

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 1, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

1

PEACE TREE DAY

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated April 3, 2006:

Recommendation

Councillor Sandra Yeung Racco recommends:

1. THAT the City of Vaughan endorse June 1st as Peace Tree Day and;
2. THAT the City of Vaughan collaborate with York Regional Police to set up a screening of the movie "The Peace Tree" on June 1st at the Civic Centre and;
3. THAT the City of Vaughan erect a Peace Tree in the Civic Centre lobby;
4. THAT this endorsement be sent to the Office of the Premier asking the Province to endorse June 1st as Peace Tree Day and;
5. THAT this endorsement be sent to the City of Vaughan's Community Relations Committee and all educational institutions throughout the City of Vaughan.

Economic Impact

N/A

Purpose

To acknowledge June 1st as Peace Tree Day and to celebrate the values and principals associated therewith.

Background - Analysis and Options

The Peace Tree is based upon a movie of the same title wherein three little girls of different religious backgrounds seek to enjoy the festive celebrations of the others. Upon facing resistance from their parents, the girls go about convincing their parents that it is all about peace and thus the Peace Tree is born.

The Peace Tree is a symbolic representation of the importance of embracing and celebrating diversity. As the City of Vaughan continues to grow and expand, our community has witnessed increasing diversity and this is a tremendous asset to the City; one that should be celebrated and acknowledged at every opportunity.

Relationship to Vaughan Vision 2007

A-2: Serving our citizens through the promotion of community, safety, health and wellness

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

In light of the City of Vaughan's efforts to recognize and promote diversity and to work in partnership with groups to that effect, Councillor Sandra Yeung Racco recommends that the City of Vaughan endorse June 1st as Peace Tree Day and that the City of Vaughan erect a Peace Tree during the festive season. As well, that a screening of the movie "The Peace Tree" be organized at the City of Vaughan.

Attachments

n/a

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Item 2, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

**2 SPADINA SUBWAY EXTENSION INDIVIDUAL ENVIRONMENTAL ASSESSMENT
DOWNSVIEW STATION TO STEELES AVENUE
TORONTO TRANSIT COMMISSION & THE CITY OF TORONTO
COMMENTS TO THE MINISTRY OF THE ENVIRONMENT
FILE NO. EA 02 06**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Manager and the Commissioner of Planning, dated April 3, 2006, be approved; and
- 2) That the memorandum of the Manager of Corporate Policy, dated March 29, 2006, be received.

Recommendation

The City Manager and the Commissioner of Planning recommend that:

1. The Ministry of the Environment be advised that the City of Vaughan supports the approval of the "Spadina Subway Extension - Downsview Station to Steeles Avenue Environmental Assessment Report", dated February 2006, as submitted by the Toronto Transit Commission and the City of Toronto;
2. City Staff continue to work with the Region of York, the TTC and any affected landowners to resolve issues associated with the configuration of the Steeles West station; and
3. This report be forwarded to the Regional Municipality of York, the City of Toronto, the Toronto Transit Commission, the members of the Provincial Legislature representing the City of Vaughan and the Spadina-York Subway Extension Committee for information purposes.

Economic Impact

There are no immediate economic impacts resulting from the adoption of this report.

Purpose

The purpose of this report is to provide the Ministry of the Environment with the City of Vaughan's comments on the "Spadina Subway Extension – Downsview Station to Steeles Avenue Environmental Assessment Report", as requested by the Ministry by letter dated February 16, 2006.

Background – Analysis and Options

a) **Background**

In 1990 the provincial government initiated the "Let's Move" program, which proposed a major expansion of the Toronto subway system. Work on the Environmental Assessments for the proposed undertakings commenced shortly after the announcement. This included the Yonge-Spadina Subway "Loop". Other "Let's Move" projects that were evaluated concurrently were the proposed Sheppard Avenue and Eglinton Avenue subway lines.

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In 1994 the Minister of Environment and Energy approved the Yonge-Spadina Subway Loop Environmental Assessment Report. The EA provided for the linking of the Finch and Downsview Stations on the Yonge and Spadina lines by way of a “loop” that would connect across Steeles Avenue from York University to Yonge Street. Implementation was to be phased. The first leg of the loop would be constructed from Downsview Station to a station within the York University campus at York Boulevard. However, due to funding constraints, design and construction did not proceed. The only “Let’s Move” subway project to be built was the Sheppard Avenue line.

The new EA provides the opportunity to take into account the changing conditions that emerged in the decade following the original approval. The new circumstances spoke to a need to review the “Loop” concept, the alignment and station locations. These conditions included:

- The TTC conducted its “Rapid Transit Expansion Study” (2001), which concluded that the “Loop” was no longer needed and that a radial extension to Steeles Avenue was preferable;
- The City of Toronto and York Region Official Plans supported improved (ultimately higher order) transit services to York University and the Vaughan Corporate Centre;
- A number of planning studies along the potential subway route supported transit oriented development;
- Canadian Forces Base Downsview was transformed into Parc Downsview Park, containing uses that would require better transit services;
- York Region acquired property for an inter-regional transit terminal/commuter parking lot on the north side of Steeles Avenue, opposite York University.

The amending formula for the 1994 EA did not contain provisions for considering alternative alignments and station locations, a new station on Steeles Avenue or a radial extension of the subway into York Region. This resulted in the need to conduct a new Environmental Assessment. The 2006 Spadina Subway Extension EA has been undertaken to review and analyze the potential changes to the 1994 EA. It provides an opportunity to consider a subway extension that will better serve the Keele Street area, York University, GTA commuters from southwestern York Region and Bradford GO Rail passengers.

Work on the new EA began in late 2003. The Terms of Reference were approved by the Ministry of the Environment on September 13, 2004. On November 28, 2005 the Toronto Transit Commission approved a report on the Spadina Subway Extension EA recommending its submission to the Ministry of the Environment. It also directed that the report be forwarded to Toronto City Council for approval through the Planning and Transportation and Works Committees. It was considered by the Committees in joint session on November 30, 2005 where it was approved for submission to the Ministry of the Environment. This decision was ratified by Toronto Council on December 6, 2005.

The EA was formally submitted to the Ministry in February of 2006. By letter dated February 16, 2006, the Ministry of the Environment has requested comments on the EA study from affected agencies and municipalities. The comments are required by April 6, 2006.

On March 23, 2006, the Minister of Finance, the Honourable Dwight Duncan, announced in his 2006 Budget Speech that the Province will allocate \$670 million to the City of Toronto and York Region to extend the Spadina Subway Line from Downsview Station to the Vaughan Corporate Centre.

b) Overview of the Environmental Assessment

The extension of the Spadina Subway to Steeles Avenue and the Corporate Centre has been a long-term policy objective of both the City of Vaughan and the Region of York. Much of the infrastructure associated with this EA is located within and directly serves the City of Toronto.

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However, some of the critical infrastructure will be located in the City of Vaughan and the Region of York. This includes a portion of the Steeles West Station, the tail track and ancillary facilities like bus terminals and a major commuter parking lot. The following overview of the EA will be provided as the basis for a more detailed review of some of the issues affecting the City of Vaughan.

Purpose and Objectives

The purpose of the EA Study is to develop and analyze alternative alignments and station locations from Downsview Station to York University, to those approved in the original 1994 EA, and to study a further radial extension of the line to a terminal station on Steeles Avenue. The objectives include:

- To provide subway service to the Keele/Finch area, York University and a new inter-regional transit gateway and commuter parking facility at Steeles Avenue;
- To provide improved connections between the TTC subway system and GO Transit, York Region Transit and other inter-regional transit services;
- To support local population and employment growth up to 2031, in accordance with the Toronto and York Region Official Plans;
- Minimize any environmental impacts;
- Achieve reasonable capital and operating costs.

The extension will include the construction, operation and maintenance of underground tunnels from Downsview Station to Steeles Avenue, with subway stations located: At an interchange with the Bradford GO Line; in the vicinity of the Keele/Finch intersection; on the York University campus; and at Steeles Avenue between Jane and Keele Streets.

The alignment at the Steeles West Station will protect for the extension of the subway to the Vaughan Corporate Centre.

The Study Area

The study area for the Environmental Assessment is defined below (See Attachment 1):

- South: Sheppard Avenue;
- West: Black Creek in the City of Toronto; a line immediately west of Edgeley Boulevard/Interchange Way in the City of Vaughan;
- North: Highway 7 and
- East: Dufferin Street and Wilmington Avenue in the City of Toronto and Keele Street in the City of Vaughan.

Need and Justification

Need and justification for the subway extension was demonstrated in the Yonge-Spadina Subway Loop Environmental Assessment Report that was approved in 1994. This EA study builds on the earlier 1994 Subway Loop EA and the TTC's 2001 Rapid Transit Expansion Study. The new EA is being conducted to ensure that the best alignment for the Spadina Subway Extension is chosen in order to capitalize on recent and future changes within the study area.

Alternatives to the Undertaking

Alternatives to the undertaking are functionally different ways of dealing with the identified problem. In accordance with the Terms of Reference, this EA brings forward the alternatives to the undertaking that were previously analyzed in the 1994 EA and includes a summary of the

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further analysis that took place on the need for the Loop as part of the Rapid Transit Expansion Study. The following procedure was used:

- Identification and review of the alternatives to the undertaking considered in the 1994 EA and the in the 2001 Rapid Transit Expansion Study;
- Assessment of each alternative based on the previous studies;
- Identification of changes to the environment that have occurred since 1994 and an assessment of how they may have affected the conclusions of the previous study;
- Examination of the ability to meet the purpose of the new undertaking in the current EA Terms of Reference;
- The selection of a preferred alternative to carry forward for the detailed analysis of routes and alignments.

Based on this analysis it was determined that a radial extension of the Spadina Subway Line to Steeles Avenue via York University was the preferred alternative and it was recommended that it be carried forward for the purpose of analyzing more detailed alignments, station locations and facilities.

Alternative Methods of Carrying Out the Undertaking

An Environmental Assessment is required to describe and provide a rationale for the alternative methods of carrying out the undertaking. In this instance the undertaking was determined to be a subway extension. It was then necessary to identify, evaluate and select the preferred subway extension (i.e. alignment, station locations etc.). Three alignments were initially identified for consideration in the Terms of Reference. These included:

- The 1994 EA approved alignment from Downsview Station to York University;
- The Rapid Transit Expansion Study alignment from Downsview Station to Steeles Avenue, by way of York University, with a GO-TTC Interchange at Finch Avenue;
- The Rapid Transit Expansion Study alignment from Downsview Station to Steeles Avenue, by way of York University, with a GO-TTC Interchange at Sheppard Avenue;

In order to ensure that all potential high value alternatives were evaluated a three phase analytical process was adopted to select the preferred alignment/station designs.

The evaluation matrices for Phases 1 and 2 were also based on the five project objectives. The objective based matrices were further refined by disaggregating the objectives into more detailed, criteria, indicators and measures. The alternative routes (Phase 1) and alignments/station concepts (Phase 2) were then evaluated.

i. Phase 1

The purpose of Phase 1 was to identify and select a broad route and the general location of the stations. The routes were defined as corridors within which a number of subway alignments may occur. The routes and general station locations were developed using criteria that were generated from the project objectives.

A total of eight routing alternatives were developed. After completion of the analysis it was determined that "Route 1" was preferred. It was described as the "GO/Sheppard, Keele/Finch, York University Common" route (Attachment 2). It was most preferred because it provided a cost-effective solution with the best connections between other modes, good service to the four identified catchment areas and strong support for future growth, while minimizing environmental impacts.

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ii. Phase 2

The purpose of Phase 2 was to develop the detailed alignment and station concepts within the selected route and select the preferred alignment and station designs using criteria generated from the project objectives. Alignments were defined as 30 m rights of way located within the preferred "Route 1".

A number of alignments and station concepts were developed for evaluation within the Route 1 corridor. The corridor was separated into four distinct areas, each with a number of alternatives, including:

- The South Alignment including the Sheppard West Station (TTC/GO Rail Transfer Station) – Four Alignment Alternatives;
- The Finch West Station – Five Station Configuration Alternatives;
- The North Alignment including York University Station – Three Alignment Alternatives, and
- Steeles West Station – Four Station Configuration Alternatives.

Each segment was analyzed and a preferred alignment and station configurations were selected. The resulting alignment and station concepts are shown in Attachment 3 as the recommended undertaking.

iii. Phase 3

In Phase 3 a detailed assessment of the effects of the undertaking was conducted. This included: A description of the environments that will or might reasonably be affected; a description of the potential effects; the mitigation measures required to minimize, manage or avoid environmental effects; and the identification of monitoring and contingency measures. The sources of the potential environmental effects were described as:

- The displacement of Existing Features by Subway Facilities;
- Construction Impacts, being the short term effects during the construction period; and
- Operational Impacts, being the long-term effects of operations and maintenance.

Each of these activities was assessed against the environmental features that they might potentially impact. These features were categorized as the natural environment, emissions, socio-economic factors, culture and transportation. The EA describes each of the potential effects, identifies mitigation measures, describes the required monitoring programs and recommends any necessary contingency measures.

The Undertaking

i. Summary of System Infrastructure

The undertaking comprises the construction, operation and maintenance of the extension of the Spadina Subway from Downsview Station to Steeles Avenue. The total length of the line is 6.2 kilometres and includes four new stations:

- Sheppard West Station – on Parc Downsview Park lands, south of Sheppard Avenue and west of the GO Bradford Rail Line;
- Finch West Station – on Keele Street, immediately north of Finch Avenue, including a bus terminal, commuter parking, passenger pick-up and drop-off (PPUDO) and extensions to Murray Ross Parkway and Tangiers Road;
- York University Station – within the Common of York University's Keele Street campus;
- Steeles West Station – diagonally crossing the Steeles Avenue and Northwest Gate intersection including bus terminals for TTC, GO and YRTP, a PPUDO and commuter parking.

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The Undertaking does not preclude the following future actions:

- Construction and connection to a future GO Bradford Rail Line Station on Parc Downsview Park lands;
- A future subway extension from Steeles Avenue to the Vaughan Corporate Centre as planned in York Region’s “Highway 7 Corridor and Vaughan North-South Link Public Transit Improvements” Environmental Assessment;
- A future looping of the Yonge-Spadina subways, north of Steeles Avenue; and
- A future connection from the subway to higher order transit in the Finch Hydro Corridor.

Additional subway fleet will be required along with upgrades to the Wilson Yard. The east-west road providing access to the commuter parking lot associated with the Steeles West station is to be secured through York Region’s “Highway 7 Corridor and Vaughan North-South Link Public Transit Improvements” Environmental Assessment.

ii. Breakdown of Costs

Based on the station concepts and subway alignment recommended by the EA, the entire project cost is estimated to be \$1.4 billion dollars (2005\$), broken down by the main elements:

PROJECT COMPONENT	APPROXIMATE COST
Stations (including entrances, bus and commuter facilities)	\$482 M
Running Structure (including structures, track and controls)	\$665 M
Additional vehicles (estimated 36 subway cars)	\$108 M
Property	\$ 60 M
Improvements to Wilson Yard	\$ 85 M
TOTAL	\$1,400 M

iii. Project Duration

It is estimated that the project would take a total of 6.5 years to complete from the date of EA approval, assuming that the requisite funding was in place. The timelines for the major elements are: Design – 2 to 3 years; Construction – 3 to 4 years; and testing and commissioning – 1 year. This projection assumes that some of the activities will overlap. The actual duration may also be affected by a number of other variables including construction techniques and property acquisition.

iv. Construction Methods

Two methods of construction are recommended. The first is by tunnelling using a Tunnel Boring Machine. The second method is the “cut and cover” technique. Cut and cover entails excavating to the depth of the subway tunnel, building the tunnel structure and then backfilling on top to reach the planned surface elevation.

The predominant method will be tunnelling. Stations and three track/cross-over structures will be constructed using cut and cover. Emerging from the Downsview Station there will be a short length of cut and cover. Then tunnelling will take over until just past Sheppard Ave. Cut and cover will be used through Parc Downsview Park. Heading north and on to the Keele Street road allowance, tunnelling is planned to the Finch West station, with a short stretch of cut and cover prior to reaching the station. Tunnelling will then be used from the Finch West Station through York University to the Steeles West Station, except for the York University Station.

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The Steeles West Station will be constructed using the cut and cover technique. This includes the actual station, the cross-over tracks immediately south of the station and the tail tracks located to the north of the station. Only a small portion at the north end of the Steeles West station extends into Vaughan. However, the tail tracks are entirely located in the City of Vaughan and extend onto the UPS Canada Ltd. property. The length of the tail tracks is approximately 210 m.

v. The Steeles West Station

From the City of Vaughan's perspective, the Steeles West Station is the most significant physical element of the project in that it is partially located within the city's boundaries. Its function, facilities and configuration will help shape the form and intensity of development on the north side of Steeles Avenue for the long-term.

It will be one of the largest intermodal transit facilities in the Greater Toronto Area. The subway station is diagonally centred on the Northwest Gate – Steeles Avenue intersection. The ancillary facilities include approximately 40 bus bays serving the TTC, GO Transit and YRT/Viva in three separate terminals, a passenger pick-up and drop-off and a commuter parking lot for up to 3000 cars. Its recommended configuration is shown on Attachment 4. A detail of the grade, concourse and platform levels of the station are illustrated in Attachments 5a, 5b and 5c.

The track, concourse and platforms are all below grade. The bus terminals are planned as surface facilities. Two of the Station's three bus terminal sites are located in Vaughan and are situated at the northwest corner of the intersection of Steeles Avenue and Street "C". The two bus terminals in Vaughan will account for approximately 25 of the 40 bus bays.

Street "C" is the northerly extension of Northwest Gate and leads to the planned east-west road and the commuter parking lot. The bus terminals are oriented east-west and are set back approximately 50 m. from Steeles Avenue. The station concourse is connected to the bus terminals by way of a pedestrian tunnel. The tunnel continues to the north to connect to the passenger pick-up and drop-off located in the Hydro Corridor. The pedestrian entrance is located at the northwest corner of Street "C" and Steeles Avenue.

The lands required for Street "C" and the eastern half of the bus terminal site are already in public ownership. These lands were acquired by the Region of York as a result of the City of Vaughan's OPA No. 529 exercise. In order to fully accommodate the bus terminal facilities, additional land to the west will need to be acquired. This land is owned by UPS Canada Ltd. The requirement is for approximately five additional acres. This would expand the site from the westerly edge of the York Region property to Street "B", which is a north-south road identified in the draft OPA No. 620 (Steeles Avenue Corridor Study – Jane Street to Keele Street). In addition, underground easements would be required from UPS to accommodate the tail track, which runs to the north of the station.

This configuration was selected from a total of four options. The reasons include:

- Lowest capital, operating and maintenance costs;
- The location of the two bus terminals north of Steeles Avenue will result in shorter bus terminal to subway platform transfer times;
- A better quality of waiting environment at the terminals for passengers;
- Greater flexibility in adapting the configuration and size in response to changes in requirements, potentially due to the need to increase services, fare integration or the future extension of the subway beyond Steeles Avenue to York University.

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- c) Implications for the City of Vaughan
- i. The Subway Alignment to the Corporate Centre

OPA 529 contained policies which identified and preserved a subway route from Steeles Avenue to the Vaughan Corporate Centre. This alignment was consistent with the one identified by the TTC in its 2001 Rapid Transit Expansion Study for a subway extension to Steeles Avenue. OPA 529 and the RTES assumed an east-west oriented station at Steeles Avenue located within the road allowance. From Steeles Avenue the alignment turned north and proceeded into the Corporate Centre on the west side of Jane Street, targeting a station site at the intersection of Highway 7 and Millway Avenue.

In the Spadina Subway Extension EA, three alternative alignments were identified in the north section of the project area from Keele Street through York University to the Steeles West Station. One of the three that were tested was the OPA 529/RTES alignment. It was an objective of the EA to ensure that the alignment of the Steeles West Station was such that it would allow for a future extension of the subway to the Vaughan Corporate Centre.

The OPA 529/Rapid Transit Expansion Study alignment was not recommended. The preferred alternative crossed Steeles Avenue diagonally at the Northwest Gate intersection and proceeded to the northwest, reaching the west side of Jane Street to the south of Highway No. 407. The preferred alignment was tested in consultation with York Region to determine whether it could provide for the planned connection to the Corporate Centre. Two concerns were specifically identified. The first was that it had to preserve the opportunity for a station site on the west side of Jane Street, south of Highway 407, to allow for a future connection to the Province's Highway 407 Transitway. The second was that it had to follow the OPA 529 alignment within the Corporate Centre area in order to provide for the Millway/Highway 7 intersection station.

It was determined that the preferred alignment could meet both requirements. The Region of York completed the Highway 7 Corridor & Vaughan North-South Link Public Transit Improvements Environmental Assessment in August 2005. Its terms of reference contained the requirement to do an assessment of the potential extension of the subway north of Steeles Avenue to the Corporate Centre. At the time, the preferred TTC alignment had not been selected. As the ultimate alignment north of Steeles Avenue will not be confirmed until the approval of the Spadina Subway Extension EA, the York Region EA identified a "Tie In" zone between Steeles Avenue and Highway 407. Within the "Tie In" zone the Region would be able to amend the EA to match the approved TTC alignment.

This approach was supported by Council in a report on October 31, 2005, which provided the City's comments on the York Region EA to the Ministry of the Environment. At that time, Council adopted a motion that asked the Region, ". . . to proceed with the amendment to the subway extension component of this Environmental Assessment (Vaughan North-South Link Public Transit Improvements Environmental Assessment)" at first opportunity, once the TTC Spadina Subway Extension Environmental Assessment is approved, in order to finalize the subway extension north of Steeles Avenue."

The preferred alignment meets the needs of the City of Vaughan and should be supported. With the potential acceleration of the subway extension to the Corporate Centre, there is already a mechanism in place to ensure that there will be a rapid refinement of the alignment north of Steeles Avenue. This will assist in the co-ordination of the detailed design and engineering work that will follow.

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ii. Station Site at Parc Downsview Park – Potential GO Rail Interface

The EA recommends that a subway station be provided on the Parc Downsview Park lands on the south side of Sheppard Avenue, immediately west of the CN Rail Line (Bradford GO Rail Service). The subway station has been located in a manner such that it can be linked with a future GO Rail station on the east side of the tracks.

The alignment and resulting station site is in an advantageous location from the perspective of the City of Vaughan. One objective of the Region of York and the City of Vaughan is to obtain a GO Rail Station at Highway 7. Of the alternatives considered, this alignment pushes the potential TTC/GO Rail interface farthest to the south. This maintains a substantial distance separation from Highway 7. By keeping potential station sites as far apart as possible, it will help ensure that the GO Rail system runs efficiently.

In addition to providing another subway connection point for Vaughan residents, it will be less likely to compromise any City/Regional efforts to obtain a GO Rail station on the Bradford Line at Highway 7.

iii. Commitments to Future Work

As part of the EA, the City of Toronto and the TTC have identified a number of commitments to stakeholders in conducting further work associated with the subway extension. Several of these commitments apply specifically to Vaughan and the Region of York. These include:

- Permits and Approvals
 - Obtain Planning Approvals for the Steeles West Station (e.g. site plan approval);
 - Obtain Building Permits for structures;
 - Approvals for Stormwater management measures and sewage discharge.
- Property Acquisition
 - For properties required within the City of Vaughan, the City of Toronto will co-ordinate property acquisition activities with the City of Vaughan and York Region.
- Steeles West Station Development
 - The Bus Terminal Facilities represent the anticipated spatial requirements for intermodal transfers at the Steeles West Station;
 - Will work closely with the City of Toronto, City of Vaughan, York Region and GO Transit during the York University Secondary Plan update, the Vaughan OPA 620 exercise and the Steeles West Station site plan approval process to optimize the interface and integration of the Steeles West bus terminals with transit supportive development;
 - Will conduct further discussions with York Region and the City of Vaughan, among others, to determine the roles and responsibilities of each agency for the design, construction, operation and maintenance of the terminal facilities (including bus terminals, commuter parking, station entrances and passenger pick up and drop off);
- Planning Initiatives
 - Will work with York Region and the City of Vaughan, through the approval and implementation of current planning processes to stimulate transit supportive development, which incorporates and integrates the Spadina Subway Extension alignment, including the Steeles West Station and related commuter facilities into development plans north of Steeles Avenue.

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On-going co-operation will be a key to the success of this project. The Steeles West station will be unique in both its size and complexity. Given its cross-boundary positioning, it also involves a multitude of regulatory players and facility users, including the City of Vaughan, York Region, the TTC, the City of Toronto, Viva and York Region Transit and GO Transit. The design and operation of the station will need to reconcile the policy and functional imperatives of all the stakeholders.

From the City of Vaughan's perspective, one of the most significant aspects of the planning for the Steeles West station will be ensuring that the objectives of OPA 620 will be met. Therefore, the commitment to stimulating transit supportive development, which incorporates and integrates the station and its related facilities into the development plan is welcomed. The station site promises to be one of the most prominent in the City of Vaughan and this development potential is recognized in the draft OPA 620.

iv. Future Amendments to the EA

The EA recognizes that there may be circumstances where changes will be necessary to some aspect of the undertaking during the implementation process. This would be achieved through an amendment to the EA by way of a formal request to the Ministry of the Environment supported by an EA Addendum Report. The EA Addendum would be released for a minimum 30-day public review period prior to a decision from the Ministry. The Spadina Subway Extension EA Study identifies specific circumstances that would trigger an amendment. These include:

- An adjustment of the subway alignment that is located beyond the limits defined in the EA Study (Figure 9.1);
- A Steeles West Station bus terminal that is located beyond the areas identified for occupation by Options 1A, 1B, 2 and 3, which includes all four quadrants of the Steeles Avenue – Street "C"/Northwest Gate Intersection;
- A commuter parking facility associated with the Steeles West Station that is located beyond the Steeles hydro corridor.

Within the area defined in Figure 9.1 – "EA Amending Scope", changes can be made to the alignment and station configurations without the need for a formal amendment obtained through the MOE. Changes within this area are considered to be minor refinements. They will be addressed through the site plan approval process, the permitting and approval requirements of the affected agencies and through negotiations with affected landowners.

By setting parameters, the EA will allow for refinements to the alignment and station designs without an amendment. This flexibility will be useful in making any necessary adjustments as design proceeds.

v. The Vaughan Official Plan – Draft OPA No. 620

The City of Vaughan is currently in the latter stages of completing OPA No. 620, which is based on the "Steeles Avenue Corridor Land Use Review – Jane Street to Keele Street". The purpose of the amendment is to incorporate policies into the City's official plan which will both support and take advantage of a subway extension to Steeles Avenue. OPA No. 620 will provide for the evolution of this portion of Steeles Avenue from an employment area to a pedestrian friendly mixed-residential/office-commercial area, with transit supportive densities focused on and around the Steeles West station site. The amendment will be subject to a statutory public meeting in the near future.

OPA No. 620 and the subway extension are mutually supportive. The plan calls for densities of 4.0 FSI east and west of the proposed Street "C", which is the focal point for the Steeles West station. Designated the "Transit Core", it permits the following uses: High density residential;

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prestige office employment; public and institutional uses; and mixed use development combining the above noted uses in the same building. Prestige office uses are encouraged to locate at the intersection of Street “C” and Steeles Avenue, where the bus terminal facilities have been shown.

As noted, the EA commits the TTC and the City of Toronto to working with York Region and the City of Vaughan, through the approval and implementation of current planning processes like OPA 620, to stimulate transit supportive development, which would integrate and incorporate the Spadina subway alignment, the Steeles West Station and related commuter facilities into the development plans north of Steeles Avenue.

As the land use regulator north of Steeles Avenue, the City of Vaughan will need to pay close attention to the planning of the station site in order to ensure that its full economic value can be captured. Ideally, the optimal response would be to integrate the bus terminals into a comprehensive development plan, which meets the functional needs of the transit operators and also meets Vaughan’s density and urban design objectives. This will be a challenging task, but the City of Vaughan should continue to support the optimization of the development potential of the bus terminal sites in the on-going consultation with the stakeholders.

The extension of the subway to Steeles Avenue is a critical investment that will be necessary to foster the land use transition envisioned by OPA 620. With the potential advancement of the project, resulting from the March 23, 2006 announcement, the City will need to quickly move forward with its planning initiatives on both Steeles Avenue and in the Highway 7 Corridor. This will cement the City’s objective of securing transit supportive development on Steeles Avenue and in the Corporate Centre.

vi. UPS Canada Ltd.

UPS (United Parcel Services) Canada Ltd. is an international courier/distribution firm that owns the lands immediately to the west of York Region’s bus terminal site, extending over to Jane Street. UPS currently operates its Toronto and national distribution hub from a building at the west end of its property. The easterly part of the UPS property has not been developed as yet.

The site is currently designated “Employment Area” by OPA No. 450 and is zoned EM1 – Prestige Employment Area Zone by By-law 1-88. UPS has indicated that, notwithstanding the land use changes proposed by the draft OPA 620, it is its intention to remain at this location and expand its operations. On December 23, 2005, UPS submitted a site plan application proposing the development of the easterly portion of its site. The expansion is permitted by the current zoning and official plan designation.

As a result of the need for additional surface bus terminal capacity a portion of the UPS lands adjacent to the York Region facility has been identified for acquisition. As a result, the proposed expansion will conflict with the bus terminal facilities and with the alignment of the tail track. The TTC, the Region of York and the City are involved in discussions with UPS in an attempt to develop a solution that will provide for the required station infrastructure while still accommodating an expansion of their operation. This is consistent with the Undertakings provided by the TTC in the EA document, respecting property acquisition and Steeles West Station development. All parties are continuing to work toward a solution. The City should support the EA and continue to participate in the negotiations.

Relationship to Vaughan Vision 2007

Implementation of the Spadina Subway Extension to Steeles Avenue is consistent with the objectives of Vaughan Vision 2007. Under Section 3 “Transportation and Transit Infrastructure”, Subsection 3.1 identifies the need to, “Support the TTC subway extension projects (Spadina and Yonge Street) with the Spadina line as the top priority”. Also 3.1.1 provides, “Support the City of .../12

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Toronto and Region of York in the extension of the subway(s) to Vaughan”. Subsection 3.2, “Implement solutions to traffic gridlock”, Paragraph 3.2.1 states, “Support the Region of York and other agencies to ensure higher order transit.”

Conclusion

The approval, funding and construction of the Spadina Subway Extension to Steeles Avenue will be a major breakthrough for rapid transit in the Greater Toronto Area. In addition to enhancing services within the City of Toronto, it will help foster the emergence of a truly comprehensive inter-regional rapid transit system.

The EA has defined an undertaking that provides for a major inter-regional bus terminal facility at the Steeles West station that will service multiple operators, a 3000 car commuter parking lot north of Steeles Avenue and a future link to the Bradford GO Rail Line at Sheppard Avenue. The selected subway alignment has also been designed to allow for its future extension into the Vaughan Corporate Centre.

Of critical importance will be the link to the emerging York Region Rapid Transit (Viva) system. The Region of York’s “Highway 7 Corridor & Vaughan North-South Link Public Transit Improvements Environmental Assessment Study” has been submitted to the Ministry of the Environment for approval. It provides for a Bus Rapid Transit service on Highway 7 and in the north-south link from the Corporate Centre to the proposed Steeles West Station. In addition, it will define the alignment for the subway extension from the Steeles West Station to the Corporate Centre. The Viva system and the subway extension will be mutually supportive elements of a broader network that can ultimately link with Brampton on the west and the Yonge Street corridor, Richmond Hill and Markham on the east.

The transit improvements are also consistent with the policies of the recently released, “Places to Grow. Better Choices. Brighter Future – Proposed Growth Plan for the Greater Golden Horseshoe” (November 2005). The subway extension, in combination with the York Region system will support land use intensification, increased transit modal share in an underserved area and improve linkages to an Urban Growth Centre (Vaughan Corporate Centre).

Local official plans and development standards are already being adjusted to take advantage of the transit improvements. Examples of such measures include the City of Toronto’s York University Secondary Plan Review and Vaughan’s Steeles Avenue Corridor Study (draft OPA 620) and the Highway 7 Futures Study.

The Spadina Subway extension is a public infrastructure project that will provide a comprehensive range of economic, social, educational and environmental benefits for the residents and businesses of the City of Toronto, York Region and the Greater Toronto Area.

It will improve economic efficiency by relieving traffic gridlock, improving goods and commuter movements and reducing travel times. By providing an alternative to the private automobile, the transit improvements will help control the emission of greenhouse gases and other pollutants. It will also foster the growth and evolution of York University by placing it at a transit hub of GTA-wide importance, which will also broaden educational choice for students throughout the Greater Toronto Area.

The announcement of provincial funding for the subway extension to the Corporate Centre is an enormous step forward for rapid transit in the Greater Toronto Area. On March 23, 2006 the Minister of Finance also announced that the Minister of Transportation will be introducing legislation this year to establish the Greater Toronto Transit Authority (GTTA). One of the objectives identified for the GTTA was to promote the seamless movements of goods and people. The Spadina Subway extension will clearly fulfill that mandate.

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The City of Toronto's/TTC's Spadina Subway Extension Environmental Assessment should be supported. The selected alignment and station locations are appropriate. Further work will be required on the final configuration of the Steeles West Station. However, the amending criteria contained in the study provides for adjustments, which are now under review with the affected landowner, the TTC, City of Vaughan and the Region of York.

Therefore, it is recommended that the Ministry of the Environment be advised that the City of Vaughan is in support of the approval of the Spadina Subway Extension Environmental Assessment Study, dated February, 2006, as submitted by the City of Toronto and the Toronto Transit Commission.

Attachments

Note: A copy of the Spadina Subway Extension Environmental Assessment is available for review in the Clerk's Department and electronically on the TTC's website at: Toronto.ca/ttc/spadina_extension.

1. Key Plan of the Study Area (Figure 4-1)
2. Preferred Route: The "GO/Sheppard, Keele/Finch, York University Common" Route (Figure 6-3)
3. Recommended Undertaking (Figure 7-1)
4. Steeles West Station (Figure 7-10)
5.
 - a) Steeles West Station – Grade Level
 - b) Steeles West Station – Concourse Level
 - c) Steeles West Station – Platform Level

Report prepared by:

Roy McQuillin, Manager of Corporate Policy, ext. 8211

(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. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

**3 ASIAN LONG-HORNED BEETLE INFESTATION
IDENTIFICATION OF COSTS ASSOCIATED WITH THE INFESTATION AND
STRATEGY DEVELOPMENT**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Manager, the Commissioner of Community Services, Commissioner of Engineering and Public Works and the Commissioner of Economic/Technology Development and Communications, dated April 3, 2006, be approved;
- 2) That this report be forwarded to the Asian Long-Horned Beetle Task Force, the MP's for Vaughan, King, Aurora and Thornhill and the Minister of Agriculture and Agri-Food Canada; and
- 3) That the confidential memorandum of the Solicitor/Special Services, dated March 28, 2006, be received.

Recommendation

The City Manager, the Commissioner of Community Services and the Commissioner of Engineering and Public Works and the Commissioner of Economic/Technology Development and Communications recommend:

1. That the following report be received for information;
2. That Staff continue to pursue all available avenues to maximize cost recovery from the Canadian Food Inspection Agency for funds expended by the City of Vaughan in response to the Asian Long-Horned Beetle Infestation;
3. That Staff commence all necessary Applications for Compensation under the federal *Plant Protection Act*, S.C. 1990, c. 22 and/or *Introduced Forest Pest Compensation Regulations*, P.C. 2004-608, 10 May 2004, as amended by SOR/2005-255, to recover all costs incurred by the City for tree replanting and, if possible, all costs associated with the removal and disposition of trees and the removal of contaminated or potentially contaminated yard waste in the Regulated Area, and further, if any decisions or orders for compensation made on such applications are unsatisfactory or inadequate, to commence any available appeals to an Assessor under the *Plant Protection Act* and *Compensation Regulations* ; and
4. That all other funding sources, previously identified, continue to be pursued.

Economic Impact

There are no economic impacts associated with the preparation of this report. The report has identified significant costs that the City has accrued to-date along with the potential for future costs in the fight against the Asian Long-Horned Beetle (ALHB) infestation. The City will be financially responsible for such costs unless full compensation or alternative funding sources can be secured.

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Purpose

The purpose of this report is to: provide an update on the costs that have been incurred to-date by the City of Vaughan in the fight against the Asian Long Horned Beetle infestation; provide an update on the potential for future cost liabilities associated with the infestation; and recommend a strategy for dealing with and/or recovering such costs.

Background – Analysis and Options

a) Overview

In the autumn of 2003 the Asian Long Horned Beetle was discovered in the Woodbridge area of Vaughan and in the northwest section of Toronto. Its larvae feed on certain species of hardwood trees, ultimately killing them. The ALHB is an invasive species and there are no natural predators in North America or biological treatments available to control their spread. The beetles represent a serious threat to our hardwood forests, which if left unchecked, could have negative aesthetic, economic and environmental consequences on a local, provincial and national scale.

Further infestations were discovered in the fall of 2004 and the summer of 2005. Eliminating the beetle involves finding and severing the pathways of introduction and finding and eradicating all known infestations. The eradication measures adopted in Vaughan and Toronto are partially based on the experience of other North American cities that are suffering infestations. The Canadian Food Inspection Agency ("CFIA"), which is the responsible agency, has also brought together scientists who specialize in the eradication of invasive quarantine insects to provide advice and assistance.

Under the Federal *Plant Protection Act* the CFIA is responsible for preventing the entry and spread of invasive species. As such, the CFIA has the authority to control and eradicate infestations. In February 2004 it established the Asian Long Horned Beetle Regulated Area. The Vaughan portion of the regulated area is encompassed by Steeles Avenue on the south; Highway 27 on the west; Rutherford Road on the north; and Dufferin Street on the east. As such, the infested areas discovered in 2004 and 2005 are within the Regulated Area.

The CFIA issued the *Asian Long Horned Beetle Infested Places Order*. It restricts the movement of any tree materials (including nursery stock, trees, leaves, logs, lumber, wood, wood chips and bark chips from susceptible species of trees as well as firewood from all species) out of the Regulated Area, unless authorized by the CFIA by its issuance of a movement certificate.

The means of control of the ALHB is time consuming and labour intensive. Visual inspections are undertaken on all host trees within 1200 m of an ova position (i.e. egg laying site) or infestation. All trees that show signs of infection are removed along with potential host trees that are within 400 m of an infected tree. The resulting plant material is then ground into mulch in order to destroy the beetles as part of the preventive measures required to prevent the spread of the beetle. Similarly, all leaf and yard waste from within the regulated area must be ground as this material has the potential to harbour the beetle.

The City of Vaughan has been an active and willing participant in the CFIA eradication program. The City's participation and financial and in-kind contributions have included: sitting on the Intergovernmental Task Force and various sub-committees; supporting public notification and outreach; assisting the CFIA in the identification and removal of affected trees; and adjusting garbage collection practices in order to meet the CFIA's requirements for the Regulated Area.

It is noted that Ontario-Federal Council presented the City of Vaughan with a Leadership Through Collaboration Award 2004 for its contribution to the ALHB control and eradication program.

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All of these measures have had financial implications for the City. Some federal compensation has been received for various aspects of the work done to-date. However, full cost recovery has not been possible with respect to all work done and costs incurred by the City, including removal of trees and disposition costs, etc.

The replacement of City street trees commenced in November 2005 and will continue in May 2006. Thereafter the replacement of woodlot trees will commence. Despite the fact that some compensation will be available from the federal government through the CFIA for the replanting program, the compensation will be only partial compensation in accordance with the *Introduced Forest Pest Compensation Regulations* under the *Plant Protection Act*. It has the potential to have significant financial implications for the City. If city-standards are applied to the replacement trees, the financial implications will be even greater. The level of compensation available will not provide for the size of tree (50 mm caliper, balled and burlapped) that would normally be planted by the City. Instead, a 40 mm calliper potted tree is being used to replace street trees and, even in this case, the level of compensation available in accordance with the Regulations will be less than half of the total costs of replanting street trees to the City.

b) Council Direction

On October 31, 2005, Council adopted a resolution directing that “Staff identify all costs associated with the Asian Long Horned Beetle Infestation and develop a strategy on the issue”. This report will compile the costs to-date, the compensation received to date or available and the potential for future costs. The report will conclude with a discussion of the strategy options available to the City, should Council wish to pursue additional funding or compensation.

c) City of Vaughan Expenditures by Department

i. Public Works Department (Waste Management Section)

Role: Providing for the collection of contaminated/potentially contaminated yard waste within the Asian Long Horned Beetle Regulated Area, advertising of pick-up schedules and assisting York Region in the operation of the Dufferin Street receiving yard on an occasional basis.

The Waste Management Section's expenses were largely incurred during 2004 and are mostly attributable to the curbside collection of contaminated/potentially contaminated leaf and yard waste material. Given that clear plastic bags were acceptable for leaf and yard waste in 2004, collection crews were able to ascertain at point of pick up whether the material was host ALHB material or non-host ALHB material.

From April to November the City was required to run a second fleet (referred to as a “second pass”) of leaf and yard waste collection vehicles, which were designated only to pick up contaminated/potentially contaminated leaf and yard waste. The contaminated/potentially contaminated material was taken to a York Region facility for grinding and disposal in accordance with Canadian Food Inspection Agency (CFIA) requirements.

The initial pass, which was a standard city service, collected the non-host material and hauled it to a facility in the Region of York.

The Region of York banned the use of clear plastic bags for leaf and yard waste as of January 1, 2005. Collection requirements only permitted leaf and yard waste material to be set out in kraft paper bags or open top rigid containers. As a result, the nature/type of leaf and yard waste could not be determined by visual inspection.

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In 2005 all of the yard waste was collected in the regular pick up but the material from within the Regulated Area was sent to the city-owned yard off of Dufferin Street for processing. The processing operations are conducted by the Region of York. This resulted in the termination of the City's "second pass" program at the end of 2004.

Summary of Expenditures by Year:

2003

No expenditures.

2004

Advertising in Local Newspapers: \$ 6,529.68
Advertising on Mobile Signs: \$ 4,370.00

Leaf and Yard Collection "Second Pass" in Regulated Area: \$238,134.71

Equipment and Labour Costs: \$ 2,689.67

SUB TOTAL 2004 \$251,724.06

2005

Equipment and Labour Costs \$ 5,656.58

SUB TOTAL 2005 \$ 5,656.58

TOTAL \$257,380.64

Recovery of Costs to Date:

By letter dated September 20, 2004, a request was made to the CFIA for reimbursement for the costs incurred by the Vaughan Public Works Department (Waste Management Section) in eradicating the Asian Long Horned Beetle infestation. Compensation was requested for the ALHB advertisements and for the "second pass" of yard waste collection, which was solely dedicated to the pick up of contaminated or potentially contaminated leaf and yard waste material in the ALHB Regulated Area.

By letter dated October 27, 2004 the request for reimbursement was denied by the CFIA's Inspection Manager for the Toronto Region. The denial of compensation was based on a provision of the *Plant Protection Act*, which states that federal government is not liable for any costs, losses or damages for any actions. The letter went on to state, ". . . that Vaughan should not expect reimbursement from the CFIA in the coming years and should plan its operations accordingly."

On October 12, 2004 Council ratified a resolution (Resolution 7) adopted by the Intergovernmental Task Force that requested that the CFIA be requested to reimburse the City of Vaughan, Region of York and the City of Toronto for all extra costs incurred for waste collection as a result of the Asian Long Horned Beetle infestation. A response to this request, dated February 10, 2005, was received from the federal Minister of Agriculture. The Minister reiterated the earlier response from the CFIA (October 27, 2004) and advised that, ". . . the CFIA is not in a position to pay any additional costs associated with the control and eradication of this pest as related to Resolution 7".

On May 24, 2005 Council adopted the following motion: "That the Canadian Food Inspection Agency be requested to reimburse the costs associated with the collection of the ALHB yard and leaf waste in the amount of \$249,034.40 for the year 2004 and for each subsequent year until

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such time as the ministerial order is removed by the Minister of Agriculture and Agri-Food Canada”.

Future Costs and Liabilities:

Based on current operations there appears to be limited exposure to future costs. It is expected that City staff and equipment will continue to assist York Region in the operation of the Dufferin Street Yard on an occasional basis. This is largely confined to equipment and labour costs and they are not expected to exceed the expenditures incurred in 2005.

ii. Parks and Forestry Operations

Role: Assisting the Canadian Food Inspection Agency in the inspection of trees for infestation, assisting the CFIA in the cutting and disposal of affected or potential host trees and the planting of replacement trees on city-owned lands.

Parks and Forestry Operations have been assisting the Canadian Food Inspection Agency in its efforts to eliminate the Asian Long Horned Beetle since 2003 and the discovery of the infestation. Costs accruing to Parks and Forestry Operations relate mainly to the use of staff time and city equipment. The annual breakdown is set out below.

Summary of Expenditures by Year:

<u>2003</u>	
Equipment and Labour Costs	\$ 49,684.99
<u>2004</u>	
Equipment and Labour Costs	\$126,739.82
<u>2005</u>	
Equipment and Labour Costs	<u>\$ 42,746.40</u>
Sub-Total	\$219,171.21

Related Costs

Hiring a contractor to tub grind large logs in the Regulated Zone.	\$ 3,500.00
Free Mulch Giveaways (November 2004 and October, 2005)	
Staff, Equipment and Advertising Costs	<u>\$ 2,000.00</u>
TOTAL	\$224,671.21

Compensation To-date from the CFIA **\$211,791.02**

Recovery of Costs to Date:

The CFIA has been compensating the City for the staff time and equipment that is being used in the eradication program. The City has been issuing monthly invoices to the CFIA. Full compensation for 2003 (\$49,684.99) and 2004 (\$126,739.82) has been paid. For 2005 a total of \$35,366.21 of the \$42,746.40 cost has been remitted to the City to-date. A total of \$7,380.19 remains outstanding. These invoices will now be paid as a result of the submission of a Partnership Agreement between the City and the CFIA covering the role and responsibilities of each partner in the ongoing surveying and inspection work. In February, 2006, Council approved

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this partnership agreement, which allows the CFIA to reimburse the City for the outstanding invoices (currently at \$7,380.19) for the year April 1, 2005 to March 31, 2006. The last invoice for work done was sent in December 2005 and two invoices remain unpaid.

Future Costs and Liabilities:

Eradication and Control

Future costs will depend on the duration and extent of the infestation and any subsequent monitoring program that the City may participate in. Costs peaked in 2004 and later discoveries of beetle activity have encompassed smaller areas. New areas of infestation were discovered in the summer of 2005. Therefore, additional costs for inspection and eradication can be expected for 2006. However, it is anticipated that any costs contemplated in the existing arrangements with the CFIA will continue to be compensated as in the past.

The City has been hiring a contractor to tub grind large diameter logs in the Regulated Zone. They are of different size that they cannot be handled with the City's equipment. The annual cost is estimated at \$3,500 and this cost is expected to continue into the immediate future.

Tree Replacement-Replanting

Compensation for the replacement or replanting of trees on municipal land will be affected by federal regulations. Under the *Plant Protection Act*, the *Compensation Regulations* (the *Introduced Forest Pest Compensation Regulations* introduced in May 2004) provide that the Minister may order the payment of compensation for the loss of a host tree in an amount equivalent to the direct costs incurred to acquire and plant the replacement tree. This is subject to the following additional limits on compensation:

- On lands zoned for residential, commercial or industrial use or for an educational institution or a hospital – **Maximum \$300.00/host tree disposed of;**
- On "public land" including public land that is used as a park, sports field, recreation trail or other similar recreational area - **Maximum \$150.00/host tree disposed of;**
- On lands within a woodlot if it is zoned for commercial, industrial or livestock or vegetation-based agricultural uses – **Maximum of \$40.00/host tree disposed of;**

As such the compensation available to the City is capped at a maximum of \$150.00 per street tree (and a maximum of \$40.00 per woodlot tree). The City recognized that this amount is inadequate. Therefore, at the July 14, 2004 meeting of the Intergovernmental Task Force the following Resolution 4 was adopted:

WHEREAS the Canadian Food Inspection Agency (CFIA) has allocated \$150 dollars per tree for replacement of Municipal Trees.

AND WHEREAS the cost to municipalities for replacement trees, planting, plant warrantees and maintenance exceeds the funding allocated.

AND WHEREAS there is considerable evidence that the original cost of trees was considerably higher.

THEREFORE LET IT BE RESOLVED THAT The Asian Long Horned Beetle Intergovernmental Task Force request that the Canadian Food Inspection Agency (CFIA) increase the funding allocation for municipal trees to \$300 consistent with the funds allocated for tree replacement on private lands.

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This resolution (among others) was ratified by Vaughan Council on October 12, 2004 and was forwarded to the federal Ministry of Agriculture. By letter dated February 10, 2005, the Minister advised, "With regard to Resolution 4, there are no plans to amend the regulations to review the dollar amounts allocated for each tree category".

On May 24, 2005 a report entitled "Asian Long-Horned Beetle and Tree Replacement Strategy for Public Lands" proceeded to Council. Council adopted a motion reiterating its position on the funding shortfall. It stated that, "approval be requested from the Canadian Food Inspection Agency regarding the previous motion sent out by the Intergovernmental Task Force requesting that \$300 per tree be approved for public lands in the City of Vaughan".

The May 24, 2005 report identified the potential cost implications surrounding the replacement trees. The City of Vaughan standard for street trees requires that they be 50 mm in caliper and be balled and burlapped. The cheaper alternatives are to plant bare root trees or potted trees. The balled and burlapped trees are initially more expensive but have a better survival rate. The other alternatives tend to be shorter, frailer, prone to vandalism and needing more frequent watering.

With the funding limited to \$150.00 for municipal trees, the money is only sufficient for the purchase and planting of less expensive stock (i.e. bare root trees). Typically, balled and burlapped trees cost more than \$300.00 each, purchased and planted.

As such, the City standard cannot be maintained unless the municipality makes up the cost difference between the two standards. Based on the early 2005 estimates, the cost implications were as follows:

Standard	Number of Street¹ Trees	Cost per Tree	Total
Vaughan	958	\$300	\$287,400
CFIA	958	\$150	\$143,700
Funding Shortfall to Replant as per Vaughan Standard			\$143,700

¹ A total of 1903 woodlot trees are affected and their replacement would cost \$76,120, based on \$40/tree.

To replace the trees in accordance with the Vaughan standard it was projected that an additional \$143,700 would be required for the street trees. As this is based on earlier cost estimates, several variables had to be adjusted to project to 2006 and beyond. First, because of the discovery of new infestations, the number of tree removals and replacements will increase. Second, the costs of replacing the trees would need to reflect the prices from contractors resulting from the actual tenders issued by the City.

Based on the responses to the tenders issued last summer, the costs will substantially exceed the amount the CFIA is willing to pay for the replacement of trees. The cost quoted from the initial tender in 2005 (May 30 closing) averaged \$500.00/tree for 50 mm caliper, balled and burlapped stock including installation, guarantee and two years of maintenance.

In order to reduce costs the tender was redone (closing July 11, 2005) specifying potted trees with a 40 mm caliper. The winning bid submission provided for a price of \$381,472 based on 958 - 40 mm potted trees.

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Another letter dated August 25, 2005 was sent by the Director of Parks and Forestry Operations to the Regional Director of the CFIA for the Toronto Region, which asked for a smaller increase in compensation for each boulevard tree from \$150 to \$250. This would bring the total federal contribution to \$315,620 ($\$250.00 \times 958 + \$76,120.00 = \$315,620$). This request was made to show the CFIA that the City was making every attempt to work out a reasonable solution.

By letter dated September 2, 2005 the Regional Director of the CFIA advised that, “the Honourable Andy Mitchell, Minister of Agriculture and Agri-Food Canada, informed the City of Vaughan that there were no plans to amend the figures allocated to each replacement tree category in the *Introduced Forest Pest Compensation Regulations*. In absence of an amendment to this effect, the Agency is not at liberty to deviate from same.”

It is noted that \$100,000 was allocated in the 2006 Capital Budget for ALHB tree replacement, in the event that additional funding was not approved by the CFIA.

The following table summarizes the costs to the City of proceeding with the replanting on the basis of 40 mm caliper potted trees. The calculation is based on 958 street trees and 1903 woodlot trees and the prices obtained in the July 11, 2005 tender for 40 mm caliper potted trees. These trees were removed as a result of the initial discovery of the infestation in 2003. Further replanting will take place because of the tree removal that took place as a result of later discoveries. The CFIA has not confirmed as yet the number of trees that will need to be replaced beyond those affected by the first discovery in 2003.

Tree Type	Number Of Trees	Average Cost/Tree	Cost to replant	Compensation/Tree From CFIA	Total confirmed CFIA Compensation	Net Cost to City
Street Tree	958	\$398.20	\$381,472	\$150/tree	\$143,700	\$237,772
Woodlot Tree	1903	\$40	\$76,120	\$40/tree	\$76,120	\$0
TOTAL SHORTFALL – FIRST REPLANTING, WITH CFIA FUNDING						\$237,772

The result is a total shortfall of \$237,772, which will have to be assumed by the City of Vaughan.

Funding Opportunities for Future Work

The Invasive Alien Species Partnership Program

The Invasive Alien Species Partnership Program is run by Environment Canada. Its goal is to prevent, detect and manage Invasive Alien Species in order to minimize their risk to the environment, economy and society. Program funding is available to eligible organizations, including municipalities, to address the threat of aquatic invasive alien species, terrestrial invasive alien plants and plant pests and invasive alien animals.

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The program has two funding timeframes. The first allocation was for projects that would be completed by March 31, 2006. The last date for the submission of applications was December 16, 2005. This initial release of funding will be focusing on education and outreach initiatives that address the priority pathways of invasion.

The second allocation is available to support projects that will be initiated April 1, 2006 and completed by March 31, 2007. Funding for the second release will be directed to a wider range of potential projects. Examples include:

- Developing and implementing initiatives that target stakeholders or activities that contribute to the spread of invasive alien species;
- Providing information to assist stakeholders in identifying invasive alien species;
- Developing educational material for distribution to secondary schools;
- Developing and conducting early detection and monitoring programs designed to detect invasive alien species;
- Developing and implementing targeted eradication, containment and control projects for high-profile invaders, where management techniques have a high probability of success.

Up to \$50,000 per year will be available for individual projects. Multi-year projects, up to a maximum of three years, will be considered. Multi-year projects will be required to submit annual progress reports.

The City has submitted an application to Environment Canada for funding for the first release under this program. The project is entitled the *Invasive Alien Species Awareness and Monitoring Program*. The application is proposing a three year program commencing in the spring of 2006 and running to December 30, 2009. The purpose of the project is to target invasive species that may enter the municipality in the future as well as manage the ones that are already present. This will be achieved through the development of educational material to inform and educate residents in order to reduce the risk of invasive alien species to the environment.

The program will be conducted in five phases as follows:

- Phase 1:** Develop a code of conduct and job description for the project coordinator. Stakeholders and greatest threats will be identified.
- Phase 2:** Project co-ordinator will research, present and conduct seminars. An invasive species data base will be developed along with links to partner agencies and governments. This will provide a portal for the public and other stakeholders to report and confirm the presence of invasive species and to allow for timely feedback.
- Phase 3:** Expansion of educational data into DVD or video presentations for distribution to larger audiences, with outreach to community groups and business leaders. This will allow for the expansion of the outreach program through the use of staff or volunteers.
- Phase 4:** Monitoring the effectiveness of the educational and outreach programs through surveys and other feedback methods.
- Phase 5:** Development of ongoing programs and guidelines for high risk invasive species control and monitoring, through a series of action plans and preventive strategies and policies, with containment being a strong focus for the program. A networking strategy will also be put in place to ensure awareness amongst the governmental stakeholders.

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The City is applying for \$50,000 per year from the Invasive Alien Species Partnership Program. Total annual project cost is estimated at \$66,500 from the following sources:

Alien Species Partnership Program	\$50,000
City of Vaughan	\$10,500
Toronto and Region Conservation Authority	\$ 3,000
Canadian Food Inspection Agency	<u>\$ 3,000</u>

TOTAL \$66,500

The City of Vaughan contributions are in-kind and include staff support, advertising on the City Page and tools and equipment. The TRCA and the CFIA would provide technical and professional support.

Presently, Council approval for the funding of this project has not been approved. Council approval would be required prior to the project proceeding.

Status of Other Funding Sources

Other sources of potential funding have been identified, which can be used to offset some of the costs of tree replacement. They are identified below.

The Tree Canada Foundation

On May 25, 2005 Council requested that the Tree Canada Foundation provide Vaughan's share of the \$8,000 it has allocated to the replacement of trees that have been destroyed by the Asian Long Horned Beetle within the ALHB regulated area. Under cover of correspondence dated January 12, 2006, the Foundation provided \$3,200 to assist the city in the replanting program.

The Region of York

On March 25, 2004 Regional Council committed \$50,000 to the replacement of regionally affected trees on properties within the ALHB regulated area, streetscaping and natural heritage plantings. At the time, the staff report indicated that the funds should be held until the re-vegetation strategy has been developed. On May 24, 2005 Council adopted a motion requesting the allocation of the \$50,000 committed by the Region for tree enhancements/replacements in the regulated zone. The City has yet to receive these funds but is continuing to work with Regional Staff.

The Ministry of Natural Resources

In February 2005 the Ministry of Natural Resources announced that a fund of \$1 million would be made available to replace forest cover to mitigate the impact of invasive species, such as the Emerald Ash Borer and the Asian Long Horned Beetle. MNR proposed that the \$350,000 of the \$1 million dollar fund be allocated to address forest cover and habitat loss in the ALHB Regulated Area. The City of Vaughan was allocated \$100,000. On June 15, 2005 Council enacted By-law 184-2005 to authorize the execution of an agreement between the City and the Ministry. The City agreed to following measures:

- The planting and establishment of 3,726 trees native to southern Ontario as follows:
 - 595 trees at Marco Park, south of Langstaff, east of Pine Valley Drive;
 - 2,969 trees at the Weston Downs storm water management pond;
 - 162 trees in roadway corridors between Pine Valley Drive, Weston Road, Rutherford Road and Regional Road 7.

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The agreement further provides that the plantings are for the expansion of the urban forest canopy and are not for the direct replacement of trees ordered removed by the Canadian Food Inspection Agency.

iii. Corporate Communications

Role: Providing communications support to city departments, the Intergovernmental Task Force and related committees to ensure that the public is kept apprised of the Asian Long Horned Beetle infestation, including the risks involved, the eradication measures and their implications for the public.

Summary of Expenditures by Year:

2003

Staff Costs (245.5 hrs. @ \$36.80/hr) \$ 9,034.40

2004

Staff Costs (46 hrs. @ \$36.80/hr.) \$ 1,692.80
Advertising \$ 316.00

2005

Staff Costs (247.5 hrs. @\$36.80/hr.) \$ 9,108.00
Advertising \$ 190.00

TOTAL \$ 20,341.12

Recovery of Costs to Date:

There have been no requests for cost recovery in respect of the work done by Corporate Communications on the Asian Long-Horned Beetle file.

Future Costs and Liabilities:

The extent of future work by Corporate Communications will be dependent on a number of variables. These may include, but not be limited to: The emergence of new infestations and the implementation of eradication measures, the level of public information that is deemed to be necessary, the activity of any committees associated with the Asian Long Horned Beetle situation and the need for distribution of supplementary public information during the monitoring/replanting period.

It is noted that the City's application under the Invasive Alien Species Partnership Program includes an annual in-kind contribution of \$5,000 attributable to the Corporate Communications Department.

Barring extraordinary events, costs attributable to Corporate Communications should not exceed the 2005 expenditure.

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d) Summary of Expenditures and Compensation to-date

i. Support Work Exclusive of Tree Replanting by Department

Public Works Department	Expenditure:	\$257,380.64
Waste Management Section	Compensation:	<u>\$ 0.00</u>
	Net Expenditure:	\$257,380.64
Parks and Forestry Operations (Not Including Tree Replanting)	Expenditure:	\$219,171.21
	Compensation (Paid):	\$211,791.02
	Compensation (Pending):	<u>\$ 7,380.19</u>
	Net Expenditure:	\$ 5,500.00
Corporate Communications Department	Expenditure:	\$ 20,341.12
	Compensation:	<u>\$ 0.00</u>
	Net Expenditure:	<u>\$ 20,341.12</u>
	TOTAL NET EXPENDITURE:	\$283,221.76
	(Prior to Replanting)	

**ii. Tree Planting – Cost as Known To-date
Parks and Forestry Operations**

The following summary calculation is based on 958 street trees and 1903 woodlot trees and the prices obtained in the July 11, 2005 tender for 40 mm caliper potted trees. Replanting of the 958 street trees commenced in November 2005, with 62 street trees planted with the remaining 896 street trees scheduled to be planted commencing in May 2006. Upon the receipt of Notices to Dispose from the CFIA in March and November, 2004, both these street trees and the woodlot trees (Aviva Woodlot and Ansley Grove Woodlot) were removed as a result of the initial discovery of the infestation in 2003. Further replanting will be required because of the tree removal that has and will take place as a result of later discoveries. The CFIA has not confirmed as yet the number of trees that will need to be replaced beyond those affected by the first discovery in 2003.

City Cost - 958 Street Trees @ \$398.20/tree:	\$381,472
CFIA Compensation (Reg)– 958 Street Trees @ \$150.00/tree:	<u>\$143,700</u>
	Net Cost \$237,772
City Cost – 1903 Woodlot Trees @ \$40.00/tree:	\$ 76,120
CFIA Compensation (Reg) – 1903 Woodlot Trees @\$40.00/tree:	<u>\$ 76,120</u>
	Net Cost \$ 000
	 TOTAL COST \$ 237,772

iii. Aggregate of Costs to the City

Based on the information set out above, the financial impact on the City since the on-set of the infestation is as follows:

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Support Work Exclusive of Tree Replanting – Total Net Expenditure	\$283,221.76
Tree Replanting (For trees removed from initial first discovery)	<u>\$237,772.00</u>
TOTAL	\$520,993.76¹

¹ This does not include any future expenditures that the Public Works Department and Corporate Communications may incur over the remainder of 2006 or the participation by the City in the Invasive Alien Species Partnership Program, if the City's application is successful. This does not include additional tree replacements since the initial removals in 2003/04.

e) Strategy Options

The City of Vaughan has recognized the Asian Long Horned Beetle as a major threat to Canada's ecosystems and has willingly participated in the CFIA eradication program. This has resulted in a high level of engagement by both Council and staff. Progress has been made. However, infested areas do remain and it is not yet known how long it will take until the pest has been completely eliminated. It can be assumed that the City will continue to play a role in the control and remediation measures for some time into the future.

City staff take the position that the strategy to be followed by the City of Vaughan for the future should be based on the following:

- The City should continue to be fully engaged in the monitoring and eradication program to ensure that the protection of Vaughan's hardwood resources and urban environment remains a priority with all concerned levels of government and agencies;
- The City should continue to be compensated for assisting the CFIA in conducting surveying work and inspections, as under the Partnership Agreement with the CFIA;
- The planting of replacement trees should continue;
- The City should continue to seek full compensation for all outstanding disposition and removal costs, yard waste costs and other related costs, together with full compensation for replacement costs as per the City's standard and contract(s) for tree replacement.

On this basis, Staff will submit the required Applications for Compensation under the federal *Plant Protection Act*, S.C. 1990, c. 22 and/or the *Introduced Forest Pest Compensation Regulations*, P.C. 2004-608, 10 May 2004, as amended by SOR/2005-255, to recover all costs incurred by the City for tree replanting and, if possible, all costs associated with the removal and disposition of trees and the removal of contaminated or potentially contaminated yard waste from the regulated area.

The City has made a number of requests to the federal Minister of Agriculture and the CFIA for funding support for the waste disposal measures and for an increase in the available funding for replacement trees. To-date, all have been denied. While the CFIA has compensated the City for some of the support work, the City has undertaken the uncompensated costs, including the planned and approved tree replanting for 2006, which stand at \$520,993.76.

The City should continue to pursue additional funding. The applications filed under the *Plant Protection Act* and the *Introduced Forest Pest Compensation Regulations* should request full compensation. If any decisions or orders for compensation made on the applications are unsatisfactory or inadequate, Staff should be directed to commence any available appeals to an Assessor under the *Plant Protection Act* and *Compensation Regulations*. This has the potential to provide the City with another venue to advance its case for more compensation.

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Relationship to Vaughan Vision 2007

This report is consistent with Vaughan Vision as it strives to provide service excellence to Vaughan citizens, ensure the City-wide protection of the environment and establish a position of “advocacy” for Vaughan priorities with other levels of government.

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

Conclusion

The City has been an active partner in the fight against the Asian Long-Horned Beetle infestation. The resulting costs to the City have been substantial and will continue for some time to come. The level of compensation available from the federal government is insufficient and will have budget impacts and will hamper the ability of the City to replant its boulevards to its standard.

In moving forward, the City should continue to seek improvements in the compensation provided by the federal government. The funding for tree replanting was initially inadequate and as time goes on the City’s level of financial exposure will increase as a result of inflation. In addition, there were a number of other expenses that the City had to absorb.

Therefore, the City should file the Applications for Compensation under the *Plant Protection Act* and the *Introduced Forest Pest Compensation Regulations* requesting full compensation wherever possible. Should full compensation not be granted, all available avenues of appeal under the pertinent legislation should be pursued.

Attachments

N/A

Report Prepared by:

Roy McQuillin, Manager of Corporate Policy, ext. 8641

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 4, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

4 APPOINTMENT OF MUNICIPAL WEED INSPECTORS

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Community Services, dated April 3, 2006, be approved; and**
- 2) That the memorandum of the Manager of Parks, dated March 9, 2006, be received.**

Recommendation

The Commissioner of Community Services in consultation with the Director of Parks & Forestry Operations recommends:

That Mr. Frank Romano, Mr. Nick Elias and Mr. Andrea Caravaggio, be appointed as Municipal Weed Inspectors for the City of Vaughan as authorized under Section 8.(1) of the Weed Control Act, revised Statutes of Ontario, 1990 Chapter W.5.

Economic Impact

There is no economical impact.

Purpose

To provide the Ministry of Agriculture the names and the individuals responsible for enforcing the act.

Background - Analysis and Options

Each year, the City is required to appoint municipal weed inspectors for the purpose of enforcing the Weed Control Act, R.S.O. 1990, under section 8, which states:

- (1) "The Council of any municipality not referred to in subsection 6 (1) may by by-law appoint one or more persons as municipal weed inspectors to enforce this Act in the area within the Council's jurisdiction and fix their remuneration or other compensation."

The Minister of Agriculture and Food for the Province of Ontario must be notified by May 1st of each year as to who will be Municipal Weed Inspectors. Traditionally, the enforcement of the Weed Control Act has been the responsibility of the Parks & Forestry Operations Department who have employees trained to identify noxious weeds. This notification has been submitted to the Clerks Department in March 2006.

Relationship to Vaughan Vision 2007

This report relates to Vaughan Vision 1.0 Service Delivery Excellence, "improve community safety through design, prevention, enforcement and education".

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

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Conclusion

It is requested that Frank Romano, Nick Elias and Andrea Caravaggio be added to the list of approved Weed Inspectors at the City of Vaughan as authorized under Section 8.(1) of the Weed Control Act, Revised Statutes of Ontario, 1990.

Attachments

None

Report prepared by:

Marjie Fraser, Director of Parks and Forestry, Ext. 6137

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 5, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

5

AWARD OF TENDER T06-050
SUPPLY AND DELIVERY OF TWO 16-FOOT WINGED ROTARY MOWERS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated April 3, 2006:

Recommendation

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

1. That Tender T06- 050, for the supply and delivery of two 16 foot winged rotary mowers are awarded to G. C. Dukes Equipment Ltd. for a total price of \$162,725.00, and;
2. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Project #5063 was approved in the 2006 capital budget and funded from Development Charges, whereas project 5058 was approved in the 2005 capital budget and funded from fleet reserve.

Purpose

To award tender T06-050 for the supply and delivery of two 16 foot mowers.

Background – Analysis and Options

Council approved funds for projects #5058-0-05, and 5063-0-06, to purchase the two mowers as part of the ongoing equipment program. Funds were approved in 2005 and 2006 as part of the capital budget, funded from the Development Charges and fleet reserve.

This tender was advertised in the Liberal and the Electronic Tendering Network (ETN), with thirteen (13) bid documents picked-up and two (2) compliant bids were received on closing date March 16, 2006.

The result of the bids including G.S.T and P.S.T are as follows:

<u>Supplier</u>	<u>Bid</u>
G. C Dukes Equipment	\$162,725.00
Turf care Products Canada Ltd	\$171,005.00

Relationship to Vaughan Vision 2007

This report is in keeping with Vaughan Vision 2007 as it strives to ensure that the municipality operations are undertaken in a responsible manner.

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 has reviewed the submission and based on the tender results, and the ability of the manufacturers to supply the required equipment, it is recommended that the tender be awarded to G. C. Duke Equipment Ltd.

There are sufficient funds available in the approved Capital Budget to complete this project.

Attachments

None

Report Prepared by:

Alvin Boyce, Fleet Maintenance Supervisor, ext. 6141

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Item 6, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

6

**AWARD OF TENDER T06-025
UV1-N4 NEIGHBOURHOOD PARK DEVELOPMENT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated April 3, 2006:

Recommendation

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

1. That T06-025, UV1-N4 NEIGHBOURHOOD PARK DEVELOPMENT be awarded to Pine Valley Enterprises Inc. for the amount of \$355,565.19 (excluding G.S.T.); and,
2. That a contingency allowance of 10% be approved, within which the Commissioner of Community Services is authorized to approve amendments to the contract; and,
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Capital project #5947-0-04 – UV1-N4 Neighbourhood Park Development funding was approved in the Capital Budget. An annual operating cost of \$20,685.00 is required to maintain this park once completed.

Purpose

The purpose of this report is to seek approval to award tender T06-025 for the development of UV1-N4 Neighbourhood Park.

Background - Analysis and Options

The project is for the construction of the UV1-N4 Neighbourhood Park Development which is located west of Fossil Hill Road and east of Kingsview Drive in Woodbridge. Capital project #5947-0-04 – UV1-N4 Neighbourhood Park funding was approved in the Capital Budget. Construction includes the following in accordance with the master landscape plan: one junior soccer field; one ball hockey/basketball court; gazebo; playground area with senior and junior play units; concrete paving and asphalt pathways, lights; site furnishings; plantings and hydraulic seeding. Proposed provisional items include masonry pillars, ornamental metal fencing and decorative backless benches. The proposed park components were developed by Parks Development Department and were reviewed by City of Vaughan Engineering Services Department, Parks Operations and Forestry, Fire Department, and the York Regional Police with regards to the principles of CPTED – Crime Prevention Through Environmental Design.

This tender was advertised in the Daily Commercial News and the Electronic Tender Network (ETN). Tenders were closed and publicly opened on Tuesday, March 7th, 2006. Fifteen (15) bid documents were received. The bid results of the five (5) lowest bids are as follows:

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<u>Contractor</u>	<u>Base Tendered Price</u> <u>(excluding GST)</u>	<u>Provisional Items</u> <u>(excluding GST)</u>	<u>Total Tendered Price</u> <u>(excluding GST)</u>
Pine Valley Enterprises Inc.	\$333,925.00	\$21,640.19	\$355,565.19
Melfer Construction	\$339,000.00	\$23,084.11	\$362,084.11
Gateman-Milloy Inc.	\$357,442.09	\$13,763.18	\$371,205.27
Zuron Construction Inc.	\$362,125.00	\$32,771.03	\$394,896.03
P. Gabriele & Sons Ltd.	\$362,701.90	\$27,926.40	\$390,628.30

Relationship to Vaughan Vision 2007

UV1-N4 Neighbourhood Park Development will provide facilities that promote a safe, livable, and sustainable parkland environment for the local community.

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

Conclusion

Parks Development and Purchasing Department staff have reviewed the bid submissions and have determined that the low bid contractor, Pine Valley Enterprises Inc., is deemed to meet the requirements of the contract.

Upon award of Tender, this project will commence within ten (10) working days from the Date of Notification of Award, weather permitting and will be completed on or before August 2006.

Attachments

None

Report prepared by:

Charles Kuo, Landscape Technician, Ext. 3203
Paul Gardner; Director of Parks Development, Ext. 3209

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 7, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

7

**AWARD OF TENDER T06-022
CALVARY CHURCH (NASHVILLE ROAD)
SOCCER AND BASEBALL FIELD CONSTRUCTION**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated April 3, 2006:

Recommendation

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

1. That T06-022, CALVARY CHURCH (NASHVILLE ROAD) – SOCCER & BASEBALL FIELD CONSTRUCTION be awarded to Dol Turf Restoration Ltd. for the amount of \$270,559.09 (excluding G.S.T.); and,
2. That a contingency allowance of 10% be approved, within which the Commissioner of Community Services is authorized to approve amendments to the contract; and,
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Capital project #6055-0-05 – Calvary Church (Nashville Road) Soccer and Baseball Field Construction funding was approved in the 2005 budget. The annual operating cost of \$29,350.00 is required to maintain this park once completed.

Purpose

The purpose of this report is to seek approval to award tender T06-022 for the development of Calvary Church (Nashville Road) Soccer and Baseball Fields.

Background - Analysis and Options

The project is for the construction of the Calvary Church (Nashville Road) – Soccer and Baseball Fields, located north of Nashville Road and west of Huntington Road in Kleinburg. Capital project #6055-0-05 – Calvary Church (Nashville Road) – Soccer and Baseball Field Construction funding was approved in the 2005 budget. In June of 2005, the City of Vaughan entered into a five (5) year lease agreement (with the option to renew for an additional five years) with Calvary Church regarding the construction, use and maintenance of two unlit soccer fields and one unlit baseball field. Construction funding was approved and includes the following: two unlit senior soccer fields, one unlit senior softball field, shade/portable washroom shelter, concrete paving and granular pathway; and hydraulic seeding with composted soil. Provisional items added to the contract include benches and trash receptacles. The proposed park components were developed through consultation with Calvary Church and were reviewed by the York Regional Police with regards to the principles of CPTED – Crime Prevention through Environmental Design.

This tender was advertised in the Daily Commercial News and the Electronic Tender Network (ETN). Tenders were closed and publicly opened on Thursday, March 2, 2006. Seventeen (17) bid documents were received. The bid results of the five (5) lowest bids are as follows:

CITY OF VAUGHAN

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<u>Contractor</u>	<u>Base Tendered Price</u> <u>(excluding GST)</u>	<u>Provisional Items</u> <u>(excluding GST)</u>	<u>Total Tendered Price</u> <u>(excluding GST)</u>
Dol Turf Restoration Ltd.	\$255,869.52	\$14,689.57	\$270,559.09
Zuron Construction Inc.	\$366,868.00	\$23,831.78	\$390,699.78
Loc-Pave Construction Ltd.	\$373,810.00	\$25,794.39	\$399,604.39
Northgate Farms Ltd.	\$380,345.00	\$15,140.19	\$395,485.19
Pine Valley Enterprises Inc.	\$440,350.00	\$14,971.96	\$455,321.96

Relationship to Vaughan Vision 2007

Calvary Church (Nashville Road) – Soccer and Baseball Field Construction will provide facilities that promote a safe, livable, and sustainable parkland environment for the local community.

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

Conclusion

Parks Development and Purchasing Department staff have reviewed the bid submissions and have determined that the low bid contractor, Dol Turf Construction Ltd., is deemed to meet the requirements of the contract.

Upon award of Tender, this project will commence in the month of April 2006, weather permitting, and will be completed in the summer of 2006.

Attachments

None

Report prepared by:

Charles Kuo, Landscape Technician, Ext. 3203
Paul Gardner; Director of Parks Development, Ext. 3209

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 8, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

8

**ASSUMPTION – RUTHERFORD HEIGHTS
19T-99V04 / 65M-3432**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-3432, and that the municipal services letter of credit be reduced to \$17,000 for the guarantee of boulevard trees as per the request of the Parks Operations and Forestry Department.

Economic Impact

Upon assumption of this development, approximately 0.9 lane kilometers of roadway and associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Purpose

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

Background - Analysis and Options

The 71 lot development is a residential subdivision. The development is located south of Rutherford Road, west of Weston Road as shown on Attachment 1.

The Subdivision Agreement was signed on July 12, 2000. The municipal services in Plan 65M-3432 were installed in July 2000 and the top course asphalt was placed in July 2004.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Engineering Services, Public Works, Building Standards, Parks Development, Development Planning and Clerks. The Parks Operations and Forestry Department is requesting that \$17,000 be held back as securities for the guarantee of boulevard trees. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

Relationship to Vaughan Vision 2007

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

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

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Conclusion

It is therefore appropriate that the municipal services in 65M-3432 be assumed and the municipal services letter of credit be reduced to \$17,000. The Letter of Credit will be released when the boulevard trees are installed and growing to the satisfaction of the City.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

VR/fc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 9, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

9

**ASSUMPTION – BKY RANCH, PHASE 1
19T-9055 / 65M-3292**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M- 3292, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 1.0 lane kilometer of roadway and associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Purpose

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

Background - Analysis and Options

The 62 lot development is a residential subdivision. The development is located north of Rutherford Road, west of Islington Avenue, as shown on Attachment 1.

The Subdivision Agreement was signed on October 13, 1998. The municipal services in Plan 65M- 3292 were installed in July 1998 and the top course asphalt was placed in September 2001.

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

Relationship to Vaughan Vision 2007

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

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

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Conclusion

It is therefore appropriate that the municipal services in 65M- 3292 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

VR/

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 10, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

10

**ASSUMPTION – BKY RANCH, PHASE 2
19T-95055 / 65M-3374**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-3374, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 0.4 lane kilometers of roadway and associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Purpose

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

Background - Analysis and Options

The 44 lot development is a residential subdivision. The development is located north of Rutherford Road, west of Islington Avenue, as shown on Attachment 1.

The Subdivision Agreement was signed on August 18, 1999. The municipal services in Plan 65M-3374 were installed in June 1999 and the top course asphalt was placed in September 2001.

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

Relationship to Vaughan Vision 2007

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

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

CITY OF VAUGHAN

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Item 10, CW Report No. 18 – Page 2

Conclusion

It is therefore appropriate that the municipal services in 65M-3374 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

VR/fc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

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

Conclusion

It is therefore appropriate that the municipal services in 65M-3407 be assumed and the municipal services letter of credit be reduced to \$25,000. Once the repairs to the curbs and the lot grading are completed to the satisfaction of the City, the letter of credit will be released. The letter of credit will be released when all works have been re-inspected and approved by the City.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

VR/fc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 12, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

12

**ASSUMPTION – WOODBRIDGE SUMMIT – PHASE 1
19T-95113 / 65M-3318**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-3318, and that the municipal services letter of credit be reduced to \$41,500.00 for the completion of line painting and the completion of decorative paving material repairs as per the Engineering Services Department's and Development Planning Department's requests, respectively. Once these works are completed to the satisfaction of the City, the letter of credit will be released.

Economic Impact

Upon assumption of this development, approximately 3 lane kilometers of roadway and associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Purpose

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

Background - Analysis and Options

The 243 lot development is a residential subdivision. The development is located east of Islington Avenue, south of Major Mackenzie Drive, as shown on Attachment 1.

The Subdivision Agreement was signed on April 20, 1999. The municipal services in Plan 65M-3318 were installed in June 1999 and the top course asphalt was placed in July 2002.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Public Works, Building Standards, Parks Development, Parks Operations and Forestry, Development Planning and Clerks. The Engineering Services Department is requesting that \$16,500 be held back as securities for the completion of roadway line painting in the springtime. The Development Planning Department is requesting that \$25,000 be held back as securities for the completion of decorative paving material repairs. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

Relationship to Vaughan Vision 2007

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 12, CW Report No. 18 – Page 2

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

Conclusion

It is therefore appropriate that the municipal services in 65M-3318 be assumed and the municipal services letter of credit be reduced to \$41,500. Once the roadway line painting is completed and the decorative paving material repairs are completed to the satisfaction of the City, the letter of credit will be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

VR/fc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 13, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

13

**ASSUMPTION – WOODBRIDGE SUMMIT, PHASE 2
19T-95113 / 65M-3434**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-3434, and that the municipal services letter of credit be released.

Economic Impact

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

Purpose

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

Background - Analysis and Options

The 75 lot development is a residential subdivision. The development is located west of Islington Avenue, south of Major Mackenzie Drive as shown on Attachment 1.

The Subdivision Agreement was signed on August 17, 2000. The municipal services in Plan 65M-3434 were installed in June 2000 and the top course asphalt was placed in August 2003.

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

Relationship to Vaughan Vision 2007

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

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 13, CW Report No. 18 – Page 2

Conclusion

It is therefore appropriate that the municipal services in 65M-3434 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

VR/fc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 14, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

**14 RUTHERFORD ROAD AND SHERWOOD PARK DRIVE
PROPOSED TRAFFIC SIGNAL**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That this report be received for information purposes regarding the installation of a traffic signal at the Rutherford Road and Sherwood Park Drive intersection.

Economic Impact

Not Applicable.

Purpose

To report on the results of Council's request to the Region of York regarding the installation of a traffic signal at the intersection of Rutherford Road and Sherwood Park Drive and regarding the signal timing.

Background - Analysis and Options

At its meeting on January 23, 2006, Council directed:

- "1. That the Region of York be requested to investigate the necessity and feasibility of installing a traffic signal at the intersection of Sherwood Park Drive and Rutherford Road; and**
- 2. That the Region of York be requested to investigate the necessity and feasibility of increasing the length of the northbound advance left turn signal phase at the Keele Street/Rutherford Road intersection."**

Rutherford Road and Keele Street are under the jurisdiction of the Region of York. Sherwood Park Drive is under the jurisdiction of the City of Vaughan. Sherwood Park Drive is a local roadway with a 20.0 metre right-of-way and a posted speed limit of 40 km/h. The location is shown on Attachment No. 1.

In October 2005, the Region of York conducted a traffic study at the subject intersection, determining that a signal was not warranted at that time. Table 1 summarizes the Traffic Signal Warrant from the traffic data collected at the intersection of Rutherford Road and Sherwood Park Drive on October 6, 2005.

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**Table 1
Traffic Signal Warrant Analysis**

<u>Warrant Component</u>	<u>Compliance</u>
Minimum Vehicular Delay	39 %
Delay to Cross Traffic	72%
Collision Hazard (Last three years)	0%
"T" Intersection	N/A
Peak Hour Delay	Does not exceed delay
Safety Performance	Not improved with signals
Paid by Local Municipality	Not Warranted (<70%)

As determined by the data shown above, the Region of York has recommended that traffic signals are not warranted at this intersection.

Region of York staff reviewed the signal timing in this area and agrees that some adjustments are required. Adjustments to the signal timing will be made accordingly at the intersections of Rutherford Road and Keele Street and Rutherford Road and Greenock Drive to provide a greater gap for northbound left turns from Sherwood Park onto Rutherford Road. The Region of York will not be increasing the length of the northbound advance left turn signal phase at the Keele Street and Rutherford Road intersection.

Relationship to Vaughan Vision 2007

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

Conclusion

Traffic studies conducted by The Region of York indicate that traffic signals are not warranted at the intersection of Rutherford Road and Sherwood Park Drive. Although signal timing adjustments will be made to the Keele/Rutherford signal, they will not lengthen the northbound advance left turn phase.

Attachments

1. Location Map

Report prepared by:

Leslie Winfrow, Traffic Analyst, ext. 8784
Mike Dokman, Supervisor Traffic Engineering, ext. 8031

LW:mc

(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

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Beacon Utility Contractors Limited listed some of the tender work to be completed by a sub-contractor, which in turn, raises the price of the bid.

Relationship to Vaughan Vision 2007

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

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

Conclusion

It is recommended that Tender T06-009 for maintenance of traffic control signals be awarded to Guild Electric Limited.

Attachments

Not Applicable.

Report Prepared by:

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

:MR

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 16, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

16

AWARD OF TENDER T06-004
WALKWAY LIGHTING – 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 April 3, 2006:

Recommendation

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

1. That Tender T06-004 for Walkway Lighting – Various Locations be awarded to Zuron Construction Inc. in the amount of \$128,650.00, plus G.S.T.;
2. That a contingency allowance in the amount of \$13,000.00 be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the contract; and
3. That the Mayor and Clerk be authorized to sign the appropriate documents.

Economic Impact

The total cost of \$151,000.00 for the project falls within the approved budget amount and as such there is no additional economic impact to the 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

Council approval to award Tender No. T06-004 for Walkway Lighting – Various Locations.

Background - Analysis and Options

This tender (2005 Capital Budget Project 1569-0-05) includes the provision of lighting at twelve existing walkway locations within the City of Vaughan. (See Attachment No. 1 – Location Map).

This tender was advertised on February 14, 2006 in the Daily Commercial News, on the Electronic Tendering Network (ETN), and the Ontario Public Buyers Association (OPBA), and closed on Tuesday, February 28, 2006. A total of 12 documents were picked up from the Purchasing Department and the following 8 bids were received:

<u>Contractor</u>	<u>Total Bid Amount (excl. G.S.T.)</u>
Zuron Construction Inc.	\$128,650.00
Stacey Electric Company Limited	\$137,957.90
Pine Valley Enterprises Inc.	\$142,701.70
Langley Utilities Contracting Ltd.	\$162,192.40
Fellmore Electrical Contractors Limited	\$166,893.01
Nadalin Electric Co. (Ont.) Inc.	\$181,336.00
Black & McDonald Limited	\$192,527.84
Guild Electric Limited	\$214,376.36

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 16, CW Report No. 18 – Page 2

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 \$151,000.00 and is calculated as follows:

Zuron Construction Inc. Bid (excl. G.S.T.)	\$128,650.00
Contingency Allowance (± 10%)	\$ 13,000.00
Utility Connection Fee	\$ 3,000.00
Inspection and Material Testing	<u>\$ 1,500.00</u>
Sub-Total	\$146,150.00
G.S.T. (7% amount 100% recoverable)	\$ 10,230.50
Treasury Administration (3%)	<u>\$ 4,384.50</u>
Total	\$160,765.00
Less G.S.T. Recoverable	<u>\$(10,230.50)</u>
Net Cost	\$150,534.50

ROUNDED \$151,000.00

Staff and the City's consultant for this project SNC Lavalin Engineers & Constructors Inc. have reviewed the submitted bids and are satisfied that the low bidder Zuron Construction Inc. is deemed qualified to undertake this project. Therefore, it is appropriate to award this contract to Zuron Construction Inc.

Relationship to Vaughan Vision 2007

This project is consistent with Vaughan Vision 2007 in that the proposed works ensure that municipal operations are undertaken in an environmentally responsible manner (4.4.4.).

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

Conclusion

Sufficient funding is available in the 2005 Capital Budget (Project 1569-0-05) to complete the project. Staff recommend that this contract be awarded to Zuron Construction Inc. in the amount of \$128,650.00, plus G.S.T.

Attachments

1. Location Map

Report prepared by:

John Zanchettin, C.E.T. – Senior Engineering Assistant, ext. 3113
Tom Ungar, P. Eng. – Manager, Design Services

JZ:mc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 17, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

17

**AWARD OF TENDER T06-031
SUPPLY AND INSTALLATION OF VARIOUS INTERSECTION SIGNALIZATIONS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 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 T06-031, for the supply and installation of various intersection signalizations be awarded to Stacey Electric Limited in the amount of \$297,238.20, plus G.S.T.
2. That a contingency allowance in the amount of \$30,000.00, 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; and
3. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

The total amount of the awarded contract of \$338,000.00 can be accommodated within the 2006 Capital Budget. The cost of maintaining the pavement markings at the intersection and the signal maintenance of each intersection will be adjusted accordingly to meet these requirements within the Annual Operating Budgets for Pavement Markings and Traffic Signal Maintenance.

Purpose

Council approval to award contract T06-031.

Background – Analysis and Options

The work covered by this Tender requires the supply of material and services for the installation of traffic signals at the following four City intersections:

Clark Avenue and Sobey's Plaza
Edgeley Boulevard and Apple Mill Road
Edgeley Boulevard and Applewood Crescent
Edgeley Boulevard and Pennsylvania Avenue

The tender was advertised on February 28, 2006 in the Daily Commercial News, the Electronic Tendering Network (ETN), and the Ontario Public Buyers Association (OPBA), and closed on March 14, 2006. A total of 6 documents were picked up from the Purchasing Services Department. Six bids were received. The following are the results of the tender bids.

<u>Contractor</u>	<u>Total Bid Amount (excl. G.S.T)</u>
Stacey Electric Limited	\$297,238.20
Beacon Utility Contractors Limited	\$303,420.00
Guild Electric Limited	\$309,833.51
Fellmore Electrical Contractors Limited	\$366,928.83
Black & McDonald Limited	Non-compliant Bid
Trans Power Utility Contractors Limited	Non-compliant Bid

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The estimated cost for this project including provisional items, contract administration, a contingency allowance and all applicable taxes (G.S.T. is 100% recoverable) is \$330,000.00.

Stacey Electric Limited Bid	\$297,238.20
Contingency Amount (approx. 10%)	<u>\$ 30,000.00</u>
Sub-total	\$327,238.20
G.S.T. (7% amount 100% recoverable)	\$ 22,906.67
Treasury Administration (3%)	<u>\$ 9,817.15</u>
Total	\$359,962.02
Less G.S.T. Recoverable	(\$ 22,906.68)
Net Total Cost	\$337,055.34

ROUNDED \$338,000.00

The low bidder, Stacey Electric Limited, has performed similar work for the City in past years, and is deemed capable of successfully completing this work. Sufficient funds in the amount of \$338,000.00 are allocated in the Engineering Department's 2006 Capital Budget Account No. (1550-0-05).

Relationship to Vaughan Vision 2007

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

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

Conclusion

It is recommended that Tender T06-031 for the various intersection signalizations be awarded to Stacey Electric Limited.

Attachments

Not Applicable.

Report prepared by

Mike Dokman, Supervisor, Traffic Engineering, ext. 8031

MD:mc

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 18, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

18

**AWARD OF TENDER T06-032
SUPPLY AND INSTALLATION OF VARIOUS PEDESTRIAN SIGNALS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated April 3, 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 T06-032, for the supply and installation of various intersection signalizations be awarded to Black & McDonald Limited in the amount of \$88,569.39, plus G.S.T.;
2. That a contingency allowance in the amount of \$9,000.00, 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; and
3. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

The amount of the awarded contract of \$101,000.00 can be accommodated within the Capital Budget Account Nos. 1549-0-05, 1522-0-04 and 1114-0-03. The cost of maintaining the pavement markings at the intersection and the signal maintenance of each intersection will be adjusted accordingly to meet these requirements within the Annual Operating Budgets for Pavement Markings and Traffic Signal Maintenance.

Purpose

Council approval to award contract T06-032.

Background – Analysis and Options

The work covered by this Tender requires the supply of material and services for the installation of pedestrian signals at the following three City locations:

Martin Grove Road and Father Ermanno Bulfon
Martin Grove Road and Villa Giardino Senior Complex
Atkinson Ave. at Dundurn Park.

The tender was advertised in the Daily Commercial News and the Electronic Tendering Network (ETN), and closed on March 15, 2006. A total of 5 documents were picked up from the Purchasing Services Department. Five bids were received. The following are the results of the tender bids.

<u>Contractor</u>	<u>Total Bid Amount (excl. G.S.T.)</u>
Black & McDonald Limited	\$88,569.39
Beacon Utility Contractors Limited	\$91,600.50
Stacey Electric Limited	\$95,707.70
Guild Electric Limited	\$109,699.22
Fellmore Electrical Contractors Limited	\$119,289.49

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The estimated cost for this project including provisional items, contract administration, a contingency allowance and all applicable taxes (G.S.T. is 100% recoverable) is \$101,000.00.

Black & McDonald Limited Bid	\$ 88,569.39
Contingency Amount (approx. 10%)	\$ 9,000.00
Sub-total	\$ 97,569.39
G.S.T. (7% amount 100% recoverable)	\$ 6,829.86
Treasury Administration (3%)	\$ 2,927.08
Total	\$107,326.33
Less G.S.T. Recoverable	(\$ 6,829.86)
Net Total Cost	\$100,496.47

ROUNDED \$101,000.00

The low bidder, Limited, has performed similar work for the City in past years, and is deemed capable of successfully completing this work. Sufficient funds in the amount of \$101,000.00 are allocated in the Engineering Department's Capital Budget Account Nos. (1549-0-05, 1522-0-04, 1114-0-03).

Relationship to Vaughan Vision 2007

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

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

Conclusion

It is recommended that Tender T06-032 for the various intersection signalizations be awarded to Black & McDonald Limited.

Attachments

Not Applicable.

Report prepared by

Mike Dokman, Supervisor, Traffic Engineering, ext. 8031

MD:mc

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 19, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

19 INDUSTRY REQUEST FOR REDUCTION IN SEWER RATES

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works and the Commissioner of Finance and Corporate Services, dated April 3, 2006, be approved; and**
- 2) That the deputation of Mr. Jerry Golden, Rochester Aluminum Smelting, 31-35 Freshway Drive, Concord, L4K 1R9, be received.**

Recommendation

The Commissioner of Engineering and Public Works and the Commissioner of Finance and Corporate Services, recommend that:

1. The requests for a reduction in sewer rates received from Apollo Health and Beauty Care and from Rochester Aluminum be received in accordance with By-law 12-74, and;
2. Until the full impact of the Sustainable Water and Sewage Systems Act, 2002, has been determined, a moratorium be placed on granting a reduction in water or wastewater rates to any user of the City's water and sewer systems, including Apollo Health & Beauty Care, and Rochester Aluminum.

Economic Impact

Based on reports provided by the respective companies the reduction in sewer charges would reduce the City's revenue by approximately \$43,000 annually. This doesn't take into account the loss in revenue that would occur if other companies requested similar treatment. In addition, since the City's costs would not change, the user rates would need to be increased to offset the lost revenue.

Purpose

To provide Council with information relating to the requests for a reduction in the wastewater rates for two industrial users, as provided in By-law 12-74, and to make Council aware of the implications of such sewage reduction requests.

Background - Analysis and Options

The City of Vaughan is a diverse community of residential, commercial and institutional uses and enjoys the benefits and services of more than 2,500 industries within its boundaries. Many of these industries are large consumers of municipal water that is used for heating and cooling of equipment and buildings and forms part of the many final products shipped out to consumers.

To achieve efficiencies, many industries are installing recovery devices to recycle as much water as possible used in the heating/cooling processes. Where recovery is not possible, or where water is used as part of the finished product, industry is looking at methods of reducing their water/sewer bill to find cost reductions. This has resulted in industries contacting both the Public Works and the Finance Department, asking for relief from the City's wastewater charges on their municipal water bill.

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The City's wastewater rate structure already takes into account that not all water purchased ends up in the City's sewer system. All consumers receive this discount. As such, there is no specific additional "discount program" for individuals or companies. However, Article V, Item 3 of By-law 12-74 regulating the discharge of wastewater states in part, "Council may by terms of an agreement with the owner of the premises concerned allow a reduction in the sewage service rates to be charged to the said owner."

Currently, the Public Works and Finance Departments have two formal requests requesting a further reduction in their specific wastewater rates.

One request is from Apollo Health and Beauty Care, and the other is from Rochester Aluminum. In the case of Apollo Health and Beauty Care, they have indicated that municipal water is being used in the finished product shipped to consumers.

Rochester Aluminum is a smelting operation and indicated that municipal water is used primarily for the cooling of equipment and end products. Both industries have provided Engineers Reports certifying the uses and approximating the amounts of water that is not entering the City's sewage system. Both companies are seeking full relief from the wastewater rate for all the water that is not entering the City's sewer system.

Staff has reviewed the reports provided by both companies, and based on those reports, the financial impact to the City on an annual basis are approximately \$16,335 for Apollo Health and Beauty Care, and approximately \$26,600 for Rochester Aluminum. Based on the Engineers Reports, both could be considered by Council for a reduction in sewage charges accordance with the City's By-law. This estimate does not take into account the financial impact of other businesses that would undoubtedly seek such a similar request.

The Province of Ontario has introduced the Sustainable Water & Sewer Systems Act 2002. Once in place, this Act and accompanying Regulations, will require each regulated entity such as the City of Vaughan, to prepare a full cost recovery plan describing how it intends to pay the full cost of providing water and sewer services. Each regulated entity will be required to set their water and sewer rates to adequately fund all aspects of the systems including operating, financing, renewal, and replacement costs. Notwithstanding that both of the above noted companies have Engineers Reports indicating that a significant amount of water is diverted from the City's sewer system through their various processes, Council is requested to consider the implications any such financial relief will have on the municipality in terms of its future ability to comply with the full cost recovery model outlined in the Sustainable Water and Sewer Systems Act 2002. In addition, much of the infrastructure costs are relatively fixed and not related to volume.

Currently, there are only three industrial customers receiving a rebate on their wastewater rates. Their arrangements have been in place for over 20 years. Council may need to review these agreements in order to ensure that they do not impede the City's ability to meet the requirements of the Act. Until the full implications of the Sustainable Water and Sewer Systems Act and the accompanying Regulations are known, it is recommended that a moratorium be put in place on offering different rates for users of the City's water and sewer systems, including Apollo Health and Beauty, and Rochester Aluminum.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council, and complies with Vaughan Vision 2.1.3 Develop appropriate funding strategies for long-term projects.

Conclusion

As per By-law 12-74, Council, at its discretion, may reduce part, or all, of the wastewater rate charged to Apollo Health and Beauty Care and Rochester Aluminum for water not entering the

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City's sewer system. The Engineers Reports provided by both companies have identified theoretical quantities being diverted, but in order to accurately determine the amount of water not entering the sewer system, additional meters would have to be installed and flow monitoring must take place to verify these calculations.

Notwithstanding that both companies have submitted Engineer's Reports indicating that a substantial amount of municipal water is not entering the City's sewer system, in consideration of the Sustainable Water & Sewer Systems Act 2002, and Vaughan Vision 2.1.3, it is recommended that a moratorium be placed on granting a reduction in water or wastewater rates to any user of the City's water and sewer systems, including Apollo Health & Beauty Care, and Rochester Aluminum.

Attachments

N/A

Report prepared by:

Robert Meek, Manager of Environmental & Technical Services
Barry Jackson, Director of Finance
Brian T. Anthony, Director of Public Works

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Item 20, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

20

EXTENSION AGREEMENTS – TAX SALE PROCESS

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Director of Finance, dated April 3, 2006, be approved; and
- 2) That the deputation of Mr. Paul De Buono, Vaughan Watch, be received.

Recommendation

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

- 1) That staff be authorized to enter into extension agreements, satisfactory to the City Treasurer, with the owners of the properties shown on Attachment "A", and
- 2) That the Mayor and Clerk be authorized to sign the extension agreements, and
- 3) That a by-law be passed authorizing the extension agreements.

Economic Impact

There are no economic impacts.

Purpose

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

Background - Analysis and Options

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

Relationship to Vaughan Vision 2007

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

Conclusion

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

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Attachments

Attachment “A” – Property Information

Report prepared by:

Maureen E. Zabiuk, Manager of Property Tax & Assessment, ext. 8268

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

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Item 21, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

21

**PROCLAMATION AND FLAG RAISING REQUEST -
FILIPINO-CANADIAN ASSOCIATION OF VAUGHAN**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated April 3, 2006:

Recommendation

The City Clerk recommends:

- 1) That June 10, 2006 be proclaimed “**Filipino Day**” to commemorate the 108th anniversary of Philippine Independence;
- 2) That the Philippine Flag be raised on Saturday, June 10, 2006 at 12:00 noon for the balance of that day at the Civic Centre;
- 3) That a permit be issued at no charge for the Council Chambers for a reception and luncheon; and
- 4) 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 a request received from the Filipino-Canadian Association of Vaughan.

Background - Analysis and Options

The Filipino-Canadian Association of Vaughan (FCAV) has requested that the Philippine flag be raised at noon on Saturday, June 10, 2006 at the Civic Centre to commemorate the 108th anniversary of Philippine Independence (Attachment #1). A number of municipalities will be raising the flag including Toronto, Mississauga, Markham and Brampton to commemorate the event. As well, Vaughan Council approved a similar request in previous years. Following the flag raising, the Association has requested permission to use the Council Chambers for a reception and a luncheon of Filipino food.

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.

It is noted that the City of Vaughan signed a Friendship Agreement with Baguio City in the Philippines on April 25, 1997.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-1’, “Pursue Excellence in the Delivery of Core Services” and the necessary resources have been allocated and approved.

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Conclusion

It is recommended that Saturday, June 10, 2006 be proclaimed as Filipino Day, that the Philippine flag be raised at noon at the Civic Centre for the remainder of that day and that the proclamation be posted on the City's website and published on the City Page, space permitting.

Attachments

Attachment #1 Letter from the Filipino-Canadian Association of Vaughan (FCAV), dated March 13, 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 22, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

22

**PROCLAMATION REQUEST –
ORGAN DONOR WEEK**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated April 3, 2006:

Recommendation

The City Clerk recommends:

- 1) That the week of April 23 – 30, 2005 be proclaimed as “**Organ and Tissue Donor Awareness Week**”; and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

Purpose

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

Background - Analysis and Options

The correspondence received from the Regional Vice-Director, Canadian Transplant Association, Ontario Region, dated March 13, 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 Canadian Transplant Association wishes to raise public awareness about the dire need for organ and tissue donations. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-1’, “Pursue Excellence in the Delivery of Core Services” and the necessary resources have been allocated and approved.

Conclusion

Staff is recommending the week of April 23 – 30, 2006 be proclaimed as “Organ and Tissue Donor Awareness Week” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from the Regional Vice-Director, Canadian Transplant Association, Ontario Region, dated March 13, 2006.

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Report prepared by:

John D. Leach, City Clerk

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

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Item 23, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

23

**PROCLAMATION REQUEST –
ONTARIO FAMILY FISHING WEEKEND**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated April 3, 2006:

Recommendation

The City Clerk recommends:

- 1) That July 7 through July 9, 2006 be proclaimed as “Ontario Family Fishing Weekend”;
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 Ontario Family Fishing Weekend Steering Committee.

Background - Analysis and Options

The correspondence received from the Ontario Family Fishing Week Steering Committee, dated March 13, 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 Ontario Family Fishing Weekend Steering Committee has requested the City publicize this proclamation to declare one summer weekend a licence-free-fishing weekend. 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 set forth in Vaughan Vision 2007, particularly ‘A-1’, “Pursue Excellence in the Delivery of Core Services” and the necessary resources have been allocated and approved.

Conclusion

Staff is recommending that July 7 through July 9, 2006 be proclaimed as “Ontario Family Fishing Weekend” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

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Attachments

Attachment #1 - Correspondence from the Ontario Family Fishing Weekend Steering Committee,
dated March 13, 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 24, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

24

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-04
OWNER: BOSTAR INC.
LOCATION: 5875 HIGHWAY 7, SUITE 201
LOT 5, CONCESSION 8**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated April 3, 2006:

Recommendation

That Sign Variance Application SV.06-04, Bostar Inc., be APPROVED, subject to each sign being restricted to a maximum of 20 sq. ft. per sign.

Economic Impact

None.

Purpose

Request to install a wall sign located at second floor level of the subject property 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 a wall sign onto the north and west elevation of the existing building as shown on the attached drawings.

Members of the Sign Variance Committee are of the opinion that the intent and purpose of the Sign By-Law is being maintained, and have no objections to the application subject to the proposed signs being restricted to a maximum of 20 sq. ft. (1.8 sqm.) each.

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

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Attachments

1. Sketch of Sign
2. Proposed Sign Elevations
3. Site Map

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 25, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

25

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-05
OWNER: ROWHEDGE CONSTRUCTION
LOCATION: 8395 JANE STREET, LOTS 7 – 10
REGISTERED PLAN 65M-2696, CONCESSION 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated April 3, 2006:

Recommendation

That Sign Variance Application SV.06-05, Rowhedge Construction, be APPROVED, as proposed.

Economic Impact

None.

Purpose

Request to install an additional pylon sign at the north side of the subject property 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 pylon signs approved on the site plan agreement. The site plan agreement for this property provides for 3 pylon signs to be located along Jane Street. The applicant is proposing to install an additional pylon sign at the north side of the subject property as shown on the attached drawings. The proposed sign is to serve the two storey office building (Building "A") presently under construction.

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

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

Attachments

1. Site Map

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Item 25, CW Report No. 18 – Page 2

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 26, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

26

**ZONING BY-LAW AMENDMENT FILE Z.03.054
CANADIAN NATIONAL RAILWAY COMPANY**
(Referred from the Council meeting of October 17, 2005)

The Committee of the Whole recommends that this matter be referred to the Committee of the Whole meeting of September 18, 2006, in accordance with the request contained in the written submission of Mr. Andrew E. Salem, Fraser Milner Casgrain LLP, 1 First Canadian Place, 100 King Street West, Toronto, M5X 1B2, dated March 1, 2006.

Recommendation

Council, at its meeting of October 17, 2005, adopted the following:

That this matter be referred to the Committee of the Whole meeting of April 3, 2006, in accordance with the request contained in the written submission of Mr. Andrew E. Salem, Fraser Milner Casgrain LLP, 1 First Canadian Place, 100 King Street West, Toronto, M5X 1B2, dated September 16, 2005, and the memorandum from the Commissioner of Planning, dated September 21, 2005.

Council, at its meeting of June 15, 2005, adopted the following:

That this matter be referred to the Committee of the Whole meeting of October 11, 2005, in accordance with the written submission of Mr. Andrew E. Salem, Fraser Milner Casgrain LLP, 1 First Canadian Place, 100 King Street West, Toronto, M5X 1B2, dated June 7, 2005.

Report of the Commissioner of Planning dated June 8, 2005

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-Law Amendment File Z.03.054 (Canadian National Railway Company) BE APPROVED, subject to the following conditions:

- a) That the implementing zoning by-law shall:
 - i) rezone the subject lands adjacent to Regional Road #7 (3.79ha) and Highway #407 (0.99ha) from EM4 Employment Area Transportation Zone to EM1 Prestige Employment Area Zone in the manner shown on Attachment #2; and
 - ii) rezone the remaining interior lands (8.08ha) from EM4 Employment Area Transportation Zone to EM2 General Employment Area Zone in the manner shown on Attachment #2.

Economic Impact

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

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Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone 12.86 ha of surplus CN Rail lands from EM4 Employment Area Transportation Zone to EM1 Prestige Employment Area Zone (adjacent to Regional Road #7 and Highway #407) and EM2 General Employment Area Zone (internal) in the manner shown on Attachment #2, to facilitate future employment development.

Background - Analysis and Options

The 12.86ha site is located on the south side of Regional Road #7, through to Highway #407, between Keele Street and Jane Street, within the CN MacMillan Railway Yard, in Part of Lots 4 and 5, Concession 4, City of Vaughan.

The subject lands are designated "Rail Facilities" by OPA #450 (Employment Area Plan) and zoned EM4 Employment Area Transportation Zone by By-law 1-88. The surrounding land uses are:

- North - Regional Road #7; railway/employment (EM1 Prestige Employment Area Zone)
- South - Highway #407; railway/recycling (PB1S Parkway Belt Linear Facilities Zone)
- West - commercial/employment (C6 Highway Commercial Zone, EM2 General Employment Area Zone)
- East - CN Rail Yard (EM4 Employment Area Transportation Zone)

On December 22, 2003, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, one response has been received from the owner of an adjacent property to the west, with concerns related to water run-off and excess road dust due to truck traffic on the service road.

The application was initially scheduled for the January 19, 2004 Public Hearing, but was deferred at the request of the agent. On February 6, 2004, a Notice of Public Hearing was re-circulated to all property owners within 120m of the subject lands and those requesting notification. To date, no additional comments have been received. The recommendation of the Committee of the Whole on March 1, 2004, to receive the Public Hearing report and to forward a technical report to a future Committee meeting, was ratified by Council on March 8, 2004.

Official Plan

The Canadian National Railway Company deems the subject lands to be surplus to the needs of the CN Rail yard facility and has proposed that the lands be rezoned for employment uses. The lands are designated "Rail Facilities" by OPA #450 (Employment Area Plan). The "Rail Facilities" policies state that "should railway and related uses cease on lands at the periphery of this designation, the lands may be developed in accordance with the policies of the adjacent Employment Area land use designation where applicable, subject to a Block Plan being approved by Council".

The adjacent land use designations are "Prestige Area" along Regional Road #7 and Highway #407, and "Employment Area General" in the interior, consistent with the locations of the proposed zoning as shown on Attachment #2. The proposed rezoning of the lands abutting Regional Road #7 (3.79ha) and Highway #407 (0.99) to EM1 Prestige Employment Area Zone and the remaining interior lands to EM2 General Employment Area Zone would implement the land use designations in OPA #450 and conform to the Official Plan. The subject lands are not of sufficient size, nor are there any need for public roads to traverse through the property, to warrant the preparation of a Block Plan.

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Zoning

The subject lands are zoned EM4 Employment Area Transportation Zone by By-law 1-88, which permits a railway classification yard, including accessory office, warehousing, distribution and repair facilities, and is currently operating as such. CN Rail deems the subject lands to be surplus to the needs of the rail yard and has proposed that the lands be rezoned from EM4 Zone to EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone, in the manner shown on Attachment #2. The proposed rezoning would implement OPA #450 (Employment Area Plan) and permit prestige industrial, office and civic uses with no outside storage along Regional Road #7 and Highway #407, and general employment uses with outside storage in the interior of the site.

Land Use/Compatibility

CN Rail does not have any users for the parcels to be zoned EM1 and EM2 Zone, and are requesting that their surplus property be pre-zoned to facilitate future use for employment development, in accordance with the uses permitted by the respective zones in By-law 1-88. On this basis, prestige employment uses with no outside storage would be located adjacent to Regional Road #7 and Highway #407, thereby providing up-graded employment development and attractive building facades along these major arterial roads and highways. The interior of the property, when developed, would be less visible from the adjacent roads, and may or may not require outside storage.

Staff has reviewed the concerns from the owner of an adjacent property (29-35 Killaloe Road) to the west, related to water run-off and excess road dust due to truck traffic on the service road within the subject lands.

The future development of the site would be reviewed through the site plan approval process which would address these issues. The review would also consider site layout, access, traffic management, landscaping, building elevations, storm water management, site servicing and grading, and treatment of all internal road surfaces. In addition, any necessary exceptions to the EM1 and EM2 Zone requirements to implement the approved site plan would be identified, and would require approval from the City.

Staff is satisfied that the proposed rezoning is appropriate and compatible with the surrounding employment and railway development, and in conformity with the Official Plan.

Region of York

The site will be served by two access points, a future right-in/right-out access onto Regional Road #7 as indicated below, and an existing driveway connection to a cul-de-sac at the eastern terminus of Freshway Drive that will be retained and upgraded. The Region of York has no objection to the proposal and requests that any future site plan applications be subject to the following conditions:

- Only a right-in/right-out vehicular access shall be permitted to Regional Road #7; and,
- The future Regional Road #7 rapid transitway shall be built through this area, and as such, a 5m wide buffer shall be planned in addition to the 45m road right-of-way along the frontage of Regional Road #7.

A traffic study was prepared on behalf of the applicant by Sernas Transtech, which considered the traffic impact of the redevelopment of the lands for employment uses, and to determine if any road improvements were necessary as a result of any additional traffic on the adjacent streets. The study concluded that the proposed rezoning to facilitate redevelopment of the site would not

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impact the surrounding road network. The traffic volumes attributed to the subject development can be supported by the existing area road network without undue impacts. The Region of York Transportation and Works Department and the Vaughan Engineering Department have both approved the traffic study.

Ministry of Transportation (MTO)

The MTO has no objections to the proposal. All buildings and structures must be setback a minimum of 14m from the Highway #407 property line. The Ministry will require permits for all buildings located within 46m from their property line and 400m from the centre point of Highway #407.

Relationship to Vaughan Vision 2007

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

Conclusion

Staff has reviewed the proposed Zoning By-Law Amendment application in accordance with the policies of OPA #450, the requirements of By-Law 1-88, and the area context. Staff is satisfied that the proposed rezoning of the subject lands from EM4 Employment Area Transportation Zone along Regional Road #7 and Highway #407 to EM1 Prestige Employment Area Zone, and the remaining interior lands to EM2 General Employment Area Zone, is appropriate and compatible with the surrounding employment and railway development, and in conformity with the Official Plan.

On this basis, Staff can support the approval of the proposed application to amend the Zoning By-law, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Recommended Zoning
3. Written submission dated June 7, 2005
4. Written submission dated September 16, 2005
5. Memorandum dated September 21, 2005

Report prepared by:

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

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

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Item 27, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

27 PRE-PERMIT REVIEW SERVICE FOR SINGLE AND SEMI-DETACHED HOMES
BUILDING STANDARDS DEPARTMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006:

Recommendation

The Commissioner of Planning recommends that a new pre-permit review service and fee in the amount of \$1500.00 be approved and that the necessary public notice, as set out in by-law 394-2002, of the proposed amendment to the Fees and Charges By-Law be provided.

Economic Impact

If adopted there will be a positive economic impact on the City's operating budget.

It is estimated that the economic impact will be:

Number of requests per year between: 40 to 50 @ \$1500/ per model = \$60,000. to \$75,000

Purpose

To consider a report regarding a proposed new service to be provided by the Building Standards Department in advance of formal permit applications.

Background - Analysis and Options

Since the time that Bill 124 came into full force and effect (July 1, 2005), the Building Standards Department has received numerous requests from the new home builders to provide a review of model home drawings well in advance of the formal permit applications.

Under Bill 124 the department is constrained to only accept complete applications. That is, the Plans of Subdivision for the development must be registered first, prior to any review of the permit applications. If the City was to accept the incomplete applications prior to the registration of the plan, the Department would not meet the statutory 10 day turn-around time mandated by the provincial regulations. (Ontario Building Code). The new home builders have expressed frustration with this, and further expressed the need for the City to provide a new service.

The Director of the Building Standards Department proposes to provide a new pre-permit review service that operates independent from the requirements of the Building Code Act so as to permit the review of model home drawings at any time. This new service would be voluntary and available to everyone. It is proposed that this new service be provided for a fee charged at a rate of \$1,500 per model home. This new fee is over and above permit fees charged under the provisions of the Building Code Act and is solely for the provision of services beyond those which are legislated. The fee recommended is to ensure that the service is a full cost recovery service.

A By-law amendment is required to include the proposed fee in the City's Fee and Charges By-Law. Notice By-law 394-2002 provides for 14 days notice of the public meeting at which the proposed amendment will be considered.

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Relationship to Vaughan Vision 2007

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

Conclusion

It is recommended that Committee of the Whole adopt this new pre-permit review service and fee, and the notice be given of the proposed inclusion of the fee in the City's Fees and Charges By-law.

Attachments

None

Report prepared by:

John Studdy, Manager of Customer and Administrative Services Ext. 8232
Leo Grellette, Director of Building Standards Ext 8218

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Item 28, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

28

**DEPUTATION – MR. NORBERT STOECKL
WITH RESPECT TO PROPERTY CONCERNS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Director of Building Standards, dated April 3, 2006:

Recommendation

The Commissioner of Planning and the Director of Building Standards recommends that this report be received and that no further action be undertaken by Staff.

Economic Impact

None.

Purpose

To respond to a request from the Committee of the Whole for a report regarding property matters at 15 Sundown Court.

Background - Analysis and Options

Council at it's meeting of February 13, 2006 adopted the following without amendment.

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Norbert Stoeckl, 17 Sundown Court, Thornhill, L4J 3V4, and written submissions, one dated November 28, 2005, be received and referred to staff for a report; and
- 2) That the confidential memorandum of the Director of Building Standards, dated January 30, 2006, be received.

The following is a report from Staff respecting the subject matter.

Brief Chronological History

August 23, 1994	Order to Comply issued – construction of rear yard deck built without a building permit.
January 16, 1995	Building Permit application for rear yard construction.
March 4, 1996	Order to Comply issued – construction of rear yard deck built without a building permit.
February 25, 1997	Order to Comply issued – construction of rear yard deck and accessory without a building permit.
July 31, 1997	Application for a Minor Variance (A10/98) to allow for the maintenance of the existing rear yard decks and accessory building. The application proposed: Rear Yard Deck 1.20 metres

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Rear Yard Acc. Bldg. 0.30 metres
Side Yard Acc. Bldg. 0.30 metres

February 19, 1998 Committee of Adjustment refused the application.
June 30, 1998 Ontario Municipal Board Order approved the Minor Variance application.
January 7, 1999 Building Permit issued for rear yard deck and accessory building.

The subject property is presently zoned "R5" (Residential Zone) under City of Vaughan Zoning By-law 1-88 as amended. The property is further subject to Exception Paragraph 9(479) and Schedule "T-70".

Committee at it's February 6,2006 meeting heard a deputation from the abutting owner where he expressed concerns regarding existing construction and offered opinions related to the same.

Building Staff have reviewed the opinions and do not concur. In accordance with Zoning By-law I-88 the west lot line of the subject property, being the lot line that abuts Mr. Stoeckl's property, is permitted to have a zero (0) side yard setback (Schedule T-20 Subnote 2).

With regard to the question of decks being part of lot coverage Section 2.71 of By-law I-88 excludes open and unenclosed porches located on a property from being included in lot coverage calculations.

A question surrounding the setback of the deck was also raised. The reduction in the rear yard setback for the deck was approved by the OMB. The OMB was privy to the plan showing all decks and their proximity to each other and the lot lines.

As for the concern regarding the shed exceeding the size permitted and the need to be included in coverage, staff have estimated that the property at 15 Sundown Ct. is permitted approximately 300 square feet of accessory buildings in accordance with the zoning by-law. The deputation indicated that the deck is 9.24 sq. m. which is approximately 99.5 square feet. As this is well within the permitted 300 square feet staff are satisfied that this is not an issue.

With respect to the above ground pool it has been the department's protocol to not include above ground pools in lot coverage. This interpretation application has been consistently applied. Were staff to now take the position that above ground pools should be included in coverage the majority of recently built residential units on smaller lots would not be permitted even the inexpensive yard pools available at some of our major retail outlets.

In summary, it is Staff's opinion that with the approval of the Minor Variance application by the Ontario Municipal Board, all relevant zoning matters respecting the existing structures located in the rear yard have been addressed.

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

All relevant zoning matters have been addressed that would allow for the maintenance of the existing structures located in the rear yard and no further action is required from Staff. Staff will be contacting the owner of 15 Sundown Court in an effort to put closure to the existing deck permit.

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Attachments

Copy of the deputation package presented at the Feb. 6, 2006 Committee meeting.

Report prepared by:

Leo Grellette, Director of Building Standards Ext. 8218

John Studdy, Manager of Customer and Administrative Services Ext. 8232

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 29, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

29

**ZONING BY-LAW AMENDMENT FILE Z.06.004
NHD DEVELOPMENTS LIMITED**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.06.004 (NHD Developments Limited) BE APPROVED, to remove the Holding "H" Symbol on the subject lands currently zoned EM1(H) Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1125), as shown on Attachments #1 and #2, to facilitate future development on the subject lands.

Economic Impact

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

Purpose

The Owner has submitted a Zoning By-law Amendment application to remove the Holding Symbol (H) from the subject lands, which are currently zoned EM1(H) Prestige Employment Area Zone by By-law 1-88, as shown. The site-specific zoning exception 9(1125) requires that the Holding Symbol shall only be removed upon the resolution of the route selection for the Highway 427 extension, to the satisfaction of the Ministry of Transportation Ontario. Upon removal of the Holding Symbol (H), the applicant will be able to submit a site development application. A contextual site plan is shown on Attachment #2, which shows both existing and proposed development on the applicant's overall subdivision lands.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located northeast of Regional Road 7 and the future Highway 427 extension (west of Vaughan Valley Boulevard), being Part of Blocks 3 and 4, within Plan 65M-3732, in Lot 6, Concession 9, City of Vaughan. The vacant lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), and zoned EM1(H) Prestige Employment Area Zone with Holding "H" provision by By-law 1-88, subject to Exception 9(1125). The surrounding lands uses are as follows:

- North - vacant, employment lands (EM1(H) Prestige Employment Area Zone)
- South - Regional Road 7; employment lands (EM1 Prestige Employment Area Zone)
- East - two employment use buildings under construction; (EM1 Prestige Employment Area Zone)
- West - vacant, future lands for employment and Highway 427 extension (currently owned by applicant)

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.

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Zoning

The subject lands are zoned EM1(H) Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1125). Exception 9(1125) relates to the Holding provision and reads as follows:

“Notwithstanding the provision of Subsection 6.2.1(a), the subject lands zoned EM1(H) Zone shall be used only for the production of field crops, until the holding symbol is removed. The said Holding Symbol (H) shall be removed upon the resolution of the route selection for the Highway #427 extension, to the satisfaction of the Ministry of Transportation Ontario.”

The Ministry of Transportation Ontario (MTO) has reviewed the subject application and has advised that it has no objection to the approval of the subject zoning application for the removal of the Holding Symbol on the subject lands, provided that the holding symbol remains on the applicant's lands to the west, until such time as the MTO has confirmed its land needs for the future Highway 427 extension. The Development Planning Department does not have any objection to the removal of the Holding provision on the subject lands at this time.

The applicant's contextual site plan Attachment shows both existing and proposed development on the applicant's overall subdivision lands. A new industrial building is contemplated along Regional Road 7, and is located both within and outside of the Holding provision, thereby requiring the removal of the holding symbol in order to facilitate a future site development application. Also, an expansion is contemplated to the existing Jeld-Wen building on the north side of Stone Ridge Road, which is not subject to a Holding provision, however, requires the removal of the Holding Symbol on the northerly portion of the subject lands in order to facilitate additional parking spaces, and an amendment to the existing Building Permit application.

Any future site development or building permit application is to comply with all other regulations of Zoning By-law 1-88. The Owner of the subject lands has indicated that future development applications may also require applications for Exemption from Part Lot Control in order for the Blocks that were created through the subdivision process to be adjusted to meet the By-law requirements. Development Planning Staff will review all future applications at the appropriate time.

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 Zoning By-law Amendment application to remove the Holding "H" Symbol from the subject lands shown on Attachment #1 and currently zoned EM1(H) Prestige Employment Area Zone, to facilitate the future development of the lands for employment purposes, and is satisfied, together with the Ministry of Transportation Ontario, that the Holding "H" Symbol can be removed at this time.

Attachments

1. Location Map
2. Context Plan

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Report prepared by:

Clement Messere, Planner, ext. 8409

Arto Tikiryan, Senior Planner, ext. 8212

Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 30, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

30

**ZONING BY-LAW AMENDMENT FILE Z.03.089
VAUGHAN WEST II LIMITED
REPORT #P.2004.50**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.03.089 (Vaughan West II Limited) BE APPROVED, and that the implementing by-law:

- a) rezone Blocks 1-49, inclusive from A Agricultural Zone to EM1 Prestige Employment Area Zone;
- b) rezone Blocks 50-52 from A Agricultural Zone to OS1 Open Space Conservation Zone;
- c) rezone Block 53 from A Agricultural Zone to OS1(H) Open Space Conservation Zone with the Holding (H) Symbol, to be lifted upon the determination of the final alignment of the Highway #427 extension, to the satisfaction of the Ministry of Transportation Ontario;
- d) rezone Blocks 54-56 from A Agricultural Zone to EM1(H) Prestige Employment Area Zone with the Holding (H) Symbol, to be lifted upon the determination of the final alignment of the Highway #427 extension, to the satisfaction of the Ministry of Transportation Ontario; and
- e) provide for a minimum 14m setback from the future Highway #427 right-of-way limit to any "hard" engineering structure (to be determined in consultation with the Ministry of Transportation Ontario).

Economic Impact

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

Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands shown on Attachment #1 to EM1 Prestige Employment Area Zone, both with and without the Holding Symbol "H"; and, OS1 Open Space Conservation Zone, both with and without the Holding Symbol "H", in the manner shown on Attachment #3. The rezoning will implement the development requirements for corresponding Draft Plan of Subdivision File 19T-03V19 as shown on Attachment #2, which will be considered in a future report to the Committee of the Whole.

The draft plan of subdivision proposes the following:

- 49 Prestige Employment Blocks (EM1 and EM1(H) Zones) – 64.835 ha
- 3 Stormwater Management Blocks (OS1 and OS1(H) Zones) – 7.828 ha
- 4 Transit Corridor/Highway 427 R.O.W Blocks – 6.720 ha
- Streets, widenings, reserves – 8.731 ha

Background - Analysis and Options

The 88.114 ha site is located north of Regional Road 7, between Huntington Road and the future extension of Highway #427, in Lots 6, 7 and 8, Concession 9, City of Vaughan, as shown on Attachment #1. The surrounding land uses are:

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- North - dwelling/farm (A Agricultural Zone)
- South - Regional Road 7; outside storage/dwelling/commercial (A Agricultural Zone, C6 Highway Commercial Zone)
- East - Future Highway #427; vacant (A Agricultural Zone, EM1 (H) Prestige Employment Area Zone with Holding Symbol)
- West - Huntington Road; agricultural, employment (A Agricultural Zone, M2 General Industrial Zone)

On February 6, 2004, a Notice of Public Hearing was mailed to all landowners within 120m of the subject lands and to persons requesting notification. To date, no responses have been received. At the Public Hearing on March 1, 2004, the recommendation of the Committee of the Whole to receive the Public Hearing report and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on March 8, 2004.

On April 26, 2005, the Owner submitted a revised subdivision plan which further subdivided some of the original proposed larger Blocks into smaller ones, and also reflected the refined alignment of the Highway #427 extension, as identified in the "Corridor Study Area Limits Review" and depicted on the recently approved Huntington Business Park (Block 57/58) Plan shown on Attachment #4.

Official Plan

The subject lands are designated "Prestige Area" and "Employment Area General" by OPA #450 (Employment Area Plan) and are further subject to the Huntington Business Park (Block 57/58) Plan, subject to the following policies:

a) Prestige Area

The "Prestige Area" designation is located adjacent to arterial roads and highways, and accommodates uses that require high visual exposure, good accessibility and an attractive working environment. It defines areas where it is appropriate to restrict uses, which by nature of their operating characteristics, would contribute to attractive streetscapes, and provide opportunities for employment intensive uses that will take advantage of and support the transit system. A wide range of industrial, office, business and civic uses are permitted, but not outside storage. The implementing zoning is EM1 Prestige Employment Area Zone. Blocks 44 to 47 and Block 49 are proposed for prestige employment use, which conforms to the policies of OPA #450.

Development Planning Staff is also recommending that Block 53 (storm pond) and Blocks 54-56 (future employment or transportation blocks) that are within the Transit Corridor/Highway 427 R.O.W. are to be zoned OS1 Open Space Conservation Zone and EM1 Prestige Employment Area Zone, respectively, and that an (H) Holding Symbol be applied to these blocks, with the Holding provision to be to be lifted upon the determination of the final alignment of the Highway #427 extension, to the satisfaction of the Ministry of Transportation Ontario.

b) Employment Area General

The "Employment Area General" designation accommodates uses which do not require high visual exposure, provides location opportunities for industrial development which may require outside storage or be undertaken outdoors, and that facilities a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing and outside storage operations, and transportation and distribution facilities. The implementing zoning is typically EM2 General Employment Area Zone, however, the owner has requested that Blocks 1-43 and Block 48 be zoned EM1 Prestige Employment Area Zone instead, to promote a more prestige industrial business park with no outside storage. The EM1 Zone uses are also permitted in an EM2 Zone and are more restrictive, which conforms to the policies of OPA #450.

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c) Stormwater Management

The location of the stormwater management ponds were established by the Huntington Business Park (Block 57/58) Plan. No buildings or structures are permitted, except where structures are intended for flood or erosion control purposes. The implementing zoning is OS1 Open Space Conservation Zone. Blocks 50-52 are proposed for stormwater management ponds, which conforms to the Block Plan. Block 53 is also proposed for stormwater management purposes, however, this block is located within the Transit Corridor R.O.W., and will be required to be placed in an 'H' Holding Zone.

Zoning

The proposed zoning for the industrial plan of subdivision is shown on Attachment #3. The development is a combination of EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone with Blocks 53-56 having a Holding "H" provision pending the resolution of the Highway #427 extension by the Ministry of Transportation Ontario. In addition, the Ministry of Transportation has requested a 14m setback be applied to all "hard" engineered structures. The Owner and City are currently is working with the Ministry of Transportation to determine what they interpret to be "hard" engineered structures. If approved, the implementing zoning by-law will pre-zone the subdivision lands EM1, EM1(H), OS1 and OS1(H), together with the MTO setback requirement. Should the ultimate approval of the final subdivision plan result in the lot lines not corresponding with the zone lines in the implementing by-law an amendment to the zoning by-law may be required.

Block 54 (proposed EM1) located at the northeast corner of the site has an irregular shape. Given the configuration of this lot and the requirements for building under By-law 1-88, zoning exceptions may be required to facilitate development. The zoning exceptions that may be required will be evaluated upon the submission of a Site Development Application, unless these lands are required to be conveyed to the Ministry of Transportation Ontario for the purposes of facilitating the Highway #427 extension.

The OS1 Open Space Conservation Zone is proposed for stormwater management pond purposes. The Toronto and Region Conservation Authority has confirmed that the subject property is located outside of the Authority's Fill Regulated Area and the Regional Storm Floodplain of the Humber River. In turn, no additional structural setback has been provided for blocks adjacent to the Open Space blocks.

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 Zoning By-law to rezone the subject lands from A Agricultural Zone to EM1 and EM1 (H) Prestige Employment Area Zones, and OS1 and OS1 (H) Open Space Conservation Zones, which would facilitate the implementation of related Draft Plan of Subdivision 19T-03V19. The proposed Zoning Amendment Application has been reviewed in accordance with the policies of OPA #450, the approved Block Plan, and the provisions of By-law 1-88, as well as, the surrounding area context. The Development Planning Department considers the proposed rezoning of the subject lands, to be appropriate to implement the subdivision plan, which is in conformity with the Official Plan. The holding provision to be applied to Blocks 53-56, to facilitate storm pond and future employment lands along the easterly portion of the subject lands, could be removed to facilitate these Blocks for such purposes when the alignment for the extension of Highway #427 is finalized

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through the Environmental Assessment process, to the satisfaction of the Ministry of Transportation Ontario, unless these blocks are required to be conveyed to the Ministry for highway right-of-way purposes.

On this basis, the Development Planning Department can support the approval of the subject Zoning By-law Amendment Application, subject to the recommendations in this report.

Attachments

1. Location Map
2. Draft Plan of Subdivision
3. Proposed Zoning
4. Huntington Business Park – Block Plan

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.)

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Item 31, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

31 **SITE DEVELOPMENT FILE DA.05.035**
PINE SEVEN OFFICE PARK INC.

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 200, be approved; and
- 2) That the coloured elevation drawing submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.05.035 (Pine Seven Office Park Inc.) BE APPROVED, to permit a four storey, 1607m² office building on the subject lands, as shown on Attachment#2, subject to the following conditions:
 - a) that prior to the execution of the site development agreement:
 - i) the final site plan, elevation plan, and landscape plan, shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans, stormwater management report, and on-site vehicular circulation shall be approved by the Engineering Department;
 - iii) all required road widenings and access onto Regional Road #7 shall be approved to the satisfaction of the Region of York Transportation and Works Department; and
 - iv) all hydro requirements of PowerStream Inc. shall be satisfied; and
 - b) that the site development agreement contain the following clauses:
 - i) that snow removal and garbage pick-up shall be privately administered and the responsibility of the commercial complex; and,
 - ii) if required, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a building permit, in accordance with Section 51 of the Planning Act and City of Vaughan Policy. The Owner shall submit an appraisal prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Economic Impact

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

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Purpose

The Owner has submitted a Site Development Application (File DA.05.035) to facilitate the development of the subject lands shown on Attachment #1 with a four storey office building having a gross floor area of 1607m² and the associated landscape and parking areas, as shown on Attachment #2. The parking and landscape areas for the proposed building will be located on the former Sylvan Brook Avenue road allowance, which now forms part of the overall site owned by the applicant, and will be rezone from R1 Residential Zone to C1 restricted Commercial Zone, consistent with the easterly development portion of the site, upon Council's approval of the site plan application. The pertinent Site Statistics are as follows:

Site Area =	23,258.2m ²
Existing GFA (Bldgs A, B, C)	7816.4m ²
Proposed GFA (New Bldg.) =	<u>1607.0m²</u>
Total GFA =	9423.04m ²
Parking provided =	331 spaces
Lot Coverage =	16.7%

Background- Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Regional Road #7, west of Pine Valley Drive, and included part of the former Sylvan Brook Avenue road allowance, which has been consolidated with the adjacent easterly lands under the same ownership and known municipally as 4500, 4550 and 4600 Regional Road #7, in Lot 6, Concession 7, City of Vaughan. The combined 2.34 ha parcel includes 900m² of the acquired former Sylvan Brook road allowance.

The subject lands are designated "General Commercial" by OPA #240 (Woodbridge Community Plan), as amended by site specific Amendments #494 and #628, and zoned C1 Restricted Commercial Zone and R1 Residential Zone by By-law 1-88. The surrounding land uses are as follows:

- North - existing detached residential (R3 Residential Zone)
- South - Regional Road #7; commercial uses (C1 Restricted Commercial Zone)
- East - existing commercial uses (C1 Restricted Commercial Zone); Pine Valley Drive
- West - proposed Ambria residential condominium building (RA2 Apartment Residential Zone)

Land Use

Official Plan

The subject lands are designated "General Commercial" by OPA #240 (Woodbridge Community Plan) as amended by site-specific OPA #494 and OPA #628. OPA #628 amends OPA #494 to include the Sylvan Brook Avenue road allowance within the Amendment Area and extend the permitted uses in OPA #494 over the entire parcel, to facilitate the existing development and the proposed 4 storey office building. The proposed office building is a permitted use and conforms to the Official Plan.

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Highway #7 Policy Review

The subject lands are located within the “Highway #7 Land Use Futures Study” area (ie. draft OPA #661), which will redesignate the subject lands from “General Commercial” to “Prestige Areas Centres + Avenue Seven Corridor, and establishes policies that would support a concentration of business and community service activities requiring high visibility and accessibility to major transportation links and the planned higher order transit facilities along Regional Road #7. On December 12, 2005 Council recommended that draft OPA #661 be received and that any issues identified by the public and Council be addressed by Staff in a future report to the Committee of the Whole.

Zoning

The subject lands are zoned C1 Restricted Commercial Zone (4500, 4550, and 4600 Regional Road #7) and R1 Residential Zone (former Sylvan Brook Avenue road allowance) by By-law 1-88. The C1 lands are subject to a site-specific exception 9(523). The merging of the two properties results in a lot that would be split-zoned, and therefore, an application to amend the Zoning By-law was, File Z.05.009 (Pine Seven Official Park Inc.) was approved by Council on June 27, 2005, rezoning the road allowance from R1 Residential Zone to C1 Restricted Commercial Zone, consistent with the balance of the lands subject to Exception 9(523), which permits the following uses:

- business or professional offices and financial institutions provided such uses are conducted wholly within an enclosed building and provided further that no manufacturing or processing is carried on;
- a personal service shop, private school, retail store (limited to a health food store, postal outlet, copy centre, optical outlet and art gallery), photography studio, coffee shop/café, pharmacy and laboratory, conducted wholly within an enclosed building and limited to the ground floors of Buildings A, B and C and in the basement of Building “A” only.

To date, the following zoning exceptions have been identified and are required to implement the subject site plan proposal:

- permit a maximum building height of 17m, whereas 11m is permitted;
- require a driveway access width of 10.7m on regional Road 7, whereas 7.5m is required;
- require a minimum 5m wide landscape strip adjacent to Regional Road 7 and Pine Valley Drive, whereas 6m is required; and
- permit a shared access with the property to the west, whereas all access and parking areas are required to be provide on site.

The building height of 17m exceeds that of the existing buildings, however, it applies only to the tower features. The remainder of the roofline is approximately 14m and consistent with the existing buildings on the site and with the recently approved Ambria condominium buildings on the lands to the west. The driveway width and the reduction of the landscape strip from 6m to 5m are a result of Regional road widening requirements. The shared access driveway was approved as a result of the closure of Sylvan Brook Avenue and a shared access arrangement agreed to by the Owner, and the Owner of the adjacent lands to the west and the Region of York. The Development Planning Department can support the zoning exceptions which will result in development that is compatible with the subject and surrounding lands.

The implementing zoning by-law has not yet been enacted, but will include the exceptions noted above and any other exceptions that may be required to implement the final approved site plan.

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Planning Considerations

Site Design

The subject lands are currently developed with three, 2 storey office buildings with a consistent architectural design. The property is rectangular in shape and with the addition of the former road allowance allows for intensification. The proposed development is located in the westerly portion of the property on lands previously used for parking and landscaping, as shown on Attachment #2. The placement of the building on the site relative to Regional Road #7 is consistent with the existing buildings.

Parking and Access

The proposed site plan includes 331 parking spaces. Based on the requirements of Zoning By-law 1-88, parking for this site including both existing and proposed buildings is calculated as follows:

Existing and Proposed Office GFA – 9,423.4m² @ 3.5 spaces/100 GFA = 330 spaces

The proposed development complies with the minimum parking space requirements of By-law 1-88, with a surplus of one space.

Access

The proposed site plan as shown on Attachment #2, includes three full-movement access points, comprising one on Pine Valley Drive and two on Regional Road #7. One full-movement access driveway is centrally located along the Regional Road #7 frontage providing access to and from the office complex. The other full-movement access driveway located on Regional Road #7 is shared with the adjacent residential condominium development (Ambria Residences) to the west and was recently approved by the Region of York.

Building Elevations

The proposed building elevations are shown on Attachments #4 and #5. The four storey office building has a main building height of 14m. The roof is primarily flat with the exception of the tower structure at the southeast corner of the building. The proposed metal tower structure is higher than the remainder of the building, approximately 17m in height and is capped with roof pinnacles providing visual interest to the structure. The main entrance to the building is located on the south elevation, with several exit doors provided on each of the other elevations. The building material consists of a combination of red/brown brick veneer and a light beige architectural block, interrupted by extensive glazing material. Accents in the form of architectural mouldings along the roofline and beige coloured stone banding encompassing the building provide both additional architectural detail and separation to the overall building height.

The final building elevations must be approved to the satisfaction of the Development Planning Department.

Landscaping

The applicant has submitted a Tree Preservation Plan and a landscape plan (Attachment #3) in support of the development proposal affecting the westerly portion of the property. The proposed building is located on lands previously used for parking and landscaped area and many of the trees existing on site will be removed. The Tree Preservation Plan has identified that many of these trees are in poor condition. All trees identified as in good condition will be preserved and

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relocated elsewhere on the site. The landscaping for the overall site will remain with the exception of the area surrounding the new building. The landscape plan shown on Attachment #3 provides for a variety landscape material including deciduous and coniferous trees and shrubbery, along the perimeter of the site and building, and within the parking areas.

The final tree preservation plan, landscape plan and landscape cost estimate are to be approved to the satisfaction the Development Planning Department.

The Owner will be required to satisfy any required cash-in-lieu of parkland dedication requirements under the Planning Act, to the satisfaction of the Real Estate Department.

Region of York

The Region of York Transportation and Works Department shall approve the final access and throat design on Regional Road #7, as a result of the road widening requirements for this stretch arterial road.

Services

Municipal services are available to service the proposed development. A final grading and servicing plan and stormwater management report must be approved to the satisfaction of the Engineering Department. All hydro requirements must be to the satisfaction of PowerStream Inc.

The Engineering Department has also advised that a lighting plan is to be submitted and approved to their satisfaction.

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 Site Development Application DA.05.035 (Pine Seven Office Park Inc.) in accordance with the applicable policies of OPA #240 (Woodbridge Community Plan), By-law 1-88, and the surrounding context, and is of the opinion that the proposal for an additional office building is appropriate and conforms to the Official Plan. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. North and South Elevations
5. East and West Elevations

Report prepared by:

Eugene Fera, Planner, ext. 8064
Mauro Peverini, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

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/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 32, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

32

**SITE DEVELOPMENT FILE DA.05.058
CITY OF VAUGHAN (BELL MOBILITY INC.)**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.05.058 (City of Vaughan-Bell Mobility Inc.) BE APPROVED, to permit the construction of a Bell Mobility flagpole type telecommunications tower and associated equipment cabinets, as shown on Attachment #2, subject to the following conditions:

- a) that prior to the issuance of a Building Permit:
 - i) the final site plan, landscaping plan and elevation plan shall be approved to the satisfaction of the Development Planning Department;
 - ii) all hydro requirements of Power Stream Inc. shall be satisfied; and
 - iii) the lease agreement between the City and Bell Mobility Inc. shall have been finalized.

Economic Impact

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

Purpose

Bell Mobility has submitted a Site Development Application on the subject lands shown on Attachment #1 to permit the construction of a 27.5m high flagpole-style telecommunications tower and associated equipment cabinets on lands to be leased from the City of Vaughan (54m²) within the Maple Cemetery on Station Street (Attachments #1 and #2).

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Station Street, north of Major Mackenzie Drive at the entrance to the Maple Cemetery, and comprise 54m² of land that is to be leased from the City of Vaughan to Bell Mobility. Vaughan Council on December 12, 2005, subject to criteria set out by the Development Planning Department, and other conditions of approval, authorized staff to enter into a lease agreement with Bell Mobility Inc. for the vacant lands in the the Maple Cemetery for the installation of a telecommunications facility (flagpole-type antenna and associated equipment cabinets).

The surrounding land uses are:

- North - existing industrial uses (M2 General Industrial Zone) and Hill Street
- South - Major Mackenzie Drive, existing residence (A- Agricultural Zone) and future Block 18 Residential (RD3(H) Residential Density Three with Holding provision)
- East - Maple Cemetery (OS2 Open Space Park Zone)
- West - Station Street, GO Line, and existing residential (R1 Residential Zone) west of Simcoe Street

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The City has adopted a Protocol for the Establishment of Telecommunication Tower and Antenna Facilities, and as a result of this protocol, any facility which is not exempt from municipal approval must make an application to the City to have their proposal reviewed and assessed in light of this protocol.

The protocol requires those antenna facilities that are located within 120m of a residential area to undertake a Public Information Meeting, and to report back to the City with the name of the attendees and the outcome of the meeting.

On January 24, 2006, Bell Mobility held a Public Information Meeting, by notifying residents within 120m of the proposed development. By letter dated January 26, 2006, Bell Mobility indicated that only one person attended the Public Information Meeting which was held at the Maple Community Centre. No objections were received in regard to the proposal.

Official Plan

The subject lands are designated "Settlement Area" by the Oak Ridges Moraine Conservation Plan (OPA No. 604), and "Institutional" with a "Cemetery" underlay by OPA #350 (Maple Community Plan) which permits the cemetery use. Utilities are also permitted. The proposed flagpole telecommunications tower use conforms to the Official Plan.

Zoning

The subject lands are zoned OS2 Open Space Park Zone by By-law 1-88, which permits a cemetery use. The proposed flagpole telecommunications tower use is also permitted and complies with the provisions of Section 3.10 "Public Uses" of By-law 1-88.

The Building Standards Department has advised that a Building Permit is required for the designated structure.

Site Design

The proposed development (Attachment #2) is to be located at the entrance to the cemetery on Station Street. The proposed 27.5m high flagpole-type telecommunication antenna structure (Attachment #3) is located approximately 8.73m from Station Street, with the associated equipment cabinets (Attachment #4) located 6.64m from Station Street on a concrete pad (1.22mX3.66m) surrounded by a vinyl cream or grey coloured fencing with masonry piers at four corners, having a maximum height of 1.8m (See Attachment #5). The Development Planning Department is satisfied with the proposed site layout.

All hydro requirements to service the cabinets for telecommunications tower must be to the satisfaction of PowerStream Inc.

Elevations

The Development Planning Department has reviewed the proposed cabinet enclosure (Attachment #5) and landscape plan (Attachment #6) and is satisfied that all urban design standards and specifications have been met, and that the proposed landscaping is appropriate.

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".

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Conclusion

The Development Planning Department has reviewed the proposed Site Development application in accordance with the Official Plan and Zoning By-law. The development of the 27.5m high flagpole antenna structure and associated equipment cabinets and the proposed placement and site layout are considered acceptable. The accessory equipment cabinets will be surrounded by a vinyl privacy fence with masonry piers at all four corners. Accordingly, the Development Planning Department can support the approval of the Site Development application, subject to the recommendations in this report.

Attachments

1. Location Map
2. Site Plan
3. Elevation Plan (Flagpole Antenna)
4. Cabinet Elevations
5. Vinyl Fence Details
6. Landscape Plan

Report prepared by:

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

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

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Item 33, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

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

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

THAT the building elevations for the site plan approved donut shop (Tim Horton's) and pylon sign respecting Site Development File DA.04.048 (Mario and Nick Cortellucci) as shown on Attachments #3, #4 and #5, BE APPROVED.

Economic Impact

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

Purpose

The Owner has submitted the building elevation and pylon signage details for an approved Site Development Application on the subject lands shown on Attachment #1, to facilitate a 232m² stand alone donut shop (Tim Horton's) as shown on Attachment #2. The Owner is seeking approval of the building elevations for the donut shop and pylon sign as shown on Attachments #3, #4 and 5.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the northwest corner of Keele Street and Kirby Road, in Part of Lot 31, Concession 4, City of Vaughan. The vacant 1.459 ha property has 90m frontage on Kirby Road and 150m flankage on Keele Street.

The subject lands are designated "Agricultural" by OPA #600, as amended by site-specific OPA #525, which permits the proposed use, and zoned C6 Highway Commercial Zone by By-law 1-88, subject to Exception 9(1240). The proposed development conforms and complies with the Official Plan and Zoning By-law, respectively.

On May 23, 2005, Council approved Site Development File DA.04.048 (Mario and Nick Cortellucci) to develop a 1.459 ha parcel of land shown on Attachment #1 for a Petro Canada gas bar, with an accessory 220m² convenience retail store/gas bar kiosk, a 242m² mechanical car wash, two associated pylon signs, and a 232m² donut shop with a drive-through, as shown on Attachment #2. The Council resolution required the Owner to submit elevations for the proposed eating establishment (donut shop) for approval by Council at a future date.

The elevations provided on Attachment #3, illustrate that the proposed Tim Horton's will have a flat roof and a building height of 4.96m. The building materials consist of stucco, brick and windows on the east (Keele Street), north and south elevations. The front elevation (east) features the main entrance, which is surrounded by glass. A large company wall sign is located over the main doors, as well as, on the north façade.

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A beige coloured stucco is located along the top portion of the building where the Tim Horton's wall sign is located. The remainder of the building consists of predominantly brown clay brick, with 3 rows of taupe coloured clay brick as an accent.

The donut shop is designed with 42 seats internally, and with a drive-through along the south side of the building, with a vehicle stacking for 10 cars located to the south and west side of the building. A garbage enclosure with a northerly facing roll-up door is attached to the west side of the building, and is finished with the same materials and architectural details as the main building.

A 6.6m high Tim Horton's pylon sign as shown on Attachment #4 is proposed on the north side of the Keele Street entrance to the site. The two pylon signs for the gas bar, convenience store and car wash were included in the original approval located just south of the Keele Street entrance and along the Kirby Road frontage. There will be a total of three pylon signs on the site.

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 Development Planning Department is satisfied with the proposed elevations for the Tim Horton's donut shop building and the associated pylon sign for this eating establishment.

Attachments

1. Location Map
2. Site Plan
3. North and East Exterior Elevations
4. South and West Exterior Elevations
5. Tim Horton's Pylon Sign

Report prepared by:

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

/LG

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

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Item 34, Report No. 18, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 10, 2006, as follows:

By approving the final site plan for Site Development File DA.05.004, 1556615 Ontario Limited;

By referring the issue of the lay-by parking spaces to York Region staff for consideration; and

By receiving the report of the Commissioner of Planning, dated April 3, 2006.

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**SITE DEVELOPMENT FILE DA.05.004
1556615 ONTARIO LIMITED**

The Committee of the Whole recommends that this matter be referred to the Council meeting of April 10, 2006:

Recommendation

The Commissioner of Planning recommends:

1. THAT Council provide direction with respect to the Region of York's decision to replace 12 lay-by parking spaces with a right-turn lane on the east side of Keele Street, south of Eagle Rock Way, for Site Development File DA.05.004 (1556615 Ontario Limited).
2. THAT Council provide direction concerning the disposition of the final site plan approval for Site Development File DA.05.004 (1556615 Ontario Limited).

Economic Impact

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

Purpose

The purpose of this report is to obtain Council direction in response to Region of York comments, wherein the Region has recommended the deletion of 12 lay-by parking spaces along Keele Street for approved Site Development File DA.05.004 (1556615 Ontario Limited) as shown on Attachment #2, in lieu of a right-turn lane as shown on Attachment #3.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the southeast corner of Eagle Rock Way (future McNaughton Road) and Keele Street, being Block 96 on Registered Plan 65M-3784 (10197, 10211 and 10243 Keele Street), in Part of Lot 22, Concession 3, City of Vaughan.

On June 27, 2005, Vaughan Council approved Official Plan and Zoning By-law Amendment and Site Development Files OP.04.012, Z.04.038 and DA.05.004 (1556615 Ontario Limited), respectively to facilitate a mixed-use commercial/residential development, including 12 lay-by parking spaces along the Keele Street frontage, as shown on Attachment #2. Earlier the Region of York on June 17, 2005 provided comments to the City recommending approval of the proposal in principle, subject to the removal of the lay-by parking spaces. Lay-by parking spaces are encouraged by the Maple Streetscape Urban Design Guideline's (MSUDG's) in this area.

Planning Department staff consulted with Regional Transportation staff regarding the possibility of the Region allowing the lay-by parking spaces along the Keele Street frontage, and on October 17, 2005, the Region of York forwarded a letter to the City approving the lay-by parking spaces, in principle.

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However, on October 18, 2005 the Region of York revised their comments to protect for a future right-turn lane and taper as shown on Attachment #3, for northbound traffic onto eastbound Eagle Rock Way (future McNaughton Road), in order to facilitate the future growth and traffic demands for future developments on lands to the east. As a result, the lay-by parking spaces would be eliminated.

The Owner amended their approved site plan on February 20, 2006 in accordance with the Region's comments as shown on Attachment #3, and it was subsequently considered by the Maple Streetscape Advisory Committee (MSAC) on February 22, 2006. The MSAC adopted a motion at that meeting indicating that the proposed right-turn and taper lane contravenes the intent of the Maple Streetscape and Urban Design Guidelines to make Maple a more pedestrian-friendly community and that MSAC strongly supports the implementation of lay-by parking and requests that the Region proceed with a reduced number of lay-by parking spaces.

The Owner has forwarded an e-mail to the Development Planning Department and to the Mayor and Members of Council expressing concern about the delays caused by the change in the Region's comments respecting the lay-by parking spaces and the inconsistency between the City and Regional positions respecting this issue. In order to respond to the motion adopted by MSAC and the Owner's concerns, a formal Council position respecting the lay-by parking spaces for this development is being sought, for subsequent consideration by the Region of York. In addition, given that the unresolved issue of lay-by parking is delaying final approval of the site plan, direction from Council is required concerning the disposition of the site plan approval.

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

On June 27, 2005, Vaughan Council approved Site Development File DA.05.004 (1556615 Ontario Limited) to facilitate a mixed-use commercial/residential development as shown on Attachment #2, which included 12 lay-by parking spaces along the Keele Street frontage. The Region of York has advised that it is protecting for a right-turn lane and taper as shown on Attachment #3, and as a result, the lay-by parking spaces on Keele Street would be eliminated. On February 22, 2006, the Maple Streetscape Community Advisory Committee adopted a motion stating that the right-turn lane contravenes the Maple Streetscape Guidelines. The Owner is being delayed by the uncertainty respecting this issue.

The Development Planning Department is seeking formal direction and resolution from Council as to how to proceed with respect to the deletion of the 12 lay-by parking spaces, which will be forwarded to the Region of York.

Attachments

1. Location Map
2. Council Approved Site Plan (June 27, 2005)
3. Revised Site Plan (February 20, 2006)

Report prepared by:

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

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(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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- c) that the Holding Symbol "(H)" shall be removed on the subject lands zoned R5(H) Residential Zone upon servicing capacity being allocated by Council.

Economic Impact

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

Purpose

The Owner has submitted the following applications to:

1. Amend the Official Plan, specifically OPA #240 (Woodbridge Community Plan), as amended by OPA #356 (Kipling Avenue Corridor Plan), to redesignate the entire subject lands shown on Attachment #2 from "Low Density Residential" (maximum 8.6 units/ha) to "Medium Density Residential" (maximum 35 units/ha) to permit two single-detached dwellings with frontage on Chavender Place and six semi-detached dwellings with frontage on Kipling Avenue, at an overall maximum permitted density of 20 units/ha.
2. Amend Zoning By-law 1-88, to rezone the subject lands shown on Attachment #1 from R1 Residential Zone to R3 Residential Zone, to permit the development of two single detached dwellings with frontage onto Chavender Place, and to RVM1(B) Residential Urban Village Multiple Dwelling Zone One to permit the development of six semi-detached dwellings with frontage onto Kipling Avenue, as shown on Attachment #2.

The proposed redesignation and rezoning would facilitate future severances of the subject lands by way of Consent applications through the Committee of Adjustment.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the northeast corner of Kipling Avenue and Chavender Place, in Part of Lot 9, Concession 7, City of Vaughan. The 0.29 ha parcel represents a consolidation of 2 separate properties (8281 and 8291 Kipling Avenue) into one development parcel. The lands currently contain 2 detached residential dwellings that will be demolished.

The subject lands are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #356 (Kipling Avenue Corridor Plan), and zoned R1 Residential Zone by By-law 1-88. The surrounding land uses are as follows:

- North - existing detached residential (R1 Residential Zone)
- South - Chavender Place; existing detached residential (R2 Residential Zone and R3 Residential Zones)
- West - Kipling Avenue; existing townhouse residential (RM1 Multiple Residential Zone)
- East - existing detached residential (R1 Residential Zone)

On May 9, 2005, the Owner submitted applications to amend the Official Plan and Zoning By-law to redesignate the entire property from "Low Density Residential" to "Medium Density Residential" and rezone the subject lands from R1 Residential Zone to RVM1(A) Residential Urban Village Multiple Zone One (street townhouse) and RVM1(B) Residential Urban Village Multiple Dwelling Zone One (semi-detached), respectively. The applications would facilitate a development concept consisting of 8 street townhouse dwellings and 4 semi-detached dwellings, fronting onto Kipling Avenue and Chavender Place, respectively, and with a rear laneway with access from Chavender Place for the townhouse dwellings as shown Attachment #3. This concept has been replaced with the proposal shown on Attachment #2.

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Public Hearing

On May 27, 2005, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands, the Kipling Ratepayers' Association and the West Woodbridge Homeowners' Association, to consider the original proposal shown on Attachment #3. Written comments were received from the Owners of 8251 Kipling Avenue and 28 Hurricane Avenue. These Owners opposed the proposal since single-detached dwellings characterize most of the surrounding area and the lack of yard space available would result in children playing on Hurricane Avenue.

A Public Hearing was held on June 20, 2005, and a number of residents from Kipling Avenue and Hurricane Avenue spoke in opposition to the proposal, including the President of the Kipling Ratepayers' Association. A petition opposing the proposal on behalf of the majority of the residents of Chavender Place was submitted to Council identifying the following issues:

- the proposal is not consistent with the character of the area and does not maintain the low-density requirements of the Official Plan;
- the proposal would result in the loss of mature trees and privacy;
- the increase in traffic would be hazardous;
- the handling of garbage is a major concern;
- not supportive of allowing direct access onto Kipling Avenue; and,
- the proposed lot sizes do not meet the minimum size criteria for lots that are adjacent to the Board of Trade Golf Course.

The recommendation of the Committee of the Whole to receive the Public Hearing report of June 20, 2005, and for the applicant to meet with the Local Councillor, the Ratepayers Associations and residents who have expressed concern, to address any outstanding issues, prior to the matter being brought forward to a future Committee of the Whole meeting, was ratified by Council on June 27, 2005.

Community Meetings

On August 9, 2005, a community meeting was held at the Woodbridge Library. The applicant presented two development options at the meeting including the original development proposal (Attachment #3) and a second concept consisting of six semi-detached units and four semi-detached units fronting onto Kipling Avenue and Chavender Place, respectively.

On August 16, 2005, a third development concept consisting of six-semi-detached dwellings fronting onto Kipling Avenue and two detached dwellings onto Chavender Place was presented at another community meeting. Although various participants have stated that concessions have been made, the Owner and the residents did not reach a consensus regarding a mutually acceptable development proposal. The Owner is not prepared to proceed with a development concept consisting entirely of single-detached dwellings as suggested by area residents.

On September 16, 2005, the Owner submitted the current proposal (Attachment #2) to the City, and the following comments have been received from the local residents:

- the style and community-feel of Chavender Place and north Kipling should be maintained, and since there are no semi-detached dwellings in the area, it is desirable to construct single-detached dwellings. The residents recognize that the existing townhouses on the west side of Kipling have set a precedent, but feel that with time, they will be demolished and the area updated;
- the residents recognize that there is a tendency towards higher densities, and would rather see five detached homes where two currently exist in order to meet this criteria, which would double the current density;

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- semi-detached or townhouse dwellings represent a four to five-fold increase in density, which is extreme; and,
- the residents strongly oppose building any laneways from Chavender Place for a variety of reasons, including garbage, snow removal, cleanliness, traffic, noise, etc.

The easterly neighbour directly abutting the subject lands at 21 Chavender Place, also provided the following comments:

- the easterly building setback should be 2.4m, rather than the proposed 1.2m;
- the developer should erect a fence at the maximum height allowable between the properties, and that the style and materials be agreed upon by both parties;
- the size of the existing yards and the trees provide a level of privacy, which will be lost if a higher density development occurs;
- any new property adjacent to 21 Chavender Place should be appropriately setback from the street in keeping with its neighbours, while not so far back that both properties suffer from the loss of backyard privacy; and,
- the style and construction of any new development be limited to that of the existing houses (i.e., brick or stone, and no stucco, aluminum or vinyl siding).

Land-Use Status/Planning Considerations

i) Provincial Policy Statement

The subject applications were 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 PPS sets out overall directions on matters of provincial interest related to land use planning and development, and includes policies that encourage the focus of new growth to urban areas. The PPS promotes efficient, cost effective development, and land use patterns that are based on densities which:

- efficiently use land, resources, infrastructure, and public service facilities; and,
- avoid the need for unnecessary and/or uneconomical expansion of infrastructure.

The PPS promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residents by ensuring all forms of residential intensification in parts of built-up areas that have sufficient infrastructure to create a potential supply of new housing units. Development and land use patterns which may cause environmental or public health and safety concerns shall be avoided. The proposal meets the intent of the PPS with respect to the efficient use of land and infrastructure and providing a range of housing types.

ii) Region of York Official Plan

The Region of York Official Plan identifies the subject lands as “Urban Area”. The subject applications are consistent with the Regional Official Plan policies that direct development to existing built-up portions of urban areas (Section 5.2.4), provide a wider range of housing options for residents (Section 4.3.10), and provide accessibility to existing and planned transit service (Section 6.2.3). The Region of York considers the subject applications to be a matter of local significance, and as such, has exempted the applications from approval of the Regional Planning Committee and Council. The proposed development is consistent with the Regional Official Plan policies.

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iii) City of Vaughan Official Plan

The subject lands are designated “Low Density Residential” by OPA #240 (Woodbridge Community Plan), as amended by OPA #356 (Kipling Avenue Corridor).

a) OPA #240 (Woodbridge Community Plan)

The “Low Density Residential” designation of OPA #240 permits single-detached and semi-detached dwelling units at a maximum permitted density of 8.6 units/ha, which would permit a maximum of two dwelling units on the overall 0.29 ha property. The applicant’s proposal for a total of 8 dwelling units as shown on Attachment #2, would provide for an overall density of 20 units/ha, and therefore, an amendment to the Official Plan is required.

In response to a comment made at the Public Hearing with respect to lot sizes, OPA #240 contains a policy that lands designated “Low Density Residential” adjacent to the Board of Trade Golf and Country Club shall be developed for single family dwellings and shall be a minimum of 930m² (10,000 sq.ft.) in area. However, there are three lots to the east of the subject lands, and two lots to the north of the subject lands, and an open space system between the subject lands and the golf course, and therefore, this policy is not applicable.

The proposed built form (i.e. single-detached and semi-detached dwellings) is permitted by the policies of OPA #240, however, a site-specific policy is required to accommodate the proposed increase in density. It is noted that the "Medium Density" designation permits townhouse uses at a maximum density of 35 units/ha, and the proposed 20 units/ha would fall in between the maximum permitted densities for the "Low" (ie. 8.6 units/ha) and "Medium" designations. As there are townhouse dwelling forms on the west side of Kipling Avenue, the Development Planning Department has no objection to the proposed density increased on the subject lands.

b) OPA #356 (Kipling Avenue Corridor Plan)

Council in 1988, directed the Planning Department to conduct a land-use study for the Kipling Avenue Corridor since the area had been under re-development pressure. The study area extended from Regional Road #7 in the south; to the realignment of Kipling Avenue, south of the Humber River in the north; Rainbow Creek to the west; and on the east by the Woodbridge Fairgrounds. In part, the study would also provide development guidelines to become the basis for evaluating and regulating development along Kipling Avenue. Council in 1991, adopted OPA #356 to implement the recommendations of the study and guide development within the Kipling Avenue Corridor. Generally, OPA #356 contemplated higher densities throughout the study area by introducing "Medium Density Residential" into the area.

The subject lands are located within “Zone 3” of OPA #356, which extends from Meeting House Road to the realignment of Kipling Avenue to the north. Zone 3 is described as predominantly low density residential with street townhouses on the west side of Kipling Avenue, north of Gordon Drive. At the time of the land-use study, it was noted that there was little evidence of re-development pressure in Zone 3 and it continued to function as a low-density residential area. As such, the most relevant policy within OPA #356 as it relates to the subject lands is Section 3.4(n) as follows:

“In order to preserve the historic low density appearance of the area, lands with frontage onto Kipling Avenue shall be developed in a manner that will enhance the low density character of the area. Accordingly, the Kipling Avenue frontage shall be developed with single family detached units consistent with other dwellings in the area.”

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The subject applications, which propose semi-detached dwellings to directly front onto Kipling Avenue, are supportable in the context of OPA #356, since OPA #356 contemplates higher densities for lands within the Kipling Avenue Corridor, including existing townhouse dwellings on the west side of Kipling Avenue, and the provision of "Medium Density Residential" designations also on the west side, but further south of the subject lands. In recent years, Council has approved development applications within this area with higher densities along Kipling Avenue and in the surrounding area. The built form being proposed is in keeping with the low-density character, although at a higher density. The proposal is also consistent with recent Provincial initiatives to accommodate higher densities in established urban areas.

The Owner had originally applied to redesignate the entire subject lands from "Low Density Residential" to "Medium Density Residential", to facilitate the previous proposal on Attachment #3. However, with the current proposal, both the proposed detached and semi-detached dwelling units are permitted uses under the "Low Density Residential" policies of OPA #240, as amended by OPA #356, and the proposed redesignation is no longer appropriate, notwithstanding the proposal yields a density of 20 units/ha, thereby exceeding the maximum permitted density of 8.6 units/ha for the "Low Density Residential" designation. Maintaining two single-detached lots on the north side of Chavender Place would provide for a transition between the existing dwellings on Chavender Place and the proposed semi-detached units on Kipling Avenue. Accordingly, the Development Planning Department recommends that the "Low Density Residential" designation continue to apply to the entire lands with a site-specific policy permitting a maximum density of 20 units/ha, and that Section 3.4(n) not apply in order to permit semi-detached dwellings to front onto Kipling Avenue.

Zoning

The subject lands are zoned R1 Residential Zone by By-law 1-88. Two separate zones are required to accommodate the built forms proposed.

The two single detached dwellings fronting onto Chavender Place are proposed to be rezoned to R3 Residential Zone. The R3 Residential Zone provisions of By-law 1-88 establish the following development standards:

- Minimum Lot Frontage - 12.0m
- Minimum Lot Area - 360m²
- Minimum Front Yard Setback - 4.5m
- Minimum Rear Yard Setback - 7.5m
- Minimum Interior Yard Setback - 1.2m
- Maximum Lot Coverage - 40%
- Maximum Building Height - 9.5m

Based on the concept plan submitted in support of the applications, exceptions are required to increase the front yard for Lot 1 to 10m and the front yard for Lot 2 to 12m. This will allow for a gradual transition in the front yard setbacks for Lots 1 and 2 with the single-detached dwelling located on the property to the east at 21 Chavender Place, as shown on Attachment #2.

The Owner had originally requested that the lands proposed to be developed with the semi-detached units be zoned RVM1(B) Residential Urban Village Multiple Dwelling Zone One. However, this Zone is typically utilized in the City's new growth areas and not in infill situations in established communities. The R5 Residential Zone permits semi-detached dwellings within the built-up area of the City, and together with the noted zoning exceptions can accommodate the proposed development concept.

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The six semi-detached dwelling units fronting onto Kipling Avenue are proposed to be zoned to R5 Residential Zone. The R5 Residential Zone provisions of By-law 1-88 establish the following development standards:

- Minimum Lot Frontage - 7.5m
- Minimum Lot Area - 225m²
- Minimum Front Yard Setback - 4.5m
- Minimum Rear Yard Setback - 7.5m
- Minimum Interior Side Yard Setback - 1.5m
- Minimum Exterior Side Yard Setback – 4.5m
- Maximum Lot Coverage - 50%
- Maximum Building Height - 11.0m

Based on the concept plan submitted in support of the applications, the following zoning exceptions would be required to implement the proposed semi-detached dwellings:

- require a minimum lot frontage of 7.0m, whereas 7.5m is required; and,
- require a minimum interior side yard of 1.2m, whereas 1.5m is required.

The Engineering Department has advised that the allocation of servicing for the proposed additional lots is not available at this time. Accordingly, the Development Planning Department recommends that the lands with the six semi-detached units be zoned R5(H) Residential Zone with the Holding Symbol “(H)”, which will prevent development until servicing becomes available, and upon which, the Holding Symbol “(H)” can be removed. The subject lands currently have two single-detached dwellings fronting onto Kipling Avenue that will be demolished to develop the proposal. As such, servicing is currently available for the two proposed single-detached dwellings that will front onto Chavender Place, and therefore, no holding provision will be placed on Lots 1 and 2, which will be zoned R3 Residential Zone.

Servicing Capacity

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 servicing 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 or approved within the next 12 months. Projects classified as Priority 1 have 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 or approved 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. Priority 3 allows for development applications that are expected to proceed to registration or approved 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, servicing allocation capacity for the proposal would need to be assigned by Council resolution. The City's Engineering Department has advised that servicing allocation capacity for the proposed development is currently not available.

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As noted earlier, the proposed semi-detached dwellings that are proposed to front onto Kipling Avenue will be zoned with the Holding Symbol "(H)", to be removed at such time that servicing is allocated. The Engineering Department intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing capacity may be revisited at that time, in consideration of the status of other development applications.

Vaughan Engineering

The applicant has submitted a Phase 1 Environmental Assessment Report prepared by Barenco Inc. that has been reviewed and approved by the Vaughan Engineering Department.

The applicant also submitted the "Kipling Avenue and Chavender Place Development Driveway Review" prepared by Paradigm Transportation Solutions Limited that has been reviewed and approved by the Vaughan Engineering Department. The report concludes that the proposed driveway connections to Kipling Avenue will operate within acceptable limits of traffic safety, however, that consideration be given to posting a "No Stopping" restriction along the Kipling Avenue frontage and that visual obstruction within 5m of the curb be restricted along the property frontage.

In order to post a "No Stopping" sign along the property frontage, Council must pass a resolution based on the recommendation of the Engineering Department. However, in light of the limited space between the six driveways onto Kipling Avenue, there will likely be little opportunity for on-street parking in this location, and therefore, a "no stopping" sign is not recommended. There are also existing dwellings on Kipling Avenue without "no stopping" signs.

The Owner intends to create the proposed lots through the Consent process through the Committee of Adjustment. Should the Consent applications be approved, the Engineering Department has advised that the Owner of the lands will be required to:

- submit a storm water management report indicating that there is an acceptable outlet for storm water runoff from the subject site and justifying that the allowable release rate will not be exceeded to the satisfaction of the Engineering Department;
- submit site-servicing and grading plans to the satisfaction of the Engineering Department;
- submit a noise report to the satisfaction of the Engineering Department;
- convey sufficient property (3m approximately) to provide 13m from the centreline of the Kipling Avenue municipal road allowance to the City of Vaughan at no cost and free of charge and encumbrance;
- convey an 8m by 8m daylight triangle at the corner of Kipling Avenue and Chavender Place municipal road allowances to the City of Vaughan at no cost and free of charge and encumbrance to the City;
- convey a 0.3m reserve behind the hypotenuse of the daylight triangle and three metres beyond the corners of the daylight triangle to the City of Vaughan at no cost and free of charge and encumbrance;
- arrange to prepare and pay for registration of a Reference Plan for the conveyance of the required road widening to the satisfaction of the City of Vaughan; and,
- pay the costs of the registration of the road dedication by-law that will dedicate the road widening as public highway.

Additionally, cash-in-lieu of parkland dedication for the additional residential units will be required through the Consent process. Prior to any consent being finalized, servicing capacity must be allocated by Council, and the Holding provision must be removed by Council.

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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 Official Plan to redesignate the subject lands from "Low Density Residential" to "Medium Density Residential", and the proposed application to amend the Zoning By-law to rezone the subject lands from R1 Residential Zone to R3 Residential Zone and R5 Residential Zone, as amended. The applications have been reviewed in the context of the Provincial Policy Statement, the Region of York Official Plan, OPA #240 and OPA #356, By-law 1-88, and the surrounding area context. This proposal involves the consolidation of two existing residential lots and the intensification of the built form in a manner that is consistent with the "Low Density Residential" built form policies of the Official Plan, which permits single and semi-detached dwellings.

The Development Planning Department has reviewed the issues raised by the area residents. The application as amended by the Owner, provides for a transition along Chavender Place by providing two single-detached dwellings adjacent to the existing detached dwellings and six semi-detached dwellings fronting onto Kipling Avenue, compatible with the land use context of the existing surrounding neighbourhood, which includes townhouses on the west side of Kipling Avenue, and with development proposals along Kipling Avenue, which promote higher densities.

The Owner has requested that the entire lands be designated "Medium Density Residential". The Development Planning Department recommends that the lands maintain the existing "Low Density Residential" designation with a site-specific policy to permit a maximum density of 20 units/ha, whereas 8.6 units/ha is currently permitted. The exception to permit semi-detached dwellings to front onto Kipling Avenue, whereas the Official Plan permits only single-detached dwellings to front onto this road is also supported. The lands fronting onto Kipling Avenue to be developed with six semi-detached dwellings will be zoned R5(H) Residential Zone with exceptions, and the single-detached dwellings fronting onto Chavender Place will be zoned R3 Residential Zone to permit two single-detached dwellings that will provide for a gradual transition in the front yard setbacks between the existing development on Chavender Place and the proposed single-detached and semi-detached dwellings. As noted in this report, the semi-detached dwellings will be zoned with the Holding Symbol "(H)", which will be removed upon servicing capacity being allocated for the additional six lots by Council in the future. The servicing allocation for the two existing single-detached dwellings to be demolished, will be assumed by the two proposed single-detached dwellings.

Accordingly, the Development Planning Department can support the approval of the Official Plan and the Zoning By-law Amendment applications, subject to the recommendation in this report.

Attachments

1. Location Map
2. Proposed Development Concept
3. Proposed Development Concept Considered at Public Hearing

Report prepared by:

Clement Messere, Planner, ext. 8409
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

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/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 36, Report No. 18, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on April 10, 2006, was dealt with by approving:

That the following be approved in accordance with the memorandum from the Commissioner of Planning, dated April 7, 2006:

“That further consideration of File OP.05.002 (Springside Gardens Estates Corp.) be referred to the April 18, 2006 Committee of the Whole meeting in order to allow the applicant and the Development Planning Department additional time to address the issues identified by the Committee of the Whole.”; and

That the written submission from Mr. Barry A. Horosko, Bratty and Partners, 7501 Keele Street, Suite 200, Vaughan, L4K 1Y2, be received.

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**OFFICIAL PLAN AMENDMENT FILE OP.05.002
SPRINGSIDE GARDENS ESTATES CORP.
TECHNICAL REPORT**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of April 10, 2006, to provide an opportunity for the applicant to meet with staff to resolve the outstanding issues identified; and
- 2) That the deputation of Mr. Barry Horosko, Bratty & Partners, on behalf of the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.) BE APPROVED, on the following basis:
 - i) That the implementing Official Plan Amendment shall:
 - a) redesignate the northerly portion of the subject lands to “Medium Density Residential-Commercial”; and the southerly lands to “General Commercial in the manner shown on Attachment #2;
 - b) include specific policies to implement the proposed mixed-use commercial/residential and office uses and provide for a maximum of 59 residential units on the subject lands;
 - c) include the specific noise related clauses for the residential uses as imposed by the Ontario Municipal Board in site-specific OPA #626 and identified in this report;
 - d) require a minimum separation distance of 150m between the north rail of the pullback track and a residential use, consistent with the OMB decision which implemented OPA #626;
 - e) require that a 10m ecological buffer abutting the valley be provided in accordance with Council policy;

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- f) require that the open space (valley) lands be dedicated to the Toronto and Region Conservation Authority (TRCA) or the City free of all cost and encumbrance;
 - g) include urban design policies as outlined in this report to guide future development; and,
 - h) require that the noise warning clauses recommended in the final noise study be included in all agreements of purchase and sale or lease.
- ii) The implementing Official Plan Amendment shall not be adopted until the Region of York has provided a final approval of the traffic study.
2. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES replacing the balance of OPA #607 with a site-specific Amendment, to implement Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.).

Economic Impact

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

Purpose

The Owner has submitted an Official Plan Amendment Application to redesignate the subject lands shown on Attachment #1 from “General Commercial (Special Policy)” under OPA #607 (adopted by Council and before the Ontario Municipal Board) to “Medium Density Residential – Commercial” and “General Commercial” as shown on Attachment #2, with the required site specific policies to implement the proposed plan.

The Owner has also submitted a corresponding Zoning By-law Amendment Application (File Z.05.007) to rezone the subject lands from A Agricultural Zone to RA3 Apartment Residential Zone and C4 Neighbourhood Commercial Zone with the required site-specific exceptions to implement the final approved site plan. The Zoning By-law Amendment Application will be considered at a future meeting of the Committee of the Whole.

The applications will facilitate the development of the subject lands having a lot area of approximately 4.873 ha with the following:

- six(6) two-storey, mixed-use buildings comprised of approximately 6,846m² ground floor commercial uses with a total of 59 residential dwelling units on the second floor; and
- a three-storey office/commercial building having a gross floor area of approximately 10,110m².

A proposed conceptual site plan is shown on Attachment #2.

Background - Analysis and Options

The 4.873ha site shown on Attachment #1 is located at the southeast corner of Jane Street and Springside Road, in Lot 17, Concession 4, City of Vaughan. The site is relatively flat and is currently undeveloped.

The Committee of the Whole, at a Public Hearing held on May 16, 2005, considered applications to amend the Official Plan and Zoning By-law to redesignate and rezone the subject lands to facilitate a development comprised of 3 eight-storey condominium buildings with approximately 450 units, and a three-storey mixed-use commercial/office building having a total gross floor area

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of approximately 13,500 m². The Owner subsequently amended the applications to reflect the current proposal.

The surrounding land uses are:

- North - Springside Drive; stormwater management pond (OS1 Open Space Conservation Zone) and Maple High School (R4 Residential Zone)
- South - CN pullback track (M3 Transportation Industrial Zone) and vacant land (C1 – H General Commercial Zone with the Holding Symbol “(H)” and RA3 Apartment Residential Zone)
- East - valleyland (OS1 Open Space Conservation Zone) and townhouses (RM2 Multiple Residential Zone)
- West - Jane Street; automobile dealership (C1 Restricted Commercial Zone and C1(H) Restricted Commercial Zone with the Holding Symbol “(H)”), and Paramount Canada's Wonderland (TPC Theme Park Commercial Zone)

On November 11, 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, Paramount Canada's Wonderland, CN Rail and those individuals on file having expressed interest in the applications. A letter has been received from CN providing the following comments:

“CN has strong concerns with respect to the introduction of residential uses in proximity to our MacMillan Yard pullback track, which is an integral part of the rail yard and is in fact the most important trackage in the entire 1,100 acre operation. MacMillan Yard is the largest rail yard in Canada and one of the busiest in North America. Approximately 1,000,000 cars per year are classified in the Yard, using the pullback track.

Residential uses are fundamentally incompatible with the rail yard operations. In accordance with Ministry of the Environment and CN Guidelines, residential uses should be separated a minimum of 300m from rail yards, which are classified as Class III industrial facilities.

The Province, with the updated Provincial Policy Statement and the proposed Greater Golden Horseshoe Plan, has become acutely aware of the need to protect significant transportation infrastructure from incompatible development and of the need to protect the integrity of such facilities for their goods movement function. There is stronger Provincial direction and policies in this regard.

CN strongly supported the City in their opposition to the development on the south side of the pullback track and strongly supported the City's comprehensive land use planning study for the area, which culminated in OPA #607, containing policies for commercial/industrial uses for the subject property. CN continues to strongly support the City's comprehensive planning analysis and the intent and policy direction established in OPA #607 for the subject property.”

Planning Considerations

i) OPA #607 and Ontario Municipal Board (OMB) Decision

In February 2004, the City initiated the “North East Jane Rutherford Study”, a Secondary Plan Study for the portion of Vaughan Centre lying east of Jane Street as required by OPA #600. The study area was approximately 20.3 ha in size and split into two halves by the CN pullback track. The study recommended that residential uses were generally not appropriate because the lands were isolated from the existing residential communities, the hostile pedestrian environment, and the impact of the pullback track. The study did allow for residential uses as an alternative use located at the southwest quadrant of the lands, subject to certain criteria.

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Based on the Study recommendations, Council adopted OPA #607 on June 28 2004, and the Region of York on September 10, 2004, issued a Notice of Decision approving the Amendment. On September 23, 2004, Davis & Company, acting on behalf of Jane-Ruth Developments Inc. (lands on the south side of the CN pullback track) appealed OPA #607 to the Ontario Municipal Board stating that the Amendment is contrary to applications filed with the City respecting their lands. The Jane-Ruth applications proposed high-density residential uses on the portion of the OPA #607 lands lying south of the CN pullback track.

The Ontario Municipal Board issued Decision Order #1815 on November 23, 2004, following a lengthy hearing, which included evidence from three noise experts, three land use planners and other experts with respect to the appropriateness of high density residential uses on the Jane-Ruth lands. In its approval, the OMB concluded:

- there is no generally applicable planning principle, or characteristic inherent in the operation of a rail yard that renders all adjacent land uses subordinate to it in terms of planning;
- the high density residential and commercial uses proposed by Jane-Ruth conformed to the intent and vision of the Region of York Official Plan and Vaughan Official Plan;
- the high density residential uses on the Jane-Ruth lands are preferable to hotel or commercial uses proposed by OPA #607, in part because of the absence of residential uses which had developed in OPA #600 within Vaughan Centre;
- a maximum density of 2.7 times the lot area, 200 units per hectare, and a 16 storey building height is acceptable;
- that the Ministry of the Environment Guidelines are guidelines only, and are neither law, nor regulation, nor policy and should not be considered or treated as such;
- that the activities on the pullback track should be assessed independently of the rail yard;
- the minimum height for a commercial building adjacent to the pullback track should be 3-storeys and that a minimum 6m high berm and fence combination be constructed along the common property line;
- that a 150m separation distance between the residential uses and the pullback track is acceptable subject to the noise mitigation measures prescribed by the Board; and,
- that the Official Plan Amendment refer to Tables LU-131 of the Ministry of the Environment Guidelines, and that there will be no provision for a 5db (decibel) excess.

The OMB on April 19, 2005 issued an amending Decision Order (#0982) after hearing from the parties and one additional noise expert on behalf of the City, respecting certain matters requiring clarification. The amending OMB Order provides for the following:

- the 150m setback from the south rail of the CN pullback track applies to the residential buildings, not the residential zone boundary;
- that there must be a substantial intervening land use on the commercial lands and that development on the commercial lands must be configured so that the buildings can provide some shielding of the residential grounds from unacceptable levels of noise from the CN pullback track; and,
- the deletion of the requirement for a three-storey commercial building.

The OMB's decision was implemented by OPA #626, which was adopted pursuant to the OMB Order on April 28, 2005. OPA #626 includes the following policies with respect to noise on the Jane-Ruth lands:

- "i) Residential buildings shall be setback a minimum of 115.5m, measured perpendicular from the northerly property line of the Amendment area, which is the equivalent of 150m from the south track of the CN pullback track. Residential

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buildings within the Amendment area shall be air-conditioned and contain a warning clause on Title indicating possible disturbance of outdoor activities, in accordance with the recommendations of a noise report.

Notwithstanding the foregoing, underground parking structures may be located within the 115.5m setback.

- i) The proponent of development on the subject lands will be responsible for attenuating noise from the pullback track at residential receptors in the development.
- ii) Noise studies and design of noise attenuation measures shall be based on the noise criteria of MOE publication LU-131, "Noise Assessment Criteria in Land Use Planning", October 1997, including the Annex to LU-131, with the following supplementary clarifications:
 - i. the applicable noise criteria for Transportation Sources are contained in Section 3 of LU-131, including Tables 1, 2, 3 and 4;
 - ii. the applicable noise criteria for Stationary Sources are contained in Section 4 of LU-131, including Tables 5, 6 and 7;
 - iii. the pullback track shall be treated as a "Stationary Source";
 - iv. the 5dba flexibility suggested in LU-131 shall not be permitted in the calculation of noise levels at the plane of window.
- iii) Where needed, for compliance with the stationary noise source criteria set out in LU-131, the construction of the apartment buildings will incorporate balconies that are enclosed to act as a barrier to the sound experienced on the balconies and at adjacent living room and bedroom windows.

The analysis and design for the architectural details shall take into account the full frequency spectrum characteristics of the diesel locomotive sound sources, in accordance with good engineering practice and the noise guidelines."

The Owner is proposing to incorporate the same policies into the implementing documents for the proposed development, if approved. In addition, the Owner is proposing to designate the lands closest to the pullback track "General Commercial", which does not permit residential uses.

The Ontario Municipal Board, by approving OPA #626 and By-law 277-2005, has formally changed and substantially altered the land use regime proposed by OPA #607 for the entirety of the lands lying south of the CN pullback track. Springside Gardens Estates Corp. owns the last undeveloped parcel within the OPA #607 Plan boundary. The Official Plan Amendment application and related zoning amendment application would facilitate the development of the subject lands with primarily office and commercial uses and 59 residential units consistent with the noise policies and criteria imposed by the OMB in OPA #626 and By-law 277-2005 for the high density residential development located south of the pullback track.

The OMB's decision weakens key assumptions in the "North East Jane Rutherford Study", particularly as it relates to the minimum separation distance requirement between a residential use and the pullback track. In addition, the subject lands are not isolated from the existing residential community to the north and east, but instead represent a logical extension and completion of the community lying north of the pullback track and east of Jane Street and an

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intensification opportunity to respond to applicable Provincial and Regional policy. As a result of the OMB approval, the only remaining developable parcel in OPA #607 is the subject land owned by Springside Gardens Corp.

In view of the considerable evidence considered by the OMB and its findings respecting the appropriateness of residential uses in the context of the pullback track, Provincial and Regional policy, and the surrounding land use context, which includes existing and approved residential development less than 300m from the pullback track, the Official Plan Amendment application to permit residential uses on the north side of the pullback track is considered appropriate subject to the implementing Amendment including the same noise policies as OPA #626 (identified above).

The proposed development includes 59 residential units located above the ground floor commercial uses in a two-storey built form. The residential component of this application is less intense than that approved on the Jane-Ruth lands both from a density and building form perspective and only marginally increases the number of residential units already existing or approved within 300m of the pullback track. Furthermore, the Owner is proposing to construct a substantial intervening land use in the form of a three-storey office commercial building.

ii) Policy Context

The review of existing provincial and regional policy context that indicates the proposed development form 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. 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 development will add to the mix of housing and assist to establish a compact and efficient community.

The Official Plan Amendment Application was commenced January 24, 2005, and therefore is subject to the Provincial Policy Statement (1997). The Provincial Policy Statement (PPS) encourages 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.

iii) Land Use Context

The subject lands are bordered by a storm pond to the north; a valley and existing residential uses to the east; the CN pullback track, commercially designated lands and high density residential uses to the south; and, Jane Street, Paramount Canada's Wonderland and a developing auto park to the west. The proposed development is considered compatible with the surrounding land use context from a use and built form perspective given the applicable planning policy and the recent OMB decision outlined above. The proposed uses are also compatible with land uses that characterize the Jane Street frontage.

CN has advised that they do not support residential uses within 300m of the CN pullback track since the uses are fundamentally incompatible. As noted above, this exact position was tested at a lengthy OMB Hearing respecting the lands immediately south of the same CN pullback track. After considerable noise evidence was provided at the Hearing, the OMB concluded that the appropriate separation distance between the CN pullback track (south rail) and a residential use is 150m. The OMB further approved site-specific policies included in the implementing Official Plan Amendment (OPA #626) and Zoning By-law 277-2005 to guide the approved residential development.

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CN has identified that the Province, with the updated Provincial Policy Statement (PPS) and the proposed Greater Golden Horseshoe Plan, have introduced stronger policies to protect significant transportation infrastructure from incompatible development and of the need to protect the integrity of such facilities for their goods movement function. The PPS 2005 applies to all applications, matters or proceedings commenced on or after March 1, 2005. As noted above, the subject Official Plan and Zoning Amendment applications were commenced on January 24, 2005, and therefore PPS 2005 is not applicable, however, the PPS 1997 is applicable. The Places to Grow (PTG) policy document is not in effect at this point in time, regardless, the proposal is considered consistent with the overall objectives of this document.

The proposed development will not impact on the integrity of the pullback track to a greater degree than already exists, given the surrounding existing and approved land use context. Residential uses exist on Parktree Drive, Larissa Court and Hollybush Drive and a residential condominium development (Villa Giardino) was recently constructed all located within 300m of the pullback track. The balance of development along the pullback track includes a sports complex, police station, municipal administration building and works yard, and approved high density residential and commercial uses.

iv) Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. By-law 1-88 does not include a zoning category to facilitate mixed-use commercial/residential development of the nature proposed by this application. Consequently, a site-specific zoning amendment is required to implement the proposed plan. The applicant has submitted Zoning By-law Amendment File Z.05.007, which will be considered at a future Committee of the Whole meeting. If the zoning application is approved, the implementing by-law would be based on an approved site plan and would also incorporate site-specific standards to implement the policies of the Official Plan Amendment, if approved, in a fashion similar to By-law 277-2005. The detailed zoning provisions will be considered in a future Technical Report in association with a detailed site plan.

v) Urban Design

Urban design policies should be included in the implementing Official Plan Amendment, if the application is approved. The policies should be consistent with Section 4.2.2.2 of OPA #600, with additional policies included to address the specific form of development being proposed as follows:

- i) The development shall establish a distinctive high quality urban environment defined by architecture and landscape treatment. Buildings are encouraged to be sited to create an interesting and attractive streetscape along Jane Street with attention to integration of transit facilities and a high quality streetscape and open space.
- ii) Buildings should be sited to take advantage of the natural amenity of the valley. Private amenity space should be integrated with the valley and pedestrian areas.
- iii) Pedestrian access to buildings will be integrated with adjacent public streets to ensure access is convenient and safe.
- iv) The development shall establish a distinctive and co-ordinated landscape treatment internal to the site.
- i) The development shall provide safe, efficient and convenient vehicular access in a pedestrian-friendly manner.

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- ii) The development shall be designed to visually screen and minimize the impact of on-site parking and service areas.
- iii) Separate vehicular access and driveways shall be encouraged for the residential and commercial uses. Mutual or shared driveways shall be discouraged.
- vi) Open Space

The subject lands abut a valley associated with a tributary of the Don River, which is located along the westerly limit of the site. The valley provides a natural feature that is to be protected and sensitively integrated with the proposed development and any stormwater management facility. A clause shall be included in the Official Plan Amendment requiring that the valley lands be dedicated to the Toronto and Region Conservation Authority (TRCA) or the City free of all cost and encumbrance.

The TRCA has reviewed the application and advises that the property is partially located within the Authority's Fill Regulated Area of the tributary of the Don River and is therefore, subject to a TRCA Permit. The Authority has requested that a 10m buffer from the staked features on the site be provided. The Authority is awaiting information from the applicant including a geotechnical study required to confirm the stable top-of-bank in two locations.

On February 13, 2006, Council adopted a recommendation from the Commissioner of Planning, which requires that all future official plan amendments provide a minimum 10m ecological buffer, outside of the development lot or block, adjoining a valley and stream corridor, as part of a public open space system. A clause in this respect shall be included in the implementing Official Plan Amendment, if approved.

- vii) Noise Study

The Owner has submitted a preliminary noise study prepared by Jade Acoustics, dated March 2, 2006 in support of the proposed Official Plan Amendment Application. The noise study concludes that based on the preliminary analysis and taking into account the OMB decision for the residential development to the south of the pullback track, it is feasible to develop the subject lands for the intended uses. A series of noise mitigation measures including specific construction requirements, air conditioning, the requirement for enclosed balconies and warning clauses are recommended to mitigate noise and inform purchasers of the potential noise disturbance.

In order to mitigate the noise from the CN pullback tracks, the design of the east wall of the second storey residential units in Buildings "B", "C" and "G" as shown on Attachment #2, should incorporate enclosed balconies. In addition, the south wall of Buildings "B", "C" and "G" should not include second storey windows. The preliminary study also recommends that prior to final approval of the site plan, that a detailed noise analysis be prepared.

The Engineering Department has reviewed the Noise Study and has provided the following comments:

- The Owner shall satisfy all requirements with respect to noise attenuation and ensure that it is in accordance with the noise attenuation features recommended by the report.
- Mitigation measures are required for the noise exceedance at the north wall of Building "E" due to the existence of a Bell Canada switching hub air conditioning unit. Details shall be provided in the noise report based on the final plans.
- Warning clauses are to be registered on title and be included in Offers of Purchase and Sale for designated lots.

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- A detailed noise analysis shall be submitted for review and comment at the final site plan stage as part of the approval process.

viii) Traffic Study

The Owner has submitted a traffic study, prepared by Sernas Transtech, and dated January 2006, in support of the proposed development. The study concludes that the proposed development will have a nominal traffic impact on local roadways and that additional roadway modifications are not required. The study has been forwarded to the Region of York for review and final approval. A condition of approval has been included requiring the Region to approve the traffic study prior to the adoption of the implementing Official Plan Amendment.

Servicing

The Engineering Department has advised that in accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on November 14, 2005, servicing allocation capacity for the residential units proposed in this development has not been committed nor assigned at this time and therefore, is not available to support the proposed development concept. The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for this development proposal may be revisited at that time based on the status of the subject development applications. A Functional Servicing Report must be submitted for review and comment in support of the proposed Official Plan and Zoning applications. The report must address and ensure that the proposed development may be serviced in accordance with all City Engineering Design Standards and Criteria.

If approved, the subject lands will be zoned with the Holding Symbol "(H)", which will be lifted upon the allocation of servicing capacity for the subject lands. It is noted, that serving capacity is available for the commercial and office components of the development.

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 Official Plan Amendment application to facilitate the development of the subject lands with mixed-use residential/commercial buildings and an office building. The subject lands are located within OPA #607, which is currently before the Ontario Municipal Board for final disposition. The Ontario Municipal Board approved OPA #626 and By-law 277-2005 that formally changed and substantially altered the land use regime proposed by OPA #607 for the entirety of the lands lying south of the CN pullback track. As a result, the subject land is the only undeveloped parcel within the OPA #607 Amendment Area.

The application has been reviewed in the context of applicable Provincial and Regional policies and is considered consistent with the overall policy objectives of each. The application is consistent with the Ontario Municipal Board decision, relating to the lands comprising the southerly portion of OPA #607 lying south of the pullback track, and the policies and standards included in the implementing documents (OPA #626 & By-law 277-2005) to address noise mitigation measures for the development. Finally, the application was considered in the context of the surrounding land uses and the proposed development is considered to be appropriate for the subject lands.

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In light of the above, the Development Planning Department can support the approval of the Official Plan amendment subject to the conditions and comments in this report.

Attachments

1. Location Map
2. Conceptual Site Plan

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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 37, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

37

**STREET NAME APPROVAL
DRAFT PLAN OF SUBDIVISION FILE 19T-90018
611428 ONTARIO LIMITED**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT the following street name for Draft Plan of Subdivision File 19T-90018 (611428 Ontario Limited), as shown on Attachment #2, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Milani Boulevard

Economic Impact

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

Background

The subject lands shown on Attachment #1 are located south of Langstaff Road, on the west side of Regional Road #27, in Lot 9, Concession 9, City of Vaughan.

The subject Draft Plan of Subdivision was approved by the City of Vaughan on August 27, 2001, to facilitate industrial and commercial uses. The applicant has submitted a street name for approval. The Planning Department for the Region of York does not have any objections to the proposed name.

Relationship to Vaughan Vision 2007

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

Conclusion

The Development Planning Department has no objection with the proposed street name for approved Draft Plan of Subdivision 19T-90018.

Attachments

1. Location Map
2. Draft Plan of Subdivision

Report prepared by:

Jack McAllister, Senior GIS Technician, ext. 8209
Grant Uyeyama, Manager of Development Planning, ext. 8635

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(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 38, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

38

**STREET NAME APPROVAL
DRAFT PLAN OF SUBDIVISION FILE 19T-89024, PHASE VIII
VELLORE VILLAGE ESTATES INC.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT the following street names for Draft Plan of Subdivision File 19T-89024, Phase VIII (Vellore Village Estates Inc.) as shown on Attachment #2, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Fiorentina Avenue
Street 'B'	Laval Street (existing)

Economic Impact

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

Background

The subject lands shown on Attachment #1 are located north of Rutherford Road, on the west side of Weston Road, in Lots 17 and 18, Concession 6, City of Vaughan.

The subject Draft Plan of Subdivision was approved by the Ontario Municipal Board on February 2, 1998. The applicant has submitted street names for approval. The Planning Department for the Region of York does not have any objections to the proposed names. One of the streets, Laval Street, is an extension of a street with an existing name.

Relationship to Vaughan Vision 2007

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

Conclusion

The Development Planning Department has no objection with the proposed street names for approved Draft Plan of Subdivision 19T-89024, Phase VIII.

Attachments

1. Location Map
2. Draft Plan of Subdivision

Report prepared by:

Jack McAllister, Senior GIS Technician, ext. 8209
Grant Uyeyama, Manager of Development Planning, ext. 8635

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(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 39, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

39

VELLORE WOODS COMMUNITY LOCAL SAFETY IMPROVEMENTS

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, dated April 3, 2006:

Recommendation

Councillor Bernie DiVona, in consultation with Councillor Peter Meffe recommends:

1. That the City of Vaughan approves of the installation of an all way stop control at Starling Blvd. and Foxhound Crescent as requested by the Vellore Woods School Council memo dated February 26, 2006 attached.
2. That the City of Vaughan Engineering Department review the request for additional stop controls as outlined in letter dated February 15, 2005 from the St. Emily Catholic School Parent Council and the letter dated March 13, 2006 from the Vellore Woods Ratepayers Association and report back to a future Committee of the Whole within the next 30 days.
3. That the City of Vaughan reviews the request from the Vellore Woods School Council to remove the fence from the perimeter of the Vellore Woods Public School grounds adjacent to the ravine and the walkway and take the appropriate action.
4. That the City of Vaughan directs staff to install garbage containers along the length of the walkway of the pathway to Vellore Woods Public School.
5. The City of Vaughan Council receives the request from the Vellore Woods School Council for walkway lighting in the vicinity of Vellore Woods Public School and directs staff to give consideration within the 2007 capital budget consistent with that of other walkway/path lighting projects.
6. That the request for the installation of either a stop control or traffic calming measures (speed hump) in the vicinity of Comdel Blvd. and Plover Heights in the Vellore Woods community be referred to the established traffic calming committee for review and consideration in accordance with the City of Vaughan traffic calming policy.
7. That the City of Vaughan Parks Department meets with the Vellore Woods Ratepayers Association to review their interest with "Adopt-A-Park".
8. That the City of Vaughan Parks Department review the budget vs. actual funding to date for Vellore Woods Park, to determine the availability of funding, if any, for the additional work requested by the Vellore Woods Ratepayers Association.

Economic Impact

The requests and recommendations (1, 2, 3 4, 6, 7) are in keeping with the limitations contained within the existing operating budget for 2006. They reflect the normal costs for installation of stop signs, installation of waste receptacles, or removal of fencing. No further operating budget implication exists.

The requests and recommendations related to capital budgeting implications (item 5 and 8) are either to be included in the budget review process for 2007, or having already been included in previous capital budget approvals and monies may remain outstanding (item 8). The request for additional capital funding would be subject to the budget review process and approval consistent with other capital funding requests. No further capital funding increases are requested.

Purpose

Road and traffic safety is a significant concern by residents and representatives of the Vellore Woods community. The Vellore Woods community is a relatively new, dynamic and caring

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community interested in enhancing the quality of life we all seek through community safety improvements normally found in older or established communities, e.g. stop signs or traffic control, garbage containers, walkway lighting, and park improvements. The Vellore Woods community is developing and large amounts of construction have both taken place and are near completion. As a result, existing residents now for the first time are seeing the influx of high traffic, speeding, and other concerns that are of concern to them and their families.

Background - Analysis and Options

The recommendation and requests originate from the community service organizations within the Vellore Woods community. This item is a consolidation of the recent requests from:

1. The Vellore Woods Public School Council on February 26, 2006 met to discuss matters of local interest for the benefit and interest of their children and community. They have reviewed the crossing of children in the vicinity of the school and have determined that there must exist a means to facilitate the lowering of speed limits and crossing in a school zone.
2. St. Emily Catholic School Parent Council has expressed a concern with the implication of volume, cut through traffic, and speed as it relates to the commercial development along Rutherford Road and abutting Hawkview Blvd. opening the block from Rutherford Road to Major Mackenzie Drive.
3. Vellore Woods Ratepayers Association has been proactive and has worked with the school councils and other groups and individuals to review those matters of concern and importance to the overall community. The attached recommendations and concerns are outlined and need no further repetition.

Relationship to Vaughan Vision 2007

The Vaughan Vision speaks to the need and importance to build a safer community and to consult with the residents, stakeholders, and generally those that have direct knowledge and direct interest in their community. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

To review and implement those matters of a local interest to enhance the community safety of the residents

Attachments

Letters as outlined above are attached.

Report prepared by:

Councillor Bernie DiVona, 905-832-8585 extension 8339.

(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 40, Report No. 18, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 10, 2006, as follows:

By approving that street hardware within the City of Vaughan also be covered with an environmentally friendly rust proofing product.

40

SIGN OFF INITIATIVE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated April 3, 2006, be approved;
- 2) That staff prepare a detailed communication strategy designed to inform the public and those companies placing these unwanted and illegal signs on our streets of this issue and our means to address it; and
- 3) That discussions be entered into with Power Stream and Bell Canada to discuss the possibility of coating their street appliances with the environmentally friendly rust proofing product.

Recommendation

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

1. That the City deploy student staff hired under the federally-funded Summer Student Placement Program, or alternatively reassigned from existing summer student resources, to cover all street signs and metal poles at intersections within the City of Vaughan, with an environmentally friendly rust proofing product;
2. That Enforcement Services, Parks, and Public Works staff continue to remove placard signs from intersections as part of their duties and in projects that may be developed;
3. That this report be received

Economic Impact

The cost of this initiative would be absorbed within the existing budget.

Purpose

This report is to provide information on a potential initiative to reduce the incidents of street sign spam.

Background - Analysis and Options

Staff has conducted research into ways of preventing the application of street sign spam to the reverse side of traffic signs and some poles. In particular, this initiative would be specific to those illegal signs that are glued to the reverse of traffic signs and metal poles.

This initiative would involve applying a liquid rust proofing solution to the back of signs and metal poles at intersections. The liquid has a residue that would prevent signs from being stuck to traffic signs and poles. Even if signs stay in place, they can easily be removed.

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Information received indicates that a minimal amount of the solution would need to be applied, and it should last for approximately one year.

Safety & Environmental Concerns

Staff received copies of documents produced by the manufacturer of the solution used by a local rust proofing company. The product is safe to the environment and the staff applying the liquid. The document advises that "Ingestion of small amounts during normal handling is not likely to cause injury" and "No hazard under normal conditions of use".

In the Toxicological Information section of the report, it is written that the product contains no known skin or respiratory sensitizers, and no components of the product are listed as carcinogens.

The local company's own documentation reiterates the report from Shrader Canada by calling the product, non-toxic, non-flammable, non-hazardous and environmentally friendly.

The Ministry of the Environment was also contacted to inquire whether they had any concerns with this kind of application of rust proofing solution. An investigator responded by way of e-mail indicating that he did not "...generally see any environmental problems associated with applying cooking oil or an undercoating type material to posts and signs".

The cost to obtain the hardware and product is approximately \$5,000.00.

Summer Students

Economic Development has provided a package of information regarding grants which may be available to assist in deferring the costs of hiring summer student(s) for this initiative. An application has been submitted under the federally-funded Summer Student Placement program to support the hiring of a summer student for a 16 week period to support this initiative.

Community Services has indicated their willingness to make available some summer student support for this initiative as well, recognizing that this may affect service levels.

Next Steps

Should this initiative move forward, the process of which department will administer and purchase the product will need to be determined.

Permission should be obtained from York Region to apply this solution to their signs and poles prior to moving forward as most of the problem areas are at intersections of Regional Roads.

The product will need to be acquired. Krown advised that the cost of the solution is \$1,800.-\$2,000. per 45 gallon drum. Krown advised that they use ½ gallon per vehicle sprayed in their operation, so one or two drums would likely be sufficient per year.

Relationship to Vaughan Vision 2007

This initiative supports the Vaughan Vision 2007 of safeguarding our environment and promoting community safety, health and wellness.

Conclusion

Applying an environmentally friendly rust proofing solution to signs and poles should prevent the sticking of illegal street sign spam in these locations.

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This is not cost prohibitive and could be a viable option.

Attachments

None

Report prepared by:

Tony Thompson
Senior Manager, Enforcement Services

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Item 41, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

41 **SITE DEVELOPMENT FILE DA.06.014**
NATIONAL GOLF CLUB OF CANADA

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

THAT the building elevations for Site Development File DA.06.014 (National Golf Club of Canada) BE APPROVED subject to the following conditions:

1. That prior to the execution of the site plan agreement:
 - a) the final site and landscape plans shall be approved by the Development Planning Department; and,
 - b) the final site servicing and grading plan, stormwater management report, parking, access and on-site vehicular circulation shall be approved by the Engineering Department.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application to facilitate the construction of a new 2,346m² clubhouse facility for the National Golf Club of Canada as shown on Attachment #2. The proposed redevelopment includes a 215 space parking lot, a redesigned entrance and landscaped treatment. The existing 2500m² clubhouse will be demolished.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the northeast quadrant of Pine Valley Drive and Langstaff Road in Part of Lots 11, 12 & 13, Concession 6, City of Vaughan. The lands are municipally known as 134 Clubhouse Road

The subject lands are designated as "Special Use – National Golf Course" by OPA #240 (Woodbridge Community Plan), as amended. The proposed development conforms to the Official Plan.

The subject lands are zoned OS2 Open Space Park Zone by By-law 1-88. The proposed use complies with the Zoning By-law.

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The proposed elevations are shown on Attachments #3, #4, #5 and #6. The elevations incorporate an intricate mix of red brick veneer, buff stone with an abundance of glazing. The roof is characterized with steep slopes of various pitches utilizing cedar shingles and copper accents.

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 is satisfied with the proposed elevations for the clubhouse subject to the conditions of approval identified in this report. On this basis, the Development Planning Department recommends approval of the proposed elevations.

Attachments

1. Location Map
2. Site Plan
3. East Elevations
4. South and West Elevations
5. South West & North West Elevations
6. North East & North Elevations

Report prepared by:

Clement Messere, Planner, ext. 8409
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

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

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Item 42, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

42 WALKWAY FROM MAJOR MACKENZIE DRIVE TO STATION STREET IN MAPLE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006, be approved; and
- 2) That staff review the budget implications and bring forward a report to the Committee of the Whole meeting of May 1, 2006.

Recommendation

The Commissioner of Planning recommends:

THAT the following report BE RECEIVED for information purposes.

Economic Impact

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

Purpose

This report has been prepared in response to Council's request respecting the next steps to the construction of a pedestrian walkway access from the sidewalk on the north side of Major Mackenzie Drive to the end of Station Street in Maple.

Background - Analysis and Options

Item 22, Report No. 14, of the Committee of the Whole, which was adopted without amendment by Council of the City of Vaughan on March 27, 2006, recommended:

"That staff provide a report on the next steps with respect to the construction of a walkway access from the sidewalk on Major Mackenzie Drive to the end of Station Street in Maple"

In 2003, Go Transit renovated the station area located in the Village of Maple core area on Station Street, a north-south street approximately .5 kilometres east of Keele Street, on the east side of the railway right-of-way and north of Major Mackenzie Drive. Station Street does not intersect Major Mackenzie Drive due to a seven metre grade difference between the two streets. Pedestrian and vehicular access to the station is only possible on the east side of the railway because at-grade track crossings are not provided east to west in the area. Vehicular access to the station is by way of Hill Street from Major Mackenzie Drive, however, there is no formal pedestrian route from Major Mackenzie Drive to the station currently. Pedestrians have created a desire path from the sidewalk on the north side of Major Mackenzie Drive up a slope on the east side of the railway overpass to Station Street, this is the most direct route possible, however, the slope presents a hazard for pedestrians.

As a component of the station renovation, Go Transit proposed to design and construct a pedestrian stair connection on the east side of the railway overpass from Station Street to the north sidewalk along Major Mackenzie Drive; thus formalizing and making safe, the existing informal pedestrian route.

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The stairway connection could be built independently of any associated streetscape enhancements, however, it is intended by staff that the system be designed in conjunction with the design work for the streetscape and pedestrian system required for both sides of Major Mackenzie Drive adjacent to the proposed new Civic Centre. Go Transit has agreed to provide funding in the amount of \$50,000.00 to the City, for the design and construction of the stairs as a component of the proposed pedestrian system from Major Mackenzie Drive to Maple Go Station.

Staff is in the process of finalizing the Terms of Reference for the Major Mackenzie Drive Streetscape Study, and is scheduled to bring a report forward with a recommendation to the Committee of the Whole meeting on May 1, 2006.

Relationship to Vaughan Vision 2007

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

Conclusion

It is intended that the streetscape work and the provision of a pedestrian system linking the Go Station to the Civic Centre be integrated within the Major Mackenzie Drive Streetscape Study.

Attachments

1. Location Map

Report prepared by:

Rob Bayley, Senior Urban Designer, ext. 8254
Grant Uyeyama, Manager of Development Planning, ext. 8635

/RB

(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 43, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

43

**ZONING BY-LAW AMENDMENT FILE Z.04.036
TERRA SPERANZA DEVELOPMENTS
REPORT #P.2004.97**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006, be approved; and
- 2) That the issues of the height of the building and the width of the principal driveway, be referred to staff for discussion with the applicant and resolution prior to bringing forward the amended Zoning By-law.

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.03.089 (Terra Speranza Developments) BE APPROVED, and that the implementing by-law:
 - a) rezone the subject lands shown on Attachment #1 from A Agricultural Zone to EM1 Prestige Employment Area Zone, EM1(H) Prestige Employment Area Zone with the Holding (H) Symbol, EM2 General Employment Zone, OS1 Open Space Conservation Zone and OS1(H) Open Space Conservation Zone with the Holding (H) Symbol, the Holding Symbol will be lifted upon the determination of the final alignment of the Highway #427 extension, to the satisfaction of the Ministry of Transportation;
 - b) permit a minimum 5m wide soft landscape buffer adjacent to the Stream and Valley Corridor (OS1 Zone) along the north property line, whereas 7.5m is required;
 - c) require a minimum require 6m wide landscape buffer adjacent to a street line, whereas 3m is required;
 - d) require a 9.2m wide driveway/aisle that serves a parking area; whereas 7.5m is required;
 - e) allow for truck and trailer parking in an EM2 General Employment Area Zone in conjunction with an employment (warehouse/distribution centre) use, whereas such longterm parking is considered to be outside storage;
 - f) exclude outside storage and permit EM1 uses only on the portion of the site depicted as Area 'A' on Attachment #3; and,
 - g) provide for a minimum 14m setback from the future Highway #427 right-of way limit to any "hard" engineering structure (to be determined in consultation with the Ministry of Transportation.
2. THAT Council adopt the following resolution:

"THAT Council deems the adjustment to the proposed zone boundaries as shown on Attachment #2, and the proposed exceptions noted above to facilitate a distribution and warehouse use, to be minor and that no further public hearing is required."

Economic Impact

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

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Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands shown on Attachment #1, from A Agricultural Zone to EM1 Prestige Employment Area Zone, both with and without the Holding Symbol “H”; EM2 General Employment Area Zone; and, OS1 Open Space Conservation Zone with and without the Holding Symbol “H”, as shown on Attachment #2. Exceptions to the zoning bylaw are also requested, including:

- a) require a zero (0) metre landscape buffer adjacent to the northerly open space lands to be zoned OS1 Open Space Conservation Zone, whereas 7.5m is required;
- b) permit a maximum building height of 30m in the EM2 General Employment Area Zone, whereas 15m is permitted;
- c) require a 9.2m wide driveway access or aisle that serves a parking area, whereas 7.m is required;
- d) permit a maximum 21.5m wide driveway access or aisle to serve the movement of trucks to and from a loading space, whereas 13.5m is permitted; and
- e) require that truck and trailer parking not be considered as outside storage in the EM2 General Employment Area Zone.

The rezoning will facilitate the future development of an employment use (distribution/warehouse use), as shown on Attachment #3. A site plan application will be considered in a future report to the Committee of the Whole.

Background - Analysis and Options

The 42.07 ha site is located on the east side of Huntington Road, south of Langstaff Road, in the west half of Lot 9, Concession 9 (8265 Huntington Road), City of Vaughan, as shown on Attachment #1. The surrounding lands uses are:

- North - dwelling/farm (A Agricultural Zone)
- South - vacant (A Agricultural Zone)
- East - future Highway #427; vacant (A Agricultural Zone)
- West - Huntington Road; school, vacant lands (A Agricultural Zone)

On September 10, 2004, a notice of Public Hearing was mailed to all landowners within 120m of the subject lands and to persons requesting notification. To date, no responses have been received. At the Public Hearing on October 4, 2004, the recommendation of the Committee of the Whole to receive the Public Hearing report and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on October 11, 2004.

On February 28, 2006, the Owner submitted a revised Zoning By-law Amendment application, which proposed rezoning the subject lands to facilitate a single-user, as opposed to rezoning for several individual blocks as originally proposed by Draft Plan of Subdivision 19T-04V09 (no longer active). The revised zoning also reflects the recently approved Huntington Business Park (Block 57/58) Plan shown on Attachment #4. Accordingly, the Development Planning Department is satisfied that the revised zoning proposal is minor, and that no further public hearing is required.

Concept Plan

The conceptual site plan (Attachment #3) shows a 27, 174m² warehouse located on the west side of the lot (facing Huntington Road) and a 2,588.09m² administration office along the south

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property line, to compromise Phase I of the overall development. Future expansions are contemplated to the north and east of the main warehouse building. The site is served by three access points comprising two on Huntington Road and one from the internal road network. Loading areas and truck and trailer parking areas will be located on the south side of the property, with staff parking to be provided on the north and south sides of the building serving the warehouse and administration office, respectively. A 20m wide landscape buffer is proposed along Huntington Road to screen the loading areas, together with a chain link fence to secure the truck and trailer parking.

Official Plan

The subject lands are designated “Prestige Area”, “Employment Area General” and “Stream Corridor” by OPA #450 (Employment Area Plan) and are further subject to the approved Huntington Business Park (Block 57/58) Plan as shown on Attachment #4, subject to the following policies:

a) Prestige Area

The “Prestige Area” designation is located adjacent to arterial roads and highways, and accommodates uses that require high visual exposure, good accessibility and an attractive working environment. It defines areas where it is appropriate to restrict uses, which by nature of their operating characteristics, would contribute to attractive streetscapes, and provide opportunities for employment intensive uses that will take advantage of and support the transit system. A wide range of industrial, office, business and civic uses are permitted, but not outside storage. The implementing zoning is EM1 Prestige Employment Area Zone. The portion of the site adjacent to the future Highway #427 extension, as well as, a portion of the site to the west of the Huntington Road re-alignment are proposed for prestige employment use, which conforms to the policies of OPA #450. The stormwater management pond along the south side of the site and the valley lands along the north property limit will be zoned OS1 Open Space Conservation Zone.

The northwest corner of the site (labeled as Area ‘A’ on Attachment #2) is also located within the “Prestige Area” designation, however, will be zoned EM2 General Employment Area Zone, rather than EM1 Zone in order to facilitate development for a single-user employment building under a single consistent zoning category, which will ensure the property is not split-zoned, and is in conformity with the Official Plan policies and the approved Huntington Business Park Plan, restricting Area ‘A’ to EM1 Zone uses, with no outside storage.

The Development Planning Department is also recommending that the subject lands located within the Transit Corridor/Highway #427 R.O.W. be zoned EM1(H) Prestige Employment Area Zone with the Holding (H) Symbol (future employment or transportation blocks) and OS1(H) Open Space Conservation Zone with the Holding (H) Symbol (storm pond), with the Holding (H) provision to be lifted upon the determination of the final alignment the Highway #427 extension, to the satisfaction of the Ministry of Transportation Ontario. In addition, the EM1 Prestige employment lands to the west of Huntington Road are zoned with a Holding provision to be lifted upon zoned the said lands being combined with other part blocks to form full developable blocks.

b) Employment Area General

The “Employment Area General” designation accommodates uses which do not require high visual exposure, provides location opportunities for industrial development which may require outside storage or be undertaken outdoors, and that facilities a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing and outside storage operations, and transportation and distribution facilitates. The implementing zoning is EM2 General Employment

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Area Zone. The subject lands to the east of the Huntington Road re-alignment are proposed for general employment use, which conforms to the policies of OPA #450 and the Huntington Business Park (Block 57/58) Plan.

d) Stormwater Management/Stream and Valley Corridor

The stream and valley corridor was established within OPA #450, and is located along the north edge of the property. The location of the stormwater management pond was established by the Huntington Business Park (Block 57/58) Plan, and is located at the southwest portion of the property. No buildings or structures are permitted, except where structures are intended for flood or erosion control purposes. The implementing zoning is OS1 Open Space Conservation Zone, which conforms to the policies of OPA #450 and the Huntington Business Park (Block 57/58) Plan. A portion of the stormwater management pond is located within the Transit Corridor R.O.W., and will be required to be placed in an 'H' Holding Zone, as shown on Attachment #2.

Zoning

The proposed zoning for the industrial development is shown on Attachment #2. The development is a combination of EM1 Prestige Employment Area Zone with and without the Holding Symbol "H", EM2 General Employment Area Zone, and OS1 Open Space Conservation Zone with and without the Holding Symbol "H".

A zero (0) metre landscape buffer is requested abutting the Open Space (OS1) channel along the north property line. The Toronto and Region Conservation Authority (TRCA) has reviewed this request and has indicated that as part of their initial subdivision review, a 2.5m utilization of the valley lands was acceptable with the understanding that a municipal buffer would still be incorporated and not eliminated. Given the current proposal, TRCA Staff are requesting an additional 5m be conveyed in public ownership or a minimum reduced 5m municipal soft landscape buffer (no grading) be incorporated. Until confirmation that the Owner is willing to convey this additional 5m to the TRCA, the Development Planning Department is recommending a 5m soft landscape buffer be incorporated into the by-law, ultimately achieving the required 7.5m buffer under By-law 1-88, with the utilization of the 2.5m within the valley.

The City's Engineering Department has reviewed the concept site plan in conjunction with the proposed increase in the driveway access/aisle width to a parking area from the required 7.5m to 9.2m, and increase in the driveway access/aisle width that serves the movement of trucks to a loading area from the maximum permitted 13.5m to 21.5m. There are no major concerns regarding the 9.2m driveway access/aisle width to serve the parking area, however, the Engineering Department cannot support the 21.5m width for truck movement to the loading areas. More detail regarding pavement marking/width and truck maneuvering detail is required, and will be reviewed at the site development application stage.

Due to the nature of the operation and the need for a large amount of truck and trailer parking for functioning purposes, the Development Planning Department is satisfied that the truck and trailer parking not be considered as outside storage. This is consistent with the zoning exception granted to the Sears trucking facility located adjacent to the CP Inter-Model Yard at the north northeast corner of Highway #50 and Rutherford Road. Through the review of a future Site Development application, City Staff will ensure that the site is appropriately developed to provide for an attractive urban development within a newly approved and developing business park. To achieve this, the Development Planning Department recommends that the implementing by-law include a provision that a 6m wide landscape buffer be provided adjacent to street lines for the purpose of screening given the nature of the operation, whereas the by-law requires only a 3m wide landscape strip to be provided. This 6m wide landscape treatment will be consistent with the landscaping buffer that will be provided along Huntington Road to the south in the Vaughan West II Limited subdivision.

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As discussed earlier, Area 'A' of the site as shown on Attachment #2 will include exceptions to restrict all outside storage. In addition to this exception, Development Staff recommends that there be a further exception to restrict the permitted uses to EM1 type uses only, but within an EM2 Zone category. Although Staff is satisfied with the EM2 zoning in order to facilitate consistency in the zoning standards for that portion of the site, the type of uses permitted within a "Prestige Area" designation must be consistent with an EM1 Zone uses.

Consistent with the MTO requirement that will be included in the implementing zoning by-law for the Vaughan West II Limited subdivision directly to the south, a 14m setback will be applied to all "hard" engineered structures (to be determined in the consultation with the MTO) from the future Highway #427 right-of-way limit.

Concerning the applicant's request for approval to permit a maximum building height of 30m in the EM2 Zone, whereas By-law 1-88 currently permits 15m, the Development Planning Department is of the opinion that this building height may be excessive. However, more detail will be required for review at the site development application stage.

Further exceptions may be required through the submission of a Site Development Application, which will be considered through a subsequent Zoning By-law amendment or variance application.

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 Zoning By-law to rezone the subject lands shown on Attachment #1 to EM1 Prestige Employment Area Zone, both with and without the Holding Symbol "H"; EM2 General Employment Area Zone; and, OS1 Open Space Conservation Zone, with and without the Holding Symbol "H", and the required exceptions which will facilitate the implementation of the future development of the Sobey's distribution/warehouse centre. The proposed Zoning Amendment Application has been reviewed in accordance with the policies of OPA #450, the approved Block Plan, and the provisions of By-law 1-88, as well as, the surrounding employment area context. The Development Planning Department considers the proposed rezoning of the subject lands to be acceptable, which is in conformity with the Official Plan. The holding provision to be applied to an area to facilitate storm pond and future employment lands along the easterly portion of the subject lands, could be removed to facilitate these lands for such purposes when the alignment for the extension of Highway #427 is finalized through the Environmental Assessment process, to the satisfaction of the Ministry of Transportation Ontario, unless these blocks are required to be conveyed to the Ministry for highway right-of-way purposes.

On this basis, the Development Planning Department can support the approval of the subject Zoning By-law Amendment Application, subject to the recommendations in this report.

Attachments

1. Location Map
2. Proposed Zoning
3. Concept Site Plan
4. Huntington Business Park – Block Plan

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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.)

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Item 44, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

44

**ADDRESSING TRAFFIC SAFETY ISSUES
ON PINE VALLEY DRIVE SOUTH OF REGIONAL ROAD NO. 7**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated April 3, 2006:

Recommendation

Councillor Tony Carella recommends that appropriate staff be directed to contact their counterparts at York Region, to address two serious traffic safety issues in the vicinity of Pine Valley Drive south of Regional Road No. 7 as outlined in the report.

Economic Impact

Nil

Purpose

To alert the Region of York to traffic safety issues in the vicinity of Pine Valley Drive south of Regional Road No. 7, so that appropriate action can be taken by the Region.

Background - Analysis and Options

Two important traffic safety issues were recently identified by Councillor Carella, in company with city staff and a local resident, namely:

1. There is a right-in, right-out access on the northbound portion of Pine Valley Drive opposite Tall Grass Trail. Vehicles proceeding south on Pine Valley Drive frequently attempt to access businesses in the plaza on the east side of the street by making a left or u-turn into this right-in lane. Similarly, vehicles departing the plaza are using the right-in lane in an attempt to access the southbound lanes of Pine Valley Drive, frequently confronting traffic exiting Pine Valley Drive and attempting to enter the plaza.
2. Vehicles approaching Pine Valley Drive from Strada Drive are either making left turns onto Pine Valley Drive from the middle lane or crossing Pine Valley and making u-turns and then turning right (south) onto Pine Valley. Centre-lane left turns and u-turns are prohibited at this location.

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 appropriate that York Region be apprised of these issues, as Pine Valley Drive is under its control.

Attachments

None

Report prepared by:

Councillor Tony Carella

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Item 45, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

45 CARING FOR VAUGHAN-RESULTS OF THE 2005 SURVEY ON COMMUNITY SAFETY IN THE CITY OF VAUGHAN

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, Chair of the Safe City Committee, dated April 3, 2006:

Recommendation

Councillor Bernie DiVona, Chair of the Safe City Committee recommends:

1. That the City of Vaughan receive the report "Caring for Vaughan" ;
2. That the City of Vaughan Corporate Communications Department makes this report available to the general public by having it posted on the website in an electronic format, City Page for those wanting a hard copy, and that a news release be drafted highlighting the results of the citywide survey;
3. That the City of Vaughan forward a copy of this report immediately to the Mayor's Taskforce on Safety, York Regional Police, advisory committees and community service organizations, consistent with the past, in consultation with Councillor Bernie DiVona.
4. That the Safe City Committee continues to work towards using the results of the 2005 as part of the strategic plan being developed by the Safe City Committee to be brought forth to a future Committee of the Whole meeting.

Economic Impact

There is no economic impact associated with this report and recommendation.

Purpose

The purpose of this report is to provide the results of the 2005 study on community safety; level of significance community safety has with the community; determination of public attitudes and preparedness to take an active role with safety; identification of who and where acts of crime take place; identification of the perceived causes of acts of crime and feedback from the public with respect to existing safety programs.

Background - Analysis and Options

The Safe City Committee developed a self administered questionnaire type survey through extensive consultation with researchers, criminologist, police and other community service professionals in the summer of 1995. This survey type platform has been used in 1995, 1998, 2002 and now 2005. In the past the survey has had overwhelming responses ranging from 2,598 to 5,900. The 2005 survey received 2,598 responses as the distribution method had been changed from having it inserted in the hydro billings to now being included as a drop off item with the local newspaper and available online by visiting www.vaughan.ca. Nonetheless, the results of the survey are statistically accurate within 2.9% 19 times out of 20. The simplicity and brevity of the survey has been very well received and findings accurately reflect the attitude and concerns of the residents of Vaughan.

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The City of Vaughan questionnaire and/or reports has been requested, permission has been granted to be referenced with other reports from other municipalities and agencies including: Toronto Public School Board, Toronto Transit Commission, York Region Catholic School Board, Town of Richmond Hill, City of Ottawa, former City of Etobicoke, The Salvation Army and The Ministry of the Attorney General of Ontario, etc.

The questionnaire type survey is most important from another perspective. During the past decade the City of Vaughan has fundamentally changed in demographics and has transformed itself into a large, dynamic urban community. The questionnaire type survey provides for a comparison between periods to accurately measure and evaluate changes in values and shifts in attitudes with newer demographics.

The survey was specifically designed to:

1. Evaluate the significance of community safety;
2. Determine the level of community safety from both an “actual” vs. “perceived” perspective as comparables are made between the survey results and actual crime statistics as obtained from York Regional Police;
3. Identify community interest and willingness to be involved with community safety;
4. Determine where acts of crime are perceived or concerned to be better or worse;
5. Identify the perceived causes of community crime;
6. Evaluate the level of community understanding with existing programs- a self assessment.
7. Provide the public with the opportunity to voice their input, opinions.

The executive summary on page 14 outlines the major conclusion to the survey and study.

1. We DO live in a safe community was expressed by over 80% of the respondents. As a result, Vaughan is a desirable community to move to and raise a family.
2. Community safety is the leading factor in deciding where you wish to live and raise a family. This is consistent with market surveys and those conducted by several financial institutions.
3. We DO also have major challenges the 2005 survey has shown that there is a fundamental shift opinion as to where and what are the major community challenges. The area of greatest concern is with road and traffic safety as compared to park safety as with previous surveys. Opinions with reference to “road rage” or “terrorism committed daily by motorists in Vaughan” were widely and clearly expressed. The survey was taken at a time when gun violence was very high so there was some expectation that the results of the survey would be moving towards violent crimes from crimes against property or traffic. That was not concluded, not to say that gun or violent crime is not an area of serious concern.
4. The survey concludes that there is a high willingness to assist the authorities by either reporting “acts of crime” or volunteering towards the safety of their community.
5. The survey shows a lag in responsibility as to “who” is responsible for “acts of crime” With a shift towards vehicular activity an expectation and correlation should have been made that those who commit “acts of crime” are adults. The emphasis remains that “teenagers” or those of high school age are the main contributors to “acts of crime”.
6. The survey concludes that decision makers at all levels have a greater responsibility towards “improve planning” of the community and providing “better infrastructure” or “better transit”

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7. The public expressed low awareness of community safety programs and a lower demand for police. However, positive responses to evaluate existing safety programs were very well detailed by those that had responded.
8. The public supports both “positive” and “negative” discipline approaches. More education, awareness and training is needed with infra structure spending. At the same time there is a need for “stiffer fines, more police.”

Relationship to Vaughan Vision 2007

“We will be a Smart City that gives Vaughan a competitive edge in the marketplace and promotes a SAFE, livable and sustainable environment.

We will COMMUNICATE our opportunities and celebrate our successes”.

The results of the 2005 community survey puts into focus that the single largest consideration for the quality of life we seek to enjoy, and where we decide to live is “community safety”. The priorities and concerns of residents of Vaughan with respect to the change in their priorities previously set by Council and the necessary resources have not been allocated.

Conclusion

The 2005 community safety survey puts into focus that the single most important factor when examining the quality of life we seek and enjoy is WHERE we decide to live, work, and raise a family. The survey concludes that we DO live in a safe city, but there remain challenges ahead. This survey also has concluded that a shift in focus and emphasis should be considered and placed in the area of road and traffic safety unlike the results of previous survey that concluded the area of greatest concerns were within our park and trail systems (crimes against property), not to say that there exists no problem in our parks and open spaces; instead, it is to say that it not the area of most significant concern.

There is an increasing willingness on the part of residents to report “acts of crime” and volunteer with community based programs. The City of Vaughan survey also mirrors the results of “The Federation of Canadian Municipalities Quality of Life in Canadian Municipalities” report and that of The Regional Municipality of York in that it shows that young offenders are now less likely to commit “acts of crime” on average.

Attachments

A copy of the full report is attached.

Report prepared by:

Councillor Bernie DiVona 905-832-8585 extension 8339

(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 46, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

46 INVESTIGATION OF THE FEASIBILITY OF CONSTRUCTING A SIDEWALK ON THE SOUTH SIDE OF WOODBRIDGE AVENUE AT THE CP OVERHEAD RAIL LINE

The Committee of the Whole recommends:

- 1) That a community meeting with the Ward Sub-Committee be held prior to staff providing a report to the Committee of the Whole meeting of May 1, 2006, including opportunities for funding; and
- 2) That the following report of the Commissioner of Engineering and Public Works, dated April 3, 2006, be received.

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That this report be received for information purposes regarding the feasibility for construction of a concrete sidewalk on the south side of Woodbridge Avenue between #275 Woodbridge Avenue and Old Firehall Parkette.
2. That Option D be included as a provisional item in Bid T06-033, Woodbridge Avenue Resurfacing and Watermain Replacement and that staff report on funding and construction staging alternatives at the time that a report is presented on award of the Bid.

Economic Impact

Engineering Services staff have estimated that the costs of installing the subject sidewalk is in the range of \$166,000.00 to \$230,000.00, depending on the alternative selected. The 2006 Capital Budget has not allocated funds for this work.

Purpose

To investigate the feasibility of constructing a concrete sidewalk on the south side of Woodbridge Avenue between #275 Woodbridge Avenue and Old Firehall Parkette.

Background - Analysis and Options

Council at its meeting of March 20, 2006 (Item 21, Report No. 14 of the Committee of the Whole) approved the following recommendation;

"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 the underpass at William Street."

Engineering Services staff have investigated this request and report as follows (Please refer to Attachment No. 1 for a Location Map).

An existing high-level Canadian Pacific Railway (CPR) overhead bridge crosses Woodbridge Avenue at James Street. Due to the steep south boulevard slope in this vicinity, a sidewalk was not previously constructed at this location. In addition, there is insufficient room for a City standard 1.5m wide sidewalk adjacent to the existing CPR bridge pier along the eastbound lane.

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Staff considered the following four options for constructing the sidewalk (Please refer to Attachments 2 to 5):

Option 'A' - (Attachment No. 2)

Construct 1.5m wide concrete sidewalk behind the existing curb on the approaches to the bridge. Construct concrete tunnel in the embankment behind the CPR bridge pier. The estimated cost for this Option is \$230,000.00. CPR approval is required for this Option.

Option 'B' - (Attachment No. 3)

Construct 1.5m wide concrete sidewalk behind the existing curb on the approaches to the bridge. Excavate behind the CPR bridge pier and construct an engineered sectional retaining wall behind CPR bridge pier. The estimated cost for this Option is \$175,000.00. CPR approval is required for this Option.

Option 'C' – (Attachment No. 4)

Construct 1.5m wide concrete sidewalk behind the existing curb on the approaches to the bridge. At the CPR bridge, relocate the existing concrete curb-and-gutter 1.5m north of its existing location and construct 1.5m concrete sidewalk. Install some form of pedestrian protection (e.g., steel beam guide-rail, New Jersey barriers, etc.) adjacent to the roadway and provide pavement markings for traffic control. This Option would result in a 'bump-out' in the curb at the CPR bridge. The estimated cost for this Option is \$175,000.00. CPR approval is required for this Option.

Option 'D' – (Attachment No. 5)

Construct 1.5m wide concrete sidewalk behind the existing curb on the approaches to the bridge. At the CPR bridge, relocate the existing concrete curb-and-gutter 0.9m north of its existing location and construct a 1.8m concrete sidewalk abutting the CPR bridge pier. Provide appropriate pavement markings for traffic control and install a pedestrian handrail. Although the handrail would not provide for pedestrian protection, it would provide a level of security higher than areas where the sidewalk is adjacent to the curb. This Option would result in a slight 'bump-out' in the curb at the CPR bridge. The estimated cost for this Option is \$166,000.00. CPR approval is required in this Option.

In Options A through D above, the existing City services within the south boulevard, (e.g.: light standards), would require relocation. These four Options also include the construction of an engineered sectional retaining wall along the back of the sidewalk on the approaches to the bridge to separate the sidewalk grade from the steep boulevard slope and preserve private property. In addition, these Options involve removal and relocation/replacement of the existing privately installed structures located within the City boulevard limits (e.g.: retaining walls and stairs). The existing driveways would also need extensive grading onto private property to allow the installation of the new sidewalk. Such grading would require the authorization of the respective property owner.

In 1990, Engineering Department staff unsuccessfully applied for CPR approval for the installation of a sidewalk link utilizing a retaining wall behind the abutment through the CPR right of way. Since the field conditions and CPR design concerns would not have changed since that time, it is considered unlikely that CPR approval could be achieved for Options A and B above. Accordingly, we believe that only Options C and D are feasible.

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We note that the tender for the construction of a watermain on Woodbridge Avenue and crossing the CPR right-of-way is currently being finalized. This project will include resurfacing of Woodbridge Avenue and some curb replacement. If one of Options C or D could be implemented as part of that project, some economics could be realized. Accordingly, in order to obtain firm pricing on the desired sidewalk, it is recommended that Option D be included as a provisional item in the tender. This would provide a firm price and time for staff to identify funding sources for the sidewalk.

With respect to the William Street underpass, the CPR bridge crossing is a narrow, low subway type structure with supporting abutments at the edge of traveled roadway. William Street is an urbanized thoroughfare width pavement with varying from 8.5 metre at James Street to approximately 5.0 metre under the bridge. Sidewalks exist on the east side of James Street to Woodbridge Avenue and along the north side of William Street from west of the bridge to Kipling Avenue. There is no available platform under the bridge itself to allow for unobstructed pedestrian passage. In fact, the narrow roadway width will not even permit freeflow passage of two vehicles coincidentally. In terms of provision for sidewalk extensions, there is no opportunity given the present road configuration and bridge structure limitations.

Relationship to Vaughan Vision 2007

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

Conclusion

The estimated range of costs to construct the subject Woodbridge Avenue sidewalk is between \$166,000.00 and \$230,000.00, depending on the alternative. In order to construct the sidewalk under Options 'A' through 'D' above, CPR approval is required.

Only options C and D are considered feasible. Since the City is planning another major construction contract in the roadway in this area, it would be appropriate to include Option D as a provisional item in the tender for the Woodbridge Avenue project to obtain a firm price for the work. Staff could then explore funding alternatives and make a recommendation on the construction as part of the tender award. CPR approval would be required and construction of the sidewalk is dependent upon receipt of approval.

Attachments

1. Location Map
2. Option 'A'
3. Option 'B'
4. Option 'C'
5. Option 'D'

Report prepared by:

Bill Gould, Senior Engineering Assistant, ext. 3112
Tom Ungar, 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 47, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

47 RESOLUTION ON THE STATUS OF UNDOCUMENTED WORKERS

The Committee of the Whole recommends approval of the recommendation contained in the following report of Mayor Di Biase, dated April 3, 2006:

Recommendation

Mayor Michael Di Biase recommends that the following resolution be adopted:

WHEREAS the Council of the City of Vaughan recognizes there is a shortage of trade, skilled and general workers in the construction and other employment sectors;

AND WHEREAS this labour shortage has led to the widespread practice of employing undocumented workers;

AND WHEREAS the majority of undocumented workers work hard to build a better life for themselves and their families and, despite their lack of official status, make a valuable contribution to the overall prosperity of their communities;

AND WHEREAS the potential exists for the exploitation of undocumented workers who do not have the rights and freedoms enjoyed by all Canadians;

AND WHEREAS the pursuit and deportation of undocumented workers does not address the root causes of current labour shortages which are negatively impacting the long-term viability of the Canadian economy;

BE IT RESOLVED THAT the Council of the City of Vaughan requests the Federal Minister of Citizenship and Immigration to normalize the legal status of undocumented workers, based on strict eligibility criteria, in a timely and equitable manner;

AND BE IT FURTHER RESOLVED THAT City Council supports an immediate moratorium on the deportation of undocumented workers, pending a comprehensive review of current practices;

AND BE IT FURTHER RESOLVED THAT City Council directs the City Clerk to communicate this resolution to Prime Minister Stephen Harper; the Federal Minister of Citizenship and Immigration the Honourable Monte Solberg; the Federal Minister of Labour the Honourable Jean-Pierre Blackburn; the Honourable Maurizio Bevilacqua, MP, Vaughan; Susan Kadis, MP, Thornhill; the Honourable Dalton McGuinty, Premier of Ontario; the Honourable Joe Cordiano, Minister of Economic Development and Trade; the Honourable Mike Colle, Minister of Citizenship and Immigration; the Honourable Steve Peters, Minister of Labour; Greg Sorbara, MPP, Vaughan-King-Aurora; Mario G. Racco, MPP, Thornhill; all area municipalities and copy Mr. Tony Dionisio, Union Local 183 and Ucal Powell, Carpenter's Local Union 27.

Economic Impact

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

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Purpose

To adopt a Council resolution that reaffirms the City of Vaughan's commitment to sustainable growth and a diverse local economy, and in recognition of the valuable contributions made by immigrant workers to Canada, by supporting progressive immigration policies and the legal protection of all workers.

Background - Analysis and Options

This Council resolution is intended to address the concerns of residents, local businesses and worker organizations about recently-ordered deportations of undocumented workers and the potential disruptive effect this could have on the local economy. In particular, Mr. Tony Dionisio, of Local 183 of the Labourer's International Union Of North America has requested that the City make a statement in support of resolving the plight of undocumented workers. The L.I.U.N.A. Local 183 Training Centre is located on Huntington Road in Vaughan.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and complies with the Vaughan Vision goal to strengthen relationships with other government authorities and agencies by establishing a position of "advocacy" for Vaughan's priorities with other levels of government (5.3.2).

Conclusion

Council adoption of this resolution will support the efforts of various groups to resolve the long-standing problem of undocumented workers in Canada.

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Item 48, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

48

COUNCILLOR BUDGETS

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated April 3, 2006:

Recommendation

Councillor Sandra Racco recommends:

- 1) That the methodology used to develop the annual budget allocations for Members of Council be reviewed when the 2006 population information, based on the new Ward boundaries, is available;
- 2) That the results of that review be factored into the 2007 budget; and
- 3) That in the interim the 2006 budget for the Ward 4 Councillor be adjusted to equate to the 2006 Ward 2 Councillor budget on a per capita basis.

Economic Impact

No economic impact. It would be an internal reallocation of funds.

Purpose

The purpose is to correct the significant discrepancy between the discretionary budgets for the Ward 2 Councillor (population 53,645) and the Ward 4 Councillor (51,017 population), even though the population in each Ward is approximately the same.

Background - Analysis and Options

The 2006 budgets for Members of Council were developed by applying a formula. The formula was used to develop the discretionary portion of the budget. The formula relates the actual population in a Ward to the average Ward population. When applied over time formulas can distort results away from what was originally intended. For example a Ward with a population less than the average Ward population, as determined under the formula, would not see an increase in the discretionary budget, even though the population in the Ward increased annually.

The difference in the Ward 2 and the Ward 4 budgets is an example of this distortion. The population used to develop the Ward 2 budget was 53,645 and the population used to develop the Ward 4 budget was 51,017. The population difference is 2,628 or 5%. However the discretionary budget for Ward 2 is \$24,696 compared to \$13,948 for Ward 4. A difference of \$10,748 or 77%.

It is recognized that the population by Ward will change for 2007 based on the new Ward boundaries. As a result the relationship of the Ward budgets to each other will change.

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 APRIL 10, 2006

Item 48, CW Report No. 18 – Page 2

Conclusion

Since the change in Ward boundaries will impact 2007 it is recommended that the methodology used to develop budgets for Members of Council be reviewed and the results reflected in the 2007 budget. However, as an interim measure to correct the significant disparity between Ward 2 and Ward 4, the 2006 Ward 4 budget be adjusted to equate to the 2006 Ward 2 budget on a per capita basis. The adjustment is \$9,520 and would be funded through an internal re-allocation from Corporate Contingencies.

Attachments

None

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 49, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

49 NEW BUSINESS – 2006 ANNUAL RATEPAYERS ASSOCIATION REGISTRATION

The Committee of the Whole recommends that the West Woodbridge Homeowner's Association be granted a 30-day extension of the deadline for submission of the documents with respect to the annual Ratepayer Association registration, in accordance with the request received from Mr. Nick Pinto, President, West Woodbridge Homeowner's Association.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 51, Report No. 18, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 10, 2006, as follows:

By approving the following in accordance with the memorandum from the Director of Legal Services, dated April 7, 2006:

“The Director of Legal Services in consultation with the City Clerk recommends that the fees for Variance Application Nos. A125-06 to A154-06 not be reduced or waived.”

51 **DEPUTATION – MR. BARRY HOROSKO WITH RESPECT TO
MINOR VARIANCE APPLICATIONS FOR DISERA DRIVE**

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Barry Horosko, Bratty & Partners, on behalf of Liberty Development Corporation, be received and referred to staff for a report to the Council meeting of April 10, 2006; and
- 2) That the written submission of Ms. Lezlie Phillips, Liberty Development Corporation, 505 Highway 7 East, Suite 303, Thornhill, L3T 7T1, dated March 22, 2006, be received.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 10, 2006

Item 52, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 10, 2006.

52

**DEPUTATION – MR. PETER FALLETTA WITH RESPECT TO
COFFEE TRUCKS LICENSING BY-LAW**

The Committee of the Whole recommends that the deputation of Mr. Peter Falletta and Mr. Frank Falletta, Guy's Snack Service Ltd., 91 Adriana Louise Drive, Woodbridge, L4H 1P7, and the written submission of Mr. Peter Falletta, dated March 22, 2006, be received and referred to staff for a report.