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C11

Please refer to: **John M. Alati**
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direct line: 416.263.4509
File No. 702614-2

C 1
COMMUNICATION
CW (PH) - JAN 12/16
ITEM - 2

January 8, 2016

By E-Mail Only to stephen.lue@vaughan.ca

Committee of the Whole
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

**Attention: Mr. Stephen Lue, Senior Planning, City of Vaughan,
Development Planning Department**

Dear Members of the Committee:

**Re: Zoning By-law Amendment Application
City of Vaughan File Number: Z.15.021
1834371 Ontario Inc.
2951 Highway 7, 180 and 190 Maplecrete Road**

We are counsel to 2431247 Ontario Limited ("Zzen 2"), the owner of the property at 7725 Jane Street (the "Zzen 2 Lands"). The Zzen 2 Lands are intended to be developed as a mixed-use residential building.

1834371 Ontario Inc. ("Liberty") is the owner of the neighbouring properties at 2951 Highway 7 and 180 and 190 Maplecrete Road (the "Liberty Lands"). The Liberty Lands are located directly east of, and abut, the Zzen 2 Lands.

Liberty has submitted a Zoning By-law Amendment application to the City of Vaughan in order to amend site specific Zoning By-law 095-2014 (the "Application"). The Application is known as municipal file number Z.15.021 and is related to the following municipal file numbers: OP.12.010, Z.12.025, and 19T-13V006. The purpose of the Application is to revise the zoning that was previously approved for the Liberty Lands to permit changes to the proposed mixed-use development.

The revised proposal changes the location of an east-west road intended to be located at the southwest portion of the Liberty Lands (the "Access Road").



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Schedules showing the original and revised location of the proposed Access Road are included as Appendix "A" to this correspondence.

The purpose of this letter is to outline Zzen 2's concerns with the Application and, in particular, with the location of the Access Road. The Application and the revised proposal for the Liberty Lands has a significant impact on the future development of the Zzen 2 Lands, as well as on the potential for development of the property owned by YCC 499 immediately south (the "YCC 499 Lands"). Issues including access, servicing, and grading must be addressed comprehensively for the Liberty, Zzen 2, and YCC 499 Lands to ensure development on all those properties are not negatively impacted. Specifically, the City should ensure that the proposed Access Road is properly located to achieve connectivity to Jane Street as intended in Schedule C to the Vaughan Metropolitan Centre Secondary Plan. More specifically, Liberty should be required to locate the Access Road to align with the shared property line between the Zzen 2 and YCC 499 Lands, so that the location of the new Access Road and its extension to Jane Street is appropriately situated along the Zzen 2 and YCC 499 properties to achieve connectivity to Jane Street and to allow those properties to redevelop. Additionally, any proposed arrangements for access should ensure that the Zzen 2 Lands could proceed with redevelopment independently should the YCC 499 Lands not develop in the near term.

We previously advised the City in our correspondence dated May 13, 2015 and September 25, 2015 of Zzen 2's concerns regarding Liberty's proposal. In addition, our firm requested notice from the City for all matters related to Liberty's Application and proposed development. Copies of those letters are attached as Appendix "B".

Notwithstanding our firm's previous request for notice, we were not provided any such notice of the upcoming public meeting regarding the zoning amendment Application to be considered on January 12, 2016. As a result, we again request that the City provide our firm with notice of all staff reports, meetings, agenda items, decision, etc., in connection with the Application and any other related applications pertaining to the development of the Liberty Lands.

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

Yours truly,

DAVIES HOWE PARTNERS LLP

For: 
John M. Alati
JMA:AJS

Encls: As above.

Copy: Clients
Ms. Claudia Storto, City Solicitor, City of Vaughan
Mr. Jeffrey Abrams, City Clerk, City of Vaughan

[illegible]

Proposed By-Law Schedule

LOCATION
Part of Lot 5, Concession 4
N. 1/2 Sec. 19, Twp. 14 N., R. 21 E., S. 9

APPLICANT
1834371 ONLINE INC.



Attachment
FILE: Z 15 021
RELATED FILES: OP 12 010, Z 12 025, 19T-13V006
DATE: December 18, 2015

FILE: Z 15 021

RELATED FILES: OP 12 010, Z 12 025, 19T-13VD06

DATE: December 18, 2015

REGIONAL ROAD 7

Legend

Subject Lands

Phase 2

TOWER C
PHASE 1, BLOCK 1
13 STORY
OFFICE CONDOMINIUM

TOWER D
PHASE 1, BLOCK 1
14 STORY
RESIDENTIAL CONDOMINIUM

TOWER B
PHASE 1, BLOCK 1
15 STORY
RESIDENTIAL CONDOMINIUM

2 STORY
PODIUM

TOWER A
PHASE 1, BLOCK 1
18 STORY
RESIDENTIAL CONDOMINIUM

PUBLIC SQUARE

2 STORY
OFFICE BUILDING

2 STORY
PARKING GARAGE

STREET A

STREET B

MAPLECRETE ROAD

BLACK CREEK

Not to Scale

Proposed
Conceptual Site Plan

LOCATION:
Part of Lot 5 Concession 4

APPLICANT:
1834371 Ontario Inc



Attachment
FILE: Z 15 021
RELATED FILES: DP 12 010, Z 12 025, 19T-13V008
DATE: December 18, 2015

FILE: 2.15 021

RELATED FILES: OP 12 010, Z 12 025, 19T-13V008

DATE: December 18, 2015

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APPENDIX "B"



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Please refer to: **John Alati**
e-mail: johna@davieshowe.com
direct line: 416.263.4509
File No. 702612

May 13, 2015

By E-Mail Only to stephen.lue@vaughan.ca

Mr. Stephen Lue, Planner
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Lue:

**Re: Vaughan Metropolitan Centre Secondary Plan Appeal
Potestas Properties Inc. (Appellant 108) ("Potestas")
7725 Jane Street, Vaughan (the "Property")
OMB File No.: 111184**

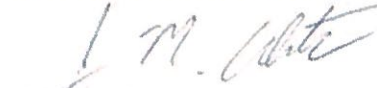
We are counsel to Potestas, the owner of the Property, and an appellant in the above noted Board matter. We are writing to propose an integrated and comprehensive access solution that includes Potestas, Liberty, and YCC 499.

It is our position that the City should properly impose, as a final condition of approval on Liberty, (either at the site plan or final plan of subdivision stage) a requirement to provide for a future connection of its local road to the road network proposed for the Potestas' site, in order to achieve connectivity to Jane Street, as set out at Schedule C of the VMC Secondary Plan. More specifically, Liberty should be required to shift the location of its currently proposed southern most east-west road stub further north, thereby allowing for an alignment with a proposed road that would straddle the south lot line of the Potestas' property and the north lot line of YCC 499's property so that the location of the new road would be equally split between our client's property and the YCC 499 property.

It is our view that this would provide a necessary and prudent connection at a location where the grade differential between the Liberty site and the Potestas/YCC 499 properties is less severe.

Please feel free to contact the undersigned to discuss this matter further.

Yours truly,
DAVIES HOWE PARTNERS LLP


John M. Alati

copy: Ms. Claudia Storto, City Solicitor
Ms. Lyn Townsend, Legal Counsel

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Please refer to: **John Alati**
e-mail: johna@davieshowe.com
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File No. 702612

September 25, 2015

By E-Mail Only to claudia.storto@vaughan.ca

Ms. Claudia Storto
City Solicitor
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Ms. Storto:

**Re: Vaughan Metropolitan Centre Secondary Plan Appeal
2431247 Ontario Limited ("Zzen 2") (Appellant 108)
7725 Jane Street, Vaughan (the "Property")
OMB File No.: 111184**

As you know, we are counsel to Zzen 2, an appellant in the above noted Board matter. Zzen 2 has recently acquired the Property from Potestas Properties Inc. (Appellant 108) ("Potestas"), and has assumed the Potestas appeal.

We are writing in furtherance to our previous correspondence dated May 13, 2015, to reiterate our concerns with the Liberty development proposal, immediately east of the Property. We understand that Liberty may be seeking either draft plan or site plan approval, at this time.

It is our position that the City should properly impose, as a final condition of approval on Liberty (either at the site plan or final plan of subdivision stage), a requirement to provide for a future connection of its local road to the road network proposed for the Property, in order to achieve connectivity to Jane Street, as set out at Schedule C of the VMC Secondary Plan. More specifically, Liberty should be required to shift the location of its currently proposed southernmost east-west road stub further north, thereby allowing for an alignment with a proposed road that would straddle the south lot line of the Property, and the north lot line of YCC 499's property, so that the location of the new road would be equally split between our client's property and the YCC 499 property.

It is our view that this would provide a necessary and prudent connection at a location where the grade differential between the Liberty site and the Zzen 2 property is less severe.

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We have taken the liberty of forwarding a copy of this letter to Stephen Lue, who we understand is the planner at the City with carriage of the Liberty file. We would also request that a copy of this letter be brought to the attention of City Council.

Please provide our firm with notice of any staff reports, meetings, agenda items, decisions, etc., in connection with the Liberty application.

Please feel free to contact the undersigned to discuss this matter further.

Yours truly,

DAVIES HOWE PARTNERS LLP



John M. Alati

copy: Mr. Jeffrey Abrams, City Clerk
Ms. Lyn Townsend, Counsel
Mr. Stephen Lue, City Planner