

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 23, Report No. 18, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 23, 2018, as follows:

By approving the following:

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

Whereas, an application to develop a portion of the Board of Trade Golf Course lands has been withdrawn but is expected to be re-submitted at some future as yet unspecified date; and

Whereas, local residents are concerned that trees other than those identified as hazardous to the public may be removed from the site while the application is in abeyance and prior to the completion of the current consultation with golf course and nursery operators as to whether trees on such sites should be covered by the Private Property Tree Protection By-law;

It is therefore recommended:

1. ***That appropriate staff be directed to request the owners of the Board of Trade Golf Course to formally agree in writing to abide by the provisions of the Private Property Tree Protection By-law as a gesture of good faith toward neighbouring residents, and to do so until such time as the consultations referenced above is concluded and Council takes what action it deems appropriate in light of said consultations; and***
2. ***That failing agreement with the above, that appropriate staff be directed to bring forward no later than the Committee of the Whole meeting of June 5, 2018, a site-specific by-law that subjects the said lands to the provisions of the Private Property Tree Protection By-law, until such time as the consultations referenced above is concluded and Council takes what action it deems appropriate in light of said consultations.***

~~*2) That recommendation 1. contained in the resolution provided by Councillor Carella dated May 8, 2018, be replaced with the following amended recommendation:~~

- ~~1. That staff be directed to undertake such studies, which may include, subject to an appropriate funding source being identified and consistency with the Official Plan, a cultural heritage landscape evaluation, an environmental impact study, an economic analysis, a comprehensive land use analysis, health impact analysis, and a~~

.../2

* Amended at the Council meeting of June 19, 2018 under Minute No. 92.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 23, CW Report No. 18 – Page 2

~~*community impact assessment, and retain such consultants as are necessary to address the above City-wide land use planning concerns and prepare any recommended amendments to the City's land use planning policies in respect of infill developments; and~~

3) *That the following communications be received:*

- C3** *Mr. David Donnelly, Donnelly Law, Carlaw Avenue, Toronto, dated May 8, 2018;*
- C11** *Mr. David Donnelly, Donnelly Law, Carlaw Avenue, Toronto, dated May 11, 2018;*
- C15** *Mr. Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated May 22, 2018;*
- C16** *Dr. Laura Vecchiarelli-Federico, Keep Vaughan Green, dated May 22, 2018; and*
- C19** *Keep Vaughan Green Board of Director, dated May 23, 2018.*

23 COMMUNITY IMPACT REVIEW OF BOARD OF TRADE GOLF COURSE DEVELOPMENT PROPOSAL

The Committee of the Whole recommends:

- 1) That recommendations 1 and 3 contained in the following resolution provided by Councillor Carella dated May 8, 2018, be approved:

Whereas, applications to develop large parcels of infill lands across the City of Vaughan may have adverse effects on the public interest, a review of City planning policies in light of the potential for such large-scale projects is in order; and

Whereas, policies in the Vaughan Official Plan 2010 (VOP 2010) regarding large-scale infill in existing community areas do not contemplate large scale infill projects, a review of policies to determine whether amendments should be made to address such proposals in future, in order to have the appropriate policy context in place to properly consider such applications; and

Whereas, applications that constitute large-scale infill within any well-established and stable residential community may be defined, as is typical in Vaughan, by valley-tableland settings and open spaces, which may be appropriate for designation as a cultural heritage landscape with resulting amendments to the VOP 2010; and

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* Amended at the Council meeting of June 19, 2018 under Minute No. 92.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 23, CW Report No. 18 – Page 3

Whereas, greater consideration of the impact of large-scale infill developments on natural heritage systems and features is required to determine whether the current VOP 2010 policies should be amended to address the implications of large-scale infill development adjacent to natural heritage systems; and

Whereas, it is a matter of provincial interest that land use planning policies and decisions advance the orderly development of safe and healthy communities in every part of Vaughan, and therefore potential impacts of any large-scale infill development on existing community health, well-being and safety should be considered; and

Whereas, deputants heard on this matter today have identified other significant issues, such as, first nations imprints, conservation stewardship, mental health impacts, that deserve consideration for further studies; and

Whereas, a review of large infill projects as constituted herein merits the broadest possible title, such that what is described above, shall be designated the community impact review.

****It is therefore recommended:***

- ~~1. That staff be directed to undertake such studies and retain such consultants as are necessary to address the above City-wide land use planning concerns and prepare any recommended amendments to the City's land use planning policies in respect of infill developments; and~~
- ~~3. That the necessary funding source be identified.~~
- ~~*2) That should an application for these lands be submitted before the studies are completed, staff immediately report to Council;~~
- 3) That the confidential recommendation of the Committee of the Whole (Closed Session) meeting of May 8, 2018, be approved;
- 4) That the member's resolution submitted by Councillor Carella, dated May 8, 2018, be received;
- 5) That the following Deputations and Communications be received:
 1. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg;
 2. Ms. Josie Fedele, West Woodbridge Homeowners Association Inc., Albany Drive, Woodbridge;

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* Amended at the Council meeting of June 19, 2018 under Minute No. 92.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 23, CW Report No. 18 – Page 4

3. Mr. Tony Lorini, Greater Woodbridge Ratepayers Association, Ayton Crescent, Woodbridge;
 4. Dr. Laura Federico, Keep Vaughan Green, Waymar Heights Boulevard, Woodbridge;
 5. Ms. Daniela Costantini, Keep Vaughan Green, Kilmuir Gate, Woodbridge;
 6. Mr. Andre Willi, Keep Vaughan Green, Ampezzo Avenue, Vaughan;
 7. Ms. Paola Crocetti, Keep Vaughan Green, Kilmuir Gate, Woodbridge;
 8. Mr. Jamie Maynard, Woodbridge Village Ratepayers Association, William Street, Woodbridge;
 9. Mr. Hatem Abouelnile, Keep Vaughan Green, Kilmuir Gate, Vaughan;
 10. Ms. Pina Sacco, Village of Woodbridge Ratepayers Association, Amos Maynard Circle, Woodbridge;
 11. Mr. Furio Liberatore, Princess Isabella Court, Maple;
 12. Mr. Nick Pinto, West Woodbridge Homeowners Association Inc., Mapes Avenue, Woodbridge; C12, deputation material, and C13 Petition, both submitted at the meeting;
 13. Mr. David Donnelly, Donnelly Law LLP, Keep Vaughan Green, Carlaw Avenue, Toronto, and Communication C9, dated May 8, 2018;
 14. Mr. Bob Moroz, Keep Vaughan Green, Kilmuir Gate, Vaughan;
 15. Mr. Adriano Volpentesta, America Avenue, Maple;
 16. Mr. Mario Dinardo, Appian Way, Woodbridge; and
 17. Ms. Michaela Barbieri, Campania Court, Vaughan; and
- 6) That the following Communications be received:
- C1. Presidents of Keep Vaughan Green, Village of Woodbridge Ratepayers Association and West Woodbridge Homeowners Association, dated April 18, 2018;
 - C2. Memorandum from the Deputy City Manager, Planning

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 23, CW Report No. 18 – Page 5

and Growth Management, Director of Development Planning and City Solicitor, dated April 27, 2018;

C3. Steven Del Duca, MPP Vaughan, Rutherford Road, Woodbridge, dated May 1, 2018;

C6. Confidential Memorandum from the City Solicitor, dated May 7, 2018; and

C10. Memorandum from the Director of Development Planning, dated May 8, 2018.

Member's Resolution

Submitted by Councillor Tony Carella

Whereas, Clubhouse Properties Inc. has submitted to the City of Vaughan a proposal to amend the Vaughan Official Plan 2010 with respect to the property known municipally as 20 Lloyd Street (the Board of Trade Golf Course), to re-designate portions of the lands from “Private Open Space” to “Low Rise Residential”, “Infrastructure and Utilities”, “Parks”, and “Natural Areas”, to permit a (1) low-rise residential development (of approximately 660 units on 100 acres, or an average of 6.6 units per acre); (2) continued operation of a golf course and associated uses, and (3) public parks; and

Whereas, the proposal is located in an area where the surrounding lands have featured low-rise residential units for upwards of thirty-five years and more; and

Whereas, there has been significant community concern expressed identifying potential impacts of a development of this size and scope on the existing stable residential fabric of the community;

Whereas, the development review process provides for community input and response; and

Whereas, the application is in the early stage of review;

It is therefore recommended:

1. That staff provide a preliminary report on the status of the application and the reports submitted in support of the application;
2. That the preliminary report identify the community concerns and whether they have been considered in the reports submitted in support of the application;
3. That staff identify any community concerns that have not been addressed and that these concerns be referred to the applicant for comment and response;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 23, CW Report No. 18 – Page 6

4. That peer reviews coordinated by the City be undertaken in accordance with Section 10.1.3.5 of Vaughan Official Plan 2010, where necessary, to assist in the analysis of the studies submitted in support of the application, at the expense of the applicant;
5. That based on the outcome of the staff and agency and peer review process along with input from the public, the City initiate a Community Impact Review prepared by a party or parties qualified to do so, in accordance with a scope of work to the satisfaction of the Deputy City Manager Planning and Growth Management; and that Council allocate the necessary budget based on the approved scope of work;
6. That the Review focus on issues related to soft services such as community facilities, potential impacts on quality of life and the means of achieving a compatible integration of the new and old development;
7. That the Review will not specifically address hard services (water, sewers and stormwater management) and traffic and transportation as they will be considered in other required reports. However, such matters may be considered as inputs where they play a role affecting community amenity and quality of life;
8. That the party or parties charged with conducting the Review will solicit, receive, and consider any and all information, comments, and concerns as provided in writing by anyone having an interest in this matter, such communications to be conveyed to those conducting the study (1) by surface mail or courier to the attention of the City of Vaughan Development Planning Department, 2141 Major Mackenzie Drive, Vaughan ON L6T 1A1 or (2) by electronic mail to developmentplanning@vaughan.ca and in either case marked "Re: Board of Trade Development "Community Impact Review" no later than a date as may be specified by the Development Planning Department; and
9. That the results of the Review be incorporated into the Development Planning Department's technical report on this and any other applications



MEMBER'S RESOLUTION

Meeting/Date: COMMITTEE OF THE WHOLE – MAY 8, 2018

Title: COMMUNITY IMPACT REVIEW OF BOARD OF TRADE GOLF COURSE DEVELOPMENT PROPOSAL

Submitted by: Councillor Tony Carella

Whereas, Clubhouse Properties Inc. has submitted to the City of Vaughan a proposal to amend the Vaughan Official Plan 2010 with respect to the property known municipally as 20 Lloyd Street (the Board of Trade Golf Course), to re-designate portions of the lands from “Private Open Space” to “Low Rise Residential”, “Infrastructure and Utilities”, “Parks”, and “Natural Areas”, to permit a (1) low-rise residential development (of approximately 660 units on 100 acres, or an average of 6.6 units per acre); (2) continued operation of a golf course and associated uses, and (3) public parks; and

Whereas, the proposal is located in an area where the surrounding lands have featured low-rise residential units for upwards of thirty-five years and more; and

Whereas, there has been significant community concern expressed identifying potential impacts of a development of this size and scope on the existing stable residential fabric of the community;

Whereas, the development review process provides for community input and response; and

Whereas, the application is in the early stage of review;

It is therefore recommended:

1. That staff provide a preliminary report on the status of the application and the reports submitted in support of the application;
2. That the preliminary report identify the community concerns and whether they have been considered in the reports submitted in support of the application;
3. That staff identify any community concerns that have not been addressed and that these concerns be referred to the applicant for comment and response;

4. That peer reviews coordinated by the City be undertaken in accordance with Section 10.1.3.5 of Vaughan Official Plan 2010, where necessary, to assist in the analysis of the studies submitted in support of the application, at the expense of the applicant;
5. That based on the outcome of the staff and agency and peer review process along with input from the public, the City initiate a Community Impact Review prepared by a party or parties qualified to do so, in accordance with a scope of work to the satisfaction of the Deputy City Manager Planning and Growth Management; and that Council allocate the necessary budget based on the approved scope of work;
6. That the Review focus on issues related to soft services such as community facilities, potential impacts on quality of life and the means of achieving a compatible integration of the new and old development;
7. That the Review will not specifically address hard services (water, sewers and stormwater management) and traffic and transportation as they will be considered in other required reports. However, such matters may be considered as inputs where they play a role affecting community amenity and quality of life;
8. That the party or parties charged with conducting the Review will solicit, receive, and consider any and all information, comments, and concerns as provided in writing by anyone having an interest in this matter, such communications to be conveyed to those conducting the study (1) by surface mail or courier to the attention of the City of Vaughan Development Planning Department, 2141 Major Mackenzie Drive, Vaughan ON L6T 1A1 or (2) by electronic mail to developmentplanning@vaughan.ca and in either case marked "Re: Board of Trade Development "Community Impact Review" no later than a date as may be specified by the Development Planning Department; and
9. That the results of the Review be incorporated into the Development Planning Department's technical report on this and any other applications made with respect to proposed development of the subject lands.

Respectfully submitted,

Tony Carella, FRSA
Councillor, Ward 2/Woodbridge West



David R. Donnelly, MES LLB
david@donnellylaw.ca

c 3
Communication
COUNCIL: May 23/18
CW Rpt. No. 18 Item 6.3.23

May 8, 2018

*Sent via e-mail to maurizio.bevilacqua@vaughan.ca
council@vaughan.ca*

Hon. Mayor Bevilacqua
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

**Re: Committee of the Whole, Report No. 18 – Board of Trade Golf Course
Keep Vaughan Green**

Dear Hon. Mayor Bevilacqua,

Donnelly Law represents Keep Vaughan Green (“KVG”). We have provided a legal opinion to KVG regarding the legality and utility of a proposed Interim Control By-law (“ICBL”) for the Board of Trade Golf Course property. The letter submitted by KVG dated April 18, 2018 was reviewed by our office.

It is our summary conclusion that an ICBL is warranted in this case, is consistent with the *Planning Act* and the Provincial Policy Statement, 2014 and is also consistent with the principles of good planning.

We note that a similar Interim Control By-law was passed by the Town of Oakville concerning the Glen Abbey Golf Course. Oakville Council voted unanimously to pass the ICBL and ordered a Cultural Heritage Landscape Evaluation.

Vaughan Planning Staff have apparently advised you that the ClubLink application in Oakville is now under litigation. While this is true, the merit of the litigation is tied directly to a decision of the Ontario Municipal Board (“OMB”), in *ClubLink Corporation ULC v. Oakville (Town)* 2017 CarswellOnt 7477, 93 O.M.B.R. 374, (the “Decision”) decided by Executive Chair Dr. B. W. Krushelnicki on May 10, 2017.

The facts are that in February, 2016, the Town of Oakville enacted an Interim Control By-law (No. 2016-024). ClubLink appealed the passage of the ICBL.¹

The Board held that:

Indeed, if ever there was a development proposal that warranted and justified the appropriate establishment of an ICBL to allow a study of land use policy and implications for the Town's growth, it is a proposal to develop a significant portion of a 230-acre parcel of land in the heart of a residential area of the Town on lands that had for several decades been designated and zoned for open space and natural area.²

Having considered all of the issues raised in respect to the proposal for an ICBL and the one-year renewal of the ICBL, the Board finds for the Town and concludes that the ICBL 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 RHOP and the Provincial Growth Plan, and is consistent with the PPS.³ [emphasis added]

It should be noted that Dr. Krushelnicki once taught the Planning Course at the University of Brock and wrote the definitive text on the OMB and its procedures.

Please be advised that "bad faith" is a primary allegation of the ClubLink litigation, which the Board clearly addressed in its Decision.

It appears Vaughan Staff may have neglected to provide you with this Decision. This is a significant oversight. An ICBL will give Vaughan and residents the "breathing space"⁴ necessary to ensure a proper planning process.

In addition, it has been suggested that a prohibition on site alteration, and in particular, tree-cutting, is unnecessary at the Board of Trade Golf Course. This seems to be an odd conclusion given that golf courses are in fact exempt from the *Private Property Tree Protection By-law 185-2007*, per s.3(2)(e).

Finally, from our past shared experience with the Huron-Wendat Nation, you are no doubt aware the Board of Trade Golf Course is situated in the middle of one of Canada's richest cultural heritage landscapes. All around the site are Skandatut, Thonnakona Ossuary, Seed-Parker, Mackenzie and Boyd Park sites. Even without a

¹ *ClubLink Corporation ULC v. Oakville (Town)* 2017 CarswellOnt 7477, 93 O.M.B.R. 374 para. 1

² *Ibid* para. 36

³ *Ibid* para. 93

⁴ *Ibid* para. 6

comprehensive cultural heritage evaluation, it is obvious to even a lay person that this is a prime candidate property for inclusion in the Greenbelt and designation under s.29 of the *Ontario Heritage Act*. Have First Nations been notified of today's Committee of the Whole ("COW") meeting?

Please add this correspondence to the record of the COW. If time permits, I will be attending the COW meeting. I am reliably informed that a number of local residents will be attending at 1:00pm. From the agenda it appears that Staff has pushed this item to 23 of 25.

In my experience, controversial items involving public interest matters involving a large segment of the community are always provided with the courtesy of an early start time. I am hoping this same courtesy will be extended to KVG.

Please do not hesitate to contact me at 416-572-0464, or by email to david@donnellylaw.ca, cc'ing alexandra@donnellylaw.ca should you have any questions or concerns.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Donnelly', with a long horizontal flourish extending to the right.

David R. Donnelly

cc. Council
Keep Vaughan Green
Huron-Wendat Nation
Toronto and Region Conservation Authority



David R. Donnelly, MES LLB
david@donnellylaw.ca

May 11, 2018

Sent via e-mail to maurizio.bevilacqua@vaughan.ca

Hon. Mayor Bevilacqua
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

c11
Communication
COUNCIL: May 23/18
CW Rpt. No. 18 Item 6.3.23

**Re: Committee of the Whole – Board of Trade Golf Course
Keep Vaughan Green**

Dear Hon. Mayor Bevilacqua,

Donnelly Law represents Keep Vaughan Green (“KVG”). We write to advise that KVG is elated to have been informed that Clubhouse Developments Inc. (the “Proponent”) has withdrawn their Official Plan Amendment application for the Board of Trade Golf Course at the May 8, 2018 Committee of the Whole (“COW”).

This is exactly the “breathing room” needed for Vaughan Council to conduct necessary studies pursuant to protecting critical open space, the Board of Trade Golf Course and updating its Official Plan to put in place sensible policies regarding intensification, especially proposed new large scale “infill” developments.

We write concerning outstanding issues not addressed by Council at the meeting:

1. Why did Council refuse the KVG request to adopt an Interim Control By-law (“ICBL”), particularly a city-wide ICBL that would not impact the Proponent’s application? The application was withdrawn. Residents walked out after Council decided to discuss the merits of an ICBL *in camera*. What legal advice was provided to Council? Why was this deemed a confidential or litigation matter when no development application was before Council?;
2. How does Council propose to protect the ecological features of the site from site alteration and tree removal in advance of the new studies being conducted (residents are reporting a higher than usual marking and clearing program this Spring)? To repeat our earlier submission, tree preservation was not addressed by Council. It has been suggested that a prohibition on site alteration, and in particular, tree-cutting, is unnecessary at the Board of Trade Golf Course. This seems to be an odd conclusion given that golf courses are in

fact exempt from the *Private Property Tree Protection By-law 185-2007*, per s.3(2)(e);

3. What studies are Council proposing? Residents want an ecological study, pursuant to including the entirety of the Board of Trade Golf Course in the Greenbelt, a cultural heritage evaluation pursuant to creating a protected cultural heritage landscape, a social impact assessment, a mental health impact assessment, and a comprehensive land use analysis. What is Council's response to this request?;
4. In addition, now that there is no application in front of Council, it is time to address the outstanding commitment made to residents and the Huron-Wendat Nation that Vaughan's cultural heritage landscapes will be preserved;
5. Skandatut is still in private hands, despite the celebration and ceremony conducted by you and the Grand Chief of the Huron-Wendat on June 6, 2012. As part of that ceremony, a commitment was made to create a significant cultural heritage protected landscape, to be designated under section 29 of the *Ontario Heritage Act*. This is exactly the process used by Mayor Rob Burton and Oakville Council (unanimously) to preserve the 230-acre Glen Abbey Golf Course as open space; and
6. How will residents be included in the study design and execution? A Sub-Committee involving KVG is a minimum requirement for the studies.

It is this last point that is of most concern to residents. Will you commit to convening a Public Consultation session to engage and recruit residents to be part of a Sub-Committee to address critical issues such as study scope and terms of reference, funding, consultant selection and vetting, community engagement, etc.?

Regarding Council's curious decision to reject KVG's simple request for an ICBL, when will Council explain its decision to residents? Two Councillors listened to the City Solicitor's advice and decided to vote for the ICBL anyway. In addition, Oakville had no difficulty defending its ICBL, and that was in the context of processing a development application for Glen Abbey Golf Course, an important fact situation absent in the present case.

KVG does not have confidence Council has been given the correct legal advice regarding the ICBL.

Council is rarely at a loss finding high-priced legal representation from outside counsel to support controversial development applications. In the case of the Dufferin Vistas Ltd. Ontario Municipal Board Appeal PL 160978, Vaughan retained Mr. Pittman Patterson (Partner) and Ms Piper Morley (Senior Associate) of the Bay Street law firm Borden Ladner Gervais LLP to support an application for a 31-unit sub-division on 5-acre parcel of land. Why didn't Council similarly seek outside legal advice to deal with this 290-acre, 660-unit development? This seems unfair to KVG and a clear benefit to the developer.

Notwithstanding this recommended course of action, the law on ICBLs is crystal clear.

Supreme Court of Canada

The Supreme Court of Canada dealt with the legality of ICBLs in *RSJ Holdings Inc. v London (City)*, 2002 SCC 29, 2007 CarswellOnt 3919. The facts in this case are that RSJ Holdings (the “Developer”) bought property and applied for demolition and building permits. London City Council discussed the application in two closed meetings as the Committee of the Whole. They recommended a land-use study be undertaken and advised that City Council approve a proposed ICBL. After the second meeting, as City Council they resumed the regular public meeting for eight minutes. They passed an ICBL freezing development at the proposed site. The Developer appealed, and the ICBL was quashed by the Court of Appeal.

The City appealed to the Supreme Court of Canada (the “SCC”). The SCC held:

There is only one statutory precondition to passing an interim control by-law, namely the stipulation in s. 38(1) of the *Planning Act* requiring a municipal council to direct that a land use study be undertaken, and the City complied with that condition.¹

In other words, municipalities have clear and uncomplicated authority to pass ICBLs without fear of legal challenge, provided a simple process is followed.

These rules around process are extremely simple. In addition, the SCC held that:

By virtue of s. 38(3) of the *Planning Act* a municipality need not give prior notice or hold a public hearing before it passes an interim control by-law. However, the meeting in which Council is to consider and vote on the interim control by-law is to be open.²

Local Appeal Tribunal Act

Previously, under subsection 38(4) of the *Planning Act*, anyone who was given notice of the passing of an ICBL could appeal the by-law within 60 days after the by-law was passed. The *Building Better Communities and Conserving Watersheds Act, 2017* has amended the *Planning Act* to read:

The Minister may, within 60 days after the date of the passing of a by-law under subsection (1), appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection.³

Accordingly, only the Minister is able to appeal an ICBL when it is first passed. Again, what is the legal opinion contrary to the clear new statutory authority to enact and

¹ *RSJ Holdings Inc. v London (City)*, 2007 SCC 29, 2007 CarswellOnt 3919, para 40.

² *Ibid*, annotation pg 5.

³ *Planning Act*, RSO 1990 c. P. 13, s. 38(4)

ICBL without fear of an appeal? On this basis, KVG does not have confidence in the advice given to Council.

Mayor and Council, KVG would be shocked and dismayed if the legal advice you received was contrary to this jurisprudence.

Most importantly, in *RSJ Holdings* the Supreme Court reminded readers that decision-making of the kind exhibited on May 8, 2018 at the Vaughan COW is not in keeping with important democratic principles. The Court held:

The democratic legitimacy of municipal decisions does not spring solely from periodic elections, but also from a decision-making process that is transparent, accessible to the public, and mandated by law. When a municipal government improperly acts with secrecy, this undermines the democratic legitimacy of its decision, and such decisions, even when *intra vires*, are less worthy of deference.⁴

Residents of Oakville have had little difficulty in understanding the decisions of their Council. KVG is simply asking for a similar courtesy.

In conclusion, it respectfully submitted that the issue of protection of the Board of Trade open space, residents' engagement in the cultural heritage evaluation and reformulation of the infill development Official Plan policies must be dealt with immediately. It would be naïve to think that this development application has been withdrawn permanently. In the interim, before the next submission, KVG wants Council to respect the wishes of citizens.

Please do not hesitate to contact me at 416-572-0464, or by email to david@donnellylaw.ca, cc'ing alexandra@donnellylaw.ca should you have any questions or concerns.

Yours truly,



David R. Donnelly

cc. Council
Keep Vaughan Green
Huron-Wendat Nation
Toronto and Region Conservation Authority

⁴ *RSJ Holdings Inc. v London (City)*, 2007 SCC 29, 2007 CarswellOnt 3919, para 38



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P-2817

May 22, 2018

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

C <u>15</u>	
Communication	
COUNCIL:	<u>May 23/18</u>
<u>CW</u> Rpt. No. <u>18</u>	Item <u>6.3.23</u>

Attention: Hon. Mayor Bevilacqua and Members of Council

Re: Committee of the Whole – Report No. 18, Item 5.23
Community Impact Review of Board of Trade Golf Course Development Proposal

Dear Hon. Mayor and Members of Council,

We act on behalf of Clubhouse Properties Inc., with respect to the above noted matter. We have reviewed communications C11 from Mr. David Donnelly, dated May 11, 2018 on behalf of Keep Vaughan Green requesting Council to reconsider the resolution of the Committee of the Whole on May 8, 2018, encouraging the adoption of an Interim Control By-law to address land use planning matters regarding the Board of Trade lands.

As you are aware, the application for Official Plan Amendment submitted on behalf of our client has been withdrawn. Vaughan Official Plan 2010, as modified by the Region of York and approved by the OMB, already establishes a land use planning framework for all Private Open Space lands, including the Board of Trade lands, and outlines the requirement of a comprehensive land use study and Official Plan Amendment process to be undertaken to determine appropriate alternative land uses should the existing land use cease. This can be undertaken either privately or by the City of Vaughan. Accordingly, the City of Vaughan Council has already turned their minds to appropriate land use planning policies and process established under the Planning Act and there is no need or basis for an Interim Control By-law.

Our client will continue to work with staff and the community in good faith in any resubmission of applications for planning approvals on the Board of Trade lands.

Should you have any questions, please do not hesitate to call.

Yours truly,

KLM PLANNING PARTNERS INC.

Mark Yarranton, BES, MCIP, RPP
President

Copy: Barry Stern-Club House Properties Inc.
Mark Flowers

Planning • Design • Development

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

> --

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

> University of Toronto - Department of Medical Biophysics

[REDACTED]

>



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

Subject: Council Meeting - Members Resolution Item 23

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

Sent: Wednesday, May 23, 2018 12:17 PM

To: Singh, Sunder <Sunder.Singh@vaughan.ca>; Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; lafrate, Marilyn <Marilyn.lafrate@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; keepvaughangreen@gmail.com

Subject: Re: Council Meeting - Members Resolution Item 23

City of Vaughan solicitor has stated that circumstances regarding the Glen Abbey Golf Course development application are "very different" from the Board of Trade Golf Course facts in that Vaughan has no development application before it unlike in Oakville.

The Town of Oakville initiated its Cultural Heritage Landscape ("CHL") Strategy in 2014, identified Glen Abbey as a potential CHL in March 2015, began its Phase 1 heritage inventory process in June 2015, approved an Interim Control By-law in January 2016, approved the Phase 1 heritage of inventory properties (including Glen Abbey) in February 2016, and finally retained a CHL evaluator for the Glen Abbey site in September, 2016.

The Clublink development application was not submitted until November 2016. With respect, the legal and planning contexts are not dissimilar.

Moreover, the Cultural Heritage Landscape

On May 23, 2018, at 11:35 AM, KVG Board of Director <kvgdirector1@gmail.com> wrote:

Good morning Hon. Mayor and Councillors,

Keep Vaughan Green has spoken with Councillor Carella who confirmed that a vote will be held at today's council meeting concerning the ICBL on the Board of Trade Golf Course.

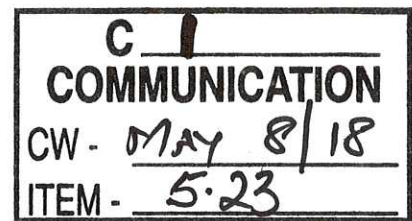
Please see the attached letter providing an evidence based approach in our decision to lobby for a site-specific ICBL and tree protection, irrespective of the development application withdrawal. Our MPP Steven Del Duca continues to support the ICBL as well as our community as evidenced by the petition submitted with over 500 signatures.

Please consider the strong concern of our community, as well as the deputations, and communications we have provided with the ratepayers associations and legal counsel.

Thank you,

Keep Vaughan Green

Begin forwarded message:



April 18, 2018

Re: Keep Vaughan Green, Village of Woodbridge Ratepayers Association and West Woodbridge Homeowners Association Review of Councillor Carella's Resolution regarding the Vaughan Official Plan (2010) Amendment Application (O.P.18.001) for the Clubhouse Properties Inc., Country Club Lands (formerly known as Toronto Board of Trade Golf Course)

Dear Councillor Carella,

Keep Vaughan Green, Village of Woodbridge Ratepayers Association, Inc. and The West Woodbridge Homeowners Association, Inc. would like to extend our thanks to you for meeting with us on Saturday April 14, 2018 to discuss your plan to bring forward a resolution to Vaughan Council for the consideration of a Community Social Impact Study respecting the Toronto Board of Trade Golf Club ("Country Club") development application.

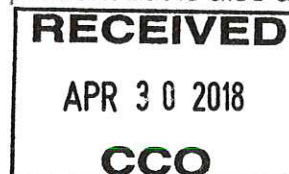
Subsequent to our meeting with you, Keep Vaughan Green, Village of Woodbridge Ratepayers Association, Inc. and The West Woodbridge Homeowners Association, Inc. met to further discuss your proposal and have concluded that while your thoughtful proposal is not without merit, it needs to be part of a broader evaluation framework.

As you are aware, many residents have voiced concerns about the loss of the golf course. At three community meetings held in the last 6 months, the community expressed its strong and unequivocal opposition to this development proposal. As a community, we would like to stress that the loss of the golf course would not only represent a loss of green space, but the community firmly believes that it would constitute the loss of a significant cultural and natural heritage landscape.

Given that the proposal for amendment to the OP on the formerly known as Board of Trade Golf Course lands represents one of the largest infill developments in Vaughan history, and given that the lands have cultural heritage and natural heritage value to the existing community, Keep Vaughan Green, Village of Woodbridge Ratepayers Association, Inc. and The West Woodbridge Homeowners Association, Inc. have concluded that in addition to the social impact of the development, there are several other important and complex issues surrounding the golf course that will require careful and thorough consideration by the City and the Community. We therefore would like to broaden your resolution to include the following;

1. That the City of Vaughan implement an Interim Control By-law (ICB), at the City of Vaughan's expense, restricting the Country Club lands to its existing uses, with consideration that a one-year extension may be required.

An ICB that is enacted in good faith, based on legitimate planning rationale and in conformity with the Vaughan Official Plan (2010), York Region Official Plan and the Provincial Growth Plan is not only reasonable and prudent but is also appropriate and



C 1.2

necessary to ensure that the City of Vaughan and the Community has sufficient time to complete key studies on the property and to consider all options available.

Specifically, the purpose of the ICB is to ensure that the City of Vaughan and the Community has sufficient time to complete key and independent studies on the property that include the following:

- a. Comprehensive Land Use Analysis of the Country Club Lands;
 - b. Community Area Specific Study;
 - c. Community Economic Impact Analysis Study;
 - d. Community Social Impact Study;
 - e. Environmental Impact Study;
 - f. Mental Health Impact Assessment; and
 - g. Cultural Heritage Landscapes Strategy and Implementation Study of the Country Club Lands, formerly known as the Toronto Board of Trade Golf Club.
 - h. Thorough Archeological Impact Assessment, plus First Nations consultation. Other studies may be required.
2. The Community is concerned about currently permitted development or alterations occurring during the study period that could have adverse impacts on potential cultural or natural heritage landscapes on the site. We therefore request that the proposed Interim Control By-Law must prohibit permitted site alterations of the Country Club lands. In addition, the By-law should prohibit permitted construction, site alteration, expansion or demolition of any building, structure or landscape(s) on lands, including tree removal. Including the recently purchased homes planned for demolition and road access.
3. That Keep Vaughan Green, Village of Woodbridge Ratepayers Association, Inc. and The West Woodbridge Homeowners Association, Inc. be granted the right, after consultation with its legal team and the City of Vaughan, to select the qualified experts to conduct the studies.
4. That the studies be funded by the City of Vaughan for later reimbursement by the developer to ensure such studies are conducted without bias.
5. A Conservation Easement protecting at least 66% of the remaining Country Club lands not part of the current OPA Amendment and zoning bylaw should be executed immediately.
6. We are also extremely concerned that Vaughan is now violating its longstanding practice of deferring to the Toronto Region Conservation Authority ("TRCA") on environmental matters. Council must reassure us there will be no repeat of the unfortunate circumstances suffered by the residents in the Grand Trunk ravine (Dufferin Vistas) OMB Hearing [PL160978]

C 1.3

Importance of a Cultural Heritage Landscapes Strategy and Implementation Study

For approximately 50 years, the Toronto Board of Trade Golf Club has defined an important character of the Woodbridge Community. While it is most widely recognized as a prestigious golf course, the 290-acre property has a diverse past that contributes to our cultural heritage. Cultural Heritage Landscape is "a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community...." (Provincial Policy Statement 2014)

In Ontario, Municipalities have the ability under Part IV and V of the *Ontario Heritage Act* to designate properties that may be deemed of cultural heritage value and interest. In Section 6.0 of the January 2017 Vaughan Official Plan 2010, Volume 1 (Policies) outlines Council's Cultural Heritage Landscape Policy which includes its responsibility to identify, designate and protect cultural heritage landscapes from being altered.

As part of a broader resolution to Vaughan Council, we request that you include a Cultural Heritage Landscape Strategy and Implementation Study and work with the Urban Design and Cultural Heritage Department and the Community to prepare a designation report for Council's consideration that identifies Country Club lands as a significant Cultural Heritage Resource. The Toronto Board of Trade Cultural Heritage Impact Report conducted by ERA on behalf of the property owners has provided a report that is limited in scope. It does not adequately assess the Cultural Heritage Landscapes of the terrace portions above the floodplain.

We are confident that when an independent third party Cultural Heritage Survey is completed, we will be able to serve the landowners and the Ontario Heritage Trust with a notice of intent to protect the Cultural Heritage Character of the Country Club lands under the terms of the *Ontario Heritage Act*. Furthermore, we are confident that the Cultural Heritage Character of inadequately assessed areas of the Golf Course, falls within the Criteria Designation stipulated by the *Ontario Heritage Act* under ONTARIO REGULATION 9/06 Criteria for Determining Cultural Heritage Value or Interest.

According to the provisions of the *Ontario Heritage Act*, to qualify for designation as a Cultural Heritage Landscape a property must exemplify one or more of the following:

Design Value:

- has a rare, unique or early example of a style or type; a high-degree of craftsmanship or technical achievement

Historical or Associative Value:

- has direct association with a significant theme; or contribution to an understanding of a community or culture, or to the work or ideas of a significant architect, artist, builder, designer or theorist

C 1.4

Contextual value:

- is important in defining, maintaining or supporting the character of an area;
- is physically, functionally, visually or historically linked to its surroundings;
- is a landmark O. Reg. 9/06, s. 1 (2)

There is nothing extraordinary about this request. This is almost exactly the initiative undertaken by the Town of Oakville May and Council. Is Vaughan's environment any less valuable? Are we not entitled to the same prudent course of action?

As our Ward Councillor, Keep Vaughan Green, Village of Woodbridge Ratepayers Association, Inc. and The West Woodbridge Homeowners Association, Inc. is counting on your support on the Complete Framework outlined in this letter as well as the support of all Members of Council, to facilitate all, but not limited to, the studies and requests identified in this correspondence under an Interim Control By-law.

Thank you for your attention of this matter.


Sincerely,



President
Keep Vaughan Green



Maria Verna
President
Village of Woodbridge Ratepayer Association, Inc.



Nick Pinto
President
The West Woodbridge Homeowners Association, Inc.

cc: Members of Council
Members of Keep Vaughan Green
Board of Directors, Village of Woodbridge Ratepayers Association, Inc.
Board of Directors, The West Woodbridge Homeowners Association, Inc.



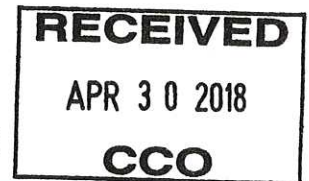
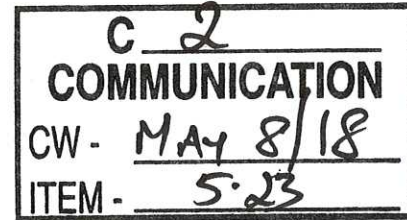
memorandum

DATE: April 27, 2018

TO: Councillor Carella

FROM: Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management
Mauro Peverini, Director of Development Planning
Claudia Storto, City Solicitor

RE: **Toronto Board of Trade Golf Course application**
Correspondence from Ratepayers Associations dated April 18, 2018



Staff has reviewed the letter dated April 18, 2018 that your office received from Keep Vaughan Green, the Village of Woodbridge Ratepayers Association and the West Woodbridge Homeowners Association. As per your request, we offer the following comments.

The application is in the early stages of review and it is too early in the process to determine if any additional studies are warranted. The determination as to whether further studies are appropriate may also be informed by further Planning Act applications that may be submitted by the applicant. It is also premature to determine whether an interim control by-law is appropriate at this time. Notwithstanding this, a planning rationale and terms of reference would have to be developed for a study as required by the *Planning Act*, and a Council direction to undertake the study, along with funding, would be required.

The letter requests that a number of independent studies be prepared, including a cultural heritage study. Some of the proposed studies duplicate areas that are required to be addressed in the applicant's submissions. These studies are available for public review online and are being reviewed by City staff and commenting agencies, including the TRCA and York Region. They may also be subject to peer review as may be determined. These reviews take into consideration the detailed comments of the community and are effective at responding to the issues. The request appears to propose City-funded studies by external consultants, which are not currently budgeted for and would require a funding source. While the City may seek reimbursement from applicants for peer reviews, it cannot require an applicant to pay for City-initiated studies.

The letter also includes a request for the ratepayers associations to have the right to select qualified experts to conduct studies for the City after consultation with their legal team. This is an unprecedented request that falls outside of the public sector procurement process. Moreover, it is imperative that the City retain its independence in the review of the application.

The letter suggests that the City consider the use of a conservation easement to protect at least 66% of the lands. An easement is a right in land which would have to be purchased or expropriated and in either event, would be subject to legislated processes. Council would have to provide direction and allocate a budget for this, which at this time is undetermined. Consideration of a conservation easement is premature at this time as it is possible that a portion of the lands may be dedicated in public ownership, free of all costs, through the development review process.

We understand the concern regarding tree removal or site alteration. These matters are regulated pursuant to existing City and TRCA requirements, including the Private Property Tree Protection By-law, Fill By-law and various permit requirements. An ICBL is directed to prohibiting specified uses of land, buildings or structures, and is not required to duplicate existing regulatory tools in respect of tree removal and site alteration.

While the letter makes reference to the Glen Abbey case in Oakville, which staff are familiar with, this application must be reviewed on its own merits. It should also be recognized that the Oakville matter is currently the subject of a court proceeding.

We trust that this is satisfactory. Should you require additional information, please advise.

/cas

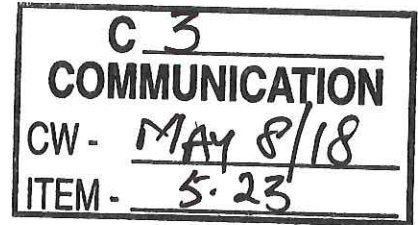


STEVEN DEL DUCA, MPP

Vaughan

May 1, 2018

Mayor and Members of Council
[City of Vaughan](#)
2141 Major Mackenzie Drive
Vaughan ON



Dear Mayor and Members of Council,

I am writing today with respect to the proposed development at the Board of Trade golf course (also known as The Country Club).

As a resident of Vaughan for the past 31 years, I have witnessed the explosive growth that our community has experienced. I understand that it can be challenging for municipal council to balance this growth with the expectations of those living in existing neighbourhoods and I respect that dealing with this particular matter will ultimately be a Council decision.

Having said that, the Board of Trade proposal has understandably generated unprecedented concern from area residents who believe that it, if approved, would dramatically and negatively impact our quality of life.

I have now had the opportunity to attend two community meetings on this issue -- one organized by the Greater Woodbridge Ratepayers Association and the other by Keep Vaughan Green. At both of these meetings, our residents made it clear that they do not support this proposal going forward.

In addition, it is my understanding that all relevant advocacy groups and ratepayers' associations, on behalf of our residents, have requested that the City approve a comprehensive Interim Control By-Law that would ensure that this matter is dealt with fairly and that all potential impacts to the community are studied fully. I believe this is essential given the scope of what is being proposed and I urge City Council to accept this request and approve the Interim Control By-Law.

I also want to point out that recent changes to the land planning system made by our provincial government place significantly more power over how communities grow in the hands of both residents and municipal councils. Now more than ever before, it is critical that Vaughan City Council, working closely with our residents, make the right decision based on all facts. A decision that ultimately must be consistent with our community's wishes.

Please let me know if you require additional information from me or if I can be helpful in any way.

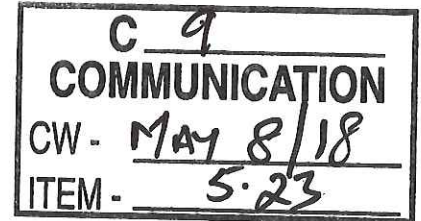
Regards,

Steven Del Duca, MPP
Vaughan



May 8, 2018

Sent via e-mail to maurizio.bevilacqua@vaughan.ca and council@vaughan.ca



Hon. Mayor Bevilacqua
Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

**Re: Committee of the Whole, Report No. 18 – Board of Trade Golf Course
Keep Vaughan Green**

Dear Hon. Mayor Bevilacqua,

Donnelly Law represents Keep Vaughan Green (“KVG”). We have provided a legal opinion to KVG regarding the legality and utility of a proposed Interim Control By-law (“ICBL”) for the Board of Trade Golf Course property. The letter submitted by KVG dated April 18, 2018 was reviewed by our office.

It is our summary conclusion that an ICBL is warranted in this case, is consistent with the *Planning Act* and the Provincial Policy Statement, 2014 and is also consistent with the principles of good planning.

We note that a similar Interim Control By-law was passed by the Town of Oakville concerning the Glen Abbey Golf Course. Oakville Council voted unanimously to pass the ICBL and ordered a Cultural Heritage Landscape Evaluation.

Vaughan Planning Staff have apparently advised you that the ClubLink application in Oakville is now under litigation. While this is true, the merit of the litigation is tied directly to a decision of the Ontario Municipal Board (“OMB”), in *ClubLink Corporation ULC v. Oakville (Town)* 2017 CarswellOnt 7477, 93 O.M.B.R. 374, (the “Decision”) decided by Executive Chair Dr. B. W. Krushelnicki on May 10, 2017.

The facts are that in February, 2016, the Town of Oakville enacted an Interim Control By-law (No. 2016-024). ClubLink appealed the passage of the ICBL.¹

The Board held that:

Indeed, if ever there was a development proposal that warranted and justified the appropriate establishment of an ICBL to allow a study of land use policy and implications for the Town's growth, it is a proposal to develop a significant portion of a 230-acre parcel of land in the heart of a residential area of the Town on lands that had for several decades been designated and zoned for open space and natural area.²

Having considered all of the issues raised in respect to the proposal for an ICBL and the one-year renewal of the ICBL, the Board finds for the Town and concludes that the ICBL 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 RHOP and the Provincial Growth Plan, and is consistent with the PPS.³ [emphasis added]

It should be noted that Dr. Krushelnicki once taught the Planning Course at the University of Brock and wrote the definitive text on the OMB and its procedures.

Please be advised that “bad faith” is a primary allegation of the ClubLink litigation, which the Board clearly addressed in its Decision.

It appears Vaughan Staff may have neglected to provide you with this Decision. This is a significant oversight. An ICBL will give Vaughan and residents the “breathing space”⁴ necessary to ensure a proper planning process.

In addition, it has been suggested that a prohibition on site alteration, and in particular, tree-cutting, is unnecessary at the Board of Trade Golf Course. This seems to be an odd conclusion given that golf courses are in fact exempt from the *Private Property Tree Protection By-law 185-2007*, per s.3(2)(e).

Finally, from our past shared experience with the Huron-Wendat Nation, you are no doubt aware the Board of Trade Golf Course is situated in the middle of one of Canada's richest cultural heritage landscapes. All around the site are Skandatut, Thonnakona Ossuary, Seed-Parker, Mackenzie and Boyd Park sites. Even without a

¹ *ClubLink Corporation ULC v. Oakville (Town)* 2017 CarswellOnt 7477, 93 O.M.B.R. 374 para. 1

² *Ibid* para. 36

³ *Ibid* para. 93

⁴ *Ibid* para. 6

comprehensive cultural heritage evaluation, it is obvious to even a lay person that this is a prime candidate property for inclusion in the Greenbelt and designation under s.29 of the *Ontario Heritage Act*. Have First Nations been notified of today's Committee of the Whole ("COW") meeting?

Please add this correspondence to the record of the COW. If time permits, I will be attending the COW meeting. I am reliably informed that a number of local residents will be attending at 1:00pm. From the agenda it appears that Staff has pushed this item to 23 of 25.

In my experience, controversial items involving public interest matters involving a large segment of the community are always provided with the courtesy of an early start time. I am hoping this same courtesy will be extended to KVG.

Please do not hesitate to contact me at 416-572-0464, or by email to david@donnellylaw.ca, cc'ing alexandra@donnellylaw.ca should you have any questions or concerns.

Yours truly,



David R. Donnelly

cc. Council
Keep Vaughan Green
Huron-Wendat Nation
Toronto and Region Conservation Authority



memorandum

C	10
COMMUNICATION	
CW -	MAY 8/18
ITEM -	5.23

TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL

FROM: Mauro Peverini, Director of Development Planning

DATE: May 8, 2018

SUBJECT: Notice of Withdrawal

Application for Official Plan Amendment (File No. OP.18.001)
Board of Trade Golf Club
20 Lloyd Street, Part of Lots 9, 10, 11 Concession 7
City of Vaughan, Regional Municipality of York

Please note the above Official Plan Amendment application for the above-noted file has been withdrawn.

Copy to: Daniel Kostopoulos, City Manager
Jason Schmidt-Shoukri, Deputy City Manager, Planning & Growth Management
Bill Kiru, Director of Policy Planning & Environmental Sustainability
Todd Coles, City Clerk



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
kimplanning.com

P – 2817

May 7, 2018

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



MAY 08 2018

RECEIVED BY
DEVELOPMENT PLANNING

Attention: Mr. Mauro Peverini
Director of Development Planning

Re: Application for Official Plan Amendment (City File No. OP.18.001)
Clubhouse Properties Inc.
Board of Trade Golf Club
20 Lloyd Street
Part of Lots 9, 10, 11 Concession 7,
City of Vaughan, Regional Municipality of York

Dear Mr. Peverini,

On behalf of our client, Clubhouse Properties Inc., we are advising that the above noted Official Plan Amendment application has been withdrawn.

Should you have any questions, please do not hesitate to call.

Yours truly,

KLM PLANNING PARTNERS INC.

A handwritten signature in blue ink, appearing to read 'Billy Tung'.

Billy Tung, BES, MCIP, RPP
Partner

Copy: Barry Stern-Club House Properties Inc.

A photograph of a golf course at sunset. The sun is low on the horizon, casting long shadows across the green grass. In the foreground, there is a rectangular sign that reads 'COMMUNICATION' at the top, with 'C 12' written above it. Below that, it says 'CW - MAY 8/18' and 'ITEM - 5.23'. The background shows a line of trees under a blue sky with some clouds.

IMAGINE IF THIS WAS GONE

ROBERT MAURIELL
PHOTOGRAPHY

Committee of Whole Meeting, Report No. 18

May 9, 2018

Community Impact Review of Board of Trade Golf Course
Development Proposal

Members Resolution, Submitted by: Tony Carella

Deputations

Keep Vaughan Green

Village of Woodbridge Ratepayers Association

The West Woodbridge Homeowners Association, Inc.

Table of Contents: Deputatons

Deputation #	Deputation Topic	Deputation By
1	Interim By-Law	Richard Lorello
2	Community Area Specific Study	Josie Fedeale
3	Community Economic Impact Study	
4	Community Social Impact Study	Laura Federico
5	Mental Health Impact Study	Daniella Villani
6	Environmental Impact Study	Andre Willi
7	Cultural Heritage Landscape Study	Paola Apollinaro
8	Archaeology Impact Assessment Study, plus First Nations Consultations	Jamie Maynard
9	Conflict Impact	Hatem Abu El-Neel
10	Conservation Easement	Maria Verna
11	Grand Trunk	Furio Liberatore
12	Overview	Nick Pinto

Deputation #	Deputation Topic	Deputation By
13	Presentation from Lawyer	David Donnelly
14	Video and Community Petition	Bob Moroz

Deputation #1: Interim Control By-Law

Good afternoon to the Chair, Mayor and Members of Council

For the record my name is Richard Lorello of 235 Treelawn Blvd, Kleinburg. It is truly a pleasure and an honor to be here, working side by side with the dedicated members of the Keep Vaughan Green movement in partnership with the Greater Woodbridge Ratepayers, Village of Woodbridge Ratepayers, West Woodbridge Ratepayers, Carrying Place Ratepayers, Friends of Grand Trunk and others.

The Toronto Board of Trade Golf Course development application has had a galvanizing effect in bringing people together. We are here today united, to appeal to Council for the need to change in the way in which we approach land use. Specific to the Board of Trade Golf Course, we are here to request an Interim Control Bylaw restricting the Board of Trade Golf Course to its existing uses, to provide the appropriate time and framework to conduct independent, community based and publicly driven land use studies as opposed to the traditional applicant driven studies.

While we appreciate Councillor Carella's original resolution, we believe that it should go much further to bring forward the evidence-based land use data from experts and government agencies alike, to ensure the cultural and natural heritage protections that we believe are appropriate and necessary.

Clearly, the community's vision for land use with respect to the Board of Trade Golf Course lands is much different than the applicant's vision of land use and so therefore today, Council and staff will hear from many speakers, who will not only provide the procedural justification for an Interim Control Bylaw but in addition, you will also be given the opportunity today to see physical evidence, justifying an Interim Control Bylaw.

The Board of Trade Golf Course development application is not just not another infill development. The Board of Trade Golf Course lands is a very unique and historical property that gives the surrounding area around the golf course a very unique character all on its own. The best comparable example to the Board of Trade Golf Course application is the Glen Abbey Golf Course development application that played out in Oakville recently over the last 2 years. In February 2016 Oakville Council unanimously passed a 1year interim control bylaw and then in November 2016 unanimously passed an additional 1year extension to the same interim control bylaw. The applicant challenged both the original ICB and the ICB extension at the OMB and in both cases the OMB upheld Oakville Council's decision. Oakville Council and its residents took a very cautious approach and took the necessary time to do the studies to look at what would be lost if Glen Abbey would be allowed to be developed. The findings from Oakville's studies led to a Cultural Heritage Landscape designation under the Heritage Act in late 2017. Council may have been advised the applicant in Oakville has launched legal action to quash this

bylaw, Council should also be advised that we are far from this point. Council should be aware that the positive legal implications from the Oakville case is that both ICBs were upheld by the OMB.

The Board of Trade Golf Course is a very similar case to that of Glen Abbey with one very important distinction and that is the very real possibility that the Board of Trade Golf Course is rich in First Nations and Indigenous history dating back thousands of years. This one aspect alone may justify an Interim Control Bylaw. You will hear more detail about this later on from other speakers along with other studies which we firmly believe will justify an ICB, that go beyond the traditional proponent applicant driven process.

Two key studies that we believe are necessary and should be completed under the framework of an Interim Control Bylaw, are the Cultural Heritage Landscape designation study and a Conservation Easement study which are studies not contemplated by the applicant because they could inherently undermine the applicant's position to build residential homes on the property. Furthermore, we must endeavor to ensure First Nations / Indigenous heritage interests are protected with more in depth archeological studies that cannot solely be left to private interests to conduct.

The fundamental question at hand is.....

Is the applicant's planned land use to build a new subdivision on the Board of Trade Golf Course the most appropriate and responsible use of the land?

The answer is that we will not fully know the answer to this very important question unless we do all of the appropriate and necessary studies under an Interim Control Bylaw.

It is our understanding that the applicant or the previous owner of the Toronto Board of Trade Golf Course had commissioned studies going back to 2005. We ask, in the public interest, that we be given the same consideration of time to conduct the necessary studies through an Interim Control Bylaw.

Thank you

Deputation #2: Community Area Specific Study

Good Afternoon Chair, Honourable Mayor, Members of Council and Staff,

My name is Josie Fedele. I am a long-time resident of Woodbridge and reside at 35 Albany Drive, and 1st Vice President of The West Woodbridge Homeowners Association, and I am here today in association with Keep Vaughan Green and the Village of Woodbridge Ratepayers Association.

*"You can neither lie to a neighborhood park, nor reason with it.
"Artists conceptions" and persuasive renderings can put pictures
of life into proposed neighbourhood parks and park malls, and verbal
rationalizations can conjure up users who ought to appreciate them,
but in real life only diverse surroundings have the practical power of
Inducing a natural, continuing flow of life and use."*

~Jane Jacobs, The Death and Life of Great American Cities

The Board of trade lands is surrounded by the Humber River and to the east and an abundance of forest area to the west, east and south. And is a beautiful natural area that consists of an abundance of *valleys, stream corridors, woodlands*, fish and wildlife habitat.

This beautiful natural area is part of Vaughan's 20% of municipal share in the Humber watershed. In total Vaughan has designated 40% of the overall City as Natural Areas and Countryside. These natural areas contribute to Vaughan's landscape and to the overall environmental health and quality of life for the residents of Vaughan.

Vaughan's New Official Plan of 2010, provides policy direction for managing Vaughan's natural environment and establishing a legacy of stewardship that will allow these areas to remain healthy and robust for generations to come. The Urban Structure identifies these areas and is designed to protect them in a manner that allows them to continue to provide vital ecosystem functions.

Development will be restricted within valley and stream corridors and the natural features and functions within these systems will be protected and enhanced.

- It is the policy of Council: 3.3.1.1. To protect and enhance valley and stream corridors by:
 - a. prohibiting development or site alteration in valley and stream corridors and their required vegetation protection zones except as permitted per the provisions of policy 3.2.3.7 and policy 3.3.1.4, and to the satisfaction of the Toronto and Region Conservation Authority;

That notwithstanding policy 3.3.3.1 and policy 3.3.3.2, outside of the Natural Areas and Countryside on Schedule 1 and within the Urban Area on Schedule 1A, and outside of the Oak Ridges Moraine Conservation Plan and Greenbelt Plan Areas, development or site alteration may be permitted in a woodland if all the following are met:

The woodland does not meet any of the following criteria defining a significant woodland in the York Region Official Plan:

- I. Contains globally or provincially rare plants, animals or communities as designated by the Natural Heritage Information Centre;
- II. II. Contains species designated by the Committee on the Status of Endangered Wildlife in Canada or by the Committee on the Status of Species at Risk in Ontario as threatened, endangered, or of special concern;
- III. III. Is within 30 metres of wetlands, lakes and their littoral zones, permanent and intermittent streams, kettle lakes, seepage areas and springs;
- IV. IV. Is 4 hectares or larger in size; or V. Is over 2 hectares and:
 - A. is within 100 metres of another Core Feature; or
 - B. occurs within the Natural Heritage Network;

Public greenspace cannot be recovered once it's developed! We are opposed to development without proper planning.

We urge Council and City staff to listen to the residents and protect our vulnerable neighbourhood and natural areas from intrusive development and implement an Interim Control By-law (ICB), at the City of Vaughan's expense, restricting the Country Club lands to its existing uses, with consideration that a one-year extension may be required. Specifically, the purpose of the ICB is to ensure that the City of Vaughan and the Community has sufficient time to complete key and independent studies on the property.

Thank you

Deputation #3: Community Economic Impact Study

THE GREATER WOODBRIDGE RATEPAYERS ASSOCIATION

ECONOMIC IMPACT.

TONY LORENT
PRESIDENT

✓

ICBL

- GIVES US TIME TO REVIEW + REFLECT ON THE ECONOMIC IMPACT.
- THIS WILL BE THE BIGGEST INFILL IN VAUGHAN'S HISTORY.

NEGATIVE IMPACTS

- THE PERIMETER PREMIUM HOMES WILL LOSE VALUE
- RESIDENTIAL TAXES DON'T PAY FOR SERVICES COMPARED TO INDUSTRY.
- THE MATURE COMMUNITY CAN'T COPE WITH NEW VOLUMES OF PEOPLE / TRAFFIC.
- THE ORIGINAL V.M.P. DIDN'T ACCOUNT FOR NEW GROWTH
- THIS CREATES WEAR + TEAR OF THE INFRASTRUCTURE + ENVIRONMENT.
- COMMUNITY SERVICES - ONE CENTRES, LIBRARIES, + SCHOOLS ARE NOT DESIGNED FOR THIS OVERFLOW.
- TRAFFIC / TRANSIT - PUBLIC SAFETY IS A HUGE ISSUE (SO THERE IS ADDED COSTS)
 - THE HWY 7 BOTTLENECK (KILGINTON/KIRLING) OFFERS INFERIOR / DIMINISHED TRANSIT SERVICES COMPARED TO THE REST OF VAUGHAN BUT WE PAY TAXES FOR ENHANCED SERVICES.
- THE QUALITY OF LIFE FOR RESIDENCES IS DIMINISHED + DEGRADATED (PHYSICAL + MENTAL HEALTH)

THE GREATER WOODBRIDGE RATEPAYERS ASSOCIATION.

POSITIVE IMPACT - IMAGE

✓

- ICBL GRANTS US TIME FOR AN ECONOMIC ANALYSIS
- LONG TERM GOAL IS TO STRENGTHEN + IMPROVE THE CITY'S IMAGE
- THE GOLF COURSE ATTRACTS INVESTMENT.

TOURISM (STRONG)

- GOLF COURSE IS A SELLING FEATURE FOR VAUGHAN, AND ESPECIALLY WOODBRIDGE.
- BIG BUSINESS MONEY IS ATTRACTED BY VIP TOURNAMENTS, BANQUETS, CONVENTIONS, AND ITS AMENITIES.
- THEY ARE BANKERS, LAWYERS, BUSINESS INVESTORS, PROFESSIONALS, AND FAMILIES WHO WILL TALK ABOUT THE COMMUNITY FOR ITS LONG-TERM QUALITY OF LIFE
- WOODBRIDGE IS LOOKED UPON AS A JEWEL WITH ITS PRESTIGE LANDSCAPE
- TO HAVE A STATE OF THE ART GOLF COURSE / HOTEL / SPA WILL ATTRACT PEOPLE FROM SURROUNDING COMMUNITIES AND CAN PILE UP WITH VAUGHAN'S HOSPITALITY INDUSTRY.
- ERADICATING THE GOLF COURSE WILL LEAD TO A DECLINE OF A GREAT COMMUNITY IMAGE IN VAUGHAN.

TONY LORENT
PRESIDENT

THE GREATER WOODBRIDGE RATEPAYERS ASSOCIATION

- Jobs - INDIRECT/DIRECT/INDUCED 3
- CONSTRUCTION IS A SHORT TERM FIX
 - RESIDENCES NEED SUSTAINABLE LONG TERM JOBS
 - THE GOLF COURSE ATTRACTS LONG TERM JOBS BY BRINGING INVESTORS TO ENJOY OUR AMENITIES.
 - CENTRAL PARK IN NEW YORK ATTRACTS PEOPLE.
 - THE GOLF COURSE ADDS VALUE TO THE WOODBRIDGE COMMUNITY AS A FEATURE ATTRACTION, ALONG WITH THE KORTRIGHT CENTRE, BOYD PARK, + McMICHAEL ART GALLERY WITHIN ITS VICINITY.

TONY LORINI
PRESIDENT

Deputation #4: Community Social Impact Study

Hello, my name is Laura Federico, I am a resident of Woodbridge, living on Waymar Heights Blvd, and on the Board of directors of Keep Vaughan Green. A Community Social Impact Assessment (herein SIA) is yet another study that supports the necessity of an Interim Control Bylaw (herein ICB).

What are social impacts?

The *International Principles for Social Impact Assessment* regards social impacts to include all issues associated with a proposed project or development that, directly or indirectly, affect or concern people. Specifically, social impacts include alterations to one or more of the following; way of life, culture, community (in terms of its cohesion, stability, identity, character, services and facilities), political systems, environment, cultural heritage, health and well-being, personal property and property rights, fears and future aspirations of the community and future generations (Vanclay, F. 2003 *International Principles for Social Impact Assessment. Impact Assessment & Project Appraisal* 21(1), 5-11). Therefore, it is imperative an SIA address all issues relevant to people and how they live because the goal of an SIA should be to ensure sustainable and improved development outcomes for people and their communities. Consequently, an SIA must identify social impacts with a consciousness of the proposal and an understanding of how it will affect what is important to its stakeholders. It is also important to note that it is ideal an SIA require continuous reporting back to various stakeholders and is subject to a professional peer review and a period of community comments prior to acceptance of a final report.

I want to be clear in saying that a SIA is not the same as a public participation. SIA's are informed by public consultation comments, however they are not the summation of public concerns, instead they involve the application of social sciences and data from other technical disciplines.

The timing process is important because SIA studies should begin early on in the proposed development application, since an SIA is relevant to all application and development phases including concept planning, feasibility planning, application process, construction and operations. It is important to remember that the positive support of local communities greatly assists project development.

In the memorandum to Tony Carella generated by the Deputy City manager, Director of Planning and City Solicitor, it states

"the proposed studies duplicate areas that are required to be addressed in the applicant's submissions."

The amendment to the OP application for the Board of Trade, an approximate 300-acre development, has been deemed complete by the Planning Department and DOES NOT include an SIA.

SIA studies have become an ever more critical element in the evaluation of development and planning processes in the province of Ontario because they retain such benefits as the development of strategies to mitigate disruption through community involvement, prevention of potential health and safety risks and long-term cost-savings. Indeed, many municipalities require the completion of an SIA prior to large scale development application approvals in order to gain a better understanding of the associated social impacts. Several policies and regulations recognize social impact as a vital consideration, including The Provincial Standards Policy, The Provincial Policy statement, York Region Official Plan and Vaughan Official Plan. As the PPS 1.1.3.4 specifically states:

“Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

Moreover, the memorandum states,

“The request appears to propose City-funded studies by external consultants, which are not currently budgeted for and would require a funding source. While the City may seek reimbursement from applicants for peer reviews, it cannot require an applicant to pay for City-initiated studies.”

An SIA should not be seen as a detriment or expense, but rather a useful tool **that provides** benefit to companies and communities alike that reduces social risk and impact. In order to ensure the interests of the City are met and to adequately assess the development proposal the City should require an SIA, as part of this application process.

Moreover, the memorandum states,

“The letter also includes a request for the ratepayers’ associations to have the right to select qualified experts to conduct studies...This is an unprecedented request...”

In accordance with the community in mind, specificity in the selection of consultant to perform the SIA is of utmost importance to ensure an unbiased assessment. The objective of the SIA is to ensure smart growth and a sustainable development outcome for the people and community. Therefore, in order to achieve this the consultant hired to perform the assessment must be independent of the Board of Trade development application process.

In conclusion these facts reiterate the necessity of the ICB in order to complete the SIA studies.

The Smart Growth for Our Communities Act, 2015 (Bill 73) this act made changes to both the Development Charges Act and Planning Act to give residents a greater, more meaningful say in how their communities grow.

Deputation #3: Mental Health Impact Study

Good afternoon Mayor Bevilacqua and members of council. My name is Daniela Costantini, I am a resident of Woodbridge for 34 years, mother of 3 young boys and a physician in our community. Given the large scale of this development proposal and the environmental implications A Community Mental Health Impact study is another study that should be performed and supports the need for the Interim Control Bylaw.

Understanding the mechanisms linking neighborhood characteristics to mental health has important public health implications. There is evidence of a positive relationship between mental health and wellbeing of residents and the amount of greenspace in a community. Studies have shown that individuals have less mental distress, less anxiety and depression and greater wellbeing when living in urban areas with more greenspace. Other studies out of the UK have shown that people who moved from a less green to a more green area were found to have significantly improved mental health compared to before the move and that this change was sustained (Alcock *et al*, 2014). Interestingly, residents in less green settings report greater disease prevalence compared to residents in settings with more greenspace (Maas *et al*. 2009). Furthermore, people who engage in physical activity in the natural environment have been shown to have half the risk of poor mental health compared to those who do not (Mitchell, 2013).

It has been argued that people's desire to have contact with nature is an important adaptive process to help in optimal mental functioning. Indeed, many of the residents in our community chose this neighborhood to raise their families because it provides a serene setting, a sense of calm in their busy lives.

As such we believe that a Mental Health Impact study is an important component when considering social impacts of development on communities.

References:

Alcock I. White M.P, Wheeler B.W, et al. (2014) Longitudinal effects on mental health of moving to greener and less green urban areas. *Environmental Science and Technology*, 48, 1247-1255.

Mass J., Verheij R.A., De Vries S., et al. (2009) Morbidity is related to a green living environment. *Journal of Epidemiology and Community Health*, 63, 967-973.

Mitchcell R. (2013) Is physical activity in natural environments better for mental health than physical activity in other environments? *Social science and Medicine*.91, 130-134.

Deputation #4: Environmental Impact Study

I will be presenting the environmental reason for an Intern Control By-Law order.

Recently had the experience of attending a Smart Growth workshop organized by Environmental Defence, the opening introductions being chaired by former Mayor David Crombie.

There I met Ward 4 Councillor Allan Egar. Having looked at my sticker "Keep Vaughan Green, he commended "Vaughan – you still have green up there?" How embarrassing? My only comment was "You're right!" At this meeting there was also the Oakville Mayor Richard Barton a big advocate for Smart Growth. Other Mayors and Councillors from other municipalities were also there. No one from Vaughan Council was there.

How is Vaughan's environmental track record? A failing grade in our opinion.

The tree canopy only stands at 17%, the lowest of all municipalities for the York Region (confirmed by the Committee of Whole Environmental Report 2016). The average 31%, the plan says Vaughan should be at 35% by 2031. 2009 Green Directions Vaughan was implemented. Last time it was updated was 2015.

With this development another 1300-1500 trees will be cut down. The developer is supposed to replace a tree with each one cut. We saw what happened with Grand Trunk. The forest that was cut down illegally has still not been replanted properly. I may add this was environmentally sensitive land.

May 9, 2016, The Toronto Star wrote an article about our environmental track record (I will read an excerpt from the article.

Endangered Species

In the initial report prepared by developers there was mention of 3 species at risk; 2 Butternut trees, Barn Swallow and Eastern Wood Pewee. There was no mention of the endangered species Red Dace and Jefferson Salamander, we need the time to do an independent study to determine there will be no effect on these endangered species.

Watershed

The increased traffic and construction, what effect will that have? We don't know, but we need to find out.

A broader study of how the various green spaces interact must be undertaken because even though there are roads on the green spaces there are also animals that inhabit the spaces.

Ladies and gentlemen of Vaughan Council, I think you can see why we need to have control over our green spaces just like the residents of the Town of Oakville have done with Glen Abbey. Please do the right thing and clean up Vaughan's environmental record.

Thank you.

Deputation #7: Cultural Heritage Landscapes Study

Good afternoon my name is Paola Crocetti, I am a mother, grand-mother, taxpayer and for over 35 years a proud resident of Vaughan.

I will be briefly be speaking on the Heritage aspect of the Board of Trade lands in support of a need for a Cultural Heritage Impact Assessment.

What is Heritage? The Ontario Heritage Policy Review (1990) defines heritage as “All that society values and that survives as the living context – both natural and human – from which we derive our sustenance, coherence and meaning in our individual and collective lives.” 1

Heritage is that which is inherited from past generations, maintained in the present, and bestowed to future generations.^[2] The term "natural heritage", derived from "natural inheritance", pre-dates the term "[biodiversity](#)." It is a less scientific term and more easily comprehended in some ways by the wider audience interested in [conservation](#).

The City needs to expand its knowledge of base beyond the recognition of individual heritage properties to the identification and protection of important cultural heritage landscapes. Recognizing and maintaining cultural heritage landscape resources within the city contributes to the quality of life of the city's citizenry in a variety of ways such as: cultural heritage resources and they tell the story of the city's past, provide a physical and psychological foundation for the City's identity.

The 2014 Provincial Policy Statement defines a cultural heritage landscape as:

A geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include Heritage Conservation Districts; complete villages or neighbourhoods, parks, battlefields; cemeteries; industrial areas; shrines or spiritual sites or trails; views and vistas; and distinct or unique land-use patterns.

The Board of Trade Golf Course is a spectacular landscape. The designed landscape contributes greatly to the urban character of the area / neighbourhood and City. The recognition of it as a cultural heritage landscape is important in the event that future changes in land use might affect the wonderful collections of trees, open spaces and land form that make the site and stable neighbourhood so appealing to the public at large.

The Board of Trade Golf Course lands contribute to a district heritage character of Woodbridge.

Heritage conservation is not only about saving old buildings, it is also fundamentally about enhancing the meaning and quality of life, by maintaining a unique sense of place, as well as supporting the cultural and economic vitality that accompanies areas with strong conservation.

The following Excerpt from Section 2 of the Provincial Policy Statement 2005, Policy 2.1

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The Board of Trade Lands are at the centre of Lands of natural heritage and historical significance to the formation of the City of Toronto. The fact that the property in question has been carved out from the core, stands out as an anomaly.

Before Yonge Street was established, the Toronto Carrying-Place Trail, also known as the Humber Portage and the Toronto Passage, was a major portage route in Ontario, and the preferred pathway north, linking Lake Ontario with Lake Simcoe and the northern Great Lakes. The name comes from the Mohawk term toron-ten, meaning "the place where the trees grow over the water", an important landmark on Lake Simcoe through which the trail passed. Notable figures such as Étienne Brûlé, Jesuit Missionary St. Jean De Brebeuf, and John Graves Simcoe were some of the few Europeans who have provided accounts of the trails most pristine state.

The Toronto Carrying Place Trail moved through most of Woodbridge and is the most ancient trail in the region. Campsites near the Carrying Place have been dated to the end of the last ice age, some 12,000 years ago. The Humber River was designated a Canadian Heritage River in 1999.

The Carrying Place Trail was the major thorough-way to the Northern lakes a place that is known to the Huron Wendat Ancestors as Wendake.

The Carrying Place Trail roughly follows the path of Islington Avenue. It was a place to trade and live for the Huron-Wendat Nation, the Six Nations of the Haudenosaunee, Petun, Neutral and Mississauga community.

The Goal of the Natural Heritage Network is to use a science-based approach to identify a Natural Heritage Network consisting of core areas, ecological linkages and enhancement areas that collectively create a robust system providing long-term ecological integrity to protect native biodiversity.

Conservation Biology Principles: protect the remaining significant natural features protect and restore areas to enhance ecological integrity protect and restore functional ecological linkages.

We respectfully request that City Councillors work with the Urban Design and Cultural Heritage department to prepare a designation report for council's consideration to speak to the Board of Trade's Golf Course as a significant Cultural Heritage Resource.

An environmental impact study showing that the proposed development would not negatively affect the feature's ecological function. But would provide the city the opportunity to assess and, prevent a potential for enormous deleterious effect on the Board of Trade lands, if not because it's the right thing then because humans too depend on the ecological functions they provide, including clean water, clean air, and a healthy and resilient mix of wildlife species.³ Based on the location of the subject lands a Cultural Heritage Impact Assessment, an Environmental Impact Study and other studies are critical, to properly assess the subject lands proposed intent for development, the implementation of an Interim Control By-law will facilitate the completion of a comprehensive report that will scientifically document conservation priorities and facilitate science-based environmental reviews as well as other necessary studies; in addition to which we request to City Council to provide the current landowners a NOTICE OF INTENTION TO DESIGNATE to preserve the potential Cultural Heritage Character of the Board of Trade Golf Course.

All of this needs to be in place BEFORE:

Development Activities begin

Demolitions of Existing Properties in our Neighbourhood are approved

Provincial Legislation supports the requirement for further analysis with regards to protecting the Heritage Character of the Golf Course by way of the:

The Ontario Heritage Act (1990)

The Ontario Environmental Assessment Act (1997)

The Cemeteries Act (1990)

The Ontario Planning Act (1990)

We have established communication with the Huron Wendat Nation Council to keep them updated of the proposed plan. And will engage them in future actions with regards to this application.

Deputation #8: Archaeology Impact Study, plus consultation with First Nations (Jamie Maynard)

I am going to keep my deputation short, as I feel the issue I am raising is both extremely complex in practice, but very simple in terms of the underlying issue.

After reading over several documents related to indigenous settlement in the GTA and beyond, it becomes very apparent that the Vaughan area, and the areas close to the Humber River, were some of the most important areas for both settlement and transportation. A number of first nations have lived here, fought over the land, and travelled through it.

Dr. Ronald Williamson, from ASI, who has prepared a number of reports for the City, has identified this immediate area as one of the most densely populated indigenous communities not just in Canada but in all of North America. It was an agrarian community who traded for items from as far away as Mexico. There are two very significant settlement areas which are within a km of this site, and thus have great potential as spillover areas into the golf course site.

Very large areas of Vaughan have been degraded over the years due to construction of roads, buildings, etc. This site, though, has always been either farmed or a golf course. These uses tend not to disturb the earth to a depth which would destroy artifacts and any remnants of buildings. Given the size of this project, and the proximity to the river, it is especially important that the site be thoroughly researched.

In terms of the era of European settlement up to the present, it is clear that this open space has been, and continues to be, an important part of the natural heritage of our community. With all of the ongoing development, both of the sprawl type and intensification, the historic village community and its immediate natural surroundings become an ever more vital landscape and ecosystem. The golf course and its green space are a natural extension to the Humber River greenspace. The Humber river was designated a Canadian Heritage River in 1999, one of only 45 rivers out of the thousands of rivers in Canada, which has met the requirements for this status. This area

This area, as I mentioned, was a farm area owned by the Wallaces. As a way to preserve this site as green space, perhaps some consideration could be given to converting it into organic farm plots. As we come to value the importance of local food, and secure food sources, this

may be a model for honouring our agricultural past, protecting our indigenous past, and creating new opportunities for small farmers in the future.

Given all of the above, we urge the City to do a comprehensive land use analysis of the BOT and a Cultural Heritage Landscapes Strategy and Implementation study.

Deputation #9: Conservation Easement

Good Afternoon Mister or Madam Chair, Honourable Mayor, Members of Council and City Staff. My name is Maria Verna, I reside at 184 Woodbridge Avenue, I represent the Village of Woodbridge Ratepayers Association and I am here today in association with Keep Vaughan Green, Greater Woodbridge Ratepayers Association and West Woodbridge Home Owners Association.

As you consider the communities ask for an Interim Control Bylaw, I also ask you to consider the remainder of this magnificent property. As many of you know, the subject land is located to the north east of the Woodbridge Heritage Conservation District. While although the site is not located within the District Plans, many of the natural and cultural attributes of this magnificent property are consistent with the values and spirit of the Woodbridge HCD. From the rolling hills on Clarence Avenue, to the canopy of trees, the significance of the Humber Rivers, the original settlers of the lands and the First Nations settlements, this area has tremendous significance and value.

Most notable of this subject site is that a significant portion is designated as Core Feature of the Natural Heritage Network and includes an environmentally significant Area, Smith's Beech Forest. Core feature of the Natural Heritage Network provide important ecosystem function and should be protected and enhanced. The purpose of the Natural Heritage Network is:

- To contribute to the greater open spaces system of the City of Vaughan, protecting valuable designated Natural Areas;
- To promote and provide access to the striking view and vistas of the subject lands and it's associated natural features;
- To protect significant natural features, through tree preservation and the provision of the environmental buffers.
- To address issues related to water resources and flood plains,
- To expand the urban forest canopy with tree-lined streetscapes and walkways

Natural heritage features include:

- the main branch of the Humber River which flows along the western boundary of the subject lands,
- A green ash mineral deciduous swamp and willow mineral deciduous swamp complex to the north east
- A cattail mineral swallow marsh located near the ponds and along the base of the valley slopes
- Fresh-moist Manitoba maple lowland deciduous forest and Reed Canary Grass mineral meadow marsh located west of Clarence avenue
- A total of 41 species of breeding or potentially breeding birds

-
- Avian species at risk – the threatened Barn Swallow and the Eastern wood peewee
 - Not to mention breeding amphibians – the leopard frog, green frog and American Toad.
 - Endangered bat species and two butternut trees.

In order to protect the wonderful space, the community encourages the City of Vaughan in their preservation of this land by not only designating the outstanding 66% as part of the Natural Heritage Network but by recommending to the applicant that a Conservation Easement under the City of Vaughan's Conservation Land Securement Strategy be arranged for the outstanding land identified as undevelopable. This easement will ensure that the lands will remain protected. The Conservation Land Securement Strategy ("the Strategy") is a comprehensive land securement planning document, which outlines methods for the creation of an informed and effective land securement initiative for the purposes of long-term natural heritage land protection in Vaughan. The Strategy will be used by Vaughan as a framework for the long-term protection, maintenance and, where possible, improvement of the NHN. A securement or an easement is not new for the City of Vaughan or the TRCA.

This Land Securement or Conservation Easement is not new for the City of Vaughan there have been several significant alliances made all with the quest to preserve open green space for generations to enjoy rather than just paving it over. Not everything needs to be covered with brick and mortar.

Thank You

Deputation #10: Grand Trunk

Good afternoon Mayor Bevilacqua and Members of Council,

My Name is Furio Liberatore; I reside at 7 Princess Isabella Court. I am here today to speak on behalf of The Friends of Grand Trunk Ravine and in support of Keep Vaughan Green with their request of an Interim Control By-law.

I would like to speak briefly on the history of 230 Grand Trunk Ave. and how it relates to the proposed development on the lands known as the Board of Trade Golf Course. The lands located at 230 Grand Trunk Ave have been controversial to say the least. This is a parcel of land that is located in the Oak Ridges Moraine settlement area and in the early 2000's; the City of Vaughan went to great lengths to protect it.

The complexities of the land that make up 230 Grand Trunk encompass steep valleys, endangered species, woodlots and aquifer to name a few. The developer had to provide in depth studies that took seasons to compile and took the City of Vaughan Staff and The TRCA months to review and comment. A decision on the application wasn't given within the 180-day limit as stated in the planning act and in turn the developer appealed to the Ontario Municipal Board. To the City and TRCA's defense, this was not a typical straightforward application.

The lands of the Board of Trade Golf Course make up approx. 300 acres that is located on The Oak Ridges Moraine Settlement Area. The sheer size of this property and complexity of the lands require a great amount of attention. Studies that need to be preformed that will also take seasons to compile and months to review and comment on.

An interim Control By-law will alleviate pressure on City Planning Staff and the TRCA so no party has to rush to a premature decision or even worse, a flawed settlement as the Friends of Grand Trunk Ravine experienced at 230 Grand Trunk.

Our interest in this development is following due process, all parties cooperating and providing the necessary data to make informed decisions. It has been our experience that when timelines are rushed, it doesn't allow for the necessary discourse between professionals to ensure the decisions being made are in the best interest of the environment, the residents and the city as a whole.

The perfect example the City of Vaughan can model is Oakville's Interim Control By-Law regarding the Glen Abbey Golf Course. The town's ICB restricting the Glen Abbey Course to its existing uses was passed on February 1, 2016 and a 1 year extension was approved by Oakville Council.

The purpose of the ICB was to ensure that the town had sufficient time to complete the necessary key studies on the property. The Ontario Municipal Board concluded that it was

appropriate and necessary. The ICB was based on a legitimate planning rationale, was enacted in good faith and was in conformity with the Provincial Growth Plan. This is a clear precedence that the City of Vaughan can base an ICB to this application.

This is Vaughan's opportunity to make this a good news story and take steps towards a better Environmental Record.

Vaughan blasted for ‘troubling’ environment record

Critics say “Vaughan council is actively promoting the removal of land from the Greenbelt.”

By [NOOR JAVED](#) News reporter

Mon., May 9, 2016

The City of Vaughan is facing widespread criticism over its environmental record, following a recent pattern of council decisions that suggest a lack of commitment to protecting green space — and in particular land within the Greenbelt.

Since the new council was elected in fall 2014, councillors have pushed the province to open up protected lands for development. They also recently failed to pass a provincially mandated process to map all of the city’s natural spaces in need of protection.

Worst of all, critics say, is that instead of taking a stand against developers trying to exploit protected lands, Vaughan council appears to be lobbying for them.

“Vaughan council is actively promoting the removal of land from the Greenbelt for some development proposals, instead of staying neutral and being fair,” said King-Vaughan MP Deb Schulte, a former municipal councillor. Schulte was regarded as an environmental champion when she sat on council last term. “Where is the consistency and vision for a more sustainable future?”

The Greenbelt contains almost 800,000 hectares of protected land, including the Niagara Escarpment and the Oak Ridges Moraine. According to estimates provided by the city, a quarter of Vaughan falls within the Greenbelt or Oak Ridges Moraine.

There is no real process to remove land from Greenbelt protection. But municipalities can request adjustments of certain lands during the 10-year provincial review of the plans, which is currently underway.

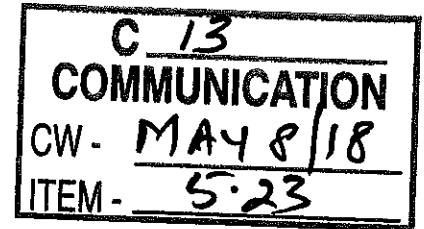
Last year, York Region included requests from more than 40 landowners to redesignate protected land for development, in submissions to the province as part of its review of the Oak Ridges Moraine and Greenbelt plans. Fifteen of those requests were in Vaughan.

At the time, the region and most municipalities said they were not taking a position on these requests, but seeking provincial direction to deal with them.

Deputation #11: Wrap Up

Deputation #12: David Donnelly

Deputation #13: Video & Presentation of Petition



COMMUNICATION C 13
COMMITTEE OF THE WHOLE
MAY 8, 2018

RE: Item 23, Report No. 18

**COMMUNITY IMPACT REVIEW OF BOARD OF TRADE
GOLF COURSE DEVELOPMENT PROPOSAL**

The City Clerk's Office has received a petition from Keep Vaughan Green, Greater Woodbridge Ratepayers Association, Village of Woodbridge Ratepayers Association and West Woodbridge Homeowners Association, regarding the above noted item with the summary wording below.

The total number of signatures on the petition are: 481.

Wording:

"We the friends and neighbours of the Board of Trade are asking that the City of Vaughan complete their due diligence and be unbiased in their review and assessment of the Board of Trade redevelopment application."

A copy of the entire petition document containing a total of 33 pages is on file in the Office of the City Clerk.



MEMBER'S RESOLUTION

Meeting/Date: COMMITTEE OF THE WHOLE – MAY 8, 2018

Title: COMMUNITY IMPACT REVIEW OF BOARD OF TRADE GOLF COURSE DEVELOPMENT PROPOSAL

Submitted by: Councillor Tony Carella

Whereas, Clubhouse Properties Inc. has submitted to the City of Vaughan a proposal to amend the Vaughan Official Plan 2010 with respect to the property known municipally as 20 Lloyd Street (the Board of Trade Golf Course), to re-designate portions of the lands from “Private Open Space” to “Low Rise Residential”, “Infrastructure and Utilities”, “Parks”, and “Natural Areas”, to permit a (1) low-rise residential development (of approximately 660 units on 100 acres, or an average of 6.6 units per acre); (2) continued operation of a golf course and associated uses, and (3) public parks; and

Whereas, the proposal is located in an area where the surrounding lands have featured low-rise residential units for upwards of thirty-five years and more; and

Whereas, there has been significant community concern expressed identifying potential impacts of a development of this size and scope on the existing stable residential fabric of the community;

Whereas, the development review process provides for community input and response; and

Whereas, the application is in the early stage of review;

It is therefore recommended:

1. That staff provide a preliminary report on the status of the application and the reports submitted in support of the application;
2. That the preliminary report identify the community concerns and whether they have been considered in the reports submitted in support of the application;
3. That staff identify any community concerns that have not been addressed and that these concerns be referred to the applicant for comment and response;

4. That peer reviews coordinated by the City be undertaken in accordance with Section 10.1.3.5 of Vaughan Official Plan 2010, where necessary, to assist in the analysis of the studies submitted in support of the application, at the expense of the applicant;
5. That based on the outcome of the staff and agency and peer review process along with input from the public, the City initiate a Community Impact Review prepared by a party or parties qualified to do so, in accordance with a scope of work to the satisfaction of the Deputy City Manager Planning and Growth Management; and that Council allocate the necessary budget based on the approved scope of work;
6. That the Review focus on issues related to soft services such as community facilities, potential impacts on quality of life and the means of achieving a compatible integration of the new and old development;
7. That the Review will not specifically address hard services (water, sewers and stormwater management) and traffic and transportation as they will be considered in other required reports. However, such matters may be considered as inputs where they play a role affecting community amenity and quality of life;
8. That the party or parties charged with conducting the Review will solicit, receive, and consider any and all information, comments, and concerns as provided in writing by anyone having an interest in this matter, such communications to be conveyed to those conducting the study (1) by surface mail or courier to the attention of the City of Vaughan Development Planning Department, 2141 Major Mackenzie Drive, Vaughan ON L6T 1A1 or (2) by electronic mail to developmentplanning@vaughan.ca and in either case marked "Re: Board of Trade Development "Community Impact Review" no later than a date as may be specified by the Development Planning Department; and
9. That the results of the Review be incorporated into the Development Planning Department's technical report on this and any other applications made with respect to proposed development of the subject lands.

Respectfully submitted,

Tony Carella, FRSA
Councillor, Ward 2/Woodbridge West