

COUNCIL – MARCH 20, 2012

COMMUNICATIONS

Distributed March 16, 2012

		Report No.	Item No.	Committee
C1.	Ms. Sophie Koniavitis, dated February 28, 2012.	10	5	Committee of the Whole (Public Hearing)
C2.	Serik Bikbayev, dated February 28, 2012.	10	5	Committee of the Whole (Public Hearing)
C3.	Ms. Pamela McEwen-Barbuto, dated February 28, 2012.	10	4	Committee of the Whole (Public Hearing)
C4.	Mr. Jeffrey Streisfield, dated March 5, 2012.	8	14	Committee of the Whole
C5.	Mr. Philip J. Levine, dated March 6, 2012.	8	14	Committee of the Whole
C6.	Ms. Kimberly L. Beckman, dated February 21, 2012.	10	5	Committee of the Whole (Public Hearing)
C7.	Mr. Domenic Rotundo, dated March 12, 2012.	8	25	Committee of the Whole
C8.	Memorandum from the Commissioner of Planning, dated March 13, 2012.	8	9	Committee of the Whole
C9.	Confidential memorandum from the Commissioners of Legal and Administrative Services, Community Services and Engineering and Public Works, dated March 20, 2012.	9	2	Committee of the Whole (Closed)
C10.	Memorandum from the Commissioner of Planning, dated March 20, 2012.	8	25	Committee of the Whole
C11.	Memorandum from the Commissioner of Planning, dated March 20, 2012.	8	11	Committee of the Whole
C12.	Confidential memorandum Legal Counsel, dated March 15, 2012.	8	17	Committee of the Whole

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Please note there may be further Communications.

Subject:

FW: re File Number: OP.11.012&Z.11.043, and re Properties Ltd.

C	1
Item #	5
Report No.	10 (PHY)
Council - MARCH 2012	

From: Sophie Koniavitis [mailto:sophie.koniavitis@gmail.com]

Sent: Tuesday, February 28, 2012 6:54 PM

To: DevelopmentPlanning@vaughan.ca

Subject: re File Number: OP.11.012&Z.11.043, and related file DA.11.114 (West Rutherford Properties Ltd.)

Hello,

I am writing to you as a concerned and immediate resident of the Weston Road and Rutherford Road area which will be directly effected by the proposed re-zoning application referenced above. Please accept my comments in my absence of being able to attend and express my opposition in person at the public hearing scheduled for February 28, 2012 at 7pm. Unfortunately, I cannot attend in person due to a work conflict, and I trust that my comments will be taken into account.

As this re-zoning proposal is clearly inconsistent with the existing land use or master plan of our city, the changes sought after by West Rutherford Properties Ltd. constitute a plan to gain profit at our community's expense and any approval of these changes would confer preferential benefits for the applicants.

Our community has seen a tremendous amount of growth over the decade I have lived here, and I am very proud of the partnership between the residents, its community leaders, businesses as well as the Vaughan's planning as they have had a common goal in mind; to protect the residential character of our neighbourhood, and thus far, I am pleased with the balance it has achieved.

By nature of the proposal itself...moving from a "Medium density, Residential-Commercial" to "High density Residential Commercial" we find ourselves debating the balance the City of Vaughan has managed to protect and should continue to protect.

I would like to be more specific on my comments about protecting the balance in our neighbourhood...the existing zoning as is, supports our partnership of stimulating the local economy and will have a smaller effect on the traffic congestion...the addition of multiple residents, specifically for Apartment residents clearly will over congest our neighbourhood and to put it bluntly, stimulate West Rutherford Properties' economy.

I strongly urge that this proposal be rejected and that the original zoning be respected...approval of this proposal will result in undue hardships for our existing community...our freedom to enjoy our community's balance of commercial and residential, a clear respect of the traffic congestion and its impacts to the quality of life our families enjoy, and the negative environmental impacts that will surely follow.

The rejection of this proposal will not result in any undue hardship for West Rutherford Properties Ltd...other than the profits they will lose to make.

Prior to moving to the City of Vaughan, I was attracted by the City's respect for the environment, for promoting the balance of building a warm and family oriented community where any growth within our City was to benefit the community...not to benefit the individual companies interested to manipulate our land for their own profits.

I thank-you in advance for taking my opposition to this proposal as it pertains to the decision making process and hope that we can continue to foster the partnerships which built this community until this point, and will continue to protect it for years to come.

Sophie Koniavitis
49 Foxhunt Drive
Woodbridge, On
L4H2K5

Subject:

FW: Related File No. DA.11.114

C	2
Item #	5
Report No.	10 (PH)
Council - MARCH 20/12	

From: Serge Bikbayev [mailto:sergebik@hotmail.com]

Sent: Tuesday, February 28, 2012 6:54 PM

To: DevelopmentPlanning@vaughan.ca

Subject: Related File No. DA.11.114

Dear Development Planning Department,

This communication is in regards to the plan to erect townhouses and apartment buildings at 3660 Rutherford Road, City of Vaughan.

We are highly concerned about the impact that this development will have on the traffic and, subsequently, on the safety of the residents of the neighbourhood.

As you know, the area Weston Rd. – Highway 400 - Rutherford Rd. -Major Mackenzie Rd. is located near Highway 400 which is used by many people to get to/from/ and around York Region. Many vehicles pass through the neighbourhood as they make their way to Hwy 400. The intersections near the proposed construction location – namely, Rutherford Rd. & Vellore Woods Blvd, Weston Rd. & Rutherford Rd.- are especially busy, as they are the ones closest to highway exits.

In addition, there is St. Emily's Catholic School located at Vellore Woods Blvd. and Comdel Blvd. This site is also crowded with the cars of teachers and parents who drive their children to school.

In summary, the neighbourhood already experiences high stream of traffic during rush hours. With the upcoming opening of a new commercial plaza at Rutherford Rd. & Vellore Woods Blvd. and a new Wal-Mart store at Major Mackenzie Rd. & Vellore Woods Blvd. this stream will increase even further. And if the proposed new dwellings are created, the level of traffic will skyrocket, threatening the safety of school children and pedestrians.

Sincerely,

Serik Bikbayev

File No. : OP.11.012 & Z.11.043

P.s. We are explicitly asking the City not to make this communication and any personal information, such as our home address, postal code, e-mail address and telephone available to the public.

Subject:

FW: Amend Official Plan #600 Amended by OPA
Density Residential Commercial"

C	3
Item #	4
Report No.	10 (PH)
Council - MARCH 20/12	

From: Pamela McEwen Barbuto [mailto:pamela.mcewen@gmail.com]

Sent: Tuesday, February 28, 2012 4:49 PM

To: DevelopmentPlanning@vaughan.ca

Cc: barbuto7@hotmail.com

Subject: Amend Official Plan #600 Amended by OPA#650 "Low Rise Residential" to "High Density Residential Commercial"

Good Day,

I am writing to voice my concern regarding the proposed apartment buildings that are to be developed on the south-east corner of Weston Road and Retreat Boulevard north of Major Mackenzie Drive.

I am a resident of this area, living on Argento Cres, and my husband and I are greatly disappointed to hear of this project. We moved to this area 3 years ago for the benefits of a community that offers, beautiful homes, and young growing families like our own safe and convenient place to live and raise our children. We feel that the proposed apartment buildings (anywhere) in Woodbridge would ruin the reputation of this wonderful city. It would no longer be a safe place to raise a family. This type of development would increase population and add congestion (to an already congested area during rush hour) not only making our roads busier but congesting our community. With 379 units at 2-4 per person per each unit, the population of the community would instantly raise to over 1000+ more people; not to mention that this would also translate to 1-2 cars per unit, which would dramatically increase traffic and pollution in the area. Building these apartments would transform this quiet community perfect for raising a family to downtown Toronto. I believe along with many others that there is no place for the proposed apartments in Woodbridge.

To add to my point above, we want our children to be able to play outside in a quiet community with a backdrop of homes, parks and schools, not to congestion, noise and the hustle and bustle of downtown Toronto. Having been raised in downtown Toronto my husband and I decided that this was not the lifestyle we wanted our children to grow up in that is why we chose Woodbridge to raise our family.

We are very concerned as to the negative effects these complexes will bring to our neighbourhood. Congestion, pollution, traffic, crime, all of these concerns have already plagued many cities in Ontario, let's not make Woodbridge fall victim to this as well. I propose that the City of Vaughan keep Woodbridge a safe, quiet place for young couples to raise a family.

Thank you for your time, and I hope all of the above concerns are heard.

Regards,

Pamela McEwen-Barbuto

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Subject: FW: Vaughan OP - Committee of Whole - Item #2

C	4
Item #	14
Report No.	8 (CW)
Council - MARCH 2012	

From: Jeffrey Streisfield Land Law [mailto:jeffrey@landplanlaw.com]

Sent: Monday, March 05, 2012 2:40 PM

To: Magnifico, Rose

Subject: Fw: Vaughan OP - Committee of Whole - Item #14 (Modifications to Vaughan OP - Vol #2)

Please ensure that this email finds its way to council in the event it has not been sent to council.

Thank you.

Jeffrey E Streisfield, BA LLB MES
Land Lawyer & Land Development Manager

LAND LAWTM

<http://landplanlaw.com>

tel: 416 460 2518

skype: Jeffrey_Streisfield

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----- Forwarded Message -----

From: Jeffrey Streisfield Land Law <jeffrey@landplanlaw.com>

To: "clerk@vaughan.ca" <clerk@vaughan.ca>

Cc: "DIANA.BIRCHALL@vaughan.ca" <DIANA.BIRCHALL@vaughan.ca>

Sent: Tuesday, February 28, 2012 12:32:21 PM

Subject: Vaughan OP - Committee of Whole - Item #14 (Modifications to Vaughan OP - Vol #2)

I am legal counsel to Haulover Investments Ltd., owner of 8100 Yonge Street. Unfortunately I am not able to attend today's meeting.

Our client continues to have concerns with staff's refusal to address the issues previously raised in writing and through deputations to this committee and council (re OP Volume 1 & Yonge Steeles Corridor Secondary Plan). We note that staff are studying and therefore dealing with the Dorian Place area in a manner that reflects similar principles that were put forward in our submission.

Kindly provide the undersigned with notice of any decision taken by council in connection with this report.

Thank you.

Jeffrey E Streisfield, BA LLB MES
Land Lawyer & Land Development Manager
310 Hillhurst Blvd., Toronto, ON M6B 1N1

LAND LAWTM

<http://landplanlaw.com>

tel: 416 460 2518

skype: Jeffrey_Streisfield

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tel 416 596 1930
fax 416 596 0644

C	5
Item #	14
Report No.	8 (CW)
Council - MARCH 20/12	

March 6, 2012

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

Attention: Mr. Jeffrey A. Abrams, City Clerk

Dear Mr. Abrams:

**CITY OF VAUGHAN DRAFT OFFICIAL PLAN
FILE NUMBER OP.25.1**

COMMITTEE OF THE WHOLE MEETING OF FEBRUARY 28, 2012, REPORT 8, CLAUSE 14

We are the Urban Planners retained by Liberty Development Corporation, on behalf of 1834375 Ontario Inc. owners of the former Concord Floral and ORC lands located at 1890 and 1870 Highway 7 West.

We have expressed concerns about the manner in which the Official Plan treated those lands in correspondence to the City dated June 7, 2010.

Kindly note that applications had been filed for an OPA and Rezoning in 2007 by the former owners of this property (your files OP 07.013 and Z 07.052 respectively). The applications are still active and the new owners are currently working on revisions to these applications which will be resubmitted to the City shortly. It is our submission that recognition should be provided so that the concerns we have raised are reflected in the new Official Plan.

Please keep us informed as this matter proceeds.

Yours truly

IBI GROUP

Philip J. Levine
Director

PJL:mr

cc: Lezlie Phillips – Liberty Development Corporation
Wayne Long – Liberty Development Corporation
Barry Horosko – Bratty & Partners

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Subject: FW: City of Vaughan Draft Official Plan
Attachments: PTLclerk-abrams2012-03-06.pdf

From: Maria Reis [<mailto:mreis@IBIGroup.com>]
Sent: Tuesday, March 06, 2012 2:26 PM
To: Abrams, Jeffrey
Cc: Philip Levine
Subject: City of Vaughan Draft Official Plan

Mr. Abrams,

This e-mail is being sent on behalf of Phil Levine.

The enclosed letter is in reference to the City of Vaughan Draft Official Plan, File Number OP.25.1.

Maria

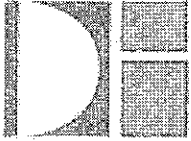
Maria Reis on behalf Phil Levine

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Toronto ON M5V 1V6 Canada

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web www.ibigroup.com

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C	<u>6</u>
Item #	<u>5</u>
Report No.	<u>10 (PH)</u>
<u>Council - MARCH 20/12</u>	

Please refer to: **Kim Beckman**
e-mail: kimb@davieshowe.com

February 21, 2012

By E-mail to DevelopmentPlanning@vaughan.ca

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

Attention: Mark Johnson
Development Planning Department

Dear Sir:

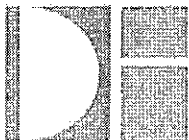
**Re: West Rutherford Properties Ltd.
3660 Rutherford Road, City of Vaughan
North side of Rutherford Road, east of Weston Road
City File Numbers: OP.11.012, Z.11.043 and DA.11.114
Block 32 West Landowners Group, Vellore Woods**

We are the trustee for the Block 32 West Landowners Group (the "Landowners Group"), which includes Watertower Investments Limited, Major South Developments Inc., Major West Developments Inc., Major North Developments Inc., Comdel Developments Inc., Roybridge Holdings Limited, Singland Holdings Limited, 1049381 Ontario Limited, Block 32 West Developments Ltd., F&F Realty Holdings Realty Inc., and Lanterna Group Ltd.

The Landowners Group entered into a cost sharing agreement which requires each of its members to share in the costs associated with the dedication of public land and the construction of the infrastructure required to service lands within, and in the vicinity of, Vellore Woods. The above-captioned lands benefit from the land and infrastructure provided by the Landowners Group.

To assure that the Landowners Group is properly compensated for the services it installed for the benefit of the applicant's lands, our client group requests that the requested development approvals not be granted until the applicant becomes a party to the Block 32 West Cost Sharing Agreement.

Our clients also request that a condition be included for the approval sought pursuant to the Site Development Application (DA.11.114) that precludes final



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Page 2

approval unless the applicant provides the City of Vaughan with a letter from this firm which confirms that the applicant has satisfied its obligations pursuant to the Block 32 West Cost Sharing Agreement and is a member in good standing of the Landowners Group.

Should you require any additional particulars in relation to this matter, please feel free to contact the undersigned.

Sincerely,

DAVIES HOWE PARTNERS LLP

Kimberly L. Beckman

cc. Block 32 Landowners Group (by e-mail)

From: Johnson, Mark
Sent: Thursday, March 08, 2012 2:32 PM
To: Bellisario, Adelina
Cc: Britto, John
Subject: Committee of the Whole Public Hearing February 28, 2012 - 3660 Rutherford Road (File Nos. OP.11.012 & Z.11.043)
Attachments: johnsonklb 21feb12 (2).pdf

Hi Adelina,

As per my discussion with John, please find attached comments in regard to the above-noted Public Hearing. Please ensure that they are received at the next Council Meeting.

Regards,

Mark Johnson, M.A.E.S.
Planner
Development Planning Department, City of Vaughan
2141 Major Mackenzie Drive, 2nd Floor, North Loft
Vaughan, Ontario, L6A 1T1
Tel.: 905.832.8585 ext.: 8353
Fax.: 905.832.6080
E-mail.: mark.johnson@vaughan.ca



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By Email and Delivery

March 12, 2012

Council
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive West
Vaughan, Ontario
L6A 1T1

Attention: Honourable Mayor and Councillors

Re: 2109179 Ontario Inc. (the "Owner" or "Applicant"),
Temporary Zoning Use – Concrete dry batching Plant
Part of West Half of Lot 34, Conc. 5 (the "Property")
City Zoning Bylaw Amendment File Z.10.002
Site Development File DA.11.086

Domenic Rotundo, B.Comm., LL.B.
Enzo Di Iorio, LL.B.
John A. Quaglietta, J.D.
Tina Ricci-Zulli, B.A., (Hons), LL.B.
Melissa Mackovski, B.A. (Hons), LL.B., LL.M.
David Brand, B.A. (Hons), LL.B.
Iris Pichini, B.A. (Hons), LL.B.
Yalda Riahi, B.Comm., B.A. (Hons), J.D., LL.B.

Reply to: Domenic Rotundo (ext. 225)
Assistant: Enza Iorio (ext. 240)

C	7
Item #	25
Report No.	8 (cw)
Council - MARCH 20/12	

I am the solicitor for 2109179 Ontario Inc., the applicant and owner in the above referenced matter, and have been asked to send this correspondence on behalf of the Applicant and its consultants which have been engaged with respect to the Property and subject matter for some time.

Based on the questions posed by many of the Councillors at the Committee of the Whole meeting on February 28, 2012, this correspondence is a collaboration of information to respond and provide information to assist Council in deciding with respect to this matter, so as to explain the history and activities on the site, what permits have been issued, and what works remain to be done on the Property.

Recently, Brian Moyle (Enforcement Officer, TRCA) responded to inquiries from the City regarding some of the issues. His email, which is enclosed, summarized the TRCA's involvement with the site, as to the permits issued by TRCA and his observations of no works being carried out on the Property since 2010 coinciding with TRCA's involvement on the site.

The Property ceased operations as a concrete batching plant in October 2010, awaiting all required approvals for same. Upon filing the original planning application for the temporary zoning to allow the use as a batching plant, neighbours raised questions with the MOE and TRCA regarding the material that was placed in the valleylands. It had been determined that material had been there for several years prior to the batching plant operations and was placed there to be used as fill to cross the creek and valleylands. The new crossing is required as the existing road crossing is not within the legal right-of-way and therefore needs to be relocated to the legal right-of-way.

The MOE inspected the site and noted potential impacts of the fill on the quality of the surface and groundwater and therefore fish living within the creek and downstream. Issues were also raised regarding the waste material on the surface of the fill area, which was also recently documented by Councillor Schulte during her site visit. An order was issued from the MOE to address these issues.

At that time, the applicant retained RiverStone Environmental Solutions and Church & Trough Inc. to address the MOE concerns. Studies were completed to investigate the soil, surface water and groundwater quality, and fisheries, as well as to detail the composition of the fill material. The studies concluded that there was no contamination of the soil or surface/ground water and that the fill material was strictly concrete based with the exception of some surface materials that should be removed, through the proper permitting process with the TRCA as it is in a regulated area.

As Brian Moyle (TRCA) has pointed out in his email, the permits issued by the TRCA were for the replacement and rehabilitation of the culvert at the existing crossing (including removal of concrete and debris within the creek channel) and to construct the new crossing. When the culvert at the existing crossing was failing, it was replaced without a permit from the TRCA. A violation was issued by the TRCA and an application was subsequently submitted to the TRCA to provide some additional stabilization of the road through the valleylands, to remove material from the valleylands and to rehabilitate the site including revegetation. This permit was executed within the appropriate timing window last year and has been inspected by the TRCA. The remaining permit to construct the new crossing also includes removal of the existing crossing (where the culvert was replaced last year), and removal of the surface debris that was noted by Councillor Schulte when she did her site visit prior to the February 28 Committee meeting. Prior to the batching plant and gates being installed at the road entrance, there occurred illegal dumping unknown to the Owner by others not associated with the property. Notwithstanding it might be best to remove the debris immediately, the construction timing allowed by the TRCA permit is not until later in the year (corresponding to coldwater and Redside Dace protection) and therefore the debris has not been removed and the Owner is awaiting the timing window and the City approvals.

Further, in review of the construction plans submitted to the TRCA, the MNR issued a letter stating that the reach of the creek on the Property is not directly used by Redside Dace and therefore they are not concerned with the construction; however the timing restriction should be observed and appropriate sediment and erosion controls should be used. The Owner intends to comply with these requirements, which are also included in the terms of the TRCA permit.

The material recently placed at the rear of the property was carried out by a company other than the Owner, under the stipulation that all permits would be obtained and policies followed. The Owner was advised that a permit was issued by the City to place fill in that area for the purpose of drying. The impression was given that the material, once dried, would be suitable as fill for constructing the new crossing. It is the Owner's understanding that chemical analyses of the material were completed by both the responsible company and the City. It is the Applicant's intention to fully comply with the requirements of the City and the MOE (responsible for determining the suitability of soil to be used as fill adjacent to a watercourse) prior to the use of the material onsite.

Land Use planning applications were submitted to the City of Vaughan and have been circulated to various agencies and departments inclusive of the TRCA, the Regional Municipality of York, the MNR and the MTO. All permit requirements have been obtained from all of these where required, and no comments or concerns were specifically cited by the Region of York or the MTO.

In summary, the application has followed the required steps of the planning process. There have been two infractions that the TRCA and MOE have become involved with on the site: 1) the historic material infill at the new crossing location and 2) the culvert replacement at the existing crossing. Both issues have been resolved with the agencies. A final permit has been issued for the site by the TRCA to construct the new crossing, remove the existing crossing and rehabilitate both areas. The Owner advises this will be done during the appropriate timing window this year. There were concerns raised by the Councillors at the Committee meeting that the site may not be rehabilitated and that some action should be taken to make sure this happens; such as taking securities. As noted above and in the email from Brian Moyle below, the site rehabilitation (cleaning up of debris and revegetation) is part of the permit issued by the TRCA for the new crossing to be constructed in the appropriate timing window. The new crossing needs to be done in order to be compliant with access over the legal right-of-way and the permit allowing the construction will not be finalized by the TRCA until the cleanup is completed to their satisfaction. Therefore it is very much in the interest of the owner to complete all aspects of the permit, including the cleanup and rehabilitation.

We also wish to further clarify in response to issues raised at the Committee meeting that all City charges were withdrawn as against the Owner and specifically the Owner has not been convicted of any illegal acts. The Owner also advises that the prior tenant's lease had been terminated and the tenant has not been in operation since then. It is the Owner's intention to rectify and bring the property into compliance, and as such has worked diligently, thoroughly and has expended significant resources to obtain all required approvals, including the MNR, TRCA and MOE. It is seeking the approval of the City of Vaughan in the current application.

It is the applicant's hope that this correspondence clears up any questions Council may have regarding the site history and the permit status. Please do not hesitate to contact Rosemarie Humphries or myself directly should there be any further questions or concerns.

Yours very truly,

ROTUNDO DI IORIO QUAGLIETTA, LLP

Per:

Domenic Rotundo

Domenic Rotundo

/ei

cc.

Grant Uyeyama – Development Planning (grant.uyeyama@vaughan.ca)
John Mackenzie – Commissioner of Planning (john.mackenzie@vaughan.ca)
Jeffrey Abrams – Office of the City Clerk (jeffrey.abrams@vaughan.ca)
Rosemarie Humphries – Humphreys Planning Group
Al Shaw – RiverStone Environmental Solutions
2109179 Ontario Inc.

From: Brian Moyle [<mailto:BMoyle@trca.on.ca>]
Sent: Friday, March 02, 2012 11:04 AM
To: Sherman, Gord
Cc: DiPasquale, Danny; Kevin Huang; al@rsenviro.ca; Steve.Batten@ontario.ca
Subject: Fw: Concrete Batching Plant - 3501 King-Vaughan Rd.

Hi Gord,

Per your voice-mail, I'm providing you with an update of TRCA permits issued, and my observations from a recent site inspection on February 28th.

The TRCA has recently issued two permits on the property, as follows:

1. Restoration associated with a TRCA violation regarding a culvert on the east access road (current access). I was on site several times throughout the works, and can confirm that the restoration was conducted within the cold water timing window in 2011. This permit also required the proponent clean the hardened concrete slurry from within the watercourse channel, where the historic fill was placed. These works were conducted at the same time as the east road culvert restoration works.
2. The installation of a box culvert, grading works and restoration associated with the permanent access to the site. This is the location where the former fill placement occurred. There is no evidence of recent dumping of fill or other materials at this location. From this and previous inspections, there is hardened concrete from washout operations, concrete rubble, debris and other materials located within the fill material. These material were placed prior to TRCA involvement on the property. The MOE became involved in 2010 with this property, and required the proponent cease the dumping of excess concrete wash-out at the site, collect and manage the wash-out waste water, and to retain a qualified consultant to assess all potential environmental impacts of the fill/waste material that has been placed into the ravine. Danny was copied on the correspondence from the MOE in this regard. I am following up with the MOE to enquire about compliance associated with an "Order" that was made. There is no evidence of recent concrete washout occurring since MOE involvement on the site.

The development works associated with the permanent road access/ box culvert installation has not commenced to date. The watercourse was determined to be a headwaters creek, however, it is my understanding that the MNR has not classified it as being protected habitat for redbreasted dace under the ESA. A cold water timing window for in-water works has been applied (July 1- Sept 15). At the time the permanent road is completed, the current/ existing road will be removed and the area restored - per the TRCA permit approval.

Outside of the TRCA Regulated area - it appears a recent demolition has taken place on a portion of an existing barn, immediately south of the approved driveway location. Fill materials mixed with construction related debris was observed to the west of the existing parking/ storage area.

Further south of this location, a quantity of fill placement has recently occurred east of the existing woodlot - also determined to be outside of the TRCA's jurisdiction.

I have copied the environmental consultant for the property, Al Shaw, from Riverstone Environmental Solutions Inc., who may wish to shed some light on all the issues on site, the

permits applied being applied for, and how the proponent is trying to address the remaining issues. I have also copied the Senior Abatement Officer from the MOE, Steve Batten, for his information.

Please feel free to contact me should you have any other questions or concerns.

Regards,

Brian.

Brian Moyle
Enforcement Officer
Toronto and Region Conservation
5 Shoreham Drive
Downsview, ON, M3N 1S4
Tel: 416-661-6600 Ext. 5229
Fax: 416-667-6273
E-mail: bmoyle@trca.on.ca

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Subject: FW: 2109179 Ontario Inc.
Attachments: Letter to Council - March 13, 2012.pdf; email from Brian Moyle.pdf
Importance: High

From: Enza Iuorio [<mailto:Eiuorio@rdqlaw.com>]
Sent: Tuesday, March 13, 2012 3:06 PM
To: Bevilacqua, Maurizio; Rosati, Gino; Di Biase, Michael; Schulte, Deb; Iafrate, Marilyn; Carella, Tony; DeFrancesca, Rosanna; Racco, Sandra; Shefman, Alan
Cc: Uyeyama, Grant; MacKenzie, John; Abrams, Jeffrey; Domenic Rotundo
Subject: 2109179 Ontario Inc.
Importance: High

I refer you to the attached.

Regards,

Enza Iuorio
Assistant to Domenic Rotundo

3901 Highway 7, Suite 400
Vaughan, ON L4L 8L5
Tel: (905) 264-7800
Fax: (905) 264-7808
<http://www.RDQLAW.com>



Proud recipient of the 2008 and 2010 Vaughan Chamber of Commerce - Professional Services Award.

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memorandum

TO: MAYOR & MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
DATE: MARCH 13, 2012
SUBJECT: COMMUNICATION

COUNCIL MEETING – MARCH 20, 2012

ITEM #9, COMMITTEE OF THE WHOLE – FEBRUARY 28, 2012
ZONING BY-LAW AMENDMENT FILE Z.11.020
SITE DEVELOPMENT FILE DA.11.068
SHELL CANADA LIMITED ET AL.
WARD 1

C	8
Item #	9
Report No.	8 (cw)
Council - MARCH 20/12	

Background

The Development Planning Department brought forward a recommendation for approval of Zoning By-law Amendment file Z.11.020 and Site Development file DA.11.068 (Shell Canada Limited et al.) to the February 28, 2012, Committee of the Whole meeting.

Since the Committee of the Whole meeting, the Owner has revised the proposed landscape plan as shown on Attachment #1, to now include additional planting within the easterly portion of the subject lands and along the north property line adjacent to the commercial building and the storm water management pond.

The Development Planning Department has reviewed the revised landscape plan and is satisfied with the inclusion of additional planting. The revised landscape plan will form the basis of the final approved drawings.

Respectfully submitted,

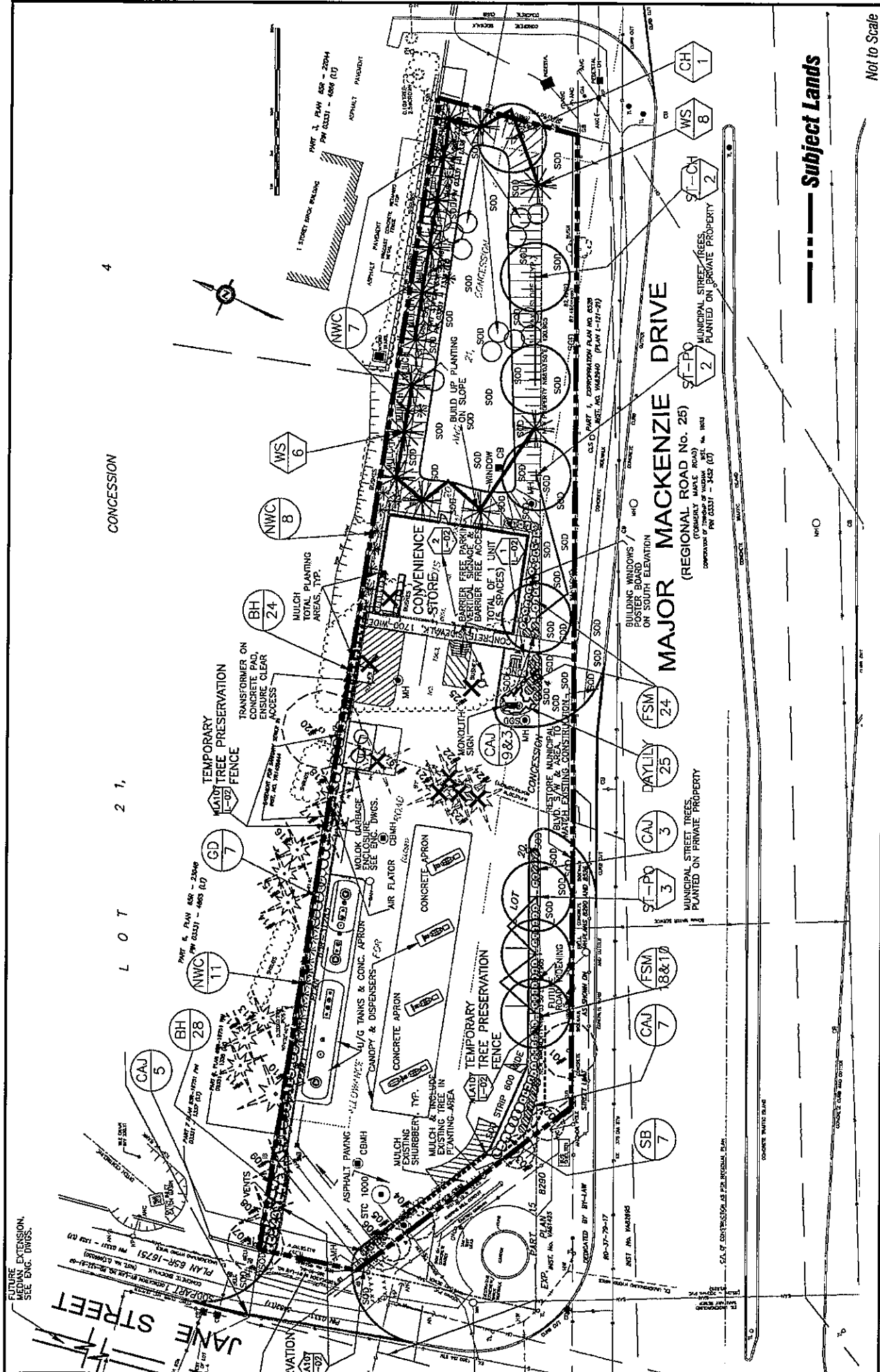
A handwritten signature in black ink, appearing to read 'J. Mackenzie', written over a horizontal line.

JOHN MACKENZIE
Commissioner of Planning

Attachments

1. Revised Landscape Plan

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



Revised Landscape Plan

LOCATION:
Part of Lots 20 & 21, Concession 4

APPLICANT:
Shell Canada Limited ET AL

N:\OFT\1 ATTACHMENTS\Z\z.11.020da.11.068.dwg



Attachment

FILE: Z.11.020
RELATED FILE: DA.11.068

DATE:
March 13, 2012

Subject Lands

Not to Scale

C	<u>10</u>
Item #	<u>25</u>
Report No.	<u>8 (CW)</u>
<u>Council - MARCH 20/12.</u>	

DATE: MARCH 14, 2012
TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
RE: Communication
Council Meeting – March 20, 2012

Item 25, Committee of the Whole, February 28, 2012
Zoning By-law Amendment File Z.10.002
Site Development File DA.11.086
2109179 Ontario Inc.
Ward 1

Recommendation

The Commissioner of Planning recommends:

- 1) THAT the recommendation of the Commissioner of Planning in the staff report of February 28, 2012 for Zoning By-law Amendment and Site Development Files Z.10.002 and DA.11.086 (2109179 Ontario Inc.) be adopted with the inclusion of the following additional condition:
 - "3d) THAT the applicant provide a Letter of Credit to the City of Vaughan in the amount of \$25,000 to cover the cost of the clean-up of the outside storage materials on the site not associated with the temporary dry batch concrete production plant (mixing plant) operations if not performed or completed by the applicant before the end of year one of the 3 year temporary use by-law. The Letter of Credit shall be released once the City is satisfied that the clean-up of the outside storage of materials has been completed before the end of year one of the 3 year temporary use by-law."

Background

At the Committee of the Whole meeting on February 28, 2012, the Committee requested that Development Planning Staff negotiate with the applicant a financial security to be submitted to the City to address the cost of the clean-up of the outside storage of materials on the site not associated with the temporary dry batch concrete production plant (mixing plant) operations (including but not limited to metal scraps, old machinery and vehicles) if not undertaken by the applicant before the end of year one of the 3 year temporary use by-law, if approved.

The applicant has submitted a quotation for debris removal by Erosion Control Limited in the amount of \$10,200 plus HST for material and labour costs for two days work (see attached). As City Staff cannot verify the costs associated with this estimate, the Development Planning Department has more than doubled this amount and will be requesting a Letter of Credit in the amount of \$25,000 (including HST) to secure the works, which must be completed before the end of year one of the 3 year temporary use by-law. A recommendation to this effect is included in this Communication.

Respectfully submitted,



JOHN MACKENZIE
Commissioner of Planning

Attachment: Cost Estimate from Erosion Control Limited

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



MAR - 8 2012

RECEIVED BY
DEVELOPMENT PLANNING

<i>Backhoe</i>	BH	\$ 1,600.00
<i>Truck - -</i>	Volvo	\$ 1,800.00
<i>Front End</i>	Loader	\$ 1,200.00
<i>Loader.</i>		\$ 4,600.00
	Two days	\$ 9,200.00
	Two Floats	\$ 1,000.00
		\$ 10,200.00



memorandum

DATE: MARCH 14, 2012
TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
RE: Communication
Council Meeting – March 20, 2012

Item 11 - Committee of the Whole - February 28, 2012
Sign Variance Application
File No: SV.12-001
Owner: 2019625 Ontario Inc.
Location: 88 Auto Vaughan Blvd., Block 1, 65M-3766
Ward 1

C	11
Item #	11
Report No.	8 (CW)
Council - MARCH 20/12	

At the Committee of the Whole meeting, the applicant for the Sign Variance Application was asked by the Committee to file a Site Development Application for the proposed 11m high sign for the Maple Auto Mall.

The applicant contacted Development Planning Staff on February 28, 2012, and was given all of the particulars to submit an application. As of March 14, 2012, the applicant has not filed a Site Development Application for consideration of the pylon sign by Development Planning Staff; however, it is our understanding that a package is currently being put together for submission soon.

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

Copy to: Clayton Harris, City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning
John Studdy, Manager of Customer and Administrative Services