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BARRISTERS AND SOLICITORS

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Communication
CW: Feb 25/14
Item: 5

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February 24, 2014

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

Dear Sirs/Madame:

**Re: February 2014 Draft Vaughan Mills Centre Secondary Plan
Delisle Properties, Southeast Corner of Jane Street and Rutherford Road**

We are the solicitors for Delisle Properties Limited and Rutherford Lands Corporation ("Delisle/Rutherford") with respect to the above referenced matter. Our clients are the owners of approximately 14 acres of land at the southeast corner of Jane Street and Rutherford Road (the "Site"). As you know, Rutherford Lands Corporation has a 37 storey condominium project under construction in the VMC.

Further to our letter provided to you on June 11, 2013, we have now reviewed the updated draft Vaughan Mills Secondary Plan dated February 2014. We are writing to continue to express our support for the proposed High-Rise Mixed-Use designation and to acknowledge and support the revision to increase the density on the Delisle Site, including providing for additional height at the intersection of Jane/Rutherford to recognize the prominent intersection location.

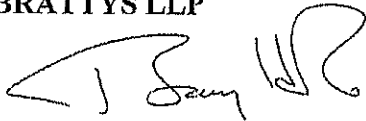
While we support the proposed land use and appreciate the revision to increase height and density, we believe that prescribed densities and development thresholds should be much more flexible in order to achieve the desired effect of intensifying the Jane Street corridor. Also, we note that the wording of 2.4.4 references maximum heights of 35 storeys and maximum densities of 6.0 times for the Vaughan Metropolitan Centre, which is intended to have the highest and most intense development in the City. However, the VMC Secondary Plan has existing buildings approved and under currently construction at 39 storeys and the adopted VMC Secondary Plan allows for heights of 42 storeys. Furthermore, the City has allowed heights exceeding 30 storeys outside of the VMC (Liberty at Weston Rd. and Highway 7) and the VMC Secondary Plan remains under appeal with the heights and densities still to be determined.

With respect to the proposed development thresholds, or limit of 3,300 units to the year 2021 within the Jane Street Corridor, it is our opinion that such limitations may frustrate the intensification of an important transit corridor. The approach to planning for intensification areas such as the Jane Street corridor should be flexible and provide incentives to develop rather than imposing limitations and constraints. The application of rigid planning controls typically results in unintended consequences with development finding the path of least resistance, which may very well be in a location where development is not intended. Such a result may frustrate the ability to meet intensification targets to support the viability of planned transit and to optimize the use of existing and planned infrastructure.

As the new Vaughan Mills Secondary Plan seeks to promote a more urban form of development, we have provided a large percentage of high quality urban (park and pedestrian) spaces such as a mix of a linear and pedestrian park connections, parkettes and urban squares as opposed to the typical suburban neighbourhood park. In our opinion, the location of the proposed "**Neighbourhood Park**" on the Delisle Site is not appropriate and would not serve the community or the objectives for the Jane Street Corridor.

We trust you will take our submissions into consideration while you consider this Report. Further comments may be forthcoming upon further review. Please keep us informed as this matter proceeds.

Yours truly,
BRATTYS LLP



Barry A Horosko

cc: John Mackenzie, City of Vaughan
L. Kot, Cortel Group
Tony Barry, Delisle Properties Ltd.
M. Bissett, Bousfields Inc.