

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 1, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**1            SAFETY IMPROVEMENTS FOR JANE STREET/MAJOR MACKENZIE DRIVE**

The Committee of the Whole recommends:

- 1)        That the recommendation contained in the following report of Regional Councillor Ferri, dated April 18, 2005, be approved; and
- 2)        That the deputation of Mr. John Marchese, 36 Equator Crescent, Maple, L6A 2Y9, be received.

**Recommendation**

Regional Councillor Mario Ferri recommends:

1.        That the Region of York be requested to conduct a comprehensive review of the traffic volumes, vehicle speeds and collision history on Jane Street from Major Mackenzie Drive to Teston Road and to implement traffic improvements to ensure the safety of motorists traveling along Jane Street north of Major Mackenzie Drive.
2.        That York Regional Police be formally requested to increase enforcement on Jane Street from Major Mackenzie Drive to Teston Road.
3.        That the Region of York be requested to install a red light camera at the intersection of Jane Street and Major Mackenzie Drive.

**Purpose**

Safety of motorists and pedestrians must be ensured and protected where an area is known to have a high volume of accidents.

**Background - Analysis and Options**

A number of fatal and near fatal accidents have occurred along Jane St. north of Major Mackenzie Drive in recent years. Accidents at the intersection of Jane St. and Major Mackenzie Dr. have also increased significantly in the last several years. The latest fatality occurred before Christmas where an 11year old boy died in a car accident on Jane St. just north of Major Mackenzie Drive.

In consultation with the City of Vaughan's Engineering Services Department, several areas of concern were highlighted for further review of the jurisdiction having authority, the Region of York. The Region of York should be requested to review and reduce the speed limit on Jane St. from Major Mackenzie Drive to Teston Rd. In addition, a red light camera should be installed at the intersection of Jane St. and Major Mackenzie Drive. Additional police presence at this same location and on Jane Street north of Major Mackenzie Drive will send a clear message to residents that we are serious about safety in our community.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

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**Conclusion**

A formal request from the City of Vaughan be made to the Region of York to reduce the speed limit along Jane St. from Major Mackenzie Dr. to Teston Rd. and that a red light camera be installed at the location outlined above, and to York Regional Police to increase their surveillance in this same area.

**Attachments**

None

**Report prepared by:**

Regional Councillor Mario F. Ferri.

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Item 2, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**2 COMMUNITY RELATIONS COMMITTEE  
SPONSORSHIP REQUEST**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Community Relations Committee, dated April 18, 2005:

**Recommendation**

The Community Relations Committee requests:

- 1) That the Community Relations Committee be authorized to sponsor, by way of a reasonable honorarium, an appropriate Asian group for a brief performance prior to the Council meeting of May 9, 2005, to celebrate Asian Heritage Month; and
- 2) That a reasonable honorarium be paid out of the Community Relations budget.

**Purpose**

To request Council's consideration with respect to sponsorship of an appropriate Asian Group for a brief performance to celebrate Asian Heritage Month.

**Background - Analysis and Options**

The Community Relations Committee, at its meeting of April 6, 2005, recommended that the committee sponsor an Asian Group to give a short performance, no more than fifteen minutes in length, at the Council meeting of May 9, 2005. Councillor Yeung Racco, a member on the Community Relations Committee, will explore opportunities to have a group perform at the Council meeting of May 9<sup>th</sup>.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

Given the following provision within the *General Rules, Roles and Procedures Governing Council Appointed Advisory Committees*, the Community Relations Committee respectfully requests Council's consideration of this matter:

**"Authority of Committees**

Notwithstanding the mandate established by Council for each Committee, any order to do any business, including directions to staff, shall be in the form of a recommendation to Committee of the Whole and shall receive final Council approval before such actions are carried out."

**Attachments**

N/A

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**Report prepared by:**

Adelina Bellisario, Assistant City Clerk, Ext. 8698

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Item 3, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

3

**RECREATIONAL BOCCE PROGRAM**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated April 18, 2005:**

**Recommendation**

The Commissioner of Community Services, in consultation with the Director of Recreation & Culture, recommends:

1. That this report be received for information.

**Purpose**

The purpose of this report is to provide information on the impact of the new bocce policy.

**Background - Analysis and Options**

On April 19, 2004, Council approved a new City of Vaughan Recreational Bocce Membership Program (see attachment), and asked staff to conduct a review of the bocce policy after 6 months and provide a report on the impact of the new bocce policy.

Implementation of the program began on May 1, 2004 at all City of Vaughan indoor bocce facilities with the exception of the Maple Community Centre, which was opened in November 2004.

Over the last year staff have been monitoring and meeting with various bocce club members, seniors clubs and permit users to ensure the program has been operating smoothly. Father Ermanno Bulfon, Maple, Dufferin Clark and Chancellor Community Centre locations implemented a fall and winter schedule. Generally, bocce users are satisfied with one consistent program at all city-operated bocce facilities.

When the program was first introduced, the price of the membership fee was an expressed concern for some senior bocce players. The present fee for seniors is \$55 per year, which includes access to bocce courts for five afternoons and three evenings Monday to Friday (two nights are permitted out to bocce clubs) and two playing sessions over the weekend. Cost for adults is \$65 per year.

All membership Rules & Regulations, Code of Conduct and Scheduling information are posted at each location in English and Italian languages.

Listed below are the current membership statistics that includes categories and usage. The total citywide Recreational Bocce memberships as of March 17, 2005 are 351.

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**Current memberships as of March 17<sup>th</sup>, 2005**

<b>LOCATION</b>	<b>Adult Vaughan</b>	<b>Adult Non Vaughan</b>	<b>Senior Vaughan</b>	<b>Senior Non Vaughan</b>	<b>TOTAL</b>
FEBCC	28	3	91	11	<b>133</b>
Chancellor CC	17	0	91	2	<b>110</b>
Dufferin Clark CC	0	0	28	1	<b>29</b>
Maple CC (1)	6	1	66	6	<b>79</b>
<b>TOTAL</b>	<b>51</b>	<b>4</b>	<b>276</b>	<b>20</b>	<b>351</b>

Notes:

(1) Maple CC – Bocce program started in November 2004 with the introduction of new bocce courts.

**Current Membership fee:**

Vaughan Senior           \$55.00 annually (Afternoons M-F, 3 evenings M-F, 2 sessions on the weekend)  
Vaughan Adult            \$65.00 annually (same times as above)  
Non-Vaughan Senior      \$70.00 annually  
Non Vaughan Adult        \$80.00 annually

**Relationship to Vaughan Vision 2007**

This report is consistent with the Vaughan Vision 2007, as it provides effective and efficient delivery of services.

This report is consistent with the priorities previously set by Council and the necessary resources are in place.

**Conclusion**

The goal of delivering a recreational bocce membership program is to ensure that Vaughan adults and seniors are provided with a fair, equitable and consistent policy with respect to bocce services throughout the City of Vaughan.

On April 19, 2004, Council approved a new City of Vaughan Recreational Bocce Membership Program at four locations: Maple, Chancellor, Father Ermanno Bulfon, and Dufferin Clark Community Centres. Staff have been monitoring the program and meeting with bocce users to ensure a smooth implementation.

The program has been operating well and no further changes are required at this time. Staff will meet with bocce clubs and users on an annual basis prior to the start of the fall schedule to plan the upcoming season, review the schedules and identify opportunities for improvement.

**Attachments**

1. Existing City of Vaughan Bocce Policy

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**Report Prepared By**

Diane LaPointe–Kay, Director of Recreation and Culture, Ext. 8117  
Domenic Colalillo, Programs Manager, Ext. 8356

(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.)

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Item 4, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**4** **EXEMPTION TO THE NOISE CONTROL BY-LAW  
INSTALLATION OF LARGE STORM SEWER AT MAJOR MACKENZIE DRIVE  
EAST OF WESTON ROAD**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 18, 2005:**

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

That an exemption to the City's Noise Control By-Law 270-81 be granted to permit the operation of construction equipment in connection with the installation of a large storm sewer across Major Mackenzie Drive, east of Weston Road from 7:00 p.m. on Friday May 6, 2005 to 7:00 p.m. Sunday May 8, 2005.

**Purpose**

The purpose of this report is to seek Council's approval of an exemption to the City's Noise Control By-Law 270-81 to facilitate the installation of a large storm sewer at Major Mackenzie Drive, east of Weston Road.

**Background - Analysis and Options**

The Region Municipality of York will be undertaking a road reconstruction project along Teston Road from Highway 400 to Weston Road and along Weston Road from Teston Road south to Major Mackenzie Drive. In conjunction with this project the Developers within Block 33 West are required to install a 2550mm diameter concrete storm sewer across major Mackenzie Drive approximately 90 metres east of Weston Road. These works will require a full road closure in order to facilitate an open cut trench across Major Mackenzie Drive.

Consideration of the road closure by Regional Council will take place at its meeting of April 21, 2005. It is our understanding that staff at the Region will recommend approval of the temporary road closure of Major Mackenzie Drive.

Con-Drain Construction intends to commence work the evening of Friday May 6, 2005 and work continuously until the storm sewer is installed and the road reopened on Sunday May 8, 2005.

**Relationship to Vaughan Vision 2007**

This recommendation is consistent with Vaughan Vision 2007 in that it identifies and implements innovative traffic management alternatives to improve general traffic safety (1.1.3) and it supports regional and provincial initiatives on transportation infrastructure (3.2.4).

This report is consistent with the priorities previously set by Council and necessary resources have been allocated and approved.

**Conclusion**

To facilitate the proposed installation of a trunk storm sewer adjacent to Weston Road, it is recommended that an exemption to the City's Noise Control By-law 270-81 be granted between the hours of 7:00 p.m. on Friday May 6, 2005 to Sunday May 8, 2005 at 7:00 p.m.

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**Attachments**

1. Location Map

**Report prepared by:**

Vick Renold, Senior Engineering Assistant, ext. 8461

VR/fc

(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.)

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Item 5, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**5 CONTRACT T04-132 CURB & SIDEWALK REPAIR - OPTIONAL EXTENSION PERIOD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 18, 2005:

**Recommendation**

The Commissioner of Engineering and Public Works, in consultation with the Director of Purchasing Services, recommends that:

1. The provision to extend Contract T04-132 for Curb and Sidewalk Repair for a one year period, with a 2.5% increase to the existing unit prices, be exercised; and
2. The Mayor and Clerk be authorized to sign the necessary documents.

**Purpose**

To seek Council authorization to extend the existing Curb and Sidewalk Repair contract for a one year period, as provided for in the existing agreement.

**Background - Analysis and Options**

Curbs and sidewalks throughout the City are inspected annually and a list of the repair locations is established on a priority basis. Priorities are established on a range from those that create a potential hazard to the public (high), to those that are related to cosmetic appearance only (low). Those locations identified as the highest priority are repaired before locations with a lesser rating are repaired.

In August 2004, the contract for Curb and Sidewalk Repair was awarded to Lima's Gardens & Construction Inc. for one year. The contract contained a one year optional extension period, conditional upon the City's satisfaction with the contractor's performance, and the approval of the necessary funding. The optional one year extension period was tied to a unit price increase based on the Consumer Price Index. This increase has been determined to be 2.5%. All other terms and conditions of the contract remain the same.

Due to a late contract award last year, not all of the 2004 work could be completed before the winter. Lima's Gardens & Construction Inc. was contacted and they have indicated they are ready to begin work in mid to late April. As the contractor performed satisfactorily last year, it would be appropriate to exercise the one year extension clause so that the 2005 work is not delayed. Exercising the optional contract extension period will also allow the outstanding 2004 work to be incorporated into the 2005 scheduling, resulting in less disruption to residents and better contract administration and inspection.

Sufficient funds for this work have been approved in the 2005 Capital Budget (Project 1458-3-04).

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

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**Conclusion**

It is recommended that the option to extend contract T04-132 for further one year period be exercised, Funding in the amount of \$450,000 was approved in the 2005 Capital Budget for this work.

**Attachments**

N/A

**Report prepared by:**

Odette McIntyre, C. Tech  
Technical Co-ordinator

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**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 6, Report No. 24, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 25, 2005, as follows:

***By approving the recommendation of the Commissioner of Engineering and Public Works, dated April 18, 2005;***

***By directing that staff report on the issues raised respecting litigation and performance; and***

***By receiving the confidential memorandum from the Director of Legal Services, dated April 22, 2005.***

6

**AWARD OF TENDER T04-219  
APPLEWOOD CRESCENT EXTENSION – HIGHWAY 400 FLYOVER  
AND REQUEST FOR ADDITIONAL FUNDS**

**The Committee of the Whole recommends that this matter be referred to the Council meeting of April 25, 2005, to provide an opportunity for legal consultation.**

**Recommendation**

The Commissioner of Engineering and Public Works in consultation with the Director of Reserves and Investments and the Director of Purchasing Services recommends:

- 1) That Tender T04-219 for the Applewood Crescent Extension – Highway 400 Flyover be awarded to B. Gottardo Construction Ltd. in the amount of \$11,670,952.68, plus G.S.T.;
- 2) That a contingency allowance in the amount of \$1,250,000.00 be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the contract;
- 3) That an additional contingency allowance in the amount of \$25,000.00 for contract administration and inspection be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve additional engineering services;
- 4) That a Geotechnical Inspection and Material Testing amount of \$120,000.00 plus GST be approved to ensure compliance with all applicable standards;
- 5) That a Utility Relocation amount of \$120,000.00 plus GST be approved to allow for the relocation of affected utilities;
- 6) That additional funding in the amount of \$2,400,000.00 from City Wide Development Charges – Engineering be approved;
- 7) That the inclusion of the matter on a public Committee or Council agenda for the additional funding request identified as Award of Tender T04-219 Applewood Crescent Extension – Highway 400 Flyover and Request for Additional Funds is deemed sufficient notice pursuant to Section 2(1)(c) of By-law 394-2002;
- 8) That the Regional Municipality of York, Highway 407/ETR and the Ontario Ministry of Transportation be so advised by copy of Council's direction; and,
- 9) That the Mayor and Clerk be authorized to sign the appropriate documents.



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The 2004 Capital Budget (Project No. 1421-3-04) allocates \$11,450,000.00 for the construction of this project, with \$7,109,000.00 funded from City Wide Development Charges - Engineering and the remaining \$4,341,000.00 to be funded from other miscellaneous revenue sources (Region of York contribution).

The Capital Budget funding for this project was based on a pre-design cost estimate prepared in 2001. The increased cost over the original estimate can be attributed to several factors, including the recent fluctuation in the cost of commodities, specifically structural steel and asphalt, the currently vigorous labour market, as well as multiple design refinements required to comply with Ministry of Transportation – Ontario (MTO) requirements and 407/ETR peer review costs. Compliance with MTO and 407/ETR requirements is necessary because the structure will be assumed by the MTO upon expiry of the two year (contractor) maintenance period subsequent to completion and the 407/ETR's has an interest in 23.9% of the structure until the year 2099. The above factors resulted in a 21% net increase in the estimated project cost.

As the original Regional funding subsidy agreement was based on the 2001 pre-design estimate, staff is investigating the feasibility of obtaining an increase in the Region's contribution on a pro-rata basis, once final costs are known.

The project is a multi-year undertaking, with part of the work, including the placement of fill for the overpass approaches to be undertaken in 2005, and the bridge structure to be constructed in 2006, with completion scheduled for the end of 2006. The 2004 Capital Budget has insufficient funds to cover the total cost of the work to be done and as it is our policy to have all funding approved prior to awarding a tender, additional funding in the amount of \$2,400,000.00 is required to award this tender. Any additional revenues (e.g. Regional funding) will be reflected at that time.

Staff and the City's consultant for this project, Cansult Limited, have reviewed the submitted bids and are satisfied that the low bidder B. Gottardo Construction Limited is deemed qualified to undertake this project. Therefore, it is appropriate to award this contract to B. Gottardo Construction Limited.

#### **Relationship to Vaughan Vision 2007**

This project is consistent with Vaughan Vision 2007 in that the extension of Applewood Crescent over Highway 400 to Chrislea Road ensures that growth does not outpace the road network infrastructure (3.2.3) and that the project incorporates road patterns in Block Plans to provide effective and efficient road and transit networks (3.3.2).

This report is consistent with the priorities previously set by Council and the necessary resources have not been allocated.

#### **Conclusion**

Additional funding in the amount of \$2,400,000 from City Wide Development Charges – Engineering is required in addition to the funds in the 2004 Capital Budget (Project 1421-3-04) to award this tender. Staff recommends that this contract be awarded to B. Gottardo Construction Ltd. in the amount of \$11,670,952.68 plus G.S.T.

Should Council concur with the proposed additional funding request, this action would be considered as an amendment to the Capital Budget. Pursuant to the Municipal Act 2001, Section 291(1)(c) before amending a budget, a municipality shall give notice of its intention to amend the

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budget at a Council meeting. When a capital project has been subject to a meeting during the adoption of the approved capital budget and where additional funding is required to complete the approved works, inclusion of the matter in a staff report requesting additional funding on a public committee or Council agenda is deemed to be sufficient notice pursuant to Section 2(1)(c) of By-law 394-2002. Therefore, no additional notice period is required.

**Attachments**

1. Location Map

**Report prepared by:**

Tom Ungar, P. Eng. – Design Engineer, ext. 3110

:TU

(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.)

*Please refer to Item 9, Committee of the Whole (Closed Session) Report No. 25, for further disposition of this matter.*

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Item 7, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**7 CANADA POST COMMUNITY SUPERMAILBOXES**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 18, 2005, be approved;
- 2) That the official letter of concern to local MP's, be forwarded to all GTA Municipalities to promote awareness and to request their support; and
- 3) That staff discuss with Canada Post, opportunities for payment for anti-litter campaign signs to be installed at all Supermailboxes.

**Recommendation**

The Commissioner of Engineering and Public Works in consultation with the Commissioner of Community Services recommends:

1. That this report be received;
2. That Canada Post be requested to take action with its contractors to ensure that super mailbox sites are regularly maintained to keep them clean and free from debris and litter; and
3. That the following recommendation of the Intergovernmental Relations Committee of April 7, 2005 be approved:

That Council approach the local MP's to inform them of the issues relating to the litter at the Canada Post Community Supermailboxes and ask that action be taken by Canada Post to conform to our Environmental Guidelines.

**Purpose**

At its meeting of April 7, 2005, the Intergovernmental Relations Committee requested this report be forwarded to the Committee of the Whole.

**Background - Analysis and Options**

At its meeting of March 10, 2005, the Intergovernmental Relations Committee requested:

***“That Engineering staff attend the next Intergovernmental Relations Committee meeting and report to the committee the Site Plan Process with respect to Canada Post Super-Mailboxes.”***

**Process and Criteria in Locating Canada Post Community Mailboxes**

Although door-to-door delivery still exists, centralized mail delivery through Community Mailboxes is utilized in all new residential and commercial developments in Canada. Canada Post has many criteria for locating the Community Mailboxes within a subdivision, including the size of the development and the number of homes each centralized mailbox will serve. The Community Mailboxes are typically located in convenient central locations close to individual residences, bearing in mind the local immediate impacts on the adjacent property homeowner.

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It is typical that at the commencement of the subdivision detailed design stage, the Engineering Consultant will coordinate with Canada Post in locating the Community Mailboxes throughout the subdivision. The locations of the Community Mailboxes will be constrained by the above ground municipal services (i.e., street furniture such as utility switch-gears, etc.) and by the proximity of the mailboxes to certain arterial streets and community land uses such as parks. City staff will also review the proposed locations of the mailboxes in accordance with the following guidelines:

1. The mailboxes should not be located in front of park blocks;
2. The mailboxes should not be located in front of roadway lay-bys;
3. It is preferred that the mailboxes be along local streets where traffic is not a major issue; and
4. It is preferred that the mailboxes be located along flankage lots behind privacy fences.

Community Mailbox locations are shown on the Utility Co-ordination Drawing for each subdivision which form a part of the Construction Drawings for the subdivision. Initially, Canada Post places temporary mailboxes following sufficient occupancies in the development, which are later replaced by the Community Mailboxes.

#### Boulevard Maintenance around Community Mailboxes

In response to numerous complaints of litter around Community Mailboxes, the Parks Department contacted Canada Post in January 2004. At that time, Canada Post explained that they would, on request, place a letter in each box at each location where litter was a problem asking people not to litter and to give them the option through their "Consumer Choice" program to ask that no junk mail be delivered. They would not, however, clean up discarded junk mail nor would they place and clean litter bins.

It was explained to Canada Post that the design of the boxes with a 3-4 cm gap between each one making them an ideal slot for people to stuff unwanted junk mail. It was suggested that all of these gaps be closed. Canada Post has not acted on that suggestion.

Canada Post has over 1,144 community mailboxes in Vaughan. It would be a very expensive undertaking for the City to place and collect litter bins near all of these boxes. Litter bins at mailboxes would not be acceptable to local retailers who pay to have flyers delivered only to have them thrown in bins placed by the municipality.

Canada Post has a contractor in winter to remove snow from the front of Super Mail boxes. They do not, however, remove snow from around the box. Vaughan is often called by residents to clean snow off the boulevard at the rear of the super mailboxes so that residents can park their cars near the box and access it from the road side.

#### Conclusion

As indicated in this report, the number and locations for Community Mailboxes are determined by Canada Post in accordance with City Criteria. Installation is carried out through subdivision development.

Although the Community Mailboxes are located primarily on City boulevards, the City does not have the resources necessary for debris and litter pick up in the area of the mailboxes. Canada Post should be requested to ensure that its contractor perform the required services on a regular and frequent basis.

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**Report prepared by:**

Anthony C. K. Ching, P. Eng., Development Engineer, ext. 8711  
Tom Sudak, Manager of Parks Services, ext. 6311

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Item 8, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

8

**PUBLIC WORKS WINTERIZATION RESERVE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance and Corporate Services, dated April 18, 2005:

**Recommendation**

The Commissioner of Finance & Corporate Services recommends:

- 1) That Council enact a Public Works Winterization Reserve by-law;
- 2) That the Public Works Winterization Reserve be replenished with future annual surpluses from the Public Works Winterization Operating budget, subject to overall corporate budget requirements;
- 3) That the Public Works Winterization Reserve be drawn upon at the discretion of the Treasurer, when required, in the case of severe winter conditions;
- 4) That the Public Works Winterization Reserve earn interest at the City's average deposit rate; and
- 5) That the Mayor and Clerk be authorized to execute the by-law.

**Purpose**

To obtain Council approval on the specifics regarding the operation and the use of the Public Works Winterization Reserve.

**Background - Analysis and Options**

During the 2001 Operating Budget deliberations, Council requested:

“That staff report with specifics regarding the operations and use of the Reserve”

In recent years the municipality has experienced mild winter conditions resulting in year end surpluses in the Public Works winterization operating budget. During operating budget discussions, it was proposed that the annual budget for winterization be reduced and a winterization reserve be established. The ongoing source of funding for this Reserve be provided from future Public Works winterization operating budget surpluses.

The Public Works Winterization Reserve will be replenished with any future annual surpluses in the Public Works winterization operating budget subject to overall corporate budget requirements and drawn upon, at the discretion of the Treasurer, when required, in the case of severe winter conditions to offset actual costs in excess of the approved winterization operating budget. Interest will be credited to the Public Works Winterization Reserve at the City's average deposit rate.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

Council enact a Public Works Winterization Reserve by-law based on the requirements set out in the recommendation.

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**Attachments**

None

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Item 9, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

9

**TRANSFER FROM HYDRO VAUGHAN HOLDINGS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance and Corporate Services, dated April 18, 2005:

**Recommendation**

The Commissioner of Finance & Corporate Services in consultation with the Director of Finance recommends:

That the report be received for information purposes.

**Purpose**

To respond to the request on the deferred list with respect to the repayment of funds transferred/loaned from Hydro Vaughan Holdings that were used to assist in funding the 2004 Operating Budget.

**Background - Analysis and Options**

Hydro Vaughan Holdings Inc. is a wholly-owned subsidiary of the City of Vaughan. There are funds owing by the Holding Company to the City of Vaughan. The result of Council directing that funds from the Holding Company be used to assist in funding the 2004 Operating Budget was to effectively reduce the amount owing to the City by the Holding Company. Consequently there is no repayment required. As a related note, staff are working with the City Manager and Senior Management to develop a sustainable funding strategy for the City's operating budget.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

The funds from Hydro Vaughan Holdings Inc. to fund the 2004 Operating Budget were funds owed to the City and therefore repayment is not required.

**Attachments**

None

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Item 10, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

10

**EXTENSION AGREEMENTS – TAX SALE PROCESS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Finance, dated April 18, 2005:

**Recommendation**

The Director of Finance, in consultation with the Manager of Property Tax & Assessment recommends:

That staff be authorized to enter into extension agreements, satisfactory to the City Treasurer, with the owners of the properties shown on Attachment "A", and

That the Mayor and Clerk be authorized to sign the extension agreements, and

That a by-law be passed authorizing the extension agreements.

**Purpose**

The purpose of this report is to have Council's authorization to enter into extension agreements that will extend the period of time in which the tax arrears may be paid, on properties that are subject to sale as a result of tax arrears in excess of three years.

**Background - Analysis and Options**

The tax sale process begins on properties that have tax arrears in excess of three years, under Part XI of the *Municipal Act, 2001, as amended*. Following the registration of the Tax Arrears Certificate the property owner has one (1) year to pay all outstanding amounts or to enter into an agreement to pay the outstanding amount over a longer period of time. The owners of the properties noted in this report have expressed an interest in paying the arrears with monthly payments, over an extended period.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

An extension agreement is a legal arrangement and if not adhered to, will allow the City to proceed with the actual sale of the property and Council would be advised accordingly if that becomes necessary.

**Attachments**

Attachment "A" – Property Information

**Report prepared by:**

Grace L. Marsh, Manager of Property Tax & Assessment, ext. 8268

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 11, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

11

**PROCLAMATION REQUEST –  
ORGAN DONOR WEEK**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated April 18, 2005:

**Recommendation**

The City Clerk recommends:

- 1) That the week of April 24 – 30, 2005 be proclaimed as “**Organ Donor Awareness Week**”; and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

**Purpose**

To respond to the request received from the Regional Vice-Director, Canadian Transplant Association, Ontario Region.

**Background - Analysis and Options**

The correspondence received from the Regional Vice-Director, Canadian Transplant Association, Ontario Region, dated April 3, 2005, is attached (Attachment #1).

The proclamation request meets the requirements of the City’s Proclamation Policy: “*That upon request, the City of Vaughan issue proclamations for events, campaigns or other similar matters: which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act*”..

The Canadian Transplant Association wishes to raise public awareness about the dire need for organ and tissue donations. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

Staff is recommending the week of April 24 – 30, 2005 be proclaimed as “Organ Donor Awareness Week” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

**Attachments**

Attachment #1 - Correspondence from the Regional Vice-Director, Canadian Transplant Association, Ontario Region, dated April 3, 2005,

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**Report prepared by:**

John D. Leach, City Clerk

(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.)

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005

Item 12, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**12                      WSIB SCHEDULE 2 - FINANCIAL PERFORMANCE FOR 2004**

The Committee of the Whole recommends:

- 1) That Clause 1 of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and the Director of Human Resources, dated April 18, 2005, be approved; and
- 2) That Clauses 2 and 3 of the staff recommendation, be received, in accordance with the memorandum of the Commissioner of Finance & Corporate Services, dated April 18, 2005.

**Recommendation**

The Commissioner of Legal & Administrative Services and the Director of Human Resources recommend:

That the report on WSIB Schedule 2 - Financial Performance for 2004 be received;

That Council direct staff to continue with the 2003 Council directed practice to include \$75,000 per year in a Benefits Reserve account;

That the Human Resources Department continue to budget for the provision of Disability Management Services at a minimum of \$30,000 per year.

**Purpose**

To report on the financial performance in relation to the City's decision to move to WSIB Schedule 2, including an update on the premium cost savings achieved as a result of Council's decision to transfer our Workplace Safety & Insurance Board (WSIB) coverage from Schedule 1 (collective liability) to Schedule 2 (individual liability) effective January 1, 2004.

**Background - Analysis and Options**

On September 22, 2003 Council adopted without amendment the human resources staff recommendations outlined in item 2, report 65. Effective January 1, 2004, The City of Vaughan transferred its Workplace Safety & Insurance (WSIB) account status from Schedule 1 to Schedule 2.

The transfer has now been completed and the first year of experience has now been fully analyzed from the perspective of financial impact.

Schedule 1 - 2003 Billed Premiums	\$621,000*
<i>*Net Cost = actual premium cost at \$800,000 less rebate of \$179,000</i>	
Schedule 2 – 2004 Actual Costs	\$ 18,558
<b>Year over year savings</b>	<b>\$434,442</b>

The month to month performance on premium costs is illustrated in Appendix "A". These significant premium savings can be attributed to:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

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- Effective case management of our employee workplace incidents. This includes early intervention initiatives that return staff safely to suitable work. A very significant amount of Human Resource staff time is dedicated to ongoing case conferencing with the treating physician and work with the front line managers.
- Schedule 2 employers do not pay premiums on a monthly basis based on the size of our assessable payroll. Instead paid premiums represent actual benefit costs plus a monthly administration fee based on the cost of claims.

While there have been significant premium cost reductions with the move to Schedule 2, the Corporation must take steps to ensure that the financial liability is limited in the event of catastrophic workplace accident or injury. In the short term, the most effective way to limit this liability is to purchase Stop Loss Insurance. A claim against this insurance would be made in the event that a catastrophic workplace incident was to occur where the financial liability to the Corporation was exceptional. In 2004, the cost of Stop Loss Insurance was \$97,000.

The continued support of the Disability Management Program with the \$30,000 expenditure for professional services is an important component of the continued financial success of this program. The dollar value of this expenditure is based on an analysis of the actual costs over past years. It is inclusive of independent medical assessment costs and case management costs. While the expertise of our staff is adequate for many cases, there are often situations where it is necessary to engage external medical professionals to ensure thorough accurate assessments.

When the original report was approved by Council in 2003, the recommendations included the provision of \$75,000 to be placed in Benefits Reserve commencing in 2004. The understanding at that time was, if this amount were placed in Benefits Reserve in a number of successive years, which in due course, the Corporation could choose to give up the costs associated with the continued purchase of Stop Loss Insurance. In fact, a number of municipalities that are WSIB Schedule 2 employers have done this. For example, the City of Brampton holds a sufficient Benefits Reserve that they have chosen to forego the cost of Stop Loss Insurance.

The following chart summarizes the true costs of providing WSIB at the City of Vaughan for 2003 and 2004.

<b>2003</b>	<b>Debits</b>	<b>Credits</b>	<b>Balance (true costs)</b>
Premiums	\$804,000		
Disability Management Program fees	\$30,000		
Annual Rebate		\$179,000	
<b>Total</b>			<b>\$655,000</b>

<b>2004</b>	<b>Debits</b>	<b>Credits</b>	<b>Balance (true costs)</b>
Benefit costs/admin fee	\$18,558		
Disability Management Program fees	\$30,000		
Stop Loss Insurance	\$97,000		
Benefits Reserve contribution	\$75,000		
<b>Total</b>			<b>\$220,558</b>

The true savings to the City of Vaughan for 2004 is \$434,442. These savings are reflected in the fringe benefits account line where all employee benefits and source deductions are captured.

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**Conclusion**

The transfer of our WSIB account from Schedule 1 to Schedule 2 has been financially rewarding and we expect that the over \$400,000 savings will continue for years to come.

It is important to continue setting aside \$75,000 per year of these savings in a Benefits Reserve account in order to give the Corporation the opportunity to forego the costs of purchasing Stop Loss Insurance at some point in the future.

Finally, the continued support of sound disability management through the continued allocation, in future budget years, of current funding to the Human Resources Department is critical. This minor investment has demonstrated its value more than ten fold in savings. Future savings will be predicated on the effective management of workplace absences and the early, safe and healthy return to work for all employees.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Attachments**

Attachment "A" – WSIB Premiums 2003 vs 2004

**Report prepared by:**

Cathrine Berge, Director of Human Resources  
Demetre Rigakos, Manager of Health & Wellness Programs

(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.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 13, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**13** **SITE DEVELOPMENT FILE DA.04.040**  
**HEATHERWOOD PROPERTIES INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005, be approved, subject to deleting clause b) i), in accordance with the memorandum of the Commissioner of Planning, dated April 13, 2005; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

**Recommendation**

The Commissioner of Planning recommends:

THAT Site Development File DA.04.040 (Heatherwood Properties Inc.) BE APPROVED, subject to the following conditions:

- a) That prior to the execution of the site plan agreement:
  - i) the final site plan, landscape plan and building elevations shall be approved by the Development Planning Department;
  - ii) the final site servicing and grading plans, stormwater management report and noise study shall be approved by the Engineering Department;
  - iii) parking, access and on-site circulation shall be approved by the Engineering Department;
  - iv) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.;
  - v) all required approvals from the Region of York Transportation and Works Department shall be obtained; and,
  - vi) the minor variances required to implement the proposed site plan shall be approved and be final and binding.
- b) That the site plan agreement include the following provision:
  - i) the Owner shall pay to Vaughan by way of certified cheque cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division and the approved appraisal shall form the basis of the cash-in-lieu payment.

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**Purpose**

The Owner has submitted a Site Development Application to permit the construction of two single - storey multi-unit commercial buildings with a total gross floor area of 1,602.44m<sup>2</sup> and 78 parking spaces, on a 5,919.19m<sup>2</sup> site, as shown on Attachment #2.

**Background - Analysis and Options**

The subject lands shown on Attachment #1 are located at the southwest corner of Rutherford Road and Thornhill Woods Drive, being Block 91 on Registered Plan 65M-3686, in Part of Lot 15, Concession 2, City of Vaughan. The 5,919.19m<sup>2</sup> site has 26.37m frontage on Thornhill Woods Drive and 87.0m flankage on Rutherford Road. The rectangular-shaped site is vacant.

The site is designated “Medium Density Residential/Commercial” by OPA No.600, and zoned C3 Local Commercial Zone, subject to site-specific Exception 9(1063). The surrounding land uses are:

- North - Rutherford Road; vacant/future residential (A Agricultural Zone)
- South - residential (RVM1-A Residential Urban Village Multiple Zone One)
- East - Thornhill Woods Drive; gas bar (C3 Local Commercial Zone)
- West - residential (RVM1-A Residential Urban Village Multiple Zone One)

**Official Plan**

The subject lands are designated “Medium Density Residential/Commercial” by OPA #600. This designation provides opportunities for a broad range of neighbourhood commercial uses, including retail, banks and financial institutions, and eating establishments. The proposed commercial development conforms to the Official Plan.

**Zoning**

The subject lands are zoned C3 Local Commercial Zone by By-law 1-88, subject to Exception 9(1063), which permits commercial uses. The proposed site plan requires 10 variances to the C3 Zone standards, as follows:

	<u>Provided</u>	<u>Required</u>
- Min. Front Yard(east)	6.0m	11.0m
- Max. permitted overhang for canopy	1.2m	0.5m
- Min. Interior Side Yard(south)	7.18m	9.0m
- Min. Interior Side Yard to Canopy	5.98m	9.0m
- Min. Exterior Side Yard(north)	2.76m	11.0m
- Min. Site Triangle Setback	3.07	11.0m
- Min. Setback to a “R” Residential Use(south)	7.18m	9.0m
- Minimum Parking	78 spaces	97 spaces
- Min. Width of Landscape Strip		
- Abutting a Street(northeast)	2.76m	6.0m

Staff supports the above-noted exceptions, which achieves an appropriate site layout as shown on Attachment #2. Should Council approve the site plan application, the Applicant can proceed with a Variance Application to the Committee of Adjustment, with the variances to be final and binding, prior to the execution of the site plan agreement.

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### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005

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#### Site Design

The site is proposed to be developed with 2 multi-unit buildings, as shown on Attachment #2. Building "A" (947m<sup>2</sup>) is rectangular-shaped and located in the southwest portion of the site, and contains 8 of the 14 proposed units. Building "B" (655.44m<sup>2</sup>) is irregular-shaped and contains 6 units and is located in northeast corner of the site. Vehicular access will be provided at the northwest corner of the site on Rutherford Road and at the southeast corner on Thornhill Woods Drive. The site will also be provided with 3 points of pedestrian access, two of which are linked to the public sidewalk along Rutherford Road, and the third along Thornhill Woods Drive. Parking will be provided to the north, east and west of Building "A".

#### Building Elevations

Buildings "A" and "B" have a proposed height of 6.57m. The main building materials used on the buildings is a beige brick masonry veneer with a darker stone stone finished base. The pitched green asphalt shingled roof has a residential character with decorative metal railings incorporated above the marquee elements of the roof.

The main unit entrances for Building "A" are located on the north elevation facing Rutherford Road. An extensive use of clear glass is provided on the north façade, which wraps around to the east and west facades. Man doors are provided on the east, west and south elevations. There is an overhead door on the west side of the building, which leads to the internal garbage room that will serve the site.

The main unit entrances for Building "B" are located on the west elevation facing the parking area. Secondary entrances are provided on the east elevation facing Thornhill Woods Drive. An extensive use of clear glass is provided on the west façade, which wraps around to the north and south facades. An extensive use of spandrel glass will be provided on the east façade, which also wraps around to the north façade.

#### Landscaping

A mix of coniferous and deciduous tree and shrub planting has been provided around the periphery of the site, as shown on Attachment #3. Specific attention has been given to the south and west lot lines where the subject lands are adjacent to residential uses, and focal points such as the daylighting triangle. Walkways constructed of brick pavers will link Buildings "A" and "B" to both Rutherford Road and Thornhill Woods Drive providing for organized pedestrian movement throughout the site. A decorative rail fencing and pillars are being provided along the north and east property lines, which connects to the subdivision masonry entrance wall feature located at the northeast corner of the property. A wood fence exists along the west and south property lines. The final landscape plan and detailed cost estimate must be approved to the satisfaction of the Development Planning Department.

#### Access/Parking

The site has been provided with 2 full-movement accesses both being 7.5m in width, on each of Rutherford Road and Thornhill Wood Drive. The final design of the driveway accesses will be approved by the York Region Transportation and Works Department and the City Engineering Department.

The site requires a total of 97 parking spaces based on the shopping centre parking standard of 6 spaces/100m<sup>2</sup> GFA. A total of 78 parking spaces have been provided, including 2 handicapped

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spaces, yielding a deficiency of 19 parking spaces (19.5%). The Applicant has submitted a parking study which was reviewed by the Engineering Department and found to be satisfactory. The reduction in the required number of parking spaces will be addressed through a variance to be obtained from the Committee of Adjustment.

Servicing

The site has access to municipal services, including, sanitary and storm sewers and water. The proposed development is located within an unassumed subdivision, which will require certification, from the Subdivision Consultant Engineer for grading and storm water management. The final site servicing and grading plans storm water management report, must be approved by the Engineering Department.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

Staff has reviewed the proposed application for Site Development approval proposing the construction of 2 multi-unit commercial buildings. Staff is of the opinion that the proposed development conforms to the Official Plan and is in accordance with the Zoning By-law, subject to obtaining the required variances to the C3 Local Commercial Zone, from the Committee of Adjustment. The proposal is considered to be an appropriate development of the site and compatible with the surrounding uses. Therefore, Staff recommends approval of the application, subject to conditions.

**Attachments**

1. Location Map
2. Site Plan
3. Landscape Plan
4. Building Elevations – Building "A"
5. Building Elevations – Building "B"

**Report prepared by:**

Arminé Hassakourians, Planner, ext. 8368  
Arto Tikiryan, Senior Planner, ext. 8212  
Grant A. Uyeyama, Manager of Development Planning, ext.8635

/LG

(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.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 14, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

14

**SITE DEVELOPMENT FILE DA.02.038  
ROYBRIDGE HOLDINGS LIMITED**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005:

**Recommendation**

The Commissioner of Planning recommends:

THAT the revised site layout, building elevations and landscape plan for Site Development Application DA.02.038 (Roybridge Holdings Limited), as shown on Attachments #3, #4a, #4b, #4c and #5, BE APPROVED.

**Purpose**

The Owner has submitted an amendment to an approved Site Development File DA.02.038 (Roybridge Holdings Limited) to facilitate the following revisions on a partially developed commercial site:

- a 1,439.85m<sup>2</sup> decrease in gross floor area from 2,129.85 m<sup>2</sup> to 690 m<sup>2</sup>, and reduction in the building height from three to one storey for Building "A";
- a 35m<sup>2</sup> increase in gross floor area from 1,172.76 m<sup>2</sup> to 1,207.8 m<sup>2</sup> for Building "B";
- a two storey, 619m<sup>2</sup> addition to Building "D" (existing daycare/private school);
- the deletion of Building "E" from the approved site plan;
- the removal of one of the two southerly pedestrian connections to Vellore Hall Park; and
- a new internal walkway and landscaping layout between Weston Road and Ashberry Boulevard and Buildings "A" and "B", respectively.

The approved and amended site plans are shown on Attachments "2" and "3", respectively.

**Background - Analysis and Options**

The irregular-shaped 1.61 ha site as shown on Attachment #1 is located on the southeast corner of Ashberry Boulevard and Weston Road, being Block 181 on Plan 65M-3391, in Part of Lot 18, Concession 5, City of Vaughan.

The lands are designated "Low Density Residential" by OPA #600 and zoned C3 Local Commercial Zone by By-Law 1-88, subject to Exception 9(1019). The proposed revisions to the approved site plan conform and comply to the Official Plan and Zoning By-Law, respectively. The surrounding land uses are as follows:

- North - Ashberry Boulevard; residential (RV3 Residential Urban Village Zone Three)
- East - residential (RV4 WS Residential Urban Village Zone Four)
- South - Vellore Hall and park (A Agricultural Zone and OS2 Open Space Park Zone)
- West - Weston Road; vacant/future residential (A Agricultural Zone)

On June 9, 2003, Council approved the original site plan (Attachment #2, File DA.02.038) to permit the development of three commercial buildings (Buildings "B", "C", and "E"), a three-storey office building (Building "A") and a private school (Building "D"). To date, Buildings "C" and "D" have been constructed.

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Site Plan

The approved site plan (Attachment #2) consists of five buildings that are located around the periphery of the property with a majority of the parking in the centre. The applicant proposes the following revisions to the site plan (Attachment #3) and site statistics:

	<u>Approved</u>	<u>Proposed</u>
Building "A" GFA (office)	2,129.85m <sup>2</sup>	690m <sup>2</sup>
Building "A" Height	3-storey (13.2m)	1-storey (8.1m)
Building "B" GFA (retail)	1,172.76m <sup>2</sup>	1,207.8m <sup>2</sup>
Building "C" GFA (retail)	1,061.07m <sup>2</sup>	no change
Building "D" GFA (private school)	1,606.06m <sup>2</sup>	2,225.06m <sup>2</sup>
Building "E"	625.25 m <sup>2</sup>	deleted from plan
Total GFA	5,967.18m <sup>2</sup>	4,565.00m <sup>2</sup>

Two accesses serve the site, including one full movement access to Ashberry Boulevard and one right-in/right-out access to Weston Road. The site is developed with 207 parking spaces. The proposed reduction in total GFA by 1,402.18 m<sup>2</sup>, from 5,967.18 m<sup>2</sup> to 4,565 m<sup>2</sup>, requires a total of 201 parking spaces, whereas the applicant's site plan provides 210 spaces.

Building Design

Building "A" is a proposed three-storey office/retail building located at the southeast corner of Weston Road and Ashberry Boulevard. The applicant is proposing a reduction in height from 13.2m (three storeys) to 8.1m (one storey) for Building "A", as shown on Attachment #4a. The single-storey building will utilize the same architectural style and building materials as the original building, and will resemble a two-storey building with the incorporation of the upper-level windows. The elevations for Building "A" includes main entrances that are highlighted by columns that face both the street and the parking area. The building consists of brick, with a brick soldier course between the upper and lower portions of the building, and aluminum-framed windows along with dormer-style windows on the peaked asphalt-shingled roof.

Buildings "B" and "D" are approved single-storey buildings along the north and south property lines, respectively. Building "D" is constructed and consists of a brick exterior with a brick soldier course above the windows and stucco accents. The asphalt-shingled roofs are peaked over the unit entrances. The applicant is proposing a two storey, 619m<sup>2</sup> addition to Building "D", as shown on Attachment #4c, which will consist of the same materials and design noted above. Building "E" will be deleted from the approved site plan to accommodate the addition to Building "D", and a parking area along the west side of the new building. A 35 m<sup>2</sup> addition is proposed at the southeast corner of Building "B", as shown on Attachment #4b, and will be consistent in design and materials as noted above for Building "D".

Landscaping

The periphery of the site is landscaped with a variety of coniferous and deciduous trees and shrubs. The areas along Weston Road and Ashberry Boulevard have been redesigned to include

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Item 14, CW Report No. 24 – Page 3

a new internal walkway and landscaping layout as shown on Attachment #5. The landscaped areas abutting existing residential and open space are sodded and feature Red Oak, Linden, and White Ash trees. The buildings are connected via concrete and interlocking sidewalks. The easterly of the two existing pedestrian connections to Vellore Hall Park to the south will be removed to facilitate the construction of the proposed addition to Building “D” and the provision of additional landscaping along the south lot line.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly priority “A-5”, “Plan and Manage Growth.”

**Conclusion**

Staff has reviewed the proposed revisions to the approved site, elevation and landscape plans in the context of the policies in OPA #600, the requirements of By-Law 1-88, and the surrounding area. Staff is satisfied that the proposed amendments to the approved site plan including a decrease in gross floor area and reduction in building height for Building “A”; the increase in gross floor area for Building “B”; the addition to Building “D”; the deletion of Building “E”; and the removal of one of two pedestrian connections to Vellore Hall Park, are appropriate and compatible with the surrounding development. Accordingly, Staff can support the proposed amendments to the approved site development agreement for File DA.02.038.

**Attachments**

1. Location Map
2. Approved Site Plan (June 9, 2003)
3. Proposed Revisions to Site Plan
- 4a. Revised Elevation Plan, Building “A”
- 4b. Revised Elevation Plan, Building “B”
- 4c. Revised Elevation Plan, Building “D”
5. Revised Landscape Plan

**Report prepared by:**

Christina Napoli, Planner 1, ext. 8483  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 15, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**15 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-05V01  
9519 KEELE STREET LTD.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005:

**Recommendation**

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium File 19CDM-05V01 (9519 Keele Street Ltd.) prepared by Krcmar Surveyors Ltd. and dated January 7, 2005, BE APPROVED, subject to the conditions of approval set out in Attachment #1.

**Purpose**

The Owner has submitted an application for approval of a Draft Plan of Condominium consisting of a three-storey seniors' residential building with a total of 100 units, plus 1 guest suite, as shown on Attachment #3.

**Background - Analysis and Options**

The subject lands as shown on Attachment #1 are located at the northeast corner of Keele Street and Fieldgate Drive (9519 Keele Street), in Part of Lot 17, Concession 3, City of Vaughan. The surrounding land uses are:

- North - residential (R3 Residential Zone)
- South - Fieldgate Drive; commercial plaza (C1 Commercial Zone) and existing residential (R3 Residential Zone)
- East - valleyland (OS1 Zone) and existing residential (R3 Residential Zone)
- West - Keele Street; park (OS2 Zone) and residential (R3 Residential Zone)

**Official Plan/Zoning**

The subject lands are designated "Office Commercial" by OPA #350 (Maple Community Plan), as amended by OPA #533 (Maple Focus Review), which permits "housing suitable for senior citizens" without amendment to the Official Plan. The lands are zoned RA2 Apartment Residential Zone by By-law 1-88, subject to Exception 9(1098), and further subject to an Ontario Municipal Board Order (No. 1189) issued on August 17, 2000, which permits a 100 unit seniors' residential development. The draft plan of condominium conforms to the Official Plan and complies with the requirements of the Zoning By-law.

**Site Development**

The 1.14 ha corner lot has frontage of 78.9m and 90m on Keele Street and Fieldgate Drive, respectively. The site is served by a full-movement access on Fieldgate Drive, leading to underground and surface level parking. The proposed draft plan of condominium is comprised of a three-storey, "U" - shaped building, with 100 residential units and 1 permitted guest suite. A total of 125 parking spaces (including 9 grade level and 116 underground spaces) are provided. Landscaping is provided around the perimeter of the site, and includes outdoor amenity areas on the north side of the building.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

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Application Review

The draft plan of condominium development is in accordance with the approved site plan (File DA.01.037), and Building Permit #03-4800. The construction of the building is substantially completed. As a condition of draft approval, the Owner will be required to submit an "as-built" survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

The subject lands have access to municipal services, including hydro, storm and sanitary sewers, and water.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

Staff has reviewed the draft plan of condominium, which is consistent with the approved site plan, building permit, and in accordance with the provisions of the Official Plan and the Zoning By-law as approved by the Ontario Municipal Board. Staff has no objections to the approval of the draft plan of condominium, subject to the conditions provided on Attachment #1.

**Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Standard Condominium - Level 1

**Report prepared by:**

Margaret Holyday, Planner, ext 8216  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext 8635

/LG

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 16, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**16 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-05V03  
ALTERRA-FINER SPACES LTD.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005:

**Recommendation**

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium File 19CDM-05V03 (Alterra-Finer Spaces Ltd.), BE APPROVED, subject to the conditions of approval set out in Attachment #1.

**Purpose**

The Owner has submitted an application for approval of a Draft Plan of Condominium comprising an 8-storey, 149 unit, high-rise residential condominium building, as shown on Attachment #3.

**Background - Analysis and Options**

The subject lands shown on Attachment #2 are located northeast of Dufferin Street and Steeles Avenue West, being 1 Maison Parc Court, in Part of Lot 1, Concession 2, City of Vaughan. The surrounding land uses are:

- North - Maison Parc Court; future high rise residential (A Agricultural Zone)
- South - eating establishment; (C1 Restricted Commercial Zone); Steeles Avenue West
- East - future park (OS2 Open Space Park Zone); valley lands OS1 (Open Space Conservation Zone)
- West - Dufferin Street; commercial (C1 Restricted Commercial and C6 Highway Commercial Zones)

**Official Plan/Zoning**

The subject lands are designated "Mixed Commercial/Residential Area" by OPA No. 210 (Thornhill-Vaughan Community Plan) as amended by OPA No. 471, and zoned RA3 Apartment Residential Zone subject to site-specific Exception 9(545). The draft plan of condominium conforms to the Official Plan and complies with the requirements of the Zoning By-law.

**Site Development**

The 0.98 ha site has 60m frontage on Maison Parc Court and 61.5m flankage on Dufferin Street. The site is served by a full-movement access on Maison Parc Court. The L-shaped building is located centrally on the subject lands as shown on Attachment #3. The proposed draft plan of condominium is comprised of 149 residential units within an 8-storey high-rise building which is currently under construction. A total of 181 underground (on 2 levels) residential parking spaces (including 2 handicapped, but not including 18 tandem spaces), and 30 surface visitor parking spaces have been provided for. Landscaping is provided around the perimeter of the site.

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Item 16, CW Report No. 24 – Page 2

Application Review

The draft plan of condominium is in accordance with the approved site plan (File DA.02.061), and Building Permit #03-1109. As a condition of approval, the Owner will be required to submit an "as built" survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

The subject lands have access to municipal services, including hydro, storm and sanitary sewers, and water.

The CN Rail line is located approximately 200m north of the subject lands. A condition of approval will require the inclusion of a warning clause in the condominium agreement, condominium declaration, and all agreements of purchase and sale or lease, acknowledging the railway and future expansion of its operations.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

Staff has reviewed the draft plan of condominium, which is consistent with the approved site plan, building permit, and in accordance with the provisions of the Official Plan and Zoning By-law as approved by the Ontario Municipal Board. Staff has no objections to the approval of the draft plan of condominium, subject to the conditions provided on Attachment #1.

**Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Standard Condominium 19CDM-05V03

**Report prepared by:**

Arminé Hassakourians, Planner, ext 8368  
Arto Tikiryan, Senior Planner, ext. 8212  
Grant Uyeyama, Manager of Development Planning, ext 8635

/LG

(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.)



CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

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**Report prepared by:**

Jack McAllister, Senior GIS Technician, ext. 8209

Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 18, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

18

**STREET NAME APPROVAL FILE 19T-95062  
WOODVALLEY DEVELOPMENTS INC.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005:

**Recommendation**

The Commissioner of Planning recommends:

THAT the following street name for Draft Plan of Subdivision File 19T-95062 (Woodvalley Developments Inc.) BE APPROVED:

STREET

PROPOSED NAME

Street 'A'

Ilan Ramon Boulevard

**Background**

The subject lands shown on Attachment #1 and located at the northwest corner of Bathurst Street and Rutherford Road, in Lots 16 and 17, Concession 2, City of Vaughan.

The applicant has submitted an alternate street name for Street 'A' as shown on Attachment #2, to replace the original street name (Federation Parkway), which was approved by Council on February 14, 2005. The applicant is reserving the original approved street name for the subdivision to the north (19T-95044), which was approved on May 25, 2004. The Planning Department for the Region of York does not have any objection to the proposed street name.

Vaughan Staff has also reviewed the proposed street name, which is considered to be satisfactory.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

Staff has no objection with the proposed street name for approved draft plan of subdivision 19T-95062.

**Attachments**

1. Location Map
2. Plan showing proposed street

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Item 18, CW Report No. 24 – Page 2

**Report prepared by:**

Jack McAllister, Senior GIS Technician, ext. 8209

Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

(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.)



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through facility, to be permitted in the EM3 Retail Warehouse Employment Area Zone. The Owner has also submitted a Site Development Application to permit the development of the eating establishment and a one-storey, 5,421 sq.m multi-unit employment building on the 1.84 ha site shown on Attachment #2, as follows:

Building 'A' (13 unit Employment Building)	5,421.0 sq.m
Building 'B' (Tim Horton's)	<u>305.6 sq.m</u>
Total Gross Floor Area:	5,726.6 sq.m
Proposed Parking:	212 spaces

**Background - Analysis and Options**

The subject lands (Attachment #1) are located on the northwest corner of Regional Road 27 and Zenway Boulevard (8000 Regional Road 27), being part of Block 1 on Plan 65M-3627, in Lot 7, Concession 7, City of Vaughan. The vacant 1.84 ha site has 113.5m frontage on Zenway Boulevard, and flankage of 158.7m on Regional Road 27. The surrounding land uses are:

- North - valleylands and storm pond (OS1 Open Space Conservation Zone)
- South - Zenway Boulevard, vacant (C7 Service Commercial Zone)
- East - Regional Road 27; employment (EM1 Zone)
- West - employment/warehouse (EM3 Zone)

Public Hearing

A Public Hearing was held on June 21, 2004, to consider the initial proposal to permit a free-standing Eating Establishment up to 300 sq.m GFA and a drive-through facility in the EM3 Retail Warehouse Employment Area Zone. A second Public Hearing was held on October 18, 2004, to consider a revised application to permit two free-standing Eating Establishments with a combined total of 625 sq.m GFA and a drive-through facility in the EM3 Zone.

The Owner is proceeding with the original proposal of one free-standing Eating Establishment up to 306 sq.m GFA with a drive-through facility. The recommendation of the Committee of the Whole on June 21, 2004 and October 18, 2004, to receive the respective Public Hearing reports and to forward a technical report to a future Committee meeting, was ratified by Council on June 28, 2004 and October 25, 2004, respectively.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450, which permits a wide range of industrial, office, business and civic uses. The proposed Eating Establishment use with drive-through facility conforms to the Official Plan.

Zoning

The subject lands are zoned EM3 Retail Warehouse Employment Area Zone by By-law 1-88, subject to Exception 9 (1134). An Eating Establishment use is permitted in all employment zones, restricted to one per multi-unit building and to a maximum gross floor area of 185 sq.m. A drive-through facility is not permitted. Therefore, an amendment to the Zoning By-law is required to permit a free-standing eating establishment restricted to a maximum GFA of 306 sq.m and a drive-through in the EM3 Zone. The Owner's site plan complies with all other zoning provisions of By-law 1-88.

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Planning Analysis

An Eating Establishment use is permitted in all Employment Zones. One free-standing Eating Establishment with drive-through facility is supportable given the location of the subject lands in the context of the surrounding land use. The site is located within an employment area known as the Vaughan West Corporate Business Park, and at a signalized intersection of an arterial and collector road. Employment uses are located to the west, and on the east side of Regional Road 27. A Service Node (C7 Zone) is located south of the subject site. Access to the site is from Zenway Boulevard, with future access considerations on Regional Road 27. The drive-through facility can be easily accessed and is integrated with the site's overall development. The eating establishment building, together with substantial landscaping treatment along Regional Road 27 and Zenway Boulevard, will assist to visually screen the drive-through facility. Therefore, permitting the eating establishment to take the form of a free-standing Eating Establishment with drive-through facility in the EM3 Retail Warehouse Employment Area Zone is supportable.

Site Design

The site plan (Attachment #2) consists of one multi-unit employment building, which is L-shaped and located close to the north and west property lines, and one eating establishment (Tim Horton's) with a drive-through facility located at the corner of Regional Road 27 and Zenway Boulevard. Two full-turn driveways are proposed onto Zenway Boulevard, with a potential future access shown on Regional Road 27. Most of the parking is located between the two buildings, and the drive-through stacking lane, which accommodates 10 spaces, is adjacent to Zenway Boulevard. Landscape strips are proposed along Regional Road 27 and Zenway Boulevard, together with an entrance feature and walkway connections at the southeast corner of the site.

Access/Parking

The site plan provides two full-turn accesses onto Zenway Boulevard. A potential future access is shown on Regional Road 27. The Owner will be required to obtain approval from the Region of York for this access and an amendment to the site plan agreement will be required. Parking for the site is being provided on the following basis:

Building "A" (Employment Building)	5,421.0 sq.m @ 2.0 spaces/100 sq.m	= 109 spaces
Building "B" (Tim Horton's)	305.57 sq.m @ 16 spaces/100 sq.m	= <u>49 spaces</u>
Total Parking Required:		= 158 spaces
Total Parking Provided:		= 212 spaces

There will be a parking surplus of 54 spaces on site.

As a condition of site plan approval, access, parking and on-site vehicular circulation, shall be approved by the Engineering Department.

Site Servicing, Grading and Stormwater Management

Municipal storm, sanitary and watermains are available to service the site. As a condition of site plan approval, the final grading and servicing plans, and stormwater management report must be approved by the Engineering Department.

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#### Landscaping

The landscape plan (Attachment #3) shows a mix of deciduous and coniferous trees and shrubs within the landscape strips adjacent to Regional Road 27 and Zenway Boulevard. Additional landscape screening will be required within the 6m wide landscape strip, between the drive-through facility and Zenway Boulevard, which may include berming, deciduous trees and shrubs. As a condition of site plan approval, the final landscape plan, including detailed drawings and a landscape cost estimate, must be approved by the Development Planning Department.

#### Building Design

The L-shaped, multi-unit employment building is one-storey high (8.3 m) and has units that face Regional Road 27 and Zenway Boulevard. The front of the building contains the unit entrances, green-tinted windows, and aluminum spandrel panels. The building materials consist of brown-coloured brick and rectangular-shaped smooth precast panels that will accommodate signage above the individual unit windows. The remainder of the building consists of precast concrete panels and a smooth horizontal band. Service doors are proposed on the rear of the building, located on the west and north sides of the building.

The Eating Establishment (Tim Horton's) is a square-shaped, 306 sq.m building with entrances on the north and east elevations. Windows are proposed on either side of the two entrances. The drive-through pick-up window is located on the south elevation facing Zenway Boulevard. An attached garbage enclosure and a loading space are located on the west side of the building. The building materials consist of brown-coloured face brick with a contrasting grey-coloured soldier coursing. Above the entrances and windows is a white stucco canopy where signage is proposed. The building is one-storey high (5.1 m) and has a flat roof.

Development Planning Staff is satisfied with the proposed building elevations for both buildings.

#### Parkland Dedication

The parkland dedication requirements under the Planning Act were satisfied through the registration of the subdivision (Plan 65M-3627).

#### Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

#### Conclusion

Staff has reviewed the proposed Zoning Amendment Application in accordance with the policies of the Official Plan and has no objection to permitting one free-standing Eating Establishment restricted to a maximum gross floor area of 306 sq.m and a drive-through facility, in the EM3 Retail Warehouse Employment Area Zone. An eating establishment will not be permitted in the multi-unit building (Building 'A') on the subject lands. Staff has also reviewed the proposed Site Plan Application and is satisfied that the subject lands will be appropriately developed. Additional landscape screening will be required between the drive-through facility and Zenway Boulevard. Therefore, Staff recommends approval of both the zoning by-law amendment and site plan applications.

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**Attachments**

1. Location Map
2. Site Plan
3. Landscape Plan
4. Elevations - Building A
5. Elevations (Building B – Tim Horton's)

**Report prepared by:**

Duncan MacAskill, Planner, ext. 8017

Arto Tikiryan, Senior Planner, ext. 8212

Grant A. Uyeyama, Manager of Development Planning, ext. 8635

(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.)

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 20, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**20**

**ZONING BY-LAW AMENDMENT FILE Z.05.004  
HUMBERPLEX DEVELOPMENTS INC.  
REPORT #P.2005.14**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005:**

**Recommendation**

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.004 (Humberplex Developments Inc.) BE APPROVED, to increase the maximum permitted building height from 9.5m to 11m in the R1 Residential Zone for the single-detached residential dwelling units in approved Draft Plan of Subdivision 19T-01V04.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law to increase the maximum permitted building height from 9.5m to 11m in the R1 Residential Zone for the single-detached residential dwelling units in approved Draft Plan of Subdivision 19T-01V04, as shown on Attachment #2 and #3.

**Background - Analysis and Options**

The subject lands shown on Attachment #1 are located north of Nashville Road on the east side of Regional Road 27, in Part of Lot 27, Concession 8, City of Vaughan. The 36.8 ha site comprises approved Draft Plan of Subdivision 19T-01V04, which consists of 167 single-detached dwelling units with frontages ranging from 15m to 18m and lot areas of 540m<sup>2</sup>. The plan was approved by the Ontario Municipal Board in a Decision Order dated August 6, 2003. The subject lands include a 1.11ha park site, 1.55ha stormwater management pond facility, 5.48ha open space valleylands and 1.35ha TransCanada Pipeline block.

The affected residential portion of the subject lands are designated "Serviced Residential", by OPA #601 (Kleinburg-Nashville Community Plan) and zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(1162). The surrounding land uses are:

- North - Copper Creek golf course (OS2 Open Space Park Zone)
- South - open space (OS2 Open Space Park Zone); residential (R1 Residential Zone)
- West - open space (OS2 Open Space Park Zone) water tower/open space (A Agricultural Zone); Regional Road 27
- East - valley lands (OS1 Open Space Conservation Zone)

**Public Hearing**

On February 11, 2005, a Notice of Public Hearing was mailed to all property owners within 120 metres of the subject lands and to the Kleinburg and Area Ratepayers Association. To date, no written comments have been received. At the Public Hearing Mr. Robert Klein, representing the Kleinburg and Area Ratepayers Association, requested a 30.48m landscape buffer be provided

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### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005

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along the south property line to match the 30.48m landscape buffer provided along the north property line for the registered subdivision plan to the south (19T-81061-Millview Investments Ltd). The provision of a 30.48m landscape buffer as suggested would eliminate approximately 18 lots in a plan that is approved by the Ontario Municipal Board. The landscape buffer would result in lots that would not comply with the minimum lot area size of 540m<sup>2</sup>. The landscape buffer in Plan of Subdivision 19T-81061 provides a sufficient linear park connection between the open space lands to the west and the valleylands to the east for accessibility and use by the public in accordance with the Park and Open Space policies in OPA #601. Accordingly, Staff does not support the provision of a 30.48m landscaped buffer as suggested.

The recommendation of the Committee of the Whole to receive the public hearing report on March 7, 2005, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on March 21, 2005.

#### Official Plan

##### i) Land Use Designation

The residential portion of the subject lands shown on Attachment #2 are designated "Serviced Residential" by OPA #601, which permits detached residential dwellings. The subdivision will be developed with a range of bungalows, 1-1/2 storey, and 2 storey residential dwelling units in accordance with the Official Plan, with the maximum permitted heights to be identified in the zoning by-law.

##### ii) Built Form

The Official Plan provides urban design policies for the Humber North Neighbourhood, which requires that development address the built compatibility and architectural design criteria in the Official Plan. The Official Plan policies concerning built form and compatibility requires that new development be compatible with adjacent and neighbouring development by ensuring that the siting and massing of new buildings do not result in negative impacts on adjacent properties. The Official Plan also requires that building facades should provide articulation to provide visual interest using such elements as porches, bays, canopies, balconies, solariums, and other architectural features.

On April 26, 2004, Council approved the "Wycliffe Humberplex Architectural Design Guidelines" prepared by John G. Williams Ltd. (January 2004) for the subject lands shown on Attachment #2. The Architectural Design Guidelines provide design criteria for the proposed development including ensuring guidelines for model repetition, façade variety, and roof design. The design of the proposed residential dwelling units are required to address and be consistent with the Architectural Design Guidelines, and must receive approval from the Control Architect for the subdivision, prior to obtaining a building permit. The Architectural Design Guidelines would not require amendment should Council approve the subject zoning amendment to increase the building heights.

#### Zoning - Increased Height

The R1 Residential Zone permits a maximum building height of 9.5m for a single-detached residential dwelling unit. The By-law defines "building height" as the vertical distance between the average elevation of the finished grade at the front of the building and in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof.

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The proposed architectural design of the single-detached dwelling units as shown on Attachment #3, will feature high pitch roofs to allow for 3.05m (10ft) internal floor to ceiling heights. The overall site slopes downward from the easterly top-of-bank towards Regional Road #27. In this particular development with the pitched roofs, the maximum building height of a dwelling will be calculated from the average elevation of the finished grade at the front of the dwelling to the midpoint of the roof. Finished grade is defined as the average elevation of the finished ground level at the walls. As a result, where the ground level is sloped along the front wall of a dwelling, the resulting building height will be higher and contribute to an increased building height.

The Owner has not determined which lots within the subdivision will incorporate the increased height, but it is expected that the requested 11m height will be applied to approximately 25 percent of the residential dwelling units, and primarily the 2 storey dwelling units.

The subject lands are surrounded by an open space buffer and park and Regional Road #27 to the west, the Copper Creek Golf Course to the north, open space valley lands to the east, and a 30.48m wide linear park to the south. The proposed increase to the maximum permitted building height is minor in nature and will result in development that is compatible with and will not materially impact on the surrounding land uses. Accordingly, Staff can support the proposed zoning amendment application.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly previously set by Council and the necessary resources Statement #A-5, "Plan and Manage Growth".

**Conclusion**

Staff have reviewed the proposed application to amend the Zoning By-law to increase the maximum permitted building height from 9.5m to 11m in approved Draft Plan of Subdivision 19T-01V04, as shown on Attachment #2, in the context of the applicable Official Plan policies, the requirements of By-law 1-88, the Architectural Design Guidelines, and the adjacent open space and valleylands. Staff are satisfied that the increased height is minimal and appropriate in the context of the subdivisions location, and will result in development that is compatible with the surrounding land uses.

For these reasons, Staff recommends approval of the proposed amendment to the Zoning By-law.

**Attachments**

1. Location Map
2. Draft Plan of Subdivision 19T-01V04
3. Typical Elevation plan

**Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

(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.)

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 21, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**21**

**ZONING BY-LAW AMENDMENT FILE Z.04.065  
GANZ REALTY LTD  
REPORT #P.2005.11**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005:**

**Recommendation**

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.04.065 (Ganz Realty Ltd.) BE APPROVED, as amended by Staff, to rezone the easterly 1.2 ha portion of the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law to permit a gas bar and convenience retail store with associated drive-through, and a free-standing eating establishment with drive-through, as additional uses in the EM1 Prestige Employment Area Zone, on the subject lands shown on Attachments #1 and #2.

**Background - Analysis and Options**

The applicant's lands are located on the south side of Regional Road #7, between Highway #427 and Roybridge Gate, in Lot 5, Concession 9, City of Vaughan (Attachment #1). The vacant 8.7 ha site has approximately 165 m frontage on Roybridge Gate, and flankage of 475 m on Regional Road #7 and 71m along the Highway #427 off-ramp. However, the lands subject to the proposed zoning amendment are restricted to the area of the property located at the southwest corner of Regional Road #7 and Roybridge Gate, comprising 1.28 ha.

The subject lands are designated "Prestige Area" and "Centre" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone by By-law 1-88. The subject lands are also located within the Vaughan West Corporate Business Park Block Plan. The surrounding land uses are:

- North - Regional Road #7; gas station (C7 Service Commercial Zone), vacant employment lands (EM1 Prestige Employment Area Zone)
- South - Royal Group Crescent; employment uses (EM1 Zone and EM2 General Employment Area Zone)
- East - Roybridge Gate; vacant (C8 Office Commercial Zone)
- West - Highway #427 off-ramp (PB1-S Parkway Belt Linear Facilities Zone)

**Public Hearing**

On January 28, 2005, a Notice of Public Hearing was mailed to all property owners within 120m of the subject site. To date, no responses have been received. The recommendation of the Committee of the Whole on February 21, 2005, to receive the Public Hearing report and to forward a technical report to a future Committee meeting, was ratified by Council on February 28, 2005.

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#### Official Plan

The subject lands are designated “Prestige Area” and “Centre” by OPA #450, and also subject to the “Service Node” policies. The land use policies for Service Nodes that are applicable to this site, are as follows:

- Service Nodes shall generally be located at intersections of arterial and/or collector roads. Other areas that are conveniently located, or are predominantly devoted to another use, such as an office complex, hotel or retail warehousing, may also be considered;
- prior to approving an application to permit a Service Node, the approval of an urban design plan and traffic impact study may be required;
- the maximum area of a Service Node shall be approximately 1.2 ha; a Service Node may exceed 1.2 ha if the site is to be developed in conjunction with a predominant use such as an office complex, hotel or retail warehousing; and
- uses permitted shall be for the day-to-day convenience and service needs of businesses, industries and their employees; retail uses which service the convenience needs of employees (i.e convenience retail store or pharmacy) and the needs of business (i.e business supplies) are considered to conform; the detailed range of uses shall be established in the Zoning By-law.

The easterly 1.28 ha parcel that is subject to this application, is conveniently located for the proposed service commercial uses, at a signalized intersection of Regional Road #7 and Roybridge Gate, between Highway #427 and Regional Road #27. The applicant has advised staff that they will be amending the proposal to reduce the site area to 1.2 ha to conform to the maximum lot area requirement for a Service Node. The proposed uses are compatible with the existing zoning and gas bar located immediately to the north, at the northwest corner of Regional Road #7 and Vaughan Valley Boulevard, and would be compatible with the surrounding employment and service commercial land uses.

The applicant will be required to satisfy the appropriate public authority respecting traffic and access requirements. The applicant's site plan shows access to the 1.28 ha site from Regional Road #7, Roybridge Gate, and from internal driveways connecting with the Phase 1 employment lands. The Region of York has indicated no objection to the proposal, and that access to Regional Road #7 shall be right-in/right-out only. The Vaughan Engineering Department requires a traffic study for the proposed development of the Phase 1 employment uses on the westerly parcel. Access requirements for the entire site will be addressed at the site plan stage.

The approved Block Plan for the Vaughan West Corporate Business Park allows for employment, office and commercial uses. The westerly portion of the 8.7 ha site is identified as a “Centre” in OPA #450, which permits major concentrations of business, industrial, corporate, civic, and community service activity. It encourages development of Regional Road #7 as a major transportation and transit artery connecting regionally important centres of activity in the south part of York Region.

#### Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1013). The proposed gas bar and associated convenience retail store and drive-through facility are not permitted uses in the EM1 Zone. Eating establishments are permitted in

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all Employment Zones, restricted to one per multi-unit building and to a maximum gross floor area of 185 sq.m. The proposed 537 sq.m free-standing eating establishment with drive-through is not permitted in the EM1 Zone. Therefore, an amendment to the Zoning By-law is required.

Planning Analysis

The proposed uses are considered to be Service Commercial uses that would be permitted in the C7 Service Commercial Zone by By-law 1-88. The proposal conforms to the Service Node policies contained in OPA #450. There is an existing C7 Zone with gas bar located immediately north of the subject lands on the northwest corner of Regional Road 7 and Vaughan Valley Boulevard. The proposal is compatible with the surrounding employment and service commercial land uses. The approved Vaughan West Corporate Business Park Block Plan allows for employment, office and commercial uses. Therefore, the proposal conforms to the land use requirements in OPA #450 for Service Nodes and with the approved Block Plan for the Vaughan West Corporate Business Park.

The Owner has proposed to add the Service Commercial uses to the existing EM1 Prestige Employment Area Zone. Planning Staff has concerns with introducing the proposed service commercial uses into the EM1 Zone. The appropriate zone category whereby the proposed uses are permitted is the C7 Service Commercial Zone. The applicant advised staff that the size of the subject parcel will be reduced from 1.28 ha to 1.2 ha to conform to the Service Node policies of OPA #450, and would be appropriate as a C7 zoned site. Therefore, staff can support the application, as amended, by rezoning the easterly 1.2 ha of the site from EM1 Zone to C7 Zone.

The Owner's site plan (Attachment #2) shows a free-standing eating establishment (537 sq.m GFA) with drive-through, and a gas bar and convenience retail store (325 sq.m) with drive-through within the proposed amendment area consisting of 1.28 ha (Phase 2 development area). The site plan also shows five employment buildings within the Phase 1 development area. The applicant has recently submitted a site plan application (File DA.05.003) for the proposed Phase 1 development, which is currently under review.

A site development application has not yet been submitted for the Phase 2 lands (gas bar/retail store and eating establishment use). The layout and siting of the proposed Phase 2 buildings, as shown on Attachment #2 is conceptual only, as submitted by the applicant. A formal site plan application will be required to determine the appropriate site layout, parking, landscaping treatment and building elevations for the gas bar/retail store and eating establishment use. The Planning Department has a concern with the location of the retail store being located at the corner.

Ministry of Transportation Ontario (MTO)

The MTO has no objection to the proposal, and requires all access to the entire property to be restricted to the internal road network. All buildings and structures must be setback a minimum distance of 14m from their highway property line. The Ministry will require permits for all buildings located within 46 m from their highway property line, and 400 m from the centre point of the intersection of Highway #427 and any crossing roadway.

Region of York

The Region of York has no objection to the proposal. The Regional Road #7 access shall be designed and constructed as a right-in/right-out only access, with the construction of a taper lane and extension of the centre median required on Regional Road #7.

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**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

The proposed Service Commercial uses conform to the Service Node policies in OPA #450 and the Vaughan West Corporate Business Park Plan, and are compatible with the employment and service commercial zones in the surrounding area. The Owner proposes to add the Service Commercial uses to the existing EM1 Prestige Employment Area Zone. However, Planning Staff has concerns introducing the proposed service commercial uses into the EM1 Zone. The appropriate zone category whereby the proposed uses are permitted is the C7 Service Commercial Zone. The applicant has agreed that the appropriate zone category for the site would be the C7 Service Commercial Zone, and has also advised that the size of the subject parcel will be reduced from 1.28 ha to 1.2 ha to conform to the Service Node policies of OPA #450. Therefore, staff can support the application, as amended, by rezoning the easterly 1.2 ha of the site from EM1 Zone to C7 Zone.

**Attachments**

1. Location Map
2. Proposed Site Plan
3. Staff Recommended Zoning

**Report prepared by:**

Duncan MacAskill, Planner, ext. 8017  
Arto Tikiryan, Senior Planner, ext. 8212  
Grant A. Uyeyama, Manager of Development Planning, ext. 8635

/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.)

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Item 22, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

22

**ZONING BY-LAW AMENDMENT FILE Z.04.046  
DRAFT PLAN OF SUBDIVISION FILE 19T-03V10  
P. GABRIELE AND SONS LIMITED  
REPORT #P.2004.94**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005:**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.046 (P. Gabriele and Sons Limited) BE APPROVED, and that the implementing zoning by-law shall incorporate the following revisions to By-law 1-88, on the subject lands shown on Attachment #3:
  - i) rezone the portion of the subject lands located south of Street "A" (Blocks 1-15 inclusive) from A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Dwelling Zone One and provide exceptions to require a minimum lot area of 156 m<sup>2</sup> rather than 180 m<sup>2</sup>, and a minimum lot depth of 29 m rather than 30 m, for 78 street townhouse units;
  - ii) rezone the portion of the subject lands located north of Street "A" (Blocks 16 and 17) from A Agricultural Zone to RVM2-H Residential Urban Village Multiple Dwelling Zone Two with "H" Holding Symbol for 78 block townhouse units, permitting only the production of field crops or a use legally existing as of the date of enactment of the implementing by-law, until the Holding provision is removed;
  - iii) require that prior to the removal of the "H" Holding Symbol, a site development application shall be approved by Council; and,
  - iv) provide any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
2. THAT Draft Plan of Subdivision 19T-03V10 (P. Gabriele and Sons Limited) as revised, as shown on Attachment #3, BE APPROVED, subject to the conditions set out in Attachment # 1 to this report.
3. THAT for the purposes of notice, the implementing subdivision agreement for Draft Plan of Subdivision 19T-03V10 (P. Gabriele and Sons Limited) shall contain a provision that the Owner pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
4. THAT Council pass the following resolution with respect to the allocation of sewage and water capacity:

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“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-03V10 (P. Gabriele and Sons Limited) be allocated sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water supply capacity from Pressure District No. 6 of the York Water Supply System, for a total of 156 residential units following the execution of a subdivision agreement to the satisfaction of the City. Said allocation to the draft plan shall automatically be revoked after a period of one year in the event that the draft plan has not been registered.”

**Purpose**

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands shown on Attachment #3, from A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Zone One (Blocks 1-15) and RVM2(H) Residential Urban Village Multiple Zone Two with the Holding Symbol "H" (Blocks 16 and 17). The Owner has also submitted an application for a Draft Plan of Subdivision consisting of 15 blocks for 78 street townhouse units with minimum lot frontages of 6 m and lot areas of 156 m<sup>2</sup>, and 2 blocks for 78 block townhouse units, on a 4.08 ha site.

**Background - Analysis and Options**

The 4.08 ha subject lands shown on Attachment #1 are located on the south side of Major Mackenzie Drive, west of Weston Road, in Part of Lot 20, Concession 6, City of Vaughan. The site is relatively flat with no significant vegetation, and has been used for a landscape business.

The subject lands are designated “Vellore Village Centre - Low-Rise Residential” by OPA #600, as amended by OPA #650 (Vellore Village District Centre), and zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North - Major Mackenzie Drive; residential (RR Rural Residential Zone), farmland (A Agricultural Zone)
- South - residential (RV3 Residential Urban Village Zone Three)
- West - proposed residential Plan of Subdivision 19T-03V03 (A Agricultural Zone)
- East - MTO Works Yard (A Agricultural Zone)

**Public Hearing**

On August 27, 2004, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands, and to the Vellore Village, Vellore Woods and Millwood Woodend Residents' Associations. At the September 20, 2004 Public Hearing, a resident of 590 Fossil Hill Road, advised that he is opposed to any townhouses on the subject lands.

The recommendation of the Committee of the Whole to receive the public hearing report on September 20, 2004, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on September 27, 2004.

**Official Plan**

ii) **Land Use Designation**

The subject lands are designated “Vellore Village Centre - Low-Rise Residential” by OPA #600,

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as amended by OPA #650 (Vellore Village District Centre). The Official Plan permits single-detached, semi-detached, street townhouses, block townhouses and other ground-related multiple housing forms on the subject lands. The ground floor of the ground-related multiple housing forms that face Major Mackenzie Drive may be used for business and professional uses. The proposed land uses conform to the Official Plan. The Owner for the draft plan of subdivision was not a participant in the Block Plan process, however, the draft plan layout conforms to the approved Block 39 Plan.

ii) Density

OPA #650 permits a residential density of between 17-40 units/ha, with an average density within each quadrant of the Vellore Village District Centre of a minimum of 25 units/ha. The density calculation includes the land for local and primary roads, and the residential units. The density for the subject lands is 38.21 units/ha and the average density meets the minimum requirement of 25 units/ha. The proposed plan of subdivision conforms to the density requirements of the Official Plan.

Zoning

The subject lands are currently zoned A Agricultural Zone by By-law 1-88. To facilitate the proposed plan of subdivision, as shown on Attachment #3, a by-law amendment is required to rezone the lands from A Agricultural Zone to RVM1(A) Residential Urban Village Multiple Dwelling Zone One and RVM2-H Residential Urban Village Multiple Dwelling Zone Two with the "H" Holding Symbol.

The lands (Blocks 1-15) located south of Street "A" on Attachment #3, are proposed to be zoned RVM1(A) Residential Zone to facilitate the development of 78 street townhouse units. The RVM1(A) Zone standards are as follows:

- Minimum Lot Frontage – 6 m per unit
- Minimum Lot Area – 180 m<sup>2</sup> per unit
- Minimum Lot Depth – 30 m
- Minimum Front Yard – 3 m
- Minimum Rear Yard – 7.5 m
- Minimum Interior Side Yard (end unit) – 1.2 m
- Minimum Exterior Side Yard – 2.4 m
- Maximum Height – 9.5m
- Minimum Parking Spaces – 2 spaces

Exceptions to the RVM1(A) Zone standards are proposed, including reductions to the minimum lot area and minimum lot depth from 180 m<sup>2</sup> and 30m to 156 m<sup>2</sup> and 29 m, respectively. Staff supports these modifications as they are minor in nature and in keeping with the general intent of the Urban Village zoning standards.

The lands located north of Street "A" and shown as Blocks 16 and 17 on Attachment #3, are proposed to be zoned RVM2-H Residential Zone with the "H" Holding Symbol to facilitate a total of 78 block townhouse units. The RVM2 Zone standards are as follows:

- Minimum Lot Frontage – 30 m per block
- Minimum Lot Area – 230 m<sup>2</sup> per block
- Minimum Front Yard – 3 m
- Minimum Rear Yard – 4.5 m

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- Minimum Interior Side Yard (end unit) - 1.2 m
- Minimum Exterior Side Yard – 2.4 m
- Maximum Height – 11 m
- Minimum Parking Spaces – 2 spaces

The final use and layout for the Blocks will be determined through the Site Development approval process, and therefore the “H” Holding Symbol is being applied to Blocks 16 and 17 pending the approval of a Site Development application. A clause will be included in the implementing zoning by-law limiting the use of the lands zoned with the "H" Holding Zone to the production of field crops or a use legally existing as of the date of enactment of the implementing by-law. The “H” Holding Symbol cannot be removed until a Site Development application has been approved by Council.

Subdivision Design

The 4.08 ha draft plan of subdivision shown on Attachment #3 consists of 78 street townhouse units in 15 blocks with a range of 4 to 6 units in each block. Four of the street townhouse units are partial units that will be developed with the adjacent lands to the west (Subdivision Application 19T-03V03, Terwol Developments Inc.). The street townhouse lots have frontages of 6m, an area of 156 m<sup>2</sup>, and a depth of 29 m. The street townhouses front onto two roads (Streets "A" and "C"), which traverse the site in an east-west direction and provide road connections to the future residential lands to the immediate east and west. The draft plan also provides for the northerly extension of two roads, Foxbridge Way and Calista Street, from the registered plans of subdivision to the south. Four of the street townhouse units flank these roads.

Blocks 16 and 17 abut Major Mackenzie Drive to the north and a proposed east-west road (Street 'A') to the south. A north-south road (Street "B") separates the two blocks and intersects with Major Mackenzie Drive. Block 16 has an area of 0.739 ha and Block 17 is 0.645 ha. Both Blocks have a frontage of 55 m on Street "B". Blocks 16 and 17 will facilitate the development of 78 block townhouse units. The distribution of units per block has not been determined.

The development details for the draft plan of subdivision are as follows:

Blocks 1 – 15 (78 Street Townhouses)	1.5723 ha
Blocks 16 & 17 (78 Block Townhouses)	1.4655 ha
Block 18 Street Widening	0.1664 ha
Blocks 19 – 34 (0.3 m Reserves)	0.0189 ha
<u>Streets</u>	<u>1.0145 ha</u>
Total Draft Plan Area	4.0831 ha

Staff review has resulted in the draft plan of subdivision being red-lined, as shown on Attachment #3 to identify a separate Block to facilitate a future community entrance feature at the southeast corner of Major Mackenzie Drive and Forest Hill Road. Subject to the comments in this report, and the conditions of approval in Attachment #1, Staff is satisfied with the proposed subdivision design.

As noted above, the subject lands are part of the Block 39 Plan and part of the Vellore District Centre lands. The Block 39 Plan has been amended to incorporate the changes resulting from the approval of the Vellore Village District Centre Plan (OPA #650). However, the background supporting documents must be revised to conform to this draft plan of subdivision. A condition of approval is included in this respect.

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Engineering Department

The Engineering Department has reviewed the proposed draft plan of subdivision and provides the following comments:

i) Environmental Site Assessment (ESA)

The subject lands are subject to the Waste Disposal Assessment Area (Passer Estate) policies of OPA #600, which requires that studies be carried out to the satisfaction of the City and the Ministry of the Environment to show development is compatible and can safely take place. On January 7, 2005, the Engineering Department reviewed the ESA Phase 1 report by Soil Engineers Ltd. for the subject draft plan of subdivision, and found the report to meet the requirements of Ontario Regulation 153/04 for Contaminated Sites, and that the site was suitable for residential development, and that a Phase II ESA is not required.

ii) Engineering Services

The subject lands are located within the Maple Service Area of the York Durham Sewage System, which is tributary to the Jane/Rutherford Collector Sanitary Sewer as indicated in the Vaughan Sanitary Service Area Master Plan, and is to receive wastewater servicing from this system. The subject lands are to ultimately be serviced by the Langstaff Trunk Sewer and Bathurst Trunk Sewer. The draft plan of subdivision is located within and is to receive water servicing from Pressure District 6 of the York Water Supply System.

The draft plan of subdivision will connect to the Artibus Phase 2 Plan of subdivision to the south for municipal services (road, watermain, sanitary and storm drainage). The Engineering Department has no objections to the approval of the proposed subdivision, subject to the conditions of approval on Attachment #1.

Parkland/Cash-in-Lieu

The parkland dedication for the plan has been addressed through the Block 39 overall parkland/cash-in-lieu agreement with the City. However, should the block townhouses for Blocks 16 and 17 require additional cash-in-lieu of parkland dedication than what was provided through the agreement, the Owner shall pay to the City, the difference at the rates stipulated in the City's approved "Cash-In-Lieu of Parkland Policy".

Archeological Assessment

The Cultural Services Department requires that prior to final approval of the subdivision or prior to the initiation of any grading, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry. The City and Ministry have reviewed the Stage 1 and 2 archaeological assessments prepared by Archaeological Services Inc., dated June 1998, which indicated that no archaeological resources were documented, and have concurred with the assessments.

Agency Comments

The Region of York, Canada Post, Power Stream, and Toronto and Region Conservation Authority have advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, as provided on Attachment #1.

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**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

Staff has reviewed the proposed applications to amend the Zoning By-law and for Draft Plan of Subdivision 19T-03V10 in accordance with the applicable policies of the Official Plan and the requirements of the Zoning By-law. Staff is of the opinion that the proposed draft plan of subdivision consisting of 15 blocks for 78 street townhouse units, and 2 blocks for 78 block townhouse units, as shown on Attachment #3 is an appropriate form of development for the lands and conforms to the policies of OPA #600, as amended by OPA #650 (Vellore Village District Centre). Furthermore, the proposed plan is consistent with the overall pattern of development in the Block 39 Planning Area.

For these reasons, Staff recommends approval of the zoning by-law amendment application and the red-lined draft plan of subdivision, subject to the conditions of approval provided on Attachment #1.

**Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision 19T-03V10, with Red-line Revisions (April 18, 2005)

**Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/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.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 23, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

23

**DRAFT PLAN OF SUBDIVISION FILE 19T-04V03  
STONE MANOR DEVELOPMENTS (WOODBIDGE) LIMITED  
REPORT #P.2004.63**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005, be approved;
- 2) That any provision for an access walkway to the Woodbridge College school property, be deleted; and
- 3) That the following deputations be received:
  - a) Ms. Sandy Grimaldi, Vaughanwood Ratepayers' Association, 50 Helen Street, Woodbridge, L4L 3S3; and
  - b) Ms. Clara Astolfo, President, Vaughanwood Ratepayers' Association, 15 Francis Street, Woodbridge, L4L 1P7.

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Draft Plan of Subdivision File 19T-04V03 (Stone Manor Developments (Woodbridge) BE APPROVED, subject to the conditions of approval set out in Attachment #1.
2. THAT the subdivision agreement shall contain a provision requiring the Owner to pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a building permit, or a fixed rate of \$2200.00 per unit whichever is higher in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
3. That the subdivision agreement contain a condition requiring the Owner to enter into a site development agreement and any other agreement(s) with Vaughan and the Regional Municipality of York that are necessary to carry out the ultimate development plan and address among other matters municipal services, fencing, noise, road widenings, grading, and maintenance easements, etc., to the satisfaction of the City of Vaughan.
4. THAT Council pass the following resolution with respect to the allocation of sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-04V03 (Stone Manor Developments (Woodbridge) Limited is allocated sewage capacity from the Woodbridge Service Area of the York/Durham Servicing Scheme via the Woodbridge Collector and water supply capacity from Pressure District No. 4 of the York Water Supply System, for a total of 86 residential units following the execution of a subdivision agreement to the satisfaction of the City."

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5. Prior to the issuance of the Notice of Decision respecting the draft plan of subdivision, the Phase 1 Environmental Report shall be approved to the satisfaction of the City.

**Purpose**

The Owner has submitted an application for Draft Plan of Subdivision approval (shown on Attachment #3) to consolidate 5 individual residential lots into one residential block under a single Registered M-Plan. This would facilitate the future development of 84 residential townhouse units on a common element condominium road and 2 semi-detached units on Helen Street (shown on Attachment #4).

**Background - Analysis and Options**

The subject lands shown on Attachment #2 are comprised of an assembly of 5 separate residential lots as shown on Attachment #3, and are located at the southwest corner of Regional Road #7 and Helen Street, being Lots 2 and 3 on Registered Plan 4319, and Lots 34, 35 and 36 on Registrar's Compiled Plan 9831 (4713, 4721, 4733, 4745 and 4751 Regional Road #7), in Lot 5, Concession 7, City of Vaughan. The proposed draft plan will facilitate the assembly of the lots into one large parcel having an area of 1.95 hectares, with 137.29m of frontage on Regional Road #7 and 141 m of flankage on Helen Street. All existing structures are to be demolished.

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan) as amended by site-specific OPA #616 and zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(700). The surrounding land uses are:

- North -Regional Road #7; commercial (C3 Local Commercial Zone)
- South - Woodbridge College (A Agricultural Zone), detached residential (R1 Residential Zone)
- East - Helen Street; office building (C8 Office Commercial Zone) and detached residential (R2 Residential Zone)
- West - detached residential (R1 Residential Zone)/proposed townhouse development (United People Corporation)

**Public Hearing**

On April 8, 2004, a Notice of Public Hearing for the related Official Plan and Zoning By-law Amendment applications and the subject Draft Plan of Subdivision was circulated to all property owners within 120m of the subject lands and to the Vaughanwood Ratepayers Association. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 3, 2004, and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on May 10, 2004.

On October 12, 2004, Council adopted a resolution to approve the related Official Plan and Zoning By-law Amendment Applications OP.04.004 and Z.04.004 to redesignate and rezone the subject lands to "Medium Density Residential" and RM2 Multiple Residential Zone, respectively, to facilitate the residential townhouse block, subject to the following:

"That the applicant be required to reserve land sufficient for an access corridor from the development into the Woodbridge College's playing fields and that negotiations with the School Board with respect to the granting of the access be the responsibility of the City of Vaughan."

This matter is addressed in greater detail in the "School Boards" section of this report.

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#### Official Plan

The subject lands are designated “Medium Density Residential” by OPA #240 (Woodbridge Community Plan) as amended by site-specific OPA #616, which permits a residential townhouse block comprised of 84 units on a common element road and two semi-detached units fronting onto Helen Street. The proposed draft plan of subdivision would facilitate the intended residential development and conform to the Official Plan.

#### Zoning

The subject lands are currently zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(700). In order to facilitate the proposed draft plan of subdivision, Council on October 12, 2004, approved the related zoning amendment application to rezone the subject lands from R1 Residential Zone to RM2 Residential Zone with site-specific exceptions.

The implementing site-specific zoning by-law will be enacted upon Council’s approval of a site development application, to ensure that all required exceptions to facilitate the intended residential development are captured. A condition of draft approval is included on Attachment #1 requiring that the lands be appropriately zoned.

#### Subdivision Design

The subject lands are comprised of an assembly of five properties, two of which are under a registered plan while three are part of a registrar’s compiled plan. The application for draft plan of subdivision as shown on Attachment #3 proposes to consolidate the lots into one residential block under a single registered M-Plan. This will enable the residential block to be developed through a separate related Site Development Application (File DA.03.071) with the individual lots to be created through the lifting of Part Lot Control. The common element areas, including the amenity and open space areas, roads and visitor parking will be created through the subsequent Draft Plan of Condominium process. The site will be developed as a condominium complex, and therefore, snow removal and garbage pick-up will be privately administered and the responsibility of the condominium corporation.

#### Engineering Department

The Engineering Department has reviewed the proposed plan and provides the following comments:

i) Environmental Site Assessment

In March 2004, the applicant submitted a Phase One Environmental Investigation and Phase Two Geo-Environmental Investigation (4785, 4795 and 4801 Regional Road #7) dated September 26, 2003 and October 8, 2003, respectively, prepared by Bruce A. Brown Associates Limited for the above-noted files. The Phase 1 Environmental report has been reviewed by City Staff and has been cleared for Official Plan approval. However, prior to the issuance of notice for draft plan of subdivision approval, the City shall approve the Phase 1 Report for the portions of the subject lands where the existing buildings are located.

ii) Engineering Services

The municipal services for this development shall be in accordance with the approved Servicing Report and any subsequent plans and reports as amended for the Regional Road #7 and Helen Street townhouse development.

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Engineering Staff has no objection to the proposed draft plan of subdivision, subject to the conditions of draft approval provided in Attachment #1.

iii) Transportation

Staff has reviewed the traffic assessment report, dated December 2003, prepared by Gall and Associates and concurs with the findings of the report. The operation of the traffic signals at the intersection of Regional Road #7/Bruce Street and Regional Road #7/Wigwoss Drive/Helen Street and the proposed access points onto Regional Road #7 require approval from the Region of York.

iv) Servicing Allocation

The subject development is located within the Woodbridge Service Area, which is a natural tributary to the Islington Avenue Collector and within the servicing area of Pressure District 4 (PD4) of the York Water Supply System. The existing watermain on the south side of Regional Road #7 will provide the water connections. There are no sanitary or storm sewers immediately within the vicinity of the subject area. Connections to the existing infrastructure will be subject to confirmation that there are no downstream constraints in the existing system.

In accordance with the resolution adopted by Council on October 12, 2004, servicing allocation capacity for the above noted development application is recommended in this report in conjunction with draft plan approval.

Financial contributions for the proportionate share towards any external municipal services that have been designed and oversized by others to accommodate the plan will be required from the subject development.

Parkland Dedication

The subdivision agreement will contain a provision that parkland shall be dedicated, and/or cash-in-lieu paid, within the plan at the rates stipulated in accordance with the Planning Act and the City's approved Cash-In-Lieu of Parkland Policy. The preliminary parkland dedication is calculated as follows:

Total Number of Units: 86 Units

Townhouse: 84 Units

Semi-detached Units: 2 Units

Total Parkland at 1ha/300 units = 0.287 ha of parkland required

Parkland is not being provided in the draft plan, and therefore, cash-in-lieu of parkland will be required to be paid in accordance with the City's Cash-in-lieu Policy.

Region of York

The Region of York has no objection to approval of the draft plan of subdivision, provided water and sewer capacity has been allocated, and subject to the conditions of draft approval provided in Attachment #1.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

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School Boards

The School Boards have reviewed the proposed application and have no objection to draft plan approval. With respect to Council's resolution for the provision of a southerly walkway connection from the development to the abutting school property, the York Region District School Board has advised that the walkway proposed at the southwest corner of the property as shown on Attachment #4 is acceptable. The final walkway location and design will be confirmed at the site development stage.

Canada Post

Canada Post has no objections or conditions of approval respecting the proposed draft plan of subdivision as the subject lands are in an established door-to-door mail delivery area and will continue to receive mail in the same manner, provided the developer/builder ensures that each unit provides a mailbox and is identified with a street number.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

Staff has reviewed the proposed Draft Plan of Subdivision in the context of the Official Plan policies, By-law 1-88, and the existing and proposed development in the vicinity of the subject lands. Staff has no objection to the approval of the draft plan of subdivision as it would consolidate the subject lands into one residential block under a single registered M-Plan, facilitating the development of a residential block through a future related site development application (File DA.03.071), consistent with the policies of the Official Plan.

Therefore, Staff can recommend approval of the draft plan of subdivision application, subject to the recommendations in this report and the conditions of approval set out in Attachment #1.

**Attachments**

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Subdivision 19T-04V03
4. Preliminary Site Plan

**Report prepared by:**

Eugene Fera, Planner, ext. 8064  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 24, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

24

**DRAFT PLAN OF SUBDIVISION FILE 19T-04V04  
UNITED PEOPLE CORPORATION C/O DE LUCA GROUP  
REPORT #P.2004.64**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 18, 2005, be approved;
- 2) That any provision for an access walkway to the Woodbridge College school property, be deleted; and
- 3) That the following deputations be received:
  - a) Ms. Sandy Grimaldi, Vaughanwood Ratepayers' Association, 50 Helen Street, Woodbridge, L4L 3S3;
  - b) Ms. Clara Astolfo, President, Vaughanwood Ratepayers' Association, 15 Francis Street, Woodbridge, L4L 1P7; and
  - c) Mr. Daniel Cudizio, c/o De Luca Group, 7050 Weston Road, Suite 308, Woodbridge, L4L 8G7.

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Draft Plan of Subdivision File 19T-04V04 (United People Corporation c/o Deluca Group) BE APPROVED, subject to the conditions of approval set out in Attachment #1.
2. THAT the subdivision agreement shall contain a provision requiring the Owner to pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a building permit, or a fixed rate of \$2200.00 per unit whichever is higher in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
3. That the subdivision agreement contain a condition requiring the Owner to enter into a site development agreement and any other agreement with Vaughan and the Regional Municipality of York that are necessary to carry out the ultimate development plan and address among other matters municipal services, fencing, noise, road widenings, grading, and maintenance easements, etc., to the satisfaction of the City of Vaughan.
4. THAT Council pass the following resolution with respect to the allocation of sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-04V04 (United People Corporation and United People Investments Ltd. c/o Deluca Group) is allocated sewage capacity

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from the York/Durham Servicing Scheme via the Woodbridge Collector and water supply capacity from Pressure District No. 4 of the York Water Supply System, for a total of 37 residential units following the execution of a subdivision agreement to the satisfaction of the City.”

**Purpose**

The Owner has submitted an application for Draft Plan of Subdivision approval to consolidate the existing two lots into one residential block (shown on Attachment #3), under a single registered M-Plan, which would facilitate the future development of 37 residential townhouse units on a common element condominium road (shown on Attachment #4).

**Background - Analysis and Options**

The subject lands shown on Attachment #2 are comprised of an assembly of two residential lots as shown on Attachment #3, and are located on the south side of Regional Road #7, west of Helen Street, being Lot 1 on Registered Plan 4319 and Lot 37 on Registrar’s Compiled Plan 9831 (4763 and 4773 Regional Road #7), in Lot 5, Concession 7, City of Vaughan. The proposed draft plan of subdivision will facilitate the assembly of two existing lots into one combined parcel having an area of 0.8 hectares, with 54.82m of frontage on Regional Road #7 and a lot depth of 145m. All existing structures are to be demolished.

The subject lands are designated “Medium Density Residential” by OPA #240 (Woodbridge Community Plan), as amended by site-specific OPA #617 and zoned R1 Residential Zone by By-law 1-88. The surrounding land uses are:

- North - Regional Road #7; commercial (C3 Local Commercial Zone)
- South - Woodbridge College (A Agricultural Zone), detached residential (R1 Residential Zone)
- East - detached residential (R1 Residential Zone)/proposed townhouse application (Stone Manor Development)
- West - detached residential (R1 Residential Zone)/proposed townhouse application (Forest Green Homes)

**Public Hearing**

On April 8, 2004, a Notice of Public Hearing for the related Official Plan and Zoning By-law Amendment applications and the subject Draft Plan of Subdivision was circulated to all property owners within a 120m of the subject lands, and to the Vaughanwood Ratepayers Association. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 3, 2004, and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on May 10, 2004.

On October 12, 2004, Council adopted a resolution to approve the related Official Plan and Zoning By-law Amendment applications OP.99.054 and Z.99.054 to redesignate and rezone the subject lands to “Medium Density Residential” and RM2 Multiple Residential Zone, respectively, to facilitate a residential townhouse block, subject to the following:

“That the applicant be required to reserve land sufficient for an access corridor from the development into the Woodbridge College’s playing fields and that negotiations with the School Board with respect to the granting of the access be the responsibility of the City of Vaughan.”

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This matter is addressed in greater detail in the "School Boards" section of this report.

Official Plan

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan) as amended by site-specific OPA #617, which permits a residential townhouse block comprised of 37 units on a common element road. The proposed draft plan of subdivision would facilitate the intended residential development and conform to the Official Plan.

Zoning

The subject lands are currently zoned R1 Residential Zone by By-law 1-88. The Owner has submitted a zoning amendment application (File Z.99.054) in order to facilitate the proposed draft plan of subdivision. Council approved the related zoning amendment application on October 12, 2004, to rezone the subject lands from R1 Residential Zone to RM2 Residential Zone with site-specific zoning exceptions.

The implementing zoning by-law will be enacted upon Council's approval of a site plan application, to ensure that all required exceptions to facilitate the intended residential development are captured. A condition of approval is included on Attachment #1 requiring that the lands be appropriately zoned.

Subdivision Design

The subject lands are comprised of an assembly of two properties, one under a registered plan and the other being a part of a registrar's compiled plan. The application for draft plan of subdivision as shown on Attachment #3 proposes to consolidate the lots into one residential block under a single registered M-Plan. This will enable the residential block to be developed through a separate related Site Development Application (File DA.04.080) with the individual lots to be created through the lifting of Part Lot Control. The common element areas, including the amenity areas, open space, roads and visitor parking will be created through the Draft Plan of Condominium process. The site will function as a condominium complex, and therefore, snow removal and garbage pick-up will be privately administered and the responsibility of the condominium corporation.

Engineering Department

The Engineering Department has reviewed the proposed plan and provides the following comments:

i) Engineering Services

The municipal services for this development shall be in accordance with the approved Servicing Report and any subsequent plans and reports, as amended, for the Regional Road #7 and Helen Street townhouse development.

Engineering Staff has no objection to the proposed draft plan of subdivision, subject to the conditions of draft approval provided in Attachment #1.

ii) Transportation

The applicant has submitted a Traffic Assessment Report, prepared by Matrix Innovations Inc. dated September 15, 2004, which has been reviewed and approved by Engineering Staff. The proposed access point on Regional #7 requires approval from the Region of York.

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iii)     Servicing Allocation

The subject development is located within the Woodbridge Service Area, which is a natural tributary to the Islington Avenue Collector and within the servicing area of Pressure District 4 (PD4) of the York Water Supply System. The existing watermain on the south side of Regional Road #7 will provide the water connections. There are no sanitary or storm sewers immediately within the vicinity of the subject area. Connections to the existing infrastructure will be subject to confirmation that there are no downstream constraints in the existing system.

In accordance with the resolution adopted by Council on October 12, 2004, servicing allocation capacity for the above-noted development application is recommended in this report in conjunction with draft plan approval.

Financial contributions for the proportionate share towards any external municipal services that have been designed and oversized by others to accommodate the plan will be required from the subject development.

Parkland Dedication

The preliminary parkland dedication for this plan (37 units) is based on the calculation of 1ha/300 units resulting in a total Parkland Dedication of 0.113 ha. Parkland is not being provided in the draft plan, and therefore, cash-in-lieu of parkland dedication will be required to be paid in accordance with the City's Cash-in-lieu Policy.

Region of York

The Region of York has no objection to approval of the proposed plan of subdivision, provided water and sewer capacity has been allocated, and subject to the conditions of draft approval provided in Attachment #1.

School Boards

The School Boards have reviewed the proposed application and have no objection to draft plan approval. However, with respect to Council's resolution for provision of a southerly walkway connection from the development into Woodbridge College's school yard, the York Region District School Board has advised that the walkway proposed for this development is not acceptable. Instead, the Board has indicated it could support only the walkway provided on the adjacent development to the east (Stone Manor Developments).

Canada Post

Canada Post has no objections or conditions of approval respecting the proposed draft plan of subdivision as the subject lands are in an established door-to-door mail delivery area and will continue to receive mail in the same manner, provided the developer/builder ensures that each unit provide an easily accessible mailbox and is identified with a visible street number.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

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**Conclusion**

Staff has reviewed the Draft Plan of Subdivision in the context of the Official Plan policies, By-law 1-88, and the existing and proposed development in the vicinity of the subject lands, and has no objection to the approval of the draft plan of subdivision. The application would consolidate the subject lands into one residential block under a single registered M-Plan, facilitating the development of a townhouse block through a future related site development application (File DA.04.080) and individual lots through the lifting of Part Lot Control.

For these reasons, Staff can recommend approval of the draft plan of subdivision application, subject to the recommendations in this report and the conditions of draft approval on Attachment #1.

**Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision 19T-04V04
4. Conceptual Site Plan

**Report prepared by:**

Eugene Fera, Planner, ext. 8064  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 25, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

25

**EXEMPTION TO THE NOISE CONTROL BY-LAW  
CONSTRUCTION ACTIVITY ALONG  
HIGHWAY 407 AT CENTRE STREET**

(Referred from the Council Meeting of April 11, 2005)

**The Committee of the Whole recommends that this matter be deferred pending discussion with Hwy 407 ETR staff.**

Council, at its meeting of April 11, 2005, adopted the following:

That this matter be referred to the Committee of the Whole meeting of April 18, 2005, to allow an opportunity for discussion with Highway 407 ETR staff.

Recommendation of the Committee of the Whole meeting of April 4, 2005:

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 4, 2005:

Report of the Commissioner of Engineering and Public Works, dated April 4, 2005:

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

1. That an exemption to the City's Noise Control By-Law 270-81 be granted to permit the operation of construction equipment in connection with construction operations related to the widening of Highway 407 eastbound and westbound bridge structures over Centre Street **for one weekend** (excluding holiday long weekends) from 8:00 a.m. to 8:00 p.m. between the period from April 25, 2005 to July 11, 2005 and from 7:00 p.m. to 12:00 midnight **weekly, Monday to Friday** between the period April 25, 2005 to August 12, 2005; and
2. That the Region of York – Transportation and Works Department be so notified of the approval of the Noise Control By-law exemption related to the subject location.

**Purpose**

The purpose of this report is to seek Council's approval of an exemption to the City's Noise Control By-Law 270-81 to facilitate the widening of Highway 407 eastbound and westbound bridge structures over Centre Street proposed by the 407 ETR Concession Company Limited (407 ETR).

**Background - Analysis and Options**

407 ETR is undertaking the widening of the central section of Highway 407 from Highway 404 to Highway 400. The proposed improvements include the inside widening of Highway 407 from the existing 3 lanes to 4 lanes in both eastbound and westbound directions. A total of eight existing bridge structures within the project limits will be widened to the ultimate lane configuration. The Highway 407 bridge structures scheduled for widening within the City of Vaughan include the crossings over the CN MacMillan Yard, West Don River, Centre Street and Yonge Street.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

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The 407 ETR is requesting an exemption from the City's Noise Control By-Law for its construction operations related to the widening of the Highway 407 eastbound and westbound bridge structures over Centre Street (see Attachment 1). Key bridgework activities proposed outside the hours of work stipulated by the By-Law (7:00 a.m. to 7:00 p.m. Monday through Friday) include:

- Pile driving for the pier footings of bridges;
- Placement of precast concrete girders for bridge decks; and,
- Concrete pours in connection with the bridge abutments, piers and decks.

The construction equipment to be used during the work includes compressors, generators, pile driving equipment, excavators, backhoes, mobile cranes and a variety of trucks, including flatbeds and concrete trucks. Construction for the widening of the Highway 407 structure over Centre Street are scheduled to be initiated in mid-April 2005 and completed by November 15, 2005.

The proposed periods and hours for construction to which 407 ETR is seeking an exemption from the City's Noise Control By-Law are as follows:

<b>Period</b>	<b>Hours of Operation</b>
<u>Weekend</u> <sup>(1)</sup> One weekend (excluding holiday long weekends) between April 25, 2005 and July 11, 2005.	8:00 a.m. to 8:00 p.m. one consecutive Saturday and Sunday
<u>Daily/Evenings</u> <sup>(2)</sup> April 25 to August 12, 2005.	7:00 p.m. to 12:00 midnight weekly, Monday to Friday

Notes:

- <sup>(1)</sup> A specific date for the weekend work is not provided at this time, as a detailed construction schedule and contractor are still to be determined. 407 ETR will provide a minimum of seven days notification to the City prior to the initiation of weekend construction operations.
- <sup>(2)</sup> The actual construction operations affecting the closure of Centre Street are estimated to be approximately 8-10 weeks.

The construction operations during the weekend period are to accommodate the pile driving activities for the bridge piers and will require complete closure of the westbound lanes and single lane closure of the eastbound median lane of Centre Street. The works would be undertaken during daytime hours on one weekend only.

The construction operations on weekdays at off-peak traffic hours include placing reinforcing steel and pouring of concrete for the footings, piers and pier caps and will require closure of the median westbound lane and/or closure of the median eastbound lane to minimize traffic disruption to the public as per the agreement between 407 ETR and the Regional Municipality of York, as the subject section of Centre Street is under Regional jurisdiction. The launching of the girders is also proposed in off-peak traffic hours by rolling closures of the eastbound and westbound lanes of Centre Street.

Construction operations in the evening during the weekdays and on the one weekend are expected to compress the overall construction schedule and hence minimize traffic disruption to the public.

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This area is in relatively close proximity (500 to 800 metres) to several residential neighbourhoods (i.e.: Glen Shields subdivision, King High Drive and the Hillside Avenue/Baldwin Avenue area). Although the work is scheduled early in the construction season, part of it will take place at a time of year when some residents may wish to leave their windows open during the night if ambient temperatures are favourable. Staff, in considering this request and the resultant local impacts, has determined that work can still proceed on a fixed schedule as requested, while also accommodating the residents with the majority of the overnight hours free from disturbance due to construction operations. This acknowledges both the need to undertake the project while respecting citizen privacy in a fair and equitable manner. These operations are to be restricted to the Monday through Friday period only for the duration of the project, the only exception being the one weekend requested.

**Relationship to Vaughan Vision 2007**

This recommendation is consistent with Vaughan Vision 2007 in that it identifies and implements innovative traffic management alternatives to improve general traffic safety (1.1.3) and it supports regional and provincial initiatives on transportation infrastructure (3.2.4)

This report is consistent with the priorities previously set by Council.

**Conclusion**

The 407 ETR will be proceeding with the widening of Highway 407 eastbound and westbound bridge structures over Centre Street. To facilitate this work plan, it is recommended that an exemption to the City's Noise Control By-Law 270-81 be granted to permit construction to proceed on one weekend (excluding holiday long weekends) between the hours of 8:00 a.m. to 8:00 p.m. between the period from April 25, 2005 to July 11, 2005 and from 7:00 p.m. to 12:00 midnight Monday to Friday between the period April 25, 2005 to August 12, 2005. Should Council concur, the recommended resolution should be passed.

**Attachments**

1. Location Map

**Report prepared by:**

Tom Ungar, Design Engineer, ext. 3110

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 26, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

26

**ONTARIO MUNICIPAL BOARD HEARING  
ZONING BY-LAW AMENDMENT FILE Z.03.086  
SITE DEVELOPMENT FILE DA.03.072  
DAVID AND HONORA REA  
REPORT #P.2004.31**

(Referred from the Council Meeting of April 11, 2005)

**The Committee of the Whole recommends that this matter be referred to the Committee of the Whole (Closed Session) meeting of April 18, 2005.**

Council, at its meeting of April 11, 2005, adopted the following:

That the confidential recommendation of the Committee of the Whole (Closed Session) of April 11, 2005, be approved and that the matter be referred to the Committee of the Whole meeting of April 18, 2005; and

That the confidential memorandum from the Director of Legal Services, dated April 8, 2005, be received.

Recommendation of the Committee of the Whole meeting of April 4, 2005:

The Committee of the Whole recommends that this matter be referred to the Council meeting of April 11, 2005 for a legal opinion.

Report of the Commissioner of Planning, dated April 4, 2005:

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.03.086 (David and Honora Rea) BE APPROVED, subject to the following conditions:
  - a) That upon confirmation of the development limits by the Toronto and Region Conservation Authority, By-law 1-88 be amended as follows:
    - i) rezone the tablelands portion of the subject lands from A Agricultural Zone to EM1 Prestige Employment Area Zone;
    - ii) rezone the valleylands portion of the subject property from A Agricultural Zone to OS1 Open Space Conservation Zone;
    - iii) require the following exceptions to the EM1 Prestige Employment Area Zone to implement the final site plan:
      - a minimum of 14 parking spaces, whereas 85 spaces are required,
      - a minimum 10m structural setback zoned OS1 Zone;
      - permit driveway access to be obtained from lands other than the subject lands;
      - any other exception that may be required to facilitate the final site plan.

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2. THAT Site Development File DA.03.072 (David and Honora Rea) BE APPROVED, subject to the following conditions:
  - a) that prior to the registration of the site plan agreement:
    - i) the final site plan, landscape plan and building elevations, including signage shall be approved by the Development Planning Department;
    - ii) the final site grading and servicing plan, stormwater management report and Phase 1 Environmental Site Assessment report, shall be approved by the Engineering Department;
    - iii) access, parking, and on-site circulation, shall be approved by the Engineering Department;
    - iv) all requirements of the Region of York Transportation and Works Department shall be satisfied;
    - v) all requirements of the Toronto and Region Conservation Authority shall be satisfied;
    - vi) all hydro requirements of Power Stream Inc. shall be satisfied;
  - b) that the site plan agreement contain the following provision:
    - i) the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the Planning Act and City of Vaughan Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;
    - ii) the Owner shall convey the valleylands portion of the property into public ownership to either the City or the Toronto and Region Conservation Authority.

**Purpose**

The Owner has submitted a Site Development Application to permit ten multi-unit public storage buildings with an office on the subject lands shown on Attachment #2. The Owner has also submitted a related Zoning By-law Amendment Application to rezone the subject lands from A Agricultural Zone to EM1 Prestige Employment Area Zone (tablelands) and OS1 Open Space Conservation Zone (valleylands).

**Background - Analysis and Options**

The 2.23ha site shown on Attachment #1 is located on the north side of Regional Road 7, southwest of Centre Street, being Lot 18 on Registrar's Complied Plan 10309 (1890 Regional Road 7) in Part of Lot 7, Concession 6, City of Vaughan. The vacant rectangular-shaped site has 71.77m frontage on Regional Road 7, and a lot depth of 326.37m.

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The subject lands are designated “Prestige Area” and “Employment Area General” by OPA #450 (The Employment Area Plan) and zoned A Agricultural Zone by By-Law 1-88. The surrounding land uses are:

- North - vacant (A Agricultural Zone)
- East - vacant, Don River Tributary (A Agricultural Zone and OS1 Open Space Conservation Zone)
- South - Regional Road 7; garden centre, employment (A Agricultural Zone)
- West - Concord Floral greenhouse (A Agricultural Zone)

On January 9<sup>th</sup>, 2004, a Notice of Public Hearing was sent to all property owners within 120m of the subject lands and to the Concord west Ratepayers Association. To date, no responses have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 2, 2004, and to forward a comprehensive report to a future Committee meeting, was ratified by Council on February 9, 2004.

Ontario Municipal Board

On July 14, 2004, the applicant appealed Zoning By-law Amendment Application Z.03.086 (David and Honora Rea) to the Ontario Municipal Board (OMB), pursuant to Section 34(11) of the Planning Act, with respect to Council’s refusal or neglect to enact a proposed amendment to By-law 1-88. The applicant also referred the site plan Application DA.03.072 to the OMB, pursuant to Section 41(12) of the Planning Act, with respect to Council’s failure to approve the site plan within 30 days of the submission of the application on November 26, 2003. On February 17, 2005 the Board heard the City’s motion to adjourn the hearing set for February 23, 2005, which was supported by the Toronto and Region Conservation Authority (TRCA). The City argued three grounds for adjournment.

The first ground, was the need for the City’s Highway 7 Policy Review Study to be completed, in order to consider the proposed land use in the context of the results of the study.

The study is considering how to encourage transit supportive development of the lands along Highway 7 between Highway 50 and Bathurst Street, through potential amendments to the City’s Official Plans and other municipal initiatives. On May 24, 2004, Staff held both the zoning and site plan applications in abeyance pending the outcome of the study, in order to consider the proposed land use in the context of the results of the study, as there would be a mutual benefit in coinciding these matters.

The Board rejected the City’s argument that the outcome of the study is relevant to the applications, and referred to the case of “Clergy Properties v. City of Mississauga” in which it was held that, the policy prevailing at the time an application is made are the policies that must be applied when the application is adjudicated.

The second ground, was the need to allow sufficient time for the site development and zoning amendment applications to be reviewed and circulated by the City. The information and documents required to conduct a proper review, had been requested on several earlier occasions and had only been provided by the applicant on February 7, 2005.

The third ground was the need for the TRCA to determine the limits of development from the stable top-of-bank, which required a geotechnical study to be reviewed and approved by the TRCA. The applicant submitted the study on February 17, 2005, the date of the motion. The Board granted the adjournment until April 19, 2005, to provide the TRCA with time to review the geotechnical study and to provide the City with time to review the site plan and zoning applications.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005

#### Item 26, CW Report No. 24 – Page 4

In light of the Boards ruling, this staff report is being reviewed in consideration of the Employment Area policies in OPA #450, and the requirements of the EM1 Prestige Employment Area Zone in By-law 1-88, and does not have regard to the Highway 7 Study.

#### Official Plan

The subject lands are designated “Prestige Area” and “Employment Area General” by OPA #450

(Employment Area Plan). The “Prestige Area” designation, which extends one lot depth (30m) in from Regional Road 7, provides opportunities for activities that require good visual exposure, good accessibility and an attractive working environment, and would permit a wide range of office, business and civic uses with no outside storage. The “Employment Area General” designation is located within the interior portion of the lot and would permit a wide variety of employment uses, including outside storage. The proposed office and public storage uses along the Regional Road 7 frontage conforms to the “Prestige Area” policies of the Official Plan. Also, the proposed public storage buildings within the interior of the site conforms to the “Employment Area General” policies. The proposed development does not include any outside storage.

#### Zoning

The subject lands are zoned A Agricultural Zone By-Law 1-88. The proposal to rezone the tableland portion of the subject lands to EM1 Prestige Employment Area Zone would implement the employment designations of the Official Plan as the proposed office and public storage uses are considered to be Employment Uses in By-Law 1-88, and would be wholly enclosed with no outside storage. The following exceptions to the EM1 Prestige Employment Area Zone have been identified:

- a minimum of 14 parking spaces, whereas 85 spaces are required;
- permit a driveway access to be obtained from lands other than the subject lands; as discussed in the “Site Plan” section of this report;
- any additional exceptions to the EM1 Zone to facilitate the final site plan, subject to the confirmation of the development limits of the tableland and valleylands by the Toronto and Region Conservation Authority, as discussed below.

A portion of the subject lands at the northeast corner of the property has been identified as being below the top-of-bank and part of the adjacent Don River tributary system, as shown on Attachment #2.

#### Site Plan

The site plan (Attachment #2) shows the main building facing Regional Road 7, with an office and storage units on the ground floor. The site will be developed in two phases. During phase one, seven of ten storage buildings will be developed with the remaining three to be developed at a future date as part of the phase 2 development. The size and layout of these buildings may change once the TRCA confirms the development limits and appropriate buffers for the northeast portion of the site abutting the Don River Tributary. The site will be served by one full access onto Regional Road 7, over the lands to the west, which are under the same ownership, but under a different name, and will require an easement to be obtained. The site will be developed with 14 parking spaces, including two spaces for disabled persons, and a sidewalk around the office portion of the main building to allow pedestrian access to the office. A 9m wide landscape strip is proposed along Regional Road 7, and additional landscaped islands are proposed on the south side of Buildings “C” to “E”.

CITY OF VAUGHAN

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The proposed landscape plan (Attachment #3), shows a mix of coniferous and deciduous trees and shrubs within a 9m landscape strip along Regional Road 7 on the south side of Buildings “B”, “C” and “D” and within a 7.5m landscape strip. The Landscape plan shall be to the satisfaction of the Development Planning Department.

Building Design

The building elevations are shown on Attachments #4 and #4a). Buildings “A” and “B” (office and storage), face Regional Road 7, and will be constructed with two 8m high towers on either end of the building and one 9.3m central tower, each displaying a sign box. The building consists of a blue asphalt shingled roof with a poppy red concrete band below the roofline and blue glass windows on the ground floor surrounded by buff concrete block. Staff recommends that the colour of the roof shingles be either black or grey. The remaining nine multi-unit storage Buildings (“C” to “K”) are of the same design, consisting of a blue shingled roof, with a poppy red concrete block band below the roof line and buff coloured concrete block, and grey overhead doors and man doors. The Applicant has indicated that they are willing to work with staff to improve the colours of the buildings.

Parking

The required parking for the site is calculated as follows:

Building “A” (Office):	$81m^2 \times 3.5 \text{ spaces}/100m^2$	= 2.835
Buildings “B-K” (Warehouse):	$8211m^2 \times 1 \text{ space}/100m^2$	= <u>82.11</u>
Total		84.945 = 85 spaces

By-law 1-88 does not contain a “Public Storage” use and classifies this use to be a warehouse. The Owner is proposing 14 parking spaces to serve the development, and has submitted a parking study prepared by Sernas Transtech dated March 7, 2005, in support of the parking supply. The applicant requires two parking spaces for employees, with the remaining spaces to serve visitors to the site, including two spaces for the physically challenged.

The parking study identified the parking standard for a “mini-warehouse” and “public storage unit” in the City of Cambridge and City of Welland zoning by-laws, which were consistent in the requirement for the provision of a minimum of 5 parking spaces for this type of use. Both municipalities also had similar definitions for these uses. The City of Welland’s by-law includes the following:

“Mini-Warehouse and Public Storage - A building used for the temporary storage of items in separately occupied, secured storage areas or lockers generally accessible by means of individual loading doors and the temporary outdoor storage of seasonal, recreational or commercial vehicles, boats, trailers, etc. which may not conveniently or legally be parked or stored elsewhere.”

The parking study also noted that the City of Vaughan had previously approved a public storage development opposite the subject lands on the south side of Regional Road 7 (Concord Storage, File DA.01.005) with a total of 12 parking spaces.

The parking study recommended that the proposed development require between 5-12 parking spaces. The parking study which was received by Staff on March 14, 2005 in support of the proposed 14 spaces has been approved by the Engineering Department.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

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Servicing

The subject lands are currently using septic tanks, which are not permitted in urban areas. The City will require the site to be serviced with full municipal services. The applicant will be required to extend the existing sanitary sewer on Regional Road 7, in accordance with City standards and specifications and at the applicant's expense.

A platform will be required along the frontage of Regional Road 7 for a future public sidewalk, to the site to the satisfaction of the Engineering Department and the Region of York.

As noted earlier, the site is to be served by one full access on Regional Road 7, from the abutting property to the west. Written consent from the abutting property owner will need to be obtained for grading on the abutting lands prior to site plan approval and Permit issuance.

The applicant will be required to submit a Phase 1 Environmental Site Assessment (ESA) for review and approval by the Engineering Department. The ESA is required as there are contaminated PCB storage/transfer sites and waste depots in the vicinity of the property.

The Regional Municipality of York

The Region has prepared draft amendments to the Regional Official Plan regarding Regional Corridors to support transit initiatives in the Highway 7 Corridor. The Region will be implementing the Highway 7 Transitway in the vicinity of the subject lands in the near future. The preferred alignment identified in the Draft Individual Environmental Assessment recommends that rapid transit will operate in mixed traffic from east of Bowes Road to Centre Street. However, with the reconstruction of the GO Rail overpass of Regional Road 7, opportunities to extend the at-grade bus rapid transit facility located in the centre median area of Highway 7 and within an exclusive right-of-way will be explored. Accordingly, the Owner has been advised that upon implementation of the median transit facility, access from the subject property will be restricted to right-in and right-out movement.

The Region advises that it is protecting a 45m wide right-of-way for this section of Regional Road 7, and will require all municipal setbacks to be referenced from a point 22.5m from the centreline of Regional Road 7. Access and any required road widenings, shall be addressed to the satisfaction of the Region.

The York Region Transportation Master Plan identifies this area as a potential location for a GO Transit station. Staff have received comments from GO Transit with regards to the potential for this station and the implications it may have on the subject lands, and they have indicated that the subject lands are not required for a "Concord" GO Transit Station.

On May 27, 2004, the TRCA undertook a natural features staking and it was identified that a geotechnical study addressing slope stability would be required to establish the limits of development from the greater of the Regional Storm Flood Plain, stable top-of-bank or significant vegetation. Once these limits are established, the valleyland portion of the site, will be rezoned from A Agricultural Zone to OS1 Open Space Conservation Zone, to be conveyed in to public ownership to either the TRCA or the City. The TRCA also requires a minimum 10m structural setback to be applied to the boundary of lands zoned OS1 Zone, which will be included as an exception in the zoning by-law.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

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Parkland Dedication

The Owner will be required to pay to the City, cash-in-lieu of the dedication of parkland in accordance with provisions of the Planning Act, prior to the issuance of a building permit. A recommendation of the staff report will require the inclusion of a clause to this effect into the site plan agreement.

**Relationship to Vaughan Vision 2007**

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Conclusion**

Staff has reviewed the proposed Site Development and Zoning By-law Amendment applications in accordance with the policies in OPA #450, the requirements of By-law 1-88, the area context and the ruling of the Ontario Municipal Board, which requires the City to apply the policies prevailing at the time an application is made notwithstanding the City was undertaking the Highway 7 Policy Review Study. Staff is satisfied that the proposed multi-unit public storage development and rezoning of the site from A Agricultural Zone to EM1 Prestige Employment Area Zone (tableland) and OS1 Open Space Conservation Zone (Valleyland) is appropriate and compatible with the surrounding development.

Staff can support the proposed applications to develop the site and to amend the Zoning By-law, subject to the conditions contained in this report. The applications will be considered by the OMB at a hearing scheduled for April 19 – 21, 2005.

**Attachments**

1. Location Map
2. Site Plan
3. Landscape Plan
- 4.a Elevations Buildings "A" and "B"
- 4.b Elevation Buildings "C to K"

**Report prepared by:**

Christina Napoli, Planner I, ext. 8483  
Arto Tikiryan, Senior Planner, ext. 8212  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

(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.)

*Please refer to Item 8, Committee of the Whole (Closed Session) Report No. 25, for disposition of this matter.*

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 27, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

27

**PROCLAMATION REQUEST –  
FIBROMYALGIA AND CHRONIC FATIGUE SYNDROME AWARENESS DAY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated April 18, 2005:

**Recommendation**

The City Clerk recommends:

- 1) That May 12, 2005 be proclaimed as “Fibromyalgia and Chronic Fatigue Syndrome Awareness Day” and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

**Purpose**

To respond to the request received from Gisella Imbrogno, on behalf of York Region Fibromyalgia and Chronic Fatigue Wellness Support Group, in association with FM-CFS Association of Canada and Compassion in Action.

**Background - Analysis and Options**

The correspondence received from Gisella Imbrogno, dated April 11, 2005, is attached (Attachment #1).

The proclamation request meets the requirements of the City’s Proclamation Policy: *“That upon request, the City of Vaughan issue proclamations for events, campaigns or other similar matters: which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act”.*

The purpose of this proclamation is to raise public awareness of this disease which afflicts about 8% of the population. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

Staff is recommending May 12, 2005 be proclaimed as “Fibromyalgia and Chronic Fatigue Syndrome Awareness Day” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 27, CW Report No. 24 – Page 2

**Attachments**

Attachment #1 - Correspondence from Gisella Imbrogno, on behalf of York Region Fibromyalgia and Chronic Fatigue Wellness Support Group, in association with FM-CFS Association of Canada and Compassion in Action, dated April 11, 2005

**Report prepared by:**

John D. Leach, City Clerk

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 28, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

28

**FLAG RAISING REQUEST -  
RUSSIAN FEDERATION IN TORONTO**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated April 18, 2005:

**Recommendation**

The City Clerk recommends:

That the Russian flag be raised on Friday, June 10, 2005 at 12:30 p.m. for the balance of that day at the Civic Centre to commemorate the National Day of the Russian Federation.

**Purpose**

To respond to a request received from the Roman Ostrovsky & Associates.

**Background - Analysis and Options**

Mr. Roman Ostrosky has requested that the Russian flag be raised at noon on Friday June 10, 2005 at the Civic Centre to commemorate the National Day of the Russian Federation (Attachment #1). At the annual barbeque reception given by Mr. Nikolay in 2004, it was suggested by Mayor Di Biase that a request be forwarded to the City of Vaughan requesting a flag raising ceremony at City Hall. Council has previously approved a similar flag raising request to commemorate the anniversary of Philippine Independence.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

It is recommended that the Russian flag be raised at 12:30 p.m. on Friday, June 10, 2005 at the Civic Centre for the remainder of that day.

**Attachment**

Attachment #1 Letter from Mr. Roman Ostrovsky, dated April 5, 2005

**Report prepared by:**

John D. Leach, City Clerk

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 29, Report No. 24, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 25, 2005, as follows:

***By approving the recommendation of Councillor Carella, dated April 18, 2005.***

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**29      ENSURING REASONABLY-PRICED ACCESS TO CABLE TELEVISION SERVICES**

This matter was forwarded to the Council meeting of April 25, 2005, without recommendation.

**Recommendation**

Councillor Carella recommends that Council inform all cable television companies operating within the boundaries of the City of Vaughan that it is in support of their providing customers with access to the widest range of cable choices consistent with the level of fees currently charged to such customers.

**Purpose**

To ensure that Vaughan residents will have the widest possible access to cable services without having to pay additional fees.

**Background - Analysis and Options**

Cable television is subject to federal regulation through the Canadian Radio-television and Telecommunications Commission (CRTC). However, within any geographic area cable providers generally enjoy a monopoly in respect of such services. Given the fact that monopolies are, by definition, not subject to the pressures of the marketplace, it is appropriate that the various levels of government, other than the federal, act as vehicles by which cable customers can inform cable providers of their concerns.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

Given the monopoly nature of cable television services, citizens who choose to access such services are more or less at the mercy of established providers. It is appropriate that Council---on behalf of constituents who are subject to this monopoly---convey the sense of Council, that customers are entitled to the widest range of service selection consistent with past fee levels.

**Attachments**

None

**Report prepared by:**

Councillor Tony Carella

Regional Councillor Jackson declared an interest with respect to the foregoing matter as her daughter's family are involved in the cable television industry, and did not take part in the discussion or vote on the matter.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 30, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

30

**PROVINCIAL TASK FORCE ON MUNICIPAL FINANCES**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated April 18, 2005:

**Recommendation**

Councillor Carella, Chair, Intergovernmental Relations Committee---along with committee members Councillor Di Vona and Councillor Shefman---recommends:

That the City of Vaughan request the Minister of Finance and the Minister of Municipal Affairs and Housing convene a task force composed of appropriate representatives from both ministries and from upper and lower tier municipalities in the GTA/905 area, to review provincially-mandated financial arrangements having implications for the delivery of municipal services (including but not limited to social housing and welfare) funded from property taxes.

**Purpose**

To enjoin the provincial government to understand the fiscal pressures building on GTA/905 municipalities (and by extension, all property owners in the GTA/905) as a consequence of financial arrangements imposed upon said municipalities by the Province of Ontario; and to initiate the process by which GTA/905 municipalities can benefit from a 'new deal' from the Province of Ontario.

**Background and Analysis**

The Intergovernmental Relations Committee is of the view that just as the Province of Ontario is entitled to a 'new deal' from the Government of Canada, GTA/905 municipalities deserve a new deal from the Province of Ontario. Toronto and the GTA/905 constitute in fact the economic engine of the nation. For that reason they not only attract the bulk of all new immigrants to the country, their populations have enhanced expectations in terms of the sorts of services local and regional governments should provide, and of the timeliness with which such services are delivered. Yet current financial arrangements limited the scope of such services, while delaying or preventing their delivery.

Councillor Di Vona initiated the request for the establishment of the above-mentioned task force in light of the on-going discussion of the issue of 'pooling', one instance of a provincially-mandated financial arrangement which places a burden on property taxpayers in one geographical area, to support the delivery of services in another such area. Without addressing the fairness of pooling, it is in fact an example of tampering with the most basic principle of property taxation---that local property taxes should fund local services as delivered by an area municipality, or an upper tier municipality, or both.

Councillor Shefman stressed the serious impact that current financial arrangements are having on social services in both the Region of York and the City of Vaughan. In his view, not only do we have to dismiss the myth that "everything is OK" in the suburbs, but we must also recognize that Vaughan is witnessing many if not all of the same problems that Toronto is experiencing relative to social service needs.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 30, CW Report No. 24 – Page 2

Premier McGuinty has argued that the allocation of federal funds for the delivery of provincial services (e.g., health and education) across Canada is neither equitable nor consistent. That is true. But the inequity and inconsistency is not limited to federal-provincial arrangements; they extend to provincial-municipal arrangements as well.

**Relationship to Vaughan Vision 2007**

This report is consistent with priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

If any relief is to be had from pooling and other provincially-mandated financial arrangements which adversely impact local property owners, municipal governments need to continue to press the provincial government for a review of the consequences of such arrangements and for the development of alternative arrangements. The proposed task force is intended to achieve that purpose.

**Attachments**

None

**Report prepared by:**

Councillors Carella, Di Vona, and Shefman

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 31, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

31

**ALEXANDER GRAHAM BELL DAY – APRIL 29, 2005**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Meffe, dated April 18, 2005:

**Recommendation**

Councillor Peter Meffe recommends:

That April 29<sup>th</sup>, 2005 be declared as “Alexander Graham Bell Day”.

**Purpose**

The purpose of this recommendation is to declare April 29<sup>th</sup>, 2005, “Alexander Graham Bell Day” in the City of Vaughan.

**Background - Analysis and Options**

The telephone was invented by a Canadian, Alexander Graham Bell.

The telephone is one of the most innovative and supportive technological contributions in mankind's' history.

Today the telephone is accepted as the primary method of communication in the world. It has improved health, safety and social co-existence in our society perhaps more than any other available technology in the world.

April 29<sup>th</sup>, 2005 marks the 125<sup>th</sup> anniversary of the invention of the telephone.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

I recommend that April 29<sup>th</sup>, 2005 be declared as “Alexander Graham Bell Day”.

**Attachments**

n/a

**Report prepared by:**

Adele Panicali,  
Council Administrative Assistant

(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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 32, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

32

**MARTIN GROVE ROAD AT HIGHWAY NO. 7  
RIGHT TURN LANE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated April 18, 2005:

**Recommendation**

Councillor Tony Carella recommends:

That the Region of York be requested to undertake the necessary intersection capacity and operations analysis to examine the need for a Martin Grove Road southbound right turn lane at the Martin Grove Road / Highway 7 intersection and to undertake any identified improvements.

**Purpose**

To identify and implement improvements at this intersection.

**Background - Analysis and Options**

The intersection of Martin Grove Road at Highway No. 7 is under the jurisdiction of the Region of York. Martin Grove Road at the intersection in the north bound direction comprises: two through lanes, a right turn lane and a left turn lane. In the southbound direction, Martin Grove Road has two through lanes and a left turn lane.

Southbound motorists wishing to turn right (west) on Highway No. 7 are delayed by through traffic queued at the traffic signal during the red phase. Volumes of traffic are heavy in the morning peak which makes the right turn movement particularly slow.

Traffic operations in the area could be improved through the implementation of a southbound right turn lane. As well, changes to traffic signal timing may result in improvements.

As the intersection is under the jurisdiction of the Region of York, they should be requested to investigate and implement improvements.

**Relationship to Vaughan Vision 2007**

This request is consistent with Vaughan Vision 2007 in that it seeks to implement solutions to traffic gridlock (3.2).

This report is consistent with the priorities previously set by Council and the necessary Regional Resources are requested to be assigned.

**Conclusion**

Since the intersection is under the jurisdiction of the Region, they should be requested to undertake the necessary studies and implement improvements.

**Attachments**

N/A

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 32, CW Report No. 24 – Page 2

**Report prepared by:**

Councillor Tony Carella, Ward 2

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 33, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

33

**COMMUNITY CLEAN-UP PROJECT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated April 18, 2005:

**Recommendation**

Councillor Carella recommends that appropriate municipal staff assist the community group known as *Vaughan Values* with necessary arrangements to effect a clean-up of litter along a portion of Langstaff Road (between Vaughan Mills Road and Highway 27) scheduled for Saturday, May 7, 2005.

**Purpose**

To support a community-based effort which promotes the City's anti-litter initiative.

**Background - Analysis and Options:**

*Vaughan Values* is community-building initiative co-chaired by Romolo Villani, Principal, St.-Jean-de-Brebeuf Catholic High School and Joe Grando, Vice-Chair, Vaughan Public Libraries. Following its official launch at *Honouring Ward 2 Volunteers*---a reception and luncheon saluting volunteers active in Ward 2 set for April 24, *Vaughan Values* will undertake its first initiative, the clean-up of a portion of Langstaff Road between Vaughan Mills Road and Highway 27.

To support this effort, volunteers may require certain supplies (e.g., garbage bags) and equipment (e.g., garbage bins, rakes, etc.) from municipal stores, depending on the outcome of a forthcoming assessment of the proposed site by the co-chairs, and the requirements of the task they have set from themselves. In any case, the initiative is one which can only redound to the credit of the City of Vaughan, and for that reason deserves the support of the municipal corporation.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

**Conclusion**

A community-based anti-litter initiative may require reasonable support from the City, which should be forthcoming, as it sets the sort of example which needs to be encouraged, if the City's own anti-litter efforts are to succeed.

**Attachments**

None

**Report prepared by:**

Councillor Tony Carella

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 34, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

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**34**

**NEW BUSINESS – REQUEST FOR STAFF ATTENDANCE  
AT A COMMUNITY MEETING**

**The Committee of the Whole recommends that staff from the Parks Department and Enforcement Services, attend a community meeting on April 21, 2005 at 7:00 p.m. at Gallanough Resource Centre, to receive resident input regarding Gallanough Park for the upcoming summer months.**

The foregoing matter was brought to the attention of the Committee by Councillor Shefman.



CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 36, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

36

**DEPUTATION – MR. TERRY GOODWIN  
WITH RESPECT TO CENTRE STREET MATTERS**

The Committee of the Whole recommends that the deputation of Mr. Terry Goodwin, 122 Thornridge Drive, Thornhill, L4J 1E3, and written submissions dated April 8, 2005, January 20, 2005 and July 9, 2004, and written submission from URS Canada Inc., 75 Commerce Valley Drive East, Markham, L3T 7N9, dated April 15, 2005, be received, and that the concerns expressed by the deputant be brought forward by a Member of Regional Council to the various committee meetings.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 25, 2005**

Item 37, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 25, 2005.

**37**

**DEPUTATION – MR. GAETANO IUORIO  
WITH RESPECT TO REMOVAL OF TRASH IN RAVINE**

The Committee of the Whole recommends that the deputation of Mr. Gaetano Iuorio, 22 Curtis Court, Maple, L6A 1Y4, be received, and that this matter be referred to the Members of Council that sit on TRCA, Humber Watershed Alliance and the Don Watershed Regeneration Council, to explore opportunities to clean the open spaces that are in the ownership of TRCA.