## **COMMITTEE OF THE WHOLE – JANUARY 11, 2011**

#### COMMUNICATIONS

#### Distributed December 17, 2010

Mr. David A. McKay with respect to Vaughan Crossing Inc., dated December 14, 2010. C1. (Refer to 8a) Presentations and Deputations)

#### Distributed January 6, 2011

C2. Mr. Richard Lorello, dated January 5, 2011.

(Refer to Items 15 & 16)

## Distributed January 7, 2011

Confidential Memorandum of the Solicitor, dated January 11, 2011. C3.

(Refer to Item 17)

## Distributed January 11, 2011

Mr. Ira T. Kagan, dated January 10, 2011. C4.

(Refer to Item 15)

C5. Councillor lafrate, dated January 10, 2011.

(Refer to Item 16)

Office Coordinator, Enforcement Services Department, dated January 10, 2011. C6.

(Refer to Item 12)

- Ms. Gloria Marsh, Executive Director, York Region Environmental Alliance, dated January C7. (Refer to Item 15) 10, 2011.
- Mr. Michael Bowman, Osler, Hoskin & Harcourt LLP, dated January 7, 2011. C8.

(Refer to Item 17)

Ms. Franca Porretta, dated January 10, 2011. C9.

(Refer to Item 18)

Ms. Joanne Federici, and on behalf on residence, dated January 10, 2011. C10.

(Refer to Item 18)

Rev. Jim Keenan, VSAC Board Co-Chair, dated January 11, 2011. C11.

(Refer to Items 15 & 16)

Mr. Richard Lorello, dated January 11, 2011. C12.

(Refer to Items 15 & 16)

## Received at the January 11, 2011 Committee of the Whole Meeting

C13. Petition submitted by Mr. Peter Lam.

(Refer to Items 17)

C14. Ms Alexandra Hatfield.

(Refer to Items 15)

## **COMMUNICATIONS - cont'd**

- C15. Mr. lain Craig, dated January 11, 2011. (Refer to Items 15)
- C16. Mr. David A. McKay with respect to Vaughan Crossing Inc., dated January 11/11.

  (Refer to 8a) Presentations and Deputations)
- C17. City of Vaughan Baseball Softball Associations, entitled, " 2011 Pee Wee Girls Fastpitch Canadian Champion Jamboree Vaughan Ontario".

  (Refer to 8b) & 8c) Presentations and Deputations)
- C18. Mr. Mauro Cristini, Development Manager, Central Region, Ivanhoe Cambridge, 95
  Wellington Street West, Suite 300, Toronto, M5J 2R2, dated January 11, 2011.

  (Refer to Item 16)
- C19. Photos submitted by Councillor lafrate.
  (Refer to Item 10)

Please note there may be further Communications.



# C1 COMMITTEE OF THE WHOLE Item: Deputation a) JANUARY 11, 2011

A LA CHA ATTENTA SICTUL LOBOTEA KING SICTO RAPRIF

Copy: J. Zipay December 16/2010

December 14, 2010

Mayor Maurizio Bevilacqua and Members of Council City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

RE:

VAUGHAN CROSSINGS INC.

NORTHWEST CORNER OF DUFFERIN STREET & CENTRE STREET, VAUGHAN

PROPOSED OFFICE / COMMERCIAL DEVELOPMENT

OUR FILE 0650'H'

We are the planning consultants for Vaughan Crossings Inc. ("VCI"), the proponent of development for lands located at the northwest corner of Dufferin Street and Centre Street in the City of Vaughan.

## **VCI Proposal**

VCI is proposing to develop the lands for office and service commercial purposes. The first phase of development, being the southerly  $1/3^{rd}$  of the property is proposed to be developed for a three storey office building and four one storey buildings to be used for service commercial purposes (i.e. banks, restaurants, limited retail uses). The first phase of development will total 82,305 sq ft of space, with 314 parking spaces at and below grade. 1 attach a copy of the site plan and renderings of the proposed buildings. The second phase of development would occur at a later date.

#### History of VCI Proposal

The VCI lands are currently designated for employment purposes, including office and service commercial uses, by Official Plan Amendment 672, which was adopted for our client's lands and surrounding area in 2005. OPA 672 permits employment uses to be developed on the property, including office and service commercial uses.

In May 2008, our client proceeded to submit applications for an Official Plan Amendment and Zoning By-law Amendment to broaden the permitted uses for the site to include full retail uses. Through discussions with City staff in 2009 (and because of the economic downturn), our client was persuaded to place their application on hold until the new Official Plan was released, in the anticipation that full retail use permissions would be included in the new Official Plan.

Since our client placed their application on hold, they have been actively attempting to obtain an anchor tenant for their project. This has now resulted in sufficient tenant interest for our client to proceed with the first phase of development, as discussed previously. It is our client's intent to begin construction of the first phase as soon as possible (Summer 2011) following approval by the City. Our client would like to proceed accordingly with the Zoning By-law Amendment application for the entire property to zone the property to a Site Specific C7 Zone, and to proceed with a Site Plan Approval application for Phase 1 component of the development.

## Adopted Official Plan

The new Official Plan, adopted by Council on September 7, 2010, designates our clients property as Employment Area (with a Primary Intensification Corridor overlay along Centre Street) on the Urban Structure Schedule, and Commercial Mixed Use on the Land Use Schedule. Further, the property is subject to the Centre Street Corridor Secondary Plan, which essentially brings forward the policies of OPA 672 into the adopted Official Plan.

These various designations and policies would allow our client to proceed with their proposal. However, the adopted Official Plan also designates our clients lands as being an "Area Subject to Secondary Plans" on Schedule 14-A. Policy 10.1.1.4 states:

"That where it has been determined that a Secondary Plan is required but not yet completed, no amendments to this Plan or the zoning by-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area."

Given the above Policy, City staff have advised that they are not in a position to further process or recommend to Council a position on our current Zoning By-law Amendment application nor our pending Site Plan Approval application. They have advised that they require further direction from Council.

## Direction Required from Council

Policy 10.1.1.10 of the adopted Official Plan states:

"That notwithstanding the policies concerning the Required Secondary Plan Areas identified on Schedule 14-A, Council may permit the continuance of processing of an existing development application submitted prior to May 17, 2010, when it is demonstrated to Council's satisfaction that the proposed development is generally compatible with the vision contemplated in the Official Plan; is significant in terms of its contribution to city building; and that the proposal could be adversely affected because of any delay caused by having to adhere to the timing of a secondary plan process."

We are therefore requesting permission from City Council to allow for the processing of our clients development applications, prior to the consideration of a Secondary Plan. In support of our request:

 Our client's Zoning By-law Amendment application was submitted in 2008 and therefore meets the timing requirement of being submitted prior to May 17, 2010. The forthcoming Site Plan Approval application would implement the requested Zoning By-law Amendment.

- 2. The lands are already subject to a Secondary Plan (as set out in Policy 12.10). Policy 12.10 set out the following for our clients property:
  - a. The VCI lands are designated Commercial Mixed-Use Area D which permits a wide range of industrial, office, business and civic uses, including retail commercial and personal service uses. The parent land use plan permits development up to four storeys and at a density of 1.0 FSI. In this regard the intent as stated in Policy 12.10.2.1(o) is to create a landmark building at the intersection.
  - b. Requires a comprehensive development plan for the properties at the northwest corner of Dufferin Street and Centre Street.
  - c. A design vision to create an attractive, safe and pedestrian-friendly environment including provision for active street facades; appropriate massing and scaling of buildings; high levels of architectural design and materials being used; architectural variation and animation; screening of surface parking areas; and appropriate landscaping along the street line.

Our client's proposal is in keeping with, and in our opinion implements, the design vision and policies for the existing Secondary Plan.

- 3. The first phase of development implements the City's vision for this intersection, representing the intensification of the lands from their current underutilized and derelict status. It will further add a substantially to the built environment when completed, while generating approximately 300 jobs as well as substantial property taxes and development charges. We believe that the proposal will contribute significantly to the city building efforts of Vaughan Council.
- 4. City staff have advised that there is currently no timeframe for the preparation of a new Secondary Plan for this area, which is very troubling to our client. Further, even if the Secondary Plan process were initiated by Council now, we would anticipate this process to take at least a year to complete. This does not correspond to our client's intent to start construction next year, and would result in a further substantial and unreasonable delay since their initial applications were made in 2008.

With the above submissions made, we respectfully request that Council direct City staff to process our client's applications.

Thank you.

Yours truly,

MHBC

David A. McKay, MSc, MCIP, RPP

cc: Barry Godfrey, Albert Guido – Vaughan Crossings Inc.

From:

Abrams, Jeffrey

Sent:

Wednesday, December 15, 2010 3:12 PM

To:

Bellisario, Adelina

Subject:

Fw: Vaughan Crossings Inc. - Letter to Vaughan Council and Request for Delegation

Attachments: December 14 2010 - Request for Direction from Council.pdf

From: David McKay [mailto:dmckay@mhbcplan.com]

Sent: Tuesday, December 14, 2010 07:33 PM

To: Abrams, Jeffrey

Cc: 'Barry Godfrey' <bgodfrey@quaestus.ca>; aguido@fiducia.ca <aguido@fiducia.ca>; Peverlni, Mauro; Birchall, Diana; Zipay,

John

Subject: Vaughan Crossings Inc. - Letter to Vaughan Council and Request for Delegation

Mr. Abrams, please find attached a letter to the Mayor and Council with regards to my client's property at the northwest corner of Dufferin Street and Centre Street. Please accept this email as a request to be a delegation to speak to Council on this matter at the next available Council meeting.

Thank you.



David A McKay, MSc, MCIP, RPP

Partner

## **MHBC**

Planning, Urban Design & Landscape Architecture 7050 Weston Road, Suite 230 Woodbridge, ON, L4L 8G7 T 905 761 5588 x 214 F 905 761 5589 C 416 938 7354 E dmckay@mhbcplan.com
W www.mhbcplan.com

This communication is intended solely for the named addressee(s) and may contain information that is privileged, confidential, protected or otherwise exempt from disclosure. No waiver of confidence, privilege, protection or otherwise is made. If you are not the intended recipient of this communication, please advise us immediately and delete this email without reading, copying or forwarding it to anyone.

## C2 COMMITTEE OF THE WHOLE 15 & 16 item: **JANUARY 11, 2011**

From:

Abrams, Jeffrey

Sent:

Wednesday, January 05, 2011 5:31 PM

To:

'Richard Lorello'

Cc:

Caroline Grech; John Goddard; Phinjo Gombu; Bevilacqua, Maurizio; Carella, Tony; DeFrancesca, Rosanna; Di Biase,

Michael; Iafrate, Marilyn; Racco, Sandra; Rosati, Gino; Schulte, Deb; Shefman, Alan; Harris, Clayton; Michael

McClymont; Sarah Boesveld; Frank Greco; Elvira Caria; Nick Pinto; Antony Niro; Bellisario, Adelina; Fernandes, Sybil;

Atwood-Petkovski, Janice; Fernandes, Sybil; Bonsignore, Connie

Subject: RE: COW Meeting January 11, 2011 - 1pm Session

Mr. Lorello,

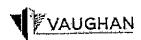
I wanted to make you aware that the evening meeting scheduled for January 11, 2011 is a scheduled meeting of the Committee of the Whole (Public Hearing), which is an entity distinct from the Committee of the Whole, and serving a separate purpose (being the consideration of individual applications). It would not be in order for Committee of the Whole to refer the two items mentioned to Committee of the Whole (Public Hearing) if there was a desire to do so. In addition, notice has been given and persons who may be interested in the issues would expect that that the matters will be considered at the Committee of the Whole meeting.

Your e-mail below will be provided to Committee of the Whole as a communication to be considered with the items.

Sincerely,

a. A. Abrams

Jeffrey A. Abrams City Clerk City of Vaughan 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1 Tel: (905) 832-8585 Ext. 8281 Fax: (905) 832-8535 ieffrey.abrams@vaughan.ca



From: Richard Lorello [mailto:rlorello@rogers.com]

Sent: Monday, January 03, 2011 1:10 PM

To: Bevilacqua, Maurizio; Carella, Tony; DeFrancesca, Rosanna; Di Biase, Michael; Iafrate, Marilyn; Racco, Sandra; Rosati, Gino;

Schulte, Deb; Shefman, Alan; Harris, Clayton; Abrams, Jeffrey

Cc: Caroline Grech; John Goddard; Phinjo Gombu; Michael McClymont; Sarah Boesveld; Frank Greco; Elvira Caria; Nick Pinto;

**Antony Niro** 

Subject: COW Meeting January 11, 2011 - 1pm Session

Dear Mayor and Members of Council

Hope you are all well.

1/6/2011

I would like to draw your attention to the January 11, 2011, 1pm Session.

http://www.vaughan.ca/vaughan/council/minutes\_agendas/committee\_2011/a20110111.cfm

I respectfully request that items 15 and 16 be heard in the evening of the same day or the following day. I understand there is an evening session already scheduled for January 11, 2011 at 7pm.

Items 15 and 16 deal with significant changes to the Offical Plan. Given that the Official Plan affects and touches every resident in the City of Vaughan, I believe it is important to give as many residents as possible the opportunity to attend the meeting and also the opportunity to provide input through written or oral deputation.

This is a very important matter and was a significant election issue. I cannot stress enough how critical it is to allow for as much public input as possible.

I sincerely hope that this accomodation can be made.

Sincerely Richard T. Lorello



IRA T. KAGAN
Tel. 416.368.2100 x 226
Direct Fax: 416.324.4224

ikagan@ksllp.ca

File: 10111

January 10, 2011

By Email

Regional Councilor Deb Schulte City of Vaughan 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1 C4
COMMITTEE OF THE WHOLE
Item: 15
JANUARY 11, 2011

Dear Regional Councilor Schulte:

Re: Item 15 on the January 11, 2011 Committee of the Whole Agenda

"Removal of the urban boundary expansion for residential/commercial from the new

Official Plan"

We are the solicitors to the Block 41 landowners group in the City of Vaughan. As the name implies our client is comprised of a group of landowners with substantial holdings in Block 41. I am also authorized in this letter to write to you on behalf of the Block 27 Landowners Group, represented by Mr. Michael Melling of Davies Howe Partners LLP.

As you know Blocks 27 and 41 are included within the urban expansion areas provided for in both the new Regional Official Plan (by ROPA No. 2) and the City's new Official Plan. Item 15 of the January 11<sup>th</sup> Committee of the Whole agenda is your resolution which seeks to reverse the very recent decisions on urban expansion made by the Councils of York Region and Vaughan.

We appreciate that you are newly elected, and we frankly do not know how familiar you are with your duties and obligations as a regional councilor. We also do not know if you sought legal advice prior to putting your resolution on the January 11<sup>th</sup> agenda.

The purpose of this letter, therefore, is to draw certain matters to your attention prior to the January 11<sup>th</sup> Committee of the Whole meeting so that you can seek advice (if you have not already done so), declare a conflict of interest and withdraw your resolution.

#### Directorship in Sustainable Vaughan

Attached is a Corporate Profile Report for Sustainable Vaughan (Ontario Corporation Number 1832001) which my office obtained from the Ministry of Government Services on Friday, January 7, 2011. The document is thus very current.

On page 3 you are listed as a Director of *Sustainable Vaughan*, as well as being a First Director of the organization. Thus, it appears that you are currently sitting as a Regional Councilor while maintaining a directorship in an advocacy organization of private citizens. While there is nothing

wrong with this, in principle, a concern of conflict of interest, or a perception of same, arises where the private advocacy organization is engaged in a dispute with the Region. This is particularly so when the nature of the dispute is litigation.

## Sustainable Vaughan Appeal of ROPA No. 2

On Monday, October 18<sup>th</sup>, 2010, Sustainable Vaughan appealed ROPA No. 2 to the Ontario Municipal Board ("the Board"). Attached is a copy of the appeal letter. As you know, you are a cosignatory to that appeal. I understand from the Clerk of the Region that it is the only appeal filed with respect to ROPA No. 2.

The Sustainable Vaughan appeal challenges the urbanization of lands in the City of Vaughan, contrary to the position taken by both the Vaughan and Region Councils. The appeal is now a matter of litigation before the Board.

We have reviewed the contents of the appeal letter and compared it with the information, opinions and materials posted on the *Sustainable Vaughan* website. Recall that you are a signatory to the appeal letter. While we appreciate that individual Members of Council might share the views or opinions of groups of residents, a Councilor (or regional Councilor) should not and cannot allow that to translate into actions which are in conflict with her duties in those capacities. We are concerned that this improper translation has occurred in this case.

More importantly, given that the appeal is now before the Board, in my view, and Mr. Melling's, your duties and obligations as a City and Regional Councilor are in conflict with your duties and obligations as a Director of *Sustainable Vaughan*.

For the forgoing reasons we must respectfully request that you acknowledge this conflict, and withdraw your resolution from the January 11th Committee of the Whole agenda.

Yours very truly,

Ira T. Kagan Enclos.

cc. Mr. Jeffrey Abrams, City Clerk
Mayor and Members of Council
Mr. Michael Melling, Davies Howe LLP

Ira Kagan

Clients

PL101237-01

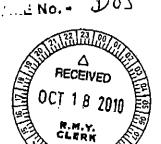
Received October 18, 2010

D05.2009.002.4.006

JAK aalee

J.FICE

DOS



Odstamable Vaugnan 143 Vaughan Mills Road Vaughan, ON L4H 1K2 Phone: 416-505-9113

e-mail: sustainablevaughan@gmail.com

Monday, October 18, 2010

Denis Kelly Regional Municipality of York 17250 Yonge Street, 4<sup>th</sup> Floor Newmarket, ON L3Y 6Z1 e-mail: denis.kelly@york.ca

Dear Mr. Kelly,

Subject: Appeal of By-law 2010-55 adopting Amendment No. 2 to the York Region Official Plan (File No.: D05.2009.002).

Sustainable Vaughan is appealing the approval of By-law 2010-55 adopting Amendment No. 2 to the York Region Official Plan by the Council of the Regional Municipality of York on September 23, 2010 (File No.: D05.2009.002), and challenging the justification for the urban boundary expansion.

Sustainable Vaughan challenges the Forecasting and Phasing Growth, in York Region's Official Plan specifically the York Region's land budget exercise identified in section 5.1.13. The York Region 2031 Land Budget report, dated March 2010, identifies the forecasted household growth by dwelling type by local municipality in Table 1 (York Region Forecast Unit Growth by Local Municipality 2006-2031), and is the basis for an urban boundary expansion in Vaughan. The assumptions by which the forecast was developed are based on the history of growth in York Region and are acknowledged to be heavily influenced by market forces. Vaughan is currently experiencing a housing market in transition and we wish to bring forward information that will show that the forecast needs to be revised. Since the current forecast for single/semi-dwelling types is the driving force behind the need for the urban boundary expansion, it is essential that we are allowed to challenge the assumptions that developed this requirement. In addition, Sustainable Vaughan challenges Section 5.4.23 b) in the York Region's Official Plan with respect to the 3.5 floor space index per development block for the Vaughan Metro Centre.

While Vaughan's Official Plan is still pending approval by York Region, below are the sections from the Places to Grow Act in which we believe the City of Vaughan Official Plan is in non-compliance if an urban boundary expansion is allowed to occur:

Section 2.2.8 - Settlement Area Boundary Expansions;

Section 2.2.3 - General Intensification;

Section 2.2.2 - Managing Growth

1

. . . 7

## Section 2.2.8 - Settlement Area Boundary Expansions

"a settlement area boundary expansion may only occur...where it has been demonstrated that..."

- "...a) sufficient opportunities to accommodate forecasted growth ..., are not available."
  The official plan is in non-compliance since six intensification area numbers are missing. For reference, please see Hemson's "Housing Analysis and Employment Land Needs, Final Report" Table 2: "Identified Housing Intensification Opportunities Inside the Built Boundary (in units)".
- "...b) the expansion makes available sufficient lands for a time horizon not exceeding 20 years." The official plan is in non-compliance by removing 70% of the planned apartments from the greenfield lands as not achievable in the 20-year time frame. For reference, please see Hemson's "Housing Analysis and Employment Land Needs, Final Report" Table 6: "Vaughan Housing Demand".
- "...c) the timing of the expansion and the phasing of development within the designated Greenfield area will not adversely affect the achievement of the intensification target and density targets, and other policies of this Plan".

The section on phasing has been removed from the City of Vaughan Official Plan.

## Section 2.2.3 - General Intensification

"All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target. This strategy and policies will...6. j) encourage the creation of secondary suites throughout the built-up area".

The official plan is in non-compliance since Vaughan removed the phasing clause and secondary suites are not yet included in the intensification estimates.

## Section 2.2.2 - Managing Growth

"This plan is about building complete communities, whether urban or rural. These are communities that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs".

The official plan is in non-compliance by removing apartments from the urban boundary expansion lands. York Region has identified apartments in the expansion lands, the Vaughan Official Plan removed multi-dwelling condominiums and added more single- and semi-dwelling housing units than what York Region allocated. For reference, please see Hemson's, "Housing Analysis and Employment Land Needs, Final Report" Table 8: "All Housing Growth by Type, 2006-2031" as well as the "York Region 2031 Land Budget Report" dated March 2010 Table 5: "York Region 2031 Whitebelt Area Unit Requirement by Structure Type and Local Municipality".

This is a brief summary of the arguments that Sustainable Vaughan will bring forward as to why Amendment No. 2 to the York-Region Official Plan is not in compliance and not in the spirit of Places to Grow.

Sincerely.

Satinder Rai Deb Schulte Stephen Roberts Request ID: 012811155 Transaction ID: 43216844 Category ID: UN/E

143 VAUGHAN MILLS ROAD

Province of Ontario Ministry of Government Services

Date Report Produced: 2011/01/07 Time Report Produced:

13:51:04

Page:

## **CORPORATION PROFILE REPORT**

**Ontario Corp Number** Corporation Name Incorporation Date

1832001 SUSTAINABLE VAUGHAN 2010/09/21

Jurisdiction

**ONTARIO** 

NOT APPLICABLE

NOT APPLICABLE

NOT APPLICABLE

Cancel/Inactive Date

Letter Date

Corporation Type Corporation Status Former Jurisdiction

ONTARIO CORP NON-SHARE **ACTIVE** NOT APPLICABLE

Head Office Address Date Amalgamated Amalgamation Ind.

NOT APPLICABLE NOT APPLICABLE

New Amal. Number Notice Date

WOODBRIDGE **ONTARIO** CANADA L4H 1K2

**NOT AVAILABLE** Revival Date Continuation Date

NOT APPLICABLE NOT APPLICABLE

EP Licence Eff.Date **EP Licence Term.Date** 

NOT APPLICABLE NOT APPLICABLE

**Date Commenced Date Ceased** in Ontario in Ontario

**NOT APPLICABLE** 

Transferred Out Date

NOT APPLICABLE

NOT APPLICABLE NOT APPLICABLE

**Activity Classification** 

Mailing Address

**NOT AVAILABLE** 

012811155 Request ID: Transaction ID: 43216844 Category ID: UN/E

Province of Ontario

Ministry of Government Services

Date Report Produced: 2011/01/07 Time Report Produced: 13:51:04 Page:

## **CORPORATION PROFILE REPORT**

Ontario Corp Number Corporation Name

1832001 SUSTAINABLE VAUGHAN

Corporate Name History **Effective Date** 

SUSTAINABLE VAUGHAN 2010/09/21

Current Business Name(s) Exist: NO

NO Expired Business Name(s) Exist:

Administrator:

Name (Individual / Corporation) Address

**SATINDER** 143 VAUGHAN MILLS ROAD

WOODBRIDGE ONTARIO

CANADA L4H 1K2

Date Began First Director

2010/09/21 YES

Designation Officer Type Resident Canadian

DIRECTOR

RAI

Request ID: Category ID: 012811155

Transaction ID: 43216844

Province of Ontario

Ministry of Government Services

Date Report Produced: 2011/01/07 Time Report Produced:

Page:

13:51:04

## **CORPORATION PROFILE REPORT**

Ontario Corp Number

Corporation Name

1B32001

SUSTAINABLE VAUGHAN

Administrator:

Name (Individual / Corporation)

Address

**STEPHEN** 

**ROBERTS** 

95 BENTOAK CRESCENT

**VAUGHAN** 

**ONTARIO** 

CANADA L4J BS8

Date Began

First Director

2010/09/21

YES

Designation

Officer Type

Resident Canadian

DIRECTOR

Administrator:

Name (Individual / Corporation)

Address

**DEBORAH** 

**SCHULTE** 

**76 MIRA VISTA PLACE** 

WOODBRIDGE **ONTARIO** 

CANADA L4H 1K8

Date Began

First Director

2010/09/21

YES

Designation

Officer Type

Resident Canadian

DIRECTOR

Request ID:

012811155

Transaction ID: 43216844

Category ID: UN/E

Province of Ontario

Ministry of Government Services

Date Report Produced: 2011/01/07 Time Report Produced: 13:51:04

Page:

## CORPORATION PROFILE REPORT

Ontario Corp Number

Corporation Name

1832001

SUSTAINABLE VAUGHAN

Last Document Recorded

Act/Code Description

Form

Date

CA

APP'N FOR INC. NON-SHARE

2

2010/09/21

THIS REPORT SETS OUT THE MOST RECENT INFORMATION FILED BY THE CORPORATION ON OR AFTER JUNE 27, 1992, AND RECORDED IN THE ONTARIO BUSINESS INFORMATION SYSTEM AS AT THE DATE AND TIME OF PRINTING. ALL PERSONS WHO ARE RECORDED AS CURRENT DIRECTORS OR OFFICERS ARE INCLUDED IN THE LIST OF ADMINISTRATORS.

ADDITIONAL HISTORICAL INFORMATION MAY EXIST ON MICROFICHE.

The issuance of this report in electronic form is authorized by the Ministry of Government Services.

From:

Abrams, Jeffrey

Sent:

Monday, January 10, 2011 9:07 AM

To:

Bellisario, Adelina

Subject:

Fw: Item 15 on the January 11, 2011 Committee of the Whole agenda

Attachments: Schulte Jan. 10, 2011.pdf

From: Ira Kagan [mailto:ikagan@ksllp.ca] Sent: Monday, January 10, 2011 09:00 AM

**To**: Schulte, Deb **Cc**: Abrams, Jeffrey

Subject: Item 15 on the January 11, 2011 Committee of the Whole agenda

Please see the attached letter.

Mr. Abrams, would you kindly distribute this letter to the Mayor and other members of council? Thank you.



Ira T. Kagan Kagan Shastri LLP Lawyers 188 Avenue Road Toronto, Ontario, Canada M5R 2J1

Telephone: 416-368-2100 x226 Direct Fax: 416-324-4224 Email: <u>ikagan@ksllp.ca</u>

www.ksllp.ca

This email is confidential.

Rights to privilege are not waived.

## C5 COMMITTEE OF THE WHOLE Item: 16

JANUARY 11, 2011

From:

Abrams, Jeffrey

Sent: To: Monday, January 10, 2011 5:19 AM Fernandes, Sybil; Bellisario, Adelina

Subject:

Fw: Council Meeting Regarding Development

---- Original Message -----

From: lafrate, Marilyn

Sent: Sunday, January 09, 2011 11:21 PM

To: Abrams, Jeffrey

Subject: FW: Council Meeting Regarding Development

Please include as part of the public documents for this week's CW item #16. I should have sent this to you earlier but it has been extremely busy. My apologies.

## Marilyn

From: Bill Manolakos [bill.manolakos@rogers.com]

Sent: Thursday, January 06, 2011 6:42 AM

To: lafrate, Marilyn Cc: Jana Manolakos

Subject: Council Meeting Regarding Development

Good Morning Councillor lafrate,

I am understanding that the Council meeting to discuss development around the Vaughan Mills area is set for an afternoon session. Is it possible to move it to an evening session of council? I would like to attend but as with many residents who have concerns regarding the development, I work during the day and can only attend an evening session of council.

## Regards,

Bill Manolakos, 9838 Keele Street Maple Ontario Tel: 905-832-6037 Sent from my iPad



## memorandum

C6
COMMITTEE OF THE WHOLE

<u>Item: 12</u> JANUARY 11, 2011

DATE:

January 10, 2011

TQ:

Mayor & Members of Council

RE:

Communication - Committee of the Whole - January 11, 2011 - Item 12

This is to advise that the following administrative correction is required on the Committee of the Whole Meeting Agenda of January 11, 2011 for Item # 12.

Amend the last sentence on page number 12.1, under Background to read as follows:

"The details outlined above **does not** support the approval of a fence height exemption for this location."

Zanice Heron

Office Coordinator

**Enforcement Services Department** 

Copy: T. Thompson

Director, Enforcement Services

C7 COMMITTEE OF THE WHOLE

JANUARY 11, 2011

<u>ltem:</u>

15

Hardychuk, Gloria

From: Sent:

Monday, January 10, 2011 3:51 PM

To:

Bellisario, Adelina; Fernandes, Sybil

Subject:

FW: Urban boundary expansion

Attachments: DWRCletter RE-VaughanOP.pdf

FY!

I believe it's for CW Item 15.

G

**From:** Gloria Marsh [mailto:gloria@yrea.org] **Sent:** Monday, January 10, 2011 1:11 PM

To: Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Schulte, Deb; Iafrate, Marilyn; Carella, Tony; DeFrancesca, Rosanna;

Racco, Sandra; Shefman, Alan

Cc: Hardychuk, Gloria; Zipay, John; Birchall, Diana; Peverini, Mauro; Iacobelli, Tony

Subject: RE: Urban boundary expansion

Dear Mayor and Council,

Sincere thanks to the new Vaughan Council for its willingness to reconsider the urban boundary expansion.

Please find attached, the letter submitted by TRCA's Don Watershed Regeneration Council to the previous Vaughan Council.

I will also be making a deputation at your meeting tomorrow on behalf of the York Region Environmental Alliance.

Sincerely Gloria Marsh, Executive Director York Region Environmental Alliance Partnering for a greener planet

T: 905-773-4028 http://www.yrea.org



#### DON WATERSHED REGENERATION COUNCIL

August 27, 2010

By MAIL & EMAIL: Jeffrey.Abrams@vaughan.ca

Mr. Jeffrey A. Abrams
City Clerk, Clerk's Department
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Mr. Abrams:

RE: City of Vaughan Draft Official Plan Review

## The Don River Watershed

The Don River flows through the heart of central Canada's urban nexus. From its headwaters on the Oak Ridges Moraine, its two principal tributaries flow south through the City of Vaughan and Towns of Markham and Richmond Hill, all in the Regional Municipality of York.

The Don Watershed Regeneration Council (DWRC\*) envisions the future Don as a revitalized urban river, flowing with life-sustaining water through regenerated natural habitats and sustainable human communities, from its headwater tributaries to the mouth of the Don River and into the receiving waters of Lake Ontario. We envision the watershed as an integral contributor to The Living City, where human settlement can flourish amidst nature's beauty and diversity.

The DWRC believe that we must all work together and take advantage of any opportunity to protect and sustain, regenerate and enhance the Don, from the valleys to the tablelands, from the natural areas to the urban communities.

The DWRC understand that the formal public commenting period for the Draft Official Plan closed earlier in the summer and that the draft Plan is currently moving forward through the appropriate approval channels at the City. We did however feel that it was important to provide formal comments for consideration by Vaughan staff and Council prior to the finalization and submission of the draft Plan to the Region of York for approval.

It is within this context that the DWRC provide the following comments:

#### Urban expansion into Block 27

The proposed urban expansion into the white belt between Teston Road and Kirby Road and Jane Street and Keele Street (Block 27) is of great concern to the DWRC.

Specifically, the Don Watershed Regeneration Plan, *Beyond Forty Steps* (Prepared by the Toronto and Region Conservation Authority, 2009, 5-33 & Fig. 27) has identified Block 27 as a Priority 1 Terrestrial Natural Heritage Regeneration Site. The terrestrial natural heritage system includes forests, meadows and wetlands, and the plants and animals that inhabit them. The terrestrial natural heritage system provides many benefits that are critical to the health of the Don watershed. It helps maintain water balance and stream stability, protects aquatic ecosystems, provides wildlife habitats, moderates climatic conditions, and absorbs air pollution.

The area noted above is part of the Upper West Don River, the longest branch of the Don. This area contains half of the watershed's higher quality terrestrial habitat and some of the best opportunity to add natural cover to the Don. It also contains aquatic habitat supporting some of the few remaining habitat specialists. Target Community Indicator Species for the Headwaters of the West Don River are: near term (either currently present or found in the recent past) - blacknose shiner, northern redbelly dace, Johnny darter and long term (not currently present and will require significant habitat regeneration to be reestablished) - brassy minnow (*Beyond Forty Steps*, Fig. 25).

At the July 28<sup>th</sup> Committee of the Whole Meeting, the Committee recommended that the following recommendation be adopted by Council at the September 7<sup>th</sup> meeting:

2) a) Under the section "Timing of Secondary Plans in New Development Areas" the following policy be added to s. 10.1.1 "Secondary Plans" of s. 10.1 "Implementing the Plan."

In order to achieve orderly managed growth and development within the City, as constituted through intensification within the current urban boundary area and expansion of the urban boundary area into New Community Area blocks, it is the policy of Council that the sequencing of the preparation of "Required Secondary Plans", as shown on Schedule 14, "Areas Subject to Volume 2 Policies", will be at the direction of Council with the proviso that the commencement of the preparation of these plans, must give priority to the Required Secondary Plan Areas, which are located within the urban boundary existing prior to the new urban boundary expansion. Further, the general principle will apply that no studies shall be undertaken with respect to new community areas outside the current urban boundary until the six Required Secondary Plan Area plans, within the urban boundary, are completed.

The DWRC supports the recommendation above, however we would go one step further and recommend that no further planning work be undertaken on Secondary Plan Areas outside the current urban boundary until planning and development within the existing intensification areas is largely completed.

We would also recommend that any redevelopment or new development in the future serve to achieve net gain in environmental health and sustainable communities. This includes striving for higher/broader Low Impact Development (LID) measures, LEED building standards and other measures to promote at source stormwater controls.

Page 2 of 4

Urban expansion in Vaughan is not necessary while existing lands in the current urban boundary are available for intensification, are close to public transit and will support expected population growth over the next 20 years.

## **Teston Road**

The proposed extension of Teston Road between Keele and Dufferin Streets is shown on Schedule 9 of the draft Official Plan. The DWRC does not support opening this road allowance which is at the headwaters of the East Don River, part of the McGill Environmentally Significant Area, part of an Area of Natural and Scientific Interest and part of the Oak Ridges Moraine Conservation Plan (ORMCP) area as defined in Ontario Regulation 01/02, 2002. This area is designated Natural Core Area in the ORMCP as outlined in Section 11(1). "The purpose of Natural Core Area is to maintain and where possible restore the ecological integrity of the Plan Area. Transportation, infrastructure, and utilities as described in section 41 of the ORMCP are permitted in Natural Core Areas, but only if the need for the project has been demonstrated and there is no reasonable alternative."

Teston Road, between Keele Street & Dufferin Street is also considered a hydrologically sensitive area. The ORMCP prohibits all development in hydrologically sensitive areas as outlined in Section 26 (2). "All development and site alteration with respect to land within a hydrologically sensitive feature or the related minimum vegetation zone is prohibited. Again transportation, infrastructure, and utilities as described in section 41 are permitted, but only if the need for the project has been demonstrated and there is no reasonable alternative."

As recommended in the letter from the DWRC to the Regional Municipality of York, Regional Councillors, Mayor of Vaughan and the Ministry of the Environment dated October 23, 2002, we do not feel that all reasonable alternatives and options for an east-west transportation route have been identified and explored.

#### Drive-through establishments

In accordance with TRCA's vision for The Living City, we feel that addressing and controlling drive-through establishments in Vaughan's Official Plan will also reinforce clean air initiatives and support healthier lifestyle choices as residents get out of their cars, walk in their communities and become more physically active.

The DWRC appreciates the effort and time taken to create the Draft Official Plan for Vaughan, and we are hopeful that Vaughan Council will incorporate our recommendations into the final Plan with the ultimate goal of protecting the Don watershed and the health of Vaughan citizens.

Yours very truly,

Acting Chair

Don Watershed Regeneration Council

#### PG:GM:at

cc: Gloria Hardychuk, Assistant City Clerk, City of Vaughan Gloria. Hardychuk@vaughan.ca)

John Zipay, Commissioner, Planning, City of Vaughan (<u>John Zipay@vaughan.ca</u>)

Diana Birchall, Director, Policy Planning and Urban Design, City of Vaughan

(Diana.Birchall@vaughan.ca)

Mauro Peverini, Development Planning Department, City of Vaughan

(Mauro.Peverini@vaughan.ca)

Tony Iacobelli Senior Environmental Planner, City of Vaughan

(Tony.lacobelli@vaughan.ca)

Augustine Ko, Region of York, (Augustine.Ko@york.ca)

Karen Antonio-Hadcock, Senior Planner, Long Range & Strategic Planning Branch,

Region of York (Karen.Antonio-Hadcock@york.ca)

Carolyn Woodland, Director, Planning and Development, TRCA (cwoodland@trca.on.ca)

Alan Shefman, Councillor Ward 5, City of Vaughan (Alan.Shefman@vaughan.ca)

## \*Don Watershed Regeneration Council

The Don Watershed Regeneration Council (DWRC) is a formal community-based committee established by the Toronto and Region Conservation Authority (TRCA) in 1994 to help restore the Don River watershed to a healthy, sustainable natural environment. The DWRC reports to the Authority on a regular basis and is composed of community members, elected officials and representatives from businesses, agencies, environmental groups and academic institutions located within or concerned about the future of the Don River watershed.

A new, updated regeneration Plan "Beyond Forty Steps" was endorsed by the DWRC and approved by TRCA in 2009 and guides the DWRC in commenting to other government agencies (federal, provincial and municipal) on matters pertaining to the future of the watershed. The new Plan addresses the broad watershed issues of sustainability including water and energy efficiency and emerging challenges such as climate change.

Osler, Hoskin & Harcourt LLP Box 50, 1 First Canadian Place Toronto, Ontario, Canada M5X 1B8 416.362.2111 MAIN 416.862.6666 FACSIMILE

Toronto

January 7, 2011

Montréal

Ottawa

SENT BY ELECTRONIC MAIL

Calgary New York

Committee of the Whole City of Vaughan Council Chambers Vaughan Civic Centre 2141 Major Mackenzie Drive VAUGHAN, ON L6A 1T1

Attention: City Clerk

Dear Sir or Madam:

Zoning By-Law Amendment File Z.09.030 - Warren Newfield and Joe Wade, Ward 5, Committee of the Whole Meeting January 11, 2011, Agenda Item No. 17

We are writing on behalf of our clients 2123659 Ontario Inc., Warren Newfield and Joe Wade with respect to the above-referenced Agenda Item No. 17, which will be considered by the Committee of the Whole at its meeting on January 11, 2011. Our clients are the applicants for the zoning by-law amendment which has been appealed to the Ontario Municipal Board, together with the related consent applications.

We have now had an opportunity to review the Report and Recommendations submitted by the Commissioner of Planning and the Director of Development Planning with respect to our clients' applications (the "Staff Report"). We concur with the analysis and recommendations contained in the Staff Report. We encourage the Committee of the Whole to adopt the recommendations of the Staff Report and to recommend the adoption of this proposed Zoning By-Law Amendment to Council.

We will be in attendance at the January 11, 2011 meeting in order to address any questions that members of the Committee or public may have.

**C8** COMMITTEE OF THE WHOLE Item: 17 **JANUARY 11, 2011** 

Michael Bowman

Matter No. 1120074

Direct Dial: 416.862.6834 MBowman@osler.com

TOR\_A2G:5295317.1

osler.com

## **OSLER**

Page 2

Thank you for your consideration of this matter.

Yours very truly,

Michael Bowman

MB/nd

Subject:

FW: Committee of the Whole Meeting on January 11, 2011; Agenda Item No. 17

Attachments: Letter to Committee of the Whole City of Vaughan January 7 2011.pdf

From: Bonsignore, Connie On Behalf Of Clerks@vaughan.ca

Sent: Monday, January 10, 2011 7:42 PM

To: Bellisario, Adelina

Subject: FW: Committee of the Whole Meeting on January 11, 2011; Agenda Item No. 17

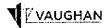
Communication.

### Connie Bonsignore

Administrative Assistant
Office of the City Clerk
Telephone: (905) 832 8585 Ext

Telephone: (905) 832-8585 Ext. 8280

Email Address: connie.bonsignore@vaughan.ca



From: Bowman, Michael [mailto:MBowman@osler.com]

Sent: Friday, January 07, 2011 7:20 PM

To: Clerks@vaughan.ca

Subject: Committee of the Whole Meeting on January 11, 2011; Agenda Item No. 17

Enclosed please find our correspondence with respect to Agenda Item No. 17 (Zoning By-Law Amendment File Z.09.030 Warren Newfield and Joe Wade, Ward 5). Please ensure that this correspondence is distributed to members of the Committee.

Please address any questions to my attention.

Thank you for your cooperation.

Michael Bowman

## **OSLER**

Michael Bowman Partner

416.862.6834 DIRECT 416.862.6666 FACSIMILE mbowman@osler.com

Osler, Hoskin & Harcourt LLP Box 50, 1 First Canadian Place Toronto, Ontario, Canada M5X 1B8

osler.com

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1/11/2011

City of Vaughan Clerk's Department CC: Council Members CC: Claudia Storto 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1

C9
COMMITTEE OF THE WHOLE
Item: 18
JANUARY 11, 2011

RE: OMB File No(s):
Municipal File No(s):

PL100348 and PL 100349 OP.08.013 and Z.08.048

Property Location:

8294,8298 and 8302 Islington Avenue, City of Vaughan

2174824 Ontario Inc. (Vince Di Tommaso)

Dear Sir/Madam

Applicant:

I am strongly opposing the above mentioned applications. The reason behind my opposition is simply this. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc.

My understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting bi-law and re-zoning amendments.

Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of .5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interesting that both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that the council members will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

## Regards

Franca Porretta 40 Birch Hill Road Woodbridge, Ontario L4L 1J2 From:

Bonsignore, Connie on behalf of Clerks@vaughan.ca

Sent:

Monday, January 10, 2011 7:42 PM

To:

Bellisario, Adelina

Subject:

FW: Committe of the Whole Meeting January 11th, 2011

Attachments: Letter to the City of Vaughan January 11th re Application on Islington Avenue.doc

Additional information.

## **Connie Bonsignore**

Administrative Assistant Office of the City Clerk

Telephone: (905) 832-8585 Ext. 8280

Email Address: connie.bonsignore@vaughan.ca



From: Carlo Porretta [mailto:cporretta@sympatico.ca]

Sent: Sunday, January 09, 2011 11:34 PM

To: Clerks@vaughan.ca

Cc: Storto, Claudia; Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Schulte, Deb; Iafrate, Marilyn; DeFrancesca, Rosanna;

Racco, Sandra; Shefman, Alan; Carella, Tony

Subject: Re: Committe of the Whole Meeting January 11th, 2011

Dear Sir/Madam

Please see attached.

Regards

Franca Porretta (416) 578-0268

C10 COMMITTEE OF THE WHOLE

**JANUARY 11, 2011** 

18

From:

Abrams, Jeffrey

Sent:

Monday, January 10, 2011 10:07 PM

To:

Bellisario, Adelina

Subject:

FW: Committee Meeting of the Whole - January 11, 2011 - OMB File No's: PL100348 and PL100349; Municipal

File No's: OP.08.013 and Z.08.048; Location: 8294, 8298 and 8302 Islington Ave, Vaughan; Applicant: 2174824

Ontario Inc.; Vince Di Tommaso

Importance: High

Attachments: Anania.15 Hartman.Committee of the Whole..Jan11.docx; Capra.8295 Islington.Committee of the Whole.Jan

11.docx; Cortiula. 4 Hartman.Committee of the Whole .Jan 11.docx; IMG\_0228.JPG; Federici.6 Hartman.Committee of the Whole.Jan11.docx; IMG\_0212.JPG; IMG\_0213.JPG; IMG\_0216.JPG;

IMG\_0218.JPG; IMG\_0226.JPG; Fortino.5 Hartman. Committee of the Whole.Jan 11.docx; Gambino.8283 Islington.Committee of the Whole Jan 11.docx; IMG\_6004.JPG; IMG\_6009.JPG; Images from Gambino.8283

Islington of Montessori school traffic.jpeg; Laszlo.10 Hartman.Committee of the Whole.Jan 11.docx;

IMG 0230.JPG; IMG\_0231.JPG; Madeley.8286 Islington Ave.Committee of the Whole.Jan 11.docx; Ranieri.10

Hartman.Committee of the Whole. Jan 11.docx; Scott.11 Hartman.Committee of the Whole.Jan11.docx

From: Joanne Federici [mailto:jofederici@hotmail.com]

Sent: Monday, January 10, 2011 9:55 PM

To: Abrams, Jeffrey; Carella, Tony; Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Schulte, Deb; Iafrate, Marilyn;

DeFrancesca, Rosanna; Racco, Sandra; Shefman, Alan; Storto, Claudia

Subject: Committee Meeting of the Whole - January 11, 2011 - OMB File No's: PL100348 and PL100349; Municipal File No's: OP.08.013 and Z.08.048; Location: 8294, 8298 and 8302 Islington Ave, Vaughan; Applicant: 2174824 Ontario Inc.; Vince Di

Tommaso

Importance: High

Please find attached letters from area residents along with some pictures for your reference.

Thank you.

Joe and Tita Anania Jessica and Peter Anania 15 Hartman Avenue Woodbridge, Ontario L4L 1R6

January 10, 2011

TO: City Clerk, Jeffrey A. Abrams
AND TO: Tony Carella, Ward 2 Councillor

AND TO: Mayor Maurizio Bevilacqua AND TO: All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn Iafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO: Claudia Storto, Solicitor, City of Vaughan

RE: OMB File No(s): PL100348 and PL 100349

Municipal File No(s): OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc.; Vince Di Tommaso

We have lived in the area for over 29 years. We live at 15 Hartman Ave, directly across the street from the site.

We accept growth willingly as long as it complements the community. The City of Vaughan conducted a study via a third party consulting firm to study the area, and they concluded that the suitable development for the area is medium density residential. There is currently plenty of development in the hamlet of Pine Grove comprising town houses, semi-dethatched homes, duplexes even 38 new detatched homes that help intensify and follow the recommendations of the area without overwhelming the neighborhood.

Some of our main concerns with the development being proposed are:

- That this development will be the beginning of the end of the Pine Grove as we know it. To explain the character of area a bit better this short stretch of Islington Ave has 5 Churches within less than a Km two large parks filled with large century old trees and runs along the flood plain of the Humber River filled with wild life. A 7 storey Apartment building just does not fit in that picture not to mention the increased traffic to the narrowest stretch of Islington Ave. Also there is a fear that if this development is granted, it will open the flood gates and set a precedent for future development.
- Traffic Impact; the development site is directly across Hartman Ave and access to Islington Ave will become more difficult and cumbersome as two roadways exit directly opposite each other along with the Montessori school and the church right next door to them, all within 100 feet. Also the increased number of vehicles to the area is a concern.

- Environmental/Green impact; this development borders TRCA lands, and is also in the heart of the Humber River Valley. The area is surrounded with large mature trees which would be destroyed to accommodate the building (including an immense Pine Tree located in the center of the proposed development properties. It is the century old trees and green space that create the uniqueness of Pine Grove. Also the area is home to multitude of wildlife including; deer, squirrels, beavers, foxes, rabbits, fish, raccoons, groundhogs, and an array of birds including Blue Jays, Woodpeckers, Cardinals, Robins and Owls to mention a few. All these animals will become displaced if the area develops with Apartment buildings.
- Also, during construction of this type of structure for the duration we would be inflicted with noise from
  the machinery and vehicles coming and going. The dust and mess that it would cause. The vehicles
  wanting to use our street for parking.
- Loss of peace, tranquility and enjoyment of our small community.

Also, over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting by-law and re-zoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interestingly both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that the council members will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

We would have preferred to come to an acceptable agreement with the applicant for the development of this property that would fit our area and respectful to us as residents that have been here for over 30 years. We do not want a concrete monster to stare at on a daily basis. We want them to understand that this is our home and when they complete the building, they will leave, but we will be left behind.

We are therefore respectfully requesting that all our concerns be considered by council members when deciding in relation to the above mentioned applications. As most of you are aware this community is very involved and we feel that you, our elected representatives should oppose these applications for a 7 storey Apartment Building.

Yours truly,

Joe Anania, Tita Anania, Jessica Anania and Peter Anania

GianPaolo and Deborah Capra 8295 Islington Avenue Woodbridge, Ontario L4L 1W9

## January 10, 2011

TO:

City Clerk, Jeffrey A. Abrams

AND TO:

Tony Carella, Ward 2 Councillor

AND TO:

Mayor Maurizio Bevilacqua

AND TO:

All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn lafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO:

Claudia Storto, Solicitor, City of Vaughan

RE:

OMB File No(s):

PL100348 and PL 100349

Municipal File No(s):

OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc.; Vince Di Tommaso

We live at 8295 Islington Avenue, directly across this proposed complex. In fact on the south corner of Hartman Rd and Islington Ave. I have been a loyal resident of your ward, Mr.Carella, for approximately 9 years. This was our first and only purchase of a home to which we thought was an ideal location to raise and enjoy the surroundings of the "Pine Grove" Community. We reviewed and surveyed this house and its surroundings and felt this would be the perfect area to live in. It had all desired necessities a young parent wood require when planning to raise their children. From surrounding schools, parks, to a clean havoc free environment.

In recent years, a number of proposals have been submitted to rebuild certain parts of the lislington Ave area from south of Langstaff Rd. To Willis Ave. An alarming amount has also been passed. This project in particular does raise certain issues that are not comforting to residents in the surrounding area, especially myself. The following are concerns that upset and trouble me while trying to raise a family and instil to them to be a loyal and future resident and support of Ward 2. In our opinion, this is not an area to construct a 7 Storey Apartment Building and we do not want it in front of our home.

- 1. Since the beginning of these hearings, not once did Mr. V. Di Tommaso make himself present and acknowledge the impact of his wrong doing to the Pine Grove Community.
- 2. Raising a child in this community will terribly impact their upbringing, from traffic congestion, noise, privacy, and most of all the safety.
- 3. In comparison to the building structure set south at Islington and Willis Ave, where the complex is set in from the street, a well planned facade was decided on, and a well thought out number of units to compliment its surroundings and character.

- 4. Allowing building such a structure in between a row of residents???? Eliminating space for any future recreational activities, and or complimenting the heritage and look of the surrounding buildings.
- 5. Allowing to building a complex, such as this will also divide the community and its future voters for the councillors of this ward.
- 6. Increasing the density of this complex from a med size density project to a high density will only amplify its havoc of "cramming" such a large number of residents in a smaller area to raise their families and loved ones. No such "green" has been allocated for this building and its residents.
- 7. I'm certain and also informed that the future investors of this complex are not aware of the logistics of this wrong doing, and should be noted on their contracts upon signing their letter of agreement.

In summary to this proposed site, I and other area residents who are disgruntled about this project would like a resolution to this ordeal. We would like that the Applicant review and understand the concerns and tribulations of what this might cause to the community of Pine Grove. Please think of the impact on our children.

We are therefore respectfully requesting that all our concerns be considered and that you, our elected representatives should oppose these applications for a 7 storey Apartment Building.

Your truly,

GianPaolo and Deborah Capra

Victor and Adele Cortiula 4 Hartman Avenue Woodbridge, Ontario L4L 1R6

TO: City Clerk, Jeffrey A. Abrams
AND TO: Tony Carella, Ward 2 Councillor
AND TO: Mayor Maurizio Bevilacqua
AND TO: All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn lafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO: Claudia Storto, Solicitor, City of Vaughan

RE: OMB File No(s): PL100348 and PL 100349

Municipal File No(s): OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc. ; Vince Di Tommaso

We live on 4 Hartman Avenue, which is approximately 100 feet directly across the above location.

We strongly oppose the above applications and our reasons are two fold.

1. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting by-law and rezoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interestingly both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that the council members will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

2. In addition to all of the above matters, we want you to consider the direct effect this development would be on us.

Our house faces south and would be looking at the development on a daily basis.

We just want to share a bit of our history in order for you to understand how we would be affected and what living here means to us.

We purchased our lot in 1980, over 30 years ago. We built our own home on the lot that we purchased. We moved in with our teenage girls to get away from the congestion of the city.

My wife and I are both retired and we are always outside in our front doing gardening from early spring to late fall.

We understand that changes happen and we accept that, but the application before you of a 7 storey Apartment Building is something we cannot accept for our area. That is too much for us.

Attached is a picture (Image 0228) to show you how we are located from the above location in this application.

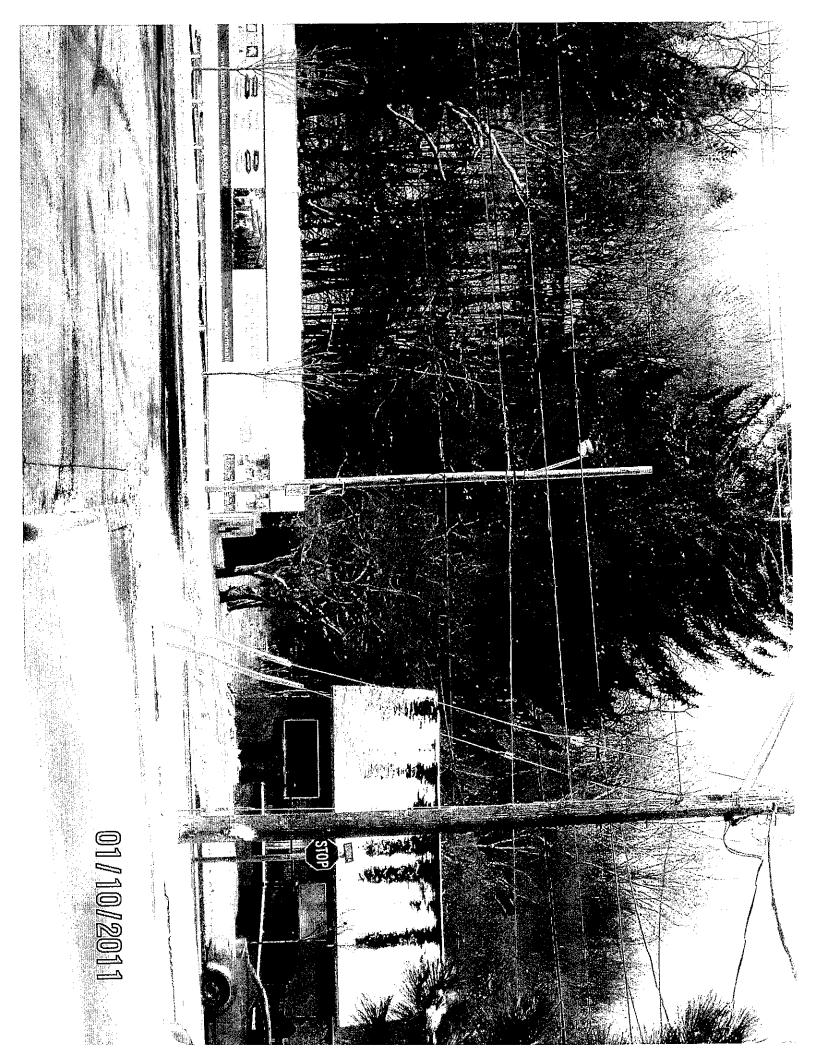
We oppose this application for the following additional reasons:

- 1. Privacy. Being so close to the property, we would feel very uncomfortable with such a big building with all the people from the units watching us;
- 2. Loss of peace, tranquility and enjoyment of our property;
- 3. Being retired, we feel that our quality of life would be changed;
- 4. Noise level;
- 5. The number of people in 94 units that would come onto our street, being so close by foot and by car:
- 6. Reflection from the glass windows, we will be looking at ourselves and our property in this 7 storey Apartment Building, that will be very disturbing to us, during the day and at night there will be 94 units or whatever number of units that directly face us with their lights glaring into our home;
- 7. The traffic. We have seen people in front of our property from 9-3p.m. on a number of day and I went to speak to the person and they said they were doing a traffic study. At any time when I try and turn onto Islington south, I have to go onto the turning lane to get out of our street.
- 8. Also, during construction of this type of structure for the duration we would be inflicted with noise from the machinery and vehicles coming and going. The dust and mess that it would cause. The vehicles wanting to use our street for parking.
- 9. We would have preferred to come to an acceptable agreement with the applicant for the development of this property that would fit our area and respectful to us as residents that have been here for over 30 years. We do not want a concrete monster to stare at on a daily basis in our retirement years where we should be enjoying our home, our gardens. We want them to understand that this is our home and when they complete the building, they will leave, but we will be left behind. We have invested 34 years of our life in this neighbourhood and were looking forward to a peaceful retirement as we have enjoyed for 34 years, what investment do these developers have in our neighbourhood?

We are therefore respectfully requesting that all our concerns be considered by council when deciding in relation to the above mentioned applications and that you, our elected representatives should oppose these applications for a 7 storey Apartment Building.

Yours truly,

Victor Cortiula and Adele Cortiula



Albert, Joanne and Robert Federici 6 Hartman Avenue Woodbridge, Ontario L4L 1R6

January 10, 2011

TO: City Clerk, Jeffrey A. Abrams
AND TO: Tony Carella, Ward 2 Councillor
AND TO: Mayor Maurizio Bevilacqua
AND TO: All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn Iafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO: Claudia Storto, Solicitor, City of Vaughan

RE: OMB File No(s): PL100348 and PL 100349

Municipal File No(s): OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc.; Vince Di Tommaso

We live on 6 Hartman Avenue directly across the above location, which is the subject of the above applications.

We strongly oppose the above applications and our reasons are two fold.

1. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is: both studies concluded similar results for the specific properties mentioned above; requesting by-law and re-zoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interestingly, both studies occurred several years apart from each other but the results remained fairly consistent.

As an area resident of this community for the past 30 years, I sincerely hope that the council members will review the findings of the two separate studies and agree that the land remains zoned for Medium Density Residential with the height restriction as well as the FSI restriction.

2. In addition to the above matters, we want you to consider the direct affect this development would have on us. Our house faces south and as we sit on the veranda we face south and east towards Islington and the subject lands. This new development will rob us from a view which we have enjoyed daily for the past 30 years.

We just want to share a bit of our history in order for you to understand how we would be affected and what living here means to us.

We purchased our lot in 1981 and built our first home ourselves which took us a year and a half. My husband, myself along with my father, who has since passed away, worked very hard during that time. We were a young couple with one child and were expecting our second child when we moved in. We have enjoyed living in our home over the past 30 years. We were looking forward to our later years and looking forward to the full enjoyment of our entire property. We love the outdoors and are outside as much as possible. We are in the front yard alot, tending to our flowers and gardens.

We have had to accept change along the way. However, the application before you of a 7 storey Apartment Building is something we cannot accept for our area. A 7 storey Apartment Building would be very overwhelming for our community of Pine Grove. This section is probably the narrowest part of Islington Avenue and has had a small community feel with the 5 churches, the 2 beautiful parks and so many mature trees all around. Our street ends up on the Humber River with wildlife always present. What impact will this development have on our wildlife that have been here longer than any of us: deer, squirrels, beavers, foxes, rabbits, raccoons, groundhogs, and an array of birds including Blue Jays, Woodpeckers, Cardinals, Robins and Owls.

In early spring, although it is still cool, I put my coat and sit on my front porch to enjoy the warmth of the sun and read. As soon as it starts to warm up I would come out in the mornings and sit on my ledge with a blanket and have my coffee. My husband and I sit on the front veranda to relax in the early evening to enjoy a coffee. In the summer evenings we sit on our veranda or neighbours veranda to enjoy the good weather. This type of development would cause severe disruption to that peace and tranquility with 94 units in front of us or whatever number of units would be facing us, it would be like having 94 TV sets lit up in front of us. The amount of lighting and windows lit up disturbing our peace and enjoyment of our properties. We have celebrated graduations, baptisms, communions, confirmations, even a wedding all with pictures on our front veranda and enjoying our front yard.

Attached are pictures (Images 0213, 0216, 0218 and 0226 of our frant veranda showing the various sitting areas, from the areas where we sit an the veranda, from the battam of our veranda where there is another sitting area and from the end of our driveway) so that you can visualize what we are referring to.

We oppose this application for the following additional reasons:

- 1. Massive infringement of our peaceful enjoyment of our property,
- 2. Massive infringement on our quality of life;
- 3. Loss of tranquility;
- 4. Invasion of privacy;
- 5. Obstruction of our view of the trees on the subject property that we have enjoyed over the past 30 years and loss of trees that they will be destroyed for this development;
- 6. Increase of noise level;

- 7. The number of people that will be accessing our street for its proximity to the subject lands. We already have issues with the number of people turning into our street and parking on our street, what will happen with 94 units right across the street from Hartman Avenue?
- 8. The traffic. At any time during the day, especially at the high traffic times, we have trouble turning left and even right from our street. We always have to take a chance and turn onto the passing lane in order to get across southerly on Islington. Islington in this stretch is only 2 lanes, with a turning lane. The Montessori School is just meters from our street and there are cars that turn into the school at the same time. Even when we take a chance and go into the passing lanes, it becomes dangerous as there are cars turning left into the school at the same time which we end up right in front of them. Not very safe.
- 9. The amount of foot traffic onto our street and along Islington.
- 10. Reflection from the glass windows, we will be looking at Hartman Avenue, ourselves and our property in this 7 storey Apartment Building, that will be very disturbing to us.
- 11. Also, during construction of this type of structure, which would take up considerable amount of time to complete, we would be inflicted with noise from the machinery and vehicles coming and going. The dust and mess that it would cause. Being home more, we would be subject to this every day and all day long. The vehicles wanting to use our street for parking.

We have expended a considerable amount of our time and effort (time away from work and our families) for meetings, etc. in regards to these applications, but unfortunately to no satisfactory conclusion to date. This development would alter our way of life and that is why we have wanted to come to a mutual agreement for this development.

Our family, and a number of our neighbours and their families have been in their homes on Hartman Avenue for 30 plus years. Now, we have these developers who want to come in, put up a concrete monster, pocket their profits and leave us in the dust while destroying our quality of life. We are the ones that have been here for 30 plus years and we are being asked to change our way of life to the point we deem destructive if you allow this 7 storey monster to be constructed in our face. We have been tax paying residents of the City of Vaughan for the past 30 years and should be allowed to have peaceful use of our entire property.

We are therefore respectfully requesting that all our concerns be considered by council members when deciding in relation to the above mentioned applications. As most of you are aware this community is very involved and we feel that you, our elected representatives should oppose these applications for a 7 storey Apartment Building. We are also extremely concerned about future development requests in the immediate area.

Yours truly,

Joanne Federici, Albert Federici and Robert Federici









Carlo Fortino 5 Hartman Avenue Woodbridge, Ontario L4L 1R6

January 10, 2011

TO:

City Clerk, Jeffrey A. Abrams

AND TO:

Tony Carella, Ward 2 Councillor

AND TO:

Mayor Maurizio Bevilacqua

AND TO:

All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn lafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO:

Claudia Storto, Solicitor, City of Vaughan

RE:

OMB File No(s):

PL100348 and PL 100349

Municipal File No(s):

OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc.; Vince Di Tommaso

We live on 5 Hartman Avenue, directly across the above location.

We strongly oppose the above applications and our reasons are two fold.

1. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting by-law and rezoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interestingly both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that the council members will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

2. In addition to all of the above matters, we want you to consider the direct effect this development would be on us.

We have lived here for several years and I bought this house to retire in and invested hundreds of thousands of dollars in the purchase of the house, extensive renovations and added a pool for ourselves and our grandchildren. My intentions were when we purchased the property that it was a low density area and there was no further development at that time. Only a few years in and we have been faced with the prospect of a 7 storey Apartment Building right in front of our property. We cannot accept this as this will affect our quality of life with all these balconies invading our privacy. It will make us feel like we are goldfish in a fishbowl.

We oppose this application for the following additional reasons:

- 1. Privacy. Being so close to the property, we would feel very uncomfortable with such a big building with all the people from the units watching us;
- 2. Loss of peace, tranquility and enjoyment of our property;
- 3. Noise level;
- 4. The number of people in 94 units that would come onto our street, being so close by foot and by
- 5. Reflection from the glass windows, we will be looking at ourselves and our property in this 7 storey Apartment Building, that will be very disturbing to us, during the day and at night there will be 94 units or whatever number of units that directly face us with their lights glaring into our home:
- 6. The traffic. At any time when I try and turn onto Islington south, I have to go onto the turning lane to get out of our street.
- 7. Also, during construction of this type of structure for the duration we would be inflicted with noise from the machinery and vehicles coming and going. The dust and mess that it would cause and that would mess up our pool and outside enjoyment of it in the summer time during all of this construction. The vehicles wanting to use our street for parking.

We would have preferred to come to an acceptable agreement with the applicant for the development of this property that would fit our area and respectful to us as residents. We do not want a concrete monster to stare at on a daily basis. We want them to understand that this is our home and when they complete the building, they will leave, but we will be left behind. We have invested thousands of dollars in getting the house of our dreams, what investment do these developers have in our neighbourhood?

We are therefore respectfully requesting that our concerns be considered regarding these applications and oppose this 7 storey Apartment Building.

Yours truly,

Carlo Fortino

Peter and Dima Gambino 8283 Islington Avenue Woodbridge, Ontario L4L 1W9

#### January 10, 2011

TO: City Clerk, Jeffrey A. Abrams
AND TO: Tony Carella, Ward 2 Councillor
AND TO: Mayor Maurizio Bevilacqua
AND TO: All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn lafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO: Claudia Storto, Solicitor, City of Vaughan

RE: OMB File No(s): PL100348 and PL 100349

Municipal File No(s): OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc. ; Vince Di Tommaso

We live at 8283 Islington Avenue which is across the street from this proposed development, right in front of our home.

We also have approximately 120 petitions from immediate neighbours that oppose this development of a 7 Storey Apartment Building.

We strongly oppose the above applications and our reasons are two fold.

1. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting by-law and rezoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interestingly both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that the council members will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

2. In addition to all of the above matters, we want you to consider the direct effect this development would be on us.

Our house is on Islington Avenue, just adjacent to the proposed development of a 7 storey apartment building.

We purchased our lot in 1977, 34 years ago. We built our own home on the lot that we purchased which we thought would be our sanctuary in the suburbs, with the river in the bank with its rustic green charm.

My wife and I are both retired with our children and grandchildren and we are always outside in our front maximizing the use of our house, on our large veranda and the second floor balcony sun area. The proposal for a 7 storey apartment building is not acceptable because it will destroy our quality of life which we have enjoyed for the past 34 years.

We feel that these small developers are coming in and exploiting the area, build the biggest and highest building to accommodate as many units as possible not considering the neighbourhood and the consistency of the area which is medium density and respect the people who have been here for the past 30-50 years. They are destroying my family's quality of life which we have enjoyed for the past 34 years.

Attached are pictures (Images 6004 and 6009) to show you how we are located from the above location in this application and pictures of cars turning in and out of the Montessori school.

We oppose this application for the following additional reasons:

- 1. Privacy. Being right in front of our house, all the people living in these units would be looking into our home;
- Loss of peace, tranquility and enjoyment of our property;
- 3. Being retired, we feel that our quality of life would be changed;
- 4. Noise level;
- 5. The traffic. The number of cars going into the church (which is adjacent to the Montessori school) and the cars going into the Montessori school along with another 94 units in a proposed 7 storey apartment building will make it impossible for us to get out of our driveway which is on Islington Avenue and we already have a hard time doing that now;
- 6. Also, during construction of this type of structure for the duration we would be inflicted with noise from the machinery and vehicles coming and going. The dust and mess that it would cause. The vehicles wanting to use our street for parking;
- 7. The shadow effect this 7 storey apartment building would cause to our home and the fact that we will feel very enclosed;
- 8. Safety in terms of the time during construction with the machinery. We are retired and this would be in our face on a daily basis all day long. We are too old to endure all this going on and the noise level, etc.

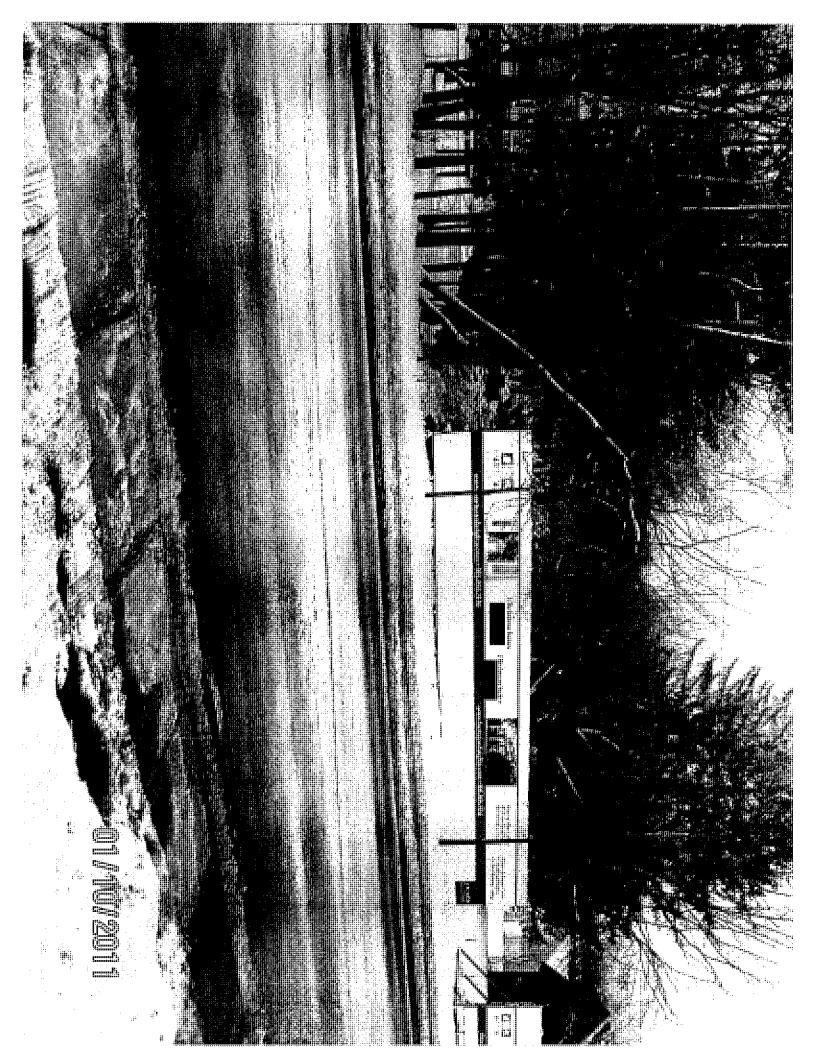
- 9. Loss of greenery which we have enjoyed for all these years and we feel that it is destructive to our neighbourhood.
- 10. Reflection from the glass windows, we will be looking at ourselves and our property in this 7 storey building, that will be very disturbing to us.

We would have preferred to come to an acceptable agreement with the applicant for the development of this property that would fit our area and respectful to us as residents that have been here for over 34 years. We do not want a concrete monster to stare at on a daily basis in our retirement years where we should be enjoying our home, our gardens. We want them to understand that this is our home and when they complete the building, they will leave, but we will be left behind. We have invested 34 years of our life in this neighbourhood, what investment do these developers have in our neibourhood?

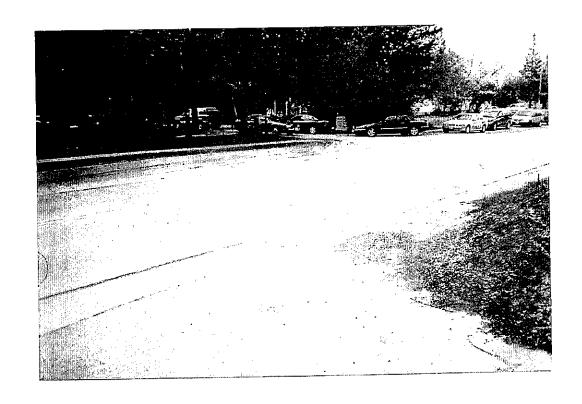
We are therefore respectfully requesting that our concerns be considered fully when considering these applications and oppose this 7 storey Apartment Building. We are also extremely concerned about future development requests in the immediate area.

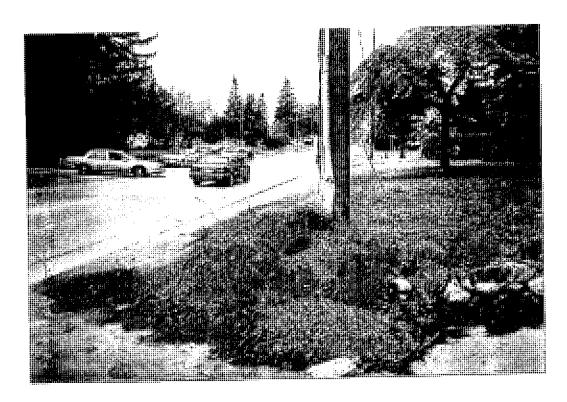
Yours truly,

Peter and Dima Gambino



01/10/2011





Jim and Eva Laszlo 10 Hartman Avenue Woodbridge, Ontario L4L 1R6

#### January 10, 2011

TO: City Clerk, Jeffrey A. Abrams
AND TO: Tony Carella, Ward 2 Councillor
AND TO: Mayor Maurizio Bevilacqua
AND TO: All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn Iafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO: Claudia Storto, Solicitor, City of Vaughan

RE: OMB File No(s): PL100348 and PL 100349

Municipal File No(s): OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc.; Vince Di Tommaso

We live on 10 Hartman Avenue which is directly across the above location.

We strongly oppose the above applications and our reasons are two fold.

1. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting by-law and rezoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interesting that both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that the council members will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

2. In addition to all of the above matters, we want you to consider the direct effect this development would be on us.

Our house faces south and when we are in our front yard, we would be facing the development every day. We purchased our lot in 1981, 30 years ago. We built our own home on the lot that we purchased.

My wife and I are both retired and we are always outside in our front with our dog and cutting the grass and gardening. We purchased the property for the size, nice peaceful surroundings and availability for gardening.

The gradual changes in this area, too many apartments have been built in the last few years. Now we have this application of a 7 storey building. We feel that the developers' aim is to have as many units as possible to line their pockets disregarding how it will affect us that have lived here for the past 30 years.

We are very upset over the possibility of 95 units being built in front of our street.

Attached is a picture (Images 0230 and 0231) to show you how we are located from the above location in this application.

We oppose this application for the following additional reasons: Privacy. Being so close to the property, we would feel very uncomfortable with such a big building with all the people from the units watching us;

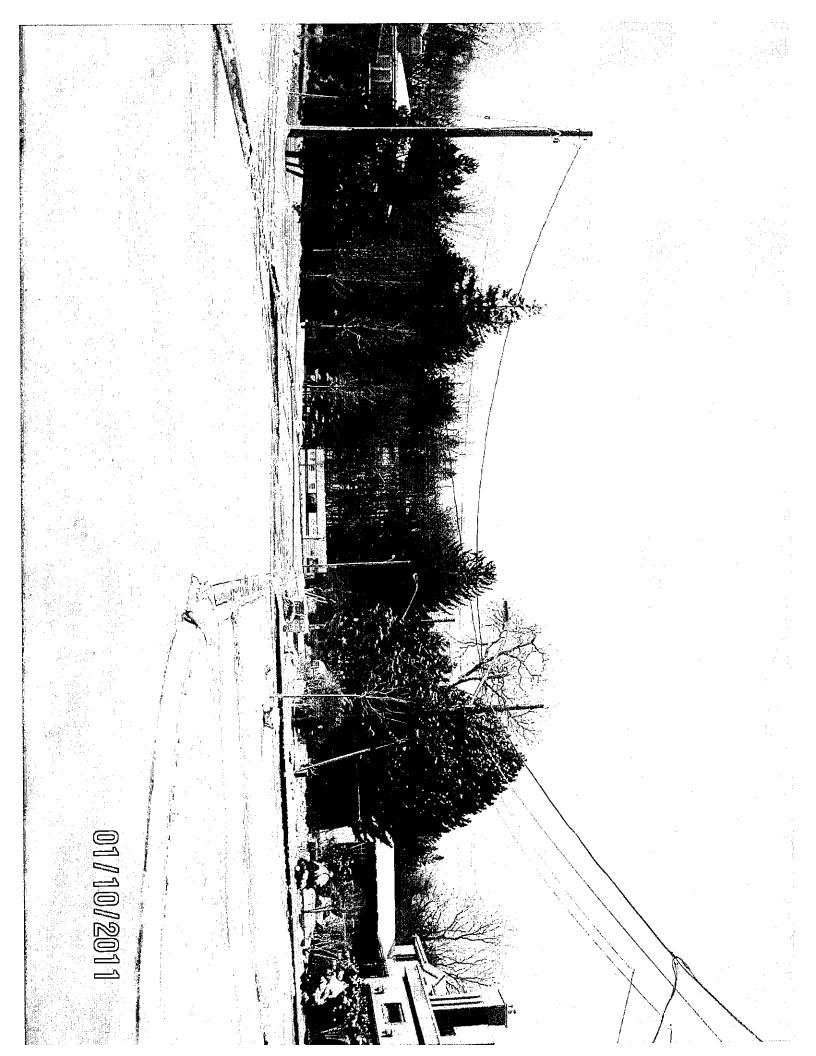
- Loss of peace, tranquility and enjoyment of our property;
- 2. Being retired, we feel that our quality of life would be changed, the noise level;
- 3. The # of people in 95 units that would come onto our street, being so close by foot and by car;
- 4. The traffic. We have seen people in front of our property from 9-3p.m. on a number of day and I went to speak to the person and they said they were doing a traffic study. At any time when I try and turn onto Islington south, I have to go onto the turning lane to get out of our street.
- 5. Also, during construction of this type of structure for the duration we would be inflicted with noise from the machinery and vehicles coming and going. The dust and mess that it would cause. The vehicles wanting to use our street for parking.

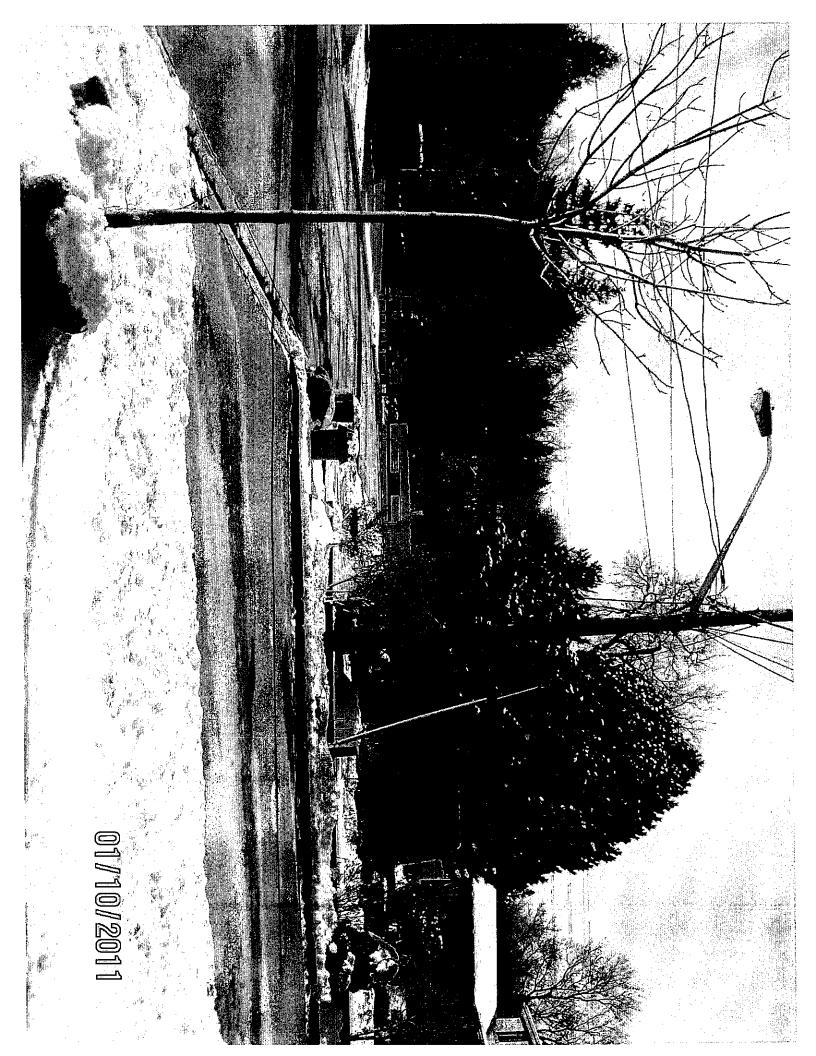
  We would have preferred to come to an acceptable agreement with the applicant for the development of this property that would fit our area and respectful to us as residents that have been here for over 30 years. We do not want a concrete monster to stare at on a daily basis in our retirement years where we should be enjoying our home, our gardens. We want them to understand that this is our home and when they complete the building, they will leave, but we will be left behind. We have invested 30 years of our life in this neighbourhood, what investment do these developers have in our neighbourhood?

We are therefore respectfully requesting that you, our elected officials, oppose these applications.

Yours truly,

Jim Laszlo and Eva Laszlo





Michael Madeley/AMI Enterpises 8286 Islington Avenue Woodbridge, Ontario L4L 1R6

### January 11, 2011

TO: City Clerk, Jeffrey A. Abrams
AND TO: Tony Carella, Ward 2 Councillor
AND TO: Mayor Maurizio Bevilacqua
AND TO: All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn Iafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO: Claudia Storto, Solicitor, City of Vaughan

RE: OMB File No(s): PL100348 and PL 100349

Municipal File No(s): OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc.; Vince Di Tommaso

I am the owner of 8286 Islington Ave., the property directly to the south of the proposed development. Currently I operate a Montessori School on the property and I strongly object to having a 7 storey Apartment building located right next to me.

For one thing, the proposed height of the building will block out the sun from my playground. Also the proposed building is crowded up against my property (in some instances less than 3 metres from the property line). But my overriding concern is the impact this building and the extra traffic it will generate will have on the safety of the children attending my school, both during construction and after completion.

I would prefer that any development here conform to existing municipal bylaws.

We strongly oppose the above applications also for the following reasons:

1. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting by-law and rezoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interestingly both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that you will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

We would have preferred to come to an acceptable agreement with the applicant for the development of this property that would fit our area and respectful to us as residents.

We are therefore respectfully requesting that all our concerns be considered by council when deciding in relation to the above mentioned applications and oppose these applications.

Yours sincerely,
Michael Madeley
Elementary Principal
Maple Leaf Montessori Schools

Pietro and Caterina Ranieri 12 Hartman Avenue Woodbridge, Ontario L4L 1R6

### January 10, 2011

TO:

City Clerk, Jeffrey A. Abrams

AND TO:

Tony Carella, Ward 2 Councillor

AND TO:

Mayor Maurizio Bevilacqua

AND TO:

All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn Iafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO:

Claudia Storto, Solicitor, City of Vaughan

RE:

OMB File No(s):

PL100348 and PL 100349

Municipal File No(s):

OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc. ; Vince Di Tommaso

We live on 12 Hartman Avenue which is directly across the above location.

We strongly oppose the above applications and our reasons are two fold.

1. Over the past several years at least two extensive reviews have been undertaken by outside expert sources for the City of Vaughan. One being the Islington Avenue Land Use Study finalized September 2002, handled by the IBI Group, the other recently completed and adopted by Members of Council on September 7<sup>th</sup>, 2010, Vaughan Tomorrow handled by Urban Strategies Inc. Our understanding of these extensive reviews by experts is both studies concluded similar results for the specific properties mentioned above requesting by-law and rezoning amendments. Both outside experts agreed that a Medium Density designation, a height restriction of 3 ½ storeys and a FSI of 0.5 with the possibility of a bonusing structure to reach a maximum of a 1.0 FSI is appropriate for these lands. Interesting that both studies occurred several years apart from each other but the results remained fairly consistent.

As an area residence of this community for many years I sincerely hope that you will review the findings of these two separate studies and agree with their findings, and the above mentioned lands stay zoned for Medium Density development with the height restriction as well as the FSI restriction.

2. In addition to all of the above matters, we want you to consider the direct affect this development would have on us.

Our house faces south and when we are in our front yard, we would be facing the development every day.

We purchased our lot approximately 30 years ago. We built our own home on the lot that we purchased. We have raised our children at this home and we have always felt safe on our street.

My wife and I are both retired and we are always outside in our front cutting the grass and working in our garden. We purchased the property for the size, nice peaceful surroundings and availability for gardening.

There already have been too many apartments that have been built in the last few years. Our property has an apartment building in the rear of our property. Now we have this application of a 7 storey Apartment building. We feel we will be suffocated by this additional building. We feel that the developers' aim is to have as many units as possible for profit disregarding how it will affect us that have lived here for the past 30 years and the area of Pine Grove.

We are very upset over the possibility of 94 units being built in front of our street.

We oppose this application for the following additional reasons:

- 1. Privacy. Being so close to the property, we would feel very uncomfortable with all these additional units invading our privacy;
- 2. Loss of peace, tranquility and enjoyment of our property;
- 3. Being retired, we feel that our quality of life would be changed;
- 4. Noise level;
- 5. The number of people in 94 units that would come onto our street, being so close by foot and by car;
- 6. The traffic. We have to go onto the turning lane to get out of our street.
- 7. Also, during construction of this type of structure for the duration we would be inflicted with noise from the machinery and vehicles coming and going. The dust and mess that it would cause. The vehicles wanting to use our street for parking.
- 8. The wildlife that we have enjoyed and living with, what will happen to them?

We would have preferred to come to an acceptable agreement with the applicant for the development of this property that would fit our area and respectful to us as residents that have been here for over 30 years. We do not want a concrete monster to stare at on a daily basis in our retirement years where we should be enjoying our home, our gardens. We want them to understand that this is our home and when they complete the building, they will leave, but we will be left behind. We have invested 30 years of our life in this neighbourhood, what investment do these developers have in our neighbourhood?

We are therefore respectfully requesting that our concerns be considered and oppose these applications. We are also extremely concerned about future development requests in the immediate area and the precedent this would set.

Yours truly,

Pietro Ranieri and Caterina Ranieri

Michael Scott 11 Hartman Avenue Woodbridge, Ontario L4L 1R6

#### January 10, 2011

TO: City Clerk, Jeffrey A. Abrams
AND TO: Tony Carella, Ward 2 Councillor
AND TO: Mayor Maurizio Bevilacqua
AND TO: All members of Council:

Gino Rosati; Michael Di Biase; Deb Schulte; Marilyn Iafrate; Rosanna DeFrancesca;

Sandra Racco and Alan Shefman

AND TO: Claudia Storto, Solicitor, City of Vaughan

RE: OMB File No(s): PL100348 and PL 100349

Municipal File No(s): OP.08.013 and Z.08.048

Location: 8294, 8298 and 8302 Islington Avenue, City of Vaughan

Applicant: 2174824 Ontario Inc.; Vince Di Tommaso

This is to convey categorical disgust from residents living within a matter of 100 yards of the site in question. Clearly, a plurality of persons most intimately to be affected by the repugnant development proposed in this instance is in opposition.

Government propaganda seeks to persuade us that we live in a democracy, while here we see the desires of local residents to control degradation of Pine Grove being dismissed and subjected to the avarice of yet another aspiring profiteer having little if any affiliation to the neighbourhood: this fails to qualify as even a pretence of democracy.

### SPECIFIC OBJECTIONS OTHER THAN CULTURAL INCLUDE:

- 1. Islington is effectively two lanes, the centre "turn" lane already conducive to confrontation when drivers entering on a left turn onto Islington confront each other so that each has to stop in the centre lane and cannot speed up to merge. When Islington was rebuilt, with just two lanes in Pine Grove, transportation engineers at the time declared development was never intended such as to augment congestion. This is endorsed by the simple status wherein all is only just modestly satisfactory at this time, but further traffic volume will have pronounced adverse effect.
- 2. Rush hour traffic north is consistently a slow-moving traffic-jam. Cars exiting Hartman Ave are already hard put to emerge. A multitude and cacophony of many more vehicles is to be deplored.
- 3. The district has no need whatever to be further polluted by any building exceeding three storeys. All buildings thus far, on the east side of Islington and at variance with the two-story

- single family concept, are no more than three storeys in height. There is utterly no logical reason suddenly to deviate in order to satisfy or placate a rapacious developer.
- 4. The matter of parking is of concern to residents of Hartman. We do not want residents opposite or their visitors usurping the scant parking on Hartman Ave.
- 5. Vaughan has been witness to unseemly influence of so-called developers whose flavour is somewhat more repulsive than that of the influence peddler. With a new mayor having a reputation for integrity, it should provide both time and opportunity for re-evaluation of this further degradation of the neighbourhood.
- 6. The residential mix of the present proposal gives rise to much Concern. Is a plethora of bachelor units in the area desirable in the least?

We shall look forward to the City Solicitor standing stalwart on behalf of residents and voters.

Regards,

Michael Scott

C11 COMMITTEE OF THE WHOLE

item: **JANUARY 11, 2011** 

15 & 16

From:

Abrams, Jeffrey

Sent:

Tuesday, January 11, 2011 8:59 AM

To:

Bellisario, Adelina

Subject:

FW: Vaughan Social Action Council Deputation on "Places to Grow Stakeholders Roundtable" at Committee of

the Whole

Attachments: vsaccityletterroundtable.pdf

From: vaughan social action council [mailto:socialactioncouncilvaughan@gmail.com]

Sent: Tuesday, January 11, 2011 7:58 AM

**To:** Abrams, Jeffrey; Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Schulte, Deb; Iafrate, Marilyn; Carella, Tony;

DeFrancesca, Rosanna; Racco, Sandra; Shefman, Alan

Subject: Vaughan Social Action Council Deputation on "Places to Grow Stakeholders Roundtable" at Committee of the Whole

Dear City Clerk, Mayor, and Members of Vaughan City Council,

Please find attached written correspondence relating to the deputation Rev. Jim Keenan will make on behalf of the Vaughan Social Action Council(VSAC) at today's Committee of the Whole Meeting. It will be a deputation in response to Items 15 and 16 on the agenda.

Essentially the problem as we see it is that the province introduced the "Places to Grow" legislation and then left it to the municipalities to initiate the entire paradigm shift regarding how planning takes place at the local level. So now we find a situation where different stakeholders- i.e. developers, environmentalists, citizen groups and residents have very different understandings of what the new legislation actually means and how it should unfold in Vaughan.

Rather than trying to thrash this out piece meal in an adversarial manner with the bad will, wasted time and costs that would create we suggest the City take a deep breath and consider the stakeholder roundtable proposed in our attached deputation. We believe this process could provide an effective venue to get all stakeholders together with provincial, regional and municipal officials to develop a common language and cooperative strategies for the new planning environment.

Thank you.

VSAC Board of Directors

# **Vaughan Social Action Council**

9100 Jane Street, Unit E, Maple, Ontario, L4K 0A4 Socialactioncouncilvaughan@gmail.com www.vaughansocialactioncouncil.ca

January 11, 2011

Dear City Clerk, Mayor and Members of Vaughan Council:

The Vaughan Social Action Council proposes the establishment of a "Places to Grow Stakeholders Roundtable" for Vaughan, with the involvement of residents, interest groups, developers, along with City, Regional staff, Provincial Ministry staff and political representation.

### Vaughan Social Action Council's Expression of Interest:

Vaughan Social Action Council (VSAC) formed just over one year ago, is a Vaughan residents' community group (It will be incorporated as non-profit organization, soon) whose vision is to create a caring, prosperous, and inclusive community where all people in Vaughan are able to realize healthy and successful lives.

Our mission is to connect people, communities, governments, academia, businesses, and social service providers together to reach creative and collaborative solutions to complex social issues in Vaughan.

VSAC's volunteer Board of Directors has support and representation from York Region Public and Catholic School Boards, local faith and cultural communities, seniors' organizations, Human Endeavour, Vaughan residents, York University, Vaughan Community Health Centre, and social service professionals with variety of competencies and commitment to a better Vaughan for all.

VSAC has a keen interest in community planning and citizen engagement that supports a caring, prosperous, inclusive City, and in particular in creating communities that support the health and well-being of children, youth and families. The City of Vaughan's Official plan and associated City planning policies have a critical impact on the housing mix available for Vaughan families, the nature of planned recreational and social programs and supports, the availability and functionality of transportation, and the economic prosperity of our City.

It is for these reasons that our organization wishes to facilitate bringing together various stakeholders from our community together on a "Places to Grow Roundtable" in Vaughan and is looking for the City's support for this initiative.

#### Background Rationale

Regional Municipalities including Vaughan, are now implementing the Province of Ontario's "Places to Grow" legislation and planning framework which presents a considerable paradigm shift from the traditional planning model of sprawling subdivision-type growth towards the building of intensified, sustainable communities where people can live, work, play and shop without depending upon the automobile.

# Vaughan Social Action Council

9100 Jane Street, Unit E, Maple, Ontario, L4K 0A4 Socialactioncouncilvaughan@gmail.com www.vaughansocialactioncouncil.ca

Virtually every municipality in the Province is now experiencing tensions between stakeholders, when proposed infill and increases in density clash with people's expectations of their existing suburban environment.

Vaughan has seen these tensions bubble over into various planning applications before the Council and the OMB, through its Official Planning consultation process and through the comments made to the City on the new Plan by various stakeholders. In fact, amending or rescinding portions of the City's new Official plan, just recently approved in October of 2010, is the subject of 3 motions before Council today, and the subject of many new amendments proposed by the development community.

We believe that beneath this tension, is a community which is lacking a common planning language and understanding among all stakeholders on the reasoning for, and the details of the whole scale change in planning principles implemented through 'Places to Grow'. It is not just residents who are trying to come to grips with intensification in our City, but the development industry itself who is also working to create new business models and attractive housing strategies that will sell in the marketplace to meet this planning change.

And while the recent City of Vaughan Official planning process allowed for considerable consultation with stakeholders it was done within 'silos' of one-way input, where ultimately the City became the sole arbiter on the Official Plan's final substance and requirements.

We suggest that what is now required is the bringing together of stakeholders face to face on an on-going basis to work together to collectively to understand Places to Grow and to work to resolve current issues and propose creative solutions with our new Official Plan. This will hopefully develop long term relationships amongst community planning stakeholders and avoid costly and negative legal wrangling over City planning decisions in our near future.

We are proposing the establishment of a "Places to Grow Stakeholders Roundtable" for Vaughan, with the involvement of residents, interest groups, developers, along with City and Regional staff, Provincial Ministry staff and political representation from City Council.

The objectives of such a roundtable initiative would be to:

- Educate citizens, developers and community groups about the Places to Grow Act and associated planning principles and guidelines, and the respective roles the provincial, regional and municipal governments and the OMB have in its implementation and enforcement. Possible outreach could include forums, conferences, flyers, articles
- Build community relationships between interested community members, community groups, and developers through discussions with a shared purpose of sustainable City building
- Develop effective and constructive frameworks/strategies for parties to discuss and negotiate upcoming development projects and avoid costly legal battles.

# **Vaughan Social Action Council**

9100 Jane Street, Unit E, Maple, Ontario, L4K 0A4 Socialactioncouncilvaughan@gmail.com www.vaughansocialactioncouncil.ca

- To work to resolve current issues and propose creative solutions regarding our new Official Plan.
- To seek win-win planning solutions to meet the needs of all stakeholders

The roundtable would meet on a regular basis, perhaps quarterly, and would produce a yearly report to City and Regional Council.

We believe that the implementation of the Places to Grow Roundtable will allow our City to implement a constructive community conversation around intensification and City building, and take a fresh approach to resolving controversial issues raised through our Official Planning process.

Rev. Lit 107

With regards,

Rev. Jim Keenan,

VSAC Board Co-Chair on behalf of VSAC Board

C12
COMMITTEE OF THE WHOLE
Item: 15 + 16
JANUARY 11, 2011

From:

Abrams, Jeffrey

Sent:

Tuesday, January 11, 2011 10:29 AM

To:

Bellisario, Adelina

Subject: FW: COW Meeting January 11, 2011 - 1pm Session

From: Richard Lorello [mailto:rlorello@rogers.com]

Sent: Tuesday, January 11, 2011 10:27 AM

Fo: Bevilacqua, Maurizio; Carella, Tony; DeFrancesca, Rosanna; Di Biase, Michael; Iafrate, Marilyn; Racco, Sandra; Rosati, Gino;

Schulte, Deb; Shefman, Alan; Harris, Clayton; Abrams, Jeffrey

Cc: Caroline Grech; John Goddard; Phinjo Gombu; Michael McClymont; Sarah Boesveld; Frank Greco; Elvira Caria; Nick Pinto

Subject: Fw: COW Meeting January 11, 2011 - 1pm Session

Dear Members of Council

As I will not be able to attend this afternoon's committee of the whole meeting, I would like to reiterate and strongly recommend that items 15 and 16 of Report # 1 be deferred to an evening session for the purpose of giving all residents an apportunity to provide public input into these very important matters.

Please see my forwarded email below from Jan 3, 2011

Sincerely

Richard T. Lorello

--- On Mon, 1/3/11, Richard Lorello <a href="mailto:rlorello@rogers.com">rlorello@rogers.com</a> wrote:

From: Richard Lorello <rlorello@rogers.com>

Subject: COW Meeting January 11, 2011 - 1pm Session

To: "Maurizio Bevilacqua" <Maurizio.Bevilacqua@vaughan.ca>, "Tony Carella" <Tony.Carella@vaughan.ca>,

"Rosanna DeFrancesca" <Rosanna.DeFrancesca@vaughan.ca>, "Michael DiBiase"

<Michael.DiBiase@vaughan.ca>, "Marilyn Iafrate" <Marilyn.Iafrate@Vaughan.ca>, "Sandra Racco"

<sandra.racco@vaughan.ca>, "Gino Rosati" <Gino.Rosati@vaughan.ca>, "Deborah Schulte"

<Deb.Schulte@vaughan.ca>, "Alan Shefman" <alan.shefman@vaughan.ca>, "Clayton Harris"

<clayton.harris@vaughan.ca>, "Jeffrey Abrams" <jeffrey.abrams@vaughan.ca>

Cc: "Caroline Grech" <cgrech@yrmg.com>, "John Goddard" <jgoddard@thestar.ca>, "Phinjo Gombu"

<pgombu@thestar.ca>, "Michael McClymont" <michaelmcclymont@hotmail.com>, "Sarah Boesveld"

<sarah.boesveld@gmail.com>, "Frank Greco" <frank.greco@sympatico.ca>, "Elvira Caria"

<ElviraCaria@aol.com>, "Nick Pinto" <npinto@rogers.com>, "Antony Niro" <antony.niro@rogers.com>

Date: Monday, January 3, 2011, 6:10 PM

Dear Mayor and Members of Council

Hope you are all well.

I would like to draw your attention to the January 11, 2011, 1pm Session.

1/11/2011

http://www.vaughan.ca/vaughan/council/minutes\_agendas/committee\_2011/a20110111.cfm

I respectfully request that items 15 and 16 be heard in the evening of the same day or the following day. I understand there is an evening session already scheduled for January 11, 2011 at 7pm.

Items 15 and 16 deal with significant changes to the Offical Plan. Given that the Official Plan affects and touches every resident in the City of Vaughan, I believe it is important to give as many residents as possible the opportunity to attend the meeting and also the opportunity to provide input through written or oral deputation.

This is a very important matter and was a significant election issue. I cannot stress enough how critical it is to allow for as much public input as possible.

I sincerely hope that this accomodation can be made.

Sincerely Richard T. Lorello Submitted by Peter Law on behalf of Residence

January 11, 2011

C13
COMMITTEE OF THE WHOLE

Item: \-----JANUARY 11, 2011

To:

Members of The Ontario Municipal Board

From: Neighbourhood Community in Opposition to the Application Referred Below

Dear Sirs/Mesdames:

OMB Case No:

PL100795

File Number:

PL 100795

Related File Numbers:

PL101012, PL101013, PL101014

Municipality:
By-Law Amendment File:

Vaughan Z.09.030

Property Location:

138 Arnold Avenue & 143 Thornridge Drive

We are the neighbourhood that will be adversely affected by these applications and we strongly oppose the proposed amendment to Zoning By-Law 1-88 of the City of Vaughan to rezone portions of 138 Arnold Avenue and 143 Thornridge Drive from R1V Old Village Residential Zone to R2 Residential Zone to facilitate the creation of 5 new residential lots for single detached dwellings having frontage on the proposed easterly extension of Pondview Road.

Our submission will chronicle and explain our opposition to this application:

## Chronologically,

## January 12, 2010

Committee of The Whole (Public Meeting) – A petition was presented to the Committee in opposition to the application (Appendix A). Please note that the The Commissioner of Planning, recommended that the following matters to be reviewed (Appendix B):

- Conformity with Provincial policies, Regional and City Official Plans, and Neighbourhood Development Plan,
- Appropriateness of Proposed Uses and Zoning Exceptions; Service Allocation,
- · Flood Line Study,
- Functional Servicing Report,
- Toronto and Region Conservation Authority,
- Phase 1 Environmental Report.

## January 26, 2010

Council of the City of Vaughan adoption of Item 2, Report No. 3, of the Committee of the whole (Public Meeting) (Appendix C).

### March 11, 2010

2123659 Ontario Inc. application to Committee of Adjustment (Consents) for creation of new lots. Municipal File Nos: B013/10,B014/10,B015/10. There was a request to adjourn to June 10, 2010 (Appendix D).

### June 10, 2010

At the Committee of Adjustment, a petition was submitted by the neighbourhood in opposing this application (Appendix E). The Committee of Adjustment adjourned the application. The neighbourhood also made note of a memorandum (Appendix F), from Erikia Ivanic, Development Planning Department, received by Vaughan Committee of Adjustment dated March 3, 2010, which stated:

- "The proposal does not conform to the policies of the Official Plan, as proposed lots do not front onto a public road."
- "The Applicants have submitted a concurrent Zoning Amendment Application (File No. Z.09.03) for severance of rear lots, the file has not been scheduled for Committee of the Whole Meeting."
- "The Applicants require extension of Pondview Road eastward. The extension has not yet been approved."
- "None of the proposed lots meet the required lot frontage and area requirements of the R1V Zone."
- "The Development Planning Department has advised the applicants that the application is premature as the rezoning needs to be approved by Council."
- "A Development Agreement must confirm the road configuration of the easterly extension of Pondview Road."
- Relief from Zoning By-Law Exception 9(662) is required to permit more than 1 single family detached dwelling per lot."
- Development Planning Department is of the opinion that the applications are not minor in nature and do not meet the intent of the Zoning By-Law."

# August 19, 2010

Committee of Adjustment (Consents) – Application to create new lots at 138 Arnold Avenue, Thornhill Municipal File Nos. B052/10, B053/10. Our Neighbourhood again submitted a petition in opposition to this application (Appendix G). Of specific interest is the Faxed letter (Appendix H) to Mr. Todd

Coles, Secretary Treasurer of the Committee of Adjustment, from Toronto and Region Conservation. It states:

"The proposed consent application form part of an overall development scheme involving 138 Arnold Avenue, 143 Thornridge Drive and the extension of Pondview Road. TRCA staff are reviewing this development proposal due to the presence of a watercourse located on 143 Thornridge Drive and an associated flood plain area. In addition, TRCA staff have an interest in preserving the existing vegetation and ecological value on 143 Thornridge Drive to the extent possible."

The agent of the applicant declared at the meeting that their clients have submitted applications to the Ontario Municipal Board. The Committee of Adjustment subsequently deferred this application."

Since the application for the severances, our neighbourhood has opposed these applications based on the following:

1. Preservation of our distinctive neighbourhood known as R1V Old Village Residential Zone - The Board Member will notice that there differences in the development west of the subject lots on Pondview Road as compared to those on the east of the proposed extension. The ambience of the community east is clearly different from the community to the west. To the west there are gutters, curbs, and sidewalks with newer homes on smaller lots. To the east there is more of a country feel with no gutters, curbs or sidewalks. Here there are larger lots, with ditches and with well established trees as willows, pines and maples. Running through the lots fronting on Thornridge Drive is a branch of the Don River meandering through. Some of the fairly sized houses nestled amongst estate lots, all with frontages of 100 feet with generous back yards. Some of these back yards measure 300 to 400 feet in length. These estate lots are very noticeable at street level at Arnold or Thornridge Dr. The area where our neighbourhood tries very hard to protect is amongst the last few enclaves within the Old Thornhill area, and it is distinctive of the lot sizes in the 50s and 60s.

Included in the City's OPA 589 adopted by the City in 2003, the City Council indicated that the Purpose of the Amendment was to introduce a new policy "which will have the effect of recognizing and protecting the historical pattern of large residential lot sizes in Thornhill...." and that "1. There are established pockets of low density residential neighbourhoods in the Concord and Thornhill communities that have successfully maintained a historical pattern of large-lot residential (30m./100 ft. frontages), notwithstanding there is no specific protection by Amendment Number 4 and Amendment Number 210 respectively...." Further in "3. It

states that "There is merit in adding policies that would protect and recognize these areas as unique enclaves within their broader communities."

In the December 9, 2002 Staff Report which accompanied the Amendment stated that OPA 589 was in response to an application to divide three larger lots on Arnold Avenue into 11 smaller lots having 13 m frontage.

The neighbourhood would also like to present evidence that while Council focused on frontage in passing OPA 589, there are other elements of character " including private amenity space such as rear yards" to be considered. In the report OMB Case No: PL070251(Appendix I), Mr. Smith, a professional planner, " agreed under cross-examination that while Council focused on frontage in passing OPA 589, there are other elements of the character including private amenity space such as rear' yards.

OPA 589 amended Section 2.2.2.4 (q) of the City's OP read:

"All development in older established residential areas characterized by large lots or by historical, architectural or landscape value, shall be consistent with the overall character of the area."

It is the neighbourhood's argument that the proposed lots would be significantly smaller that those immediately east of the applicant's lots.

2. The applications would disturb the existing development pattern and may encourage others in the area to apply resulting in perpetuating an undesirable pattern resulting in destruction of the last few truly large lots within Old Thornhill.

Those neighbours invited by Western Consulting Group Inc., to an information meeting on October 28, 2009 at Garnet Williams Community centre, remember receiving a letter, dated October 7, 2009 which states "We would like to discuss, with you, the proposal for our client's lands, and in addition, the possibility of expanding the scope of the rezoning application to include the additional properties that would be directly affected by a future extension of Pondview Road".

The neighbourhood is fearful that if severance were allowed here, the consent would be set as an example for others to follow.

In his testimony at OMB Case No: PL070251, for a similar severance application at Upland, Mr. Mino stated that "If severances were allowed here, the consent could be helpful to others making applications for severances on 5 or 6 other large lots in the community (again similar to this application) and might be just as helpful to others seeking severance in the R1V zones outside of the Uplands area in the same manner ....."

We would also like to highlight that the Report records that Mr. Mino " testified that the purpose of Section 3.20 of the Zoning By-law was to preserve large lots, and that there are not many of these large older lots left in the City of Vaughan."

Mr. Mino, at the said OMB Board Hearing "also reiterated his opinion that it is not only frontage to be considered but also area and shape to ensure consistent amenity space throughout."

## 3. Compliance with Section 1.1.1(b) of the 2005 PPS Policy.

At various public meeting, the agent for the applicants referred to sections in the Planning Act which promotes intensification and these applications are consistent with the Planning Act.

We beg to differ in their arguments that the applications are consistent with the Planning Act. Again, we would like to bring in Mr. Mino's testimony at the OMB Case PL070251 on this issue.

"Mr. Mino directed the Board to Section 1.1.1(b) of the 2005 PPS by which policy healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential.....uses to meet long term needs. Here he (Mr. Mino) suggested that these are areas to be protected while other areas are to take a mix. The Board understood from Mr. Mino's testimony that enclaves within the City are to be protected and are part of the mix, and the proposed severance here, if granted, would undermine these special enclaves and the mix of residential uses available in the City."

Our Community shares the testimony and the opinion as expressed by the Board.

# 4. The application failed tests for severance in particular Section 51(24) (a),(b),(c),(d) and (F).

- Difficulty in its argument that the severances complies with The Place To Grow Act,
- Undermines the stability of the area and therefore not in public interest,
- This area is developed at least at the same era as those in Uplands, and therefore the severances would disturb 50+ years of development pattern,
- The severances do not conform to OPA 589 as the character of the community is more than frontage,
- The severances do not consider the distinct character and history of the area and therefore they do not fit within OPA 94,
- The severed lots would not be suitable given they would be too small and not compatible with other lots providing similar amenity space,
- Buildings on the proposed new lots would result in significantly smaller rear yard than lots east of the proposed PondView extension.
- Rear yard not in character with the rest of the community east of the said lots.

# 5. The severance would not meet the tests set out in s.45(1) of the Planning Act.

- It would set undesirable precedent,
- Not desirable for the appropriate development or use of the land because the lot and its rear yard did not fit the existing pattern of development,
- Undermines the different OP policies as to character of the community,
- Proposed lots too small in its context.

# 6. The severances are not in harmony with the nearby area, being east of the proposed severance lots.

Ms. Stewart in her summation of OMB Case Number PL070251stated: "Being in harmony with implies nothing more than being capable of existing in harmony with the nearby area. If these severances were allowed, the lots would have a jarring effect and protrude into a well established neighbourhood. They would not be pleasing, in congruity or have proportional arrangement of size. It would be akin to a knife scoring an ugly scar across an unblemished face.

In closing, members of the community would like the Ontario Municipal Board to reject these applications in its entirety. The immediate area is perhaps the last area in Vaughan which still retains the semi-rural plans of subdivision of the early 1950's with generous front, side and back yard. With your help, we would like to strive to protect this area for our new generations.

Thanking you in advance,

# The Undersigned Oppose the Application As indicated in OMB Case No. PL 100795

Name	address	Signature
CAPPISTINA LAM	135 (HURNRIDEE)	1/20
Breat STAIT GOOD	130 thouriste.	Melann
PHILKUTUER	1	And f
<b>'</b> .	124 ARNOLD ALL	Parliera
	124 ARNOLDA	
<b> </b>	123 Thommage	Puge
Greg Amiel	131 Thornodge	21. Amel
	139 HORNRIDGED	43
	136 Amold Ave	
Rannie Shami	- 132 Arnold Avo	
	,	

## APPENDIX A

December 24, 2009

To: Committee of The Whole (Public Hearing)
2141 Major Mackenzie Drive
Vaughan, Ontario, Ontario L6A 1T1

From: The Neighbours Who Oppose the Application specified in File: Z.09.030

#### Chair and Members of the Committee:

#### Re: Opposition to the Application as specified in File: Z.09.030

We would like to draw your attention to the petition, as attached, opposing the rezoning of 143 Thornridge Dr. and 138 Arnold Avenue (dated October 29, 2009 and addressed to Councillor Alan Shefman) by eleven families residing in the vicinity affected by the application.

Your kind attention is appreciated.

Yours very truly,

P.Lam 135 Thornridge Dr. Thornhill, Ontario L4J 1E4 Re: Opposition to the application for rezoning the rear portions of 138 Arnold and 143 Thornridge Drive. File Number: 2Z.09.030

We oppose the application in its entity for it goes against protecting our distinct neighbourhood:

- 1. The rezoning of the rear portions would create jarring additions to the neighbourhood now zoned as R1V Old Village Residential characterized by single detached homes in estate lots. This would create instability in terms of introducing a built form that others could seek to replicate if approved.
- 2. This application does not respect and reinforce the existing characteristics of the area. This area is composed of single detached homes surrounded by mature trees and large backyards and this neighbourhood is very distinct from streets further to the west (which have smaller lots and less mature green cover), which this application is trying to replicate.
- 3. Once built, such project opens the door to similar developments and it would lead to the destruction of the distinctiveness of the neighbourhood now known as R1V Old Village Residential.
- 4. This application is a major variance which is not welcomed by the majority of the families now living in its vicinity.
- 5. The development would impede views and form a ring of artificiality in our backyard, striping us of the enjoyment of natural beauty.
- 6. The extension of the PondView Road beyond its existing being is not welcomed by the neighbours and it is the wish of the neighbourhood that PondView Road ends at its existing physical boundaries.
- 7. The City's commitment to protect and retain the Area as R1V (Old Village Residential) Throughout the years, various mayors and councillors have been instrumental in protecting this neighbourhood by designating this area as R1V. We need the current committee to again look after its residents and help to oppose this rezoning since we are all not in favour of this change to our neighbourhood. We need the City to reconfirm their commitment to us to retain this area as R1V.

### Families Opposing the Extension of Pondview Road:

Kutner Family, 7 Edward Street.

Amiel Family, 131 Thornridge Dr.

Moshe Family, 129 Thornridge Dr.

Wise Family, 123 Thornridge Dr.

Gagliano Family, 124 Arnold Ave.

Igelman Family, 148 Arnold Ave.

Baitz Family, 18 Edward Street.

Shamir Family, 138 Arnold Ave.

Rapone Family, 139 Thornridge Dr.

Sedgwick Family, 138 Thornridge Dr.

Lam Family, 135 Thornridge Dr.

- 8. The extension of PondView Road as contained in the existing Thornhill Vaughan Community Neighbourhood Plan (A4 OPA 2100) is obsolete and should be deleted from the Neighbourhood Plan Since The Neighbourhood Plan was created back in the 1970s, the character and needs of the neighbourhood have changed drastically. Currently the area is occupied by long-time residents with architecturally designed homes with large lots which are unique and complementary. The residents no longer wish to have their lots severed. We would ask that the original Neighbourhood Plan (A4 POA 210) be amended such that the proposed extension of the PondView Rd be terminated at its existing location.
- 9. Insufficient park facilities for the current density within the area There may be an issue with insufficient park facilities. We should not be entertaining any rezoning that would increase the density of this neighbourhood.

10. FLOOD PRONE.

We respectfully ask for your vote to oppose this rezoning and to amend the Neighbourhood Plan to eliminate the extension of the PondView Road. Please help us retain a unique part of old Thornhill for the next generation.

Print - Dame  Middless  Mille hurler 105-771-0711 TENWARD ST
RENE & FLORA AMIEL Reducet
Ratuel Moshe 129 Thornvidge Drive LYJIE4 905 886-9324
123 Thomas of Dr.
Tony baglawo 124 Arnold Avenue
Kuna Islman 148 Amold Are
Alama & Bran Barts 18 Echagel Str. Thomphill, on
. Peterdam for Lam Fam.iy 135 Thomridge Dr.
AANG Rapone 137 Howarder Dr.

.

## 2.1

#### COMMITTEE OF THE WHOLE (PUBLIC HEARING) JANUARY 12, 2010

#### 2. ZONING BY-LAW AMENDMENT FILE Z.09.030 WARREN NEWFIELD AND JOE WADE WARD 5

P.201Q.2

#### Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.09.030 (Warren Newfield and Joe Wade) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

#### **Contribution to Sustainability**

The contribution to sustainability will be determined when the technical report is considered.

#### **Economic Impact**

This will be addressed when the technical report is completed.

#### **Communications Plan**

- a) Date the Notice of a Public Meeting was circulated: December 18, 2009
- b) Circulation Area: 150 m
- c) Comments Received as of January 4, 2010: None

#### <u>Purpose</u>

To amend the City's Zoning By-law 1-88, to rezone the respective rear portions of the subject lands (143 Thornridge Drive and 138 Arnold Avenue) shown on Attachments #1 and #2, from R1V Old Village Residential Zone to R2 Residential Zone as shown on Attachment #3, to facilitate the severance of the property into five (5) new residential lots for single detached dwellings (proposed minimum 15m lot frontages) fronting onto the easterly extension of Pondview Road, in accordance with the Council adopted "A4" Neighbourhood Development Plan (January 20, 1979, as amended March 4, 1980), as shown on Attachment #4. The following site specific exceptions to By-law 1-88 are proposed:

By-law Standard		Bỹ-làw 1-88 Requirements of the R2 Zone, R1V Zone and Section 3.20	Proposed Exceptions to R2 Zone, R1V Zone and Section 3.20	
a. Minimum Front Yard Setback in an R2 Residential Zone		4.5m, or 6.4m where a garage faces the lot line	. 4.5m	

b.	Maximum Lot Coverage in an R1V Old Village Residential Zone	20%	35% (for retained R1V Lot on Arnold Avenue)
c.	Section 3.20 - Use of Residential Lots	1 dwelling permitted per lot in Registered Plan 4061	Permit a total of 4 dwellings on Lot 43, Registered Plan 4061 (143 Thornridge Drive); and Permit a total of 3- dwellings on Lot 19, Registered Plan 3319 (138 Arnold Avenue)

#### **Background - Analysis and Options**

	?
Location	<ul> <li>143 Thornridge Drive and 138 Arnold Avenue shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul> <li>"Low Density Residential" by OPA #210 (Thornhill Vaughan Community Plan).</li> <li>Proposal to rezone the respective rear portions of the subject lands to R2 Residential Zone to facilitate 5 new lots for single detached dwellings would conform to the Official Plan, and the Council adopted "A4" Neighbourhood Development Plan, as discussed later in this report.</li> </ul>
Zoning	<ul> <li>R1V Old Village Residential Zone by By-law 1-88.</li> <li>An amendment to the Zoning By-law is proposed to rezone the respective rear portions of the subject lands to R2 Residential Zone in conformity with the "Low Density Residential" designation of the Official Plan, and consistent with the zoning on the residential lands to the west.</li> </ul>
Surrounding Land Uses	Shown on Attachment #2.

#### "A4" Neighbourhood Development Plan

The subject lands are located within the A4 Neighbourhood Area of the Thornhill Community. The "A4" Neighbourhood Plan was developed in accordance with Official Plan Amendment No. 70 (former Thornhill Community Plan), with extensive public consultation and public meetings. Vaughan Council adopted the "A4" Neighbourhood Development Plan on January 20, 1979. Additional issues concerning the "A4" Neighbourhood Plan were resolved by the "A4" Subcommittee of Council, Staff and area residents, and Council later adopted a revised "A4" Neighbourhood Development Plan on March 4, 1980, as shown on Attachment #4.

The "A4" Neighbourhood Development Plan provided for the easterly and westerly extensions of Pondview Road from Edward Street, and facilitated the rear lot severances of 146, 148, 154, 158, 162 and 166 Arnold Avenue. The rear of these properties were rezoned to R2 Residential Zone and severed into 15m lot frontages along the new Pondview Road.

The rezoning and severances were appealed to the Ontario Municipal Board (OMB). City Planning Staff attended the OMB hearing in support of the proposed rezonings and severances which were in keeping with the proposed "A4" Neighbourhood Development Plan. The OMB approved the zoning amendment and severance applications on January 21, 1999. Ten dwelling units have since been built on the existing easterly and westerly portions of Pondview Road.

#### **Preliminary Review**

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial policies, Regional and City Official Plans, and Neighbourhood Development Plan	<ul> <li>The application will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies, including the City's Consent (severance) policies, and the Council adopted "A4" Neighbourhood Development Plan (January 1979, as last amended February 1980), as shown on Attachment #4.</li> </ul>
b.	Appropriateness of Proposed Uses and Zoning Exceptions; Servicing Allocation	<ul> <li>The appropriateness of rezoning the respective rear portions of the subject lands from R1V Old Village Residential Zone to R2 Residential Zone (minimum 15m lot frontages), will be reviewed with regard to compatibility with the surrounding land uses and the residential lotting pattern on the adjacent lands.</li> <li>The appropriateness of the proposed zoning exceptions as outlined in the "Purpose" section of this report will be reviewed in greater detail in the technical report. Additional exceptions may be required upon completion of the technical review.</li> <li>The availability of servicing allocation for the 5 proposed lots will be reviewed. Consideration will be given to placing the Holding Symbol "(H)" on the lands proposed to be severed, if required.</li> </ul>
C.	Flood Line Study	<ul> <li>The subject lands and area experienced flooding in 2005. As a result, the TRCA and the City require a flood study to be submitted for analysis and review, prior to approval of any development on a property.</li> <li>The Flood Line Study submitted by the applicant in support of the proposal must be reviewed and approved by the Toronto and Region Conservation Authority and the Vaughan Engineering Department.</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul> <li>The Vaughan Engineering Department completed a larger area, Thornhill Storm Drainage Improvement Study in 2007, which also included the subject lands. The application will be reviewed by Vaughan Engineering Department in the context of this study.</li> </ul>
d.	Functional Servicing Report	<ul> <li>The Functional Servicing Report submitted in support of the application must be reviewed and approved by the Vaughan Engineering Department.</li> </ul>
e.	Toronto and Region Conservation Authority (TRCA)	<ul> <li>The Thornridge property contains a minor watercourse and the final development limits and any buffer area must be identified and finalized to the satisfaction of the Toronto and Region Conservation Authority, and the Vaughan Engineering Department. Lands beyond the established development limit may be zoned OS1 Open Space Conservation Zone and dedicated to the TRCA or the City.</li> </ul>
f.	Phase 1 Environmental Report	The Phase 1 ESA (Environmental Site Assessment) submitted in support of the application must be approved to the satisfaction of the Vaughan Engineering Department.

#### Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

#### Regional Implications

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

#### Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

#### **Attachments**

- 1. Context Location Map
- 2. Location Map
- 3. Proposed Lotting & Zoning
- 4. Council Adopted "A4" Neighbourhood Development Plan

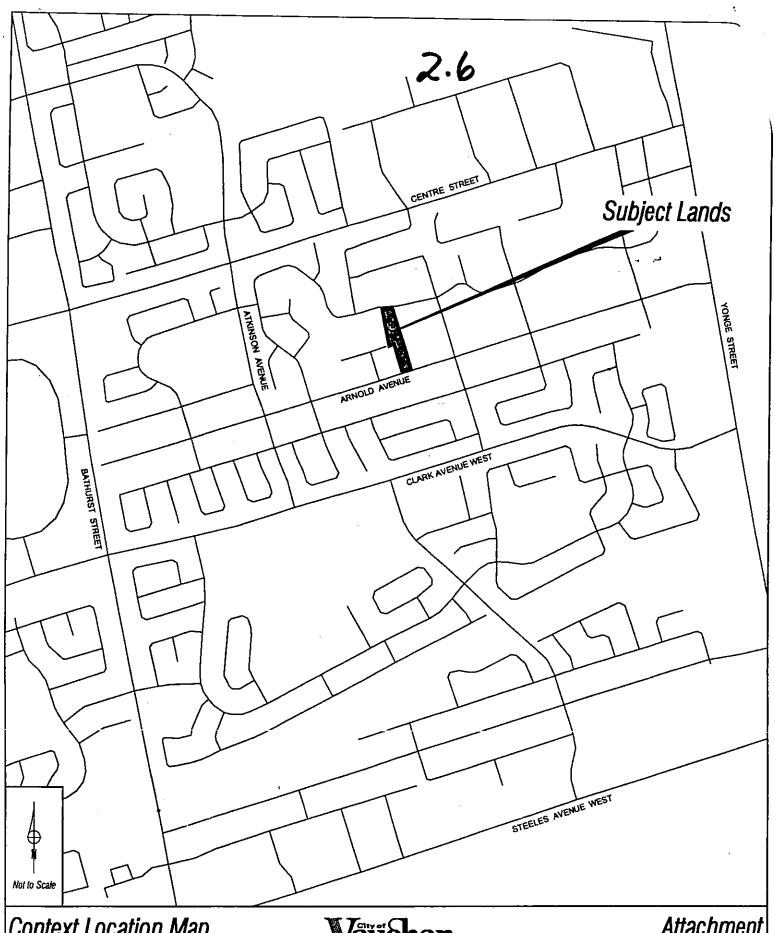
#### Report prepared by:

Laura Janotta, Planner, ext. 8634 // Carmela, Marrelli, Senior Planner, ext. 8791 Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

Commissioner of Planning

Director of Development Planning



## Context Location Map

LOCATION: Part Lots 29 & 30, Concession 1

Warren Newfield and Joe Wade pub.000.90.1/3/271GNB-OATTA 1/170/36



The City Above Toronto Development Planning Department

## **Attachment**

FILE: Z.09.030

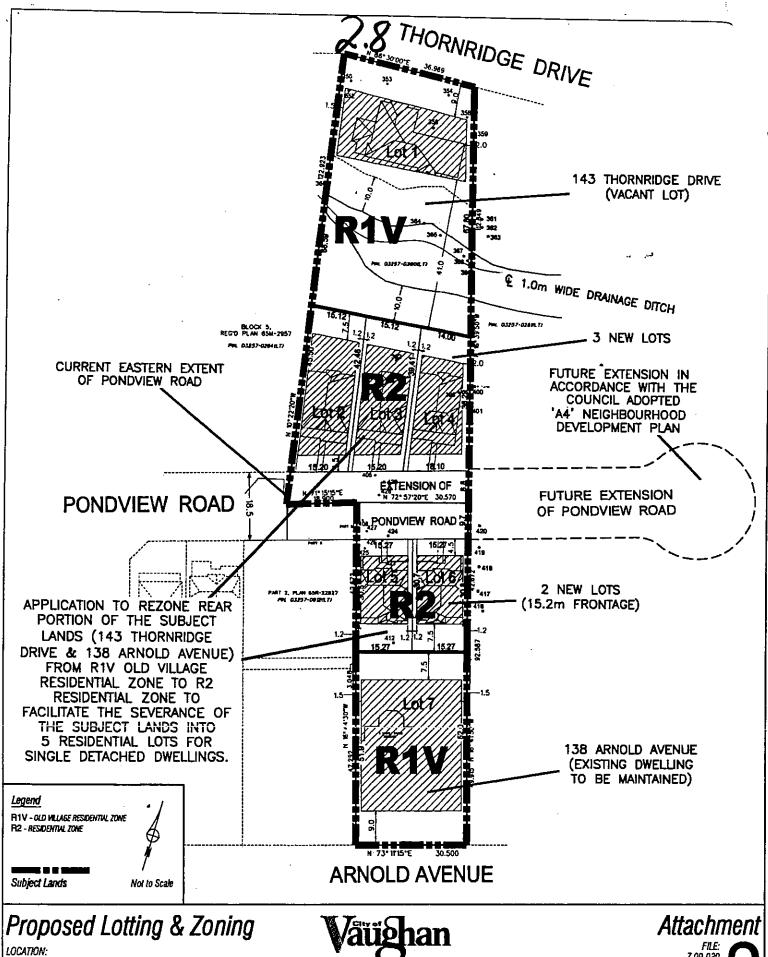
DATE: December 4, 2009



APPLICANT: Warren Newfield and Joe Wade HE\DET\1 ATTACHMENTS\Z\z.08.030.dwg

The City Above Toronto Development Planning Department

DATE: December 4, 2009

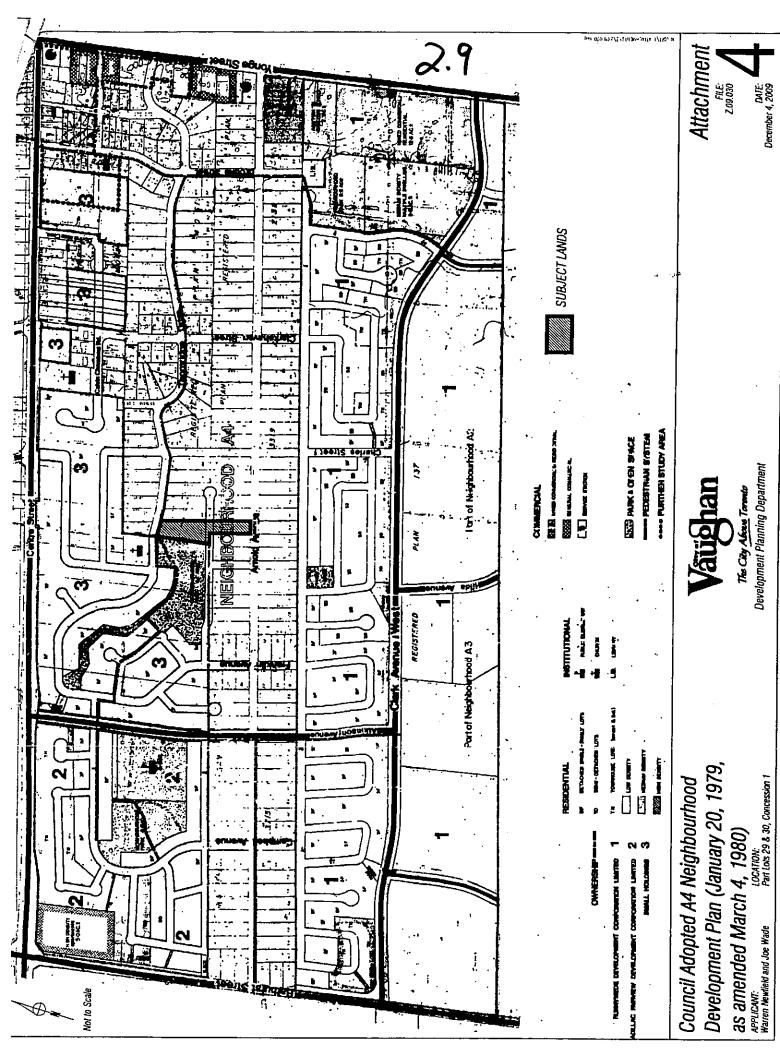


Part Lots 29 & 30, Concession 1

APPLICANT: Warren Newfield and Joe Wade PE\DET\1 ATTACHMO(15\Z\z.08.030.deg

The City A<u>bove</u> Toronto Development Planning Department FILE: Z.09,030

December 4, 2009





Clerk's Department 2141 Major Mackenzie Drive Vaughan, Ontario Canada L6A 1T1

> Tel (905) 832-8504 Fax (905) 832-8535

**EOR INQUIRIES:** 

PLEASE QUOTE ITEM & REPORT NO.

February 1, 2010

Mr. Peter Lam 135 Thornridge Drive Thornhill, ON L4J 1E4

Dear Mr. Lam:

RE:

ZONING BY-LAW AMENDMENT FILE Z.09.030

WARREN NEWFIELD AND JOE WADE

WARD 5

Attached for your information is **Item 2**, **Report No. 3**, of the Committee of the Whole (Public Hearing) regarding the above-noted matter which was adopted without amendment by the Council of the City of Vaughan at its meeting of January 26, 2010.

Sincerely,

Jeffrey A. Abrams

'Ćity.Clerk

#### Attachment:

#### **Extract**

- 1. Context Location Map
- 2. Location Map
- 3. Proposed Lotting & Zoning
- 4. Council Adopted "A4" Neighbourhood Development Plan

JAA/pa

#### **EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 26, 2010**

Item 2, Report No. 3, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on January 26, 2010.

#### ZONING BY-LAW AMENDMENT FILE Z.09,030 WARREN NEWFIELD AND JOE WADE WARD 5

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated January 12, 2010, be approved; and
- 2) That the following deputations, written submissions and petition be received:
  - a) Mr. Alan Young, Weston Consulting Group Inc., 2010 Millway Avenue, Suite 19, Vaughan, L4K 5K8, on behalf of the applicant;
  - b) Mr. Peter Lam, 135 Thomridge Drive, Thomhill, L4J 1E4, and written submissions dated December 24, 2009 and January 8, 2010, and petition;
  - c) Mr. Guido Rapone, 139 Thornridge Drive, Thornhill, L4J 1E4, and written submission of R. David Murray, MacDonald Associates, Park Place Corporate Centre, Suite 701, 15 Wertheim Court, Richmond Hill, L4B 3H7, dated January 12, 2010; and
  - d) Mr. David Shamir, 132 Arnold Avenue, Thornhill, L4J 1B7.

#### Recommendation

2

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.09.030 (Warren Newfield and Joe Wade) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

#### Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

#### **Economic Impact**

This will be addressed when the technical report is completed.

#### Communications Plan

- a) Date the Notice of a Public Meeting was circulated: December 18, 2009
- b) Circulation Area: 150 m
- c) Comments Received as of January 4, 2010: None

#### <u>Purpose</u>

To amend the City's Zoning By-law 1-88, to rezone the respective rear portions of the subject lands (143 Thornridge Drive and 138 Arnold Avenue) shown on Attachments #1 and #2, from R1V Old Village Residential Zone to R2 Residential Zone as shown on Attachment #3, to facilitate the severance of the property into five (5) new residential lots for single detached dwellings (proposed minimum 15m lot frontages) fronting onto the

#### **EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 26, 2010**

#### Item 2, CW(PH) Report No. 3 - Page 2

easterly extension of Pondview Road, in accordance with the Council adopted "A4" Neighbourhood Development Plan (January 20, 1979, as amended March 4, 1980), as shown on Attachment #4. The following site specific exceptions to By-law 1-88 are proposed:

	By-law Standard	By-law 1-88 Requirements of the R2 Zone, R1V Zone and Section 3.20	Proposed Exceptions to R2 Zone, R1V Zone and Section 3.20
a.	Minimum Front Yard Setback in an R2 Residential Zone	4.5m, or 6.4m where a garage faces the lot line	4.5m
<b>b.</b>	Maximum Lot Coverage In an R1V Old Village Residential Zone	20%	35% (for retained R1V Lot on Arnold Avenue)
<b>C.</b>	Section 3.20 – Use of Residential Lots	1 dwelling permitted per lot in Registered Plan 4061	Permit a total of 4 dwellings on Lot 43, Registered Plan 4061 (143 Thornridge Drive); and Permit a total of 3 dwellings on Lot 19, Registered Plan 3319 (138 Arnold Avenue)

#### **Background - Analysis and Options**

Location	<ul> <li>143 Thornridge Drive and 138 Arnold Avenue shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul> <li>"Low Density Residential" by OPA #210 (Thornhill Vaughan Community Plan).</li> <li>Proposal to rezone the respective rear portions of the subject lands to R2 Residential Zone to facilitate 5 new lots for single detached dwellings would conform to the Official Plan, and the Council adopted "A4" Neighbourhood Development Plan, as discussed later in this report.</li> </ul>

#### **EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 26, 2010**

#### Item 2, CW(PH) Report No. 3 - Page 3

Zoning		R1V Old Village Residential Zone by By-law 1-88.
		An amendment to the Zoning By-law is proposed to rezone the respective rear portions of the subject lands to R2 Residential Zone in conformity with the "Low Density Residential" designation of the Official Plan, and consistent with the zoning on the residential lands to the west.
Surrounding Land Uses	•	Shown on Attachment #2.

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The subject lands are located within the A4 Neighbourhood Area of the Thornhill Community. The "A4" Neighbourhood Plan was developed in accordance with Official Plan Amendment No. 70 (former Thornhill Community Plan), with extensive public consultation and public meetings. Vaughan Council adopted the "A4" Neighbourhood Development Plan on January 20, 1979. Additional issues concerning the "A4" Neighbourhood Plan were resolved by the "A4" Subcommittee of Council, Staff and area residents, and Council later adopted a revised "A4" Neighbourhood Development Plan on March 4, 1980, as shown on Attachment #4.

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The rezoning and severances were appealed to the Ontario Municipal Board (OMB). City Planning Staff attended the OMB hearing in support of the proposed rezonings and severances which were in keeping with the proposed "A4" Neighbourhood Development Plan. The OMB approved the zoning amendment and severance applications on January 21, 1999. Ten dwelling units have since been built on the existing easterly and westerly portions of Pondview Road.

#### **Preliminary Review**

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 26, 2010**

#### Item 2, CW(PH) Report No. 3 - Page 4

MATTERS TO BE REVIEWED	COMMENT(S)
a. Conformity with Provincial policies, Regional and City Official Plans, and Neighbourhood Development Plan	<ul> <li>The application will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies, including the City's Consent (severance) policies, and the Council adopted "A4" Neighbourhood Development Plan (January 1979, as last amended February 1980), as shown on Attachment #4.</li> </ul>
b. Appropriateness of Proposed Uses and Zoning Exceptions; Servicing Allocation	The appropriateness of rezoning the respective rear portions of the subject lands from R1V Old Village Residential Zone to R2 Residential Zone (minimum 15m lot frontages), will be reviewed with regard to compatibility with the surrounding land uses and the residential lotting pattern on the adjacent lands.
	<ul> <li>The appropriateness of the proposed zoning exceptions as outlined in the "Purpose" section of this report will be reviewed in greater detail in the technical report. Additional exceptions may be required upon completion of the technical review.</li> </ul>
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c. Flood Line Study	The subject lands and area experienced flooding in 2005. As a result, the TRCA and the City require a flood study to be submitted for analysis and review, prior to approval of any development on a property.
	<ul> <li>The Flood Line Study submitted by the applicant iri support of the proposal must be reviewed and approved by the Toronto and Region Conservation Authority and the Vaughan Engineering Department.</li> </ul>
	The Vaughan Engineering Department completed a larger area, Thornhill Storm Drainage Improvement Study in 2007, which also included the subject lands. The application will be reviewed by Vaughan Engineering Department in the context of this study.

#### **EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 26, 2010**

#### Item 2, CW(PH) Report No. 3 - Page 5

<b>d.</b>	Functional Servicing Report	The Functional Servicing Report submitted in support of the application must be reviewed and approved by the Vaughan Engineering Department.
<b>e</b> ,	Toronto and Region Conservation Authonty (TRCA)	<ul> <li>The Thornridge property contains a minor watercourse and the final development limits and any buffer area must be identified and finalized to the satisfaction of the Toronto and Region Conservation Authority, and the Vaughan Engineering Department. Lands beyond the established development limit may be zoned OS1 Open Space Conservation Zone and dedicated to the TRCA or the City.</li> </ul>
f.	Phase 1 Environmental Report	<ul> <li>The Phase 1 ESA (Environmental Site Assessment) submitted in support of the application must be approved to the satisfaction of the Vaughan Engineering Department.</li> </ul>

#### Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

#### Regional Implications

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

#### Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

#### **Attachments**

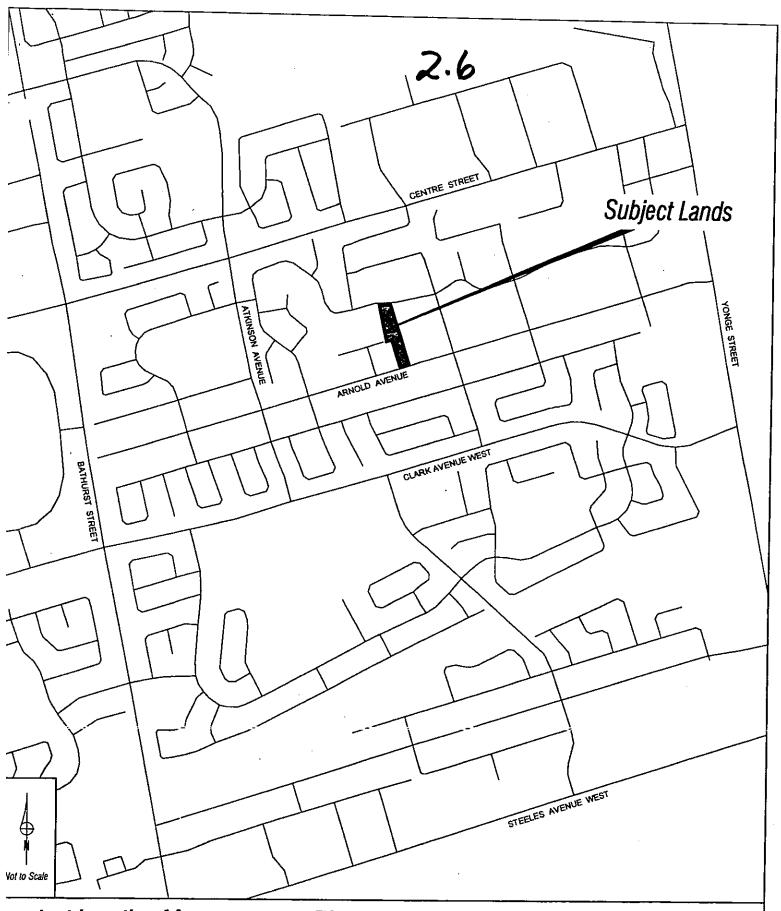
- 1. Context Location Map
- Location Map
- 3. Proposed Lotting & Zoning
- 4. Council Adopted "A4" Neighbourhood Development Plan

#### Report prepared by:

Laura Janotta, Planner, ext. 8634 Carmela, Marrelli, Senior Planner, ext. 8791 Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)



## Intext Location Map

CATION: 2rt Lots 29 & 30, Concession 1

PLICANT: arren Newfield and Joe Wade pri\t attachens\t\zos.030.00.00



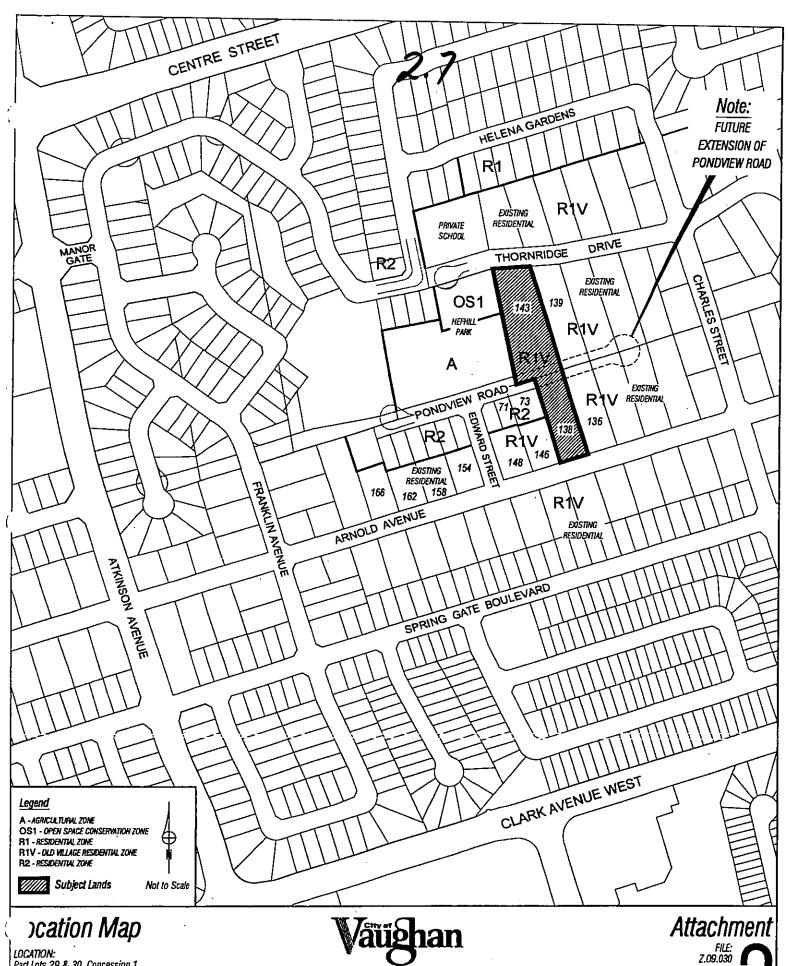
The City Above Toronto

Development Planning Department

## Attachment

FILE: Z.09.030

DATE: December 4, 2009

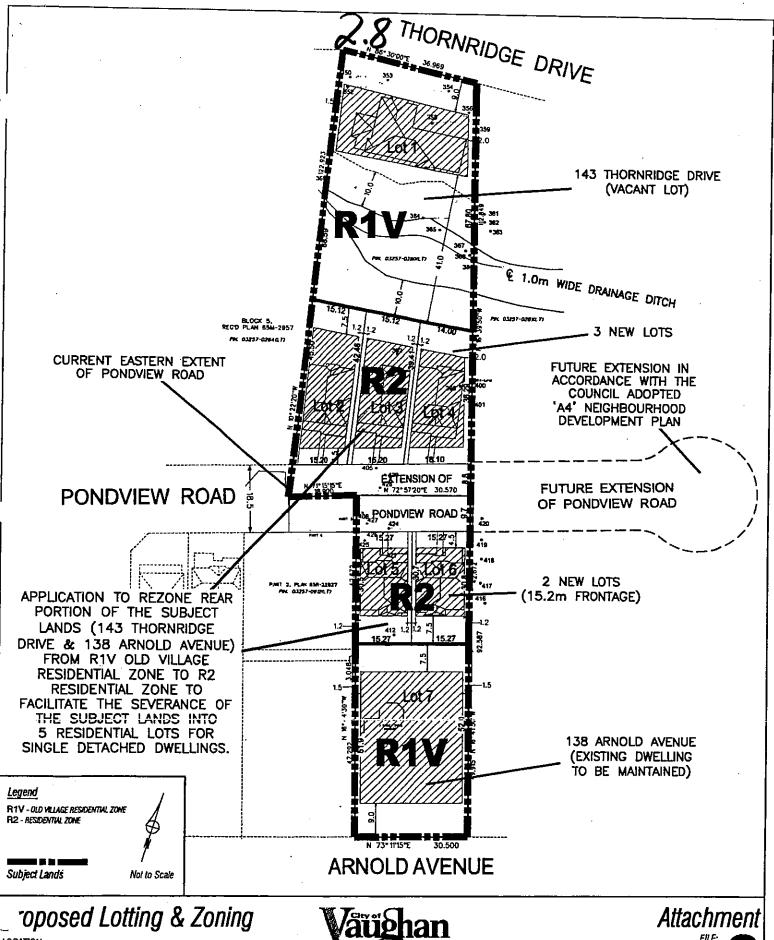


Part Lots 29 & 30, Concession 1

APPLICANT: Warren Newfield and Joe Wade H/DFT/1 ATTACHMENTS/Z/209.030.0mg

The City Above Toronto Development Planning Department

DATE: December 4, 2009

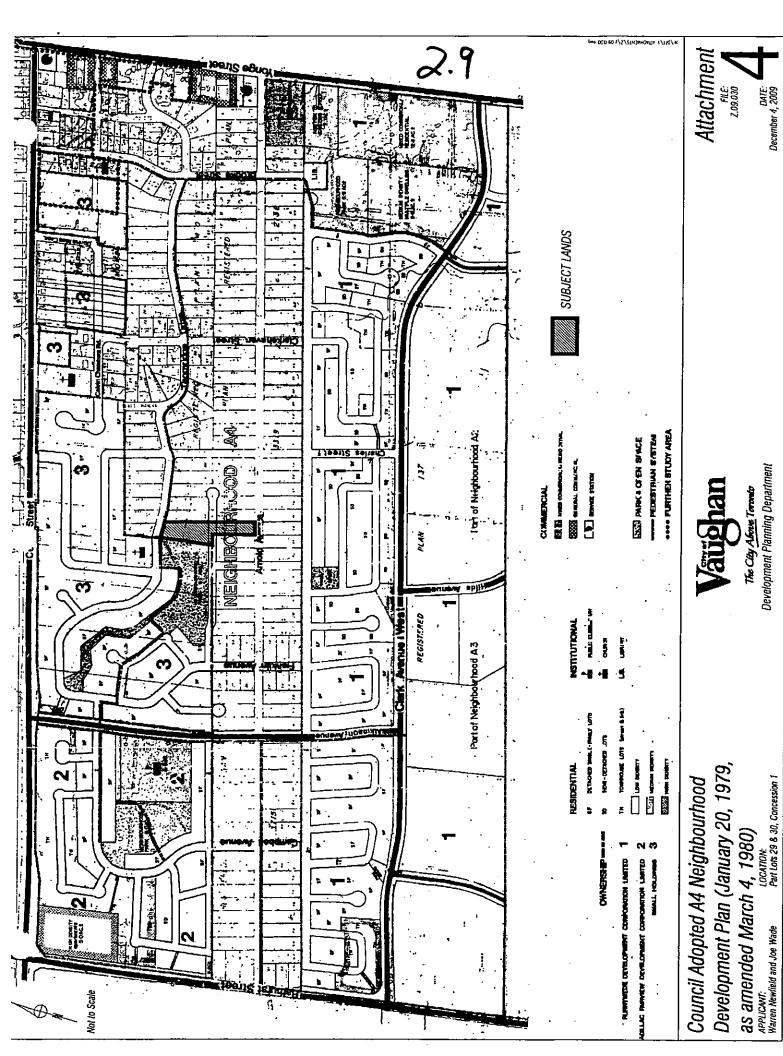


LOCATION: Part Lots 29 & 30, Concession 1

Warren Newfield and Joe Wade H:\DFT\1 ATTACHMENTS\Z\z.09.030.deg

The City Above Toronto Development Planning Department FILE: Z.09.030

December 4, 2009



## APPENDIX D

2141 Major Mackenzie Drive Vaughan, Ontario Canada, L6A 1T1 Tel [905] 832-2281



## COMMITTEE OF ADJUSTMENT ( CONSENT)

The City <u>Above</u> Toronto

March 12, 2010

2123659 Ontario Inc. 110 Sheppard Ave., East, Suite 610 Toronto, Ontario M2N 6Y8

Dear Sir/Madam:

Re: Application Nos. B013/10, B014/10, B015/10 - 2123659 Ontario Inc.

(Part of Lot 30, Concession 1), Lot 43, Plan M-4061, municipally known as 143

Thornridge Drive, Thornhill.

Please be advised that at the Committee of Adjustment meeting of **Thursday, March 11, 2010**, it was agreed to **ADJOURN** the above-mentioned applications to the **June 10, 2010 meeting**, as per your request, in to order to resolve issues with the Development Planning Department and the Toronto & Region Conservation Authority.

Prior to the hearing you will be advised to erect the signs and provide photographs showing the new meeting date.

If amendments are required to your applications, please notify our office to amend the applications, and allow sufficient time for re-circulation before the hearing.

Your and/or your agent's attendance will be required at that time.

If you have any questions regarding the above, please do not hesitate to contact the writer.

Yours truly.

Todd Coles.

Manager of Development Services and

Secretary-Treasurer to

Committee of Adjustment

City of Vaughan

TC:am

Copy:

Weston Consulting Group Inc.,

Atten: Alan Young

201 Millway Ave., Unit 19

Vaughan, Ontario

**L4K 5K8** 

June 11, 2010

Dear Neighbours:

Re: Opposition to the application for Creation of New Lots at the rear portion of 138 Arnold and 143 Thornridge (City of Vaughan, Committee of Adjustment File: B013/10, B014/10, B015/10)

The Committee of Adjustment adjourned the application sine die (without setting another date for meeting) at yesterday's meeting. What's interesting is that the City of Vaughan Development Planning Department issued the following comments in its memorandum dated March 3, 2010 which are in line with our argument against these severances. Specifically:

- "The proposal does not conform to the policies of the Official Plan, as the proposed lots do not front onto a public road."
- "The applicants has submitted a concurrent Zoning Amendment Application (File # Z.09.030) for the severance of rear lots, the file has not been scheduled for a Committee of the Whole meeting."
- "The Applications require extension of Pondview Road eastward. The extension has not yet been approved."
- "None of the proposed lots meet the required lot frontage and area requirements of the R1V Zone."
- "The Development Planning Department has advised the applicant the application is premature as the rezoning needs to be approved by Council."
- "A Development Agreement must confirm the road configuration of the easterly extension of Pondview Road."
- "Relief from Zoning By-law Exception 9(662) is required to permit more than 1 single family detached dwelling per lot."
- "Development Planning Department is of the opinion that the applications are not minor in nature and do not meet the intent of the Zoning By-law.

A copy of the memorandum is attached for your information.

Thank You,

Your Fellow Neighbours.

February 26, 2010

To: Committee of Adjustment

From: Neighbours who are in opposition to the application for the Creation of New Lots at the rear portions of 138 Arnold and 143 Thornridge Dr.

# Re: Opposition to the application for Creation of New Lots at the rear portions of 138 Arnold and 143 Thornridge Drive File: B013/10, B014/10, B015/10

Chair and Members of the Committee of Adjustments:

We, the undersigned, are in opposition of the above application relating to the creation of new lots at the rear portions of 138 Arnold and 143. Thornridge Drive for the following reasons:

- 1. This application is premature due to the outstanding rezoning application matters to be reviewed on subject lots, as outlined by the Committee of the Whole (Public Hearing) Item 2, Report No. 3. which required additional studies and resolution on:
  - a. Conformity with Provincial policies, Regional and City Official Plans, and Neighbourhood Development Plan
  - b. Appropriateness of Proposed Uses and Zoning Exceptions; Servicing Allocation
  - c. Flood Line Study
  - d. Functional Servicing Report
  - e. Toronto and Region Conservation Authority (TRCA)
  - f. Phase I Environmental Report for site assessment.
- 2. The application would reduce the quality of our enjoyment of living in the neighbourhood This application, if approved, would ultimately result in allowing vehicular traffic into our backyards, and allowing houses directly backing onto our bedrooms, washrooms and living rooms etc. This would result not only to a drastic reduction to our privacy but it would also lead to destruction of valuable green reserves for trees, birds and shrubs which are so important to the overall ecology of this area. We have had much noise and traffic pollution added to our areas within these few years with the school near by. Any reduction of our enjoyment of living in this neighbourhood would be grossly unfair. What we need is more green spaces and less asphalt and concrete in this neighbourhood.
- 3. The application would not be in keeping with the character of the neighbourhood The area is characterized by large lots with green spaces. This feature, in conjunction with the historic buildings, is very much the character of the remnants of old Thornhill. We should protect the last few areas which have

linkages to the past. As the City Above Toronto, we need to protect the neighbourhood with unique features which we can differentiate from other Cities. Those lots abutting Thornridge Dr have a running stream which needs to be nurtured by surrounding green spaces. The reduction of the green spaces would have devastating effect on the natural water ways which we rely ultimately for drinking. These characteristics are becoming extremely rare, especially located just stone-throw away from Yonge and Steeles. The rezoning would result in much smaller lots with houses tightly abutting each other. This is not in character with the neighbourhood affected by this rezoning.

- 4. The City's commitment to protect and retain the Area as R1V (Old Village Residential) Throughout the years, various mayors and councillors have been instrumental in protecting this neighbourhood by designating this area as R1V. We need the current committee to again look after its residents and help to oppose this rezoning since we are all not in favour of this change to our neighbourhood. We need the City to reconfirm their commitment to us to retain this area as R1V.
- 5. Insufficient park facilities for the current density within the area I seem to remember that the issue of insufficient park facilities was brought up at the time when the park next to PondView road was built some years ago. If this was true, then we should not be entertaining any additional application that would increase the density of this neighbourhood.
- 6. Insufficient facilities to accommodate storm water surges in and around the neighbourhood We have a video of the storm which deluged us two summers ago. The video provides valuable images of the volume of water channelled through the tiny stream and the potential disasters which could bring to the existing houses in the neighbourhood if we were to increase the intensity and reduce the green area for storm abatement purposes. The current storm retention area is clearly not adequate. We would like the City to indemnify us of any potential damages to our homes as a result of this application

### Re: Opposition to the application for of File: B 013/10, B 014/10, B015/10

Yours truly,

Signed	Address	Date
ion1	135 THERMOLE DR.	Fes. 27. 2010
Aci a Ropice	139 Thornsidge DR	Feb 27./2010

Thigh	138 Thomas	Ties 37/2
	EMVIC CT.	MARCH 8/2010
4 Toy gagland	124 ARNOLD AL	Marchio/2010
	_	March 10/2010
		, , , , , , , , , , , , , , , , , , ,



Development Planning Department 2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1 T: 905.832.8585 x8485 F: 905.832.6080

## RECEIVED

March 3, 2010

VAUGHAN COMMITTEE OF ADJUSTMENT

DATE:

March 3, 2010

TO:

Todd Coles, Committee of Adjustment

FROM:

Erika Ivanic, Development Planning Department

**MEETING DATE:** 

March 11, 2010

OWNER:

2123659 Ontario Inc.

FILE(S):

B013/10, B014/10 and B015/10

Location:

143 Thornridge Drive, Thornhill.

Official Plan:

The subject lands are designated "Low Density Residential" by OPA #210 (Thornhill-Vaughan Community Plan). The proposal does not conform to the policies of the Official Plan, as the proposed lots do not front onto a public road.

Comments:

The applicant has submitted a concurrent Zoning Amendment Application (File #Z.09.030) to rezone the rear portion of the subject lands from R1V Old Village Residential Zone to R2 Residential Zone. A Public Hearing for File #Z.09.030 was held on January 12, 2010; the file has not yet been scheduled for a Committee of the Whole meeting.

Consent Applications B013/10, B014/10 and B015/10 are proposed to create 3 new residential lots for single detached dwellings with frontage onto the easterly extension of Pondview Road. The extension has not yet been approved. None of the proposed lots meet the required lot frontage and area requirements of the R1V Zone.

The Development Planning Department has advised the applicant that the above noted Consent Applications are premature, as several issues need to be resolved prior to considering the proposed severances. The change in zoning from an R1V Zone to an R2 Zone must be approved by Council. In addition, an easement or Development Agreement must confirm the road configuration of the easterly extension of Pondview Road. Finally, relief from Zoning By-law Exception 9(662) is required to permit more than 1 single family detached dwelling per lot.

The Development Planning Department is of the opinion that the above-noted consent applications are not minor in nature and do not meet the intent of the Zoning By-law. Review of the related Zoning Amendment Application (File #Z.09.030) will determine whether the proposed consents are desirable for the appropriate development of the land,

Recommendation:

The Development Planning Department recommends that Consent Applications B013/10, B014/10 and B015/10 be adjourned until such time that Council has approved the related Zoning Amendment Application (File #Z.09.030).

Condition(s):

None.

# APPENDIX G

Date: August 19, 2010

To: Chair and Members of the Committee of Adjustment

From: The Neighbours Opposing the Application

Re: Opposition to the Application for Creating new Rear Lots and Granting of Required Easements and Right-of-Ways (138 Arnold Ave, Thornhill). File Numbers: B052/10, B053/10

We oppose the application for it goes against protecting our distinct neighbourhood:

- 1. The rezoning of the rear portions of 138 Arnold Ave. would create lots which are not in harmony in size and patterns of the neighbourhood immediately adjacent and to the east of the said property. The neighbourhood is currently characterized by single detached homes in estate lots.
- 2. This would create instability in terms of introducing a built form that others could seek to replicate if approved. The immediate vicinity is perhaps the last area in Vaughan which reflects the semi-urban subdivision plans of the early 1950's with generous side and rear yards. This neighbourhood has no side walks, curbs and concrete gutters which is distinctive and should be protected to maintain the character of the area.
- 3. Consent of this application would prejudice the proper vetting of another application (File: Z.09.030) which was heard on January 12, 2010 by The Committee of the Whole with the following issues outstanding:
  - Conformity with Provincial policies, Regional and City Official Plans, and Neighbourhood Development Plan,
  - Appropriateness of Proposed Uses and Zoning Exceptions; Servicing Allocation,
  - Flood Line Study,
  - Functional Servicing Report,
  - Toronto and Region Conservation Authority,
  - Phase 1 of the Environmental Report.
- 4. This application undermines the stability of the neighbourhood; the area residents have invested heavily on their homes and do not want to see a road snaking into their backyards, and therefore this application is not in public interest.
- 5. Placing a building on the proposed new lots would result in significantly smaller rear yards than lots near by. This is inconsistent with the overall character of the area.

6. The applications are not minor in part because they represent a total exemption from the Bylaws as stipulated in R1V, Residential and R1V, Old Village Residential.

We respectfully ask for your vote to oppose this rezoning and to amend the Neighbourhood Plan to eliminate the extension of the PondView Road. Please help us retain a unique part of old Thornhill for the next generation.

# Yours very truly,

Name Nuicech IIm mo	Address	Signature
Mousin Crimme	7 Edward St	
CHRISTINA LIMI	155 THORDEDGE DX	Morcea Juni
Lived & cone	in the particular	<i>:</i>
cory Shamir	132 Arnold Ave.	Cory Mromby
Surah+Morris Perlis	128 Arnold Ave.	South Reilie
René à FLARA AMIEL	131 Thornridge OR	Fluire
MYRNA & CHRIS STAIT-GARDNER	130 THORN RIDER DR	Effait-fordrer
KE-ND SHORE MISE	123 THERNAUTE DR	Wille
N. St. Care	138 [HORIA:) CE	Dely-l
LINIA GAGLIANO	124 PRNOLD HE	Jaylano
TONY GAGLIAND		1//



August 17, 2010

BY FAX & MAIL (905) 832-8535

Mr. Todd Coles Secretary Treasurer Committee of Adjustment City of Vaughan 2141 Major Mackenzle Drive Vaughan, Ontario L6A 1T1

Dear Mr. Coles:

Committee of Adjustment Applications B052/10 and B053/10 Re:

Part of Lot 30, Concession 1 Lot 19, Plan No. 3319 138 Arnold Avenue City of Vaughan

(Joe Wade)

This letter will acknowledge receipt of the above noted consent applications. Toronto and Region Conservation Authority (TRCA) staff has reviewed the applications and offers the following comments

### Background

It is our understanding that the purpose of the above noted applications is to create two new lots from an existing residential lot in order to construct two new single detached dwellings.

### Applicable Policies and Regulations

The subject property is not located within a Regulated Area under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). As such a permit will not be required from the TRCA for proposed works on the subject property.

### Application-Specific Comments

The proposed consent applications form a part of an overall development scheme involving 138 Arnold Avenue, 143 Thornridge Drive and the extension of Pondview Road (City of Vaughan Zoning By-law Amendment Application No. 2.09.030). TRCA staff are reviewing this development proposal due to the presence of a watercourse located on 143 Thornridge Drive and an associated flood plain area. In addition, TRCA staff have an interest in preserving the existing vegetation and the ecological value of this vegetation on 143 Thornridge Drive to the extent possible.

TRCA staff note that issues and comments remain outstanding regarding the overall development proposal. TRCA staff wish to remind the applicant that these comments need to be addressed prior to our clearance of the associated Zoning Amendment Application as well as Consent Applications for 143 Thornridge Drive (Committee of Adjustment Application Nos. B013/10, B014/10 and B015/10).

TRCA staff note that the regulation limit under Ontario Regulation 166/06 relating to the above-noted hazards do not affect the property subject of this consent application. Furthermore, TRCA staff note that the ecological concerns noted above are primarily restricted to 143 Thomridge Drive as the rear half of 138 Arnold Avenue does not contain the same quality and quantity of significant vegetation found on the Thomridge Drive property.

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Member of Conservation Ontario



10-9110 + R023[10

RECEIVE

AUG 1 8 2010

VAUGHAN COMMITTEE

OF ADJUSTMENT

### Recommendations:

In light of the above, TRCA staff have **no objections** to Committee of Adjustment Applications B052/10 and B053/10 as submitted,

Please be advised that all future development proposals should be circulated to the TRCA for our review and approval prior to any works taking place.

We trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

Anthony Sun, B.E.S.

Planner I

Planning and Development

Extension 5724

/AS

8

cc: Alan Young, Weston Consulting Group Inc. (fax: 905-738-6637)

ISSUE DATE:

Mar. 17, 2008



PL070251

# Ontario Municipal Board Commission des affaires municipales de l'Ontario

Applicant and Appellant:

Rosa Estanol

Subject:

Consent

Property Address/Description:

10 Fairlea Avenue

Municipality:

City of Vaughan

Municipal File No.:

B-005/07

OMB Case No.:

PL070251

OMB File No.:

C070071

IN THE MATTER OF subsection 45(12) of the Planning Act, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:

Rosa Estanol

Subject:

Minor Variance

Property Address/Description:

10 Fairlea Avenue

Variance from By-law:

1-88

Municipality:

City of Vaughan

OMB Case No.:

PL070251

OMB File No.:

V070128

Municipal File No.:

A-067-07

### **APPEARANCES:**

<u>Parties</u>	<u>Counsel</u>
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Rosa Estanol A. Stewart

City of Vaughan C. Storto

A. Baldassarra B. Horosko

### <u>Participants</u>

L. Mahaney

K. Simpson

DECISION DELIVERED BY D. L. GATES AND ORDER OF THE BOARD

This hearing commenced on November 27, 2007, at the City Hall in Vaughan, continued that evening, and was completed by a further one day hearing on December 18, 2007. During the hearing the Board heard from four professional planners, a number of residents, and received into evidence over 20 Exhibits. As Ms. Storto put it, this was not a typical severance hearing.

This hearing concerned an appeal from a decision of the City of Vaughan's Committee of Adjustment to deny a severance of 10 Fairlea Avenue in to two lots and to deny a variance to allow each severed lot to be occupied by a single family residence. Fairlea Avenue is located in the easterly part of Vaughan known locally as the Uplands Community, and is about two blocks west of Yonge Street, and runs parallel to it about two blocks south of Uplands Avenue and Langstaff School.

A storey-and-one-half dwelling is erected on the subject lot that faces Fairley Avenue and has its driveway and front door access on to Fairley Avenue. 10 Fairley is legally described as the whole of Lot 87 on Plan R-3765, (the "Plan"). There was uncontested evidence that this plan of 114 lots was registered in 1949 and no residential lot has ever been severed on this plan to date. Lots 1-8 front on the westerly side of Yonge Street and are primarily used for commercial purposes.

Lot sizes on this old plan are exceptionally generous compared to today's standards and Lot 87 is no exception. Being a comer lot it has 30m (100 ft.) frontage on Thornhill Avenue and 91.44m (300 ft.) flankage on Fairlea Avenue. The lot has a 76.20m (250 ft.) westerly side yard lot boundary and a southerly rear yard lot boundary of 32.41m (106.38 ft.).

The most southerly and westerly street within the Plan, Riverside Blvd., is unique for its time in that the plan shows it has extra width at roughly 32m and has boulevards (shown as blocks on the Plan) down the centre. Along both sides of Riverside Blvd. the lots appear from the plan to be at least double the size (although not double the frontage) of the lots elsewhere within the Plan.

Most of the other lots within the plan are rectangular in shape and have about 30m frontage and are about 45-50m in depth.

The only real exception to this general description of the plan occurs in the south-westerly portion of the plan that forms a triangular self-contained parcel bounded by Riverside Blvd., Fairlea Avenue, and Thornhill Avenue. All of the lots within this triangular area front on to the north-easterly side of Riverside Blvd. except two that legally (under the Zoning By-law) front on to Thornhill Avenue: Lot 87 being the corner lot known municipally as 10 Fairlea, and the neighbouring interior lot to the west fronting on to Thomhill Avenue, Lot 88.

Within the triangular portion of the Plan, the lots fronting on to Riverside are exceptional not only because of their size, but also because of their irregular shape and even larger frontages. Lots 87 and 88, while being of more rectangular shape, complement these lots, all being of similar large areas.

Technically within this triangular block, no lot fronts on to Fairly Avenue even though as mentioned above the existing house at 10 Fairlea Avenue faces on to Fairlea Avenue and its front door and garage provide access to Fairlea Avenue. There are four lots on the east side of Fairlea Avenue with dimensions of about 30m by 45m that have homes erected on them that face 10 Fairlea Avenue and the proposed lot.

The Board understands that the proposal is to divide 10 Fairlea Avenue so that the existing house may be retained on about 60% of Lot 87, and sell the balance being the southerly 40%, having an average frontage and depth of roughly 30m, as a building lot. The proposed new lot appears from the registered plan to be quite a bit smaller than any other lot on the plan. The existing house and proposed new house both will face Fairlea Avenue.

There are two plans within the same general area containing smaller lots registered north of Uplands Avenue: Plan M-0681 registered in 1955, and M-1279 registered in 1969.

The Board heard evidence of the difference in the Uplands community north of Uplands Avenue as compared to the earlier development to the south. The ambience of the community north of Uplands Avenue is clearly different from the community to the south. To the north there are curbs, gutters, and sidewalks with newer homes on smaller lots. To the south there is more of a country feel with no curbs, gutters, or sidewalks, but with ditches, larger lots, and centre landscaped boulevards along the

more southerly portion of Riverside Blvd. To the west of the lots fronting on to Riverside Blvd., both north and south of Uplands Avenue, there are two golf courses with a branch of the Don River meandering through. These uses also enhance the ambiance and spacious feel of the area.

The City, Ms. A. Baldassarra, an abutting neighbour, and the two Participants oppose the severance.

### Mr. P. Smith's Planning Evidence

Mr. P. Smith, a professional planner, testified in support of the severance. He characterized the major issue here as follows: how does the proposed new lot and retained lot fit into the area?

Mr. Smith reviewed provincial policy including the provisions of the *Planning Act*, Places to Grow, 2005 Provincial Policy Statement (PPS), and the Region of York's Official Plan, and opined that this severance was consistent with all, had regard for all, and to a limited extent implemented them by meeting goals of intensification with the creation of an additional lot. Mr. Smith clarified that the proposal is in the "spirit" of provincial growth plans. Mr. Smith admitted in cross-examination that the subject area is not a *designated growth area* under the 2005 PPS.

His review of the City's Official Plan began with OPA 210 which came into force November 4, 1987. This plan designated the area low density residential to be used for single family housing at a density not to exceed 22 units per ha. Here he calculated the density after the severance to be 8.36 units per ha. This calculation includes the area of the local streets and residential collector roads. He concluded that after the severance the density was still quite low. He conceded in cross-examination that the density figures are maximums only.

His review also included the City's OPA 589 which was adopted by the City in 2003. It provided that all development in older established residential areas characterized by large lots, or by historical, architectural, or landscaped value, shall be consistent with the overall character of the area.

City Council indicated that the Basis for the Amendment was:

- 1. There are established pockets of low density residential neighbourhoods in the Concord and Thornhill communities that have successfully maintained a historical pattern of large-lot residential development (30m./100ft. frontages), notwithstanding that there is no specific protection by Amendment Number 4 and Amendment Number 210 respectively...
- 3. There is merit in adding policies that would protect and recognize these areas as unique enclaves within their broader communities.

At the same time, the Purpose of the Amendment was stated to introduce a new policy "which will have the effect of recognizing and protecting the historical pattern of large residential lot sizes in Thornhill..."

The December 9, 2002, Staff Report which accompanied the Amendment noted that at the public meeting Council passed the following resolution: "That staff provide a report to a future Committee of the Whole meeting to explore alternatives for initiating an official plan amendment to include a 100 foot (30m) frontage minimum within the R1V Old Village Residential Zone by By-law 1-88, subject to Exception 9(662)." The accompanying Staff Report stated that OPA 589 was in response to an application to divide three of the larger lots on Arnold Avenue into 11 smaller lots having 13m frontage.

The forgoing quotations assisted Mr. Smith in concluding that in his opinion "character" is determined by frontage. Thus, because the proposed new lot meets the minimum frontage of 30m, creating it by severance, he opined, is consistent with the intention and purpose of OPA 589.

Notwithstanding the forgoing, he agreed under cross-examination that while Council focused on frontage in passing OPA 589, there are other elements of character including private amenity space such as rear yards.

OPA 589 amended Section 2.2.2.4 (q) of the City's OP to read:

All development in older established residential areas characterized by large lots or by historical, architectural or landscape value, shall be consistent with the overall character of the area.

Mr. Smith then went on to review the City's OPA 94, that contains the City's general land severance policies which the Board understands predated the official plan amendments previously mentioned. Section 2.1 "Special Criteria" states that; "regard should be had for the compatibility of the proposed size, shape and use of the lot to be created with the present and potential uses in the adjacent areas." Mr. Smith noted that this requirement is not mandated, but only must be regarded. For reasons that will be set out below, the Board did not find that Mr. Smith gave sufficient regard to this policy. His calculations in Exhibit 9(a) and 9(b) do not demonstrate sufficient regard.

Furthermore Mr. Smith referenced Section 3.1 where it stated, "Severances may be granted for the purposes of infilling in an existing urban area, but should not significantly extend the existing urbanized area. Infilling which economizes the use of urban space without disturbing the existing pattern of development or perpetuating the undesirable pattern of development or prejudicing the layout of future development may be acceptable." Here Mr. Smith stated that the severance sought would not extend the existing urban area. He also stated that the severance does economize the use of land. He concluded; "Our plan comfortably responds to OPA 94." The Board disagrees for the reasons set out below.

Mr. Smith reviewed the applicable Zoning By-law (By-law 1-88) and in particular Section 3.20 which provides:

No person shall erect more than one (1) single family detached dwelling or semidetached dwelling on any lot in a Residential Zone, provided that:

a) No person shall erect more than one (1) single family dwelling on any lot as shown on the following registered plans: 3765...M-681....

He explained that this was the zoning provision that the Appellant is seeking a variance from.

He advised that the property is zoned P1V which has strict zoning standards, such as a maximum building height of 9.5m, that the Appellant does not seek to vary. Mr. Smith referred to a number of corner properties that were excepted from the general provisions of P1V zone found at subsection 622 of the By-law, although none of them except the one at 44 Uplands Avenue, which I shall comment on later, are near 10 Fairlea Avenue. Mr. Smith found them relevant because he believed they indicated that

on some occasions City Council or this Board have excepted P1V properties from strict lot size requirements of By-law 1-88.

When tested under cross-examination, Mr. Smith did not appear to have a reasonable understanding of the Zoning By-law. This was quite evident to the Board by the numerous attempts at the hearing to redraw the property boundary between the retained and proposed new lot. Another example was Mr. Smith's uncertainty as to the appropriate rear yard setback. He did not know if special section 662 of the Zoning By-law applied here.

It appeared to the Board that the Appellant blamed the City for the Appellant's misunderstanding of the Zoning By-law provisions such that the only variance applied for was to Section 3.20 of the Zoning By-law. In a memorandum received by the Committee of Adjustment on or about December 20, 2006, a site plan from a legal survey was requested by the City's Building Standard's Department "illustrating the proposed building's setbacks from the proposed lot lines...to identify the necessary variances". Mr. Smith testified that a site plan was never submitted by the Appellant or her representatives.

Under cross-examination, Mr. Smith ultimately conceded that the rear yard setback for buildings on the proposed lot from Ms. Baldassarra's property line would change with the proposed severance from 9m as it is currently to becoming a side yard setback of as little as 1.5m. This is because the proposed new lot would front on to Fairlea Avenue.

He concluded from his analysis that allowing a severance here on this corner lot would not create a precedent. The Board notes that none of the properties Mr. Smith referred the Board to, except 44 Uplands (severance allowed by the OMB), are located in the Uplands community. The Board understands that the severance at 44 Uplands was never acted upon and lapsed. Also, that the lands being severed in that case were located on the north side of Uplands Avenue in Plan M-1279 abutting the Uplands Golf Course parking lot and on the main entrance road to the golf course.

Mr. Smith introduced into evidence a composite plan (Exhibit. 8) of the Uplands area with colouring to indicate lots smaller in frontage than 100 ft., 100 ft. frontage lots and lots larger than 100 ft. The number of lots in each category was tallied in Exhibit

9(a) by Mr. Smith. Lot areas were compared by him in Exhibit 9(b). While the Zoning By-law calculates lot frontage at 6.4m back from the property line, Mr. Smith used the front property line measurement as shown on the registered plans for comparison purposes.

Mr. Smith concluded that there was one lot less than 100 ft. in Plan R-3765, 28 in Plan M-1279, and 141 on Plan M-0681, the latter two plans being north of Uplands Avenue. The Board finds that Mr. Smith's analysis contains material shortcomings.

For instance, Lot 25 Plan R-3765 does not have a frontage of less than 100 ft., but its actual frontage would be about 110 ft. Mr. Smith failed to include any calculation for a daylight curve at the corner. Similarly, throughout the comparison there is no allowance for the curvature of the roads in calculating frontage. At 6.4m back from the Riverside road allowance all the lots would exceed 100 ft. not be 100 ft. In Plan M-0681 Lots 1-5 are identified as less than 100 ft. when in fact they have at least 100 ft. frontage.

Respecting lot area comparison, no lot was found by Mr. Smith as small as 939.25m² south of Uplands in Plan R-3765. North of Uplands Avenue, Mr. Smith identified the smallest lots at addresses # 31, 33, 35, 37 and 39 Longbridge Road as the smallest lots within Plan M-0681 at 913.9m². According to Mr. Smith there were 9 lots on Meadow Height Court of 845m² and the next smallest lot north of Uplands Avenue was 900.82m², all within Plan M-1279. In total he found 59 of the nearly 180 lots north of Uplands Avenue at less than 939.25 sq. m. As it later became evident and resulting from the changes to the severance plan, Mr Smith should have used 886.7m² for comparison purposes.

Because of Mr. Smith's earlier oversights, the Board was not confident with Mr. Smith's results on lot areas and had no way to check them because Exhibit 9(b) was based on municipal addresses and not lot numbers like Exhibit 8 and 9(a).

Other areas of R1V zoning were reviewed by Mr. Smith beyond the Uplands area and severances within this same zoning were found, mainly on corner lots. He also referred the Board to 44 Uplands where the Board permitted lots with frontages of as little as 22.53m and areas of 845m<sup>2</sup> to be created in 1992. The Board notes that the lot sizes proposed at 44 Uplands were very close to and nearly identical in size to the lots

identified by Mr. Smith as the smallest lots north of Uplands Avenue on Meadow Height Court. Also Section 3.20 of the Zoning By-law does not apply to the lands in Plan M-1279, including 44 Uplands.

Mr. Smith reviewed the tests for severance and concluded that this proposed lot meets the tests for the following reasons and its creation represented good planning:

- implements the 2005 PPS. Places to Grow, and Section 2 of the *Planning Act* by promoting intensification,
- not premature and in the public interest for the same reason,
- severance conforms to OP and nearby plans (R-3765, M-0681 and M-1279)
   because lot frontage is 30m,
- it is suitable because the size and orientation of the retained and proposed new lot suit the character of the area and both exceed by-law standards,
- no impact on roads,
- dimension and shape of lots similar to others, frontages as big or bigger than others,
- no restrictions on the land or adjoining land,
- normal grading is all that is necessary to conserve natural resources,
- servicing is available at the lot line,
- schools are not an issue given only one extra lot is being created,
- no lands are required to be dedicated here but the municipality will collect usual amounts such as development charges and cash-in-lieu of park dedication,
- Region has adopted LEED policy which will be implemented in the design of the building, no further energy conservation measures required,
- not in area of site plan control, therefore no site plan required, and

no adverse impacts.

Mr. Smith reviewed the tests for minor variance and concluded that this proposed lot meets the four tests for the above noted reasons and the following:

- · meets all zoning standards,
- meets all OP tests and conforms with all provincial policies,
- appropriate limitations if necessary could be included through conditions to the severance or variance.

The Board invited the Appellant to amend her application on the fist day of this hearing because the severance plan appeared to the Board to be flawed. This is because the division line between the retained lot and new lot to be severed had to be changed as a result of the Appellant not fully understanding the Zoning By-law and how it would be interpreted when she made her application. The alternative would have been to proceed and, if severance was obtained, apply for a further variance or physically modify the dwelling on the retained lot so as to comply with the rear yard requirement of 9m set out in the Zoning By-law.

On the second day of the hearing, the Appellant requested this change and the Board acceded to her request pursuant to Sections 45(18.1) and 45(18.1.1) of the *Planning Act*, and granted this amendment without the requirement of further notice, the change being minor in nature. The Board understands the lot proposed to be created after the amendment has a frontage of 32.9m (at 6.4m from the street), one side yard of about 30.4m, the other that she shares with Ms. Baldassarra of about 32.41m, a rear yard lot line width of 22.7m, and an area of 882.7m<sup>2</sup>.

## Mr. R. Mino's Planning Evidence

Mr. Mino, a qualified land use planner, was called to give planning evidence by the City. He introduced into evidence a Staff Report that he supported that provided advice to the Vaughan Committee of Adjustment against the proposed severance and variance. He concluded that;

- the proposed lot was significantly smaller than others nearby,
- that the variance was not minor,
- that the appellant was seeking total exemption, not relief from the by-law,
- that the proposed severance does not fit the intent of OPA 94, when you compare lot size and shape, and
- more than lot frontage to consider here; rear yard much smaller which will alter the way rear yards function here.

Mr. Mino testified that this lot is zoned R1V OLD VILLAGE RESIDENTIAL ZONE which permits single family detached dwellings only. He noted that while this proposal might comply with the minimum frontage and area by-law requirements other provisions of the Zoning By-law were violated.

Mr. Mino stated that OPA 210 designated the subject lot low density residential for use by single family detached dwellings.

He also noted that Section 2 of OPA 94 quoted above does not deal directly with lot frontages, but with the size and shape of the proposed new lot. Here, the area of the new lot is 38% smaller than the lots nearby and, in his opinion, pie shaped, which Mr. Mino finds disturbs the existing pattern and distracts from the rectangular shaped lots that exist nearby. He also found that the new lot diminishes the function of the amenity of rear yard for both the new and retained lot unlike elsewhere within the plan. These lots will have much smaller rear yards than their neighbours.

In Mr. Mino's opinion, this proposal is not consistent with the intent of Section 3 of OPA 94 because it disturbs the existing pattern of development and may, in his opinion, encourage others in the area to apply, which may result in perpetuating an undesirable pattern.

He was concerned that if this severance were permitted it would be precedent setting. Mr. Smith would not agree that a severance here would set a precedent, but did agree that approval here would be an example of a severance in this community.

Mr. Mino stated that if a severance were allowed here, the consent could be helpful to others making applications for severances on 5 or 6 other large lots in the community, and might be just as helpful to others seeking severance in the R1V zones outside of the Uplands area in the same manner as other severances from outside the Uplands area were used by Mr. Smith at this hearing to support his position.

Mr. Mino testified the purpose of Section 3.20 of the Zoning By-law was to preserve large lots, and that there are not many of these large older lots left in the City of Vaughan.

He also indicated that OPA 589 was approved by the Region of York on behalf of the Province on July 12, 2006, after the 2005 Provincial Policy Statement came into force, and the 2005 PPS would have been considered by the Region when it gave this approval. He indicated that OPA 589 was a response by the municipality to an application to divide three R1V lots on Arnold Avenue into eleven lots having a minimum frontage of approximately 13m on an internal municipal road.

City Council accepted the Planning Staff recommendation and passed OPA 589 that contained the wording of 2.2.2.4(q) quoted above. The Staff Report, Exhibit 11, Tab 18, went on to say: "These minor policy additions will more adequately serve to maintain the integrity of the streetscapes and character of these areas, and provide guidance for the review of any future applications to ensure sensitivity to the existing development." He noted that there was no reference to lot frontage here even though he did acknowledge that the Basis of OPA 589 does make reference to 30m./100ft. frontages and makes reference to large lots.

Mr. Mino emphasized to the Board that the three pockets of large lot development in Vaughan are small in the scale of development that is taking place elsewhere in the City. He also reiterated his opinion that it is not only frontage to be considered but also area and shape to ensure consistent amenity space throughout.

He indicated that a similar application was made on this property in 1992 but withdrawn after many of the same neighbours expressed the same concerns then as they have now. If anything, Mr. Mino related the neighbourhood opposition is even greater now. Planning staff did not support the severance in 1992 for many of the same reasons given in testimony by Mr. Mino in this hearing.

Mr. Mino directed the Board to Section 1.1.1(b) of the 2005 PPS by which policy "healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential...uses to meet the long term needs". Here he suggested that these are areas to be protected while other areas are to take a mix. The Board understood from Mr. Mino's testimony that enclaves within the City are to be protected and are part of the mix, and that the proposed severance here, if granted, would undermine these special enclaves and the mix of residential uses available in the City.

Respecting *The Places to Grow Act* (Growth Plan), Mr. Mino indicated that the City was undertaking a review of an intensification strategy and targets to comply, and that it is unfair to say at this time this severance is mandated by this Policy until the City has had a fair opportunity to study the issue and work out a solution with the Province. He reiterated that the City saw these enclaves as historic older areas and that the City intends to work with the Region to delineate intensification areas. He opined that in Vaughan, intensification areas are not likely going to be stable older residential areas.

He suggested that intensification areas are usually centred around Regional Roads, transit, and servicing, and should not be implemented through private development applications, but after careful comprehensive study by the City.

Mr. Mino concluded his evidence by summarizing his reasons why this proposal failed the tests for severance and in particular Section 51(24)(a), (b), (c), (d) and (f):

- premature, difficult to tell if it complies with The Places To Grow Act,
- · undermines stability of area, therefore not in public interest,
- · disturbs 58 year-old pattern of development,
- does not conform to OPA 589; character of community is more than frontage,
- does not fit with OPA 94, must consider all of character of area,
- not suitable, too small to be compatible with other lots and to provide similar amenity space,

- · lot smallest in the nearby community,
- siting a building on the proposed new lot would be more difficult and would result in a significantly smaller rear yard than lots nearby,
- rear yard not in character with the rest of the community, and
- not responsive to Province's goal of mix of housing type.

Mr. Mino testified that even if no variance was required here, he would still recommend against the severance. As regards the variance, he concluded that the proposal here was not minor in part because it represented a total exemption from the By-law prohibition of a severance here and for the other reasons noted above.

Legal counsel argued about the proper interpretation of Section 3.20 of the City's Zoning By-law. Mr. Horosko and Ms. Storto argued that the preamble speaks to lots within plans of subdivision and expresses the intention that severances can be permitted generally throughout the City. Subsection (a), they argued, was intended to zone lots in the specific plans of subdivision specified, which included Plan R-3765 and M-0681, but not Plan M-1297. They suggested that subsection (a) must be given a different meaning than the preamble, and to give plain meaning to all the words amounts to a prohibition of severances within this plan.

Ms. Stewart argued that Section 3.20 cannot prevent a legitimate severance meeting the tests set out in the *Planning Act*. The Board agrees with this position; however, the Board finds that the intention of this provision was not to prohibit severances here but to establish the existing lot size as the minimum zoning requirement for each of the lots within the enumerated plans. As Mr. Horosko pointed out, if this result was what the City was trying to achieve, there would be no other way of achieving it through zoning unless the City passed a site specific by-law for each individual lot in each of the plans identified.

Mr. Mino concluded that the proposed variance did not meet the tests set out in s.45 (1) of the *Planning Act* for the reasons mentioned above and the following:

- that the variance was not desirable for the appropriate development or use of the land because the lot and its rear yard did not fit the existing pattern of development,
- it therefore set an undesirable precedent,
- it did not properly take into account the zoning requirements for rear yard, and therefore the application was constantly changing and ultimately needed amendment,
- undermines the different OP policies as to character of the community, and
- proposed lot too small in its context.

Mr. Mino opined that the variance should not be supported and did not represent good planning.

# Mr. J. Kennedy's Planning Evidence

Mr. Horosko called Mr. J. Kennedy, a professional planner, to express his opinion on this proposal.

Mr. Kennedy noted that through the amendment, the lot area of the new proposed lot would be 886.15m<sup>2</sup>. Also he noted that the proposed new lot would have a frontage of 126 ft., a rear lot line of 76 ft., and a lot depth of 100 ft. In his experience this would be a very generous lot measured by today's standards but is a "postage stamp" compared to other lots in the community.

Mr. Kennedy directed the Board to OPA 94 which came into force in 1980. In particular he referred the Board to Section 2.1 which reads;

Regard should be had to the proposed size, shape and use of the lot to be created with the present and potential uses in adjacent areas.

The Board notes here that there is no reference to a larger community such as the Uplands area in defining what is meant by "adjacent areas".

Mr. Kennedy also referred the Board to OPA 210 which came into force in 1987 and in particular Section 2.2 as it read in Exhibit 18. There it states that subdivisions registered prior to May 28, 1985, shall be subject to the provisions of the existing effective Zoning By-laws. Section 2.2.2.1, already referred to, provides for single family detached units here and a maximum density of 22 units per site acre.

OPA 589 passed in 2003, amended Section 2.2.2.4 General Residential Policies by adding subsection (q) quoted above. In Mr. Kennedy's opinion OPA 589 was not about numbers and 30m frontage did not appear in the text of the amendment. The amendment was directed at retaining the character of the area.

With reference to Section 2.2 in Exhibit 18, Mr. Kennedy testified that the Zoning By-law that was in force for the subject lands was By-law 2523 passed in 1960. This By-law contained the precursor to Section 3.20 which read as set out in Exhibit 18(b) as follows;

### (26) Use of Residential Lots

No person shall erect more than one single family detached dwelling or one semidetached dwelling on any lot in an R Zone, provided that no person shall erect more than one single family residential dwelling on any lot as shown on registered plans:..3765,...M681.

The Board notes that two registered plans were registered within the Uplands community north of Uplands Road, Plan M-681 registered in 1955 and Plan M-1279 in 1969.

Mr. Kennedy noted that even under By-law 2523, minimum lot size areas were smaller than existing lot sizes here, but that the By-law controlled this by prohibiting severances on the older large lot plans identified in subsection 26 quoted above. Mr. Kennedy introduced into evidence [Exhibit 18(c)] a consolidated version of By-law 1-88 which in its first recital states that it is a by-law to consolidate Zoning By-laws which regulate the use of lands and the character, location, and use of buildings and structures in the City of Vaughan. He noted also that the zoning requirements were stated to be minimum requirements.

Mr. Kennedy referred the Board to the Basis of OPA 589 and in particular paragraph 3 which stated that the purpose of the amendment was based on the following considerations:

There is merit in adding policies that would protect and recognize these areas as an important historical component and as unique enclaves within their broader communities.

Mr. Kennedy testified that even though Plan 3765 was registered only 6 years earlier than Plan M-681, they were very different. He indicated that character in the Uplands community consisted of three parts:

- Plan 3765 consisting of very large lots consisting of frontages exceeding 100 ft.,
   lot depths of 160 ft. being the shallowest, and at least 16,000 sq. ft. on average,
- Plan M-681 consisting of smaller lots of 80 ft.-120 ft. frontage, and
- Plan M-1279 consisting of the smallest lots in the community of approximately 70 ft. frontages.

Mr. Kennedy noted that frontage is only one of the components of character and that 2.2.2.2(q) does not speak to frontage. In visiting the area on two occasions, he noted the differences in appearance as noted above in the area south of Uplands Avenue as compared to north of Uplands Avenue. He concluded that the proposed lot is not in keeping with the overall character. He pointed out that the shallowest lot in Plan 3765 is 160 ft. deep, 60 ft. greater than the depth of the proposed lot. He indicated that while the Zoning By-law requires generous yards, (9m minimum front and rear yards, and 6m combined minimum side yards), not a single lot would have a residential dwelling unit located 9m from its rear lot line as is likely here.

He noted the spacious sideyards of the other homes here and the relationship of the houses on the lots and how they relate to other lots. Respecting other nearby lots, they are extensively landscaped, have mature trees, and wide open areas. He explained that change here is occurring in built form, not through smaller lot sizes. Vintage bungalows are being replaced by two storey dwellings.

He characterized the immediate area as a unique enclave within a broader community. He commented that while Vaughan 10 years ago was a low density

community, there are a significant number of high density opportunities and there is no need for intensification in this stable area.

- 18 -

He was critical of Mr. Smith's inclusion of the two plans north of Uplands Avenue. The oldest plan with the largest lots Plan M-0681, he opined, was not compatible and noted that Section 3.20 of the Zoning By-law does not apply to the newer Plan M-1279 north of Uplands. He testified that this was a pinnacle case and that if a severance were permitted here it would be a significant precedent for at least four other corner lots.

Therefore Mr. Kennedy concluded that the proposed variance did not meet the intent and purpose of the City's OP or Zoning By-law and was not minor. He believed that by this variance, the Board was being asked to change the intent and purpose of the Zoning By-law.

He said the variance was also not minor because it would have a significant impact on his client's property which shares a common lot line at the rear. Whereas previously a house would be required to have a rear yard setback of 9m, from the rear yard of Ms. Baldassarra's property, it could now be located as close as 1.5m, the rear yard of the old lot now becoming a side yard if the severance were allowed.

If the new house on the new lot was located only 1.5m from Ms. Baldassarra's property, he opined that it would affect Ms. Baldassarra's use and enjoyment of her own property. In part, this is because a new house located close to the property line would have an easy view into the rear yard of Ms. Baldassarra's property.

Mr. Kennedy agreed on cross-examination that Ms. Baldassarra has no right to expect no overview. On re-examination he emphasized that if the appeals were allowed here, there would be a change in the impact of others having a right to view into the Baldassarra's rear yard because a new two storey dwelling unit could be erected a minimum of 1.5m from Ms. Baldassarra's rear yard.

Mr. Kennedy also emphasized that context here isn't just about view but also what you see is what you get.

Mr. Kennedy did not find the proposed development appropriate given the fact that the area has remained unscathed for 60 years. In his opinion this proposal failed all four of the variance tests.

He also gave the Board his opinion that the proposed new lot fails many of the tests for severance set out in Section 51(24) of the *Planning Act*. For example, for the reasons he already gave, the proposal does not comply with the City's OP as required by Section 51(24)(c). In his opinion the new lot fails the test respecting the size and shape because the proposed lot is trapezoid in shape and only 32m by 30m. He noted that lot depths in the community were 160 ft. minimum, not 100 ft.

For all of the forgoing reasons he concluded that the Appeals should be denied.

In reply evidence, Ms. Stewart recalled Mr. Smith who explained that an amendment to the plan accompanying the severance was necessary and Exhibit 22 was introduced into evidence showing the revised lots to be severed and retained. Mr. Smith admitted in cross-examination that there was no lot as small as what was proposed here shown on Plans R-3765 or M-0681, and the only plan in the Uplands community where there was an example of a similar sized lot was Plan M-1279, the latter plan being a plan not included in the plan list in Section 3.20 of the City's Zoning By-law.

# Mr. A. Artuchov's Planning Evidence

In reply evidence Ms. Stewart called another qualified planner, Mr. A. Artuchov. This was objected to by Mr. Horosko and Ms. Storto because in their opinion this permitted Ms. Stewart to split her case. In the circumstances here I allowed Mr. Artuchov to give evidence respecting the new plan, (Exhibit 22), which I ultimately agreed to accept as the amended severance plan. I also allowed Ms. Storto and Mr. Horosko to recall their own planning witnesses to address the changed plan.

Mr. Artuchov reaffirmed Mr. Smith's evidence that the severance as amended represented good planning. He admitted that the new lot would impact Ms. Baldassarra,

but opined that with proper screening, fencing, and landscaping, the proposal will have less of a negative impact on her.

Mr. Mino in his evidence respecting the changed plan pointed out discrepancies in the numbers from the various plans filed (at least 3) and testified that the Board should not rely on Exhibit 22 as being accurate. His opinion on what was purposed remained the same despite the changes to the plan.

### **Decision**

The Appeals in this case are denied based on a number of reasons any one of which on its own would support the denial of this appeal.

Firstly, I prefer the planning evidence given by Mr. Mino and Mr. Kennedy to the evidence given by Mr. Smith and Mr. Artuchov. The planning evidence produced by the Appellants had many incorrect calculations and there were many different versions of the proposed plan. The Board was not confident in the calculations even on the last plan filed after almost a month's time to do the recalculation. These errors undermined the evidence given, particularly by Mr. Smith, and caused the Board to discount his evidence.

The Board found it difficult to give Mr. Artuchov's evidence much weight given that he was retained about five days before December 18, 2007, when the hearing continued and his evidence was only to deal with the proposed change to the severance plan. Even then his evidence undermined the Appellant's planning case to a certain extent by admitting that the proposal would affect Ms. Baldassarra adversely.

The Appellant's planners' comparison area was the entire Uplands area while the Opposing Parties' planners focused on the area south of Uplands. I find the surrounding area south of Uplands preferable here for comparison purposes for a number of reasons including the following:

 Physically, from the testimony and the photographs, the areas south and north of Uplands Avenue look and appear quite different,

- Section 3.20 of the City's Zoning By-law does not include one of the two plans of subdivision located north of Uplands Avenue,
- Section 2.1 of the City's OP requires severances to regard the proposed size, shape, and use of the lot to be created with the present and potential uses in adjacent areas,
- Section 45(1) of the *Planning Act* which requires a variance to be desirable for the appropriate development of the land,
- OPA 589 requires consistency with the overall character of the area, and
- Section 51(24)(c) of the Planning Act which requires conformity with adjacent plans of subdivision, if any.

When the proposed lot is compared to the lots south of Uplands, it can be readily concluded that the proposed lot to be severed is much smaller and inconsistent with the lot pattern, shapes, and size. The only measure it could be said to be compatible is on lot frontages, but the Board agrees with the Opposing Parties' planners that there is more to be considered than lot frontages.

Ms. Stewart in her summation stated that compatibility means "in harmony with" and referred the Board to an often quoted decision by Mr. Chapman where he stated, "being in harmony with implies nothing more than being capable of existing together in harmony" (*Motsi* v. *Bernardi*, 20 O.M.B.R. 129 at Page 5). Considering the phrase in harmony more carefully, surely it means in harmony with the nearby area, being the area south of Uplands.

I believe that by formulating the "in harmony" test as Ms. Stewart referred to it, Mr. Chapman meant more than peaceful co-existence because peaceful co-existence has much more to do with people than things such as lots and houses. In the context of the *Planning Act*, surely "in harmony" must mean parts combined into a pleasing or orderly whole, congruity, a state of agreement or proportionate arrangement of size and shape. For the reasons set out by the Opposing Parties' planners I do not find that the proposal here is in harmony with the existing community south of Uplands Avenue. Even if one were to include the northerly two plans I cannot see how this trapezoidal

shaped lot of wide frontage and shallow depth is in anyway like any lot north of Uplands Avenue.

Ms. Stewart argued that I should not be overly concerned about lack of lot depth because a person cannot see how deep rear lots are from the street. Perhaps so, but a person walking along Fairlea Avenue today would certainly notice the very deep rear yard 10 Fairley Avenue has today.

The Board was directed by Ms. Stewart to *Bashchak* v. *Reid*, OMB Case No. PLO60776 wherein Member Flint in paragraph five said that "in general, no one has a right to view over another's property". While this may be true, there is still a requirement under Sections 45(1) and 51(24) of the *Planning* Act that new development be compatible with the adjacent area and more particularly the character of the area.

I find that the immediate area here is perhaps the last area in Vaughan that perfectly reflects the semi-urban plans of subdivision of the early 1950's and that the generous side yards of corner lots are an important component of that planning era and must be retained here to maintain the character of the area.

This planning era was characterized by few of the urban services that people take for granted today such as sewers, sidewalks, curbs, or gutters. Similarly, from the photographs and plans, I could see that lots were very large with large separation distances between homes, and were well landscaped. One resident testified that his backyard is his own personal respite area and that a person could live for years in the neighbourhood and not meet all of his neighbours because residents spent so much time in their backyards.

I was told by the residents and by Mr. Kennedy that development here has not stopped, but its form is different than elsewhere. While there have been no severances here, the early bungalow type housing is being gradually replaced by larger two storey homes.

I prefer the cases cited by Ms. Storto in support of the proposition that even if an applicant for severance totally complies with the applicable Zoning By-law, that applicant may not be entitled to a severance.

This became an issue because Ms. Stewart argued that the Appellant never needed a variance and that the Appellant only applied and appealed because the City took the position that a variance was required here. In *Brovac* v. *City of Ottawa Committee of Adjustment* (OMB No. PL010172) Mr. Jackson stated at P.4:

In cross examination the witness admits the subject area is without curbs, storm sewers and sidewalks in terms of infrastructure. He admits that there are large trees on the subject property (60 to 70 percent of the lot is landscaped open space) and that with two new houses there could be a reduction in amenity area. He admits that the openness of the large lots in the area and their well endowed vegetation are part of the character of the area as low density residential.

At page 8 Mr. Jackson finds the following: "The Board is not bound by precedent but notes the decision *Fisher* v. *County of Simcoe Land Division Committee* 15 O.M.B.R. at 319, wherein the Board concluded that compliance with minimum Zoning By-law standards does not mean an as of right to a consent to sever."

Two other decisions cited by Ms. Storto so completely captured my conclusions here that I find it impossible not to quote from them fairly extensively. For instance Mr. O'Brien in *Kostuk* v. *Dalicandro et al.* OMB No. PL011083, stated at page 4:

Given the existing lot pattern in the neighbourhood, the Board accepts the evidence of the planners called by the City and Association that the dimensions and shape of lots are not consistent or compatible with the existing urban fabric of the neighbourhood, notwithstanding the issue of zoning compliance. The proposed lots would be a significant departure from the existing conditions and unprecedented in the area. The consent fails to have regard to the provisions of Section 51(24)(f) of the *Planning Act...* 

Few neighbourhoods in the urban Toronto context can provide this type of community of large/expansive lots, ranch style bungalows and semi-rural cross-section streets (no sidewalks or curbs, swales / gutters, no sidewalks...

Similarly, the Board adopts the findings of Mr. Owen in *Alexopoulos* v. *Town of Richmond Hill*, OMB No. PL021044 where at page 2 he stated:

The resident's evidence convinces the Board that the retention of the average frontage of 100 feet, a main justification of the planning consultant for the proponent for the new lots, is not the dominant feature of the subdivision. It is a combination of the frontage, depth and overall area that creates the attractive open nature of the development and one that should be preserved, or in this case not so drastically altered...In this case, the Board finds that the encouragement of infill should not come at the cost of destabilizing this neighbourhood.

Here I heard similar evidence to what Mr. Owen heard from the Respondent's planners and I accept it.

Given all of the evidence, I cannot find that the proposed severance meets the intent and purpose of the City's OP or Zoning By-law which I believe are directed at maintaining the underlying lot fabric and allow for redevelopment of larger homes on existing lots. As Mr. Horosko argued concerning Section 3.20 of the Zoning By-law, if one's objective was to create a Zoning By-law that reflected existing lot sizes and shapes how else could you do it other than by zoning each lot individually by site specific by-law.

Also for the reasons stated above I do not think the variance meets any of the *Planning Act* tests. Respecting the severance, I find that the proposal fails to meet the following tests, Sections 51(24)(b), (c), (f) and (g) also for the reasons provided by the Opposing Parties' planners.

THE BOARD ORDERS that the appeals are dismissed, the variance is not authorized and the consent is not granted.

"D. L. Gates"

D. L. GATES MEMBER Chair, Mayor and Members of Council:

**C14** COMMITTEE OF THE WHOLE Item: 15

As a long time resident of Vaughan I support Regional Councillor Deb Schulte's resolution to remove the expansion of the urban boundary from the new Official Plan. I regard the expansion as unnecessary, unwarranted and inappropriate. My reasons are as follows:-

	In a 20-year forecast there are many assumptions about the nature, composition and amount of population growth. Revisions are inevitable. When the Official Plan is reviewed in 5 years' time I doubt very much that we will be looking at the same population projections that we are now. One only needs to look at recent experience in some cities in Canada and the United States to see how quickly projected increases can become decreases and vice versa.
	There is very little natural and agricultural land left in Vaughan outside the urban boundary, the greenbelt and the conservation areas. Although this increase in the urban boundary is stated as "only" 3%, it is 3% of the total land area of Vaughan. The increase in the urban boundary is much greater than 3% of the land within the boundary and an even larger percentage of the land available for building outside the current boundary. It is not an insignificant increase. It is very significant portion of the available land in Vaughan.
	Locating low-density developments distant from communications and servicing places a significant and unnecessary demand on the City and Region to provide infrastructure in a less than optimal fashion at a cost to all residents of Vaughan while increasing the already excessive congestion. Bringing sewers, water, hydro, roads and community facilities to remote low-density developments is an inefficient use of infrastructure funding.
	Vaughan has seen a steady and rapid erosion of green space. Golf courses have been ripped up, agricultural lands have been paved over and trees have been removed. These have replaced with bricks, asphalt and concrete. While Vaughan has to provide for its new residents there also has to be a balance between the needs for housing, shopping and employment and the needs for agriculture, recreation, relaxation and respite. Vaughan is already in severe danger of allowing the former to supersede the latter.
	Congestion is already a severe issue in Vaughan. Commuting times are taking longer and transit, where it exists, is being slowed more and more. It just isn't possible to build roads as quickly as automakers can build cars. Adding low density developments, whose occupants must rely on cars as the only practical means of accessing employment and services, contributes further to this effect. Adding upwards of 20,000 cars on local roads and highways is not inconsequential.
	There is no need to expand the boundary now. Most, if not all, the anticipated increase in population can be absorbed within the current boundary. If, some years in the future, it becomes apparent that the increase in population can only be accommodated by increasing the boundary, Council can then elect to extend the boundary as required. Based on current figures this decision probably doesn't have to be taken for at least another 10 years.
еге	efore, request that the Committee endorse Regional Councillor Deb Schulte's resolution.

Alexandra Hatfield 232 Camlaren Crescent

PO Box 190, Kleinburg, ON L0J 1C0

DEPUTATION TO THE VAUGHAN CITY COUNCIL JAN. 11, 2011

C15
COMMITTEE OF THE WHOLE
Item:
JANUARY 11, 2011

FROM: IAIN CRAIG, 365 STEGMAN'S MILL RD. KLEINBURG.

RE: A MOTION TO REMOVE THE URBAN BOUNDARY EXPANSION FROM THE NEW OFFICIAL PLAN.

Good Afternoon Mayor Bevilacqua, and members of Council, My name is Iain Craig, I live on Stegman's Mill Rd. in Kleinburg - I have lived there for the past 25 years. Prior to the last election, and the vote to expand the Urban Boundary, I did come to Council and voiced my opposition to the expansion plans. At that time a number of councilors did not see urban sprawl as a concern for the citizens of Vaughan, nor did they anticipate any sort of negative impact from the addition of thousands of people who would eventually live in the urban expansion area. This was an election issue. Citizens in Nashville, Kleinburg, Purpleville, Woodbridge and Maple were and are concerned. Citizens made their concerns known, however the last council appeared to ignore those concerns. Prior to the vote to expand the Urban Boundary, Councillors Meffe and Ferri came to a meeting of the Kleinburg and Area Ratepayers Association, and dismissed concerns about traffic in Kleinburg. "No there hasn't been a traffic study, and there isn't any need for one." How was it possible for the last council to plan for thousands of people to move into the north end of Maple, both the east and west sides of Kleinburg, and not do a traffic study. After the vote to expand the Urban Boundary, one of the members of this council publicly said that the decision to expand the urban boundary was irresponsible.

Take the drive into Kleinburg at rush hour, and get some sense of the problems that lie ahead.

All of the roads that lead into Kleinburg are two lane roads – roads that can not possibly be changed into 3 or 4 lane roads. The Kleinburg Golf Course subdivisions, and the plans for housing north of Nashville, will create a huge traffic problem on Nashville Rd. as traffic attempts to get to Highway 27. Teston Road from Pine Valley Drive west into Kleinburg is a very hilly narrow country road with two steep slopes to be encountered as drivers come into the village of Kleinburg. We already have traffic issues on this road. Right now these problems are essentially restricted to rush hour both a.m. and p.m.. Add thousands of people to the area and we will indeed have traffic chaos. This is not just a traffic grid-lock problem – this is a public safety problem. I strongly urge this council to set up a traffic study to find out the impact of the traffic that would be created by the urban expansion plans. Kleinburg is a Heritage Conservation District. It has been classified as one of the jewels of Vaughan. If the urban expansion proceeds, you will change the face of Kleinburg forever. It will no longer be a tourist destination, it will lose its designation as a Historic Village. The Kleinburg and Area Ratepayers Association have sent you, again, their concerns about Urban Expansion – I do hope that you can read their report again and recognize that there are serious concerns for the Village of Kleinburg. I'm sure you are hearing the same concerns from citizens in Woodbridge and Maple.

The previous council with one vote decided that valuable farmland was not important. How is anybody to know what the agricultural needs of our region will be in the next 20 50 years? To take that land out of production now is a total lack of planning. There are alternatives that will allow Vaughan to reach the numbers that the Province wants – I urge you to take a second look at the urban expansion plans, and consider the concerns of the citizens that will be impacted. In fact, I urge you to remove the Urban Boundary Expansion from the Official Plan. Thank you, Iain Craig.

Jain Craig

# Vaughan Crossings Inc.

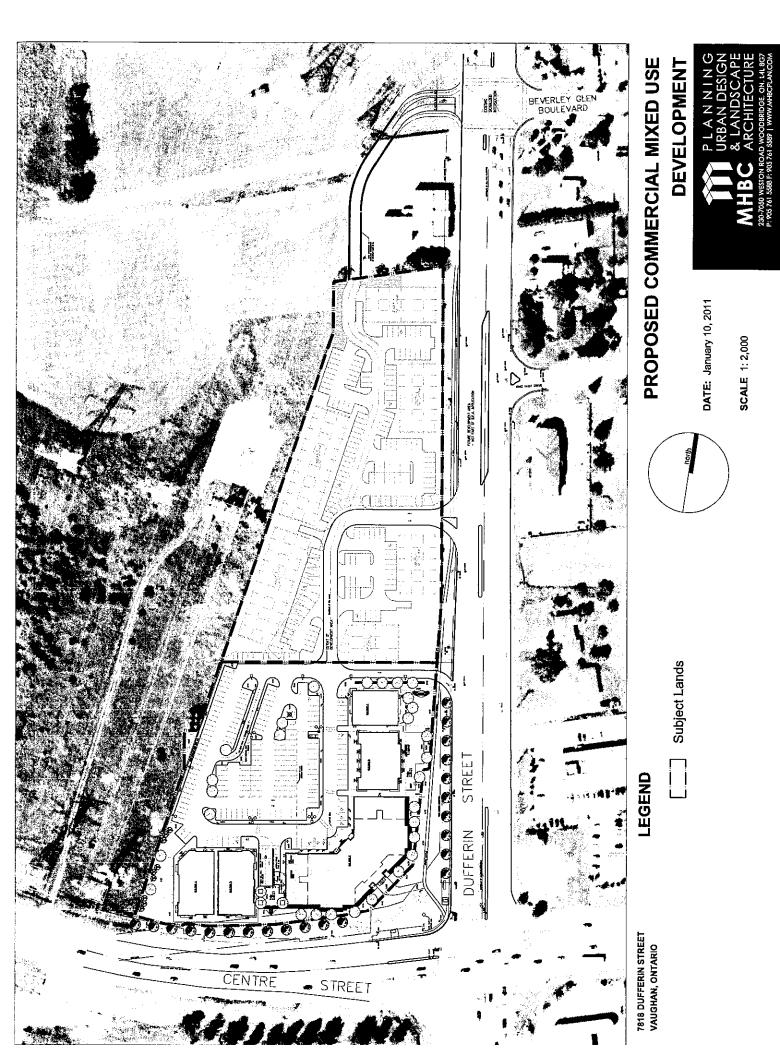
C16
COMMITTEE OF THE WHOLE
Item:
JANUARY 11, 2011

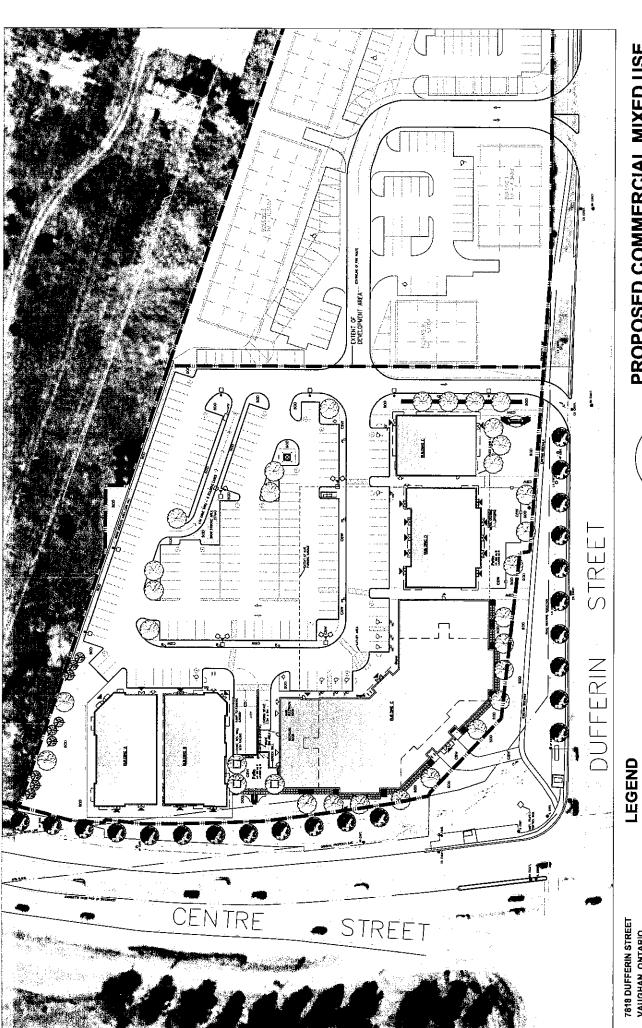
Northwest Corner of Dufferin Street & Centre Street Delegation to City of Vaughan Council January 11, 2011

# Request from Council:

To provide direction to staff to allow the processing of Vaughan Crossings' Zoning By-law Amendment and Site Plan Approval applications prior to a Secondary Plan being adopted.

- Vaughan Crossings Inc. ("VCI") Zoning By-law Amendment application in process since 2008
- Proposal for a mixed commercial development:
  - o Phase 1: Office 56,000 sq ft
  - o Phase 1: Service Commercial / Retail 26,000 sq ft
  - o Phase 2: Office / Service Commercial / Retail 54,000 sq ft
- Applications placed on hold by VCI due to economic downturn and to wait for adoption of new Official Plan
- VCI now has a tenant who is ready to lease 2/3rds of the office building (plus other tenants) –
  want to occupy the buildings in 2012.
- Adopted Official Plan continues current permissions as well as allowing for broader retail and service commercial uses
- Adopted Official Plan, however, requires Secondary Plan prior to developments proceeding
- Council direction required to allow further processing of existing applications, as per Policy 10.1.1.10 of adopted Official Plan
- Issue is that there is no defined timeframe for final approval of adopted Official Plan or timeframe for Secondary Plan being completed – will jeopardize office tenant's timing and the viability of the project
- Vaughan Crossings' applications will:
  - o create a landmark office building at the intersection as per City's vision
  - o intensify underutilized and derelict lands at a major intersection
  - o create an attractive, safe and pedestrian-friendly streetscape as per City's vision
  - o generate approximately 300 jobs and substantial new property taxes (+/- \$542K)
- Vaughan Crossings Inc. is committed to working with Council, the public and staff to create a
  development which will set a positive precedent for further development in the area.





# PROPOSED COMMERCIAL MIXED USE **DEVELOPMENT- PHASE ONE**

**DATE: January 10, 2011** 

SCALE 1: 1,150

Subject Lands

7818 DUFFERIN STREET VAUGHAN, ONTARIO

SKETCH PERSPECTIVE VIEW 1 COMMERCIAL MIXED USE DEVELOPEMENT

DUFFERIN STREET | CENTRE AND DUFFERIN | 7818 DUFFERIN ST, VAUGHAN

SKETCH PERSPECTIVE VIEW 2 COMMERCIAL MIXED USE DEVELOPEMENT
DUFFERIN STREET CENTRE AND DUFFERIN
7818 DUFFERIN ST, VAUGHAN

2011 Pee Wee Girls Fastpitch Canadian Championship Jamboree – Vaughan Ontario



# City of Vaughan Deputation January 11, 2011 Council Chambers



**WAUGHAN** 







Sometimes a picture is worth.....



Sometimes hard to describe in words......



- Objectives of the Jamboree
- Why Vaughan?
- Canadian Championships in Vaughan
- Parks & Facilities
- Volunteerism
- Partnership
- Benefits to Vaughan
- Summary





#### astpitch hip Ontario

- Objectives of the Jamboree
- improve our Canadian Championship format. The competition review committee from Softball Canada wanted to
- "Jamboree" with teams from across the country. Championships is positioned as a "festive" Championship The 2011 Girls Canadian Peewee Softball National
- and development as it is about competition. The atmosphere of the event is as much about camaraderie
- and the ground work has been laid to continue this into 2011 declare a National Champion. The project was a huge success, hence the bid to host the event in the City of Vaughan. from across Canada took part in a "festive" Championship, to Last year in Quebec a pilot project took place, where 22 teams







- across Canada and have been approached to host and bring the world stage of Softball to Vaughan. Baseball and Softball Tournaments not only in Ontario but The (CVBA) have become the leaders in organizing successful
- the country to take part in the 2011 event. that we could have as many as 30 teams come from across proximity to the rest of the country. Softball Canada indicates Ontario, more teams will likely enter due to the geographic This Jamboree will catch on like wildfire, and now that it is in
- "We are confident that Vaughan has the resources, the parks, the staff and the volunteers to make this a success." .... (Softball Canada)



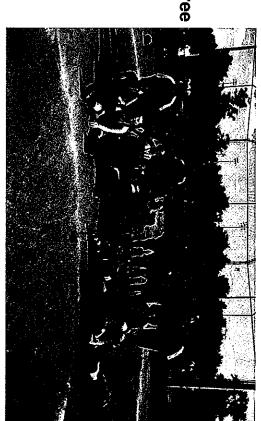






### Jamboree in Ontario

- With the success in Quebec, Softball Canada wanting to expand the Jamboree
- With Ontario being one of Canada's largest marketplace
- Ontario would be a perfect fit











Why Vaughan ???

## Location, Location, Location

- Vaughan's "central" location within the Province
- Ability for teams to travel to and from with ease
- Teams from remote areas get to live the experience of a Canadian Championship, might never had the chance otherwise





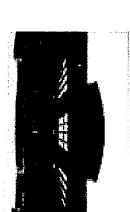


#### 2011 Pee Wee Girls Fastpitch Jamboree – Vaughan Ontario Canadian Championship

### Why Vaughan ???

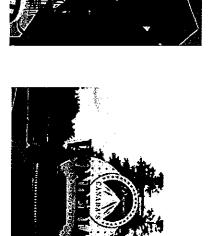














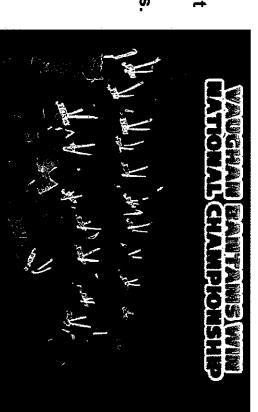






Vaughan not only is a leader in hosting successful tournaments, but also winning many Canadian,
Provincial and Local Championships.

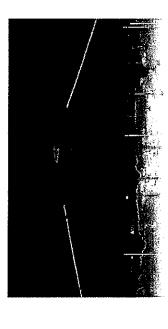




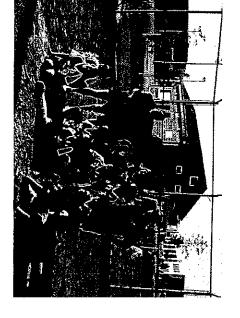








## State-of-the-art!









## Opportunity for Local Volunteers

- Ability for our local coaches to step up and be noticed
- Opportunity for our local umpires to work a Canadian Championship







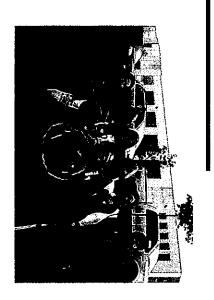






#### Volunteerism

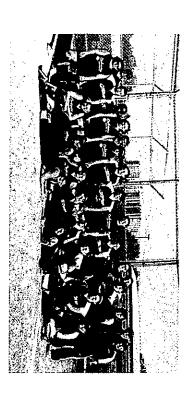
- With our past experiences hosting major Canadian/Provincial Championships, we have recognized the impact they have had within our community.
- Our volunteer base and its commitment to help and serve has been our greatest strength, which in turn, has given individuals a sense of community involvement, commitment, selfesteem, and ownership, allowing people to walk away feeling good!
- Our commitment to ensure we don't just put on a tournament, but rather put on "a show" and give the players "a lifetime experience", has given Vaughan an exceptional image, not only within the Province but nationally.

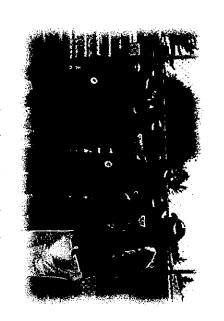




#### Partnership

- City officials have worked very closely with us to help achieve our successes.
- The exposure and interest that has been created has improved the image of Vaughan!
- Vaughan is now on the map, and has become a destination place.
- Together with the City of Vaughan we have helped grow the sport of baseball and softball in the community.











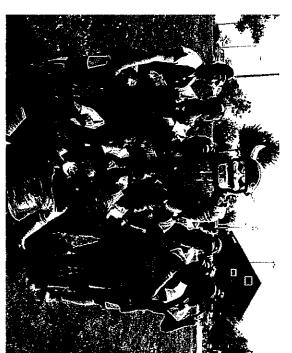
- Enhanced image of the City across the country...from St. John to Victoria!
- Increased Tourism and Economic Development!
- other major sporting events! Opportunity to showcase our ability to host





players from across the country the opportunity to showcase their abilities and strive for greatness. By hosting an event of this magnitude, we have helped to advance and promote softball within our community and across Canada.









Ivanhoe Cambridge

95 Wellington Street West, Suite 300 Toronto, Ontario Canada M5J 2R2

Tel. (416) 369-1200 Fax (416) 369-1327 www.ivanhoecambridge.com

January 11, 2011

Mayor Bevilacqua and Councillors
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. Mayor and Councillors:

RE: Committee of the Whole Agenda – January 11, 2010

<u>Item 16 – Motion regarding Vaughan Mills</u>

We write to you on behalf of Ivanhoe Cambridge II Inc., the owner of the Vaughan Mills Shopping Centre, municipally known as 1 Bass Pro mills Drive ("Vaughan Mills").

Recently, we learned of a member's resolution aimed at transferring residential development potential from Vaughan Mills to the Vaugha Metropolitan Centre which will be brought before the Committee of the Whole on January 11, 2011. We understand that if this motion is approved, the City of Vaughan Official Plan 2010 would be modified to re-designate the lands with residential development potential at Vaughan Mills from High Rise Mixed Use to General Commercial, thereby eliminating the residential development potential at Vaughan Mills and the adjacent lands.

We would like to express our interest relating to this motion. While we appreciate that residential development would be beneficial to the Vaughan Metropolitan Centre, we feel that the residential development potential at Vaughan Mills is also important.

We support the new Official Plan's policies that would allow Vaughan Mills to evolve into a Primary Centre containing a mix of commercial and residential uses. We believe the proposed high-density residential development by Casertano Development Corp. would not only be complementary to Vaughan Mills, but more importantly, would benefit the community of Vaughan by creating a mixed use node, and higher densities, thus facilitating an eventual higher order transit infrastructure.

Continued on Page 2...



Letter to Mayor Bevilacqua and Councillors City of Vaughan January 11, 2011 Page 2

We are currently working with Casertano Development Corp. in exploring pedestrian route options that will link the proposed residential development with Vaughan Mills.

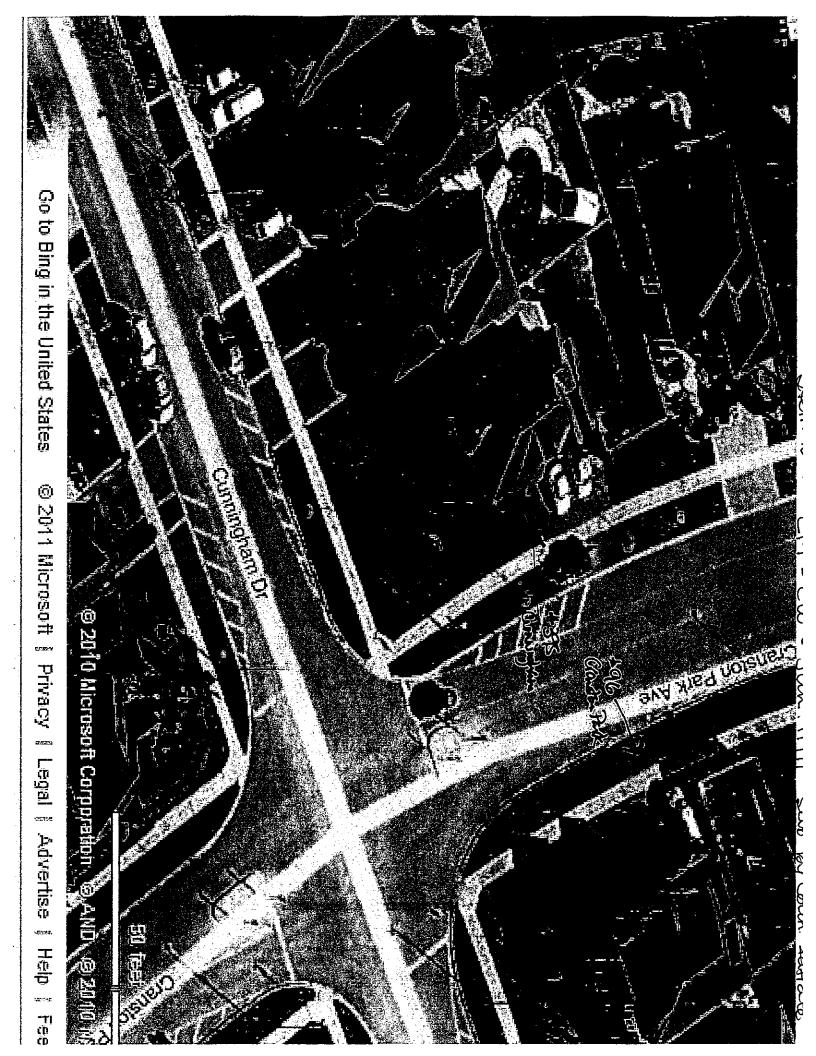
We are of the opinion that the proposed high-density residential development represents the highest best use for the site and we would encourage Council not to abandon one of the key outcomes of its lengthy official plan review process.

Yours truly,

IVANHOE CAMBRIDGE

Mauro Cristini

Development Manager, Central Region



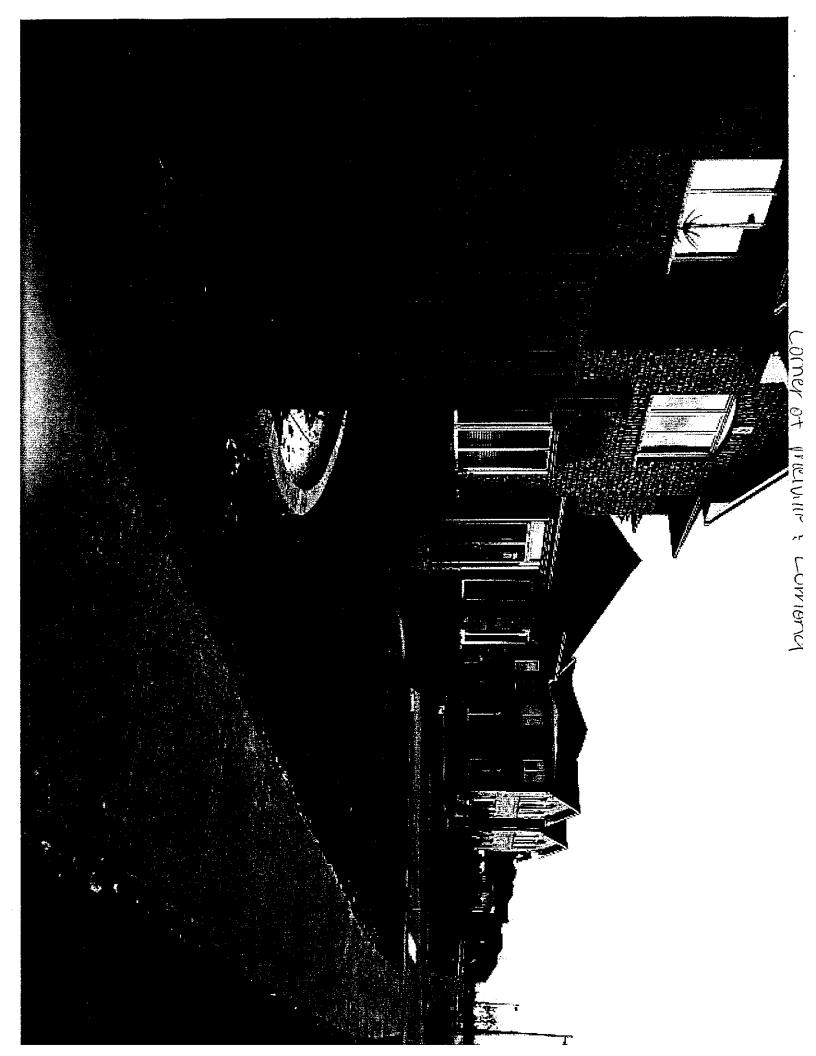
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han, Ontario, Canada

<u> जनप्रधान मध्यत्र सम्बन्धः नामक्त्रका जात्तर छ।</u>

Cunningham Drive.

Cunningham-Drive.



S/W Corner Chinning ham/Me/ville\_Ontario, Canada