



KLM File: P-2813

COMMUNICATION C27
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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October 12, 2021

c/o Todd Coles, City Clerk
City of Vaughan
City Clerk's Department
Vaughan City Hall
2141 Major Mackenzie Dr W
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Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Betovan Construction Limited
City File No's. DA.19.052 & Z.19.009
Municipal Address: 520 Worth Boulevard, City of Vaughan,
Legal Description: Block 114 Plan 65M-2884, City of Vaughan, Regional Municipality of York

Dear City Clerk and Honourable Mayor & Members of Vaughan Council,

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

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

We submitted our concerns in our letter to Committee of the Whole dated June 7, 2021 and at its meeting on June 8, 2021, Committee provided direction to staff to address all site specific concerns raised. Despite this and City staff's comment response matrix indicating the issues raised have been resolved, we have had no communication with staff in this regard.

With respect to the Exception Zones section of the CZBL, we do not feel it is appropriate that the exceptions that were originally intended to amend the provisions of By-law 1-88, be applied to the new

zone requirements of the CZBL which has different Zones, General Provisions, Zone requirements and Definitions than By-law 1-88.

Further, with respect to the transition clauses of the CZBL, it is not clear that the provisions will ensure that building permits can be issued to implement the submitted Site Plan under the provisions of By-law 1-88, as intended by the Council approved site specific zoning by-law amendment.

In light of the above, we continue to request that the Subject Lands be left out of the new CBZL so that the zoning permissions approved for the Subject Lands and intended to implement the proposed development, are not impacted. Alternatively, we would request clear site specific exceptions that would state "The CZBL shall not apply and By-law 1-88, as amended, shall continue to apply for purposes of issuing building permits where prior to the adoption of the CZBL a notice of approval has been issued by the City or decision or order has been issued by the OMB or Tribunal for a zoning by-law amendment, draft plan of subdivision and/or Site Plan Approval."

Based on the foregoing, we would respectfully request that prior to adoption of the CZBL that the matter be deferred so that we may resolve our concerns with staff. In addition, we request further notice of future Committee or Council meetings and future notice of adoption of the CZBL.

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

Yours truly,

KLM PLANNING PARTNERS INC.



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

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