



**COMMUNICATIONS  
COUNCIL MEETING – JUNE 22, 2021  
WITH RESPECT TO RPT. No. 32, ITEM NO. 8**

	<u>Rpt. No.</u>	<u>Item No.</u>	<u>Committee</u>
<b><u>Distributed June 18, 2021</u></b>			
C5. Roy Mason, KLM Planning Partners Inc., dated June 7, 2021.	32	8	Committee of the Whole
C14. Matthew A. Di Vona, Di Vona Law, dated June 7, 2021.	32	8	Committee of the Whole
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
C26. Natalie Ast, Overland LLP, dated June 7, 2021.	32	8	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
C32. Tarah Coutts, Aird & Berlis LLP, dated June 8, 2021.	32	8	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
<b><u>Distributed June 21, 2021</u></b>			
C43. Ryan Mino-Leahan and Marshall Smith, KLM Planning Partners Inc., dated June 18, 2021.	32	8	Committee of the Whole
C55. Mathew Halo, Weston Consulting, dated June 21, 2021.	32	8	Committee of the Whole

**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](http://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

**Delivered by E-Mail to [brandon.correia@vaughan.ca](mailto: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](mailto: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](mailto: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.



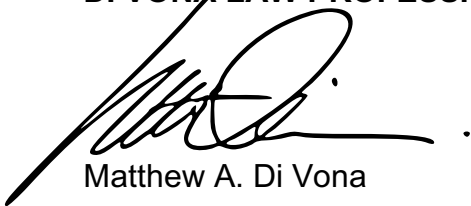
## Request

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](mailto: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.



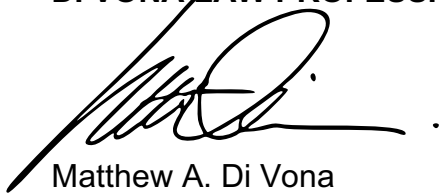
## **Request**

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](mailto: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](mailto: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.





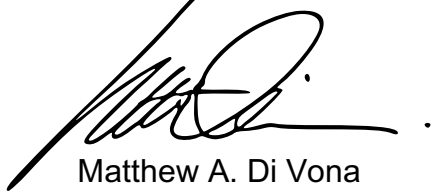
## **Request**

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](mailto: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](mailto: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](mailto: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](http://WWW.BOUSFIELDS.CA)

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

Bousfields takes the health of our staff, our clients, our industry colleagues, and our community with the greatest of care. In order to support public health efforts, the Bousfields' team will be working offsite (effective Monday March 16<sup>th</sup>). We are available to serve our clients and our industry colleagues from our out-of-office locations – through email, telephone, and video conference. We remain committed to providing the highest level of professional service during these challenging times. We wish you and your families good health. Thank you for your support and understanding.



# 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](mailto: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**

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](http://WWW.BOUSFIELDS.CA)

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

Bousfields takes the health of our staff, our clients, our industry colleagues, and our community with the greatest of care. In order to support public health efforts, the Bousfields' team will be working offsite (effective Monday March 16<sup>th</sup>). We are available to serve our clients and our industry colleagues from our out-of-office locations – through email, telephone, and video conference. We remain committed to providing the highest level of professional service during these challenging times. We wish you and your families good health. Thank you for your support and understanding.





# 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.**

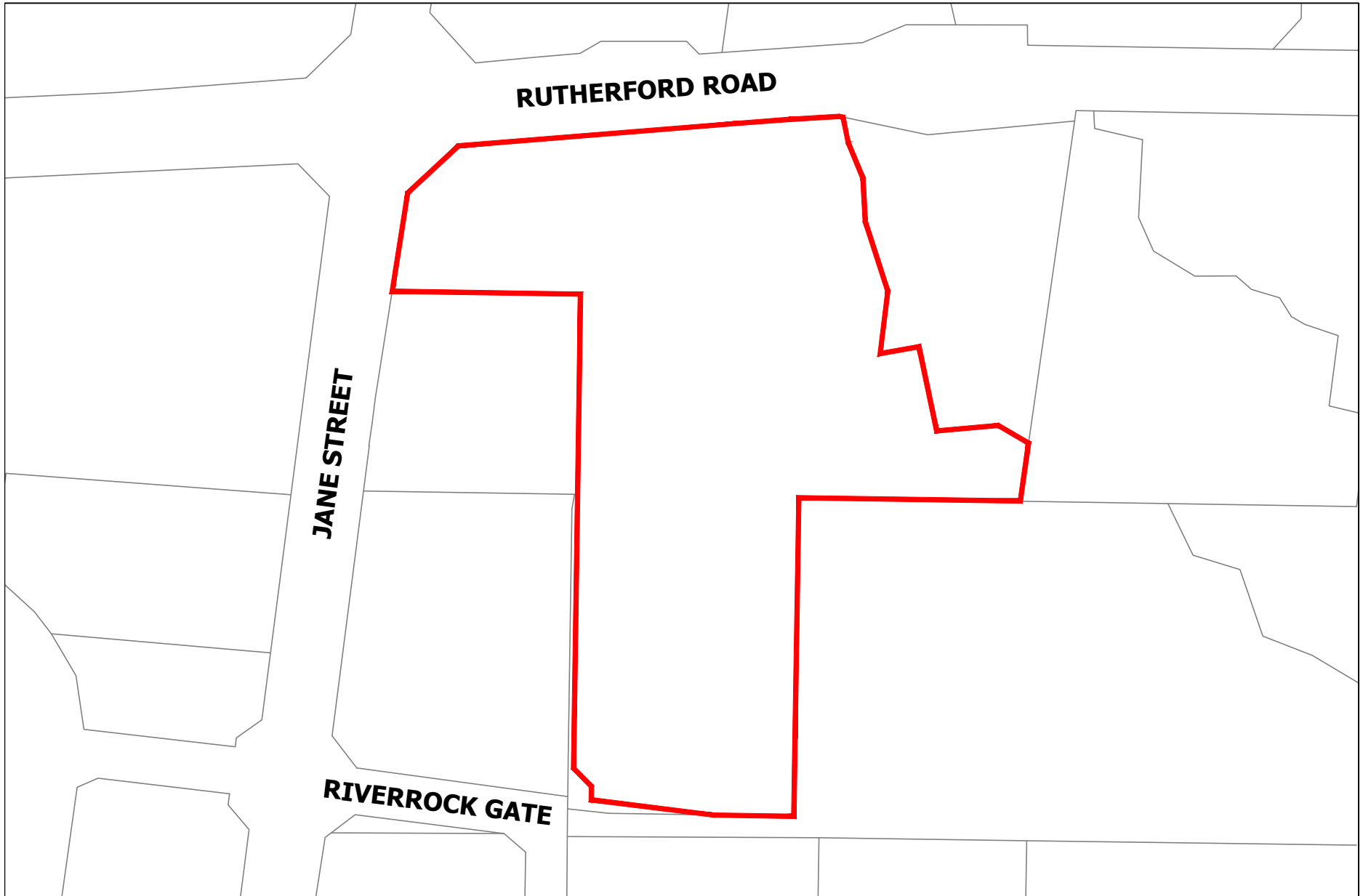
Made by:

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

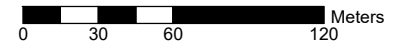
The Planning Act Ontario Regulation:

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](mailto: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](#)

---

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](http://WWW.BOUSFIELDS.CA)

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

Bousfields takes the health of our staff, our clients, our industry colleagues, and our community with the greatest of care. In order to support public health efforts, the Bousfields' team will be working offsite (effective Monday March 16<sup>th</sup>). We are available to serve our clients and our industry colleagues from our out-of-office locations – through email, telephone, and video conference. We remain committed to providing the highest level of professional service during these challenging times. We wish you and your families good health. Thank you for your support and understanding.



# 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**

**Counsel**

MCN (Pine Valley) Inc.

S. Ferri and M. Ng

Block 42 Landowners Group Inc.

M. Melling and A. Margaritis

City of Vaughan

E. Lidakis

Toronto and Region Conservation  
Authority

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](http://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](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**ATTACHMENT 1**

**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
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	
<del>77 Woodstream Inc.</del>	<del>25</del>	
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	
<del>2264319 Ontario Inc.</del>	<del>6</del>	Ira T. Kagan
<del>Block 41-28E Developments Limited, Block 41-28W Developments Ltd., 1212765 Ontario Inc. and 1213763 Ontario Ltd.</del>	<del>35</del>	
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"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
Portside Developments (Kipling) Inc.	116	
<del>Mario Tedesco</del>	<del>417</del>	
York Region Condominium Corporation 730	137	Reza Fakhim / Ali Shojaat / Domenica Perruzza
<del>Baif Developments Limited</del>	<del>8</del>	
<del>Costco Wholesale Canada Ltd.</del>	<del>9</del>	
<del>Wal-Mart Canada Corp.</del>	<del>40</del>	
First Vaughan Investments Inc., Ruland Properties Inc. and Skyrange Investments Inc.	72	Roslyn Houser / Ian Andres / Joseph Hoffman
Calloway REIT (Sevenbridge) Inc.	73	
<del>LTF Real Estate Company, Canada Inc. ("Life Time")</del>	<del>134</del>	
<del>836115 Ontario Inc.</del>	<del>18</del>	
<del>1191621 Ontario Inc.</del>	<del>19</del>	
<del>Granite Real Estate Inc. (formerly MI)</del>	<del>20</del>	
<del>1834375 Ontario Ltd.</del>	<del>29</del>	
<del>1834371 Ontario Ltd.</del>	<del>30</del>	
<del>Delisle Properties Ltd.</del>	<del>34</del>	
<del>1541677 Ontario Inc.</del>	<del>43</del>	
<del>Novagal Development Inc.</del>	<del>52</del>	
<del>2159645 Ontario Ltd. (Liberty)</del>	<del>56</del>	
<del>Nine-Ten West Limited</del>	<del>80</del>	
<del>Cedarbrook Residential</del>	<del>103</del>	
<del>Allegra on Woodstream Inc.</del>	<del>112</del>	
<del>588701 Ontario Limited</del>	<del>124</del>	
<del>2128475 Ontario Corp.</del>	<del>146</del>	
<del>1930328 Ontario Inc.</del>	<del>147</del>	
<del>West Rutherford Properties Ltd.</del>	<del>16</del>	
<del>Ozner Corporation</del>	<del>17</del>	
<del>Hollywood Princess Convention and Banquet Centre Ltd.</del>	<del>50</del>	Quinto M. Annibale / Steven Ferri

**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
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	
Blair Building Materials Inc.	131	
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"**

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



**Schedule "A"**

<b>APPELLANT</b>	<b>APPEAL</b>	<b>REPRESENTATIVE</b>
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

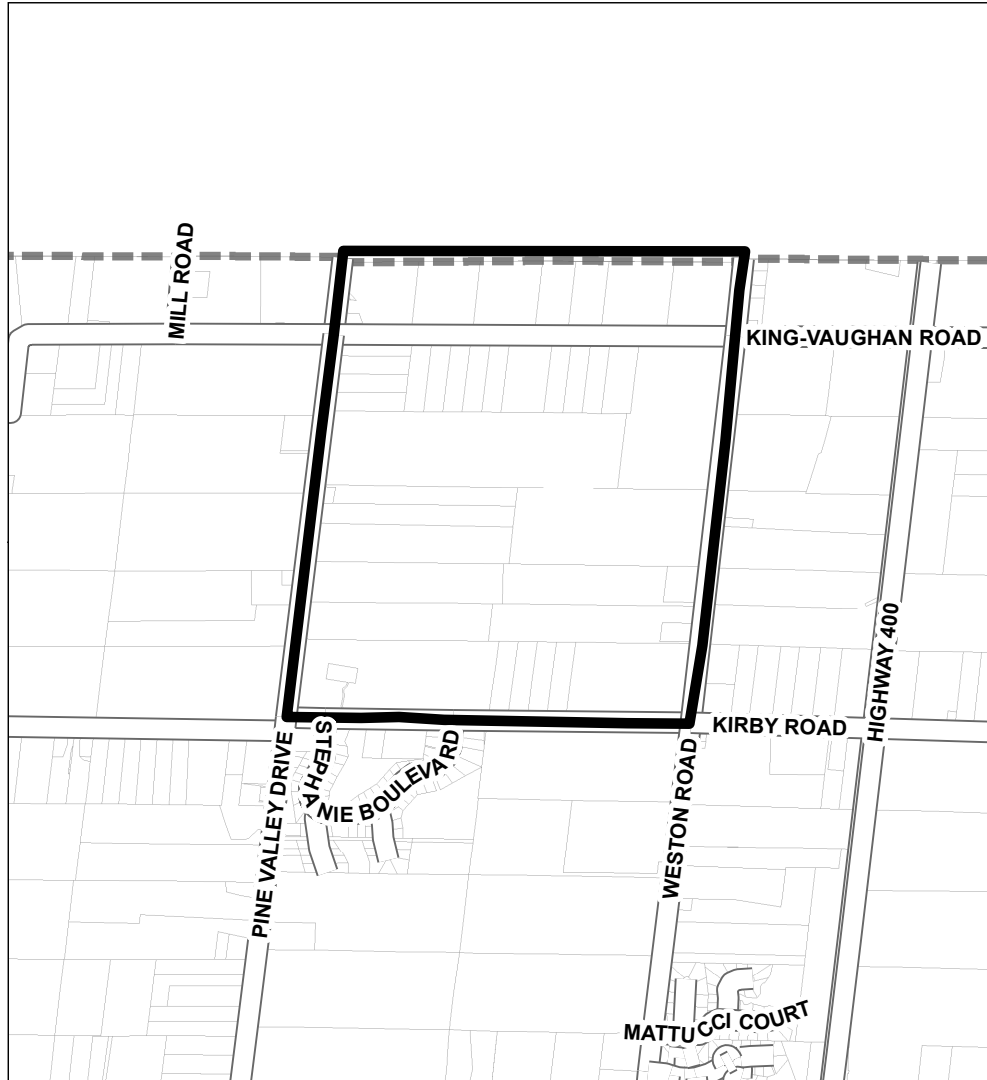
13.57.1.2.      Notwithstanding Volume 1 Policies 3.2.3.4 b the following policies shall apply:

- 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:

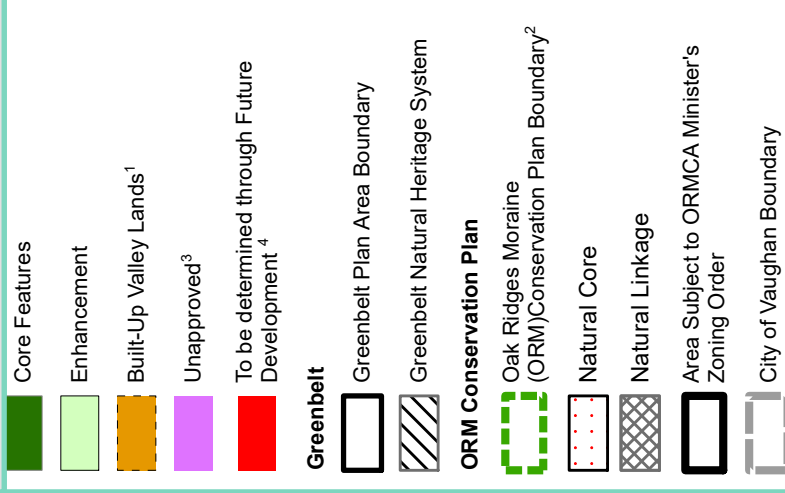
- a. If the lands are included within the Urban Boundary, that prior to any *development* of the lands for potential urban uses, through the Secondary Plan and/or Block Plan process a *wetlands* evaluation in accordance with the Provincial criteria shall be undertaken.
- b. That prior to the completion 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

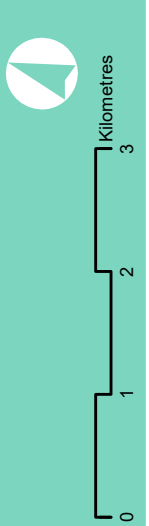


The policy text in Chapter 3 prevails over the mapping shown on Schedule 2 in determining the Natural Heritage Network. Core features shall be precisely delineated on a site-by-site basis through the approval of the Planning Act Applications supported by appropriate technical studies. Refinements to 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.

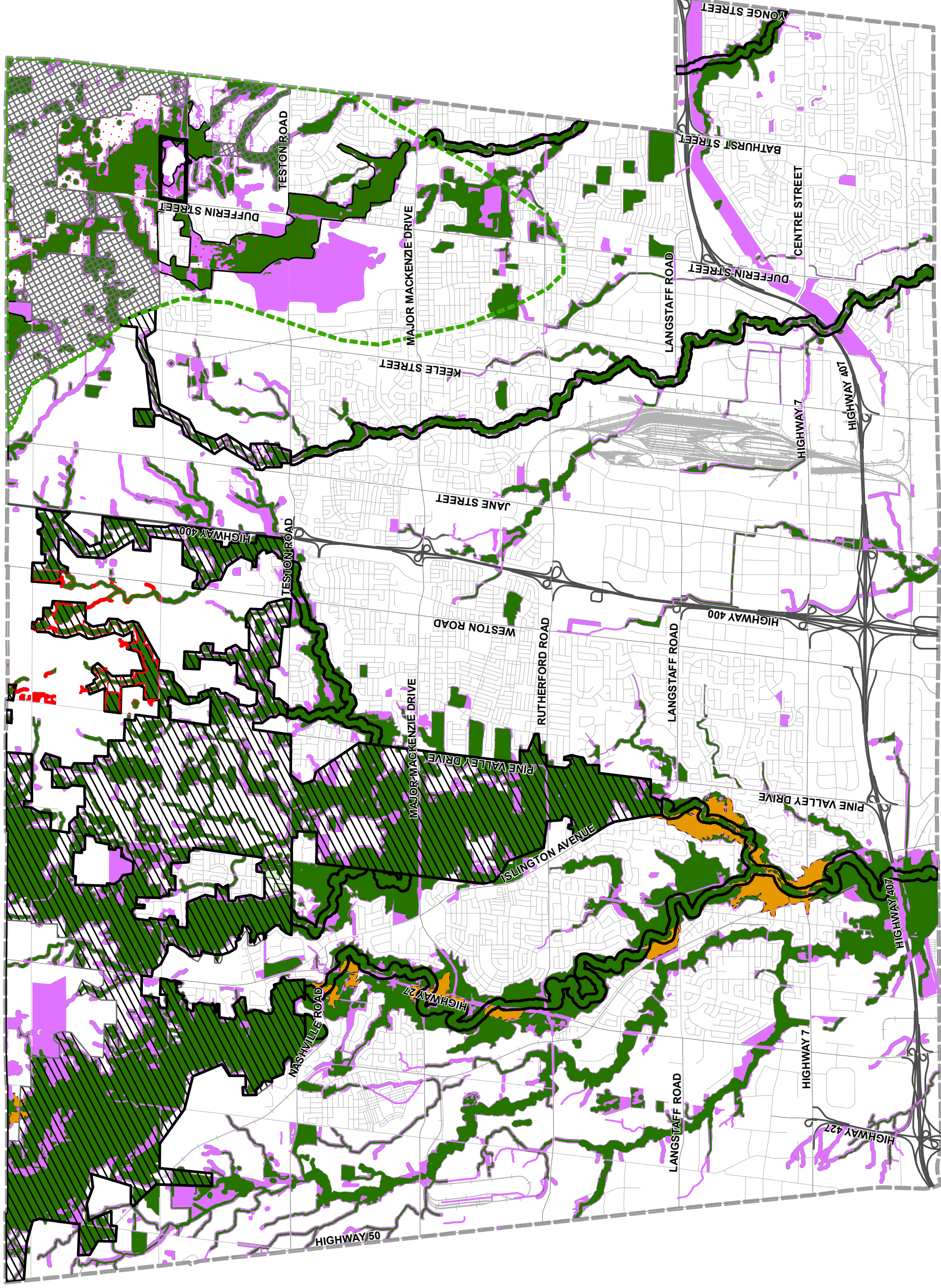
For watercourses and waterbodies outside of well-defined valleys, the vegetation protection zone is to be established according to the policies in Chapter 3.

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



# SCHEDULE 14C

## Areas Subject to Site Specific Plans, Map 1/2

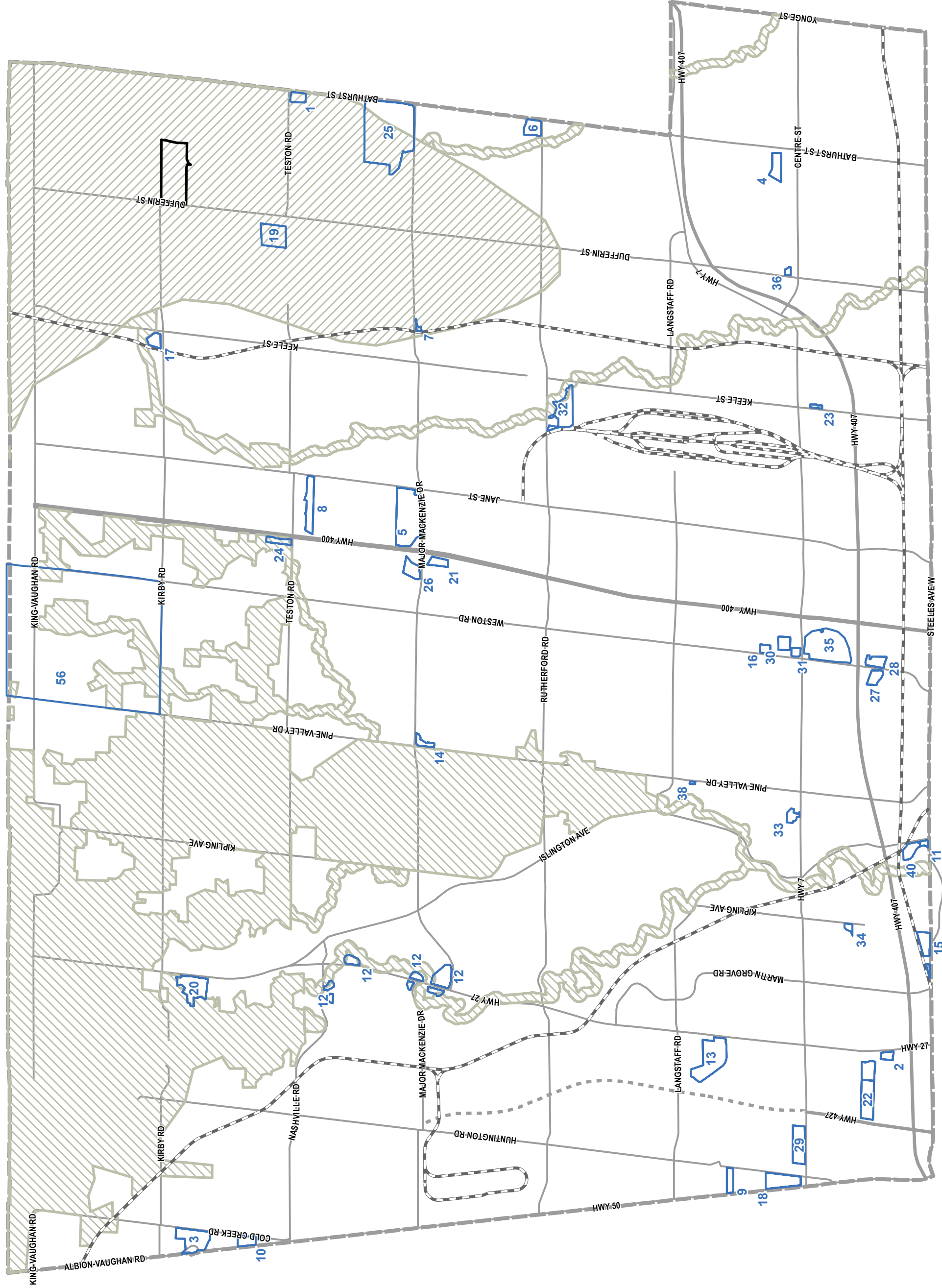
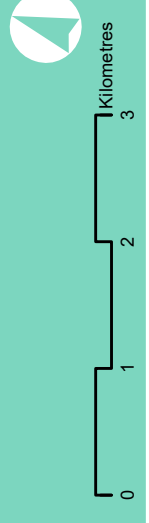
### Site #, Name, Chapter

- 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



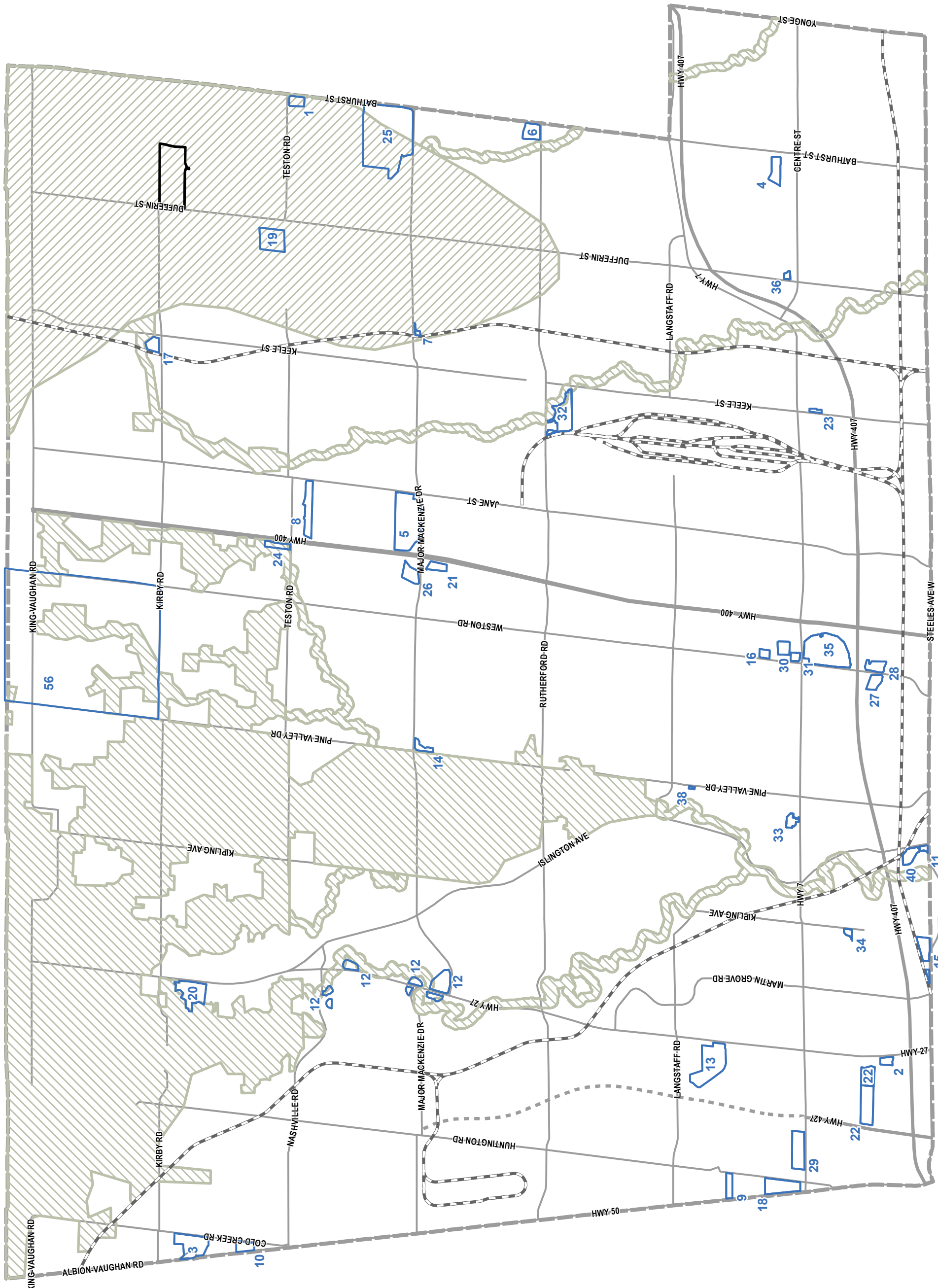
**Areas Subject to Site Specific Plans, Map 2/2**

**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

Municipal Boundary

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



**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](mailto:nzuccaro@emcgroup.ca)>

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

**To:** [Clerks@vaughan.ca](mailto: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](mailto: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

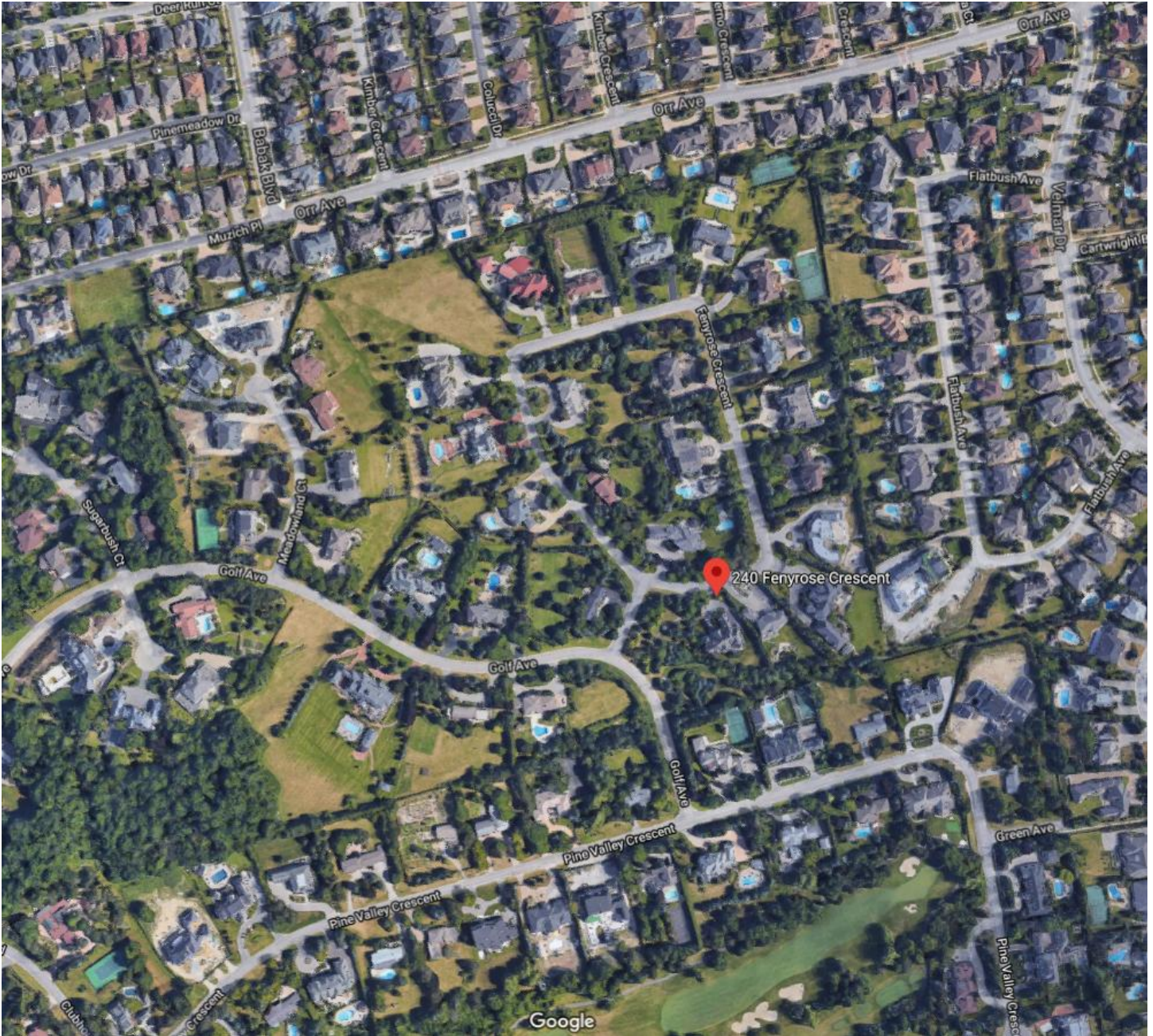
Att.

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



## Attachment 1

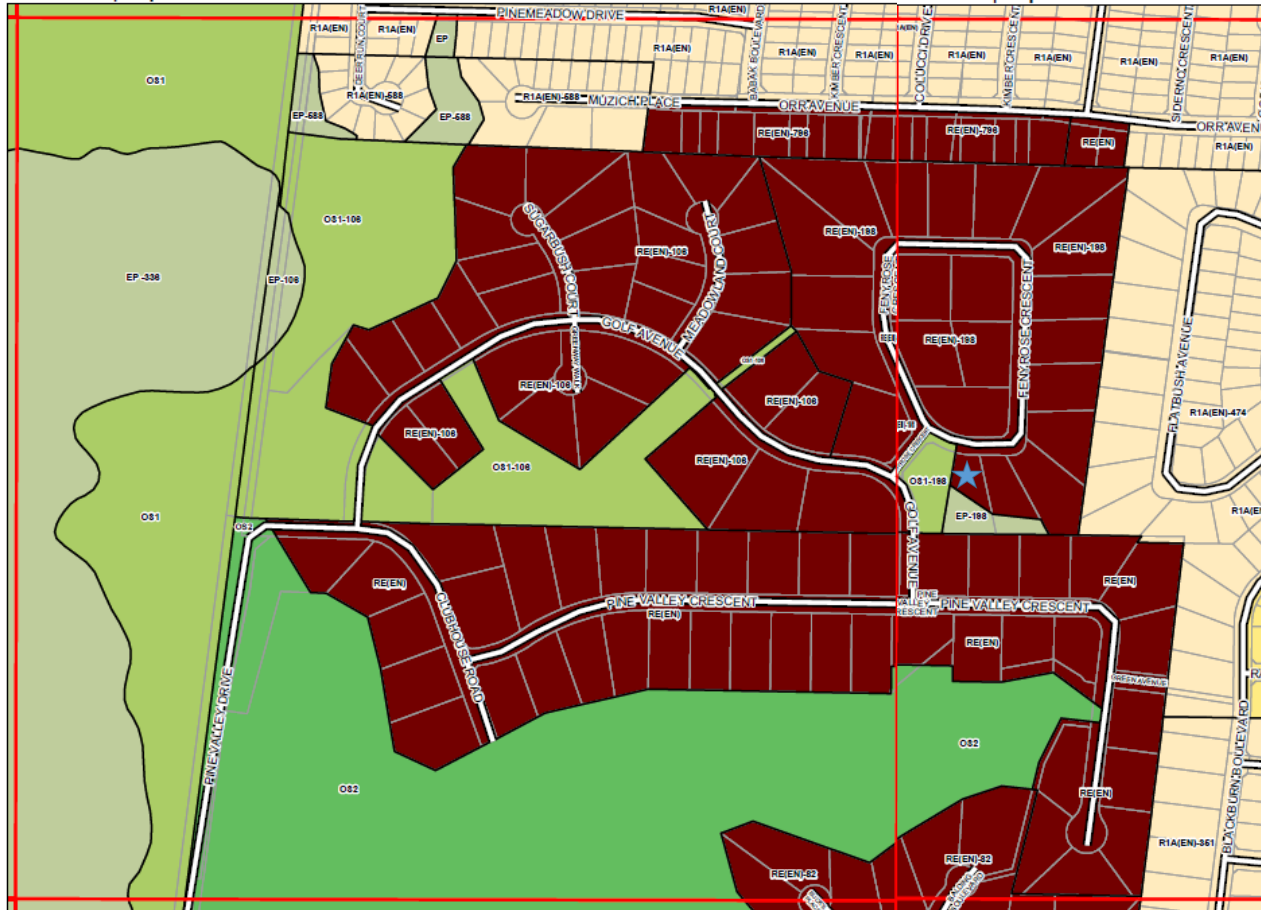
### Aerial Photo of 240 Fenyrose Crescent and the Surrounding Residential Area




**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**

-  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)
- 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)

- Employment Zones**
-  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)



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.

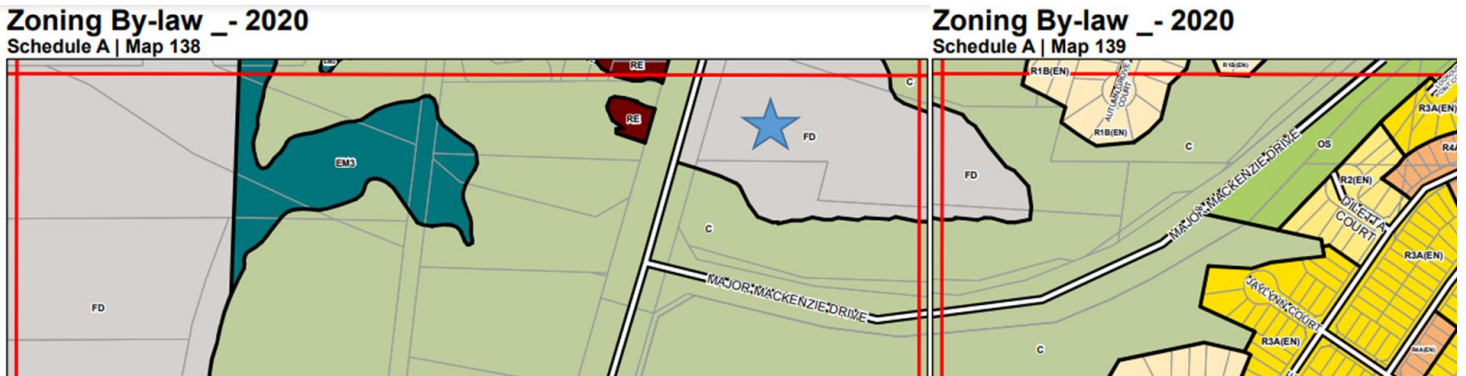
Our comments with respect to the City-Wide Comprehensive Zoning By-Law are in regards to the rezoning of the Subject Lands from Agricultural Zone (A) to Environmental Protection (EP). In reference to the Comprehensive Zoning By-law Schedule A- Maps 138 and 139 (September 2020) the By-law illustrates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

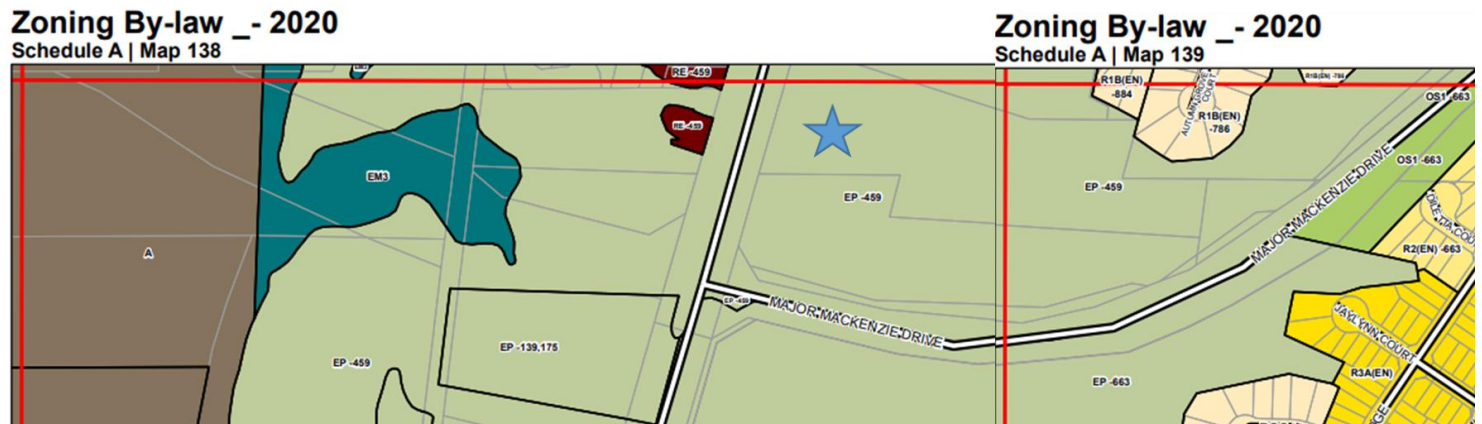
Map images from the Second Draft City Wide Comprehensive By-law (Jan 2020) and the third draft (Sept. 2020) are appended below for ease of reference.

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:

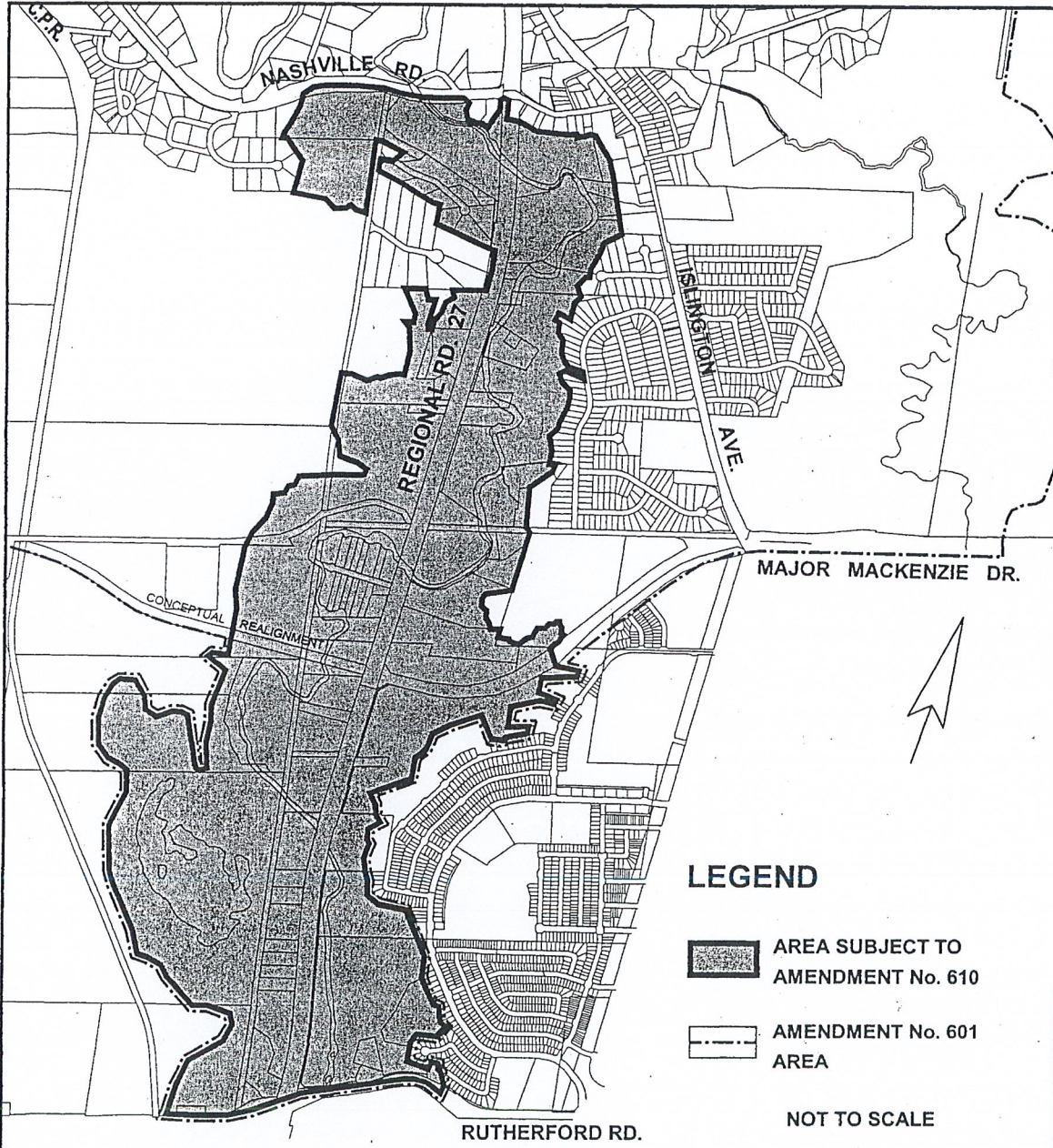
1. Residential enclave development is permitted which low in scale and ground-related, and is buffered and screened from the arterial roads to maintain the sense of a natural valley; development is in a clustered format to maximize naturalized open space opportunities, at an overall density of 5.0 to 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.



**LEGEND**

 AREA SUBJECT TO AMENDMENT No. 610

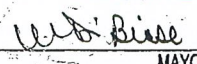
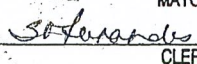
 AMENDMENT No. 601 AREA

NOT TO SCALE

**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  
  
 MAYOR  
  
 CLERK

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

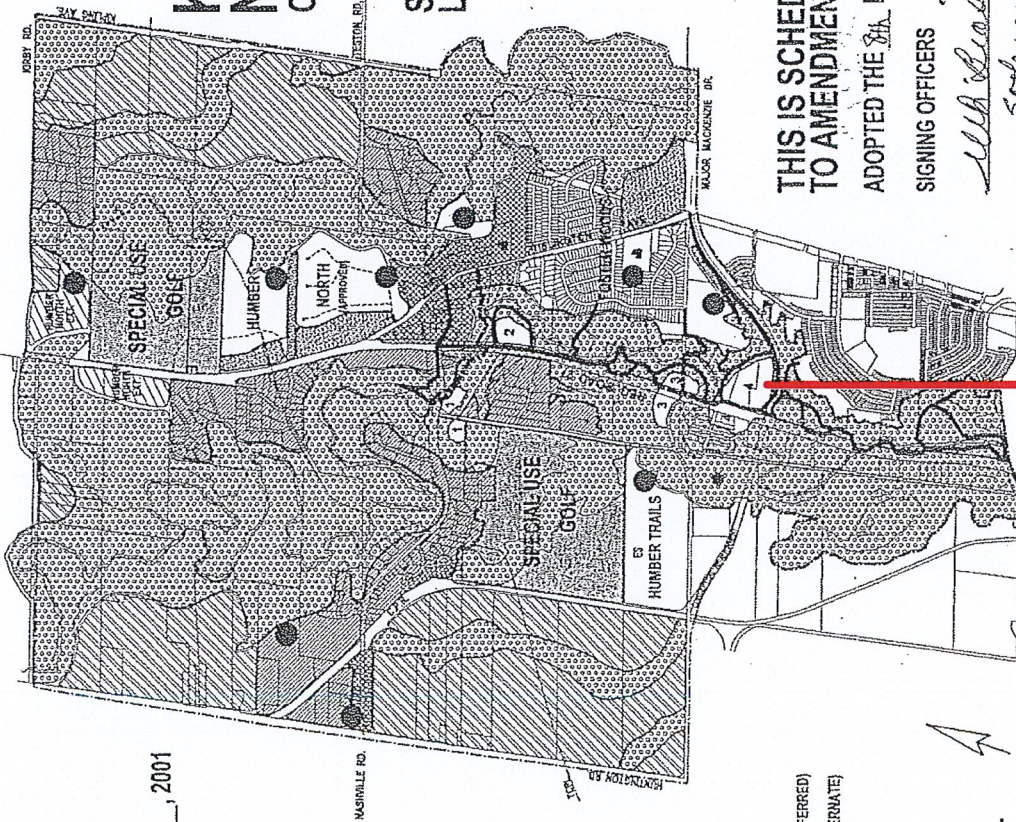
SCALE



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 31<sup>st</sup> 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

<b>Name</b> Nadia Zuccaro (EMC Group Ltd.)	<b>E-mail</b> nzuccaro@emcgroup.ca	<b>Telephone</b> 905-738-3939 ext 229
---	---------------------------------------	--

### 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...

<b>Brandon Correia, Project Manager</b> Telephone: 905-832-8510 ext. 8227 Email: <a href="mailto:brandon.correia@vaughan.ca">brandon.correia@vaughan.ca</a>	<b>City of Vaughan, Building Standards Department</b> 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1
---	--

*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](mailto:nzuccaro@emcgroup.ca)

[www.emcgroup.ca](http://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.

#### CONDITIONS OF RECEIPT OF DIGITAL DATA

In the event of a dispute over inconsistencies between documents contained in the attached storage media and the original documents retained by EMC Group Limited, those retained by EMC Group Limited shall constitute the original document for record keeping purposes. Unauthorized alteration, copying or use of this digital data shall be deemed an infringement of the Canadian Copyright Act.

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.

Electronic copies of engineering plans prepared by EMC Group Limited are NOT to be used for construction layout purposes. The receiver of such electronic files is to refer to legal plans prepared by the surveyor as well as standard detail drawings and specifications prepared by the municipality for layout purposes. For site plans, the receiver is to refer to the architect's site plan for building and site layout details



## 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*  
7577 Keele Street, Suite 200  
Vaughan, Ontario, L4K 4X3  
t. 905.738.3939 x 225  
w. [www.emcgroup.ca](http://www.emcgroup.ca)  
e. [kayaladiaz@emcgroup.ca](mailto:kayaladiaz@emcgroup.ca)

CONDITIONS OF RECEIPT OF DIGITAL DATA  
In the event of a dispute over inconsistencies between documents contained in the attachment and the original documents retained by EMC Group Limited, those retained by EMC Group Limited shall constitute the original document for record keeping purposes. Unauthorized alteration, copying or use of this digital data shall be deemed an infringement of the Canadian Copyright Act.

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:** 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](http://www.emcgroup.ca)  
e. [kayaladiaz@emcgroup.ca](mailto:kayaladiaz@emcgroup.ca)

CONDITIONS OF RECEIPT OF DIGITAL DATA  
In the event of a dispute over inconsistencies between documents contained in the attachment and the original documents retained by EMC Group Limited, those retained by EMC Group Limited shall constitute the original document for record keeping purposes. Unauthorized alteration, copying or use of this digital data shall be deemed an infringement of the Canadian Copyright Act.

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](mailto:nzuccaro@emcgroup.ca)

[www.emcgroup.ca](http://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](mailto:brandon.correia@vaughan.ca)

**City of Vaughan | Planning & Growth Management Portfolio**  
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1  
[vaughan.ca](http://vaughan.ca)

---

**From:** Nadia Zuccaro <[nzuccaro@emcgroup.ca](mailto:nzuccaro@emcgroup.ca)>  
**Sent:** Thursday, October 08, 2020 1:02 PM  
**To:** Correia, Brandon <[Brandon.Correia@vaughan.ca](mailto:Brandon.Correia@vaughan.ca)>  
**Cc:** 'Mario Zuccaro' <[mzuccaro@emcgroup.ca](mailto: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](mailto:nzuccaro@emcgroup.ca)

[www.emcgroup.ca](http://www.emcgroup.ca)

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.

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

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

---

Good evening,

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

Thank you,  
Natalie Ast

**Overland LLP**

Natalie Ast  
[nast@overlandllp.ca](mailto:nast@overlandllp.ca)  
Direct: (416) 730-0387  
Fax: (416) 730-9097  
Cell: (416) 831-9295

[www.overlandllp.ca](http://www.overlandllp.ca)

Natalie Ast  
Associate  
Direct 416-730-0387  
Cell 416-831-9295  
nast@overlandllp.ca

Overland LLP  
5255 Yonge St, Suite 1101  
Toronto, ON M2N 6P4  
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](mailto:brandon.correia@vaughan.ca); [Clerks@vaughan.ca](mailto:Clerks@vaughan.ca)  
**Cc:** Nicole Cimadamore <[nicole.cimadamore@dpml.ca](mailto: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](mailto:armando@dpml.ca) | 175 Sun Pac Boulevard,  
Unit 1A | Brampton | ON | L6S 5Z6

**C29**  
**COMMUNICATION**  
**COUNCIL – June 22, 2021**  
**CW - Report No. 32, Item 8**

**From:** [Andrew Palumbo](#)  
**To:** [Clerks@vaughan.ca](mailto: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](mailto:apalumbo@mhbcplan.com) or (416) 873-1544.

**ANDREW PALUMBO**, HBA, MCIP, RPP | Associate

**MHBC** Planning, Urban Design & Landscape Architecture

7050 Weston Road, Suite 230 | Woodbridge | ON | L4L 8G7 | T 905 761 5588 x 249 | F 905 761 5589 | [apalumbo@mhbcplan.com](mailto:apalumbo@mhbcplan.com)

Follow us: [Webpage](#) | [Linkedin](#) | [Facebook](#) | [Twitter](#) | [Vimeo](#)



This communication is intended solely for the named addressee(s) and may contain information that is privileged, confidential, protected or otherwise exempt from disclosure. No waiver of confidence, privilege, protection or otherwise is made. If you are not the intended recipient of this communication, please advise us immediately and delete this email without reading, copying or forwarding it to anyone.

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/100m<sup>2</sup> 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 m<sup>2</sup>) 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 'D. 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](mailto: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

This message may contain confidential or privileged information. No rights to privilege have been waived. Any use or reproduction of the information in this communication by persons other than those to whom it was supposed to be sent is prohibited. If you received this message in error, please reply to the sender by e-mail and destroy all copies of this message.

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**

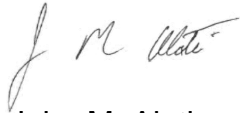
As a result, we request that the this letter and its enclosures (the Letters) be brought to the immediate attention of the Mayor and all members of Council and we respectfully request that Council defer the approval of the final draft ZBL in order to allow staff additional time to consult with the Owner 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.

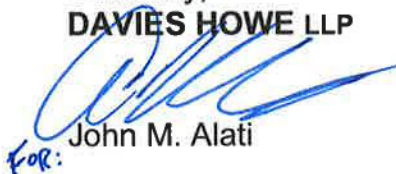
## Conclusion

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.

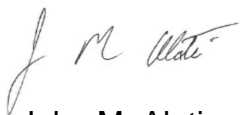
## **Conclusion**

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



**C32**  
**COMMUNICATION**  
**COUNCIL – June 22, 2021**  
**CW - Report No. 32, Item 8**

**From:** [Tarah Coutts](#)  
**To:** [Clerks@vaughan.ca](mailto: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](mailto:tcoutts@airdberlis.com)

**Aird & Berlis LLP** | Lawyers  
Brookfield Place, 181 Bay Street, Suite 1800  
Toronto, Canada M5J 2T9 | [airdberlis.com](http://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](mailto: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](mailto:stomasella@airdberlis.com).

Yours truly,

AIRD & BERLIS LLP

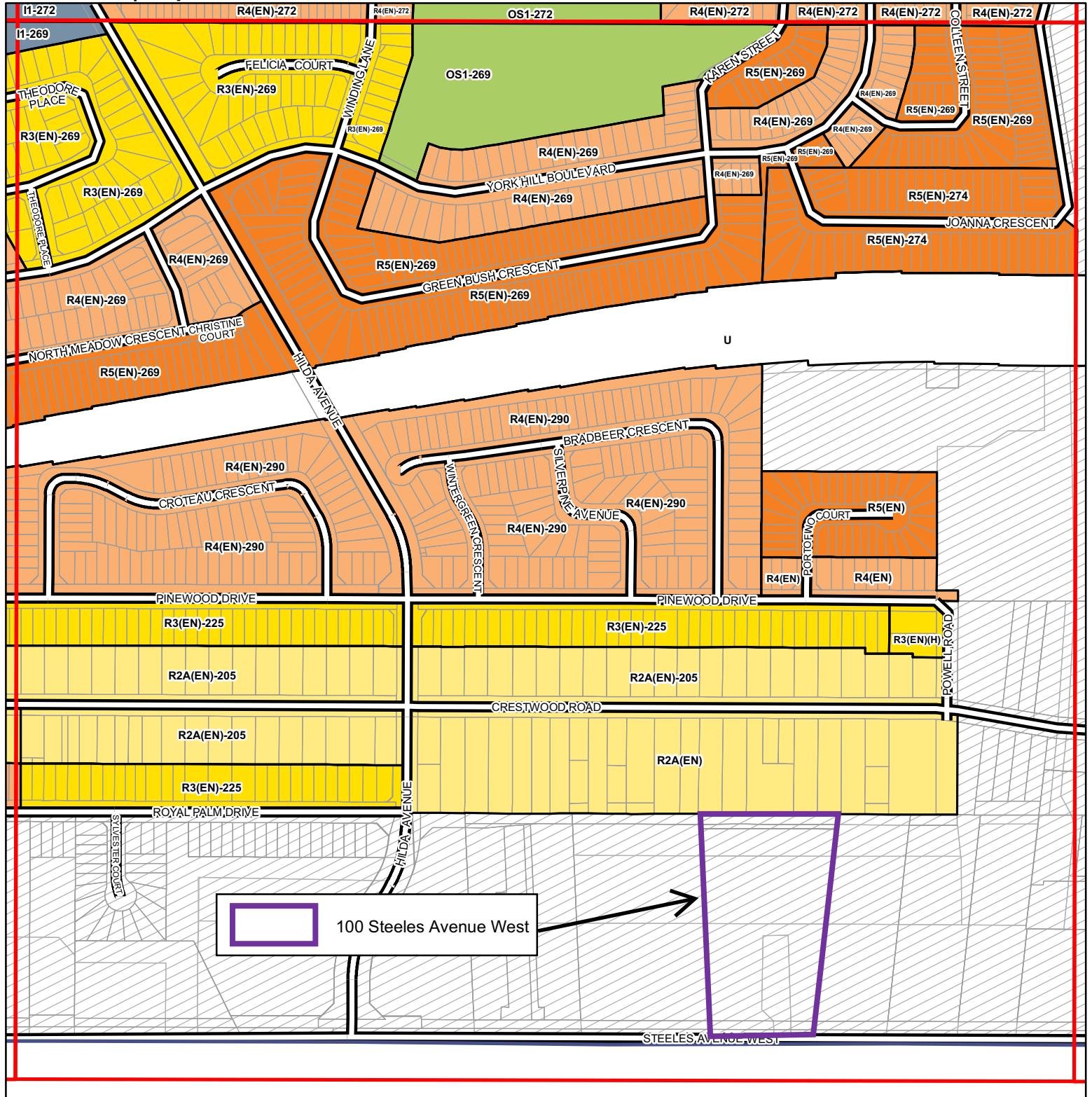


Tom Halinski

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)

- 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)

### Mixed-Use Zones

These lands shall not be subject to Zoning By-law 2021-01

### 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)

57	58	59	60
37	38	39	40
17	18	19	20

1:5,000 Final: May, 2021

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.

**C36**  
**COMMUNICATION**  
**COUNCIL – June 22, 2021**  
**CW - Report No. 32, Item 8**

**From:** [Clerks@vaughan.ca](mailto: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 8<sup>th</sup>, 2021 (Agenda Item 6.8). Can you please confirm receipt and if this communication will be placed on the Council Agenda on June 22<sup>nd</sup>.

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](mailto:chalis@klmplanning.com)

 Please consider the environment before printing this email



64 Jardin Drive, Unit 1B  
Concord, Ontario  
L4K 3P3  
T. 905.669.4055  
F. 905.669.0097  
[klmplanning.com](http://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



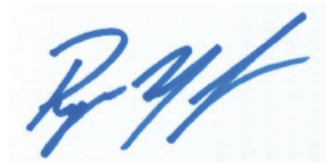
limited to health and fitness centres and supermarkets, permitting them only as part of a mixed use development and limiting their gross floor area to 30% of the entire gross floor area across the site. A health and fitness centre currently exists on the site, and a if a future expansion was planned, 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

**C43**  
**COMMUNICATION**  
**COUNCIL – June 22, 2021**  
**CW - Report No. 32, Item 8**

**From:** [Clerks@vaughan.ca](mailto: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@KLMPPlanning.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](mailto:msmith@klmplanning.com) W [www.klmpartners.com](http://www.klmpartners.com)

 Please consider the environment before printing this email



64 Jardin Drive, Unit 1B  
Concord, Ontario  
L4K 3P3  
T. 905.669.4055  
F. 905.669.0097  
[klmplanning.com](http://klmplanning.com)

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](mailto:RMino@KLMPPlanning.com)

905-669-4055 x 224



Marshall Smith, BES, PMP, MCIP, RPP  
Senior Planner

[MSmith@KLMPPlanning.com](mailto: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](http://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](mailto:RMino@KLMPPlanning.com)  
905-669-4055 x 224

Marshall Smith, BES, PMP, MCIP, RPP  
Senior Planner  
[MSmith@KLMPPlanning.com](mailto: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

**C55**  
**COMMUNICATION**  
**COUNCIL – June 22, 2021**  
**CW - Report No. 32, Item 8**

**From:** [Clerks@vaughan.ca](mailto: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.

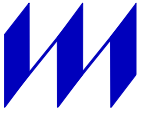
Regards,

**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](mailto:joed@greenpark.com)>  
**Date:** June 10, 2021 at 1:34:23 PM EDT  
**To:** Sandra Patano <[spatano@westonconsulting.com](mailto:spatano@westonconsulting.com)>  
**Subject:** FW: Draft Comprehensive Zoning Bylaw - City of Vaughan

---

**From:** Magnifico, Rose <[Rose.Magnifico@vaughan.ca](mailto:Rose.Magnifico@vaughan.ca)>  
**Sent:** Thursday, October 29, 2020 4:32 PM  
**To:** Joe Di Giuseppe <[joed@greenpark.com](mailto:joed@greenpark.com)>  
**Cc:** [Clerks@vaughan.ca](mailto: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](mailto:rose.magnifico@vaughan.ca)  
**City of Vaughan | City Clerk's Office**  
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1  
[vaughan.ca](http://vaughan.ca)



---

**From:** [Clerks@vaughan.ca](mailto:Clerks@vaughan.ca) <[Clerks@vaughan.ca](mailto:Clerks@vaughan.ca)>  
**Sent:** Thursday, October 29, 2020 4:05 PM  
**To:** Magnifico, Rose <[Rose.Magnifico@vaughan.ca](mailto:Rose.Magnifico@vaughan.ca)>  
**Subject:** FW: Draft Comprehensive Zoning Bylaw - City of Vaughan

---

**From:** Joe Di Giuseppe <[joed@greenpark.com](mailto:joed@greenpark.com)>  
**Sent:** Thursday, October 29, 2020 3:55 PM  
**To:** [Clerks@vaughan.ca](mailto:Clerks@vaughan.ca); Correia, Brandon <[Brandon.Correia@vaughan.ca](mailto: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 19<sup>th</sup> 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 m<sup>2</sup> 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 m<sup>2</sup> 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 m<sup>2</sup> 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 m<sup>2</sup>, consisting of 128,962 m<sup>2</sup> of residential GFA and 2,740 m<sup>2</sup> of non-residential GFA;
- hxii) A maximum Gross Floor Area of 2,740 m<sup>2</sup> 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

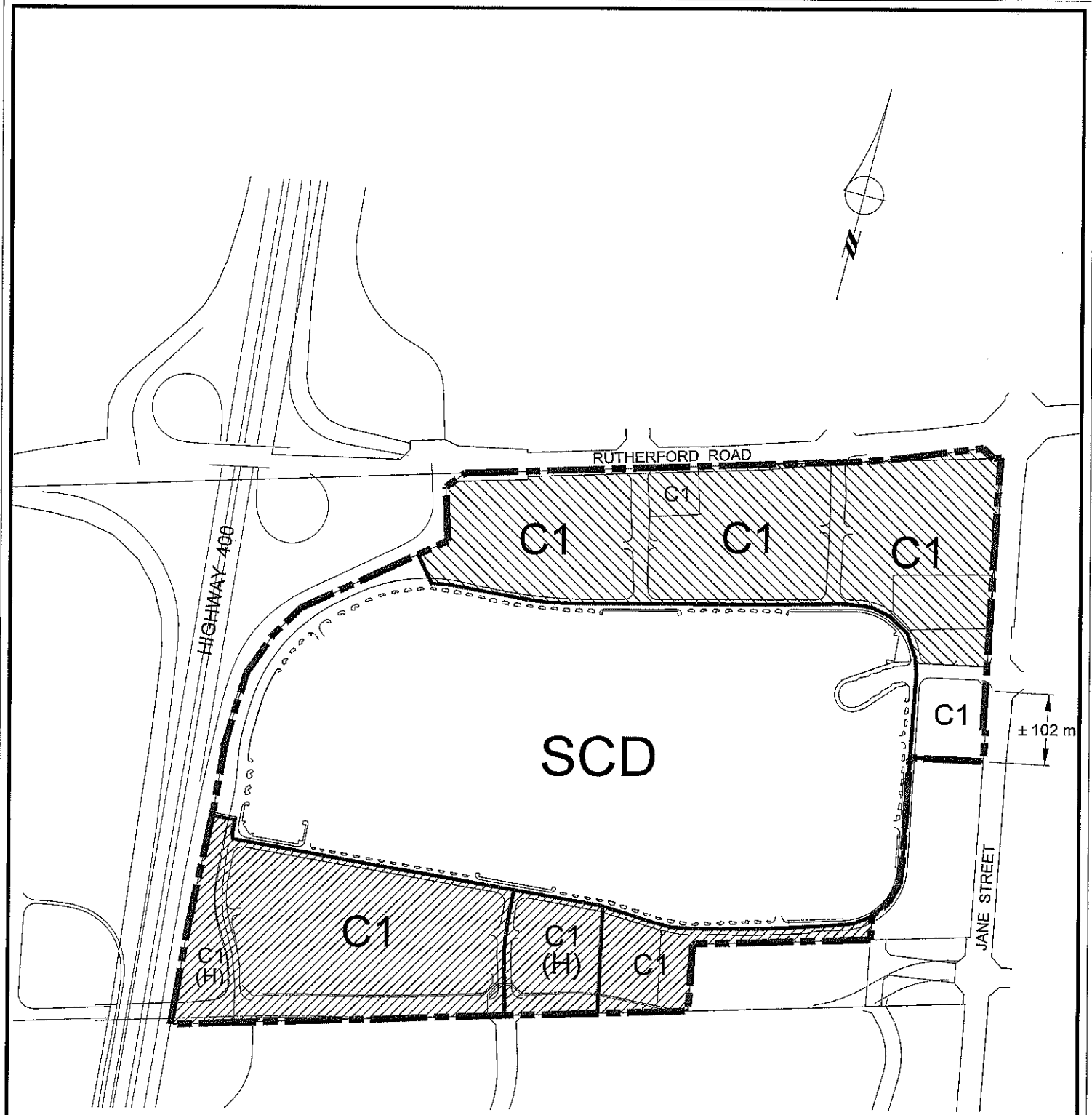
the exception of at least one (1) exit to be used only in the case of emergency and which is not from the interior of the main building;

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)

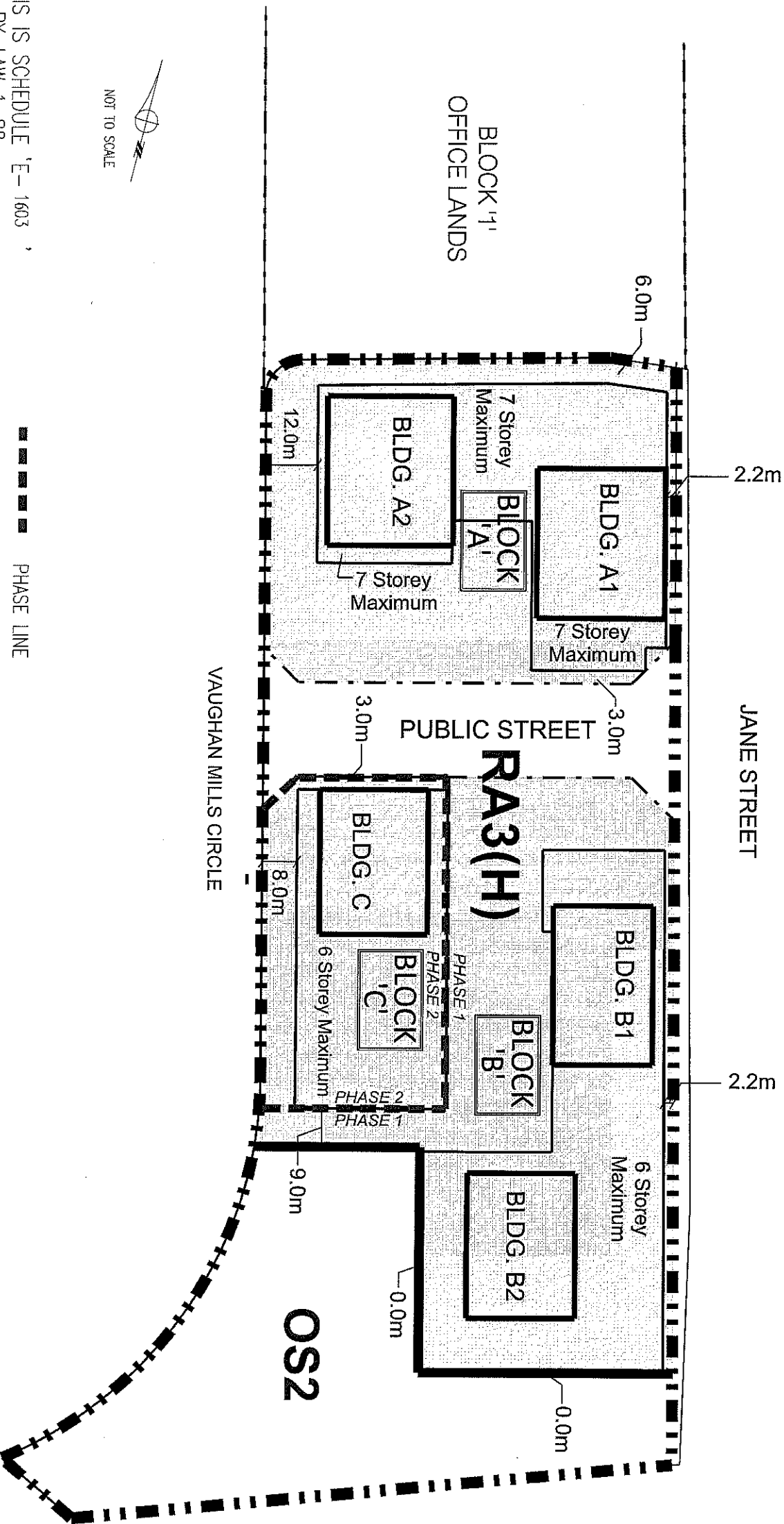
NOT TO SCALE

**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

SIGNING OFFICERS

<b>BOARD ORDER #110420</b> <b>SEPTEMBER 17, 2018</b>	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.  
 CITY OF VAUGHAN

THIS IS SCHEDULE '2'  
 TO BY-LAW 033 - 2019  
 PASSED THE 19TH DAY OF MARCH, 2019

SIGNING OFFICERS

BOARD ORDER# 110420  
 SEPTEMBER 17, 2018

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-1603A ' TO BY-LAW 1-88, SECTION 9( 1472 )

**THIS IS SCHEDULE '3'  
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

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

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



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

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

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

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

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

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

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-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

- 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.

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. 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- 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

5.2.9 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- 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

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- 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



- 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**

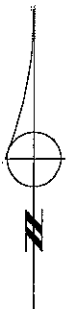
FILE No.: Z.09.038  
RELATED FILES: DA.11.072, DA.12.110, Z.11.024, & Z.12.044  
LOCATION: PART LOTS 14 & 15, CONCESSION 5  
APPLICANT: DULCINA INVESTMENTS INC.  
CITY OF VAUGHAN

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

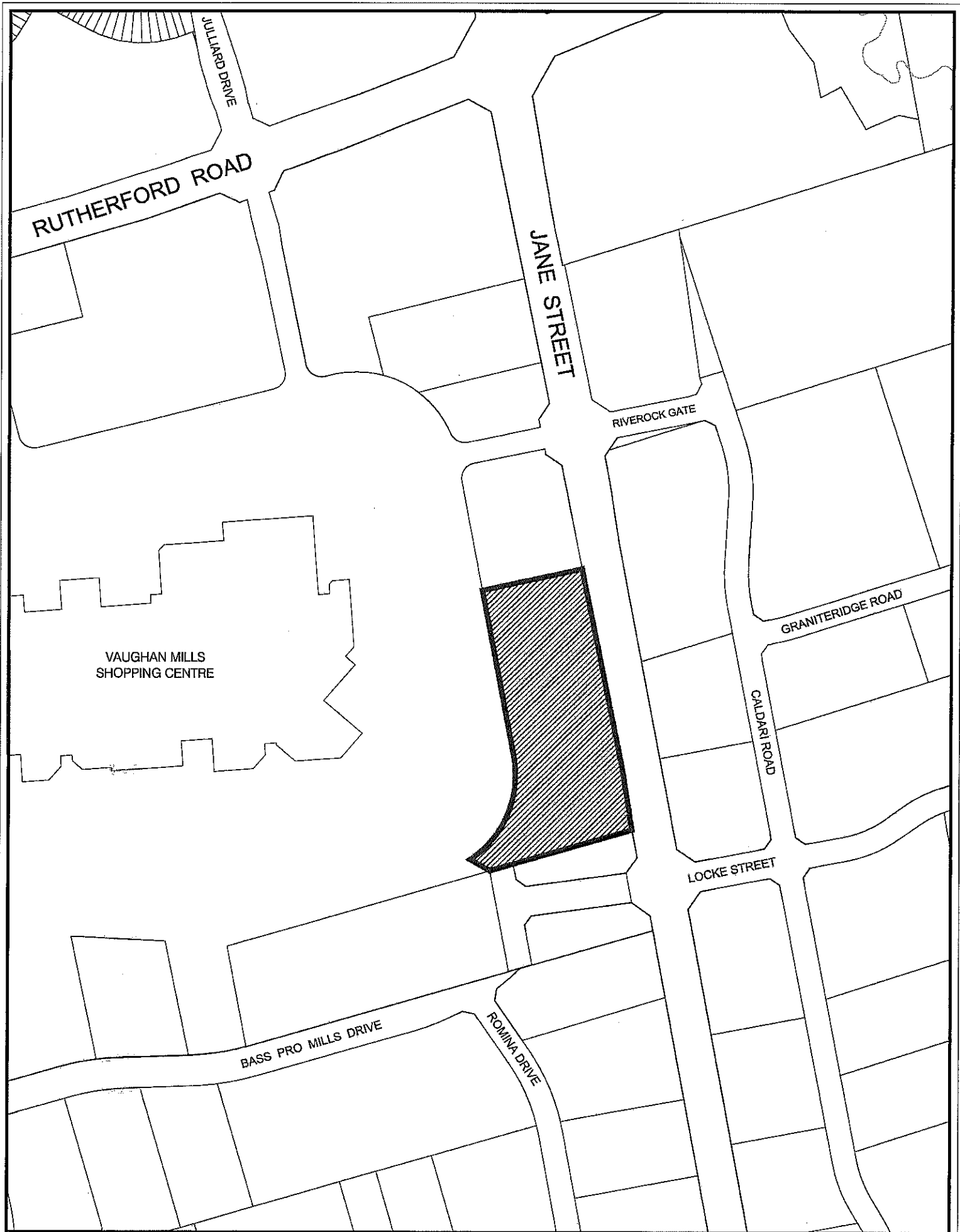
N:\GIS\_Archive\ByLaws\Z\z.09.038.dwg

### 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



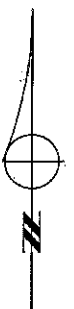
NOT TO SCALE

## 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](http://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](http://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.