

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014

Item 24, Report No. 36, of the Committee the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 9, 2014, as follows:

By replacing the recommendation contained in the resolution in Recommendation 1) of the Committee of the Whole meeting of September 2, 2013 with the following:

- 1. That the revision proposal in its current form is rejected and not acceptable to Council and that the Applicant be requested to submit further revisions to its proposal containing a conceptual master plan by November 15, 2014 that will comprehensively address such matters as:***
 - i) the development of the entire subject site;***
 - ii) the development principles from the Working Group;***
 - iii) the character of the neighbouring community;***
 - iv) the land use planning principles of the VOP2010;***
- 2. That in the event that a comprehensive revised proposal containing a conceptual master plan is submitted, the tenure of the Working Group be extended for an additional 5 months during which time it will hold a minimum of 2 working group sessions, after which Staff be directed to provide a status report to the Committee of the Whole in March 2015;***
- 3. That in the event that the Applicant does not submit a comprehensive revised proposal containing a conceptual master plan by November 15, 2014, it is recommended that the Working Group not reconvene and staff will request final comments from City Departments and external public agencies and is directed to provide a comprehensive technical report which sets out recommendations to approve or refuse the development applications;***

By receiving the following Communications:

- C8. Ms. Maxine Povering, dated September 2, 2014;***
C26. Commissioner of Planning, dated September 8, 2014;
C29. Ms. Kimberly L. Beckman, Davies Howe Partners LLP, Spadina Avenue, Toronto, dated September 9, 2014; and
C30. Confidential memorandum from Legal Counsel, dated September 9, 2014.

24 **OFFICIAL PLAN AMENDMENT FILE OP.13.013**
ZONING BY-LAW AMENDMENT FILE Z.13.036
ISLAMIC SHIA ITHNA-ASHERI JAMAAT OF TORONTO
WARD 4 - VICINITY OF BATHURST STREET AND RUTHERFORD ROAD

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following resolution be approved;**

Whereas a Working Group, comprised of residents, the applicant, City staff, and Vaughan Council, was formed under the recommendation from the February 4, 2014 Committee of the Whole (Public Hearing) to enable discussion between all parties respecting Official Plan Amendment File OP.13.013 and Zoning By-law Amendment File Z.13.036;

Whereas residents and the applicant have made progress on a number of issues as outlined in the September 2, 2014 report of the Commissioner of Planning;

Whereas issues including height, built form and traffic remain as key outstanding issues for the nearby residential community;

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Whereas the proposed plan is still far reaching from being compatible to the housing of the existing Low Rise Residential neighbourhood and to the Vaughan Official Plan Low Rise Residential designation for this site;

Whereas a letter received from York Region, dated May 8, 2014, also urges the applicant to review their proposal as “to comply with the role and function of the immediate area and the corridor the site is located on, and to better reflect the approved heights and densities prescribed by Vaughan’s new Official Plan (2010)”;

Whereas the residents in this neighbourhood have and continue to voice their concerns and their strong opposition to this application.

Therefore be it resolved:

1. That Council reject this application as it is in its current state and request that the applicant come back in the future with a revised application that is reflective of the neighbouring community and that abides by the Vaughan Official Plan 2010; and
 2. That the Working Group that is considering the current application be suspended until such time as a revised plan is brought forward;
- 2) That the following deputations and Communications be received:
1. Mr. John Komlos, Condo Corp 1124, Bathurst Street, Thornhill, and Communication C19, dated August 28, 2014;
 2. Mr. Kevin Hanit, Queensbridge Drive, Concord;
 3. Mr. Shafiq Punjani, Bathurst Street, Vaughan, representing the applicant;
 4. Mr. Kurt Franklin, Weston Consulting, Millway Avenue, Vaughan, representing the applicant;
 5. Mr. Rom Koubi, Ner Israel Drive, Thornhill;
 6. Mr. Simon Hecht, Ner Israel Drive, Thornhill;
 7. Mr. Jordan Kalpin, Serene Way, Vaughan;
 8. Mr. Josh Martow, Coldwater Court, Thornhill;
 9. Mr. Styles Q. Weinberg, Pincone Circle, Vaughan;
 10. Mr. Jeffrey Stone, Bathurst Street, Vaughan, and Communication C27, area map; and
 11. Ms. Maxine Povering, Harvey Kalles Real Estate Ltd., McCallum Drive, Richmond Hill;
- 3) That the following communications be received:
- C4 Mr. Leon Chonin, dated August 27, 2014;
C8 Mr. Benny Anbar, Ravel Drive, dated August 28, 2014;
C20 Reesa Rosen and Corey Margolese, dated September 2, 2014;
C21 Ms. Shelley Shields, dated September 1, 2014;
C22 Ms. Julya Alter, dated August 30, 2014;
C23 Ms. Dana Fixler, dated August 30, 2014; and
C25 Mr. Marvin Navy, dated August 30, 2014; and
- 4) That the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated September 2, 2014, be received.

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Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Council approve an extension of time for the tenure of the Working Group for an additional four to six months.

Contribution to Sustainability

N/A

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

The purpose of this report is to provide Vaughan Council with a status update of the Community Working Group (Working Group) established to enable discussions respecting Official Plan Amendment File OP.13.013 and Zoning By-law Amendment File Z.13.036. The applications are currently under review and propose to redesignate and rezone the subject lands shown on Attachments #1 and #2 to facilitate a 17-storey (205 unit) residential apartment building with 1,240 m² of ground and second floor office and retail space, a 17-storey seniors residential apartment building comprised of 100 assisted living units and 72 apartment dwelling units, and 61 3-storey common element condominium townhouse units.

Background

Location

The subject lands are located on the west side of Bathurst Street, south of Rutherford Road, municipally known as 9000 Bathurst Street, City of Vaughan, as shown on Attachments #1 and #2.

Establishment of the Community Working Group

On February 18, 2014, Vaughan Council ratified the February 4, 2014, recommendation of the Committee of the Whole (Public Hearing) to establish a Working Group for Official Plan and Zoning By-law Amendment Files OP.13.013 and Z.13.036. The Working Group is comprised of representatives from the applicant, local residents through the Preserve Thornhill Ratepayers Association, a nearby condominium corporation, Vaughan Council members and City staff. It was determined that the Community Working Group would meet every 3 weeks, subject to availability, and in consideration of statutory and religious holidays, and that the meetings should not exceed 5 months.

The first Working Group meetings were held on March 26, 2014 and April 24, 2014. The purpose of these meetings was to discuss issues, including but not limited to, density, building height, land use, built heritage, woodland areas, trails, built form, traffic and parking, as they relate to the applications.

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The Working Group meeting scheduled for May 21, 2014, was postponed to allow the applicant more time to address the items raised by the City and residents respecting the proposed plan, and in order for the planners representing the applicant and residents group to participate in a design charrette process dealing primarily with the high density component of the applications. The May 21, 2014, Working Group meeting was rescheduled to June 25, 2014. A site visit of the subject lands, scheduled for May 7, 2014, was also postponed as the majority of the residents were unable to attend. The Working Group meeting scheduled for June 25, 2014, was postponed at the request of the Applicant in order to address issues raised by the Preserve Thornhill Woods Ratepayers Association.

The Commissioner of Planning sent a letter dated July 2, 2014, to all Community Working Group members requesting that the Working Group continue to engage in discussions toward a mutually satisfactory resolution to the applications. The Working Group was asked to collaborate to submit one land use concept or that Preserve Thornhill Woods and the applicant each submit individual land use concepts that could serve as a basis for further discussions by July 18, 2014. The proposed concepts and discussions could help City staff determine whether a mutually agreed upon development concept is possible.

The Applicant met with the Local Councillor and City staff on July 15, 2014, to discuss the Commissioner's letter of July 2, 2014, and a preliminary revised concept. The residents group, Preserve Thornhill Woods, met with the Local Councillor and City staff on July 16, 2014 to discuss their planning issues and how the issues could be addressed through a new development proposal. A scoped Working Group meeting comprised of selected representatives from each group was held on July 24, 2014 and August 15, 2014.

The scoped Working Group meetings were facilitated by the Commissioner of Planning and Interim Director of Planning / Director of Development Planning and attended by the Local Councillor and included three representatives from each organization including land use planners representing the Applicant and Preserve Thornhill Woods. During the discussions "Without Prejudice" materials including revised draft development concepts for the subject lands were brought forward from both groups to inform the discussion. However, these concepts have not formally been submitted to the City as part of the development application and are therefore not included in this report.

As a result of the Working Group meetings a shared understanding between the Applicant and Preserve Thornhill Woods representatives on development principles to serve as the basis for discussions at additional planned Working Group meetings in the fall of 2014 was achieved. The development principles for discussion purposes are as follows:

- Retention of the heritage building will be pursued by the Applicant recognizing the desire of the Applicant to be able to relocate the building within the subject site and the building being determined to be worthy of retention after re-evaluation by Heritage Vaughan Committee and their heritage consultant. An adaptive reuse of the heritage building for office or retail purposes is proposed subject to City staff and Heritage Vaughan Committee review.
- Both parties agree on pursuing the creation of a pedestrian trail within the required TRCA buffer and possibly a soccer field within portions of the valley to be used by the public subject to further review by the TRCA and the City.
- Both parties agree to pursue opportunities for community access to the subject lands for the use of shared services such as playing fields, play areas, and trails. The City could play a role in facilitating such arrangements subject to further review.
- Common element condominium roads are preferred by the Applicant to service the proposed development. Traffic impacts and proposed strategies to mitigate impacts will be reviewed in greater detail through the submission of an updated traffic study, and an associated parking study, if required, which will be prepared by the applicant.

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- A 4 m wide naturalized buffer will be maintained along the southern and western portions of the site behind the existing residential homes with further discussions to occur to retain portions of the existing tree plantation to increase the buffer to between 4 m and 15 m.
- The Applicant has agreed to discuss a reduction in apartment building heights from 17 storeys to between 6 to 10 storeys within three buildings with the highest heights towards Bathurst Street provided their desired unit types and development objectives can be achieved.
- An increased number of common element condominium townhouse units with further discussions to vary the sizes where the sports fields and tree plantation are currently located. The size and location of units and play area/sports field location in proximity to the plantation / buffer and the existing community centre/school are under discussion.
- Underground parking for the planned development and a three level above ground parking structure are under consideration to accommodate approximately 1250 to 1350 parking spaces.

All members of the Working Group agreed and understood that these development principles would be made public for the purposes of informing further discussions, but are not binding on the Applicant or the City.

On August 19, 2014, Preserve Thornhill Woods representatives wrote to the City indicating their appreciation for the progress being made in the Working Group sessions. The Working Group was pleased with progress being made on heritage issues, shared use of facilities, pedestrian trails proposed within the TRCA buffer, consideration of additional parking, and with discussions regarding the buffer for homes on Ner Israel Drive and Bathurst Glen Drive that back onto the wooded plantation areas of the site.

The representatives expressed concerns with the proposed height and density, and the proposed elimination of the Apple Blossom relief road through the site. The representatives have requested Council to reject the application in its current form at the upcoming Council meeting and to invite the applicant to submit an updated proposal that reflects areas of potential agreement between the Applicant and the Preserve Thornhill Woods organization.

City staff is currently not in a position to prepare a recommendation report on this application as technical and agency comments are outstanding. In addition, while there are a number of unresolved issues present with this application, staff is of the view that progress is being made through the discussions of the Working Group. As a result, staff is willing to continue to support and facilitate discussions between resident organizations and the applicant towards a potential resolution and/or refinement of issues that could result in a revised development application.

Next Steps

Additional time is required to continue discussions towards a potential development alternative that would be acceptable to the members of the Working Group. A Working Group meeting is being scheduled for mid-September where it is expected that an updated concept or concepts may be presented. City staff will prepare a report for Vaughan Council's consideration respecting the Working Group findings that could be available by December 2014 or January 2015, which is dependent on progress being made within the Working Group. The timing for the Recommendation Report will depend on whether a formal resubmission comes forward from the Applicant and on the timing for circulation and review of a revised development application and supporting studies. Following the review by City Departments and external public agencies, a

Recommendation report can be prepared for consideration at a future Committee of the Whole meeting.

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiative set forth in the Vaughan Vision 2020 / Strategic Plan:

i) **Plan and Manage Growth & Economic Vitality**

The current Working Group meetings are proposed to facilitate discussion between the residents, applicant and the City to establish collaboration towards managed growth of the 9000 Bathurst property with the larger community.

Regional Implications

This will be addressed when the technical report is completed.

Conclusion

Based on the progress of the scoped Working Group, the Vaughan Planning Department is of the opinion that there may be a basis for the Working Group to arrive at a revised development concept that addresses the planning issues raised, and builds upon the generally agreed to principles by the area residents, applicant and City Staff. Accordingly, additional time is required for the Working Group to advance a potential development concept that is acceptable to all parties. Planning Staff will bring forward a recommendation report for consideration by the Committee of the Whole with timing dependent on the progress being made in the Working Group and time required for the circulation and review of a revised application assuming a revised application is submitted.

Attachments - Current Application

1. Context Location Map
2. Location Map

Report prepared by:

Carol Birch, Planner, ext. 8485
Christina Napoli, Senior Planner, ext. 8483

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

From: MAXINE POVERING <mpovering@rogers.com>
Sent: Tuesday, September 02, 2014 10:37 PM
To: Clerks@vaughan.ca
Subject: Additional Submission to my Deputation on Item 24

C	8
Item #	24
Report No.	36 (CW)
Council -	September 9/14

I forgot to mention that to allow this application to continue in its' current or original form would cost the city millions in lost tax dollars as Thornhill Wood's residents would reappeal their current property tax assessments en masse. Just the perception of a large scale development of 9000 Bathurst Street has already adversely affected the property values, and caused some panic selling, and if the Jaffari proposal goes to the OMB, property values would drop further in the area, and the lost tax dollars of property value of over 7000 homes would severely affect the City's operating budget and revenues.

signed Maxine Povering

C	<u>26</u>
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DATE: SEPTEMBER 8, 2014

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL

FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING

RE: COMMUNICATION – COUNCIL MEETING - SEPTEMBER 9, 2014

ITEM #24, COMMITTEE OF THE WHOLE – SEPTEMBER 2, 2014

OFFICIAL PLAN AMENDMENT FILE OP.13.013
ZONING BY-LAW AMENDMENT FILE Z.13.036
ISLAMIC SHIA ITHNA-ASHERI JAMAAT OF TORONTO
WARD 4 – VICINITY OF BATHURST STREET AND RUTHERFORD ROAD

Recommendation

Staff recommends that Council consider amending the resolution of the Committee of the Whole, by substituting the following language in its entirety:

1. *That Council reject the current proposal and request that the Applicants submit a revised proposal containing a conceptual master plan by October 15, 2014 that comprehensively addresses such matters as:*
 - i) *the development of the entire subject site;*
 - ii) *the development principles from the Working Group;*
 - iii) *the character of the neighbouring community; and,*
 - iv) *the land use planning principles of the VOP2010.*
2. *In the event that a revised proposal containing a conceptual master plan is submitted, the tenure of the Working Group be extended for an additional 4 months and Staff be directed to provide a status report to the Committee of the Whole in January 2015.*
3. *In the event that the Applicant does not submit a revised proposal containing a conceptual master plan by October 15, 2014, Staff is directed to provide a comprehensive technical report which sets out recommendations to approve or refuse the development applications.*

Background

Staff submitted a status report on the progress of the Community Working Group to the September 2, 2014 Committee of the Whole meeting, on the development proposal for the lands located at 9000 Bathurst. Staff also requested that the tenure of the Working Group be extended to allow for more discussion.

Staff had not requested that the Applicant provide revised drawings or plans since there was no final resolution to the proposal and it was expected that more amendments would be negotiated. As such, a comprehensive circulation has not taken place and final comments have not been requested from the various City Departments and external public agencies.

Staff has received inquiries from the Applicant and various resident groups to advise if the resolution passed by the Committee of the Whole on this matter represented a recommendation to Council for a final decision on the development applications (the OPA OP.13.013 and the ZBA Z.13.036).

It is the understanding of staff that Council wished to continue further dialogue amongst the Applicant, community and City Staff but wished to advise the Applicant that there was no resolution at this time and that further significant concessions were still being sought. As such, staff has recommended some alternative language to clarify Council's intention and direction to the Applicant.

Further, Staff notes that the term of the Working Group has expired and if Council wishes the Working Group to reconvene, further instructions are required. In light of the comments raised at the Committee of the Whole meeting Staff has suggested some conditions and a timeframe for moving forward in an efficient and effective manner:

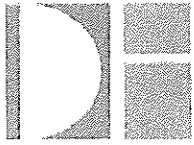
- if the term of the Working Group is to be extended, it is recommended that it should only be done after a comprehensive revised proposal has been submitted;
- if the Applicant is not agreeable to submitting a comprehensive revised proposal, containing a conceptual master plan, it is recommended that the Working Group not reconvene and Staff will request final comments from the City departments and external public agencies and will submit a technical report which sets out recommendations to approve or refuse the development applications

Respectfully submitted,



JOHN MACKENZIE
Commissioner of Planning

Copy to: Barbara Cribbett, Interim City Manager
MaryLee Farrugia, Commissioner of Legal & Administrative Services/City Solicitor
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

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

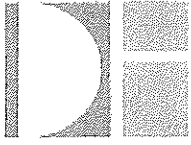
C	<u>29</u>
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Report No.	<u>36 (CW)</u>
<u>Council - September 9/14</u>	

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.



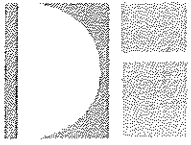
Davies
Howe
Partners
LLP

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.



Davies
Howe
Partners
LLP

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

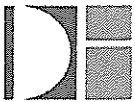
From: Kim Beckman [<mailto:kimb@davieshowe.com>]
Sent: Tuesday, September 09, 2014 9:55 AM
To: Clerks@vaughan.ca
Cc: Jubb, Dawne
Subject: City Council Meeting - September 9, 2014/Committee of Whole Item#24
Importance: High

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

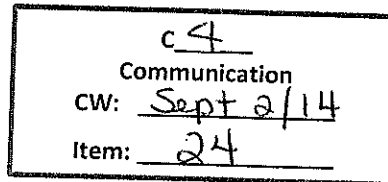


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35 Honeywood Road,
Thornhill Woods
Vaughan, L4J 9C2

August 27, 2014

City of Vaughan
Development Planning Department

Dear Sirs/Madams

**OFFICIAL PLAN AMENDMENT FILE OP.13.013
ZONING BY-LAW AMENDMENT FILE Z.13.036
ISLAMIC SHIA ITHNA-ASHERI JAMAAT OF TORONTO
WARD 4 - VICINITY OF BATHURST STREET AND RUTHERFORD ROAD**

Because I am unable to attend the open Council meeting scheduled for September 2 at 11am I wish to submit my written comments on the report prepared by the City staff that has been attached to the agenda for this meeting.

While I am encouraged by the progress that has been made between the developers, the residents association, other interested parties and the City, I remain concerned that some of the key issues remain unresolved. This negotiating process appears to have been protracted and it is apparent that the developers have still not addressed the core long term planning direction of the City. I am aware the Regional Council has rejected the developer's original application and I would have expected that by now the City would also have adopted the same position. It would appear the City is still allowing the developers as much time and latitude to structure their development plan to suite their own self-interests as opposed to abiding by the regulations adopted by the City to protect and serve the interests of all its residents.

I as a resident of the Thornhill Woods make strong objection to the following proposals included in the report:

Under no circumstances should the City permit a building that exceeds five to six levels as a maximum and provided the number of structures and units proposed can be supported by the infrastructure already in place to service the area.

A road traffic study must provide conclusive evidence that the increase in the proposed density will not adversely affect congestion and that sufficient parking has been provided to accommodate this proposed increased population in the area without continuing to overflow into the neighbouring streets.

A separate above ground parking structure should not be allowed as such a building is neither aesthetically appealing nor desirable in a residential area. It would be preferable to ensure that adequate below ground parking is provided with separate direct access to the main arterial road in order that it does not congest the narrower side roads.

The access Apple Blossom through road into Bathurst must be retained in order to support the increased traffic and to provide relief for the only other two through roads, Summeridge Drive and Autumn Hill that are currently servicing the area.

The developers must provide the City with a written guarantee that all residential units will be made available to the general public and may not be offered exclusively to only a certain religious group. This policy is offensive and not within the true spirit of the Canadian way of life.

Any structures that are intended as subsidized housing must retain certain building standards that will not distract from the quality of housing units in the surrounding area.

I firmly believe that the only way to expedite this process is for the City Council to reject this application and suggest to the developers that once they have addressed all the objections to their application they would be at liberty to re-submit their application.

Sincerely

Leon Chonin

Copies: Sandra Racco
Cindy Furfaro
Preserve Thornhill Woods Association

Magnifico, Rose

c <u>8</u>
Communication
cw: <u>Sept 2/14</u>
Item: <u>24</u>

Subject: FW: Public Hearing Sept 2 - Jafari Village

From: Benny A [<mailto:gradmarketing@rogers.com>]
Sent: Thursday, August 28, 2014 1:41 AM
To: DevelopmentPlanning@vaughan.ca
Cc: Racco, Sandra; Furfaro, Cindy; info@preservethornhillwoods.com
Subject: Public Hearing Sept 2 - Jafari Village

Hello,

I cannot make the meeting, but would like to enter a statement via email.

In regards to the adjusted proposal I am adamantly against having any high-rise building in our community and am totally against expanding the number of townhomes in the original plan. I also am perplexed how this development is moving forward with the level of density in the area?!? The only expansion being authorized should be more parking for the thousands of cars pouring in and out of this property. I am against this proposal and am really appalled that the city is even entertaining such an anti-community proposal to begin with.

The whole neighborhood is in a state of panic and is starting to fall apart over this development. My concerns are for my families' safety due to overcrowding and traffic. In addition the exploitation of the conservation area, heritage home, and infrastructure is too much to bear for this resident. Please scrap this proposal and have Jafari focus on expanding parking for their community center/Mosque.
Regards,

Benny Anbar
91 Ravel Dr

Magnifico, Rose

Subject:

FW: Delivery Status Notification (Failure)

c 19
Communication
cw: <u>Sept 2/14</u>
Item: <u>24</u>

From: John Komlos [<mailto:johnwkomlos@gmail.com>]

Sent: Thursday, August 28, 2014 12:30 PM

To: Racco, Sandra

Subject: Fwd: Delivery Status Notification (Failure)

Sandra,

I just wanted to advise you that upon receiving the *new* proposal of the Jaffari Village Group's plan for 9000 Bathurst Street, our condominium corporation unanimously turned down the proposal. Our feeling is that too many of the issues were not addressed.

Please advise where the Working Group goes from here.

In addition, could you please pass on this e-mail to the following:

John MacKenzie, Commissioner of Planning
Grant Uyeyama, Director, Development Planning
Carol Birch, Planner, Development Planning
Sandra Cappuccitti, Urban Designer
Daniel Rende, Cultural Heritage Coordinator
Andrew Pearce, Director, Development Engineering
Selma Hubjer, Transportation Engineering Manager
Cindy Furfaro-Benning, Council EA

Thanks.

John W. Komlos
President
Condominium Corporation No. 1124

Magnifico, Rose

C20	
Communication	
cw:	<u>Sept 2/14</u>
Item:	<u>24</u>

From: Reesa Rosen [REDACTED]
Sent: Monday, September 01, 2014 10:00 AM
To: Council; Bevilacqua, Maurizio; Di Biase, Michael; Rosati, Gino; Schulte, Deb; Iafrate, Marilyn; Carella, Tony; DeFrancesca, Rosanna; Racco, Sandra; Shefman, Alan
Cc: [REDACTED]
Subject: Jafari Centre Expansion

Dear Mayor and council members,

I was wondering what is the reason for delaying the decision on the jaffari centre expansion until January? You have been meeting with the preserve the thornhill association who presented numerous concerns on behalf of our community. They have provided legitimate proof and support pertaining to all zoning, traffic, parking, heritage and environmental issues, road expansion etc. and they have enlisted professional city planners to verify these concerns.

Could you please outline what else are you expecting or waiting for in order to make your decision?

In addition, why is a meeting where the progress of this issue will be discussed, scheduled for Tues Sept 2 at 11am- a time when most community members are at work or busy with their kids on the first day of school? This concerns me as a tax paying resident, as it seems to show that you do not promote community involvement in matters that directly effect the community.

While I understand that you need to represent members of the entire community, it is your civic duty to act in the best interests of the community and how future developments will effect the quality if life in it.

I would appreciate if you could please shed some light about plans for next steps and explain some of these decisions.

Sincerely,

Reesa Rosen and Corey Margoless

Vaughan residents (Ward 4)

Magnifico, Rose

From: Shelley Shields <shelleyshields@rogers.com>
Sent: Monday, September 01, 2014 12:44 PM
To: Bevilacqua, Maurizio
Cc: Rosati, Gino; Di Biase, Michael; Schulte, Deb; Iafrate, Marilyn; Carella, Tony; DeFrancesca, Rosanna; Racco, Sandra; Shefman, Alan
Subject: Jaffari Centre development application

c.21
Communication
CW: <u>Sept 2/14</u>
Item: <u>24</u>

Dear Mayor and council members,

I was wondering what is the reason for delaying the decision on the jaffari centre expansion until January? You have been meeting with the preserve the thornhill association who presented numerous concerns on behalf of our community. They have provided legitimate proof and support pertaining to all zoning, traffic, parking, heritage and environmental issues, road expansion etc. and they have enlisted professional city planners to verify these concerns. Could you please outline what else are you expecting or waiting for in order to make your decision?

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I would appreciate if you could please shed some light about plans for next steps and explain some of these decisions.

Sincerely,

Shelley Shields

Thornhill woods resident

Magnifico, Rose

From: g .immjulya alter <atozgroup@live.ca>
Sent: Saturday, August 30, 2014 11:46 PM
To: Council
Subject: Jaffari project

c <u>22</u>
Communication
cw: <u>Sept 2/14</u>
Item: <u>24</u>

Dear Mayor and council members,

I was wondering what is the reason for delaying the decision on the jaffari centre expansion until January? You have been meeting with the preserve the thornhill association who presented numerous concerns on behalf of our community. They have provided legitimate proof and support pertaining to all zoning, traffic, parking, heritage and environmental issues, road expansion etc. and they have enlisted professional city planners to verify these concerns. Could you please outline what else are you expecting or waiting for in order to make your decision?

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I would appreciate if you could please shed some light about plans for next steps and explain some of these decisions.

Sincerely,

Julya Alter

Vaughan resident

Magnifico, Rose

From: Dana <danafixler@hotmail.com>
Sent: Saturday, August 30, 2014 1:08 AM
To: Council
Subject: A letter from a concerned vaughan resident

c23
Communication
cw: <u>Sept 2/14</u>
Item: <u>24</u>

Dear Mayor and council members,

I was wondering what is the reason for delaying the decision on the jaffari centre expansion until January? You have been meeting with the preserve the thornhill association who presented numerous concerns on behalf of our community. They have provided legitimate proof and support pertaining to all zoning, traffic, parking, heritage and environmental issues, road expansion etc. and they have enlisted professional city planners to verify these concerns. Could you please outline what else are you expecting or waiting for in order to make your decision?

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I would appreciate if you could please shed some light about plans for next steps and explain some of these decisions.

Sincerely

Dana Fixler

Thornhill woods resident

Sent from my iPhone

Magnifico, Rose

Subject:

FW: Jaffari centre

c <u>25</u>
Communication
cw: <u>Sept 2/14</u>
Item: <u>24</u>

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

From: Marvin Navy [<mailto:marvin@ironhidepro.com>]

Sent: Saturday, August 30, 2014 1:39 PM

To: Bevilacqua, Maurizio

Cc: Di Biase, Michael; Schulte, Deb; Furfaro, Cindy

Subject: Jaffari centre

Dear Mayor and council members,

I was wondering what is the reason for delaying the decision on the jaffari centre expansion until January? You have been meeting with the preserve the thornhill association who presented numerous concerns on behalf of our community. They have provided legitimate proof and support pertaining to all zoning, traffic, parking, heritage and environmental issues, road expansion etc. and they have enlisted professional city planners to verify these concerns. Could you please outline what else are you expecting or waiting for in order to make your decision?

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While I understand that you need to represent members of the entire community, it is your civic duty to act in the best interests of the community and how future developments will effect the quality if life in it.

I would appreciate if you could please shed some light about plans for next steps and explain some of these decisions.

Sincerely,

Marvin Navy

Thornhill woods resident

Marvin Navy

Ironhide Pro Hardware

416-986-3125

marvin@ironhidepro.com

Dist: J. Stone
CW- Sept 2/14 Item 24
C27

c 27
Communication
CW: Sept 2/14
Item: 24



COMMITTEE OF THE WHOLE SEPTEMBER 2, 2014

OFFICIAL PLAN AMENDMENT FILE OP.13.013 ZONING BY-LAW AMENDMENT FILE Z.13.036 ISLAMIC SHIA ITHNA-ASHERI JAMAAT OF TORONTO WARD 4 - VICINITY OF BATHURST STREET AND RUTHERFORD ROAD

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Council approve an extension of time for the tenure of the Working Group for an additional four to six months.

Contribution to Sustainability

N/A

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

The purpose of this report is to provide Vaughan Council with a status update of the Community Working Group (Working Group) established to enable discussions respecting Official Plan Amendment File OP.13.013 and Zoning By-law Amendment File Z.13.036. The applications are currently under review and propose to redesignate and rezone the subject lands shown on Attachments #1 and #2 to facilitate a 17-storey (205 unit) residential apartment building with 1,240 m² of ground and second floor office and retail space, a 17-storey seniors residential apartment building comprised of 100 assisted living units and 72 apartment dwelling units, and 61 3-storey common element condominium townhouse units.

Background

Location

The subject lands are located on the west side of Bathurst Street, south of Rutherford Road, municipally known as 9000 Bathurst Street, City of Vaughan, as shown on Attachments #1 and #2.

Establishment of the Community Working Group

On February 18, 2014, Vaughan Council ratified the February 4, 2014, recommendation of the Committee of the Whole (Public Hearing) to establish a Working Group for Official Plan and Zoning By-law Amendment Files OP.13.013 and Z.13.036. The Working Group is comprised of representatives from the applicant, local residents through the Preserve Thornhill Ratepayers Association, a nearby condominium corporation, Vaughan Council members and City staff. It was determined that the Community Working Group would meet every 3 weeks, subject to availability,

and in consideration of statutory and religious holidays, and that the meetings should not exceed 5 months.

The first Working Group meetings were held on March 26, 2014 and April 24, 2014. The purpose of these meetings was to discuss issues, including but not limited to, density, building height, land use, built heritage, woodland areas, trails, built form, traffic and parking, as they relate to the applications.

The Working Group meeting scheduled for May 21, 2014, was postponed to allow the applicant more time to address the items raised by the City and residents respecting the proposed plan, and in order for the planners representing the applicant and residents group to participate in a design charrette process dealing primarily with the high density component of the applications. The May 21, 2014, Working Group meeting was rescheduled to June 25, 2014. A site visit of the subject lands, scheduled for May 7, 2014, was also postponed as the majority of the residents were unable to attend. The Working Group meeting scheduled for June 25, 2014, was postponed at the request of the Applicant in order to address issues raised by the Preserve Thornhill Woods Ratepayers Association.

The Commissioner of Planning sent a letter dated July 2, 2014, to all Community Working Group members requesting that the Working Group continue to engage in discussions toward a mutually satisfactory resolution to the applications. The Working Group was asked to collaborate to submit one land use concept or that Preserve Thornhill Woods and the applicant each submit individual land use concepts that could serve as a basis for further discussions by July 18, 2014. The proposed concepts and discussions could help City staff determine whether a mutually agreed upon development concept is possible.

The Applicant met with the Local Councillor and City staff on July 15, 2014, to discuss the Commissioner's letter of July 2, 2014, and a preliminary revised concept. The residents group, Preserve Thornhill Woods, met with the Local Councillor and City staff on July 16, 2014 to discuss their planning issues and how the issues could be addressed through a new development proposal. A scoped Working Group meeting comprised of selected representatives from each group was held on July 24, 2014 and August 15, 2014.

The scoped Working Group meetings were facilitated by the Commissioner of Planning and Interim Director of Planning / Director of Development Planning and attended by the Local Councillor and included three representatives from each organization including land use planners representing the Applicant and Preserve Thornhill Woods. During the discussions "Without Prejudice" materials including revised draft development concepts for the subject lands were brought forward from both groups to inform the discussion. However, these concepts have not formally been submitted to the City as part of the development application and are therefore not included in this report.

As a result of the Working Group meetings a shared understanding between the Applicant and Preserve Thornhill Woods representatives on development principles to serve as the basis for discussions at additional planned Working Group meetings in the fall of 2014 was achieved. The development principles for discussion purposes are as follows:

- Retention of the heritage building will be pursued by the Applicant recognizing the desire of the Applicant to be able to relocate the building within the subject site and the building being determined to be worthy of retention after re-evaluation by Heritage Vaughan Committee and their heritage consultant. An adaptive reuse of the heritage building for office or retail purposes is proposed subject to City staff and Heritage Vaughan Committee review.
- Both parties agree on pursuing the creation of a pedestrian trail within the required TRCA buffer and possibly a soccer field within portions of the valley to be used by the public subject to further review by the TRCA and the City.

- Both parties agree to pursue opportunities for community access to the subject lands for the use of shared services such as playing fields, play areas, and trails. The City could play a role in facilitating such arrangements subject to further review.
- Common element condominium roads are preferred by the Applicant to service the proposed development. Traffic impacts and proposed strategies to mitigate impacts will be reviewed in greater detail through the submission of an updated traffic study, and an associated parking study, if required, which will be prepared by the applicant.
- A 4 m wide naturalized buffer will be maintained along the southern and western portions of the site behind the existing residential homes with further discussions to occur to retain portions of the existing tree plantation to increase the buffer to between 4 m and 15 m.
- The Applicant has agreed to discuss a reduction in apartment building heights from 17 storeys to between 6 to 10 storeys within three buildings with the highest heights towards Bathurst Street provided their desired unit types and development objectives can be achieved.
- An increased number of common element condominium townhouse units with further discussions to vary the sizes where the sports fields and tree plantation are currently located. The size and location of units and play area/sports field location in proximity to the plantation / buffer and the existing community centre/school are under discussion.
- Underground parking for the planned development and a three level above ground parking structure are under consideration to accommodate approximately 1250 to 1350 parking spaces.

All members of the Working Group agreed and understood that these development principles would be made public for the purposes of informing further discussions, but are not binding on the Applicant or the City.

On August 19, 2014, Preserve Thornhill Woods representatives wrote to the City indicating their appreciation for the progress being made in the Working Group sessions. The Working Group was pleased with progress being made on heritage issues, shared use of facilities, pedestrian trails proposed within the TRCA buffer, consideration of additional parking, and with discussions regarding the buffer for homes on Ner Israel Drive and Bathurst Glen Drive that back onto the wooded plantation areas of the site.

The representatives expressed concerns with the proposed height and density, and the proposed elimination of the Apple Blossom relief road through the site. The representatives have requested Council to reject the application in its current form at the upcoming Council meeting and to invite the applicant to submit an updated proposal that reflects areas of potential agreement between the Applicant and the Preserve Thornhill Woods organization.

City staff is currently not in a position to prepare a recommendation report on this application as technical and agency comments are outstanding. In addition, while there are a number of unresolved issues present with this application, staff is of the view that progress is being made through the discussions of the Working Group. As a result, staff is willing to continue to support and facilitate discussions between resident organizations and the applicant towards a potential resolution and/or refinement of issues that could result in a revised development application.

Next Steps

Additional time is required to continue discussions towards a potential development alternative that would be acceptable to the members of the Working Group. A Working Group meeting is being scheduled for mid-September where it is expected that an updated concept or concepts may be presented. City staff will prepare a report for Vaughan Council's consideration respecting the Working Group findings that could be available by December 2014 or January 2015, which is dependent on progress being made within the Working Group. The timing for the Recommendation Report will depend on whether a formal resubmission comes forward from the Applicant and on the timing for circulation and review of a revised development application and

supporting studies. Following the review by City Departments and external public agencies, a Recommendation report can be prepared for consideration at a future Committee of the Whole meeting.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiative set forth in the Vaughan Vision 2020 / Strategic Plan:

i) **Plan and Manage Growth & Economic Vitality**

The current Working Group meetings are proposed to facilitate discussion between the residents, applicant and the City to establish collaboration towards managed growth of the 9000 Bathurst property with the larger community.

Regional Implications

This will be addressed when the technical report is completed.

Conclusion

Based on the progress of the scoped Working Group, the Vaughan Planning Department is of the opinion that there may be a basis for the Working Group to arrive at a revised development concept that addresses the planning issues raised, and builds upon the generally agreed to principles by the area residents, applicant and City Staff. Accordingly, additional time is required for the Working Group to advance a potential development concept that is acceptable to all parties. Planning Staff will bring forward a recommendation report for consideration by the Committee of the Whole with timing dependent on the progress being made in the Working Group and time required for the circulation and review of a revised application assuming a revised application is submitted.

Attachments - Current Application

1. Context Location Map
2. Location Map

Report prepared by:

Carol Birch, Planner, ext. 8485
Christina Napoli, Senior Planner, ext. 8483

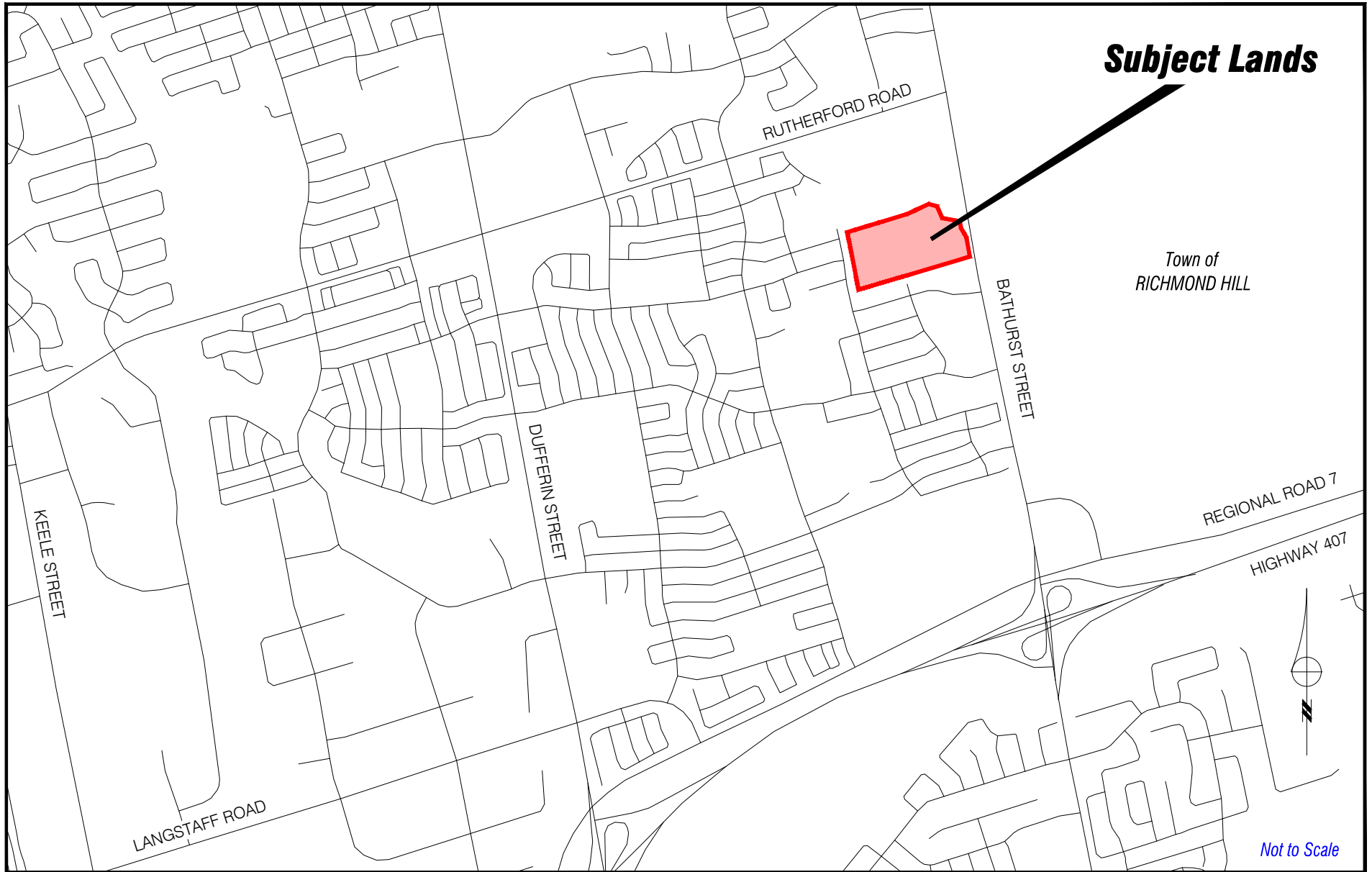
Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Interim Director of Planning, and
Director of Development Planning

MAURO PEVERINI
Manager of Development Planning

/LG



Context Location Map

LOCATION:
Part of Lot 14, Concession 2

APPLICANT:
Islamic Shia Ithna-Asheri Jamaat of Toronto

N:\DFT\1 ATTACHMENTS\OP\op.13.013_z.13.036.dwg

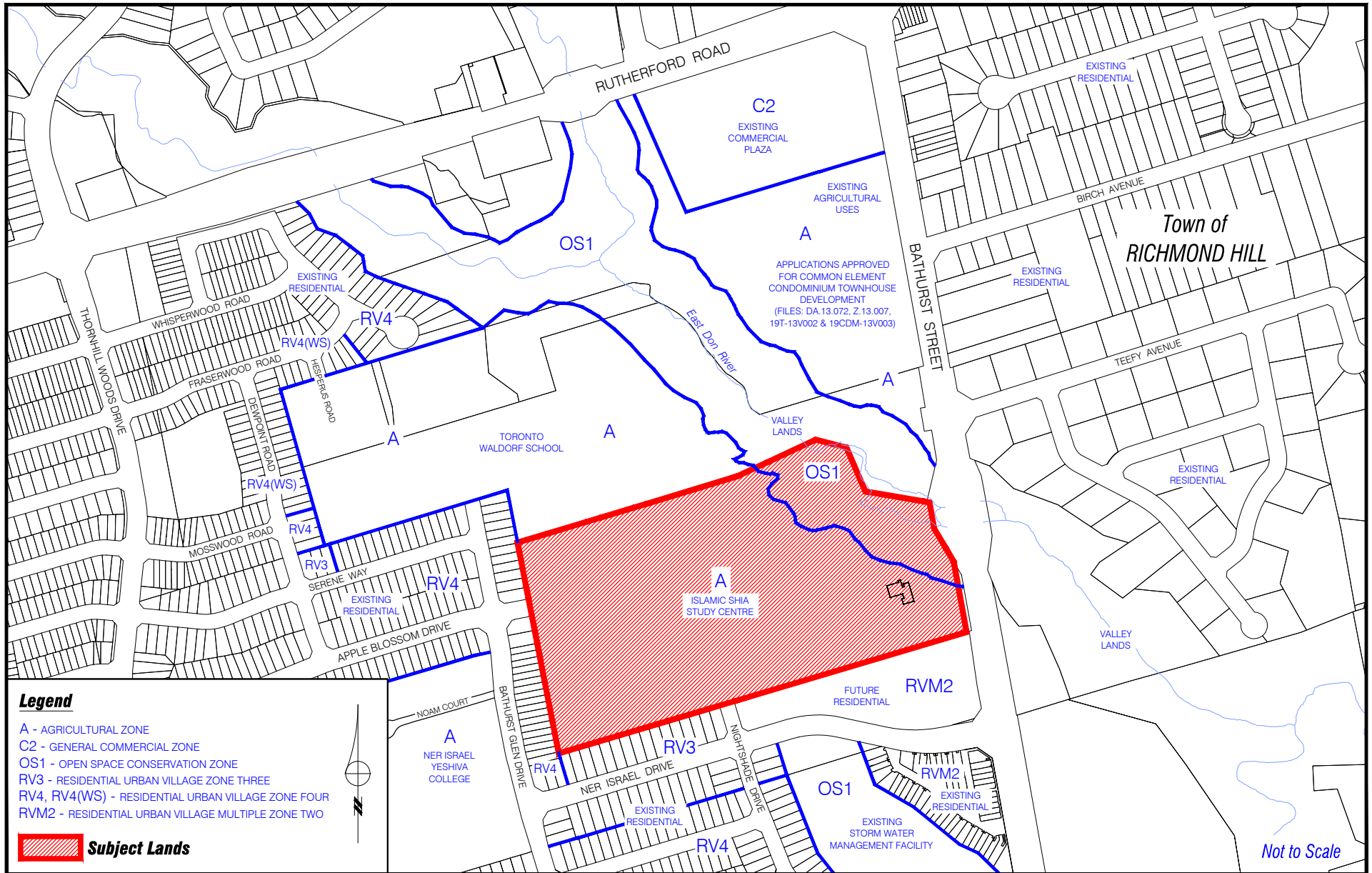


Attachment

FILES:
OP.13.013, Z.13.036

DATE:
September 2, 2014

1



Location Map

LOCATION:
Part of Lot 14, Concession 2

APPLICANT:
Islamic Shia Ithna-Asheri Jamaat of Toronto

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Attachment

FILES:
OP.13.013, Z.13.036

DATE:
September 2, 2014

2