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September 9, 2014

By E-Mail Only to *Dawne.Jubb@vaughan.ca*

Without Prejudice

Legal Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Dawne C. Jubb
Solicitor

Please refer to: **Kim Beckman**
e-mail: kimb@davieshowe.com
direct line: 416.263.4512
File No. 700916-10

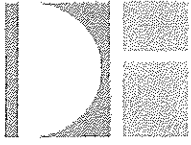
C	<u>29</u>
Item #	<u>24</u>
Report No.	<u>36 (CW)</u>
<u>Council - September 9/14</u>	

Dear Ms. Jubb:

Re: Islamic Shia Ithna-Asheri Jamaat of Toronto
Bathurst Street, City of Vaughan
Official Plan Amendment File OP.13.013
Zoning By-law Amendment File Z.13.036

I am writing on behalf of our client, Islamic Shia Ithna-Asheri Jamaat of Toronto ("ISIJ") to provide input regarding the working group process that was the subject of the resolution adopted by the Committee of the Whole on September 2, 2014. This matter will be considered at the Council meeting scheduled for today, September 9, 2014.

Our client is prepared to provide a revised master concept plan as part of the working group process upon the express understanding that the revised master concept plan will be submitted on a without prejudice basis. Until such time as our client may determine to make a with prejudice amendment to its development applications, the ISIJ's initial applications that were filed with the City of Vaughan will remain the only with prejudice applications.



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On the basis of the foregoing understanding, the ISIJ proposes that:

1. On or before November 15, 2014, the ISIJ will submit a revised master concept plan to the City's Commissioner of Planning for consideration by the working group.
2. The revised master concept plan will consider, but may not necessarily accept, all of the principles generated from the working group as they are reflected in the minutes for the September 2, 2014 meeting of the Committee of the Whole.
3. An independent professional facilitator be appointed to assist the working group with the continuation of its discussions provided that the City, ISIJ and the residents' association to agree upon the facilitator. ISIJ will pay for the cost of the professional facilitator provided that the scope and the mandate of the facilitator are pre-approved by ISIJ.
4. The working group process will continue through February, 2015 with staff reporting back to Council in March, 2015 regarding the progress of the working group.
5. Should the ISIJ determine to amend its applications on a without prejudice basis following further discussions with the working group or otherwise, the amendment will not be considered a new application by the City of Vaughan.
6. No participant in the working group will take any action outside the working group process unless formal notice is provided to all working group members to terminate the working group process. This includes a commitment by ISIJ not to appeal its applications to the Ontario Municipal Board while the working group process is ongoing, nor will the City of Vaughan make a decision regarding the ISIJ's applications as originally filed.

Provided that the without prejudice nature of this letter is communicated to Council, the proposal outlined above may be shared with Council.

Our client looks forward to continuing its discussions with City staff and members of the working group.



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I would be pleased to discuss the above arrangements with you at your convenience.

Sincerely,
DAVIES HOWE PARTNERS LLP

Kimberly L. Beckman

KLB:KB

copy: City Clerk's Office
Clients

From: Gersh, Elizabeth
Sent: Tuesday, September 09, 2014 9:57 AM
To: Bellisario, Adelina
Subject: FW: City Council Meeting - September 9, 2014/Committee of Whole Item#24
Attachments: Jubb Letter-ISIJ Applications (September 9, 2014) (00438172xCDE1C).pdf

Importance: High

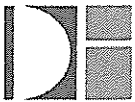
From: Kim Beckman [<mailto:kimb@davieshowe.com>]
Sent: Tuesday, September 09, 2014 9:55 AM
To: Clerks@vaughan.ca
Cc: Jubb, Dawne
Subject: City Council Meeting - September 9, 2014/Committee of Whole Item#24
Importance: High

Please find attached our letter of today's date regarding the above-captioned matter which is to be dealt with at the Vaughan City Council meeting today. I would ask that you bring this without prejudice communication to the attention of Council.

This letter has been attached to Ms. Dawne Jubb of the City's Legal Department. I am therefore providing Ms. Jubb with a copy of this communication as well.

Thank you.

Kim Beckman
kimb@davieshowe.com
Direct Line: 416.263.4512



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