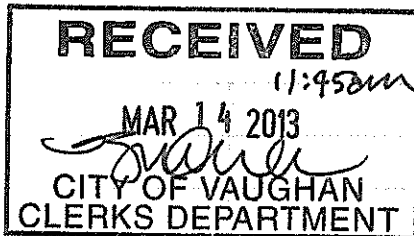


C 11
Item # 18
Report # 39
BY-LAW No. 024-2013
COUNCIL - March 19, 2013

Hand Delivered. Wed March 13, 2013

To: City of Vaughan - Council

To: City of Vaughan - City Clerk.
Mr. Jeffrey A. Abrams



Re: Zoning Application File.

Z.12.013

31 and 33 Wigston Place.
Thornhill, ON, L4T 6C8

From: Fern Andrea Ginsberg
and Jacob Joel Ginsberg L.L.B.
Owners of the abutting lands
at 71 Wigston Place.

This is a formal letter of objection to the REZoning Application for the lands set out herein above and our formal objection to the attempt to pass the zoning by-law for these lands this coming March 19th 2013 at the next City of Vaughan Council meeting.

This letter has been made necessary as advised to Joel Ginsberg by Mr. John Britto by telephone this same day March 13, 2013 as a result of his denial to allow Mr. Ginsberg, husband of the land owner at 71 Wigston Place and solicitor for said land owner the opportunity to speak to and address

this matter in an oral deputation before the City Council at its meeting of March 19th at which time the said ~~council~~ City of Vaughan Council is scheduled to vote on the passing of this said rezoning bylaw.

Please be advised that Mr. Ginsberg has been involved with and followed ~~with~~ the several planning and ~~three prior~~ severance applications related to the above Lands for the past year, including; (A) the severance of lands from 33 Wigston to create 63 and 67 Wigston Place lots; (B) Consent to Convey (Severance) application B040/11 and ~~B039/11~~ B039/11 at ~~which~~ committee of Adjustment hearing on Feb 14, 2013 ~~not~~ where Mr. Ginsberg made an oral deputation and; (C) Zoning application Z.12.013 the matter herein, for which Mr. Ginsberg has reviewed the file and spoke to the planner Laura J. ~~Sanotta~~ ~~Sanotta~~ several times in the City Planning Dept., spoken to the Land owner Guy Wigston; met with Jane MacFarland, Consultant with Weston & Associates who are the consultants hired by the Applicant; spoken to Mr. Anthony Sun Planner Toronto Regional Conservation Authority; and reviewed the Archeological Report for these

lands provided by City of Vaughan Heritage Dept.; spoken to City of Vaughan Engineering Dept; and reviewed documentation available from the City of Vaughan Clerks Dept.

Unfortunately I have never attended and spoken to this Rezoning matter in person in front of Council Committee of the whole at the initial statutory public Hearing for which Notice was given to adjoining land owners of the Applicant lands on June 5, 2012 by Mail, for the Meeting held Sept 4 2012.

The reason for non attendance was that the Planning Dept. did not send out notice to Mr. & Mrs. Ginsberg because change of title to Mrs. Ginsberg for 71 Wigston wasn't registered until June 29th 2012.

Even though the Planning Dept (Laura Jannotta) and the Clerk's Dept knew and were specifically requested by Joel Ginsberg to provide all notices of any dealings with these applicant lands to Mr. Ginsberg, no notices were sent.

In addition no notice of the Committee of Whole meeting of Oct 16, 2012 was ~~see~~ sent, nor received and as such the Ginsbergs did not attend.

As such the Ginsbergs have been denied their rights to speak to this matter at the two meetings where had these dates been known, Mr. Ginsberg would have appeared to make oral depositions opposing and objecting to the rezoning application Z.12.013 in its present form with required conditions.

This letter is being presented because in my professional opinion with 35 years of experience in building, development and planning there are serious flaws in approval of this rezoning with knowledge of the further intention by the Applicant to immediately after rezoning subdivide the lands fronting onto Wigston Place into five (5) building lots by way of severance applications ~~and~~ instead of by way of the more scrutinized Plan of Subdivision Application.

These lands being asked to be rezoned to Residential R1 zone are not appropriate for five building lots as planned by the Applicant presented on the on-site erected ~~sign~~ signage.

My objections relate to the following problems

1. Archeological dig & report not properly done. Known Native Indian sites are documented within 500-600 feet west of the lands.
2. Tor. Regional Conservation Authority approval is improper and does not acknowledge the two branches of the East Don River, and the two river valleys present on the applicants property. Only one branch is mapped out at least 10 years in the past by TRCA for which they have considered the need for the setback and preservation of the top of the river valley embankment. This is an error. See Attach. Tributary Map [A2] highlighted.
3. The Topography of the rezoned lands is inappropriate for 5 lots. I propose only 3 or 4 lots with the preservation of additional

river and valleyland lands being protected which as of today are about to be rezoned residential and built over in the future proposed 5 lot proposal by the applicant.

4. The valleylands protection is necessary to the conservation of wildlife, in particular a herd of 8-9 deer that come onto these lands, as well as the already preserved forest lands on the south side of Wigston Place and my own lands, 71 Wigston Place. These deer come to graze and feed about every 2nd day throughout the past year from my personal observations.
5. Signage erected never showed date of hearing of Cmtee meeting. This letter is being presented to entrench the rights of Mr. & Mrs. Ginsberg pursuant to Planning Act.
Ontario Regulation 545/06
Section 6 Paragraph 5 ii

to permit the Ginsbergs to be added as a party to the hearing of an appeal to the passing of the by-law and

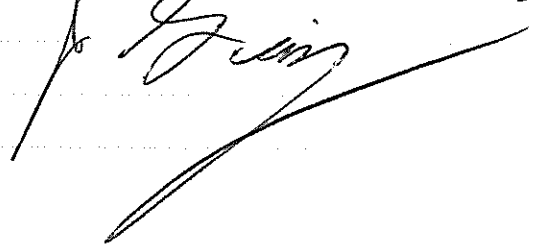
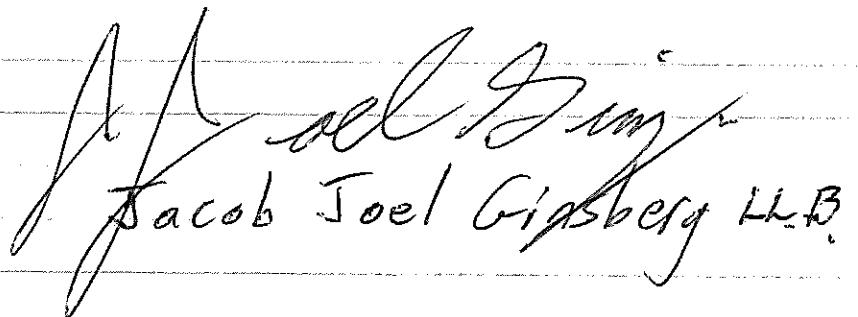
to permit the Ginsbergs to
file an appeal to the
Ontario Municipal Board.

I further request by this
letter written notice be sent
of all future matters involving
the above captioned properties
and copies of Decisions
and or Notice of Passing of
By-Laws, all consents and
severances.

Yours truly

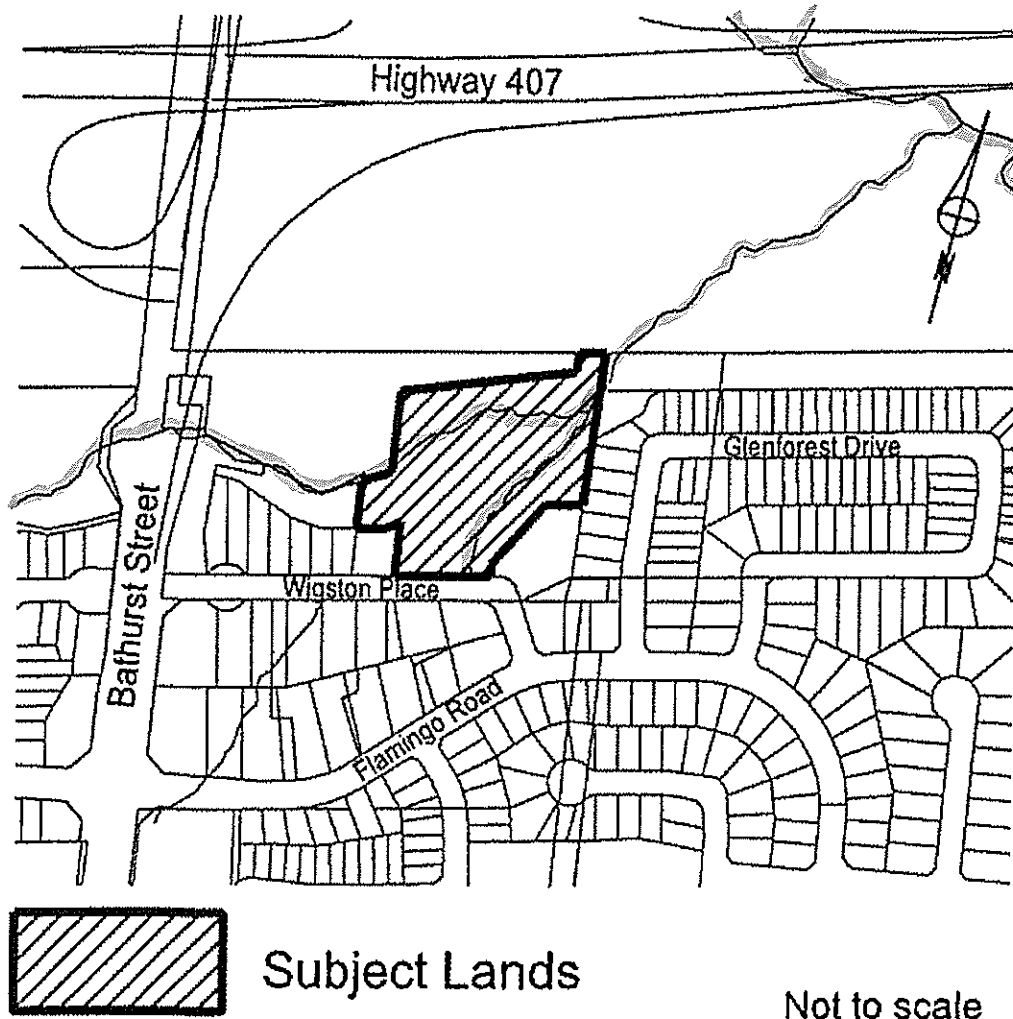
Fern Ginsberg

by her solicitor J. Joel Ginsberg

A handwritten signature in cursive script, appearing to read "Fern Ginsberg", with a long, sweeping horizontal stroke extending to the right.A handwritten signature in cursive script, appearing to read "Jacob Joel Ginsberg", with a long, sweeping horizontal stroke extending to the right.
Jacob Joel Ginsberg LL.B.

A 2

KEY PLAN



PLAN OF SEVERANCE

33 Wigston Place

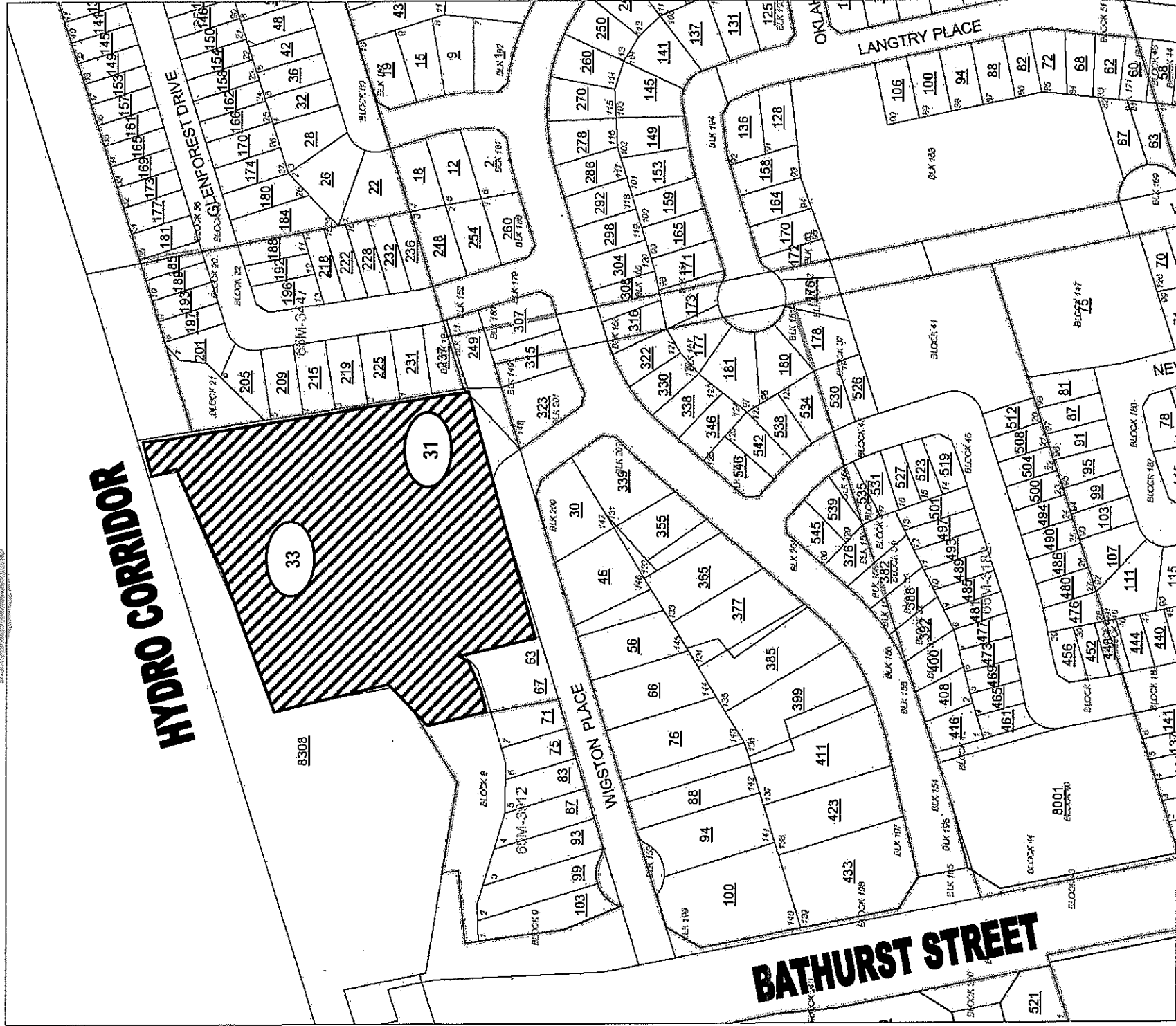
PART OF LOT 34
CONCESSION 1

(GEOGRAPHIC TOWNSHIP OF VAUGHAN)

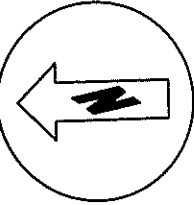
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

A1

HYDRO CORRIDOR



COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-8585 Fax: (905)832-8535

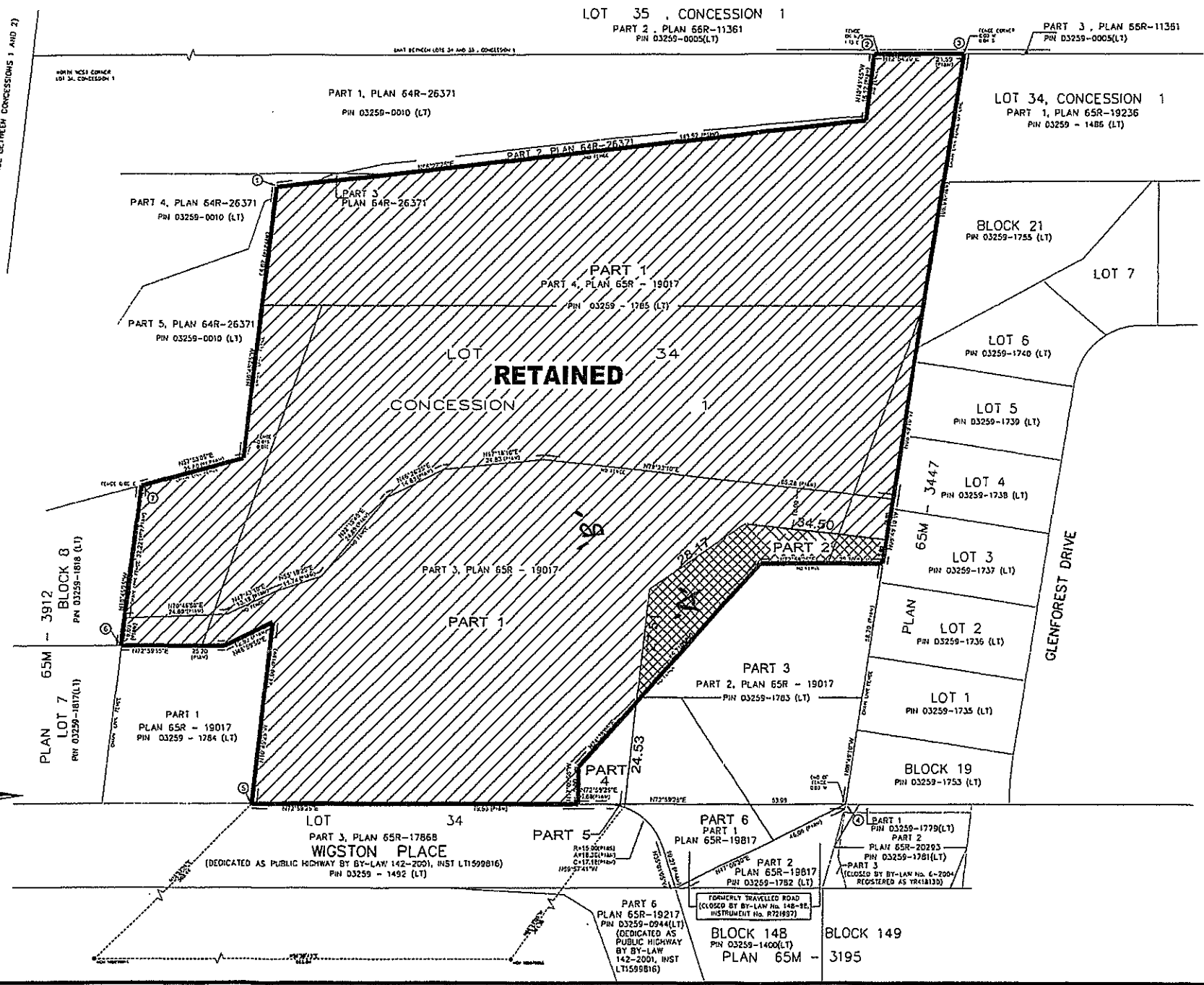
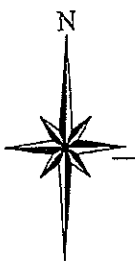
	FILE NUMBER:	B039/11 & B040/11
	APPLICANT:	W. MARTIN, S. HOWIESON & R. STEVENS GUY WIGSTON & JENNIFER LAGRANDEUR
		Subject Area Municipally known as 33 WIGSTON PLACE, THORNHILL & 31 WIGSTON PLACE, THORNHILL

B039/11

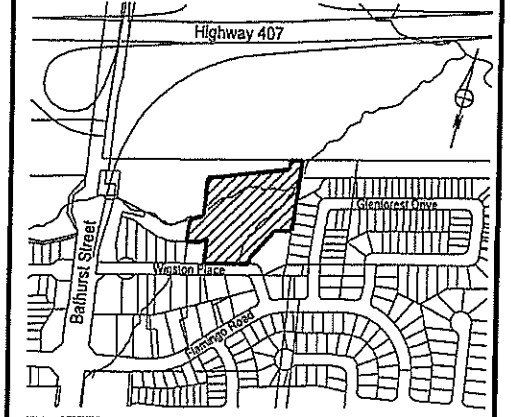
Revised Sketch - January 15/13

A3

BATHURST STREET
(ROAD ALLOWANCE BETWEEN CONCESSIONS 1 AND 2)



KEY PLAN



Subject Lands
Not to scale

PLAN OF SEVERANCE

33 Wigston Place
PART OF LOT 34
CONCESSION 1
(GEOGRAPHIC TOWNSHIP OF VAUGHAN)
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

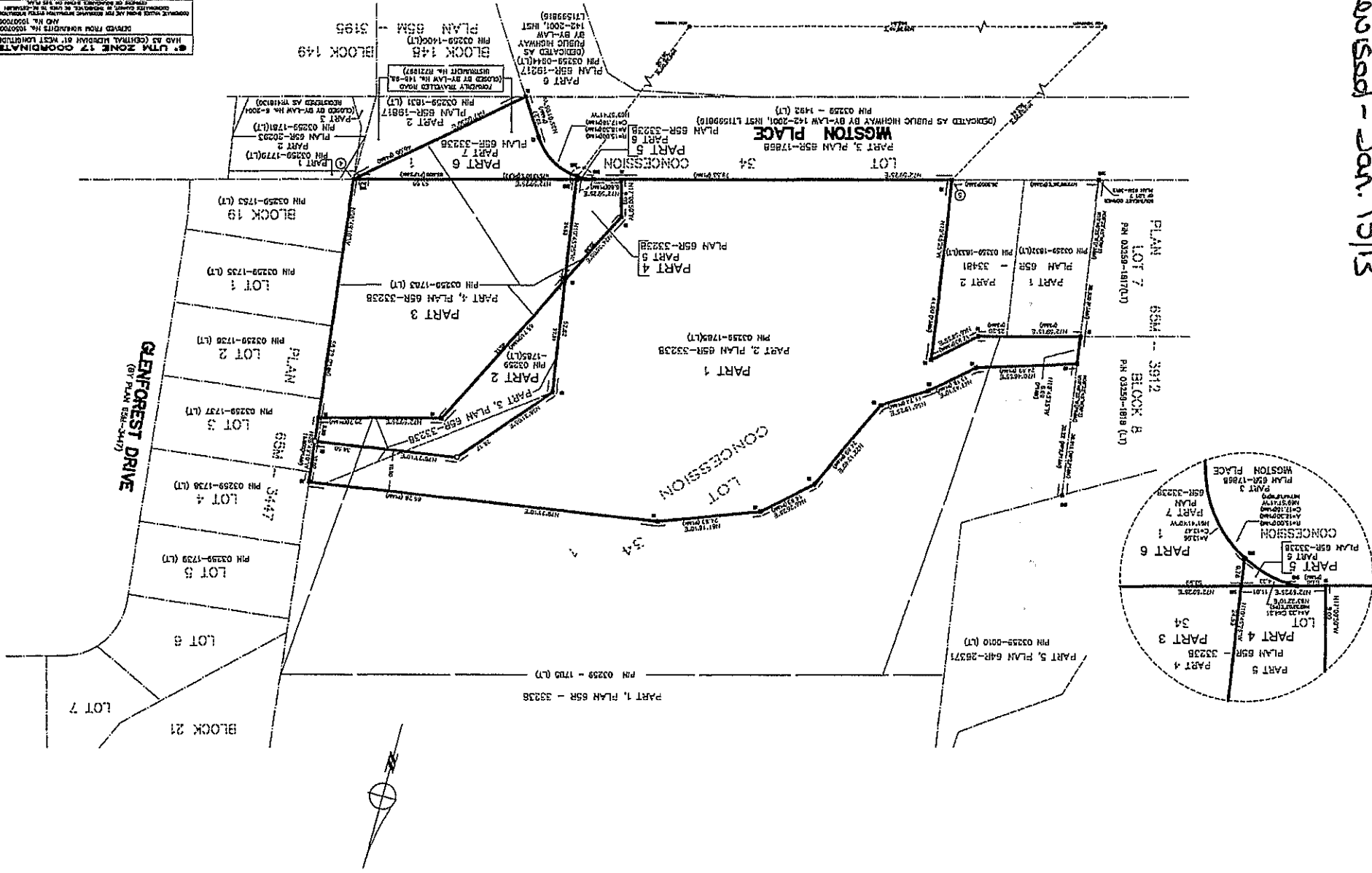
LEGEND

- TOTAL LAND HOLDING (2.314 HA)
- RETAINED PARCEL (2.240HA)
- SEVERED PARCEL TO BE CONVEYED TO 31 WIGSTON PLACE (0.074 HA)

SURVEY BY KRCMAR SURVEYORS LTD., AUGUST 2011.
SCALE: 1:1250
DATE DRAWN: JAN 14/13

WESTON CONSULTING GROUP INC.
Vaughan Office: 201 Midway Avenue, Unit 19, Vaughan, Ontario, L4H 5K0
Phone: (905) 733-8080
Calville Office: 1650 North Service Road E., Suite 114, Oakville, Ontario, L6H 7G3
Phone: (905) 844-0749
1-800-363-3558 Fax: (905) 738-6637 www.westonconsulting.com
WCG12: 5431-2

Revised - Jan. 15/13

[illegible]

6. UTM ZONE 17 COORDINATES
HAD AS (CENTRAL MIDDLE) AT WEST LONGITUDE)
DERIVED FROM MEASUREMENTS IN 1950/70011

SURVEYOR'S CERTIFICATE

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SUMMONERS ACT AND THE LAND TITLE ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____ 2013.

CEWAIR 2 (PART 2)

[illegible]

CFR

ALL FILING INFORMATION IS BY KOREAN AIRWAYS LTD. (1970) UNLESS OTHERWISE NOTED.

E

[illegible]

4

MEMPHIS: BRANCHES AND COOPERATIVES SHOWN HEREIN ARE IN VIOLATION OF THE CIVIL RIGHTS ACT OF 1964 AND CAN BE CONSIDERED TO BE IN VIOLATION OF THE CIVIL RIGHTS ACT OF 1964.

PLAN OF SURVEY OF
PART OF LOT 34
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF VAUGHAN
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

1	POINT OF LOT	CONVEYANCE	PM	AREA (AC)
2				7628.1
3				7722.0
4				2172.0
5				183.9
6				1.0
7				5030.0

1. RECORDING THIS PLAN TO BE CONVEYED
 UNDER THE LAND TRUST ACT.
 2. PLAN 65R-

RECEIVED AND RECORDED
 DATE _____, 2013

THE SOUTHERN
 LAND TRUST
 IS REQUESTING FOR LAND RECORDS FOR
 THE LAND TRUSTS SHOWN ON THIS PLAN.
 (PLANS)