

**CITY OF VAUGHAN
COUNCIL MINUTES
MAY 12, 2008**

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CITY OF VAUGHAN

COUNCIL MEETING

MONDAY, MAY 12, 2008

MINUTES

1:00 P.M.

Council convened in the Municipal Council Chambers in Vaughan, Ontario, at 1:19 p.m.

The following members were present:

Mayor Linda D. Jackson, Chair
Regional Councillor Joyce Frustaglio
Regional Councillor Mario F. Ferri
Regional Councillor Gino Rosati
Councillor Tony Carella
Councillor Bernie Di Vona
Councillor Peter Meffe
Councillor Alan Shefman
Councillor Sandra Yeung Racco

Also present: Youth Councillor Michael Radov

99. PRESENTATION – WATER CONSERVATION IN YORK REGION

Ms. Tracey McLean Carrigan, Environmental Services, York Region, provided a presentation on the Region's 2008 water conservation initiatives.

100. PRESENTATION – ROYALTY PROCEEDS FROM MUNIROM

Mr. Bruno Romano, Munirom, presented a cheque to Council in the amount of \$15,900, being the royalty proceeds of the tracking system software developed for the City of Vaughan.

101. CONFIRMATION OF AGENDA

MOVED by Regional Councillor Ferri
seconded by Councillor Di Vona

THAT the agenda be confirmed.

AMENDMENT

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

That the following addendums be added to the agenda:

- 1) OFFICIAL PLAN AMENDMENT FILE OP.06.019
ZONING BY-LAW AMENDMENT FILE Z.06.051
DRAFT PLAN OF SUBDIVISION FILE 19T-00V21 (REVISED)
ROYAL EMPRESS GARDENS LTD.

Report of the Commissioner of Planning with respect to the above.

- 2) BY-LAW NUMBER 112-2008
(Council, April 14, 2008, Item 14, Committee of the Whole Report No. 20)

A By-law to adopt Amendment Number 686 to the Official Plan of the Vaughan Planning Area. (OP.05.026, (Z.05.057 and 19T-05V10), Lake Rivers Inc., located on the north side of Major Mackenzie Drive and west of Regional Road #27, being in Part of Lot 21, Concession 9)

- 3) BY-LAW NUMBER 113-2008
(Council, April 14, 2008, Item 15, Committee of the Whole Report No. 20)

A By-law to adopt Amendment Number 683 to the Official Plan of the Vaughan Planning Area. (OP.06.027, Molise Kleinburg Estates Inc., located south of Nashville Road, west of Regional Road #27, municipally known as 115 Putting Green Crescent, in Part of Lots 22, 23 and 24, Concession 9)

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

102. DISCLOSURE OF INTEREST

Councillor Di Vona declared an interest with respect to Item 38, Committee of the Whole Report No. 24, APPLICATION FOR A COMPLIANCE AUDIT, 2006 MUNICIPAL ELECTION CAMPAIGN FINANCES, JOYCE FRUSTAGLIO, as he has been the subject of an audit which has similar implications.

Regional Councillor Frustaglio declared an interest with respect to Item 38, Committee of the Whole Report No. 24, APPLICATION FOR A COMPLIANCE AUDIT, 2006 MUNICIPAL ELECTION CAMPAIGN FINANCES, JOYCE FRUSTAGLIO, as the audit deals with her election campaign finances.

Mayor Jackson declared an interest with respect to the following matters:

- i) Item 38, Committee of the Whole, Report No. 24, APPLICATION FOR A COMPLIANCE AUDIT, 2006 MUNICIPAL ELECTION CAMPAIGN FINANCES, JOYCE FRUSTAGLIO, as she has been the subject of an audit which has similar implications; and
- ii) Item 6, Audit and Operational Review Committee, Report No. 2, PERSONAL MATTER, as the matter relates to her.

103. ADOPTION OR CORRECTION OF MINUTES

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT the minutes of the meeting of April 14, 2008 and Special Council meeting minutes of April 23, 2008 and May 5, 2008 be adopted as presented.

CARRIED

104. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

The following items were identified for separate discussion:

Committee of the Whole Report No. 24

Items 1, 12, 13(reconsidered), 14, 15, 24, 36, 38, 39, 40, 42, 43, 50, 51, 54, 60, and 61

Environment Committee Report No. 4

Item 3

Audit and Operational Review Committee Report No. 2

Item 6

Addendum Items

1, 2, and 3

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Frustaglio

THAT Items 1 to 3 of the Committee of the Whole (Working Session) Report No. 23, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 65 of the Committee of the Whole Report No. 24, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 4 and 5 of the Committee of the Whole (Closed Session) Report No. 25, BE APPROVED and the recommendations therein be adopted; (Items 1 – 3 were previously adopted at the Special Council meeting of May 5, 2008);

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 26, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 5 of the Environment Committee Report No. 4, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 6 of the Audit and Operational Review Committee Report No. 2, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

MOVED by Councillor Carella
seconded by Councillor Di Vona

That Item 13, SUBTITLING CHALONE CRESCENT “MARCO’S WAY”, Report No. 24, be reconsidered for discussion.

CARRIED

105. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 24

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 54 ADDITIONAL REVIEW OF OFFICIAL PLAN AMENDMENT 661

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

THAT Item 54, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By receiving the additional report of the Commissioner of Planning, dated May 12, 2008;

By receiving the following written submissions:

- a) Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5, dated May 7, 2008;
- b) Ms. Mary Attisano, 216 Veneto Drive, Woodbridge, L4L 8X6, dated May 5, 2008; and
- c) Mr. James M. Kennedy, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, dated May 6, 2008; and

By receiving the coloured rendering of the development at Hwy 7 and Woodstream, submitted by KLM Planning Partners Inc.

NOT VOTED UPON

MOVED by Councillor Meffe
seconded by Regional Councillor Frustaglio

That this matter be referred to the Committee of the Whole meeting of June 3, 2008, to provide the opportunity for the Ward 2 Sub-Committee to meet with the community and the landowners of the Kipling and Hwy 7 quadrant to review opportunities for development. This provides an opportunity for Vaughan Council to receive more input for comments to York Region on OPA 661.

That the additional report of the Commissioner of Planning, dated May 12, 2008, be received;

That the following written submissions, be received:

- a) Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5, dated May 7, 2008;
- b) Ms. Mary Attisano, 216 Veneto Drive, Woodbridge, L4L 8X6, dated May 5, 2008; and
- c) Mr. James M. Kennedy, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, dated May 6, 2008; and

That the coloured rendering of the development at Hwy 7 and Woodstream, submitted by KLM Planning Partners Inc., be received.

CARRIED UPON A RECORDED VOTE

COUNCIL MEETING MINUTES – MAY 12, 2008

YEAS

Regional Councillor Frustaglio
Mayor Jackson
Councillor Meffe
Councillor Shefman
Councillor Yeung Racco

NAYS

Councillor Carella
Councillor Di Vona
Regional Councillor Ferri
Regional Councillor Rosati

ITEM - 14 OFF LEASH DOG PARK

MOVED by Councillor Di Vona
seconded by Regional Councillor Ferri

THAT Item 14, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving that staff provide the legal interpretation of the tri-party agreement for William T. Foster Woods;

By receiving the memorandum from the Commissioner of Community Services, dated May 8, 2008; and

By receiving the following written submissions and petition:

- a) Mr. Timothy J. Arnott, Kleinburg and Area Binder Twine Festival, Box No. 6, Kleinburg, L0J 1C0, dated May 6, 2008;
- b) Mr. Ken Schwenger, Kleinburg and Area Ratepayers' Association, P.O. Box 202, Kleinburg, L0J 1C0, dated May 8, 2008;
- c) Ms. Norma Curtis, dated May 10, 2008;
- d) Citizen Members, Off-Leash Working Committee, dated May 12, 2008;
- e) Ms. Dawna Guglielmi, The Village of Kleinburg, Business Improvement Association, Box 152, Village of Kleinburg, L0J 1C0, dated May 12, 2008; and
- f) Ms. Claire Franceschetti, 15 Sevilla Blvd., Box 167, Kleinburg, L0J 1C0, and petition, dated May 12, 2008.

Voting upon the motion was split as follows:

Upon the question of Clause 1 of the amendment:

CARRIED

Upon the question of Clauses 1, 3, 4, 5, and 6 of the Committee of the Whole recommendation:

CARRIED

Upon the question of the staff memorandum and written submissions:

CARRIED

Upon the question of Clause 2 of the Committee of the Whole recommendation:

CARRIED

COUNCIL MEETING MINUTES – MAY 12, 2008

ITEM - 40 FENCE HEIGHT EXEMPTION – 99 DAVIDSON DRIVE – WARD 2

MOVED by Councillor Carella
seconded by Councillor Di Vona

That this matter be referred to a future Committee of the Whole meeting.

CARRIED

ITEM - 43 FENCE HEIGHT EXEMPTION – 25 KINGSBRIDGE CIRCLE – WARD 5

MOVED by Councillor Shefman
seconded by Councillor Carella

THAT Item 43, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving a height exemption to 1.5 feet above the current height for a maximum of 6 feet 6 inches along the southern property line; and

By receiving the report of the Commissioner of Legal and Administrative Services and City Solicitor, and the Director of Enforcement Services, dated May 5, 2008.

CARRIED

ITEM - 39 FENCE HEIGHT EXEMPTION – 45 FOXTRAIL CRESCENT – WARD 2

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

That this matter be referred to a future Committee of the Whole meeting.

CARRIED

Addendum

**106. OFFICIAL PLAN AMENDMENT FILE OP.06.019
 ZONING BY-LAW AMENDMENT FILE Z.06.051
 DRAFT PLAN OF SUBDIVISION FILE 19T-00V21 (REVISED)
 ROYAL EMPRESS GARDENS LTD.**

(Addendum No. 1)

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

That the recommendation contained in the following report of the Commissioner of Planning, dated May 12, 2008, be approved; and

That the following written submissions be received:

- a) Mr. Tim Williams, Sherman Brown Dryer Karol, 5075 Yonge Street, Suite 900, Toronto, M2N 6C6, dated May 12, 2008; and
- b) Mr. Adam J. Brown, Sherman Brown, Dryer Karol, Barristers & Solicitors, 5075 Yonge Street, Suite 900, Toronto, M2N 6C6, dated May 12, 2008.

CARRIED

Recommendation

The Commissioner of Planning recommends:

1. THAT the Ontario Municipal Board be advised that Council recommends refusal of Official Plan Amendment File OP.06.019 (Royal Empress Gardens Ltd.), and that the Barnes Court Extension be maintained in accordance with the approved road pattern in OPA #528 (Vaughan Corporate Centre Transportation Plan).
2. THAT the Ontario Municipal Board be advised that Council endorses the approval of Zoning By-law Amendment File Z.06.051 (Royal Empress Gardens Ltd.), subject to the following:
 - a) rezone Blocks 6, 9 and 10, from C9(H) Corporate Centre Zone with Holding Provision to OS2 Open Space Park Zone;
 - b) permit an increase in the maximum number of permitted residential units from 1,071 to 1,935 units (4.98 FSI) on Blocks 1 to 5 zoned C9(H) Zone on Attachment #4, which shall be dependent on the approval of OPA #663 (Highway 7 Plan) by the Region of York;
 - c) permit an increase in the maximum permitted building height in the C9(H) Zone for non-landmark locations (ie. Blocks 3 and 4 on Attachment #4) from 25 m to unlimited height, to be consistent with the height permission for landmark locations (ie. Blocks 1, 2 and 5 on Attachment #4);
 - d) the required parking on lands zoned C9(H) Zone shall be calculated as follows:
 - i) Residential Apartment: 1.1 parking spaces per dwelling unit, plus 0.2 parking spaces per dwelling unit for visitor parking;
 - ii) Commercial Use: Parking standards for permitted commercial uses in the C9 Zone shall comply with the individual parking standards listed in By-law 1-88.

For the purposes of the site-specific by-law, residential visitor and commercial parking requirements may be shared. The total number of parking spaces shall be the greater of either the residential visitor parking requirement or the commercial parking requirement on the same parcel of land and/or situated within the same building or structure;
 - e) permit a total combined retail/commercial gross floor area of 4,028 m² for all buildings in the C9(H) Zone;
 - f) that the "H" Holding Provision pertaining to the lands zoned C9(H) Corporate Centre Zone be removed in phases in accordance with the various triggers in servicing availability and servicing infrastructure, subject to the following:
 - i) that Phase I (maximum of 733 units) shall be subject to an "H" Holding Symbol removal once the Region of York confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same (446 units allocated, plus 287 units assigned and available in June 2008);
 - ii) that Phase 2 (maximum of 338 units) shall be subject to an "H" Holding Symbol removal once the Region of York confirms that adequate water

- supply and sewage treatment capacity are available and the City has allocated same (approximately Q4/2009);
- iii) that future phases beyond Phase 2 (maximum of 864 units) shall be subject to an "H" Holding Symbol removal once the Region of York confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same (timing unknown); and
 - iv) a site plan application(s) being approved by Council.
3. THAT the Ontario Municipal Board be advised that Council endorses the approval of Draft Plan of Subdivision File 19T-00V21 (Revised), as red-lined, subject to the conditions of approval set out in Attachment No.1.
4. a) THAT for development beyond Phase 1 (maximum of 733 units) that being Phase 2 (maximum of 338 units), the Owner shall enter into an Agreement with the City of Vaughan, of which Agreement shall be registered on title, committing the Owner to:
- A. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:
 - a.(i) York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the YDSS Flow Control Structures project and the Duffin Creek Water Pollution Control Plant expansion project; and,
 - a.(ii) the Council of the City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the subject development; or,
 - b. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development;
- AND
- B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in Item A above.
- b) Prior to or concurrent with future development phases beyond Phase 2 (maximum of 864 units), which represents the number of units beyond 1,071 units to a maximum of 1,935 units the Owner shall enter into an Agreement with the City of Vaughan, which Agreement shall be registered on title, committing the Owner to:
- A. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:
 - a.(i) York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the YDSS Flow

Control Structures project, the Duffin Creek Water Pollution Control Plant expansion project, the Southeast Collector Trunk Sewer; and,

- a.(ii) the Council of the City of Vaughan has allocated adequate available water supply and sewage servicing capacity to the subject development; or,
- b. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
- c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development;

AND

- B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in Item A above.

(*) the term "end users" for the purpose of the above noted pre-condition is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

- 5. THAT the Owner shall enter into an indemnity agreement with the Regional Municipality of York, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region granting draft approval of Plan of Subdivision 19T-00V21, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end-users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the owner.
- 6. THAT for the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated and/or cash-in-lieu paid, in accordance with the Planning Act and the City's approved "Cash-in-lieu of Parkland Policy."
- 7. THAT City Staff and Solicitor be directed to attend the Ontario Municipal Board Hearing, in support of the refusal of the Official Plan Amendment Application, and approval of the Zoning By-law Amendment and Draft Plan of Subdivision Applications.
- 8. THAT City Staff and Solicitor be authorized to enter into further settlement negotiations with the appellant and parties, provided such changes are minor and remain consistent with the intent of the revised plan illustrated on Attachment #4.

Economic Impact

There are no requirements for new funding associated with this report. However, the oversizing of Street "A" is included as a growth related project in the City's Development Charge By-law, so the Owner may be eligible for cost recovery of these works. This matter will be addressed in the subdivision agreement.

Communications Plan

On August 11, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and including additional lands within the following boundary: Portage Parkway to the north, Millway Avenue to the west, Doughton Road to the south and Creditstone Road to the east. No comments were received through the circulation, or to date, by the Development Planning Department. On September 5, 2006, the recommendation of the Committee of the Whole to receive the Public Hearing report and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on September 12, 2006.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #2:

1. An application to amend the Official Plan, specifically Schedule B – Transportation Plan to OPA #500 (Corporate Centre Secondary Plan), as amended by OPA #528, to delete the westerly extension of Barnes Court shown on Attachment #3.
2. A Zoning By-law Amendment Application to amend By-law 1-88, specifically to:
 - a) rezone Block 6 from C9(H) Corporate Centre Zone with Holding "H" Symbol to OS2 Open Space Park Zone;
 - b) remove the Holding "H" Symbol from the remainder of the subject lands zoned C9(H) Corporate Centre Zone; and,
 - c) amend site-specific Exception 9(1248) to include the following exceptions to the C9 Corporate Centre Zone:
 - i) an increase of 864 additional residential units in the maximum permitted unit count from 1,071 to 1,935 units (4.98 FSI) on Blocks 1 to 5 on Attachment #4;
 - ii) an increase in the maximum permitted building height for non-landmark locations (i.e. Blocks 3 and 4 on Attachment #4) from 25 metres to unlimited height, to be consistent with the height permission for landmark locations (i.e. Blocks 1, 2 and 5 on Attachment #4); and,
 - iii) a decrease of 1,209 parking spaces in the minimum required parking on the site from 3,629 to 2,420 spaces.
3. A Draft Plan of Subdivision received on April 14, 2008, as shown on Attachment #3 and proposing the following:

1 Apartment Residential Block 5 (C9(H) Corporate Centre Zone)	0.45 ha
4 Mixed-Use Apartment Residential Blocks 1-4 (with ground floor Commercial) (C9(H) Corporate Centre Zone)	1.88 ha
2 Park Blocks 6 & 7 (OS2 Open Space Park Zone)	0.22 ha
3 Buffer/Park Blocks 9, 10 & 12 (OS2 Open Space Park Zone)	0.04 ha
<u>Roads/Reserves/Other</u>	<u>0.87 ha</u>
TOTAL AREA	3.46 ha

Background - Analysis and Options

The subject lands are located on the north side of Regional Road #7, east of Jane Street, in Part of Lot 6, Concession 4, City of Vaughan as shown on Attachment #2. The Official Plan Amendment Application is applicable to both 2900 Regional Road #7 (Royal Empress) and 2938 Regional #7 (see

Attachment #2), whereas the Zoning By-law Amendment and revised Draft Plan of Subdivision Applications are applicable to the Royal Empress property only (Attachment #5).

The subject lands are designated “Corporate Centre Node” within the Vaughan Corporate Centre Secondary Plan (OPA #500), as amended by OPA #663 (recently approved by City of Vaughan Council and awaiting Regional approval) and zoned OS2 Open Space Park Zone and C9(H) Corporate Centre Zone with the Holding Symbol (H) by By-law 1-88, subject to Exception 9(1248).

On June 11, 2001, Vaughan Council considered Draft Plan of Subdivision File 19T-00V21 and Zoning By-law Amendment File Z.00.096 (653099 Ontario Limited, c/o Frank Carinci), which were subsequently approved by the Ontario Municipal Board (OMB) with conditions. The OMB Hearing took place in June-July of 2001, which resulted in the lands being rezoned from EM1 Prestige Employment Area Zone to OS2 Open Space Park Zone and C9(H) Corporate Centre Zone with the Holding Symbol "H", subject to Exception 9(1248).

Ontario Municipal Board (Current)

On July 25, 2007, the Owner filed a Notice of Appeal to the Ontario Municipal Board (OMB) with respect to their official plan and zoning by-law amendment, and draft plan of subdivision applications. The Hearing is to commence on May 26, 2008 for 2 weeks.

City Official Plan – OPA #500 (The Vaughan Corporate Centre Secondary Plan)

The subject lands are designated “Corporate Centre Node” by OPA #500. The “Corporate Centre Node” is intended to become an “urban centre” with a mix of commercial, residential and institutional uses and facilities. The future intersection of the ring road (Street "A") at Regional Road #7 is recognized as a “gateway site”, where high rise landmark buildings are encouraged to be located with no height restrictions. Single use and mixed use developments, characterized by high design standards, are intended for the Node. The proposal conforms with the “Corporate Centre Node” provisions of the Official Plan.

City Official Plan – OPA #528 (Transportation Plan for Vaughan Corporate Centre)

OPA #528 identifies specific improvements to the road network serving the Vaughan Corporate Centre Secondary Plan Area (OPA #500). One such improvement is the planned Barnes Court extension, as shown on Attachment #3. OPA #528 states that the “westerly extension of Barnes Court has been recommended such that it provides access to the ring road to ensure safe operations. At the ensuing intersections, only right-in/right-out moves would be permitted. Again, this serves to improve the connectivity of the ring road by further promoting its use as a preferred alternative to Regional Road 7, particularly for through traffic and heavy vehicles. It also provides a bypass of the easterly traffic control/design features”.

The City’s Engineering Department and York Region’s Planning and Development Services Department have reviewed the applicant’s Official Plan Amendment request to eliminate the Barnes Court extension and are not in support of deviating from the adopted road network plan for the Vaughan Corporate Centre. Accordingly, the Development Planning Department is recommending that Official Plan Amendment File OP.06.019 be refused.

City Official Plan – OPA #663 (Highway #7 Corridor Land Use Plan)

OPA #663 has been approved by the City of Vaughan, however, is awaiting final approval by York Region. The Highway #7 Amendment is intended to facilitate change in the urban structure towards greater intensification and a mix of land uses along Regional Road 7 that has been anticipated and promoted by all levels of government. If York Region approves OPA #663 as is, the following additional policies respecting the "Corporate Centre Node" would be applicable, including but not limited to, the following:

- a) "It is the intent of the City to achieve an average Floor Space Index of 5.0 throughout the Corporate Centre Node, although there is no Floor Space Index limit on any individual site."
- b) "At grade retail uses will be required in all developments fronting onto Avenue Seven, and will be encouraged in all developments within the Corporate Centre Node. At grade retail uses shall have their primary entrances oriented to the street, and connected to the public sidewalk."

The subject lands are currently permitted a maximum of 1,071 residential units as-of-right by the zoning by-law, upon removal of the Holding "H" provision, in phases (ie. Phases 1 and 2) and related to various triggers in servicing availability and servicing infrastructure. The applicant is seeking an additional 864 units (beyond Phase 2) to increase the maximum permitted unit count from 1,071 to 1,935 units to achieve an FSI of 4.98 on Blocks 1 to 5, zoned C9(H) Corporate Centre Zone on Attachment #4, which is dependent on the approval of OPA #663 by the Region of York.

The Development Planning Department has no objection to the proposed increase in residential units and FSI of 4.98, which would implement the policy objectives of OPA #663, upon coming into effect.

Zoning

The subject lands are zoned OS2 Open Space Park Zone and C9(H) Corporate Centre Zone with the Holding Symbol "H" by By-law 1-88, subject to Exception 9(1248), as shown on Attachment #2.

A public park is to be located on Block 6, and will be rezoned from C9(H) Corporate Centre Zone to OS2 Open Space Park Zone.

The remainder of the lands, including Blocks 1 to 5 will remain zoned C9(H) Corporate Centre Zone with a Holding provision. The Development Planning Department is recommending that the current (H) Holding Symbol remain on the lands until such time as the conditions to remove the Holding provision relating to servicing as set out in the recommendation section of this report have been addressed, to the satisfaction of the City. The following exceptions to the C9(H) Zone can be supported by the Development Planning Department, which would implement the provisions of OPA #663 and the applicant's conceptual site plan shown on Attachment #6:

- i) the maximum density on the site shall be 4.98 FSI, with a maximum of 1,935 units;
- ii) the maximum permitted building height for non-landmark locations (ie. Blocks 3 and 4 on Attachment #4) shall be increased from 25 m to unlimited height, to be consistent with the height permission for landmark locations (ie. Blocks 1, 2 and 5 on Attachment #4);
- iii) the required parking for the proposed development shall be calculated as follows:
 - i) Residential Apartment – 1.1 parking spaces per dwelling unit plus 0.2 parking spaces per dwelling unit for visitor parking
 - ii) Commercial Use – Parking standards for permitted commercial uses shall comply with the individual parking standards listed in By-law 1-88.

For the purposes of the by-law, residential visitor and commercial parking requirements may be shared. The total number of parking spaces shall be the greater of either the residential visitor parking requirement or the commercial parking requirement on the same parcel of land and/or situated within the same building or structure.

- iv) a maximum retail/commercial gross floor area for all buildings located within Blocks 1 to 4 shall not exceed 4,028 m².

The Building Standards Department has identified other zoning deficiencies based on the conceptual site plan shown on Attachment #6, however, the Development Planning Department is not in a

position to consider additional detailed exceptions until a formal site plan application is submitted and a full review of the site plan can be undertaken at the site plan stage, upon resolution of the various outstanding subdivision issues including but not limited to: additional land required for right-of-ways, building location and compliance with urban design guidelines. The applicant will need to secure the appropriate zoning exceptions, which will be determined at the site plan approval stage.

Subdivision Design

The proposed draft plan of subdivision includes a total of 24 blocks consisting of 4 mixed use Residential and Commercial Blocks, 1 Residential Block, Park and Buffer Blocks, with the remaining Blocks allocated for roads, reserves and widenings, as shown on Attachment #3. Access to the subdivision will be from Regional Road #7, the Barnes Court extension, and the north/south ring road (Street "A") which is to ultimately connect to Jane Street.

This subdivision has been red-lined to address the transportation comments provided by the City's Engineering/Transportation Department, as discussed later in this report.

The applicant has submitted a conceptual site plan (Attachment #6), which shows the proposed development scheme for the subdivision, including 4 mixed use residential and commercial buildings on the east side of Street "A", with 34-storey heights (Buildings "1" and "2") fronting onto Regional Road 7 and 35-storey heights (Buildings "3" and "4") directly to the north. There is one 34-storey residential building located at the northwest corner of Regional Road 7 and Street "A", with a 2,050 m² park located directly to the north.

Servicing

The Owner has submitted a Functional Servicing Report, originally dated July 2006 and updated March 2008, which generally outlines how the proposed development will be serviced. The City's Development Engineering Staff has reviewed this report and provides the following comments:

a) Watermain

The subject lands are in the area serviced by Pressure District 6 of the York Region Water Supply system. Water supply to the subject lands can be obtained by two connection points at Barnes Court to the east and Regional Road 7 to the south.

b) Sanitary Sewer

The subject lands are within the service area of the Jane Collector Sanitary Sewer. Based on the functional servicing report, the subject lands can be serviced by connecting into the existing 600mm-diameter trunk sewer in the vicinity of Jane Street.

c) Servicing Capacity

On November 14, 2005, Council allocated servicing capacity for 446 residential apartment units to the previously approved Draft Plan of Subdivision 19T-00V21.

On March 31, 2008, Council committed a Priority 3 Assignment for a further 625 residential apartment units to this development for a total of 1071 units. It is important to note that 287 units of this capacity is linked to the completion of the Bathurst/Langstaff trunk sewer. Registration of these units cannot occur until the third quarter of 2008, based on the current construction schedule of the sewer. The availability of the remaining 338 units is linked to the in-service dates for the Duffin Creek Water Pollution Control Plant upgrades and the flow control structures as temporary alternatives to the Southeast Collector Sewer improvements. The earliest release of these units for sale would be the fourth quarter 2009, one year prior to the currently estimated in-service date for the above noted infrastructure.

Development within this plan of subdivision beyond 1,071 units will be subject to the Region of York confirming that additional water supply and sewage treatment capacity are available

and the City has committed servicing capacity to this development in accordance with the City's servicing capacity allocation distribution protocol.

d) Storm Water

The subject lands are tributary to the Black Creek watershed. The Functional Servicing Report recommends the use of on-site flow controls together with underground storage within the municipal right-of-way to control post development flows to acceptable levels. City Engineering staff can support the use of on-site measures, but not underground storage in the road.

The City has retained the engineering consulting firm of TMIG to complete a master servicing plan for the lands within the Vaughan Corporate Centre (VCC), including storm water management. This master plan should be completed in the second quarter of 2009. Accordingly, the Owner shall be required to design and construct a storm drainage system for the development that conforms to the final recommendations of the approved VCC Master Servicing Plan.

As a condition of draft plan approval, the Owner shall be required to prepare a detailed storm water drainage report for the proposed development for the review and approval of the City and TRCA, which addresses matters such as how this drainage system will tie into surrounding drainage systems and conform to the approved VCC Servicing Master Plan, the storm water management techniques which may be required to control minor or major flows, appropriate Storm Water Management Practices to be used to treat storm water, to mitigate the impacts of development on the quality and quantity of ground and surface water resources, proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction, and interim servicing proposals, if appropriate.

e) Street Lighting

The Owner shall be required to design and construct the necessary municipal street light system to service the development to the satisfaction of the City and PowerStream. This development shall be equipped with decorative street lighting in accordance with the approved Vaughan Corporate Centre urban design standards.

Transportation

The City Engineering Department advises that the draft plan includes a portion of the Vaughan Corporate Centre "Ring Road" (Street A) and the westerly extension of Barnes Court. In addition, Blocks 8 and 11 on the draft plan provides for the necessary right-of-way for the future extension of Barnes Court, west of the Ring Road as per the VCC road network plan. The proposed roads in the Plan of Subdivision shall conform to the overall road network defined by OPA #528 and City standards. In particular, the Barnes Court Extension (Street "B") should have a 23 metre right-of way and align with the existing Barnes Court.

The intersections of Street "A" and Street "B", Street "A" and Regional Road 7, and the future Road (Block 8) and Street "A" should all intersect at 90 degrees.

Given the skewed configuration of the intersection of Street "A" and Street "B", and Street "A" and the future Road (Block 8), only right-in/right-out moves will be permitted to and from Street "A". The restricted accesses will ensure safe operation at these intersections. Street "B" (Barnes Court Extension) will improve the connectivity to the Ring Road by promoting its use as an alternative to Regional Road 7.

Given the proximity of development accesses along Street "A" to Regional Road 7, only right-in/right-out moves will be permitted to and from Street "A". The centre median located on Street "A" will promote safer and more efficient traffic movements on Street "A", while minimizing traffic operation

impacts on the Regional Road 7 and Street "A" intersection.

The Owner shall agree in the subdivision agreement to provide the appropriate warning statements in all offers of purchase and sale advising of this access situation.

The design and construction of the Street "A" and Regional Road 7 intersection is subject to the review and approval of the Region of York. The draft plan of subdivision shall be amended to include the necessary 0.3 metre reserves on the frontages of the Blocks and at the daylighting triangles as per City and Region requirements.

City Development Engineering Staff have reviewed the traffic and parking studies provided in support of the proposed development applications, and generally concurs with their findings, subject to the following:

- i) Temporary Emergency Access - The possibility of placing warning signage, advising motorists that the opening is only for emergency vehicle use shall be prepared at the detailed design stage. Design, associated construction and decommission cost of this temporary emergency access shall be borne by the site developer.
- ii) Barnes Court shall be extended to its ultimate right-of-way to the Ring Road as part of the Royal Empress development.
- iii) The Owner shall provide a corridor as per the attached red-lined plan shown on Attachment #4 that will allow for a number of possible alternative alignments to be developed, and to allow Street "A" (Ring Road) to be extended to Jane Street.
- iv) The Owner shall prepare a functional road/intersection design to verify the Ring Road (Street A) ROW requirements with more specific design characteristics to be confirmed at the detailed design stage. The required road allowances shall be designed in accordance with the City of Vaughan and Region's standards for road and intersection design. The applicant should refer to the attached red-lined draft plan for estimated ROW corridor which should be protected until the ultimate width and alignment of Street "A" has been determined through further engineering study to the satisfaction of the City and Region of York.
- v) A phasing and implementation plan is required to the satisfaction of the City and York Region and it should specify required infrastructure improvements and development triggers to support the Royal Empress development through the long-term scenario. A detailed traffic impact study may be required at the site plan stage to address the access details of the proposed development at such stage.
- vi) An updated traffic impact report that includes the future PM Peak Hour analysis using correct traffic volumes as per the PM Peak Hour exhibit.
- vii) As per the Transportation Planning & Functional Design Study dated October 2000, the purpose of the Ring Road is to provide a convenient bypass route for traffic not destined for the VCC and as such heavy vehicle percentage should be adjusted in the analysis (currently only 2% used, whereas other roadways in the VCC carry significantly higher volumes of heavy vehicle traffic).

The Transportation Engineering Section of the City's Engineering Department has reviewed a "Supplemental Policy Rate Review", prepared by Sernas Transtech dated February 22, 2008. City Engineering Staff is recommending that required parking be calculated at the following rates:

- i) Residential Apartment – 1.1 parking spaces per dwelling unit plus 0.2 parking spaces per dwelling unit for visitor parking
- ii) Commercial Use – Parking standards for permitted commercial uses in the C9 Zone shall comply with the individual parking standards listed in By-law 1-88.

For the purposes of the by-law, residential visitor and commercial parking requirements may be shared. The total number of parking spaces shall be the greater of either the residential visitor parking requirement or the commercial parking requirement on the same parcel of land and/or situated within the same building or structure.

Environmental Site Assessment

Soil Engineers Limited has submitted an “Environmental Site Assessment, Phase 1 for the Royal Empress site. The report has been reviewed by the City Engineering Department, who concurs with the conclusion of the ESA that the land is suitable for use as a residential development. The City is in receipt of the Acknowledgement from the Ministry of Environment (MOE) that the Record of Site Condition (RSC) has been signed by a Qualified Person on January 11, 2008. Therefore, the ESA Phase 1 clearance for this plan of subdivision has been completed.

A Phase II Environmental Site Assessment will be required on the park block in accordance with the City’s policy regarding the dedication of parkland.

Region of York

In accordance with York Region’s servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, staff are requesting that all residential lands be subject to various restrictions (i.e. Holding “H” Zone) to ensure that water and sewer servicing are available prior to occupancy. The Region has advised that the Owner shall enter into an agreement with the City of Vaughan, registered on title, as a pre-condition (to be satisfied prior to or concurrent with Draft Plan Approval), which restricts the purchase or sale with end users for the sale of lands until certain conditions are fulfilled, as noted in the Region’s letter dated April 14, 2008. These restrictions are found within the recommendation section of this report. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided with an opportunity to comment on any proposed extensions of approval.

The Regional Infrastructure Planning Branch has advised that they are satisfied that all Regional transportation concerns have been addressed, however, it is recommended that the City of Vaughan protect for a sufficient right-of-way to accommodate the ultimate cross-section of Street ‘A’ including dedicated turning lanes, adequate storage lengths, and streetscaping requirements.

Given the nature of this proposed development, its proximity to the planned “Vaughan Corporate Centre” subway station and the significant pedestrian traffic that will be generated by this development, York Region will require that the Owner implement the key principles identified in York Region’s Transit-Oriented Development Guidelines at the Site Plan Approval stage.

The conditions of approval with respect to York Region requirements have been included in Attachment #1 – Conditions of Approval.

Toronto and Region Conservation Authority (TRCA)

The TRCA has provided a letter dated April 8, 2008, and their current position can be summarized as follows:

- i) There are no major concerns respecting the Functional Servicing Report, however, some issues remain outstanding that requires a further submission.
- ii) From a geotechnical perspective, an approach to dewatering has been undertaken by the consulting team but it is recommended that the assessment be updated by a more detailed plan after the testing is completed.
- iii) There are no further comments with respect to the restoration planting plan.
- iv) A 10 metre buffer from the floodline is required and has been provided. Given there is now a park block being proposed, the buffer should be dedicated into public ownership, in this case the City of Vaughan. As it will be located adjacent to the park block. The required buffer area should be appropriately zoned into an open space or environmental category in order to ensure its long term protection and dedicated into public ownership free and clear of any encumbrances.

The conditions of approval with respect to TRCA requirements have been included in Attachment #1 – Conditions of Approval.

Canadian National Railway

Canadian National Railway (CN) has reviewed the proposed applications and the Noise Report. Although they do not preclude that the development is feasible at this location, they have indicated that they would like to see some additional specific mitigation items included in an agreement with CN to reduce the potential for complaints and to not place undo restrictions on CN operations.

CN has requested as conditions of draft plan approval that:

- i) All buildings to be constructed of brick or brick veneer or masonry equivalent, and;
- ii) No portion of any of the building or buildings or podiums to be constructed of curtain wall construction.

The Development Planning Department has not included these conditions in the Standard Conditions of Draft Plan Approval (Attachment #1) as this restricts the development material which can be utilized on these buildings. Furthermore, there may be other suitable materials that could mitigate noise, and be satisfactory to CN Rail. Appropriate building materials can be explored further with CN, the applicant and the City, at the site plan stage.

The conditions of approval with respect to CN requirements have been included in Attachment #1 – Conditions of Approval.

Utilities

The Developer must enter into a separate subdivision agreement to address hydro matters with PowerStream Inc. The developer is to design, purchase materials, and install a buried hydro distribution system and a street lighting system within the confines of the subdivision, and compatible with the existing and/or proposed systems, in the surrounding plans of subdivision, all in accordance with PowerStream and City of Vaughan standards and specifications, and latest revisions.

Archaeological Assessment

The Ministry of Culture provided confirmation on November 9, 2006, that there were no further concerns for impacts to archaeological resources on the subject lands.

Parkland

The City's Parks Development Department has advised that given the proposed density (1935 units) and using the 1 ha/300unit ratio, a total dedication of 6.45 ha of parkland would be required as outlined below:

Calculation based on 1 ha per 300 units

Total Number of Units	
Apartment	1,935 Units
Total Parkland at 1 ha per 300 units	
TOTAL PARKLAND DEDICATION	6.450 ha
PARKLAND PROVIDED IN PLAN	0.201 ha
TOTAL PARKLAND UNDERDEDICATION	6.249 ha

The Applicant is currently proposing Blocks 6 and 7 as Park Blocks. Block 7 should be conveyed to the municipality as open space and not be used as parkland dedication. Block 6 is required for a public Park with the remainder to be paid through cash-in-lieu. A condition to this effect has been provided in the recommendation of this report.

School Boards

The York District and York Catholic School Boards have no objection to the proposed applications.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

Regional Implications

The subject lands abut Regional Road 7, which is a Regional arterial road. The Region of York has provided conditions of approval on Attachment #1.

Conclusion

The Development Planning Department has reviewed the proposed applications to amend the Official Plan and Zoning By-law, and for approval of Draft Plan of Subdivision 19T-00V21 (Revised), in accordance with the applicable policies of the Official Plan, the requirements of the Zoning By-law and the area context. The proposed Draft Plan of Subdivision as red-lined contemplates the development of the subject lands with five residential apartment buildings, four of which are to be mixed use residential with ground floor commercial, along with a Park, Buffers and Future Roads. Development Planning Staff can support the approval of the Zoning By-law Amendment application and the proposed Draft Plan of Subdivision, as red-lined, subject to the recommendations in this report and the Conditions of Draft Plan Approval as set out in Attachment #1.

The subject lands are currently permitted a maximum of 1,071 residential units as-of-right by the zoning by-law, upon removal of the Holding "H" provision, in phases and related to various triggers in servicing availability and servicing infrastructure. The applicant is seeking an additional 864 units to increase the maximum permitted unit count from 1,071 to 1,935 units to achieve an FSI of 4.98 on Blocks 1 to 5, zoned C9(H) Corporate Centre Zone on Attachment #4, which is dependent on the approval of OPA #663 by the Region of York.

The Development Planning Department has no objection to the proposed increase in residential units and FSI of 4.98, which would implement the policy objectives of OPA #663, upon coming into effect.

The Development Planning Department does not support the proposed amendment to the Official Plan to delete the proposed westerly extension of Barnes Court as shown on Attachment #3, and therefore recommends that Official Plan Amendment File OP.06.019 be refused. The Barnes Court extension should be maintained in accordance with the approved road pattern in OPA #528 (Vaughan Corporate Centre Plan).

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Schedule 'B' to OPA #500 (Proposed amendment to Official Plan)
4. Red-lined Draft Plan of Subdivision 19T-00V21 (Revised)
5. Proposed Rezoning
6. Conceptual Site Plan

Report prepared by:

Arto Tikiryan, Senior Planner, ext. 8212

/CM

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

107. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 24

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 50 OFFICIAL PLAN AMENDMENT FILE OP.06.026
 ZONING BY-LAW AMENDMENT FILE Z.06.065
 MICHAEL ESMAILZADEH AND BIANCA & PASQUALE MARTINIS
 REPORT #P.2007.1

MOVED by Councillor Carella
seconded by Councillor Shefman

THAT Item 50, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, dated May 5, 2008;

By receiving the memorandum from the Manager of Development Planning, dated May 9, 2008; and

By receiving the written submission from Mr. Eugene Sleczkowski, 43 Roslyn Court, Woodbridge, L4L 2Y5, dated May 5, 2008.

CARRIED

Addendums

108. ADDENDUM BY-LAWS
BY-LAW NUMBER 112-2008 AND 113-2008
BY-LAWS FIRST, SECOND AND THIRD READINGS

(Addendum Nos. 2 and 3)

MOVED by Regional Councillor Frustaglio
seconded by Councillor Di Vona

THAT the following by-law be read a First, Second and Third time and enacted:

By-Law Number 112-2008 A By-law to adopt Amendment Number 686 to the Official Plan of the Vaughan Planning Area. (OP.05.026, (Z.05.057 and 19T-05V10), Lake Rivers Inc., located on the north side of Major Mackenzie Drive and west of Regional Road #27, being in Part of Lot 21, Concession 9) (Council, April 14, 2008, Item 14, Committee of the Whole Report No. 20) (Addendum No. 2)

CARRIED

MOVED by Councillor Yeung Racco
seconded by Councillor Di Vona

THAT the following by-law be read a First, Second and Third time and enacted:

By-Law Number 113-2008 A By-law to adopt Amendment Number 683 to the Official Plan of the Vaughan Planning Area. (OP.06.027, Molise Kleinburg Estates Inc., located south of Nashville Road, west of Regional Road #27, municipally known as 115 Putting Green Crescent, in Part of Lots 22, 23 and 24, Concession 9 (Council, April 14, 2008, Item 15, Committee of the Whole Report No. 20) (Addendum No. 3)

CARRIED

109. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

COMMITTEE OF THE WHOLE REPORT NO. 24

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 12 DIANAWOOD RIDGE – PROPOSED STOPPING PROHIBITION

MOVED by Councillor Di Vona
seconded by Councillor Carella

THAT Item 12, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving the following:

- 1) That a By-law be enacted to implement a 'No Stopping' prohibition on Dianawood Ridge from Wilshire Boulevard to and including the cul-de-sac, both sides, between the hours of 5:00 pm to 2:00 am.; and
- 2) That the City of Vaughan Enforcement Department and York Regional Police be requested to provide enforcement of the existing and proposed prohibitions on Dianawood Ridge; and

By receiving the report of Councillor Di Vona, dated May 5, 2008.

CARRIED

ITEM - 13 SUBTITLING CHALONE CRESCENT "MARCO'S WAY"

MOVED by Councillor Carella
seconded by Regional Councillor Frustaglio

THAT Item 13, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By replacing Clause 2 of the recommendation of Councillor Carella with the following:

- "2. That staff be directed to report to the Committee of the Whole meeting of June 3, 2008, on the request by the residents of Chalone Crescent to the subtitling of Chalone Crescent as "Marco's Way".

CARRIED

AUDIT AND OPERATIONAL REVIEW COMMITTEE REPORT NO. 2

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

At this point in the meeting Mayor Jackson relinquished the Chair to Regional Councillor Frustaglio.

ITEM - 6 PERSONAL MATTER

MOVED by Regional Councillor Rosati
seconded by Councillor Yeung Racco

THAT Item 6, Audit and Operational Review Committee Report No. 2 be adopted without amendment.

CARRIED

Having previously declared an interest Mayor Jackson did not take part in the discussion or vote on the foregoing matter.

Mayor Jackson resumed the Chair.

COMMITTEE OF THE WHOLE REPORT NO. 24

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 15 YONGE SUBWAY ADVISORY TASK FORCE - DRAFT TERMS OF
REFERENCE, RESPONSE TO REQUEST FOR COMMENTS FROM
THE REGION OF YORK

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 15, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving Clauses 1 and 3 of the recommendation contained in the report of the City Manager, dated May 5, 2008; and

By approving that Mr. H. Tom Wilson be appointed to the Yonge Subway Advisory Task Force.

CARRIED

ITEM - 24 AWARD OF TENDER – T08-003
HIGHWAY 7, PINE VALLEY DRIVE TO WESTON ROAD
SIDEWALK CONSTRUCTION

MOVED by Councillor Di Vona
seconded by Regional Councillor Ferri

THAT Item 24, Committee of the Whole Report No. 24 be adopted without amendment.

CARRIED

COUNCIL MEETING MINUTES – MAY 12, 2008

ITEM - 36 IMPLEMENTATION OF LIFE SAVING STATIONS
IN CITY STORM WATER MANAGEMENT FACILITIES

MOVED by Councillor Di Vona
seconded by Councillor Carella

THAT Item 36, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By inserting the word “existing” following “equipping” in Clause 2 of the recommendation of the Commissioner of Engineering and Public Works; and

By ending the sentence following the word “facilities” in Clause 3 of the recommendation of the Commissioner of Engineering and Public Works.

CARRIED

ITEM - 42 FENCE HEIGHT EXEMPTION – 2 CLOVIS STREET – WARD 4

MOVED by Councillor Yeung Racco
seconded by Regional Councillor Frustaglio

THAT Item 42, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Legal and Administrative Services and City Solicitor, and the Director of Enforcement Services, dated May 5, 2008; and

By receiving the memorandum from the Director of Enforcement Services, dated May 8, 2008.

CARRIED

ITEM - 51 OFFICIAL PLAN AMENDMENT FILE OP.06.013
ZONING BY-LAW AMENDMENT FILE Z.06.035
1643750 ONTARIO LIMITED, C/O RICE DEVELOPMENTS
REPORT #P.2006.50

MOVED by Councillor Carella
seconded by Regional Councillor Rosati

THAT Item 51, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, dated May 5, 2008.

CARRIED

ITEM - 60 DONGARA PELLET PLANT – OUTSTANDING ISSUES

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

THAT Item 60, Committee of the Whole Report No. 24 be adopted and amended, as follows:

COUNCIL MEETING MINUTES – MAY 12, 2008

By receiving the confidential memorandum from the Director of Legal Services, dated May 9, 2008.

CARRIED

ITEM - 61 DEPUTATION – MR. KEN NOLAN WITH RESPECT TO
FITNESS MEMBERSHIP DISCOUNTS FOR RETIRED
CITY OF VAUGHAN EMPLOYEES

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT Item 61, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By receiving the confidential memorandum from the Director of Human Resources, dated May 6, 2008.

CARRIED

ENVIRONMENT COMMITTEE REPORT NO. 4

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 3 STRATEGY FOR THE RETROFIT / REDESIGN OF OLDER
PUBLIC PARKS

MOVED by Councillor Carella
seconded by Councillor Shefman

That this matter be referred to the Committee of the Whole meeting of May 20, 2008.

CARRIED

At this point in the meeting Mayor Jackson relinquished the Chair to Regional Councillor Ferri.

COMMITTEE OF THE WHOLE REPORT NO. 24

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 38 APPLICATION FOR A COMPLIANCE AUDIT
2006 MUNICIPAL ELECTION CAMPAIGN FINANCES
JOYCE FRUSTAGLIO

MOVED by Councillor Shefman
seconded by Councillor Yeung Racco

THAT Item 38, Committee of the Whole Report No. 24 be adopted and amended, as follows:

By approving that staff provide a legal opinion to the Committee of the Whole meeting of May 20, 2008; and

COUNCIL MEETING MINUTES – MAY 12, 2008

By approving that a Special Council meeting be held on May 20, 2008, at +/- 4:00 p.m. to render a decision to the request for a compliance audit on Joyce Frustaglio's 2006 Municipal Election Campaign Finances.

CARRIED

Having previously declared an interest Mayor Jackson did not take part in the discussion or vote on the foregoing matter.

Having previously declared an interest Regional Councillor Frustaglio did not take part in the discussion or vote on the foregoing matter.

Having previously declared an interest Councillor Di Vona did not take part in the discussion or vote on the foregoing matter.

Mayor Jackson resumed the Chair.

ITEM - 1 ARTS ADVISORY COMMITTEE
REQUEST TO REDUCE QUORUM

MOVED by Councillor Yeung Racco
seconded by Councillor Shefman

THAT Item 1, Committee of the Whole Report No. 24 be adopted without amendment.

CARRIED

110. BY-LAWS FIRST, SECOND AND THIRD READINGS

MOVED by Councillor Carella
seconded by Regional Councillor Ferri

That the memorandum from the Senior Manager of Real Estate, dated May 6, 2008, regarding By-Law 95-2008, be received.

CARRIED

MOVED by Councillor Carella
seconded by Councillor Yeung Racco

THAT the following by-laws be read a First, Second and Third time and enacted:

- | | |
|-----------------------|---|
| By-Law Number 94-2008 | A By-law to require building permit security deposits. (New Residential Development under Subdivision Agreement, Residential Infill on Assumed Roads (Single, Semi. Town.) and Industrial/ Commercial/ Institutional/High-Rise Developments) (Council, February 11, 2008, Item 4, Committee of the Whole (Working Session), Report No. 4) |
| By-Law Number 95-2008 | A By-law to authorize the Mayor and Clerk to execute a Renewal Lease Agreement between the Corporation of the City of Vaughan and Ontario Realty Corporation. (7550 Kipling Avenue - Kipling Parkette) (Additional Information Memo dated May 6, 2008) |

COUNCIL MEETING MINUTES – MAY 12, 2008

- By-Law Number 96-2008 A By-Law to appoint a Clerk for The Corporation of the City of Vaughan. (Jeffrey Abrams) (Item 2, Committee of the Whole (Closed Session), Report No. 25)
- By-Law Number 97-2008 A By-law to appoint an Integrity Commissioner for The Corporation of the City of Vaughan. (William Weissglas) (Council, April 14, 2008, Item 1, Committee of the Whole (Closed Session), Report No. 21)
- By-Law Number 98-2008 A By-law to dedicate certain lands as part of the public highway being Townsgate Drive. (Part of Lot 49, Plan 3205, designated as Part 4 on Reference Plan 65R-30675) (Delegation By-law 333-98)
- By-Law Number 99-2008 A By-law to dedicate certain land as part of the public highway being Greenbrook Drive. (Part of Block 29 (0.3m Reserve) on Plan 65M-2192, designated as Part 8 on Reference Plan 65R-30660) (Delegation By-law 333-98)
- By-Law Number 100-2008 A By-law to dedicate certain lands as part of the public highway. (Fernbrook Homes (Majormac) Limited, east half of Lot 20, Concession 3, designated as Part 39, on Plan 65R-28684 – Grand Trunk Avenue) (Delegation By-law 333-98)
- By-Law Number 101-2008 A By-law to assume Municipal Services in Royal Princeton Estates Residential Subdivision, Phase 2, 19T-02V04, Registered Plan 65M-3826. (Subdivision Agreement dated April 20, 2005 – FSRC Investments Inc.) (Item 26, Committee of the Whole, Report No. 24)
- By-Law Number 102-2008 A By-law to assume Municipal Services in Lakeview Estates Amending Agreement, 19T-85103, Registered Plan 65M-2550. (Subdivision Agreement dated October 4, 2000 – Lakeview Estates (Golders Green) Ltd.) (Council, April 14, 2008, Item 11, Committee of the Whole, Report No. 20)
- By-Law Number 103-2008 A By-law to amend City of Vaughan By-law 1-88. (Z.04.029, (DA.06.058), 1096818 Ontario Inc., located on the north side of Centre Street between Concord Road and Vaughan Boulevard, being Part of Lots 84 and 85, Registered Plan 3541, in Part of Lot 6, Concession 2, City of Vaughan, municipally known as 1260 and 1272 Centre Street) (Council, March 31, 2008, Item 11, Committee of the Whole, Report No. 13)
- By-Law Number 104-2008 A By-law to exempt parts of Plan 65M-3650 and 65M-3686 from the provisions of Part Lot Control. (PLC.08.010, Summitview Homes Ltd., located north of Serene Way and east of Thornhill Woods Drive being Part of Block 92, Plan 65M-3650 designated as Parts 1, 2 and 3 on 65R-27153, Part of Block 89, Plan 65M-3686 designated as Parts 10 and 11 on 65R-27153, in Part of Lot 14, Concession 2) (Delegation By-law 333-98)
- By-Law Number 105-2008 A By-law to repeal By-law 104-2008. (PLC.08.010, Summitview Homes Ltd., located north of Serene Way and east of Thornhill Woods Drive being Part of Block 92, Plan 65M-3650 designated as Parts 1, 2 and 3 on 65R-27153, Part of Block 89, Plan 65M-3686 designated as Parts 10 and 11 on 65R-27153, in Part of Lot 14, Concession 2) (Delegation By-law 333-98)

COUNCIL MEETING MINUTES – MAY 12, 2008

- By-Law Number 106-2008 A By-law to exempt parts of Plan 65M-3521 from the provisions of Part Lot Control. (PLC.08.011, 2052101 Ontario Inc., c/o Beaverhall Homes, located south of Summeridge Drive on the east side of Thornhill Woods Drive being Lots 2 and 3 on Registered Plan 65M-3521, in Lot 11, Concession 2) (Delegation By-law 333-98)
- By-Law Number 107-2008 A By-law to repeal By-law 106-2008. (PLC.08.011, 2052101 Ontario Inc., c/o Beaverhall Homes, located south of Summeridge Drive on the east side of Thornhill Woods Drive being Lots 2 and 3 on Registered Plan 65M-3521, in Lot 11, Concession 2) (Delegation By-law 333-98)
- By-Law Number 108-2008 A By-law to exempt parts of Plan 65M-3521 from the provisions of Part Lot Control. (PLC.08.012, Azar Janet, located south of Summeridge Drive on the east side of Thornhill Woods Drive being Lot 4 on Registered Plan 65M-3521, in Lot 11, Concession 2) (Delegation By-law 333-98)
- By-Law Number 109-2008 A By-law to repeal By-law 108-2008. (PLC.08.012, Azar Janet, located south of Summeridge Drive on the east side of Thornhill Woods Drive being Lot 4 on Registered Plan 65M-3521, in Lot 11, Concession 2) (Delegation By-law 333-98)
- By-Law Number 110-2008 A By-law to exempt parts of Plan 65M-3921 from the provisions of Part Lot Control. (PLC.08.013, Jenrette Construction Ltd., located on Grand Vellore Crescent, north of Rutherford Road and east of Pine Valley Drive, being Lots 15 to 18 inclusive, Lots 21 to 23 inclusive, Lots 25 to 37 inclusive, Lots 44 to 53 inclusive and Lots 75 to 90 inclusive on Registered Plan 65M-3921, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)
- By-Law Number 111-2008 A By-law to repeal By-law 110-2008. (PLC.08.013, Jenrette Construction Ltd., located on Grand Vellore Crescent, north of Rutherford Road and east of Pine Valley Drive, being Lots 15 to 18 inclusive, Lots 21 to 23 inclusive, Lots 25 to 37 inclusive, Lots 44 to 53 inclusive and Lots 75 to 90 inclusive on Registered Plan 65M-3921, in Part of Lots 17 and 18, Concession 6) (Delegation By-law 333-98)

CARRIED

111. **CONFIRMING BY-LAW**

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Frustaglio

THAT By-law Number 114-2008, being a by-law to confirm the proceedings of Council at its meeting on May 12, 2008, be read a First, Second and Third time and enacted.

CARRIED

112. **ADJOURNMENT**

MOVED by Regional Councillor Rosati
seconded by Regional Councillor Frustaglio

COUNCIL MEETING MINUTES – MAY 12, 2008

THAT the meeting adjourn at 4:44 p.m.

CARRIED

Linda D. Jackson, Mayor

Sybil Fernandes, Deputy City Clerk