



COMMUNICATION C39
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

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File: P-2199

October 12, 2021

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
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Attention: Hon. Mayor Bevilacqua and Members of Council

Re: Comments on City-Wide Comprehensive Zoning By-law (Final Draft)
Committee of the Whole Meeting - Wednesday October 13, 2021
Agenda Item 9
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. ("YSLOG"), 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 letters dated December 4, 2020 and June 18, 2021, copies of which are 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"), which recommended 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 remained with the CZBL, Vaughan Committee of the Whole recommended a deferral of the final consideration of the CZBL to the Committee of the Whole meeting on October 13, 2021. After having an opportunity to review the staff report, the public input response matrix, and the draft Zoning By-law and Mapping included as attachments to the report that will be considered at the October 13, 2021 Committee of the Whole meeting, it appears the concerns outlined in our previous submitted letters have not been resolved.

Staff continue to recommend 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 applied to the YSCSP and recommended at the June 8, 2021 Committee of the Whole meeting that the CZBL should not apply to those lands until the Secondary Plan appeal is resolved. There was no discussion between City staff and the YSLOG to explain the rationale for this change, and despite our identification of the issue in our June 18, 2021 letter to Council staff still have not responded on the matter notwithstanding that the status “resolved” has been applied to the item in the public comments response matrix attached to the October 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.

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.



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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 JUNE 18, 2021



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File: P-2199

June 18, 2021

City of Vaughan
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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.



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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 2 - LETTER OF DECEMBER 4, 2021



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December 4, 2020

City of Vaughan
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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.



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