

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

Item 1, Report No. 14, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 20, 2006, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Community Services, dated March 16, 2006:

The Commissioner of Community Services and the Director of Recreation and Culture recommend that the recommendation contained in the Photography Permits report of the Committee of the Whole meeting of March 6, 2006, be approved subject to the following amendments to the Terms and Conditions:

PROCESS: Kleinburg Scout House and Railway Station only:

- ***Multiple, non-exclusive permits will be processed during the peak wedding period (Saturdays from noon-6pm). A permit will grant access to the site within the complete time period (noon – 6pm) and the permit holder will have non-exclusive use on a first-come, first-served basis.***
- ***Staff, scheduled during peak periods, will enforce the order of arrivals and allow access to those without a permit once the personal details are obtained (name and address) to process a permit the following business day.***

FEES:

- ***The following fees apply per block at the Kleinburg Scout House and Railway Station and per hour for remaining sites:***

Vaughan Residents: \$ 75.00 + GST
Non Residents: \$100.00 + GST

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PHOTOGRAPHY PERMITS

The Committee of the Whole recommends that this matter be referred to the Council meeting of March 20, 2006, for staff to address the concerns expressed.

Recommendation

The Commissioner of Community Services and the Director of Recreation and Culture, in consultation with the City Clerk and Manager of Licensing, recommend:

1. That the Department of Recreation and Culture be allowed to issue permits for commercial photography on all City of Vaughan owned property specifically at, but not limited to, the Kleinburg Scout House and Railway Station, the Thoreau MacDonald House and the Vellore Hall, School and Heritage Square, effective April 1, 2006 and subject to all associated terms and conditions; and,
2. That a By-Law be enacted authorizing the Departments of Recreation and Culture, Parks, Building and Facilities and the Enforcement Services to administer and enforce the program within the terms and conditions outlined in this report; and,
3. That commercial photography permits be classified as a premium service category, the Department of Recreation and Culture's Three Year Fee Schedule be amended to include the applicable permit fees and that the Clerk's Department be directed to provide public notice of an amendment to the Fees and Services By-Law, 396-2002 for the proposed inclusion as outlined in this report.

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Economic Impact

The economic impact to the 2006 operating budget will be approximately a net surplus of \$2,046 if permit targets are met.

Purpose

The purpose of this report is to present to Council the feasibility of implementing a photography permit system in Vaughan and to seek Council approval for the associated terms, conditions and permit fees.

Background - Analysis and Options

At the Committee of the Whole meeting of February 13, 2006, Council directed that staff prepare a report exploring the following:

- Establishing a permitting system for commercial photography at both Thoreau MacDonald House in Thornhill and the Scout House in Kleinburg,
- That the staff report include financial considerations for residents of Vaughan,
- That any funds generated from photography permits be applied towards maintenance and improvements at Thoreau MacDonald House and the Scout House,
- That staff investigate any photography permitting programs used by area municipalities, such as the permitted use of Edwards Gardens in the City of Toronto,
- That the permits be applied to commercial photography only, and
- That the projected start-up date be planned to provide sufficient time to incorporate the 2006 Spring/Summer/Fall sessions.

Additionally, in November 2004, Council adopted a report from Councillor Meffe requesting staff to report on the feasibility of issuing permits to photographers and/or individuals using City-owned properties.

To investigate the feasibility of implementing a photography permit system, staff reviewed systems used by surrounding municipalities. The findings, noted on Attachment 1, indicate that while most municipalities have formal processes in place some have no “official” system. For instance, the City of Markham issues permits for commercial photography only if the request is within their declared “permissible” sites such as parks.

Similar to Markham, it has been past practice for the Vaughan Department of Recreation and Culture to allow private/commercial users access to Vaughan facilities for the purposes of commercial photography on a limited basis and only for “permissible” sites such as parks and community centres. Frequently, however, staff receive requests for permits for commercial photography, and in particular wedding photos, for non-permissible sites such as the Kleinburg Scout House and Railway Station.

This report expands the locations allowed for such permits, provides staff with the authority to control volume and compliance, ensures City premises and operations are protected and the normal use and enjoyment of residents is not unacceptably disrupted. Recognizing the popularity of these sites by photographers, having a formal process in place with predetermined conditions of use, the City of Vaughan can control the volume of traffic and recoup some of the added costs to maintain the sites.

Financial Impact:

Based on the number of queries the Department of Recreation and Culture has received regarding wedding photo permits, the fact that over 600 wedding licenses were issued by the

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Clerk's Department in 2005 the timing of the launch and promotion of the new system, it is anticipated that approximately 60 photography permits will be processed in 2006. Recognizing there will be start up costs to launch the program the following summarizes the anticipated financial impact in 2006:

Revenues:

60 permits @ \$84.11 each will yield approximately \$5,046 in revenues.

Expenses:

To control and manage issues that may evolve with the new system, particularly at the Kleinburg Scout House and Railway, a site that will be predictably popular, staff will be scheduled on Saturdays from 12 – 6pm and reviewed on an annual basis. The cost for May through August will be approximately \$2,000. Additionally there will be start up costs for promotions and signage that will total approximately \$1,000 for a total of \$3,000 in expenses.

Net:

The net surplus revenue in 2006 will be approximately \$2,046. As directed by Council, the net generated funds will be applied towards maintenance and improvements of the highly utilized locations.

City of Vaughan, Recreation and Culture's Commercial Photography System:

The City of Vaughan, Recreation and Culture system will utilize many of the terms and conditions applied by surrounding municipalities including the process, dates of operation, fees and the guidelines to ensure conflicts are avoided and the use is safe and enjoyable.

The complete City of Vaughan, Department of Recreation and Culture's Commercial Photography System is found on Attachment 2. Extracts are highlighted below:

PROCESS:

- Permits are issued once the location has been determined to be feasible and not disruptive to the public's enjoyment of such facility. For example, the Kleinburg Scout House and Railway Station, the Thoreau MacDonald House, the Vellore Hall, School and Heritage Square, most heritage buildings, many parks and the Japanese Garden at City Hall to name a few.
- Users are given the emergency dispatch number to contact should a conflict arise and advised to bring permit on site.
- Sites designated suitable will be adequately signed to advise that permits are required to control conflicts. Staff may be scheduled during peak times and locations to respond as needed.
- Enforcement Services, Parks and/or Building and Facilities staff receive pertinent permit details to monitor compliance.

HOURS AND DATES OF OPERATION:

- Permits are issued year round provided access to the requested facility is unrestricted and remains open year-round.

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FEES:

- Permits are issued for one hour and the following rates apply:
 - \$84.11 for Prime Time (Fridays through Sundays and Holidays)
 - \$60.75 for remaining times.

TERMS:

- In addition to the terms and conditions listed herein, the applicant shall abide by all Recreation and Culture Rental Contract Conditions & Regulations found on the back of the permit and those outlined in the By-law.
- Users are advised that the site must be kept clean and that all private vehicles parking must be within designated areas.

CONDITIONS OF USE:

- All vehicles are to be parked in designated areas only.
- All photography must be conducted without disruption to site operations or limitations to accessibility of stairwells, entrances/exits, high traffic areas and other locations of interest to other guests.
- The photo session must not interfere with other visitors' enjoyment of the parks, heritage and public sites.
- To ensure the preservation of City of Vaughan photography sites, use of the following items are not permitted:
 - confetti, rice, or glitter
 - any other items that the City deems a hazard to the preservation of City of Vaughan photography sites or visitors.

Promotions:

The promotional material that will be used to convey the opportunity to private photographers and private residents are also provided below for Council's information:

- Immediate: Promotional Postcards, Attachment 3, will be mailed to local photographers and made available to the Clerks Department to distribute when issuing wedding licenses; press release will be issued announcing the opportunity; postcards will be placed on the web;
- Future: Notice in the Department of Recreation and Culture's Recreation and Parks Guides will be added and a promotional DVD with photos etc will be placed on the web.

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.

As identified in the Vaughan Vision 2007, it is a strategic priority to promote economic development, expand revenue sources and to pursue innovation. The approval and implementation of the Recreation and Culture Commercial Photography System will effectively complement these strategies.

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Conclusion

The Recreation and Culture Commercial Photography System and the Three Year Fee Schedule will provide staff with an organized structure within which to plan and govern this premium service.

Overall, the system will provide expanded permitting opportunities within a predetermined and well-managed system that will ensure the public is not unduly impacted upon while increasing revenues for the use of city facilities.

Attachments

1. Recreation and Culture Photography System: Survey of Area Municipalities
2. City of Vaughan, Department of Recreation and Culture's Commercial Photography System
3. Commercial Photography System's Promotional Postcard

Report Prepared By

Diane LaPointe-Kay, Director, Recreation and Culture, ext 8117
Mary Real, Administrative and Planning Manager, ext 8234

(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 2, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

2

AWARD OF TENDER T06-006
ROAD RESURFACING 2005 – PART 2 – VARIOUS LOCATIONS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 6, 2006:

Recommendation

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

1. That Tender T06-006 for the Road Resurfacing 2005 – Part 2 – Various Locations be awarded to D. Crupi & Sons Limited in the amount of \$1,504,195.00;
2. That a contingency allowance in the amount of \$150,000.00 plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the contract;
3. That a Geotechnical and Material Testing amount of \$15,000.00 plus G.S.T. be approved to ensure compliance with all applicable standards;
4. That the additional funds required to complete this project in the approximate amount of \$700,000.00 be reallocated from the Road Reconstruction 2005 – Capital Project 1574-0-05 to Road Resurfacing 2005 Capital Project 1576-0-05; and
5. That the Mayor and Clerk be authorized to sign the appropriate documents.

Economic Impact

The total cost of \$1,720,000.00 for the project falls within the approved budget amount and as such there is no additional economic impact to the 2005 Capital Budget.

Long range financial implications will include operating and maintenance costs associated with this type of infrastructure which are not quantified at this time, including long term replacement.

Purpose

To award Tender No. T06-006 – Road Resurfacing 2005 – Part 2 – Various Locations.

Background - Analysis and Options

This tender (2004 Capital Budget Project No. 1451-0-04) includes road resurfacing and/or rehabilitation of various roads in the Woodbridge area. (See Attachment No. 1).

In January 2005, a pavement evaluation and geotechnical investigation report was completed for the various roads included in the Road Resurfacing 2005 - Program. The report identified various pavement rehabilitation strategies for each road section. During the detailed investigations, assessment and analysis of this project, it was determined that it would be more cost effective to tender this project in two parts due to the magnitude and scope of work required on various road sections and area.

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Road Resurfacing 2005 – Part I – Various Locations, T05-187 was tendered in July 2005, and constructed last fall. The work covered under this contract included road resurfacing with minor curb and gutter replacements and other associated works.

Tender T06-006 Road Resurfacing 2005 – Part 2 – Various Locations includes minor road resurfacing and major road rehabilitation and/or reconstruction of the pavement, installation of subdrains, new curb and gutters for the majority of the roads and all other associated works.

Due to the significant work involved in the rehabilitation of these roads, we recommend that the additional funds required to complete this project in the approximate amount of \$700,0000.00 be reallocated from the Road Reconstruction 2005 – Capital Project 1574-0-05 to Road Resurfacing 2005 Capital Project 1576-0-05.

This tender was advertised in the Daily Commercial News, on the Ontario Public Buyers Association (OBPA) and on the Electronic Tendering Network (ETN), and closed on January 30, 2006. A total of 15 sets of bid documents were picked up from Purchasing Services Department and the following 12 bids were received:

<u>Contractor</u>	<u>Total Bid Amount (excl. G.S.T.)</u>
D. Crupi & Sons Limited	\$1,504,195.00
Fermar Paving Limited	\$1,508,295.00
Furfari Paving Co. Ltd.	\$1,524,426.46
CIR General Contracting	\$1,619,552.50
Four Seasons Site Development Ltd.	\$1,623,677.50
Nuroad Construction Ltd.	\$1,712,868.05
Lafarge Paving & Construction Ltd.	\$1,767,407.23
Gazzola Paving Limited	\$1,795,533.00
Trisan Construction	\$1,798,909.30
Graham Bros. Construction Limited	\$1,839,726.98
Brennan Paving & Construction Ltd.	\$1,854,021.06
Pave-AI Limited	(Non-Compliant Bid)

The estimated cost for this project including contract administration, inspection and testing, a contingency allowance and all applicable taxes (G.S.T. is 100% recoverable) is \$1,720,000 and is calculated as follows:

D. Crupi & Sons Limited (excluding G.S.T.)	\$1,504,195.00
Contingency amount (approx. 10%)	\$ 150,000.00
Geotechnical Inspection and Material Testing (estimated amount)	<u>\$ 15,000.00</u>
Sub-Total	\$1,669,195.00
G.S.T. (7% amount 100% recoverable)	\$ 116,843.65
Treasury Administration (3%)	<u>\$ 50,075.85</u>
Total	\$1,836,114.50
Less G.S.T. Recoverable	(\$116,843.65)
Net Total Cost	\$1,719,270.85

ROUNDED \$1,720,000.00

Engineering staff has reviewed the submitted bids and are satisfied that D. Crupi & Sons Limited, which has successfully completed similar works, is deemed qualified to undertake this project. Therefore, it is appropriate to award this contract to the low bidder, D. Crupi & Sons Limited.

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Relationship to Vaughan Vision 2007

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

Conclusion

Sufficient funding is available in the 2005 Capital Budget (Projects 1576-0-05 and 1574-0-05) to complete the project. Staff recommend that this contract be awarded to D. Crupi & Sons Limited in the amount of \$1,504,195.00.

Attachments

1. Location Map

Report prepared by:

Pat Marcantonio, C.E.T., Senior Engineering Assistant, ext. 3111

Tom Ungar, P. Eng., Manager, Design Services, ext. 3110

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

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Item 3, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

3 STATEMENT OF REMUNERATION AND EXPENSES FOR MEMBERS OF COUNCIL AND COUNCIL APPOINTMENTS TO BOARDS AND OTHER BODIES FOR THE YEAR 2005

The Committee of the Whole recommends:

- 1) That staff report on the history of and rationale for remuneration received by Members of Council, who are appointed to other bodies;
- 2) That the deputation of Mr. Paul De Buono, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5, be received; and
- 3) That the following report of the Commissioner of Finance & Corporate Services and the Director of Budgeting and Financial Planning, be received.

Recommendation

The Commissioner of Finance & Corporate Services and the Director of Budgeting and Financial Planning recommends:

That the report regarding the 2005 Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and Other Bodies be received.

Economic Impact

N/A

Purpose

To report the Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and Other Bodies for the year 2005.

Background - Analysis and Options

The Municipal Act, 2001, Section 284(1) requires that the Treasurer of every municipality submit to Council on or before the 31st day of March in each year, a Statement of Remuneration and Expenses for the preceding year paid to the Members of Council and Council appointments to Boards and other Bodies. The Municipal Act, 2001, Section 283(1) provides authority for the Remuneration and Expenses to Council, Boards and other Bodies. The Remuneration and Expenses of Council are authorized by By-Law Number 251-2005. By-Law Number 57-2004 authorizes the remuneration of members for the Committee of Adjustment and By-Law Number 59-2004 for Heritage Vaughan.

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The Statement of Remuneration and Expenses paid during the year 2005 is as follows:

Name	Remuneration \$	Benefits \$	Expenses \$	Percentage of Annual Budget Spent
<u>COUNCIL - By-Law No. 251-2005</u>				
Mayor M. Di Biase	102,357.10	19,551.72	64,583.33	82.8%
Regional Councillor M. Ferri	63,852.94	14,062.99	47,999.25	88.3%
Regional Councillor L. Jackson	63,852.94	14,309.23	32,233.98	78.4%
Regional Councillor J. Frustaglio	63,852.94	14,309.23	56,790.60	95.7%
Councillor P. Meffe	63,852.94	14,292.21	32,725.79	85.5%
Councillor T. Carella	63,852.94	14,292.21	21,699.74	90.2%
Councillor B. Di Vona	64,448.86	14,356.23	18,655.55	95.7%
Councillor S. Yeung-Racco	63,852.94	14,872.71	17,598.59	95.4%
Councillor A. Shefman	63,852.98	14,291.87	10,451.84	87.8%

Name	Remuneration \$	Benefits \$	Expenses \$
<u>HYDRO-VAUGHAN HOLDINGS INC.</u>			
Mario Ferri (Chair)	3,750.00	73.13	0.00
Michael Di Biase	3,000.00	58.50	0.00
Linda Jackson	3,000.00	58.50	0.00
Joyce Frustaglio	3,000.00	58.50	0.00
Peter Meffe	3,000.00	58.50	0.00
Tony Carella	3,000.00	58.50	0.00
Bernard Di Vona	3,000.00	58.50	0.00
Sandra Yeung-Racco	3,000.00	58.50	0.00
Alan Shefman	3,000.00	58.50	0.00

Name	Remuneration \$	Expenses \$
<u>COMMITTEE OF ADJUSTMENT By-Law No. 57-2004</u>		
M. Mauti (Chair)	2,875.00	0.00
T. DeCicco	2,375.00	0.00
L. Fluxgold	2,375.00	0.00
M. Panicali	2,375.00	0.00
D. Kang	2,375.00	0.00

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Name	Remuneration \$	Benefits \$	Expenses \$
<u>VAUGHAN HOLDINGS INC.</u>			
Sandra Yeung-Racco (Chair)	14,431.10	281.41	0.00
Linda Jackson (Vice Chair)	12,675.04	247.16	0.00
Alan Shefman	10,761.74	209.85	0.00

Name	Remuneration \$	Benefits \$	Expenses \$
<u>POWERSTREAM</u>			
Peter Meffe (Chair)	10,350.00	670.84	539.85
Michael Di Biase	7,400.01	467.29	0.00
Mario Ferri	7,400.01	467.29	0.00
Joyce Frustaglio	6,100.01	377.59	0.00
Tony Carella	6,100.01	377.59	0.00
Bernard Di Vona	6,100.01	377.59	0.00

Name	Remuneration \$	Expenses \$
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HERITAGE VAUGHAN By-Law No. 59-2004
and amended by By-Law No. 133-2004

J. Maynard (Chair)	580.00	0.00
R. Stitt (Vice Chair)	400.00	0.00
T. Genco	450.00	0.00
J. Sturm	450.00	0.00
N. Prowde	400.00	0.00
Dr. J. Vitale	400.00	0.00
A. Froom	400.00	0.00
M. Mancini	350.00	0.00
T. Refaeli	350.00	0.00
S. Rosen	300.00	0.00
J. Mifsud	300.00	0.00
J. Vivona	200.00	0.00
J. Berton	200.00	0.00
G. Miller	120.00	0.00

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Name	Remuneration \$	Benefits \$	Expenses \$
<u>HYDRO-VAUGHAN ENERGY CORP.</u>			
Bernard Di Vona (Chair)	8,625.00	168.19	0.00
Michael Di Biase	6,000.00	117.00	0.00
Mario Ferri	6,000.00	117.00	0.00
Linda Jackson	6,000.00	117.00	0.00
Joyce Frustaglio	6,000.00	117.00	0.00
Peter Meffe	6,000.00	117.00	0.00
Tony Carella	6,000.00	117.00	0.00
Sandra Yeung-Racco	6,000.00	117.00	0.00
Alan Shefman	6,000.00	117.00	0.00

Relationship to Vaughan Vision 2007

Not applicable.

Conclusion

To receive the Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and Other Bodies for the year 2005.

Report prepared by:

John Hrajnik, B.COM, CMA, ext. 8401
Director of Budgeting & Financial Planning

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Item 4, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

**4 PROCLAMATION REQUEST –
CANCER MONTH**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated March 6, 2006, be approved;
- 2) That a flag raising ceremony take place at the Civic Centre on March 27, 2006;
- 3) That the memorandum of the City Clerk, dated March 20, 2006, be received; and
- 4) That the deputation of Mr. Peter Badali, Chair, Vaughan in Motion, P.O. Box 865, Maple, L6A 1S8, be received.

Recommendation

The City Clerk recommends:

- 1) That April 2006 be proclaimed as “**Cancer 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.

Purpose

To respond to the request received from Vaughan in Motion...Walk to Cure Cancer.

Background - Analysis and Options

The correspondence received from Vaughan in Motion... Walk to Cure Cancer, dated February 9, 2006, is attached (Attachment #1).

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

Vaughan in Motion...Walk to Cure Cancer wishes to motivate and mobilize the residents of Vaughan and beyond in the fight to cure Cancer. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

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

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Conclusion

Staff is recommending April 2006 be proclaimed as “Cancer Month” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from Vaughan in Motion...Walk to Cure Cancer, dated February 9, 2006

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 5, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

5

BODY RUB ENFORCEMENT

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated March 6, 2006, be approved; and
- 2) That the Special Enforcement Unit continue to be deployed to work on this initiative.

Recommendation

The Commissioner of Legal and Administrative Services, in consultation with the Senior Manager of Enforcement Services, recommends:

1. That this report be received.

Economic Impact

There is no budget impact other than a possible reduction in parking fine revenue.

Purpose

This report is to provide further details on enforcement actions related to body rub parlours since October 2005.

Background - Analysis and Options

Council, at its meeting of June 15, 2005, Item 1, Report 38, required a report be brought back in October outlining the status of enforcement relating to body rubs.

This report was discussed at the Working Session of October 25, 2005, Item 1, Report 60.

Council then further directed:

“That a status report be provided in February 2006, including the impact of using existing staff resources to undertake the enforcement activity related to the subject matter.”

By way of a brief summary, between July and October 2005, staff conducted 118 inspections, including 22 in conjunction with York Regional Police, resulting in 98 charges and 8 illegal massage parlours closing their doors. The Police were unable to identify the number of Police charges, if any, resulting from these inspections.

In the time since October, the enforcement efforts have continued with 61 inspections, including 7 in conjunction with York Regional Police, resulting in 82 charges under the Licensing By-law being laid. In addition, in order to hold those individuals that own the properties accountable, 9 charges under the Zoning By-law have been laid as the use is not permitted. To date, matters have not been set for trial.

There has also been one more illegal massage parlour closed down, the Maple Shiatsu, located at 2100 Steeles Avenue. One new illegal establishment has opened at 470 North Rivermede. In total, there are 10 illegal and 5 licensed parlours.

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As indicated in October, in order to maintain an active presence in this area, continued enforcement is necessary. This can be achieved within existing resources by either frequent blitzes in coordination with York Regional Police, or by continuing to deploy at least part of an officer's time to this area as an extension of existing duties. Both of these approaches will potentially impact budget as foregone fine revenue.

Enforcement will continue by deploying the Special Enforcement Unit as an extension of their existing duties. The pilot project was conducted by a member of this unit. It is possible that parking revenue may be reduced in 2006 as a result.

Relationship to Vaughan Vision 2007

This report is in keeping with the Vaughan Vision 2007 as it speaks to the goals of community safety and the City's leadership on key issues.

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

Conclusion

Enforcement of illegal activity related to massage parlours is successful and a continuation will deter illegal establishments from establishing in the City of Vaughan.

Attachments

1. List of Massage Parlours.
2. Item 1, Report 60, Committee of the Whole (Working Session) October 25, 2005.

Report prepared by:

Tony Thompson
Senior Manager of Enforcement Services

(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 6, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

6

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-02
OWNER: LEON'S CANADA INC.
LOCATION: 299 BASS PRO MILLS DRIVE
BLOCK 1, REGISTERED PLAN 65M-3696**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 6, 2006:

Recommendation

That Sign Variance Application SV.06-02, Leon's Canada Inc., be APPROVED.

Economic Impact

None.

Purpose

Request to install a pylon sign at the northwest corner of the subject property as shown on the attached drawings in lieu of the approved location at the southwest corner of the property.

Background - Analysis and Options

By-Law Requirements (203-92, as amended)

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-Law.

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 By-law permits only those pylon signs approved on the site plan agreement. The applicant is proposing to install a pylon sign at the northwest corner of the subject property in lieu of the approved location at the southwest corner of the property.

Members of the Sign Variance Committee have no objections to the application, and are of the opinion that the intent and purpose of the Sign By-Law is being maintained.

If Committee finds merit in the application, a Sign Permit issued by the Building Standards Department is required.

Attachments

1. Site Map
2. Sketch of Sign

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Report prepared by:

John Studdy
Manager of Customer & Administrative Services

/pa

(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 7, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

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**SIGN VARIANCE APPLICATION
FILE NO: SV.06-03
OWNER:FIELDGATE DEVELOPMENTS
LOCATION: 3737 MAJOR MACKENZIE DRIVE
BUILDING E-F, UNIT 114
PART OF LOTS 20 AND 21
REGISTERED PLAN 65R-25645, CONCESSION 5**

The Committee of the Whole recommends:

- 1) That Sign Variance Application SV.06-03, Fieldgate Developments, be approved;
- 2) That the deputation of Ms. Isabella Cerelli, Pride Signs Ltd., 280 Holiday Inn Drive, Cambridge, N3C 1Z4, on behalf of Shoppers Drug Mart, be received; and
- 3) That the following report of the Sign Variance Committee, dated March 6, 2006, be received.

Recommendation

That Sign Variance Application SV.06-03, Fieldgate Developments., be REFUSED.

Economic Impact

None.

Purpose

Request to install five (5) window graphics on the west elevation each with an area of 7.16m² as shown on the attached drawings.

Background - Analysis and Options

By-Law Requirements (203-92, as amended)

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-law.

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 By-law permits only those wall signs approved on the site plan agreement. The applicant is proposing to install five (5) window graphics on the west elevation each with an area of 7.16m² as shown on the attached drawings.

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Members of the Sign Variance Committee do not support the application. In their opinion, the proposed signage far exceeds the maximums contained within the Sign By-Law and if approved, the signage would constitute an unacceptable levels of clutter in an area designated as the central core of Vellore District Centre.

If Committee finds merit in the application, a sign permit issued by the Building Standards Department is required.

Attachments

1. Sketch of Sign
2. Sign Elevations

Report prepared by:

John Studdy
Manager of Customer & Administrative Services

/pa

(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 8, Report No. 14, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 20, 2006, as follows:

By receiving the written submission from Mr. Rudy P. Bratty, Nine-Ten West Limited, 7501 Keele Street, Suite 100, Vaughan, L4K 1Y2, dated March 6, 2006.

**8 OFFICIAL PLAN AMENDMENT FILE OP.05.009
ZONING BY-LAW AMENDMENT FILE Z.03.070
1275621 ONTARIO INC.
REPORT #P.2005.36**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 6, 2006, be approved, subject to reducing the maximum building height from 16 storeys to 12 storeys;
- 2) That the deputation of Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 402, Woodbridge, L4L 8S5, on behalf of the applicant, and written submission dated March 2, 2006, be received; and
- 3) That the written submission submitted by Mr. Luch Ognibene, Remington, 7501 Keele Street, Suite 100, Vaughan, L4K 1Y2, dated March 6, 2006, on behalf of Mr. Rudy P. Bratty, President, Nine-Ten West Limited, be received

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.05.009 (1235621 Ontario Inc.) BE APPROVED to redesignate the subject lands from "Medium Density Residential/Commercial" and "Low Density Residential" to "High Density Residential/Commercial" to permit a maximum residential density of 200 units/ha with a maximum building height of 16 storeys and ancillary commercial uses.
2. THAT Zoning By-law Amendment File Z.03.070 (1235621 Ontario Inc.) BE APPROVED to rezone the subject lands from A Agricultural Zone to RA3 Apartment Residential Zone with the addition of an "H" Holding Symbol pending servicing allocation; and that the implementing zoning by-law include the following exceptions:
 - permit block townhouse dwellings as a permitted use in a RA3 Apartment Residential Zone;
 - permit a range of commercial uses as discussed in this report in a RA3 Apartment Residential Zone;
 - increase the maximum building height from 44m (16 storeys) to 50m (16 storeys);
 - permit a minimum of 46m² of lot area per unit (rather than 67m²/unit)
 - permit a 3.0m building setback/landscape strip from Street 'G1' (rather than 7.5m)
 - reduce the parking standard to 1.1 parking spaces per unit plus 0.20 visitor parking spaces per unit (rather than 1.25 parking spaces per unit plus 0.25 visitor parking spaces per unit); and
 - permit a parking standard of 4.25 spaces per 100m² GFA for commercial development (rather than 6 spaces per 100m² GFA).

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Economic Impact

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

Purpose

The Owner has submitted applications on the subject lands shown on Attachment #1 to:

1. amend the Official Plan, specifically OPA #600 to redesignate the 5.64 ha shown on Attachment #1 from “Medium Density Residential/Commercial” and “Low Density Residential” to “High Density Residential/Commercial” to permit a maximum residential density of a maximum residential density of 200 units/ha with ancillary commercial uses.
2. Amend the Zoning By-law specifically By-law 1-88, to rezone the subject lands shown on Attachment #1, from ‘A’ Agricultural Zone to RA3 Apartment residential Zone with the addition of the “H” Holding Symbol, and to permit the following commercial uses:
 - bank
 - business and professional offices
 - club or health centre
 - eating establishment
 - private school
 - personal service shop
 - retail store
 - convenience retail store
 - video store
 - place of entertainment
 - day nursery
 - parking garage
 - pharmacy
 - bakery/coffee shop
 - print shop

The increase in density would facilitate the future development of high-rise apartment, townhouse, and ancillary convenience commercial uses.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 is located on the southeast corner of Dufferin Street and Major Mackenzie Drive, in Part of Lot 20, Concession 2, within Planning Block 11- Carrville Urban Village 2, City of Vaughan.

The irregular-shaped 5.64 ha site has 70m frontage along Major Mackenzie Drive and 255m frontage along Dufferin Street and 463m frontage along future Street G1, a future east-west primary road connecting Dufferin Street and Bathurst Street, as shown within Approved Draft Plan of Subdivision 19T-95065 on Attachments #2 and #3.

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Existing Uses

The land subject to this application was historically used for farming purposes. The easterly edge of the subject land is wooded. The existing vegetation has been previously inventoried and assessed as part of the block plan and subdivision approval process with limits of development being established prior to this official plan amendment being formally filed with the City. Formerly, there were a number of structures located on the site inclusive of 2 residential dwellings, and 2 outbuildings/garages. These buildings were associated with the previous farm use of the subject site. Removal of all existing buildings and structures has recently occurred upon the owner having been issued approved demolition permits by the City of Vaughan.

The surrounding land uses are as follows:

- North - Major Mackenzie Drive; north of Major Mackenzie Drive, on the east side of Dufferin Street, a 7.0 ha future neighbourhood commercial block (175,000 ft² of gross floor area) is proposed for this block; northwest corner of Major Mackenzie Drive and Dufferin Street is an approved service station/convenience store and eating establishment
- South - Street G1, a future two lane primary road; other lands owned by the applicant future residential and neighbourhood park (approved draft plan of subdivision 19T-95065)
- East - valleylands (other lands owned by the applicant) 4.18 ha in size;
- West - Dufferin Street; future 4.13ha neighbourhood commercial block (C4 Neighbourhood Commercial Zone)

Background

The land subject to this application is part of a larger 16.72 ha landholding owned by the applicant as shown on Attachment #1. Applications for draft plan approval and rezoning (19T-95065 and Z.03.070) have been submitted previously for low density residential, open space, park and neighbourhood commercial uses. Such applications were approved by Vaughan Council on June 28, 2004. The draft plan of subdivision was appealed to the Ontario Municipal Board, however, the appeal was subsequently withdrawn on August 30, 2005. The Zoning By-law has yet to be enacted by the City.

On May 13, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. No comments from the public have been received concerning these applications. The recommendation of the Committee of the Whole on June 8, 2005, to receive the public hearing and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on June 15, 2005.

Land Use Status

Official Plan

The subject lands are designated "Medium Density Residential/Commercial Area" and "Low Density Residential Area" by OPA No. 600.

The "Medium Density Residential/Commercial" designations are generally located along major arterial roads and certain primary roads. The average net density for "Medium Density Residential/Commercial" designations taken across the block plan shall be in the range of 25 to 35 units per hectare. A variety of residential building types are permitted and encouraged within this designation, as well as commercial uses. An Official Plan Amendment is required to redesignate the subject lands to "High Density Residential/Commercial" to permit the proposed

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high density residential uses at a maximum density of 200 units/ha, together with ancillary commercial uses.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88.

Applications for draft plan approval and rezoning (19T-95065 and Z.03.070) have been submitted previously for low density residential, open space, park and neighbourhood commercial uses. Such applications were approved by the City of Vaughan Council on June 28, 2004. The draft plan of subdivision was appealed to the Ontario Municipal Board, however, the appeal was withdrawn on August 30, 2005. The Zoning By-law has yet to be enacted by the City.

The proposed rezoning to RA3 Apartment Residential Zone would permit high-rise apartments on the tableland portion of the site. The easterly edge of the subject lands (the valleylands) will be rezoned OS1 Zone Open Space Conservation Zone and conveyed to either the City or Toronto Region Conservation Authority.

The following zoning exceptions to the RA3 Zone will be required to implement the future site plan:

- permit block townhouse dwellings as a permitted use in a RA3 Apartment Residential Zone;
- permit a range of commercial uses as discussed in this report in a RA3 Apartment Residential Zone;
- permit a minimum of 46m² of lot area per unit (rather than 67m²/unit)
- increase the maximum building height from 44m (16 storeys) to 50m (16 storeys);
- permit a 0.0m building setback from Stat 'G1'
- reduce the parking standard to 1.1 parking spaces per unit plus .20 visitor parking spaces per unit; and
- permit a parking standard of 4.25 spaces per 100m² GFA for commercial development.

The proposed ancillary commercial uses are considered suitable for this development and location and Staff is satisfied that the above-noted exceptions are appropriate to facilitate this development.

The "H" Holding Symbol would only be lifted upon confirmation that servicing capacity has been allocated to this development.

Block Plan 11

The Block 11 Plan as shown on Attachment #4 was approved by Council on August 25, 2003. The approved plan identifies these lands as "Neighbourhood Commercial" and "Low Density Residential".

OPA #600 set a target of 600 high density residential units, which represented 13% of all units in the block. The approved block plan provided 184 high density units, representing only 5% of the total residential units. There are lands within the Block which were originally anticipated to develop within Block 11 inclusive of 58 ha of the Macmillan property that will not be developing. The Macmillan property has been specifically set aside as a Nature Reserve. The significance of substantial areas of land not developing is that the overall total proposed population for Block 11

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is approximately 11,000 people which falls short of a target of 14,700 people as set out in OPA 600. The addition of high density residential development into the Block at the proposed location will assist in meeting the population targets as originally set out for the area.

The southwest corner of Block 11 is also located within the Carville District Centre. It is within this area that most of the high density residential development was expected to locate. The Draft Official Plan Amendment 651 (Carrville District Centre Plan) estimates that approximately 5,400 housing units could be accommodated within the entire District Centre at maturity. The proposed designation of high density residential land uses for the subject lands will assist in ensuring that the overall proposed population targets, densities, and housing forms will be achieved.

Approved Draft Plan of Subdivision 19T-95065

Should the subject applications be approved by Council the applicant will be directed to revise the approved draft plan of subdivision to reflect the “High Density Residential Commercial” designation on the northern portion of the lands associated with approved draft plan of subdivision 19T-95065.

Preliminary Development Concept

While a formal site plan submission has not been made with the request for an amendment to the Official Plan, a conceptual plan shown on Attachment #5 has been submitted in consideration of matters such as access, building location, height, and massing assuming a density of up to 200 uph. However, the plan is conceptual only and is not representative of actual development. The preliminary development statistics as provided in the chart below indicate that the site could be developed with a number (11) of residential apartment buildings ranging in height from 3 storeys at the south east corner of the block to 16 storeys at the corner of Major Mackenzie Drive and Dufferin Street with a total floor space index of 1.94 and a site coverage of 30% leaving approximately 62% of the site for open space/other uses. The location of buildings are anticipated to occur along street edges/frontages and valley/open space edges. Such building placement will thereby create a positive street presence, utilizing views and vistas in addition to creating the opportunity for an interconnection of common open space areas/meeting places. This opportunity will facilitate the integration of the pedestrian with the built form between the proposed buildings within the development block itself.

Primary access to the block is to occur from Street G1 as shown on Attachment #3. It is anticipated that parking will be primarily located underground. A more detailed finer road pattern consisting of restricted access opportunities to Dufferin Street in addition to an internal road system within the development block will be required at the time of the formal review of the site development application ownership.

Lands immediately to the north/east of the proposed high density residential block contain a treed valley/open space system with a pond feature. It is intended that detailed discussions be undertaken with the City and TRCA to determine what opportunities may exist for the creation of a trail system, interpretative display or commemorative plaque in this area for which the future residents may benefit/enjoy the natural environment and local/relevant history of the property which will be transferred to public ownership.

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The potential development based on the preliminary concept plan is as follows:

Buildings	Storeys	# of Units	Gross Floor Area
A	16	150	14340m ²
B	13	168	14855m ²
C	10	126	11425m ²
D	8	98	9140m ²
E	6/5	120	10182m ²
F	6/5	157	16183m ²
G	6/5	157	16183m ²
H	5/4	62	6605m ²
I	3	30	3428m ²
J	3	30	3428m ²
K	3	30	3428m ²
Total		1128	109197m ²

Current Policy Framework

Provincial Policy Statement (PPS) 2005

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS envisions efficient development patterns that optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, employment, parks and open space, and transportation choices that facilitate pedestrian mobility and other modes of travel.

The “Building Strong Communities” policies of the PPS state that sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time frame of up to 20 years.

In particular, the policies related to Managing and Directing Land Use, states that healthy, livable and safe communities are sustained by:

- accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs; and
- promoting cost-effective development standards to minimize land consumption and servicing costs.

The subject proposal will broaden the mix of residential uses in the area, which has been predominantly approved for low density residential development. It will also minimize land consumption and servicing costs as it allow more people to live in the area, which is already planned for urban growth.

The policies relating to Settlement Areas state that these areas shall be the focus of growth and that Planning authorities shall identify and promote opportunities for intensification and land use patterns within settlement areas, which shall be based on, in part, densities and a mix of land uses which:

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- i) efficiently use land and resources; and
- ii) are appropriate for, and efficiently use, infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.

The location of the proposed high density designation is within a settlement area as defined by the PPS and located at the intersection of two urban corridors (Major Mackenzie Drive and Dufferin Street). The proposal makes efficient use of the land by increasing residential densities while at the same time respecting existing natural features. The development will also use infrastructure efficiently by using existing and planned roads and will tie into the planned servicing scheme for the area. The development is appropriate with respect to public service facilities as it is part of a larger development area (Block 11) for which facilities are being planned and will support public transit.

The settlement area policies also require that “new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities”. The location of the lands subject to the proposed high density development is within an Urban Village as established in the Vaughan Official Plan and is immediately adjacent to previously approved development.

The PPS also includes housing policies that require that Planning authorities provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area and promote compact form and a structure of nodes and corridors.

The high density development will add to the housing types and density in the area. Infrastructure and public service facilities for this development will be provided as part of the larger development that is occurring within the concession block. The future residents will also help support public transit initiatives.

The PPS transportation policies also promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus. The proposed high density development will assist the municipality in achieving this goal. The location of the development at a major intersection will allow easy access for residents in any direction they wish to travel. The site is also located in proximity to both the Maple and Rutherford GO Transit rail stations, thereby providing an alternative mode of transportation to the private vehicle.

In view of the above, the applications to amend the Official Plan and Zoning By-law to permit high density residential uses on the subject lands is consistent with the policies of the PPS. It will broaden the mix of residential uses in the area and promote an increase in transit ridership, which has been predominantly approved for low density residential development. It also minimizes land consumption and servicing costs and as it allows more people to live in the area already planned for urban growth.

Places to Grow - 2005

The Province released a second draft of Places to Grow Plan in November 2005, which is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form and housing. The Plan envisages increasing intensification of the existing built-up area, with a focus on urban growth centre, intensification corridors and major transit stations. Concentrating intensification in these areas provides for a focus for transit and infrastructure investment to support growth, and for building compact, transit-supportive

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communities in greenfields. The Plan requires that, by 2015, a minimum of 40% of all residential development occurs within the defined built-up area.

The proposed high density development addresses these principles and policies through its location, compact development form and supporting a viable transit network.

The proposal is within a designated urban area of the City that has begun to undergo development. It will complement the planned community by adding a mix of housing and further establish a pedestrian friendly community through the layout and design of the buildings and site. The increase in density will also in the creation and maintenance of a transit-supportive environment.

The Growth Plan also states that “Strong, healthy, inclusive communities have a broad mix of housing types, tenure opportunities and price ranges available to meet the needs of all residents.” Creation of a mix of housing types through intensification or through “more compact land-use patterns in Greenfield developments” can result in more attractive and livable communities.

The proposed development is a form of intensification, in that it is proposing a density higher than what was originally approved. The location of the site is ideal for intensification because of its access to arterial roads, public transit, commercial uses and natural areas. It will add to the mix of housing and represent a more compact form of development when compared to the approved development in the area. By virtue of the proposed density there will also be ample opportunity to provide a further layer of housing types, tenure and price ranges within the development block itself. The proposal is in accordance with the goals of intensification established in the Draft Growth Plan.

Intensification corridors are identified by the Growth Plan as locations that present an opportunity to accommodate growth. Intensification corridors are defined by the plan as “Lands along major roads or arterials that can provide a focus for higher density mixed-use development, higher order transit, and infrastructure investment”. The policies of the Growth Plan indicate that the intensification corridors will be planned “to have a diverse mix of land uses, including residential and employment uses” and will have “the existing and planned infrastructure capacity to accommodate projected increases in residents and jobs”.

The location of the proposed high density development is along two arterial roads, and therefore within an intensification corridor. This development will add to the mix of the land uses along each corridor and is within a developing area that will have an infrastructure that can accommodate the increased population.

One of the intentions of the Growth Plan is to “ensure that designated but not yet urbanized areas grow at transit-supportive densities, with transit-supportive street configurations”. These designated growth areas are a key component in the Growth Plan. The Plan notes that though lands outside of the built-up area will gradually be needed to accommodate new residents, development within the designated growth areas “will be significantly different than it is today.”

In view of the above, the applications to amend the Official Plan and Zoning By-law to permit high density residential uses on the subject lands is consistent with the Province’s draft Places to Grow policy document, by directing growth to built-up areas where the capacity exists to best accommodate the expected population, household and employment growth and promoting transit-supportive densities and a healthy mix of residential and employment land uses

Region of York Official Plan

The Region of York Official plan is a broad based plan that establishes a set of policies that are intended to guide economic, environmental and community-building decisions affecting the use of

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land, to assist with the coordination of more detailed planning by the area municipalities.

One of the objectives of the Regional Official Plan with respect to housing is “to promote an integrated community structure and design that ensures a broad mix and range of lot sizes, unit sizes, and housing forms, types and tenures that will satisfy the needs of the Region’s residents and workers”.

The Regional Official Plan designates the subject lands as “Urban Area” and also identifies Major Mackenzie Drive and Dufferin Street as “Urban Corridors”. The Plan encourages and promotes opportunities for higher densities, recognizing the functions of the corridors in linking centres and providing transit routes. Corridors should provide for a range of housing units, employment and services in a mixed use form that is transit supportive.

The proposed official plan amendment will assist in achieving all of these goals. The proposed high density residential development, in conjunction with the previously approved low density residential development on the remaining property, will provide a variety of dwelling types and sizes. The higher density will make more efficient use of services in the area, infrastructure and transit. The development also represents a compact and efficient community, through its location, layout and design and also encourages pedestrian activity through the arrangement and design of the development.

In view of the above, the applications to amend the Official Plan and Zoning By-law to permit high density residential uses is consistent with the objectives of the Regional Official Plan. The applications propose residential intensification along the designated corridors, makes efficient use of land and existing services and provides for compact development that promotes transit supportive densities.

City of Vaughan Official Plan OPA #600

Opa #600 is based on 2 Major themes: environmental protection and compact and efficient urban form. Key policy elements supporting these themes include:

- encouraging an urban structure reflecting compact urban form.
- achieving a significant increase in public transit.
- encouraging transit friendly land uses and higher density development along major transportation corridors.
- encouraging the provision of an adequate supply of housing with a mix of densities, unit types, costs and tenures.

The proposed high density development fits within the 2 major themes of OPA #600; environmental protection and compact and efficient urban form. Existing environmental features will be protected and the development represents a compact urban form. It will increase the mix of housing supply at a strategic location at the intersection of 2 urban corridors. In consideration of site location as related to urban corridors it is anticipated that the proposed high density development at this location will encourage and increase transit ridership which in turn will assist in sustaining and improving demand for public transit.

Encouraging the viability of urban areas through residential intensification is one of the goals and objectives established by the Official Plan, with respect to housing. This can be accomplished through infill, redevelopment and conversions. The criteria which must be met include the availability of services, proximity to transit and compatibility with existing land uses.

The high density residential proposal directly addresses the above noted goal. The intensification of the site meets the criteria of servicing, transit and compatibility through its location and design. Services will be constructed for the residential community and transit will be extended to this new

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area. The development concept takes into account the previously approved nearby low density residential development by locating the tallest buildings away from these dwellings.

OPA #600 deals with transportation matters as well. The proposed development is anticipated to have its primary access from a primary road, being Street G1 on the concept plan. It is also noted that all primary roads should be considered potential transit routes. Public transportation that will service the communities within the City, will include transit bus service opportunities on all arterial, collector and primary roads. Regional commuter bus and rail service is also to be provided. The proposed high density development will contribute to the viability of a local transit system, and will be served by the nearby regional rail service (GO train).

The location of the development at a major intersection means that both east-west and north-south transit lines will be accessible by residents of the proposed development, and will foster the transit linkages identified in the Official Plan.

Oak Ridges Moraine

The subject lands are located within the "Settlement Area" designation on the Oak Ridges Moraine, and as a result of the submission of the Official Plan Amendment application after November 16, 2001, the applications are required to conform with the Settlement Area provisions of the Oak Ridges Moraine Conservation Plan (ORMCP). In response to this requirement, two reports were submitted; one detailing the Natural Heritage Requirements (prepared by Ages Consulting Limited, September 2005), and the other detailing the water management requirements (prepared by Schaeffers Consulting, September 22, 2005). The reports submitted detail the policy requirements of the ORMCP, as translated in OPA #604, and describe how the proposed re-designation conforms. The Natural Heritage report details that the buffers from the significant valleyland will be as agreed to in the previous draft plan, being 5m from the top-of-bank. However, based on Council's resolution of February 13, 2006, which states "That all future official plan amendments, require that a minimum 10m ecological buffer, outside of the development lot or block, adjoining a valley and stream corridor be provided as a part of the public open space system". Accordingly, a 10m buffer shall be provided for this site. It should be clarified that the buffer should be applied equally along the entire edge of the valley, from Major Mackenzie to the north-west, to the eastern property boundary in the south-east.

In accordance with the OPA #604 requirements, a Natural Heritage Evaluation has been completed for the subject land by Ages Consulting. Key findings of this report indicate that the redesignation of the lands to permit higher density conforms to the Oak Ridges Moraine Conservation Plan, and satisfactorily addresses the character of the features, the protection of the adjacent valley and its Key Natural Heritage and Hydrologically Sensitive Features and the extent of study and commitments on the site to date.

Matters which must be addressed in OPA #604 relating to Transportation, Infrastructure and Utilities, Sewage and Water services, Stormwater Management, and Wellhead Protection Areas have also been completed. Discussions and findings of the report prepared by Schaeffers Consulting Engineers indicate that the proposed official plan amendment application conforms to the relevant policies of the ORMCP.

Planning Considerations

Location as well as compatibility of surrounding land use considerations suggests that the proposed development for high density residential and ancillary commercial are complementary and appropriate for the subject land. Review of existing provincial, regional and local policy context indicates the proposed high density development is appropriate in terms of location, form and density and responds to matters such as providing for a range/mix of residential uses and promoting transit supportive uses.

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The York Region Official Plan includes goals and policies that promote a mix of housing types, supports compact communities and establishes corridors to link urban centres. The proposed high density development will add to the mix of housing and assist to establish a compact and efficient community.

The Provincial Policy Statement has policies that are similar in nature to the Region's and City's respective Official Plans. The PPS includes policies requiring a mix of residential uses that promote cost-effective development standards to minimize land consumption. Development is to be directed to settlement areas and land use patterns and densities that support public transit are promoted. The proposed development satisfies these policies.

The Draft Growth Plan for the Greater Golden Horseshoe further establishes the principles of compact communities that provide a choice in housing and transportation. The density and location of the proposed development meets these principles.

The introduction of a higher density residential land use for this subject land achieves the objectives of the provincial, regional and city policies by creating more compact and concentrated development patterns that make efficient use of land, infrastructure and supports public transit.

Given the site's orientation to Dufferin Street and Major Mackenzie Drive, the minimal impact on soft and hard services and the positive transportation impact the high density residential land use is considered to be appropriate and represents good planning for this site.

Department /Agency Comments

Region of York Planning Department

The Region of York has advised of no objections in principle to the proposed land use provided that the proposed amendment is in keeping with the planned vision of the Carrville Urban Village.

Toronto Region Conservation Authority (TRCA)

The TRCA has advised that they have no objections with the subject applications provided a 5m buffer is established from the natural features staked line (this buffer along with the valley is to be zoned Open Space and conveyed to the Authority or the City). In addition, a 10m structural setback is to be established from the 5m buffer (the 10m area is to be landscaped).

Vaughan Engineering Department

Servicing

- i) Water and sanitary servicing capacity is not yet available to service this proposal and would need to be identified and allocated by Council prior to lifting of the "H" Holding Symbol.

Review of the subject application from a servicing perspective has been undertaken by Schaeffers Consulting Engineering and indicates that the site will be designed with on-site detention flows and by limiting the flow conveyed to the minor system there would be no significant stormwater impacts resulting from the proposed change in development density. The existing watermain and sanitary sewer infrastructure within the Block 11 Area can accommodate the development.

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ii) Transportation/Traffic

A Traffic Impact Study prepared by Itrans Planning and Traffic Consultants was submitted in support of the subject applications. Itrans also undertook the original transportation work for the Block 11 Planning Area on behalf of the landowners group. Itrans has reviewed the land use planning proposal as it relates to the existing/planned transportation system and has advised that the proposed development can be accommodated by the planned road network with no physical improvements. Minor intersection traffic control changes are recommended at the location of Street G1 where it intersects with the future entrance to the site opposite Street B to the south. Changes recommended involve the conversion of a two-way STOP control to a four-way STOP control along with the addition of pavement markings for a left turn lane at this location. The Engineering Department concurs with the findings of the consultant's report.

The proposed development and associated density is transit supportive. The site is located immediately adjacent to two Regional arterial roads and a proposed City primary road. All these roads are designed to accommodate public transit. At present time, both Dufferin Street and Major Mackenzie Drive are utilized for public transit purposes. Major Mackenzie Drive provides an east/west service with the subject site being located in close proximity to the Maple Go Station and Yonge Street VIVA corridor. Dufferin Street provides a north/south service to the Downsview Go Station. Currently, there are no transit stops at the intersection of Dufferin Street and Major Mackenzie Drive, as this area is only now beginning to develop. The Block 11 Transportation Management Plan prepared by Itrans identifies future transit service routes on Dufferin Street, south of Major Mackenzie Drive. It is anticipated that transit stops will be added at the Dufferin Street and Major Mackenzie Drive intersection as well as Dufferin Street and Street "G" when it becomes appropriate to do, so thereby serving the subject site.

Relationship to Vaughan Vision 2007

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

Conclusion

The Development Planning Department has reviewed the proposed application to amend the existing Official Plan designations from "Low Density Residential" and "Medium Density Residential/Commercial" to "High Density Residential/Commercial" in light of the Provincial, Regional, and City policy context and the area context in terms of existing land uses. The proposal to redesignate and rezone the subject lands from "A" Agricultural Zone to RA3 Apartment Residential Zone (tableland) to permit a high density residential development is appropriate in terms of location, form and density and responds to matters such as providing for a range/mix of residential uses and promoting transit supportive uses.

In light of the above, the development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment Applications together with an "H" Holding provision that will be applied to the subject lands. The "H" Holding provision will be removed as servicing capacity is allocated to the various phases of this development. In addition, a 10m ecological buffer shall be provided along the entire edge of the valley in accordance with Council's recently passed resolution requiring a minimum 10m buffer from the top of the valley to provide for the long term protection of valley and stream corridors.

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Attachments

1. Location Map
2. Official Plan Designations
3. Approved Draft Plan of Subdivision 19T-95065
4. Approved Block 11 Plan
5. Conceptual Site Plan

Report prepared by:

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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Item 9, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

9 **SITE DEVELOPMENT FILE DA.05.067**
L. SCHWARTZBERG, HARRY AND SARAH KRANC

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 6, 2006, be approved; and
- 2) That the deputation of Mr. Jason Park, Goodman and Carr LLP, 200 King Street West, Suite 2300, Toronto, M5H 3T4, be received.

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.05.067 (L. Schwartzberg, Harry and Sarah Kranc) BE REFUSED.

Economic Impact

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

Purpose

The Owners have submitted an application for Site Development approval on the subject lands shown on Attachment #1 to permit a Canadian Tire service commercial development concept including, but not limited to, a gas bar, car wash, restaurant including drive-through, high-end coffee shop and retail uses, as shown on Attachment #2.

Background - Analysis and Options

The subject lands are located at the northwest corner of Dufferin Street and Centre Street (7818 Dufferin Street), in Part of Lot 6, Concession 3, City of Vaughan, as shown on Attachment #1. The irregular-shaped 1.36 ha site has 117 m frontage on Centre Street and 179 m flankage on Dufferin Street. The site is developed with the Concordian Motel, which is proposed to be demolished.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), as amended by OPA #555 (Dufferin Street Study), and further amended by OPA #672 (Centre Street Study), the latter which has been appealed to the Ontario Municipal Board (OMB). The Board has not yet scheduled a Hearing date to consider OPA #672. The Subject Site Plan application was submitted to the Development Planning Department on December 16, 2005, which was after the adoption of OPA #672 on May 24, 2005. The lands are also subject to the "Service Node" policies in both OPA #450 and OPA #672. The site is zoned EM1(H) Prestige Employment Area Zone with the Holding 'H' provision by By-law 1-88, subject to Exception 9(1186). The surrounding land uses are as follows:

- North - vacant (EM1(H) Prestige Employment Area Zone with Holding provision)
 - South - Centre Street; vacant (A Agricultural Zone)
 - East - Dufferin Street; commercial (C2 General Commercial Zone), vacant (C6 Highway Commercial Zone), residential (R1 Residential Zone)
 - West - vacant (A Agricultural Zone), hydro corridor (PB1(S) Parkway Belt Linear Facilities Zone)
- .../2

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In June 2004, the Owner submitted Zoning Bylaw Amendment Application Z.04.033 to re-zone the subject lands from EM1(H) Prestige Employment Area Zone with Holding 'H' provision to C7 Service Commercial Zone to facilitate the proposed development. On February 2, 2005, the Owner's filed a Notice of Appeal to the Ontario Municipal Board (OMB) pursuant to Section 34(11) of the Planning Act, that the City failed to adopt the required zoning by-law amendment within ninety (90) days after receipt by the City. On June 27, 2005, Council refused the zoning amendment application. To date, the OMB has not yet scheduled a Hearing date to consider the applicant's appeal of their zoning amendment application, which will be consolidated with their appeal of OPA #672.

OPA #672, one of two amendments to the Official Plan to update the policy framework for Centre Street, and applicable to the subject lands, was adopted by Council on May 24, 2005, and by the Region of York in October 2005. On October 26, 2005, the Owner's filed a Notice of Appeal to the Ontario Municipal Board (OMB). The reasons cited for the appeal include that the Amendment proposes to delete "automobile service station/gas bar use" from the permitted uses within the "Service Node Policies" of the "Prestige Area" designation that would apply to the subject property.

Site Design Proposal

The site plan (Attachment #2) shows the gas pumps in the southeast corner of the site (facing Dufferin Street and Centre Street) and the 203m² car wash component along the west property line. The 997.76m² main commercial building which will include various commercial uses is located behind the gas bar in the northwest corner of the site. The site is served by three access points, two on Centre Street, one on Dufferin Street. The site plan shows vehicular circulation with parking throughout the site to service the development landscaping (Attachment #3) is proposed along the lot lines. The proposed building elevations are provided on Attachment #4, which consist of single-storey structures.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), as amended by OPA #555 (Dufferin Street Study), and further amended by OPA #672 (Centre Street Study). The "Service Node" policies of OPA #450, as amended by OPA #672, also apply to the subject lands, which is located at the intersection of two arterial roads.

The "Prestige Area" designation under OPA #450 permits a wide range of industrial, office, business and civic uses with no outside storage, and is located adjacent to arterial roads and highways. The prestige employment policies contained in OPA #555 apply to the site and the area bounded by Centre Street, Dufferin Street and Highway #407 for the development of "priority uses" including offices, hotels with related hospitality and conference facilities, major corporate complexes, and prestige employment uses, with the amount and type of retail commercial and personal service uses to be ancillary to the priority uses; and civic and hydro-electric utility uses are also permitted. Under this designation, the requirements of the EM1 Zone under Exception 9(1186) would apply to the site, which excludes industrial employment uses.

OPA #450 permits the establishment of "Service Nodes" at arterial road intersections, generally including convenience retail uses and service stations. However, the Centre Street Study, which was approved by Council on May 9, 2005, concluded that it is not desirable to permit development of multiple service station sites in the location of the "Western Gateway" (being the lands at the intersection of Dufferin and Centre Streets). Such a use would not fulfill the planning objectives of achieving development at this prominent location that is highly concentrated, supportive of transit and contributes to the visibility and identity of this key location.

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OPA #672 which implements the Centre Street Study, and amends OPA #450 as amended by OPA #555, incorporates the following policy amendments that are applicable to the subject lands:

- Part 1, Section 4: adds an exception to the "Prestige Area" designation to permit recreational and institutional uses; and by placing an overall density cap of 1.0 Floor Space Index (FSI) on future development;
- Part 1, Section 4: deletes an "automobile service station/gas bar use" from the uses permitted within the "Service Node" policies of the "Prestige Area" designation; and
- Part 2, Section 1(xv): includes urban design and site-specific policies for the four quadrants of Dufferin and Centre Streets, including the following:
 - "- Corner sites should be defined with more intense development and high-quality architecture and serve as landmarks or gateway entry points.
 - Development density shall be concentrated close to the Dufferin/Centre intersection, and along the frontages of Dufferin Street and Centre Street.
 - Maximum permitted building heights shall provide for the tallest buildings, including landmark buildings, to be located at the key corner locations, and such buildings shall be designed to allow stepping down of the heights from the corner back towards adjacent low-density residential neighbourhoods. The minimum height for buildings at key corner locations shall be two-stories.
 - Pedestrian and vehicle crossings at the key intersection shall be well defined.
 - Streetscape and street furniture shall be high quality and of unified design to clearly demarcate the gateway.
 - Landowners should consolidate driveways and provide interconnected laneways, where appropriate, as sites develop or redevelop over time.
 - Commercial and/or mixed-use buildings shall be built to within 3m of the front property line and residential buildings setback, with soft landscaping (up to 5m) from the property line."

The proposed use of the subject lands and development proposal does not conform to the Official Plan policies in OPA #672, nor does the site plan shown on Attachment #2 address the urban design objectives noted above.

Zoning

The site is zoned EM1(H) Prestige Employment Area Zone with Holding 'H' provision by By-law 1-88, subject to Exception 9(1186). The uses permitted include: business and professional office; convention centre; hotel; office building; open storage/outside storage in conjunction with public uses; and any existing use, so long as it continues to be used for that purpose. Council considered these uses to be compatible with the uses in the neighbouring employment area to the north east (Concord/Thornhill Business Park), and physically compatible with the surrounding built form, urban design and streetscape character of the area.

The enactment of By-law 75-2004 in March 2004, which created Exception 9(1186), implemented the approved Dufferin Street Land Use Study and OPA #555. At that time, Staff undertook an evaluation of the compatible uses for the area encompassing the Dufferin Street Study (including the subject lands) of which Council determined that the higher order employment uses as most appropriate for development, which did not include the proposed gas bar use. Further emphasizing what the City deems to be acceptable development, is the recommendation contained in the Centre Street Study, which concluded that office uses are the best land use and built form to anchor the Western Gateway and give it a recognizable identity. Office uses will support daytime activity in this area and provide the built form necessary to establish an architecturally significant presence at this intersection. The Study further defined specific design policies for the Gateway

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which include a minimum building height of two-storeys at the corners, well-defined pedestrian and vehicle crossings at the intersection, high quality streetscaping and street furniture, and a consolidation of existing driveways and interconnected laneways where appropriate.

As identified earlier, the applicant proposed to rezone the subject lands from EM1(H) Zone to C7 Service Commercial Zone to permit a new Canadian Tire service commercial concept, including but not limited to, a specialty restaurant, drive-through restaurant, high-end coffee, convenience retail, car wash, dry cleaners and a pharmacy, with exceptions to facilitate reduced building setbacks and landscape strip widths. In light of the final recommendation in the Centre Street Study to delete an automobile service station and gas bar uses from the "Service Node" policies of the "Prestige Area" designation as it applies to the area subject to OPA #555 (quadrant bounded by Dufferin, Centre, and Highway 407), and implemented through Council's recent adoption of OPA #672 on May 24, 2005, the proposed use of the subject lands does not comply with the existing EM1(H) zoning, and is not consistent with Council's refusal of the applicant's zoning amendment application on June 27, 2005, to rezone the property to C7 Zone.

Planning Consideration

OPA #672 which implements the Centre Street Study deleted the automobile service station and gas bar uses from the "Service Node" policies of the "Prestige Area" designation as it applies to the site, and therefore, the proposed site development application does not conform to OPA #672 as adopted.

Prior to OPA #672, and applicable to the subject lands was the enactment of Zoning By-law Amendment 75-2004 in March 2004, which created Exception 9(1186), and implemented the approved Dufferin Street Land Use Study and OPA #555. At that time, Staff undertook an evaluation of the compatible uses for the area encompassing the Dufferin Street Study (including the subject lands) of which Council determined that the higher order employment uses as most appropriate for development, which did not include the proposed gas bar use. Further emphasizing what the City deems to be acceptable development, is the recommendation contained in the Centre Street Study, which concluded that office uses are the best land use and built form to anchor the Western Gateway and give it a recognizable identity. Office uses will support daytime activity in this area and provide the built form necessary to establish an architecturally significant presence at this intersection. The Study further defined specific design policies for the Gateway which include a minimum building height of two-storeys at the corners, well-defined pedestrian and vehicle crossings at the intersection, high quality streetscaping and street furniture, and a consolidation of existing driveways and interconnected laneways where appropriate.

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 site development application has been reviewed in accordance with the policies of OPA #450, as amended by OPA #555 and OPA #672, and the City's Comprehensive Zoning By-law 1-88, and it is concluded that the proposed site development application to facilitate the development of a Canadian Tire service commercial development concept including, but not limited to, a gas bar, car wash, restaurant including drive-through (high-end coffee shop) and retail uses is not consistent with the above. The Owner had previously submitted a Zoning By-law Amendment Application Z.04.033 to rezone the subject the lands from EM1 (H) Prestige Employment Area Zone to C7 Service Commercial Zone to implement the proposed development, which was refused by Council on June 27, 2005. For these reasons, it can be

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concluded that the proposed application for Site Development approval BE REFUSED, as it does not conform to the Official Plan, nor comply to the Zoning By-law. Council has established a comprehensive vision for the future of the Centre Street Corridor, which ultimately requires development of a higher order use at this prominent Western Gateway corner.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Elevations

Report prepared by:

Andrea Seca, Planner, ext. 8215
Arto Tikiryan, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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

Regional Councillor Ferri declared an interest in the foregoing matter as his daughter works for Canadian Tire.

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Item 10, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

**10 AMENDMENT TO PLANNING APPLICATION FEES BY-LAW
CITY OF VAUGHAN – FILE 12.13**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 6, 2006:

Recommendation

The Commissioner of Planning recommends:

1. THAT Planning Application Fees By-law 148-2005, be amended, to introduce an Interim Control By-law Amendment Application Fee of \$3,790.00.
2. THAT Planning Application Fees By-law 148-2005, be repealed.
3. THAT an amending Planning Application Fees By-law be brought forward to the Council Meeting of March 20, 2006 for enactment.

Economic Impact

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

Purpose

To amend the Development Planning Department's Planning Application Fees By-law to introduce an Interim Control By-law Amendment Application Fee.

Background - Analysis and Options

The Development Planning Department is proposing to introduce an Interim Control By-law Amendment Application Fee. This will require an amendment to the current Planning Application Fees By-law 148-2005.

a) Introduce an Interim Control By-law Amendment Application Fee

Currently, there is no application or corresponding fee for a property owner to amend a City-initiated Interim Control By-law, in order to exempt their property and allow development applications to be submitted and/or building permits to be issued, while the City undertakes a land use study for a period of up to 2 years. In certain circumstances, it may be appropriate to amend an interim control by-law in order to allow a landowner to obtain a building permit so that they may proceed to initiate repairs to their building, or to facilitate a certain use on a property that is currently permitted by the zoning by-law, and where such use will not compromise the results of the final study.

Under these circumstances, it is reasonable to consider an amendment to an Interim Control By-law, which will require Planning Staff to prepare a report to the Committee of the Whole as to whether a property should be exempted from the provisions of the Interim Control By-law. On this basis, it will be necessary to add a new application fee category to amend an Interim Control By-law, and to apply a corresponding new fee of \$3,790.00, which is consistent with the application fee to remove a Holding "H" provision on a property, and to exempt properties from the provisions of Part Lot Control.

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This will allow the Planning Department to collect fees to cover its costs when processing these applications. Prospective applicants will be encouraged to consult with Planning Staff as to the appropriateness of pursuing the amendment, prior to submitting an application.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'B-1', "Ensure Short-Term and Long-Term Financial Stability for the City".

Conclusion

The Development Planning Department is proposing to introduce an Interim Control By-law Amendment Application Fee, which will require an amendment to its current Planning Application Fees By-law 148-2005. Should the Committee concur, the implementing Planning Application Fees By-law can be forwarded to the Council meeting on March 20, 2006, for enactment, which will replace the current Planning Application Fees By-law 148-2005.

Attachments

N/A

Report prepared by:

Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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11

**TORONTO AND REGION CONSERVATION AUTHORITY
GENERIC REGULATIONS CONFORMITY EXERCISE
GENERAL FILE 22.8.11**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 6, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT the following report BE RECEIVED for information.

Economic Impact

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

Purpose

The purpose of this report is to update Council on the TRCA's Generic Regulation Conformity Exercise, which is currently underway, and will be finalized by May 1, 2006. The result of this exercise will be an update to the TRCA's existing Ontario Regulation 158 to conform with Ontario Regulation 97/04.

Background - Analysis and Options

Each of Ontario's 36 Conservation Authorities are required to bring their "Fill, Construction, and Alteration to Waterways" regulation into conformity with Ontario Regulation 97/04 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) referred to as the "Generic Regulation" by May 1, 2006. The development of the generic regulation and the development of local regulations to implement the generic regulation are requirements of Section 28 of the *Conservation Authorities Act*.

The development of the generic regulation are direct requirements of the amendments to the *Conservation Authorities Act* which were a result of the Province's *Red Tape Reduction Act* which is intended to streamline the regulatory framework for development approvals. The purpose of the Red Tape Commission was to ensure that the regulations under the *Conservation Authorities Act*, as with other provincial legislation, were consistent across the Province, and also complemented the Provincial policies respecting natural hazards and natural heritage.

As a result of this review, the Commission proposed amendments to Section 28(1) of the *Conservation Authorities Act* which deals with regulations related to lands which are located in areas that are prone to flood and/or erosion hazards. The amendments also provided for one Generic Regulation to be approved for all conservation authorities. The generic regulation was approved on May 1, 2004. The Generic Regulation forms the template from which all of the local Conservation Authorities will draft their own individual regulation to implement the new requirements.

The *Conservation Authorities Act* states that subject to the approval of the Minister, a Conservation Authority may make regulations:

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- a) restricting and regulating the use of water in or from rivers, streams, inland lakes, ponds, wetlands and natural or artificially constructed depressions in rivers or streams;
- b) prohibiting, regulating or requiring the permission of the authority for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- c) prohibiting, regulating, or requiring the permission of the authority for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Ontario Regulation 158

Currently, the TRCA regulates, under Ontario Regulation 158, the Fill, Construction, and Alteration to Waterways Regulation, construction within a floodplain, the placement or removal of fill within the fill regulated area, and the alteration to a watercourse regulation.

This regulation will be superseded by the new generic regulation.

Fill Line Extension Program

The TRCA embarked on the Fill Line Extension Program in 1991, and the mapping for the program was completed in 1995. This program was intended to complement the Ontario Regulation 158, by expanding the registered fill lines beyond the area covered in Ontario Regulation 158. Although this area was not formally regulated for fill placement or removal, since the finalization of the mapping in 1995, the mapping was used as a screening tool for applications for construction within the floodplain or alterations to a watercourse.

As a component of the generic regulation mapping, the fill line extension mapping has been refined and updated, and will be included within the “regulated area”.

New Generic Regulation

The Generic Regulation is referred to as the ‘Development, Interference of Wetlands and Alterations to Shorelines and Watercourses Regulation’. As stated above, the TRCA, must amend their existing Ontario Regulation 158 to conform to the Province’s Generic Regulation by May 1, 2006.

The generic regulation would apply to the following development activities:

1. The construction or reconstruction, erection or placing of a building or structure of any kind;
2. Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure, or increasing the number of dwelling units;
3. Site grading; or
4. The temporary or permanent placing, dumping, or removal of any material, originating from on the site or elsewhere within the “Regulation Limit”.

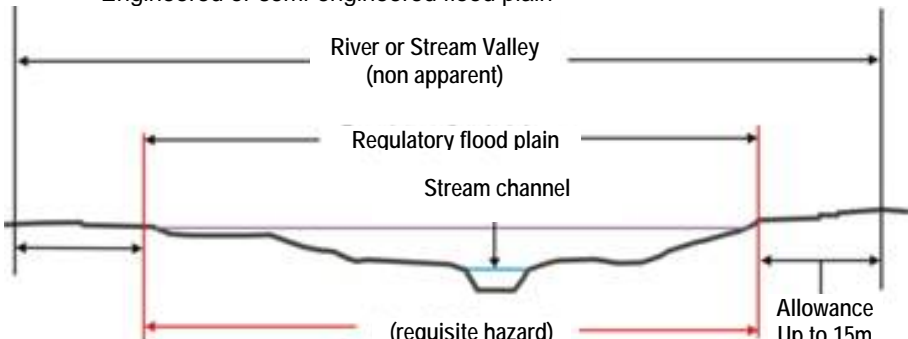
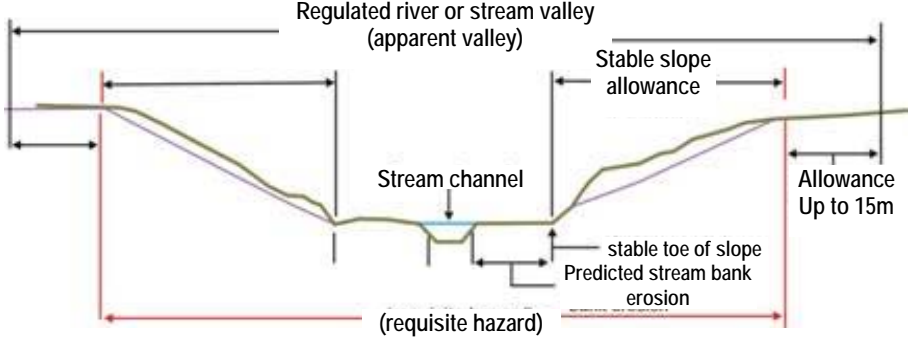
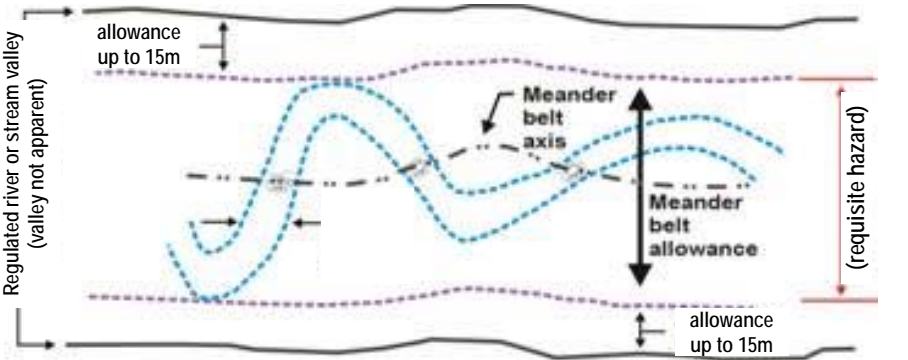
A permit would be required from the Conservation Authority to undertake any of the above defined activities within the areas subject to the regulation. A permit from the Conservation Authority does not replace building permits or any other permits that may be issued by the municipality. TRCA permits will be processed in the same manner as currently, reviewed at a staff level, and approved by the TRCA’s Executive Committee. Implementation policies are being examined to address the transition from the TRCA’s existing Regulation, to the implementation of the new updated Regulation.

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The Generic Regulation affects what and where a Conservation Authority can regulate. The following chart details the “Regulation Limit” or the areas which will be regulated by the TRCA, and how these areas will be defined.

Areas Subject to Generic Regulation (“Regulation Limit”)	Dinition
1. Hazardous Land	... land that could be unsafe for development because of naturally occurring processes associated with flooding, erosion, dynamic beaches, or unstable soil or bedrock.
2. Stream Valley Systems	<p>Defined as:</p> <p>a) flood hazard:</p> <ul style="list-style-type: none"> ▪ regulatory flood plain ▪ Engineered or semi-engineered flood plain  <p>b) erosion hazard:</p> <ul style="list-style-type: none"> ▪ apparent valleys: stable top of slope, toe erosion allowance, stable slope allowance  <ul style="list-style-type: none"> ▪ non-apparent valleys: meander belt allowance  <p>c) PLUS regulation allowance of 15 metres.</p>

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<p>Item 11, CW Report No. 14 – Page 4</p> <p>3. Lake Ontario Shoreline</p>	<ul style="list-style-type: none"> ▪ Flood Hazard ▪ Erosion Hazard: Bluffs, Dynamic Beaches ▪ Regulation Allowance of 15 metres
<p>4. Watercourses</p>	<p>Defined as:</p> <ul style="list-style-type: none"> ▪ “an identifiable depression in the ground in which a flow of water regularly or continuously occurs” ▪ Watercourses may be regulated regardless of upstream or downstream drainage area; ▪ criteria applied to watercourses with a minimum drainage area of 50 hectares; ▪ Watercourses captured by Ontario Regulation 158 and Fill Line Extension Program form the basis of Stream Valley System Regulation Limit.
<p>5. Wetlands</p>	<ul style="list-style-type: none"> ▪ Wetlands identified by the Ministry of Natural Resources, the Oak Ridges Moraine Conservation Plan, and the TRCAs Ecological Land Classification (ELC) data that are larger than 0.5ha and conform to the Conservation Authorities Act.
<p>6. Other Areas (as may be permitted by the Minister)</p>	<p>Areas of Interference around wetlands:</p> <ul style="list-style-type: none"> ▪ An area of 120m around all Provincially Significant Wetlands and Oak Ridges Moraine wetlands; and ▪ An area of 30m around all other wetlands.
<p>The greatest extent of all of the above equals the REGULATION LIMIT for the Generic Regulation</p>	<p>Greatest extent of:</p> <ul style="list-style-type: none"> ▪ Stream Valley System Hazard Limit ▪ Lake Ontario Shoreline Hazard Limit ▪ 15 metre allowance on all Stream Valley and Shoreline Hazard Limits ▪ All wetlands ▪ All areas of interference adjacent to all wetlands.

The text of the regulation will be filed and approved by the Minister of Natural Resources by May 1, 2006. The regulation text will define the areas to be regulated, prohibited actions, and the process of obtaining permits to undertake works prohibited by the regulation.

There will be mapping which will accompany the text of the regulation, however, the mapping will not be formally registered with the text of the regulation, as was previously provided in Ontario Regulation 158. The mapping will provide a tool to implement the regulation, and the text will define which features will be regulated, and will take precedence over the mapping in the implementation of the regulation. For example, if the TRCA has not mapped a feature, or the mapping is incorrect, the text of the regulation which describes the areas to be regulated prevails, and the mapping can be updated, as necessary.

The “regulation limit” or area of interest of the generic regulation will be displayed on 2002 ortho photo base mapping and will be available in a digital format to the local municipalities.

Key Changes

The primary difference between the existing regulation (Ontario Regulation 158), and the generic regulation is the regulation of wetlands and hazards associated with the shoreline of Lake Ontario as regulated areas. The following chart summarizes the differences between what is regulated currently in Ontario Regulation 158, and the new generic regulation.

Current Regulation (O. Regulation 158)	Generic Regulation
<p>Ontario Regulation 158 regulates the following:</p> <ol style="list-style-type: none"> a) Construction within any area subject to flooding in a regulatory storm event; b) Placement of fill within the regulated fill lines or schedules fill areas; and c) Interference and alterations to watercourses. 	<p>Generic Regulation permits the regulation of the following activities:</p> <ol style="list-style-type: none"> a) Development within a regulated area; b) Interference & alterations to watercourses; c) Interference & alterations to wetlands; and d) Interference & alterations to shorelines.

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A further difference is the inclusion of the definition of “development” within the regulation, which is defined as:

- a. the construction, reconstruction, erection or placing of a building or structure of any kind;
- b. any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c. site grading; or
- d. the temporary or permanent placing, dumping, or removal of any material, originating on the site or elsewhere.

As the generic regulation permits the regulation of “development” within a regulated area, the above noted activities are regulated within the regulated area.

Regulatory Process interface with Planning Process

The Generic Regulation will be implemented in a similar manner to the existing regulation. Where there is a related planning approval, the TRCA permit is reviewed in conjunction with the planning application. A TRCA permit is usually a condition of approval. Where there is an application for a building permit, the TRCA permit must be obtained prior to applying for a building permit.

Development Planning staff have been advised that the TRCA's policy, Valley and Stream Corridor Management Program (1994), will be reviewed and updated as required to ensure conformity with the Generic Regulation. While there have been no specific modifications proposed to date, staff will continue to monitor the progress of any updates to “Valley and Stream”, and will advise Council as necessary.

The TRCA is also examining options for the administration and implementation of the generic regulation which could involve the delegation of certain types of permit approvals to a staff level (TRCA) rather than all permits being approved by the TRCA's Executive Committee, as is the current practice, or exempting certain activities, such as minor works. The TRCA will be exploring these options with the local municipalities in the future.

Consultation Process

The TRCA has undertaken a consultation process both with municipal staff and the general public on the update to their regulation. On October 6th and 7th, 2005, Municipal Information Sessions were held, which was attended by Development Planning, Policy Planning, and Building Department staff. Subsequently, Development Planning staff have consulted with TRCA staff to have more detailed discussions on the regulation update.

On January 25, 2006, the TRCA held a Public Information Session at the Vellore School, which was also attended by municipal staff and members of the public.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', “Plan and Manage Growth”, and 'A-3' “Safeguard Our Environment”.

Conclusion

The TRCA is undertaking a conformity exercise to update their existing Fill, Construction, and Alteration to Waterways Regulation (158) as required by Ontario Regulation 97/04 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses). The new “generic regulation” will be approved by May 1, 2006. This report is provided as information to Council to advise Council of this update.

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Attachments

N/A

Report prepared by:

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/LG

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Item 12, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

12 **OFFICIAL PLAN AMENDMENT FILE OP.04.020**
ZONING BY-LAW AMENDMENT FILE Z.04.072
IVANHOE CAMBRIDGE II INC. & VAUGHAN MILLS ADVISORY SERVICES INC.

The Committee of the Whole recommends:

- 1) That the following be approved, in accordance with the memorandum from the Commissioner of Planning, dated March 2, 2006:

“THAT Official Plan Amendment File OP.04.020 (Ivanhoe Cambridge II Inc. & Vaughan Mills Advisory Services Inc.) BE APPROVED, to amend OPA #600 to permit an increase in the maximum permissible commercial floor area on the subject lands shown on Attachment #1, from 160,000m² to 189,535m², which amounts to an increase of 29,535m²;

THAT Zoning By-law Amendment File Z.04.072 (Ivanhoe Cambridge II Inc. & Vaughan Mills Advisory Services Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically Exception 9(1030) to permit an increase in the maximum permissible commercial floor area on the subject lands shown on Attachment #1, from 160,000m² to 189,535m², which amounts to an increase of 29,535m²; and

THAT the implementing amendment to the Official Plan and Zoning By-law to permit the increased commercial floor area not be adopted and enacted, respectively, until the final traffic impact study has been approved by the Region of York Transportation and Works Department;”

- 2) That the deputation of Mr. Michael Goldberg, Goldberg Group, 2171 Avenue Road, Suite 301, Toronto, M5M 4B4, on behalf of the Ivanhoe Cambridge II Inc., be received; and
- 3) That the following report of the Commissioner of Planning, dated March 6, 2006, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.04.020 (Ivanhoe Cambridge II Inc. & Vaughan Mills Advisory Services Inc.) BE APPROVED IN PART, to amend OPA #600 to permit an increase in the maximum permissible commercial floor area on the subject lands shown on Attachment #1, from 160,000m² to 189,535m², which amounts to an increase of 29,535m².
2. THAT Zoning By-law Amendment File Z.04.072 (Ivanhoe Cambridge II Inc. & Vaughan Mills Advisory Services Inc.) BE APPROVED IN PART, to amend Zoning By-law 1-88, specifically Exception 9(1030) to permit an increase in the maximum permissible commercial floor area on the subject lands shown on Attachment #1, from 160,000m² to 189,535m², which amounts to an increase of 29,535m².
3. THAT the implementing amendment to the Official Plan and Zoning By-law to permit the increased commercial floor area not be adopted and enacted, respectively, until the final traffic impact study has been approved by the Region of York Transportation and Works Department.

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4. THAT Official Plan and Zoning By-law Amendment Files OP.04.020 and Z.04.072 (Ivanhoe Cambridge II Inc. & Vaughan Mills Advisory Services Inc.) to permit high density residential uses on “Outparcel D” as shown on Attachment #2, BE REFUSED.

Economic Impact

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

Purpose

The Owner has submitted Official Plan and Zoning By-law Amendment Applications to:

1. Permit an increase to the maximum permissible commercial floor area from 160,000m² to 189,535m², which amounts to an increase of 29,535m², on the subject lands shown on Attachment #1; and
2. Permit high density residential uses in addition to the proposed increase in permissible commercial floor area and the commercial uses currently permitted on Outparcel “D”, as shown on Attachment #2. The applications would facilitate the use of Outparcel “D” for a single use (i.e. residential) or mixed use (i.e. commercial/residential), mixed density project.

The residential component of the applications proposes a maximum density and building height of 200 units per hectare and 16 storeys, respectively. Parking for the residential use is proposed to be provided at a rate of 1.2 spaces per residential unit. The Owner has submitted three residential development concepts, as shown on Attachments #3, #4 and #5.

Background - Analysis and Options

Council previously approved development applications to amend the Official Plan and Zoning By-law, and for site plan and draft plan of subdivision approval (Files OP.97.028, Z.97.111, DA.98.089, and 19T-98V10) to redesignate and rezone approximately 81ha of land to facilitate the development of the Vaughan Mills Shopping Centre, including the associated outparcel development. The Official Plan and Zoning By-law cap the maximum permissible commercial floor area on these lands at 160,000m² and do not permit residential uses.

The Committee of the Whole at a Public hearing held on February 21, 2005 considered applications to amend the Official Plan and Zoning By-law to permit an increase in the maximum permissible commercial floor area from 160,000m² to 189,535m² on the Vaughan Mills lands. The recommendation to receive the Public Hearing report on February 21, 2005 and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on February 28, 2005.

On March 15, 2005, the Owner amended the applications to include high-density residential uses in addition to the requested increase to the maximum permissible commercial floor area. The Committee of the Whole considered the amended applications at a Public Hearing held on May 16, 2005. The recommendation to receive the Public Hearing Report on May 16, 2005 and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on May 24, 2005.

The subject lands shown on Attachment #1 are located on the south side of Rutherford Road, between Highway #400 and Jane Street. The overall site (including Outparcel “D”) has an area of approximately 55.4ha and a majority of the land is developed with an enclosed shopping mall having a total commercial floor area of approximately 104,806m². Outparcel “D” has an area of

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3.9ha and is vacant. The lands subject to the applications include the property lying within the ring road (Vaughan Mills Circle) located around the main mall structure, and two of the six outparcel sites (fronting onto Jane Street and Bass Pro Mills Drive) as shown on Attachment #2. The residential uses are proposed only on Outparcel "D", as shown on Attachment #2.

Four of the six outparcel sites are owned by others and have either been developed or are subject to current site development applications (Limestone Gallery, File DA.04.034; Intonaco Investments Corp., Files DA.04.033 and DA.04.079; Sonterra Development Corp., File DA.05.055; Amorino Ridge Developments, Files DA.04.032 and DA.05.002; and Ivanhoe Cambridge II Inc. et al, File DA.04.057) as shown on Attachment #1.

The surrounding land uses are as follows:

- North- Rutherford Road; supermarket and retail uses, eating establishment and vacant land (C5 Community Commercial Zone and C8 Office Commercial Zone)
- South- Bass Pro Mills Drive; waste transfer station, employment area lands (EM1 Prestige Employment Area Zone)
- West - Highway #400; future employment area (A Agricultural Zone)
- East - Jane Street; vacant land, employment area (EM1 Prestige Employment Area Zone and C7 Service Commercial Zone)

Public Hearing

On April 22, 2005, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands and to the Weston Downs, Maple Landing, Maple Sherwood, and Vellore Village Ratepayers' Associations, and to individuals having requested notification. The Maple Sherwood Ratepayer Association has provided the following comments:

- high density residential impacts on schools, roads and infrastructure, and the surrounding schools are filled to capacity; and
- the additional commuter traffic will impact on the GO Station located at Rutherford Road and Keele Street and the traffic at the intersection of Keele Street and Rutherford Road, which is already at gridlock, when the trains arrive in the evening. It is suggested that widening and improvements to all intersections along Rutherford Road and Jane Street and the Rutherford GO Station be studied. Also, future plans for the GO Station and bus schedules should be included in the report(s).

Comments have also been received from Canadian National Railways (CN) and the Ministry of Transportation (MTO), which are discussed later in this report.

Official Plan

The subject lands are designated "Vaughan Centre Shopping Centre District" and "General Commercial (Special Policy)" by OPA #600. The Official Plan caps the maximum permissible commercial floor area on the Vaughan Mills lands (including all outparcels) at 160,000m² and does not permit the proposed residential use.

Zoning

The subject lands are zoned SCD Vaughan Shopping Centre District Zone and C1 (H) General Commercial Zone with the Holding Symbol (H) by By-law 1-88, and subject to Exception 9(1030). The Zoning By-law caps the maximum permissible commercial floor area on the Vaughan Mills lands, including the subject lands, at 160,000m² and does not permit the proposed residential use.

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Proposed Increased Commercial Floor Area

The applications to amend the Official Plan and Zoning By-law include a request to permit an increase to the maximum permissible commercial floor area from 160,000m² to 189,535m², which amounts to an increase of 29,535m² on the subject lands shown on Attachment #1. The additional floor area will apply to the mall portion of the site inside the ring road, and/or to the two undeveloped outparcels around the perimeter of the site.

i) Original Vaughan Mills Approvals

The Ontario Municipal Board approved OPA #505 and By-law 374-98 in June of 1999 following applications that were originally filed with the City in December 1997. These applications comprised approximately 73 ha (180 ac) of land and during the approval process, an additional 8.1ha (20ac) were acquired and the total landholdings of 81.1ha (200ac) formed the basis for OPA #505 and By-law 374-98. The commercial floor area however, was not adjusted from the original application to reflect the increased land holdings.

The Vaughan Mills lands (as originally constituted including all outparcels) is currently developed or subject to development applications which accounts for the following commercial floor area:

Main Mall Building	- 104,805.9m ²
Limestone Gallery (Outparcel "A")	- 10,365.5m ²
Intonaco (Outparcel "B")	- 10,359.4m ²
Sonterra (Outparcel "C" - Proposed)	- 7,863.7m ²
Audi Dealership (Outparcel "C")	- 3,585.4m ²
Sunoco Stations (Outparcels "B" and "C")	- 402.3m ²
Décor Village (Outparcel "F")	- 17,559.8m ²
Total	- 154,942.0m ²

In light of the development that has been constructed or approved on the Vaughan Mills lands, only 5,058m² of residual commercial development potential remains available for the two undeveloped outparcels or to any further intensification to the main mall structure.

A number of studies and analysis were undertaken including planning, market, and traffic reports in order to support the original approvals and the uses currently permitted on the subject lands. The appropriateness of the permitted uses on the Vaughan Mills lands is established and not part of the applications. The current applications propose only to increase the commercial floor area on the Vaughan Mills lands for those uses permitted on the subject lands. Accordingly, only the intensity of the commercial uses on the site is being altered. The balance of the applicable Official Plan policies and zoning permissions will remain unchanged.

ii) Provincial Policy Statement

The proposed increase in commercial floor area would result in an intensification of the subject lands, a more efficient use of the infrastructure, including the public transit facility and would therefore, be consistent with the general principles and policies of the Provincial Policy Statement (PPS). The PPS includes policies respecting the protection of employment areas to support economic activity and the long-term needs of the community. Intensification of the commercial uses on the subject lands is consistent with the PPS.

iii) Region of York Official Plan

The Region of York Official Plan (RYOP) includes policies respecting development and identifies matters of Regional concern. Section 3.3 (6) of the RYOP requires that retail facilities in excess of 30,000m² gross leasable floor area meet specified study requirements to examine region-wide

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impact related matters. The proposed additional 29,525m² of commercial development does not meet the Regional criteria for additional study work and therefore, further study in this respect is not required. Accordingly, from a Regional perspective only the potential traffic impacts resulting from the additional commercial area should be matters of Regional concern. A traffic study has been submitted in support of the applications and is discussed below. The RYOP designates the subject lands “Urban Area”, which permits the commercial use.

iv) City of Vaughan Official Plan Amendment #600

OPA #600 designates the Vaughan Mills lands, including the subject lands “Vaughan Centre Shopping Centre District” and “General Commercial (Special Policy)” and permits a full range of commercial/retail uses at a maximum permissible commercial floor area of 160,000m². The applications propose only to increase the commercial floor area cap. The balance of the commercial/retail policies would remain unchanged. The Official Plan does not require that a market study be submitted to support the applications. A traffic study has been submitted in support of the applications to address the potential traffic impacts of the development. From a land use perspective, the increased commercial permission is consistent with OPA #600.

v) Traffic Impact Study

The Ministry of Transportation (MTO) was initially circulated a notice of the applications on January 7, 2005. The MTO subsequently advised that they had no objections to the official plan and zoning amendment applications subject to a drainage report, site servicing/grading plan and a traffic impact study indicating all potential impacts to the Highway #400 interchanges at Rutherford Road and Bass Pro Mills Drive being submitted in support of future submissions.

The Owner on February 17, 2005 submitted a traffic impact study prepared by BA Group Transportation Consultants dated February 2005 in support of the increased commercial development. The MTO on May 3, 2005 further advised that they wanted to review the signal progression analysis on Rutherford Road from one intersection west of the west terminal to Sweetriver Boulevard to Weston Road.

The traffic study made the following recommendations and concluded that there is sufficient capacity available to accommodate the planned commercial expansion, and that:

- the following intersection improvements are required:

a) At Weston Road & Rutherford Road:

A third northbound, southbound and westbound through lane.
A northbound dual left turn lane.

The through lanes identified are included in the Region's long range road system plans, but have not yet been programmed into the ten year capital budget.

b) At Jane Street & Rutherford Road:

An eastbound to northbound dual left turn lane.

- The north-south collector road west of Highway #400, which provides access to the Highway #400 southbound ramp should be operated under traffic signal control.

The Owner subsequently amended the official plan and zoning by-law amendment applications to include the proposed residential uses and submitted an addendum traffic impact study (dated July 6, 2005) to support the proposed increased commercial floor area and residential uses.

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The MTO on February 6, 2006 advised that they find the Traffic Impact Study acceptable and have no further concerns with respect to traffic related issues.

The Region of York Transportation and Works Department has also reviewed the Traffic Impact Studies and have advised of the comments below and that detailed comments will be provided at the site plan stage. The Region has advised that a third southbound lane be provided along the site frontage, south to Bass Pro Mills (Locke Street) intersection and that one restricted right-in and right-out movement access will be permitted on Jane Street. The restriction in turning movements will be accomplished by a raised centre median for the following reason:

- there is insufficient distance from signalized intersections and additional proposed access points;
- the proposed right-in/right-out control shown on the preliminary plan is not considered effective in this location and would require a centre median; and,
- adequate access and site circulation is available from the existing Vaughan Mills internal ring road.

The Development Planning Department has verbally contacted the MTO and Region of York, and has been advised that their comments are in the process of being addressed, however to date, the final traffic impact study has not been approved. A condition of approval is included requiring that the final traffic study be approved by the MTO and Region of York, prior to the implementing zoning by-law to permit the increased commercial floor area being enacted.

vi) Land Use Compatibility - Increased Commercial Floor Area

The appropriateness of commercial/retail land uses on the Vaughan Mills lands is established. The current applications propose only to increase the amount of commercial floor area for those uses permitted on the subject lands. The balance of the applicable Official Plan policies and zoning permissions will remain unchanged. An increased commercial floor area is consistent with the general principles and policies respecting intensification in the Provincial Policy Statement. The Region of York Official Plan and the City's Official Plan do not require that market studies be undertaken to support the amount of commercial use being proposed. A traffic study has been submitted and reviewed by the Ministry of Transportation, the Region of York and the City. Commercial development is compatible with the existing and permitted surrounding land uses and given that all other Official Plan policies, zoning requirements and design guidelines will remain unchanged, the additional commercial floor area will implement development in a manner consistent with adjacent development from a built form perspective. Accordingly, the Development Planning Department can support the applications to amend the Official Plan and Zoning By-law to increase the permissible commercial floor area on the subject lands.

Proposed High Density Residential Use

The Official Plan and Zoning By-law Amendment applications also propose to permit high density residential uses in addition to the proposed increase in permissible commercial floor area and the commercial uses currently permitted on Outparcel "D", as shown on Attachment #2. The applications would facilitate the use of Outparcel "D" for a single use (i.e. residential) or mixed use (i.e. commercial / residential), mixed density project. The residential component of the applications proposes a maximum density and building height of 200 units per hectare and 16 storeys, respectively. Parking for the residential use is proposed to be provided at a rate of 1.2 spaces per residential unit. The Owner has submitted three residential development concepts as shown on Attachments #3, #4 and #5.

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Policy Context

i) Provincial Policy Statement (PPS) 2005

The Provincial Policy Statement (PPS) 2005 defines an “employment area” as follows:

“Means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.”

The Vaughan Mills development, including the outparcel lands was implemented by OPA #505, which has subsequently been consolidated into OPA #600. As identified in the “Basis” Section of OPA #505, the Vaughan Mills development will add another major element to the Highway #400 corridor employment complex. The Amendment further describes the Vaughan Mills lands in the context of the Corporate Centre to the south and Paramount Canada’s Wonderland to the north and states that the Vaughan Mills Mall would add another facet to this large, integrated and diversified employment area.

The Vaughan Mills lands are designated in the Official Plan as a cluster for business and economic activities, and therefore, are considered to be employment lands as defined by the PPS.

The PPS includes the following policies respecting employment areas:

Planning authorities shall promote economic development and competitiveness by:

- a) *providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs.*

The proposed residential use does not promote the economic development or competitiveness of the employment area lying south of Rutherford Road. The applications, if approved, would remove employment lands from the City’s supply and could set a precedent for the approval of other applications for residential uses in the City’s employment area. Residential uses in employment areas could impede economic development and competitiveness on adjacent employment lands due to conflicts between the uses. The proposed amendment to the Official Plan is not consistent with this policy.

- b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.*

Residential uses on the subject lands would not take into account the needs of existing and future businesses and could, if approved, deter future businesses from locating in this area because of the incompatibilities that may arise when residential and employment uses are located in close proximity to one another. The applications, if approved, would remove employment land located on a major arterial road.

- c) *planning for, protecting and preserving employment areas for future uses.*

The proposed residential use is contrary to this policy of the PPS. If approved, it would remove lands from the employment area and could set a precedent for future site-specific applications for residential uses. From a planning perspective,

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permitting residential uses in the City's employment area should only be considered on a comprehensive basis, with a complete analysis of the planning, social, and economic impacts of considering this policy change and not on a site-specific basis. In addition, introducing residential uses into the employment area could impact on the development of surrounding employment uses due to the incompatibilities between these uses, thereby neither protecting nor preserving future employment uses.

- d) *ensuring the necessary infrastructure is provided to support current and projected needs.*

Council on November 7, 2005 considered a report respecting a Strategy for Reservation/Allocation of Servicing Capacity from the Commissioner of Engineering and Public Works and the Commissioner of Planning, in consultation with the City Manager. The purpose of this report was to provide Council with an update on the status of available service capacity and to establish a protocol for the distribution of this capacity to developments throughout the City. Council adopted the recommendation in the report on November 14, 2005.

The report includes a Servicing Capacity Distribution Protocol and establishes three priority categories for allocation including: Priority 1, which includes all Draft Plans of Subdivision or Site Plan applications previously approved by Council and are expected to proceed to registration within the next 12 months. Projects classified as Priority 1 received allocation unconditionally; Priority 2 accounts for active applications representing infill development or completion of a partially built community and are expected to proceed to registration within the next 12 months. Priority 2 projects are reserved servicing capacity for a period of one year from the time of reservation by Council; and, Priority 3, which allows for development applications that are expected to proceed to registration within the next 12 to 24 months. Priority 3 development is being assigned for future allocation anticipated to be released by the Region of York in 2007.

The subject applications are not identified on any of these Priority Schedules as a project for which servicing capacity is being allocated, reserved or assigned. Accordingly, the necessary servicing infrastructure to support the proposed residential use is not expected to be available within the next 24 months, and likely beyond that time.

The PPS includes a policy that allows planning authorities to permit the conversion of land within employment areas to non-employment uses, through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion. In this respect, the City has not commenced or undertaken a comprehensive review of this issue and it has not been demonstrated by the applicant that the subject lands are not required for employment purposes.

In view of the above, the applications to amend the Official Plan and Zoning By-law to permit a residential use on the subject lands is not consistent with or have regard to the Employment Area polices of the PPS.

ii) Proposed Planning Reforms (Bill 51)

On December 12, 2005, the Ontario Government released a package of proposed planning reforms to be implemented through amendments to The Planning Act (Bill 51) in order to make Ontario's communities stronger, move livable and sustainable. One item specifically identified in the proposed reforms addresses the need to protect employment lands. In this respect, the Province is considering allowing municipalities to refuse proposals to convert employment lands

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into other uses, with no right to appeal to the Ontario Municipal Board (OMB) except at the time of a comprehensive official plan review. As noted above, the City has not commenced or undertaken a comprehensive official plan review at this time. Although this is only a proposed reform at this time, it clearly signals the high priority the Province places on protecting employment lands. This position is shared by the City. This proposed reform would be consistent with and would reinforce the Employment Area policies in the PPS. The applications to permit a residential use on Outparcel "D" are not consistent with this potential Provincial policy direction.

iii) Places to Grow – 2005

The Provincial Government in November 2005, released a second draft of the Places to Grow (PTG) policy document which is intended to create a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth to 2031. Places to Grow defines employment areas as,

"Lands zoned or designated within settlement area for employment uses. These lands may be located outside of a designated employment area."

The subject lands are located within a designated settlement area for an employment use. The subject lands were originally located within the Employment Area Growth and Management Plan as implemented by OPA #450, and were subsequently removed from OPA #450 by site-specific OPA #505, which facilitated the Vaughan Mills development. The surrounding land use context is for employment uses, and nonetheless, the Places to Grow definition of an employment use include employment lands outside of a designated employment area.

The PTG, like the PPS and proposed planning reforms includes specific policies relating to employment lands as follows:

Municipalities may permit conversion of lands within designated employment areas, to non-employment uses or major retail uses, only through a municipal comprehensive review where it has been demonstrated that (in part):

a) *there is a need for the conversion;*

The applicant has not demonstrated a need for the proposed Official Plan Amendment to permit the proposed residential use.

b) *lands do not comprise prime industrial lands;*

The subject lands are located at a prime location near the intersection of two main arterial roads, just east of Highway #400 and in relatively close proximity to the CN Marshalling Yard. Although the subject lands are not "industrial" lands in the strictest sense, they are employment lands at a prime location.

PTG also includes a policy encouraging municipalities to designate and preserve lands within settlement areas in the vicinity of existing highway interchanges, ports, rail yards and airports for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate.

c) *lands are not required in the long term for the employment purposes for which they are designated;*

The Owner has not demonstrated that these lands are not required for employment purposes.

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- d) *the conversion or designation is necessary to address other provincial priorities such as health and safety enhancement.*

The Owner has not demonstrated that the proposed conversion in land use is necessary to meet other provincial priorities. With respect to health and safety, locating an isolated residential development within an employment area would not be considered necessary to address any health or safety enhancements.

In view of the above, the applications to redesignate the subject lands for residential use is inconsistent with the Province's draft Places to Grow policy document.

iv) Region of York Official Plan (RYOP)

The Region of York Official Plan (RYOP) identifies policies in Section 3.3 to create a range of potential locations for economic uses across the Region that support economic development. One of the policies states that employment areas be planned to accommodate a variety of business uses subject to certain criteria. This section does not reference residential uses as being a "business or employment" use or as a use to be located in employment areas. The RYOP further includes in Section 5.1, Community Building, a policy to consider the impact and compatibility of potentially conflicting land uses on each other and the surrounding area. The proposal to convert employment lands to residential use is not considered to be consistent with the Region of York Official Plan.

v) City of Vaughan Official Plan and Zoning By-law

As noted above, the subject lands are designated "Vaughan Centre Shopping Centre District" and "General Commercial (Special Policy)" by OPA #600. The Official Plan caps the maximum permissible commercial floor area at 160,000m² and does not permit the proposed residential use. The subject lands were originally located within the Employment Area Growth and Management Plan as implemented by OPA #450, and were subsequently removed from OPA #450 by site-specific OPA #505, which facilitated the Vaughan Mills development. As part of the site-specific approvals, residential uses were not permitted on the subject lands, despite their inclusion within the Vaughan Centre Secondary Plan Area.

The official plan and zoning by-law permit commercial uses such as automotive gas bar, retail stores and service stations, a boating showroom, car wash, convention centre accessory to a hotel, funeral home, go-cart track, motor vehicle sales establishment, and taverns on Outparcel "D" and the adjacent lands. The lands on the east side of Jane Street and south of the subject lands are governed by OPA #450 (Employment Area Growth and Management Plan), which would permit uses such as warehousing, manufacturing and processing, assembly, printing and publishing, and a funeral home. The lands to the immediate south of Outparcel "D" are developed with a waste recycling facility. The potential incompatibilities between the existing land uses and the as-of-right permissions on the Vaughan Mills and surrounding lands can impact on future residents and on the ability of existing and permitted employment uses to operate as intended. Introducing an isolated residential use into this land use context is not considered appropriate from a compatibility, health, safety and proper planning perspective.

OPA #600 has established a hierarchical structure for high density residential uses which include the Vaughan Corporate Centre, Vaughan Centre (lying north of Rutherford Road), District Centres (Carrville and Vellore), Neighbourhood Centres, and those areas currently under review as part of the Highway #7 Land Use Futures Study. These centres were established through a comprehensive review process and with a full analysis of the planning issues undertaken. The current proposal to permit a single residential development in an employment area is inconsistent with the planning approach taken to identify the City's high density residential areas.

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Land Use Compatibility

The subject lands, as shown on Attachment #1 are surrounded by new commercial development to the west and north, including uses such as a gas bar, an automobile dealership, a large parking lot, and an outdoor go-cart track. A waste recycling facility and a developing employment area are located south of the subject lands and the land uses on the east side of Jane Street are either presently designated for or developed with employment uses. All the lands lying south of Rutherford Road, between Weston Road and the CN Marshalling Yard (east of Jane Street) south to Langstaff Road and beyond are designated or developed for employment area uses. Residential uses are currently not developed or permitted in the applicable planning documents within the vicinity of the subject lands, south of Rutherford Road.

The subject lands are not contiguous to an existing residential community or located in an area that is likely to experience a significant transition of the existing land use context in the foreseeable future. The surrounding lands (particularly on the west side of Jane Street) have only been developed within the last 1-2 years and other lands are currently being contemplated for development.

A single residential development in the land use context described above is not considered appropriate. The subject lands are completely isolated from an existing residential community and surrounded by non-residential uses primarily commercial/retail and industrial in nature. The single residential development would be out of context with and change the character of the surrounding employment area. Employment lands further create job opportunities for the City's residents living in existing and planned residential communities and should be maintained.

Precedent & Comprehensive Review

Approval of the subject applications to permit high density residential uses on these lands will likely result in further similar applications on vacant employment lands in the vicinity of the subject lands and within the broader employment area. Converting employment lands (in accordance with the PPS) to residential uses is not consistent with Provincial, Regional or City Policy. This would reduce the supply of employment lands at a time when the City has undertaken an employment lands needs study to assess the appropriateness of redesignating additional lands along the Highway #400 corridor for employment uses in order to increase the available employment land supply, which is currently limited.

The introduction of residential uses into the City's employment area is inappropriate for the reasons set out in this report. However, if residential uses are to be considered in the employment areas, it should only be considered on a comprehensive basis as outlined in the Provincial policies above, and not on the basis of site-specific development applications essentially replicating one OMB decision. This incremental approach to planning, particularly for residential uses in this land use context, is not in the public interest since it may result in a negative impact to the health and safety of future residents, is not an effective way to manage residential related growth, and will result in an incremental piece-meal reduction of employment lands. The introduction of "spot" isolated residential development in the employment area could impact on the ability of adjacent employment area lands to develop as intended because of the incompatibility between the two uses when located in close proximity to one another.

Economic and Technology Development Department

The Economic and Technology Development Department has advised that it opposes the applications that would have the effect of converting employment lands to residential or commercial retail uses for the following reasons:

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- the City's supply of vacant serviced employment lands is less than 3 years. While the City may have a supply of employment lands, the majority of these lands is encumbered (on hold for the Highway 427 Environmental Assessment) or is not serviced. Of the available serviced employment lands, the parcels are small in size (less than 2 acres) and scattered throughout the City and thus providing mainly infill opportunities. Our ability to attract high quality, high profile tenants with value added functions become hampered by this conditions;
- conversion of these lands would jeopardize the assessment balance as established by the Assessment Optimization Report;
- this application is not consistent with the Vaughan Vision 2007's Goal 2.2 Optimize the employment tax base and Goal 2.5. Strengthen the City's diversified economic base;
- the precedent set by these applications would be detrimental to the City's Highway 400 North Employment Land Study currently underway;
- these lands are located within an established employment area. Permitting residential uses would change the character of the employment areas; and,
- the Provincial forecasts call for more than 700,000 jobs in York Region by 2031. The City needs to protect employment lands in order to provide more employment opportunities for future residents and to remain competitive in attracting business investment to the community.

Canadian National Railways (CN)

Canadian National Railways (CN) has reviewed the Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., and dated 2 November 2005. CN has advised that they have concerns that the report did not actually assess potential rail yard impacts and also the rail yard appears to be located closer to the subject property than is indicated in the report. The report indicates that the yard is "sufficiently far enough away to not be of concern, however given that the yard has a potential noise influence area well beyond 750m, an actual assessment of the yard activities is required and the warning clause outlined in CN's original comments is recommended. CN has provided a warning clause to be included in a registered development agreement, and inserted into all Agreements of Purchase and Sale. The noise related concerns expressed by CN relate to the residential uses in particular.

Proposed Residential Use

In view of the above, the applications to permit residential uses in the employment area is not considered to be consistent with the Provincial Policy Statement, the proposed planning reforms, through the Planning Act, Places to Grow policies, and Regional and City Official Plans. In addition, from a planning perspective, permitting residential uses on an individual application basis in the employment area is not considered appropriate for the reasons set out in this report. Accordingly, the Development Planning Department does not support the Official Plan and Zoning Amendment Applications insofar as the residential uses being requested.

Relationship to Vaughan Vision 2007

Vaughan Vision 2007 sets out the City's Vision Statement and strategic priorities including goals and objectives to meet these priorities.

i) Objective A-4 - Promote Economic Development

It is the objective of the City to ensure its economic growth and stability through the attraction and retention of investment, the stimulation of entrepreneurship and the use of technology.

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Permitting residential uses in the employment areas is not consistent with these objectives. The incompatibility between the uses may result in the loss of businesses and investment because they are unable to operate as desired and therefore, have a negative impact on the ability to attract and retain new business.

ii) Objective A-5 – Plan and Manage Growth

A single residential development in the land current use context is not considered supportive of this objective. Employment lands create job opportunities for the City's residents living in existing and planned residential communities and should be maintained. The subject lands have a physical context which does not contribute to a quality residential area.

Conclusion

The Owner has filed applications to amend the Official Plan and Zoning By-law to permit an increase to the maximum permissible commercial floor area from 160,000m² to 189,535m² on the Vaughan Mills lands which amounts to an increase of 29,535m² on the subject lands and to allow high density residential uses at a density of 200 units per hectare and a maximum building height of 16-storeys on Outparcel "D" of the Vaughan Mills lands.

The appropriateness of commercial/retail land uses on the Vaughan Mills lands is established. The current applications propose only to increase the amount of commercial floor area for those uses permitted on the subject lands. The balance of the applicable Official Plan policies and zoning permissions will remain unchanged. An increased commercial floor area is consistent with the general principles and policies respecting intensification in the Provincial Policy Statement. The Region of York Official Plan and the City's Official Plan do not require that additional market studies be carried out to support the amount of commercial use being proposed. A traffic study has been submitted and reviewed by the Ministry of Transportation, the Region of York and the City. The proposed commercial development is compatible with the surrounding land use. Accordingly, the Development Planning Department can support the applications to permit the additional commercial floor area.

The introduction of residential uses into the City's employment area is inappropriate for the reasons set out in this report. The proposed residential use is not consistent with the Provincial Policy Statement, proposed Planning Reforms, Places to Grow, the Region of York and City Official Plans and Vaughan Vision 2007. The City's Economic Development Department also opposes the conversion of employment lands to residential use. The proposed residential development is isolated from any residential community and the introduction of "spot" residential uses in the employment area could impact on the ability of adjacent employment area lands to develop as intended because of the incompatibility between the two uses when located in close proximity to one another. This incremental approach to planning, particularly for residential uses in this land use context, is not in the public interest since it may result in a negative impact to the health and safety of future residents, is not an effective way to manage residential related growth, and will result in an incremental piece-meal reduction of employment lands. The introduction of residential uses into employment areas should only be considered on a comprehensive basis as outlined in the Provincial policies above, and not on the basis of site-specific development applications.

Accordingly, the Development Planning Department recommends that the Official Plan and Zoning By-law amendment applications be refused insofar as they relate to the proposed residential use.

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Attachments

1. Location Map
2. Existing Site Plan
3. Proposed Development Concept – Option 1
4. Proposed Development Concept – Option 2
5. Proposed Development Concept – Option 3

Report prepared by:

Mauro Peverini, Senior Planner, ext. 8407

Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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

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Item 13, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

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**OFFICIAL PLAN AMENDMENT FILE OP.05.020
TESMAR HOLDINGS INC.
REPORT #P.2005.63**

The Committee of the Whole recommends that this matter be deferred, in accordance with the written submission of Mr. David MacAdam, Senior Vice President, Solmar Development Corp., 122 Romina Drive, Concord, L4K 4Z7, dated February 28, 2006.

Recommendation

The Commissioner of Planning recommends:

THAT Official Plan Amendment File OP.05.020 (Tesmar Holdings Inc.) to permit high density residential uses on the subject lands shown on Attachment #1, BE REFUSED.

Economic Impact

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

Purpose

The Owner has submitted an application to amend the Official Plan to redesignate the 1.667 ha site from "Prestige Area" in OPA #450 (Employment Area Plan) to Vaughan Centre Secondary Plan Area" and "High Density Residential/Commercial" within OPA #600. The application contemplates a residential apartment building with a maximum Floor Space Index (FSI) of 2.7 times the site area.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the northeast corner of Jane Street and Riverrock Gate, in Lot 15, Concession 4, City of Vaughan. The 1.66 ha vacant site has 97m frontage on Riverrock Gate and 129m flankage on Jane Street.

The subject lands that comprise 1.667ha were once part of a larger 17ha land holding together with the lands situated directly to the east as shown on Attachment #1. On September 28, 1998, Council approved a Zoning Amendment Application (Z.98.063) filed by Magna International Inc., which at the time was the owner of the 17ha lands. The zoning that was approved implemented the designations of the lands as per Official Plan Amendment #450, to implement an employment area complex comprising employment/industrial uses (EM2 Zone on internal Magna lands) together with the subject 1.667ha parcel that was zoned C7 Service Commercial Zone to accommodate both service commercial and employment type uses.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), and zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(1032). The surrounding land uses are:

- North - vacant employment lands (EM1 Prestige Employment Area Zone). Development applications (OP.05.005 and Z.05.031) have been filed to redesignate and rezone to permit retail commercial land uses
- South - Riverrock Gate; employment uses (EM1 Prestige Employment Area Zone)
- East - employment use (EM2 General Employment Area Zone)
- West - Jane Street; automobile dealership (under construction) and gas bar (C1 Restricted Commercial Zone)

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Public Hearing

On October 28, 2005, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands, and to the Maple Landing Ratepayers' Association, the Maple-Sherwood Ratepayers' Association, CN Rail, and Paramount Canada's Wonderland. A Public Hearing took place on November 21, 2005. The following comments were provided at the Public Hearing or in writing:

a) Maple Landing Ratepayers Association

Mr. Levant Tinaz spoke on behalf of the Maple Landing Ratepayers Association and conveyed opposition to the application while raising the following comments:

- The City must preserve its diminishing employment lands including this site so that residents may someday be able to walk to work from the nearby residential communities.
- The proposed residential designation is incompatible with the existing abutting EM2 Employment Area General uses.
- The proposal doesn't represent orderly development, as it was not part of a larger block plan.
- The community would not have nearby recreational and parkland amenities that promote an active lifestyle.
- The nearby elementary schools, Blessed Trinity Catholic and Maple Creek Public are already over capacity.
- The application is not consistent with the Provincial Policy Statement.
- Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.
- The redesignation would remove more employment lands from Vaughan's already limited supply of about 2 years. The current residential supply is about 8 years and this imbalance must be rectified.

b) Blessed Trinity Expansion Committee

Vince Porcelli spoke on behalf of the Blessed Trinity Expansion Committee and outlined the group's opposition to the proposal based on the increased enrollment demand it would create. Mr. Porcelli noted that:

- Blessed Trinity's capacity is 604 students and it was exceeded 2 years after it opened.
- Current enrollment is 878 students.
- 40% of students are taught in portables.

c) MI Developments Inc. (Magna International)

On November 28, 2005, the City received correspondence from MI Developments Inc, the owners of the property located at 401 Caldari Road which is directly adjacent to the east of the subject property. In the letter dated November 23, 2005, MI Developments Inc. expressed concern with the proposal. They indicated that 401 Caldari Road includes a 198,000 sq.ft. industrial facility that is used as a heavy stamping plant and operates 24 hours a day, seven days a week, 365 days per year. Large transport trucks deliver and pick up from the plant 24 hours a day and generate considerable noise. The lands also include 3.23ha (8 acres) of vacant land that will be used for future expansion. As such, high-density residential use would be incompatible with the adjacent industrial uses.

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The recommendation of the Committee of the Whole to receive the Public Hearing report of November 21, 2005, and to forward a comprehensive report to a future Committee meeting was ratified by Council on November 28, 2005.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which would accommodate uses that require high visual exposure, good accessibility, and an attractive working environment. The designation permits a wide range of industrial, office, business and civic uses, with no outside storage.

OPA #450 also identifies lands located at the intersection of arterial and/or collector roads as a "Service Node" that would provide for the day-to-day convenience and service needs of businesses and industries and their employees. The subject lands are considered as a "Service Node", consistent with the C7 Service Commercial Zone on the property.

Zoning

The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(1032), which permits employment uses in addition to service commercial uses, and implements the Prestige Area designation in OPA #450, as well as, the "Service Node" policies.

Policy Context

i) Provincial Policy Statement

The subject application was initiated after March 1, 2005 and is therefore subject to the 2005 Provincial Policy Statement (PPS). Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" the policies under the Act.

The Provincial Policy Statement (PPS) 2005 defines an "employment area" as follows:

"Means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities."

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses, and is considered to be employment lands as defined by the PPS.

With respect to Employment Areas, the PPS states the following:

1.3 Employment Areas

1.3.1 Planning authorities shall promote economic development and competitiveness by:

a) *Providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;*

The proposed residential use does not promote the economic development or competitiveness of the employment area. The application, if approved, would remove employment lands from the City's supply and could set a precedent for the approval of other applications for residential uses in the City's employment area. Residential uses in employment areas could impede economic development and competitiveness on adjacent employment lands due to conflicts between the uses. The proposed amendment to the Official Plan would not be consistent with this policy.

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- b) *Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*

The Official Plan Amendment Application to permit a residential use on the subject lands would not take into account the needs of existing and future businesses and could, if approved, deter future businesses from locating in this area because of the incompatibilities that may arise when residential uses are located in close proximity to non-residential uses. The application, if approved, would remove employment land along a major arterial road.

- c) *Planning for, protecting and preserving employment areas for current and future uses;*

The proposed residential use is contrary to this policy of the PPS. If approved, it would remove lands from the employment area and could set a precedent for future site-specific applications for residential uses. From a planning perspective, permitting residential development in the City's employment area is an issue that should be reviewed on a comprehensive basis, with a complete analysis of the planning, social, and economic impacts of considering this policy change and not on a site-specific basis. In addition, introducing residential uses into the employment area could impact on the development of surrounding employment uses due to the incompatibilities between these uses, thereby neither protecting nor preserving future employment uses.

- d) *Ensuring the necessary infrastructure is provided to support current and projected needs.*

Council on November 7, 2005 considered a report respecting a Strategy for Reservation/Allocation of Servicing Capacity from the Commissioner of Engineering and Public Works and the Commissioner of Planning, in consultation with the City Manager. The purpose of this report was to provide Council with an update on the status of available service capacity and to establish a protocol for the distribution of this capacity to developments throughout the City. Council adopted the recommendation in the report on November 14, 2005.

The report includes a Servicing Capacity Distribution Protocol and establishes three priority categories for allocation including: Priority 1, which includes all Draft Plans of Subdivision or Site Plan applications previously approved by Council and are expected to proceed to registration within the next 12 months. Projects classified as Priority 1 received allocation unconditionally; Priority 2 accounts for active applications representing infill development or completion of a partially built community and is expected to proceed to registration within the next 12 months. Priority 2 projects are reserved servicing capacity for a period of one year from the time of reservation by Council; and, Priority 3, which allows for development applications that are expected to proceed to registration within the next 12 to 24 months. Priority 3 development is being assigned for future allocation anticipated to be released by the Region of York in 2007.

The subject application is not identified on any of these Priority Schedules as a project for which servicing capacity is being allocated, reserved or assigned. Accordingly, the necessary servicing infrastructure to support the proposed residential use is not expected to be available within the next 24 months, and likely beyond that time.

The PPS does speak to the conversion of lands within employment areas within Section 1.3.2. which reads as follows:

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- 1.3.2 *Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.*

The Vaughan Economic and Technology Development Department has indicated in comments that are expanded in another section of this report that these lands are required for employment uses.

In view of the above, the applications to amend the Official Plan to permit a residential use on the subject lands is not consistent with or have regard to the Employment Area policies of the PPS.

ii) Proposed Planning Reforms (Bill 51)

On December 12, 2005, the Ontario Government released a package of proposed planning reforms to be implemented through amendments to The Planning Act (Bill 51) in order to make Ontario's communities stronger, more livable and sustainable. One of the items specifically addressed in the proposed reforms addresses the need to protect employment lands. In this respect, the Province is considering allowing municipalities to refuse proposals to convert employment lands into other uses, with no right to appeal to the OMB except at the time of a comprehensive official plan review. As noted above, the City has not commenced or undertaken a comprehensive official plan review at this time. Although this is only a proposed reform at this time, it clearly signals the high priority the Province places on protecting employment lands. The City shares this position. This proposed reform would be consistent with and would reinforce the Employment Area policies in the PPS. The application to permit high-density residential land use on the subject lands is not consistent with this potential policy direction.

iii) Places to Grow

The Provincial Government in November 2005 released a second draft of the Places to Grow (PTG) policy document which is intended to create a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth to 2031. Places to Grow defines employment areas as:

"Lands zoned or designated within settlement area for employment uses. These lands may be located outside of a designated employment area."

The subject lands are located within a designated settlement area for an employment use. The subject lands are located within the Employment Area Growth and Management Plan as implemented by OPA #450. The surrounding land use context is for employment uses.

The PTG, like the PPS and proposed planning reforms includes specific policies relating to employment lands as follows:

"2.2.6 Employment Lands

1. An adequate supply of *employment lands* providing locations for a variety of appropriate employment uses will be maintained to ensure the vitality of the Greater Golden Horseshoe (GGH) and the provincial economy.

4. Municipalities may permit conversion of lands within designated employment areas, to non-employment uses or major retail uses, only through a municipal comprehensive review where it has been demonstrated that:

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- a. there is a need for the conversion
- b. the conversion will not adversely affect the achievement of the intensification target and density targets, and other policies of this Plan
- c. the existing or planned infrastructure and community infrastructure required to accommodate the proposed conversion can be provided in a financially and environmentally suitable manner
- d. lands do not comprise prime industrial lands
- e. lands are not required over the long term for the employment purposes for which they are designated, or
- f. the conversion or designation is necessary to address other provincial priorities such as community health and safety enhancement."

The applicant has not demonstrated a need for the proposed Official Plan Amendment to permit the proposed residential use nor that these lands are not required for employment purposes. The Owner has not demonstrated that the proposed conversion in land use is necessary to meet other provincial priorities. With respect to health and safety, locating an isolated residential development within an employment area would not be considered necessary to address any health or safety enhancement.

In view of the above, the applications to redesignate the subject lands for residential use is inconsistent with the Province's draft Places to Grow policy document.

iv) Region of York

The Region of York Official Plan (RYOP) designates the subject lands as an "Urban Area" and identifies Jane Street as a "Local Corridor".

The 2005 York Region Vacant Employment Land Inventory indicates that Vaughan will require an additional supply, consistent with long-term Regional employment forecasts. Preserving Vaughan's existing employment land supply is especially important given that almost half of its 1,367 hectare inventory is constrained pending the final determination of the Highway 27 extension. The depletion and fragmentation of the City's employment lands is discouraged.

The applications are not considered to be consistent with the Region of York Official Plan.

v) City Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which accommodates uses that require high visual exposure, good accessibility, and an attractive working environment. The designation permits a wide range of industrial, office, business and civic uses, with no outside storage.

OPA #450 identifies lands located at the intersection of arterial and/or collector roads as "Service Nodes" that provide for the day-to-day convenience and service needs of businesses and industries and their employees. The subject lands are considered to be a "Service Node".

OPA #450 does not consider residential land uses within its boundaries. The current ad hoc proposal to permit a site-specific single residential development in an employment area is inconsistent with the comprehensive planning approach taken to identify and designate appropriate locations to provide for high-density residential areas.

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Land Use Compatibility

Proposed Residential Use

The subject lands, as shown on Attachment #1 are surrounded by existing employment uses, or lands zoned for such, to the east and south; most of which permit outside storage as-of-right. Official Plan and Zoning By-law Amendment applications have been filed for the 5.7ha parcel of lands immediately to the north of the subject lands to redesignate these lands from “Prestige Area” to “General Commercial” and to rezone them from EM1 Prestige Employment Area to C1 Restricted Commercial Zone. Properties on the west side of Jane Street have been developed with commercial uses as part of the Vaughan Mills development.

Residential uses are currently not developed or permitted in the applicable planning documents within the immediate vicinity of the subject lands. The subject lands are not contiguous to any existing residential.

A single residential development in an employment area land use context is not considered appropriate. The subject lands are isolated from any existing residential community and surrounded by non-residential uses that are employment or commercial in nature. The single residential development would be out of context with and change the character of the surrounding employment area. Employment lands further create job opportunities for the City’s residents living in existing and planned residential communities and should be maintained.

Converting employment lands for residential uses would not be consistent with Provincial, Regional and municipal policies as discussed above, and would result in the reduction of employment lands at a time when the City has undertaken an employment lands needs study to redesignate lands along the Highway #400 corridor for employment uses in order to increase the available employment land supply, which is currently limited.

Vaughan Engineering Department

The Engineering Department has requested the following reports be submitted with respect to the Official Plan Amendment application:

- Traffic Impact Study.
- Functional Servicing Report addressing the issue of available local storm/sanitary conveyance capacity and water supply for the proposed development.
- Environmental Noise Impact/Vibration Study. The preparation of the noise report to include the ultimate traffic volumes associated with the surrounding road network.
- Phase 1 Environmental Site Assessment Report.

In addition, the applicant was also requested to submit a planning justification study to the Development Planning Department to determine and assess the impacts of adding residential lands to the Vaughan Centre Secondary Plan and the resulting impact of deleting lands from the Employment Area. To date, none of the identified reports have been submitted by the applicant.

Vaughan Economic and Technology Development Department

The Economic and Technology Development Department has advised that it opposes the applications that would have the effect of converting employment lands to residential or commercial retail sales for the following reasons:

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- the City's current supply of vacant serviced employment lands is less than 3 years. While the City may have a supply of employment lands, the majority of these lands is encumbered (on hold for the Highway 427 Environmental Assessment) or is not serviced. Of the available employment lands, the parcels are small in size (less than 2 acres) and scattered throughout the City and thus providing mainly infill opportunities. Our ability to attract high quality, high profile tenants with value added functions become hampered by this condition;
- conversion of these lands would jeopardize the assessment balance as established by the Assessment Optimization Report;
- this application contravenes Vaughan Vision 2007's Goal 2.2, *Optimize the Employment Tax Base* and Goal 2.5, *Strengthen the City's Diversified Economic Base*;
- the precedence set by this application would be detrimental to the City's Highway 400 North Employment Land Study currently underway;
- these lands are located within an established employment area. Permitting residential uses would change the character of the employment areas; and,
- the Provincial forecasts call for more than 700,00 jobs in York Region by 2031. The City needs to protect employment lands in order to provide more employment opportunities for future residents and to remain competitive in attracting business investment to the community.

Canadian National Railways (CN)

Canadian National Railways (CN) has reviewed the subject application and provides the following comments:

- The site is in close proximity to CN's MacMillan Rail Yard, a major industrial source and the largest rail yard in Canada, and therefore residential development is not appropriate without a noise study being undertaken to demonstrate feasibility and any required mitigation to be implemented, along with appropriate warning clauses.

CN has also requested that the following policies be included in any approved Official Plan Amendment:

1. Due to the proximity of the subject property to CN's rail yard, the Owner is required to engage a consultant to undertake an analysis of noise and provide abatement measures necessary to achieve the maximum level limits set by the Ministry of Environment and Canadian National. All recommendations of the approved study must be secured through a registered municipal development agreement.
2. The following warning clause shall be included in a registered municipal development agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit. Provisions must be included in the development agreement to ensure that the warning clauses survives the release of the Owner's obligations under the development agreement and remain on title.

"All persons intending to acquire an interest in the real property by purchase or lease are advised of the proximity of Canadian National Railway's MacMillan Rail Yard, which operates on a 24-hour basis. It is possible that the marshalling yard operations may cause disturbance and may be altered or expanded which could affect the living environment of the residents despite the inclusion of any noise and vibration attenuating measures in the design of the outdoor amenity area(s) and individual dwelling(s). Residents are advised that further mitigation cannot be expected and Canadian National Railway will not be responsible for any complaints or claims arising from use of such facilities and/or operations."

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"Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the development."

As noted earlier, the applicant has not submitted a noise study to date.

Relationship to Vaughan Vision 2007

Vaughan Vision 2007 sets out the City's Vision Statement and strategic priorities including goals and objectives to meet these priorities.

iii) Objective A-4 - Promote Economic Development

It is the objective of the City to ensure its economic growth and stability through the attraction and retention of investment, the stimulation of entrepreneurship and the use of technology.

Permitting residential uses in the employment areas is not consistent with these objectives. The incompatibility between the uses may result in the loss of businesses and investment because they are unable to operate as desired and therefore, have a negative impact on the ability to attract and retain new business.

iv) Objective A-5 – Plan and Manage Growth

A single residential development in the land current use context is not considered supportive of this objective. Employment lands create job opportunities for the City's residents living in existing and planned residential communities and should be maintained. The subject lands have a physical context which does not contribute to a quality residential area.

Conclusion

The Development Planning Department has reviewed the proposed application to amend the Official Plan to redesignate the 1.667 ha site from "Prestige Area" in OPA #450 (Employment Area Plan) to "Vaughan Centre Secondary Plan Area" and "High Density Residential/Commercial" within OPA #600.

The introduction of residential uses into the City's employment area is inappropriate for the reasons set out in this report. The proposal would result in a land use that is not compatible with the existing uses in the area that are characterized by employment/industrial uses. If residential uses are to be considered in the employment areas, it should only be considered on a comprehensive basis as outlined in the Provincial policies identified in this report. This incremental approach to planning, particularly for residential uses in this land use context, is not in the public interest and is not an effective way to manage residential related growth, and will result in the piece-meal reduction of employment lands in a haphazard manner. The introduction of "spot" isolated residential development in the employment area could impact on the ability of adjacent employment area lands to develop as intended because of the incompatibility between the two uses when located in close proximity to one another. The Economic and Technology Development Department oppose the conversion of employment lands to residential uses.

In view of the above, the application to permit residential uses in the employment area is not considered to be consistent with the Provincial Policy Statement, the proposed Planning Reforms (Bill 51), Places to Grow, the Region of York and City of Vaughan Official Plans, and Vaughan Vision 2007. In addition, from a planning perspective, permitting residential uses on an individual

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application basis in the employment area is not considered appropriate for the reasons set out in this report. Accordingly, the Development Planning Department does not support the Official Plan Amendment Application.

Attachments

1. Location Map

Report prepared by:

Clement Messere, Planner, ext. 8409

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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Item 14, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

14

“SIGN OFF” INITIATIVE

(Referred from the Council meeting of February 27, 2006)

The Committee of the Whole recommends:

- 1) That this matter be referred to staff to bring forward a report that provides a broader review of the initiative and addresses the concerns expressed including costs and available resources; and**
- 2) That the memorandum of the Commissioner of Legal and Administrative Services, dated March 3, 2006, be received.**

Council, at its meeting of February 27, 2006, adopted the following:

That this matter be referred to staff for their review and that a report, including an action plan and cost analysis, be provided to the Committee of the Whole meeting of March 6, 2006; and

That at the same time, staff review the current sign by-law and bring back a report with suggested revisions to enforce this initiative.

Report of the Environmental Task Force Committee dated February 20, 2006

Recommendation

The Environmental Task Force Committee recommends that:

1. The City of Vaughan establish a Sign Off program to commence in June 2006.
2. Utilizing current resources for the initial year, but providing budgetary support in succeeding years, this initiative is directed at establishing and maintaining a zero tolerance approach to illegal signs in the City of Vaughan.
3. The focus of this initiative is directed at illegal signs attached or glued to or in the immediate vicinity of traffic and directional signs.

Economic Impact

Expenses involved would primarily be toward the costs for hiring a number of part time summer students to conduct a 3 month blitz in the summer of 2006. Funds to support this project would be drawn from current budgets. Some further costs may be incurred following the end of the summer project to ensure that our progress is maintained. Other costs will involve communicating the program to the community and violators.

Purpose

There is a growing epidemic of sign pollution throughout the city. These signs, which are hanging or glued onto virtually every traffic sign and at every intersection, are a blight to our streetscapes. At present we have very limited ability to enforce the existing laws relating to the placement of these signs. Even though removal of illegal signs has been designated an enforcement issue, it is clear that with this limited ability to enforce the laws pertaining to these signs, the issue has become much more of a streetscape and quality of our communities matter.

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The only viable approach to addressing this problem is to establish and maintain a zero tolerance to this form of visual pollution. The experience of Rudolph Giuliani, former Mayor of New York City, with a zero tolerance approach to graffiti was extraordinarily successful in ridding that city of that form of visual pollution.

Background - Analysis and Options

1. Hire students from June to the end of August to blitz the city; removing as many of these signs as possible.
2. All signs removed should be identified as to who placed them wherever possible. Where an address for an offender is available, charges for removal should be billed to the offender. At the very least, we should alert the offender by telephone or email to the fact that we have removed their signs and the costs involved. It is critical to the success of this initiative that offenders understand that they are wasting their money by placing illegal signs in the City of Vaughan. Data on quantity of signs, types of signs, names of perpetrators, recurrences should be gathered during the course of the blitz.
3. A plan for ongoing maintenance, after the blitz, should be developed and submitted to Council by September, 2006. At the same time, a report on the summer blitz should be presented to Council. Included in the report should be recommendation for a 2007 program.
4. Through various methods, residents and illegal sign posters should be informed of the initiative and the actions being taken by the City.
5. A role for residents should be encouraged as follows:

When an illegal sign is spotted, take note of the telephone number. Call the number and leave a message where the sign was spotted and state that it is illegal under the City of Vaughan Bylaw and must be removed. State that no further signs should be posted in the city by the offender. Ask that the sign be removed immediately or a complaint will be made at the City.

The important messages for this aspect of the program is to alert interested citizens to their responsibility to help maintain pleasant, unpolluted streetscapes, to alert illegal sign posters that their signs are having a negative impact, to was illegal sign posters that they are breaking the law and to clog telephone lines with negative calls.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council relating to the enhancement of the City.

Conclusion

In order to address the growing visual and actual pollution on our streets by illegal signs, action must be taken. A blitz, ongoing maintenance, resident action and an overall zero tolerance program will have a significant impact on this problem.

Attachments

None

Report prepared by:

Councillor Alan Shefman

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

Item 15, Report No. 14, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 20, 2006, as follows:

By receiving the memorandum from the Commissioner of Community Services, dated March 17, 2006.

15

**PROCLAMATION REQUEST –
PARKINSON'S AWARENESS MONTH**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated March 6, 2006, be approved; and
- 2) That the deputation of Mr. John Scaini, 104 Valleyway Crescent, Maple, L6A 1K8, be received, and that the request relating to services-in-kind and locations be referred to staff for a report to the Council meeting of March 20, 2006.

Recommendation

The City Clerk recommends:

- 1) That the month of April 2006 be proclaimed as "PARKINSON'S DISEASE 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.

Purpose

To respond to the request received from the Community Development Coordinator, Toronto Chapter, Parkinson Society Canada.

Background - Analysis and Options

The correspondence received from the Community Development Coordinator, Toronto Chapter, Parkinson Society Canada is attached (Attachment #1).

The proclamation request meets one of the requirements of the City's Proclamation Policy, namely, "*which are promoted by an organization that is a registered charity pursuant to Section 248 of the Income Tax Act*".

The Parkinson Society Canada has requested the City publicize this proclamation to bring awareness of this debilitating neurodegenerative disease to the community. The Corporate Communications Department posts proclamations issued by the City on the City's website under "Events – Proclamations". Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

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Conclusion

Staff is recommending that the month of April 2006 be proclaimed as “Parkinson's Disease Awareness Month” and that the proclamation be posted on the City's website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from the Community Development Coordinator, Toronto Chapter, Parkinson Society Canada

Report prepared by:

John D. Leach, City Clerk

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

Item 16, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

16

**PROCLAMATION REQUEST –
WOODBRIIDGE-VAUGHAN SUPER CITIES WALK FOR MS**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated March 6, 2006, be approved; and
- 2) That staff be directed to provide services-in-kind consistent with the previous year.

Recommendation

The City Clerk recommends:

- 1) That April 23rd 2006 be proclaimed as “THE WOODBRIDGE-VAUGHAN SUPER CITIES WALK FOR MS”; and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

Purpose

To respond to the request received from Derek Wilson, Co-ordinator, Fundraising Events, Multiple Sclerosis Society of Canada, Ontario Division.

Background - Analysis and Options

The correspondence received from Derek Wilson, Co-ordinator, Fundraising Events, Multiple Sclerosis Society of Canada, Ontario Division, received on March 1, 2006, is attached (Attachment #1).

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

The Multiple Sclerosis Society of Canada, Ontario Division has requested the City publicize this proclamation to encourage everyone that can to participate in the WALK for MS and to bring awareness to the community about this debilitating neurological disease. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

Item 16, CW Report No. 14 – Page 2

Conclusion

Staff is recommending that April 23rd, 2006 be proclaimed as “THE WOODBRIDGE-VAUGHAN SUPER CITIES WALK for MS” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from Derek Wilson, Multiple Sclerosis Society of Canada, Ontario Division, received on March 1, 2006

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 17, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

17

DEER CROSSING SIGNS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 6, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends that this report be received for information.

Economic Impact

This request can be accommodated within the 2006 Operating Budget.

Purpose

To provide information concerning the installation of "Deer Crossing" signs on City roads in the Kleinburg area.

Background - Analysis and Options

At its meeting of February 27, 2006, Council approved the recommendation contained in Additional Item No. 19, with respect to the installation of additional Deer Crossing signs in the Kleinburg area.

Public Works staff will work with the Ward 1 Councillor, York Region Police, and the Kleinburg Area Ratepayers Association to identify known deer crossing areas and/or areas where vehicle accidents involving deer have been reported. Once these locations have been identified, crews will commence installing the necessary warning signs.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and complies with Vaughan Vision, specifically A-2 "Promote Community Safety Health and Wellness", and A-3 "Safeguard Our Environment".

Conclusion

Once the areas of deer crossings have been identified, the necessary warning signs will be installed on the City's roads in the Kleinburg area.

Attachments

N/A

Report prepared by:

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

Item 18, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

18 **REQUEST BY POLICE CHIEF LA BARGE TO USE THE CITY PLAYHOUSE THEATRE FOR THE ACT OUT YOUTH PROJECT**

The Committee of the Whole recommends:

- 1) That the City Playhouse Theatre be made available on March 25, 2006 and March 28, 2006 to York Regional Police and the Vaughan African Canadian Association, at no charge; and
- 2) That the following report of the Commissioner of Community Services, dated March 6, 2006, be received.

Recommendation

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

1. That Council provide direction to staff on Police Chief La Barge's request for "free" use of the City Playhouse Theatre for the "Act Out" youth project for March 25 and March 28, 2006.

Economic Impact

The economic impact is \$3000 in revenues to the operating budget with the approval of the two free days at the City Playhouse Theatre.

Purpose

To seek Council approval to allocate the use of the City Playhouse Theatre on March 25, and March 28, 2006 for the "Act Out" project at no cost to the show sponsors: the York Regional Police and the Vaughan African Canadian Association.

Background - Analysis and Options

In a letter from York Regional Police Chief La Barge, the Chief has requested that the City of Vaughan partner with York Regional Police and the Vaughan African Canadian Association in sponsoring the "Act Out" project by granting two "free" use days at the City Playhouse Theatre. (See Attachment #1 – Letter dated March 2, 2006) The "Act Out" event dates for the program are scheduled as follows: March 25 for rehearsals and March 28 for the final performance show. These days are available at the Theatre for "Act Out's" use. The value of these two free days as per the community rental rates at the Theatre is \$3000.

The "Act Out" project is aimed at enhancing communication, teamwork and critical thinking amongst youth and engages youth in communities to participate in a performing arts event created by youth for youth.

Should Council wish to approve this request from Police Chief La Barge and the Vaughan African Canadian Association to use the City Playhouse Theatre for two days at no cost, staff will make the necessary arrangements to assist the organizations in the booking of the Theatre.

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Item 18, CW Report No. 14 – Page 2

Relationship to Vaughan Vision 2007

Section 6.4 of the Vaughan Vision encourages the “Strengthening of Corporate Image and Identity”.

This report is consistent with the priorities previously set by Council and the necessary steps to assist the agencies are in place once direction and approval from Council has been received.

Conclusion

Council’s support of the “Act Out” project, by offering two “free” use days at the City Playhouse Theatre, will provide an opportunity for community youth to experience and participate in a performing arts production that showcases and fosters a greater awareness of youth talent in the City of Vaughan. The event provides for a positive outlet and experience for today’s youth and has a beneficial outcome for all that participate in the event.

Attachments

1. Correspondence from York Regional Police Chief La Barge dated March 2, 2006.

Report Prepared By

Diane LaPointe-Kay, Director of Recreation & Culture, ext. 8117
Angela Palermo, Manager of Cultural Services, ext. 8139

(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 MARCH 20, 2006

Item 19, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

**19 REQUEST THAT THE FEDERAL AND PROVINCIAL GOVERNMENTS PLAY
 AN ACTIVE ROLE WITH RESPECT TO THE
 OUT OF COUNTRY INVESTIGATION OF THE IANIERO SLAYINGS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Frustaglio, dated March 6, 2006:

Recommendation

Regional Councillor Joyce Frustaglio recommends:

WHEREAS two valued citizens of the City of Vaughan, namely Domenic and Nancy Ianiero, were brutally murdered in Mexico;

WHEREAS, as Council of the City of Vaughan we wish to offer our support and heartfelt condolences to the Ianiero family;

THEREFORE, be it resolved that the Council of the City of Vaughan requests that all levels of the Canadian Government, namely, the offices of the Prime Minister, Minister of Justice – Attorney General of Canada, Minister of Foreign Affairs and the Premier of Ontario make use of all their resources in the investigation of this heinous crime.

Economic Impact

N/A.

Purpose

To ensure that we use all our resources and that all levels of Government use all their resources to resolve this tragic event. Also to offer our support and assist the Ianiero family during this tragic and unfortunate time in their lives.

Background - Analysis and Options

Domenic and Nancy Ianiero traveled to Mexico to attend their daughter's wedding. While there they were brutally murdered. As Canadian citizens we deserve a fair and full investigation into the cause of this tragic event.

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 my feeling that each and every one of us enjoys the freedom and right to travel abroad under the auspices of being protected as a Canadian citizen. In this instance the Ianieros were stripped of this freedom and now we need to use all our resources to ensure that there is a fair and thorough investigation into this tragic event.

Attachments

N/A.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

Item 20, Report No. 14, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 20, 2006, as follows:

By approving the recommendation of Councillor Yeung Racco, dated March 6, 2006; and

By receiving the memorandum from the Commissioner of Planning, dated March 15, 2006.

20

**PROPOSED REGION OF YORK
COMMUNITY ENVIRONMENTAL CENTRE (WASTE TRANSFER STATION)
AT DUFFERIN STREET/HIGHWAY 407**

The Committee of the Whole recommends that this matter be referred to the Council meeting of March 20, 2006, for staff to provide a report on permitted uses provided for in the Zoning By-law at the subject location.

Recommendation

Councillor Sandra Yeung Racco recommends:

1. THAT the Planning Department be requested to initiate an amendment to site specific Zoning By-law 75-2004 and to proceed to a Public Hearing to consider prohibiting the use of a Community Environmental Centre (Waste Transfer Station of any kind) on the City owned lands bounded by Dufferin Street and Highway 407.
2. THAT the City of Vaughan staff work with Region of York staff to identify a new location for the Region's Community Environmental Centre (Waste Transfer Station) within the City of Vaughan.

Economic Impact

There is no economic impact.

Purpose

To initiate an amendment to Zoning By-law 75-2004 for the lands located at Dufferin Street and Highway 407, north of the Hydro Corridor to consider prohibiting the specific use of a Waste Transfer Station, of any kind, from the Section 3.10 Public Uses provision of By-law 1-88. In addition, Vaughan staff be directed to work with Regional staff in exploring other sites within the City of Vaughan that are more suitable for a Waste Transfer Station.

Background - Analysis and Options

The City of Vaughan lands bounded by Dufferin Street and Highway 407, north of the Hydro Corridor currently contain a Public Works Yard. The lands are zoned EM1(H) Prestige Employment Area which permits Public Uses on City lands under Section 3.10 of Zoning By-law 1-88. The Public Uses section of the Zoning By-law allows the use of any land or the erection or use of any building for the purposes of the public service by the City, Region, Conservation Authority, Government of Ontario or Canada; Ontario Hydro or local board.

The City lands at Dufferin Street and Highway 407 have been identified as a potential site for the Region's Community Environmental Centre (Waste Transfer Site). It is recommended that the site specific by-law for these lands be reviewed to consider prohibiting a Waste Transfer Station of any kind at this location.

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Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council in Vaughan Vision 2007.

Conclusion

The Development Planning Department be directed to initiate an amendment to Zoning By-law 75-2004 and to proceed to a Public Hearing to consider prohibiting a Waste Transfer Station of any kind on the City owned lands. Furthermore, Vaughan staff be directed to work with Regional staff in identifying an alternative site within Vaughan to permit the Region's Community Environmental Centre (Waste Transfer Station).

Attachments

None

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2006

Item 21, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

**21 NEW BUSINESS - WALKWAY ON WOODBRIDGE AVENUE
 AT THE CP OVERHEAD RAIL LINE**

The Committee of the Whole recommends that staff provide a report to the Committee of the Whole meeting of April 3, 2006, on the feasibility and cost implications of constructing a walkway access on the south side of Woodbridge Avenue to the CP overhead rail line, including the concerns expressed with respect to the underpass at Williams Street.

The foregoing matter was brought to the attention of the Committee by Mayor Di Biase.

CITY OF VAUGHAN

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Item 23, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2006.

23 PRESENTATION – PROCEEDS FROM THE RCMP MEMORIAL PIN CAMPAIGN

Mayor Di Biase and Councillor Carella presented Constable Judy Lawrence a cheque from the proceeds of the sale of RCMP Memorial Pins, in the amount of \$1,400, being a contribution towards the RCMP Trust Fund.