



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

Please refer to: **Mark Flowers**
e-mail: markf@davieshowe.com
direct line: 416.263.4513
File No. 702586

June 11, 2014

By E-Mail to regional.clerk@york.ca

The Regional Municipality of York
Committee of the Whole
Region of York Administrative Centre
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Attention: Regional Clerk

Dear Sir/Madam:

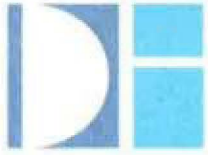
**Re: Proposed Amendment No. 2 to the Vaughan Official Plan (2010)
Vaughan Mills Centre Secondary Plan
Agenda Item: F.2.3**

We are counsel to H & L Title Inc. and Ledbury Investments Ltd., the owners of lands located east of Weston Road and south of Rutherford Road within the Vaughan Mills Centre Secondary Plan area.

With their authorization, we are also writing on behalf of Anland Developments Inc. and 2811187 Ontario Limited, who are also owners of lands within the portion of the Secondary Plan area located between Weston Road and Highway No. 400, within the so-called "Vaughan Mills Centre Business District".

Each of the owners identified above have actively participated in the planning process for the proposed Vaughan Mills Centre Secondary Plan. Among other things, in February 2014, each of the owners made separate written submissions to the City of Vaughan in advance of City Council's adoption of the Secondary Plan, identifying a series of concerns with the proposed document. For your reference, copies of each of those submissions are attached to this letter, together with a copy of a June 10, 2013 submission from our office to the City of Vaughan on behalf of the owners in response to an initial draft of the Secondary Plan.

We have reviewed the report of the Region's Commissioner of Transportation and Community Planning, which we understand will be considered by the Committee of the Whole at its meeting on June 12, 2014. In that report, the Commissioner is



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recommending the approval of the Secondary Plan, subject to certain modifications that are appended to the report.

Regrettably, the proposed modifications do not address the fundamental concerns with the proposed Secondary Plan that have been identified by the various owners throughout the planning process.

Accordingly, the owners do not support the approval of the Secondary Plan in its current form, and we therefore urge the Committee and Regional Council to not adopt the staff recommendations.

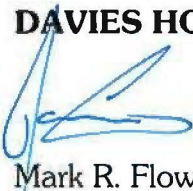
Rather, we request that the matter be deferred at this time, that staff be directed to meet with the owners and other stakeholders to identify appropriate modifications to the Secondary Plan to address the concerns that have been identified, and that the proposed Secondary Plan be brought back to the Committee for consideration only after that has occurred.

We thank the Committee in advance for its consideration of this submission. We will also be in attendance at the Committee meeting in order to speak to this matter.

Kindly ensure that we receive notice of any decision(s) made by the Committee and/or Regional Council concerning this item and that we are notified of any further public meeting(s) and/or staff report(s) regarding this matter.

Yours truly,

DAVIES HOWE PARTNERS LLP

per: 

Mark R. Flowers
Professional Corporation

encls.

copy: Gerald Borean, Parente Borean LLP
Laura Bisset, Davis LLP
Jim Levac / Jack Wong, Weston Consulting Group Inc.
Rosemarie L. Humphries, Humphries Planning Group Inc.



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

Please refer to: **Mark Flowers**
e-mail: markf@davieshowe.com
direct line: 416.263.4513
File No. 702586

February 25, 2014

By E-Mail to clerks@vaughan.ca

Chair and Members of the Committee of the Whole
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Sirs / Mesdames:

**Re: Draft Vaughan Mills Centre Secondary Plan
Agenda Item 5 – Committee of the Whole Meeting on February 25,
2014
File #: 26.1
Submissions on behalf of H & L Title Inc. and Ledbury
Investments Ltd.**

We are counsel to H & L Title Inc. and Ledbury Investments Ltd., the owners of lands located east of Weston Road and south of Rutherford Road, within the Vaughan Mills Centre Secondary Plan area. Our clients are also appellants to the Vaughan Official Plan (2010).

By letter dated June 10, 2013, we submitted detailed comments on behalf our clients and also on behalf of other landowners (Anland Developments Inc. and 2811187 Ontario Limited) situated west of Highway 400 in the Vaughan Mills Centre Secondary Plan area in response to various concerns with the original draft Vaughan Mills Centre Secondary Plan, dated May 22, 2013. A copy of the previous submission is attached for ease of reference.

It is our understanding that representatives for Anland Developments Inc. and 2811187 Ontario Limited will be submitting separate comments on the revised draft Secondary Plan on behalf of their clients.

We have had the opportunity to review the revised draft Vaughan Mills Centre Secondary Plan (the "VMCSP") dated February 14, 2014, together with the



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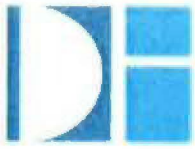
related report of the City's Commissioner of Planning entitled "City of Vaughan Response to Public, Government and Agency Submissions" (the "Staff Report").

We are disappointed that none of the previous concerns raised have been addressed in the revised draft VMCSPP, nor has our previous submission been recognized or responded to in the Staff Report.

Accordingly, we are writing to advise the Committee that our clients oppose the revised draft VMCSPP in its current form.

Among the outstanding concerns with the draft VMCSPP are the following:

- The revised draft VMCSPP proposes to designate our clients' lands in the so-called "Vaughan Mills Centre Business District" (formerly known as Area 3) only for Prestige Office Employment and Prestige Employment. The proposed land use pattern will further segregate this area from the mixed use areas proposed for the east side of Highway 400 and south of Rutherford Road;
- The revised draft VMCSPP does not provide for any form of housing or mixed commercial/residential uses within the "Vaughan Mills Centre Business District", specifically along the east side of Weston Road, where such uses could provide an appropriate transition to the established residential community to the west of Weston Road. Allowing for such uses would be consistent with Principle 3 of the VMCSPP, which aims to provide a diverse range of housing options in the secondary plan area;
- The revised draft VMCSPP fails to recognize the west side of the Highway 400 corridor as an appropriate location for a broader range of compatible commercial and residential uses. The development potential of these lands is further hindered by the proposed introduction of policies that would restrict building heights to 10 storeys and a density of 2.0 FSI;
- The proposed 70m Black Creek Corridor and 50m District Greenway are inappropriate from a land use perspective, and the extent of these proposed corridors have not been justified; and
- In keeping with its designation as a transit priority corridor, lands located on the east side of Weston Road should be identified as an appropriate location for mixed use intensification, and the proposed transportation



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network for the lands west of Highway 400 should be reconsidered in the context of future mixed use development on these lands.

We request that the Committee direct staff to reconsider the draft VMCSPP in light of these comments and bring forward a further revised draft of the Secondary Plan that addresses the various concerns that have been identified by our clients.

Our clients remain committed to continuing to work with the City and other stakeholders in finalizing the VMCSPP in a manner that appropriately addresses their concerns and, at the same time, satisfies the City's objectives.

Yours truly,

DAVIES HOWE PARTNERS LLP

per [Signature]
Mark R. Flowers
Professional Corporation

encl.

copy: John Mackenzie, Commissioner of Planning, City of Vaughan
H & L Title Inc. and Ledbury Investments Ltd.
Jim Levac / Jack Wong, Weston Consulting Group Inc.

COPY



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

Please refer to: **Jeffrey L. Davies**
e-mail: jdavies@davieshowe.com
direct line: 416.263.4508
File No. 702586

June 10, 2013

By Courier

Committee of the Whole
City of Vaughan
Clerks Department
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Rosanna DeFrancesca, Chair of the Committee of the Whole
Jeffrey Abrams, City Clerk
John MacKenzie, Commissioner of Planning

Dear Sirs/Mesdames:

Re: June 11, 2013 Public Meeting of the Committee of the Whole
Response to Draft Vaughan Mills Centre Secondary Plan
By: H & L Title Inc., Ledbury Investments Ltd., Anland
Developments Inc. & 2811187 Ontario Limited

Davies Howe Partners LLP and Weston Consulting Group Inc. represent H&L Title Inc. and Ledbury Investments Ltd. Parente Borean LLP and Humphries Planning Group Inc. represent 281187 Ontario Limited, and Humphries Planning Group Inc. represents Anland Developments Inc. This letter is submitted on behalf of the four companies (collectively referred to herein as "the Group").

The Group's lands are located within "Area 3" of the Draft Vaughan Mills Centre Secondary Plan (Draft Secondary Plan). These lands amount to approximately 97 acres or roughly 73% of the remaining undeveloped lands within Area 3 and are located south of Rutherford Road to the north, Highway 400 to the east, Weston Road to the west and the future extension of Bass Pro Mills Drive to the south. A map is attached for your convenience.

By way of background information, the Group members have actively participated in both the City of Vaughan Official Plan and the Vaughan Mills Centre Secondary Plan Study review processes. The Group members have obtained party status in the Ontario Municipal Board proceedings for the Vaughan Official Plan.



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We take this opportunity to provide the following submissions regarding the Draft Secondary Plan:

First, the Group submits that the Draft Secondary Plan contains several shortcomings and requires further review. Accordingly, the Group objects to the Draft Secondary Plan.

Second, the Plan fails to address many fundamental land use planning issues and was created prior to the finalization of necessary background and technical studies. The Draft Secondary Plan has also failed to appropriately incorporate the Group's submissions throughout the study process. It is submitted that the elements of land uses, density, height and street network all require further consideration.

Third, the Draft Secondary Plan provides nine (9) Guiding Principles within Part B, Section 1.2 and uses these principles as a benchmark for guiding the development and measuring the success of the plan. We have reviewed these principles and submit that the distribution of land uses and associated policy regimes in the Draft Secondary Plan are inappropriate. Therefore, the Draft Secondary Plan should be amended to designate the Group's lands for mixed use purposes. This designation would more appropriately account for the land's context and relationship to Vaughan Mills, the mixed use lands to the north, the residential lands to the west, and the future extension of Bass Pro Drive to the south.

Principle 1 – Create a Vibrant, Complete, Mixed-Use Urban Centre

The Draft Secondary Plan does little to integrate future land uses on both sides of Highway 400 and continues the highway as a major physical boundary. As a result, the Group's lands within Area 3 Employment are inappropriately segregated from the high density, retail and mixed uses on the east side of Highway 400 and south of Rutherford Road. Little effort or initiative has been made to link the Group's lands, and the projected 7590 jobs associated with their lands, to the planned transit hub connected to the mall. The Group submits this land use pattern is not good planning and will hinder the creation of a vibrant and complete mixed-use urban centre.

The proposed road network within Area 3 is comprised of too many planned streets. The Group submits this requires further consideration in order to appropriately contribute to this principle.

Principle 2 – Foster a High Quality of Place, Design Excellence, and Sustainability

While we generally agree with this principle, we observe that its implementation is undermined by the land use issues outlined above, resulting in the loss of the



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opportunity for considerable synergy between both sides of Highway 400 and a “human scaled” environment. A mixed use designation in Area 3 would better reflect Principle 2.

Principle 3 – Provide a Diverse Range of Housing Options in Vaughan Mills Centre

The Draft Secondary Plan does not provide for any type of housing within Area 3, which is inconsistent with the permitted residential uses within Area 1 and Area 2. It is also unclear as to whether building “ground family oriented” housing around a regional mall has been thoroughly considered.

Furthermore, it is highly unlikely that low and medium density/ground housing will replace any of the out-parcel retail buildings in the Vaughan Mills Mall. In order to achieve the desired variety of housing options, we submit that low, medium and high density residential uses should be planned within Area 3, having regard to the residential area to the west.

Principle 4 – Enhance the Role of Vaughan Mills Centre as a “Centre” of Economic Activity, Jobs, and Commerce in the Region

We submit that it is common for regional shopping centres like Vaughan Mills to create sizable land use synergies for the surrounding area, especially as the regional centre matures. Vaughan Mills is not yet complete, so this process will continue for the foreseeable future. The Draft Secondary Plan fails to recognize these positive spin-off effects and how to plan for them for the future. The creation of a unique employment and commercial environment is restrained by the rigid policies in the Plan, such as maximum floor area. Likewise, the Draft Secondary Plan fails to recognize the west side of the Highway 400 corridor in this area as an attractive location for offices, corporate headquarters, hotels, convention centres and forms of residential use. The restrictions placed on Area 3, including 10 storey building heights and 2.0 FSI, are arbitrary and should be revisited. Area 3 requires higher building types, heights and density in order to better utilize existing investments in provincial and city infrastructure, such as Highway 400, its interchanges and the road network.

Principle 5 – A Walkable Urban Environment

Promoting a pedestrian and cyclist-friendly environment is an admirable goal. However, given the shortcomings of the Proposed Secondary Plan, it is unlikely that this goal will materialize.



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Principle 6 – Provide High Quality Open Spaces

The Group submits that the proposed Black Creek Greenway is not considered to be an enhancement of the existing open space corridor, as suggested in the Plan. The proposed location of the Greenway is completely realigned from its existing location and the proposed 70 metre wide Black Creek Greenway is inappropriate. The Group understands that a report prepared by the MMM Group, entitled “Stormwater Management Conceptual Strategy,” has not been made available to the public. This report may prove to be helpful to stakeholders and should be released to allow for their consideration and input. As such, the Group submits that further discussion among the stakeholders is required once the MMM report is released to the public. Following these discussions, it may also be necessary for stakeholders to seek independent advice regarding the MMM report.

Principle 7 – Protect, Restore, and Enhance Natural and Cultural Heritage Resource

The Group submits that further discussions on matters pertaining to natural and cultural resources should be provided for in the Draft Secondary Plan.

Principle 8 – Create Multi-Model Transportation Network

The Group submits that a multi-model transportation network is another area which requires more attention in order to improve the Draft Secondary Plan. Creating a multi-model transportation network throughout the study area is a good objective if density is allocated in a manner that will be supportive. Weston Road is designated as part of the Region’s Transit Priority Network, therefore, land use and intensification should be better implemented within this corridor.

Principle 9 – Sustainable and Resilient

Achieving a full range of housing types in concert with many of the other objectives discussed above can be reached if Area 3 is designated for mixed uses. Area 3 is the most suitable area to provide smaller and compact housing forms, as suggested in the plan (see policy 2.5.2). Many opportunities exist to attain a more appropriate land use designation in Area 3. Further discussions in this regard are required.

Staff and study team members have made it clear that the study process would not consider a reassignment of land use designations from the Official Plan. Nevertheless, lands at the southeast side of Jane Street and Rutherford Avenue that are presently designated for Employment Uses have been added to the planning area for the Draft Secondary Plan. These lands are proposed to be re-designated for High-Rise Mixed-Use. This is one area where the study process was



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varied, presumably for good reason. Likewise, the Group submits that Area 3 should be considered for uses beyond those shown in the Official Plan and these lands should be more appropriately designated for mixed use purposes.

Area 3 holds considerable potential to accommodate a higher and broader range of land uses than reflected by the Draft Secondary Plan and this too should be recognized. In this regard, the table located on page 41 of the Draft Secondary Plan, which provides projections for jobs, units, and population by area, does not provide any unit and population projections for Area 3. We submit that units and population should be added into the projection chart in order to accommodate residential development for Area 3 landholdings and that the table be revised to ensure the mixed use potential of Area 3 is optimized.

Conclusion

In conclusion, the Group objects to the Draft Secondary Plan in its entirety and submits that further work and consultation is required to improve the opportunities for, and treatment of, Area 3.

We request the Group's input be considered by Committee members and staff. The Group asks that staff be directed to work with all stakeholders (including the Group) in order to realize the full potential of the planning area. Following this collaboration, the Group asks that staff report back to the Committee with the necessary revisions. The Group is committed to continuing to work with the City and other stakeholders.

Yours sincerely,
DAVIES HOWE PARTNERS LLP

Jeffrey L. Davies
Partner

copy Members of Council
Diana Birchall, Director of Policy Planning
Paul Jankowski, Commissioner of Engineering and Public Works
Members of Landowners Group



**WESTON
CONSULTING**
planning + urban design

File Number: 3867
Date Drawn: 10 JUNE 13
Drawn By: SM
Planner: JL
Scale: NTS
CAD: 3867/schedules/3867 Ownership map.dgn



LEGEND

— LAND OWNERS GROUP

Air Photograph from Google Earth Pro.
Date of photography: August 2009

LAND OWNERSHIP MAP



PARENTE • BOREAN
BARRISTERS AND SOLICITORS

February 24, 2014
Our File No. 280218

**SENT BY FAX -905-832-8535;
EMAIL – Jeffrey.Abrams@vaughan.ca;
and COURIER**

Lawyer Direct Dial: (905) 850-6068
Email: gborean@parenteborean.com
Law Clerks: (905) 850 6066 ext's. 237/231
Email: mmuccilli@parenteborean.com
Email: marinam@parenteborean.com

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

Attn: Mr. Jeffrey Abrams, City Clerk

**Re: February 25, 2014 Committee of the Whole Meeting
Response to Vaughan Mills Centre Secondary Plan (The "VMCS Plan")
City of Vaughan Response to Public, Government and Agency Submissions
City File #:26.1**

This letter is submitted in response to Staff Report and Proposed VMCS as released by the City for the February 25 2014 Committee of the Whole Meeting on behalf of 2811187 Ontario Limited, and Anland Developments Inc. as represented by Parente Borean and Humphries Planning Group Inc., respectively.

The 2811187 Ontario Limited and Anland Development lands are located within the area identified as the "Vaughan Mills Centre Business District" / Area 3 of the plan. We have provided previous comments on the proposed plan (June 10, 2013) and indicate that previous concerns still remain outstanding. These concerns include but are not limited to the following matters:

- The revised Secondary Plan continues to contain several shortcomings which require further review and therefore we continue object to the draft secondary plan;

- The plan continues to fail to address many fundamental land use planning issues in the absence of study information inclusive of servicing and storm water management and environmental work. Further, we have reviewed the Transportation Assessment as authored by the MMM Group Limited and have concerns respecting such.
- The proposed secondary plan as related to the Vaughan Mills Centre Business District and the Guiding Principles remain inappropriate.

The south west quadrant of Rutherford Road and Weston Road represents a unique area and circumstance. The secondary plan and policy as proposed by the City deserves further discussion and attention. The proposed land use and policy applicable to this area should be more flexible allowing additional land uses and the reassignment of additional densities.

Landowners of these lands have filed letters of objection and appeals to the Ontario Municipal Board respecting the City's Official Plan. Letters of objection have also been filed at various stages of the process of this secondary plan process. We would like to work in a cooperative manner with the City to resolve these outstanding concerns so as to avoid an adversarial position before the Ontario Municipal Board if at all possible.

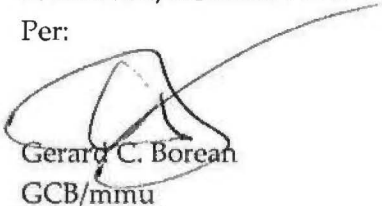
We request that the City of Vaughan defer a final decision on Area 3 of the Secondary Plan. In the interest of allowing the designations of the other areas of the plan to proceed it is requested that Area 3

be designated as a 'Study Area' subject to further review which retains its current permissions under OPA 450, until such time that the review is completed and/or is adjudicated by the OMB as may be necessary if concurrence on the issues is not achieved by the parties after the review process. Accordingly it is requested that the Commissioner of planning and appropriate staff be directed to engage in a further review process with the landowners group to receive and review updated information from the group and to share information and studies with the group and to conduct a process in dialogue and re-evaluation of the current secondary plan which is to be conducted in an effort to resolve the land use and policy issues. Further a final report by the Commissioner of planning will be submitted after the conclusion of the review process by no later than June 2014.

Yours very truly,

PARENTE, BOREAN LLP

Per:



Gerard C. Borean
GCB/mmu

cc: Claudia Storto

cc: Clients

HUMPHRIES PLANNING GROUP INC.

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|----------------|
| c <u>7</u> |
| Communication |
| ~cw: Feb 25/14 |
| Item: <u>5</u> |

February 24, 2014
HPGI File: 11263

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

Attn: Jeffrey Abrams, City Clerk

RE: February 25, 2014 Meeting of the Committee of the Whole
Response to Draft Vaughan Mills Centre Secondary Plan
By: Anland Developments Inc., 2811187 Ontario Limited

Further to Mr. Boreans letter dated February 24, 2014; a copy of which is attached hereto, this shall confirm that Humphries Planning Group Inc., represents Anland Developments Inc. On behalf of Anland Developments Inc., we confirm support of the position put forth by Mr. Borean on behalf of the Group as described therein and further advise that Anland Developments Inc., adopts and puts forth on its own the position as set out in Mr. Boreans correspondence.

Anland Developments Inc. continues objects to the Draft Secondary Plan in its entirety and submits that further work and consultation is required and would be most pleased to meet with the City of Vaughan and its representatives to further this study process in order to arrive at a positive solution.

If you have any questions, please do not hesitate to contact me.

Yours truly,
HUMPHRIES PLANNING GROUP INC.


Rosemarie L. Humphries BA, MCIP, RPP
President

cc: Anland Developments Inc.

216 Christie Road
Suite 103
Vaughan, ON
L4L 8S6

T: 905-284-7678
F: 905-284-8073

www.humphriesplanning.com
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