

Subject:

KVG response - Members Resolution Board of Trade Golf Course

Attachments:

KVG letter to Carella May 22.pdf

c.16
Communication
COUNCIL: May 23/18
CW Rpt. No. 18 Item 6.3.23

-----Original Message-----

From: KVG Board of Director [mailto:kvgdirector1@gmail.com]

Sent: Tuesday, May 22, 2018 1:51 PM

To: Carella, Tony <Tony.Carella@vaughan.ca>; Clerks@vaughan.ca; Cardile, Lucy <Lucy.Cardile@vaughan.ca>; keepvaughangreen@gmail.com; kvgdirector1@gmail.com

Subject: KVG response - Members Resolution Board of Trade Golf Course

Good afternoon Mr. Tony Carella and Clerks Office,

Please find Keep Vaughan Green's letter attached concerning the members resolution (Item 23 on May 8th, 2018 COW).

Considering our community's concern on this issue, as evidenced by the petition with over 500 signatures, we feel this Item should be on tomorrow's Council meeting agenda.

Please feel free to contact me.

Thank you,

Laura

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> Dr. Laura M. Vecchiarelli-Federico, BSc., PhD.

> University of Toronto - Department of Medical Biophysics

[REDACTED]

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May 22, 2018

**Sent via e-mail to tony.carella@vaughan.ca
clerks@vaughan.ca**

Mr. Tony Carella
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan ON L6A 1T1

Re: DRAFT Resolution Community Impact Review of Board of Trade Golf Course Development Proposal

Dear Mr. Tony Carella,

Keep Vaughan Green has read your amended DRAFT resolution submitted during the May 8th Committee of the Whole Meeting. There are three crucial elements missing from this resolution. They are:

1. An Interim Control By-law ("ICBL") similar to The Town of Oakville's ("Oakville") for the Board of Trade Golf Course site ONLY; Add Item 2 voted upon on May 8th COW back to the resolution:
"That staff be directed to prepare an ICBL on the Board of Trade Golf Course site for council's consideration at its meeting on May 23, 2018 in order to allow time for the studies to be completed without site alteration."
2. Protection of trees on the Board of Trade Golf Course site, either contained in the ICBL or through a site specific tree by-law amendment removing the golf course exemption; and,
3. Explicit reference in the Resolution to the Board of Trade Golf Course being a "high priority" property ie. vulnerable to change through development pressure and lacking in sufficient protection, and inclusion in the City's inventory of potential protected cultural heritage landscapes.
4. Communications received (Item 6) also include;
C12. Deputation material submitted by Mr. Nick Pinto, Mapes Avenue, Woodbridge
C13. ICBL Petition submitted by Mr. Nick Pinto, Mapes Avenue, Woodbridge
5. Identify "such studies", as it remains unclear which studies have been approved in Item 1 on the May 8th COW. Include Cultural Heritage Landscape Evaluation, Environmental Impact study, Economic Analysis and Community Impact Assessment. Additionally it should be specified that approved studies to be performed will be site-specific.

Background

Vaughan needs time to complete its studies before the re-introduction of a new development application by Clubhouse Developments Inc., and possible demolition permits are submitted, as in Oakville.

The Oakville ICBL was challenged by Clublink Inc., but was upheld on appeal to the OMB:

The Board agreed with the Town that the development contemplated by the ClubLink proposal for the Glen Abbey site is completely unexpected and unplanned and merits a growth study and analysis that takes account of town-wide growth patterns before proceeding. The magnitude of the proposal along with the potential for impact warrant consideration of the planned function and overall Town-scaled urban structure, as well as local character and compatibility. "No matter how it measures up to other approved growth areas in the Town, the proposal will be very significant to the future structure of the Town and will have implications that warrant study and carefully planned change." (para. 33)

The Urban Structure review and the Cultural Heritage Landscape Assessment are proper land use planning studies that the Town requires to assess the pending ClubLink redevelopment applications and provide ample justification for the interim control by-law.

Town staff and Council did not act in bad faith, but to the contrary acted properly and professionally in their conduct of the interim control by-law process and related Council meetings, including interactions with the public and ClubLink.

The interim control by-law did not unfairly target the Glen Abbey Golf Club lands. More specifically, the proposals to redevelop the Saw Whet Golf Course and the Life Sciences Technology District reflect different fact situations and the application of different policy frameworks based on those fact situations.

The interim control by-law conforms to the Region of Halton Official Plan and the Provincial Growth Plan, and is consistent with the Provincial Policy Statement. "The Town's OP carefully and strictly complies with the Growth Plan in accepting and accommodating the growth allocation by the Region, based on the original Growth Plan and on Amendment 2. The ICBL maintains conformity by ensuring that a significant new growth proposal would support or more importantly would not imperil the Town's policies for accommodating future growth and that it would not disrupt the structure and growth pattern planned for the Town." (para. 87)

The studies undertaken by the Town are complex and comprehensive, require the time that the interim control by-law affords, and are being conducted expeditiously by the Town.

In its conclusion, the Board found that the interim control by-law is appropriate and necessary. "It is justified and based on a legitimate planning rationale. It has been enacted in good faith, does not unfairly target the subject proposal in comparison with others and there is no evidence that it has been enacted for purpose of delay or to frustrate the proper assessment of the merits of a development application. It is in conformity with the Region of Halton Official Plan and the Provincial Growth Plan, and is consistent with the PPS." (para. 93)

As indicated previously, the end result of the decision is that the interim control by-law affecting the golf course lands will remain in full force and effect while the contemplated¹ studies continue and are implemented.

Vaughan should have no difficult drafting and adopting a similarly defensible ICBL. If necessary, Vaughan can hire a Bay Street law firm to do the work (which it has never had trouble doing in the past e.g. Friends of Grand Trunk Ravine vs Dufferin Vistas Inc.).

The MPP of Vaughan, Hon. Steven Del Duca, a current resident of the community bordering the Board of Trade Golf Course, has urged that the City of Vaughan "accept our request and approve the Interim Control By-Law." Additionally a petition supporting the approval of an ICBL has been signed by over 500 community members.

Re: tree preservation. Vaughan needs to protect the trees on the Board of Trade site since golf courses are exempt from the Private Property Tree Protection By-Law. In Oakville, the City's Tree By-law does NOT exempt golf courses. Council can and should adopt immediately a site specific by-law to protect the trees on site.

Finally, Vaughan must initiate an immediate cultural heritage landscape inventory, known as a Phase I assessment. This can be done quickly, with an ***immediate Resolution of Council*** that the Board of Trade Golf Course is a priority for action.

Following the completion of the Phase One inventory, and based on the priority for action recommendations in the inventory, full assessments/reports will be completed for the recommended properties from Phase One.

Given timing and budget restraints, the completion of Phase Two will likely take place in several stages, with identified high priority properties, like the Board of Trade Golf Course, being assessed first and medium and low priority properties being assessed in the future as resources are made available. It is also possible that

¹ <https://www.oakville.ca/assets/general%20-%20town%20hall/OMB-PL160331-MAY-10-2017.pdf>

within the identified high priority projects, properties may proceed through Phase Two separately or at different times.

Phase Two shall include, but not be limited to:

- Detailed research for each property;
- Evaluation of each property against the criteria of Ontario Regulation 9/06;
- A Statement of Cultural Heritage Value or Interest for each property;
- Assessment of the condition of the property, including built and natural features.

These assessments provide the full evidentiary basis on which to proceed with any protection measures in Phase Three, such as Official Plan policies or designation under section 29 of the *Ontario Heritage Act*.

On May 8th, 2018 Council voted unanimously to pass Councillor Iafrate's motion "that should an application for these lands be submitted before the studies are completed, staff immediately report to council." The process of choosing a consultant and the above-mentioned Phase One, Two, and Three study completion can take upwards of a year to complete. Therefore it is safe to assume that a new development application for the Board of Trade Golf Course will be submitted BEFORE study completion. Protecting our city's landscapes is a process that takes time, if the ICBL which ensures site preservation and in turn accurate study results, is not a priority because a development application no longer exists, there is no telling what will happen to the sites we are trying so hard to protect.

Conclusion

Council must act quickly to implement the ICBL, accompanying studies and tree preservation and we urge you to distribute our communication and request for reconsideration and voted upon during the Council Meeting to be held on May 23rd, 2018.

Yours Truly,

Keep Vaughan Green Executive
Bob Moroz kvgpresident@gmail.com
Daniela Costantini kvgvp1@gmail.com
Mark Pulciani kvgvp2@gmail.com
Laura Federico kvgdirector1@gmail.com
Ileana Battiston ileana.battiston@dspm.ca

Keep Vaughan Green
keepvaughangreen@gmail.com
keepvaughangreen.com