

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 1, Report No. 34, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on May 24, 2005, was dealt with by approving:

That this matter be referred to the next Budget Committee meeting.

1

**“LAZY DAYS OF SUMMER”
RECREATIONAL SWIM DISCOUNTS**

The Committee of the Whole recommends that this matter be referred to the Council meeting of May 24, 2005.

Recommendation

Local and Regional Councillor Linda D. Jackson recommends:

THAT City of Vaughan Council approve a 50 percent discount on recreational swimming rates, during regularly scheduled recreational swim hours, effective June 21, 2005 until September 21, 2005 inclusive,

THAT Recreation and Culture staff report back in the Fall of 2005 to apprise Mayor and Members of Council of the financial impact of this program compared to previous years.

Economic Impact

It is unknown what the revenue or expense of this proposal would be at this time. The reduced rate program may generate increased community participation. The costs of maintaining and operating City of Vaughan pools are fixed.

A comparison of the rates is as follows:

Recreational Swim Fees (G.S.T. included)

	YOUTH (4-15 yrs)	YOUTH <i>discounted</i>	ADULT (16 yrs+)	ADULT <i>discounted</i>	SENIOR (60 yrs+)	SENIOR <i>discounted</i>	GROUP*	GROUP* <i>discounted</i>
Single	\$2.50	\$1.25	\$5.00	\$2.50	\$3.75	\$2.85	\$10.00	\$5.00
Swim Pass (50 visits)	\$100.00	\$50.00	\$200.00	\$100.00	\$150.00	\$75.00	\$400.00	\$200.00
Book of 10 Passes	\$23.00	\$11.50	\$45.00	\$22.50	\$34.00	\$17.00	\$90.00	\$45.00

**3 or more people living at the same address to a maximum of 5.
Children 3 years of age and under are FREE.*

Purpose

To promote healthy living and to provide opportunities for residents of the City of Vaughan to participate in swimming activities as a family.

Background - Analysis and Options

With the increased costs of recreation, both privately and publicly, a “summer” swimming discount will encourage families and individuals to become more physically active and provide a more affordable means for families to participate together in a sports related activity.

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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.

Report prepared by:

Mirella Compagno

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Item 2, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

2

ALLWAY STOP CONTROLS – BLOCK 10

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated May 16, 2005:

Recommendation

Councillor Sandra Yeung Racco recommends:

1. That staff be requested to investigate the need for and the feasibility of installing an allway stop control at Bathurst Glen Drive and Summeridge Drive; and
2. That staff be requested to investigate the need for and the feasibility of installing an allway stop control at Autumn Hill Boulevard and Pleasant Ridge Avenue; and
3. That staff report to a future Committee of the Whole meeting with respect to their findings as soon as possible.

Economic Impact

N/A

Purpose

To control speeding concerns at the above-noted intersections, and thereby ensure pedestrian safety along Bathurst Glen Drive and Pleasant Ridge Avenue.

Background - Analysis and Options

Several residents have contacted my office with regards to speeding concerns at the intersection of Bathurst Glen Drive and Summeridge Drive. Currently, there is a two-way stop control at the intersection of Autumn Hill Boulevard and Pleasant Ridge Avenue; however, this is also the location of a bus stop, and pedestrians using the transit stop feel that an allway stop control would make the intersection safer. Allway stop controls at the two above-noted intersections would enforce vehicular stoppages, thereby reducing speeds and improving community safety for residents and pedestrians.

Relationship to Vaughan Vision 2007

- 1.1.3 Identify and implement innovative traffic management alternatives to improve general traffic safety.

This report is consistent with priorities previously set by Council.

Conclusion

In response to concerns outlined by area residents, and in order to maintain community safety, it is recommended that staff review the need for the above-mentioned allway stop controls at the specified locations.

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Attachments

None

Report prepared by:

Cindy Furfaro-Benning, Council Administrative Assistant

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Item 3, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

3 REVISION TO PART 5, CLAUSE (2) OF THE ANIMAL CONTROL BYLAW

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated May 16, 2005:

Recommendation

Councillor Sandra Yeung Racco recommends:

1. That the City of Vaughan Legal Department research the feasibility and merit of revising Bylaw 53-2002, the Animal Control Bylaw, Part 5, Care of Animals, Clause (2) to include dog runs as one of the structures that shall be located not less than 1.4 metres from the property line; and
2. That the City of Vaughan Legal Department report back to a future Committee of the Whole with a report.

Economic Impact

N/A

Purpose

To address resident concerns regarding the City of Vaughan Animal Control Bylaw.

Background - Analysis and Options

Currently, Part 5, Clause (2) of the Animal Control Bylaw reads that "If a dog or cat is customarily kept out of doors, the person having the custody and control of the animal shall at all times provide for it's use a structurally sound, weather-proof enclosure with an off the ground flooring, kept in a sanitary condition, which shall be located not less than 1.4 metres from the property line."

In speaking to both the Bylaw Department and the Building Standards Department, my office discovered that while this clause does apply to dog houses, it does not apply to dog runs. When inquiring into why dog runs were not included, I came to understand that when the Bylaw was written, the increased use of dog runs was not anticipated.

Residents have brought concerns to my office regarding this Bylaw, as it seems more and more residents are building dog runs in their rear properties. As no setback is required for dog runs, they may be built right at the property line, which then raises the concern that when the dog run is hosed down, all the waste material runs onto a neighbour's property.

The Animal Control Bylaw should be updated to reflect the increased use of dog runs, and to ensure that dog runs must meet a setback requirement so as not to impact negatively on neighbouring properties.

Relationship to Vaughan Vision 2007

- 1.1.6 Review the level of enforcement, compliance and monitoring of regulations related to public safety.

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1.3.1 Develop and implement innovative alternatives for service delivery.

This report is consistent with priorities previously set by Council.

Conclusion

The Animal Control Bylaw should be reviewed and updated to conform to current animal care practices and to ensure that neighbouring properties are not negatively impacted by animal care practices.

Attachments

1. Bylaw Number 53-2002

Report prepared by:

Cindy Furfaro-Benning, 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.)

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Item 4, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

4 **CITY OF VAUGHAN YOUTH STRATEGY**

The Committee of the Whole recommends:

- 1) **That Clauses 1 and 2 of the recommendation contained in the following report of Regional Councillor Ferri, dated May 16, 2005, be approved;**
- 2) **That Clauses 3 and 4 be referred to the Committee of the Whole (Working Session) meeting of June 21, 2005;**
- 3) **That the following deputations be received:**
 - a) **Mr. Nick G. Pasquino, Youth Strategy Task Force, 11 Misty Well Drive, Richmond Hill, L4E 4J2;**
 - b) **Ms. Nancy LaNeve, Youth Strategy Task Force, 16 Thicket Trail, Woodbridge, L4H 1Y2;**
 - c) **Mr. Mark Anthony Frisoli, Youth Strategy Task Force, 36 Summerwood Court, Vaughan, L4L 9A3;**
 - d) **Ms. Jennifer Corriero, TakingITGlobal, 19 Duncan Street, Suite 505, Toronto, M5H 3H1;**
 - e) **Ms. Mary Cosentino, Superintendent, York Catholic District School Board, 320 Bloomington Road West, Aurora, L4C 2M6; and**
 - f) **Mr. David Major, Motivate Yourself, 6 Maxwell Court, Thornhill, L4J 6Y3; and**
- 4) **That the following written submissions be received:**
 - a) **Mr. Bill Hogarth, Director of Education, York Region District School Board, 60 Wellington Street West, Box 40, Aurora, L4G 3H2, dated May 12, 2005;**
 - b) **Ms. Susan LaRosa, Director of Education, York Catholic District School Board, 320 Bloomington Road West, Aurora, L4G 3G8, dated May 13, 2005; and**
 - c) **Mr. Dino Giuliani, Vice-Chair of the Board, Vaughan Trustee, Area 2, Ward 2, Ms. Teresa Ciaravella, Vaughan Trustee, Area 1, Ward 1, Mr. Michael Carnovale, Vaughan Trustee, Area 3, Ward 3, and Mr. Joe Spineto, Vaughan Trustee, Area 4, Wards 4, 5, York Catholic District School Board, 320 Bloomington Road West, Aurora, L4C 3G8, dated May 13, 2005.**

Recommendation

Regional Councillor Mario Ferri recommends:

1. THAT Council approves the City of Vaughan Civic Youth Strategy Proposal;
2. THAT Council approves the establishment of the Vaughan Youth Cabinet (VYC) and attached terms of reference to replace the former Youth Advisory Council; and
3. THAT Council approves the creation of a Vaughan Youth City Councillor and accompanying roles and responsibilities for the position.
4. THAT this youth initiative be a pilot project for the duration of this term of Council and that staff report back at a Committee of the Whole in the Fall of 2006 with recommendations for full implementation.

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Economic Impact

The funding source for the City of Vaughan Civic Youth Strategy Proposal will be the Youth Advisory Committee budget (\$7,000) and a \$7,500 grant which has been received from the Ministry of Tourism and Recreation to support a Youth Leadership Conference in 2006. Any initiatives without funding will be phased in over time as additional resources become available through the future fundraising efforts of the Vaughan Youth Council (VYC).

Purpose

The purpose of this report is to provide Members of Council with information on the work that has been undertaken by the Vaughan Youth Strategy Task Force and to seek Council approval of the City of Vaughan Civic Youth Strategy Proposal.

Background - Analysis and Options

As part of the strategic planning review process in January 2004, Members of Council agreed to look into the development of a Youth Strategy that would provide direction and a plan to support the delivery of services for this growing segment of the City's population. Regional Councillor Mario Ferri volunteered to lead this initiative and work with staff and community partners to develop a Civic Youth Strategy and plan to Council for their review and approval. A Youth Forum was held on Wednesday April 21, 2004 at the City of Vaughan. Over 40 participants attended including youth from various high schools across the city along with the following agencies: York Regional Police, York Region Community Services, Youth Assisting Youth, York Catholic School Board and Toronto Youth Cabinet. The session was Chaired by Councillor Mario Ferri and attended by Councillor Sandra Yeung Racco.

In June 21, 2004 a preliminary report on the City of Vaughan Civic Youth Strategy was prepared. The report introduced the creation of a Vaughan Youth Task Force which would work with youth, Council representatives and city staff to develop a Vaughan Civic Youth Strategy.

Establishment of the Vaughan Youth Task Force

Shortly after the June 21, 2004 Council report the Vaughan Youth Task Force was established. The task force consists of the following representatives:

Youth Task Force Representatives

Rahim Bapoo
Jennifer Corriero
Adrian Corsin
Mark Anthony Frisoli
Lauren Grossi
Sharon Kaur
Tavlin Kaur
Nancy La Neve
Vittoria La Neve
Stephen Lecce
Ana-Lisa Lombardi
Amanda Magnifico
Nick Pasquino
Adam Settecase

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City Representatives

Regional Councillor Mario Ferri
Lina Masci
Gina Soriano, Rick DeMederios, Ajay Sharma, Diane LaPointe-Kay (staff)

York Region Advisor

Howard Dayton

Goals of the Civic Youth Strategy

The Civic Youth Task Force adopted the following goals for the Civic Youth Strategy:

1. To identify the needs of youth;
2. To identify and develop a model to collaborate with Vaughan youth and agencies on the delivery of youth services;
3. To develop an overall framework and plan of action in the delivery of services that will assist the City of Vaughan in addressing the issues of preteens and youth;
4. To identify funding opportunities and other resources to support the youth strategy;
5. To develop a framework that gives youth a voice on City council and civic matters;
6. To recognize youth and their contributions to the quality of life in the City of Vaughan.

Vaughan Civic Youth Strategy

The Youth Strategy Task Force has been active over the last year undertaking primary research, and meetings to discuss the scope and structure of Vaughan's current youth initiatives. The research included the review of the City of Toronto's "Toronto Youth Profile 2001", and the York Regions Human Services Planning Coalition's A Call to Action – Youth Strategy Task Force. November 20, 2002." Meetings and discussions were held with key community leaders such as Bill Fisch, Chair of York Region, Board of Education representatives as well as local service providers and youth.

A number of subcommittee groups undertook various tasks such as identifying challenges, formulating possible solutions and preparing proposals for consideration. Over a number of productive meetings, the information was consolidated and titled the "City of Vaughan Civic Youth Strategy, May 2005". (Attachment #1)

Following are the key initiatives to address the six strategies identified in the report by the Youth Task Force:

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Initiative #1 To establish a non-statutory advisory committee of Council called the Vaughan Youth Cabinet.

The Youth Strategy Task Force recommends the establishment of the Vaughan Youth Cabinet (VYC). The purpose of VYC is to become the official youth voice for young people between the ages of 16 - 25 years of age in the City of Vaughan. The VYC would be created to serve the population of Vaughan by empowering youth to make a positive difference in the lives of others.

The Vaughan Youth Cabinet would replace the former Youth Advisory Committee which has not been in operation since 2002. The primary difference between the VYC and the former Youth Advisory Council is the new organizational structure which allows for broader representation of youth through the various portfolios and general membership. The new structure lends itself for greater youth involvement. It also affords the opportunity for the Vaughan Youth Cabinet to build a stronger network of youth to undertake various initiatives.

The VYC would be a non-statutory Advisory Committee of Council. This committee will include a VYC Executive and subcommittee(s) along with opportunities for general membership. (See Attachment #1 City of Vaughan Civic Youth Strategy – Organizational Structure Pages 18 and 19) Through the new structure VYC can engage more youth and ensure that the programs and strategies outlined in their proposed plan can be met. A detailed Vaughan Youth Cabinet Terms of Reference is enclosed in Attachment #2.

The proposed Vaughan Youth Cabinet is similar to the City of Toronto - Toronto Youth Cabinet model which was founded in 1998 and has been successful in undertaking numerous youth related initiatives and programs.

Initiative #2 To establish a Vaughan Youth City Councillor position.

The Youth Strategy Task Force recommends that a Vaughan Youth City Councillor position be established to represent youth on civic matters. The Vaughan Youth City Councillor will act as a conduit for information and ideas among youth through the Vaughan Youth Cabinet and City Council.

The Vaughan Youth City Councillor would be a non-recording member of City Council and be invited attend the Committee of the Whole and Council public meetings. The Task Force recommends that Council appoint a youth, between 16 years to 25 years of age to each serve a one year term over a three year period. This term may be extended on an annual basis. The attached proposed position description outlines their role and responsibilities. (Attachment #3 - Vaughan Youth City Councillor – Position Outline) The York Catholic District School Board and the York Region District School Board have a similar program in place which is successful in enhancing the communication and needs of youth. Both Boards have shown interest in potentially offering co-op credits to high school students wishing to pursue the Youth City Councillor position.

A Youth City Councillor Handbook would be developed by the Vaughan Youth Cabinet in consultation with the City. A training program would be provided to assist the Youth City Councillor in carrying out their role and responsibilities.

Initiative #3 To implement youth initiatives in community and civic involvement.

Within the VYC strategy document, the Vaughan Youth Task Force identified four (4) key areas in which initiatives would be developed. The organizational structure and mandate for the VYC is also structured around these areas. The following activities would be developed over time and as resources are secured:

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- a) **Community Services** – support and undertake community events (i.e. Annual food drive, park clean-up days, etc)
- b) **Leadership Development** – the creation of an annual City-Wide Youth Leadership Recognition Awards Night, Youth Leadership Conference and Scholarship program.
- c) **Community Building** – the creation of a network of youth through the VYC membership, youth agencies/clubs and community youth leaders; disseminate information through a website and quarterly newsletter
- d) **Civic Involvement** – the establishment of the Youth City Councillor position to enhance civic participation amongst youth in Vaughan. (attend Council meetings and official youth-related civic events)

Initiative #4 To undertake a youth needs assessment study.

The Recreation and Culture Department will be undertaking a strategic master plan which will guide the development of parks, recreation and facilities and services over the next 5-10 years. Part of this process will include conducting an assessment of youth needs. Youth will be an active participant in this process. The Vaughan Youth Cabinet will assist in gathering some of the primary research. The information will also assist the City and VYC in identifying gaps and opportunities to further enhance the delivery of services to Vaughan Youth.

Staff Support and Resources

An appointed staff liaison from the Recreation and Culture department will attend meetings and provide information in an advisory capacity, as appropriate to the Committee. The role of staff is to act as a resource to the committee, but not to do the work of the committee. The VYC committee's work is to be conducted by the executive members and/or members of the subcommittees. Other additional support is available from the Office of the City Clerk as outlined in the General Rules, Roles and Procedures Policy Governing Advisory Committees.

A grant for \$7,500 from the Ministry of Tourism and Recreation has been received to assist in the development of a Youth Leadership Conference in 2006. Within Community Services \$7,000 is allocated to support the youth advisory committee. (VYC)

Relationship to Vaughan Vision 2007

The Vaughan Youth Strategy identifies opportunities to enhance the delivery of services, participation and communication for youth in Vaughan. This report is consistent with the direction set by Council and the necessary resources have been allocated and approved to support a number of strategies within the Vaughan Youth Strategic proposal. Any initiatives without funding will be phased in over time as additional resources become available through the fundraising efforts of the VYC group.

Conclusion

As part of the strategic planning review process in January 2004, Members of Council agreed to look into the development of a Youth Strategy that would provide direction and a plan to support the delivery of services for youth in Vaughan. Led by Regional Councillor Mario Ferri a Vaughan Youth Task Force developed the Vaughan Civic Youth Strategy Proposal. The Vaughan Youth

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Task Force is seeking Council's approval of the Vaughan Youth Strategy Proposal. The proposal includes the creation of the Vaughan Youth Cabinet (VYC), the creation of a non-recorded Youth City Councillor position and a plan to implement various youth initiatives to encourage participation of youth in community and civic matters. Some staff assistance will be available to support the proposed Vaughan Youth Cabinet; a Ministry of Tourism and Recreation grant of \$7,500 has been approved for a Youth Leadership Conference in 2006. Within Community Services Commission, \$7,000 is allocated to support the youth advisory committee. (VYC)

Attachments

1. City of Vaughan Civic Youth Strategy, Vaughan Youth Strategy Task Force, May 2005
(Available in the Clerks Department)
2. Vaughan Youth Cabinet – Proposed Terms of Reference
3. Vaughan Youth City Councillor – Proposed Position Outline

Report Prepared By

Mario Ferri in consultation with Diane LaPointe-Kay, Director of Recreation & Culture and Monika Piil, Supervisor, Recreation & Culture.

(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. 34, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 24, 2005, as follows:

By receiving the memorandum from the City Manager, dated May 20, 2005.

5 AUTHORITY FOR APPROVAL OF CONTRACT HIRES OVER THREE MONTHS

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the City Manager, dated May 16, 2005, be approved; and**
- 2) **That staff bring forward the approved policy with respect to hiring contract positions.**

Recommendation

The City Manager, in consultation with Senior Management Team, recommends:

That the City Manager resume his responsibility for authorizing the staffing of all contract positions that are within the approved 2005 Operating Budget.

Economic Impact

The associated salary and benefit costs are within the approved 2005 budget.

Purpose

To advise Council that, subject to the recommendation of the respective Commissioner, the City Manager will resume his responsibility for authorizing the staffing of all contract positions that are within the approved 2005 Operating Budget.

Background - Analysis and Options

On February 14, 2005, Council approved, in part, the following:

“That staff provide to list to the next Budget Committee meeting of all vacant contract positions;

And further, that contract positions exceeding 3 months not be filled until such time as the Budget Committee has completed its review.”

The list of vacant contract positions was provided as requested to Budget Committee on two occasions; on January 31, 2005 and on February 16, 2005.

Subsequently, on February 21, 2005, Council approved, in part, the following Budget Committee (Closed Session) recommendation:

“That backfill positions relating to pregnancy and parental leaves, Workers Safety Insurance Board (WSIB), Long Term Disability (LTD), unpaid personal leave and sick leave without pay be excluded from the requirement of Council to approve contract positions beyond three months;”

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At the February 21, 2005 Special Council meeting, the 2005 Budget was approved. However, Council continues to receive staff reports seeking approval to hire contract employees for a period of greater than three months, notwithstanding the funding for these positions has been allocated in the respective department's approved operating budget.

In reviewing this matter with Senior Management Team, the issue that has been raised is that departments are challenged to meet operational expectations and the time that is required to prepare reports, submit to Committee of the Whole and await approval at Council is further impacting the efficiency of the staffing process. It is the opinion of the City Manager and the Senior Management Team that the normal approval process through the Commissioners and the City Manager should resume.

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 City Manager will resume his responsibility for authorizing the staffing of all contract positions that are within the approved 2005 Operating Budget.

Report prepared by:

Cathrine Berge, Director of Human Resources

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Item 6, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

6

**AWARD OF TENDER T05-060
TREELAWN PARKETTE – PARK DEVELOPMENT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated May 16, 2005:

Recommendation

The Commissioner of Community Services, in consultation with the Directors of Purchasing, Reserves and Investments and Parks Development recommends:

1. That T05-060, TREELAWN PARKETTE – PARK DEVELOPMENT be awarded to Dig-Con International Ltd. for the amount of \$85,525.00 (excluding G.S.T.); and,
2. That a contingency allowance of \$20,000.00 be approved, within which the Director of Parks Development is authorized to approve amendments to the contract; and,
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Capital project #5931-0-04 was approved in the 2004 budget. The annual operating cost of \$6,000.00 is required to maintain this park once completed.

Purpose

The purpose of this report is to seek approval to award tender T05-060 for the development of TREELAWN PARKETTE.

Background - Analysis and Options

The project is for the construction of Treelawn Parkette located near Islington Ave. and Treelawn Blvd. Project #5931-0-04 was approved in the 2004 capital budget and includes the following in accordance with the master landscape plan: concrete and pre-cast concrete unit paver walkway; site furnishings; tree and shrub planting; hydraulic seeding; natural stone retaining walls and seat walls; one (1) play pit complete with junior and senior play structures and swings and one (1) metal gazebo structure complete with lighting. The proposed park components were developed through community consultation and were reviewed by the York Regional Police with regards to the principles of CPTED – Crime Prevention Through Environmental Design.

This tender was advertised in the Daily Commercial News and the Electronic Tender Network (ETN). Tenders were closed and publicly opened on Wednesday, March 30, 2005 at 3:00pm. Twenty-one (21) bid documents were issued and seventeen (17) were received. The bid results are as follows:

Contractor

Total Tendered Price
(excluding GST)

Dig-Con International
Bolton, Ontario

\$ 85,525.00

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Atlas Paving Co. Inc. Etobicoke, Ontario	\$ 91,251.00
Hollandia Land & Environmental Solutions Chelmsford, Ontario	\$ 92,790.00
Lantech Construction King City, Ontario	\$ 95,380.00
Cambium Site Contracting Erin, Ontario	\$ 97,156.00
P. Gabriele & Sons Ltd. Woodbridge Ontario	\$ 98,012.00
Pinevalley Enterprise Inc. Concord, Ontario	\$101,965.00
Freedom Construction Woodbridge, Ontario	\$102,630.00
Serve Construction Ltd. Toronto, Ontario	\$103,970.00
Mopal Construction Gormely, Ontario	\$110,540.00
NLG Construction Mississauga, Ontario	\$116,017.90
S & F Excavating Ltd. King City, Ontario	\$117,775.00
Royalcrest Paving & Contr. Markham, Ontario	\$122,600.00
Melfer Construction Inc. Scarborough, Ontario	\$158,700.00
Lima's Gardens & Construction Woodbridge, Ontario	\$179,000.00
Montgomery Macwen Contr. Goodwood, Ontario	\$186,657.99

Relationship to Vaughan Vision 2007

Treelawn Parkette Development will provide facilities that promote a safe, livable, and sustainable parkland environment for the local community.

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

Parks Development and Purchasing Department staff have reviewed the bid submissions and have determined that the low bid contractor, Dig-Con International Ltd., is deemed to meet the requirements of the contract.

Upon award of tender, this project will commence in the month of June 2005, weather permitting, and will be completed in August 2005.

Attachments

None

Report prepared by:

Martin Tavares; Landscape Architectural Technician, Ext. 3205
Paul Gardner; Director of Parks Development, Ext. 3209

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Item 7, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

7

**AWARD OF TENDER T05-053
MISTYSUGAR PARK – PARK DEVELOPMENT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated May 16, 2005:

Recommendation

The Commissioner of Community Services, in consultation with the Directors of Purchasing, Reserves and Investments and Parks Development recommends:

1. That T05-053, MISTYSUGAR PARK – PARK DEVELOPMENT be awarded to Dig-Con International Ltd. for the amount of \$263,000.00 (excluding G.S.T.); and,
2. That a contingency allowance of 15% be approved, within which the Director of Parks Development is authorized to approve amendments to the contract; and,
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Capital project #5836-0-04 was approved in the 2004 budget. The annual operating cost of \$21,000.00 is required to maintain this park once completed.

Purpose

The purpose of this report is to seek approval to award tender T05-053, for the development of MISTYSUGAR PARK.

Background - Analysis and Options

The project is for the construction of a new park named Mistysugar Park located near Highway No. 7 and Dufferin Street. Project #5836-0-04, was approved in the 2004 capital budget and includes the following in accordance with the master landscape plan: poured-in-place concrete, pre-cast concrete, and asphalt paving; site furnishings; plant material; hydraulic seeding with composted topsoil; lighting; mechanical servicing; one (1) full ball hockey/basketball playcourt; and one (1) provisional shade trellis. The proposed park components were developed through community consultation and were reviewed by the York Regional Police with regards to the principles of CPTED – Crime Prevention Through Environmental Design.

This tender was advertised in the Daily Commercial News and the Electronic Tender Network (ETN). Tenders were closed and publicly opened on Thursday, March 31, 2005 at 3:00pm. Thirty-four (34) bid documents were issued and seventeen (17) were received; two (2) of which were disqualified by the Purchasing Department. The bid results are as follows:

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<u>Contractor</u>	<u>Base Tender Price</u> <u>(excluding GST)</u>	<u>Provisional Items</u> <u>(excluding GST)</u>	<u>Total Tendered Price</u> <u>(excluding GST)</u>
Dig-Con International Ltd. Bolton, Ontario	\$233,500.00	\$29,500.00	\$263,000.00
Pine Valley Enterprises Inc. Concord, Ontario	\$235,900.00	\$36,430.00	\$272,330.00
Gateman-Milloy Inc. Kitchener, Ontario	\$249,627.66	\$37,507.10	\$287,134.76
Mopal Construction Ltd. Gormley, Ontario	\$253,800.00	\$45,000.00	\$298,800.00
Atlas Paving Company Inc. Toronto, Ontario	\$267,245.00	\$85,000.00	\$352,245.00
Royalcrest Paving & Construction Ltd. Markham, Ontario	\$276,050.00	\$55,000.00	\$331,050.00
P. Gabriele & Sons Ltd. Woodbridge, Ontario	\$280,334.50	\$42,751.00	\$323,085.50
Serve Construction Ltd. Toronto, Ontario	\$282,525.00	\$35,700.00	\$318,225.00
Melfer Construction Scarborough, Ontario	\$295,800.00	\$47,500.00	\$343,300.00
Lima's Gardens & Construction Inc. Woodbridge, Ontario	\$314,200.00	\$61,250.00	\$375,450.00
S & F Excavating Ltd. King City, Ontario	\$325,000.00	\$38,150.00	\$363,150.00
Rutherford Contracting Ltd. Gormley, Ontario	\$335,815.88	\$36,446.24	\$372,262.12
1229912 Ontario Ltd. o/a Alpine Sodding & Landscaping Brampton, Ontario	\$378,681.05	\$52,000.00	\$430,681.05
S.S.T. Group Ltd. Concord, Ontario	\$435,454.25	\$39,850.00	\$475,304.25
Moretti Excavating Ltd. Vaughan, Ontario	\$549,000.00	\$80,000.00	\$629,000.00

Relationship to Vaughan Vision 2007

Mistysugar Park Development will provide facilities that promote a safe, livable, and sustainable parkland environment for the local community.

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

Conclusion

Parks Development and Purchasing Department staff have reviewed the bid submissions and have determined that the low bid contractor, Dig-Con International Ltd., is deemed to meet the requirements of the contract.

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Upon award of tender, this project will commence in the month of June 2005, weather permitting, and will be completed in early Fall 2005.

Attachments

None

Report prepared by:

Frank Milkovich, Landscape Architect, Ext. 3207
Paul Gardner; Director of Parks Development, Ext. 3209

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Item 8, Report No. 34, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 24, 2005, as follows:

By approving that this decision be forwarded to the Minister of Agriculture and Agri-Food Canada, and local MPP's and MP's.

8 ASIAN LONG-HORNED BEETLE AND TREE REPLACEMENT STRATEGY FOR PUBLIC LANDS

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Community Services and the Director of Parks, dated May 16, 2005, be approved, subject to the insertion of the phrase "for the year 2004 and for each subsequent year until such time as the ministerial order is removed by the Minister of Agriculture and Agri-Food Canada" at the end of Clause 5; and
- 2) That staff be requested to attend a public information meeting, organized by the Canadian Food Inspection Agency in cooperation with the City of Vaughan, to be held in June 2005, to inform the public of the City of Vaughan's tree replacement strategic plan.

Recommendation

The Commissioner of Community Services and the Director of Parks, in consultation with the Asian Long-Horned Beetle Intergovernmental Task Force recommends:

1. That the attached TRCA's vegetation plan be received;
2. That Tree Canada be requested to provide Vaughan's share of the allocated funding in the amount of \$8,000, and;
3. That Council request the \$50,000 committed by the Region of York for dealing with the streetscapes affected by the Asian Long-Horned Beetle, and;
4. That approval be requested from the Canadian Food Inspection Agency regarding the previous motion sent out by the Intergovernmental Task Force requesting that \$300 per tree be approved for public lands in the City of Vaughan, and;
5. That the Canadian Food Inspection Agency be requested to reimburse the costs associated with the collection of ALHB yard and leaf waste in the amount of \$249,034.40.

Economic Impact

There is no economic impact if funds committed are made available from the sources listed in this report, and the Vaughan Tree Replacement Strategy is approved and the CFIA accepts Vaughan's standards. If not there will be an impact of \$150,000.00 shortfall to implement the tree replacement strategy.

Purpose

To provide a master plan addressing the species, locations, funding and timing for a replacement program as it relates to the Asian Long-horned Beetle.

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Background - Analysis and Options

Background

In September 2003, an invasive quarantine insect known as the Asian Long-horned Beetle (ALHB) found its way into Vaughan from wood crates imported from Asia. Although the beetle was discovered to be living on silver maples between two industrial parking lots in south Woodbridge in the summer of 2003, it went undetected for up to 5 years. The ALHB spread during that time to 4 additional areas known as satellite sites.

In fall 2004, another infestation of the ALHB in Vaughan was discovered by the CFIA. As a result, over 100 trees in an industrial area at Hwy 400/#7 were removed.

The larvae feed within the trunk and limbs of trees and will eventually riddle the tree with holes, causing them to die. In some situations, mature trees may be killed in one or two growing seasons. The adult beetle can also feed on leaves, bark and shoots, causing considerable damage to the tree. Currently there are no known natural predators in North America to control the ALHB and no biological controls are available at this time.

Under the *Plant Protection Act*, the Canadian Food Inspection Agency (CFIA) is responsible for preventing the entry and spread of pests (of quarantine significance) into Canada. The CFIA, therefore, has the eradication and Regulatory authority to control pest establishment.

Eliminating the ALHB requires the following actions: finding and severing the pathway of pest introduction, finding any undetected infestations, and eradicating all known infestations.

Through scientific research including a thorough study of how other North American Cities have dealt with ALHB, a decision was made to not only remove the trees that showed signs of infestation but also to remove host trees within 400 meters of an adult exiting from the tree. The eradication process commenced in the winter of 2003/2004 and included the removals of approximately 15,000 public and private trees in the City of Vaughan and the City of Toronto. Approximately 4,000 of these trees have been removed in Vaughan from private, city and regional properties, with the majority of trees located on private property.

All levels of government are working to contain and eradicate the beetle before our forests are decimated. A technical team led by the CFIA, that includes the City of Vaughan, City of Toronto, TRCA and York Region are assigned to assist with tree removals, inventory procedures and site inspections from the ground, climbing and aerial. Staff at other levels are involved in Operational, Communications and Waste Collection Committees integrated through the CFIA and attended by the government partners.

Phases I and II to deal with the eradication and monitoring of the ALHB are well under way. The public has been informed through public correspondence, community meetings and press releases, as to the full impacts to the community involving, removals and disposals.

City of Vaughan's replanting program in relation to ALHB

The partners recognize that a well-planned and proactive approach is necessary to maintain the urban forest. Additionally, the public is anxious to learn what the government agencies plans are to replace the many trees that were removed from the neighborhood boulevards and parks.

In February 2004, the Toronto Region Conservation Authority (TRCA) established the ALHB Tree Replanting Committee made up of members from The City of Vaughan, City of Toronto, York

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Region, and Ministry of Natural Resources as well as the CFIA. The major focus of this committee was to establish a consistent approach to re-vegetation. All partners agreed with Replanting non-host trees of various species and longevity. The committee realized that in order to maintain the tree canopy in the infested zone, all lands had to be addressed including; public trees on municipal and regional properties, rights-of-way, private trees, forested areas, and commercial and industrial properties.

The City of Vaughan staff agreed with this approach and has instituted replanting strategies over the past 4 years that address diversity with species selection. Species selection is important to not only provide a streetscape with a variety of trees with various life expectancies, it also safeguards against the unnecessary spread of diseases and insects. An example of diversity planting is when no more than 4 trees of one species or variety are planted in a row. This method of planting is one of many improvements the forestry section has been working on for the past several years. Other considerations include; soil conditions, site exposure, species adaptability, space availability, and existence of utilities. The City of Vaughan has a minimum standard of 50-mm caliper for public boulevards.

In April 2004, the CFIA announced that there was a regulated area whereby woody brush or trees could not be removed without approval from the CFIA. The area was between Rutherford to the north, Dufferin to the east, Hwy #27 to the west and Hwy #401 to the south.

This regulation directly impacted the City of Vaughan's annual tree replacement program. This meant that not only were trees within the infested zone being replaced with non-host species, trees outside of the infested zone which has been identified as the regulated zone were now recommended to be non-host as well. Developers as well as internal departments were made aware of this regulation and asked to modify species to non-host. The ALHB host list includes: maples, birch, elm, sycamore, hackberry, silk tree, willow, poplar, horse chestnut and mountain ash. In order to comply with the Regulation, The City of Vaughan produced a street tree-planting list and made it available to the tree suppliers.

Replacement options for ALHB

The City of Vaughan has prepared a site map of the areas and species selections for trees on public lands. This provides a guideline and must be updated with the actual locations identified from the CFIA. Although the CFIA has announced the reimbursement, they have not provided the actual locations of the trees that were removed.

The City of Vaughan is concerned that the funds available for replanting are not sufficient to maintain the same caliper and standard of tree that the City of Vaughan has established. The CFIA created the funding formula on a bare root planting program rather than balled and burlapped (**B&B**) for municipal lands.

The caliper of these bare root trees are up to 45 mm and the height is 6'-8'. The planting bed for a bare root can be hand dug avoiding the delays in locating utilities. For these reasons and with the assumption that municipalities would agree with this method of planting, the CFIA geared their funding formula towards this method of tree replacement. The replacement formula was developed by CFIA; City of Vaughan staff were not involved in this process

Additionally, bare root trees have the potential for vandalism, as they are shorter and frail. Regular watering is essential for these young trees since they have not been prepared with sufficient material allowing for transplant. Basically these trees are pulled from one location with roots exposed and replanted. The general acceptance of these trees, which are replacing trees that were on average between 60-200mm, is not positive for the urban streetscape.

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The City of Vaughan, however have an established standard of 50 mm caliper balled and burlapped trees for many years. The 50 mm B&B tree that reaches an average height between 7'-10' and planted in parks and boulevards is the acceptable standard of trees planted in the City of Vaughan. For several years the balled and burlap tree has become the preferred method of planting trees by several municipalities. Initial **B&B** planting costs are higher than the bare root method, but survival and first year growth of **B&B** trees are better than similar bare root trees. Furthermore, survival rates have been positive since the contractors are required to meet quality standards with planting as well as post maintenance procedures. Trees are thoroughly inspected after a two year warranty and only healthy trees are assumed.

With the funding announced at \$150/tree for municipal trees, funds are sufficient for the purchase and installation of bare root plantings. Therefore, replacement funding allocated to the City of Vaughan is not sufficient to maintain Vaughan's standard for new tree plantings (B&B).

Species Selection in ALHB

While the focus for replanting in the ALHB infested and satellite zones address the planting of non-host species other criteria is essential as well. Tree selection must meet the forestry department's requirements to ensure the most appropriate tree is planted based on: hardiness, adaptability and survivability in our environment. Some examples of these types of trees that meet the CFIA's list of non-host species include: lindens, locust, lilac and beech.

The forestry section recognizes the advantages of using native trees for the long-term sustainability of the urban environment. These preferred trees include native non-host species such as bur oak, tulip and little leaf lindens/basswood. Special consideration will be made to include these selections more often in future planting projects including the ALHB infested zone.

The site plan for all residential and industrial boulevards will focus on diversity plantings. This method of planting no more than four of the same species in a row on one side of the street is a recognized arboriculture practice that will be implemented heavily in all City of Vaughan tree planting projects in the ALHB infested zone as well as throughout the City of Vaughan.

Another factor that is essential to control the spread of insect or disease infestations is the avoidance of monoculture plantings. This often occurs when the same variety of trees are planted in an area. This is visible at entranceways to sub-divisions where a developer is looking for continuity with the landscape. By introducing new variety of trees to Vaughan, such as the tulip tree and combining these uncommon street trees with diversity plantings, The City of Vaughan is safeguarding against the spread of unwanted pests.

Funding sources for the ALHB Infested zone

Street trees within the ALHB infested zone (both public and private) have been identified and removed as a result of infestation or because they are within 400 meters of an exit hole. The 400-meter buffer zone was recommended for a buffer due to the lack of certainty regarding visual confirmation of infestation.

On May 12, 2004, the Minister of Agriculture and Agri-Food Canada, announced the implementation of the "*Introduced Forest Pest Compensation Regulations* " to compensate property owners in Ontario and Nova Scotia for replacement of trees ordered destroyed to control the spread of three invasive forest pests, including the ALHB in parts of Toronto and Vaughan. The CFIA has estimated that the replanting will cost approximately \$6.5 million dollars. It is estimated that the City of Vaughan will receive approximately \$142,500.00 as of November 2004, for the replacement of 950 trees based on \$150.00 per tree and \$10,000 based on \$40 per tree in the woodlots.

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Previous to this, in February 2004 the Tree Canada Foundation donated \$8,000 to planting trees in the affected area. The Tree Canada Foundation is a non-profit, charitable organization established in 1992. The foundation is a leader in promoting the value of urban forests in Canada. Furthermore, the Ontario Ministry of Natural Resources announced in February a contribution of \$1 million of provincial funding to replace and establish forest cover in an effort to reduce the impact of the Asian Long-Horned Beetle and Emerald Ash Borer (EAB). The MNR has proposed that approximately \$350,000 of the 1 million be allocated to address forest cover and habitat loss within the ALHB regulated zone, covering portions of the City of Toronto and City of Vaughan.

York Region has also committed \$50,000.00 as outlined in the recommendations. The Region's intent was to consider regionally affected trees on properties within the ALHB zone, streetscaping and natural heritage plantings, however, this was only recently communicated.

Canadian Food Inspection Agency Funding Formula

Compensation is to be provided on the basis of the direct cost of replacing a tree to a set maximum amount determined by the CFIA. The maximum amounts are \$300 per tree ordered destroyed on privately-owned land, \$150 per tree on public land and \$40 per tree in woodlots. This maximum amount will be applied to both the purchase and planting of the tree.

Early indications from the CFIA, indicates that the split between Vaughan and Toronto will be approximately 40/60. The chart below applies the 40/60 formula to the funding with the exception of the CFIA and York Region. The CFIA, as stated earlier, is providing \$150 per tree on public lands and \$40 per tree for wood lots.

Table 1

Agency funding	Total funding ALHB tree replacement	City of Vaughan estimated allotment
CFIA	6.5 million	\$143,700 street trees* \$76,120 wood-lots*
MNR	\$350,000	\$120,000 (\$100,000 City of Toronto0 (\$230,000 TRCA)
York Region	\$50,000	\$50,000
Tree Canada	\$8,000	\$3,200 (\$4,800 City of Toronto)
Total		\$393,020.00 (COV)

*actual funding allocated based on 958 COV trees at \$150/tree, and 1903 woodlot trees at \$40/tree

Funds that have been identified for tree replacement as shown on table 1 have not been made available to the City of Vaughan or the City of Toronto. In addition, the CFIA has indicated that they will only reimburse \$150 for public trees and \$300 for private (residential) trees. The funding for public trees is not sufficient for the purchase of the caliper of trees to meet the City of Vaughan standards.

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	Number of Street Trees	Cost per Tree	Total
COV Standard	958	\$300	\$287,400.00
CFIA Standard	958	\$150	\$143,700.00
Funding shortfall to re-plant as per COV standard			\$143,700.00

* **To be able to replace the street trees as per Vaughan standards as outlined in this report, additional funds in the amount of \$143,700.00 is required.**

Without immediate access to the funds allocated from the various sources for the purchase and planting of trees on public lands, The Cities are at a great risk of losing its urban forest canopy. If the City of Vaughan can access all the funds available in Table 1, the replacement of the street trees in Vaughan can begin and reduce the risk of losing the canopy.

Notwithstanding that funds in the amount of \$287,400 are required to replace the street trees there is no guarantee that the bids received from the tender will reflect \$300 for a planted **B&B** tree as per city standard. Therefore, the tender document will request bidders to provide prices to supply and install. Potted trees. These trees are between 40 and 50 mm and have a market value less than **BB**.

These potted trees are grown directly in the container whereas **BB** are not. Although there are advantages to both methods, the City of Vaughan's past practice has been to plant **BB** on streets. Potted plants require a higher level of maintenance in the establishment period and the crown size is smaller at planting.

Timeframe of ALHB tree replacement

The forestry department at the City of Vaughan in conjunction with the City of Toronto, the Region of York, TRCA and the MNR anticipates the public trees re-vegetation program commencing in the 2005 spring planting season.

In the meantime, discussions have taken place with the TRCA to assist the City of Vaughan with forest edge plantings in the Ansley Grove woodlot.

Both of these initiatives cannot proceed until the CFIA approves the total cost as outlined in this report and the funds from the MNR, Tree Canada and York Region have been allocated as per table 1.

Tree replacement at residential homes is already underway and administrated by the CFIA. Letters have been sent to homeowners stating that they will receive up to \$300/tree.

Costs associated with collection of ALHB yard and leaf waste

Contractor costs have increased substantially as a result of separating the collection and disposal of leaf and yard waste within the ALHB regulated zone. This order by the Canadian Food Inspection Agency was issued in March 2004 with boundaries established encompassing most of Vaughan. Notification to the public continues to be extensive thus ensuring the order is appropriately adhered to. These advertising costs in the amount of \$10,899.68 combined with the second pass required for the contractor in the regulated zone of \$238,134. 71 for a grand total of \$249,034.40.

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Relationship to Vaughan Vision 2007

This is in keeping with the Vaughan Vision as it strives to provide service excellence to Vaughan Citizens.

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

Conclusion

The City of Vaughan forestry department has been involved with the tree planting program for the past four years and with the discovery of the Asian Long-horned Beetle in Vaughan, the staff have worked closely with the CFIA lead team to control and eradicate this unwanted pest. In addition staff is continuing to work with the TRCA to develop and implement an effective tree replacement program. Both York Region and TRCA have endorsed the City of Vaughan standards for tree replacement. However as mentioned in this report, there are some issues and challenges that need to be resolved.

The master plan for the ALHB replacements is in the final stages. Staff's recommendation to plant balled and burlapped trees requires council support as well as available funds.

The department therefore recommends that balled and burlapped trees be replaced on municipal properties.

The City of Vaughan would like to move forward with the replanting program on boulevards, parks and woodlots that were directly impacted by the Asian Long-horned Beetle by spring 2005. This cannot proceed until funds are confirmed based on the standard of tree required in the City of Vaughan.

With the funds identified from various agencies, the Parks and Forestry Department is requesting confirmation and access to these funds for the replanting strategy. Therefore, staff recommends that the Asian Long-Horned Beetle Intergovernmental Task Force and City of Vaughan Council:

1. Receive the TRCA's vegetation plan to access the MNR funds, and;
2. Requests Tree Canada to provide Vaughan's share of the allocated funding in the amount of \$8,000, and;
3. Requests the \$50,000 committed by the Region of York for dealing with the streetscapes affected by the Asian Long-Horned Beetle, and;
4. Requests approval from the Canadian Food Inspection Agency regarding the previous motion sent out by the Intergovernmental Task Force requesting that \$300 per tree be approved for public lands in the City of Vaughan, and;
5. Requests the Canadian Food Inspection Agency to reimburse the costs associated with the collection of ALHB yard and leaf waste in the amount of \$249,034.40.

Attachments

1. Sample site map of tree replanting on Russet Way.
2. Preferred street tree list of non-host ALHB.
3. TRCA's report re. Proposal to Increase Natural Corridor Linkages (attachment available once email from TRCA).

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Report prepared by:

Marjie Fraser, Director of Parks, Ext. 6137.

(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 9, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

9 LEASE OF CITY BUILDING – MERINO CENTENNIAL CENTRE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services dated May 16, 2005:

Recommendation

The Commissioner of Community Services in consultation with the Directors of Recreation and Legal Services recommends:

- 1) That Council grant permission to Elections Canada for the use of the Merino Centennial Centre;
- 2) That staff be authorized to make the necessary arrangements including such matters as finalizing the dates and process to facilitate the completion of the lease agreement; and
- 3) That a by-law be enacted to authorize the execution of the lease between Elections Canada and the City of Vaughan.

Economic Impact

The economic impact of this initiative will result in the City of Vaughan receiving remuneration in the amount of \$7,000.00 plus GST from Elections Canada in exchange for the use of Merino Centennial Centre for a two month period, plus an additional amount on behalf of the four user groups that use Merino Centennial Centre. The remuneration from Elections Canada to the City of Vaughan will be used to offset operating expenses for maintenance, hydro, etc.

Purpose

The purpose of this report is to seek Council approval to grant permission to Elections Canada for the use of the Merino Centennial Centre.

Background - Analysis and Options

Elections Canada is requesting permission to lease the Merino Centennial Centre on Merino Road in Maple. They would like to gain access for a seven week period, beginning as soon as an election is called, but have agreed to pay rent for a two month period. The Returning Officer for Vaughan has requested that this item be placed on the agenda on an urgent basis as it is expected that an election may be called shortly and they wish to have the appropriate arrangements finalized.

The building that Elections Canada is interested in is the Merino Centennial Centre. Elections Canada is proposing to pay the City of Vaughan rent of \$3,500.00 per month for a two month period for a total of \$7,000.00 plus GST.

The City of Vaughan will be paid an additional amount on behalf of the four user groups that use Merino Centennial Centre for their loss of usage of the Merino Centennial Centre to be disbursed to the four user groups after the final payment from Elections Canada is received. The City will ensure that the common space of the building is free of furniture, the security access code will be changed and given only to Elections Canada as well as make the necessary parking arrangements.

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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 Council grant permission to Elections Canada for the use of the Merino Centennial Centre, that staff be authorized to make the necessary arrangements including such matters as finalizing the dates and process to facilitate the completion of the lease agreement, and that a by-law be enacted to authorize the execution of the lease between Elections Canada and the City of Vaughan as it is expected that an election may be called shortly and they wish to have the appropriate arrangements finalized.

Attachments

None

Report prepared by:

Diane LaPointe-Kay, Director of Recreation and Culture
Glyn Onizuka, Solicitor

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Item 10, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

**10 HERITAGE VAUGHAN COMMITTEE'S DONATION TO THE
 PIERRE BERTON RESOURCE LIBRARY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Heritage Vaughan, dated May 16, 2005:

Recommendation

Heritage Vaughan recommends:

That Council approve the allocation of \$500 from the Heritage Vaughan budget to be donated in memory of Pierre Berton to the Pierre Berton Library for the purchase of history books.

Economic Impact

The funding source for the proposed donation will be the 2005 Heritage Vaughan budget. There is no negative impact to the Heritage Vaughan budget as funds are available for this purpose.

Purpose

To approve a \$500 expenditure from the Heritage Vaughan budget for donation to the Pierre Berton Resource Library.

Background - Analysis and Options

Heritage Vaughan Committee, a statutory advisory committee to Council, at its meeting of January 19, 2005, passed a motion to donate \$500 from the Committee's budget to the Pierre Berton Resource Library, in memory of Pierre Berton, for the purchase of history books for the Library.

The purpose of the donation by the Committee was to commemorate the memory of Pierre Berton as a Canadian cultural icon and his contribution to the Vaughan community, in particular, his participation in the yearly Kleinburg Binder Twine Festival.

Corporate policy requires that all donation of budget funds by advisory committees are to be approved by Council. In order to ensure this proposed donation is within the appropriate use of budget monies assigned to advisory committees, Council approval is being requested.

Budget monies assigned to Heritage Vaughan committee are intended to be used for fulfilling the Committee's goals and objectives. Heritage Vaughan's general mandate is to promote cultural heritage in Vaughan and as such the donation of monies by the Committee is considered a suitable use of funds. Additionally, the donation will be used to buy history books for users of the Vaughan Public Library system and therefore, directed back to the 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.

Through the Vaughan Vision, Heritage Vaughan enhances and promotes cultural history in the community.

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Conclusion

The donation of funds to the Pierre Berton Resource Library by Heritage Vaughan committee for the purchase of history-related books is considered an appropriate use of funds as it will help promote cultural history in the community.

Attachments

None

Report prepared by:

Angela Palermo, Manager, Cultural Services, ext. 8139

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Item 11, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

11 ASSUMPTION – CORSTATE INDUSTRIAL SUBDIVISION – PHASE 2
19T-88028/ 65M-3027

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 16, 2005:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-3027, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 0.2 lane kilometres of roadway and associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Purpose

The subdivision has been completed and is ready to be assumed by the City.

Background - Analysis and Options

The 15 block development is an industrial subdivision. The development is located west of Jane Street, north of Langstaff Road, as shown on Attachment 1.

The Subdivision Agreement was signed on April 19, 1993. The municipal services in Plan 65M-3027 were installed in June 1993 and the top course asphalt was placed in October 1999.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Engineering Services, Public Works, Building Standards, Parks Development, Parks Operations and Forestry, Development Planning and Clerks. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

Relationship to Vaughan Vision 2007

The development of this subdivision and the assumption of the municipal services is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA 600 (4.7.1). OPA policies require that development take place in accordance with the requirements and standards of the City and relevant agencies.

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

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Conclusion

It is therefore appropriate that the municipal services in 65M-3027 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 12, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

12

**ASSUMPTION – JANE – 400 BUSINESS PARK
19T-88005/ 65M-2854**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 16, 2005:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-2854, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 1.3 lane kilometres of roadway and associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Purpose

The subdivision has been completed and is ready to be assumed by the City.

Background - Analysis and Options

The 33 block development is an industrial subdivision. The development is located west of Jane Street, north of Langstaff Road, as shown on Attachment 1.

The Subdivision Agreement was signed on May 21, 1991. The municipal services in Plan 65M-2854 were installed in May 1991 and the top course asphalt was placed in October 1999.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Engineering Services, Public Works, Building Standards, Parks Development, Parks Operations and Forestry, Development Planning and Clerks. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

Relationship to Vaughan Vision 2007

The development of this subdivision and the assumption of the municipal services is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA 600 (4.7.1). OPA policies require that development take place in accordance with the requirements and standards of the City and relevant agencies.

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

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Item 12, CW Report No. 34 – Page 2

Conclusion

It is therefore appropriate that the municipal services in 65M-2854 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 13, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

13 **AWARD OF TENDER T05-028**
SUPPLY OF MATERIAL AND SERVICES FOR PAVEMENT MARKING APPLICATIONS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 16, 2005:

Recommendation

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

1. That Tender T05-028, for the supply of material and services for pavement marking applications be awarded to Woodbine Pavement Markings Limited in the amount of \$127,495.85, including G.S.T.; and
2. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

The amount of the awarded contract of \$127,495.85 can be accommodated within the 2005 Pavement Marking Operating Budget. As development increases in the City and the cost of materials increase, this amount will be adjusted accordingly to meet these requirements within the Annual Operating Budgets.

Purpose

Council approval to award contract T05-028.

Background – Analysis and Options

The work covered by this Tender requires the supply of material and services for pavement markings (longitudinal and transverse) on City roadways. The tender was advertised in the Daily Commercial News and the Electronic Tendering Network (ETN), and closed on April 19, 2005. A total of 6 documents were picked up from the Purchasing Services Department. Four bids were received. The following are the results of the tender bids.

<u>Contractor</u>	<u>Total Bid Amount</u>
Woodbine Pavement Markings Limited	\$127,495.85
Almon Equipment Ltd.	\$131,128.50
Guild Electric Limited	\$137,289.03
K.D.N. Pavement Markings Ltd.	\$146,376.00

The low bidder, Woodbine Pavement Markings Limited, has performed similar work for the City in past years, and is deemed capable of successfully completing this work. Sufficient funds are allocated in the Engineering Department's 2005 Operating Budget Account No. (2004 010.7331).

Relationship to Vaughan Vision 2007

This is consistent with Vaughan Vision 2007 as to identify and implement innovative traffic management alternatives to improve general traffic safety (1.1.3).

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 13, CW Report No. 34 – Page 2

Conclusion

It is recommended that Tender T05-028 for pavement marking applications be awarded to Woodbine Pavement Markings Limited.

Attachments

N/A

Report prepared by

Mark Ranstoller, Senior Traffic Technologist, ext. 8251
Mike Dokman, Supervisor, Traffic Engineering, ext. 8031

:MR

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 14, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

14

**ESTABLISHING SPEED LIMITS
PROPOSED SPEED LIMIT POLICY**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 16, 2005, be approved; and
- 2) That the deputation of Mr. Gaetano Iuorio, 22 Curtis Court, Maple, L6A 1Y4, be received.

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That the establishment of a City policy for determining appropriate speed limits within the City of Vaughan not be implemented;
2. That the existing 40 km/h speed limit designation in school zones remain unchanged; and
3. That the statutory 50 km/h and 80 km/h speed limits on City of Vaughan roadways, unless otherwise posted as per the Highway Traffic Act, remain unchanged.

Economic Impact

Not Applicable.

Purpose

To review the feasibility of establishing a City policy to provide consistent guidelines for determining appropriate speed limits within the City of Vaughan.

Background - Analysis and Options

The Regional Municipality of York has recently introduced a policy for establishing speed limit zones on Regional rural and urban arterial road classifications. Council has asked that City Engineering staff conduct a review of the Region's policy in terms of the feasibility of establishing a similar policy for determining appropriate speed limits for the public highway network within the City of Vaughan.

The statutory speed limit in the City of Vaughan is 50 km/h (urban area) and 80 km/h (rural area) unless otherwise posted. These statutory speeds are defined under the Provincial Highway Traffic Act (HTA).

In October 2001, Council adopted "that on roads adjacent to elementary schools that the speed limit will be reduced to 40 km/h for a distance of 150 m beyond a school's property line." This reduction in the speed limit is appropriately posted with 40 km/h speed limit signs and is in accordance with the provisions of Highway Traffic Act.

Staff conducted a survey of selected area municipalities for the purposes of determining which municipalities had, or were working towards, a policy/program for determining speed limits on their respective public roadways. Those municipalities contacted were: Richmond Hill, Markham, Mississauga, Brampton, Hamilton, and Region of Peel.

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Item 14, CW Report No. 34 – Page 2

None of the jurisdictions contacted had a written policy for the determination of speed limits. Municipal staff indicated that statutory speed limits on their Town/City roadways, along with a reduction to 40 km/h in school zones, was the accepted practice in their communities.

Engineering staff believe that current speed limits are sufficient for intended purposes and road classification and that until a change in statutory requirements is introduced, the 80/50/40km/h speed zones are adequate. Only the Region of York has an approved policy, which is appropriate given their road network is typically arterial roadways in both urban and rural settings with varying land uses and geometric features and generally higher traffic volumes.

Relationship to Vaughan Vision 2007

This traffic study is consistent with Vaughan Vision 2007 as to identify and implement innovative traffic management alternatives to improve general traffic safety (1.1.3).

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

Conclusion

Based on staff's review, it is recommended that the establishment of a City policy for determining appropriate speed limits on City of Vaughan roadways not be implemented.

Attachments

N/A

Report prepared by

Mark Ranstoller, Senior Traffic Technologist, ext. 8251
Mike Dokman, Supervisor, Traffic Engineering, ext. 8031

:MR

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 15, Report No. 34, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 24, 2005, as follows:

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated May 19, 2005.

15

SCHOOL CROSSING GUARDS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 16, 2005:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That no additional school crossing guards be implemented at any of the six requested intersections.

Economic Impact

Not Applicable

Purpose

To review the feasibility of implementing additional school crossing guards at six intersections where one school crossing guard location exists, in response to direction from Council.

Background - Analysis and Options

At its meeting on February 21, 2005 Council directed:

“The Budget Committee recommends:

1. That the School Crossing Guard Policy be reviewed in consultation with the School Boards, with special attention being given to crossing guards that have the opportunity to do more than one leg of the intersection; and
2. That the following report of Regional Councillor Jackson, dated February 16, 2005, be received.

Local and Regional Councillor Linda Jackson recommends:

THAT staff be directed to conduct studies of pedestrian crossings to determine if additional crossing guards are warranted, and

THAT the studies be conducted for St. Clare school at Santa Barbara Place and Velmar Drive, for Divine Mercy school at Melville Avenue and Cunningham Drive, for Blessed Trinity school at Hawker Road and Springside Road, for Holy Family school at Conley Street and New Westminster Drive, for St. John Bosco school at Belview Avenue and Stan Gate, and for St. Gregory the Great school at Valeria Boulevard and Greenpark Boulevard, and

THAT funds be allocated to the budget for additional crossing guards if warranted at these locations.”

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Item 15, CW Report No. 34 – Page 2

In regards to the review of the School Crossing Guard Policy with the School Board to determine if opportunities exist for one crossing guard to cross children at more than one leg at an intersection, this issue will be addressed at the Committee of the Whole Working Session scheduled for June 21, 2005. Staff are in the process of surveying various municipalities and require additional time to obtain information regarding this matter.

The six intersections reviewed were: Santa Barbara Place and Velmar Drive, Melville Avenue and Cunningham Drive, Hawker Road and Springside Road, New Westminster Drive and Conley Street, Belview Avenue and Stan Gate, and Valeria Boulevard and Greenpark Boulevard.

The proposed crossing guard locations and schools are shown on Attachment No. 1.

Staff conducted pedestrian crossing studies at all six intersections during the morning school start and afternoon dismissal time periods. All observations were conducted in clear weather conditions and would not impact the pedestrian activity at the studied intersections. The results of the six studies are shown in the table below.

INTERSECTION And DATE OF OBSERVATIONS	* TIME AM & PM	STUDENTS CROSSING			
		North Leg	South Leg	East Leg	West Leg
Santa Barbara Place/Velmar Drive – March 30, 2005	8:30-9:00	---	4	7	1
	3:35-4:15	---	9	10	0
Melville Avenue/Cunningham Drive – April 6, 2005	7:30-9:00	7	73	5	22
	2:30-4:00	4	78	39	28
Hawker Road/Springside Road – April 6, 2005	7:45-8:55	0	4	10	11
	2:50-4:00	0	5	15	32
New Westminster Drive/Conley Street - April 18, 2005	8:20-9:15	6	3	8	5
	3:20-4:00	44	20	9	0
Belview Avenue/Stan Gate – April 20, 2005	8:20-9:00	0	---	12	0
	3:30-4:00	2	---	11	0
Valeria Boulevard/Greenpark Boulevard – April 30, 2005	8:30-9:00	12	0	1	---
	3:40-4:00	45	0	7	---

Shade = Existing Crossing Guard for this Leg

--- = No Leg (Tee Intersection)

* = Time coincides with hours of crossing guard service

Based on the results of the six requested locations, the Council approved School Crossing Guard Policy and Warrant for an additional school crossing guard at any of the intersections is not met. No intersection approach at any of the intersections has the minimum required 50 children crossing during one time period. As indicated in the studies, the existing crossing guards are situated at the highest recorded pedestrian volume leg for that intersection.

Relationship to Vaughan Vision 2007

This traffic study is consistent with Vaughan Vision 2007 as to identify and implement innovative traffic management alternatives to improve general traffic safety (1.1.3).

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 15, CW Report No. 34 – Page 3

Conclusion

Based on staff's review, it is recommended that additional school crossing guards not be implemented at any of the six requested intersections.

Attachments

1. Location Map

Report prepared by

Mark Ranstoller, Senior Traffic Technologist, ext. 8251
Mike Dokman, Supervisor, Traffic Engineering, ext. 8031

(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 MAY 24, 2005

Item 16, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

16 KLEINBURG BUSINESS IMPROVEMENT AREA (KBIA) 2005 BUDGET AND LEVY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Finance, dated May 16, 2005:

Recommendation

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

That in accordance with the request from the Board of Management of the Kleinburg Business Improvement Area (KBIA) Council approve the KBIA budget in the amount of \$20,517.84, and

That a by-law be enacted for the levy and collection of the KBIA special charge for the year 2005, pursuant to City of Vaughan By-law 169-84.

Economic Impact

No impact to the municipality.

Purpose

The purpose of this report is to approve the KBIA budget that provides funds used for promotion, visual enhancement of the area, advertising and special events and to authorize staff to levy and collect, and remit the special charge related to the KBIA.

Background - Analysis and Options

Each year the KBIA submits a budget for Council's approval. The 2005 budget amount of \$20,517.84 was approved by the KBIA on March 3rd, 2005. The amount is levied to all commercial property within the BIA boundary, based on their taxable commercial assessment. The minimum levy is \$137 and the maximum levy is \$900.

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 source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Council approval of the proposed budget and related by-law provides funds to the KBIA and authorizes staff to levy, collect and remit the funds.

Attachments

Attachment 1 – 2005 KBIA Proposed Budget

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 16, CW Report No. 34 – Page 2

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 MAY 24, 2005

Item 17, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

17

PROPERTY ASSESSMENT APPEALS - 2005

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Finance, dated May 16, 2005:

Recommendation

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

That Council approve the list of five (5) assessment appeals initiated by Finance staff, for the 2005 taxation year.

Economic Impact

The correction of assessments which are too low will generate additional funding for the City and more equitably distribute the tax burden.

Purpose

In 2003 Council approved a report and by-law delegating authority relating to assessment and taxation appeals to the City Treasurer or designate. The report stated that Council would be provided with the specific details regarding properties for which the City has launched appeals. This report will provide that information for the 2005 taxation year. The owners of each property on the list have been notified of the appeal.

Background - Analysis and Options

Section 40 of the *Assessment Act* allows that any person, including a municipality may appeal assessments to the Assessment Review Board (ARB). Finance staff, together with the Municipal Property Assessment Corporation (MPAC) identified a number of significant errors on the assessment roll provided to the City for taxation 2005.

Once the assessment roll has been provided to the municipality there are a number of mechanisms available to property owners to correct errors that result in an assessment that is too high, however, assessments which are too low would not normally be corrected by the property owner, therefore the City is required to launch an appeal to have the corrections made. The legislation requires the property owner to be notified that an appeal has been filed and this has been done.

The types of appeals that can be filed include:

- Unoccupied, enclosed buildings where the value was omitted from the roll
- Errors in property class
- Exemptions for properties that do not qualify
- Property that is no longer farmed

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

Reaching an agreement with the property owner and MPAC on the correction required and processing an adjustment to the property tax account will conclude these appeals. Should the City, MPAC and the property owner not be able to reach an agreement the appeal will be heard and decided by the Assessment Review Board (ARB). Finance staff do not anticipate that many would reach this stage as the appeals have primarily been launched in order to correct obvious errors to the roll.

Attachments

Attachment 1 - Vaughan Assessment Appeals 2005 Tax Year

Report prepared by:

Grace L. Marsh, Manager 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 MAY 24, 2005

Item 18, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

18

PROPERTY TAX SALE REGISTRATION

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Finance, dated May 16, 2005:

Recommendation

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

- 1) That Council receive this report for information purposes.
- 2) That the Confidential memo from the Manager of Property Tax & Assessment be received.

Economic Impact

Not applicable.

Purpose

The purpose of this report is to provide Council with information relating to some properties that have tax arrears in excess of three years and therefore are eligible to come under the authority of the property tax sale legislation of the Municipal Act.

Background - Analysis and Options

The tax sale process is commenced under the authority of Part XI of the *Municipal Act, 2001*, for properties in all classes that have tax arrears in excess of three years. Staff utilize the tax sale process as part of an ongoing collection effort.

Staff, through various collection efforts receives satisfactory payment plans or full payment on most property tax accounts with arrears; however, the listed properties have been identified as being eligible for registration of a tax arrears certificate, which is the first step in the tax sale process. The owners of these properties and all the interested parties (mortgagees or lien holders) will be notified by registered mail of the initiation of this process.

Once a tax arrears certificate is registered on title, the property owner has one year to pay the tax account in full. Failing that, the owner, the spouse, a mortgagee or a tenant occupying the land may enter into an extension agreement with the City. An extension agreement allows additional time for payment of the property tax arrears. The terms of the agreement must be satisfactory to the City Treasurer and approved by Council through a by-law.

If payment in full or a satisfactory extension agreement is not processed during the 1-year period, the City is in a position to proceed with a tax sale to recover outstanding property taxes, late payment charges and costs incurred relating to the tax sale process. Council will be informed if any of the listed properties reach that point.

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Item 18, CW Report No. 34 – Page 2

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

Finance staff are continuing to contact and/or meet with the property owner(s) to attempt to negotiate acceptable payment arrangements.

Attachments

None – Council will be provided with the confidential list of properties under separate cover.

Report prepared by:

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 19, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

19 COMPLIANCE MEASURES COORDINATING COMMITTEE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated May 16, 2005:

Recommendation

The Commissioner of Legal and Administrative Services recommends that this report be received for information.

Economic Impact

Not applicable

Purpose

The purpose of this report is to advise Council on the organization and progress to date of the Compliance Measures Coordinating Committee.

Background - Analysis and Options

Council at its meeting of November 22, 2004 directed that a Committee be formed to be called the Compliance Measures Coordinating Committee and organized according to the attached chart. The Commissioner of Legal and Administrative Services assumed the chair and the following staff members were added to the Committee:

Glenn Duncan, Deputy Fire Chief	Vaughan Fire and Rescue Service
Brian Anthony, Director of Public Works	Public Works
Larry Ptashynski, Manager of Inspections	Building Standards
Tony Thompson, Senior Manager	Enforcement Services

The Committee members have met individually for organizational purposes on several occasions and the Committee has had two formal meetings to date.

Coordination of Enforcement Software

At the first meeting of the Committee it became apparent that the departments taking complaints and performing enforcement activities were doing their best to communicate with each other but their daily complaints and file opening were separately tracked on different software, which had not been coordinated. Building Standards and Licensing in the Clerks Department, record their enforcement activities on Amanda, Enforcement Services and Public Works on CSMS and VFRS on Microsoft Access. Although in a timely manner, Managers were informing each other of activity of mutual interest, and some coordinated enforcement action was undertaken, there was no access across the Corporation that was available to the day to day complaints and initiation of enforcement action.

The Chief Information Officer was called into the first meeting and indicated that a program could be written in-house that would track all new files in each of the departments and be made available to all Managers in the enforcement departments. Staff are now working on that program.

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Staff are also working on solutions to facilitate timely computer record transfers to a laptop computer used by the Licensing Enforcement Field Officer. This is intended to provide access to up to date business licensing information in the field.

Grow Houses

The proliferation of Marijuana grow houses in the City of Vaughan has become a serious concern, particularly in the last several months. Through the initiative of the Senior Manager of Enforcement Services, York Regional Police were contacted and agreed to notify the City each time they enter a grow house and allow entry by Enforcement Services staff. This has resulted in property standards orders being issued for four such properties in the City. This Order is filed in the Building Standards Department and subsequent purchasers of these properties would be informed. This type of illegal activity affects more than only the Police. Most of these operations radically alter the house such that there is a danger to health from mold and structural changes have been made. It is necessary to coordinate the City's Enforcement, Building and Fire departments as well as Regional Health and the Children's Aid to effectively deal with the impact of these operations.

The City Solicitor has been advised by York Regional Police that by order of the Chief of Police, the City is not to be notified on the discovery of any further grow houses until a meeting is set up for all municipalities in York Region to attend with the Chief to set up a protocol for dealing with them. Apparently, there is a concern over liability for the Region. In the Province of British Columbia, there is legislation dealing specifically with grow houses and the Province of Ontario is considering a similar act but it is not expected soon.

The Compliance Measures Coordinating Committee will continue to monitor the enforcement of grow houses by all levels of government and attempt to influence the timely dealing with the matter.

Anti Dumping Signs

There have been discussions between Public Works and Enforcement Services regarding the raising of anti dumping signs with the phone number of Enforcement Services on them with the intention of charging the owner of vehicles on the basis of a citizen's report with a license number. The matter came up at the second meeting of the Committee and the Director of Public Works has indicated that at least 150 such signs will be installed in 2005 and Enforcement Services will commence laying charges.

Basement Apartments (Second Dwelling Units)

The coordination of dealing with basement apartments or second dwelling units by the Fire and Rescue Service, Enforcement Services and the Building Standards Department was discussed. *A Policy and Procedural Instruction for 2-Unit Residential Occupancies in the City of Vaughan* protocol for each department's involvement was developed and has been field tested. This protocol has proven effective in dealing with the problem of second unit residential occupancies from a tri-services enforcement perspective. Once the merging of the complaints software has been accomplished, this initiative will be even more effective and can be formalized.

After Hours Clubs and Liquor Licensed Establishments

Under the auspices of "Project Moonshine", the Vaughan Fire and Rescue Service has been working with the York Regional Police, the Alcohol, Gaming and Tobacco Commission, and the

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York Region Department of Health to enforce fire, liquor, and health regulations, as well as criminal issues after hours and on weekends. In addition, Project Moonshine will be targeting a growing trend to hold “special events” in banquet halls. These special events are organized as a party to which tickets are sold and there is evidence that some of the organizers are violating their special occasion permits for profit without proper concern for patron safety. Vaughan Enforcement Services will be assisting with Project Moonshine in the future to ensure a more effective response to these problems.

Relationship to Vaughan Vision 2007

The subjects discussed in this report are in keeping with the Vaughan Vision by promoting community safety. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

The members of the Compliance Measures Coordinating Committee unanimously agree that the focusing intended by Council for the Committee on coordination of the many departments at all levels of government which have common enforcement interests, has been a valuable exercise and recommend that the Committee be continued. It is intended to hold meetings at the call of any member of the Committee and at least quarterly. Further reports can be expected by Council periodically as goals are reached or where authority may be required.

Attachments

Organizational Chart

Report prepared by:

Robert J. Swayze
Commissioner of Legal and Administrative Services
City Solicitor

(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 MAY 24, 2005

Item 20, CW Report No. 34 – Page 2

Report prepared by:

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits
Insurance Risk-Management

(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 MAY 24, 2005

Item 21, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

21 **DRAFT PLAN OF CONDOMINIUM FILE 19CDM-05V04**
PROMENADE PARK LIMITED

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 16, 2005:

Recommendation

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium 19CDM-05V04 (Promenade Park Limited), BE APPROVED, subject to the conditions of approval provided in Attachment #1.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Draft Plan of Condominium consisting of a 168-unit, 16-storey apartment building with 278 parking spaces on a site having an area of approximately 0.7 hectares, as shown on Attachment #3.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located on the northwest corner of Promenade Circle and West Promenade, being Part of Block 7 on Registered Plan 65M-2325 (100 Promenade Circle), in Part of Lot 5, Concession 2, City of Vaughan. The surrounding land uses are:

- North - residential condominium apartments (RA3 Apartment Residential Zone)
- South - future residential condominium apartments; West Promenade; park (OS2 Open Space Park Zone)
- East - Promenade Circle; Promenade Mall (C5 Community Commercial Zone)
- West - residential condominium townhouses (RA3 Apartment Residential Zone)

Official Plan/Zoning

The subject lands are designated "High Density Residential" by OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #590. The Official Plan permits apartment buildings having a residential density of 283 units per net hectare. The draft plan of condominium conforms with the Official Plan.

The subject lands are zoned RA3 Apartment Residential Zone by By-law 1-88, subject to Exception 9(480), which permits the 16-storey residential apartment building. The draft plan of condominium complies with the provisions of the Zoning By-law.

CITY OF VAUGHAN

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Site Development

The irregular shaped lot has 66.85m frontage on West Promenade and a depth of 159.68m. The site has one access point on Promenade Circle. There is one L-shaped building, (Phase One of an approved Two Phase development) as shown on Attachment #3, containing 168 units and a 1-storey lobby and recreation area. A total of 278 parking spaces (including 41 surface and 27 underground visitor parking) will be provided. Landscaping will be provided around the perimeter of the building and adjacent to the lot lines.

The draft plan of condominium is in accordance with the approved Site Plan File DA.03.034, for the Phase 1 development. Building Permit # 04-2109 was issued by the Building Standards Department in September 2004, and construction has commenced.

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 draft plan of condominium is consistent with the approved site plan. 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 Condominium 19CDM-05V04

Report prepared by:

Andrea Seca, Planner, ext. 8215
Arto Tikiryan, Senior Planner, ext. 8212
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 MAY 24, 2005

Item 22, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

22

**SITE DEVELOPMENT FILE DA.04.048
MARIO AND NICK CORTELLUCCI**

The Committee of the Whole recommends:

- 1) That Clause 2 of the recommendation contained in the following report of the Commissioner of Planning, dated May 16, 2005, be approved;
- 2) That the following be approved;

“THAT Council deems that the exception to Zoning By-law Amendment File Z.94.095 (Mario and Nick Cortellucci) to permit a car wash use on the subject lands is minor, and that a further Public Hearing is not required”; and
- 3) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT should the Committee concur, the following resolution be adopted:

“THAT Council deems that the exception to Zoning By-law Amendment File Z.94.095 (Mario and Nick Cortellucci) to permit a car wash use on the subject lands is minor, and that a further Public Hearing is not required.”
2. THAT Site Development File DA.04.048 (Mario and Nick Cortellucci) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations, landscape plan, and signage plan shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans and stormwater management report shall be approved by the Engineering Department;
 - iii) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - iv) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.;
 - v) the Owner shall submit elevations for the proposed eating establishment (donut shop) for approval by Council at a future date; and
 - vi) the an implementing zoning by-law shall be in full force and effect.
 - b) That the site plan agreement include the following provision:

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- i) The Owner shall pay to Vaughan by ways 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

Economic Impact

There are no requirements for a new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Site Development Application to develop a 1.459 ha parcel of land shown on Attachment #1 for a Petro Canada gas bar, with an accessory 220m² convenience retail store/gas bar kiosk, a 242m² mechanical car wash, and a 232m² donut shop with drive through donut shop, as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the northwest corner of Keele Street and Kirby Road, in Part of Lot 31, Concession 4, City of Vaughan. The vacant property has 90m frontage on Kirby Road 150m flankage on and Keele Street.

The subject lands are designated "Agricultural" by OPA #600, as amended by OPA #525 to permit the proposed use, and zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North - vacant land (A Agricultural Zone)
- South - Kirby Road; vacant land (A Agricultural Zone)
- West - vacant land (A Agricultural Zone)
- East - Keele Street; vacant land (A Agricultural Zone)

On July 6, 1998, Council approved Official Plan Amendment Application OP.94.025 and Zoning By-law Amendment Application Z.94.095 (Mario & Nick Cortellucci) to permit the use of the subject lands for a gas bar/service station and a donut shop. On October 20, 2000, Council adopted OPA #525 to implement the proposed uses. The provisions of OPA #525 are included in OPA #600 as a site-specific exception. The implementing zoning by-law will be enacted, should Council approve the site plan application.

On January 27, 2000, the Region of York Council adopted Official Plan Amendment No. 16 (ROPA #16) to redesignate the subject lands from "Agricultural Policy Area" to "Rural Policy Area". ROPA #16 permits an automobile gas bar, automobile service station, and an eating establishment-convenience, provided such latter use is operated in conjunction with an automobile gas bar or automobile service station on the subject lands. The proposed development conforms to the Regional Official Plan.

Official Plan

The subject lands are designated "Agricultural Area" by OPA #600, which includes site-specific OPA #525, which permits the following uses: an automobile gas bar, automobile service station,

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and an eating establishment – convenience, provided such latter use is operated in conjunction with an automobile gas bar and/or an automobile service station.

OPA #525 specifies that “within an Automobile Gas Bar and Automobile Service Station site only the sale of fuel, oil and lubricant, and other related products, and the provision of repair and maintenance services for vehicles shall be permitted”. The proposed development includes a car wash which is not specifically listed as a permitted use. However, this is consistent with the service station policies in Vaughan’s Official Plan in which a car wash use is considered to be an associated use to a gas bar or service station, and therefore permitted as-of-right. Accordingly, the proposal conforms to the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. On July 6, 1998, Council approved Zoning By-law Amendment Application Z.94.095 (Mario & Nick Cortellucci) to permit the development of a gas bar/service station and donut shop. The implementing zoning by-law is to be enacted upon approval of a Site Development Application. The proposed car wash use shown on the current site plan on Attachment #2 was not applied for in the original zoning application, and therefore, was not specifically identified in the Notice of Public Hearing dated July 25, 1997 or considered in the Public Hearing report dated August 18, 1997.

Unlike the Official Plan, which allows for flexibility in interpretation, By-law 1-88 includes separately defined uses of a car wash and gas bar, thereby making a distinction between the two uses. As a car wash use is usually associated with the development of gas bar sites, Staff considers the permission of the car wash use on the subject lands to be minor, and not requiring a further public hearing. A resolution to this effect is provided in the recommendation of this report.

Site Design

The proposed 1.459 ha site consists of 3 buildings and one gas pump canopy as shown Attachment #2. The gross floor area of each building is as follows:

Convenience Store/Gas Bar Kiosk:	219.81m ²
Eating Establishment(Donut Shop)	231.88m ²
<u>Car Wash</u>	<u>241.66m²</u>
Total GFA:	693.35m ²

The site is to be served by two, 9m wide access driveways, one each on Kirby Road and Keele Street, as shown on Attachment #2. The final location and design of each driveway access is subject to the approval of the Region of York Transportation and Works Department. The Region of York has advised that the access points may be restricted to right-in/right-out movements, upon the ultimate design and future reconstruction of Keele Street and Kirby Road.

The pump islands are located in the southeast portion of the site, with an overhead canopy that connects to the convenience store/gas bar located further to the north. A total of 4 pump islands are proposed. The proposed car wash is located west of the convenience store/gas bar kiosk, and a drive-through eating establishment is located to the north. The eating establishment is separated from the gas bar by parking and landscaping, however, a 1.5m wide pedestrian walkway has been provided to connect these buildings. A fully enclosed garbage storage room is attached to the west side of the convenience store/gas bar kiosk, and constructed with the same materials and colours as the main buildings.

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Two (2) vacuum stations with associated parking spaces, and a tire inflation pump are located on the east side of the proposed car wash. The stacking lane for the car wash will be identified with painted lines to separate it from the on-site traffic accessory the gas bar.

The convenience eating establishment (donut shop) is designed with 42 seats with a drive-through along the south side of the building. Vehicle stacking will occur to the west of this building.

Directional signage will be provided throughout the site. A pylon sign is proposed on both Keele Street and Kirby Road having a height of 7.5m as shown on Attachment #8.

Parking

By-law 1-88 calculates the required parking for the site as follows:

- Convenience Eating Establishment: 231.88m² x 16 spaces/100m² GFA = 38 spaces
 - Convenience Store/ Gas Bar Kiosk: 219.81m² x 4.5 spaces/100m² GFA = 10 spaces
 - Car Wash: 5 spaces = 5 spaces
- TOTAL Required Parking = 53 spaces

A total of 56 parking spaces are proposed including 2 spaces for the physically challenged. The site plan also shows 2 spaces for the vacuum stations, and the required 10 stacking spaces for the car wash, and 8 stacking spaces for the convenience eating establishment. The proposal exceeds the minimum parking requirements of By-law 1-88, with a surplus of 3 spaces.

Building Elevations

The 4.2m high convenience store/gas bar kiosk and the associated 3.7m high attached garbage feature a white alucobond cladding, as shown on Attachments #4 and #7. A red accent band will run along the top of the Store/Kiosk building. The front elevation (south) features the main entrance which is surrounded by glass. A large company logo sign is located over the main doors. The remaining elevations feature white alucobond cladding with light fixtures, non-illuminated signage and access doors. A surface mounted "Building Leaf" (Petro Canada company logo) is proposed on the front and side elevations and Staff is also working with the applicant to provide this feature on the north elevations, to address this blank wall. The garbage room includes two metal roll-up door. The elevations for the convenience store/gas bar kiosk shows roof-top mechanical equipment that is screened with a white alucobond material. Prior to the execution of the site plan agreement, the Owner must submit the proposed screening details for review and approval.

The car wash has vehicle entrance and exit openings on the north and south sides, respectively, as shown on Attachment #5. The east side of the building features a stretch of windows, as well as a sign and wall mounted leaf logo. The façade of this building will be finished in a split-faced crystal white block. Staff is working with the applicant to provide signage on the west elevation, to address this blank wall.

The fueling station canopy is clad in Petro Canada's corporate colours of red with a white band around the base as shown on Attachment #6. Two "Petro Canada" logos are identified on the south and east sides of the canopy. The canopy will be 5.5m in height, with the logos increasing the canopy height to 6.5m.

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The Owner has not submitted elevations for the proposed eating establishment. The Owner is required to either submit these elevations for approval by the Committee of the Whole at a future date.

Landscaping

The landscape plan shown on Attachment #3 identifies a minimum landscape strip of 6.0m along the Keele Street and Kirby Road frontages. Significant landscaping consisting of a combination of low shrubs and plants, Silver Firs, Colorado Spruce, Sugar Maples and Ash trees are proposed. Landscaping is also proposed in the westerly portion of the site, and adjacent to the stacking lanes for the car wash and eating establishment. Staff will work with the applicant to provide opportunities for additional landscaping in the northerly area, to screen the parking area. The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Parkland Dedication

The Owner will be required to pay to Vaughan, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the Planning Act. A condition to this effect is provided in the recommendation of this report.

Servicing

The proposed development will be serviced on full municipal water and sanitary and storm sewers. The Owner has submitted detailed engineering drawings, including site servicing and grading plans and a storm water management report, which must be approved by the Engineering Department. All hydro requirements must be addressed to the satisfaction of PowerStream Inc.

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 Site Plan Application in accordance with the applicable Official Plan policies and the requirements of By-law 1-88. Staff is satisfied that the proposed site plan is appropriate, and will facilitate development of the site for an automobile gas bar/convenience retail store, car wash, and an eating establishment. The car wash use was not specifically considered at the Public Hearing August 1997, but given this use is usually associated with the development of gas bar sites, Staff considers the permission of the car wash use on the subject lands to be minor, and not requiring a further public hearing. A resolution to this effect is provided in the recommendation of this report. For these reasons, Staff can recommend approval of the Site Plan application, subject to conditions.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Gas Bar/Convenience Store Elevations
5. Car Wash Elevations
6. Canopy Elevation
7. Refuse Enclosure (Attached to Convenience Store/Gas Bar Kiosk)
8. Pylon Sign

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Report prepared by:

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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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 23, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

23

**SITE DEVELOPMENT FILE DA.05.008
2748355 CANADA INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 16, 2005, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.05.008 (2748355 Canada 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 plan and stormwater management report shall be approved by the Engineering Department;
 - iii) parking, access and on-site vehicular circulation shall be approved by the Engineering Department;
 - iv) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - v) the traffic study shall be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department;
 - vi) all hydro requirements shall be fulfilled to the satisfaction of Power Stream Inc.;
 - vii) all requirements of the Ministry of Transportation shall be satisfied; and
 - viii) the Owner shall dedicate to the City, the lands necessary for the Higher Order Transitway Corridor as shown on Schedule "B2" of OPA #529, free of all costs and encumbrances; or, the Owner shall enter into the Option Agreement outlined in Schedule "B" of the Minutes of Settlement dated July 10, 2000 between 2748355 Canada Inc. and the City, which will grant the City the option to purchase in free simple, a sub-surface stratum of a portion of the subject lands for the purposes of a subway line.
- b) That the site plan agreement contain the following provision:

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- 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.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Site Development Application to permit the development of a two-storey office building (5016.75m²) with a one-storey warehouse (557.42m²) as shown on Attachment #2.

Background - Analysis and Options

The 1.67ha vacant site which was recently severed from the larger landholding as shown on Attachment #1, is located on the west side of Jane Street, between Interchange Way and Exchange Avenue, in Part of Lot 4, Concession 5, City of Vaughan (Attachment #1).

The subject lands are designated "Corporate Centre District" by OPA #500 (Corporate Centre Plan), and zoned EM1 Prestige Employment Area Zone by By-Law 1-88, subject to Exception 9(957). The surrounding land uses are:

- North - Interchange Way; vacant/commercial (C7 Service Commercial Zone),
vacant/employment (EM1 Prestige Employment Area Zone)
- South - Exchange Avenue; 407 ETR (PB1S Parkway Belt Linear Facilities Zone)
- East - Jane Street; employment (EM1 Prestige Employment Area Zone)
- West - vacant/employment (EM1 Prestige Employment Area Zone)

Official Plan

The subject lands are designated "Corporate Centre District" by OPA #500 (Corporate Centre Plan), which provides opportunities for land uses that require visual exposure, good vehicular accessibility and large development sites that are characterized by high design standards. The proposed two-storey office with one-storey warehouse is deemed to be a prestige industrial use, which is permitted and conforms to the policies of OPA #500.

The site is also subject to OPA #529, which implements the "Vaughan Higher Order Transit Right-of-Way Corridor Protection Study". The purpose of the study was to identify and protect a higher order transit right-of-way leading from York University to the Vaughan Corporate Centre.

OPA #529 acknowledges the Public Transit Right-of-Way on the Beutel Goodman Lands, of which the easterly 11.5m of the overall 23m right-of-way on the subject lands are included, to facilitate of a sub-surface subway, as shown on Attachment #2. The applicant will provide 11.5m of the 23m right-of-way on the severed portion of the lands, with the remaining 11.5m to be provided by Beutel Goodman upon development of the adjacent westerly parcel.

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In accordance with OPA #529, construction of buildings or other structures requiring footings or other load bearing support will not be permitted to locate above the underground Public Transit right-of-way, however, surface parking, landscaping, and vehicular and pedestrian circulation will be permitted on the 11.5m right-of-way, as shown on Attachment #2. Prior to the execution of the site plan agreement, the Owner shall inform the City if they will be either dedicating the lands to the City that are necessary for the Higher Order Transitway Corridor as shown on Schedule “B2” of OPA #529, free of all costs and encumbrances, or; if they will be entering into the Option Agreement outlined in Schedule “B” of the Minutes of Settlement dated July 10, 2000, between 2748355 Canada Inc. and the City.

The applicant’s agent has verbally advised that the Owner will be entering into the Option Agreement, which will grant to the City, the option to purchase in fee simple, a sub-surface stratum of a portion of the subject lands owned by 2748355 Canada Inc., for the purposes of a subway line, in accordance with the terms and conditions of the Agreement.

Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone, subject to Exception 9(957), which permits the proposed office and warehouse use. The site plan has been reviewed in accordance with the EM1 Zone requirements and Exception 9(957), and found to comply in all respects.

The applicant has submitted a Consent Application (File B018/05) to permit the severance and creation of the subject lot from a larger landholding as shown on Attachment #1. This application was approved by the Committee of Adjustment on March 31, 2005, without appeal.

Site Design

The site plan (Attachment #2) shows a two-storey office building facing Interchange Way with an attached single-storey warehouse. Two full-movement accesses, one to Interchange Way and the other to Exchange Way, will serve the site. There is vehicular circulation with parking around the building. Landscaping and pedestrian walkways are proposed around the building with connections to Jane Street and Interchange Way. A canopy is proposed above the main entrance at the northeast corner of the building, and there is a patio at the northwest corner. The final site plan will be approved to the satisfaction of the Development Planning Department.

Parking /Traffic

The required parking for the site is calculated as follows:

Office:	3.5 spaces/100m ² GFA (5016.75m ² GFA)	=176 spaces
Warehouse:	1 space/100m ² GFA (557.42m ² GFA)	= <u>6 spaces</u>
Total Parking Required		= 182 spaces
Zoning By-law Exception Allowing 25% Parking Reduction		= <u>45 spaces</u>
Minimum Parking Required		= 137 spaces
Total Parking Provided		= 218 spaces

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The Owner is proposing a total of 218 spaces. By-law Exception 9(957) permits a 25% reduction to the parking requirement for development of the overall lands in conjunction with the AMC Theatre to the northwest. As a result, there will be a parking surplus of 81 spaces on the subject lands.

The Owner has submitted a Transportation Impact Study prepared by Urbacon Limited to review any potential transportation impacts, parking and loading requirements resulting from the proposed development. The traffic study shall be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department.

The subject lands are in close proximity to Highway #407, and are subject to the requirements of the Ministry of Transportation Ontario (MTO) including obtaining any permits for signage. The Owner will be required to satisfy all requirements of the MTO, as a condition of site plan approval.

Services/Utilities

The site has access to hydro, water, and sanitary and storm sewers. The Owner has submitted a site grading and servicing plan and a stormwater management report, which will be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department.

All hydro requirements will be addressed by the Owner, to the satisfaction of PowerStream Inc.

Landscaping

The proposed landscape plan (Attachment #3) consists of deciduous and coniferous trees and shrubs along Interchange Way, Jane Street, and Exchange Avenue. Landscape islands are proposed along the westerly property line and at the northwest corner of the building surrounding the proposed patio, and at the southwest and southeast corners of the building, with the latter assisting to screen the single loading space at the southwest corner of the warehouse. The sodded strip along the entire westerly property line will be used by the company to calibrate laser light beams between two uninterrupted points, and the applicant has advised that the beam is safe if persons or objects cross its path. A concrete pedestrian walkway surrounds the building with connections to Jane Street and Interchange Way. The applicant is willing to work with staff to enhance the landscape plan, which is to include tree planting in the islands within the southerly parking lot. The final landscape plan will be approved to the satisfaction of the Development Planning Department.

Building Design

The proposed building elevations are shown on Attachments #4 and #5. The building will be constructed to a height of 9.3m and consist of blue glass and white precast panels. The square-shaped blue glass entry feature is located on the northeast elevation facing the corner of Jane Street and Interchange Way and is designed with glass doors on either side, a blue metal canopy above, and surrounded by white precast panels. The remaining three elevations are of the same design and will consist of blue glass for the first and second storey windows and triangular shaped window features with alternating blue spandrel and glass panels. One man door, one over-head door and one loading door are located on the south elevation, facing Exchange Avenue. The applicant has confirmed that the "future" punch-out windows shown on the south, west and east elevations of the warehouse (Attachments #4 and #5) will be constructed instead with blue-tinted glass windows, as part of the main construction, rather than in the future. The final building elevations will be approved to the satisfaction of the Development Planning Department.

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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 Site Plan Application in accordance with the policies of the Official Plan and the requirements of the Zoning By-Law, and is satisfied that the proposed office and warehouse building will facilitate an appropriate development of the site, within the Corporate Centre.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Building Elevations (North, East, West and South)
5. Building Elevations (Northeast and Southwest)

Report prepared by:

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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 MAY 24, 2005

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

24 **SITE DEVELOPMENT APPLICATION**
PETRO-CANADA
FILE DA.04.043

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated May 16, 2005, be approved; and**
- 2) **That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

THAT the revised site layout, building elevations and landscape plan for Site Development File DA.04.043 (Petro-Canada), as shown on Attachments #3, #4, #4a and #5, BE APPROVED, subject to the following conditions:

- a) That prior to the execution of the amending site plan agreement:
 - i) the final site plan, building elevations, and landscape plan shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans and stormwater management report shall be approved by the Engineering Department;
 - iii) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.; and
 - iv) the required variances for minimum required interior side yard and rear yard, and maximum permitted building GFA shall be approved by the Committee of Adjustment, and shall be final and binding.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted an amendment to an approved Site Development File DA.97.049 (Petro Canada), to facilitate the following revisions:

- the relocation of the "Petro Pass"/Customer Service building from the westerly property line to the northwest corner of the site;
- an increase in the maximum permitted gross floor area from 114.75m² to 214.7m² for the "Petro Pass"/Customer Service building;
- an increase in height from 3.6m to 4.25m for the "Petro Pass"/Customer Service building;
- a 239.95m² decrease in landscaped area from 2347.87m² to 2107.87m²; and,
- a decrease in truck parking from 12 to 9 spaces.

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The approved and amended site plans for the Petro Pass truck refueling station are shown on Attachments #2 and #3, respectively.

Background - Analysis and Options

The irregular-shaped 0.78 ha site (Attachment #1) is located on the northwest corner of MacIntosh Boulevard and Creditstone Road (120 MacIntosh Boulevard), in Part of Lot 8, Concession 4, City of Vaughan. The site is developed with a Petro Pass truck refueling station and a 114.75m² customer service building.

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan), and zoned EM2 General Employment Area Zone by By-law 1-88, subject to Exception 9(995). The surrounding land uses are as follows:

- North - employment (EM2 General Employment Area Zone)
- East - Creditstone Road; employment (EM2 General Employment Area Zone)
- South - MacIntosh Boulevard; employment (EM2 General Employment Area Zone)
- West - employment (EM2 General Employment Area Zone)

On October 27, 1997, Council approved the original site plan and zoning by-law amendment applications (Files DA.97.049 and Z.97.079) to permit the development of a truck refueling facility and an 114.75m² customer service building.

Official Plan

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses, with or without outdoor storage. The proposed revisions to the approved site plan conforms to the Official Plan.

Zoning

The subject lands are zoned EM2 General Employment Area Zone by By-law 1-88, subject to Exception 9(995), which permits a truck refueling station and a maximum 115m² GFA customer service building. These uses are both defined under the exception paragraph, as follows:

"A truck refueling station means a building or place where diesel fuel is kept for sale and delivery directly to commercial trucks or transport trucks and a customer service building means a building containing change rooms, showers, restroom facilities and vending machines for the exclusive use of customers of the facility."

The following zoning exceptions to site-specific Exception 9(995) have been identified to implement the proposed revisions to the site plan:

	<u>Required</u>	<u>Provided</u>
Minimum Interior Side Yard (West)	3.0m	2.18 m
Minimum Rear Yard (North)	12.0m	2.38m
Maximum Permitted Building GFA	115m ²	214.7m ²

The reduction in the westerly interior side yard, and the 99.95m² increase in GFA from 114.75m² to 214.7m² are considered to be minor. Although the rear yard reduction appears large, the building will abut the adjacent property's (650 Creditstone Road) interior lot line, where parking is

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located on a grade that is slightly higher than the subject lands, and will allow for additional screening, together with additional planting that is proposed along the north property line. On November 15, 2004, the Owner sent notices outlining the proposed site plan revisions and variances to the abutting landowners to the north and west, and to date no comments have been received. These exceptions are considered appropriate to achieve the recommended site plan. The Owner shall obtain approval from the Committee of Adjustment for the above-noted minor variances. The decision of the Committee of Adjustment shall be final and binding, prior to the execution of the amending site plan agreement.

Site Design

The subject lands are developed in accordance with the approved site plan (Attachment #2), which shows a gas bar in the centre, a Petro Pass building along the westerly property line, and parking areas at the northeast and southwest corners of the site. The proposed revisions consist of the relocation of the customer service “Petro-Pass” building to the northwest corner of the site and an increase in gross floor area from 114.75 m² to 214.7 m². Four car parking spaces, including one space for disabled persons, and two van-sized parking spaces will be relocated to the south side of the proposed building. The garbage enclosure will be relocated to the east side of the proposed building, with a wood privacy fence to screen the enclosure from Creditstone Road. The final site plan shall be to the satisfaction of the Development Planning Department.

It is noted that cash-in-lieu of parkland dedication was paid through the registration of subdivision Plan 65M-2696 in 1990, and no additional cash-in-lieu payment is required.

Access and Parking

Three full-movement access points serve the site, including two on Creditstone Road and one on MacIntosh Boulevard. The site is developed with 18 parking spaces. The applicant is proposing a 3 space reduction in parking from 18 to 15 spaces. By-law 1-88 calculates the required parking for the site as follows:

Automobile Service Station: 214.7 m² at 4.5 spaces/100 m² GFA = 10 spaces

Total Parking Required = 10 spaces

Total Parking Provided = 15 spaces

By-law 1-88 does not make a distinction between car and truck parking, and therefore there is sufficient parking on site with a surplus of 5 parking spaces.

Elevations

The proposed building (Attachments #4 and #4a) will be constructed to a height of 4.25m, which is a 0.65m increase from the previous approved height of 3.6m. The roof-top mechanical equipment, including the parapet and the corporate signage above the entrance door, increases the height to 5.9m.

The building material consists of medium grey-coloured architectural block, in the corporate colours of Petro Canada. The main double entrance door is located on the south elevation facing MacIntosh Boulevard, with a Petro Canada red and white corporate logo above. Grey vertical metal panels frame the entry with ground floor windows on either side. A wall-mounted “Petro-Pass” sign is located above three small illuminated sign boxes on the south elevation.

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The east elevation, facing Creditstone Road has two windows and a man door. An exterior ladder is located on the north elevation. The roof-top mechanical equipment on the building is screened from the view of the street. The final building elevations shall be approved to the satisfaction of the Development Planning Department.

Servicing

The subject lands have access to municipal services, including hydro, storm and sanitary sewers, and water. As a result, of the relocation of the customer service building, disconnection and reconnection of hydro is required, prior to construction. The final site servicing and grading plan and stormwater management report shall be approved to the satisfaction of the Engineering Department and Power Stream Inc.

Landscaping

The periphery of the site is landscaped with a variety of coniferous and deciduous trees and shrubs. Additional trees will be added along the northerly and westerly property lines and on the east side of the garbage enclosure to provide further screening from Creditstone Road. The applicant is proposing a decrease in the total landscaped area from 30.1% to 27%, which is well above the minimum 5% landscaping requirement in an Employment Area Zone under By-Law 1-88. The final landscape plan shall be approved to the satisfaction of the Development Planning Department.

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 plan, elevation plan and landscape plan in the context of the policies in OPA #450, the requirements of By-Law 1-88, and the surrounding developed area. Staff is satisfied that the proposed amendments to the approved site plan, including the relocation of the building, an increase in building GFA and height, and a decrease in landscaped area and parking spaces, are appropriate and compatible with the surrounding development. Accordingly, Staff can support the proposed amendments to the approved site development agreement for File DA.04.043. Staff can also support the required variances for minimum interior side yard and rear yard, and maximum permitted building GFA, which will require approval from the Committee of Adjustment, to implement the final site plan.

Attachments

1. Location Map
2. Approved Site Plan (October 27, 1997)
3. Proposed Revisions to the Site Plan
4. Proposed Elevation
- 4a. Proposed Elevation
5. Proposed Landscape Plan

Report prepared by:

Christina Napoli, Planner 1, Ext. 8483

Arto Tikiryan, Senior Planner, Ext. 8212

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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25

**SITE DEVELOPMENT FILE DA.03.036
LANADA INVESTMENTS LTD.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 16, 2005, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.03.036 (Lanada Investments Ltd.) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site development agreement:
 - i) the final site plan, building elevations, landscape plan and tree preservation plan shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans, stormwater management report, and geotechnical report, shall be approved by the Engineering Department;
 - iii) all hydro requirements shall be fulfilled to the satisfaction of Power Stream Inc.;
 - iv) the requirements of Vaughan Fire and Rescue Services Department shall be satisfied;
 - v) all requirements of the Region of York Transportation and Works Department shall be satisfied; and,
 - vi) the implementing zoning by-law shall be approved by the Ontario Municipal Board, and be in full force and effect.
 - b) That the Site Development Agreement shall contain the following conditions and warning clauses:
 - i) All garbage shall be stored indoors until ready to be picked up by a private garbage operator; and,
 - ii) The Owner shall 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 City Policy. The Owner shall submit an appraisal of the

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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.

2. That Council adopt 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 Development Application DA.03.036 (Lanada Investments Limited) is allocated sewage capacity from the York/Durham Servicing Scheme via the Woodbridge Collector, and water capacity from Pressure District No. 4 of the York Water Supply System, for a total of 18 residential units."

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Site Development Application to permit the development of a block townhouse development comprised of 18 condominium townhouse units on a 0.61 ha parcel with a frontage of 15.43 m on Islington Avenue. The site statistics are as follows:

Site Area:	0.61ha
Total Number of Units:	18 units
Total Gross Floor Area:	3,059 sq.m.
Parking Provided:	41 spaces

Background - Analysis and Options

The subject lands are located on the west side of Islington Avenue, south of Gamble Street, being Part of Lot 26, Registered Plan M-1106 (8334 Islington Avenue), in Lot 9, Concession 7, City of Vaughan (Attachment No. 1). The subject lands have an area of 0.61 ha, with 15.34 metres of frontage on Islington Avenue. The site is irregular in shape, with a treed steep slope along the rear of the property. The site is currently developed with a two-storey detached dwelling, which will be demolished.

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by site-specific OPA #586, and zoned R2 and R3 Residential Zones by By-law 1-88. The surrounding land uses are:

- North - detached dwellings (R3 Residential Zone), commercial plaza and gas station (C3 Local Convenience Zone)
- South - detached dwellings (R1V Old Village Residential Zone and R2 Residential Zone)
- East - detached dwellings (R2 Residential Zone); Islington Avenue
- West - detached dwellings (R1V Old Village Residential Zone)

Ontario Municipal Board (OMB) Approval

On September 27, 2002, the applicant appealed Official Plan Amendment Application OP.00.020 and Zoning Amendment Application Z.00.094 to the Ontario Municipal Board (OMB) on the basis

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that Council failed to make a decision within the required time period, as provided by the Planning Act. The original Official Plan and Zoning Amendment Applications contemplated high density development comprised of a four-storey 64 unit senior's apartment building. The applications were held in abeyance until the completion of a City initiated land use study for the Islington Avenue Corridor. The study concluded that the subject lands were better suited for a medium density development at a maximum density of 35 units/net ha which equates to a maximum of 21 units (35 uph x 0.608 ha).

On October 28, 2002, Council recommended that the subject lands be designated "Medium Density Residential" consistent with the findings and recommendations of the Islington Avenue Corridor land use study. The Ontario Municipal Board Order, dated December 17, 2002 (Decision/Order No. 1714), approved Official Plan Amendment #586 which designated the subject lands "Medium Density Residential" and provided a number of development conditions. The zoning amendment application was approved in principle, subject to the approval of a site development application. The implementing zoning by-law will be forwarded to the OMB for approval, should Council approve the subject site plan application.

The proposed site plan submission contemplates four block townhouse buildings with a total of 18 condominium townhouse units.

Official Plan

The subject lands are designated "Medium Density Residential" by OMB approved OPA #586, which permits a maximum of 35 units per net hectare for townhouses. The maximum building height shall not exceed 3½-storeys. The proposed development conforms to OPA #586 and is consistent with the recommendations of the Islington Avenue Corridor Land Use Study for this site.

Zoning

The subject lands are currently zoned R2 Residential Zone and R3 Residential Zone by By-law 1-88. The Zoning Amendment application was also referred to and approved by the Ontario Municipal Board. The Board indicated that it would withhold its Order with respect to the implementing Zoning By-law Amendment to permit an opportunity for the precise language to be agreed upon in accordance with the zoning regulations, which are set out in the Board Order. The withholding of the Order permits the processing of a site plan application to establish the specific requirements of the Zoning By-law for the subject lands.

The Board Order sets out a list of Zoning regulations to be applied to the subject lands as follows:

1. Mixed housing types shall be permitted.
2. A minimum of 1.75 parking spaces per unit shall be provided on site.
3. Maximum building height shall not exceed 3.5 storeys with final height determined at site plan application and approval stage.
4. Block and street townhousing shall be at a density of 35 units per hectare with a 10 percent density bonus (providing development meets the criteria for the bonus).
5. Garden court units, low rise apartments, back-to-back townhouses, and stacked townhouses shall be permitted at an FSI of 0.5 with a 10 percent density bonus (provided the development meets the criteria for the bonus).

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6. Minimum building setback from the approved toe-of-slope shall be 3.0 metres or as identified in the geo-technical report approved by the City of Vaughan.
7. Lands above the toe-of-slope shall be zoned OS1 Open Space Conservation Zone.
8. The overall length of a building shall not exceed 60 metres.
9. Garbage storage shall be internal to the building.
10. Surface parking within the front yard is permitted but shall be screened from the street with landscaping.
11. Minimum side yard setback – 1.5 metres.
12. Minimum rear yard setback – 3 metres from approved toe-of-slope.
13. The access driveway from Islington Avenue and internal driveways shall be 6.0 metres in width.
14. Frontage on Islington Avenue shall be 15.0 metres (site plan shows 15.34 m, and will be included in the implementing by-law as an exceptions).

The proposed zone category for the revised townhouse development is RM2 Multiple Residential Zone, which permits the proposed block townhouse dwelling units. The implementing by-law will include the specific exceptions to implement the final development, consistent with those outlined above by the Ontario Municipal Board. It should be noted that the proposed zoning regulations state that lands above the approved toe-of-slope shall be zoned OS1 Open Space Conservation Zone. Accordingly, the proposed zone changes arising from the Board Order will result in rezoning the subject lands from R2 Residential Zone and R3 Residential Zone to RM2 Multiple Residential Zone and OS1 Open Space Conservation Zone, in the manner shown on Attachment No. 6. The following additional exceptions will be required to be included in the implementing zoning by-law:

a) Landscaping Adjacent to an Outdoor Parking Area/Driveway

Planning Staff advises that By-law 1-88 (Section 4.1.4 (b)(i) and (ii)) requires a minimum 3m wide landscape strip around the periphery of an outdoor parking area and consisting of either a berm or minimum 1.2m high evergreen hedgerow. Staff can support an exception that would facilitate an appropriate mix of deciduous and coniferous trees and shrubs, without the need for a berm, and landscape strip widths ranging between 0m-2.4m, as shown on the Landscape Plan (Attachment #3). The areas with zero (0)metre landscaping are located along the north and south driveways, adjacent to 1.8m high wood privacy fencing.

b) Driveway Access Width

By-law 1-88 requires a driveway access width along the property line of 7.5m on Islington Avenue. The Region of York Transportation and Works Department has requested that the driveway access be 9m wide, thereby requiring an exception to By-law 1-88, which is supported by Staff.

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c) Retaining Walls

The topography of the property requires the development to incorporate retaining walls along the north property line directly adjacent to the Block 1 townhouses; along the south property line directly opposite Blocks 2 and 3, along the internal east property line; and along the toe-of-slope to the west of the townhouse Blocks 1 and 2.

By-law 1-88 requires the maximum height of any retaining wall constructed on a property line between two residential lots to be one metre. A retaining wall which exceeds one metre in height must be setback from the property line a distance equal to its height. The retaining walls proposed along the north, south and east property lines range between 0.1m–2.5m in height, with a set back ranging between 0m-0.4m from the property lines. The proposed exception can be supported, provided the structural engineering details for the retaining walls are approved to the satisfaction of the Engineering Department.

Islington Avenue Urban Design Guidelines

The Islington Avenue Land Use Study, approved by Council on October 2002, recommended in part that Urban Design Guidelines be prepared and adopted for the Islington Avenue Land Use Study Area. On June 23, 2003, Council approved urban design guidelines prepared by the IBI Group. The guidelines are intended to provide direction and a framework for architectural design and site planning for future development applications within the Islington Avenue Study Area, both the public and private realms.

Staff has reviewed the proposed development in light of the urban design guidelines, and finds it to be consistent with the guidelines.

Site Design

The site is an irregular key-shaped lot (Attachment No. 2), with a treed slope along the rear of the property. The property is accessed by a long narrow 6 m wide driveway which runs westward from Islington Avenue to the rear of the property. Due to the key-shape of the lot, development is located within the interior of the lot, approximately 90 metres west of Islington Avenue. The site is to be developed with four, 3-storey block townhouse buildings. Two buildings (Blocks 1 and 2) are oriented in a north/south direction and the remaining two buildings (Blocks 3 and 4) oriented in an east/west direction. The lands have a site area of approximately 0.61 ha

All garbage will be stored internal to each townhouse unit until it is ready to be picked up by a private garbage operator. Also, snow will be stored on-site within the landscaped areas, as identified on the landscape plan (Attachment No. 3).

Building Design

The proposed buildings (Attachment's No. 4 and No. 5) have a height of approximately 8.7 metres (3-storeys). The Board's Order allows a maximum height of 11 metres and 3½-storeys.

The buildings are proposed to be constructed with a beige stone base at the first floor level, with a precast sill along the base of the second floor with the remainder of each building being constructed with a beige stucco finish as the main construction element and incorporating windows with decorative window surround elements. The front elevations on all buildings incorporate metal railings. The entrances to the units utilize painted wood cornice, canopy and columns of a darker beige, contrasting in colour to the lighter colour of the buildings, and incorporating decorative door surround elements. Painted metal railings are also incorporated at the stairs to the entrances. Generally all elevations are treated in the same manner.

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The east elevations for Blocks 1 and 2 function as the main entrances to the townhouse units. The rear elevations of Blocks 1 and 2 have walk-outs to individual rear yards. The south elevation on Block 3 and the north elevation on Block 4 function as the main entrances to these townhouse units. The rear elevations to the units in Blocks 3 and 4 have cantilevered wood decks at the second floor level and walk-outs at the first floor level. The roofline of all buildings are flat.

The final elevations will be approved by the Development Planning Department. A condition to this effect has been included in the recommendation section of this report.

Parking

The site plan proposes a total of 41 parking spaces. Based on the parking standards provided in the OMB's Order, a minimum of 32 parking spaces are required. The required parking spaces are calculated as follows:

Block Townhouse 18 units @ 1.75 parking space/unit (includes visitor) = 32 spaces

The proposed development contemplates 2.0 spaces per unit, consisting of one space in the garage and one parking space in the driveway. The applicant is also providing 5 visitor parking spaces along the easterly limits of the development, including one handicapped parking space.

Access

Access to the development is by way of a long 6.0 m wide driveway from Islington Avenue, which forms a P-shaped internal driveway to access all buildings and to visitor parking areas. The applicant will need to acquire final approval for the access location and design on Islington Avenue from the Region of York Transportation and Works Department.

Landscaping

The landscape plan (Attachment No.3) proposes a variety of deciduous and coniferous trees and shrubbery surrounding the periphery of the site. The landscape plan contemplates the provision of a landscaped strip approximately 2.42m in width along the eastern limit of the property with a variety of deciduous trees, as well as, a 1.8m high wood privacy fence to be provided adjacent to existing residential development.

The rear of the property is comprised of a slope, which is vegetated with a number of coniferous and deciduous trees. The applicant in order to develop the site, is proposing to cut into the toe of the slope to provide an engineered post and timber retaining wall (Attachment No. 5), and to provide landscaping and rear yard area for the proposed townhouses (Blocks 1 and 2).

A tree preservation plan has been submitted, which must be approved to the satisfaction of the Development Planning Department, to ensure that trees in good condition are preserved or re-located, if possible.

The final landscape plan and landscape cost estimate, must be approved to the satisfaction of the Development Planning Department.

Municipal Services

The Engineering Department has reviewed the engineering drawings, and has provided red-lined revisions to the site grading plan, and illumination plan, which have been forwarded to the applicant's architect. In addition, the Engineering Department advises that the stormwater management report dated May 2004, prepared by W.G.Notenbloom Consulting is satisfactory to the City, and further advises that:

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- Section details are required for proposed municipal service connections within the right-of-way.
- Provide an engineer designed and approved detail for the retaining wall at the rear of Block 1 and along the property boundary, making specific note the MPA (Mega Pascal) strength of concrete where applicable. Handrail/guardrail is required when height exceeds 0.6m and details shall be designed and certified by a professional engineer upon approval.
- Provide an Electrical/Exterior Lighting Plan indicating photometric data in units of lux. Section 3.15 of By-law 1-88 states the following: “Any outdoor floodlighting associated with the use of any lot in any Zone shall be directed inward and downward or in such a manner as to not illuminate any part of any adjacent lot”.
- The applicant will be required to obtain approval from York Region regarding the engineering plans and access on Islington Avenue.

The Engineering Department has also indicated that a traffic study and a noise study are not required.

On October 12, 2004, Vaughan Council reserved sewage capacity from the York/Durham Servicing Scheme and water supply from the York Water System for the subject lands (DA.03.036).

All hydro conditions and requirements of Powerstream Inc. must be satisfied, prior to final approval of the site plan.

Fire and Rescue Services Department

The Vaughan Fire and Rescue Services Department has provided conditions, relating to the provision of a water supply for fire-fighting (i.e fire hydrants), fire access route signs, and the design and construction of the fire access routes. The applicant will be required to satisfy all requirements of the Vaughan Fire and Rescue Services Departments, as a condition of site plan approval.

Region of York

The Region of York Transportation and Works Department (Infrastructure Design Construction Branch) in their letter of January 20, 2005, reviewed the site plan application and outlined a number of modifications which the applicant must fulfill, including, access to the site being designed with a 9.0 metre wide throat and 9.0 metre radii. A road widening is also required along the entire frontage of Islington Avenue of sufficient width to provide 15.0 metres from the centre-line of construction of Islington Avenue.

The Region's comments also require that adequate water and wastewater servicing capacity must be available, to the satisfaction of The Regional Municipality of York, and allocated by the City of Vaughan for the development proposed within this site plan, prior to approval.

The Region has requested that the Owner modify their plans to reflect the written and red-lined comments provided in their correspondence of January 20, 2005. The Region has not as of yet approved the site plan. The Owner will need to address all the Region's concerns, both technical and financial, to receive the Region's final conditions of site plan approval. The Owner is in the process of addressing and finalizing these concerns.

The Region of York Transportation and Works Department has indicated that a traffic impact study and a noise report are not required for the subject lands.

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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 development for a medium density residential development is consistent with Official Plan Amendment #586 and the findings of the Islington Avenue Corridor Study, which encourage a full range of housing types and densities to meet future demographic and market requirements. Staff has reviewed the proposed development in accordance with the policies of Official Plan Amendment #586, and the Ontario Municipal Board's, Order #1714, dated December 17, 2002, and find that the proposed development conforms to the policies of the Official Plan.

Staff can support the approval of the proposed development, subject to the conditions outlined in the recommendation section of this report. Should Council approve the site plan application, the implementing zoning by-law can be forwarded to the Ontario Municipal Board for approval, and include the zoning exceptions previously approved by the Board in its Order #1714, dated December 17, 2002, and the additional exceptions identified in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
- 4a. Elevations (Blocks 1 and 2)
- 4b. Elevations (Blocks 3 and 4)
5. Site Section
6. Proposed Zoning Changes

Report prepared by:

Arto Tikiryan, Senior Planner, ext. 8212

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 MAY 24, 2005

Item 26, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

26

STREET NAME APPROVAL FILE 19T-03V21
MAPLE HEIGHTS SHOPPING CENTRE INC.

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 16, 2005:

Recommendation

The Commissioner of Planning recommends:

THAT the following street name for Draft Plan of Subdivision File 19T-03V21 (Maple Heights Shopping Centre Inc.) BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Treasure Hill Road

Economic Impact

There are no requirements for new funding associated with this report.

Background

The subject lands shown on Attachment #1 are located at the northwest corner of Drummond Drive and Keele Street, in Lot 24, Concession 4, City of Vaughan.

The applicant has submitted a street name for approval. The draft plan of subdivision (19T-03V21) shown on Attachment #2 was approved by Vaughan Council on December 6, 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-03V21.

Attachments

1. Location Map
2. Draft Plan Subdivision showing proposed Street "A"

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Report prepared by:

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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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Report of the Commissioner of Planning dated May 2, 2005

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.02.014 (Ahuva and Eric Pollack) BE ENDORSED to redesignate the subject lands from “Low Density Residential” under OPA #210 (Thornhill Community Plan) to “Mixed Use Residential/Office” consistent with the Final Draft of OPA #672 (Centre Street Spine), to permit a seniors retirement residence.
2. THAT Zoning By-law Amendment File Z.02.048 (Ahuva and Eric Pollack) as submitted by the Applicant BE AMENDED, to provide a minimum 4.5m wide westerly interior side yard, rather than 1.5m, and to provide a 3.0m wide landscape strip around the periphery of the parking area, and to reflect the following zoning amendments, BE ENDORSED, subject to the following:
 - a) that By-law 1-88 be amended to rezone the subject lands from R3 Residential Zone to RA3 (H) Apartment Residential Zone with an “H” Holding Provision to permit a seniors retirement residence, and that the Holding provision not be lifted until such time as Council has approved a site plan application for the development of the subject lands;
 - b) that the following definition for Seniors Retirement Residence be included in the implementing zoning by-law:

“Seniors Retirement Residence-means a fully detached building with rooms that do not contain cooking facilities per room, but have communal facilities for food preparation and dining, laundry, lounging and amenity facilities. A Seniors Retirement Residence is not a Group Home or a Nursing Home.”
 - c) that exceptions be provided to the RA3 Zone standards addressing the following:
 - a minimum parking requirement of 0.5 spaces/unit for a seniors retirement residence, rather than the residential apartment requirement of 1.75 spaces/unit (includes visitor parking);
 - a maximum permitted building height of 11m (2 storeys) in accordance with Draft OPA #672, whereas 44m is currently permitted;
 - a maximum permitted gross floor area of the building of 812m²; and
 - a 7m wide driveway access width along the property line on Centre Street in accordance with the requirement of the Region of York Transportation and Works Department, whereas 7.5m is required;
 - d) that the Ontario Municipal Board withhold its Order respecting the approval of the implementing zoning by-law, until such time as the required site plan application has been submitted by the Applicant and approved by Council; and

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- e) that prior to the approval of the implementing zoning by-law by the Ontario Municipal Board, and approval of the required site plan application by Council, the City and the Region of York shall confirm that capacity exists for allocation of water and sanitary services to the subject lands, and that the allocation has been approved by Council.

Economic Impact

N/A

Purpose

The Owner has submitted applications to amend the Official Plan and Zoning By-law, specifically the “Low Density Residential” designation under OPA #210 (Thornhill Community Plan) and the R3 Residential Zone under By-law 1-88, respectively, to permit the site-specific use of the 0.2 ha site for a 2-storey, 34 unit seniors retirement residence, with 17 parking spaces.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Centre Street, east of Concord Road, being Part of Lot 81 on Registered Plan 3541, (1304 Centre Street), in Lot 6, Concession 2, City of Vaughan. The 0.2ha site has 30.48m frontage on Centre Street and a depth of 66.7m, and is developed with a 2-storey residential dwelling, which is proposed to be demolished.

The site is designated “Low Density Residential” by OPA No. 210 (Thornhill-Vaughan Community Plan) and zoned R3 Residential Zone, subject to site-specific Exception 9(776). The surrounding land uses are:

- North - residential (R3 Residential Zone)
- South - Centre Street; residential (R4 Residential Zone)
- East - residential (R3 Residential Zone)
- West - residential (R3 Residential Zone); Concord Road

On August 23, 2002, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Brownridge Ratepayers Association. The following is a summary of the comments received, to date:

- with 14 parking spaces proposed on site (ie. previous proposal shown on Attachment #3), overflow parking may occur on the nearest streets such as Concord Road;
- traffic on Concord Road is very heavy and this may result in additional traffic;
- the view from backyards will change with a three-storey building (ie. previous proposal shown on Attachment #3);
- the driveway for the site opens onto a right-turn lane for Concord Road, with a bus stop on the corner of Centre Street and Vaughan Boulevard; and
- virtually the entire lot will be consumed with the building and parking lot, removing the green space.

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The recommendation of the Committee of the Whole on September 17, 2002, to receive the Public Hearing report, and for Staff to be available to attend a community meeting should one be necessary, and to forward a technical report to a future Committee meeting, was ratified by Council on September 23, 2002.

As a result of the comments received from neighbouring residents, on October 31, 2003, the Applicant submitted a revised proposal (see Attachment #4). The October 31st submission proposed the following revisions in order to address the public's concern:

	<u>October 31, 2003 Proposal</u> <u>(see Attachment #4)</u>	<u>Original Proposal</u> <u>(see Attachment #3)</u>
Parking	0.5 spaces/unit (17 spaces)	0.2 spaces/unit (14 spaces)
Number of Storeys	2 storeys	3 storeys
Number of Bedrooms	34 units	65 units
Min. Rear Yard	26.1m	9.7m
Gross Floor Area of Bldg.	811.2m ²	2,541.0m ²
Building Coverage	21.0%	41.9%
Landscaped Area	853.0m ²	665.5m ²

The site layout was also reconfigured, by removing parking in the front yard and bringing the building closer to Centre Street, and away from the abutting residential uses to the north.

From the comments received at the Public Hearing and in writing, the area residents were concerned with how development was proceeding in their community. In the past, Council approved site-specific Official Plan and Zoning By-law Amendment applications to permit business and professional office uses for 3 of the 12 lots fronting on Centre Street, between Concord Road and Vaughan Boulevard (1200, 1206 and 1238 Centre Street). Furthermore, a day-care proposal had been considered on another lot and frequent inquiries have been received by Staff regarding the potential for redevelopment of the remaining lots along that stretch of Centre Street.

Based on the above, it was becoming apparent that the character of the Centre Street corridor in this area was in transition. Unlike the revitalization of parts of the residential areas to the west and north, the lots fronting on Centre Street appeared to be static and realistically no longer integrated into the residential neighbourhood.

On January 20, 2003, Staff proceeded to Council with a Committee of the Whole report requesting direction to commence a review of the Official Plan designations and policies applicable to the lands fronting on Centre Street, between Concord Road and Vaughan Boulevard. The study was intended to review, but not be limited to, appropriate land use; maintaining residential appearance and character; compatibility with adjacent land uses, in terms of the on-site function and low intensive nature; and parking and traffic demands. On January 27, 2003, Council ratified the Committee of the Whole's decision to proceed with a land use study. In the interim, the current subject applications and any new applications submitted in this area, would be held in abeyance, to be considered in light of the results of the review.

On June 23, 2003, Council approved a resolution directing Staff to prepare a Terms of Reference for a broader land use study of both the north and south sides of Centre Street, between Dufferin Street to the west and Bathurst Street to the east. Furthermore, Council also enacted an Interim

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Control By-law 255-2003 for a period of 1 year, providing Staff and retained consultants an opportunity to conduct the Centre Street Study. The new study would encompass Council's direction on January 27, 2003 to commence a review of the policies applicable to the lands fronting on the north side of Centre Street between Concord Road and Vaughan Boulevard.

Council's decision to move forward with the study and Interim Control By-law 255-2003, effectively halted review of any development applications within the boundaries of the study area. In turn, the Applicant (Ahuva and Eric Pollack) appealed the Interim Control By-law, and referred their Official Plan and Zoning By-law Amendment applications (Files OP.02.014 and Z.02.048) to the Ontario Municipal Board, on the basis of Council's failure to make a decision on their applications within the time frame stipulated in the Planning Act.

On June 14, 2004, Council enacted Interim Control By-law 192-2004, to extend the land use review for a second year, in an effort to finalize the necessary legal documents to implement the findings and recommendations of the Centre Street Study. Interim Control By-law 192-2004 will lapse on June 14, 2005. Under the Planning Act, a subsequent interim control by-law cannot be enacted for a minimum period of 5 years, after the lapsing of By-law 192-2004.

The Ontario Municipal Board has scheduled a Pre-hearing Conference for June 6, 2005, to deal with all preliminary and procedural matters in preparation for the hearing on the Official Plan and Zoning By-law Amendment Application appeals, with a new hearing date to be set at the pre-hearing conference.

Conceptual Design

The 2-storey building is located on the westerly half of the site, with 17 parking spaces provided between the building and the easterly property line as shown on Attachment #4. At the rear of the building, the Applicant has provided a covered patio with a pedestrian walkway linking the patio to an outdoor seating area. An L-shaped amenity area at the rear of the site is comprised of both soft and hard surfaced landscaping. Landscaping has also been provided around the periphery of the site, and a paved walkway extends from the public boulevard on Centre Street, along the entire length of the east side of the building to the landscaped amenity area in the rear yard.

Official Plan

The subject lands are presently designated "Low Density Residential" by OPA #210 (Thornhill-Vaughan Community Plan), which permits only detached residential dwellings at a maximum density of 22 units per hectare. An Official Plan Amendment is required to permit the proposed seniors residential development.

On May 2, 2005, the Committee of the Whole will be considering the Centre Street Study, including Draft OPA #672 (Centre Street Spine). Draft OPA #672 proposes to redesignate the subject lands to "Mixed Use Residential/Office", as shown on Attachment #2. The area covered by Draft OPA #672, extends between New Westminster Drive to the east and Dufferin Street to the west, on both the north and south sides of Centre Street. The "Mixed Use Residential/Office (MURO)" designation promotes urban, pedestrian-friendly and transit supportive development by encouraging a combination of residential/office development up to a maximum of two and one-half storeys. The "MURO" designation permits street, block and stacked townhouses and low-rise apartment buildings. The proposed seniors retirement residence development would conform to the intent of the "MURO" designation as a multiple residential dwelling.

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Draft OPA #672 permits a maximum density of 0.5 Floor Space Index (FSI). Based on a lot area of 1,931.3m², an FSI of 0.5 would yield a maximum gross floor area of the building of 965.65m². The conceptual site plan shown on Attachment #4 proposes a 2-storey, 811.2m² building, which would conform to the density provisions contained in Draft OPA #672.

Land Use/Compatibility

The applications propose a 2-storey, 34 unit seniors residence on the subject lands. From the information gathered during the review of the proposal, Staff can conclude the following:

- the proposed use is for a seniors retirement residence, not a nursing home. Therefore, the use is residential in nature, and not institutional;
- the proposed development will not be occupied by any permanent medical staff, however, an on-call doctor and home care nurses and therapists will be available to tenants, should they be required;
- each floor will have an attendants station (which the on-call medical personnel can make use of when required), a common sitting and reception area, and a television room;
- medical personnel when on-site can also make use of the therapy rooms to be located in the basement, as required;
- the Ministry of Health and Long Term Care is not responsible for the regulation of seniors retirement residences;
- the Ministry of Municipal Affairs and Housing has responsibility for the regulation of seniors retirement homes through the Tenant Protection Act. The Act addresses issues with respect to privacy, security of tenure, building maintenance and rent increases, as it does for all rental properties;
- the Ontario Residential Care Association (ORCA), is a voluntary, non-profit association which sets standards, and inspects and accredits retirement homes in Ontario. The Applicant is under no obligation to be a member of the ORCA;
- the potential for redevelopment of the subject lands as low density residential is limited, given its location fronting onto a major arterial road (Centre Street), and the residential nature of the proposed seniors use would further mitigate the concerns of the area residents to the north, respecting their privacy and enjoyment of their property, in comparison to a non-residential use;
- redesignating the lands to “Mixed Use Residential/Office”, with restrictions on the building size, height, use and form of development, would allow the subject lands to be developed with a building situated forward on the lot which addresses the street;
- the increase in density encourages the intensification of the Centre Street corridor, reinforcing the need for public transit without increasing concerns and volumes respecting traffic in the area, due to the nature of the use;
- the segment of “Centre Street” between Concord Road and Vaughan Road referred to as the “Centre Street Spine” in Draft OPA #672 is an area in transition. The subject area is primarily developed with older single-detached residential dwellings on large lots, a number of which have begun the redevelopment process to uses other than single-detached residential dwellings, further enforcing the fact that the Centre Street Spine is prime for redevelopment;

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- the use of the property shall be restricted to a seniors residence having common amenity areas for dining, leisure activity, washroom facilities and food preparation facilities; and
- the building design and site layout shall adhere to the Urban Design Policy Framework established in Draft OPA #672. The urban design policies contained in Draft OPA #672 will ensure that new development, through the review and approval of a formal site plan application, will be sensitive to and compatible with neighbouring residential uses.

Zoning

The subject lands are zoned R3 Residential Zone, subject to site-specific Exception 9(776). The R3 Zone permits only detached dwellings, therefore, a zoning amendment would be required to permit the proposed seniors residential development. The proposed rezoning of the lands to RA3 Apartment Residential Zone would permit the seniors residence development. An “H” Holding provision would be applied to the site, and would not be lifted until such time as Council has approved a site plan application for the development of the subject lands.

A definition for a senior retirement residence (as included in the “Recommendation” section of this report) is required to address the proposed development. Seniors developments typically contain units without cooking areas within the individual suites.

Exceptions to the RA3 Residential Zone standards are proposed respecting the reduction in resident and visitor parking, minimum lot area, minimum interior side yard, and landscaping requirements around an outdoor parking area. These exceptions are addressed as follows:

a) Parking

By-law 1-88 contains requirements of 1 parking space/unit for a seniors residential dwelling. The applicant has proposed a reduction in the standard to 0.5 parking space/unit.

The seniors residence at the northeast corner of Centre Street and New Westminster Drive required a minimum of 100 parking spaces, calculated at 1space/unit. The required parking study was submitted and supported a reduction in the number of spaces to (0.37/unit). On this basis, staff can support a comparable reduction of 0.5 space/unit in parking for the subject lands. The final parking requirements will be subject to the approval of the Engineering Department at the site plan stage.

b) Building Height

By-law 1-88 currently permits a maximum building height of 44m in the RA3 Apartment Residential Zone. Draft OPA #672 recommends a maximum building height of 11m. Therefore, it is appropriate to amend the maximum height limit to 11m, in keeping with the policies in the Draft OPA #672.

c) Gross Floor Area (GFA)

By-law 1-88 currently does not contain a maximum GFA requirement for lands zoned RA3 Zone. However, Draft OPA #672 permits a maximum Floor Space Index (FSI) of 0.5 or an equivalent of 965.65m². As the applicant’s concept site plan proposes a 2-storey building having 811.2m² GFA, it is appropriate to include a maximum GFA requirement of 812m², in keeping with the policies in the Draft Official Plan Amendment.

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d) Lot Area

By-law 1-88 currently requires a minimum lot area of 67m²/unit, (equivalent to 28 units, whereas the applicant is proposing a lot area of 57m²/unit (34 units). Staff does not support this exception. Accordingly, the formal site plan application must comply with the 67m²/unit lot area standard, which would result in a reduction in the number of units.

e) Driveway Access Width

By-law 1-88 requires a driveway access width along the property line of 7.5m on Centre Street. The Region of York Transportation and Works Department has requested that the driveway access be 7m wide, thereby requiring an exception to By-law 1-88, which is supported by Staff.

f) Westerly Interior Side Yard

By-law 1-88 requires a minimum 4.5m interior side yard in the RA3 Zone. The site plan shown on Attachment #4 proposes a 1.5m wide westerly interior side yard, which Staff does not find to be acceptable, given the size of the building in relation to the location of the lot line. Accordingly, the formal site plan application should show a 4.5m westerly interior side yard, which may require the building to be reconfigured or reduced in size.

It is recommended that the Ontario Municipal Board withhold its Order respecting the approval of the implementing zoning by-law, until such time as the required site plan application has been submitted by the Applicant and approved by Council. This will ensure compliance of the proposed development of the subject lands with the development and urban design policies contained in Draft OPA #672, and that all zoning exceptions have been captured.

Engineering

The Engineering Department will require the following information to assess the proposal:

- the Owner/Applicant is to submit a Functional Servicing Report indicating how the subject lands will be serviced;
- at the site plan stage, the Owner/Applicant is to submit a Site Servicing Plan, to the satisfaction of the Engineering Department;
- at the site plan stage the Owner/applicant is to obtain sewage and water servicing capacity/allocation from Council;
- a Storm Water Management Report is to be submitted at the site plan stage indicating that an acceptable outlet for storm water runoff from the subject lands exists and that the allowable site release rate for storm water runoff will not be exceeded; and
- a Noise Study is to be submitted and reviewed.

These matters, but not limited to, will be addressed through the review of the site plan application.

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Region of York

The site fronts onto Centre Street, which is under the jurisdiction of the Region of York. The Region of York's Transportation and Works and Planning Department's were both consulted throughout the Centre Street Study Process. Regional Planning Staff supported the proposed change in use and reserved the right to make further comments at the site plan application stage. The application for Official Plan Amendment was also exempted from requiring Regional Planning approval.

The Region of Transportation and Works Department will require an ultimate right-of-way width for Centre Street of 45m, resulting in the Applicant dedicating a 2.5m wide strip along the property's frontage to the Region, free of all costs and encumbrances. As noted earlier in this report, the Region also requires a 7m wide driveway access.

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 Official Plan and Zoning By-law, in light of the Centre Street Study, the policies contained in Draft OPA #672, the zoning requirements contained in By-law 1-88, the area context in terms of existing and future land uses, and comments from the local community and public agencies. Staff are of the opinion that the redesignation of the lands to "Mixed Use Residential/Office" and the rezoning of the lands to RA3 (H) Apartment Residential Zone with Holding "H" provision, and limited to a 2-storey seniors residential development is an appropriate and compatible use in the context of the existing surrounding land uses and the future evolution of Centre Street.

The development form should not exceed a maximum of two storeys, in light of the residential land uses to the north, with the details of the site layout and elevations, being confirmed through the review of a formal site plan application, to be approved by Council.

The Ontario Municipal Board (OMB) has scheduled a Pre-hearing conference on June 6. In this regard, Staff recommends that the Committee endorse the approval of the Official Plan Amendment Application by the OMB. It is also recommended that the Zoning Amendment Application be endorsed for approval by the OMB, subject to the requirement for a minimum 4.5m wide westerly interior side yard to be provided, rather than the proposed 1.5m, and subject to a 3.0m wide landscape strip around the periphery of the parking area, and the exceptions identified in the "Zoning" Section of this report.

On this note, the OMB should withhold issuing its Order on the implementing zoning by-law until such time as the applicant has submitted a formal site plan application for review by Staff and approval by Council, to ensure compliance with the development and urban design policies contained in Draft OPA #672, and to ensure compliance with all zoning standards.

Attachments

1. Location Map
2. Draft OPA #672 Schedule "A" - Land Use
3. Original Submission (Superseded) - Conceptual Site Plan
4. October 31, 2003 Proposal (Current) - Conceptual Site Plan
5. Written submission of Ms. Krishana Kapur dated May 2, 2005

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Report prepared by:

Arminé Hassakourians, Planner, ext. 8368

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.)

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Item 28, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

28

WINTER ROAD MAINTENANCE CONTRACTS
(Referred from the Council meeting of May 9, 2005)

The Committee of the Whole recommends that this matter be referred to the Committee of the Whole meeting of June 8, 2005.

Council, at its meeting of May 9, 2005, adopted the following:

That this matter be referred to the Committee of the Whole meeting of May 16, 2005; and

That the written submissions from Mr. Munro Armstrong, Dale Farren & Son Ltd., dated May 8 and 9, 2005, be received.

Recommendation of the Committee of the Whole meeting of May 2, 2005:

The Committee of the Whole recommends:

- 1) That Clauses 2 and 3 of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 2, 2005, be approved; and
- 2) That staff be directed to tender for the east portion of the City's winter road maintenance services.

Report of the Commissioner of Engineering and Public Works, dated May 2, 2005

Recommendation

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

1. RFP00-15 with Dale Farren & Son Trenching Limited be extended for a three year period, based on the price increases in the equipment standby rate as outlined in this report;
2. RFP00-15 with Gazzola Paving Limited be extended for a three year period, based on the price increase as outlined in this report; and,
3. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

There is no economic impact on the 2005 Operating Budget as the necessary resources have been allocated and approved. There will be an economic impact in the 2006-2007, and 2007-2008 winter seasons, due to growth and the increased standby rates. However, staff are unable to quantify the growth factor at this time.

Purpose

To seek Council's formal approval of the extension to the current winter road maintenance contracts for an additional 3 years.

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Background - Analysis and Options

RFP00-15 was issued in 2000, and covers winter road ploughing, snow removal, as well as the salting and sanding operations for the majority of the City. The original contract was extended for 2 years, and expired at the end of this current winter season (April 2005). Gazzola Paving Limited performs winter road maintenance in the west portion of the City. Dale Farren & Son Trenching Limited maintains the east portion of the City. City staff and equipment provides limited service in both contract areas. Residential driveway windrow clearing is performed by two separate contractors and is not part of the services provided for under these two contracts.

Both contractors have submitted letters to the City at the start of the 2004-2005 winter season concerning continued operations past the current term of their contracts. In one case, the letter is to advise of a price reduction from their original proposal; the other is to identify specific price increases if the contract was extended.

Gazzola Paving Limited

In 2003, Gazzola provided the City with prices for a 5 year period, with the option of going for either 2 or 5 years. At the time, the 2 year option was chosen. This current winter season (2004-2005) represents the second and last year of their original proposal to the City in 2003.

Gazzola Paving has indicated that it is willing to amend their original 5 year proposal for the optional 3rd, 4th, and 5th year. They have indicated that they are willing to forgo any price increase in the 3rd and 4th years, and reduce the increase for the 5th year to 2%. Originally, their proposal had a 2% increase in the 3rd year, a 3% increase in the 4th year, and 5% increase in the 5th (last) year.

In speaking with the contractor, they indicated that they are able to maintain their current costs for a number of reasons. The City provides all the fuel used during winter storm operations, saving them from any price increases that have, and will, take place. The City also supplies all the de-icing materials (salt, sand/salt, Clearlane), again saving them from incurring additional operating cost increases. Increased insurance costs can be spread across the entire year and on various other contracts taking place throughout the year. The other main reason that costs can be controlled is that the contract has specific hours guaranteed for each type of equipment.

These guaranteed hours are 50 hrs for ploughing and 175 hours for salting, and were based on seasonal averages.

The impact of the 2% increase in the 5th year (2007 – 2008), amounts to approximately \$29,100, based on today's salting and ploughing fleet size, and 175 hrs of salting and 50 hrs of ploughing per unit. Should the City take advantage of the optional 3 years, the only increase related to this work in the first two years would be to cover the growth component, and the resulting need for additional equipment.

Dale Farren & Son Trenching Limited

Dale Farren & Son Trenching have indicated that they too are willing to extend the current contract for a further three years; however, they have included price increases for vehicle standby rates. Unlike Gazzola Paving, Farren's contract contains no guaranteed operating hours for the equipment. The only guaranteed payment is the equipment standby rates. In addition, Farren uses sub-contractors to assist in performing the work.

Dale Farren & Son Limited have indicated in their letter that, "The drastic increases in insurance premiums force us to propose a rate increase on the daily standby rate of 9% for the first term, 7% for the second term, and 3% for the third term."

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The proposed equipment standby rates, as outlined in the letter from Dale Farren & Son, would result in increases as follows:

	Daily Standby Rate per Vehicle
Current rate	\$196.91
2005 – 2006	\$214.63
2006 – 2007	\$229.65
2007 – 2008	\$236.54

It should be noted that they are not proposing to increase the hourly operating costs throughout the 3 years, and the only other impact on costs for the east portion of the City would be related to growth and the resulting need for additional equipment.

The impact of their proposed equipment standby rate increase in 2005 is approximately \$26,000, as it only impacts the last portion of the 2005 budget year (November and December). Even with the proposed increases in the equipment standby rates, the overall contract costs for the two contracts are almost identical.

General

When finalizing the 2005 Operating Budget, the above noted information was used by the Senior Management Team to reduce the Public works Winter Maintenance budget by \$180,000. This number took into account the increase in the City's growth, as well as the prices submitted by the two contractors.

Although the matter of extending the contracts was discussed at Budget Committee, Council did not formally extend the contracts.

As such, it is recommended that the winter road maintenance contracts with Gazzola Paving and Dale Farren & Son be extended for 3 years, based on the conditions contained in their letters.

Relationship to Vaughan Vision 2007

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

Conclusion

When finalizing the 2005 Operating Budget, a total of \$180,000 was removed from the Public Works Department's proposed 2005 Roads Winter Maintenance Budget, based on the extension of the existing winter maintenance contracts. In order to legitimize the extension of the contracts, it is recommended that Council approve the extensions, and the conditions therein.

Attachments

1. Written submissions of Mr. Munro Armstrong, Dale Farren & Son Ltd., dated May 8 and 9, 2005.

Report prepared by:

Brian T. Anthony, CRS-S, C. Tech
Director of Public Works

(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 29, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

29 ENHANCING TRAFFIC CIRCULATION IN THE WOODBRIDGE CORE

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated May 16, 2005:

Recommendation

Councillor Tony Carella recommends that appropriate staff be directed to conduct a study to determine whether traffic circulation in the Woodbridge core might be enhanced by the designation of the curbside westbound lane of Woodbridge Avenue at the intersection with Clarence Street as a right-turn-only lane.

Economic Impact

Nil

Purpose

To determine whether traffic circulation in the Woodbridge core might be enhanced by the designation of the curbside westbound lane at the intersection with Clarence Street as a right-turn-only lane.

Background - Analysis and Options

Woodbridge Avenue between Islington Avenue (on the east side of the Humber River) and Clarence Street (on the west side of the river) is a four-lane roadway. Immediately west of Clarence Street, the roadway narrows to two lanes. Vehicular traffic approaching the intersection from Islington Avenue either pass through the intersection and continue along Woodbridge Avenue, or--if they are traveling in the curbside lane, turn north onto Clarence Street. In recent years, with the development of the Woodbridge Expansion Area, northbound traffic on Clarence Street has increased noticeably, as the street is a direct link from the Woodbridge core to that destination.

Frequently, however, motorists in the curbside lane do not turn north onto Clarence Street, but continue in a westerly direction, and are caught in the "squeeze" of westbound traffic where the roadway narrows to two lanes and on-street parking begins; or, alternatively, vehicles westbound in this lane "squeeze" other vehicles proceeding in the same direction from the centre westbound lane. Indeed, pedestrians and other motorists report that motorists in both westbound lanes often accelerate at this point, to see which will proceed first.

Thus, the designation of the curbside westbound lane as a right-turn-only lane may be appropriate at this time; and hence, the need for a traffic study.

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

Traffic circulation in the Woodbridge core may be enhanced by the designation of the curbside westbound lane of Woodbridge Avenue at the intersection of Clarence Street as a right-turn-only lane.

Attachments

None

Report prepared by:

Councillor Tony Carella

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Item 30, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

30

STAFF ATTENDANCE AT COMMUNITY MEETING

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Ferri, dated May 16, 2005:

Recommendation

Regional Councillor Mario Ferri recommends that a staff person from the City of Vaughan's Public Works Department and Planning Departments be authorized to attend a community meeting to provide advice and support on matters dealing with future waste management and Provincial planning initiatives that may well affect City of Vaughan residents.

Economic Impact

N/A

Purpose

To hold a community meeting on May 30, 2005 to present and discuss a) waste management issues present and future and b) "Places to Grow" legislation.

Background - Analysis and Options

The City of Vaughan's "Greening Vaughan" initiative along with changes to the waste collection system for the City will be discussed. Furthermore, densities and forms of development will change quite dramatically if the "Places to Grow" legislation is approved. This meeting will offer an opportunity to discuss the matters and provide awareness to the residents.

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

City staff is needed to attend the meeting in order to provide detailed information to the community.

Attachments

None

Report prepared by:

Mario F. Ferri

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Item 31, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

31

SMOG SUMMIT 2005

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Vaughan Environmental Task Force, dated May 16, 2005:

Recommendation

The Vaughan Environmental Task Force recommends:

1. That this report be received;
2. That Council endorse the draft Toronto and Region 2005 Intergovernmental Declaration on Clean Air; and
3. That the Chair or their designate (Vice Chair) of the Vaughan Environmental Task Force be appointed the City's representative at the signing of the Declaration at Smog Summit VI on June 8, 2005.

Economic Impact

Participation in the GTA Clean Air Council (GTA CAC) and Smog Summit are within the approved departmental budget. There will be no additional economic impact.

Purpose

To seek Council's endorsement of the draft Toronto and Region 2005 Intergovernmental Declaration on Clean Air, with the understanding that the final Declaration will only be unveiled and signed at Smog Summit VI.

Background

The City of Vaughan participated in its first Smog Summit in 2004. This year's proceedings will take place on June 8, 2005 at Toronto City Hall during Canadian Environment Week. The themes of Smog Summit are "*Transportation and Health*", recognizing that emissions generated from transportation sources have an adverse impact on health and quality of life. Although these themes were chosen this year, the effects of other sources responsible for smog and poor air quality are not ignored.

The signatories of the 2005 Inter-governmental Declaration on Clean Air, through the GTA Clean Air Council (GTA CAC) commit to acting in concert to address smog and greenhouse gases, to share information and where possible, to share resources and undertake appropriate research, studies, workshops and actions in order to improve air quality. The attached draft declaration identifies a number of existing programs that will be continued as well as new initiatives, such as exploring opportunities to establish a regional revolving fund that will enable municipalities to access resources towards environmental initiatives.

Municipalities and regions will issue and sign a joint declaration during the proceedings. The facilitated question period will be the framework for bringing forward announcements and commitments from individual municipalities. In addition, municipal press releases will be included in the media kits. The Environmental Task Force will determine the programs to be highlighted in Vaughan's release.

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Relationship to Vaughan Vision 2007

Ongoing participation in the GTA CAC and Smog Summit is consistent with Vaughan Vision 2007 as it supports the goal of serving citizens by safeguarding the environment. Budget has been allocated for this initiative.

Conclusion

Since 2004, with the formation and implementation of the Environmental Task Force, the City of Vaughan has been progressing on developing and communicating about environmental initiatives, which improve our health, quality of life and economy. However, it is only through the co-operative efforts such as the Clean Air Council and Smog Summit, that those larger, cross-boundary issues, such as air quality, smog and climate change, can be addressed.

The Chair of the Vaughan Environmental Task Force requests Council's endorsement of the draft Toronto and Region 2005 Intergovernmental Declaration on Clean Air and appoints the Chair or their designate as the City's representative at Smog Summit VI.

Attachments

Draft – Toronto and Region 2005 Intergovernmental Declaration on Clean Air (confidential – available to Mayor and Members of Council only)

Report prepared by

Shirley Kam, Supervisor/Senior Economic Developer
Frank Miele, Commissioner of Economic/Technology Development and Communications

(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 32, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

32

**PROCLAMATION –
SPINA BIFIDA AND HYDROCEPHALUS AWARENESS MONTH JUNE 2005**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated May 16, 2005:

Recommendation

The City Clerk recommends:

- 1) That June be proclaimed as “SPINA BIFIDA AND HYDROCEPHALUS AWARENESS MONTH”; 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.

Economic Impact

Not applicable

Purpose

To respond to the request received from the Chair, Board of Directors of the Spina Bifida & Hydrocephalus Association of Ontario, dated May 4, 2005 (Attachment #1).

Background - Analysis and Options

A request has been received from the Chair, Board of Directors of the Spina Bifida & Hydrocephalus Association of Ontario to proclaim June as “Spina Bifida and Hydrocephalus Awareness Month” (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 Spina Bifida & Hydrocephalus Association of Ontario has been making a positive difference in the lives of individuals affected by Spina Bifida and/or Hydrocephalus. 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.

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 month of June 2005 be proclaimed as “Spina Bifida and Hydrocephalus Awareness Month” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

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Attachments

Attachment #1 - Correspondence from the Chair, Board of Directors of the Spina Bifida & Hydrocephalus Association of Ontario, dated May 4, 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.)

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Item 33, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

33

**PROCLAMATION –
BRAIN INJURY AWARENESS MONTH JUNE 2005**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated May 16, 2005:

Recommendation

The City Clerk recommends:

- 1) That June be proclaimed as “BRAIN INJURY AWARENESS MONTH”; 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.

Economic Impact

Not applicable

Purpose

To respond to the request received from the Steering Committee of the York Region Head Injury Support Group, dated May 6, 2005.

Background - Analysis and Options

A request has been received from the Steering Committee of York Region Head Injury Support Group to proclaim June as “Brain Injury Awareness Month” (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 Steering Committee of the York Region Head Injury Support Group has requested the City publicize this proclamation to raise local awareness about brain injuries. 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.

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 month of June 2005 be proclaimed as “Brain Injury Awareness Month” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

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Attachments

Attachment #1 - Correspondence from the Steering Committee of the York Region Head Injury Support Group, dated May 6, 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.)

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

34 PROCEDURE FOR SUSPENSION OR REVOCATION OF LICENSES

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated May 16, 2005, be approved;**
- 2) That a Hearing Committee for Licensing Matters be struck comprised of the five local councillors; and**
- 3) That Councillor Carella be appointed as Chair of the Committee.**

Recommendation

The City Clerk in consultation with Legal Services and the Manager of Special Events, Licensing & Permits recommends:

That Council, or a Committee of Council be appointed to hear applications for the granting, suspension or revocation of licenses issued pursuant to the City's Licensing By-Law.

Economic Impact

Not Applicable

Purpose

To provide a forum for referrals by the licensing officer requesting a review either because a license should not be granted, should be revoked or should not be renewed.

Background - Analysis and Options

The Municipal Act, (hereinafter referred to as the "Act") provides municipalities with the power to pass by-laws for licensing and regulating businesses within the municipality. The power to license, regulate and govern includes the power to prohibit the carrying on of or engaging in the business without a license and the power to refuse to grant a license or to revoke or suspend a license.

Section 150 (8) of the Act outlines the powers granted to municipalities in relation to licensing. They include the following:

- (a) to prohibit the carrying on of or engaging in the business without a license;
- (b) to refuse to grant a license or to revoke or suspend a license;
- (c) to fix the expiry date for a license;
- (d) to define classes of businesses and to separately license, regulate and govern each class;

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- (e) to impose conditions as a requirement of obtaining, continuing to hold or renewing a license, including conditions,
 - (i) requiring a payment of license fees,
 - (ii) restricting the hours of operation of the business,
 - (iii) allowing, at any reasonable time, the municipality to inspect the places and premises used for the business and the equipment, vehicles and other personal property used or kept for hire in the carrying on of the business,
 - (iv) prohibiting places or premises used for the business to be constructed or equipped so as to hinder the enforcement of the by-law,
 - (v) requiring the premises of the business, or part of the premises, to be accessible to persons with disabilities;
- (f) to impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a license;
- (g) to impose conditions, including special conditions, as a requirement of continuing to hold a license at any time during the term of the license;
- (h) to license, regulate or govern the place or premises used for the business and the persons carrying it on or engaged in it;
- (i) to regulate or govern the equipment, vehicles and other personal property used or kept for hire in connection with the carrying on or engaging in the business; and
- (j) to exempt any business or person from all or any part of the by-law;
- (k) without limiting anything in clauses(a) to (j), to require the payment by a licensed business of additional fees at any time during the term of the license for costs incurred by the municipality attributable to the activities of the business 2001, c. 25, s. 150 (8); 2002, c. 17, Sch. A, ss. 33 (1,2).

As the City did not have instances where revocation was necessary, the Committee was not struck. Staff are now reviewing instances where revocation may be recommended. Accordingly, the matter is coming forward. Pursuant to Section 150 (11) of the Act the exercise of power with respect to sub-sections (b), (f) and (g) cannot be delegated to the licensing officer as was previously the case. The power is in the discretion of Council and Council shall exercise its discretion as follows:

- (a) upon such grounds as are set out in the by-law ; or
- (b) upon the grounds that the conduct of any person, including the officers, directors, employees or agents of a corporation, affords reasonable cause to believe that the person will not carry on or engage in the business in accordance with the law or with honesty and integrity.

Once the licensing officer refers a matter to Council that deals with the matters referenced in Section 150 (8) subsections (b), (f) or (g), a mechanism must be in place to allow Council to exercise its decision-making authority. This could be by holding a hearing as further described

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below. A hearing can be before the entire Council or a Committee of Council. In Markham, a committee of 3 Councillors hears such matters. If the hearing takes place before a Committee of Council, the Committee would make a recommendation to the entire Council for a decision.

Once a matter has been referred to Council or a Committee of Council, a hearing date is set. The hearing must be public and would need to take place in the Council Chambers, as the hearing is taped and a transcript may be required.

The affected party is advised of the hearing date and may be represented by a lawyer. Disclosure is provided to the party including copies of any notes provided by the police department, any letters that may have been sent out and any other information the licensing officer relies on in referring the matter to Council.

At the hearing the City's solicitor provides an introduction by way of opening remarks to Council or its Committee. All witnesses are sworn-in by the Clerk or his/her designate. The licensing officer is the City's first witness. The solicitor representing the other party may cross-examine the witness on the evidence given. Additional witnesses may also be called by the City followed by cross-examination.

The other party is then entitled to call evidence and cross-examination may follow by the City's solicitor.

Closing remarks are given by both parties and the City's lawyer will make a recommendation.

Council or the Committee considers the matter, a report is prepared and a recommendation made to full Council. A decision is rendered and delivered by mail to the affected party.

Based on the decision rendered the other party may apply for a judicial review of any Council decision. It is therefore imperative that any hearing be fair and complete, that full disclosure be provided prior to the hearing, that the affected party be given the opportunity to retain counsel, if desired, and that sufficient time be provided to prepare for the hearing.

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 recommends that Council or a Committee of Council be appointed to deal with licensing issues relating to the granting, suspension or revocation of licenses and the matters listed in subsection 150 (8), (f) and (g).

Attachments

None

Report prepared by

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits
Insurance-Risk Management

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Item 35, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

35

**HIGHWAY 427 TRANSPORTATION CORRIDOR
ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Commissioner of Engineering and Public Works, dated May 16, 2005:

Recommendation

The Commissioner of Planning and the Commissioner of Engineering and Public Works recommend:

1. THAT the draft Highway 427 Transportation Corridor Individual Environmental Assessment Terms of Reference, prepared by the firm URS MRC for the Ministry of Transportation of Ontario, BE ENDORSED; and,
2. THAT the Ministry of Transportation and the Ministry of the Environment be strongly urged to approve the Terms of Reference as soon as possible and, subsequently, to expedite the rest of the Environmental Assessment process in any way possible; and,
3. THAT the Individual Environmental Assessment be carried out in such a manner that, once lands are determined to not be required for the future transportation corridor they can be processed for development; and,
4. THAT the Minister of Transportation of Ontario and the Minister of the Environment be so informed; and,
5. THAT the Regional Municipalities of York and Peel, the City of Brampton, the Town of Caledon and the Township of King also be so informed of the City of Vaughan's position.

Economic Impact

Completion of an approved Environmental Assessment for an extension of Highway 427 to address existing and short-term mobility problems will provide the necessary clarity on the future highway alignment to permit development of needed employment area land. This will result in needed development and long-term assessment revenues. The EA study is being funded by the Province and there is no impact on the City's approved budget.

Purpose

The purpose of this report is to determine the City of Vaughan's position respecting the draft "Highway 427 Transportation Corridor Environmental Assessment Terms of Reference", prepared by URS MRC for the Ministry of Transportation of Ontario (Attachment 1) and to provide timely comments to the Ministry of Transportation of Ontario (MTO) prior to its submission to the Ministry of the Environment for approval.

It is the intent of Staff that the City of Vaughan should meet MTO's deadline for comments by June 9, 2005.

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Background/Analysis

On March 31, 2005, MTO officially terminated the “GTA North Transportation Corridor Study” that had been in progress for several years. In keeping with the province’s “Places to Grow - Draft Growth Plan for the Greater Golden Horseshoe”, (Draft Growth Plan), MTO has now commenced the formal Environmental Assessment (EA) process for the Highway 427 transportation corridor within the western part of Vaughan and the eastern part of Brampton. The Draft Growth Plan clearly supports the need to consider solutions to the existing and short-term transportation deficiencies/needs created by Highway 427’s current terminus point at Regional Road 7. Associated mobility problems for people and goods will be addressed by the EA process. Through the EA, transportation problems and opportunities and their potential solutions will be evaluated.

A critical first step in the EA process is the development and approval of the EA Terms of Reference. This document, the “427 Transportation Corridor Environmental Assessment Terms of Reference” (ToR) outlines the framework for completing the EA study. This ToR document will be submitted to the Ministry of the Environment (MOE) for approval as required by Section 6 (2) (a) of the Ontario Environmental Assessment Act (OEAA). Under this process, the subsequent EA will consider every phase of the planning process including: need; the fundamentally different ways of addressing the issues (alternatives to the (highway) undertaking); alternative methods (i.e. route alternatives); and recommendations for specific required infrastructure including associated impacts and mitigations methods. Once the EA is underway it is possible that additions to the process and work tasks may be introduced, as required, based upon consultation input, changes to Provincial Policy and availability of new information.

The ToR specifically addresses the following:

- Chapter 1 - Identification of the Proponent;
- Chapter 2 - The purpose of the undertaking;
- Chapter 3 - The process for selecting preferred alternatives to the undertaking;
- Chapter 4 - The process for generating the study area;
- Chapter 5 - The process for generating and selecting preferred alternative methods;
- Chapter 6 - A commitment to carry out compliance monitoring, and
- Chapter 7 - A description of the Consultation Plan proposed for the EA.

Of particular interest to the City is Chapter 2, “Purpose of the Undertaking”. In it, the ToR describes its Purpose as:

“To

- Address existing and short-term transportation problems related to the current Highway 427 terminus, truck traffic accessibility to and from the CP Vaughan Inter-modal facility and their impact on inter-regional traffic on Highway 50 and York Regional Road 7;
- Identify and protect required property for any proposed transportation corridor and allow planned development to occur outside of the transportation corridor;

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- Ensure that alternatives / preferred solution will not preclude of predetermine planning for the other future transportation corridors such as the GTA West corridor or a future extension of the transportation corridor northerly.”

In short, the Purpose is to provide for an EA that will provide for an extension of Highway 427 to alleviate existing and short-term traffic constraints to improve the mobility of people and goods throughout the area notably from areas to the north and east. The Summary of Transportation Problems section (p. 15) notes that, “The existing transportation network is not capable of supporting the projected growth in population, employment, and goods movement. Failure to address these transportation deficiencies could result in unacceptable travel delay that would be costly to industry and negatively affect the traveling public.”

The ToR notes that such an extension should neither preclude a possible future connection to a future east-west GTA West corridor to connect to the Kitchener Waterloo area (as identified in The Draft Growth Plan) nor a future extension northerly of Highway 427. At such time as these may be considered, both these undertakings would require EA approval.

It is important to note clearly that the ToR, and the subsequent EA study once approved by MOE, is not intended to be a phased step towards a longer-term north-south transportation corridor. This EA process has a specific purpose to address a distinct set of existing and short-term transportation problems and has as one of its objectives to not preclude or predetermine the location of any future extension of Highway 427 if it should be required.

Furthermore, the ToR makes it clear that, at this stage in the EA process, it is not the role of the ToR to predetermine the terminus point of an extended Highway 427. This is to be determined by the EA study itself. Therefore, should the City of Vaughan wish to establish a position on a terminus point for the 427 extension, this should be done during the EA study process.

This is also the case for defining the EA Study Area. Chapter 5 of the ToR notes that the study area will be generated, as part of the EA study, through consultation with affected stakeholders. It also indicates that, “It is fundamental to note that the study area does not limit the potential to examine environmental impacts and effects outside of its boundaries.” The Study Area limits will be determined through the following inputs:

- “Identification of transportation problems and opportunities;
- Significant natural, socio-economic and cultural environmental features;
- Current government land use planning policies and initiatives;
- Ensuring that the preferred alternative will not predetermine or preclude future transportation initiatives; and,
- Existing transportation infrastructure.”

At this stage in the process, however, it is imperative that the Draft Terms of Reference be finalized in a timely manner and submitted to the MOE as soon as possible for approval. Once received by MOE, it will undergo public and government agency review and comment. Once approved, the ToR framework will guide the preparation of the EA.

A large portion of the area to be covered by the Environmental Assessment, as envisioned by this ToR, has been the subject of a number of City and Regional initiatives and other considerations.

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These are: OPA 450 Employment Land Needs study; Regional Official Plan Amendment No. 19; City of Vaughan OPA No. 600; the employment land shortfall; and, existing and new development applications coming forward. A brief description of these is attached as Attachment 2.

Relationship to Vaughan Vision 2007

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

Conclusion

The extension of Highway 427 to address existing and short-term mobility problems has become a Provincial priority. It is critical to determine the location of this highway corridor to serve already designated urban areas, critical major employment lands and existing uses like the CP Intermodal facility. It is also critical to serve mobility needs of Vaughan's neighbouring municipalities to the west and north.

The draft Highway 427 Transportation Corridor Environmental Assessment Terms of Reference is the first step in the statutory requirements for an EA under the Environmental Assessment Act. Stakeholder municipalities are reviewing the draft ToR, prepared by MTO with the intention of a final ToR being submitted to MOE by the end of June 2005. MTO is coordinating this review. The ToR neither defines the EA study area nor the future terminus of extended Highway 427. The EA Study itself will determine this.

Completion of the EA will clarify land use approvals in Blocks 57 and 58, currently designated under OPA 450, and will permit the preparation of a secondary plan for the West Vaughan employment lands within the area defined within the Urban Boundary by Regional OPA 19. MTO completion and MOE approval of this EA, therefore, is critical to addressing the shortfall of employment lands in Vaughan. The first step is to secure MOE approval of the Terms of Reference for the EA.

Report prepared by:

Wayne McEachern, Manager, Policy Planning/Urban Design, ext. 8026

Attachments:

1. Draft MTO Highway 427 Transportation Corridor Environmental Assessment Terms of Reference (Councillors only)
2. City of Vaughan and York Region initiatives and other considerations in west Vaughan

/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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Item 36, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

36

**THORNHILL CENTRE STREET STUDY
CITY OF VAUGHAN OFFICIAL PLAN AMENDMENT
OPA #672 (CENTRE STREET SPINE)
RELATED FILE: 15.92**

The Committee of the Whole recommends:

- 1) That the “Mixed-Use Residential/Office” designation in OPA #672 be deleted and replaced with an Office/Commercial designation for the north portion of the Centre Street Spine between Concord Road and Vaughan Boulevard;
- 2) That the appropriate official documents be amended to reflect the decision of Council prior to being forwarded to York Region;
- 3) That the following report of the Commissioner of Planning, dated May 16, 2005, be received; and
- 4) That the following deputations be received:
 - a) Mr. Michael Goldberg, Armstrong Goldberg Hunter, 2171 Avenue Road, Suite 301, Toronto, M5M 4B4; and
 - b) Mr. Paul Mandel, 125 Centre Street, Thornhill, L4J 1G3.

Recommendation

The Commissioner of Planning recommends:

- “1. That residential uses within the “Mixed Use Residential/Office” designation of proposed Official Plan #672 BE RETAINED.”

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

On May 9, 2005, Council requested a report from the Commissioner of Planning on the feasibility of removing the residential use component from the “Mixed-Use Residential/Office” designation of Official Plan Amendment #672. This designation is proposed in Section 4.1.2 of the OPA, for the north portion of Centre Street between Concord Road and Vaughan Boulevard. The following additional information is provided to advise Council of the background related to the proposed “Mixed-Use Residential/Office” designation, and the reasons why it is considered important to retain the residential use component.

Background-Analysis and Options

The Thornhill Centre Street Study undertaken by IBI Consulting Group recommended that the portion of the Centre Street Spine between Concord Road and Vaughan Boulevard be re-designated to Mixed-Use Residential/Office (MURO). This designation permits the following uses:

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- street, block and stacked townhouses and low-rise apartment buildings
- small scale office uses
- mixed-use residential and office development; and,
- religious institutions, day care centres, schools, and libraries

The recommendation to include the combination of residential/office use was based on contextual factors, and the existing policy framework of the Provincial and Regional governments. The following is provided as a summary of the primary considerations leading to the introduction of the “Mixed-Use Residential/Office” designation.

- (i) The introduction of a Rapid Transit System along Centre Street from Highway 7 to Bathurst Street, and north on Bathurst Street will mean the transformation of Centre Street from an auto-oriented thoroughfare to a multi-modal corridor that will provide more opportunity for travelers to walk, cycle and take transit. The “Mixed Use Residential/Office (MURO)” designation promotes urban, pedestrian-friendly and transit supportive development by encouraging a combination of residential/office development.
- (ii) The visioning sessions conducted with the Stakeholder Consultation Group (SCG) for the Thornhill Centre Street Study, endorsed mixed-use development at the proposed scale, and viewed the mixed residential/office designation as an appropriate moderate transitional use, for this portion of the corridor which is currently primarily older, single-family residential development.
- (iii) The retention of residential uses and moderate intensification will support the Thornhill Town Centre and general commercial uses in the vicinity.
- (iv) The moderate increase in residential density along the Centre Street Corridor reinforces the need for public transit, without increasing concerns and volumes respecting traffic in the area.
- (v) The Provincial Policy Statement (PPS) supports a range and mix of housing densities, residential intensification and public transit ridership.
- (vi) The York Region Official Plan (ROP) states that corridors are intended to have increased potential for new residential and employment growth at densities that would make frequent transit service possible.

Conclusion

In view of the aforementioned considerations, the Planning Department supports the retention of residential uses within the “Mixed-Use Residential/Office” designation as per proposed Official Plan #672.

Attachments

1. OPA #672, Schedule A: Land Use

Report prepared by:

Anna Sicilia, Planner, ext. 8063
Wayne McEachern, Policy Manager, ext. 8026

/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 37, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

37

**ONTARIO MUNICIPAL BOARD HEARING
CONSENT APPLICATION FILE B64/03
VARIANCE APPLICATION FILE A014/05
CHRISTINE MARIE PARENT-INCH & JAMES IAN INCH**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 16, 2005:

Recommendation

The Commissioner of Planning recommends that this report BE RECEIVED for information.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

To provide information concerning the applicant's appeal of the Committee of Adjustment's refusal of Consent Application B64/03 and Variance Application A014/05, to create a new residential lot, and to facilitate a shared mutual driveway access between the subject and retained parcels, respectively, as shown on Attachment #2. The applications are scheduled to be considered by the Ontario Municipal Board at the Hearing scheduled to commence on June 10, 2005.

Background - Analysis and Options

The site is located on the south side of Kirby Road, east of Kipling Avenue, being Part of Lot 13 on Registered Plan 65M-2186 (5131 Teston Road), in Part of Lot 25, Concession 7, City of Vaughan (Attachment #1).

The subject lands are designated "Estate Residential" by OPA No. 600, and zoned RR Rural Residential Zone by By-law 1-88. The Development Planning Department's comments to the Committee of Adjustment at the meeting on February 10, 2005, indicated that the lands were within the Greenbelt Study Area, but the variance and consent applications were not subject to the Greenbelt Act. Staff can confirm that the subject lands have since been excluded from the final Greenbelt Plan.

The applicant's subject and retained lands are each 5,482sq.m. For reference, it is noted that the two smallest lots in the subdivision have the following lot areas Lot 4 – 5,760sq.m and Lot 10 – 5,750sq.m. Staff referred to the original Official Plan Amendment #143 for Registered Plan of Subdivision 65M-2186, which stated that single detached dwelling units are permitted on lots with a minimum size of 2,324sq.m. The proposed lots are over 2 times larger than the OPA No. 143 requirement. The proposed lots also exceed the minimum lot area (4,000 sq.m) and lot frontage (45m) requirements for the RR Rural Residential Zone in Zoning By-law 1-88, as discussed further in this report.

Section 6.2.5.2b (Estate Residential Subdivision Design Criteria) in OPA No.600 states the minimum lot size for estate residential plans of subdivision shall be a minimum of 6,000sq.m. It is noted that the neighbouring Lot 4 (5,760 sq.m) and Lot 10 (5,750 sq.m) are less than 6,000 sq.m, but were created prior to the adoption of OPA #600.

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The Development Planning Department also referred to the Official Plan policies regarding access. OPA 143 states that “access to all lots shall be exclusively from internal road systems”. OPA No.600 (Section 6.2.5.2.d.) states “access to individual lots shall be from internal public roads constructed to municipal standards and not from existing concession roads, regional roads or provincial highways”. However, the existing lands currently have direct driveway access from Teston Road. Further, the lot configuration of the lands to the south does not physically allow access to the internal road system of the subdivision.

The applicant has applied for Variance Application A014/05 to gain relief from the Zoning By-law (Section 3.8a) to facilitate the mutual driveway. This application will permit access over the retained lands to the subject lands. To ensure sufficient sight distance in both directions along Teston Road, the utilization of the existing access as a mutual driveway to service both the conveyed and retained lands is proposed from Teston Road, to the satisfaction of 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

Upon review and consideration of the factors above, the Development Planning Department is of the opinion that the proposed lot areas of 5,482 sq.m each for the subject and retained parcels would comply and exceed the minimum lot area requirement of 4,000 sq.m for the RR Rural Residential Zone in By-law 1-88. Also, the lot to be conveyed has a lot frontage of 74.3m and the retained lot has a lot frontage of 83.69m, which would exceed the minimum lot frontage requirement of 45m in By-law 1-88. The proposed lots are consistent and compatible with the other lots in the subdivision. Furthermore, the proposal for a mutual driveway access on Teston Road was reviewed by the Engineering Department, and was found to be appropriate.

The Development Planning Department advised the Committee of Adjustment that it had no objection to the approval of Consent Application B64/03 and Variance Application A014/05. The Committee of Adjustment refused the applications on the basis that the severance would set a precedent for other severances to occur in the area. The applicant subsequently appealed the decision, and the matter is scheduled to proceed to the Ontario Municipal Board on June 10, 2005. It is recommended that this report be received for information purposes.

Attachments

1. Location Map
2. Severance Plan

Report prepared by:

Glenn White, Planner, ext. 8213
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 MAY 24, 2005

Item 38, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

38

**CANCELLATION OF YORK UNIVERSITY STADIUM PROJECT
POTENTIAL TO UPGRADE THE VAUGHAN GROVE SPORTS PARK**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Mayor Di Biase, dated May 16, 2005:

Recommendation

Mayor Michael Di Biase recommends:

1. THAT the City of Vaughan investigate the opportunities for expanding and upgrading the soccer facility located at the Vaughan Grove Sports Park on Martin Grove Road as a result of the cancellation of the proposed York University stadium;
2. THAT representatives of the City meet with:
 - a) Pertinent Federal and Provincial officials to determine whether funds that otherwise may have been devoted to the York University project are available to support a smaller facility in the City of Vaughan;
 - b) Potential partners to determine if they are interested in supporting, either financially or as an end user, the expansion and upgrading of the existing facility;
3. THAT on completion of these inquiries a report be prepared for the consideration of Council, advising of the results and identifying the opportunities available to the City and recommending future actions.

Economic Impact

There are no immediate impacts resulting from the adoption of the recommendations set out above. The City would undertake the initial work. If additional resources are required, they will be identified in the subsequent report to Council, which is provided for in recommendation 3.

Background – Analysis and Options

On May 12, 2005 York University announced that it was cancelling plans for a 20,000 seat stadium on the south side of Steeles Avenue, east of Jane Street. This was after the Toronto Argonauts, one of the original proponents of the planned stadium, decided to maintain its operation at the Rogers Centre. The primary remaining stadium users were York University and the Canadian Soccer Federation.

The 20,000 seat stadium, which was downsized from 25,000 seats after the Argo's departure, was cancelled because it could not be built in time to be ready for the FIFA under-20 championship in 2007. The Canadian Soccer Federation is the hosting body for this tournament and this stadium was to be one of the two main venues. The games originally intended for this site will be shifted to other cities. York University may proceed with a smaller stadium, on the order of 5,000 – 7,000 seats at some point in the future.

The cancellation of the York University stadium will be a loss to the soccer community in this area. It had the potential to raise the profile of the game, provide an outstanding venue for the FIFA tournament and leave a lasting legacy for future users.

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There is a small stadium facility and soccer fields located at the Vaughan Grove Sports Park on Martin Grove Road, north of Steeles Avenue. The site is used by local soccer teams. The Vaughan Grove Sports Park was identified as one of the sites for soccer in the Toronto Bid for the 2008 Olympic Games. The stadium proposed in the Olympic Bid had approximately 15,000 seats. With the cancellation of the York Stadium consideration should be given to upgrading this facility. A smaller, soccer focused stadium could fill an important niche at a local and regional level.

This is not something the City of Vaughan should pursue in isolation. The Federal and Provincial Governments committed, in total, \$35,000,000 to the York project. The senior levels of government should be approached to see if there is still money available to support a smaller stadium, with a more local focus. There is also the need to identify potential partners for an improved stadium. This could include support from the private sector in the form of sponsorships and the identification of potential end users. Establishing committed sources of funding and a solid user base would also assist in convincing the senior levels of government to back the project.

It will be necessary to gauge the level of support. It is recommended that representatives of the City approach the Federal and Provincial Governments to determine if funding remains available and under what circumstances it might be obtained. Concurrently, potential partners should be identified and consulted to establish their level of interest.

The FIFA Tournament is scheduled for 2007. There is the opportunity, if there is sufficient interest and support, that an enlarged stadium could be built at Vaughan Grove in time to host some of the tournament games. Therefore, time is of the essence. However, the stadium should be seen as a long-term attribute to the community and potentially to the Greater Toronto Area; and its merit should not be assessed exclusively on the basis of providing a venue for a single tournament.

Relationship to Vaughan Vision 2007

This approach is consistent with the Vaughan Vision objective of identifying and implementing innovative public-private partnerships.

Conclusion

The purpose of this report is to obtain Council's endorsement to begin investigation of the opportunities to enhance and expand the soccer facility at Vaughan Grove, in light of the cancellation of the York University facility. Adoption of the recommendations will allow this process to begin.

Attachments

N/A

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 39, Report No. 34, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 24, 2005, as follows:

By approving:

- 1) ***That \$3,000 be waived from the Thornhill Village Festival's 2004 invoice and that the Thornhill Village Festival be requested to pay the remaining \$2,777.69;***
- 2) ***That for the 2005 festival, the Thornhill Village Festival be requested to budget for related expenses in accordance with the approved rates and if necessary consult staff with respect to a payment plan; and***

By receiving the memorandum from the Commissioner of Community Services, dated May 18, 2005.

39

**DEPUTATION – MR. VIC STECYK
WITH RESPECT TO THE 2005 THORNHILL VILLAGE FESTIVAL**

The Committee of the Whole recommends that the deputation of Mr. Vic Stecyk, Co-chair, Thornhill Village Festival, Box 53120, 10 Royal Orchard Boulevard, Thornhill, L3T 7R9, and written submission dated April 26, 2005, be received and referred to staff for a report, to the Council meeting of May 24, 2005.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 40, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

**40 DEPUTATION – MR. STUART KAUFMAN WITH RESPECT TO THE
2005 FUNDRAISER FOR THE CANADIAN BREAST CANCER FOUNDATION**

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Stuart Kaufman, Event Organizer, Canadian Breast Cancer Foundation Family Fun Day, c/o 51 Mistysugar Trail, Thornhill, L4J 8T6, and written submission dated May 5, 2005, be received;
- 2) That the event stage be provided to CBCF Family Fun Day at a 50% reduction in cost in the amount of \$332.50; and
- 3) That staff be directed to amend the CSO policy to reflect the requests made by charitable organizations, prior to the 2006 budget deliberations.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 42, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

42

**NEW BUSINESS – FUND RAISING DINNER
OF THE 3RD ANNUAL TASTE OF ASIA FESTIVAL**

The Committee of the Whole recommends that the verbal report of Councillor Yeung Racco with respect to the 3rd Annual Taste of Asia Festival to be held on Wednesday, May 25, 2005 co-hosted by the Federation of Chinese Canadians in Markham (FCCM) and the Association of Progressive Muslims of Ontario (APMO), with the cooperation of the Canadian Federation of Intercultural Friendship (CFIF), and the written submission from Local and Regional Councillor Dave Barrow, dated April 29, 2005, submitted by Councillor Yeung Racco, be received.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 24, 2005

Item 43, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 24, 2005.

43 NEW BUSINESS – TEMPORARY SHORT-TERM PARKING PERMITS

The Committee of the Whole recommends:

- 1) That staff review opportunities to apply for temporary short-term parking permits through on-line payment or at Vaughan Community Centres;**
- 2) That staff review opportunities for a pilot project on this matter; and**
- 3) That this matter be referred to a Committee of the Whole (Working Session) meeting in September 2005.**

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