

January 17, 2022

**By E-Mail Only to *clerks@vaughan.ca***

**Communication : C 10  
Committee of the Whole (1)  
January 18, 2022  
Agenda Item # 3**

His Worship Mayor Maurizio Bevilacqua and Members of Council  
The Corporation of the City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

**Attention: Todd Coles, City Clerk**

Your Worship and Members of Council:

**Re: Committee of the Whole, January 18, 2022  
City-Wide Comprehensive Zoning By-law 001-2021 (the “New ZBL”)  
Transition Provision Amendments, File No. Z.21.052  
Inconsistencies and Administrative Amendments  
Submission of ZZEN Group of Companies Ltd. (“ZZEN Group”)**

We are counsel to ZZEN Group, which manages the lands listed in **Appendix A**. ZZEN Group is an Appellant in the Ontario Land Tribunal proceeding concerning the New ZBL.

On behalf of ZZEN Group, we have reviewed the proposed modifications to the New ZBL, as contained in two separate Staff Reports dated January 18, 2022, respectively addressing transition provisions and technical revisions.

The purpose of this letter is to express our client’s concern regarding the proposed revisions to the transitional and technical provisions of the New ZBL (the “**Proposed Amendments**”).

Our client’s concerns regarding the Proposed Amendments relate to whether the site-specific provisions on its various lands have been accurately brought forward into the New ZBL. Another concern relates to the continued imposition of a 10-year limit on transition rights. Lastly, our client wishes to specifically request the removal of a Holding (H) symbol that was erroneously reapplied to its lands.

### **Site Specific Exemptions**

It appears that s. 1.6.2.6 has been introduced to address situations where site-specific approvals have not been addressed by the New ZBL. Problematically, the new clause

fails to account for situations where an exception has been incorrectly transposed into the New By-law.

A provision clarifying that the original site-specific approval prevails in the event of a conflict with the New By-law should be added.

### **Ten Year Time Limit**

The proposed revisions in s. 1.6.4.2, which as written repeals the transition provisions of the New ZBL after 10 years, do not address the fundamental problem of indeterminate liability for property owners, and are arbitrary. Our client urges the City to adopt a more measured approach by converting the 10-year sunset date to a *review* of the transition provisions in 10 years.

### **Holding Symbol Removal**

The City has mistakenly replaced Holding (H) symbol to lands located west of Highway 27 on the south side of Milani Boulevard. The Holding (H) symbol was removed on May 18, 2021 through By-law 067-2021. Accordingly, please revise Schedule A of the New ZBL in accordance with By-law 067-2021 as part of the technical revisions being completed.

### **Conclusion**

We thank you for the opportunity to provide comments and kindly request confirmation of receipt of these written submissions, along with, notice of all future steps in this matter.

Yours sincerely,

**DAVIES HOWE LLP**



Michael Melling

MWM: al

copy: Ms. Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor  
Ms. Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate  
Ms. Candace Tashos, Legal Counsel  
Mr. Nick Spensieri, City Manager  
Mr. Haiqing Xu, Deputy City Manager, Planning and Growth Management  
Mr. Brandon Correia, Manager of Special Projects, Planning and Growth Management  
Mr. Elvio Valente, Building Standards, Manager, Zoning Services and Zoning Administrator

## Appendix A

- In the vicinity of Weston Road and Ashberry Boulevard, being described as Block 181, Plan 65M-3391 and also known as Lot 18, Concession 5.
- In the vicinity of Major Mackenzie Drive and Highway 400, being described as Block 223, Draft Approved Plan 19T-97V37 or also known as Part of Lot 20, Concession 5.
- In the vicinity of Zenway Boulevard and Highway 27 being described as Lot 7, Concession 9.
- Lands west of Highway 27 on the south side of Milani Boulevard, being Part of Block 41 and Blocks 2, 3 and 4 on Registered Plan 65M-3627, in Lot 8, Concession 9.
- 6100 - 6260 Highway 7 and 7990 Highway 27.
- 7551 Huntington Road and 6701 Highway 7.
- 6535 Langstaff Road.
- 8631 Highway 50.
- 250 - 251 New Enterprise Way.