to Council on April 7, 2021. The rates presented for approval on June 8, 2021 were reflective of these changes and resulted in a lowering of the rates for “Map 1 – Immediately Affected Landowners” and “Map 3 – Undeveloped Lands in the Black Creek Drainage Shed”. With regards to “Map 2 – VMC Areas Draining into Edgeley Pond”, our consultation resulted in a slight increase to this rate due to the removal of a property that is no longer being contemplated to drain into Edgeley Pond.

Importantly, the 2021 Black Creek DC Background Study prepared is based on the same methodology and approach developed in 2016 during the extensive consultation process conducted to pass the initial Black Creek Financial Strategy and area specific development charges By-law.

Consultation will continue over the summer

As Council has requested to maintain rates at the existing level through the summer, staff will take this time to continue additional consultation with the development industry and will provide briefings to Council regarding the project and related proposed area specific development charges rates.

Following this additional consultation, staff intend to report to Council in the fall of 2021, seeking approval of rates that are more in-line with the Black Creek DC Background Study. If any further changes result to the area specific development charges through the additional consultation, staff will provide an update of those changes along with a revised background study for Council's consideration. It should be noted that this direction starts the process anew within the regime provided for under the *Development Charges Act*, and that a new public meeting will be required with respect to the new By-law proposed, which will need to be advertised/notified at least twenty (20) days in advance. Staff are seeking Council's approval to proceed with the

advertising/notification as part of this communication in order to allow for the advertisement/notification to occur over the summer, prior to Council's resumption in the fall. Staff would aim to hold a Public Statutory Meeting in September 2021, followed by a recommendation for approval of new rates in October 2021.

For more information, please contact Nelson Pereira, Manager of Development Finance, ext. 8393

Attachments

1. Black Creek Financial Strategy ASDC By-law

Respectfully submitted by

Coroneos,
Michael

Digitally signed by
Coroneos, Michael
Date: 2021.06.17
16:04:39 -04'00'

Michael Coroneos,
Deputy City Manager, Corporate Services,
Chief Financial Officer and City Treasurer

Spensieri,
Nick

Digitally signed by
Spensieri, Nick
Date: 2021.06.17
16:48:06 -04'00'

Nick Spensieri,
City Manager

Attachments: as above

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2021

A By-Law to impose Area Specific Development Charges – Edgeley Pond and Black Creek Channel Works.

WHEREAS subsection 2(1) of the *Development Charges Act, 1997*, S.O. 1997, c.27 (“**Act**”) provides that the council of a municipality may by By-Law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development of the area to which the By-Law applies;

AND WHEREAS, at the direction of Council of The Corporation of The City of Vaughan (the “**Council**”), Hemson Consulting Ltd. has prepared an Area Specific Development Charge Background Study entitled “Development Charges Background Study for the Edgeley Pond and Black Creek Channel Works”, dated May 25, 2021 (the “**Background Study**”), which indicated that the development of any land within The Corporation of The City of Vaughan will increase the need for services as defined therein;

AND WHEREAS as of April 7, 2021, Council made the Background Study and draft version of this By-Law available to the public in accordance with the Act;

AND WHEREAS on May 12, 2021, Council held a public meeting at which all persons in attendance were provided with an opportunity to make representations relating to the draft By-Law in respect of the Edgeley Pond and Black Creek Channel Works and the Background Study in accordance with the Act;

AND WHEREAS notice of the public meeting was given on April 15, 2021 in accordance with the Act and Ontario Regulation 82/98;

AND WHEREAS on June 22, 2021, Council by resolution adopted the Background Study and determined that it was not necessary to hold any further public meetings in respect of this By-Law;

AND WHEREAS on June 22, 2021, Council passed a By-Law to impose and provide for payment of area specific development charges for the Edgeley Pond and Black Creek Channel Works.

NOW THEREFORE the Council of The Corporation of The City of Vaughan enacts as follows:

DEFINITIONS

1. For the following words and phrases if used in this By-Law:

- (1) **“accessory use”** means the use of any building or structure that is naturally and normally:
 - (a) incidental;
 - (b) subordinate to; and
 - (c) devoted exclusively to the main use on the same lot; and for the purpose of this By-Law, detached buildings or structures which are accessory uses shall not exceed 100 square metres of gross floor area;
- (2) **“agreement”** means a contract between the City and an owner and any amendment thereto;
- (3) **“agricultural use”** means lands, buildings, or structures, excluding any portion thereof used as a dwelling unit, used, designed, or intended for use for the purpose of a bona fide farming operation, including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities, and any other activities customarily carried on in the field of agriculture; but does not include a commercial use or a medical marijuana operation;
- (4) **“air supported structure”** means a structure consisting of a pliable membrane that achieves and maintains its shape and support by internal air pressure;
- (5) **“apartment building”** means a residential use building, or the residential use portion of a mixed-use building, other than a townhouse or stacked townhouse containing four or more dwelling units each of which shall have access to above grade common halls, stairs, elevators, and yards;
- (6) **“area specific development charge”** and **“special service area development charge”** mean a charge imposed with respect to growth-related net capital costs against a defined land area or per unit for specified services under the applicable By-Law;
- (7) **“atrium”** means a large open space extending through several floors in a building that is open to the ceiling;

- (8) **“basement”** means a storey, the floor of which is at least 0.75 metres below finished grade, provided that not more than one half of its height from the floor of the underside of the floor joist is below the finished grade;
- (9) **“building or structure”** means a permanent enclosed structure occupying an area greater than 10 square metres, consisting of a wall, roof, and/or floor, or any of them, or a structural system serving the function thereof, which includes, but is not limited to, air-supported structures or industrial tents; a canopy however shall not be considered a building or structure for the purpose of this By-Law and shall not attract development charges;
- (10) **“building permit”** means a permit issued under the *Building Code Act, 1992*, which permits the construction of a building or structure, or which permits the construction of the foundation of a building or structure;
- (11) **“canopy”** means an overhanging, projection, or covering connected to a principal use on the lands, such as over a gas bar or outdoor storage;
- (12) **“capital cost”** means costs incurred or proposed to be incurred by the City or a local board directly or by others on behalf of, and as authorized by, a Municipality or Local Board under an agreement, required for the provision of services designated in the By-Law within or outside the City:
- (a) to acquire land or an interest in land, including a leasehold interest;
 - (b) to improve land;
 - (c) to acquire, lease, construct, or improve buildings and structures;
 - (d) to acquire, lease, construct, or improve facilities including:
 - (i) rolling stock with an estimated useful life of seven (7) years or more years;
 - (ii) furniture and equipment, other than computer equipment; and
 - (iii) materials acquired for circulation, reference, or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, c. P. 44;
 - (e) to undertake studies in connection with any of the matters in clauses (a) to (d);
 - (f) of the development charge background study required before enactment of this By-Law; and

- (g) of interest on money borrowed to pay for costs described in any of the matters in clauses (a) to (d);
- (13) “**cellar**” means the portion of a building below the lowest storey which has more than one-half of its height from the floor to the underside of the floor joists below the finished grade;
- (14) “**City**” means The Corporation of The City of Vaughan;
- (15) “**commercial parking garage**” means a building or structure, or any part thereof, which use is for the parking of motor vehicles for remuneration, or in the case where parking is provided as an accessory to a principal use on the lands, where such parking is provided in a building or structure, or part thereof, whether or not there is remuneration paid by the owner or user for the motor vehicle, the portion of parking as required by the Zoning By-Law shall not attract development charges for the purpose of this By-Law;
- (16) “**development**” means the construction, erection, or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, and includes redevelopment;
- (17) “**development charge**” means a charge imposed with respect to growth-related net capital costs against land under this By-Law;
- (18) “**duplex**” means a building comprising, by horizontal division, two dwelling units, each of which has a separate entrance to grade;
- (19) “**dwelling unit**” means a room or suite of two or more rooms, designed or intended for use by a single household in which sanitary conveniences are provided, and in which facilities are provided for cooking or the installation of cooking equipment;
- (20) “**engineering services**” means services related to a highway, and may include water supply services, waste water services, and storm water drainage and control services;
- (21) “**existing industrial building**” means an existing building or structure to be used, or designed or intended for:
- (a) manufacturing, producing, processing, storing, or distributing something;
 - (b) research or development in connection with manufacturing, producing, or processing something;

- (c) retail sales by a manufacturer, producer, or processor of something they manufactured, produced, or processed, if the retail sales are at the site where the manufacturing, production, or processing takes place;
- (d) office or administrative purposes, if they are:
 - (i) carried out with respect to manufacturing, producing, processing, storage, or distributing of something; and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage, or distribution;
- (22) **“funeral home”** means a building or structure with facilities for the preparation of dead persons for burial or cremation, for the viewing of the body and for funeral services;
- (23) **“future development”** means development which requires a subsequent planning approval, in addition to a building permit, which planning approval shall include a site plan approval or the approval of a plan of condominium;
- (24) **“grade finished”** means the average elevation of the finished ground level at the wall(s);
- (25) **“gross floor area”** means, in the case of a non-residential building or structure, or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure, or from the centre line of a common wall separating a non-residential and a residential use, and:
 - (a) includes the floor area of a mezzanine and the space occupied by interior walls and partitions; and
 - (b) excludes in the case of a building or structure containing an atrium, the sum of the areas of the atrium at the level of each floor surrounding the atrium above the floor level of the atrium; and
 - (c) excludes the area of any self-contained structural shelf and rack storage facility approved by the Building Materials Evaluation Commission; and
 - (d) includes any part of a building or structure above or below grade used as a commercial parking garage; and
 - (e) for the purposes of this definition, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;

- (26) **“growth-related net capital cost”** means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital costs that results or will result from development in all or a defined part of the City;
- (27) **“heritage property”** means a property that contains cultural heritage value as defined under the Ontario Heritage Act;
- (28) **“home occupation”** means an occupation permitted in a dwelling unit and which:
- (a) is clearly secondary to the use of the dwelling unit;
 - (b) does not change the external character of the dwelling unit; and
 - (c) does not create or become a public nuisance, in particular in respect to noise, traffic, or parking;
- (29) **“household”** means one or more persons occupying or sharing all areas of the dwelling unit;
- (30) **“large apartment”** means a dwelling unit in an apartment building or plex that is 700 square feet or larger in size;
- (31) **“live-work unit”** means a unit intended for both residential and non-residential uses concurrently;
- (32) **“local board”** means a local board as defined in section 1 of the Municipal Affairs Act, other than a board as defined in subsection 1(1) of the Education Act;
- (33) **“lot”** means a parcel of land fronting on a street separate from any abutting land to the extent that a subdivision or a consent contemplated by the Planning Act would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of a street;
- (34) **“medical marijuana operation”** means the cultivation, growth, harvesting, processing, composting, destruction, packaging, storage and distribution of plants or parts of plants of the genus Cannabis (marijuana) as lawfully permitted and authorized under the Government of Canada’s Marijuana for Medical Purposes Regulations;
- (35) **“mid-high density mixed-use”** means a building or structure used, designed, or intended for residential and non-residential uses, where:

- (a) the non-residential uses comprise not more than fifty percent (50%) of the gross floor area of the building;
 - (b) the non-residential uses comprise a minimum of five percent (5%) of the gross floor area of the building; and
 - (c) the residential portion of the building or structure is over five (5) storeys in height;
- (36) **“mixed-use building”** means a building or structure containing a residential and non-residential use other than a home occupation;
- (37) **“mezzanine”** means a mezzanine as defined in the Building Code Act;
- (38) **“multiple unit dwelling”** includes stacked townhouses, and all other residential uses that are not included in the definition of apartment, single detached dwelling, or semi-detached dwelling;
- (39) **“net area”** means the gross area of land less the area of lands conveyed or to be conveyed into public ownership for the purpose of open space, parks, woodlots, storm water management facilities, buffers and road widenings along Regional Roads, and Ontario Hydro utility corridors, and less the area of any wood lots in private ownership if zoned as such, but shall include the area of all road allowances dedicated to the City;
- (40) **“net capital cost”** means the capital cost less capital grants, subsidies, and other contributions made to the City, or that the Council of the City anticipates will be made, including conveyances or payments under sections 42, 51, and 53 of the Planning Act in respect of the capital cost;
- (41) **“non-commercial parking garage”** means a building or structure, or any part thereof, that is not a commercial parking garage;
- (42) **“owner”** means the owner of the land or a person who has made an application for an approval of the development of the land upon which a development charge or an area specific development charge is imposed;
- (43) **“plex”** means a duplex, a semi-detached duplex, a triplex, or a semi-detached triplex;
- (44) **“re-development”** means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land, or changing the use from a residential to non-residential use or from a non-residential to residential use or from one residential use to another form of residential use;

- (45) **“semi-detached duplex”** means one of a pair of attached duplexes, each duplex divided vertically from the other by a party wall;
- (46) **“semi-detached dwelling”** means a building divided vertically into two dwelling units;
- (47) **“semi-detached triplex”** means one of a pair of triplexes divided vertically one from the other by a party wall;
- (48) **“services”** means services designated in this By-Law;
- (49) **“single detached dwelling”** and **“single detached”** means a residential building consisting of one dwelling unit that is not attached to another structure above grade. For greater certainty, a residential building consisting of one dwelling unit that is attached to another structure by footings only shall be considered a single-family dwelling for the purposes of this By-Law;
- (50) **“small apartment”** means a dwelling unit in an apartment building or a plex that is less than 700 square feet in size;
- (51) **“stacked townhouse”** means a building, other than a townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit being separated from the other vertically and/or horizontally, and each dwelling unit having an entrance to grade shared with no more than 3 other units;
- (52) **“storey”** means the portion of a building other than the cellar or unfinished attic which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 metres;
- (53) **“subdivision”** includes condominium;
- (54) **“temporary sales centre”** means a Building, including a trailer, that is designed or intended to be temporary, or intended to be removed from the land or demolished after use and which is used exclusively as an Office or presentation centre, or both, for new building sales;
- (55) **“triplex”** means a building comprising 3 dwelling units, each of which has a separate entrance to grade;
- (56) **“use, commercial”** means the use of any land, building or structure for the purpose of buying and selling commodities or supplying services as distinguished from such uses as manufacturing or assembly of goods, warehousing, and construction;

- (57) **“use, industrial”** means the use of any land, building or structure for construction, warehousing, manufacturing, processing, or assembly of materials to finished products or byproducts, including the storage of such materials and products;
- (58) **“use, institutional”** means the use of any land, building or structure by any organization owned or operated for religious, educational, charitable, recreational, or governmental purposes, whether or not supported in whole or in part by public funds;
- (59) **“use, non-residential”** means the use of any land, building or structure, or any part thereof, for use other than a residential use, and shall include commercial use, industrial use, and institutional use;
- (60) **“use, residential”** means the use of any land, building or structure for a single detached dwelling, semi-detached dwelling, multiple unit dwelling, apartment, or any other type of household or dwelling unit;

RULES – APPLICATION, EXEMPTIONS, AND EXCEPTIONS

2.

- (1) This By-Law applies to all land and to all uses of any land, building or structure within the City whether or not the land, building or structure, or use thereof, is exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, c.A.31;
- (2) Despite subsection (1), this By-Law does not apply to any land, building or structure within the City owned by and used for the purposes of:
 - (a) a local board;
 - (b) a board of education as defined in section 1(1) of the *Education Act*
 - (c) the City or any local board thereof and, without limiting the generality of the foregoing, including land leased from the Crown in right of Canada or Ontario located within the Parkway Belt Planning Area as defined in Regulation 744, paragraph 16 of the Revised Regulations of Ontario, 1990, provided the same is used for institutional use purposes of a not-for-profit nature;
 - (d) lands, buildings or structures owned by Metrolinx and used for transit related purposes;
 - (e) any area municipality within the Regional Municipality of York;
 - (f) the Regional Municipality of York or any local board thereof; and

- (g) a public hospital receiving aid under the Public Hospitals Act;
- (3) Development charges for the services designated in Schedule A shall be imposed upon the service area in Schedule B, specified in Schedule A, and shall be collected in accordance with this By-Law on development for residential use or non-residential use purposes;
- (4) Development charges provided for in subsection (3) apply where the development requires:
 - (a) the passing of a zoning By-Law or of an amendment thereto under Section 34 of the Planning Act, R.S.O. 1990, c.P.13;
 - (b) the approval of a minor variance under Section 45 of the Planning Act, R.S.O. 1990, c.P.13;
 - (c) a conveyance of land to which a By-Law passed under subsection 50(7) of the Planning Act, R.S.O. 1990, c.P.13 applies;
 - (d) the approval of a plan of subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13;
 - (e) a consent under Section 53 of the Planning Act, R.S.O. 1990, c.P.13;
 - (f) the approval of a description under Section 50 of the Condominium Act, 1998, S.O. 1998, c.19; or
 - (g) the issuing of a permit under the Building Code Act, 1992, S.O. 1992 c.23 in relation to a building or structure;
- (5) The City shall not apply more than one development charge provided for in this By-Law on land even though two or more of the actions described in paragraphs 2(4)(a) to (g) are required before the land can be developed;
- (6) Despite subsection (5), if two or more of the actions described in paragraphs 3(2)(a) to (g) occur at different times and if the subsequent action or actions has the effect of increasing the need for services, a development charge shall be imposed, calculated, and collected pursuant to subsection (3) limited to the increase;
- (7) Notwithstanding any other provisions of this By-Law, a building or structure shall be exempt from the payment of development charges provided that it is for:
 - (a) a temporary use permitted under a zoning By-Law enacted under Section 39 of the Planning Act, R.S.O. 1990, c.P.13;

- (b) an accessory use and, without restricting the generality of the foregoing, including a tent or canopy used on a temporary or seasonal basis;
 - (c) a home occupation;
 - (d) an agricultural use;
 - (e) a renovation of an existing building which does not alter, if a residential use, the number of units, or, if a non-residential use, the gross floor area thereof;
 - (f) a temporary sales centre;
 - (g) the relocation of a built heritage structure that is listed under Section 27 of the Ontario Heritage Act or designated under Part IV or V of the Ontario Heritage Act;
or
 - (h) Land, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act or any successor thereto, including mausoleums and columbariums, but excluding funeral homes;
or
 - (i) Buildings or structures owned by and used for the purpose of a conservation authority, unless such buildings or structures are used primarily for, or in connection with (i) recreational purposes for which the conservation authority charges admission, or (ii) any commercial use.
- (8) Area specific development charges paid hereunder shall be maintained in a separate reserve fund or funds and shall be used only for the services specified in Schedule A.

ADMINISTRATION

Payment of Development Charges

- 3.
- (1) All development charges payable shall be paid by certified funds to the City Treasurer;
 - (2) Subject to subsections 3(3), 3(4) and 3(5) of this By-Law, development charges imposed shall be calculated as of, and shall be payable on, the date a building permit is issued in respect of a building or structure on land to which a development charge applies, and no building permit shall be issued until the development charge is paid in full;

- (3) Notwithstanding subsection 3(2) of this By-Law and provided that the City and the owner(s) of the land have not entered into an agreement pursuant to subsection 3(4) of this By-Law, the development charge shall be payable, subject to any applicable exemptions or reductions contained in this By-Law:
- (a) In respect of an approval of subdivision pursuant to section 51 of the *Planning Act 1990*, R.S.O. 1990, c.P.13, immediately upon entering into the subdivision agreement; and
 - (b) In respect of the granting of a consent pursuant to section 53 of the *Planning Act, 1990* R.S.O. 1990, c.P.13, immediately upon entering into an agreement made as a condition of the granting of such consent;
- (4) Where the City and owner(s) of the land have entered into an agreement pursuant to section 27 of the Act in respect of the timing of the payment of a development charge or a portion thereof, the terms of such agreement shall prevail over the provisions of this By-Law, including subsections 3(2), 3(3) and 3(5) of this By-Law;
- (5) Notwithstanding subsections 3(2) and 3(3) of this By-Law and provided that the City and the owner(s) of the land have not entered into an agreement pursuant to subsection 3(4) of this By-Law, developments that are eligible pursuant to sections 26.1 or 26.2 of the Act shall have development charges calculated and payable in accordance with section 26.1 and/or 26.2 of the Act and interest thereon shall be calculated and payable in accordance with the City's policy, entitled "DC Interest Policy Under Section 26.1 and 26.2 of the Development Charges Act, 1997", as amended from time to time;
- (6) If a use of any land, building or structure that constitutes development but does not require the issuing of a building permit but requires one or more of the actions listed in subsection 2(4)(a) to (g) inclusive, a development charge shall be payable and shall be calculated and collected on the earliest of any of the actions listed in subsection 2(4)(a) to (g) required, or on a date set by agreement;
- (7) Nothing in this By-Law shall prevent Council from requiring, as a condition of any approval pursuant to the *Planning Act, 1990* R.S.O. 1990, c.P.13, that the owner(s) of land install such local services as Council may require in accordance with the City's policy in respect of local services;

Credits

4.

- (1) Where the City permits the provision of services in lieu of the payment of all or any portion of a development charge, the City shall give a credit for an amount equal to the reasonable cost to the owner of providing the services, as determined by the City,

provided such credit shall relate only to the portion of the development charge attributable to the services provided, unless otherwise agreed by the City;

- (2) The City may by agreement permit an owner to provide services additional to or of a greater size or capacity than is required, and the City may give a credit for an amount up to the reasonable cost to the owner of providing the services as determined by the City, provided that no such credit may be given for any part of the cost of work that relates to an increase in the level of service that exceeds the average level of service described in Paragraph 4 of Subsection 5(1) of the Development Charges Act, 1997;

Semi-Annual Adjustment

5.
 - (1) The development charges established pursuant to Section 2 of this By-Law shall be adjusted semi-annually, without amendment to this By-Law, as of the 1st day of January and the 1st day of July in each year, commencing on July 1, 2021, in accordance with the most recent change in the Statistics Canada Quarterly, Construction Price Statistics (Catalogue No. 62-007 CANSIM II Table 327 – 0039);

GENERAL

Term

6.
 - (1) This By-Law shall come into force and effect on July 1, 2021;
 - (2) This By-Law shall expire five years from the date that it comes into force and effect, unless it is repealed at an earlier date by a subsequent By-Law;
 - (3) Nothing in this By-Law shall be construed so as to commit or require the City to authorize or proceed with any specific capital project at any specific time;

Transitional Provisions

7.
 - (1) (1) If before the coming into force of this By-Law an owner or previous owner has made a payment for services described in this By-Law, or provided services in lieu thereof, no payment as required under this By-Law and no credits or refunds shall apply;

Schedules

- (1) 8. Schedules A and B are attached hereto and form part of this By-Law;

Repeal

9.
 - (1) By-Law 079-2016 shall be and is hereby repealed effective on the date that this By-Law comes into force and effect;

Registration

10.
 - (1) A certified copy of this By-Law may be registered in the By-Law register in York Region Land Registry Office and/or against the title to any land to which this By-Law applies;

Severability

- 11,
 - (1) In the event that any provision of this By-Law is found by a court or tribunal of competent jurisdiction to be invalid, such provision shall be deemed to be severed, and the remaining provisions of this By-Law shall remain in full force and effect;

Headings

12.
 - (1) The headings inserted in this By-Law are for convenience of reference only and shall not affect the interpretation of this By-Law;

Short Title

13.

- (2) (1) This By-Law may be cited as the Area Specific Development Charges By-Law - Edgeley Pond and Black Creek Channel, 2021.

Enacted by City of Vaughan Council this 22nd day of June, 2021.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 1 of Report No. 32
of the Committee of the Whole
Adopted by Vaughan City Council on June 22, 2021

**Schedule A
To By-Law No. XX-XXX
Area Specific Development Charge
Edgeley Pond and Black Creek Channel Works**

Service	Lands to which Area Specific Development Charges Apply	Net Project Cost	Net Benefitting Area	Charge Per Hectare¹
Edgeley Pond and Black Creek Channel Works	Immediately Affected Landowners – Map 1	\$38,890,538	5.78	\$3,029,180 ²
	Vaughan Metropolitan Centre Draining to Edgeley Pond – Map 2	\$9,818,390	18.98	\$100,530 ³
	Undeveloped Lands in the Black Creek Drainage Shed – Map 3	\$8,892,653	144.58	\$27,202 ³

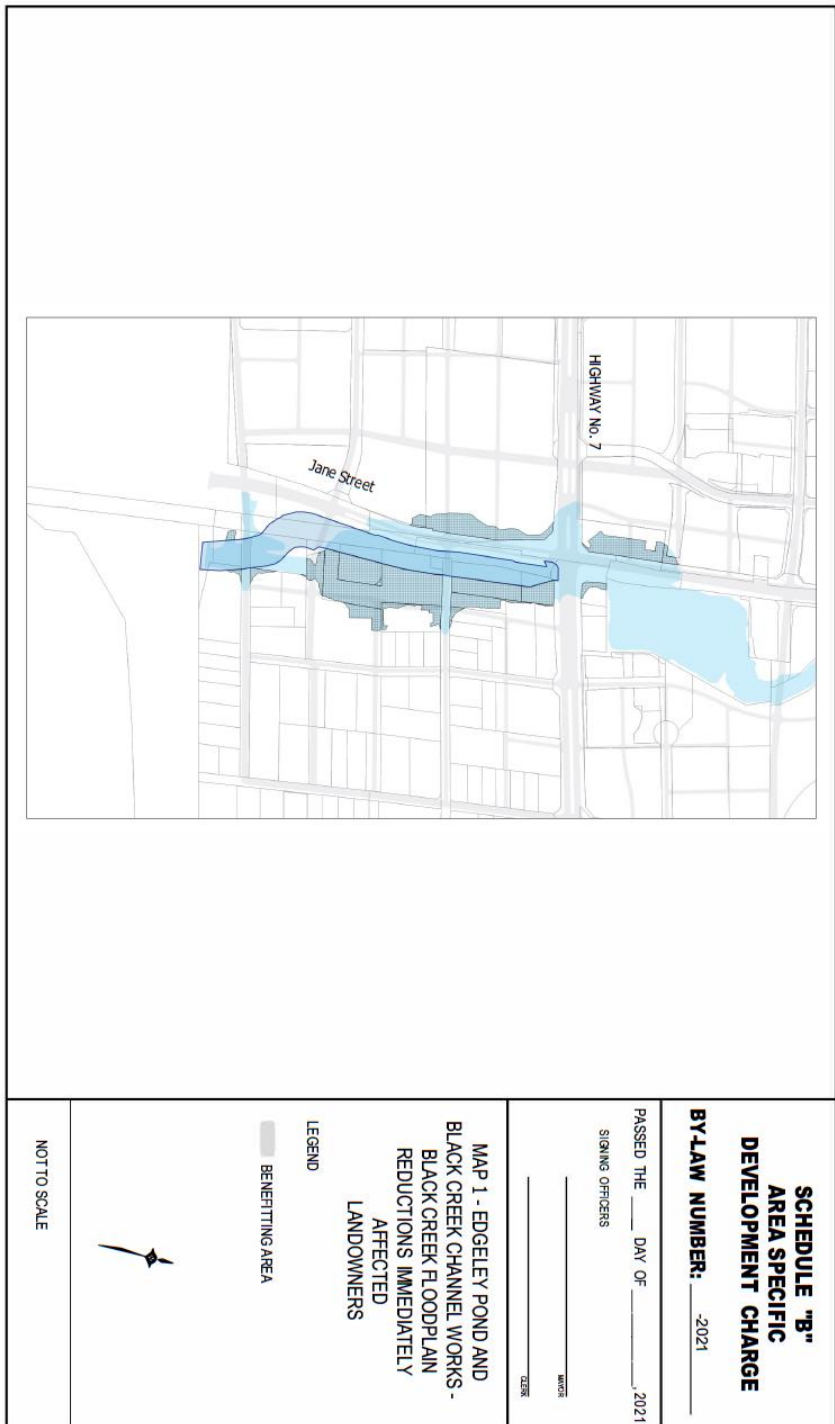
Lands that fall in more than one map area as designated in Schedule B shall be required to pay the development charges designated in Schedule A, applying to each map that the lands are included. For greater clarity, should a parcel of land be located on more than one map, the development charge associated with each map will be applied as a sum total charge per hectare.

Note 1: These rates have been directed by Council to reflect the rates in effect as of July 1, 2021 in By-law 079-2016.

Note 2: The charge per hectare for the Immediately Affected Landowners (Map 1) is based on the number of hectares of developable land which will be removed from the regulatory floodplain. This land area is inclusive of park.

Note 3: The charge per hectare for the Vaughan Metropolitan Centre Draining to Edgeley Pond (Map 2) and the Undeveloped Lands in the Black Creek Drainage Shed (Map 3) is based on the net developable land area of the site.

Area Specific Development Charge Maps





**SCHEDULE "B" CONTINUED
AREA SPECIFIC
DEVELOPMENT CHARGE**

BY-LAW NUMBER: _____ -2021 _____

PASSED THE _____ DAY OF _____, 2021

SIGNING OFFICERS

WARDEN

CLERK

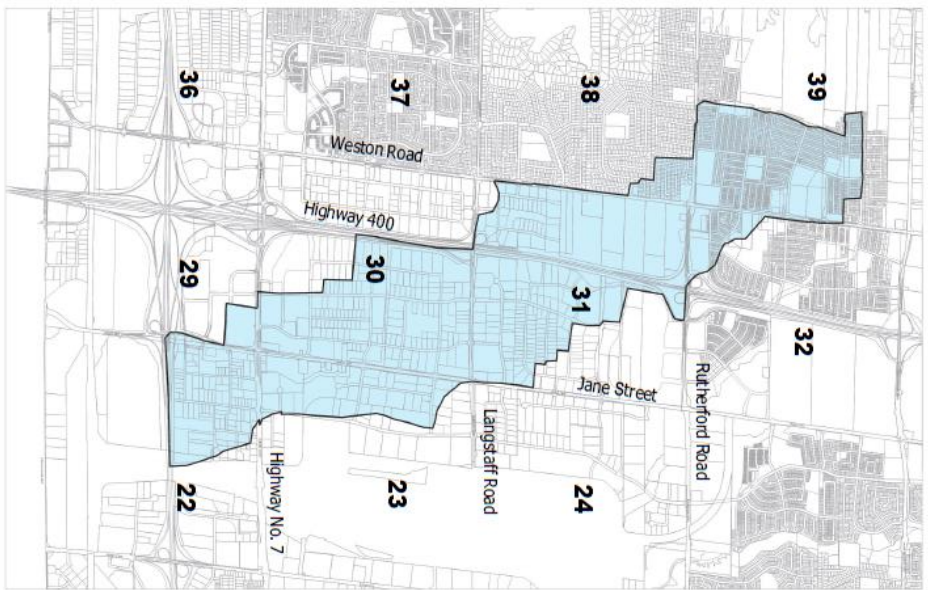
**MAP 2 - EDGELEY POND AND BLACK
CREEK CHANNEL WORKS -
VAUGHAN METROPOLITAN CENTRE
LANDS DRAINING TO EDGELEY
POND**

LEGEND

 BENEFITTING AREA



NOT TO SCALE



**SCHEDULE "B" CONTINUED
AREA SPECIFIC
DEVELOPMENT CHARGE**

BY-LAW NUMBER: _____-2021

PASSED THE ____ DAY OF _____, 2021

SIGNING OFFICERS

MAYOR

COUNCIL

MAP 3 - EDGELEY POND AND BLACK CREEK CHANNEL WORKS - UNDEVELOPED LANDS IN THE BLACK CREEK DRAINAGE SHED

LEGEND

39 CITY BLOCK NUMBER

 BENEFITTING AREA



NOT TO SCALE

DATE: June 18, 2021

TO: Mayor and Members of Council

FROM: Michael Coroneos, Deputy City Manager, Corporate Services, Chief Financial Officer and City Treasurer
Nick Spensieri, City Manager

RE: **Item # 1, Report # 32, Committee of the Whole 2, June 8, 2021**

VMC WEST INTERCHANGE SANITARY SEWER AREA SPECIFIC DEVELOPMENT CHARGE BY-LAW UPDATE

Recommendation

1. That the Development Charges Background Study for the VMC West Interchange Sanitary Sewer Service Area prepared by Hemson dated April 26, 2021 (“**VMC West DC Background Study**”) (Attachment 3, Item #1, Report #32) be approved;
2. That the VMC West Interchange Sanitary Sewer Area Specific Development Charge (“**VMC West ASDC**”) By-law, as contained in Attachment 4 of Communication C.7, Memorandum of the Deputy City Manager, Corporate Services, Chief Financial Officer and City Treasurer (Item 1, Report # 32 – Committee of the Whole (2), June 8, 2021), be enacted;
3. That Council commit to funding the capital forecast to 2040 for the VMC West Interchange Sanitary Sewer, included in the VMC West DC Background Study, and subject to maintenance of service levels, the availability of funding and Council policies;
4. That Council commit to funding the future operating costs associated with capital forecast contained in the VMC West DC Background Study, which are estimated to reach \$288,000 annually by 2041, to be addressed through future budget cycles; and
5. That Council confirm that no further public meetings pursuant to the *Development Charges Act, 1997* are required prior to the enactment of the VMC West ASDC By-law.

Background

In May 2018, Council approved the City-Wide and Area Specific Development Charges Background Study and By-laws. During the consultation period, and prior to approval of the 2018 ASDC By-laws, staff acknowledged to affected landowners that the population and costing figures used to develop rates for the “VMC West Interchange Sanitary Sewer” By-law 094-2018 were based on the best information that was available at the time, but that the By-law would most likely require an adjustment once additional information was made available. The original By-law estimated the cost of the works to be \$1.8M. As a result, two appeals were received, both challenging the population forecasts used in the rate calculation.

Since the approval of the original ASDC By-law (By-law 094-2018), staff have continued working with the affected landowners to better determine the sanitary sewer needs in relation to anticipated development, affected population, revised costs and associated rates. Construction of a segment of the Interchange Way sanitary trunk sewer, from Highway 7 to Jane Street, has now been completed by a front-ending landowner with as-built costs available to be included in the VMC West DC Background Study. The remaining works north of Highway 7 will be front-end constructed by another landowner at a future date. The costs included in the VMC West ASDC are inclusive of the works both north and south of Highway 7.

The VMC West Interchange Sanitary Sewer is independent of the Black Creek Financial Strategy

The VMC West Interchange Sanitary Sewer benefitting area is located in the South West quadrant of the VMC. Although these works are unrelated to the Black Creek Financial Strategy, staff advanced the VMC West DC Background Study and VMC West ASDC By-law in step with the Black Creek Financial Strategy in order to streamline the public process required by the *Development Charges Act*. This VMC West ASDC By-law includes as-built costs for the infrastructure south of Highway 7 and includes updated cost estimates for the portion of works that are yet to be constructed north of Highway 7. The passage of the VMC West DC Background Study and VMC West ASDC By-law is required in order to facilitate development charges reimbursement to the front ending parties of these works.

Consultation was undertaken with the benefitting external stakeholders

Staff engaged with external stakeholders regarding the VMC West DC Background Study and resultant rates. The benefitting parties were given the opportunity to provide feedback related to their total anticipated units and timing of their developments. The rates were initially circulated to the benefitting parties on January 14, 2021. Staff received feedback regarding the study and recommended further changes to the rates at the May 12, 2021 public statutory meeting.

Staff received no further feedback on the rates at either the public statutory meeting or at the Committee of the Whole meeting on June 8, 2021. As it is believed that the industry is generally satisfied with the rates as presented on May 12, 2021, it is recommended that this VMC West DC Background Study and VMC West ASDC By-law be separated from the ongoing Black Creek Financial Strategy discussions and

passage be approved in order to avoid delaying potential collections and subsequent reimbursements to the front-ending parties.

For more information, please contact Nelson Pereira, Manager of Development Finance, ext. 8393

Respectfully submitted by

Coroneos,
Michael

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Coroneos, Michael
Date: 2021.06.17
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Michael Coroneos,
Deputy City Manager, Corporate Services,
Chief Financial Officer and City Treasurer

Spensieri,
Nick

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Spensieri, Nick
Date: 2021.06.17
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Nick Spensieri,
City Manager

DATE: June 22, 2021

TO: Hon. Mayor and Members of Council

FROM: Nick Spensieri, City Manager
Michael Coroneos, Deputy City Manager, Corporate Services and Chief Financial Officer

RE: **Communication – June 2, 2021 CW (WS), Item 3**
Local Off-Leash Dog Area Strategy

Purpose

To respond to discussion at the June 2, 2021 Committee of the Whole Working Session and to provide Council with updated recommendations on the Local Off-Leash Dog Area Strategy implementation plan.

Recommendations

1. That staff commence implementation of the second primary off-leash dog park at Major Mackenzie Drive and Hwy 27 and six (6) local off-leash areas at the following locations: Chancellor District Park, Mackenzie Glen District Park, Matthew District Park, Legion Park, Sugar Bush Heritage Park, and one site in Ward 5 to be located east of Bathurst Street;
2. That the proposed local off-leash dog area in Ward 5 be located east of Bathurst Street at one of the short-listed sites described in the consultant report prepared by Woods Environmental & Infrastructure, dated October 2020, being York Hill District Park, Winding Lane Park or Gallanough Park;
3. That potential sites for additional local off-leash dog areas in Blocks 11, 12 and 18 be investigated using the established site selection criteria for local off-leash areas;
4. That the creation of a primary off-leash dog park at the North Maple Regional Park be treated as a priority and included in the planning of future park development phases following Phase 2;
5. That two new capital projects be created for park development and Animal Services vehicles, with budgets of \$430,000 and \$384,000 respectively from within the approved 2021 capital budget, and that staff be authorized to make the necessary administrative adjustments;

6. That inclusion of this matter on a Public Committee or Council agenda with respect to amending capital budgets, as identified in this report, be deemed sufficient notice pursuant to Section 2(1)(c) of By-Law 394-2002, as amended;
7. That three new permanent positions comprised of two full-time Animal Services Officers and one part-time Animal Services Clerk, be approved and that the prorated incremental costs in 2021 related to these positions and parks maintenance totaling approximately \$137,000 be temporarily accommodated within the existing 2021 operating budget;
8. That the full annualized cost of these positions and parks maintenance totaling approximately \$365,000 be included in the 2022 operating budget; and
9. That the approved local off-leash dog sites be reviewed by staff over a two year period, evaluating the effectiveness and opportunities for improvement, and report back to Council at a future date on a Local Off-Leash Dog Area Stewardship Program and Management Plan, including associated policies, with specific roles and responsibilities between Stewards and the City.

Background and Analysis

At the June 2, 2021 Committee of the Whole Working Session staff and the project consultant presented the findings of the Local Off-Leash Strategy. After discussion on this item, Committee deferred the following suggestions by Councilor Carella to Council to allow staff an opportunity consider and provide updated recommendations to support a revised implementation plan:

- That staff be directed to amend the off-leash dog park plan to secure the completion of the second primary park at Major Mackenzie Dr and Hwy 27 in this fiscal year as well as six of the seven other second-level parks listed in the plan (other than the Sports Village); and
- That the creation of an off-leash park at the North Maple RP be treated as a primary park priority; and
- That local parks sites be explored in Blocks 11,12 and 18; and
- That the Ward 5 local site be moved to east of Bathurst St.

Following Committee of the Whole (Working Session) staff met and prepared an updated implementation plan and revised recommendations to advance the off-leash dog area program as requested by Committee.

Impact and Considerations

The three-year implementation plan for off-leash dog areas included in the original staff report was reviewed and revised to recommend the implementation of new sites commencing in 2021 followed by improvements to the existing off-leash dog area at Concord Thornhill District Park in 2022. The revised implementation plan and

associated costs are detailed in the Financial Implications section of this Communication Item.

Based on the current review of operational and maintenance impacts to By-Law Enforcement (Animal Services) and Parks Operations, financial and resource considerations have been determined in alignment with the recommended off-leash site for 2021 and beyond.

In order to expedite off-leash area sites, reduce impacts to operational costs for enforcement and site operations, as well as help minimize capital impacts, the following will be considered in future annual budgets:

- Strategies to apply a phased approach to implement future additional local off-leash dog areas across the City to help minimize operating impacts; and
- Funding requests for 2 part time Animal Services Officers in the 2022 operating budget.

Communication Plan

A communication plan will be developed for proposed off-leash dog area development sites to communicate the execution of this program to local residents, stakeholders, general public, Council and City staff. In addition, staff will conduct focused public engagement meetings within the vicinity of the primary off-leash dog site at Hwy 27 and Major Mackenzie Drive and the Ward 5 local off-leash dog area to be located east of Bathurst Street.

Financial Impact

The 2021 capital cost to construct six (6) local off leash dog parks and begin the first of two years of work towards the primary off-leash dog park at Hwy 27 and Major Mackenzie Dr, is estimated to be \$430,000. The capital cost to purchase three (3) Animal Services vehicles to support sites being implemented in 2021 is \$384,000. The funding for these capital costs will be supported from within the existing approved 2021 capital budget.

The 2022 capital cost to complete and open the primary off-leash dog park at Hwy 27 and Major Mackenzie Dr, and to undertake renovations to the existing primary off-leash dog park at Concord/Thornhill Regional Park is estimated to be \$810,000. The funding for these costs will be submitted as part of the 2022 budget process.

The 2021 operating cost to support the new parks, prorated to approximately 4 months (based on estimated September 2021 openings), is estimated to be \$14,000 for Parks Maintenance and \$123,000 for Animal Services Enforcement, including Stewardship Program Administration. This includes approval of three new permanent positions comprised of two full-time Animal Services Officers and one part-time Animal Services Clerk. Operating costs for 2021 will be temporarily supported within existing approved department budgets and labour gapping.

The 2022 operating cost for the new parks will be the full annualized amounts of approximately \$70,000/year for Parks Maintenance and \$295,000/year for Animal Services Enforcement, including two full-time Animal Services Officers and 1 part-time Animal Services Clerk. These costs will be included in the 2022 operating budget. Operating costs of approximately \$130,000/year related to two additional part-time Animal Services Officers to support these parks will be considered as part of the 2022 budget process.

Capital costs for the implementation of this strategy will be funded from the Community Services Development Charges Reserve while operating costs will be funded by Taxation.

For further cost details, please see the Financial Table below.

LOCATIONS & ASSOCIATED COSTS

** Non-labour costs include non-recoverable HST. Capital costs also include labour recovery & 3% admin recovery fee*

Year	#	Location	Ward	Estimated Capital Cost		Estimated Operating Cost (annualized)		
				Parks Construction ¹	Animal Services Vehicles ²	Parks Maintenance ³	Animal Services Enforcement ⁴	
2021	1	Hwy 27 & Major Mackenzie Dr <u>Primary</u>	2	\$580,000 \$100K in 2021 \$480K in 2022	\$384,000	\$23,000	\$295,000	2 F/T ASO 1 P/T ASC in 2021
	2	Mackenzie Glen District Park	1	\$55,000		\$12,000		
	3	Legion's Park	2	\$55,000		\$7,000		
	4	Chancellor District Park	3	\$55,000		\$7,000	\$130,000	2 P/T ASO in 2022
	5	Matthew District Park	3	\$55,000		\$7,000		
	6	Sugar Bush Heritage Park	4	\$55,000		\$7,000		
	7	New Location East of Bathurst	5	\$55,000		\$7,000		
2022	8	Concord/Thornhill Regional Park <u>Primary</u>	5	\$330,000	\$0	\$0	\$0	-
TBD	9	North Maple Regional Park <u>Primary</u>	1	TBD				
	10	New Location Block 11/12/18	1/4	TBD				

For Park #s 1 to 8

TOTAL COST	\$1,240,000	\$384,000	\$70,000	\$425,000
	\$1,624,000		\$495,000	
2021 Financial Impact	\$430,000	\$384,000	\$14,000	\$123,000
	\$814,000		\$137,000	
2022 Financial Impact	\$810,000	\$0	\$70,000	\$425,000
	\$810,000		\$495,000	

Notes

1) Park Construction

- a. Park Construction of \$55,000 includes fencing, double gate entrances, signage, pathways, garbage receptacles, pathways, and seating

- b. Concord/Thornhill Regional Park construction of \$330,000 includes universal and accessible pedestrian access, site furnishing, shade structure, lighting, and associated landscape works
 - c. Hwy 27 & Major Mackenzie Dr Primary Off-Leash Dog Park construction of \$580,000 includes \$100,000 in 2021 for planning and design and \$480,000 in 2022 for site grading, servicing, parking lot, fencing, double gate entrances, signage, pathways, garbage receptacles, seating
- 2) Animal Services Vehicles
- a. Includes 3 purpose-built vehicles, \$128,000 each.
- 3) Park Maintenance
- a. Park Maintenance of \$7,000 includes casual labour, service contracts, and materials & supplies
 - b. Mackenzie Glen District Park maintenance of \$12,000 includes an additional \$5,000 for the parking lot winter maintenance contract
 - c. Hwy 27 and Major Mackenzie Dr maintenance of \$23,000 includes summer and winter labour, service contracts, and materials & supplies for a larger site, including parking lot snow clearing
 - d. Concord/Thornhill Regional Park maintenance requires \$0 additional budget as the existing budget provides sufficient year-round service
- 4) Animal Services Enforcement
- a. Enforcement costs include labour, benefits, and related continuous and one-time costs
 - b. ASO: Animal Services Officer, ASC: Animal Services Clerk

Attachments

- 1. Off-Leash Dog Area Location Plan

For more information, please contact Jamie Bronsema, Director, Parks Infrastructure Planning and Development at extension 8858.

Approved by

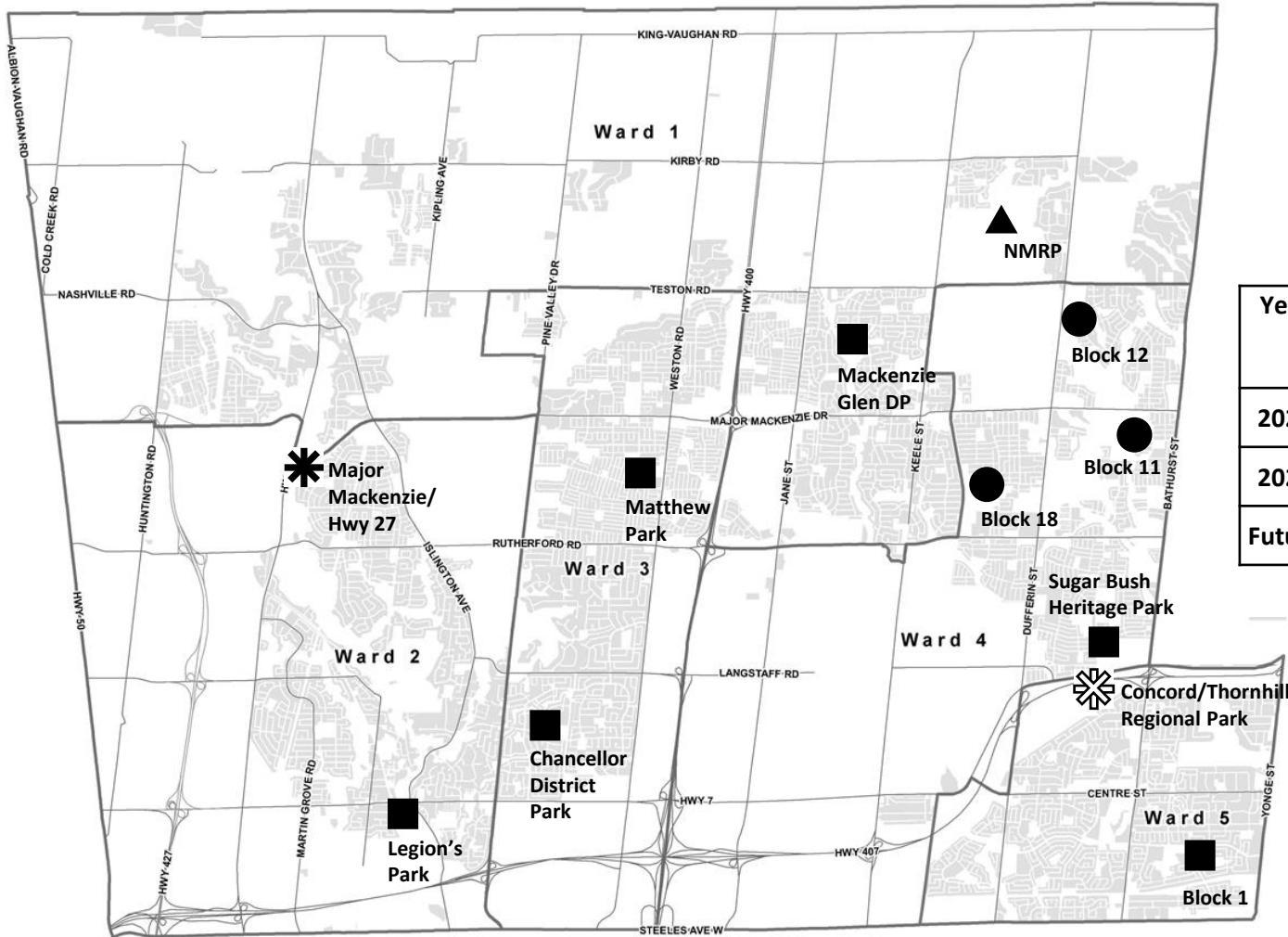


Michael Coroneos, DCM
Corporate Services & Chief Financial
Officer & City Treasurer



Nick Spensieri, City Manager

Off-Leash Dog Area Location Plan



Year	New Local Off-Leash Area	Upgrades to existing Primary Off-Leash	New Primary Off-Leash Dog Area
2021	■		✱
2022		✱	
Future	●		▲





C41
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 11

DATE: June 17, 2021

TO: Mayor and Members of Council

FROM: Haiqing Xu, Deputy City Manager, Planning & Growth Management

RE: COMMUNICATION – COMMITTEE OF THE WHOLE (2) JUNE 8, 2021
Item No. 11, Report No. 32

AUTHORIZATION FOR AGENCY STATUS – CITY-OWNED LANDS

Recommendation

1. That Recommendation 1 in the report of the Deputy City Manager, Planning and Growth Management dated June 8, 2021, Item No. 11 of Report No. 32, be deleted and replaced with the following:
 1. That the City Clerk be authorized to execute any necessary documents to provide agency status to the abutting landowner, RP B3S HOLDINGS INC. (“Quadreal”), in respect of a portion of Commerce Street being Parts 12 and 13 on Attachment 3, subject to minor adjustments if required and to the satisfaction of the Deputy City Manager of Planning, Growth and Management, for the purposes of submitting *Planning Act* applications in respect of its abutting development and to advance the planned street network in accordance with the approved VMCSPP.

Background

On June 8, 2021, Committee of the Whole endorsed staff’s recommendation to authorize the City Clerk to execute the necessary documents to provide agency status to 2748355 Canada Inc. (“Quadreal”) in respect of a portion of the existing City-owned Commerce Street. The purpose of this recommendation is to facilitate development on private lands owned by Quadreal that are abutting Commerce Street and to advance the realignment and extension of Commerce Street as identified in the Vaughan Metropolitan Secondary Plan (VMCSPP).

Since the June 8, 2021 Committee of the Whole meeting, staff has been advised by Quadreal that there has been a transfer in title for the lands abutting Commerce Street that are proposed for redevelopment. Quadreal representatives have provided documentation which indicates the ownership on title has been changed from “2748355 CANADA INC.” TO “RP B3S HOLDINGS INC.”. In this regard, staff is requesting that Recommendation 1 of Item No. 11 of Committee of the Whole (2), Report No. 32, be revised to reflect the new owner on title. This change in title reflects a joint partnership arrangement between the original owner, Quadreal and another entity.

Conclusion

The VMC Program recommends that Council approve the revised recommendation to reflect the new ownership on title. The recommended revision is in keeping with the original recommendation on the June 8, 2021 report and will facilitate development in the VMC and advance a street network in the City's downtown as per the VMCSPP.

For more information, contact Jessica Kwan, Senior Planner, ext. 8814

Respectfully submitted by

A handwritten signature in black ink, appearing to read 'Haiqing Xu', written in a cursive style.

Haiqing Xu, Deputy City Manager
Planning & Growth Management

DATE: June 18, 2021

TO: Mayor and Members of Council

FROM: **Haiqing Xu, Deputy City Manager, Planning and Growth Management**
Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

RE: **Item #8, Report # 29, Committee of the Whole (1), June 1, 2021**

Seven View Chrysler
Official Plan Amendment File OP.20.007
Zoning By-law Amendment File Z.20.015 (Temporary Use)
2661, 2685 and 2703 Highway 7 and 44 Killaloe Road
Vicinity of Highway 7 and Costa Road

Recommendation

That the recommendations contained within Item # 8, Report # 29, be deleted, and that the following be substituted:

1. THAT Official Plan Amendment File OP.20.007 (Seven View Chrysler) BE APPROVED, to amend the “General Employment” land use policies of Vaughan Official Plan 2010 to permit the outside storage of motor vehicles without an associated building on the rear (south) portion of 2685 Highway 7 and 44 Killaloe Road for a temporary period of a maximum of 3 years as set out in the implementing Zoning By-law.
2. THAT Zoning By-law Amendment File Z.20.015 (Seven View Chrysler) BE APPROVED, to amend Zoning By-law 1-88 to expand the existing motor vehicles sales establishment (for office administration and auto body details and repairs) and to permit the outside storage of motor vehicles for a temporary period on the subject lands together with the site-specific zoning exceptions identified in Tables 1 and 2 of this report, as shown on Attachments 1 and 2 as follows:
 - a. 2661 Highway 7: to expand the existing motor vehicle sales establishment (existing building used for office administration) with outside storage of motor vehicles for a temporary period of 1 year;
 - b. 2703 Highway 7: to expand the existing motor vehicle sales establishment (existing building is used for auto body details and repairs) with outside storage of motor vehicles for a temporary period of 1 year; and
 - c. The rear (south) portion of 2685 Highway 7 and 44 Killaloe Road: permit

outside storage of motor vehicles without an associated building for a temporary period of 3 years subject to the following:

- i) Prior to the enactment of the implementing Zoning By-law, Site Development File DA.20.065 shall be finalized to the satisfaction of the Development Planning Department for landscaping proposed along the lots fronting onto Highway 7.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.

Background

The recommendations have been revised in response to the direction received at the Committee of the Whole (1) meeting of June 1, 2021 to reduce the temporary permissions being recommended for 2661 and 2703 Highway 7 from a maximum of 3 years to 1 year.

With respect to the request to add wording to Recommendations 2(a), (b) and (c) restricting the ability to extend the temporary use by-law, such wording cannot be included in the Recommendations. Under the *Planning Act*, there is no ability for the City to restrict anyone from making an application. The City will need to accept and consider future applications from the applicant. Each temporary use by-law application is to be treated as a separate application to be judged on its own merits given the circumstances and facts applicable at the time of the application. Council is permitted to refuse a future application for a temporary use by-law relating to the properties but cannot restrict an applicant from applying.

Respectfully submitted by:



Haiqing Xu
Deputy City Manager, Planning and Growth Management



Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

C43
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: Council Meeting of June 22, 2021 - Objection Letter RE CZBL
Date: June-21-21 8:48:48 AM
Attachments: [2021.06.18 - Letter to Council RE CZBL.pdf](#)

From: Marshall Smith <MSmith@klmplanning.com>
Sent: Friday, June 18, 2021 4:12 PM
To: Clerks@vaughan.ca; Todd Coles <Todd.Coles@vaughan.ca>
Cc: Ryan Mino <RMino@KLMPlanning.com>; Brandon Correia <Brandon.Correia@vaughan.ca>
Subject: [External] Council Meeting of June 22, 2021 - Objection Letter RE CZBL

Good afternoon,

Please find attached a letter respecting the ongoing Vaughan Comprehensive Zoning By-law process in response to Committee of the Whole Agenda Item 6.8 (Tuesday June 8, 2021) for consideration at the Tuesday June 22, 2021 Council meeting.

Regards,

Marshall Smith BES, PMP, MCIP, RPP
SENIOR PLANNER

KLM PLANNING PARTNERS INC.

Planning | Design | Development

64 Jardin Drive, Unit 1B Concord, Ontario L4K 3P3
T 905.669.4055 (ext. 222) C 416.788.7859
F 905.669.0097 E msmith@klmplanning.com W www.klmplanning.com

 Please consider the environment before printing this email



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File: P-2199

June 18, 2021

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: Hon. Mayor Bevilacqua and Members of Council

**Re: Comments on City-Wide Comprehensive Zoning By-law (Final Draft)
Council Meeting - Tuesday June 22, 2021
In Response to Committee of the Whole Agenda Item 6.8 (Tuesday June 8, 2021)
Letter of Objection - Yonge Steeles Corridor Secondary Plan Pre-Zoning
City of Vaughan,
Regional Municipality of York**

Dear Hon. Mayor Bevilacqua and Members of Council:

KLM Planning Partners Inc. is the planning consultant for the Yonge Steeles Landowners Group Inc., which is a collective of landowners within the Yonge Steeles Corridor Secondary Plan area generally bounded by Yonge Street to the east, Steeles Avenue West to the south, Hilda Avenue to the west, and the CN Rail corridor to the north in the City of Vaughan. These landowners are also appellants and/or parties to the appeals of the Yonge Steeles Corridor Secondary Plan (the "YSCSP").

This letter is further to our previous correspondence dated December 4, 2020, a copy of which is attached. Vaughan Committee of the Whole considered a recommendation report from the Deputy City Manager, Planning and Growth Management dated June 8, 2021 in relation to the City-Wide Comprehensive Zoning By-law ("CZBL").

The report recommends the following:

1. THAT Vaughan Council ADOPT the City-wide Comprehensive Zoning By-law in substantially the same form as attached at its Council meeting of September 27, 2021;

2. THAT Vaughan Council authorize the Deputy City Manager of Planning and Growth Management to make such stylistic and technical changes to the City-wide Comprehensive Zoning By-law as may be required;
3. THAT the City-wide Comprehensive Zoning By-law, dated XX 2021, delete and replace zoning By-law 1-88 as amended;
4. THAT Vaughan Council deem that no additional notice or public meeting is required prior to the enactment of the City-wide Comprehensive Zoning By-law notwithstanding that changes were made to the by-law after the holding of the statutory public meeting.

Given the significant number of issues which remain with the CZBL, Vaughan Committee of the Whole has recommended a deferral of the final consideration of the CZBL to the Committee of the Whole meeting on October 13, 2021. Notwithstanding this deferral, after having an opportunity to review the staff report, draft Zoning By-law and mapping included as attachments to the report, we would like to provide the following comments for consideration by City staff and Council.

Staff are now recommending that the YSCSP area be excluded from the CZBL at this time given the ongoing appeals to the Ontario Land Tribunal (“OLT”), formerly the Ontario Municipal Board (“OMB”) and Local Planning Appeal Tribunal (“LPAT”). This final version of the CZBL differs from the second draft of the CZBL provided in October 2020 in which the lands within the YSCSP were proposed to be pre-zoned to align with the 2012 Regionally endorsed YSCSP, subject to a Holding Symbol “(H)”. We provided comments on that former draft CZBL but never received a response to those comments.

Subsequent to sending our comments in December 2020, staff revised their approach as it applies to the YSCSP and are now recommending that the CZBL not apply to those lands until the Secondary Plan appeal is resolved. There was no discussion between City staff and Yonge Steeles Landowners Group to explain the rationale for this change, nor does it appear that planning staff responded to our last letter dated December 4, 2020 in their response matrix attached to the June 8, 2021 staff report. By excluding the YSCSP lands from the CZBL the City will be maintaining the existing low-scale commercial zoning in the YSCSP area which is clearly outdated and would continue to promote the underutilization of our client’s lands.

It is our continued opinion that the Regionally endorsed YSCSP does not properly recognize the full potential of the affected lands as envisioned in the current Provincial policy direction, including but the limited to, the 2019 Provincial Growth Plan (as amended) and the 2020 Provincial Policy Statement. As this area is included within a future Major Transit Station Area (MTSA) area, which is planned to be served by the Yonge North Subway Extension, significant growth opportunities beyond what is currently reflected in the latest draft of the CZBL should be permitted in the final comprehensive zoning by-law for these lands.

Our client is hopeful that through the ongoing appeals process that the YSCSP can be finalized and brought into force to realize the full potential of the lands appropriately in terms of range and mix of uses, building heights and densities. We respectfully request that prior to final enactment of the CZBL, that it be amended to address these outstanding matters. It would also be appropriate for the final version of the CZBL to reflect the ongoing site-specific development applications that some of the members in our landowners group have filed.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee of the Whole and Council meetings and decisions relating to this matter. As always, we would be pleased to meet with City staff to discuss our concerns. If you would like to arrange a meeting to discuss the above, please do not hesitate to contact us.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Mino-Leahan, B.U.R.PI, MCIP, RPP
Partner

RMino@KLMPPlanning.com

905-669-4055 x 224



Marshall Smith, BES, PMP, MCIP, RPP
Senior Planner

MSmith@KLMPPlanning.com

905-669-4055 x 222

cc: Ira Kagan, Kagan-Shastri LLP
Jason Park, Devine Park LLP
Yonge Steeles Landowners Group Inc.
Myron Pestaluky, Delta Urban Inc.
Mustafa Ghassan, Delta Urban Inc.
Brandon Correia, Manager of Special Projects, City of Vaughan

ATTACHMENT 1 - LETTER OF DECEMBER 4, 2021



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

File: P-2199

December 4, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Mayor and Members of Council

**Re: City-Wide Comprehensive Zoning By-law
Letter of Objection - Yonge Steeles Corridor Secondary Plan Pre-Zoning
City of Vaughan, Regional Municipality of York**

KLM Planning Partners Inc. is the planning consultant for the Yonge Steeles Landowners Group Inc., which is a collective of landowners within the Yonge Steeles Corridor Secondary Plan area generally bounded by Yonge Street to the east, Steeles Avenue West to the south, Hilda Avenue to the west, and the CN Rail corridor to the north in the City of Vaughan. These landowners are also appellants and/or parties to the appeals of the Yonge Steeles Corridor Secondary Plan (the "YSCSP").

We understand that, further to the latest public hearing of October 29, 2020, the City-Wide Comprehensive Zoning By-law ('CZBL') is expected to be adopted in Q4 of 2020 or Q1 of 2021. In reviewing the latest draft version of the CZBL, specifically Maps 19 & 20 of Schedule A to the draft CZBL, and the recent City staff report dated October 29, 2020, we are aware that the YSCSP area is proposed to be pre-zoned to align with the 2012 Regionally endorsed YSCSP which is yet to come into force due to the outstanding appeals at the LPAT, and which are presently subject to ongoing mediation. It is also noted that pre-zoning of the YSCSP area with the Holding Symbol "(H)" is meant to acknowledge any modifications that may result from resolution of appeals which will manifest in the final in-effect YSCSP.

Notwithstanding the above, it is our opinion that the 2012 Regionally endorsed YSCSP does not properly recognize the full potential of the affected lands as envisioned in the current Provincial policy direction, including but the limited to the 2019 Provincial Growth Plan and 2020 Provincial Policy Statement. As this area is included within a future Major Transit Station Area (MTSA) area, which is planned to be served by the Yonge North Subway Extension, significant growth opportunities beyond what is currently being reflected in the latest draft of the CZBL should be allowed in the final comprehensive zoning by-law for these lands. Our client is hopeful that

through the ongoing appeals process that the YSCSP can be finalized and brought into force to realize the full potential of the lands appropriately in terms of range and mix of uses, building heights and densities, an appropriate system of public parks which does not unduly restrict development within this area, and a multimodal transportation network that will benefit existing and future residents and businesses alike in this important gateway location to the City of Vaughan and York Region. We respectfully request that prior to adoption the draft CZBL should be amended to address these outstanding matters for the YSCSP and to ultimately implement the final approval of the YSCSP as well as consider the ongoing site-specific development applications that some of the landowners in our client group have put forth.

Please consider this to be our formal request to be notified of all future Public Hearings, Open Houses, Committee of the Whole and Council meetings and decisions relating to this matter. Your continued consideration of the circumstances surrounding the YSCSP area is appreciated as work on the CZBL continues.

We would be pleased to meet with City staff to discuss our concerns. If you would like to arrange a meeting or discuss the above, please do not hesitate to contact us.

Yours truly,

KLM PLANNING PARTNERS INC.



Ryan Mino-Leahan, B.U.R.PI, MCIP, RPP
Partner

RMino@KLMPPlanning.com

905-669-4055 x 224



Marshall Smith, BES, PMP, MCIP, RPP
Senior Planner

MSmith@KLMPPlanning.com

905-669-4055 x 222

cc: Ira Kagan, Kagan-Shastri LLP
Jason Park, Devine Park LLP
Yonge Steeles Landowners Group Inc.
Myron Pestaluky, Delta Urban Inc.
Mustafa Ghassan, Delta Urban Inc.
Brandon Correira, Manager of Special Projects, City of Vaughan

C44
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: Objection to ROPA 7 application
Date: June-21-21 8:50:12 AM
Attachments: [Letter to Vaughan council.pdf](#)

From: Andre Willi <andre@strategicbenefits.ca>
Sent: Saturday, June 19, 2021 3:59 PM
To: Clerks@vaughan.ca
Subject: [External] Objection to ROPA 7 application

Please see my signed letter rejection my objection to ROPA 7 application.

Andre Willi
Strategic Benefits
15 - 4370 Steeles Avenue West
Vaughan, ON L4L 4Y4

905 850 5267
416 917 6117



andre@strategicbenefits.ca

June 19, 2021

Dear Chair and Committee Members,

With regard to Item 4 (9): Response to York Region's Request for Comments on Regional Official Plan Amendment 7, please seriously consider the ramifications detailed by Planning Staff at the City of Vaughan and at the City of Markham as well as the precedent that this decision will have for similar areas in York Region and beyond.

I encourage you to reconsider and withdraw recommendations made at the Committee of the Whole Meeting June 8, 2021 Item 6(9) and ENDORSE the staff report and recommendations as originally presented; and NOT TO SUPPORT the proposed ROPA 7 application.

Greenbelt fingers were not intended to be parks, they are part of York Region's Regional Greenlands System. They were intended to protect the watersheds and provide naturalized areas, corridors and habitat connectivity to support biodiversity. I urge you not to compromise on this matter.

Map 2 of ROPA 2 clearly shows these lands as part of the Regional Greenbelt System. The Block 41 lands have already received special treatment through endorsement of a MZO, active urban park and recreational uses have and were never intended to be a use permitted on the Regional Greenbelt System. Do not support the ROPA 7 private application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andre Willi", with a long horizontal line extending to the right.

Andre Willi
[REDACTED] Ampezzo Avenue,
Vaughan, [REDACTED]
Ward 3

C45
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] Protect the Greenbelt: Item 4(9) Council Meeting June 22, 2021
Date: June-21-21 8:53:31 AM

From: Angela Grella [REDACTED] >
Sent: Sunday, June 20, 2021 11:36 AM
To: Clerks@vaughan.ca; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>
Cc: Fausto Filipetto <Fausto.Filipetto@vaughan.ca>
Subject: [External] Protect the Greenbelt: Item 4(9) Council Meeting June 22, 2021

Dear Chair and Committee,

With regard to Item 4(9): Response to York Region's Request for Comments on Regional Official Plan Amendment 7, please seriously consider the ramifications detailed by the Planning Staff of the City of Vaughan and the City of Markham as well as the precedent that this decision will have for similar areas in York Region and beyond.

I encourage you:

- to reconsider and withdraw recommendations made at the Committee of the Whole Meeting on June 8, 2021, Item 6(9) and ENDORSE the staff report and recommendations as originally presented; and,
- NOT TO SUPPORT the proposed ROPA 7 application.

Greenbelt fingers were not intended to be parks, they are part of York Region's Regional Greenlands System. They were intended to protect the watersheds and provide naturalized areas, corridors, and habitat connectivity to support biodiversity. I urge you not to compromise on this matter of importance.

Map 2 of ROPA 2 clearly shows these lands as part of the Regional Greenbelt System. The Block 41 lands have already received special treatment through the endorsement of an **MZO**, active urban park and recreational uses have and were never intended to be a use permitted on the Regional Greenbelt System.

Please do not support the ROPA 7 private application. Protect the Greenbelt for future generations.

Sincerely,

Angela Grella (Woodbridge-Ward 3)

C46
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] MZO - ROPA Amendment 7
Date: June-21-21 9:03:07 AM

From: david toyne [REDACTED]
Sent: Monday, June 21, 2021 7:31 AM
To: Clerks@vaughan.ca
Cc: Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Gill Evans [REDACTED]
Subject: [External] MZO - ROPA Amendment 7

Dear Chair, Committee Members, and fellow concerned citizens.

With regard to Item 4 (9): Response to York Region's Request for Comments on Regional Official Plan Amendment 7, please **seriously consider the ramifications** detailed by Planning Staff at the City of Vaughan and at the City of Markham as well as the precedent that this decision will have for similar areas in York Region and beyond.

In your deliberations, I encourage you:

- to reconsider and withdraw recommendations made at the Committee of the Whole Meeting June 8, 2021 Item 6(9) and ENDORSE the staff report and recommendations as originally presented; and,
- NOT TO SUPPORT the proposed ROPA 7 application.

- Put your collective shoulders behind protecting our natural heritage, rather than obliterating it.

Future generations including your own grandchildren will thank you for it.

Greenbelt fingers were not intended to be parks, they are part of York Region's Regional Greenlands System. As you must know, these protections were intended to protect the watersheds and provide naturalized areas, corridors and habitat connectivity to support biodiversity. I urge you not to compromise on this matter and bend to the will of development.

If you don't, who will?

Map 2 of ROPA 2 clearly shows these lands as part of the Regional Greenbelt System. The Block 41 lands have already received special treatment through endorsement of a MZO, active urban park and recreational uses have and where never intended to be a use permitted on the Regional Greenbelt System. Do not support the ROPA 7 private application.

Thank you for reading and caring about our collective future.

David Toyne
Upper Cold Creek Farm
10240 Pine Valley Drive
Woodbridge

C47
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: Clerks@vaughan.ca
To: Adelina Bellisario
Subject: FW: [External] Item 4 (9) ROPA 7
Date: June-21-21 9:03:15 AM

-----Original Message-----

From: Louisa Santoro [REDACTED]
Sent: Monday, June 21, 2021 6:28 AM
To: Clerks@vaughan.ca
Subject: [External] Item 4 (9) ROPA 7

Dear Chair and Committee Members;

With regard to item 4 (9): Response to York Region's Request for Comments on Regional Official Plan Amendment 7, please seriously consider the ramifications detailed by Planning Staff at the City of Vaughan and at the City of Markham as well as the precedent that this decision will have for similar area in York Region and beyond.

I ENCOURAGE YOU:

- to reconsider and withdraw recommendations made at the Committee of the Whole Meeting June 8, 2021 Item 6 (9) and ENDORSE THE STAFF REPORT AND RECOMMENDATIONS AS ORIGINALLY PRESENTED; and,

-NOT TO SUPPORT the proposed ROPA 7 application.

Greenbelt fingers were not intended to be parks, they are part of York Region's Regional Greenbelt System. They are intended to protect the watersheds and provide naturalized areas, corridors and habitat connectivity to support biodiversity. I urge you not to compromise on this matter.

Map 2 of ROPA 2 clearly shows these lands as part of the Regional Greenbelt System. The Block 41 lands have already received special treatment through endorsement of an MZO, active urban park and recreational uses have and were never intended to be a use permitted on the Regional Greenbelt System.

DO NOT SUPPORT THE ROPA 7 PRIVATE APPLICATION.

SINCERELY

Louisa Santoro Kleinburg Resident

Sent from my iPad

C48
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 21

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] Agenda Item 7.4.21 entitled 2020 WARD BOUNDARY REVIEW FINAL REPORT
Date: June-21-21 9:06:07 AM

From: Tony Malfara [REDACTED] >
Sent: Monday, June 21, 2021 8:34 AM
To: Clerks@vaughan.ca
Subject: [External] Agenda Item 7.4.21 entitled 2020 WARD BOUNDARY REVIEW FINAL REPORT

Good morning,

I've been following some of the communication regarding the boundary review and I am trying to understand how the new Regional Councillor will impact local Council composition, their responsibilities and roles as well as local council's ability to execute their mandates effectively without the impact of conflicting priorities from the Regional roles. This has been evident under the current structure and will further erode local representation to your voters.

I am concerned that not enough has been done to prepare or understand how the new Regional Councillor will impact local Council composition and that little has been done (once again) to consult with the public and get input (once again from your voters).

Please find below questions that I believe you should have considered and as a voter and citizen of Vaughan, I would like answered:

1. When, how and under what authority was it decided that Vaughan's current Regional Councillor's titles are: Local and Regional Councillor?
2. When, how and under what authority was it decided that Vaughan's regional councillors are to be elected at large, where is the by-law, record of decision?
3. A new Regional Councillor is being added to Vaughan Council next term:
 - a. What if any obligations are required of the City of Vaughan to prepare for this change?
 - b. Has it been decided how the new Regional Councillor will be elected? If not how and when will this be decided?

You must be able to answer these questions and there must be consensus amongst yourselves that the needs of the City of Vaughan are being protected or enhanced.

Thank you for your time.

Tony Malfara

C49
COMMUNICATION
COUNCIL – June 22, 2021
CW (Closed) - Report No. 33, Item 3

From: Clerks@vaughan.ca
To: Adelina Bellisario
Subject: FW: [External] Condo on Teston and Giotto Cres.
Date: June-21-21 9:12:39 AM

-----Original Message-----

From: Marco Iannizzi [REDACTED] >
Sent: Saturday, June 19, 2021 12:41 PM
To: Clerks@vaughan.ca
Subject: [External] Condo on Teston and Giotto Cres.

I purchased my house on Giotto crescent because it was slated to be a dead end street. With no access onto Teston Rd. The only vehicles on Giotto would be from those who live here putting me at ease with my kids playing on the street. And to get away from the congestion that a condo would bring to my community! Now you wanted to build a condo and have access onto Teston from Giotto? UNACCEPTABLE Marco

Sent from my iPhone

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] JANE TESTON HOLDINGS INC OP.17.002
Date: June-21-21 9:45:07 AM

From: Julieta Gardner [REDACTED] >
Sent: Sunday, June 20, 2021 9:40 PM
To: Council@vaughan.ca; Clerks@vaughan.ca
Subject: [External] JANE TESTON HOLDINGS INC OP.17.002

Good evening,

I am disappointed and saddened to see this issue come up again.

When we purchased our homes, we purchased them with the understanding that our street would always be a dead end or a crescent that wrapped around. The vacant land at the corner of Jane and Teston would be for residential development. That is what the city planners approved and after almost 20 years, why are the developers requesting a change? Was this their plan all along? Wait it out and then let's quadruple our profit?

The folks in the area are hard working, honest and decent people who bought their homes with the knowledge that their investment was protected and could build a home for their family, where their kids could play street hockey or jump rope outside with the kids in the neighbourhood and be safe. We bought our homes in this area because it met our needs and checked off all the boxes of what we wanted in a home, an apartment building in my back yard was not on the list!

I am sure the developers that purchased the land at Jane and Teston bought it with the knowledge that it was zoned for residential development. We cannot change our property to 4 storey buildings, why should these developers be allowed to change what they purchased?

Some of us bought our homes as the biggest investment of our lives and raised our kids here and built homes that we care for and take pride in. The intersection at Jane and Teston is not a large commercial area but a residential area, unlike Jane and Rutherford or Jane and Major Mackenzie.

Allowing the developers to build a large apartment building or seniors home, not sure which they are presenting at this time, will impact the value of our homes and will turn our area into an overrun apartment complex. Don't set a precedent for other neighbourhood areas.

Allowing the developers to build an apartment building will force a lot of good people to sell their homes and move elsewhere, why should we be forced to make decisions like these because a developer is only interested in the bottom line but not concerned with how they are impacting the residents in the area.

Why is the developer interested in putting up an apartment building vs a residential area? I am sure

the only response would be the dollar signs at the end of the equation. Not everything should be about money.

Put yourselves in our shoes, would you be happy if this was going up in your back yard? Would the developer be happy if the same thing happened to them in their backyard?

I am pretty sure the answer is the same all around....no!

Let's do the right thing for the residents of Giotto and restore our faith in humanity. This is one time the little guy needs to win.

Concerned residents..

Gardner Family

C51
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 1

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: Item 7.4.1 - CoW Report No. 32 (Black Creek Financial Strategy and VMC West Interchange Sanitary Sewer ASDC)
Date: June-21-21 10:04:49 AM
Attachments: [PTL Vaughan Council Request 2021-06-21.pdf](#)

From: Stephen Albanese <stephen.albanese@IBIGroup.com>
Sent: Monday, June 21, 2021 9:56 AM
To: Clerks@vaughan.ca
Cc: Jay Claggett <jay.claggett@quadreal.com>; Nelson Pereira <Nelson.Pereira@vaughan.ca>; Amy Roots <Amy.Roots@vaughan.ca>; Jennifer Cappola-Logullo <Jennifer.Logullo@vaughan.ca>; Alison Quigg <alison.quigg@ibigroup.com>; Vanessa Opassinis <vanessa.opassinis@ibigroup.com>; randygrimes47 [REDACTED]; John Federici <john.federici@ibigroup.com>
Subject: [External] Item 7.4.1 - CoW Report No. 32 (Black Creek Financial Strategy and VMC West Interchange Sanitary Sewer ASDC)

Good Morning,

Please find our letter regarding the VMC West Interchange Sanitary Sewer ASDC Matter attached for Council consideration.

Thank you very much, and please let me know if you have any questions.

Stephen Albanese RPP

Associate - Manager, Planning

Explore IBI's global Placemaking practice: <https://www.ibigroup.com/ibi-services/placemaking/>

IBI GROUP

7th Floor - 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel +1 416 596 1930 ext 61425 fax +1 416 596 0644



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IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

June 21, 2021

City of Vaughan
c/o Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Dear Mayor and Members of Council:

VMC WEST INTERCHANGE SANITARY SEWER AREA SPECIFIC DEVELOPMENT CHARGES

IBI Group represents 2748355 Canada Inc., a majority landowner within the southwest quadrant of the Vaughan Metropolitan Centre (VMC). In 2019, 2748355 Canada Inc. entered into a pre-servicing arrangement with the City of Vaughan to front-end the financing and construction of Phase 1 of the VMC West Interchange Sanitary Sewer Improvements located south of Highway 7.

During the recent June 8th, 2021 Committee of the Whole meeting Item 6.1 “*Black Creek Financial Strategy and VMC West Interchange Sanitary Sewer Area Specific Development (ASDC) Charges Updates*”, the VMC West Interchange Sanitary Sewer ASDC portion of the item was not discussed by Committee. Only the Black Creek Financial Strategy was discussed, where Committee expressed their wish to have the summer to review it more in-depth. A motion was passed to defer the entire item to the June 22nd Council meeting and have staff advise on how the Development Charges By-law July 1st expiry could be extended until the fall, with the intent of Committee revisiting the Black Creek Financial Strategy sometime in the fall.

While our client is respectful of the careful consideration that Committee is giving the Black Creek Financial Strategy, it is highly concerning that a decision on the VMC West Interchange Sanitary Sewer ASDC be delayed several months due to the VMC West Interchange Sanitary Sewer ASDC’s arbitrary grouping with the Black Creek Financial Strategy.

IBI Group on behalf of 2748355 Canada Inc. would like to formally request the City of Vaughan separate the Black Creek Financial Strategy and the VMC West Interchange Sanitary Sewer ASDC into two standalone items for Council and/or Committee consideration so that the VMC West Interchange Sanitary Sewer ASDC is not deferred to the fall.

Please do not hesitate to contact the undersigned should you have any questions.

Regards,

A handwritten signature in cursive script that reads "Stephen Albanese".

IBI GROUP

Stephen Albanese MCIP RPP

C52
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 21

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] Agenda Item 7.4.21 entitled 2020 WARD BOUNDARY REVIEW FINAL REPORT
Date: June-21-21 10:05:37 AM

From: IRENE FORD [REDACTED] >

Sent: Monday, June 21, 2021 10:00 AM

To: Clerks@vaughan.ca; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>

Cc: Suzanne Craig <Suzanne.Craig@vaughan.ca>; Ombudsman On Info <info@ombudsman.on.ca>

Subject: [External] Agenda Item 7.4.21 entitled 2020 WARD BOUNDARY REVIEW FINAL REPORT

Vaughan Council,

Vaughan Council passed a motion June 8th at the Committee of the Whole meeting that effectively means this term of Council has done nothing to ensure that Vaughan citizens have fair and effective local and regional representation. A Ward Boundary Review was undertaken that excluded Regional

Councillors or the addition of a new local councillor/ward. **It is unacceptable that Vaughan Council has forced this upon the next term of Council and that our local representation will continue to be underrepresented (5 Wards/Local Councillors) because it is compromised by regional overrepresentation (5 - 4 Regional Councillors + Mayor).**

It was disconcerting that the questions I have been seeking answers to since early in May were asked during the June 8th Council meeting but did not receive proper answers. Regional Councillor Jackson specifically asked the Clerk about the authority by which Regional Councillors are elected at large.

The Chair of the meeting Regional Councillor Ferri spoke immediately after her, by default he did not allow the Clerk to answer, then asked for the motion on the floor to come to a vote. All other members of Council watched, did not call a point of order and enabled this question to go unanswered. It is probable that the answer to this question will reveal that it is within the

authority of Vaughan Council to make a decision about if Regional Councillors are elected at large or by ward, since elections are run by lower tier municipalities in York Region. Vaughan Council has the authority to pass a by-law about how Council members are elected until the last day of the year prior to the year of the municipal elections, meaning if it is within Vaughan Council's authority a by-law can be

passed to elect Regional Councillors by ward and provide a solution this term to increase local representation.

The question about the authority and record of decision by which Regional Councillors have adopted the title 'local and regional councillor' was also not answered satisfactorily. The question is not why Regional

Councillors have this title but how the title came to exist and under what authority. **it is unacceptable if Regional Councillors have over time just come to adopt this title without any consensus and authority from the whole of Vaughan Council.** Adding the term local when Regional Councillors are elected at large and accountable to no local area of Vaughan is misleading and disingenuous.

To the best of my knowledge Vaughan Council has done nothing to prepare or consult with the public about the new Regional Councillor starting next term. Vaughan citizens are entitled to an answer to the following questions as well as the whole of Vaughan Council so that informed decisions can be made to ensure faire and effective local and regional representation.

Please provide answers to the following questions and/or pass a motion that will address the following question in a timely manner so that Vaughan Council will have the opportunity to make informed decisions when passing the by-law with regard to the election of the Council members for the next term of Council.

1. When, how and under what authority was it decided that Vaughan's current Regional Councillor's titles are: Local and Regional Councillor?
2. When, how and under what authority was it decided that Vaughan's regional councillors are to be elected at large, where is the by-law, record of decision?
3. A new Regional Councillor is being added to Vaughan Council next term:
 - a. What if any obligations are required of the City of Vaughan to prepare for this change?
 - b. Has it been decided how the new Regional Councillor will be elected? If not how and when will this be decided?

Thank you,
Irene Ford

Ward 3 Resident, Voter and Citizen

C53
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 21

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] Agenda Item 7.4.21 entitled 2020 WARD BOUNDARY REVIEW FINAL REPORT
Date: June-21-21 10:47:48 AM

From: Paola Apollinaro [REDACTED] >
Sent: Monday, June 21, 2021 10:31 AM
To: Todd Coles <Todd.Coles@vaughan.ca>; Clerks@vaughan.ca
Cc: Evan Read <Evan.Read@vaughan.ca>; Isabel Leung <Isabel.Leung@vaughan.ca>; Hatem Abou El-Neel [REDACTED] >; [REDACTED]; Andre Willi <andre@strategicbenefits.ca>
Subject: [External] Agenda Item 7.4.21 entitled 2020 WARD BOUNDARY REVIEW FINAL REPORT

Mr Coles et al:

My name is Paola Maria Stefania Crocetti, and I am a concerned Vaughan resident.

The above subject was never put in front of Vaughan residents to give their thoughts about it. As a Vaughan resident, I never felt their presence and/or absence except as a shadow for the Mayor. The DIRECT cost for Vaughan residents is \$311,900 yearly, while we have a council that is already oversized when compared to cities like Toronto, Mississauga or Brampton. How can this be justified?

A response to the following questions would be greatly appreciated:

1. When, how and under what authority was it decided that Vaughan's current Regional Councillor's titles are: Local and Regional Councillor?
2. When, how and under what authority was it decided that Vaughan's regional councillors are to be elected at large, where is the by-law, record of decision?
3. A new Regional Councillor is being added to Vaughan Council next term:
 - a. What if any obligations are required of the City of Vaughan to prepare for this change?
 - b. Has it been decided how the new Regional Councillor will be elected? If not how and when will this be decided?

Regards

Paola Maria Stefania Crocetti

This email and its attachments are confidential. Any unauthorized use or disclosure is prohibited. If you receive this email in error, please notify me by reply email and permanently delete the original without making any copies or disclosing its contents.

C54
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] Response to York Region's Request for Comments on ROPA 7
Date: June-21-21 11:04 09 AM
Attachments: [Markham Council ROPA 7 Jun21_21.pdf](#)

From: IRENE FORD <[REDACTED]>

Sent: Monday, June 21, 2021 11:03 AM

To: Clerks@vaughan.ca; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>

Cc: Suzanne Craig <Suzanne.Craig@vaughan.ca>

Subject: [External] Response to York Region's Request for Comments on ROPA 7

Vaughan Council,

With regard to the item entitled, Response to York Region's Request for Comments on Regional Official Plan Amendment 7, please seriously consider the ramifications detailed by Planning Staff at the City of Vaughan and at the City of Markham as well as the precedent that this decision will have for similar areas in York Region and beyond.

I encourage Vaughan Council to reconsider and withdraw recommendations made at the Committee of the Whole Meeting June 8, 2021 Item 6(9) and **ENDORSE** the staff report and recommendations as originally presented; and, **NOT SUPPORT** the proposed ROPA 7 application.

Greenbelt fingers were not intended to be for active urban parks, they are part of York Region's Regional Greenlands System. Calling them Greenbelt fingers is misleading these lands are part of the Greenbelt and part of the Regional Greenlands System, natural heritage network. They were intended to protect watersheds and provide naturalized areas, corridors and habitat connectivity to support biodiversity. I urge Council to not compromise on this matter.

Map 2 of ROPA 2 clearly shows these lands as part of the Regional Greenbelt System. The Block 41 lands have already received special treatment through endorsement of a MZO, active urban parks and recreational uses have and where never intended to be a use permitted on the Regional Greenbelt System. Do not support the ROPA 7 private application.

I would also like to express my concern about Regional Councillor Jackson expressing her disappointment with Vaughan Staff, there are clearly substantive reasons that staff do not support the ROPA 7. To not support staff is to undermine their ability to do their job and politicize the decision-making process by supporting private interests above public interests. **This is a MZO in disguise on the Greenbelt.**

Block 41 and Block 27 landowners and other developers successfully opposed the approval of Vaughan's Natural Heritage Network in 2015 and have relentlessly been trying to downgrade the protection of the natural features, watersheds and ultimately protection and habitat for endangered species on these Blocks. **As a member of on the Board of the TRCA Regional Councillor Jackson should be well aware of the importance of lands in NW Vaughan for biodiversity, habitat connectivity. Not to mention source water and stormwater protection for Vaughan residents and municipalities downstream.** It is disappointing that she so willingly supported and advocated for the private ROPA 7 application, did not give staff a chance to respond to the Consultants presentation and choose to not support City of Vaughan staff recommendations. Support of ROPA 7 undermines Greenbelt protection and the ability of the City of Vaughan to achieve its own policy goals and objectives, especially those related to Climate Change. Land-use decisions like this will defy meaningful progress to address the Climate Emergency declared by Vaughan Council (Declared in response to school children who entered Council chambers 2 years ago. Still Vaughan citizens await the annual update report on the Climate Change emergency.)

It should also be pointed out that much of the soil that is under relentless development pressure is Class 1 and Class 2, the best soil in all of Canada.

My letter sent to Markham Council is attached for reference. I request the Clerk post this email with below supporting information and the attached letter as communications to the June 22 Council Meeting for this agenda item.

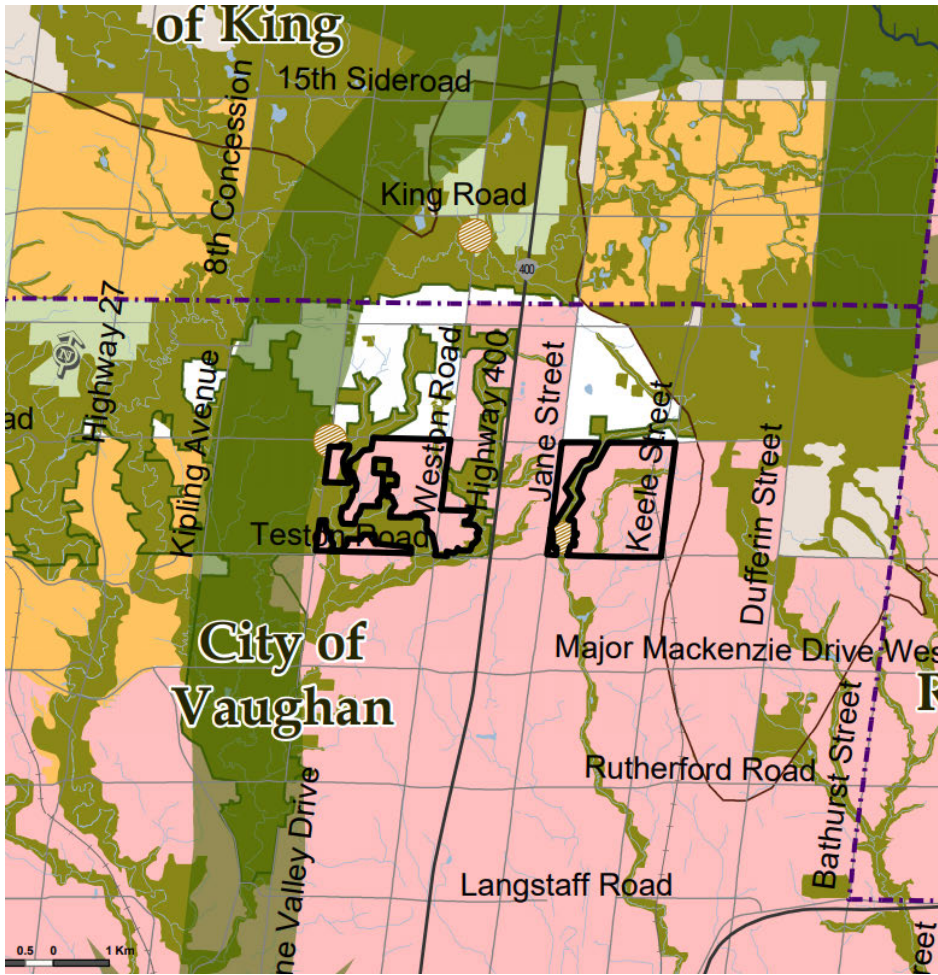
Thank you,
Irene Ford

Supporting Information

ROPA 2: <https://www.york.ca/wps/wcm/connect/yorkpublic/bf481c35-acf2-479f-8faa-928985d3dbc0/ROPA%2B2.pdf?MOD=AJPERES&CVID=mul6KCK>

4

3. That Map 2 - Regional Greenlands System as shown on Figure 2 following is amended:
 - (a) By deleting the Hamlet identifications from the lands outlined in black; and,
 - (b) By designating the lands outlined in black and coloured pink within the City of Vaughan as Urban Area and continuing to identify lands in the area as part of the Regional Greenlands System within the subject lands.



EXCERPT FROM MAP 2

REGIONAL GREENLANDS SYSTEM

- Regional Greenlands System (includes Greenbelt Natural Heritage System and ORMCP Natural Core and Natural Linkage Designations)
- Greenlands System Vision
- Urban Area
- Towns and Villages
- Hamlet
- Oak Ridges Moraine Conservation Plan
- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Plan Area
- Greenbelt Plan
- Greenbelt Plan Area Boundary
- Greenbelt Protected Countryside / Hamlet
- Provincial Highways
- Existing
- Controlled Access Highway
- Under Construction
- Municipal Boundary
- Regional Boundary



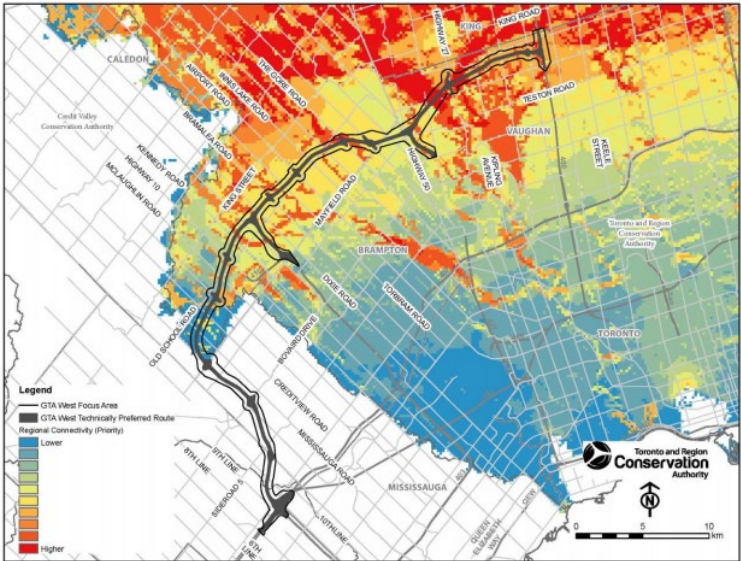
Produced by: Geomatics
 Planning and Development Services Department
 © Copyright, The Regional Municipality of York, August, 2010

© Copyright, The Regional Municipalities of Durham and Peel, County of Simcoe, City of Toronto
 © Queen's Printer for Ontario 2003-2010. Includes Greenbelt and Oak Ridges Moraine Boundaries and Water Features

Figure 2 to
 19OP-2009-002
 as modified
 September 2010

TRCA Staff Report Entitled:
 GTA WEST TRANSPORTATION CORRIDOR ENVIRONMENTAL ASSESSMENT UPDATE
https://pub-trca.escribemeetings.com/filestream.ashx?DocumentId=7051&fbclid=IwAR14pHgkXjYk1akRABDS0_OZHm4C8oB1yI7e23fRkwUdPY6QcteYxY0HMU

Attachment 1



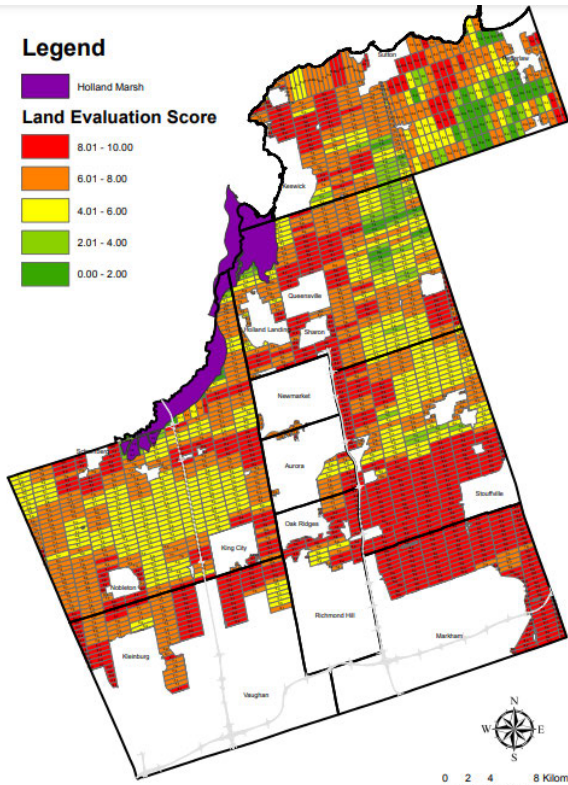
Map 1: TRCA's regional connectivity map shows higher priority areas (in red, orange, and yellow) that are important for maintaining landscape level connectivity among habitat patches across TRCA jurisdiction. These areas provide critical north-south and east-west linkages and losing them would compromise the long-term resilience of ecosystem, habitat, and biodiversity in TRCA's jurisdiction.

Legend

Holland Marsh

Land Evaluation Score

- 8.01 - 10.00
- 6.01 - 8.00
- 4.01 - 6.00
- 2.01 - 4.00
- 0.00 - 2.00



MAP 2 - LAND EVALUATION RESULT

THE REGIONAL MUNICIPALITY OF YORK
YORK REGION AGRICULTURAL/RURAL LAND REVIEW

October 16, 2009



June 21, 2021

Markham Council:

RE: Agenda Item 10.2 entitled City of Markham Comments on Proposed Regional Official Plan Amendment 7 to Allow Urban Park Uses in the Greenbelt

An application for private Regional Official Plan Amendment (ROPA 7) is being put forward “to re-designate the Greenbelt Plan Protected Countryside Areas within the New Community Areas from “Agricultural” to “Rural”¹.” If approved ROPA 7 would apply to lands in Vaughan and Markham. It would also be a precedent setting decision for other Greenbelt Fingers not included in the ROPA located in Vaughan, York Region and beyond. These lands have the strong designation of prime agriculture because they are part of the Regional Greenbelt System

This letter is asking Markham Council to:

- **NOT support and endorse the private ROPA 7 request: and**
- **Support Vaughan, Markham and York Region staff who do not support ROPA 7^{2,3,4}.**

Approval of ROPA 7 is premature by any local or regional council as well as the Minister of MMAH. Staff have not yet developed the accompanying policies to be in a position to be able to support the amendment as requested and to inform the decision-making process.⁵ The landowners indicate in a communication to the City of Vaughan that they are only seeking “parks, recreation and infrastructure uses”⁶. These terms are not clear, for instance under

¹ <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=73610>

² <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=73605>

³ Exert from Markham Staff Report emphases added, pg. 2: <https://pub-markham.escribemeetings.com/filestream.ashx?DocumentId=40867>

Markham staff do not support active urban parkland in the Greenbelt corridors for three main reasons as follows:

1. Markham has consistently planned for the use of the **Greenbelt corridor and Natural Heritage System lands for ecological, passive recreation and natural open space uses** which are considered to be fundamental to achieving City-wide environmental objectives as well as the development of sustainable communities in adjacent urban areas;
2. The provision of active parkland in the Greenbelt **could adversely affect the amount of active urban parkland and greenspace in the FUA communities and elsewhere in Markham if the City is required to provide parkland dedication credit for unanticipated urban parks in the Greenbelt;** and
3. The relocation of active urban parkland to the periphery of the FUA neighbourhoods could impact the City’s ability to provide active parkland in appropriate locations within walking distance to all residents.

⁴ Exert from York Region Staff Report, emphasis added, pg 5-6: <https://pub-markham.escribemeetings.com/filestream.ashx?DocumentId=40867>

“Policies will recognize the unique natural heritage values of these river valley features in their urban context; they are part of the Regional Greenlands System and contain key natural heritage/hydrologic features that will continue to be protected. Policy options are being assessed that balance the important environmental considerations and provide local planning flexibility within the changing context of these lands abutting new urban areas. **The designation would allow for Regional Official Plan Update: Policy Directions Report 6 continuation of existing agricultural operations/productive lands as appropriate for all of these river valley areas. Current agricultural policies align with the Province’s”**

⁶ See 1 above.

recreation a golf course could be allowed⁷. It is not within Vaughan, Markham or York Region Councils authority to make a decision about the fate of these lands. The province is the approval authority for changes to Greenbelt prime agricultural as is clearly indicated in the Ministry of Municipal Affairs and Housing (MMAH) letter emailed by TACC to Vaughan Council⁸.

It is not as simple as redesignating land within the Greenbelt as the consultant presented to Vaughan Council⁹. It was incredibly disappointing to hear a Regional Councillor rebuke Vaughan staff during the June 8 Committee of the Whole meeting for not supporting the private ROPA 7 request. Clearly staff understand there are substantive supporting reasons, shared across municipalities, at the Region and by the public, to **not recommend** support of ROPA 7 at this time.

One of the Greenbelt Fingers in Vaughan, Block 41, is adjacent to non-greenbelt land that received MZO approval last November¹⁰. There are also two MZOs approved in Markham adjacent to Greenbelt Fingers that are not part of the ROPA 7 but would set a precedent for allowing parks on these lands¹¹. Clearly by allowing parks on adjacent Greenbelt land this would allow more density for these developers. Increased density should be supported but not like this and at the expense of protection of the Humber River watershed in Vaughan and the Rouge River Watershed in Markham and maintaining the Regional Greenbelt System.

Block 41 Landowners MZO request included parks on Greenbelt designated land, this was endorsed by Vaughan Council but not approved by the Minister of MMHA. ROPA 7 is the latest strategy to circumvent due process to enable the loss of prime agricultural lands, less protection for natural core features, and further compromise York Region's Regional Greenbelt System. It is also another form of special treatment. Block 27 and Block 41 Landowners have been fighting since 2015, if not longer, when they and other developers successfully opposed the approval of Vaughan's natural heritage network, against the direction of the Province of the day.

The applicant has oversimplified their request it is not only a question about the viability of agricultural operations or that urban parks are an approved land use under the Greenbelt rural designation. **ROPA 2¹² for Vaughan and ROPA 3¹³ for Markham brought lands surrounding the subject lands of ROPA 7 into the urban boundary. Review of ROPA 2 and ROPA 3 implies that the subject lands of ROPA 7 were set aside, intentionally, as part of the Region's Greenbelt System.** The term Greenbelt fingers downgrades the importance of these lands they are Greenbelt Lands, regardless of shape or size and this does not justify downgrading the protection. Why is the applicant here again today questioning this and asking for your

⁷ <https://www.ontario.ca/document/greenbelt-plan-2017/general-policies-protected-countryside>

⁸ <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=73608>

⁹ <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=73612>

¹⁰ See Item 32: <https://pub-vaughan.escribemeetings.com/FileStream.ashx?DocumentId=39457> and <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=39961>

¹¹ <https://www.yorkregion.com/news-story/10332313-markham-mzo-adds-to-circus-surrounding-flato-development-on-stouffville-border/>

¹² ROPA 2, refer to Map 2: <https://www.york.ca/wps/wcm/connect/yorkpublic/bf481c35-acf2-479f-8faa-928985d3dbc0/ROPA%2B2.pdf?MOD=AJPERES&CVID=mul6KCK>

¹³ ROPA 3, refer to Map 2: https://www.york.ca/wps/wcm/connect/yorkpublic/d3a79360-0c88-4fcd-abce-8110fe740d34/17046_ropa3May2017.pdf?MOD=AJPERES&CVID=mul6MPC

support to undermine the strong protection these lands have and should be maintained? If Council supports this then you undermine staff and the City of Markham's ability to achieve numerous policies and objectives, in particular those relating to Climate Change.

ROPA 7 is not the only example in Vaughan of the Greenbelt being under attack from within. A Vaughan Council Public Meeting on June 1 contained a development application for a rural-recreation use on the Greenbelt proposing a large banquet hall, hotel, sports fields and a parking lot for almost 700 cars. This is on one of the last full blocks of Greenbelt prime agricultural land in Vaughan, I thought it was off limits. It is unclear if the planning rationale presented by the consultant is valid, if the recreational use is compliant with the Greenbelt plan¹⁴ or why it is even being entertained by Vaughan Council since so much appeared to be beyond their decision-making authority.

Make no doubt about it, this is a MZO request in disguise on the Greenbelt. The applicant, developer is first seeking local and regional endorsement prior to requesting approval by the Minister of MMHA. It is disconcerting to me as a citizen that it was necessary to send this letter and depute at Markham Council because there is a very distinct possibility that Council will not support staff recommendations, made in the greater public interest, and instead choose to support private interests as was done with the Flato MZO earlier this year.

Even though the Province has clearly indicated that the Greenbelt is to be protected and expanded they are not living up to their promises. Support of ROPA 7 would mean that this Council is also not living up to their promises to protect the Greenbelt because ROPA 7 undermines the purpose and intent of the Greenbelt Plan to preserve and protect prime agricultural, natural heritage, watersheds and provide natural corridors for endangered species. It will set a precedent for similar areas in York Region and beyond to allow urban uses on lands intentionally protected to preserve our natural heritage, protect our drinking water through source water protection and reduce risk of floods through storm water protection.

Do not support ROPA 7 it is premature and there is inadequate information to enable an informed decision.

Thank you,
Irene Ford
Vaughan Resident

¹⁴ See Item 3(6): <https://pub-vaughan.escrimemeetings.com/Meeting.aspx?id=2c68ecd5-3bb4-41fc-977b-f502c1d8d192&Agenda=Agenda&lang=English>

C55
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 8

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: Letter of Concern to City Council - Comprehensive Zoning By-law - 8960, 9000 Jane Street & 27 Korda Gate
Date: June-21-21 11:19:02 AM
Attachments: [2021.06.21 - Letter of Concern to City Council \(CZBL\) - 8960 & 9000 Jane Street and 27 Korda Gate.pdf](#)

From: Mathew Halo <mhalo@westonconsulting.com>
Sent: Monday, June 21, 2021 11:13 AM
To: Clerks@vaughan.ca
Cc: Joe Di Giuseppe <joed@greenpark.com>; Brandon Correia <Brandon.Correia@vaughan.ca>; Nick Spensieri <Nick.Spensieri@vaughan.ca>; Sandra Patano <spatano@westonconsulting.com>; Ryan Guetter <rguetter@westonconsulting.com>; Mary Flynn-Guglietti <mary.flynn@mcmillan.ca>; Annik Forristal <annik.forristal@mcmillan.ca>
Subject: [External] Letter of Concern to City Council - Comprehensive Zoning By-law - 8960, 9000 Jane Street & 27 Korda Gate

Hello,

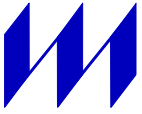
Attached to this email is correspondence to City Council regarding the City's Comprehensive Zoning By-law and 8960, 9000 Jane Street & 27 Korda Gate, Vaughan.

Regards,

MATHEW HALO, BURPI
PLANNER

VAUGHAN 905.738.8080 x282
TORONTO 416.640.9917 x282
CELL 416.882.4989
WESTONCONSULTING.COM





**WESTON
CONSULTING**

planning + urban design

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

June 21, 2021
File 10516

Attn: Mayor Bevilacqua and Members of Vaughan City Council

**RE: City-Wide Comprehensive Zoning By-law (“CZBL”)
8960 & 9000 Jane Street and 27 Korda Gate, Vaughan
OMB File No. PL1104020**

Weston Consulting is the planning consultant for Genazzano Highrises Inc. and Granerola Residences Ltd., the registered owner of the lands at 8960 & 9000 Jane Street, and 27 Korda Gate, in the City of Vaughan (herein referred to as the “subject lands”). We have reviewed the final City-wide Comprehensive Zoning By-law (the “CZBL”) and are pleased to provide the enclosed comments on behalf of the owner.

We have reviewed the Public Comments Response Matrix released by the City of Vaughan in June 2021, which provides responses to feedback and concerns received from landowners regarding the City’s proposed CZBL. Based on our review, we note that our client’s concerns raised in email correspondence submitted to City of Vaughan Clerks on October 29, 2020 and included in the Council Meeting Minutes of December 15, 2020 have not been acknowledged or addressed.

We provide the following comments on the CZBL that reflect our client’s concerns as provided in his previous October 29, 2021 submission:

- The subject lands are approved for development through a Local Planning Appeal Tribunal (LPAT) Decision issued on September 17, 2018 (LPAT File No. PL110419). An amendment to the Zoning By-law, implementing the Order and enacting site-specific provisions for development on the subject lands were enacted by the City of Vaughan through By-law 033-2019.
 - The site-specific zoning by-law rezoned the lands to RA3(H) – Apartment Residential Zone with a Holding provision and was noted as exception 9(1472).
 - It appears that the CZBL zones the subject property RM2 – Multiple Unit Residential 2 and RM2 (H) - Multiple Residential 2, with Exception (699).
 - The CZBL and Exception 699 does not include the site-specific approvals and does not appropriately reflect the development permissions granted by the LPAT for the subject lands. This appears to be an error or oversight that requires correction, as the Exception does not capture the LPAT approvals specific to the development.

- We request that the site-specific by-law and Holding conditions be included in its entirety within the CZBL. See attached Site Specific By-law 033-2019 and Decision.

In addition to our concerns regarding the LPAT-approved site-specific Zoning By-law Amendment, our client has concerns on various provisions of the CZBL and the effects it will have on future development projects:

- Provisions 1.6.3 and 1.6.4 - Transition Policies and Lapse of Transition Provisions: We are supportive of the transition provisions and submit that under this provision, any future site development applications for the subject lands implementing the LPAT-approved Zoning By-law Amendment will receive approval and that the subject lands can be developed accordingly without any further amendment required to the CZBL. However, we have concerns and request clarification if all new provisions will apply to a building permit application, after an approval has been granted.
- Definition – Storey: The CZBL identifies that mezzanines shall be considered a storey, whereas By-law 1-88 does not. The inclusion of this definition will cause many non-conforming situations and will affect the Gross Floor Area calculation, parking requirements and limit Architectural expression. Should this definition of a storey be approved and included in the CZBL, the result would be delay to the approved development and undue cost associated with minor variance applications to comply with the new definition of a Storey.
- Provision 4.20 – Rooftop Mechanical Penthouses: The paragraph has provisions for maximum height of equipment before they are required to be in an enclosure. The maximum height of a mechanical penthouse should be included as a percentage of area where rooftop equipment can be open and unenclosed. The provision for Rooftop Mechanical Penthouses in the CZBL is considered unnecessary since it is the technical elements of the mechanical penthouse that drive shape and size, and should therefore be part of the Urban Design review process with City Staff rather than the CZBL. The provision would cause delay to the approved development and undue cost associated with minor variance applications to comply with the new definition of a Rooftop Mechanical Penthouse.
- Provision 4.24– Waste Storage: Based on the client's and our development experience within the City of Vaughan, it is our opinion that waste storage facilities vary from site to site, and that this component of a development is best left as a Design Standard rather than a by-law requirement. The provision would cause delay to the approved development and undue cost associated with minor variance applications to comply with new waste storage regulations.
- Provision 5.6.2 – Temporary Sales Office: This provision allows for a sales office to be constructed once all approvals are in place. The provision in By-law 1-88, however, allows

sales offices to be constructed when the Official Plan policies permits the development/intended use within which the units to be sold are located. This provides flexibility and time for landowners to undertake the completion of the sales office with the approval of the in-planning applications underway. Provisions that allow for more flexibility to get a building permit earlier in the process should be considered.

- Provision 5.12 – Outdoor Patio: The CZBL provisions requires that outdoor patios be setback in accordance with the zone requirements, be a maximum of 40% of the GFA of the main uses (which is a reduction from 50% in By-law 1-88) and provides for setback requirements for patios above the first storey. This provision is too restrictive. It is noted that most existing buildings in the City of Vaughan are constructed to meet minimum required setbacks. These provisions would cause delay to the approved development and undue cost associated with minor variance applications to comply with new outdoor patio provision.
- Provision 6.5 – Bicycle Parking Space Requirements: This provision existed in the VMC Zones but was not as specific or detailed and with not as many design requirements. The main concerns pertain to provisions s 6.5.4, 6.5.5 and 6.5.6, in regard to long-term and short-term bicycle parking spaces and changing and shower facilities. No provisions previously existed outside the VMC boundary. We support the inclusion of bicycle parking space requirements and numbers in the CZBL, but the supporting provisions could instead be part of a design criteria or guideline to avoid unnecessary minor variance applications.

In summary, we support that LPAT-approved site-specific Zoning By-law Amendment provisions are captured in the CZBL; however, we request that Exception 699 be corrected to include the provisions of the site-specific by-law and the entirety of the LPAT Decision, dated September 17, 2018. We also request consideration of modifications to the provisions as outlined above as these provisions would cause delay to the approved development and undue cost associated with minor variance applications. We request a formal response to the comments provided within.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the City Council Meeting on June 22, 2021. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client and request to be notified of any future reports and/or meetings and decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 245 or Mathew Halo at extension 282 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:



Sandra K. Patano, BES, MES, MCIP, RPP
Vice President

- c. Joe Di Giuseppe, Development Manager, Greenpark Group
Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Ryan Guetter, Weston Consulting
Mary Flynn-Guglietti, McMillan LLP
Annik Forristal, McMillan LLP

Encl. October 29, 2020 Submission
Zoning By-law 033-2019 and LPAT Decision

Mathew Halo

From: Mathew Halo
Sent: Thursday, June 17, 2021 10:45 PM
To: Mathew Halo
Subject: FW: Draft Comprehensive Zoning Bylaw - City of Vaughan

From: Joe Di Giuseppe <joed@greenpark.com>
Date: June 10, 2021 at 1:34:23 PM EDT
To: Sandra Patano <spatano@westonconsulting.com>
Subject: FW: Draft Comprehensive Zoning Bylaw - City of Vaughan

From: Magnifico, Rose <Rose.Magnifico@vaughan.ca>
Sent: Thursday, October 29, 2020 4:32 PM
To: Joe Di Giuseppe <joed@greenpark.com>
Cc: Clerks@vaughan.ca
Subject: RE: Draft Comprehensive Zoning Bylaw - City of Vaughan

Thank you for submitting a Communication for the Committee of the Whole (Public Meeting) of October 29, 2020.
In accordance with Section 2.1 (9) (d) of Procedural By-law 7-2011, as amended, Communications received for a Committee of the Whole (Public Meeting) after the deadline of noon on the last business day prior to the commencement of the meeting may be referred directly to Council.

Consequently, as your Communication was provided after the deadline, it will be forwarded to the Council meeting of November 17, 2020 and included with all other comments received to form part of the public record with respect to the matter.

Best Regards,

Rose Magnifico
Council / Committee Administrator 905-832-8585, ext. **8030** | rose.magnifico@vaughan.ca
City of Vaughan | City Clerk's Office
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca



From: Clerks@vaughan.ca <Clerks@vaughan.ca>
Sent: Thursday, October 29, 2020 4:05 PM
To: Magnifico, Rose <Rose.Magnifico@vaughan.ca>
Subject: FW: Draft Comprehensive Zoning Bylaw - City of Vaughan

From: Joe Di Giuseppe <joed@greenpark.com>
Sent: Thursday, October 29, 2020 3:55 PM
To: Clerks@vaughan.ca; Correia, Brandon <Brandon.Correia@vaughan.ca>
Subject: [External] Draft Comprehensive Zoning Bylaw - City of Vaughan

City Clerk
Committee of the Whole
October 29, 2020

Good Afternoon Brandon,

We are the owners of the property noted above along with various other land holdings that are affected by the new Comprehensive Zoning By-law. The subject lands are located on the West side Jane Street south of Rutherford Road and immediately south of the York Region Public Health Building.

The property was approved for development through an Ontario Municipal Board Order issued on September 17, 2018 (OMB File No. PL110420). Zoning bylaw 033-2019 was enacted by the City of Vaughan to implement the approval from the OMB. The bylaw provided many exceptions to the existing comprehensive zoning bylaw being By-law 1-88. The site specific zoning bylaw rezoned the lands to RA3(H) – Apartment Residential Zone with a Holding provision and was noted as exception 9(1472).

Upon review of the latest draft of the bylaw it appears that the property is zoned GMU(H) – General Mixed Use Zone with exception (699). The exception does not include the provisions of our site specific by-law and does not permit the main use Apartment Building. I trust that this is an oversight and the City will correct the error by implementing the appropriate Zone Category and provisions of our site specific bylaw.

In addition to the specific site above we have concern with many parts of the Draft Comprehensive Zoning By-law and the effects it will have on future development projects. We have reviewed the proposed draft and have the following comments that I hope we can address before final approval from Council.

- 1) Par. 1.6.4 - Lapse of Transition Provisions: The paragraph indicates that the provisions of this new bylaw shall apply “Once a permit or approval has been granted”.

I have a concern that after an approval has been granted all new provisions will apply to a building permit application. We request clarification on this paragraph.

- 2) Definition – Storey: The proposed definition provides that mezzanines shall be considered a story.

Previous definition of Storey did not include a mezzanine. Inclusion of this will cause thousands of non conforming situations. This will affect the Gross Floor Area calculations, parking requirements and limit Architectural expression.

Department Letter issued by Mr. John Studdy, Zoning Supervisor November 1990 provided that mezzanines are not storey's, and are not included in parking and GFA calculations. This will cause unnecessary minor variance applications. We request that this be amended.

- 3) Par. 4.20 – Rooftop Mechanical Penthouses: The paragraph has provisions for maximum height of equipment before they are required to be in an enclosure.

Maximum height of a mechanical penthouse are included and a percentage of area where roof top equipment can be open and unenclosed.

The provisions are not required as it will be the technical elements of the mechanical penthouse that drive the size and shape. This would part of the Urban Design experience with staff. This provision will cause unnecessary minor variance applications. We request that it be amended.

- 4) Par. 4.24 – Waste Storage: The paragraph has specific requirements that are currently with the City's Waste Collection Design Standards.

Waste storage facilities will vary from site to site. It would best left as Design Standard rather than a bylaw requirement. This provision will cause unnecessary minor variance applications. We request that it be amended.

- 5) Par. 5.6.2 – Temporary Sales Offices: The paragraph allows for a sales office to be constructed once all approvals are in place.

The previous provision allowed sales offices when the official plan permitted the intended use. This provided flexibility for owners to time the completion of the sales office with the approval of the planning application filed. More flexibility to get a building permit earlier in the process.

- 6) Par. 5.12 – Outdoor Patio: The Paragraph requires that outdoor patios be setback in accordance with the zone requirements. The percentage of outdoor

Patios has been reduced from 50% to 40% of the GFA of the main use. Setback requirements for patios located above the first storey.

This provision is too restrictive. Most existing buildings are constructed to the minimum setback. This would cause unnecessary minor variance applications.

- 7) Par. 6.5 – Bicycle Parking Space Requirements; This provision existed in the VMC Zones but was not as specific and with not as many design requirements.

Main concerns are for paragraphs 6.5.4, 6.5.5 and 6.5.6.

No provisions existed outside the VMC boundary. Perhaps the requirements or numbers should be a bylaw requirement, but the supporting paragraphs could be part of a design criteria or policy. This would cause unnecessary minor variance applications.

These are the major items that currently get my attention. I do have other definitions and provision that I felt were not my primary issues. I wish to add that the format of the previous bylaw was acceptable and only required updates rather than a total restructuring of the document. I don't think it is as user friendly. We look forward to future discussions with you and City staff on this matter.

Thank you,

Joe Di Giuseppe
Development Manager
Greenpark Group.

This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 033-2019

A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Local Planning Appeal Tribunal.

The Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Municipal Board Order Issue, dated the 17th day of September 2018 (OMB File No. PL 110420), attached hereto as Attachment "B", is hereby designated as By-law Number 033-2019.

Enacted by City of Vaughan Council this 19th day of March, 2019.



Hon. Maurizio Bevilacqua, Mayor



Todd Coles, City Clerk

Attachment B

Authority: Local Planning Appeal Tribunal Decision/Order issued September 17, 2018 in

Board File No. PL 110420

Dulcina Investments Inc.

BY-LAW NUMBER 033- 2019 (LPAT)

A By-law to amend City of Vaughan By-law 1-88.

The Local Planning Appeal Tribunal orders:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

- a) Rezoning the lands shown as "Subject Lands" on Schedule "2" attached hereto from C1 (H) Restricted Commercial Zone with the Holding Symbol "(H)" to RA3 (H) Apartment Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on the said Schedule "2".

Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1472) A. The following provisions shall apply to all lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-1603", until the Holding Symbol "(H)" is removed pursuant to Subsection 36(3) or (4) of the *Planning Act*.

- a) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of By-law 033-2019. Notwithstanding the foregoing, the following are permitted prior to the removal of the Holding Symbol "(H)" symbol:
 - i) one (1) temporary sales office, in accordance with Subsection 3.25 respecting Temporary Sales Office in the City of Vaughan By-law Number 1-88;
 - ii) an Underground Parking Structure;
 - iii) the permitted interim commercial uses with a maximum Gross Floor Area of 1,970 m² within the Phase 2 Lands as shown on Schedule "2", attached hereto, and in accordance with the provisions of the C1 Restricted Commercial Zone of Section 9(1030);
- b) Upon the enactment of a by-law, or by-laws to remove the Holding Symbol "(H)" from any portion of the Subject Lands, development of the Subject Lands will occur sequentially in two Phases on the lands identified as the "Phase 1 Lands" and the "Phase 2 Lands", as shown on Schedule "E- 1603". Development within each Phase may be staged in accordance with a staging plan, to the

satisfaction of the City of Vaughan and York Region. The boundary between the Phase 1 Lands and the Phase 2 Lands may be adjusted from what is shown on Schedule "E-1126B" provided Blocks 'A', 'B', and the OS2 Open Space Park Zone lands remain within the Phase 1 Lands, and Block 'C' remains in the Phase 2 Lands;

c) "Phase 1 Lands" (2021 Horizon) – Holding Symbol "(H)" Removal Conditions:

A By-law to remove the Holding Symbol "(H)" from the "Phase 1 Lands" identified on Schedule "E-1126B", or any portion thereof, shall not be enacted until the following conditions are satisfied:

- i) A Development Concept Report, including supporting studies, has been submitted to the satisfaction of the City of Vaughan and York Region;
- ii) A subdivision agreement or development agreement has been executed and registered with respect to the Subject Lands securing the conveyance and construction of the public street, the conveyance of the Jane Street widening along the frontage of the Subject Lands, the conveyance of public parkland within the lands zoned OS2 Open Space Park Zone, the payment of cash-in-lieu of parkland in accordance with Section 42 of the *Planning Act*, and the extension of public services with respect to the development of the Phase 1 Lands and, if efficient and practical, the Phase 2 Lands;
- iii) Arrangements have been made satisfactory to the City of Vaughan and York Region for the completion of the extension of Bass Pro Mills Drive to Jane Street;
- iv) Final approval of a Site Development Application(s) has been obtained for the Phase 1 Lands, or portion thereof from which the Holding Symbol "(H)" is being removed, in accordance with Section 41 of the *Planning Act*;
- v) An agreement pursuant to Section 37 of the *Planning Act* has been executed and registered, providing for the payment of \$1,471,622 with respect to increases in height and density for the development of the Phase 1 Lands and Phase 2 Lands, and for the provision of a Public Indoor Recreation Space ("PIRS") within Block 'B' of the

Phase 1 Lands, if the City of Vaughan identifies a need for such space. Payment of the Section 37 amount shall be pro-rated based upon the percentage of the approved number of units and payable prior to the issuance of the first Building Permit for any above grade structure(s) (other than the temporary sales office). A preliminary Park Master Plan, a preliminary Facility Fit Study and a cost estimate for the PIRS shall be provided, if required, to the satisfaction of the City of Vaughan;

- vi) At the City of Vaughan's request, entering into a Park Developer Build Agreement with the City to construct the entire public park block in accordance with the City of Vaughan's Developer Build Parks Policy (Policy No. 07.2.05), which agreement will include "Schedule 'D' – Base Work Requirements for Assumption of a Conveyed Park Block", as shown on Schedule "E- 1603A", attached hereto as Schedule "3", to the satisfaction of the City of Vaughan Manager of Parks Development Planning Department;
- vii) A cost sharing agreement has been executed to the City's satisfaction to secure the proportionate share of the works required to service and deliver the entire public park block(s).
- viii) Water supply and sewage servicing capacity has been identified by York Region and allocated to the Phase 1 Lands, or portions thereof, by the City of Vaughan;
- ix) Any necessary agreements required to ensure the orderly development of the Phase 1 Lands, or portions thereof, have been executed among benefiting landowners, and the City of Vaughan and/or York Region where appropriate, for municipal servicing;
- x) If required, a Stratified Arrangement Agreement shall be executed, to the satisfaction of the City of Vaughan, for underground parking in the OS2 Open Space Park Zone for the use of the residents, employees or visitors of the Phase 1 and the Phase 2 Lands;
- xi) Prior to the removal of the Holding Symbol "(H)" for Block 'B', if required by the City, an Agreement shall be

executed, to the satisfaction of the City of Vaughan, to provide any necessary easements to facilitate the PIRS respecting access, servicing utilities, and maintenance;

xii) Prior to the removal of the Holding Symbol “(H)” for Block ‘B’, a final Park Master Plan, a final Facility Fit Study and cost estimate for the PIRS shall be provided, if required, no later than six (6) months prior to paragraph xiii) below, to the satisfaction of the City of Vaughan;

xiii) Prior to the removal of the Holding Symbol “(H)” for Block ‘B’, a PIRS Agreement shall be executed meeting the City’s requirements with respect to the PIRS, but only in the event that the City decides it wishes to acquire the PIRS, which decision shall be made by no later than the later of:

i. twelve (12) months from the Board’s Order approving Schedules A and B; and

ii. three (3) months after the release for sale of the units in Building A2, provided that the City is provided written notice not less than three (3) months from the intended date of the release for sale of the units in Building A2;

d) “Phase 2 Lands” (2031 Horizon) – Holding Symbol “(H)” Removal

Conditions:

A By-law to remove the Holding Symbol “(H)” from the “Phase 2 Lands”, identified on Schedule “E-1126B”, shall not be enacted until the following conditions are satisfied:

i) A scoped comprehensive “Jane Street Corridor Area Development Concept Report” has been submitted to the satisfaction of the City of Vaughan and York Region;

ii) A Comprehensive Transportation Assessment, has been prepared to the satisfaction of the City of Vaughan and York Region, demonstrating development capacity for either complete or staged removal of the Holding Symbol “(H)” for the Phase 2 Lands;

iii) An updated Development Concept Report for the development of the Phase 2 lands has been submitted, to the satisfaction of the City of Vaughan;

iv) Final approval of a Site Development Application(s) has

been obtained for the Phase 2 Lands, in accordance with Section 41 of the *Planning Act*, to the satisfaction of the City of Vaughan;

- v) A subdivision agreement or development agreement has been executed and registered with respect to the Subject Lands securing the conveyance of lands required for any remaining public streets and road widenings and the construction thereof, the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*, and the extension of public services, to the satisfaction of the City of Vaughan;
- vi) Water supply and sewage servicing capacity have been identified by the York Region and allocated to the Phase 2 Lands by the City of Vaughan;
- vii) Adequate provision has been made for school sites and community facilities to support the development of the Phase 2 Lands, or portion thereof from which the Holding Symbol is being removed, to the satisfaction of the City of Vaughan;

B. Subject to the requirements of Paragraph A above, notwithstanding the provisions of:

- a) Subsection 2.0 respecting the Definition of Lot, Building Height, Car Share, Gross Floor Area, Parking Space, Parking Space – Handicapped, Place of Worship, Service or Repair Shop, Stratified Arrangement, and Underground Parking Structure;
- b) Subsection 3.8 (a) respecting Parking Requirements;
- c) Subsection 3.9 respecting Loading Requirements;
- d) Subsection 3.13 respecting Minimum Landscape Area;
- e) Subsection 3.17 respecting Portions of Buildings Below Grade;
- f) Subsection 4.1.4 respecting Parking and Access Requirements;
- g) Subsection 4.1.6 respecting Minimum Amenity Area;
- h) Subsection 4.1.8 and Schedule "A" respecting the minimum Zone Standards in the RA3 Apartment Residential Zone;
- i) Subsections 4.1.7 respecting Uses Permitted in All Residential Zones and 4.12 respecting Uses Permitted in the RA3 Apartment Residential Zone;
- j) Subsections 7.1.2 respecting Uses Permitted in All Open Space Zones and 7.3 respecting Uses Permitted in the OS2 Open Space

Park Zone;

the following provisions shall apply to the development of the lands shown as "Subject Lands" on Schedule "E- 1603" upon the removal of the Holding Symbol ("H"):

- ai) For the purpose of this Exception Paragraph:
 - i) The Subject Lands shall be deemed to be one lot, regardless of the number of buildings or structures constructed thereon, the creation of separate units and/or lots by way of plan of condominium, conveyance, consent, or other permissions, and any easements or registrations that may be granted, shall be deemed to comply with the provisions of this By-law;
 - ii) The definition of Building Height shall exclude accessory roof construction, elevator(s), mechanical room, antennae, parapet wall, canopies, landscape features, or roof-top equipment. Any residential floor area on the same storey at, or adjacent to, the roof-top equipment shall not be considered a storey, provided that the said residential floor area is less than 50% of the floor area for that storey and does not increase the maximum number of permitted Dwelling Units on the Subject Lands;
 - iv) Car Share means a service for local users in support of community transit and environmental goals. It is a membership-based on service offering members access to a dispersed network of shared vehicles 24 hours, 7 days a week. It is primarily designed for shorter times and shorter distance trips providing a public service to enhance mobility options. It does not include a dealership, rental uses or car brokerage use. Car Share parking spaces may be set aside within a covered area on the Subject Lands, and will not count towards satisfying the minimum parking supply requirements of this by-law;
 - v) Gross Floor Area (GFA) shall mean the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, any car parking area above or below grade within the building or within a separate structure, or any public indoor recreation space;

- iv) The minimum dimensions of a Parking Space are 2.7 metres by 5.8 metres;
- v) Accessible Parking Spaces and Aisles shall be provided in accordance with Ontario Regulation 413/12, as amended, with a minimum parking space length of 5.8 metres;
- vi) Place of Worship shall mean a building used for religious worship and may include accessory facilities such as an assembly hall, auditorium, shrine, and rectory;
- vii) Service or Repair Shop shall only include the servicing or repairing of small household appliances and electronic devices;
- viii) Stratified Arrangement means an agreement registered on title by two or more parties for the determination of ownership or use of land in a vertical manner above and/or below grade;
- ix) An Underground Parking Structure shall mean a building or structure constructed below finished grade used for the temporary parking of motor vehicles and shall not include the storage of impounded or derelict motor vehicles;
- bi) Parking spaces and areas shall be permitted in the OS2 Open Space Park Zone within an underground parking structure and may be used to satisfy the parking requirements of the uses within the abutting RA3 Apartment Residential Zone to the north and east;
- bii) The minimum Residential – Apartment Dwelling parking ratio shall be 0.95 parking spaces per Dwelling Unit;
- biii) The maximum Residential – Apartment Dwelling parking ratio shall be 1.15 parking spaces per Dwelling Unit;
- biv) The minimum Residential – Apartment Dwelling, Visitor parking ratio shall be 0.20 spaces per Dwelling Unit and may be located in the commercial parking area. The parking spaces provided to satisfy the requirements for the Commercial uses will also count towards satisfying the residential visitor parking requirements and vice versa;
- bv) The minimum Commercial parking ratio shall be 3.0 parking spaces per 100 m² Gross Floor Area;

- c) Subsection 3.9 (a) shall not apply;
- di) The following minimum landscape strip widths shall be provided:
 - i) 2.2 m along Jane Street;
 - ii) 8.0 m along Vaughan Mills Circle;
 - iii) 0.0 m along the north boundary of the lands zoned RA3;
 - iv) 3.0 m along Street "A";
 - v) 0.0 m along the south boundary between the lands zoned RA3 and OS2;
 - vi) 0.0 m along a sight triangle;
- ei) The minimum setback of the nearest part of the building below finished grade from the front lot line (Jane Street) and a lot line abutting the public street shall be 0.0 m;
- fi) Subsection 4.1.4 (b) shall not apply;
- gi) The Minimum Amenity Area provided on the Subject Lands shall be based on 2.5 m² per Dwelling Unit;
- hi) The minimum setback to a daylight triangle shall be 0.0 m;
- hii) The minimum front yard setback from Block 'A' and Block 'B' to Jane Street shall be 2.2 m;
- hiii) The minimum rear yard setback (Vaughan Mills Circle) shall be as follows:
 - i) Block 'A' – 12.0 m;
 - ii) Block 'C' – 8.0 m;
- hiv) The minimum side yard setback (from the north boundary of the lands zoned RA3 Apartment Residential Zone) for Block 'A' shall be 6.0 m;
- hvi) The minimum side yard setback from the OS2 Open Space Park Zone shall be as follows:
 - i) Block 'B' – 0.0 m;
 - ii) Block 'C' – 9.0 m;
- hvi) The minimum side yard from the "Public Street" shall be as follows:
 - i) Block 'A' – 3.0 m;
 - ii) Block 'C' – 3.0 m;
- hvi) The maximum permitted Building Height shall be as follows:
 - Block 'A' (Phase 1 Lands):
 - i) Building A1 – 24-storeys (79.5 m);
 - ii) Building A2 – 26-storeys (85.5 m);
 - Block 'B' (Phase 2 Lands):

- i) Building B1 – 26-storeys (85.5 m);
- ii) Building B2 – 28-storeys (91.5 m);

Block 'C' (Phase 1 Lands):

- i) Building C – 28-storeys (91.5 m);
- hviii) The minimum distance between buildings above 7-storeys shall be 20.0 m;
- hix) The maximum permitted number of Dwelling Units within the Phase 1 Lands shall be 1,125;
- hx) The maximum permitted number of Dwelling Units within the Phase 2 Lands shall be 342;
- hxi) The total maximum Gross Floor Area on the Phase 1 Lands and Phase 2 Lands shall be 131,702 m², consisting of 128,962 m² of residential GFA and 2,740 m² of non-residential GFA;
- hxii) A maximum Gross Floor Area of 2,740 m² devoted to Commercial uses shall be permitted on the ground floor on the buildings on the lands zoned RA3 Apartment Residential Zone, where the floor to floor height of a commercial unit shall be a minimum of 4.5 m;
- ii) In addition to the uses permitted in all Residential Zones and in the RA3 Apartment Residential Zone, the following commercial uses shall be permitted only if they are carried on within a wholly enclosed building with no open storage:
 - i) Bank or Financial Institution;
 - ii) Brewers Retail Outlet;
 - iii) Business or Professional Office;
 - iv) Car Share;
 - v) Club or Health Centre;
 - vi) Community Centre;
 - vii) Day Nursery;
 - viii) Eating Establishment;
 - ix) Eating Establishment, Convenience
 - x) Eating Establishment, Take-Out;
 - xi) Independent Living Facility;
 - xii) L.C.B.O Outlet;
 - xiii) Long Term Care Facility;
 - xiv) Personal Service Shop;
 - xv) Pet Grooming Establishment;
 - xvi) Pharmacy;
 - xvii) Photography Studio;

- xviii) Place of Entertainment;
 - xix) Place of Worship;
 - xx) Public, Technical or Private School;
 - xxi) Public Library;
 - xxii) Recreational;
 - xxiii) Retail Store;
 - xxiv) Service or Repair Shop;
 - xxv) Supermarket;
 - xxvi) Underground Parking Structure;
 - xxvii) Veterinary Clinic;
 - xxviii) Video Store;
- iii) An outdoor patio shall only be permitted as an accessory use to an Eating Establishment, Convenience Eating Establishment, or Take-Out Eating Establishment and then only in accordance with the following provisions:
- i) The outdoor patio shall not exceed fifty percent (50%) of the gross floor area devoted to patron use of the eating establishment in conjunction with which the outdoor patio use is permitted;
 - ii) Parking shall not be required for the outdoor patio;
 - iii) An outdoor patio may be permitted in any yard;
 - iv) Any lighting facilities illuminating an outdoor patio shall be arranged so as to deflect light away from adjoining properties and streets;
 - v) The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or audio-visual presentations, music concerts and shows, may be permitted in areas designated for outdoor patio use;
 - vi) The ground surface of an outdoor patio shall be of concrete or other hard surface;
 - vii) An outdoor patio shall only be permitted in accordance with an approved Site Development Application;
 - viii) An outdoor patio of an eating establishment licensed to serve alcohol, in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with

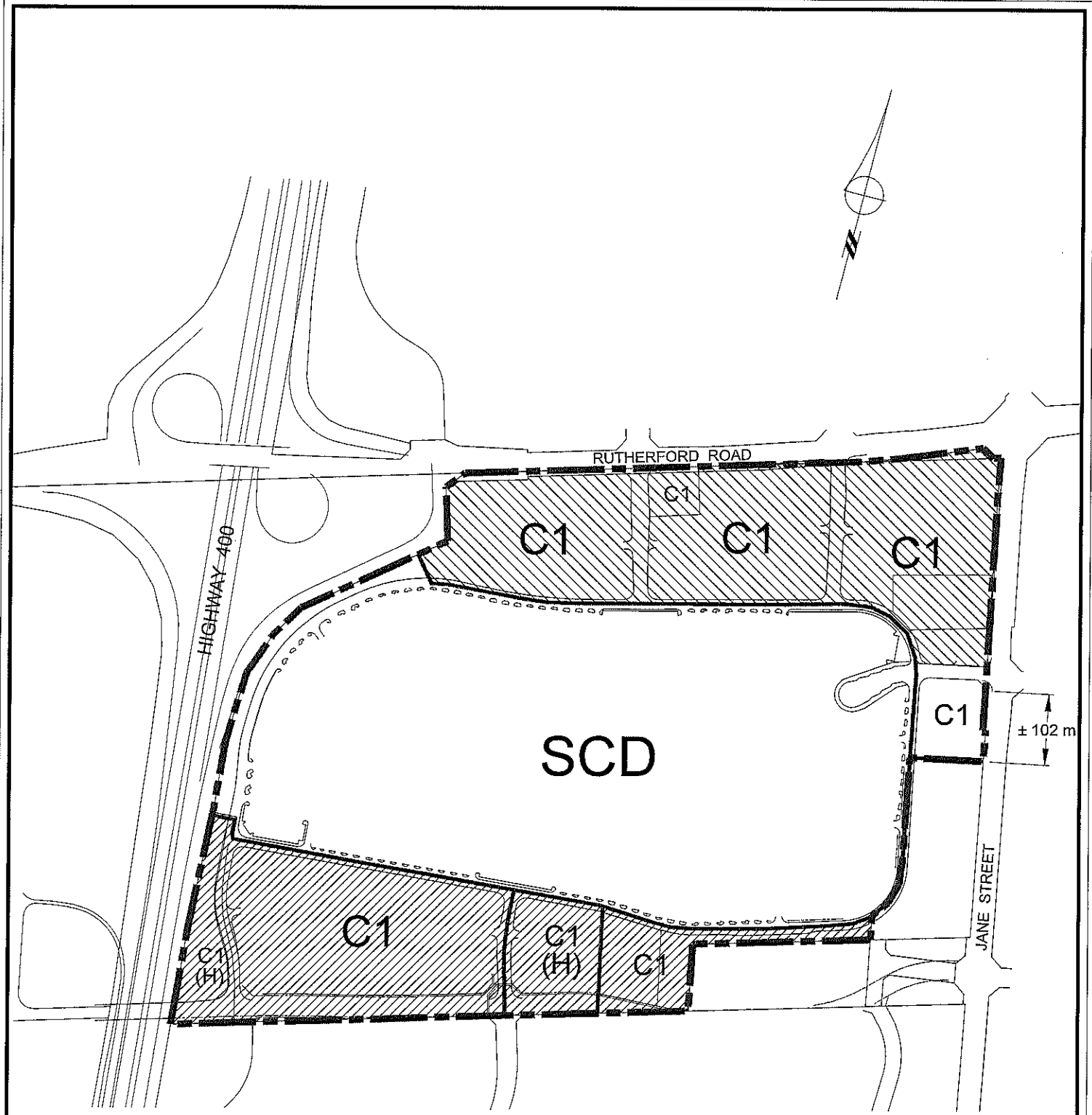
the exception of at least one (1) exit to be used only in the case of emergency and which is not from the interior of the main building;

ji) As an additional use in the OS2 Open Space Park Zone, an Underground Parking Structure that services the adjacent lands zoned RA3 Apartment Residential Zone is permitted and the parking spaces contained therein will count towards satisfying the parking supply requirements for the RA3 Apartment Residential Zone lands.”

- c) Deleting Schedule “E-1126” and substituting therefor the Schedule “E-1126” attached hereto as Schedule “1”.
- d) Adding Schedule “E- 1603” attached hereto as Schedule “2”.
- e) Adding Schedule “E- 1603A” attached hereto as Schedule “3”.
- f) Deleting Key Map 5C and substituting therefor the Key Map 5C attached hereto as Schedule “4”.

2. Schedules “1”, “2”, “3”, and “4” shall be and hereby form part of this By-law.

PURSUANT TO THE DECISION OF THE LOCAL PLANNING APPEAL TRIBUNAL ISSUED September 17, 2018 AND ORDER ISSUED [Not Given] IN FILE NO. PL110420



- SUBJECT LANDS
- SPECIAL PROVISIONS
- OFFICE PRECINCT

THIS IS SCHEDULE 'E-1126'
 TO BY-LAW 1-88
 SECTION 9(1030)

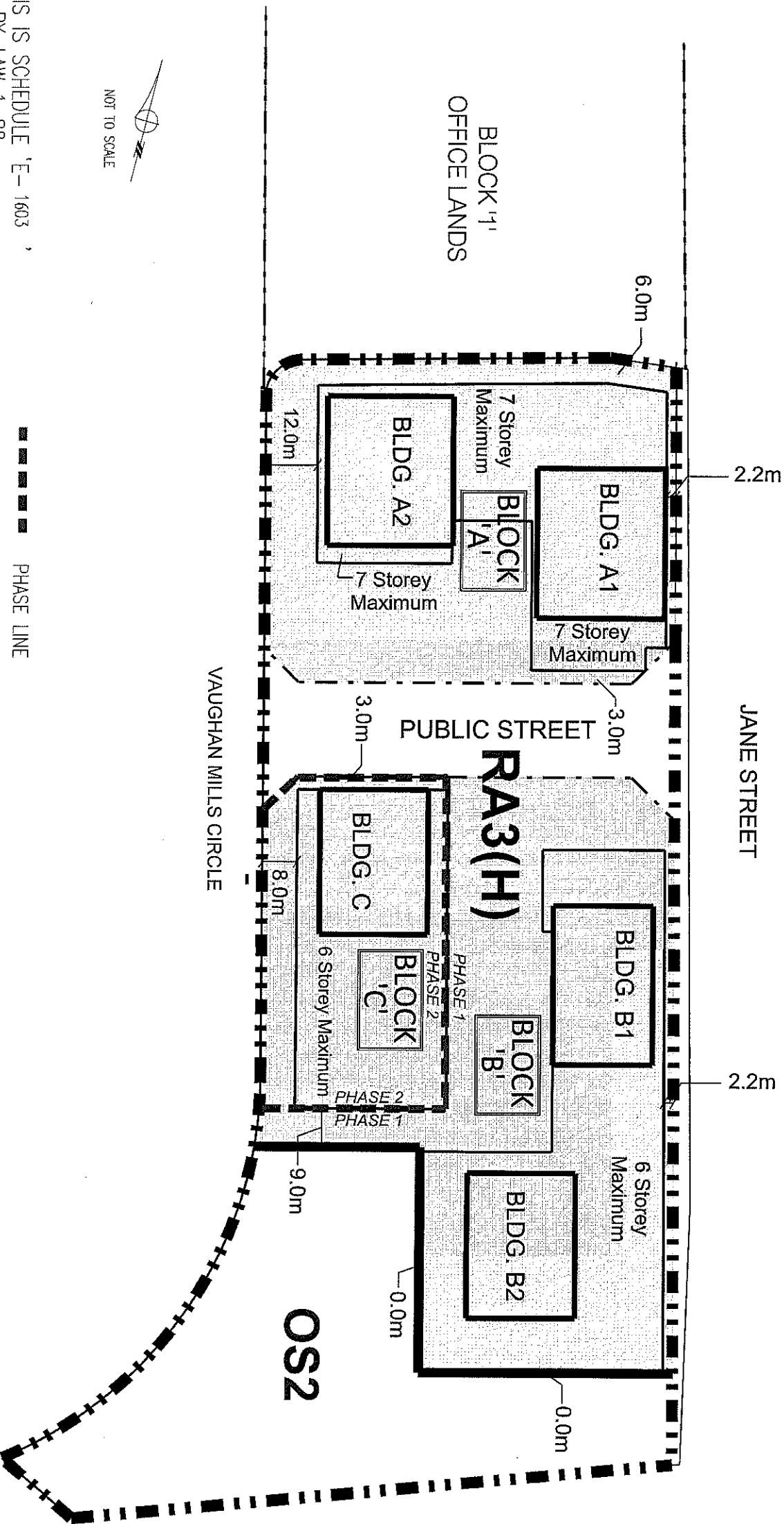
NOT TO SCALE

THIS IS SCHEDULE '1'
TO BY-LAW 033 - 2019
 PASSED THE 19TH DAY OF MARCH, 2019



FILE No.: Z.09.038
 RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044
 LOCATION: PART LOTS 14 & 15, CONCESSION 5
 APPLICANT: DULCINA INVESTMENTS INC.
 CITY OF VAUGHAN

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BOARD ORDER #110420 SEPTEMBER 17, 2018	MAYOR
	CLERK



THIS IS SCHEDULE 'E-1603'
 TO BY-LAW 1-88
 SECTION 9 (1472)

 PHASE LINE
 SUBJECT LANDS

FILE No.: Z.09.038
 RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044

LOCATION: PART LOTS 14 & 15, CONCESSION 5
 APPLICANT: DULCINA INVESTMENTS INC.
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THIS IS SCHEDULE '2'
 TO BY-LAW 033 - 2019
 PASSED THE 19TH DAY OF MARCH, 2019

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SCHEDULE "D"

Base Work Requirements for Assumption of a Conveyed Park Block

I. Part I

1. Archaeological Assessment, Stage I and II is required to determine limits of public park block(s). Proposed public park lands are to be clear of all historically significant heritage features.
2. Proposed public park block(s) grading must not negatively impact adjacent properties with overland flow routes. The public park block(s) cannot be encumbered by overland flow routes from adjacent properties.
3. The public park block(s) shall not be encumbered by any easements for utility services, transformer boxes, temporary or permanent building structural elements, building overhangs, Canada Post mail boxes and/or access, buffers, and the like with the exception of cross easements for servicing, utilities, maintenance and access.
4. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed grading works have been designed to accommodate storm water flows in accordance with the Engineering Department Design Manual at interim and final phases of the public park block(s) development to the satisfaction of the City, acting reasonably.
5. A Park Master Plan to the City's standard level of service shall be prepared and include the following information:
 - a) Boundaries of proposed parkland dedication and the total size of individual blocks;
 - b) Existing conditions plan illustrating topographic information in order to assess slopes and drainage, and vegetation, identifying species, age, size and condition;
 - c) Layout plan which illustrates proposed park program requirements, phasing plan based on adjacent construction activities, pedestrian circulation, and required setbacks as determined by the Parks Development Department;
 - d) Grading plan illustrating proposed storm water run-off, surface drainage patterns and sub-surface storm water servicing requirements including development proposed over lands encumbered with strata conditions and to the Parks Development Department's satisfaction, acting reasonably; and
 - e) A preliminary construction cost estimate.

The plans listed above are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program

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requirements to the satisfaction of the Parks Development Department, acting reasonably.

II. Part II: Public Park Base Condition Works

1. A geotechnical investigation shall be conducted by a qualified Professional Engineer for all public park block(s) in the Park Master Plan to the satisfaction of the Parks Development Department, acting reasonably. In addition, a Phase Two Environmental Site Assessment shall be conducted by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) assessing all public park block(s) in the Park Master Plan for conformity with the applicable MOECC Site Condition Standards for parkland use to the satisfaction of the Parks Development Department, acting reasonably. For both the geotechnical investigation and the Phase Two Environmental Site Assessment a minimum of 4 boreholes are to be taken at regular intervals along the full length of the proposed public park block(s). Borehole reports for the geotechnical investigation will indicate soil type, water content, and density (general compaction). For the Phase Two Environmental Site Assessment all samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants, as required under O.Reg. 153/04 (as amended). Should additional fill be placed to meet required grading levels, the results of the Phase Two Environmental Site Assessment shall be supplemented with a letter report addressed to the City from the Owner's environmental consultant that includes: confirmation of the area where fill has been placed and details regarding dates, sources, volumes, and certification that the placed fill material meets the applicable MOECC Site Condition Standards referenced above and compacted to the standard referenced below. For greater certainty, it is understood and agreed that all obligations under this paragraph will be satisfied for the Casertano Park Block and Mammone Park Block where geotechnical reports for such lands have been prepared by a qualified Professional Engineer in accordance with the attached borehole plans and where Phase Two Environmental Site Assessments have been conducted on such lands by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) and the attached borehole plans.
2. Adequate sized servicing connections are required along the main public park frontage and shall include a water chamber manhole, complete with a curb stop, sanitary manhole and a storm water manhole. All structures are to be located a minimum of 5 meters from adjacent property lines. [Ensure compliance with the most updated Engineering Design Criteria and Standard Drawings.]
3. The approved electrical distribution plan will include a 120/240 volt, single phase, three wire power supply to the public park block(s). The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the block(s). The cable feed will originate

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from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2"x4" wood stake, visible above grade.

4. Public park block(s) grading shall be completed using clean engineered fill compacted to 95% Standard Proctor Dry Density (SPDD) inclusive of any civil work required such as retaining structures, rip rap, swales, and the like to meet grading levels as determined by the City approved grading plan. The park block shall generally be graded to meet and match surrounding levels and allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area.
5. No fill shall be placed on existing topsoil and the stockpiling of topsoil is prohibited on the public park block(s). Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0pH to 7.5pH and shall be capable of sustaining vigorous plant growth. The owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the Parks Development Department, acting reasonably, and results of testing provided to the Parks Development Department for review and approval. Topsoil shall be placed to a minimum depth of 300mm over the entire public park block(s), with the exception of area falling within strata limits, which are to be determined following the detailed design stage. Prior to placement of topsoil, the owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met.
6. All temporary sediment control management measures are to be removed prior to rough grading.
7. The public park block(s) shall be seeded with a seed mix approved by Parks Development Department.
8. Any dead, damaged and hazardous trees based on an arborist's report recommendations shall be removed and disposed of off-site.
9. The perimeter of the public park block(s) shall be fenced off with fencing approved by the City and "No Dumping" signs shall be placed along the perimeter of the public park block(s).
10. The Owner shall be responsible to maintain the public park block(s) until such time as the public park's construction commences or assumption is granted. Maintenance shall entail maintaining sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice summer, erosion repairs, cleaning of catch basins, repair of perimeter

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fencing and removal of any debris that is dumped on the site, to the satisfaction of the City, acting reasonably.

III. Part III: Public Park Development Works to the Ultimate Condition

The following are the general principles that shall be incorporated into and form part of the Development Agreement based on the Option A of Section 13: Compensation and Payment Schedule to Developer(s) under the Developer Build Parks Policy No.: 07.2.05.

Part II: Public Park Base Condition Works and the Part III: Public Park Development Works shall collectively be referred to as the "Ultimate Condition".

1. General:

- 1.1 The Owner shall design, tender a construction contract and construct the Public Park in accordance with the Landscape Construction Drawings and Specifications approved by the City. These works constitute projects incorporated in the City's Development Charges By-law 045-2013 and in accordance with the "Developer Build Parks Policy, No. 07.02.05" or the applicable policy version in force at the time of start of the first phase of construction of the Public Park for the Public Park Development Works only and not any works that are required to ensure that the Parklands meet the Part II: Parkland Base Condition Works.
- 1.2 All works necessary to ensure that the Public Park is delivered to the City in the Ultimate Condition shall be at the sole cost and expense of the Owner.
- 1.3 The Owner shall obtain all approvals and permits required to construct the Public Park.
- 1.4 The Owner shall award all contracts and shall supervise all construction and provide all necessary certifications by its Consultant(s) to the satisfaction of the City, acting reasonably.

2. Consultant(s) Services:

- 2.1 The Owner shall retain all necessary construction, landscape architecture, structural & mechanical engineers, electrical engineers, surveying, geotechnical, or other professionals/consultants to complete the Park Design and Construction Supervision and Contract Administration services.
- 2.2 The Consultant(s) shall be qualified in constructing municipal park development projects and have sufficient resources to satisfactorily design, construct and

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administer Public Park development and the Owner shall provide such evidence to the City as requested in this regard.

2.3 The Owner's agreements or contracts with its landscape architect shall include design, general supervision and resident supervision on the construction of the Public Park to the Ultimate Condition and shall provide that the representatives of the City's Parks Development Department shall be entitled to inspect the construction of the Parklands to the Ultimate Condition and to stop any work in the event that the work is being performed in a manner that may result in a completed installation that would not be satisfactory to the City.

2.4 All design drawings shall bear the seal and signature of the professional engineer or landscape architect who is responsible for the relevant designs.

3. Contractor selection and construction costs:

3.1 All design drawings, specifications, and detailed cost estimates shall be approved by the City before any agreement is entered into for the construction of the Public Park to the Ultimate Condition and the total cost shall not exceed available Development Charge funding including all construction costs, landscape architectural services, structural & mechanical engineers, electrical engineers, and geotechnical consultants, testing, surveying, geotechnical certifications, applicable taxes, obtaining approvals and permits, construction contract administration and supervision, contingencies, applicable taxes and all costs reasonably relating to the Public Park to ensure the Park Development Works comply with City Standards and Criteria.

3.2 Prior to awarding a contract for the construction of the Public Park, the Owner shall provide the City with documentation that confirms to the satisfaction of the City, acting reasonably, that a competitive bid process was followed, with a minimum of three (3) qualified landscape general contractors, to tender the construction contract for the Public Park including a copy of the tender document and a summary of unit and total bid price for review and approval by the City. The City shall be satisfied that the selected landscape general contractor is qualified in constructing municipal park development projects, having at least five (5) years' experience in site servicing and park development and has sufficient resources to satisfactorily construct the Public Park prior to the Owner awarding the construction contract. The Owner shall provide the City with an updated cost of the Public Park based on bid prices for information following the tender closing.

3.3 Prior to the commencement of the Public Park works, should the total cost exceed the approved construction budget, the scope of the project will be amended accordingly subject to approval by the Owner and the City. The actual certified cost shall not include any of the Public Park works which are the Owner's obligation to construct The Part II: Parkland Base Condition Works, including but not limited to, design, administration and construction for the clearing and grubbing, tree

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preservation/removal and protective measures, rough grading, topsoil spreading, drainage, seeding, supplying water, storm and electrical service stubs (including chambers and meters as required to property line), temporary perimeter fencing, construction signage and sediment control fencing or all other required Parkland Base Condition Works.

3.4 In the event that there are additional Public Park works requiring use of contingency funds attributable to unforeseen circumstances or other problems encountered during construction by the Owner, the Owner shall notify the City of the use of the contingency. However, the Owner shall not be obligated to obtain the City's consent to authorize such minor additional work or increase in the cost of the Public Park through use of the contingency, except for any major changes that affect quality or facility delivery, or changes that cumulatively exceed 80% of the available contingency of the project, in which case the City's consent shall be required. As construction proceeds, the Owner shall provide copies of all supplementary contracts and change orders to the City for verification.

4. Payments:

4.1 The Owner shall submit a monthly statement on progress payment (invoice) on Public Park works performed during the previous monthly payment period and as agreed upon by the City for works completed. The invoice shall include a certificate sealed by the Landscape Architectural consultant confirming the Public Park works have been inspected and completed as per the approved construction drawings and specifications; copies of invoices from the Consultant, Suppliers and Contractors; a standard Statutory Declaration and a certificate from the Workplace Safety and Insurance Board (WSIB). The City shall reimburse the Owner the total payments for the Public Park works, which shall not exceed the reimbursable consulting fee and construction cost of the Public Park, subject to the funds being available in the approved City Capital Budget.

4.2 Subject to the Developer Build Parks Policy, the Park works' payments will be subject to a five percent (5%) Maintenance Holdback, which will be released thirteen (13) months after the date a certificate of Substantial Performance has been issued, subject to no outstanding deficiencies. In addition, a ten percent (10%) Holdback will be required and shall be released as per the requirements of the Construction Lien Act. All reimbursable consulting fees are to be invoiced separately from the Public Park works and shall not be subject to the five percent (5%) Maintenance Holdback and ten percent (10%) Holdback.

4.3 Prior to the City making the final payment to the Owner for the Public Park works, a comprehensive reconciliation of the costs and payments shall be undertaken to the satisfaction of the City, acting reasonably.

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- 4.4 Once the Public Park works are Substantially Performed, the City will begin the process to release the ten percent (10%) Holdback pursuant to the provisions of this Agreement and as per the requirements of the Construction Lien Act, once the following have been confirmed and/or provided:
- 4.4.1 Substantial Performance of the Public Park works was approved and confirmed by the professional consulting Landscape Architect and 45 days after publication of such in the Daily Commercial News by the Owner and/or his agent has transpired;
 - 4.4.2 The proof of publication has been submitted to the City;
 - 4.4.3 A Statutory Declaration from the Owner confirming that all accounts in connection with the design and construction of the Public Park have been paid in full and that there are no outstanding claims related to the subject works; and
 - 4.4.4 No liens have been registered in regard to this contract, to the satisfaction of the City.
- 4.5 Notwithstanding that the City will be responsible for the maintenance of the Public Park from the date of Substantial Performance, the Owner shall remain responsible for (i) any and all guarantees for the Public Park for a period of thirteen (13) months; and (ii) all new plant material for a period of 24 months pursuant to the approved Construction Drawing and Specifications.
- 4.6 The City shall release the five percent (5%) Maintenance Holdback to the Owner for the Public Park once the following have been confirmed/or provided:
- 4.6.1 Thirteen (13) months have passed from the publication date of the certificate of Substantial Performance;
 - 4.6.2 A thirteen (13) month warranty inspection has been conducted by City staff which shall be scheduled by the Owner twelve (12) months following Substantial Performance;
 - 4.6.3 All noted deficiencies from the thirteen (13) month warranty inspection have been rectified to the City's satisfaction, acting reasonably;
 - 4.6.4 The Owner's professional consulting Landscape Architect has issued a certificate certifying the warranty period has expired and that the noted deficiencies have been completed in general conformance to the construction drawings, specifications and reports; and
 - 4.6.5 Any liens registered in regard to the contract have been released and/or paid by the Owner.

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5. Final Inspection:

- 5.1 The City shall conduct a final inspection of the Public Park and Services to the satisfaction of the City, acting reasonably, prior to the City issuing Substantial Performance Confirmation as defined below.
- 5.2 Prior to scheduling the Final Inspection and the Public Park being considered ready for use by the public to the satisfaction of the City, the Owner shall provide the City with the following information:
- 5.2.1 A certification from the professional consulting Landscape Architect that confirms that the Public Park have been constructed in accordance with the approved construction drawings, City standards and specifications, and sound engineering/construction practices;
- 5.2.2 A grading certification from either the professional consulting Landscape Architect or an Engineer based on the review of the Ontario Land Surveyor (OLS) completed survey for the rough grades, confirming the Public Park works have been constructed to the approved construction drawings and specifications;
- 5.2.3 A copy of the Canadian Safety Association (CSA) certificate for all playground equipment and associated safety surfacing in accordance with CAN/CSA Z614-14 Children's Playspaces and Equipment;
- 5.2.4 A copy of a third party CSA Children's Playspaces inspection for all playground equipment and associated safety surfacing;
- 5.2.5 A copy of the Electrical Safety Authority (ESA) clearance letter for the pedestrian pathway lighting associated with the Public Park and a certificate from the electrical design Consultant indicating the electrical load of the pedestrian pathway lighting and a photometric plan of the Public Park confirming a minimum of five (5) lux horizontal average light level maintained along all pathway surfaces;
- 5.2.6 A copy of the City building permits and required sign-offs from the City building inspector(s) for all works required to construct the Public Park;
- 5.2.7 A detailed breakdown of the final as-constructed costs of the Public Park certified by the professional consulting landscape architect to the satisfaction of the City, acting reasonably;
- 5.2.8 Copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Public Park to the satisfaction of the City, acting reasonably;

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5.2.9 Copies of all quality assurance test results, supplementary geotechnical reports and construction related reports;

5.2.10 All project close out information required for all Public Park's facilities and equipment, which shall include, but is not necessarily limited to, maintenance manuals, touch up paint, tool kits, warranty information and weigh bills (for topsoil amendments, fertilizer applied on site, etc.);

5.2.11 Storm Water Management certification from the block engineering consultant that confirms that the park blocks have been designed and constructed in accordance with the approved storm water engineering requirements for the park blocks; and

5.2.12 A Structural Engineer certification from a professional engineer for all structural footings, foundations and structures (shade structure, etc.), confirming that the necessary structures have been designed and constructed in accordance with the associated building permits, drawings and specifications.

6. Inspection and testing by City

6.1 The City may conduct, at the expense of the Owner, any tests that the City, in its absolute discretion, considers necessary to satisfy itself as to the proper construction, installation or provision of the Parklands to the Ultimate Condition.

6.2 The City, its employees, agents and contractors or any other authorized persons may inspect the construction and installation of the Public Park to the Ultimate Condition under any contract, but such inspection shall in no way relieve the Owner from its responsibility to inspect the said construction and installation. If the construction and installation of the Public Park to the Ultimate Condition is not, in the opinion of the City, being carried out in accordance with the provisions of this Park Development Agreement and/or the Final Park Development Agreement, the City may issue instructions to the Owner and/or the Owner's landscape architect or arborist to take such steps as may be deemed necessary to procure compliance with the provisions of this Park Development Agreement and/or the Final Park Development Agreement. Such instructions may be written, or may be verbal, in which case the City shall confirm them in writing within three (3) business days. In the event that neither the Owner nor the Owner's landscape architect or arborist is present at the Site to receive such verbal instructions, the City may instruct the contractor(s) to cease work forthwith.

7. Maintenance until Substantial Performance of the Public Park

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7.1 The Owner shall be responsible to maintain the Public Park until Substantial Performance is issued by the City pursuant to the provisions of this Agreement and once the following have been confirmed and/or provided:

7.1.1 The City conducted a final inspection and is satisfied that the Public Park works have been completed to its satisfaction, acting reasonably, and the City is in agreement with the issuance of the certificate of Substantial Performance;

7.1.2 The Owner's professional consulting Landscape Architect has submitted a certificate, under seal, certifying that the consultant has inspected the construction and the Public Park have been constructed as per the approved drawings and specification and confirms rectification of any major deficiencies identified during the final inspection;

7.1.3 Two (2) cuts of the turf/grass areas have taken place;

7.1.4 All garbage and debris has been removed from the Park blocks;

7.1.5 A complete set of hardcopy (3 full sized sets) and digital (AutoCAD and PDF) "As Constructed" Construction Drawings for the Public Park prepared by an Ontario Land Surveyor and shall include a topographical survey of the final grades at 0.25m contour intervals, servicing structures/inverts, and the location of above-ground Public Park facilities, planting beds and tree bases, electrical items, site furniture, play structures, and play area limits.

8. Emergency Repairs

8.1 At any time prior to the acceptance and/or assumption of the Parklands by the City, if any of the park services do not function or do not function properly or, in the opinion of the City, require necessary immediate repairs to prevent damage or undue hardship to any persons or to any property, the City may enter upon the Parklands and make whatever repairs may be deemed necessary and the Owner shall pay to the City, immediately upon receipt of a written demand, all expenses (including landscape approval fees), based upon the cost of the work incurred in making the said repairs. If the Owner fails to make the payment as demanded by the City, the City shall be entitled to draw upon any security filed pursuant to the Park Development Agreement. The City covenants and agrees to advise the Owner within three (3) business days from the date of entry by the City of the nature and extent of the emergency and repairs which were necessary. Such undertaking to repair shall not be deemed an acceptance of the Parklands by the City or an assumption by the City of any liability in connection therewith and shall not release the Owner from any of its obligations under the Final Park Development Agreement.

9. Damage and Debris

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- 9.1 All lands owned by the City outside the limits of the Site Plan that may be used by the Owner or parties employed by the Owner or others during construction staging area(s) in connection with the construction of the Public Park to the Ultimate Condition shall be kept in a good and usable condition and, if damaged by the Owner or parties employed by the Owner in the construction staging area(s) in connection with the construction of the Parklands to the Ultimate Condition will be repaired or restored immediately;
- 9.2 Not foul the public roads, outside the limits of the Site Plan, leading to the Parklands, and the Owner further agrees to provide the necessary persons and equipment to be available on reasonable notice at all times to keep such roads clean and that all trucks making deliveries to or taking materials from the Site Plan lands shall be adequately covered and reasonably loaded so as to not scatter refuse, rubbish, or debris on the abutting highways and streets;
- 9.3 If in the opinion of the City, in its sole discretion, the aforementioned requirements are not complied with, the City may elect to complete the work as required and the Owner shall forthwith upon demand pay to the City the full cost thereof and that the City may draw on any security filed pursuant to this Park Development Agreement and/or the Final Park Development Agreement if the Owner fails to make the payment demanded by the City;
- 9.4 Not allow and restrain, insofar as it is able to do so, all others, from depositing junk, debris, or other materials on any lands within the Site Plan, including lands to be dedicated for municipal purposes, vacant public land and private land;
- 9.5 Clear debris and garbage on any land within the Site Plan if so requested in writing by the City and that the City shall have the authority to remove such debris and garbage at the sole cost of the Owner if the Owner fails to do so within seventy-two (72) hours of written notice.

4 Part IV: Strata public park specific requirements

1. Surface strata to be conveyed to the City for use as public park shall be free of any further easements, structures and systems that would negative impact the design, construction and use of the proposed park facilities including but not limited to requirements for encumbrances such as vents, shafts, fire exits and related access routes.
2. The conveyance of a strata public park, shall be based on partial parkland credits and shall be based on an appropriate formula/calculation as deemed appropriate by the City. Any encumbrances within the public park that may require the registration of an easement in favour of the Condo Corporation that will ultimately own the underground parking in order to facilitate day to day operations and maintenance activities as well as any major capital maintenance projects and/or repairs. As such, any areas included within the easement(s) will be discounted of any parkland credit calculation. The size and location of such easement shall be finalized prior to the final approval of the Site Plan.

THIS IS SCHEDULE 'E- 1603A ' TO BY-LAW 1-88, SECTION 9(1472)

**THIS IS SCHEDULE '3' (Con't.)
TO BY-LAW 033 - 2019
PASSED THE 19TH DAY OF MARCH, 2019**

FILE No.: Z.09.038
RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044
LOCATION: PART LOTS 14 & 15, CONCESSION 5
APPLICANT: DULCINA INVESTMENTS INC.
CITY OF VAUGHAN

SIGNING OFFICERS

BOARD ORDER #110420
SEPTEMBER 17, 2018

MAYOR

CLERK

3. Parkland encumbered by strata dedication shall be subject to the following conditions:

- a) Parks Development Department have approved the area, depth of soils, configuration and boundaries of the proposed parklands over the strata limits;
 - b) The Owner shall enter into an agreement with the City to be registered on title to the lands, to secure the following:
 - i. agreement to provide public access to the parkland.
 - ii. arrangements for the design, engineering and development of the park, including any special features and upgrades above and beyond the available Development Charges for the proposed park project.
 - iii. regulation of the reciprocal easement for the maintenance of the parking garage beneath the public park (not the responsibility by the City) and continuing indemnity from the owner in favor of the City in respect of damages that may occur to the park as a result of the development, use, maintenance, repair or replacement of the parking garage.
 - iv. Parkland over the strata shall be reinstated in the event of damages or repairs due to the parking garage at no cost to the City.
 - v. The Owner shall pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey inclusive of horizontal parcels for the parkland over the strata limits.
 - vi. Pay all costs associated with the City retaining a third-party peer reviewer including a 3% administrative fee. Peer review scope shall include but not limited to structure, mechanical, electrical, water proofing, construction method statements, materials, architectural details, safety, and security.
4. The site plan agreement and condominium agreement shall include conditions requiring the Owner and/or the Condo Corp to enter into an agreement with the City and to the satisfaction of the City to maintain the area around and underneath the strata public park, to provide adequate and necessary liability insurance by the Owner, to perform routine inspection arrangements by the Owner, to allow for emergency maintenance requirements by the City, and to include indemnification requirements in favour of the City.

THIS IS SCHEDULE 'E- 1603A ' TO BY-LAW 1-88, SECTION 9(1472)

**THIS IS SCHEDULE '3' (Con't.)
TO BY-LAW 033 - 2019
PASSED THE 19TH DAY OF MARCH, 2019**

FILE No.: Z.09.038
RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044
LOCATION: PART LOTS 14 & 15, CONCESSION 5
APPLICANT: DULCINA INVESTMENTS INC.
CITY OF VAUGHAN

SIGNING OFFICERS

BOARD ORDER #110420
SEPTEMBER 17, 2018

MAYOR

CLERK

5. Easements may be required over adjacent private lands (driveways, walkways, etc..) to allow for public access along all boundaries of the public park.
6. Vertical easements may be required through the structures below the public park (garage parking structure, etc..) to allow public park related services such as storm water drainage, sub drainage or other required services and utilities.
7. Design specifications for the surcharge load and structural design of the portion of the parking garage which is to be constructed beneath the public park includes plans, cross sections and details of the loading schedule in respect of such portion of the parking garage, which loading schedule shall take into account live and dead loads as required by the building Code Act, with allowances for loading such as, but not limited to, construction vehicles, playground structures, water fountains, trees, shrubs, ground cover, growing medium, public use, landscape features, planters, small structures for utilities or public washrooms and public art.
8. Treatment of visible encumbrances within the public park such as vents, shafts, fire exits and related access routes shall be to the satisfaction of the City, acting reasonably.
9. The life expectancy of the parking garage membrane, waterproofing, structural deck and associated systems shall be guaranteed for a minimum of no less than 50 years or greater.
10. The planting medium for all trees, shrubs and perennials shall be consistent with industry standards for roof deck installations. A minimum planting soil depth of 1.5 meters between proposed FFE (at grade) proposed elevation within the Park and the top of the underground parking structure throughout all the parkland and shall meet and match grades along the perimeter of the parklands encumbered by strata. The 1.5 m depth shall be clear of any encumbrances such as: parking structure concrete slab, insulation and waterproofing system, drainage layer and/or other elements that are to protect the integrity of the underground parking structure.
11. Drainage system for surface strata shall be designed to complement the proposed park design and satisfy the City's Storm Water Engineering requirements.
12. Upon completion of the construction of the Park, the Owner shall provide a certificate prepared by a qualified professional engineer and landscape architect to the City to certify the works have been installed in accordance with the approved public park design and As-Built Drawings of the underground parking structure.

THIS IS SCHEDULE 'E-1603A' TO BY-LAW 1-88, SECTION 9(1472)

**THIS IS SCHEDULE '3' (Con't.)
TO BY-LAW 033 - 2019
PASSED THE 19TH DAY OF MARCH, 2019**

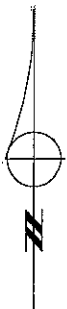
FILE No.: Z.09.038
RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044
LOCATION: PART LOTS 14 & 15, CONCESSION 5
APPLICANT: DULCINA INVESTMENTS INC.
CITY OF VAUGHAN

SIGNING OFFICERS

**BOARD ORDER #110420
SEPTEMBER 17, 2018**

MAYOR

CLERK



KEY MAP 5C
BY-LAW 1-88

NOT TO SCALE

THIS IS SCHEDULE '4'
TO BY-LAW 033 - 2019
PASSED THE 19TH DAY OF MARCH, 2019

FILE No.: Z.09.038
RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044
LOCATION: PART LOTS 14 & 15, CONCESSION 5
APPLICANT: DULCINA INVESTMENTS INC.
CITY OF VAUGHAN

SIGNING OFFICERS

BOARD ORDER #110420
SEPTEMBER 17, 2018

MAYOR

CLERK

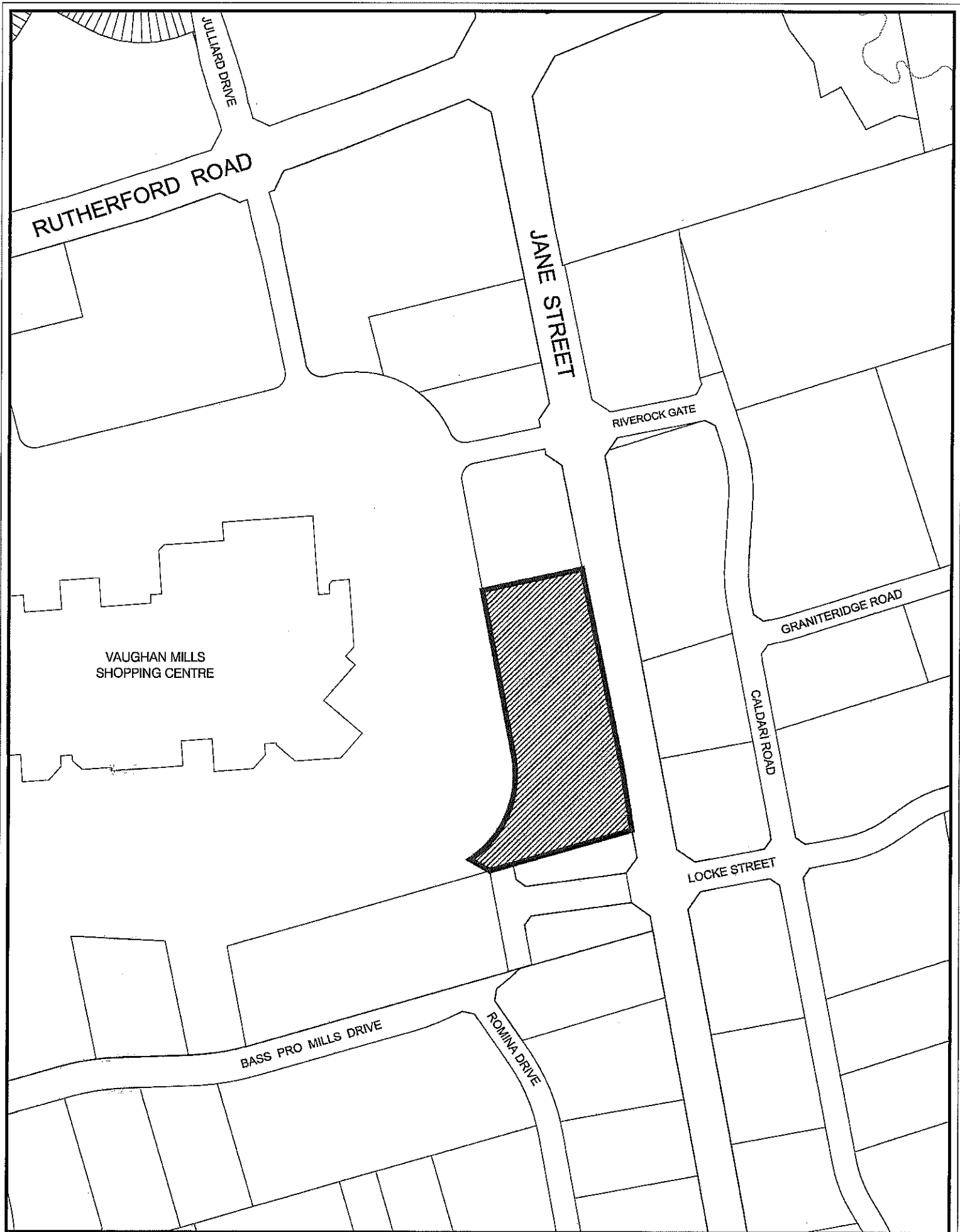
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SUMMARY TO BY-LAW 033- 2019

The lands subject to this By-law are located on the west side of Jane Street, south of Rutherford Road, in part of Lots 14 and 15, Concession 5, City of Vaughan.

The purpose of this By-law is to rezone the Subject Lands from C1 (H) Restricted Commercial Zone with the Holding Symbol "(H)" to RA3 (H) Apartment Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone. The conditions for removal of the Holding Symbol "(H)" are two-phased to coincide with the orderly and sequential development of the Subject Lands and includes conditions for Section 37 Contributions. This By-law removes the lands subject to this By-law from the Exception 9(1030) and Schedule "E-1126" and creates a new Exception and Schedules thereby including the following site-specific zoning exceptions:

- a) site-specific definitions of "lot", "building height", "car share", "gross floor area", "parking space", "parking space – handicapped", "place of worship", "service or repair shop", "stratified arrangement", and "underground parking structure"
- b) reduced parking requirements
- c) reduced minimum setbacks from public streets to portions of the building below grade
- d) reduced setbacks to daylight triangles
- e) the provisions for building envelopes
- f) maximum building heights
- g) maximum number of residential apartment dwelling units
- h) provisions for density bonussing for the Subject Lands
- i) maximum ground related commercial areas
- j) site-specific commercial uses with no open storage in addition to the uses permitted in all residential zones and the RA3 Apartment Residential Zone
- k) minor relief to the outdoor patio provisions to permit flexibility
- l) provisions for development in two phases
- m) provision for interim commercial uses within the Phase 2 Lands



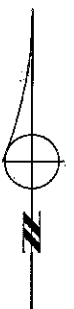
NOT TO SCALE

LOCATION MAP TO BY-LAW 033 - 2019

FILE No.: Z.09.038
 RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044
 LOCATION: PART LOTS 14 & 15, CONCESSION 5
 APPLICANT: DULCINA INVESTMENTS INC.
 CITY OF VAUGHAN



SUBJECT LANDS



Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: September 17, 2018

CASE NO(S):

PL140839
PL110419

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellants (jointly):	Casertano Developments Corporation and Sandra Mammone
Appellants (jointly):	Limestone Gallery Investments Inc. and Damara Investment Corp.
Appellants (jointly):	Granite Real Estate Investment Trust and Magna International Inc.
Appellants (jointly):	H & L Title Inc. and Ledbury Investments Ltd.
Appellant:	Canadian National Railway
Appellant:	Rutherford Land Development Corporation
Appellant:	281187 Ontario Ltd.
Appellant:	Anland Developments Inc.
Subject:	Proposed Official Plan Amendment No. 2 to the Official Plan for the City of Vaughan (2010)
Municipality:	City of Vaughan
OMB Case No.:	PL140839
OMB File No.:	PL140839
OMB Case Name:	Mammone v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Casertano Development Corporation
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	"General Commercial"

Proposed Designation: "High-Density Residential/Commercial"
 Purpose: To permit the development of six (6) residential apartment buildings ranging from 26 to 40 storeys containing approximately 2,050 residential units and two (2) freestanding 2-storey office/commercial buildings and ground floor retail commercial uses totaling 4,234 square metres (45,574 square feet) in gross floor area in Blocks "B" and "C"

Property Address/Description: 9060 Jane Street
 Municipality: City of Vaughan
 Approval Authority File No.: OP.07001
 OMB Case No.: PL110419
 OMB File No.: PL110419
 OMB Case Name: Casertano Development Corporation v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Casertano Development Corporation
 Subject: Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision

Existing Zoning: "C1(H) Restricted Commercial Zone"
 Proposed Zoning: "RA3(H) Apartment Residential Zone"
 Purpose: To permit the development of six (6) residential apartment buildings ranging from 26 to 40 storeys containing approximately 2,050 residential units and two (2) freestanding 2-storey office/commercial buildings and ground floor retail commercial uses totaling 4,234 square metres (45,574 square feet) in gross floor area in Blocks "B" and "C"

Property Address/Description: 9060 Jane Street
 Municipality: City of Vaughan
 Municipal File No.: Z.09.038
 OMB Case No.: PL110419
 OMB File No.: PL110420

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Sandra Mammone
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	"General Commercial"
Proposed Designation:	"High-Density Residential/Commercial"
Purpose:	To permit the development of six (6) residential apartment buildings ranging from 25 to 35 storeys containing approximately 1,600 residential units and two (2) freestanding 2-storey office/commercial buildings (Blocks "D" and "E") and ground floor office/commercial uses in Blocks "A", "B" and "C"
Property Address/Description:	8940 Jane Street
Municipality:	City of Vaughan
Approval Authority File No.:	OP.09.006
OMB Case No.:	PL110419
OMB File No.:	PL110455

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Sandra Mammone
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	"EM1(H) Prestige Employment Area Zone" and "EM2 General Employment Area Zone"
Proposed Zoning:	"RA3(H) Apartment Residential Zone"
Purpose:	To permit the development of six (6) residential apartment buildings ranging from 25 to 35 storeys containing approximately 1,600 residential units and two (2) freestanding 2-storey office/commercial buildings (Blocks "D" and "E") and ground floor office/commercial uses in Blocks "A", "B" and "C"
Property Address/Description:	8940 Jane Street
Municipality:	City of Vaughan
Municipal File No.:	Z.09.037
OMB Case No.:	PL110419
OMB File No.:	PL110456

Heard: January 25 and 26, 2018 in Vaughan, Ontario

APPEARANCES:

Parties

Counsel*Representative

City of Vaughan	R. Coburn* and C. Storto*
Dulcina Investments Inc. (formerly Casetano Development Corporation), and Sandra Mammone	M. Flynn-Guglietti* and A. Forristal*
Tesmar Holdings Inc.	M. McDermid*
Rutherford Land Development Corporation	Q. Annibale* and B. Ruddick*
Granite Real Estate Inc. and Magna International Inc.	A. Skinner*
Anland Developments Inc.	C. Barnett*
281187 Ontario Limited	G. Borean*
Region of York	B. Ogunmefun*
Canadian National Railway	A. Heisey*
H & L Tile and Ledbury Investments Ltd.	M. Flowers*
Ivanhoe Cambridge II Inc.	J. Alati*
York Region School Board	J. Easto*
Toronto and Region Conservation Authority	C. Bonner

DECISION DELIVERED BY C. CONTI AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] A Pre-hearing Conference (“PHC”) was held before the Ontario Municipal Board (“Board”), now the Local Planning Appeal Tribunal (“Tribunal”), with regard to appeals of the Vaughan Mills Centre Secondary Plan (“Secondary Plan”) and related to applications for amendments to the City of Vaughan (“City”) Official Plan and the Secondary Plan, and for Zoning By-law Amendments (“ZBA’s”) by Dulcina Investments Inc. and Sandra Mammone (“Dulcina and Mammone”) to permit the development of lands at 9060 Jane Street (“Dulcina Lands”) and 8940 Jane Street (“Mammone Lands”).

[2] The Secondary Plan sets out proposed land use designations and policies for an area generally bounded by Rutherford Road to the north and Bass Pro Mills Drive to the south, generally extending to Jane Street to the east and Weston Road to the west. An area to the east of Jane Street and south of Rutherford Road is also included in the Secondary Plan area. Multiple appeals were filed regarding the Secondary Plan, but through discussion among the parties and as a result of Board conducted mediation a number of the appeals were settled and motions were brought forward at the PHC for approvals related to the settlements.

[3] The applications by Dulcina and Mammone have undergone an extensive appeal process which included a number of PHC’s. Through this process, the appeals of the Dulcina and Mammone applications were consolidated with the appeals of the Secondary Plan. At the PHC, the Board heard that many of the issues regarding the Dulcina and Mammone appeals had been settled.

[4] This decision deals with the appeals as they relate to lands owned by Dulcina and Mammone, including a motion for partial approval of modifications to the Official Plan and Secondary Plan and for approval of the ZBA’s to facilitate development of the lands.

MOTION

[5] In support of their motion, Dulcina and Mammone filed a Motion Record (Exhibit 13) which included the Affidavit of Allan Young, a Registered Professional Planner who is President of A. Young Planner Ltd. Mr. Young also provided oral testimony at the PHC. He was qualified by the Board as an expert in land use planning.

[6] The intent of the motion was to approve in principle certain modifications to the City's Official Plan and the Secondary Plan, and to also approve in principle ZBA's for Dulcina Lands and the Mammone Lands in order to permit development of the properties. The Board heard that the Dulcina Lands and the Mammone Lands are two adjoining parcels on the west side of Jane Street, south of Riverock Gate. According to the evidence, the functional gross areas of the properties for the proposals are 2.83 hectares ("ha") for the Dulcina Lands and 3.08 ha for the Mammone Lands. The lands are located adjacent to the Vaughan Mills Mall and in proximity to the Region of York ("Region") Transit bus terminal. The lands are well removed from the nearest low rise residential area.

[7] The Board heard that the proposal has been revised and the number of proposed units has been reduced as a result of discussions among the parties and Board led mediation. The current proposal for the Dulcina Lands includes the construction of five towers of 24, 26, 26, 28 and 28 storeys containing 1,467 units. The Mammone Lands proposal includes five towers of 18, 18, 24, 26 and 26 storeys containing 1,397 units. Ground level commercial uses are proposed for each site. In addition, Dulcina and Mammone will dedicate approximately 1.54 ha for a public park and contribute to the expansion of the public street network in the area.

[8] According to Mr. Young's evidence, the properties are located within the Vaughan Mills Primary Centre, which is a high priority intensification area. Jane Street is designated as a Regional Rapid Transit Corridor in both the City and the Regional

Official Plans. The lands are designated as High-Rise Mixed Use in the Secondary Plan, which was adopted by the City through Official Plan Amendment No. 2 ("OPA 2") and was approved by the Region on June 26, 2014.

[9] Mr. Young indicated that the draft Official Plan Amendment modifies OPA 2 by adding a new section 18, which incorporates site specific policies for the Dulcina and Mammone lands (Exhibit 14). The provisions require the development of the lands to be undertaken in two phases, the first phase of which would permit up to 1,125 units for the Dulcina Lands and up to 871 units for the Mammone Lands. Development of the second phase is dependent on the completion of a comprehensive transportation assessment. Height and density requirements are included, as well as provisions for the construction and dedication of required public roads and the dedication of the public park. Holding symbols will be placed on each phase of the proposed development.

[10] Mr. Young's evidence was that a ZBA has been prepared for each site, which provides appropriate zoning to permit the development and sets out the requirements for land use, gross floor area height, setbacks, parking and other standards for the development of each property (Exhibit 13, Tab 2E and 2F). The ZBA for the Dulcina Lands also includes clauses to accommodate providing for indoor public recreational space if required by the City.

[11] Mr. Young's opinion was that the proposed Official Plan Amendment and the ZBA's are appropriate and will permit a level of development in a prime intensification area that is consistent with the Provincial Policy Statement, 2014 ("PPS"), conforms to the Growth Plan for the Greater Golden Horseshoe ("Growth Plan"), and conforms to the policies of the Region's Official Plan and the City's Official Plan. It was his opinion that the proposals will provide significant public benefits including the expansion of the public street network and the provision of a public park. Furthermore, he indicated that s. 37 benefits have been secured. He recommended that the Official Plan Amendment and the ZBA's be approved.

[12] Responses to the Motion were filed by Canadian National Railway Company ("CNR") and Manga International Inc., Granite Real Estate Inc., and Granite Reit Inc. ("Magna and Granite") in Exhibits 26 and 28 respectively. Magna and Granite did not oppose the motion. CNR did not oppose the motion, as long as the Board's approval would be without prejudice to the balance of policies appealed by CNR as set out in Schedule B of Exhibit 26.

[13] Magna and Granite and CNR operate facilities in the area which may be impacted by locating sensitive uses in the vicinity. Mr. Young indicated that the requirements of the Ministry of the Environment's NPC-300 Noise Guideline would be met for the proposal to deal with any noise impact concerns. He recommended that the final order be withheld until there was a review of the siting and configuration of the proposed buildings in relation to the guideline.

[14] At the PHC, the Board was asked to approve in principle the Amendment to the Official Plan which will modify the Secondary Plan, and approve the ZBA's in principle with final approval to be withheld. The parties filed a draft order (Exhibit 18) which includes a number of conditions for final approval, and includes requirements that must be fulfilled before Phase 2 can be approved. These include completion of an updated Transportation Impact Study for the Phase 2 development, accommodation of transportation infrastructure improvements, and appropriate implementation of a non-auto modal split for each development.

[15] At the PHC, the Board also heard that the final order should be withheld until the noise issue has been reviewed under the NPC-300 Noise Guideline and until the Board received confirmation that the planning instruments are in their final form.

[16] Also included in the motion was a request for an order of the Board accepting the withdrawal of the appeal of Damarra Investments Corp. ("Damarra") and scoping of the

appeal of Limestone Gallery Investments Inc. ("Limestone") as set out in Exhibit J of Mr. Young's affidavit (Exhibit 13, Tab 2J). The Board heard that Damarra, Limestone and Starburst Investments Inc. ("Starburst") own lands in the Secondary Plan area and that as a result of meetings with the City a number of issues have been resolved and scoped. The Board heard that Damarra had withdrawn its appeal, Limestone intends to continue in the appeal process based upon the scoped issues list, and Starburst will continue its party status sheltering under the Limestone appeal. There was no opposition to this request.

[17] The draft order also included an order related to above-noted withdrawal and scoping matters.

[18] Mark Flowers indicated that he did not oppose the requested approvals provided that they were specific for the subject lands and that the Board's approval orders included certain "without prejudice" clauses. The draft order contained the appropriate clauses.

FINDINGS

[19] The Board considered the evidence and the submissions of the parties. The opinion evidence of Mr. Young was uncontested and no party opposed the requested approvals.

[20] In consideration of the above, the Board agreed with the evidence provide by Mr. Young and found that the proposed modifications to the Official Plan which will amend the Secondary Plan and the proposed ZBA's were consistent with the PPS, conformed to the Growth Plan, conformed to the Regional Official Plan and the City Official Plan and they should be approved.

[21] The Board issued an oral decision approving in principle the modifications to the Official Plan and the Secondary Plan and approving the ZBA's in principle subject to the matters set out in the draft order (Exhibit 18). The final order was to be withheld until a review of the proposal in relation to the NPC-300 Noise Guideline was completed and until confirmation was received from the City, and Dulcina and Mammone that the planning instruments were in their final form.

[22] Subsequent to the PHC, the Tribunal has been informed that the requirements for issuing the final approval of the modifications to the Official Plan and Secondary Plan, for the final approval of the ZBA's have been fulfilled. Based upon the above, the Tribunal finds that it is appropriate to issue final approval of these instruments. The order is provided below.

ORDER

[23] The Tribunal orders that the motion is allowed and the appeal is allowed in part. The City of Vaughan Official Plan, the Vaughan Mills Centre Secondary Plan and the City of Vaughan Zoning By-law No. 1-88 are amended as set out and subject to the matters and conditions included in Attachment 1.

"C. Conti"

C. CONTI
VICE-CHAIR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

PL140839 and PL110419 – Attachment 1

PL110419
PL110420
PL110455
PL110456
PL140839
PL111184

LOCAL PLANNING APPEAL TRIBUNAL

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

IN THE MATTER OF proceedings commenced under subsections 17(36), 22(7) and 34(11) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended,

Appellant: Dulcina Investments Inc. (formerly Casertano Development Corporation)

Appellant: Sandra Mammone

Subject: Appeals in respect of the City of Vaughan Official Plan 2010 (the “**VOP 2010**”), and in respect of the Vaughan Mills Centre Secondary Plan forming part of Volume 2 of the VOP 2010 and in respect of Council’s refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan for the land municipally known as 9060 Jane Street and in respect of Council’s refusal or neglect to enact a proposed amendment to the City of Vaughan Zoning By-law No. 1-88, as amended, of the City of Vaughan to rezone lands municipally known as 9060 Jane Street and in respect of Council’s refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan for the land municipally known as 8940 Jane Street and in respect of Council’s refusal or neglect to enact a proposed amendment to the City of Vaughan Zoning By-law No. 1-88, as amended, of the City of Vaughan to rezone lands municipally known as 8940 Jane Street.

Municipality: City of Vaughan

OMB Case Nos.: PL110419, PL110420, PL110455, PL110456, PL140839, PL111184

OMB File Nos.: PL110419, PL110420, PL110455, PL110456, PL140839, PL111184

THESE MATTERS having come on for a public hearing,

THE TRIBUNAL ORDERS that in accordance with the provisions of sections 17(50) and 34(26) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, in respect of the VOP 2010, and in respect of the Vaughan Mills Centre Secondary Plan, being Official Plan Amendment No. 2 to the VOP 2010 and forming part of Volume 2 of the VOP 2010, as adopted by the City of

Vaughan on March 18, 2014, and modified and approved by the Region of York on June 26, 2014 and in respect of the City of Vaughan Zoning By-law No. 1-88:

1. The policies and schedules of the Vaughan Mills Centre Secondary Plan are hereby modified and as set out in Attachment “A” attached hereto and forming part of this Order, and hereby approved as they relate to the lands municipally known as 8940 Jane Street in the City of Vaughan (the “**Mammone Site**”) and 9060 Jane Street in the City of Vaughan (the “**Dulcina Site**”), subject to paragraph 5 hereof.
2. City of Vaughan Zoning By-law No. 1-88, as amended, is hereby further amended as set out in Attachments “B” and “C” attached hereto and forming part of this Order, subject to paragraph 5 hereof.
3. This partial approval of the Vaughan Mills Centre Secondary Plan shall be strictly without prejudice to, and shall not have the effect of limiting, (a) the rights of any other party to seek to modify, delete or add to the unapproved policies, schedule, maps, figures definitions, tables and associated text in the said Plans, or (b) the jurisdiction of the Tribunal to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the said Plans on a general, area-specific or site-specific basis, as the case may be.
4. The appeals by the Appellants are hereby allowed to the extent necessary to give effect to this Order, and in all other respects are hereby dismissed. The motion filed by the Appellants pursuant to Section 43 of the *Ontario Municipal Board Act* is hereby withdrawn on consent unconditionally and entirely.
5. This Order as it relates to the approval of Attachments “A”, “B” and “C” in respect of the Phase 2 Lands defined below shall be withheld until such time as the Region of York has advised the Tribunal in writing that:
 - (a) With respect to the development of the Phase 2 Lands being Block “C” shown on Schedule 2 to Attachment “B” to this Order, (the “**Dulcina Phase 2 Lands**”):
 - (i) An updated Transportation Impact Study in respect of the Dulcina Phase 2 Lands, based on the Transportation Impact Study prepared for Blocks “A” and “B” shown on Schedule 2 to Attachment “B” to this Order (the “**Dulcina Phase 1 Lands**”), has been prepared to the satisfaction of the Region. The updated Transportation Impact Study shall indicate and identify what infrastructure improvements listed in Table 2 of the Vaughan Mills Centre Secondary Plan, as amended from time to time (“**Table 2**”), have been completed, outstanding, or planned and what steps will be taken to implement these requirements as of the date of the updated Transportation Impact Study.
 - (ii) The transportation infrastructure improvement requirements identified in Table 2 to accommodate the development of the Dulcina Phase 2 Lands have been implemented or identified in the City of Vaughan’s plans or the Region’s 10-Year Roads and Transit Capital Construction Program.

- (iii) The Dulcina Site has achieved a non-auto modal split of at least 20 percent in Phase 1 of development of the Dulcina Site. If the said modal split has not been achieved in Phase 1, the owner of the Dulcina Site shall, prior to the lifting of the Holding Symbol (“H”) for the Dulcina Phase 2 Lands, outline steps to be taken, to the satisfaction of the City and the Region, to achieve the said modal split in the development of the Phase 2 Lands; and
 - (b) With respect to the development of the Phase 2 Lands being Block “C” shown on Schedule 1 to Attachment “C” to this Order (the “**Mammone Phase 2 Lands**”):
 - (i) An updated Transportation Impact Study in respect of the Mammone Phase 2 Lands, based on the Transportation Impact Study prepared for Blocks “A” and “B” shown on Schedule 1 to Attachment “C” to this Order (the “**Mammone Phase 1 Lands**”), has been prepared to the satisfaction of the Region. The updated Transportation Impact Study shall indicate and identify what infrastructure improvements listed in Table 2 have been completed, outstanding, or planned and what steps will be taken to implement these requirements as of the date of the updated Transportation Impact Study.
 - (ii) The transportation infrastructure improvement requirements identified in Table 2 to accommodate the development of the Mammone Phase 2 Lands have been implemented or identified in the City of Vaughan’s plans or the Region’s 10-Year Roads and Transit Capital Construction Program.
 - (iii) The Mammone Site has achieved a non-auto modal split of at least 20 percent in Phase 1 of development of the Mammone Site. If the said modal split has not been achieved in Phase 1, the owner of the Mammone Site shall, prior to the lifting of the Holding Symbol (“H”) for the Mammone Phase 2 Lands, outline steps to be taken, to the satisfaction of the City and the Region, to achieve the said modal split in the development of the Mammone Phase 2 Lands.
- 6. The appeal by Damara Investment Corp. (PL140839) is withdrawn and the appeal filed by Limestone Gallery Investments Inc. (PL140839) is scoped on consent of Limestone Gallery Investments Inc., the City of Vaughan, and the Region of York in accordance with Attachment “D” hereto.

C56
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 29, Item 2

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] Agenda Item: APRA TRUCK LINE OFFICIAL PLAN AMENDMENT FILE OP.19.008 ZONING BY-LAW AMENDMENT FILE Z.19.021 (TEMPORARY USE) SITE DEVELOPMENT FILE DA.20.034 7300 MAJOR MACKENZIE DRIVE VICINITY OF MAJOR MACKENZIE DRIVE AND HIGHWAY 50
Date: June-21-21 11:40:36 AM

From: IRENE FORD [REDACTED]
Sent: Monday, June 21, 2021 11:40 AM
To: Clerks@vaughan.ca; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>
Subject: [External] Agenda Item: APRA TRUCK LINE OFFICIAL PLAN AMENDMENT FILE OP.19.008 ZONING BY-LAW AMENDMENT FILE Z.19.021 (TEMPORARY USE) SITE DEVELOPMENT FILE DA.20.034 7300 MAJOR MACKENZIE DRIVE VICINITY OF MAJOR MACKENZIE DRIVE AND HIGHWAY 50

Vaughan Council,

I strongly oppose Vaughan Council and staff's support to approve a by-law for three years for a landowner that has clearly been operating illegally for many years without the proper zoning.

There are far too many developments operating illegally in northern areas of Vaughan on prime agricultural land, storing materials outside that is and will degrade their lands and surrounding agricultural operations. I am not overly familiar with the future planning for this site but Vaughan Council and staff turning a blind eye to these operations and then bringing them into compliance through temporary permits seems an inadequate solution and one of little consequence for a non-compliant land owner. These types of land uses are likely to cause contamination, legacy issues should the lands be intended for other uses. It is unlikely that it would every be able to be brought back into agricultural operations. Vaughan Council ought to know better based on issues with other ongoing developments.

Further, temporary land uses are rarely ever temporary the cement mixing plant operating adjacent to the Greenbelt, Humber River tributaries has been operating temporarily for over decade. It is unclear what the status is of the current application even though I have asked for an update and followed up but am yet to receive a response from staff. <https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=49259>. Another example consists of 3230 King Vaughan Rd in which a pre-fabricated building has been erected illegally, site is operating illegally without proper zoning: [Committee of the Whole \(Public Meeting\) - June 01, 2021](#)

Committee of the Whole (Public Meeting) - June 01, 2021

If it is Vaughan Council's intention to develop industrial areas surrounding Major Mackenzie and Highway 50 as well as around King Vaughan Rd and Weston Rd then they should be more transparent rather than letting landowners operate illegally for years and then attempt to bring them into compliance once public awareness mounts. **Support for Temporary By-Law Absolves Land Owners of Operating Illegally and sets a precedent for other landowners in this area. What will stop them from doing whatever they wish on prime agricultural land and then seeking to be brought into compliance via a temporary by-law?**

Please add this item as a communication to Vaughan Council's Meeting agenda tomorrow.

Thank you,
Irene

**2. APRA TRUCK LINE OFFICIAL PLAN AMENDMENT FILE OP.19.008
ZONING BY-LAW AMENDMENT FILE Z.19.021 (TEMPORARY USE)
SITE DEVELOPMENT FILE DA.20.034 7300 MAJOR MACKENZIE
DRIVE VICINITY OF MAJOR MACKENZIE DRIVE AND HIGHWAY 50**

The Committee of the Whole recommends:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management dated June 1, 2021, be approved; and**
- 2) That the comments from Mr. Kurt Franklin and Mr. Scott Plante, Weston Consulting, Millway Avenue, Vaughan, on behalf of the applicant, and Communication C2, be received.**

Recommendations

1. THAT Official Plan Amendment File OP.19.008 (APRA Truck Line), BE APPROVED to amend Vaughan Official Plan 2010, Volume 2, West Vaughan Employment Area, Section 11.9, to permit the outside storage of 46 truck cabs and an accessory administrative office, as temporary uses for 3 years;
2. THAT Zoning By-law Amendment File Z.19.021 (APRA Truck Line), BE APPROVED to amend Zoning By-law 1-88 to permit the outside storage of 46 truck cabs and an accessory administrative office, as temporary uses for 3 years, together with the site-specific zoning exceptions identified in Table 1 of this report;
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law; and
4. THAT Site Development File DA.20.034 (APRA Truck Line), BE DRAFT APPROVED SUBJECT TO THE CONDITIONS identified in Attachment 1, to permit the outside storage of 46 truck cabs and an accessory administrative office, as shown on Attachments 3 to 6.

C57
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: Clerks@vaughan.ca
To: [Adelina Bellisario](mailto:Adelina.Bellisario)
Subject: FW: [External] Opposition to Regional Official Plan Amendment 7 - June 22, 2021
Date: June-21-21 1:51:46 PM

From: Jean-François Obregón [REDACTED]
Sent: Monday, June 21, 2021 1:51 PM
To: Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>
Cc: Clerks@vaughan.ca
Subject: [External] Opposition to Regional Official Plan Amendment 7 - June 22, 2021

Dear Vaughan Council,

I am writing to ask Council not to support or endorse the private ROPA request from developers. I am specifically referring to the Committee of the Whole item no. 9 "Response To York Region's Request For Comments On Regional Official Plan Amendment 7" scheduled for June 22, 2021. I have already submitted my comments to York Region in favour of these lands' "Agricultural" designation as well as informed media outlets about this agenda item on June 22, 2021.

Vaughan is in an enviable position regarding its natural heritage and its position to protect it. Opening the door for development on Greenbelt-protected to be developed further erodes the intention of the legislation that exists to protect it. Instead, Council should be requesting action on what can be done to strengthen the biodiversity that already exists in the city's natural heritage. Not re-designating Greenbelt Fingers and Greenbelt Corridors to facilitate more low-rise residential development.

By supporting this council item, Council is discrediting its efforts to intensify development in the City of Vaughan. Over time, it is costlier to service low-rise residential areas than mid or high-density ones. I encourage you to continue prioritizing reasonable intensification efforts as opposed to supporting re-designating these lands from "Agricultural" to "Rural".

Protecting natural heritage does not just give us cleaner air, but it has economic benefits. It provides mental health benefits, which over time would mean less visits to Vaughan hospital; and, encourages local tourism and spending. There is increasing international, national and provincial interest in financing the conservation of natural heritage/green spaces/biodiversity. The recent G7 communiqué expresses support for private finance to play a role in this. The City of Vaughan should look at Greenbelt Fingers and Greenbelt Corridors as financial assets as well as natural ones, not liabilities.

While I can imagine that support for this item is not unanimous on Council, I hope that the majority

of you do not vote in favour of this item.

Thank you,

Jean-François

■ Laurel Valley Court,
Concord, ON ■■■■■

C58
COMMUNICATION
COUNCIL – June 22, 2021
CW (PM) - Report No. 36, Item 5

From: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
To: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
Subject: FW: [External] 9455 Weston, Amendment File OP.21.011, by low Z.21.018,19T-21V004
Date: June-21-21 2:26:54 PM

From: Bharat Patel [REDACTED] >
Sent: Saturday, June 19, 2021 7:17 PM
To: Mary Caputo <Mary.Caputo@vaughan.ca>; clerk@vaughan.ca;
DevelopmentPlanning@vaughan.ca
Subject: [External] 9455 Weston, Amendment File OP.21.011, by low Z.21.018,19T-21V004

RESP: City of Vaughan All By low officers,

We had just received a letter to inform us that 115 new townhouse units will be developed. As a resident of 9374 Weston Rd, L4H-2B5, we would like to voice our strong disapproval for this development. How do you plan on housing 155 units that can house 4 members/home in such an area? That would be 600 to 900 people in such a small area. This would create parking problems, noise, and disruption in the daily traffic. This area is already tight and small as it is, and an addition of these many units is NOT good for our neighborhood. Parking for those members will be tight and they may seek to park in our streets and homes, interfering with normal day to day life. More over, traffic along Weston Rd during rush hour times is extremely congested as it is, and there is no public transit infrastructure set up to handle this influx in community members. More over, parks are already full with resident's kids, and having a congested playground with these new units being added will leave our parks and playgrounds unsafe for our children. The noise with the addition of all these new units will extremely disrupt the daily lives of near by neighbours as myself with the addition of new families, family parties, barking from pets etc...

Please pass this email along to all members of board that will make the decision for the development of these units.

A park for kids to play walking for old and all other 1000 people are to for walk +pats. government calling for (Co2) green house Where is A Garden for each of them ,

Each unit at least 02 cars so its total (300 to 400 Vehicle). The units you are suggesting does not provide for that which will lead to parking on our streets all day causing for more congestion. Soon our area will have paid parking like Toronto.

During the day time come and see laneway 17/18 people park on fire root and block our area. Its A very very bad Idea to for our Woodbridge community,

First thing there should be ammenities for these new housing such as schools, parks with playgrounds, and churches, make all this needy facility before give them a permits.

And a 300 car parking space too.

Thank you,
Bharat Patel
[REDACTED] Weston Rd
[REDACTED]

C59
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 29, Item 8

From: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
To: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
Subject: FW: [External] Seven View Chrysler
Date: June-22-21 8:46:37 AM
Attachments: [SKM_C3350i21061809590.pdf](#)
Importance: High

From: Sandra Yeung Racco <Sandra.Racco@vaughan.ca>
Sent: Monday, June 21, 2021 9:17 PM
To: Todd Coles <Todd.Coles@vaughan.ca>
Cc: Mayor and Members of Council <MayorandMembersofCouncil@vaughan.ca>; Nick Spensieri <Nick.Spensieri@vaughan.ca>; Haiqing Xu <Haiqing.Xu@vaughan.ca>; Mauro Peverini <MAURO.PEVERINI@vaughan.ca>; Wendy Law <Wendy.Law@vaughan.ca>; Caterina Facciolo <Caterina.Facciolo@vaughan.ca>
Subject: FW: [External] Seven View Chrysler
Importance: High

Hello Todd

Please find enclosed a letter sent to me with regards to Item 8, Report 29, which I will be calling to speak on tomorrow at Council.

Thank you,

Sandra Yeung Racco, B. Mus.Ed., A.R.C.T.

楊士淳 議員

Councillor, Concord/North Thornhill
City of Vaughan

"For the Community"

To subscribe to Councillor Racco's e-newsletter, please click [here](#).

Visit [Racco's Community Forum on Facebook](#).



"Don't be distracted by criticism. Remember that the only taste of success some people have is when they take a bite out of you"

June 17th 2021



Re: Seven View Chrysler Ltd.

Minor Official Plan Amendment, Temporary Use By-Law, and Zoning By-Law Amendment Applications.

**2661 and 2703 Highway 7 W and 44 Killaloe Road, City of Vaughan
Part of Lot 5, Concession 4, and Lots 1 and 2, Registered Plan M-1737**

Good afternoon Councillor Yeung Racco,

Thank you for taking the time last week to speak with me regarding the above noted applications.

I'm writing to you today to assure you that Seven View Chrysler Ltd. will continue to work with City staff and Council to achieve a more efficient and desirable use for the properties along Highway 7. As you are aware this process is often very lengthy and may take 3 to 5 years from start to completion. Over the years we have worked with numerous architects and consultants to explore the best and most efficient uses for the properties that we own (2703 and 2685 Highway 7 West and 44 Killaloe Road).

I have attached a proposed development of mixed-use commercial and multi-unit residential occupancies on the Highway 7 properties with a proposed retail use building on 44 Killaloe Road. Included is a site plan, high level space ground floor plan, upper floor plan, underground parking level plan, and a massing model. Although high level, the drawings give a glimpse of the concept design that we will try to achieve with our project.

With the continued development of the Vaughan Metropolitan Center and growth of our community in Vaughan, our family here at Seven View Chrysler Ltd. is eager to see our proposed development come to fruition in the years to come. Although we intend to continue to work towards this, the reality today is to maintain the property in its current use, with the necessary landscape improvements recommended by City staff and Council, so that we can continue to operate our business.

I kindly ask that you consider the proposed recommendation of a 3-year Temporary Use By- Law and Zoning By-Law Amendment on 2661 and 2703 Highway 7 with a Minor Official Plan Amendment for 44 Killaloe Road. We will use this time diligently to continue our efforts to hopefully redevelop our properties complimenting and enhancing the landscape of the Vaughan Metropolitan Centre while providing jobs and homes for current and future residents of our great city.

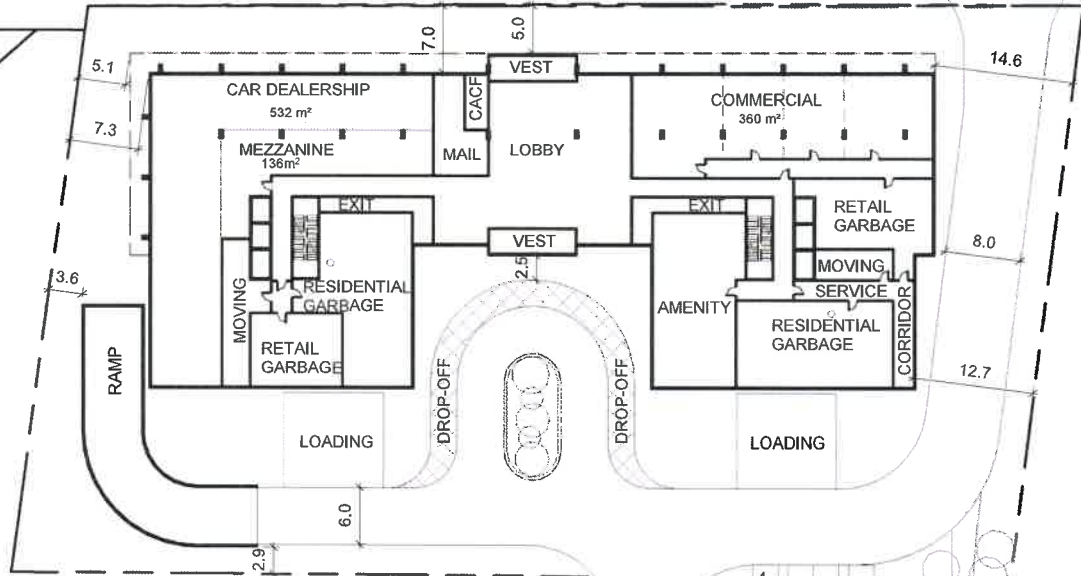
Sincerely,

Michael Magarelli
Seven View Chrysler Ltd.

p: 905-669-5050 | f: 905-669-3731 | www.sevenviewchrysler.com | facebook.com/sevenview.chrysler | info@sevenviewchrysler.com
2685 Highway Seven West, Vaughan, Ontario L4K 1V8



THE KING'S HIGHWAY NO. 7



Statistics

Lot Area: 12,779m²
137,552sf
1.2779ha
3.1577ac

Total GFA: 58,050m²
Residential (L1, L5-30) 48,104m²
Commercial (L1) 360m²
Car Dealership (L1) 668m²
Auto Repair Centre (L1) 1092m²
Office (L2-4) 7826m²

Total Residential Units: 624

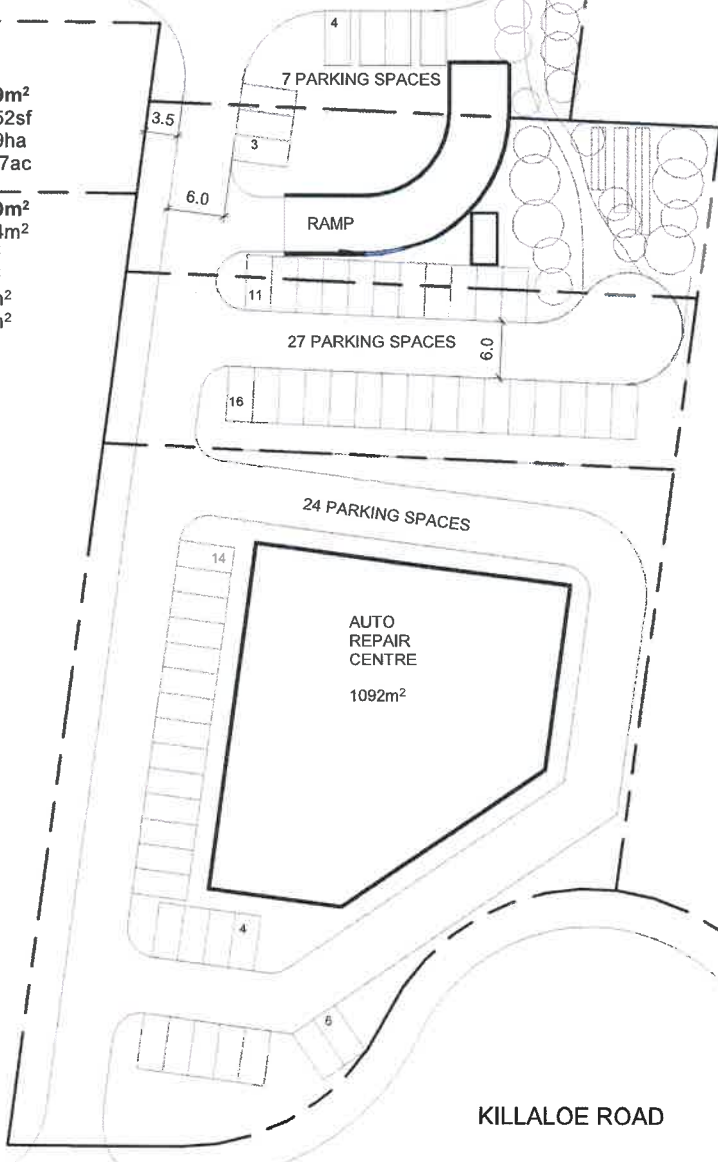
Total Parking Required: 1146
Residential (@1): 624
Visitor (@0.25): 156
Commercial (6/100m²): 22
Car Dealership (@3/100m²): 20
Auto Repair Centre (4.5/100m²): 50
Office (@3.5/100m²): 274

Total Parking Provided: 1158
L1 Surface Parking: 58
P1: 275
P2: 275
P3: 275
P4: 275

FSI 4.54

Density (units/ha) 488.3

Coverage 29%



PROPOSED 30
STOREY MIXED-USE
DEVELOPMENT
2661-2725 HIGHWAY 7,
VAUGHAN
SITE PLAN

A1.1

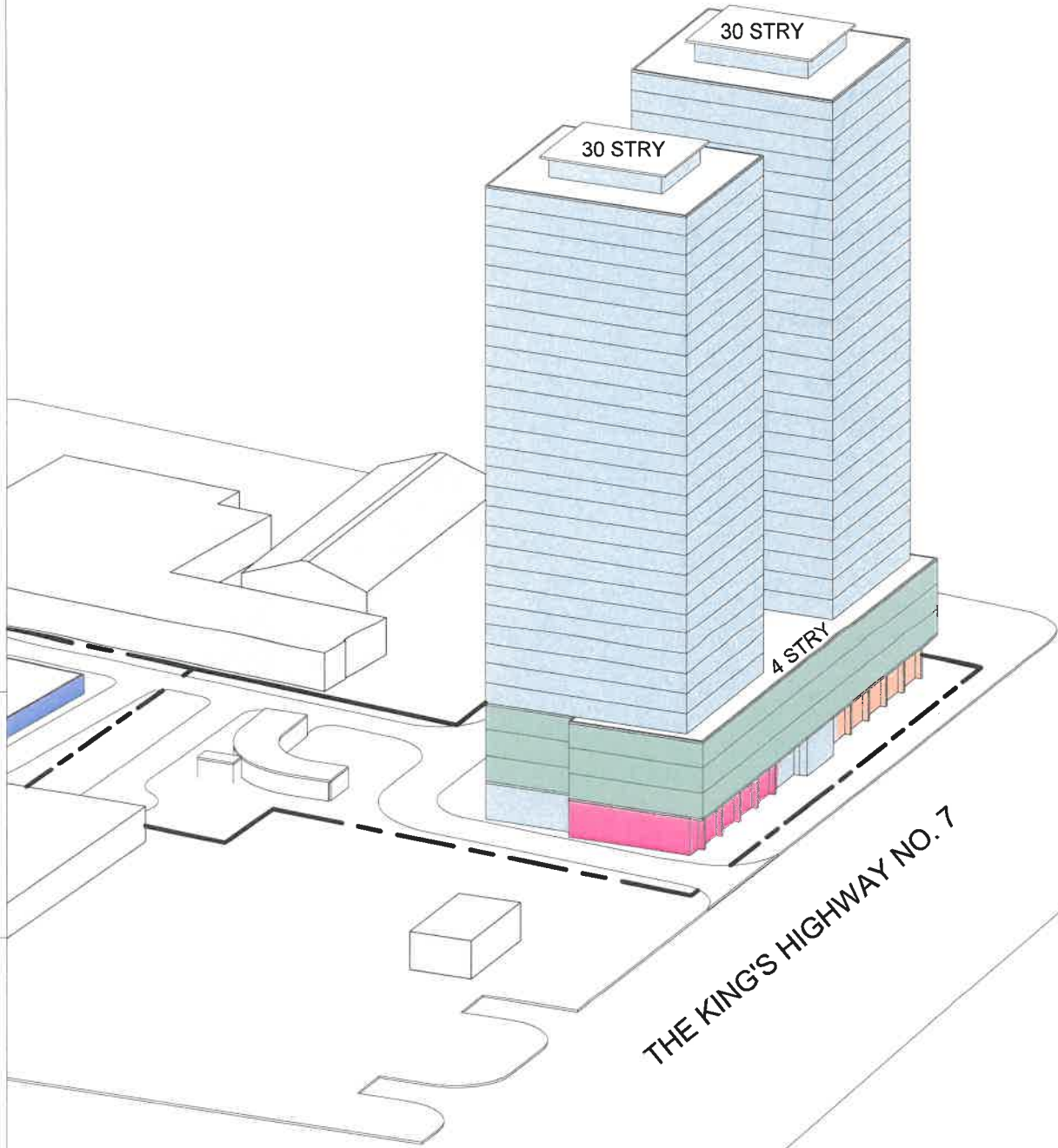
DATE:
09/28/20

KILLALOE ROAD

CARIÇARI LEE ARCHITECTS

113 Miranda Avenue
Toronto, ON M6B 3W8
T/ 416 962 9670 / 416 962 9671
e/ info@caricartee.com
www.caricartee.com

CLA



PROPOSED 30
STOREY MIXED-USE
DEVELOPMENT
2661-2725 HIGHWAY 7,
VAUGHAN
3D VIEW FROM HWY 7

A1.6

DATE:
09/28/20

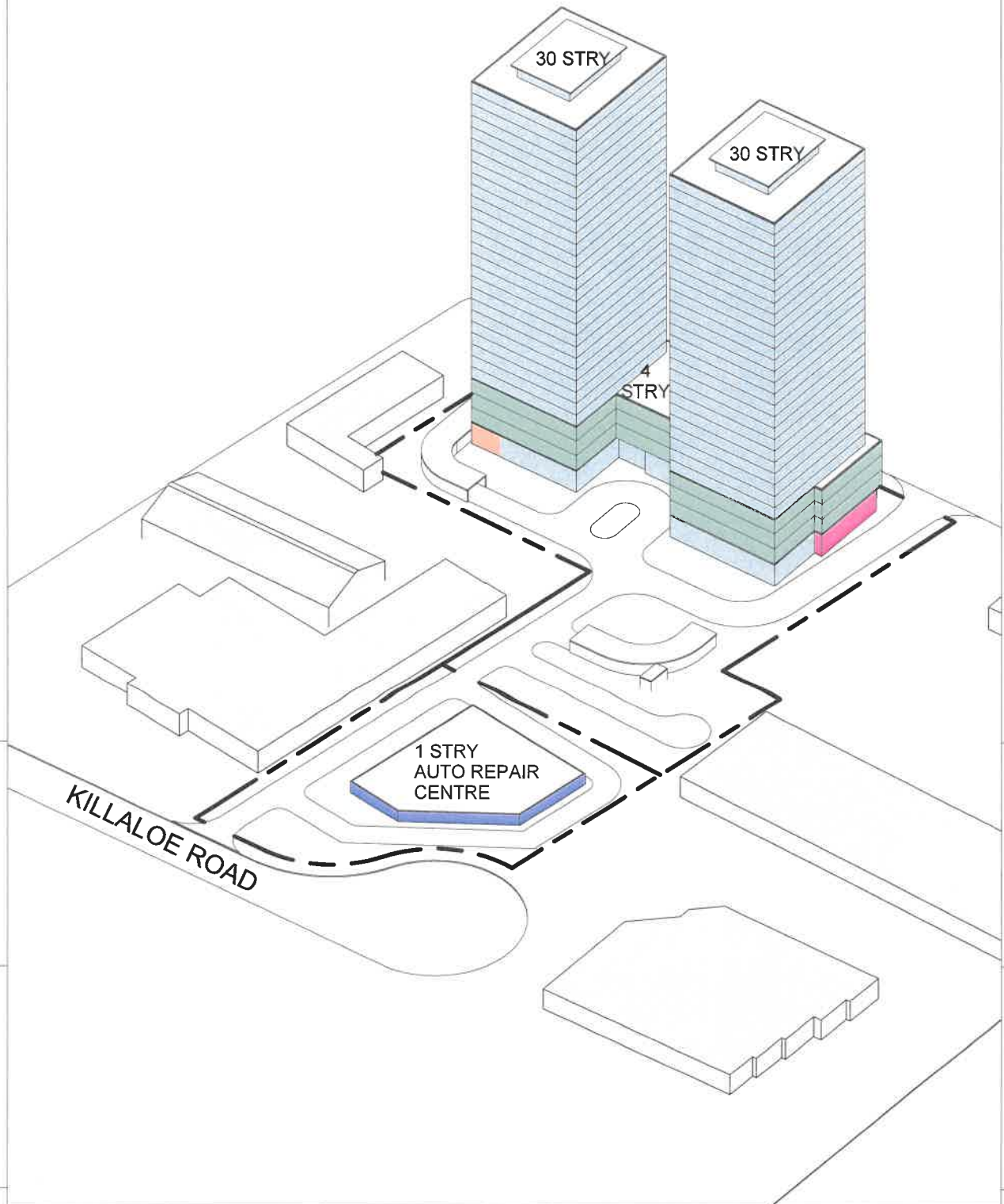
LEGEND

- RESIDENTIAL
- OFFICE
- COMMERCIAL
- CAR DEALERSHIP
- CAR REPAIR CENTRE

CARICARI LEE ARCHITECTS

113 Miranda Avenue
Toronto, ON M6B 3W8
t/ 416 962 9670 f/ 416 962 9671
e/ info@caricariee.com
www.caricariee.com





PROPOSED 30
STOREY MIXED-USE
DEVELOPMENT
2661-2725 HIGHWAY 7,
VAUGHAN
3D VIEW

A1.5

DATE:
09/28/20

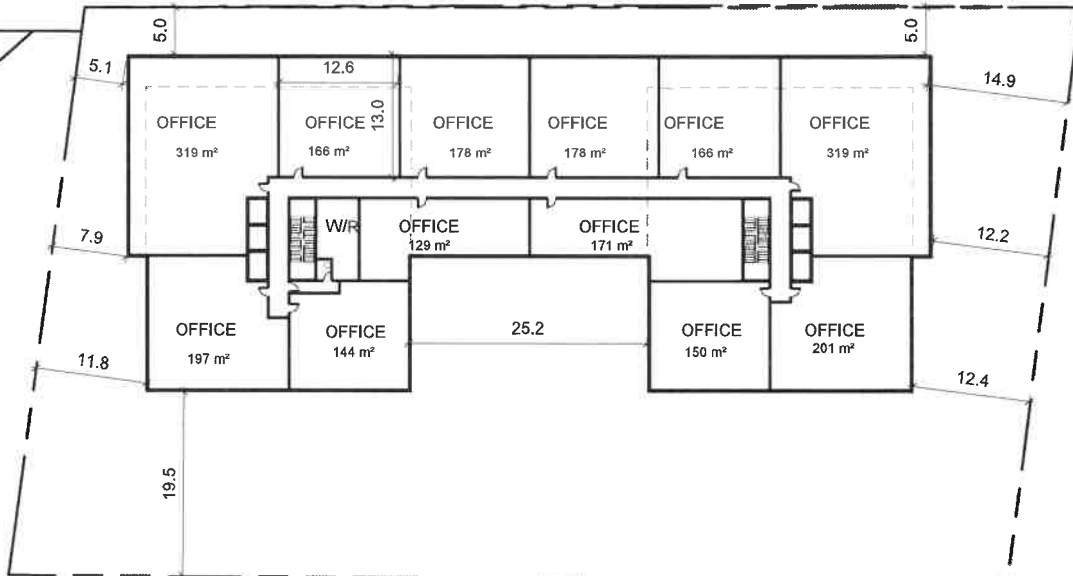
LEGEND

- RESIDENTIAL
- OFFICE
- COMMERCIAL
- CAR DEALERSHIP
- CAR REPAIR CENTRE

ÇARICARI LEE ARCHITECTS

113 Miranda Avenue
Toronto, ON M6B 3W8
t/ 416 962 9670 f/ 416 962 9671
e/ info@caricarilee.com
www.caricarilee.com





Level 2-4:
Total Floor Area/Floor: 2608.56m²

PROPOSED 30
STOREY MIXED-USE
DEVELOPMENT
2661-2725 HIGHWAY 7,
VAUGHAN
Level 2-4

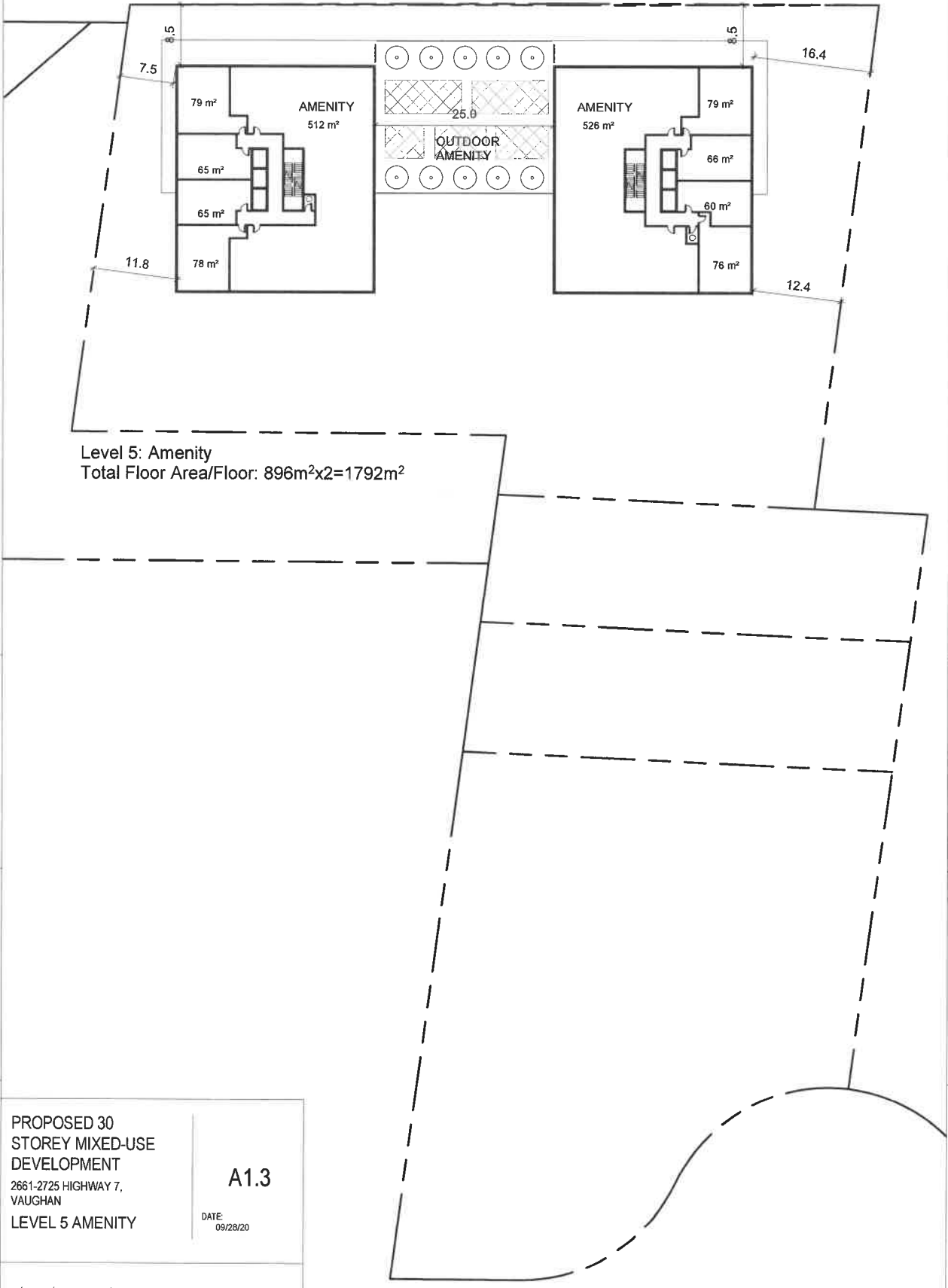
A1.2

DATE:
09/28/20

CARICARI LEE ARCHITECTS

113 Miranda Avenue
Toronto, ON M6B 3W8
t/ 416 962 9670 f/ 416 962 9671
e/ info@caricarilee.com
www.caricarilee.com

CL/A



Level 5: Amenity
 Total Floor Area/Floor: 896m²x2=1792m²

PROPOSED 30
 STOREY MIXED-USE
 DEVELOPMENT
 2661-2725 HIGHWAY 7,
 VAUGHAN
 LEVEL 5 AMENITY

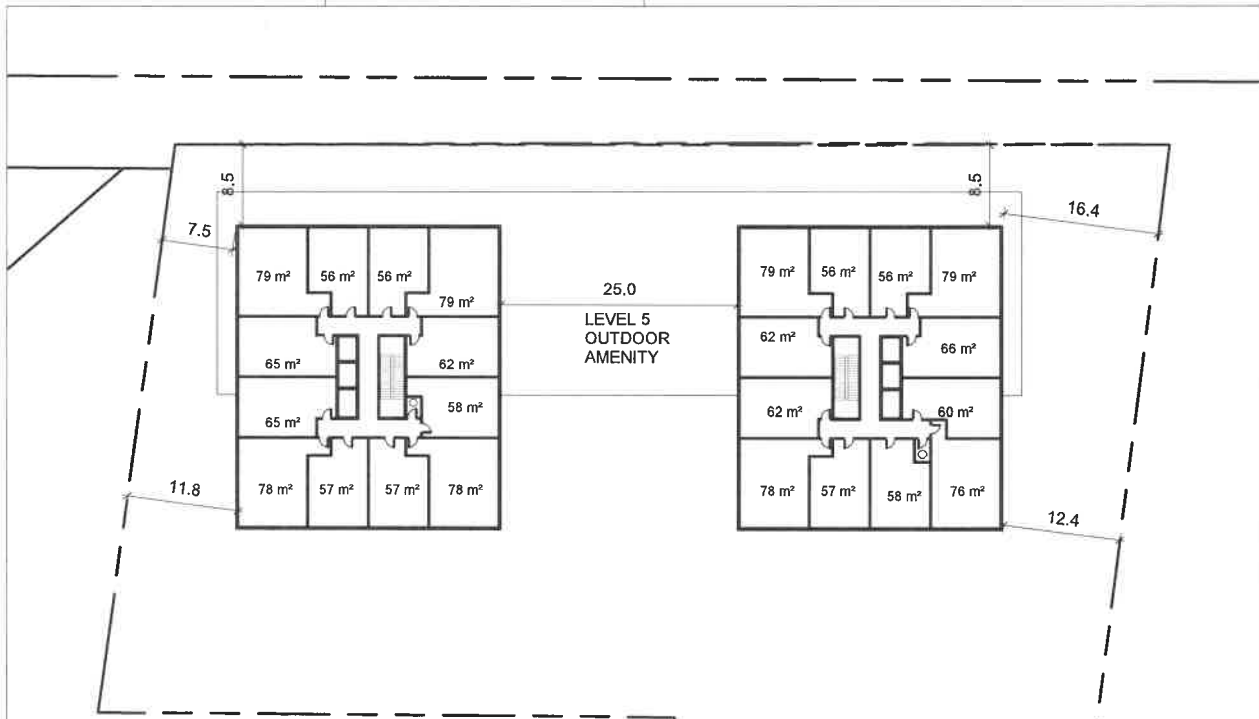
A1.3

DATE:
 09/28/20

CARICARI LEE ARCHITECTS

113 Miranda Avenue
 Toronto, ON M6B 3W8
 t/ 416 962 9670 f/ 416 962 9671
 e/ info@caricarilee.com
 www.caricartee.com

CLA



Level 6-30:
 Total Floor Area/Floor: 896m²x2=1792m²

PROPOSED 30
 STOREY MIXED-USE
 DEVELOPMENT
 2661-2725 HIGHWAY 7,
 VAUGHAN
 LEVEL 6-30

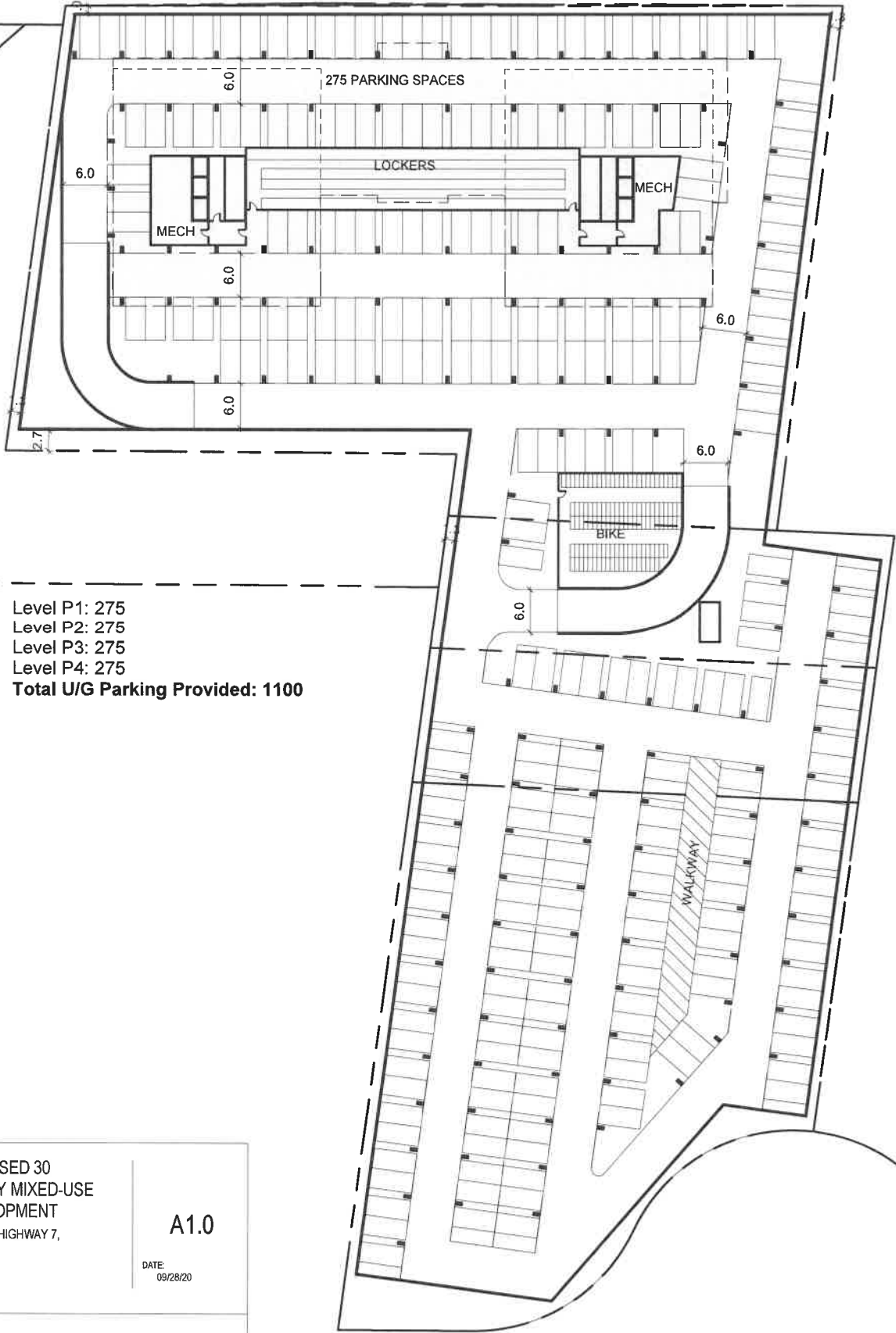
A1.4

DATE:
 09/28/20

ÇARICARI LEE ARCHITECTS

113 Miranda Avenue
 Toronto, ON M6B 3W8
 t/ 416 962 9670 f/ 416 962 9671
 e/ info@caricarilee.com
 www.caricarilee.com





Level P1: 275
 Level P2: 275
 Level P3: 275
 Level P4: 275
Total U/G Parking Provided: 1100

PROPOSED 30
 STOREY MIXED-USE
 DEVELOPMENT
 2661-2725 HIGHWAY 7,
 VAUGHAN
 P1-P4

A1.0

DATE
 09/28/20

CARICARI LEE ARCHITECTS

113 Miranda Avenue
 Toronto, ON M6B 3W8
 t/ 416 962 9670 f/ 416 962 9671
 e/ info@caricartee.com
 www.caricartee.com



From: mmagarelli@sevenviewchrysler.com <mmagarelli@sevenviewchrysler.com>

Sent: Friday, June 18, 2021 10:25 AM

To: Sandra Yeung Racco <Sandra.Racco@vaughan.ca>

Subject: [External] Seven View Chrysler

Good Morning Mrs. Yeung Racco,

Kindly review the attached.

Thank you,

Michael Magarelli

General Manager

Seven View Chrysler Ltd.

p. 905 669 5050 ext. 220

f. 905 669 3731

mmagarelli@sevenviewchrysler.com



C60
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: [Adelina Bellisario](#)
To: [Adelina Bellisario](#)
Subject: FW: [External] Greenbelt in Vaughan Under Attack
Date: June-22-21 9:00:27 AM
Attachments: [Greenbelt In Vaughan Under Attack.pdf](#)

From: Rose and Frank Troina <[REDACTED]>

Sent: Monday, June 21, 2021 8:25 PM

To: Clerks@vaughan.ca; Marilyn lafrate <Marilyn.lafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>

Subject: [External] Greenbelt in Vaughan Under Attack

Hello,

Please read the enclosed regarding Vaughan council's meeting at 1pm tomorrow as it relates to changes to the Greenbelt.

Sincerely,
Frank Troina

Sent from [Mail](#) for Windows 10

C61
COMMUNICATION
COUNCIL – June 22, 2021
CW - Report No. 32, Item 9

From: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
To: [Adelina Bellisario](mailto:Adelina.Bellisario@vaughan.ca)
Subject: FW: [External] OFFICIAL PLAN AMENDMENT 7
Date: June-22-21 9:07:54 AM
Attachments: [ROPA 7, June 21, 2021.docx](#)

From: Ferdinando Torrieri <[REDACTED]>

Sent: Monday, June 21, 2021 10:50 PM

To: Maurizio Bevilacqua <Maurizio.Bevilacqua@vaughan.ca>; Mario Ferri <Mario.Ferri@vaughan.ca>; Linda Jackson <Linda.Jackson@vaughan.ca>; Rosanna DeFrancesca <Rosanna.DeFrancesca@vaughan.ca>; Alan Shefman <Alan.Shefman@vaughan.ca>; Marilyn Iafrate <Marilyn.Iafrate@vaughan.ca>; Tony Carella <Tony.Carella@vaughan.ca>; Gino Rosati <Gino.Rosati@vaughan.ca>; Sandra Yeung Racco <Sandra.Racco@vaughan.ca>; Clerks@vaughan.ca

Subject: [External] OFFICIAL PLAN AMENDMENT 7

Dear Mayor Bevilaqua and Council Members,

Please read the enclosed regarding Vaughan Council's meeting at 1pm tomorrow as it relates to changes to the Greenbelt, Regional Official Plan Amendment (ROPA 7).

█ Kilmuir Gate
Woodbridge, ON █

June 21, 2021

We are opposed to any application for Regional Official Plan Amendment (ROPA 7) that is being put forward "to re-designate the Greenbelt Plan Protected Countryside Area within the New Community Areas from "Agricultural" to "Rural". If approved, ROPA 7 would apply to lands in Markham and Vaughan. The landowners indicated in a communication to the City of Vaughan that they were only seeking "parks, recreation and infrastructure uses". These terms are not clear. For instance, under recreation a golf course could be allowed or other uses that undermine the purpose of the Greenbelt.

We strongly urge Vaughan Council to not circumvent public scrutiny and changes to the Greenbelt. Please do not support and endorse the private ROPA request from developers, instead support Vaughan, Markham, and York Region staff **who do not** support ROPA 7.

Thank you for your attention to this matter.

Mary Torrieri

Ferdinando Torrieri

June 22,2021

Dear Mayor and Council Members,

It has come to my attention that certain prominent developers have asked Vaughan City Council to redesignate lands from “Agricultural Areas” to “Rural Areas” in the Greenbelt fingers for Blocks 27 and 41. Once again, to give in to these developers would be a travesty of the democratic process. Enough is enough. City Council needs to find it’s moral and ethical backbone and stand up for the interests and concerns in regard to the health and safety of the citizens in Vaughan. The developers’ unquenchable thirst for more and more concessions has made a mockery of our democratic values.

Once again, City Council is thwarting our rights as tax payers to provide an opportunity to have meaningful input and debate over the future of the Greenbelt. Who gives the right to these developers to dictate the decision on the fate of these treasured lands? It is not within Vaughan or York Region Council’s jurisdiction to make such changes to the Greenbelt. You are strongly urged to not circumvent public scrutiny and changes to the Greenbelt.

Please do not support and endorse the private ROPA request from developers.

Thank you for your attention to this matter.

Frank Troina

■ Kilmuir Gate Woodbridge, Ont.

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