

October 12, 2021

By E-Mail Only to clerks@vaughan.ca

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

Attention: Mr. Todd Coles, City Clerk

Members of the Committee of the Whole:

**Re: Committee of the Whole Meeting – October 13, 2021 – Item 6.9
City-Wide Comprehensive Zoning By-law Review
Tesmar Holdings Inc.
9075 and 9085 Jane Street, City of Vaughan**

We are counsel to Tesmar Holdings Inc. (“**Tesmar**”), the owner and developer of the lands municipally known as 9075 and 9085 Jane Street (the “**Subject Lands**”).

Our client and its land use planning consultants have reviewed the Final Draft of the proposed Comprehensive Zoning By-law (the “**Proposed By-law**”) and have significant concerns with the zoning proposed therein for the Subject Lands.

The current zoning for the Subject Lands was established through site-specific Zoning By-law 157-2018 (the “**ZBA**”). The ZBA was approved by Order of the former Local Planning Appeal Tribunal dated August 27, 2018. The ZBA amended City Zoning By-law 1-88 to rezone the lands from “C7 Service Commercial Zone” subject to Exception 9(1032) to “RA3 Residential Apartment Zone” subject to a Holding provision and Exception 9(1467). The Holding symbol was removed from the zoning for the Subject Lands through By-law 176-2018 enacted September 27, 2018.

The first two phases of development, consisting of two residential towers, have now been constructed on the Subject Lands and partially occupied and the Plans of Condominium were approved with conditions on July 12, 2021. Tesmar has commenced the planning process for the third and final phase of development and will be submitting applications for Official Plan Amendment and Zoning By-law Amendment (the “**Applications**”) imminently.

**COMMUNICATION C41
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021**

The Proposed By-law proposes to zone the Subject Lands “Service Commercial Zone SC-701”, which appears to reflect their former zoning and is clearly inconsistent with the zoning which was approved through the ZBA and has now been implemented on the Subject Lands for the first two phases.

We trust that this error is simply an oversight and request that the zoning for the Subject Lands be corrected to reflect the ZBA. Given the imminent Applications for the third and final phase, Tesmar is further requesting that the Proposed By-law reflect the proposed development relating to land use, height and density.

Our client and its land use planning consultants would be pleased to meet with City Planning Staff to discuss appropriate zoning for the Subject Lands in the Proposed By-law.

Please ensure that we are notified of any future meetings of Council or its Committees and any decisions made by this Committee of the Whole or Council respecting this matter.

Yours truly,
DAVIES HOWE LLP



Meaghan McDermid

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copy: Client
Ryan Mino, KLM Planning Partners Inc.
Brandon Correia, Manager, Special Projects, City of Vaughan
Haiqing Xu, Deputy City Manager, City of Vaughan
Caterina Facciolo, Deputy City Solicitor, City of Vaughan