

# DEVINE PARK LLP

PLANNING AND DEVELOPMENT LAWYERS

June 15, 2015

VIA EMAIL [clerks@vaughan.ca](mailto:clerks@vaughan.ca)

Committee of the Whole  
City of Vaughan  
City Hall  
2141 Major Mackenzie Drive, Level 200  
Vaughan ON L6A 1T1

**Attention: City Clerk's Office**

Dear Committee Members:

**RE: Committee of the Whole Meeting scheduled for June 16th, 2015, Agenda Item No. 10  
Natural Heritage Network Inventory and Improvements, Study Completion and  
Recommendations  
Amendment to Vaughan Official Plan 2010  
City of Vaughan File No. 25.5.4**

We are the solicitors for Teston Woods Development Corp. with respect to its lands within Block 27 in the City of Vaughan. The subject lands are currently known municipally as 10971 Jane Street.

Our client has been participating with the other landowners within Block 27 (known as the Teston Green Landowners Group) with respect to the above-noted study and the proposed amendments to the Vaughan Official Plan 2010, and provided comments to City staff regarding these matters. Our client's interests are generally aligned with the position being put forward by the other landowners within Block 27. We understand that Davies Howe Partners LLP, who are counsel for the landowners within Block 27, will be outlining the landowner group's position with respect to the proposed amendments.

The purpose of this letter is to outline two further concerns our client has previously raised with City staff. The first issue relates to the Minimum Vegetation Protection Zone that is required for lands protected within Provincial Plan Areas, including lands that are subject to the Greenbelt Plan. In particular, our client wants to ensure that none of the proposed policies, including Policy 3.2.3.4, would require a Minimum Vegetation Protection Zone to be extended beyond the Provincial Plan Areas' boundaries.

From reviewing the latest report, we understand City staff are recommending the following stand-alone policy (3.2.3.21) be included as part of the amendments to the Vaughan Official Plan 2010, to address our client's concerns:

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Communication
CW: <u>June 16/15</u>
Item: <u>10</u>

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Matter No. S860-01

The minimum vegetation protection zone that applies within the Greenbelt Plan or Oak Ridges Moraine Conservation Plan is not required to extend beyond the boundaries set out in the Greenbelt Plan or Oak Ridges Moraine Conservation Plan save and except as follows:


- a. an Environmental Impact Study confirms that a minimum vegetation protection zone within the Provincial Plan Area should be extended beyond the Provincial Plan boundary;
- b. where a *woodland, wetland, or Life Science Area of Natural and Scientific Interest* identified for protection is located both within and outside the boundary of the Oak Ridges Moraine or the Natural Heritage System of the Protected Countryside in the Greenbelt, and more than 50% of the feature is located within that boundary, the vegetation protection zone that is most protective of the feature shall generally apply to the portion outside of the Provincial Plan area unless an Environmental Impact Study demonstrates that a lesser vegetation protection zone is appropriate.

Our client is in the process of reviewing the language of this proposed stand-alone policy with its consultants, to see whether it wholly addresses our client's concern. Our client should be in a position to confirm whether this proposed policy is acceptable prior to the September 2015 Council meeting which is presently targeted for the adoption of these Official Plan Amendments.

Our client's second concern relates to whether or not the new Natural Heritage policies would apply to existing Secondary Plan Areas. From discussions with City staff, it had been confirmed to our client that the new policies would not apply to existing, approved planned areas that are subject to existing Secondary Plans. It was our client's understanding that a stand-alone policy would be provided, to confirm this understanding, save and except for lands that are the subject of a future Secondary Plan amendment that comes into force and effect after the new Natural Heritage policies have come into force and effect; however, in reviewing the above-noted report and the proposed amendments, this concern has not been addressed. It is our client's position that a stand-alone provision to clarify this issue should be included in the final amendments to the Vaughan Official Plan 2010. We respectfully ask that the Committee refer this issue back to City staff for their review and for the inclusion of a further stand-alone policy to address this matter.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at 416.645.4572.

Yours very truly,  
**Devine Park LLP**

  
Jason Park  
JIP/ss

cc: Jeffery Abrams, City Clerks, City of Vaughan (via email)  
Tony Iacobelli, Senior Environmental Planner, City of Vaughan (via email)  
Katarzyna Sliwa, Davies Howe Partners LLP (via email)  
Gerry Lynch, Cole Engineering Group Ltd. (via email)  
Teston Woods Development Corp. (via email)