



COMMUNICATION C32
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
Vaughan, ON
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Attention: Todd Coles, City Clerk and Honourable Mayor & Members of Vaughan Council

Re: Committee of the Whole (2) – October 13, 2021
Agenda Item # 9 – City-wide Comprehensive Zoning By-law
The Corporation of the City of Vaughan
Lindvest Properties (Pine Valley) Limited, Lindvest Properties (Pine Valley RB) Limited,
1387700 Ontario Limited, and Roybridge Holdings Limited
City Files: 19T-03V25 & Z.03.107
Legal Description: Part of Lots 24 and 25, Concession 6, City of Vaughan, Regional
Municipality of York

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

KLM Planning Partners submits the following on behalf of our client, Lindvest Properties (Pine Valley) Limited, Lindvest Properties (Pine Valley RB) Limited, 1387700 Ontario Limited, and Roybridge Holdings Limited c/o Zzen Group with respect to the above noted lands (the "**Subject Lands**"). We have reviewed the Committee of the Whole Report and recommendation with respect to the above noted agenda item and are concerned that the proposed City-wide Comprehensive Zoning By-law (the "**CZBL**") does not address the concerns that we have consistently raised on behalf of our client.

Our concerns were originally provided to staff in a letter dated August 14, 2019, an email dated October 22, 2020 and in a subsequent meeting on February 8, 2021. We further submitted these concerns in our letter to Council dated June 7, 2021, followed by a deputation to Committee of the Whole at its meeting on June 8, 2021. Subsequent to the Council direction to address all site specific concerns raised, we then had a further meeting with staff on August 11, 2021 where we were encouraged that our concerns would be addressed, subject to further internal discussion. We were therefore disappointed to then be provided with a staff response on October 5, 2021 and the staff report a day later for the October 13, 2021 Committee of the Whole that indicated our issues have been resolved when from our perspective they have not been addressed.

The concerns we have expressed are driven by our client's position of having an approved implementing zoning by-law amendment and approved draft plan of subdivision which is not registered in its entirety and where all building permits have not been obtained. Our client has relied on By-law 1-88, as amended in designing, marketing and the sale of dwellings. The zoning by-law amendment application for the

Subject Lands which amends the provisions of By-law 1-88, conforms to the Vaughan Official Plan 2010, represent good planning and was approved by LPAT. We are not satisfied that the new provisions will allow the registration and issuance of building permits for these lots as permitted by By-law 1-88, as amended.

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.

With respect to the transition clauses of the CZBL, we do not believe the provisions will ensure draft approved plans of subdivision that have not been registered, in part or in whole, and where all building permits have not been obtained will be exempt, allowing the existing approved implementing zoning by-laws to govern. Therefore, our fundamental concern is that we fail to see how the transition provisions of Section 1.6 will ensure building permits for the Subject Lands will be processed under By-law 1-88 as the approved instruments originally intended.

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.

Our client reserves their right to appeal the zoning by-law should the City-Wide Comprehensive Zoning By-law proceed to be enacted in its current state.

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

Yours truly,
KLM PLANNING PARTNERS INC.



Mark Yarranton, BES, MCIP, RPP
PRESIDENT

Cc: Haiqing Xu, Deputy City Manager, Planning & Growth Management
Brandon Correia, City of Vaughan
Sam Speranza, Zzen Group
Joseph Sgro, Zzen Group