

Subject:
Attachments:

FW: Block 40/47 Deputation at Committee of the Whole meeting today
June 17th Committee of the Whole Block 40 and 47 Deputation.pdf; ATT00002.htm

From: Ciafardoni, Joy
Sent: Tuesday, June 17, 2014 5:16 PM
To: Abrams, Jeffrey
Subject: FW: Block 40/47 Deputation at Committee of the Whole meeting today

C	3
Item #	57
Report No.	30 (cw)
Council - June 24/14	

From: david toyne [<mailto:davidtoyne@me.com>]
Sent: Tuesday, June 17, 2014 5:07 PM
To: Rosati, Gino; Iafrate, Marilyn; Bevilacqua, Maurizio; Shefman, Alan; DeFrancesca, Rosanna; Di Biase, Michael; Schulte, Deb; Carella, Tony; Racco, Sandra
Cc: MacKenzie, John; gill evans; Francesco DiSarra
Subject: Fwd: Block 40/47 Deputation at Committee of the Whole meeting today

Good afternoon.

On behalf of my wife, Gillian Evans, who spoke on the subject today at Committee of the Whole Public Meeting, we are pleased to provide our written deputation supporting her remarks today.

Watching the live broadcast online I must say how discouraging it was to see the process turn so dramatically upon presentation of the developer's "revisions" or comments. I concur with the Mayor's desire to see a proper reconciliation, but this is something that should be done in the public forum giving everyone a chance to participate. Deferral to next week's Council meeting was not an outcome I could have predicted had I been aware of the developers intentions.

Thank you.

David Toyne

June 17th, 2014

Dear Mayor and Councilors,
Commissioner of Planning
City of Vaughan

Regarding City Planning Staff Report on APPLICATION FOR BLOCK PLAN APPROVAL FILE BL.40/47.2003 BLOCK 40/47 DEVELOPERS GROUP INC. WARD 3, VICINITY OF PINE VALLEY DRIVE AND TESTON ROAD

Preamble:

As a resident at Upper Cold Creek Farm on Pine Valley Drive, I am writing on behalf of my family to express our serious concerns about the proposed residential development located immediately adjacent to our family farm and referred to as Block 40/47 in the City of Vaughan.

By way of background, my grandfather, Grant Glassco, operated our family farm as a thriving beef cattle business until his death in the late 1960's. At that time he gave almost 500 acres of his land to the Ontario Heritage Trust. We believe that this represents the first ever donation of land to OHT. Working together with TRCA, Upper Cold Creek Farm continues to be stewarded under the leadership of my father, Dr. John Evans.

Our farm and the proposed development are both within the Greenbelt; however the development is being "grandfathered" as there was an attempt at a development plan put in place a few months before the Greenbelt legislation was enacted in 2004. It was always our belief that the Greenbelt would provide the protection to our farming lifestyle until it became apparent **only 4 years ago** that the proposed development was indeed being grandfathered under the transition provisions in the Greenbelt Act. We are hopeful that Vaughan's desire to see farming sustained as a vital lifestyle within the City will assist in ensuring compatibility between our farm operation and the proposed new housing development. Our farm is an active farm with 100+ cattle grazing the lands that abut the proposed development.

Concerns with Block 40/47 Development application

Our concerns regarding the development revolve mainly around four things:

1. Dramatically different adjacent land uses and the poor transition between rural and urban landscapes.
2. Lack of consideration of External Connections of Greenbelt Plan and agriculture.
3. Storm water management ponds and the impact on Cold Creek.
4. The loss of privacy and the impact on our farming operation, including potential future legal liability, eg human health and safety.

Dramatically Different Land Uses:

We are thankful that the recent Staff Report prepared for this meeting and released last Friday at noon *re-introduces* the necessity to buffer the farm operations from the new residences with the addition of clause XV to OP 744 entitled Compatibility with adjacent Rural Uses.

We need to highlight however our concerns that the rush to move this to Council has resulted in the addition being incomplete in its contemplations.

1. Overarching the need to buffer the adjacent properties is the paramount requirement to protect humans and livestock from each other. The safety of future residents and their families as well as the livestock that graze the fields abutting the development needs to be made a serious priority. Young boys and farm animals likely won't get along very well if left unsupervised.
2. In addition to the words used to describe the measures to ensure compatibility we ask that fencing and aggressive vegetated buffers are included on the development lands to clearly place responsibility for these measures on the developer, not our farm land as the responsibility for mitigating these risks lies with the party changing the use. Needless to say, we may be forced to hold the City liable for future tragedies arising from failure to implement this strategy competently.
3. There needs to exist some form of legally binding documentation that recognizes future homeowners realize they are purchasing a property which backs onto an active operating farm, and the risks that this carries. Furthermore, documentation that clearly places the responsibility for maintaining the mitigating measures (fence, retaining walls, vegetated buffers, etc) must be introduced for compliance by the prospective homeowner (or other entity, eg. the City). They must acknowledge, for example, that farm operations involve unpleasant odors and sounds from time to time. This will protect the City, Councilors and our farm operation from ill-informed complaints sometime in the future. We are a longstanding, pre-existing use, namely agricultural.
4. We are also concerned that future homeowners may indeed find it convenient to dispose of grass clipping, seasonal pool maintenance and other nuisance items by simply dumping onto the farmland.

Both of these two last issues strongly suggest that the City retain some responsibility for maintenance of the compatibility measures and potential for trespass by assuming ownership or an easement of some portion of the buffer land. This way both the future residents and our farm operation have only one party to work with (the City) in the event of an issue(s) arising from the buffer measures.

In summary, the current residents need to see concrete legal liability protection, before new neighbours are confronted with the reality that they live next to a sometimes smelly and noisy operation. Two things are critical to understanding the City's obligation to us:

1. That agriculture is crucial to our survival, particularly so close to market; and,
2. We were here first.

If the planning context were a PROPOSAL to put new residential development beside an industrial use, there would be significant buffers and legal protections to protect the interests and investments of the pre-existing industrial owners and users. We ask for and expect the same consideration.

Lack of Consideration for External Connections of the Greenbelt Plan and Agriculture

The OPA 744 and Block Plan Application appears silent on anything supporting the respectful transition between farming operations and other land uses. The Greenbelt Plan does provide guiding language from in dealing with this issue - specifically, Section **3.1.5 External Connections**.

The Greenbelt Agricultural System is connected both functionally and economically to the prime agricultural resource lands and agri-food sector beyond the boundaries of the Greenbelt.

*To support the connections between the Greenbelt's Agricultural System and the prime agricultural resource areas of southern Ontario, municipalities, farming organizations, and other agencies and levels of government are encouraged to consider how activities and changes in land use, **both within and abutting the Greenbelt**, relate to the broader agricultural system and economy of southern Ontario and they should **plan appropriately to ensure both functional and economic connections are maintained and strengthened**.*

Storm Water Management Ponds

Another major concern we have is with the proposed storm water management ponds as they will flow into the two tributaries of Cold Creek which runs through our farm on its way to the Humber River. Cold Creek is home to the endangered Red Side Dace and travels through sensitive and significant natural heritage lands and valleys. City planners and TRCA have expressed serious concerns about these systems as well.

Loss of Privacy and Impact on our Farm Operations

We are proud of our commitment to responsibly farming the approximately 200 acres that make up Upper Cold Creek Farm. We have a history of successfully working with the TRCA in forest stewardship and agriculture on TRCA lands we rent for growing grasses. It is our intention to continue farming the land for generations to come.

We are very concerned however with the potential impacts this development abutting our land will have on our ability to maintain our farming operation and lifestyle. Whether safety related, trespass, or neighbour complaints (the cows tend to make noises when they want,

not when it is convenient for us or our neighbours), we hope our lifestyle and privacy are not unduly impacted. The topography of the land needs to be taken into account to avoid new residences from overlooking our home and destroying our privacy.

Related to this development, you should also know that Upper Cold Creek Farm has been very supportive of the efforts by the Ministry of Culture and Tourism to save Skandatut on behalf the Huron-Wendat Nation.

Thank you.

Gillian Evans
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