

COMMITTEE OF THE WHOLE – APRIL 3, 2012

COMMUNICATIONS

Distributed March 23, 2012

	<u>Item No.</u>
C1. Ganga and Sarajdai Totaram.	Deputation b)

Distributed March 30, 2012

C2. Mr. Cam Milani, dated March 28, 2012.	23
C3. Memorandum from the Commissioner of Planning, dated March 29, 2012.	23
C4. Memorandum from the Commissioner of Planning, dated March 29, 2012.	11
C5. Mr. Cam Milani, dated March 29, 2012.	23
C6. Memorandum from the Director of Enforcement Services, dated March 30, 2012.	Deputation c)
C7. Ms. Clara Astolfo, dated March 30, 2012.	29
C8. Ms. Jane Pepino, dated March 30, 2012.	23

Distributed April 2, 2012

C9. Ms. Nadia Stalteri, dated March 30, 2012.	20
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Distributed April 3, 2012

C10. Ms. Rosemarie L. Humphries, on behalf of 77 & 87 Woodstream Boulevard, dated April 2, 2012.	23
C11. Ms. Rosemarie L. Humphries, on behalf of 1539253 Ontario Limited, dated April 2, 2012.	23
C12. Ms. Rosemarie L. Humphries, on behalf of Anland Developments Inc. and 281187 Ontario Limited, dated April 2, 2012.	23
C13. Ms. Rosemarie L. Humphries, on behalf of KK Holdings, dated April 2, 2012.	23
C14. Ms. Rosemarie L. Humphries, on behalf of owners within Block 34 dated April 2, 2012.	23

Disclaimer Respecting External Communications

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Please note there may be further Communications.

COMMITTEE OF THE WHOLE – APRIL 3, 2012

- | | | |
|------|--|---------------|
| C15. | Mr. Philip J. Stewart, on behalf of the Royal Group Inc., dated April 3, 2012. | 23 |
| C16. | Mr. Philip J. Stewart, on behalf of OPGI Management LP, dated April 3, 2012. | 23 |
| C17. | Mr. Bruce Thom, dated April 2, 2012. | 23 |
| C18. | Ms. Ellen Shacter, dated April 3, 2012. | 23 |
| C19. | Mr. Asif Khan, Run for Vaughan. | Deputation a) |
| C20. | Ganga and Sarajdai Totaram. | Deputation b) |

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Please note there may be further Communications.



Unit 14215
2180 Steeles Ave. West
Vaughn, Ontario
Canada, L4K 2Z5

Tel: 905 532 0504
905 532 9594
Fax: 905 532 9828

Restaurant & Lounge

Mr. Jeffery A. Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

C /
COMMUNICATION
CW - <u>April 3/12</u>
ITEM - <u>Dep. b)</u>

RE: Requesting Deputation to extend Outdoor Exhibition time to 4 am

For City Council Approval

Dear Sir,

Please be advised , application was submitted for outdoor exhibition permit to the licensing department for

- (1) A two days event on June 23rd and June 24th / 2012
- (2) A one day event on July 01st / 2012
- (3) A three days event on August 3rd, 4th and 5th / 2012

The purpose of the event is to showcase the Caribbean Arts , Culture and Cuisine.

The event will be held in the parking lot of the Concordian Business Square located at 2180 Steeles Ave. West in Vaughan.

The event is schedule to commence at 7 pm and concludes at 4 am the following day.

RECEIVED

MAR 14 2012

CLERK'S DEPT.

We are kindly requesting from your office Deputation to extend the end time of the events to 4 am for City Council's Approval.

We will inform the various departments (Police , Fire and Health) of our intentions of the event and fully abide by their rules.

We will also be informing the AGCO as a liquor license permit will be required.

We will also be seeking Noise Exemption from the City of Vaughan Enforcement Services Department with the amended time extended to 4 am upon City Council's Approval

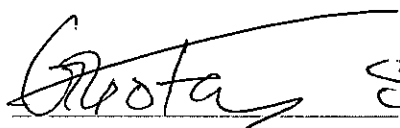
Liability Insurance will be provided in the required amount naming the City of Vaughan as insured.

Security guards and paid duty officers will be contracted as per the Police Chief's request.

We look forward for your assistance in this matter and pledge to fully cooperate with all the various Departments and abide by their rules, regulations and City by laws to ensure the safety of everyone.

Should you have any questions , please do not hesitate to contact us

Sincerely,

 **Sarajhdai Totaram**

Ganga (Kishore) Totaram and Sarajhdai Totaram

Coconut's Restaurant & Lounge

2180 Steeles Avenue West

Vaughan, Ontario, L4K 2Z5

Tel: 905 - 532 - 9594

Cell: 416 - 795 - 9599

Fax: 905 - 532 - 9828

Email: kishore@coconutsrestaurantandlounge.com

Subject:

FW: Comments Item 23 Committee of the Whole April 3

From: Cam Milani [<mailto:cammilani@bellnet.ca>]

Sent: Wednesday, March 28, 2012 5:39 PM

To: Clerks@vaughan.ca

Subject: Comments Item 23 Committee of the Whole April 3

C 2
COMMUNICATION
CW - <u>April 3/12</u>
ITEM - <u>23</u>

We are the landowners of Part Lots 30 & 31 Concession 2. We have reviewed the comments from the Province in Attachment 5 regarding the aggregate resources mapping and wording proposed modification and the ARIP. The recommended changes are a bit vague and request that we be involved in any proposed mapping or wording changes that result from these recommendations. We also reiterate that we object to any changes that would prejudice our previous positions communicated to date.

Cam Milani
Rizmi Holdings Limited

DATE: MARCH 29, 2012

TO: HONOURABLE MAURIZIO BEVILACQUA, MAYOR
AND MEMBERS OF COUNCIL

FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING

RE: COMMUNICATION

<u>C 3</u> COMMUNICATION CW - <u>April 3/2012</u> ITEM - <u>23</u>

**COMMITTEE OF THE WHOLE REPORT – APRIL 3, 2012 - ITEM #23,
“MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010
RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS, FILE 25.1”
AMENDMENT TO RECOMMENDATION
ATTACHMENT 6, ITEM 260 D – NORTHWEST CORNER STEELES AND KIPLING
AVENUES**

Staff has continued to review this modification request and is now in a position to further articulate the recommendation set out in the Committee agenda. The recommendation speaks to the need to prepare a secondary plan to establish the development parameters for the site, such as use, height, density and development form. The recommendation was not specific as to who should initiate the plan. In this instance, staff are of the opinion that it would be appropriate to proceed on the basis of an official plan amendment application prepared and submitted by the landowner. The site is small (approximately 15 acres), well defined and has relatively few neighbours.

However, determining the use and the character of the site will be important; and if residential uses are proposed the human services needs will have to be assessed and provided, recognizing the relative isolation of the site. The necessary level of rigour can be achieved through the official plan review and approval process, provided that sufficient guidance is given in the submission requirements. In this situation the policies of VOP 2010 – Volume 1 would be applicable. This would include the requirements for the submission of a complete application and addressing the VOP 2010 criteria for the preparation of secondary plans.

The application process involves extensive scrutiny, requiring a public process, agency review and comment and City and Regional approval. In this particular context, this approach is an acceptable alternative to a City-initiated secondary plan, subject to meeting the required submission standards. On this basis the recommendation can be modified to provide as follows to identify the necessary requirements:

Delete recommendation 2 and replacing it with the following:

2. That the subject lands (including the triangle of land west of the Senior Citizen's building) be redesignated "Community Commercial Mixed-Use" without a prescribed height and density;
3. That the following policy be added to Section 13 of Volume 2:

13.X The following policies shall apply to the lands shown as "Subject Lands" on Map 13.X.1:

Notwithstanding Policy 10.1.1.5, the "subject lands" shall be developed on the basis of an approved Official Plan amendment based on the following:

- a) A complete Official Plan Amendment Application pursuant to Section 10.1.3 of Volume 1;
- b) In order to fulfill the requirements for the development of a "Complete Community", such application shall address the applicable requirements for the preparation of

secondary plans as set out in Section 10.1.1 of Volume 1., and shall address, but not be limited to, the criteria identified in Policy 10.1.1.3 of Volume 1, as follows:

- i. Overall capacity for development, including projections for residential units and/or jobs;
 - ii. Street and Block patterns;
 - iii. Land-Use designations, building heights and densities;
 - iv. Built form urban design and public realm policies;
 - v. Parks and open space requirements;
 - vi. Housing mix and strategies, including, where appropriate, opportunities for affordable housing;
 - vii. Employment mix and strategies, where appropriate, the provision of retail uses;
 - viii. The transportation network, including provision for transit, walking and cycling within the plan area and connections to City-wide networks;
 - ix. Servicing requirements for the area;
 - x. Protection and enhancement of the Natural Heritage Network including any environmental reporting required through Section 3.3.4 of Volume 1;
 - xi. Cultural heritage features of the area, including built heritage and potential archaeological resource;
 - xii. Provision of community services, including schools, libraries and community centres;
 - xiii. Consideration of Human Services needs, including educational, social, health, arts, culture and recreation facilities;
 - ix. Sustainable development requirements consistent with subsection 9.1.3 of this Plan; and
 - x. Phasing of development.
- c) Detailed implementation measures, including but not limited to the consideration of Block Plans, Development Concept Reports, Guidelines and development applications, will be identified and refined in the application review process for incorporation in the Official Plan amendment.
- d) The parcel forming the triangle of land west of the Senior Citizens' building may proceed by way of a separate official plan amendment application subject to the process identified above.
4. That Schedule 14-C to Volume 1 of VOP 2010 be amended by identifying the subject lands as "N-W Steeles and Kipling Avenues":

I trust that this is satisfactory. If you have any questions, please contact me at ext. 8445 .



John Mackenzie
Commissioner of Planning

- c. Clayton Harris, City Manager
Jeffrey Abrams, City Clerk
Diana Birchall, Director of Policy Planning
Roy McQuillin, Manager of Policy Planning

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
DATE: MARCH 29, 2012
SUBJECT: COMMUNICATION

C 4
COMMUNICATION
CW - <u>April 3/2012</u>
ITEM - <u>11</u>

COMMITTEE OF THE WHOLE MEETING – APRIL 3, 2012, ITEM NO. 11
OFFICIAL PLAN AMENDMENT FILE OP.12.001
ZONING BY-LAW AMENDMENT FILE Z.12.002
SITE DEVELOPMENT FILE DA.12.013
BOCA EAST INVESTMENTS LTD.
WARD 2

Background

Following the printing of the staff report, representatives of the Owner met with the City to discuss minor changes to the proposed development. As a result, the Site Plan and Building Elevations attached to Item 11 (Attachments #3 and #4) have been revised to reflect Attachments #3 and #4 to this Communication as follows:

- i) the total number of employee parking spaces and truck and trailer parking spaces proposed on the site is increased to 555 and 813, respectively, whereas 540 and 800 were noted in the report;
- ii) 211 loading spaces will be located on the site, whereas 212 were noted in the report;
- iii) the report identified that the building elevations would consist of pre-finished metal siding, pre-cast panels, glazed window frames and canopies. The applicant has proposed that the pre-finished metal siding be replaced with pre-cast panels that will differ in colour from the pre-cast panels used over the majority of the building to articulate the building in various locations as shown on Attachment #4. The locations of the loading spaces have been modified as a result of changes to the internal floor plan;
- iv) Table 1, Row e) (proposed exceptions to Zoning By-law 1-88) in the report inadvertently identifies a zoning exception for a 21 m driveway/access width from Hunter's Valley Road to serve a loading area. The applicant has worked with the Development/Transportation Engineering Department in an effort to minimize the width of this access to the greatest extent possible. The width of the driveway access point at Hunter's Valley Road has been decreased from approximately 41 m to 21 m. However, the proposed driveway widens out to 35 m as shown on Attachment #3, whereas a maximum driveway width of 13.5 m is permitted. This driveway is located internal to the site and is required for truck maneuvering and on-site truck storage to avoid parked trucks queuing onto Hunter's Valley Road. The proposed driveway design has been reviewed and approved by the Development/Transportation Engineering Department.



memorandum

DEVELOPMENT PLANNING DEPARTMENT

Telephone: (905) 832-8585

Fax: (905) 832-6080

The Development Planning Department is satisfied that the proposed changes are minor in nature and facilitate the appropriate development of the subject lands. The attached site plan (Attachment #3) and building elevations (Attachment #4) will be reflected in the implementing Site Plan Letter of Undertaking and the zoning exception for the driveway width will range from 6 m to 35 m in the implementing zoning by-law, if the applications are approved.

Respectfully submitted,

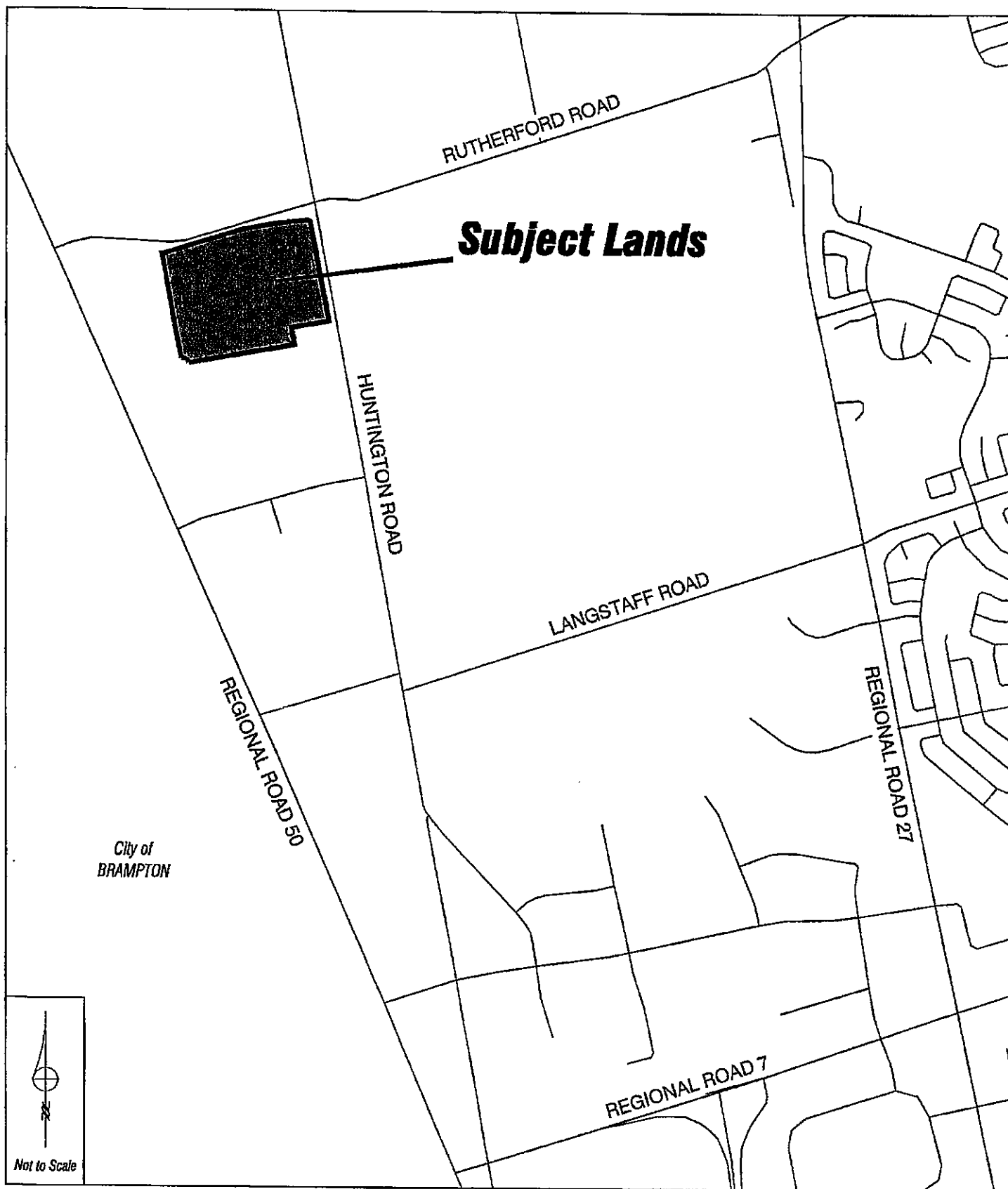
JOHN MACKENZIE
Commissioner of Planning

CM/cm

Attachments

1. Context Map
2. Location Map
3. Revised Site Plan
4. Revised Building Elevations

Copy to: Clayton Harris, City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning



Context Location Map

LOCATION:
Part Lots 14 & 15, Concession 10

APPLICANT:
Boca East Investments Ltd.

K:\07\1 ATTACHMENTS\04\da.12.013.dwg

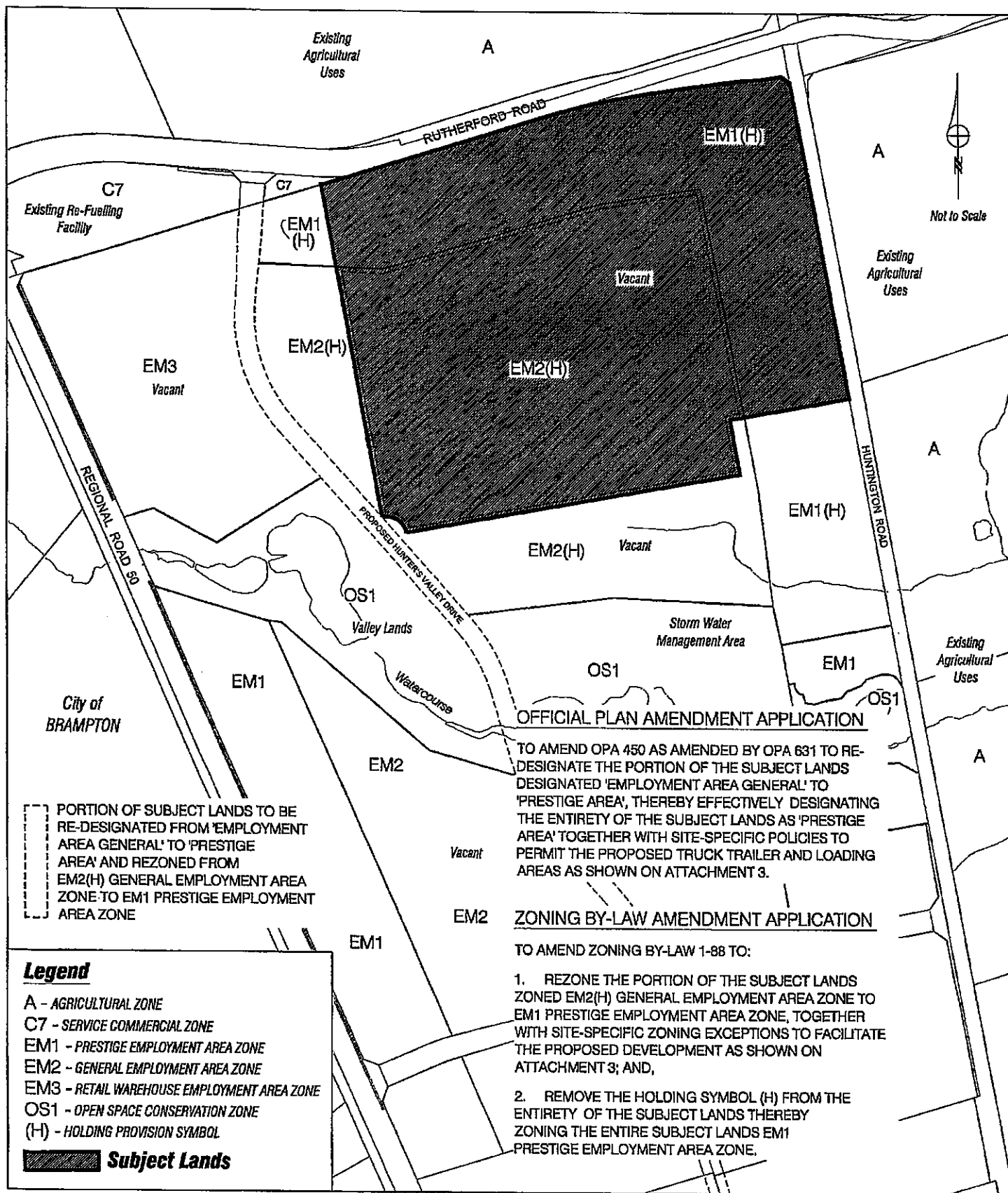


Attachment

FILES:
OP.12.001 / Z.12.002 / DA.12.013

DATE:
February 13, 2012

1



Location Map

LOCATION:
Part Lots 14 & 15, Concession 10

APPLICANT:
Boca East Investments Ltd.

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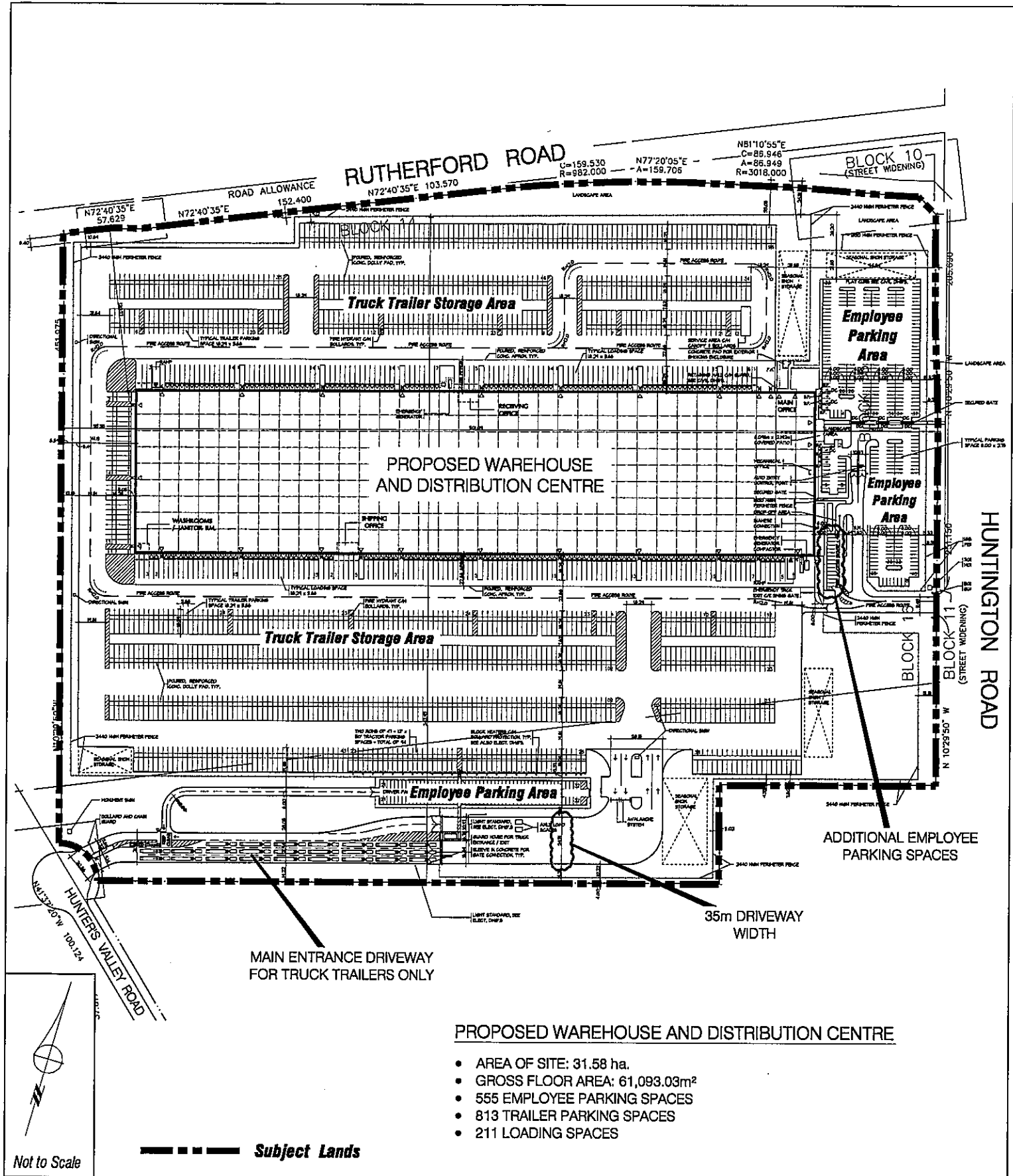


Attachment

FILES:
OP.12.001 / Z.12.002 / DA.12.013

DATE:
February 13, 2012

2



Site Plan

LOCATION:
Part Lots 14 & 15, Concession 10

APPLICANT:
Boca East Investments Ltd.

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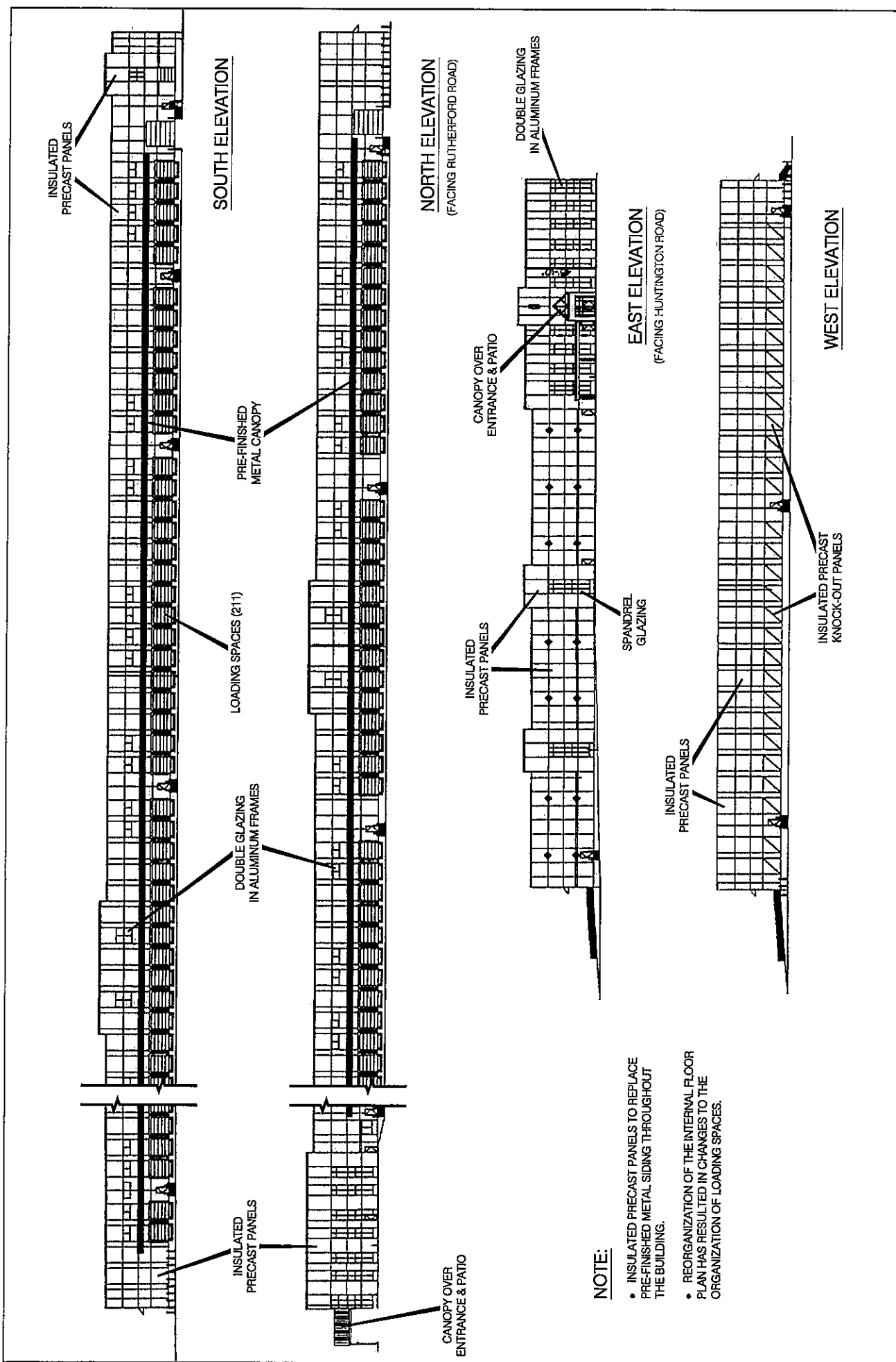


Attachment

FILES:
OP.12.001 / Z.12.002 / DA.12.013

DATE:
March 27, 2012

3



Elevations

LOCATION:
Part Lots 14 & 15, Concession 10

APPLICANT:
Boca East Investments Ltd.

N:\DFT\1 ATTACHMENTS\DA\06_12.013.dwg



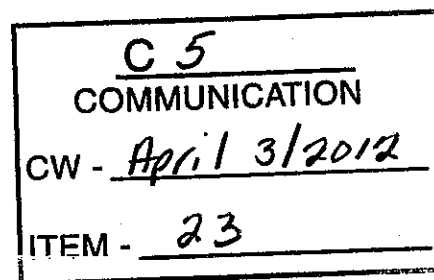
Attachment

FILES:
OP.12.001 / Z.12.002 / DA.12.013

DATE:
March 27, 2012

4

From: Bonsignore, Connie
Sent: Thursday, March 29, 2012 3:33 PM
To: Bellisario, Adelina
Subject: FW: Item 23 Committee of the Whole April 3
Attachments: img-6111621-0001.pdf; City OP Planning for Ton : 2010.pdf; OMB Decision May 6 03 Eger.pdf



Importance: High

Communication for CW.

From: Cam Milani [<mailto:cammilani@bellnet.ca>]
Sent: Thursday, March 29, 2012 10:16 AM
To: Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Schulte, Deb; Iafrate, Marilyn; Carella, Tony; Shefman, Alan; Racco, Sandra
Cc: Clerks@vaughan.ca; MacKenzie, John
Subject: Item 23 Committee of the Whole April 3
Importance: High

Dear Members of Council,

Below are submission made in February regarding the VOP 2010 Modifications that unfortunately were accidentally omitted from the report and communications and somehow did not make the report for April 3.

We'd respectfully request a modification is made to the VOP 2010 on the above noted item that addresses our concerns outlined below.

If you have any questions, feel free to contact me at your convenience.

Yours Truly,
Cam Milani
Rizmi Holdings Limited

From: Cam Milani [<mailto:cammilani@bellnet.ca>]
Sent: February-22-12 4:28 PM
To: 'John.MacKenzie@vaughan.ca'
Subject: Milani: Item 14 Committee of the Whole Feb 28 Volume 2 Policies
Importance: High

Mr. Mackenzie,

We respectfully request the lands as outlined in the attachment be identified as Special Policy/Site Specific Area under Schedule 14 of the VOP 2010, with text specifying that the lands use designation(s) for and policies applicable to the lands are to be determined in accordance with the outcome of previously-filed Ontario Municipal Board Appeals.

Below you will find a copy of our original submission to the City in June 2010. Since the email date below, the May 2003 OMB Decision referenced that was appealed to the court by the City was dismissed with costs in favour of Rizmi. Further, discussions have significantly progressed between the parties and it is appropriate to allow for as much flexibility as possible to those discussions and to not unnecessarily complicate the matters. The parties have worked in good faith over the past several years and it is appropriate to recognize those good faith efforts by granting this request.

Cam Milani
Rizmi Holdings Limited

From: Cam Milani [<mailto:cammilani@bellnet.ca>]

Sent: June-11-10 4:28 PM

To: 'john.zipay@vaughan.ca'; 'melissa.rossi@vaughan.ca'; 'clement.chong@vaughan.ca'; 'awinkler@urbanstrategies.com'; 'Clerks@vaughan.ca'; 'Jeff Davies'

Subject: City Wide Official Plan Comments Planning for Tomorrow

Further to the release of the City Draft Official Plan "Planning for Tomorrow" we have identified a variety of concerns and objections and wish to make the submissions set out in this letter.

First, we are currently involved in a confidential without prejudice settlement discussion surrounding our lands located on the attached mapping.

The settlement of those matters should not be prejudiced or made more complicated by the current official plan process and we submit that our lands be deferred in their entirety as it relates to your official plan pending the outcome our settlement discussions.

Second, we have had a number of unresolved appeals and referrals to the previous City wide Official Plan, OP 600, the Regions Official Plan as well as an Aggregate Licence and a downzoning by-law. These matters are currently consolidated before the OMB/Court. Further, the OMB ruled that all of our matters are transitional under section 15(3) of the Oak Ridges Moraine Act and as such are not subject to the Oak Ridges Moraine Conservation Plan in its entirety. You and others sought leave to appeal on this and the proceedings have been stayed by Ministerial Order. As such the lands should be placed in a Special Study Area under schedule 14 with text to indicate that the land use designations are under litigation, and that the application of the Plan policies to these lands will be determined in the future.

Third, we have vested rights as of May 2003 regarding our lands because of our OMB ruling. Any "further approvals" needed to implement the ultimate outcome of those matters are entitled to be heard under the rules and regulations as they existed at that time. That includes, but is not limited to, the former section 17 of the Oak Ridges Moraine Act as it read in May of 2003.

Fourth, we object to any more restrictive policies as drafted that would serve to prejudice our positions currently before the OMB/Courts as outlined in those proceedings and without further limitation. While not limiting the generality of our objections to the Official Plan to the subsequent issues, policies in the draft official plan to which we object and submit should be changed are as follows:

1. Any "Core" or environmental features (including, but not limited to ANSI's ESA's, Enhancement Areas, woodlots, woodlands etc...) on our lands as outlined in your schedules and all the related policies to such, because the lands are transitioned from the application of the ORM Plan.

2. Any restrictive policies (mapping and textual) to the permission of aggregate uses on all of our lands, which are inappropriate because the lands contain high quality mineral aggregate resources and have already further been identified by the Region of York as Mineral Aggregate Resource Area under their previous Official Plan Map 7 (see attached).

Attached is the decision of the Board dated May 2003. As such, your aggregate mapping should include all of our lands as aggregate resource area. The current proposed mapping (attached) reflects that of the proposed area under the regional official plan. As stated by them, the areas proposed follow the linkage areas in the Oak Ridges Moraine Plan because aggregates are a permitted use in the linkage area, however, as stated to them and now to you, the Oak Ridges Moraine Plan does not apply as per the ruling of the OMB and therefore all of our lands should be shown as mineral aggregate resource area as per our appeals/referrals and deferrals under that OMB/Court process.

3. Any City wide inappropriate policies relating to legal non-conforming uses that go beyond statutory or common law.

4. We disagree with the background studies relating to the entire City Official Plan.

5. Any countryside areas of the Oak Ridges Moraine should be identified for further future uses as appropriate.

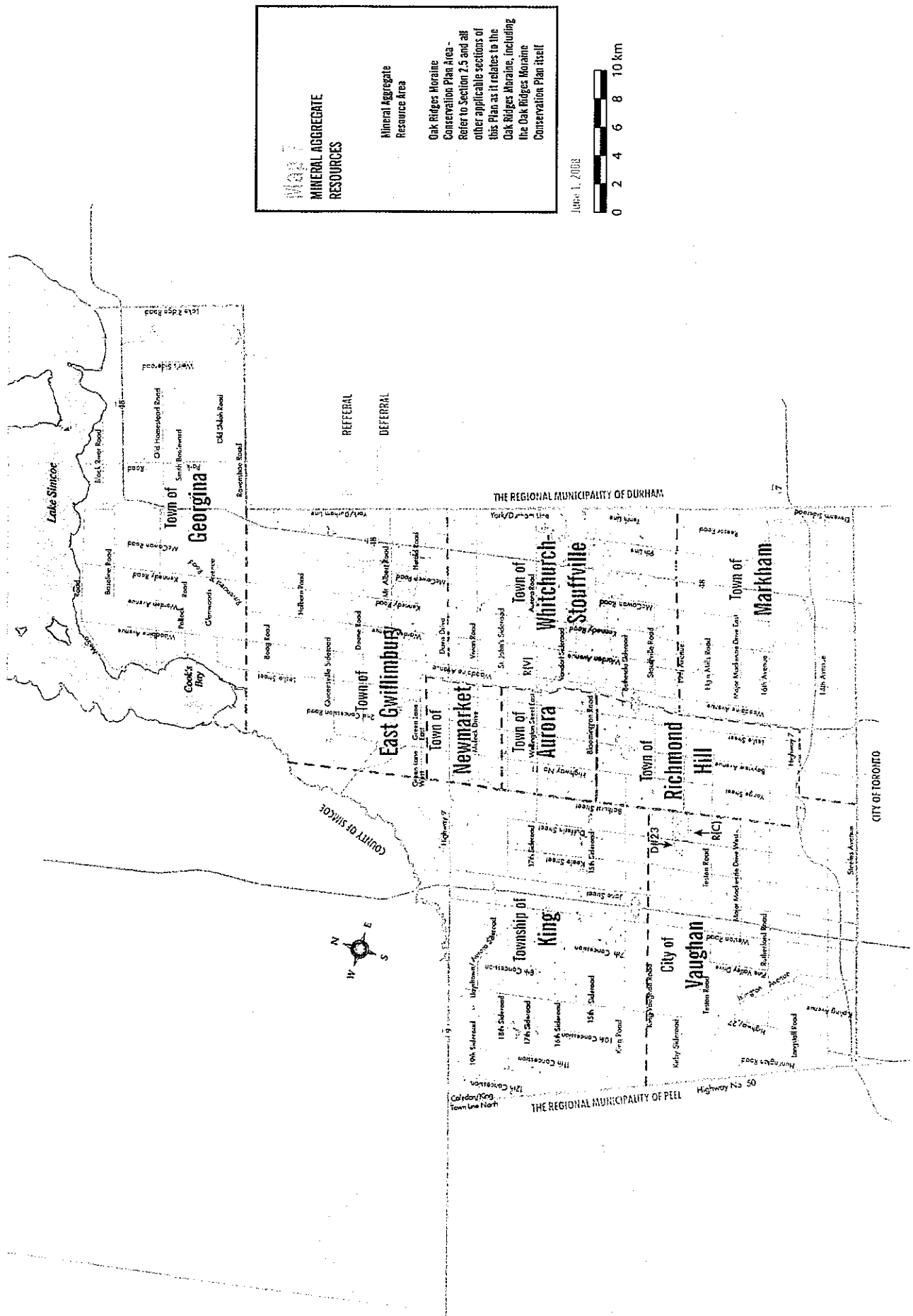
In conclusion, our submission is that the new official plan policies in respect of our lands as well as other city wide policies as outlined above should be deferred pending the resolution of the matters identified above and such resolution of matters should not be prejudiced. Further, the lands in the attached mapping should be designated Special Policy/Site Specific Areas as outlined in Schedule 14 in order to reflect this deferral.

Cam Milani

11333 Dufferin St.
PO Box 663
Maple, ON L6A 1S5
Phone (905) 417-9591
Fax (905) 417-9034

Communication
from C. Milani

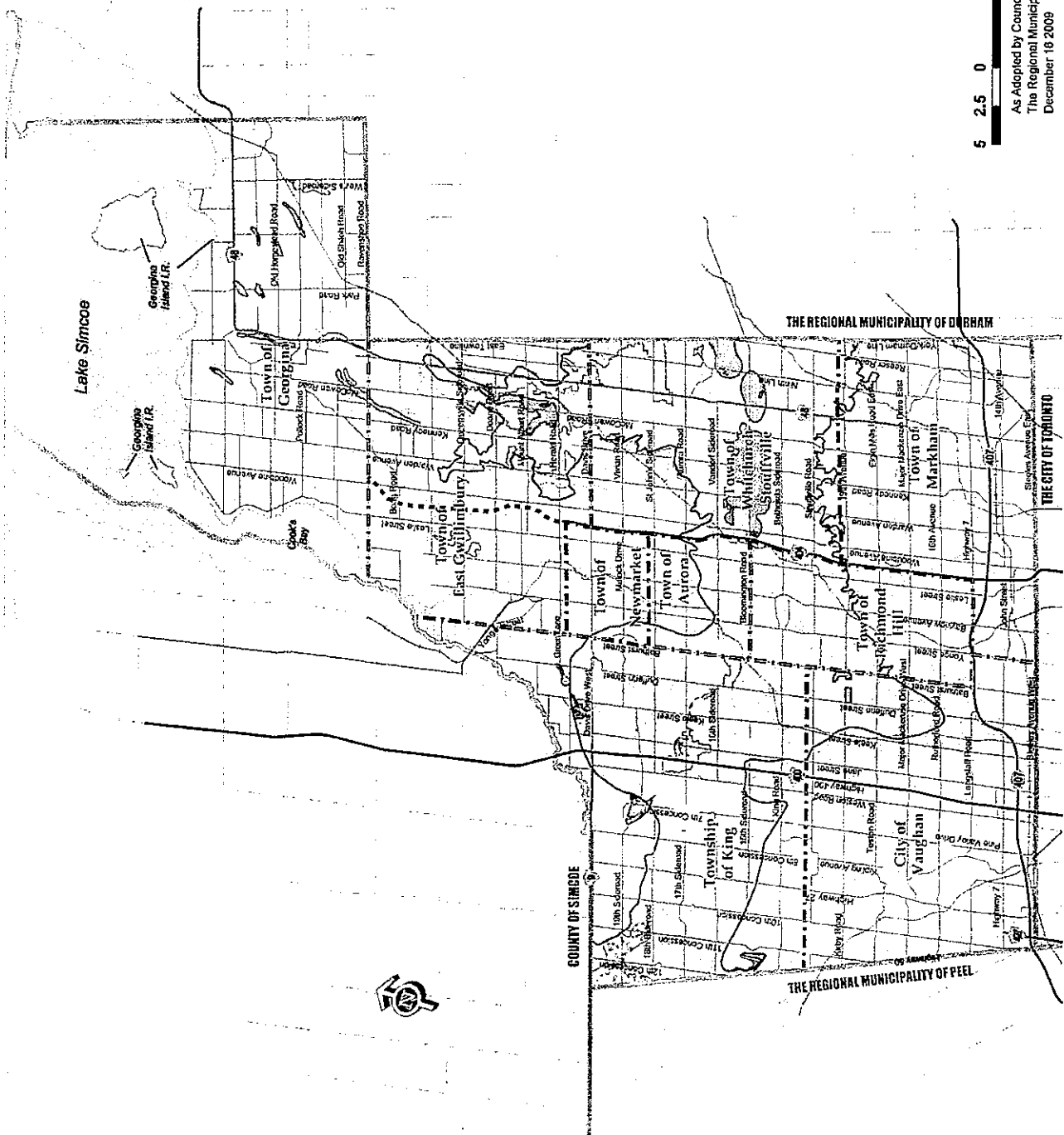




MAP 9

MINERAL AGGREGATE RESOURCES

- Primary Mineral Aggregate Resource Area
- Secondary Mineral Aggregate Resource Area
- Oak Ridges Moraine Conservation Plan
- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Plan Area
- Provincial Highways
- Existing
- Controlled Access Highway
- Under Construction
- Municipal Boundary
- Regional Boundary



5 2.5 0 5 Km

As Adopted by Council of
The Regional Municipality of York
December 18 2009

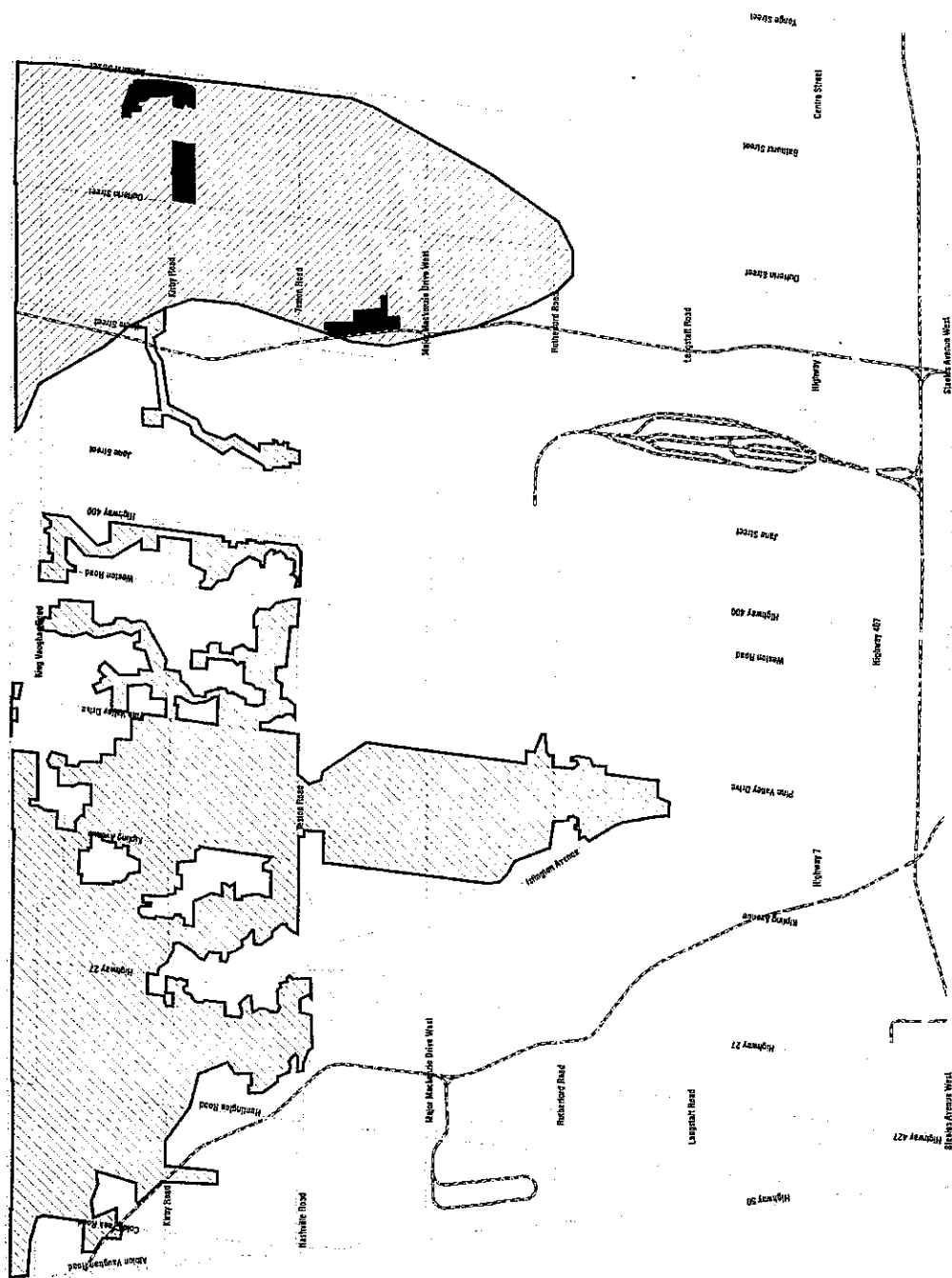
York Region Geomatics

Produced by Geomatics
Planning and Development Services Department
© Copyright The Regional Municipality of York, December, 2009

© Copyright The Regional Municipality of Durham
and The County of Simcoe, 2009. Includes Greenbelt
© Queen's Printer for Ontario 2005-2009. Includes Greenbelt
and Oak Ridges Moraine Boundaries and Water Features

Mineral Aggregate Resources

Aggregate Resource Areas
Active Aggregate Extraction Uses
Inactive Aggregate Extraction Uses
Greenbelt Plan Area
Oak Ridge Moraine Conservation Plan



ISSUE DATE:

May 6, 2003

DECISION/ORDER NO:

0581



Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL010732

PL001029

PL957073

Rizmi Holdings Limited and Lucia Milani have appealed to the Ontario Municipal Board under subsection 17 (36) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, from a decision of the Regional Municipality of York to further approve those portions of proposed Amendment No. 600 to the Official Plan for the City of Vaughan located on the Oak Ridges Moraine
O.M.B. File No. O020094

Rizmi Holdings Limited has appealed to the Ontario Municipal Board under subsection 34 (19) of the *Planning Act*, R.S.O. 1990, c.P. 13, against Zoning By-Law 327-2000 of the City of Vaughan
O.M.B. File No. R000232

The Minister of Natural Resources has referred to the Ontario Municipal Board under subsection 11 (5) of the *Aggregate Resources Act*, R.S.O. 1990, c.A. 8, as amended, an application for a Class A Licence for the removal of aggregate from lands being composed of Part of Lot 30, Concession 2, in the City of Vaughan
O.M.B. File No. M020096

At the request of Lucia Milani, Lucia Milani In Trust, and Rizmi Holdings, the Honourable Minister of Municipal Affairs has referred to the Ontario Municipal Board under subsection 17(11) of the *Planning Act*, R.S.O. 1990, c. P.13, a portion of the York Region Official Plan, specifically those lands identified as Referral "C" on Maps 2 and 4 and the same portion of Maps 3 and 7 and Sections 2.1, 2.2 and 5.0, insofar as the relate to these lands
Ministry's File No. 19-OP-1994
O.M.B. File No. O 960161

APPEARANCES:

Parties

City of Vaughan

Regional Municipality of York

Toronto Region Conservation Authority

Rizmi Holdings Limited and Lucia Milani

Maple Downs Golf and Country Club
Limited

Counsel*/Agents

N. J. Pepino*

T. Halinski*

C. Grant*

J. Matera*

P. Van Loan*

A. Jeanrie*

C. Butler (student at law)

B. Horosko *

Woodland Acres Ratepayer Association
Group

D. Abrahams

L. Grimaldi

Maplewood Ravines Community
Association

DECISION DELIVERED BY M. F. V. EGER AND ORDER OF THE BOARD

Prehearing Matters

The Board has held two prehearing conferences on this matter and a hearing is scheduled to commence on August 5, 2003 for four (4) weeks. April 28 and 29th were scheduled to consider motions on any preliminary matters and to finalize the issue and witness lists of the parties, as well as the final procedural order.

At this prehearing the Woodland Acres Ratepayers Association Group requested a change from participant to party status. This request was granted. Mr. Grimaldi represents the Maplewood Ravines Community Association and requested party status. The Association is currently unincorporated but intends to become incorporated. The Board granted the Association party status subject to proof of incorporation being filed with the Board and other parties.

Representatives for the two participants were also in attendance – D. Izzard for Storm Coalition Inc. and M. Iafrate for Vaughan C.A.R.E.S.

As the Board's decision on the motion brought by the City, the Region and the Conservation Authority would affect the issues to be dealt with in the prehearing, the remainder of the prehearing was adjourned.

However, based on the Board's decision on the motion –

THE NEXT PREHEARING IS SCHEDULED TO COMMENCE AT 10:30 A.M. ON TUESDAY, JUNE 10, 2003 IN THE COUNCIL CHAMBERS, MUNICIPAL BUILDING 2141 MAJOR MACKENZIE DRIVE, VAUGHAN. NO FURTHER NOTICE WILL ISSUE EXCEPT AS NOTED WITH RESPECT TO REFERRAL 'C' OF THE YORK REGIONAL OFFICIAL PLAN.

COUNSEL FOR THE REGION OF YORK IS TO ENSURE THAT NOTICE IS GIVEN THAT THE BOARD WILL BE CONSIDERING THE REFERRAL 'C' MATTER

AT THE NEXT PREHEARING. NOTICE IS TO BE GIVEN IN ACCORDANCE WITH THE BOARD'S DIRECTIONS TO THE REGION DATED APRIL 4, 2003.

Motion

The City of Vaughan, The Regional Municipality of York and the Toronto and Region Conservation Authority have brought a motion for:

1. an Order of the Board determining that the *Oak Ridges Moraine Conservation Act*, S.O. 2001, c.31 and the Oak Ridges Conservation Plan, enacted by O.Reg. 140/02 apply to the matters before the Board; and
2. an Order dismissing the appeal of Zoning By-law No. 327-2000 of the City of Vaughan or, in the alternative, adjourning the matter *sine die*.

The motion is not granted and the matter is to proceed to a further prehearing where the issues list, witness lists and procedural details will be finalized. However in light of issues raised during the hearing and in the interests of fair and efficient process, the Board requests the parties to consider and make submissions at the next prehearing on a hearing process phased as follows. The first phase would determine the appropriate official plan designations and policies at the local and regional level and the zoning for the subject lands. If the Board allows all or part of Rizmi Holdings Limited appeal against Zoning By-law 327-2000 of the City of Vaughan, and the effect of that decision would permit aggregate extraction on the Rizmi lands, the hearing would then proceed to a further phase to determine details of the license application.

Rizmi Holdings Limited and Lucia Milani (Rizmi) own approximately 350 acres of land located between Dufferin and Bathurst Streets, north of Teston Road in the City of Vaughan. The lands are situated on the Oak Ridges Moraine.

The matters before the Board relate to a portion of these lands, about 100 acres, specifically the west half of Lot 30, Concession 2. At one time a portion of these lands were used for the extraction of aggregate, but this activity ended prior to Rizmi's ownership of the lands in 1979. Since 1991, Rizmi has used the lands for recycling concrete/asphalt to produce granular products for the construction industry. In September 1998, Rizmi made an application for a Class A License under the *Aggregate Resources Act*. The Ministry of Natural Resources referred the Aggregate Application

to the Board in September 2002 for a determination of all issues raised by objectors. This matter was consolidated with other matters before the Board, including a referral request by Rizmi of a portion of the York Region Official Plan and appeals by Rizmi of proposed Amendment No. 600 to the Official Plan for the City of Vaughan and Zoning By-law 327-2000 of the City of Vaughan.

There is a considerable planning, land use and legal history to these lands, fully detailed in the motion records, which the Board does not intend to repeat here. However, it is clear that since 1975, the approved Official Plan designations on the Rizmi lands have not permitted aggregate extraction uses, but the existing zoning permits aggregate uses. The City is seeking, through By-law 327-2000 to bring the "anomalous" zoning into conformity with the designation in their Official Plan. That history also documents Rizmi's reliance on the existing M4- Pit and Quarry Industrial zone, which has been in place since the 1960's, to undertake the concrete/asphalt recycling operation activities and in the future, an aggregate operation. Subsection 12.1 (1) of the *Aggregate Resources Act* stipulates that:

No license shall be issued for a pit or quarry if a zoning by-law prohibits the site from being used for the making, establishment or operation of pits and quarries.

The motion was argued on the basis that as a result of the coming into force of the *Oak Ridges Moraine Conservation Act* (the "Act"), and the enactment of the Oak Ridges Moraine Conservation Plan (the "Plan") aggregate extraction operations on a substantial portion of the Rizmi lands are prohibited and cannot be granted a license. The Plan indicates that the area which is subject to the application under the *Aggregate Resources Act* is designated as Natural Core, in part, and Countryside Area, in part. Subsection 11(3) of the Plan indicates that aggregate operations are not permitted in Natural Core Areas. Further, subsection 6(3) restricts an existing mineral aggregate operation or wayside pit within a Natural Core Area from expanding beyond the boundary of the area currently under license or permit and although aggregate extraction is permitted in the Countryside Areas, it is to strict regulation under the Plan. It was argued that these provisions in the Plan would prevent an aggregate use on the Rizmi lands.

The Oak Ridges Moraine Conservation Plan was established, by regulation, pursuant to subsection 3 (1) of the *Oak Ridges Moraine Conservation Act*. Subsection 7 (1) of this Act requires that decisions made under the *Planning Act* or the

Condominium Act, 1998 conform to the Plan. An application under the *Aggregates Resources Act* is not a decision under either the *Planning Act* or the *Condominium Act, 1998*, and the Plan does not directly apply to such applications. However, the parties agree that because the *Aggregates Resources Act* prohibits the issuance of a license where the zoning does not allow the aggregate resources use, the *Oak Ridges Moraine Conservation Act* and Plan do have an indirect impact on the subject license request.

Under Subsection 15(3) of the Act, outstanding applications, matters or proceedings commenced before November 17, 2001, if a decision has been made in respect of the application, matter or proceeding before that date, are not subject to Subsection 7(1). All the *Planning Act* matters before the Board meet the requirements of Subsection 15(3). Rizmi's position in response to the motion is that the discussion should end there and the Board process should continue. Counsel for the City and other moving parties disagree.

Section 8 of the Act states that, despite any other Act, the Oak Ridges Moraine Conservation Plan prevails in the event of a conflict with the Plan and an official plan amendment, a zoning by-law, or a policy statement issued under Section 3 of the *Planning Act*. The moving parties rely on the fact that there is no provision in the Act or Plan which grants transitional status or an exemption from Section 8 of the Act in concluding that Section 8 "guarantees the paramountcy of the Plan over all inconsistent zoning, official plan policies and Provincial Policy Statement policies" and "by providing transitional rules with respect to the application of s.7 but not s.8, the Legislature's intent to have s.8 apply immediately upon the ORM Act coming into force is clear". The Board does not agree.

The Act is organized into two parts. Sections 3 to 14 fall under the heading the Oak Ridges Moraine Conservation Plan. These sections include directions related to the Plan's establishment, objectives, contents, effect of the Plan, the process for bringing municipal official plans and zoning by-laws into conformity with the Plan and amendments to the Plan. Sections 15 to 25 are under the heading, Transitional Provisions, Regulations and Miscellaneous. Under the subheading Transition, application of s. 7, Section 15 provides guidance as to the applicability of Section 7 based on the status of applications in the planning process. The plain reading of the Act is that applications well into the planning process, before November 17, 2001, would be permitted to continue to completion and not strictly conform to the Plan. The Board

agrees with counsel for Rizmi when he says "the interpretation of section 8 of the Act provided by the Moving Party would have the effect of rendering section 15 of the Act without meaning. There is no need to have transition provisions exempting the need for conformity with the Plan for an application, matter or proceeding commenced before November 17, 2001 if the zoning of a property has already been amended and frozen by the implementation of the Plan through section 8 of the Act".

The Act also provides for a "conformity process". It sets out a tight timeline and process for municipalities to amend their official plans and zoning by-laws to implement the Plan. City of Vaughan Council has endorsed a timeline for this amendment process and anticipates adoption of the required Official Plan Amendment and enactment of the Zoning By-law Amendment in June 2003. Notice has already issued for a May 5, 2003 public hearing regarding the proposed amendments to bring the City's Official Plan and Zoning By-law into conformity with the Oak Ridges Moraine Conservation Plan. The Region of York has already adopted an amendment to its Official Plan to bring it into conformity with the Plan. Notice of adoption of Amendment 41 to the Official Plan for the Region of York issued on March 31, 2003. It is the position of the moving parties that these amendments, because they must be in conformity with the Plan which designates the subject lands Natural Core Area and Countryside Area will preclude aggregate extraction operations on at least the Natural Core Area designated portion of the subject lands.

By-law No. 327-2000 proposes to rezone the subject lands from M4-Pit and Quarry Industrial Zone to OS1 Open Space Conservation Zone and A Agricultural Zone. The OS1 Zone would permit conservation projects and forestry projects. The A Zone would permit agricultural, residential, home occupation, recreational, commercial, cottage industries, wayside pit and quarry uses. The moving parties submit that this zoning would conform to the Plan and because of the "imminent" enactment of the City's conformity instruments, Rizmi's appeal of By-law 327-2000 is moot and ought to be dismissed or adjourned *sine die*. The Board agrees that the timeframe in which the Rizmi matters have taken to come to hearing before the Board against the Act's directives with respect to conformity with the Plan are a frustration for the moving parties. But the Oak Ridges Moraine process itself caused the situation as all applications before the Board were required to be held until the Act and Plan were finalized. The Board finds that on a plain reading of the Act, Rizmi falls within the transition provisions and is entitled to a full and fair hearing of its appeals and referral.

While the Minister of Municipal Affairs and Housing is the approval authority for conformity instruments, the Act provides a process to resolve conflicts and includes the ability for the Minister to confer with persons or a public body who the Minister considers may have an interest in the proposed official plan and zoning by-law amendments. This would include the Minister considering a Board decision on a matter that falls squarely within the transition provisions of the Act.

The hearing should proceed as scheduled. The Ministry of Natural Resources' referral letter with respect to the application for license under the *Aggregate Resources Act*, states that-

Should the rezoning of the subject property be upheld by the Board, the implications of such on the Aggregate Resources Act application in general and the proposed rehabilitation end use of the proposed pit, would have to be examined.

The Board agrees. For this reason, consideration should be given to the hearing proceeding in phases. Phase 1 could determine whether mineral extraction uses are appropriate on any portion of the subject lands. If the Board finds that they are not then as noted above, the *Aggregate Resources Act* would prohibit the issuance of a license. If the Board finds that there is a basis upon which to permit the mineral extractive uses, Phase 2 would determine detailed issues related to the license.

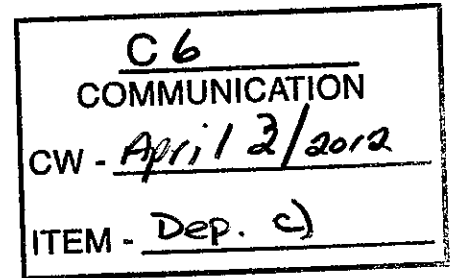
The motion is not granted. This matter is to proceed to prehearing to finalize the procedural order.

I will continue to case manage this matter but am not seized of the hearing.

So orders the Board.

M. F. V. EGER
VICE-CHAIR

DATE: March 30th 2012
TO: Mayor and Members of Council
FROM: Tony Thompson, Director, Enforcement Services
RE: **Deputation: Mr. D Pollack**
Committee of the Whole, April 3, 2012
Zoning Matters with respect to Boats and Trailers



On November 9th 2011, Enforcement Services received a complaint with respect to boats and trailers being parked/stored in the side yard of 127 Allison Ann Way.

Staff attended 127 Allison Ann Way and found a boat with a trailer and a secondary trailer located in the exterior side yard. Staff also observed the property in question is a corner lot and the trailer (with boat) and the secondary trailer are located in the exterior side yard facing Via Romano.

The storing/parking of trailers and boats is regulated by By-law 1-88.

The By-law requirements are as follows:

1. Not more than one boat (with or without a trailer) or not more than one trailer or mobile home can be stored/parked on a lot.
2. The boat (with trailer) or the trailer or mobile home cannot exceed 6 metres in length.
3. A setback of 7.5 metres from the rear property line and 4.5 metres from the exterior property line applies.

Observations at 127 Allison Ann Way disclose:

1. A boat with a trailer and a secondary trailer.
2. The boat with trailer has a total length of 7.31 metres; the secondary trailer measures 6.09 metres in length.
3. The setback to the exterior property line for the boat with trailer is 2.13 metres and the secondary trailer measures 0.91 metres from the exterior property line.

The deputant received a Notice of Violation in December 2011 outlining the contravention of the By-law and asking for compliance by removing one of the items and ensure the remaining item meets the required setbacks.

In February 2012 staff re-inspected the property and found continued non-compliance. The deputant contacted the investigating officer and requested an extension until such time as the City of Vaughan took assumption of the land. This request was rejected.


Staff returned to 127 Allison Way two weeks later and found there was still no compliance and commenced with legal action.

In March 2012 Enforcement Staff received a further complaint that the owner of 127 Allison Ann Way had moved his boats and trailer to another property on Ferretti. A Notice was issued to the homeowner on Ferretti who complied.



memorandum

At this time the charges for By-law contraventions at 127 Allison Ann Way are pending.

for / 

Tony Thompson, Director Enforcement Services

Copy: C. Harris, City Manager
J. Atwood-Petkovski, Commissioner of Legal and Administrative Services and City Solicitor
J. Abrams, City Clerk

VAUGHANWOOD RATEPAYERS' ASSOCIATION INC.

15 Francis Street, Vaughan, ON L4L 1P7

March 30, 2012

Members of Council for the City of Vaughan

Committee of the Whole Meeting April 3, 2012

C 7
COMMUNICATION
CW - April 3/2012
ITEM - 29

RE: MEMBER'S RESOLUTION: VAUGHAN OFFICIAL PLAN – AMENDMENT

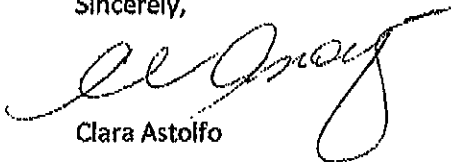
As President of Vaughanwood Ratepayers' Association Inc., I am writing to express our association's very strong support to amend the Official Plan for the lands located on the northeast corner of Wigwoss Drive and Highway #7 to a low density residential designation.

Vaughanwood is a well established low-rise residential area. Our association has held many community meetings in regard to the numerous proposals for intensification in the Wigwoss Drive and Highway #7 area. While not opposed to intensification, height and density are huge concerns given the lack of infrastructure, proper planning and the long existing low-rise residential nature of this whole area. There is no support for the mid-rise use as noted in the current Vaughan Official Plan 2010 policy.

An amendment to the Official Plan is completely and strongly supported by the residents in and around the subject lands identified in the attachment.

We urge the Committee of the Whole to support this resolution.

Sincerely,



Clara Astolfo

President

Vaughanwood Ratepayers' Association Inc.



MEMBER'S RESOLUTION

Date:	APRIL 3, 2012 - COMMITTEE OF THE WHOLE
Title:	VAUGHAN OFFICIAL PLAN - AMENDMENT
Submitted by:	REGIONAL COUNCILLOR MICHAEL DI BIASE

WHEREAS the current Vaughan Official Plan 2010 policy for the northeast corner of Wiggwoss and Highway 7 designates the site as Mid Rise Mixed Use permitting a maximum height of 10 storeys with an floor space Index (FSI) of 3.0,

WHEREAS concerns from owners to the north of this site have been raised about height and density at this location,

IT IS THEREFORE RECOMMENDED THAT the Vaughan Official Plan 2010 Land Use Schedule - Schedule 13 be amended to show a Low Density Residential designation at this location.

BE IT FURTHER RESOLVED THAT any policies and schedules of the Vaughan Official Plan 2010 be modified accordingly through the Region's approval process of the City of Vaughan Official Plan.

Respectfully submitted,

Michael Di Biase,
Regional Councillor

Attachments

Location Map

From: Fernandes, Sybil
Sent: Friday, March 30, 2012 9:01 AM
To: Bellisario, Adelina
Subject: FW: Attached Image
Attachments: 120330085036_0001.pdf

Importance: High

Communication for CW April 3rd.

*Sybil Fernandes
Deputy City Clerk &
Manager of Administrative Services
Tel: (905) 832-8585 Ext. 8628
Fax: (905) 832-8535
email: sybil.fernandes@vaughan.ca*

From: Clara Astolfo [<mailto:castolfo@icsavings.ca>]
Sent: Friday, March 30, 2012 8:58 AM
To: Fernandes, Sybil
Subject: FW: Attached Image

Please acknowledge receipt....thank-you

From: woodbridge2525@icsavings.ca [<mailto:woodbridge2525@icsavings.ca>]
Sent: Friday, March 30, 2012 8:51 AM
To: Clara Astolfo
Subject: Attached Image

AIRD & BERLIS LLP

Barristers and Solicitors
N. Jane Pepino, C.M., Q.C., LL.D.
Direct: 416.865.7727
E-mail: jpepino@airdberlis.com

C 8
COMMUNICATION
CW - <u>April 23/2012</u>
ITEM - <u>23</u>

BY EMAIL

March 30, 2012

Our File No. 102164

Committee of the Whole
Vaughan Civic Centre
2141 Major Mackenzie Drive
Vaughan, Ontario

Dear Mr. Abrams

**Re: City of Vaughan new Official Plan
7553 Islington Avenue and 150 Bruce Street, Vaughan**

We act on behalf of Briardown Estates Inc. with respect to the lands municipally known as 7553 Islington Avenue and 150 Bruce Street in the City of Vaughan, (the "Subject Property").

In 2008, our client submitted an application to amend the Official Plan and redesignate the Subject Property High Density Residential in order to facilitate the development of two residential buildings with a maximum height of 22-storeys linked by a five-storey podium. The new City of Vaughan Official Plan proposes to designate the Subject Property Natural Areas in accordance with Schedule 13 – Land Use. The Natural Areas designation will not permit the proposed development of the Subject Property and effectively sterilizes the lands. On March 8, 2012, we submitted the attached letter to the Region of York recommending the replacement of the Natural Areas designation in place of a High-Rise Residential designation that recognizes the potential for development of the Subject Property.

We have reviewed the report submitted by J. Mackenzie, Commissioner of Planning, and D. Birchall, Director of Policy Planning, to the Committee of a Whole regarding Modifications to the Vaughan Official Plan – 2010, Response To Public, Government and Agency Submissions, released March 27, 2012. Attachment 6, Part A, Item 557 of this report recommends that no change to the designation of the Subject Property be made as no further justification has been provided to support a change to the land use designation. We are writing to advise that our clients are in the process of retaining a planner to work with Regional and City staff to provide further justification to support the proposed High Density Residential designation, and therefore request that the approval of the new Official Plan be deferred as it applies to the Subject Property.

March 30, 2012
Page 2

We would be pleased to meet with the appropriate Regional and City officials to discuss this matter in greater detail.

Yours truly,

AIRD & BERLIS LLP



N. Jane Pepino, C.M., Q.C., LL.D.

NJP/ee

Encl.

cc. R. Nicolini, Briardown Estates Ltd.
G. Uyeyama, City of Vaughan
A. Ko, Region of York

12152711.1

AIRD & BERLIS LLP

Barristers and Solicitors

N. Jane Pepino, C.M., Q.C., LL.D.

Direct: 416.865.7727

E-mail: jpepino@airdberlis.com

March 8, 2012

Our File No. 102164

BY EMAIL

Augustine Ko, M.C.I.P., R.P.P.
Senior Planner
The Regional Municipality of York
Transportation and Community Planning Department
Community Planning Branch
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Dear Mr. Ko

**Re: City of Vaughan new Official Plan
7553 Islington Avenue and 150 Bruce Street, Vaughan**

We act on behalf of Briardown Estates Inc. with respect to the lands municipally known as 7553 Islington Avenue and 150 Bruce Street in the City of Vaughan, (the "Subject Property").

The Subject Property is approximately 1.625 hectares and is located on the east side of Islington Avenue, south of Highway 7 in the community of Woodbridge. The Subject Property is within the Woodbridge Community Plan area ("OPA 240") and is designated Open Space (7553 Islington Avenue) and Low Density Residential (150 Bruce Street). In 2008, our client submitted an application to amend the Official Plan and redesignate the Subject Property High Density Residential in order to facilitate the development of two residential buildings with a maximum height of 22-storey linked by a five-storey podium (File No OP.08.017).

The City of Vaughan new Official Plan proposes to designate the Subject Property Natural Areas in accordance with Schedule 13 – Land Use. The Natural Areas designation will not permit the proposed development of the Subject Property and effectively sterilizes the lands which are situated in a viable location along Islington Avenue, a Major Arterial, that is well served by existing transit facilities. We note that surrounding land use designations are Low-Rise Residential, Low-Rise Mixed-Use and Mid-Rise Mixed-Use along portions of Highway 7, which is identified as Primary Intensification Corridor on Map 1. The proposed development is sensitive to and compatible with the character, form and planned function of the surrounding context.

We are aware the City of Vaughan Official Plan has been appealed to the Ontario Municipal Board under Section 17(40) of the *Planning Act* R.S.O. 1990, c. P.13 for Council's failure to make a decision on the plan within 180 days (PL111184) and as such the Region of York is no longer the approval authority. However, we request that the

March 8, 2012
Page 2

Region of York in its review of the Vaughan Official Plan and preparation of comments for the purpose of any Board Hearing, recommend the removal of the Natural Areas designation and instead recommend a High-Rise Residential designation that recognizes the potential for development of the Subject Property.

We would be pleased to meet with the appropriate Regional officials to discuss this matter in greater detail.

Yours truly,

AIRD & BERLIS LLP



N. Jane Pepino, C.M., Q.C., LL.D.

NJP/ee

cc. R. Nicolini, Briardown Estates Ltd.
B. Blazevski, Diamondcorp
G. Uyeyama, City of Vaughan

12018932.1

From: Fernandes, Sybil
Sent: Friday, March 30, 2012 12:08 PM
To: Bellisario, Adelina
Subject: FW: Vaughan Official Plan - 7553 Islington Avenue and 150 Bruce Street, Vaughan
Attachments: Letter to Land Division Committee re_ Vaughan Official Plan.PDF

*Sybil Fernandes
Deputy City Clerk &
Manager of Administrative Services
Tel: (905) 832-8585 Ext. 8628
Fax: (905) 832-8535
email: sybil.fernandes@vaughan.ca*

From: Emily Elliott [<mailto:eelliott@airdberlis.com>]
Sent: Friday, March 30, 2012 12:08 PM
To: Fernandes, Sybil
Subject: FW: Vaughan Official Plan - 7553 Islington Avenue and 150 Bruce Street, Vaughan

Dear Ms. Fernandes,

Please find the attached correspondence to the Committee of a Whole regarding the Vaughan Official Plan.

Emily

From: Emily Elliott
Sent: March 30, 2012 12:05 PM
To: Abrams, Jeffrey
Cc: 'Ko, Augustine'; Uyeyama, Grant; raymond.nicolini@gmail.com; 'bblazeovski@diamondcorp.ca'; Jane Pepino
Subject: Vaughan Official Plan - 7553 Islington Avenue and 150 Bruce Street, Vaughan

Dear Mr. Abrams,

Please find attached a letter to the Committee of a Whole regarding the Vaughan Official Plan.

Kindly confirm receipt of this email.

Thank you,
Emily

Emily Elliott
Land Use Planner

T 416.865.3069
F 416.863.1515
E eelliott@airdberlis.com

Brookfield Place • 181 Bay Street
Suite 1800 • Box 754
Toronto ON • M5J 2T9 • Canada
www.airdberlis.com

AIRD & BERLIS LLP
Barristers and Solicitors

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Please consider the environment before printing this email.

From: Abrams, Jeffrey
Sent: Monday, April 02, 2012 9:53 AM
To: Bellisario, Adelina
Subject: Fw: Objection to Item #20 for April 3rd Committee of the Whole meeting
Attachments: committe of the whole letter.doc

C 9
COMMUNICATION
CW - April 3/12
ITEM - 20

----- Original Message -----

From: Ciafardoni, Joy
Sent: Monday, April 02, 2012 09:47 AM
To: Abrams, Jeffrey
Cc: Bonsignore, Connie; Gouzvaris, Shari
Subject: FW: Objection to Item #20 for April 3rd Committee of the Whole meeting

-----Original Message-----

From: Stalteri, Nadia [mailto:nadia.stalteri@peelsb.com]
Sent: Friday, March 30, 2012 3:40 PM
To: Council
Cc: verrilli.family@gmail.com
Subject: Objection to Item #20 for April 3rd Committee of the Whole meeting

Dear City of Vaughan Council members,

I am writing this letter as an objection to Item #20 on the agenda for the April 3rd Committee of the Whole meeting. I am requesting that you revisit this item in order to accomodate my requests. Due to medical reasons, I can not attend the meeeting and personally address Council on Tuesday, therefore I am asking that you please review the information in this e-mail.

Over the past year, I have raised concerns with the Planning Department, the Ward 3 Councillor and several other departments within the City of Vaughan with Regards to the Commercial Plaza Parking lot entrance that is being proposed on Euro Place (at Major Mackenzie and Vellore Ave).

I, along with 6 other residents of Euro Place have personally met with Andrew Pierce, Grant Uyeyama and Councillor Rosanna DeFrancesca. It appears that the City of Vaughan's Planning Department has not taken our concerns seriously as we have provided several alternatives as well as reasons against this plaza entrance on Euro Place in relation to safety and noise control, yet they have decided to move forward with the application.

We feel that our voices are not being heard, simply because we don't have the money and resources that the Builder may have. The City has come up with an excuse to reject every alternative, suggestion and option that we have proposed.

In essence, we are requesting that the City of Vaughan does not grant access to this commercial plaza via Euro Place, mainly because the street is far too narrow for the constant traffic that will flow from this plaza, which would pose health and safety risks as well as disturb the peace of the the neighbourhood. There is no sidewalk on the residential side of the street, therefore, the children in the neighbourhood are at an increased risk of being injured when using the sidewalk on the North side of Euro Place.

If Council decides to approve this application despite the concerns we have raised over the past year, then we ask that Council put extra safety measures in place to ensure the safety of our Community, particularly the children. In addition, I am requesting extra measures to be put in place for noise control while keeping the view from our homes aesthetically pleasing. For example, including some taller shrubs and flowers on the south side of the plaza fence.

Below I have copied three e-mails that were sent to Ward 3 Councillor DeFrancesca, Mayor Bevilacqua and Grant Uyeyama. These e-mails outline my concerns and requests and are provided for your reference and consideration. I have also provided Councillor DeFrancesca with a petition from the residents of Euro Place. In addition to these e-mails, I have had numerous conversations with different employees from a variety of Departments within the City of Vaughan and York Region.

I hope that my concerns (outlined in the e-mails below will truly be considered when making a decision on this site plan application. Thank you for your time and consideration.

Best Regards,

Nadia Stalteri (on behalf of the residents of Euro Place)

Sent via e-mail in the Spring of 2011

Dear Ms. DeFrancesca,

I am writing on behalf of the residents of the subdivision in which I reside, which is within Ward 3 of the City of Vaughan. As the residents of this new subdivision located within the Vellore Community at Vellore Avenue and Major Mackenzie Drive, we are concerned with some of the specifics of the commercial plaza that will be built in the near future. I understand that the builder, Nova Valley Homes has put forth a proposal (site plan application DA.11030) to have a main entrance to the parking lot of this plaza directly exiting on to Euro Place, in the approximate area of lot 4 or 5.

In an effort to provide you with the most accurate information that has been available to me, I would like to inform you that when we purchased our homes, Nova Valley Homes assured its buyers, particularly those from lots 1-9, which are located on Euro Place, that there would be no vehicle entrance to the Plaza from Euro Place. I was personally assured by the builder that this would be a small commercial plaza with an entrance from Major Mackenzie and from Vellore Avenue and that at most, there would be a pedestrian pathway from Euro Place. I was also assured that there would be a fence around the plaza for noise control and safety.

In speaking to the planning department at the City of Vaughan, I understand that there have been discussions of this proposed entrance for approximately two years. Evidently, Nova Valley homes intentionally misinformed their buyers at the time of purchase in an effort to manipulate families into buying a home on a street that they marketed as "quiet" with "low traffic" because it did not lead to a main street. Many of us have young families with children whose safety would be at risk if the City of Vaughan allowed a main entrance/exit directly in front of residential properties.

I understand, Ms. DeFrancesca, that as our City Councillor, you can not be responsible for the intentional misrepresentation of Nova Valley Homes, however, I am hoping that you can help the residents of this Vellore Community in securing a safe environment for our families.

I have been a resident of Vaughan for over 25 years and I have never seen a commercial plaza exiting on a side street that directly faces the driveways of residential properties, especially on a street as narrow as Euro Place. I believe that allowing this plaza to be developed with this proposed condition, contradicts the Noise Control By-law 96-2006 and the Nuisance By-law 195-2000. By-law 96-2006 specifically states that we have the right to "preserve, protect and promote public health, safety, welfare and peace and quiet of the inhabitants."

In addition to the obvious safety and noise issues that the constant traffic would pose to its residents, I have been given the impression that they are looking for a large retailer that would have excessive traffic flow and may be open later than standard retail hours. This would cause additional noise at later hours in the evening which would disturb the peace of the community.

My main concern is the safety, comfort and peace of the occupants, particularly of the young children in the neighbourhood, however, such development and traffic may also decrease the value of our homes.

Ms. DeFrancesca, I urge you to join the residents of this neighbourhood by getting involved in preventing this neighbourhood disturbance to exist. With your help, as well as the involvement of the Regional Councillors, I trust that you can help us maintain a safe environment for our families.

Thank you for your time. You may contact me at the above e-mail or at 289-553-2026. I look forward to hearing from you to discuss this matter and how we can work together to keep the families in this community safe.

Sincerely,

Nadia Stalteri


Vaughan, ON L4H 3M4

cc:

Gino Rosati, Regional Councillor
Michael DiBiase, Regional Councillor
Deb Schulte, Regional Councillor
Judy Jeffers, Planning and Development
Grant Uyeyama, Director of Development Planning

Site plan DA. 11030
Stalteri, Nadia

Sent: January 6, 2012 2:50 PM
To: maurizio.bevilacqua@vaughan.ca

Cc: joy.ciafardoni@vaughan.ca

Attachments: petition NV Homes plaza.doc (27 KB)[Open as Web Page]

Hi Mr. Bevilacqua,

I am writing you because I have had no luck with the planning department and the Ward 3 Councillor. At this point, I am desperate to preserve the safety of my family and the other children in my neighbourhood. I urge you to please take the time to review the attached letter and perhaps forward it to the necessary parties in order to prevent site plan DA.11030 from being approved.

Just to give you some background information, I purchased a home from Nova Valley homes in 2009 and took possession in September 2010. When I purchased a home, I was very specific about wanting a home on a quiet street and they sold me a home on Euro Place, assuring me that it would not be a through street, nor would there be any traffic due to the plaza across the street because it would have vehicle entrances on Vellore Ave. and on Major Mackenzie Dr. I discovered last spring that there was a site application put forward to move the entrance to the plaza to Euro Place. When I confirmed this with the planning department, I immediately wrote a letter to Rosanna DeFrancesca, Ward 3 Councillor (see attachment for letter) and copied the regional Councillors as well as the planning department. The last conversation I had with Ms. DeFrancesca's assistant was back in late August, at which point I was told that I would be contacted in the Fall after a certain meeting that was supposed to take place concerning this site plan. I have not yet heard anything and today I spoke to Judy Jeffers in the planning department and she informed me that the plan has not yet been approved but that it looks as though the entrance to the commercial plaza would directly impact lots 5-7. Lot 7 is my home.

I am nearly in tears at the thought that the safety of my family (I am currently pregnant and have a 3 year old) will be threatened daily due to ongoing traffic coming in and out of the plaza at all hours of the day. There is no sidewalk on this street other than that which will cross over the entrance and exit of the plaza, therefore, the children of the neighbourhood will be at an increased risk of getting hurt by a vehicle while riding their bikes or scooters or simply walking.

Please help me understand how the City of Vaughan cares so little of its residents that it will take this kind of risk in order to benefit a builder. I have been a resident of Vaughan since 1986 and have always appreciated the direction in which the City is heading and growing, however, to have a commercial plaza exit directly in front of the driveways of residential properties, I have never seen this in Vaughan and I will never appreciate it.

Please read the attached letter and inform me if I need to speak to someone else within York Region as opposed to the City of Vaughan in order to make them understand the risks involved in approving this site plan. Any contacts or direction to petition this would be helpful.

I appreciate your time and look forward to hearing from you.

Sincerely,

Nadia Stalteri

From: Robert Verrilli [mailto:verrilli.family@gmail.com]

Sent: Saturday, March 24, 2012 2:39 PM

To: Uyeyama, Grant

Cc: Jeffers, Judy; Pearce, Andrew; DeFrancesca, Rosanna; maurizio.bevilacqua@vaughan.ca

Subject: Re:

Hi Mr. Uyeyama,

Thank you again for meeting with me and the other residents of Euro Place. I have reviewed the full staff report and though, you seem to have covered much of what we discussed, I still do not agree with your decision to move forward with this site plan. I do not believe that you have fully considered the safety, the privacy and peace of the residents of Euro Place.

I can understand that the City of Vaughan is not overly concerned with the residents of the 9 homes located on Euro Place since we represent a small percentage of the community and our voices are not clearly heard. I cannot however appreciate that you are risking the safety of our families. To you, we pay a small portion of the City taxes, to me however, this is my family, my life.

It didn't even occur to me until I took a close look at the site plan and noticed the loading areas that there would be large trucks loading and unloading supplies at all hours of the day. These trucks should not be permitted to enter the plaza via Euro Place as this will clearly increase the safety risks that we have been discussing. Also, they should not be permitted to load/unload before or after certain hours in order to prevent further disturbance to our small community. I would hope that the City of Vaughan already has such by-laws in place.

I urge you to include in your report, that all large trucks should enter the plaza via Major Mackenzie and have the city put a traffic sign up on Euro Place that indicates that these trucks should not enter our street. This is the least that the City of Vaughan could do to ensure some degree of safety for the residents of Euro place as the site plan itself only ensures an unsafe environment for us.

In future, the planning and engineering departments should review site plans in combination with Regional requirements prior to allowing the builder to sell it's residential properties by falsely stating that certain streets will be quiet and free of through traffic. Buyers have a right to know what their hard earned money is going to get them. I am truly disappointed in the ways that the city has handled our concerns while ensuring that the builder can maximize his earning capacity by making false promises to us. It is obvious that the city supports corporate agenda over its citizens.

Best Regards,

Nadia Stalteri

NOTE: This e-mail message is intended for the named recipient(s) above, and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you have received this message in error, or are not the named recipient(s), please do not read the content. Instead, immediately notify the sender and delete this e-mail message. Any unauthorized use, disclosure or distribution is prohibited. The Peel District School Board and sender assume no responsibility for any errors or omissions in the content or transmission of this email.

HUMPHRIES PLANNING GROUP INC.

April 2, 2012
HPGI File: 10236

Clerks Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

<u>C 10</u>	
COMMUNICATION	
CW -	<u>April 3/12</u>
ITEM -	<u>23</u>

Attn: Mayor and Members of Council
and City Clerk


Re: Committee of the Whole – April 3, 2012
Modifications to the Vaughan Official Plan -2010
Response to Public, Government and Agency Submissions

Section 3-, Item 11 - Modifications as a Result of the Regions Recirculation of the
Sept 27 2011 - Council modified Version of VOP 2010-Volume 1
77 and 87 Woodstream Boulevard

On behalf of 77 Woodstream Inc., owners of land located at 77 and 87 Woodstream Boulevard we have reviewed the staff report and recommendation regarding the matters noted above. As indicated, additional information has been provided to the City for consideration related to how the mid-rise mixed use application for this property meets the requirements of the Growth Plan policies as well as responds to the information provided through the Hemson work completed in relation to the employment land inventory for the City of Vaughan. We continue to be of the opinion that the Official Plan designation as adopted by Council on September 2010 is appropriate and represents good planning.

77 Woodstream Inc. respectfully requests that the City of Vaughan Council not modify the adopted Official Plan 2010 from Mid-Rise Mixed use to General Employment at the request of the Region of York.

Yours truly
HUMPHRIES PLANNING GROUP INC.


Rosemarie L. Humphries BA, MCIP, RPP
President

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Vaughan, ON
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www.humphriesplanning.com
77 Woodstream Inc.

HUMPHRIES PLANNING GROUP INC.

April 2, 2012
HPGI File: 09211

C 11	
COMMUNICATION	
CW -	April 3/2012
ITEM -	23

Clerks Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attn: Mayor and Members of Council
and City Clerk

Re: Committee of the Whole – April 3, 2012
Modifications to the Vaughan Official Plan -2010
Response to Public, Government and Agency Submissions
Attachment 5: Provincial Response – One Window Review
Section 3.4.2 – GB, Major Recreational Use (page 12 of 23)
Related Applications: OP.09.003 and Z.09.026
1539253 Ontario Limited

On behalf of 1529253 Ontario Limited we have reviewed the staff report and recommendation regarding the specific matter noted above. We have corresponded with the City and Region previously on a site specific matter located at 10951 Kipling Avenue.

The subject land is designated Rural in the City of Vaughan Official Plan 600 and Rural by the Region of York Official plan pre- 2009. The Region of York has indicated in correspondence through its Official Plan review that as applications for the subject lands proceeded prior to the Regions New Official Plan being adopted, the Rural policies of the Regions old (in force) Official plan continue to prevail as contained in attached correspondence.

The City of Vaughans new Official Plan proposes to redesignate the subject land from Rural to Agricultural. Further review of the One Window Review Comments has requested that the City incorporate modifications to its proposed Agricultural land use policy that would effectively eliminate Major Recreational Uses as being permitted in Agriculturally designated areas.

Given the timing of the application submission and extensive processing that has taken place to date we request confirmation from the City that the subject land is exempt from the proposed Agricultural designation and associated policy and that processing of the

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applications for this property which propose recreational uses will continue under OPA 600 Rural designation and policies.

Yours truly
HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP
President

Encl. Region of York December 2009 Submission Analysis Extract

cc. 1529253 Ontario Limited
Region of York Community Planning Department
Eugene Fera, City of Vaughan Planning Department

Draft York Region Official Plan – December 2009 - Submission Analysis

1

April 26, 2010

Submission Number Do5.2009.1.120 Do5.2009.1.134	Date of Submission: November 30, 2009	Submission Author: Humphries Planning on behalf of 1539253 Ontario Limited
--	---	--

Comments or Requested Change to Draft Official Plan	Analysis and Recommendation
<p>Humphries Planning represents 1539253 Ontario Limited who wish to develop a multi-use recreational facility on approximately 200 acres of land on the east side of Kipling Avenue north of Teston Road.</p> <p>The lands are designated Rural in the existing Region of York Official Plan and are proposed to be designated Agricultural in the new Official Plan.</p> <p>The applicant objects to this designation.</p> <p>Since applications were filed in advance of the new official plan being approved, Humphries Planning is seeking confirmation that the applications are transitioned pursuant to Policy 8.4.14 of the new Regional official Plan</p>	<p>Policy 8.4.15 (formerly 8.4.14) of the Adopted Regional Plan indicates that applications received on or after the date of approval of this Plan (i.e. the York Region Official Plan – December 2009) are subject to the Plan.</p> <p>Further, Policy 8.4.16 (formerly policy 8.4.15) indicates that applications with pending approvals at the time the York Region Official Plan is approved will be encourages to re-examine the proposed applications based on policies of the Plan.</p> <p>This application was received by the City of Vaughan in September 2009 and the Transition policy (8.4.15, formerly 8.4.14) would apply and the proposal would be considered in accordance with the existing Regional Official Plan policies in Section 5-9 of the Regional official Plan and the Greenbelt Plan.</p> <p>The existing Region of York Official Plan designation for these lands is Rural Area. Policy 5-9.3 of the existing ROP indicates that recreation uses are permitted subject to the criteria in policy 5-9.2, which include, but are not limited to need and demand for the use in the location, appropriateness of the use and impact of the use on the agricultural land base and farming activities among others.</p> <p>The Greenbelt Plan policies also apply to these lands and will be required to be met, since the application is not transitioned under the Provincial Plan.</p>

City of Vaughan staff is currently assessing the application to determine conformity with the Greenbelt Plan policies and objectives.

No modifications to the Adopted Regional Plan are required.

HUMPHRIES PLANNING GROUP INC.

April 2, 2012
HPGI File: 09225/11263

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City of Vaughan
2141 Major Mackenzie Drive
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L6A 1T1

C 12
COMMUNICATION
CW - April 3/2012
ITEM - 23

**Attn: Mayor and Members of Council
and City Clerk**

**Re: Committee of the Whole – April 3, 2012
Modifications to the Vaughan Official Plan -2010
Response to Public, Government and Agency Submissions
Anland Developments Inc and 281187 Ontario Limited**

Anland Developments Inc., and 281187 Ontario Limited, own 28.9 ha of land located in the south east quadrant of Rutherford Road and Weston Road. On their behalf, Humphries Planning Group Inc., has reviewed the staff report and recommendation regarding the matters noted above. We have made previous submissions to both the Region and the City of Vaughan respecting official plan matters related to proposed land use designations, and secondary plan studies for this area. More recently in November of 2011, we attended meetings with City and Regional Staff to discuss opportunities for the addition of non-employment land uses for the area located between Hwy 400 and Weston Road south of Rutherford Road. Copies of submission documents made by the landowners and/or their representatives and on their behalf was provided again to the Region and the City as they claimed to be unaware of the requests and written submissions. To date no formal response, either written or verbal has been provided on behalf of the City or the Region and review of the April 3rd staff report confirms such as there is no discussion contained within the document responding to the request of the owners.

The City has recently decided to embark upon a secondary plan study for this area and as of March 20 2012, Council approved staffs recommendation to retain the consulting services of Dialogue Ontario Inc. to prepare the Vaughan Mills Centre Secondary Plan. The subject lands are located within this area. Staff have not indicated or confirmed how this secondary plan study will address land use designations and more specifically non-employment designations for this area given the owners requests and what assumptions for non-employment uses it has made for this secondary plan study area. The April 3rd staff report does address employment area land use designations and various conversion matters on a broader basis in relation to the addition of a new land use category (Community Commercial- Mixed-Use) for

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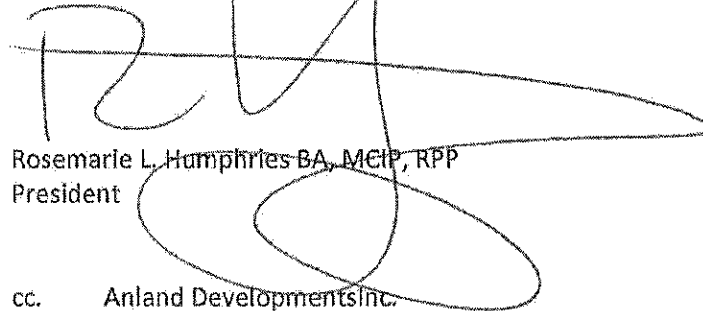
locations inclusive of Regional Intensification Corridors, Primary Intensification Corridors or abutting major arterial roads (ie. Weston Road) which would not require a municipal comprehensive review/in support of a land use conversion. However, no discussion has occurred respecting the request for the assignment of a non-employment land use designation for the subject lands and whether or not the Community Commercial – Mixed Use designation is going to be assigned to the Weston Road frontage across these lands.

In addition to the above, the City has not been clear in indicating how it plans to address the adoption of an official plan prior to determining land use designations for this secondary plan study area.

The landowners continue to seek non-employment land use permissions for this area and on this basis and continued lack of clarity in how the City plans to proceed in this area, we object to any employment land use designations as may be contemplated by the City or Region for these lands.

Yours truly

HUMPHRIES PLANNING GROUP INC.

A large, stylized handwritten signature in black ink, appearing to read 'RH', is written over the signature line and extends into the distribution list area.

Rosemarie L. Humphries BA, MCLP, RPP
President

cc. Anland Developments Inc.
281187 Ontario Limited
Region of York Community Planning Department
City of Vaughan Community Planning Department
Parente Borean

HUMPHRIES PLANNING GROUP INC.

April 2, 2012
HPGI File: 08172

Clerks Department
City of Vaughan
2141 Major Mackenzie Drive
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C 13
COMMUNICATION
CW - April 3/2012
ITEM - 23

Attn: Mayor and Members of Council
and City Clerk

Re: Committee of the Whole – April 3, 2012
Modifications to the Vaughan Official Plan -2010
Response to Public, Government and Agency Submissions
Attachment 6: Item 168E – 280 Kirby Road (KK Holdings)

On behalf of KK Holdings we have reviewed the staff report and recommendation regarding the matters noted above. The requested modification as provided in correspondence to the City dated February 23 2012 has not been adequately addressed in the staff recommendation. We continue to request that the proposed modification provided to the City through correspondence of February 23 2012 be adopted by City of Vaughan Council rather than staffs report recommendation contained within the April 3rd Committee of the Whole report. For clarity purposes a copy of the proposed modification has also been enclosed.

Yours truly
HUMPHRIES PLANNING GROUP INC.


Rosemarie L. Humphries BA, MCIP, RPP
President

Encl. – Proposed modification

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HUMPHRIES PLANNING GROUP INC.

February 23, 2012

HPGI File: 08172

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Re: City of Vaughan Committee of the Whole Meeting February 28, 2012-- Item 14
Official Plan Review --Volume 2
KK Holdings -- North West Quadrant of Kirby Road & Keele Street

Humphries Planning Group Inc., represents KK Holdings, owner of 17 acres of land located at Pt Lot 31, Concession 4 (north/west quadrant of Keele Street and Kirby Road). Correspondence was provided to the City of Vaughan dated June 14th, August 30th and September 7, 2010, September 10, 2011 and January 29, 2011 in addition to conducting meetings and discussions with Regional Planning and local Planning staff as recently as January 2012. On behalf of KK Holdings, Humphries Planning has reviewed the staff report for the above mentioned item and find that there is no reference or acknowledgement to the September 10 or January 29th correspondence that has been previously provided to the City.

In 1998 the City of Vaughan approved an agreement that would extend full municipal services to my clients land on the north-west corner of Keele and Kirby. Since that time a portion of the site has been developed to include a number of service commercial uses including a gas station, car wash, a drive through eating establishment and a facility for the repair of farm/heavy equipment and trucks. The initial development also provided for the construction of a road north of Kirby that is fully serviced. The effect of this development is the creation of a remnant parcel of fully serviced land that is surrounded on three sides with existing development and has municipal roads along the south and west property line. There is a railroad corridor along the east property line. It must be acknowledged that this is a very unique situation within the City of Vaughan and any consideration of a land use change will not be precedent setting in any way.

The continuation of agricultural uses on this remnant parcel is not practical and does not reflect the true nature of the property. The continuation of an agricultural zone with it limited permitted uses also does not recognize the fact that the site is fully serviced. The City should

want to take advantage and make better use of the existing infrastructure from an economic development perspective.

We are once again formally requesting that the City of Vaughan incorporate a modification to its adopted Official Plan which includes a site specific provision for the subject land which maintains a rural designation that provides for ***“place of worship/institutional, transportation and industrial uses”***. It is our opinion that the request is appropriate and represents good planning for the following reasons:

- The subject land is located outside the existing or proposed urban boundary, however it is currently serviced with municipal infrastructure inclusive of sanitary and water.
- A portion of the site is subject to land use approvals for service commercial uses inclusive of gas station and car wash, drive-thru eating establishment and motor vehicle sales and repair for farm/heavy equipment /trucks(By-law 179-2009).
- It is not practical to expect that Agricultural uses to locate on the remainder of the subject site in either the near or long-term as the site is bounded on three sides by existing transportation infrastructure (west- railway, south-Kirby Road, east-Keele Street) and existing development along Kirby Road and Keele Street.
- The requested policy for KK Holdings is not anticipated to create a precedent or pre-determine land uses for adjacent landholdings. We believe that this particular case is the only existing situation in the City at present time.

In support of the above request, a site specific policy proposed for the subject site is provided below:

Section 13.1.

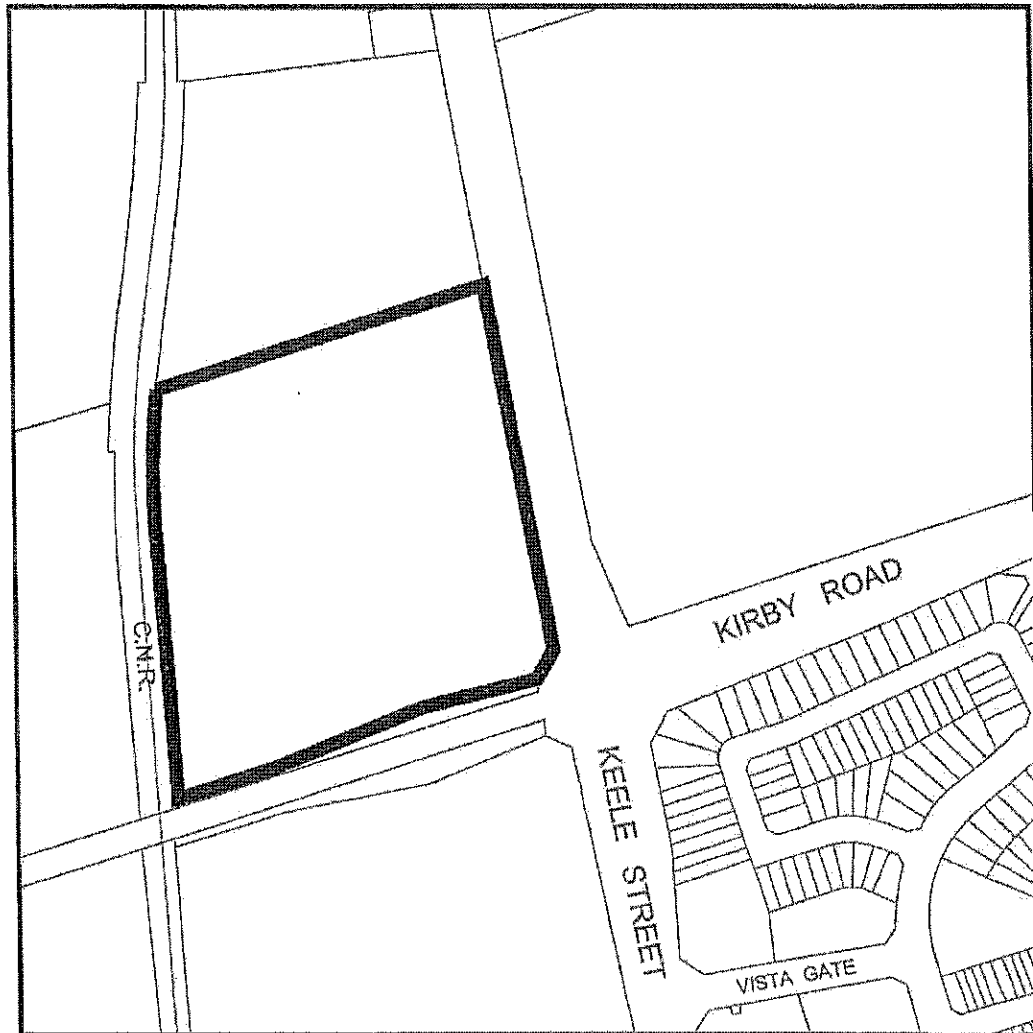
The lands at the north west corner of Kirby Road and Keele Street are identified on Schedule 14-C and are subject to policies set out in Section 13.X of this Plan.

13.X North West Corner of Kirby Road and Keele Street

13.X.X General

13.x.x.x Notwithstanding Policy 9.2.2.17 a) and b) of the Official Plan, for the area within the Heavy lines on Map 13.x.x. , a place of worship, institutional, transportation and industrial uses shall be permitted.

Attn: Mayor and Members of Council
Re: Vaughan OP Review – Request for Modification
KK Holdings
Page 3 of 3



Map 13.x.x

Yours truly,
HUMPHRIES PLANNING GROUP INC.

Rosemarie L. Humphries

per

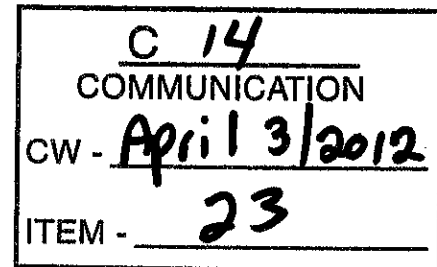
Rosemarie L. Humphries BA, MCIP, RPP

cc. KK Holdings- Mr. Nick Cortellucci
Mr. Augustine Ko, Region of York Planning Department
Mr. John Mackenzie, Vaughan Planning Commissioner
Mr. Roy McQuillan Planning Department

HUMPHRIES PLANNING GROUP INC.

April 2, 2012
HPGI File: 0449

Clerks Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1



Attn: Mayor and Members of Council
and City Clerk

Re: Committee of the Whole – April 3, 2012
Modifications to the Vaughan Official Plan -2010
Response to Public, Government and Agency Submissions

Section 3-, Item 9 - Modifications as a Result of the Regions Recirculation of the
Sept 27 2011 - Council modified Version of VOP 2010-Volume 1
Schedule 13: Mapping Changes for Lands within the Greenbelt

On behalf of owners of lands located within Block 34 west we have reviewed the staff report and recommendation regarding the matters noted above which state that :

"Lands within the Greenbelt can only be identified as Agricultural or Rural. The Private Open Space designations in Blocks 55, and 47 should be corrected as should the low-rise residential in Block 34 west, along with other designations other than Rural and Agricultural.

Discussion and Action:

These changes will be made to reflect the requirements of the Greenbelt Plan."

Without having the opportunity to view actual proposed mapping changes it is difficult to ascertain the appropriateness of the proposed changes and /or staffs recommendations.

We note for staff and members of Council that Block 34 West has been Included within the Urban Boundary Area (ROPA 52) and has an approved secondary plan (OPA 637) which appropriately designates the greenbelt plan areas and low density residential areas. Therefore, we are not supportive of any changes proposed by the Region or City of Vaughan resulting in the contrary.

~~Yours truly~~

~~HUMPHRIES PLANNING GROUP INC.~~


Rosemarie L. Humphries BA, MCIP, RPP
President

cc. Vaughan 400 North Landowners Group
M.Melling, Davies Howe Partners

C15
Item 23
cw - April 3/2012

April 3, 2012

DELIVERED

Committee of the Whole - City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

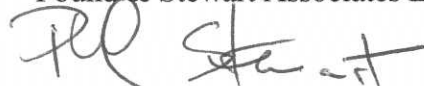
Attn: Chair Yeung-Racco & Members of Committee

**Re: Committee of the Whole Meeting – April 3, 2012
Agenda Item # 23, Modifications to the Vaughan Official Plan 2010
Response to Public, Government and Agency Submissions File 25.1
On Behalf of Royal Group, Inc. ('Royal')
Our File: 1710 & 1711**

We are the planners of record writing on behalf of Royal Group, Inc. ('Royal') with respect to the above captioned item. Thank-you for the opportunity to file our submission regarding the City's latest round of proposed Official Plan 2010 modifications. We remain active participants in this planning process and have previously filed written submissions regarding these matters; with the most substantive dated June 7, 2010, January 26, 2011 and March 6, 2012. We wish to thank City Staff for their assistance and progress to date on our prior submissions.

Please refer to Table A: Comments on April 3, 2012 Proposed Modifications to the Vaughan Official Plan 2010 providing a summary of our initial comments. We request the Committee refer our submission to City Staff for their further deliberation on the City's new Official Plan document and Implementation program. We look forward to a future opportunity to review a 'modifications' consolidation of the City's adopted Official Plan document, and request notification regarding same and any future meetings.

Respectfully submitted,
Pound & Stewart Associates Limited



Philip J. Stewart, MCIP, RPP
Principal

/la

1704ltr.Apr.03.12

cc. Mr. D. Kelly, Regional Clerk, Region of York
cc. Mr. J. Abrams, City Clerk, City of Vaughan
cc. Mr. J. MacKenzie, Commissioner of Planning, City of Vaughan
cc. Royal Group, Inc. ('Royal')

POUND & STEWART ASSOCIATES LIMITED



TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>Recommended "Employment Commercial Mixed-Use" (9.2.2.7) and "Community Commercial Mixed-Use" (9.2.2.8) Policies</p> <p>Employment Commercial Mixed Use</p> <p>9.2.2.7 In areas designated on Schedule 13 as Employment Commercial Mixed-Use, the following policies shall apply.</p> <p>A. Areas designated as Employment Commercial Mixed-Use are located along Regional Intensification Corridors within Employment Areas, Primary Intensification Corridors within Employment Areas or in Employment Areas abutting major arterial streets. This designation recognizes existing areas of predominately commercial uses within the Employment Area as of the adoption of this plan. Such areas are appropriate for non-residential intensification and make efficient use of existing or planned rapid transit and transit investment. These areas are planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its <i>intensification</i> objectives.</p> <p>B. Employment Commercial Mixed-Use Areas Will:</p> <ol style="list-style-type: none"> Support the City's intensification objectives for Regional Intensification Corridors within Employment Areas and Primary Intensification Corridors within Employment Areas; Contribute to the provision of ancillary uses, which primarily serve the needs of businesses and employees in the Employment Areas; Provide a focus for business activity providing for the largest and most comprehensive concentrations of supporting ancillary uses and amenities in the Employment Areas, including larger scale ancillary uses; Be included in the calculation of the maximum amount of land which may be devoted to ancillary uses in the Employment Areas as set out in Policy x.x.x.x; Be carefully designed with a high standard of public realm and urban built form to contribute to the creation of an urban environment with a strong pedestrian orientation and attractive streetscapes in respect of the high profile locations of this designation; Conform to policies 2.2.4.2, 2.2.4.3 and 2.2.4.4 of this Plan. <p>C. The following uses shall be permitted in areas designated as Employment Commercial Mixed-Use in addition to the uses permitted in policy 9.2.1.9:</p> <ol style="list-style-type: none"> In Intensification Areas as shown on Schedule 1: <ol style="list-style-type: none"> Office; Hotel; Cultural and Entertainment Uses; Retail Uses; provided that no Retail unit shall exceed a Gross Floor Area of 3,500 square meters; and Gas Stations subject to the 	<p>In order to carefully review the implications of the proposed policy changes, it would be appropriate to review affected land use schedules.</p> <p>According to Stephen Dixon, Planner, City of Vaughan, "Ancillary uses would be your small scale retail or commercial uses or office uses that primarily serve the business function in employment lands, so they would be separate retail or office or commercial uses in employment lands to serve the needs.</p> <p>Whereas accessory office uses are office uses directly associated with the primary permitted land use on the lot, so if there was an employment land use, or an industrial use, for example, an industrial use would allow for a certain amount accessory office use within that building, whereas an ancillary is a stand alone either retail or commercial or office use within the business district to serve the surrounding businesses."</p> <p>Since the Regional Official Plan defines Ancillary Uses as "small scale retail and commercial uses that primarily serve the business functions on employment lands."</p> <p>The City of Vaughan Official Plan does not include a definition of Ancillary Uses or Accessory Uses, and will</p>

TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>following criteria:</p> <ol style="list-style-type: none"> 1. the use is located on an arterial street as indicated on Schedule 9; 2. the use is limited to one gas station per intersection 3. no gas stations shall be permitted at the intersection of two arterial streets as shown on Schedule 9. <p>ii. In non-Intensification Areas:</p> <ol style="list-style-type: none"> A. Office Uses to a maximum of 12,500 m² GFA per lot; B. Cultural and Entertainment Uses; C. <i>Retail</i> Uses; provided that no Retail unit shall exceed a Gross Floor Area of 3,500 square metres; and Gas Stations subject to the following criteria: <ol style="list-style-type: none"> a. the use is located on an arterial street as indicated on Schedule 9; b. the use is limited to one gas station per intersection; c. no gas stations shall be permitted at the intersection of two arterial streets as shown on Schedule 9. D. In Employment Commercial Mixed-Use Areas located in Regional Intensification Corridors within Employment Areas and Primary Intensification Corridors within Employment Areas as identified on Schedule 1, a minimum of 30% of the total gross floor area of all uses shall consist of uses other than retail uses. E. The following building types are permitted in areas designated as Employment Commercial Mixed-Use: <ol style="list-style-type: none"> i. Low Rise Buildings (only in Employment Commercial Mixed-Use areas not located in Regional Intensification Corridors within Employment Areas or Primary Intensification Corridors within Employment Areas); ii. Mid-rise buildings; iii. Public and Private Institutional Buildings; iv. Gas Stations; <p>Community Commercial Mixed Use</p>	<p>rely substantially on policies related to ancillary and/or accessory uses in the future.</p> <p>Our Recommendation: That the Vaughan Official Plan include definitions for Ancillary Uses and Accessory Uses.</p> <p>Regional intensification corridors and primary intensification corridors within employment areas (i.e. Highway 7) are capable of effectively serving broader retail interests and reconsideration of the proposed capping of retail uses at a gross floor area of 3,500 m² is recommended. We note that Major Retail Uses are not desirable for defined employment areas, however, major retail is defined as being greater than 10,000 m² per lot.</p>
<p>9.2.2.8 In areas designated on Schedule 13 as Community Commercial Mixed-Use, the following policies shall apply.</p> <p>A. Areas designated as Community Commercial Mixed-Use are primarily located along Regional Intensification Corridors, Primary Intensification Corridors or abutting major arterial streets. They shall be predominantly commercial areas appropriate for non-residential intensification and making efficient use of existing or planned rapid transit and transit investments. These areas are planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its intensification objectives and meeting the commercial needs of residents and businesses. These areas will be carefully designed with a high standard of architecture, urban built form and public realm and be well integrated with adjacent areas.</p> <p>B. Community Commercial Mixed-Use Areas will:</p>	

TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>i. Provide <i>Retail</i> uses that will primarily serve the residents of the community; and</p> <p>ii. Support the provision of Population Related Employment.</p> <p>C. The following uses shall be permitted in areas designated as Community Commercial Mixed-Use in addition to the uses permitted in policy 9.2.1.9;</p> <p>i. In Intensification Areas as shown on Schedule 1:</p> <ol style="list-style-type: none"> Office Uses; Hotel; Cultural and Entertainment Uses; <i>Retail</i> Uses; and Gas Stations subject to the following criteria: <ol style="list-style-type: none"> the use is located on an arterial street as indicated on Schedule 9; the use is limited to one gas station per intersection no gas stations shall be permitted at the intersection of two arterial streets as shown on Schedule 9. <p>ii. In a non-Intensification Areas:</p> <ol style="list-style-type: none"> Office Uses to a maximum of 12,500 m2 GFA per lot; Cultural and Entertainment Uses; <i>Retail</i> Uses; and Gas Stations subject to the following criteria: <ol style="list-style-type: none"> the use is located on an arterial street as indicated on Schedule 9; the use is limited to one gas station per intersection; no gas stations shall be permitted at the intersection of two arterial street as shown on Schedule 9. <p>D. In Community Commercial Mixed-Use Areas located in Regional Intensification Corridors and Primary Intensification Corridors on Schedule 1, a minimum of 30% of the total gross floor area of all uses shall consist of uses other than <i>retail</i> uses.</p> <p>E. The following building types are permitted in areas designated as Community Commercial Mixed-Use:</p> <ol style="list-style-type: none"> Low-Rise Buildings (only in Community Commercial Mixed-Use areas not located in Regional Intensification Corridors or Primary Intensification Corridors); Mid-rise buildings; Public and Private Institutional Buildings; Gas Stations; 	

TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>Amended Policies 9.2.2.10 "General Employment" and 9.2.2.11 "Prestige Employment"</p> <p>General Employment</p> <p>9.2.2.10 In areas designated on Schedule 13 as General Employment, the following policies shall apply:</p> <p>a. General Employment areas predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. While areas designated as General Employment will continue to accommodate vehicles and trucks, development in these areas will be designed with pedestrian connectivity amenity and to serve the daily employee population and to facilitate access to public transit.</p> <p>b. The following uses are permitted in areas designated as General Employment, in addition to those uses permitted through policy 9.2.1.9:</p> <ol style="list-style-type: none"> A full range of industrial uses including manufacturing, warehousing (but not a <i>retail warehouse</i>), processing, transportation, distribution, any of which may or may not include outdoor storage; Office and/or <i>retail</i> uses accessory to and directly associated with any of the uses listed in policy 1.1.1.1.b.i provided that: <ol style="list-style-type: none"> the accessory use is located on the same lot as the primary use; the combination of accessory office and accessory retail uses shall not exceed 49% of the total gross floor area devoted to the primary use provided that the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use. <p>c. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.</p> <p>d. Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the General Employment designation and adjacent sensitive land uses.</p> <p>e. No lot within General Employment designated areas shall be used for the sole purpose of outside storage. Where outside storage is proposed on a lot, a building must be provided in accordance with the provisions of the City's Zoning By-Law. Notwithstanding, outside storage shall not be permitted on a corner lot.</p> <p>f. The following Building Types are permitted in General Employment areas, pursuant to policies in subsection 9.2.3 of this Plan:</p> <ol style="list-style-type: none"> Employment/Industrial Buildings; Low-Rise Buildings; and Mid-Rise Buildings. 	<p>Under Policy 9.2.2.10 b) ii) A), as it appears, the accessory use can be located in a separate building on the same lot.</p> <p>Clarification is required regarding the intent of Policy 9.2.2.10 b) ii) B). It currently appears to be based on the total gross floor area devoted to the primary use and not the total gross floor area of the building.</p> <p>For example, at a minimum 51% primary use, the policy reads to imply that accessory office will not exceed 49% of the 51% primary use.</p> <p>Our Recommendation: For greater clarity and certainty regarding this matter, we recommend that this policy be revised.</p>

TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>Prestige Employment</p> <p>9.2.2.11 In areas designated on Schedule 13 as Prestige Employment, the following policies shall apply:</p> <p>a. Prestige Employment areas shall be characterized by high quality buildings in an attractive pedestrian-friendly, connected and transit-oriented working environment. A variety of lot sizes should be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses.</p> <p>b. Prestige Employment areas shall generally be located on arterial streets forming the edges of Employment Areas, and along 400-series highways, in order to:</p> <ol style="list-style-type: none"> allow the areas to provide a transition between General Employment areas and more sensitive land uses, locate greater intensity uses on key transportation routes, and provide locational opportunities for activities which require high visual exposure and an attractive working environment. <p>c. The following uses are permitted in areas designated as Prestige Employment, in addition to those uses permitted through policy 9.2.1.9:</p> <ol style="list-style-type: none"> Industrial uses including manufacturing, warehousing (but not a <i>retail warehouse</i>), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted. Office and or <i>retail</i> uses accessory to and directly associated with any of the uses listed in policy 1.1.1.1.c.i provided that: <ol style="list-style-type: none"> the accessory use is located on the same lot as the primary use; the combination of accessory office and accessory retail uses shall not exceed 49% of the total gross floor area devoted to the primary use provided that the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use. Office uses not accessory to and directly associated with any of the uses listed in policy 9.2.2.11 .c.i, up to a maximum gross floor area of 10,000 square metres provided that greater densities may be considered at sites located in higher profile areas such as major intersections (e.g. Arterial streets and 400-series Highways), or in proximity to planned transit stations at the time of consideration of implementing Secondary Plans, Block Plans and/or Zoning By-law. <i>Ancillary retail</i> uses subject to the following conditions: <ol style="list-style-type: none"> the gross floor area of any one <i>ancillary retail</i> unit generally shall not exceed 185 square metres; the total gross floor area of all <i>ancillary retail</i> uses on any one lot generally shall not exceed 20% of the total gross floor area of all uses on the lot or 1,000 square metres, whichever is less; and, the <i>ancillary retail</i> use must be located within 200 metres of the intersection of two arterial or collector streets as indicated on Schedule 9. Gas stations, subject to the following criteria: <ol style="list-style-type: none"> the use is located on an arterial street as indicated on Schedule 9; 	<p>Under Policy 9.2.2.11 c) ii) A), as it appears, the accessory use can be located in a separate building on the same lot.</p> <p>Clarification is required regarding the intent of Policy 9.2.2.10 c) ii) B). It currently appears to be based on the total gross floor area devoted to the primary use and not the total gross floor area of the building.</p> <p>For example, at a minimum 51% primary use, the policy reads to imply that accessory office will not exceed 49% of the 51% primary use.</p> <p>Our Recommendation: For greater clarity and certainty regarding this matter, we recommend that this policy be revised.</p>

TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>B. the use is limited to one gas station per intersection; and, C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.</p> <p>d. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.</p> <p>e. Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the Prestige Employment designation and adjacent sensitive land uses.</p> <p>f. The following Building Types are permitted in Prestige Employment areas pursuant to policies in subsection 9.2.3 of this Plan:</p> <ul style="list-style-type: none"> i. Employment/Industrial Buildings; ii. Low-Rise Buildings; iii. Mid-Rise Buildings; and iv. Gas Stations. 	

1710_1711TableA.Apr.03.12

C16
Item 23
CW - April 3/2012

April 3, 2012

DELIVERED

Committee of the Whole - City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

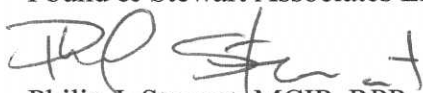
Attn: Chair Yeung-Racco & Members of Committee

**Re: Committee of the Whole Meeting – April 3, 2012
Agenda Item # 23, Modifications to the Vaughan Official Plan 2010
Response to Public, Government and Agency Submissions File 25.1
On Behalf of OPGI Management LP ('Oxford')
Our File: 1704**

We are the planners of record writing on behalf of OPGI Management LP ('Oxford') with respect to the above captioned item. Thank-you for the opportunity to file our submission regarding the City's latest round of proposed Official Plan 2010 modifications. We remain active participants in this planning process and have previously filed written submissions regarding these matters; with the most substantive dated May 17, 2010, January 26, 2011 and March 6, 2012. We wish to thank City Staff for their assistance and progress to date on our prior submissions.

Please refer to Table A: Comments on April 3, 2012 Proposed Modifications to the Vaughan Official Plan 2010 providing a summary of our initial comments. We request the Committee refer our submission to City Staff for their further deliberation on the City's new Official Plan document and Implementation program. We look forward to a future opportunity to review a 'modifications' consolidation of the City's adopted Official Plan document, and request notification regarding same and any future meetings.

Respectfully submitted,
Pound & Stewart Associates Limited



Philip J. Stewart, MCIP, RPP
Principal

/la

1704ltr.Apr.03.12

cc. Mr. D. Kelly, Regional Clerk, Region of York
cc. Mr. J. Abrams, City Clerk, City of Vaughan
cc. Mr. J. MacKenzie, Commissioner of Planning, City of Vaughan
cc. OPGI Management LP ('Oxford')

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 • 416 482 9797
305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 • 905 305 9797
1 800 250 9056 • WWW.CITYPLAN.COM • INFO@CITYPLAN.COM



TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>Recommended "Employment Commercial Mixed-Use" (9.2.2.7) and "Community Commercial Mixed-Use" (9.2.2.8) Policies</p> <p>Employment Commercial Mixed Use</p> <p>9.2.2.7 In areas designated on Schedule 13 as Employment Commercial Mixed-Use, the following policies shall apply.</p> <p>A. Areas designated as Employment Commercial Mixed-Use are located along Regional Intensification Corridors within Employment Areas, Primary Intensification Corridors within Employment Areas or in Employment Areas abutting major arterial streets. This designation recognizes existing areas of predominately commercial uses within the Employment Area as of the adoption of this plan. Such areas are appropriate for non-residential intensification and make efficient use of existing or planned rapid transit and transit investment. These areas are planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its <i>intensification</i> objectives.</p> <p>B. Employment Commercial Mixed-Use Areas Will:</p> <ol style="list-style-type: none"> Support the City's intensification objectives for Regional Intensification Corridors within Employment Areas and Primary Intensification Corridors within Employment Areas; Contribute to the provision of ancillary uses, which primarily serve the needs of businesses and employees in the Employment Areas; Provide a focus for business activity providing for the largest and most comprehensive concentrations of supporting ancillary uses and amenities in the Employment Areas, including larger scale ancillary uses; Be included in the calculation of the maximum amount of land which may be devoted to ancillary uses in the Employment Areas as set out in Policy x.x.x.x.; Be carefully designed with a high standard of public realm and urban built form to contribute to the creation of an urban environment with a strong pedestrian orientation and attractive streetscapes in respect of the high profile locations of this designation; Conform to policies 2.2.4.2, 2.2.4.3 and 2.2.4.4 of this Plan. <p>C. The following uses shall be permitted in areas designated as Employment Commercial Mixed-Use in addition to the uses permitted in policy 9.2.1.9:</p> <ol style="list-style-type: none"> In Intensification Areas as shown on Schedule 1: <ol style="list-style-type: none"> Office; Hotel; Cultural and Entertainment Uses; Retail Uses; provided that no Retail unit shall exceed a Gross Floor Area of 3,500 square meters; and Gas Stations subject to the 	<p>In order to carefully review the implications of the proposed policy changes, it would be appropriate to review affected land use schedules.</p> <p>According to Stephen Dixon, Planner, City of Vaughan, "Ancillary uses would be your small scale retail or commercial uses or office uses that primarily serve the business function in employment lands, so they would be separate retail or office or commercial uses in employment lands to serve the needs.</p> <p>Whereas accessory office uses are office uses directly associated with the primary permitted land use on the lot, so if there was an employment land use, or an industrial use, for example, an industrial use would allow for a certain amount accessory office use within that building, whereas an ancillary is a stand alone either retail or commercial or office use within the business district to serve the surrounding businesses."</p> <p>Since the Regional Official Plan defines Ancillary Uses as "small scale retail and commercial uses that primarily serve the business functions on employment lands."</p> <p>The City of Vaughan Official Plan does not include a definition of Ancillary Uses or Accessory Uses, and will</p>

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<p>following criteria:</p> <ol style="list-style-type: none"> 1. the use is located on an arterial street as indicated on Schedule 9; 2. the use is limited to one gas station per intersection 3. no gas stations shall be permitted at the intersection of two arterial streets as shown on Schedule 9. <p>ii. In non-Intensification Areas:</p> <ol style="list-style-type: none"> A. Office Uses to a maximum of 12,500 m2 GFA per lot; B. Cultural and Entertainment Uses; C. <i>Retail</i> Uses; provided that no Retail unit shall exceed a Gross Floor Area of 3,500 square metres; and Gas Stations subject to the following criteria: <ol style="list-style-type: none"> a. the use is located on an arterial street as indicated on Schedule 9; b. the use is limited to one gas station per intersection; c. no gas stations shall be permitted at the intersection of two arterial streets as shown on Schedule 9. D. In Employment Commercial Mixed-Use Areas located in Regional Intensification Corridors within Employment Areas and Primary Intensification Corridors within Employment Areas as identified on Schedule 1, a minimum of 30% of the total gross floor area of all uses shall consist of uses other than retail uses. E. The following building types are permitted in areas designated as Employment Commercial Mixed-Use: <ol style="list-style-type: none"> i. Low Rise Buildings (only in Employment Commercial Mixed-Use areas not located in Regional Intensification Corridors within Employment Areas or Primary Intensification Corridors within Employment Areas); ii. Mid-rise buildings; iii. Public and Private Institutional Buildings; iv. Gas Stations; <p>Community Commercial Mixed Use</p>	<p>rely substantially on policies related to ancillary and/or accessory uses in the future.</p> <p>Our Recommendation: That the Vaughan Official Plan include definitions for Ancillary Uses and Accessory Uses.</p> <p>Regional intensification corridors and primary intensification corridors within employment areas (i.e. Highway 7) are capable of effectively serving broader retail interests and reconsideration of the proposed capping of retail uses at a gross floor area of 3,500 m2 is recommended. We note that Major Retail Uses are not desirable for defined employment areas, however, major retail is defined as being greater than 10,000 m2 per lot.</p>
<p>9.2.2.8 In areas designated on Schedule 13 as Community Commercial Mixed-Use, the following policies shall apply.</p> <p>A. Areas designated as Community Commercial Mixed-Use are primarily located along Regional Intensification Corridors, Primary Intensification Corridors or abutting major arterial streets. They shall be predominantly commercial areas appropriate for non-residential intensification and making efficient use of existing or planned rapid transit and transit investments. These areas are planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its intensification objectives and meeting the commercial needs of residents and businesses. These areas will be carefully designed with a high standard of architecture, urban built form and public realm and be well integrated with adjacent areas.</p> <p>B. Community Commercial Mixed-Use Areas will:</p>	

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City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>i. Provide <i>Retail</i> uses that will primarily serve the residents of the community; and</p> <p>ii. Support the provision of Population Related Employment.</p> <p>C. The following uses shall be permitted in areas designated as Community Commercial Mixed-Use in addition to the uses permitted in policy 9.2.1.9:</p> <p>i. In Intensification Areas as shown on Schedule 1:</p> <ol style="list-style-type: none"> Office Uses; Hotel; Cultural and Entertainment Uses; <i>Retail</i> Uses; and Gas Stations subject to the following criteria: <ol style="list-style-type: none"> the use is located on an arterial street as indicated on Schedule 9; the use is limited to one gas station per intersection no gas stations shall be permitted at the intersection of two arterial streets as shown on Schedule 9. <p>ii. In a non-Intensification Areas:</p> <ol style="list-style-type: none"> Office Uses to a maximum of 12,500 m2 GFA per lot; Cultural and Entertainment Uses; <i>Retail</i> Uses; and Gas Stations subject to the following criteria: <ol style="list-style-type: none"> the use is located on an arterial street as indicated on Schedule 9; the use is limited to one gas station per intersection; no gas stations shall be permitted at the intersection of two arterial street as shown on Schedule 9. <p>D. In Community Commercial Mixed-Use Areas located in Regional Intensification Corridors and Primary Intensification Corridors on Schedule 1, a minimum of 30% of the total gross floor area of all uses shall consist of uses other than <i>retail</i> uses.</p> <p>E. The following building types are permitted in areas designated as Community Commercial Mixed-Use:</p> <ol style="list-style-type: none"> Low-Rise Buildings (only in Community Commercial Mixed-Use areas not located in Regional Intensification Corridors or Primary Intensification Corridors); Mid-rise buildings; Public and Private Institutional Buildings; Gas Stations; 	

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City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>Amended Policies 9.2.2.10 "General Employment" and 9.2.2.11 "Prestige Employment"</p> <p>General Employment</p> <p>9.2.2.10 In areas designated on Schedule 13 as General Employment, the following policies shall apply:</p> <p>a. General Employment areas predominantly industrial areas characterized by low scale buildings with a variety of lot sizes to provide flexibility for attracting and accommodating a wide range of industrial and associated employment uses. While areas designated as General Employment will continue to accommodate vehicles and trucks, development in these areas will be designed with pedestrian connectivity amenity and to serve the daily employee population and to facilitate access to public transit.</p> <p>b. The following uses are permitted in areas designated as General Employment, in addition to those uses permitted through policy 9.2.1.9:</p> <ul style="list-style-type: none"> i. A full range of industrial uses including manufacturing, warehousing (but not a <i>retail warehouse</i>), processing, transportation, distribution, any of which may or may not include outdoor storage; ii. Office and/or <i>retail</i> uses accessory to and directly associated with any of the uses listed in policy 1.1.1.1.b.i provided that: <ul style="list-style-type: none"> A. the accessory use is located on the same lot as the primary use; B. the combination of accessory office and accessory retail uses shall not exceed 49% of the total gross floor area devoted to the primary use provided that the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use. <p>c. The operation of any use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission or discharge of noise, vibration, particulate, odour or other irritants.</p> <p>d. Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the General Employment designation and adjacent sensitive land uses.</p> <p>e. No lot within General Employment designated areas shall be used for the sole purpose of outside storage. Where outside storage is proposed on a lot, a building must be provided in accordance with the provisions of the City's Zoning By-Law. Notwithstanding, outside storage shall not be permitted on a corner lot.</p> <p>f. The following Building Types are permitted in General Employment areas, pursuant to policies in subsection 9.2.3 of this Plan:</p> <ul style="list-style-type: none"> i. Employment/Industrial Buildings; ii. Low-Rise Buildings; and iii. Mid-Rise Buildings. 	<p>Under Policy 9.2.2.10 b) ii) A), as it appears, the accessory use can be located in a separate building on the same lot.</p> <p>Clarification is required regarding the intent of Policy 9.2.2.10 b) ii) B). It currently appears to be based on the total gross floor area devoted to the <u>primary use</u> and not the total gross floor area of the building.</p> <p>For example, at a minimum 51% primary use, the policy reads to imply that accessory office will not exceed 49% of the 51% primary use.</p> <p>Our Recommendation: For greater clarity and certainty regarding this matter, we recommend that this policy be revised.</p>

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City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
<p>Prestige Employment</p> <p>9.2.2.11 In areas designated on Schedule 13 as Prestige Employment, the following policies shall apply:</p> <p>a. Prestige Employment areas shall be characterized by high quality buildings in an attractive pedestrian-friendly, connected and transit-oriented working environment. A variety of lot sizes should be made available in areas designated as Prestige Employment to provide flexibility for attracting and accommodating a wide range of employment uses.</p> <p>b. Prestige Employment areas shall generally be located on arterial streets forming the edges of Employment Areas, and along 400-series highways, in order to:</p> <ol style="list-style-type: none"> allow the areas to provide a transition between General Employment areas and more sensitive land uses, locate greater intensity uses on key transportation routes, and provide locational opportunities for activities which require high visual exposure and an attractive working environment. <p>c. The following uses are permitted in areas designated as Prestige Employment, in addition to those uses permitted through policy 9.2.1.9:</p> <ol style="list-style-type: none"> Industrial uses including manufacturing, warehousing (but not a <i>retail warehouse</i>), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted. Office and or <i>retail</i> uses accessory to and directly associated with any of the uses listed in policy 1.1.1.1.c.i provided that: <ol style="list-style-type: none"> the accessory use is located on the same lot as the primary use; the combination of accessory office and accessory retail uses shall not exceed 49% of the total gross floor area devoted to the primary use provided that the accessory retail use is limited to no more than 10% of the total gross floor area of the primary use. Office uses not accessory to and directly associated with any of the uses listed in policy 9.2.2.11 .c.i, up to a maximum gross floor area of 10,000 square metres provided that greater densities may be considered at sites located in higher profile areas such as major intersections (e.g. Arterial streets and 400-series Highways), or in proximity to planned transit stations at the time of consideration of implementing Secondary Plans, Block Plans and/or Zoning By-law. <i>Ancillary retail</i> uses subject to the following conditions: <ol style="list-style-type: none"> the gross floor area of any one <i>ancillary retail</i> unit generally shall not exceed 185 square metres; the total gross floor area of all <i>ancillary retail</i> uses on any one lot generally shall not exceed 20% of the total gross floor area of all uses on the lot or 1,000 square metres, whichever is less; and, the <i>ancillary retail</i> use must be located within 200 metres of the intersection of two arterial or collector streets as indicated on Schedule 9. Gas stations, subject to the following criteria: <ol style="list-style-type: none"> the use is located on an arterial street as indicated on Schedule 9; 	<p>Under Policy 9.2.2.11 c) ii) A), as it appears, the accessory use can be located in a separate building on the same lot.</p> <p>Clarification is required regarding the intent of Policy 9.2.2.10 c) ii) B). It currently appears to be based on the total gross floor area devoted to the primary use and not the total gross floor area of the building.</p> <p>For example, at a minimum 51% primary use, the policy reads to imply that accessory office will not exceed 49% of the 51% primary use.</p> <p>Our Recommendation: For greater clarity and certainty regarding this matter, we recommend that this policy be revised.</p>

TABLE A: COMMENTS ON APRIL 3, 2012 PROPOSED MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN (2010)

City of Vaughan Policy Modifications from Staff Evaluation	Our Comments
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April 2, 2012

DELIVERED BY HAND

Clerk's Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

C17
Item 23
cw-April 3/2012.

Re: OP.25.1

Embee Properties Limited is the registered owner of certain lands in the City of Vaughan; namely: 9771-9799 Jane Street; and, 9930-9980 Dufferin Street.

We were an active participant in the original VOP process leading to Council's approval September 7, 2010.

Council approved policy 5.2.3.7. which, in part, clarified that any drive-through prohibition excludes primary Intensification Corridors that are not Regional Corridors.

Last fall, staff recommended replacing approved policy 5.2.3.7. with a new policy that no longer included this clarification. We preferred policy 5.2.3.7. as approved by Council.

Staff then modified their recommendation to allow further review of these policies.

We met with staff on September 19, 2011, at which time Ms. Birchall confirmed that their proposed wording was an "oversight" and that wording would be reinstated to address our concern.

We have followed up with staff from time to time, particularly after their latest report was available online. We can find no reference to staff's previously confirmed corrective action regarding policy 5.3.2.7, and we have no reply from staff in this matter.

For these reasons, we object to any recommendation or action to replace the original approved policy 5.2.3.7.

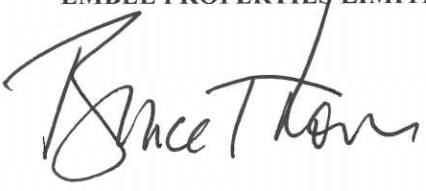
2...

We will attend the Committee of the Whole meeting on April 3, 2012.

We request that we receive written notice of any and all further actions by the City with regard to this file.

Respectfully submitted.

EMBEE PROPERTIES LIMITED


for: Michael Baker
Director

MB:bk

DEPUTATION

C18
Item 23
CW - April 3/2012

TO: CITY OF VAUGHAN COUNCIL
FROM: CROWN HEIGHTS CO-OPERATIVE HOMES, INC.
DATE: APRIL 3, 2012

SUBJECT: REQUEST FOR MODIFICATION OF OFFICIAL PLAN

Crown Heights Cooperative Housing, Inc. has provided affordable homes to many families since its construction 28 years ago. It is a low-rise complex, located on the east side of Bathurst Street, north of Steeles, (abutting the CN Rail Line to its south), and comprised of 118, 3- and 4-bedroom single-family townhouses (diagram attached). As a Government of Canada development under Section 95 of the "National Housing Act", about 27% of our households are supported with Rent-Geared-to-Income funding provided by the Federal Government, and as well, we have maintained housing charges below market rate for most of our operational period.

We are here today to request Vaughan City Council to modify the land-use designation currently set out in the Adopted Official Plan to increase the *allowable height, density, and use* of the property upon which our Coop is situated. We have just recently become aware that the City has revised neighbouring property's designations, consistent with regional policies that encourage intensification along major arteries such as Bathurst Street.

Probably the City didn't realize, about 6 years ago we struck a Coop "Vision" committee, and with the help of a development consultant, drafted sketches to build a seniors' building on our site, however when we discovered the costs of such necessities as conducting feasibility studies, applying for amendments to the Official Plan and Zoning By-Law, etc., we were unable to move forward.

Some of the RATIONALES behind why we feel it would be worthwhile modifying our land use in the Adopted Official Plan at this time are:

1. **Our Changing Community – Aging Population** - the composition of our Coop has changed, starting out occupied by families with children, over the years it has evolved to have quite a few homes with single elderly members living alone in 3-4 bedroom houses, and in numerous cases, unable to climb stairs. In other words, the housing stock has not had the "flexibility" to accommodate the changes in the stages of life experienced by our members. We may wish to change that. Although we have no specific plan at this time, we could build on the discussions we started a few years ago. If given the opportunity to modify our Official Plan designation, we could undertake immediately to begin to envision and design a more specific direction for Council's further consideration. At this time, we are thinking about two approaches:
 - i. Short term – retrofit/renovate existing houses either to install accessibility features and/or into secondary units.
 - ii. Long term – possibly remove some existing houses and replace with a building, probably a seniors/accessible residence. Please note, our homes were quite poorly built, and the end of their "shelf-life" is fast approaching. Further, due to having kept housing charges low for so long, our Coop has not kept pace with repair/replacement and is currently facing considerable costs for capital replacement. Therefore, it would make sense to consider re-construction.

2. **Neighbouring Land-Use Designations** in the Adopted Official Plan include much higher allowances, so intensifying our land use would be consistent with that part of the neighbourhood. For example, the plaza abutting our site to the north has been assigned 4-storey height and 1.5 times coverage. South of the CN Rail line a 4-storey medical centre already exists, and south of that, the plazas have been designated for 12-storey height and considerable more coverage.
3. **A "leg-up" for the Future:** If we modify the Official Plan now, it could save us the considerable time, trouble, and cost of applying for an amendment to the Official Plan later, should we decide to renovate or re-build.
4. **Community development** – our members are receptive the idea of improving accessibility and affordability of the homes in our Coop.
5. **Changes in our Financial Support Base** – in 8 years, our Agreement with the Federal Government will end, and the subsidy funds will no longer be available. We feel that if we can provide appropriate accommodation for our infirm and elderly in the coming years, not only will they be more comfortably-housed, but it will help cut their housing costs.
6. **Partners in the "Community-at-large"** – we may be able to team up with partners who have the experience and skills to drive forward a project on our site, and help with the costs.
7. **"Seed money" is now available** (through CMHC) for feasibility studies and possibly for initiating municipal (zoning/building) applications, etc.
8. **Affordable Housing Directives in the Region** – there is much concern at all levels of government about providing affordable housing. Our intentions are to do so.

Thank you for considering our request.

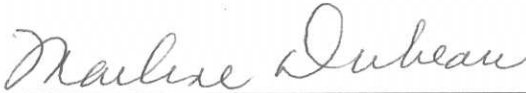
Sincerely,




Authorized to Sign for the Corporation,
CROWN HEIGHTS CO-OPERATIVE HOMES, INC.



Date



Authorized to Sign for the Corporation,
CROWN HEIGHTS CO-OPERATIVE HOMES, INC.



Date

CROWN HEIGHTS COOPERATIVE HOMES, INCORPORATED

Crown Heights Crescent

REQUEST FOR MODIFICATION TO ADOPTED OFFICIAL PLAN

APRIL 3, 2012





C19
Dep 2
CW - April 3/2012

Support from:



Corporate Partners:



RBC Royal Bank®



Platinum Partners:



Event Profile

The 8th Annual *Run for Vaughan* is a community event initiated by the Ahmadiyya Muslim Community Canada, located in the City of Vaughan. We along with the residents of this great City are excited that the Hospital is to soon become a reality! To date we have collected approx \$325,000. We look forward to a record year for collections and participation for 2012.

We are excited to announce that this year's Run will be at Canada's Wonderland!

The City of Vaughan is one of Canada's best places to live, and we share the commitment of the City's Mayor and Council to work toward making Vaughan an even better place for all citizens of the community to live, work, and raise their children.

The **vision and mission** of the *Run for Vaughan* is to include all members of the Vaughan community, local business and organizations in a special annual event in support of the development of the **City of Vaughan's first hospital**. Endorsed by the Vaughan City Council, Run for Vaughan will provide an opportunity for all members of the community to get together, have fun, stay fit and successfully fundraise for the good of the City as a whole.

Objectives

- Bring Vaughan residents, businesses, schools, faith based organizations, and other groups/associations together to raise money for critical Vaughan charitable causes by competing against each other in a fun-filled day of exercise
- Give back to our community through direct fundraising and the development of new community relationships
- Provide our corporate sponsors with a significant return on investment through corporate exposure, community goodwill, name recognition and networking
- Explore opportunities to incorporate a half/full Marathon in the coming years while further enhancing Vaughan's tourism and attraction



Event Details

The *Run for Vaughan* is comprised of three events, 10K and 5K runs along with a 1K Family Fun Run/Walk open to professional runners, amateur runners and the general public. Everyone is welcome and encouraged to participate. Full details available at www.RunForVaughan.com

Date: Sunday, May 27, 2012

Time: 8:00 am – 11:00am



Testimonial

"Run for Vaughan is a community wide fundraising event, and a great opportunity for both social and physical activity – everyone is encouraged to join. The 10km/5km/1km route options are suitable for adults and children, amateurs and professionals, runners, joggers and walkers, making it an event that truly reflects the collective spirit of our vibrant community. It is an outstanding way to be fit and have fun with your friends and family while raising money for more accessible healthcare in our community."

– Hon. Greg Sorbara

Volunteers

Run for Vaughan is 100% supported by volunteers. Up to 200 volunteers will be provided by the Ahmadiyya Muslim Community, while many other community members from schools, faith-based organizations and local businesses will also be involved.

Thank You!!

The support from the City of Vaughan Council and Staff has been tremendously appreciated. Your support and enthusiasm is second to none. Thank you again and we look forward to seeing everyone on May 27th (with your runners)!

*Great communities don't just happen - they're built through partnership, teamwork and community spirit.
Run for your community - Run for accessible healthcare - Run for Vaughan!*

www.RunforVaughan.com



C20
Dep b)
CW-April 3/2012

Unit 14215
2180 Steeles Ave. West
Vaughn, Ontario
Canada, L4K 2Z5

Tel: 905 532 0504
905 532 9594
Fax: 905 532 9828

Restaurant & Lounge

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

RE: Requesting Extension of Outdoor Exhibition to 4:00 am

Distinguish Panel,

We are requesting an extension until 4:00 am on each day of the three events listed below:

1. **A two day event on June 23rd and June 24th / 2012 to celebrate Guyana Independence,**
2. **A one day event on July 01st / 2012 to celebrate Canada Day,**
3. **A three day event on August 3rd, 4th and 5th / 2012 to celebrate Toronto Caribbean Carnival.**

The purpose of the events is to showcase the Caribbean Arts, Culture and Cuisine and, to bring Caribbean people together. The events will be held in the parking lot of the Concordian Business Square located at 2180 Steeles Ave. W., Vaughan ON, L4K 2Z5. It is schedule to commence at 7:00 pm each day and concludes at 4 am the following day, providing that our request for extension until 4:00 am is duly granted by the distinguish panel.

We will:

- Notify the Police, Fire and Health Departments of the events and fully abide by their rules.
- Inform the AGCO as a liquor license permit will be required.
- Seek Noise Exemption from the City of Vaughan Enforcement Services Department
- Ensure liability insurance coverage for the City of Vaughn in the required amount.
- Provide security guards and paid duty police officers as per the Chief of Police request.

We look forward to your assistance in this matter and pledge to fully cooperate with all the various Departments and abide by the rules, regulations and City bylaws to ensure the safety of everyone.

Should you have further questions, please contact us at the contact information listed below.

Sincerely,

A handwritten signature in black ink, appearing to read "Ganga Totaram", written over a horizontal line.

Ganga Totaram

Coconut's Restaurant & Lounge
2180 Steeles ave. w.,
Vaughan , ON. L4K 2Z5

Tel: 905 - 532 - 9594

Cell: 416 -795 -9599

Fax: 905 - 532 - 9828

Email: kishore@coconutsrestaurantandlounge.com