

January 17, 2022

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

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 Armland Management Inc. (“Armland”)**

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

On behalf of Armland, 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 provisions of the New ZBL (the “**Proposed Amendments**”).

Our client’s concerns regarding the Proposed Amendments relate to the failure of the City to carry forward its site-specific zoning approval into the New ZBL; the failure of the New ZBL to recognize past minor variances and consents; and the ten year limit on transition rights.

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.

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Recognition of Past Minor Variance and Consent Applications

As proposed to be revised, s. 1.6.2 of the New ZBL does not account for minor variance and consent applications that pre-date January 1, 2010. Minor variances and lots resulting from consent applications should be recognized, regardless of their approval date.

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.

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,



Michael Melling

MWM: al

copy: Ms. Wendy Law, Deputy City Manager, Legal and Administrative Services, and 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

Subject Lands

- 11421 & 11455 Weston Road
- 3620 Kirby Road
- 11950 Jane Street
- 12110 Jane Street
- 3210 Kirby Rd
- 3270 Kirby Rd. and Parts 1 and 2 Plan 65R-27753
- Part of Lot 31, Concession 5
- 11600 Jane Street
- 4100 Teston Road
- 11660 Weston Road
- 3920 King-Vaughan Road
- 2400 Teston Road
- 2615 Kirby Road
- 120 Spinnaker Way
- 9222 Keele St
- 4160 Steeles Avenue
- 1 & 11 Sonoma Blvd
- 3420, 3450, 3500, 3520, 3560 Major MacKenzie
- 8300 Jane Street
- 8400 Jane Street
- 8700 Dufferin Street
- 101 Bradwick Drive
- 3680 & 3650 Langstaff Road
- 3255 Rutherford Road
- 525, 533, 541, 551 Cityview Blvd.
- 9200 Weston Road
- 5100 Rutherford
- 505 Cityview Blvd.
- 240 Milani Blvd. (Block 6, 65M-4385) and Block 1 Plan 65M-4386
- 3231 Langstaff Road
- 1867 Major Mackenzie Drive
- 177 Whitmore Road
- 630 Aberdeen Avenue
- 9401 Jane Street
- 9929 Keele Street
- 9070 Jane Street
- 3191 Rutherford Road