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File No. 702358

June 11, 2014

**By E-Mail Only *denis.kelly@york.ca***

Chair John Taylor and  
Members of the Committee of the Whole  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

**Attention: Mr. Denis Kelly, Regional Clerk**

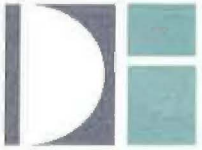
Dear Mr. Kelly:

**Re: Committee of the Whole Meeting, June 12, 2014  
Item F.2.3 Amendment No. 2 to the Vaughan Official Plan (2010)  
The Vaughan Mills Centre Secondary Plan (the "Secondary Plan")  
Tesmar Holdings Inc. ("Tesmar")**

We are counsel to Tesmar, which owns approximately 4.1 acres of land on the northeast corner of Jane Street and Riverrock Gate, in the City of Vaughan (the "Tesmar Site").

We are in receipt of correspondence filed yesterday on behalf of Canadian National Railway ("CN") and late today on behalf of Granite Real Estate Investment Trust ("Granite") and Magna International Inc. ("Magna") regarding the above-referenced item.

Though addressed in the context of the Secondary Plan, the concerns raised in the correspondence of CN, Granite and Magna relate to the land use designation for the Tesmar Site in the Vaughan Official Plan 2010 ("VOP 2010"). We would note that although the Tesmar Site is included within the Secondary Plan Area, the Secondary Plan as adopted by Vaughan Council and being recommended for approval does not include a land use designation, maximum height or density for the Tesmar Site. Rather, these matters are to be determined through Tesmar's site-



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specific appeal which is before the Ontario Municipal Board to which CN, Granite and Magna are Parties and which is the subject of on-going mediation.

The matters being raised by CN, Granite and Magna were already dealt with by both City and Regional Council through the VOP 2010 process. In fact, the proposed "High Rise Mixed Use" designation for the Tesmar Site was endorsed by City Council on June 26, 2012 and by Regional Council on June 28, 2012. These resolutions by the City and the Region were informed by and made within the context of their thorough review of the VOP 2010, a municipal comprehensive review which included consideration of the City's desired urban structure, land uses throughout the City and appropriateness of employment land conversions. Tesmar supports both Councils' resolutions and the proposed designation for the Tesmar Site, and suggests that nothing in the planning context has changed since these resolutions to justify their reconsideration.

The same complaints raised in the recent correspondence from CN, Granite and Magna were also all raised prior to Regional Council's consideration of the designation for the Tesmar Site in June of 2012. Regional Council reviewed and rejected these same objections at that time.

Accordingly, Tesmar supports the Secondary Plan, as adopted by Vaughan Council, as it relates to the Tesmar Site and recommends its approval by Regional Council.

Yours sincerely,

**DAVIES HOWE PARTNERS LLP**

Meaghan McDermid

MEM

copy Mr. Alan Heisey, Papazian Heisey Myers, Barristers & Solicitors  
Mr. Steven Zakem, Aird & Berlis, LLP  
Ms. Claudia Storto, City of Vaughan  
Mr. Barry Horosko, Brattys LLP  
Mr. Jim Kennedy, M.C.I.P., R.P.P.  
Client