

COMMUNICATION C43
ITEM NO. 9
COMMITTEE OF THE WHOLE (2)
October 13, 2021

From: Michael LARKIN <mtl@larkinplus.com>

Sent: Tuesday, October 12, 2021 12:01 PM

To: Clerks@vaughan.ca

Cc: Brandon Correia <Brandon.Correia@vaughan.ca>; haiging.xi@vaughan.ca; Tom Barlow (tbarlow@fasken.com) <tbarlow@fasken.com>; cosimo CASALE <cosimo@cosmopolitan.ca>; Aaron M. GILLARD <amg@larkinplus.com>

Subject: [External] OBJECTION Vaughan Comprehensive Zoning Bylaw Update

Importance: High

Sensitivity: Confidential

Good morning,

We represent Arbor Memorial Services respecting matters pertaining to their GLENVIEW Memorial Gardens cemetery located on Highway 50 in Vaughan. Please find attached a letter of objection to the Vaughan Comprehensive Zoning Bylaw scheduled to be considered by Council at their meeting of October 13th, 2021 @ 1:00 pm. The letter from our Client's legal team is dated July 15th 2021. Please be advised that as our issues have not been resolved our Client maintains their formal objection to the Zoning Bylaw.

It is our understanding from Vaughan Staff that the matters of concern would be addressed before the Zoning Bylaw was to be brought back to Council. This clearly has not been done despite clear assurances to the contrary. In addition to our Client's letter of objection you can find the Final version of the following:


- ZBL Text (see section 11.2.1 Permitted uses for Employment Zones, which does not include Funeral Home / Services)
- Site Specific Exception 14.794 (it does not include Funeral Home / services as specific permitted use within EM-1; and it does not include the Exterior Site Yard Setback of 9.0m for the Cemetery OS2 Zone per ZBL 159-2020)
- VCZBL Schedule A Zoning Map 22 (it does not reflect the correct boundary between OS2 and EM-1 zones)
- Matrix communication (see page 14 re: Fasken Letter, and City response)

The concerns presented by LARKIN+, and FASKEN on behalf of AMI Glenview remain unresolved by the City Staff dealing with the Zoning review. We remain available to meet to discuss the matters raised in the attached letter and attachments.

Regards,
Michael

 **LARKIN+ LUPi**

 Michael T. **LARKIN** M.Pl., MCIP, RPP

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This message is intended only for the individual or entity to whom it is addressed and may contain information that is privileged and confidential. If you have received this message in error, please accept our apologies, notify us immediately by reply mail, and delete the message. THANK YOU!

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July 15, 2021

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VIA EMAIL

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
Office of the Deputy City Manager
Planning and Growth Portfolio
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

**Re: Glenview Memorial Gardens, 7541 Highway 50, Vaughan
City of Vaughan Comprehensive Zoning By-law Review**

We represent Arbor Memorial Inc., which is the owner of the above-mentioned cemetery property in the City of Vaughan.

Please accept this letter of objection to the City of Vaughan Comprehensive Draft Zoning By-law as it affect our client's property.

We have reviewed the City of Vaughan's Final Draft – Comprehensive Zoning By-law and note that concerns in regard to permissions in Exception 794 that regulate land uses on Glenview Memorial Gardens remain outstanding. Our client's consultants,

LARKIN+, our client's planners, have made several submissions on the three previous drafts of the City's new Comprehensive Zoning By-law dated 2019-08-14, 2020-04-27 and 2020-10-08 (as attached), attended several meetings with staff to review these concerns and made a delegation at the Public Hearing for the Third Draft on 2020-10-29.



Our concerns can be described briefly as follows:

1. A Funeral Establishment is not formally recognized as a permitted use in the Prestige Employment Zone (EM1) that applies to Glenview Memorial Gardens. Funeral Homes are identified as a permitted use within the EM1 Zone of the City of Vaughan ZBL I-88. If this general permission is not going to be carried forward into the new Comprehensive Zoning By-law, this use must be formally recognized in Exception 794 - Section 14.794.2 Permitted Uses.
2. Site Specific Bylaw 159-2020 to I-88 was passed in the fall of 2020 which recognizes a setback of 9 metres from the exterior lot line of the cemetery. The Final Draft of the Comprehensive Zoning By-law does not recognize this setback in Exception 794 – Section 14.794.2 Lot and Building Permissions.

Accordingly, please accept this letter as our formal objection to Section 14.794 of the new City of Vaughan Comprehensive Zoning By-law – Final Draft.

Please advise if anything further is required and in the event you wish to discuss.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



W. Thomas Barlow*

*Practising through a professional corporation

cc. Mr. Haiqing Xu, Deputy City Manager of Planning & Growth Management, City of Vaughan
cc. Office of the City Clerk
cc. Larkin+ Land Use Planners Inc.



**Committee of the Whole (2)
October 13, 2021**

RE: Communication C43

Item 9

**CITY-WIDE COMPREHENSIVE ZONING BY-LAW THE CORPORATION
OF THE CITY OF VAUGHAN (REFERRED)**

In addition to the preceding comments and letter, Communication C43 references and includes the following attachments, as distributed on October 1, 2021 in Communication C1 from the Deputy City Manager, Planning and Growth Management:

1. Comprehensive Zoning By-law (Final | 001-2021);
2. Zone Exception No. 794 (14.794);
3. Comprehensive Zoning Bylaw Schedule A, Map 22; and
12. Comment Response Matrix– Updated.

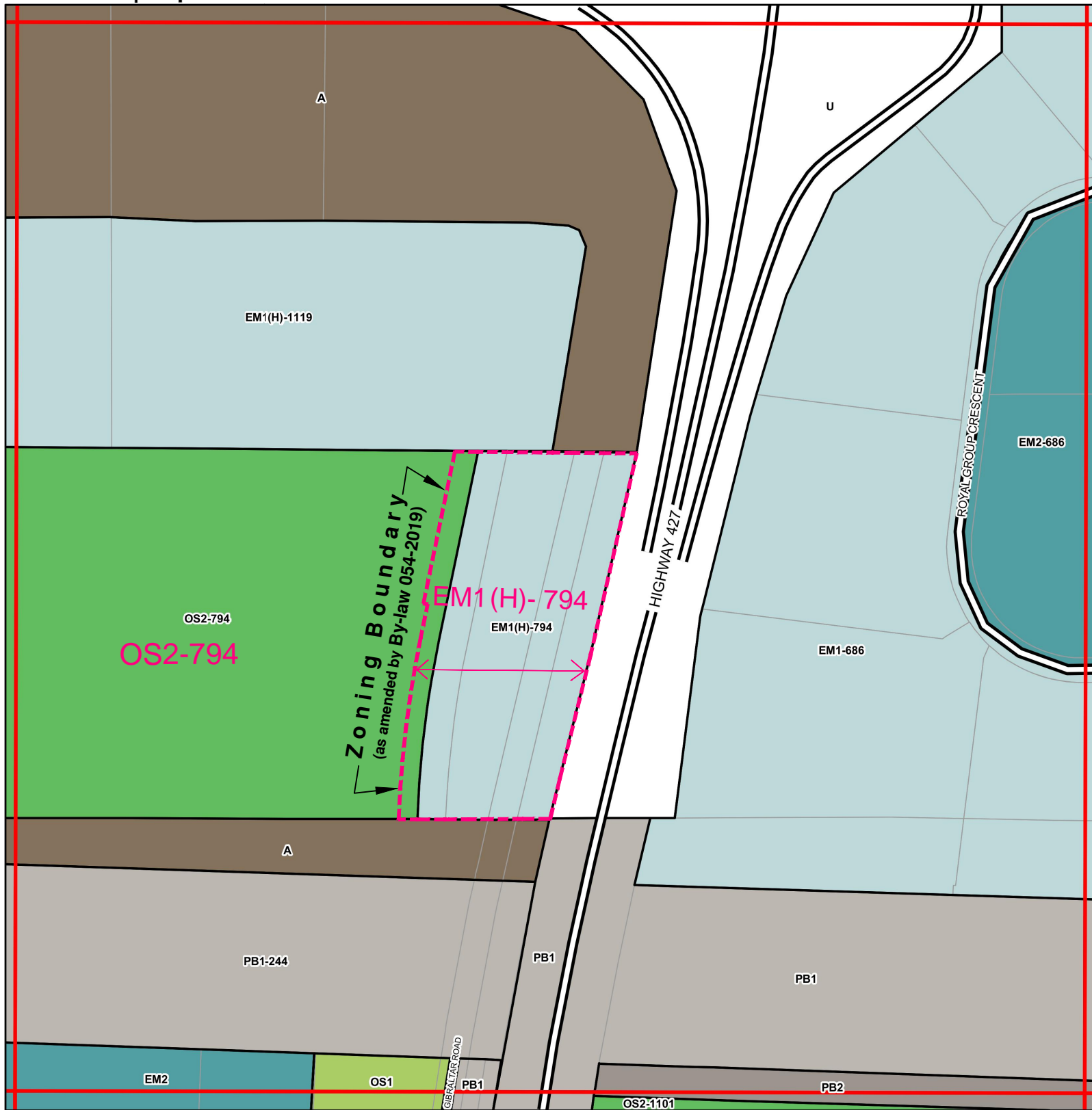
For ease of reference, only pages with amendment and/or markup have been included. The following pages have been included:

- Comprehensive Zoning Bylaw Schedule A, Map 22 (includes markup);
and
- Page 14 of the Comment Response Matrix – Updated (includes markup).

A copy of the entire communication document containing a total of 185 pages is on file in the Office of the City Clerk.

Zoning By-law 001- 2021

Schedule A | Map 22



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)

Employment Zones

- 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)

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)

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



61	62	63	64
41	42	43	44
21	22	23	24
1	2	3	4



1:5,000

Final: May, 2021

EMAIL	Ryan Virtanen, KLM Partners Inc.	6/7/2021	8555, 8811, 9151 Huntington Road, 6560 Langstaff Road	Transition	<p>1. The comments provided request re-consideration of the subject lands being omitted from the by-law, at this time, The submission expresses concern respecting Transition, specifically for draft approved Plans of Subdivision which have not been registered.</p> <p>2. Staff have reviewed this comment and propose minor modifications to the Transitions provisions of the by-law (section 1.6) to clearly include draft approved plans of sub-division. Staff welcome further review of site specific special provisions to ensure no editorial or housekeeping matters.</p>	Resolved
EMAIL	Matthew Di Vona, Di vona Law	6/7/2021	10481 Hwy #50, 7050 Major Mackenzie Drive, 7050 Major Mackenzie Drive	Zone	<p>1. The comments provided oppose the proposed Future Development 'FD' Zone.</p> <p>2. Staff have reviewed the submission and support the proposed 'FD' zone, which would generally require an application for zoning by-law amendment to facilitate the development of the subject lands. On this basis, no change is proposed in the final draft.</p>	No change
EMAIL	Michael Vani, Weston Consulting	6/8/2021	7290 Major Mackenzie Drive	By-law approval	<p>1. The submission requests confirmation that by-law 141-2020 will be reflected in the final draft considered by Vaughan Council.</p> <p>2. City staff confirm that Part 14 special provisions (14.967) has been updated to reflect by-law approval 141-2020.</p>	Resolved
EMAIL	Matthew Halo, Weston Consulting	6/21/2021	8960, 9000 Jane Street, 27 Korda Gate		<p>1. The comments submitted request review of chapter 14 special provisions to ensure that the zoning requirements are consistent with the site specific recent by-law approval (by-law 033-2019). As well, the submission provides requests for review of the definition of "storey", waste enclosure requirements, temporary sales office, outdoor patios and rooftop mechanical equipment.</p> <p>2. Staff have considered each and have concluded that the proposed final draft are in keeping with best practice and are in conformity to VOP 2010. Temporary sales office has been amended to eliminate reference to site plan control, which is regulated by the site plan control by-law.</p>	Partially Resolved
EMAIL	Tom Barlow, Fasken Martineau DuMoulin LLP	7/16/2021	7451 Hwy #50	By-law approval	<p>1. The submission requests confirmation that by-law 059-2019 will be reflected in the final draft considered by Vaughan Council.</p> <p>2. City staff confirm that Part 14 special provisions (14.967) has been updated to reflect by-law approval 059-2019.</p>	Resolved

Exception
14.794