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November 30, 2015

Reply To: Joel D. Farber
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Our File No. 13/6734

VIA EMAIL (CLERKS@VAUGHAN.CA)

Committee of the Whole
City of Vaughan
City Hall – Level 100
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

c <u>3</u>
Communication
cw: <u>Dec 1/15</u>
Item: <u>14</u>

Dear Sir and/or Madame:

Re: Committee of the Whole December 1, 2015 – Item 14 – Proposed Modifications to the Vaughan Official Plan – Yonge Steeles Corridor Secondary Plan [File 25.12.5 – Ward 5]

We are the solicitors for 1306497 Ontario Limited. Our client has an appeal of Vaughan OPA 2010 in respect of its lands at 88 Steeles Avenue West.

We have had the opportunity to review the Staff Report in respect of the proposed modifications to the Yonge Steeles Corridor Secondary Plan. Regrettably, our client's concerns have not been addressed nor has there been any effort at consultation with our client subsequent to the filing of its appeal. While the staff report suggests that staff have been working with landowners/appellants in the south plan area, our client appears to have been excluded from those consultations. We have not been consulted on the matter since the filing of our appeal in November 2013. Our concerns, in no particular order, include but are not necessarily limited to the following:

1. Density – there is no reasonable basis for the restriction in density on our clients site to 3.5 FSI. The proposed 6.0 FSI is more appropriate and should extend as far west on Steeles as it does north on Yonge.
2. Heights – there is no reasonable basis for the restriction on height to 22 storeys. Our client's parcel has substantial depth and can accommodate a building significantly higher than proposed to be permitted.
3. Land Use Designation – We question the feasibility and appropriateness of the Low Rise Mixed Use designation on the rear of the our client's parcel and the other parcels along

Steeles Avenue West. It would appear that mid-rise could be accommodated and would be more in line with the proposed high rise development along the Steeles Avenue West frontage. The as adopted plan contemplated mid rise on the rear half of the Steeles Avenue West parcels.

4. Publicly Accessible Open Spaces must be acquired by the municipality. The requirements to provide parkland contribution under the *Planning Act* are clear. The municipality may not avoid the limitations and protections afforded by the legislation thru a requirement that private lands be maintained as public parks.
5. The proposed street network as set out on Schedule 5 would bisect our client's lands rendering the site undevelopable except in conjunction with the adjacent lands (see the attached depiction). This is an unreasonable and unjustified imposition on our clients land. Furthermore, we do not accept the need for the extension of Powell Road thru our clients site. The extension of Royal Palm to connect to Powell should be more than adequate.

We would request that the Committee recommend deferral of the proposed secondary plan modifications and direct staff to engage in direct consultations with our client to address its concerns.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber

JDF/ay

Encls.

cc: Client

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Secondary Plan Boundary

