

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 1, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

1 FIREWORKS & PYROTECHNICS SPECIAL EFFECTS PERMIT FEES

No one appeared either in support of or in opposition to this matter.

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Acting Fire Chief, dated May 29, 2006, be approved; and**
- 2) **That the document entitled "Cost Analysis for Display Fireworks, Pyrotechnics and Consumer Fireworks Permit Fees", be received.**

Recommendation

The Acting Fire Chief recommends:

1. That this report be received; and
2. That Council enact a By-law to amend the City's Fees and Charges By-law No. 396-2002, at Schedule "E" – Vaughan Fire and Rescue Services, to include the amount of permit fees for the following classes of fireworks: Consumer Fireworks displays held on days other than Victoria Day and Canada Day (\$150.00), Display Fireworks held at any time (\$150.00), and Pyrotechnics Special Effects events held at any time (\$150.00).

Economic Impact

The revenue from fireworks permits was approximately \$1,200.00 in 2005. A marginal increase can be expected in 2006.

Purpose

The purpose of this report is to consider the enactment of an amendment to the City of Vaughan Fees and Charges By-law No. 396-2002, as amended, to transfer the permit fees for Display Fireworks and Pyrotechnics Special Effects events from the former By-law No. 369-2004 to Schedule "E" of the City's Fees and Charges By-law, being the Schedule of Fees for Vaughan Fire & Rescue Service.

Background - Analysis and Options

On May 8, 2006 Council enacted a Fireworks and Pyrotechnics By-law in place of the former Display and Theatrical Fireworks By-law No. 369-2004 and directed that staff provide required notice of a public meeting in accordance with the City's Notice By-law No. 394-2002 and O.Reg 244/02, for the purpose of receiving any input from the public on the proposed amendment to the Fees and Charges By-law (See Attachment No. 1).

The new Fireworks and Pyrotechnics By-law enacted by Council included prohibitions and additional regulations of different classes of fireworks and pyrotechnics including:

- The setting off of Consumer Fireworks *without a permit* is only permitted on Canada Day and Victoria Day.
- The setting off of Consumer Fireworks is permitted at other times during the year only with a permit issued by the Vaughan Fire and Rescue Service.

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- In addition, new safety requirements were imposed for the setting off of Consumer Fireworks.
- The setting off of Display Fireworks continues to require a permit with stringent conditions, as does the setting off of Pyrotechnics Special Effects under new sections in the by-law.

The permit fee of \$150.00 in the same amount as formerly charged for Display Fireworks and Pyrotechnic Special Effects (previously known as Theatrical Fireworks), is proposed to be transferred to the City's consolidated Fees and Charges By-law No. 396-2002, at Schedule "E" – Vaughan Fire and Rescue Services Fees. A new permit fee of \$150.00 is proposed for displays of Consumer Fireworks, if they are held at any time other than on Victoria Day or Canada Day.

The permit fees revenue will remain low and it is estimated will not exceed the costs of administration, inspections and enforcement of the permit system.

Relationship to Vaughan Vision 2007

This report complies with Vaughan Vision 2007 – A-2, Promote Community Safety, Health & Wellness.

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 the fees for permits for Display Fireworks and Pyrotechnics Special Effects remain at present in the sum of \$150.00 and that a permit fee in the same amount be added for Consumer Fireworks displays held on days other than Victoria Day or Canada Day in any year. Staff will continue over the next year to monitor the costs of the permit system and revenues from permit fees.

Attachments

1. Extract – Item 24, May 8, 2006 Council Meeting

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

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Item 2, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

2 PROCLAMATION OF TORCH RUN DAY FOR THE SPECIAL OLYMPICS

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated May 29, 2006:

Recommendation

Councillor Tony Carella recommends:

That the City of Vaughan proclaim June 22, 2006 as Law Enforcement Torch Run Day for the Ontario Special Olympics.

Economic Impact

Nil.

Purpose

To acknowledge June 22, 2006 as Law Enforcement Torch Run Day and to promote this event to raise awareness and funds for the Ontario Special Olympics.

Background - Analysis and Options

Enforcement Services are strong supporters of the Ontario Special Olympics and City of Vaughan By-Law Department staff will be participating in the Toronto Run Day event on June 22, 2006.

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

Special Olympics provides athletes with an intellectual disability the opportunity to experience and succeed in sport. There are hundreds of Special Olympics' programs throughout the province which provides athletes with the opportunity to train twelve months of the year.

Attachments

Request letter.

Report prepared by:

Councillor Tony Carella

(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. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

3 OUTREACH TO IMMIGRANT COMMUNITIES: MUNICIPAL ELECTION NOTICES

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated May 29, 2006:

Recommendation

Councillor Tony Carella recommends that the Clerk be directed to develop a plan for the issuing of municipal election notices in no less than three and no more than five languages other than English and French.

Economic Impact

Nil. Any expenses relating to this initiative would be detailed in the requested plan, for consideration by Council at some future date.

Purpose

To encourage greater participation in the upcoming municipal election by citizens who are relatively recent immigrants and are fluent neither in English nor in French.

Background - Analysis and Options

Recent deputants and other concerned citizens have noted the general decline in voter turnout, particularly low in the case of municipal elections. In light of this situation, it is a reasonable assumption that given the increasingly diverse, multicultural nature of Vaughan's population, it is incumbent upon the City to ensure that basic information relating to the upcoming municipal election as provided in a variety of election notices---reaches the broadest possible range of the electorate. As many of these individuals are not yet fluent in either of Canada's official languages, providing notices in their mother tongue is essential.

This is the strategy recently adopted by the Town of Newmarket, which passed (on May 9, 2006) a by-law to provide 2006 municipal election notices in Chinese, German, Punjabi, Spanish, and Vietnamese, as part of the Town's "New Faces in New Places" component of its *Vote 2006* campaign.

In passing the by-law, the Town noted that attaining Canadian citizenship is typically a five-year process that starts with arrival to Canada and ends with the citizenship ceremony. According to some linguistic experts, complete fluency in English can take up to seven years, thereby leaving a two-year gap between citizenship and complete fluency, which gap the Town's new by-law is meant to address.

In the case of Vaughan, and as reported in the Region of York's *Community Snapshots: Recent Immigrants Living in York Region*, the number of recent immigrants increased by 127% between 1991 and 2001 the second largest percentage increase amongst municipalities in York Region that have a sizeable immigrant population. The top **places of birth** for recent immigrants are the Russian Federation (16%), Ukraine (9%), and India (7%). With respect to the **ethnic origin** of recent immigrants, Russian is first at 23%, Chinese second at 19%, and East Indian third at 17%. The most common **visible minority** groups among recent immigrants are South Asians (32%), Chinese (21%), and Filipino (10%).

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Fully 56% of recent immigrants are Canadian citizens, and thus eligible to vote in municipal elections.

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

In an effort to increase voter turnout at the next municipal election, it is appropriate that the City of Vaughan develop a plan for reaching out to potential voters among recent immigrants to Canada, who have become citizens----and are therefore entitled to vote, but who still lack sufficient fluency in English to participate fully in the election process.

Attachments

Region of York's *COMMUNITY SNAPSHOTS: Recent Immigrants Living in York Region*, pp. 78-83

Report prepared by:

Councillor Tony Carella

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

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Item 4, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

4

**RESPONSE TO DEPUTATIONS
S.A.V.I. (SENIORS ASSOCIATION OF VAUGHAN INITIATIVE) ET AL
SENIORS' ISSUES AND SERVICES
COMMITTEE OF THE WHOLE: NOVEMBER 21, 2005**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, dated May 29, 2006:

Recommendation

The City Manager, in consultation with the Senior Management Team recommends that this report BE RECEIVED and be forwarded to all Vaughan Seniors' Organizations for information purposes, York Region Transit and the York Region Transportation and Works Department.

Economic Impact

There will be no economic impacts resulting from the adoption of this report.

Purpose

The purpose of this report is to review the issues raised in correspondence submitted to the City in conjunction with deputations by several Vaughan Seniors' Organizations.

Background – Analysis and Options

a) Origin

On November 21, 2005 Committee of the Whole heard deputations from the representatives of a number of Seniors' Organizations, which identified issues that concern Vaughan's seniors' community. Also submitted was correspondence itemizing the issues. The list arises from a survey of fourteen seniors' clubs conducted by the Seniors Association of Vaughan Initiative (S.A.V.I.). The responses were consolidated into a single document for the purposes of the presentation to Committee of the Whole. In addition, the correspondence also speaks to S.A.V.I.'s accomplishments in the past year (2005) and its plans for 2006. (See Attachment No. 1)

In response to the deputations, Committee of the Whole adopted the following motion:

- 1) That the deputation of Ms. Isabella Ferrara, Chair, Seniors Association of Vaughan Initiative (S.A.V.I.), and written submissions dated October 12, 2005 and November 21, 2005, be received and referred to staff for a report reviewing the list of issues identified to a future meeting; and
- 2) That the following deputations be received:
 - a) Mr. Shadi Lal Bhatla, Co-Chair of the Summit Committee; and
 - b) Ms Maria Eva Crisante, President, Maple Pioneer Italian Seniors Club.

Committee of the Whole's recommendation was ratified by Council on November 28, 2005. This report has been prepared in response to Council's direction.

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b) Report Format

This report provides comments on the issues identified in the written submission, as referenced above. The issues are listed below in their order of appearance, with an individual response to each.

c) Issues Identified in Deputant's Correspondence from the Committee of the Whole Meeting, November 21, 2005

1. **We strongly support action to have a hospital in the City of Vaughan. Healthcare is a major issue with seniors and the realization of a hospital in Vaughan would provide improved service for seniors as well as all the community of Vaughan.**

***Response:** Progress is being made on securing a health care facility for the City of Vaughan. The Vaughan Health Care Foundation has the responsibility for the planning of the facility and obtaining the necessary approvals. It is proceeding on a number of fronts. It is working with the Ministry of Health and Long-Term Care to further the Vaughan Health "Campus Care" concept. It is also working with the Ministry to obtain a Community Health Centre for the City of Vaughan. A Community Health Centre focuses on the delivery of primary care and related services like illness prevention and wellness programs. The Foundation has recently opened an office; it is actively searching for a site for the Campus of Care; and fundraising is continuing. (Responding Department: City Manager's Office)*

2. **Popular seniors programs are increased based on the request by the individual groups.**

***Response:** The Department of Recreation and Culture's Active Living Coordinators work closely with the older adult clubs in their communities to support programmes and initiatives that meet the needs of the participants. Seniors programs are reviewed and modified by the Senior's clubs based on the club's needs and available resources. The Recreation and Culture department will work with the clubs to identify and expand programs where facilities and resources are available. (Reporting Department: Recreation and Culture)*

3. **The City undertakes a study to establish a reduced fee structure for seniors participating in City programs.**

***Response:** The Department of Recreation and Culture has undertaken a comprehensive review of its programme fees. A final report, Pricing Policy and 2006/2007 Fee Schedule, was submitted for City Council approval in December 2005. Fees for programmes such as aquafitness and recreational swimming for older adults will be reduced effective September 2006. (ie. Seniors Aquafitness present rate - \$203.00 reduced to \$162.40 + GST) (Responding Department: Recreation and Culture)*

4. **The City purchase and make available a large tent on an as needed basis to clubs who hold outside events during the summer months.**

***Response:** The Department of Recreation and Culture requested in the 2006 budget a large tent to support the older adult clubs and community users in the hosting of many outdoor events. However, the requested budget was not approved in the 2006 budget. Staff will continue to work with the clubs to source out various temporary options. (ie. Rental of tents, etc.) (Responding Department: Recreation and Culture)*

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- 5. The City issue more permits for use of neighbourhood and regional parks to be made available for senior events.**

Response: Requests for permits are considered through the Permit Section of the Recreation and Culture Department. First consideration is given to clubs and organizations that have submitted their 'Facility Request Form' by the due date. The due date for summer requests is the first Friday in January and the due date for Fall/Winter/Spring requests is the first Friday in March. Requests for permits received after the due date will be considered as space is available. Staff will continue to work with various clubs to support them in their efforts to find suitable parks for their events. However, staff are not aware of any older adult groups in 2005/2006 where the appropriate park space has not been available for their event. (Responding Department: Recreation and Culture)

- 6. That the City build more multi-purpose Community Centres which will house a library, schools, recreational, daycare and senior centres.**

Response: The Department of Recreation and Culture in collaboration with many city departments along with Vaughan Public Libraries is undertaking a Master Plan that will include a review of the demand and need for new multi-purpose recreation facilities. (Responding Department: Recreation and Culture)

- 7. That the City review and increase the \$500 yearly grant in light of the increase of the seniors members in each of the clubs. This \$500 was approved many years ago and has not been increased.**

Response: The City of Vaughan provides a small grant of \$500/year for some operating support for each club. Clubs should also recognize that thousands of dollars each year are spent in operational costs to provide seniors rooms in community centres, leased storefronts and space in other city buildings for clubs to offer activities for their members. While we appreciate that additional grant monies would be of assistance, we encourage groups to continue to look at other revenue sources to support their activities (i.e. membership dues, fundraising, donations etc.) (Responding Department: Recreation and Culture)

- 8. YRT Mobility should be expanded as well as available upon request to large groups for purposes of transportation to shopping malls or community centres.**

Response: The purpose of York Region Transit's Mobility Plus service is to provide door-to-door accessible public transit service for people with disabilities. Mobility Plus service is intended for people who are unable to use conventional public transit due to a functional disability. In order to use the service, customers must register and meet specific eligibility criteria. Eligibility is evaluated on a case by case basis.

However, if a group was planning an outing, York Region Transit does offer charter services to the general public. Discounted charter rates are available if the charter is arranged through a registered non-profit community group. In addition, reduced charter rates are also offered to the local municipalities. As such, the municipality may book on behalf of a group or groups. A charter request form and further details on this service are available at <http://www.yorkregiontransit.com/downloads/charter.pdf>. (Responding Department: City Manager's Office in consultation with York Region Transit)

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- 9. Streets should be cleaned more readily of winter salt and sand accumulation.**

***Response:** The City's annual spring street sweeping program commences mid-April each year. This timing is based on historical information concerning the number of snowfalls that have taken place in early April. Performing City-wide street-sweeping prior to mid-April may result in a significant waste of time and funds, if a late season snowfall occurred.*

Once the spring clean-up has taken place, the City operates two of its own sweepers that maintain the streets up until the first frost occurs in the fall.

It is important to note that the City no longer uses sand in any of its de-icing mixes used on urban roads. This change has resulted in less material to clean up at the end of the season, less silting of catch basins, streams and watercourses, and, less particulate matter in the air, thereby improving air quality. (Responding Department: Public Works)

- 10. Though we acknowledge the City of Vaughan in exempting the late penalty charges in the tax bill, our needs would be better addressed if the City were to petition the Province to eliminate the education portion of the taxes to those over the age of 65.**

***Response:** The City of Vaughan has previously taken a position on what services should be funded from property taxes. Resolutions have been passed with respect to removing funding from property taxation for some social services such as education. In addition, Council has also passed a resolution to discontinue GTA Pooling. GTA Pooling takes tax dollars collected in the GTA, including the City of Vaughan and forwards these funds to the City of Toronto to fund their programs. Approximately \$35m is collected in Vaughan and forwarded to the City of Toronto annually. Vaughan and others believe this should stop. (Responding Department: Finance)*

- 11. Reduce or cap utilities within the City jurisdiction and request PowerStream and Enbridge Gas to reduce or cap these monthly charges for seniors.**

***Response:** The setting of these utility rates is regulated by the Province of Ontario through the Ontario Energy Board (OEB). There are strict requirements for setting utility rates.*

One of the objectives of the OEB is to protect consumers. Comments from the public are permitted at rate hearings. Submissions regarding utility rates can only be made at the time the utility submits a rate application for approval. PowerStream has just completed their rate filing and there will be a reduction in rates. (Responding Department: Finance)

- 12. That the parking lot servicing Maple Italian Pioneer Seniors Club be expanded to accommodate the growing number of seniors.**

***Response:** A review is underway with the Building and Facilities Department to assess the parking requirements at the Merino Road facility. (Responding Department: Recreation and Culture)*

- 13. That the space at Pine York Seniors Club facility be renovated and/or relocated to accommodate the growing number of senior members.**

***Response:** In April, 2006 Council approved the relocation of the Pine York Seniors Club*

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to a new location and larger facility. Arrangements are underway with the Building and Facilities and Recreation and Culture departments to facilitate the move with the club. (Responding Department: Recreation and Culture)

Items Addressed Last Year but not Resolved

- 1. The shuttle bus addressed by Villa Giardino seniors on our November 23, 2004 deputation was not resolved and we request the City to approach the Region to resubmit the request for 2006.**

***Response:** Transit is the responsibility of the Region of York through York Region Transit (YRT). On April 25, 2006 Staff from York Region Transit provided Committee of the Whole (Working Session) with a presentation on YRT's draft 2006-2010 Five-Year Service Plan. The provision of "Community Bus Services" in the City was one of the matters that were discussed. Community Bus Services are defined as fully accessible transit services typically designed for seniors and people with disabilities who can use fully accessible conventional transit. Rather than follow conventional routing patterns, they are designed to provide better access to facilities such as seniors' residences, medical offices, community centres and shopping areas.*

The issue of the earlier Villa Giardino request was raised at the meeting. York Region Transit Staff expressed a willingness to further explore the provision of this type of service in the Maple area. YRT Staff indicated that they would need to meet with the proponents of the service to determine issues relating to service levels and the facilities/areas to be served. Such information will allow YRT to take the necessary steps to plan the service and proceed through the budgeting and approvals processes.

This report will be forwarded to York Region Transit for its records. To initiate this process it is suggested that Irene McNeil, Manager of Service Planning at York Region Transit be contacted by the proponent. (Responding Department: City Manager's Office in consultation with York Region Transit)

- 2. Crossing lights – we would like this request considered again this year as it is of great concern to our senior members. We notice that York Region has installed crossing signals with a count down system at the Jane and Major Mackenzie intersection. We would like the City to consider installing the same system at other major intersections where there is a high volume of pedestrians crossing Highway #7 and Pine Valley and Highway #7 and Islington Avenue.**

***Response:** In last year's submission, S.A.V.I. indicated that the traffic signals on main roads need to be adjusted to allow more time for pedestrian crossing, citing the Jane and Major Mackenzie and the Melville and Major Mackenzie intersections as two of many examples. The response at that time pointed out that the referenced intersections are under the jurisdiction of the Region of York and that any such conditions need to be brought to the attention of the Region.*

It was also indicated that average walking rates are used to determine the time required to cross the roadway. Total "Walk" time provided is the total of the steady white "walk" indication and the flashing amber "don't walk" indication. Generally, if a pedestrian pushes the walk call button and steps off the curb before the flashing don't walk indication, there will be enough time provided to cross the road at normal walking rates. In areas where there is a significant number of seniors who require more time to cross the road, limited additional time can be provided. If a pedestrian does not push the walk call button, less walk indication time is provided.

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The roads and intersections identified above (Highway # 7, Pine Valley Drive and Islington Avenue) are Regional responsibilities and are not under the City's jurisdiction. The Region is currently conducting a pilot program using the countdown pedestrian signalling system at a limited number of locations. At this stage the Region is not taking requests for the retrofitting of existing signals or providing the technology when there are new installations. Typically, the Regional roads are major arterials, which are the widest, have the heaviest traffic flows and most turning movements. These roads would benefit the most from having more pedestrian-friendly traffic signals. On roads that are under the City's jurisdiction, a retrofit program that would see the installation of the countdown or the "chirping" signal systems is not yet in place. The use of these technologies could be considered when new signals are installed. The Region of York should be advised of the favourable response that the countdown system is receiving. This report should be forwarded to the Region of York (Transportation and Works Department) as an indication of public support for the further deployment of this system and other pedestrian-friendly traffic-control measures. (Responding Department: Engineering Services)

Relationship to Vaughan Vision 2007

Responding to public feedback is supportive of the Vaughan Vision objective of achieving service excellence through the effective and efficient delivery of services.

Conclusion

In accordance with the direction of Council, staff have prepared a report addressing the requests made by the Seniors' organizations on deputation at the November 21, 2005 Committee of the Whole meeting. It is recommended that the report be received and be forwarded to all Vaughan Senior Citizens' Organizations, York Region Transit and the York Region Transportation and Works Department for their information.

Attachments

1. S.A.V.I. Correspondence from November 21, 2005 (Deputation Content)

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 5, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

5 CITY OF VAUGHAN HEALTHY COMMUNITY INITIATIVE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated May 29, 2006:

Recommendation

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

1. That Council receives this report for information purposes.

Economic Impact

There is no economic impact to the City of Vaughan for the 2006 budget year as the necessary resources are allocated and approved as part of the operating budget.

Purpose

The purpose of this report is to provide Council with information on the Healthy Community Initiative.

Background - Analysis and Options

At the Committee of the Whole meeting of September 22, 2003, Council requested that staff investigate and report on the Healthy Community Initiative.

The Ontario Healthy Communities Coalition is a non-profit organization with a mission to work with the diverse communities of Ontario to strengthen their social, environmental and economic well being. Healthy Communities are based on the principle that health is a state of complete physical, mental and social well-being. Social, environmental and economic factors are important determinants of human health and are inter-related. People cannot achieve their fullest potential unless they are able to take control of those things that determine their well-being. All sectors of the community are inter-related and share their knowledge, expertise and perspectives, working together to create a healthy community.

A Healthy Community includes community members and representatives of community groups and organizations, service providers (health and social), local business, and government facilities and services.

A Healthy Community process involves:

- wide community participation;
- broad involvement of all sectors of the community;
- local government commitment; and
- creation of healthy public policies.

Qualities of a Healthy Community include:

- clean and safe physical environment;
- peace, equity and social justice;
- adequate access to food, water, shelter, income, safety, work and recreation for all;
- adequate access to health care services;
- opportunities for learning and skill development;
- strong, mutually supportive relationships and networks;

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- workplaces that are supportive of individual and family well-being;
- wide participation of residents in decision-making;
- strong local cultural and spiritual heritage;
- diverse and vital economy;
- protection of the natural environment; and
- responsible use of resources to ensure long term sustainability.

Applying the Principles of Healthy Communities to the City of Vaughan

Vaughan's Vision is "Citizens first through service excellence". In applying the principles of Healthy communities to Vaughan, the City possesses an abundance of opportunities that would deem it a "Healthy Community." The City provides and supports an array of excellent services for its citizens.

- The City of Vaughan has extensive community wide participation through community events, advisory committees of Council, ongoing public meetings and forums to name a few.
- The City of Vaughan involves many sectors of the community in the planning and delivering of services and works extensively with a network of stakeholders, resident groups and the general public.
- The City of Vaughan is committed to the creation of healthy public policies and has recently introduced the Safe Community Centre Policy and the Pesticide Free Vaughan Policy which support public health and safety.
- The City of Vaughan is committed to healthy communities through the delivery of extensive municipal services to the residents of Vaughan.

Examples of City of Vaughan - Healthy Communities

Following is a sample of initiatives that the City of Vaughan is involved with that reflect the qualities that the Ontario Healthy Communities Coalition recognize as part of a healthy community. This summary by no means captures all healthy community initiatives that are underway.

Healthy - Environment

Environmentally, within the City of Vaughan there are over 140 parks, 60 km of walking trails and bicycle paths. Within the City of Vaughan boundaries we also have other unique assets such as the Bartley Smith Greenway, William Granger Greenway along with Boyd Conservation and the Kortright Centre. Major City of Vaughan parks such as the Mackenzie Glen District Park have been recognized for its unique award winning design and accessibility amenities through the Parks & Recreation Ontario (PRO).

In addition to parks and open space, successful programs such as the Pesticide Free Vaughan, Public Education Campaigns on the Asian Longhorn Beetle, Anti-Litter as well as community programs such as the Adopt-a-Park and Park Ambassador initiatives foster community pride and involvement. The Greening Vaughan Waste Management Plan encourages community involvement in the reduction of waste to landfill sites. Vaughan's business community has also been active in supporting a cleaner environment through the Vaughan Manufacturers' Sustainability Program.

In 2005, the City of Vaughan a recognized winner in the International Communities in Bloom program which was a major initiative that brought people together; it is a reflection of our culture, our history and our strong sense of community.

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Healthy - Culture and Heritage

Culturally, Vaughan's multicultural fabric is supported by diversity and inclusiveness through numerous attractions such as the McMichael Canadian Art Gallery, A.M.I.C.A. Italian Interpretive Centre and the City Playhouse Theatre. The city has three heritage districts, owns 13 heritage properties and has an inventory of over 800 heritage structures, 50 of which are designated under the Ontario Heritage Act. Special places such as the Thoreau MacDonald House or the Woodbridge War Memorial Park and Tower are just a few of the many cultural amenities that are unique to Vaughan. Numerous cultural events such as the Woodbridge Italian Festival, Woodbridge Fair, MapleFest, SeniorsFest, Winterfest, Thornhill Village Festival and the Kleinburg Bindertwine Festival all celebrate our community's history, culture and its people.

Healthy Recreation – Access to Services

Vaughan has positioned itself as one of the premiere providers of recreation facilities, sports parks, walking and biking trails, and programming for a wide range of interests. In the fall of 2005 the Recreation and Culture department completed a operational restructuring with the focus on building stronger community capacity and the delivery of recreation programs and services based on the need of residents in local communities.

Following is a sample of the City of Vaughan recreation facilities, programs and services that are provided for in the community or in partnership with various community groups.

- The city operates eight community centres, six arena pads, and eight indoor pools along with offering numerous outdoor water amenities such as eleven splash pads, one wading and outdoor pool. Other facilities to name a few include numerous tennis courts, indoor and outdoor bocce courts.
- Meeting Places are provided for youth through eight drop-in youth rooms and gym programs. Over 2,600 seniors access 16 Seniors Clubs that provide numerous activities for older adults throughout the city.
- City of Vaughan Fitness Centres (4 locations) provide health and wellness programs and fitness equipment some of which supports those with accessibility challenges (i.e., wheelchair accessible equipment).
- Recreational programs for pre-school, children & youth, adults, and seniors in the areas of sports, dance, leadership, self-defense, creative and visual arts, and health & wellness. Recreation & Culture in 2005 provided over 23,000 programming hours for the community.
- Specialty aquatic programs for breast cancer survivors, women only swim to accommodate ethno and cultural diversity along with aquafitness for people with arthritis.
- More than 40 aquatic related programs are offered such as Learn to Swim, Waterart kidz fitness, synchronized diving, water polo, aquatic leadership, aquafitness, recreational swimming, and length/fitness swimming.
- Over 70 community groups provide opportunities such as hockey, soccer, tennis, baseball, figure skating, aquatics, and for persons with Special Olympics.
- Children's programs are designed with the High Five Quality Assurance Standards. Priorities include fostering healthy development in children over 5 principles (Friends, Play, Caring Adult, Mastery and Participation). Programs are operated from a Child First approach.

The City of Vaughan continues to make great strides in developing itself as a "Healthy Community" through the development of policies, programs and services. This is done in collaboration with city staff, community groups and residents.

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Relationship to Vaughan Vision 2007

This report highlights some of the Healthy Community Initiatives that exist in the City of Vaughan and support the Vaughan Vision 2007 by placing “Citizens first through service excellence.” The necessary resources have been allocated and approved.

Conclusion

At the Committee of the Whole meeting of September 22, 2003, Council requested that staff investigate and report on Healthy Community Initiatives. Staff reviewed the philosophy of the Healthy Community initiative as outlined by the Ontario Healthy Communities Coalition. The City of Vaughan provides opportunities consistent with the Healthy Community principles of physical, mental and social well-being and will continue to support this initiative through the delivery of City Services.

Attachments

None

Report Prepared By

Paul Compton, Area Recreation Manager – West, ext. 8356
Diane LaPointe-Kay, Director of Recreation and Culture, ext. 8117

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 6, Report No. 33, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 12, 2006, as follows:

By approving the recommendation of the Commissioner of Community Services, dated May 29, 2006; and

By receiving the confidential memorandum from the Director of Legal Services and the Manager of Real Estate, dated June 9, 2006.

6 LEASE OF CITY BUILDING – MERINO CENTENNIAL CENTRE

The Committee of the Whole recommends that this matter be referred to the Council meeting of June 12, 2006, for a further report addressing Members of Council's comments:

Recommendation

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

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

Economic Impact

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

Purpose

The purpose of this report is to seek Council approval to grant permission to Elections Canada for the use of the Merino Centennial Centre for a seven (7) week period (compensation for 8 weeks) in the event a federal election is called between now and March 31, 2007.

Background - Analysis and Options

Elections Canada is requesting permission to lease the Merino Centennial Centre on Merino Road in Maple. They would like to gain access for a seven week period, beginning as soon as an election is called, but have agreed to pay rent for a two month period. The Returning Officer for Vaughan has requested that this item be placed on the agenda in the event an election may be called between now and March 31, 2007 in order to make the appropriate arrangements.

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

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

In addition to executing the Elections Canada Lease Agreement referred to as the Lease for Returning Officer's Office, the City of Vaughan and Elections Canada will also be executing a separate Right of First Refusal to Lease Premises Agreement, which gives Elections Canada a right of first refusal to lease the Merino Centennial Centre. The City of Vaughan has no objections to this Agreement.

Relationship to Vaughan Vision 2007

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

Conclusion

It is recommended that Council grant permission to Elections Canada for the use of the Merino Centennial Centre for a seven (7) week period between now and March 31, 2007 in the event a federal election is called and that the City of Vaughan be compensated for a two month period at a rate of \$3,500/month with an additional amount provided by Elections Canada to compensate the four user groups that utilize the facility. On receiving notification of the impending election, it is also recommended that staff be authorized to make the necessary arrangements including such matters as finalizing the dates, processing the completion of the lease agreement, and that a by-law be enacted to authorize the execution of a Right of First Refusal to Lease Premises Agreement and a Lease Agreement between Elections Canada and the City of Vaughan to ensure the necessary arrangements are in place should an election be called shortly.

Attachments

None

Report prepared by:

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

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Item 7, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

7 AWARD OF TENDER T06-020 RESTORATION TO THOREAU MACDONALD HOUSE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated May 29, 2006:

Recommendation

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

1. That T06-020, award of tender for the Restoration to Thoreau MacDonald House be awarded to Trustco Construction for the amount of \$136,960.00;
2. That additional capital funding in the amount of \$19,000 (10% contingency and the 3% project administration) be approved from Heritage Reserve, within which the Commissioner of Community Services is authorized to approve amendments to the contract;
3. That the inclusion of the matter on a public Committee or Council agenda for the additional funding request identified as the Restoration to Thoreau MacDonald House is deemed sufficient notice pursuant to Section 2(1)(c) of Bylaw 394-2002; and
4. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Capital project #8069-0-05 Thoreau MacDonald House – Renovations/Washrooms Construction funding was approved in the 2005 budget. Annual operating costs are included in the 2006 budget.

Purpose

To award tender T06-020 for the Renovation to Thoreau MacDonald House.

Background - Analysis and Options

The Thoreau MacDonald House is located at 121 Centre Street in Thornhill. The renovations are required to upgrade both the interior and exterior spaces for public use. In order to comply with the Ontario Building Code, accessible washrooms, and a sprinkler fire suppression system must be incorporated into the facility.

Funding for a feasibility study was approved in the 2002 capital budget to investigate the different options to maximize its' use. The renovations will allow the City to increase the use of this facility.

This tender was advertised in the Daily Commercial News and the Electronic Tender Network (ETN) on Monday, April 10, 2006, and seventeen (17) bid documents were issued. Tenders were closed and publicly opened on Wednesday, May 3, 2006 at 3:30pm. Nine (9) bid documents were received. The bid results are as follows:

Contractor

Total Tendered Price

Trustco Construction
Markham, Ontario

\$136,960.00

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Mortazavi Inc. Toronto, Ontario	\$154,350.00
Grenwitch General Con. Concord, Ontario	\$169,800.00
A Plus General Contractors Toronto, Ontario	\$193,000.00
Anacond Contracting Concord, Ontario	\$210,167.00
Datum Construction Toronto, Ontario	\$213,978.60
Surrey Construction Toronto, Ontario	\$219,625.23
D.J. McRae Contracting Toronto, Ontario	\$226,198.00
NuBuild Concord, Ontario	\$248,960.00

The additional funding is requested to provide contingency funding in addition to the 3% project administration.

The proposed additional funding request for this work would be funded from the Heritage Reserve. The estimated balance in the Heritage Reserve at the end of 2006 net of commitments is (\$107,300).

Relationship to Vaughan Vision 2007

In keeping with Vaughan Vision, particularly A-2, "Promote Community Safety, Health and Wellness", this award of tender provides service delivery excellence for the community.

The restoration work at Thoreau MacDonald House will encourage the preservation of significant historical structures and communities.

Conclusion

Building and Facilities, and Purchasing Department staff have reviewed the bid submissions and have determined that the lowest bid contractor, Trustco Construction meets the requirements of the contract. This project will commence immediately upon award by Council, and will be completed in the fall of 2006.

Should Council concur with this proposed additional funding request, this action would be considered as an amendment to the Capital Budget. Pursuant to the Municipal Act 2001 Sec 291(1) before amending a budget, a municipality shall give notice of its intention to amend the budget at a Council meeting. Where a capital project has been subject to a public meeting during the adoption of the approved capital budget and where additional funding is required to complete the approved works, inclusion of the matter in a staff report requesting additional funding on a public Committee or Council agenda is deemed to be sufficient notice pursuant to Section 2(1)(c) of Bylaw 394-2002.

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Additional funding in the amount of \$19,000 from the Heritage Reserve Fund is required in addition to the funds approved in the 2005 Capital Budget (Project # 8069) to award this tender.

Attachments

None

Report prepared by:

Jeff Peyton, Director of Building and Facilities, Ext. 6173

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Item 8, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

8 **AWARD OF TENDER T06-119**
WOODBIDGE EXPANSION AREA OPEN SPACE BRIDGE AND TRAIL DEVELOPMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated May 29, 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 T06-119, Woodbridge Expansion Area Open Space Bridge and Trail Development be awarded to Wyndale Paving Co. Ltd. for the amount of \$185,223.27 (excluding G.S.T.);
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 #5902-0-04 – Woodbridge Expansion Area Open Space Bridge and Trail Development funding was approved in the 2004 Capital Budget. An annual operating cost of \$3,000.00 is required to maintain this open space once completed.

Purpose

The purpose of this report is to seek approval to award tender T06-119 for the development of Woodbridge Expansion Area Open Space Bridge and Trail Development.

Background - Analysis and Options

The project is for the construction of the Woodbridge Expansion Area Open Space Bridge and Trail Development located east of Regional Road Number 27 and north of Rutherford Road in Woodbridge. Capital project #5902-0-04 Woodbridge Expansion Area Open Space Bridge and Trail Development funding was approved in the 2004 Capital Budget. Construction includes the following in accordance with the approved master landscape plan: prefabricated metal pedestrian bridge; concrete bridge abutments; improvements to existing granular path system adjacent to the storm water management pond; improvements to existing asphalt and granular pathway systems along slopes and low land areas and a new pathway extension connecting with Regional Road Number 27. The proposed open space bridge and trail system was developed in partnership with the Toronto Regional Conservation Authority and has met all requirements under the Ministry of Environment and Ministry of Transportation pursuant to the Navigable Waters Protection Act. The tender drawings were reviewed by the 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 Wednesday, May 17th, 2006. Ten (10) bid documents were received. The bid results of the five (5) lowest bids are as follows:

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<u>Contractor</u>	<u>Total Tendered Price (excluding GST)</u>
Wyndale Paving Co. Ltd.	\$185,223.27
Pinevalley Enterprises Inc. Rutherford Contracting Ltd.	\$205,800.00 \$214,721.13
R & M Construction	\$225,733.50
Forest Contractors Ltd.	\$232,649.00

Relationship to Vaughan Vision 2007

The Woodbridge Expansion Area Open Space Bridge and Trail Development will provide facilities that promote a safe, livable, and sustainable open space 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, Wyndale Paving Co. Ltd, is deemed to meet the requirements of the contract.

Upon award of Tender, this project will commence within seven (7) working days from the Date of Notification of Award, weather permitting and will be completed late Fall 2006.

Attachments

None

Report prepared by:

Martin Tavares, Landscape Planner, Ext. 3205
Paul Gardner, Director of Parks Development, Ext. 3209

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Item 9, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

9 **ASSUMPTION – KEELE/407 BUSINESS PARK**
19T-00V08 / 65M-3570

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 29, 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-3570, and that the municipal services letter of credit be reduced to \$44,900.00 for street tree replacements and boulevard sodding repairs as per the request of the Parks Operations and Forestry Department and Engineering Services Department, 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 1.2 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 4 industrial block development is an industrial subdivision. The development is located east of Keele Street at Highway 407 as shown on Attachment 1.

The Subdivision Agreement was signed on March 14, 2002. The municipal services in Plan 65M-3570 were installed in April 2002 and the top course asphalt was placed in July 2005.

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, Development Planning and Clerks. The Parks Operations and Forestry Department is requesting that \$34,900.00 be held back as securities for street tree replacement and the Engineering Services Department is requesting that \$10,000.00 be held back as securities for minor repairs to the boulevard sod. 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.

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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-3570 be assumed and the municipal services letter of credit be reduced to \$44,900.00. Once the boulevard trees have been replaced and the sodding 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.)

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Item 10, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

**10 ASSUMPTION – MAPLE MEADOWS ESTATES (PHASE 3, BLOCK 196)
 19T-97V14 / 65M-3255**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 29, 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-3255, and that the municipal services letter of credit be released.

Economic Impact

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

Purpose

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

Background - Analysis and Options

The townhouse block development is a residential subdivision. The development is located at the northwest corner of Melville Avenue and Cranston Park Avenue as shown on Attachment 1.

The Subdivision Agreement was signed on March 30, 1998. The municipal services in Plan 65M-3255 were installed in April 1998 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 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.

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Conclusion

It is therefore appropriate that the municipal services in 65M-3255 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.)

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Item 11, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

11

**PROPOSED REGIONAL POLICIES
JURISDICTION OF WATER AND WASTEWATER INFRASTRUCTURE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 29, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That this report be received for information purposes; and
2. That a copy of this report be forwarded to the Region of York, advising that the City of Vaughan concurs with the Region's final draft policies as outlined in the Regional report entitled "Regional Jurisdiction – Water Infrastructure" and "Regional Jurisdiction – Wastewater Infrastructure".

Economic Impact

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

Purpose

The purpose of this report is to inform Council on the Region of York's updated final draft policies related to the jurisdiction of water and wastewater infrastructure, and to advise the Region that the City of Vaughan has no comments on these final draft policies entitled "Regional Jurisdiction – Water Infrastructure" and "Regional Jurisdiction – Wastewater Infrastructure".

Background - Analysis and Options

Under the Municipal Act, 2001, the Region of York is given exclusive jurisdiction over water production, treatment and storage; and is restricted in its ability to sell water directly to the end consumer. The Region is only permitted to wholesale service to the local municipality who then have the responsibility to retail services to the end consumer. The Municipal Act however, does not give guidance on what constitutes Regional water distribution or wastewater infrastructure. As a result, it is important to have policies in place defining the jurisdiction of water distribution and wastewater infrastructure.

The Region's current infrastructure jurisdictional policies related to sanitary sewer systems and water systems have been in place since 1999 and 2002 respectively. These policies have been found to be too prescriptive to be readily applicable across the Region in an equitable manner. The new policies shift to a more Regional system based perspective where the same fundamental criteria are applied along with an added consideration for the Regional functionality and how it relates to each unique local municipality.

On April 27, 2006 Regional Council approved the two proposed policies entitled "Regional Jurisdiction – Water Infrastructure" and "Regional Jurisdiction – Wastewater Infrastructure".

The following is a general summary of the jurisdictional criteria established within the new Regional policies relating to water and wastewater infrastructure. Regional infrastructure that is identified in the Regional Master Plan shall meet the following functions necessary to provide:

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- Water / wastewater treatment.
- Pumping to a storage tank, treatment facility or other Regional system.
- Storage of water.
- Flow equalization tanks.
- Metering for the purpose of municipal billing and tracking inter-municipal flows.
- Conveyance systems that meet a series of specific criteria intended to define and support Regional functions listed above.
- Field information collection systems (SCADA) where appropriate.
- Interconnectivity where required through the Regional Master Plan.

Infrastructure that meets this criteria but that is not currently identified in the Regional Master Plan will be reviewed during the periodic master plan updates to ensure appropriate Regional context is considered in the decision making process. Deviations to the criteria may also be considered provided it is warranted and it is in alignment with the overriding servicing objectives of the Region's Master Plan.

Staff have been involved in discussions with the Region on their infrastructure jurisdictional policy review process since the spring of 2005. During this time meetings were coordinated, the policy update process was reviewed and comments were provided.

Once the Region's policies are adopted by their Council and accepted by all local municipalities, the next step will be to work closely with individual municipalities to identify existing infrastructure which may qualify under the new policies for transfer.

Relationship to Vaughan Vision 2007

In consideration of the strategic priorities established by Vaughan Vision 2007, the recommendations of this report will assist in ensuring:

- Effective and efficient delivery of services;
- The implementation of OPA 600;
- Effective political leadership; and
- Stronger relationships with other government authorities and agencies.

Conclusion

Copies of the associated Regional Council report and updated policies on the jurisdiction of water and wastewater infrastructure have been formally circulated to all local municipalities for comment by May 31, 2006.

Staff have been involved in the review and updating of the Regional policies on water and wastewater infrastructure jurisdiction since the spring of 2005. Accordingly, it is recommended that the Region be advised that the City of Vaughan has no further comment on the final draft policies as presented.

It is anticipated that Regional Staff will be providing a report for adoption of the policies by Regional Council in June 2006 following formal notification and acceptance from all local municipalities.

Staff will continue to work closely with the Region to identify current City infrastructure that may classify for Regional assumption. It is anticipated that a future report addressing this issue in detail will be brought forward to Regional Council for consideration in the Fall.

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Attachment

N/A

Report prepared by:

Michael Frieri, Development Supervisor, Engineering Planning and Studies, Ext. 8729
Rob Meek, Manager of Environmental & Technical Services, Ext. 6100

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Item 12, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

**12 WOODBRIDGE AVENUE AND FOREST DRIVE/LEWIS DRIVE
 TRAFFIC SIGNAL TIMING AND TRAFFIC INFILTRATION**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 29, 2006, be approved; and
- 2) That staff monitor the impact of the turning prohibition from Forest Drive onto North Ridge Road, to determine if the added traffic southbound on Forest Drive can be accommodated within the existing traffic signal timing at the intersection of Woodbridge Avenue and Forest Drive/Lewis Drive, and to report their findings to the last Committee of the Whole meeting in September 2006.

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That no changes to the existing traffic signal timing be made at the intersection of Woodbridge Avenue and Forest Drive/Lewis Drive;
2. That a southbound left turn prohibition be implemented at the intersection of Forest Drive and North Ridge Road; and
3. That York Regional Police be requested for enforcement of the turn prohibition at Forest Drive and North Ridge Road.

Economic Impact

The cost to install the traffic sign would be an initial impact to the 2006 Operating Budget and the cost to maintain the traffic sign would be a future Operating Budget impact.

Purpose

To investigate the feasibility of adjusting the existing traffic signal timing at the intersection of Woodbridge Avenue and Forest Drive/Lewis Drive, and determine if traffic is infiltrating on North Ridge Road and Moonstone Place as an alternative to Woodbridge Avenue and Forest Drive/Lewis Drive, in response to direction from Council.

Background - Analysis and Options

At its meeting on October 17, 2005 Council directed:

“That staff review the timing of signal lights at the intersection of Woodbridge Avenue and Forest Drive/Lewis Drive, to determine if the length of time allotted for traffic to enter the intersection from Forest Drive and Lewis Drive is sufficient to accommodate efficiently the amount of that traffic, and that traffic infiltration studies be conducted before and after any changes to the timing of the signal lights as may be required;”

Woodbridge Avenue is a primary feeder road with a 23.0m right-of-way, and Forest Drive is a local road with a 20.0m right-of-way. The intersection of Woodbridge Avenue and Forest Drive is under existing traffic signal control. The area is shown on Attachment No. 1.

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Staff conducted a signal timing review and observations at the intersection of Woodbridge Avenue and Forest Drive/Lewis Drive on Wednesday, October 26, 2005 during the morning and afternoon peak time periods. At no time during the review was a vehicle unable to clear the intersection during allocated green times.

Changes to the existing traffic signal timing, specifically to add more green time to the north/south direction would result in possible delays to east/west traffic. Staff does not recommend any signal timing changes at this intersection.

Staff conducted an infiltration study on Wednesday, April 12, 2006 during the time periods of 7:00am to 9:00am and 4:00pm to 6:00pm to determine the amount of ‘cut-through traffic’ that was using North Ridge Road from Woodbridge Avenue to Forest Drive as an alternative route to avoid the intersection of Woodbridge Avenue and Forest Drive/Lewis Drive. The weather was overcast with some rain in the afternoon.

The infiltration routes and results of the studies are summarized in the following table.

Wednesday, April 12, 2006 Study				
TIME	ENTERING AT	EXITING AT	TOTAL INBOUND VEHICLE	TOTAL INFILTRATION
7:00am to 9:00am	Forest Drive and North Ridge Road	Woodbridge Avenue and Moonstone Place	129	122 or 95%
7:00am to 9:00am	Woodbridge Avenue and Moonstone Place	Forest Drive and North Ridge Road	24	12 or 50%
4:00pm to 6:00pm	Forest Drive and North Ridge Road	Woodbridge Avenue and Moonstone Place	60	43 or 72%
4:00pm to 6:00pm	Woodbridge Avenue and Moonstone Place	Forest Drive and North Ridge Road	48	24 or 50%

The percentage of traffic infiltration is high, especially for traffic arriving at Forest Drive and North Ridge Road and exiting at Woodbridge Avenue and North Ridge Road/Moonstone Place. However, the volumes with the exception of the AM infiltration volumes arriving at Forest Drive are relatively low. Turning prohibitions during specific time periods are not recommended with the exception of the Forest Drive to Woodbridge Avenue morning period. Residents within this subdivision would be adversely affected if prohibited during the other peak time periods.

The additional 122 vehicles can be accommodated at the signalized intersection of Woodbridge Avenue and Forest Drive/Lewis Drive and these vehicles can clear the intersection on each cycle. The amount of opposing volume from the northbound Lewis Drive is minimal and would not impact the additional volume from Forest Drive.

Relationship to Vaughan Vision 2007

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

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

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Conclusion

Based on staff's review, it is recommended:

1. That no changes to the existing signal timing at the intersection of Woodbridge Avenue and Forest Drive/Lewis Drive be made; and
2. That a southbound left turn prohibition be implemented at the intersection of Forest Drive and North Ridge Road; and
3. That York Regional Police be requested for enforcement of the turn prohibition at Forest Drive and North Ridge Road.

Attachments

1. Location Map

Report prepared by

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

:MR

(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 JUNE 12, 2006

Item 13, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

13

**SUNSET RIDGE
PROPOSED NO PARKING PROHIBITION**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 29, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That By-law 1-96, the Consolidated Parking By-law, be amended to add a 'No Parking, May 1 to September 15' prohibition on the south side of Sunset Ridge from Islington Avenue to Lookout Point Court.

Economic Impact

The cost to install the 'No Parking' signs will be an initial impact on the 2006 Operating Budget, however, there are sufficient funds in the approved budget for this work. The on-going costs to maintain the signs would be an impact to future Operating Budgets.

Purpose

To review the feasibility of implementing 'No Parking, May 1 to September 15' signs along the south side of Sunset Ridge from Islington Avenue to Lookout Point Court.

Background - Analysis and Options

A request from the Sonoma Heights Traffic Calming Committee has been received to review the parking activity on Sunset Ridge in the vicinity of the Woodbridge Expansion Area District Park. Sunset Ridge is a residential roadway with a 20.0-metre right-of-way and has a speed limit of 40 km/h. The Woodbridge Expansion Area District Park is located on the north side of Sunset Ridge in the upper most quadrant of the Woodbridge Expansion Area sub-division. See Attachment No. 1 for the area network.

In their request, the Sonoma Heights Traffic Calming Committee stated citizens attending the Woodbridge Expansion Area District Park do not utilize the two parking lots located on the park grounds and rather park their vehicles along Sunset Ridge. The Woodbridge Expansion Area District Park is utilized throughout the summer months due to the soccer fields located in the park. Although the request is to prohibit parking along the north side of Sunset Ridge, from a Traffic Safety perspective, the following reasons would justify implementing the No Parking prohibitions on the south side of Sunset Ridge:

1. Sunset Ridge is the main thoroughfare. The proposed prohibitions would prevent parents from parking on the south side and crossing Sunset Ridge with their children to access the park.
2. The proposed prohibitions would prevent children from being dropped off on the south side of Sunset Ridge to cross the road unassisted and from within parked vehicles.
3. Residents of Sunset Ridge still have the option of utilizing the north side of Sunset Ridge for on-street/visitor parking.

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Vehicles parked along the south side of Sunset Ridge may potentially reduce sight line issues for pedestrians attempting to cross Sunset Ridge near the park. The installation of 'No Parking' prohibitions on the south side of Sunset Ridge will provide increased visibility for pedestrians and motor vehicles on Sunset Ridge and encourage motorists to park their vehicles within the park grounds.

Relationship to Vaughan Vision 2007

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

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

Conclusion

Staff is recommending that 'No Parking, May 1 to September 15' signs be installed on the south side of Sunset Ridge between Islington Avenue and Lookout Point Court.

Attachments

1. Location Map

Report prepared by:

Tim Apostolopoulos, Traffic Analyst, ext. 8759
Mike Dokman, Supervisor Traffic Engineering, ext. 8031

:TA

(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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14

**VELLORE WOODS COMMUNITY
LOCAL SAFETY IMPROVEMENTS**

The Committee of the Whole recommends:

- 1) That an all-way stop control be installed at the intersection of Vellore Woods Boulevard and Foxhunt Drive;
- 2) That an all-way stop control be installed at the intersection of Comdel Boulevard and Plover Heights;
- 3) That an all-way stop control be installed at the intersection of Starling Boulevard and Robin's Nest Drive;
- 4) That an all-way stop control be installed at the intersection of Vellore Woods Boulevard and Robin's Nest Drive; and
- 5) That the matter with respect to the speed hump on Comdel Boulevard, be referred to the Vellore Woods Traffic Calming Committee.

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That an all-way stop control not be installed at the intersection of Vellore Woods Boulevard and Foxhunt Drive;
2. That an all-way stop control not be installed at the intersection of Comdel Boulevard and Plover Heights;
3. That an all-way stop control not be installed at the intersection of Starling Boulevard and Robin's Nest Drive;
4. That an all-way stop control not be installed at the intersection of Vellore Woods Boulevard and Robin's Nest Drive; and
5. That a speed hump not be installed on Comdel Boulevard.

Economic Impact

Not applicable.

Purpose

To review the feasibility of implementing an all-way stop control at the intersections of Vellore Woods Boulevard and Foxhunt Drive, Comdel Boulevard and Plover Heights, Starling Boulevard and Robin's Nest Drive, and at Vellore Woods Boulevard and Robin's Nest Drive in response to direction from Council.

Background - Analysis and Options

At its meeting of April 3, 2006 Council directed:

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“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 a letter dated February 15, 2006 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.

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.”

Recommendation 1: City staff has sent a work order for the new all way stop control. Installation is expected within the next 3 – 4 weeks by City Public Works crews.

Recommendation 2: A letter was received by the Local Councillor from the Local Ratepayers Association requesting that stop signs be installed at:

- Vellore Woods Boulevard and Foxhunt Drive
- Comdel Boulevard and Plover Heights
- Starling Boulevard and Foxhound Crescent
- Starling Boulevard and Robin’s Nest Drive
- Vellore Woods Boulevard and Robin’s Nest Drive
- Timberwolf Crescent at Lot #45

Vellore Woods Boulevard and Foxhunt Drive

Vellore Woods is a feeder road with a posted 40-km/h speed limit. Foxhunt Drive is a local road with a statutory 50-km/h speed limit.

Staff conducted a turning movement count on Tuesday, May 9, 2006 during peak travel periods from 7:00 am to 9:00 am and 3:00 pm to 6:00 pm. During the time of the study, the weather was clear and sunny. The collected traffic volumes compared to the Provincial Warrant for All-way Stop Control are as shown below.

- | | |
|---|---------------|
| • Warrant 1 – Minimum Vehicular Volumes | Warranted 60% |
| • Warrant 2 – Accident Hazard | Warranted 0% |
| • Warrant 3 – Sight Restriction | Warranted 0% |

For an all-way stop control to be warranted, one or more of the 3 warrants must be satisfied 100% or more. The results of the turning movement counts do not meet the requirements of the Provincial Warrant for All way Stop Control. The above results reflect the highest peak traffic hour at this intersection.

Comdel Boulevard and Plover Heights

Comdel Boulevard is a feeder road with a posted speed limit of 40-km/h within the school zone, and a statutory 50-km/h speed limit outside of the school zone. Plover Heights is a local road with a statutory 50-km/h speed limit.

Staff conducted a turning movement count on Tuesday, May 9, 2006 during peak travel periods from 7:00 am to 9:00 am and 3:00 pm to 6:00 pm. During the time of the study, the weather was

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clear and sunny. The collected traffic volumes compared to the Provincial Warrant for All-way Stop Control are as shown below.

- Warrant 1 – Minimum Vehicular Volumes Warranted 8%
- Warrant 2 – Accident Hazard Warranted 0%
- Warrant 3 – Sight Restriction Warranted 0%

For an all-way stop control to be warranted, one or more of the 3 warrants must be satisfied 100% or more. The results of the turning movement counts do not meet the requirements of the Provincial Warrant for All-way Stop Control. The above results reflect the highest peak traffic hour at this intersection.

Starling Boulevard and Foxhound Crescent:

Council Approved the All-way Stop control at Starling Boulevard and Foxhound Crescent at their meeting on April 10, 2006, and the signs should be installed in approximately 3 – 4 weeks.

Starling Boulevard and Robin's Nest Drive

Starling Boulevard is a major local road with a statutory 50-km/h speed limit. Robin's Nest Drive is a local road with a statutory 50-km/h speed limit.

Staff conducted a turning movement count on Thursday, May 11, 2006 during peak travel periods from 7:00 am to 9:00 am and 3:00 pm to 6:00 pm. During the time of the study, the weather was overcast and raining. The collected traffic volumes compared to the Provincial Warrant for All-way Stop Control are as shown below.

- Warrant 1 – Minimum Vehicular Volumes Warranted 17%
- Warrant 2 – Accident Hazard Warranted 0%
- Warrant 3 – Sight Restriction Warranted 0%

For an all-way stop control to be warranted, one or more of the 3 warrants must be satisfied 100% or more. The results of the turning movement counts do not meet the requirements of the Provincial Warrant for All-way Stop Control. The above results reflect the highest peak traffic hour at this intersection.

Vellore Woods Boulevard and Robin's Nest Drive

Vellore Woods is a feeder road with a posted 40-km/h speed limit. Robin's Nest Drive is a local road with a statutory 50-km/h speed limit.

Staff conducted a turning movement count on Tuesday, May 9, 2006 during peak travel periods from 7:00 am to 9:00 am and 3:00 pm to 6:00 pm. During the time of the study, the weather was clear and sunny. The collected traffic volumes compared to the Provincial Warrant for All-way Stop Control are as shown below.

- Warrant 1 – Minimum Vehicular Volumes Warranted 38%
- Warrant 2 – Accident Hazard Warranted 0%
- Warrant 3 – Sight Restriction Warranted 0%

For an all-way stop control to be warranted, one or more of the 3 warrants must be satisfied 100% or more. The results of the turning movement counts do not meet the requirements of the Provincial Warrant for All-Way Stop Control. The above results reflect the highest peak traffic hour at this intersection.

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Timberwolf Crescent at Lot # 45

Staff cannot install an all-way stop control on Timberwolf Crescent at this location, as there is no cross street and therefore no conflicting traffic at this location. Timberwolf Crescent at this location operates as an angle bend.

Recommendation 6: The Vellore Woods Ratepayers Association has already requested an all way stop control at the intersection of Comdel Boulevard and Plover Heights. The feasibility of this request was reviewed as set out above. Also, in response to the request for a speed hump, a radar speed study was conducted on Friday, May 12, 2006 from 8:00 am – 9:00 am. On the day of the study the weather was overcast. The following table summarizes the results of this investigation:

TIME	LOCATION	DIRECTION	AVERAGE SPEED
8:00am – 9:00am	Comdel Boulevard west of Plover Heights Drive	Eastbound Westbound	44 km/h 47 km/h

This study was conducted in front of the school, in a posted 40-km/h school zone. The average speeds range from 44 to 47 km/h indicating a good level of compliance with the existing speed limit.

In accordance with the Council Approved Neighbourhood Traffic Committee Policy and Procedure:

Warrant 1 - speed humps shall be considered only when the following three warrants are met:

- The street is not a primary emergency response route
- The speed limit is 50 km/h or less
- The average speed is measured to be 10 km/h greater than the speed limit.

The collected average speeds do not exceed the posted speed limit by 10 km/h. Comdel Boulevard is considered a primary response route. Based on the above warrant, the installation of speed humps on Comdel Boulevard is not met.

Relationship to Vaughan Vision 2007

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

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

Conclusion

Based on staff’s review, it is recommended that an all-way stop control not be installed at the intersections of Vellore Woods Boulevard and Foxhunt Drive, Comdel Boulevard and Plover Heights, Starling Boulevard and Robin’s Nest Drive, and Vellore Woods Boulevard and Robin’s Nest Drive. Also, it is recommended that a speed hump not be installed on Comdel Boulevard.

Attachments

1. Location Map

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Item 14, CW Report No. 33 – Page 5

Report prepared by

Leslie Winfrow, Traffic Analyst, ext. 8784

Mike Dokman, Supervisor, Traffic Engineering, ext. 8031

:LW

(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 15, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

15

DRAFT JOINT MUNICIPAL WASTE DIVERSION STRATEGY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 29, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That Council approves, in principle, the joint municipal waste diversion strategy subject to the outcome of the public consultation planned for this summer; and
2. That staff report back to Committee and Council in the fall of 2006 on recommended amendments to the strategy as a result of input from the public consultation process.

Economic Impact

The costs to each municipality to complete the public consultation process are not expected to be significant. In most instances costs will be limited to hosting one or more open houses as well as continued in-kind support of the strategy. York Region has budgeted up to \$20,000 to advertise upcoming activities and provide support for the consultation events. The Public Works Department has sufficient funds in its budget for this purpose.

Purpose

This report provides an overview of the waste diversion strategy that has been jointly developed by local and Regional municipal staff during the first quarter of 2006.

Background - Analysis and Options

The Region of York's original waste management strategy is over eight years old and in many ways no longer reflective of the current waste management situation facing the Region and its local municipalities. Recent improvements to the blue box program through the introduction of commingled collection and expanded recyclable material and efforts to implement diversion of source separated organics underscore the need to coordinate collection, processing and budgetary planning efforts across both levels of government. Development of an effective diversion strategy, therefore, requires the support and involvement of both the Local and Regional Councils.

In April of 2005, York Region initiated a joint Environmental Assessment (EA) in partnership with Durham Region to identify a long-term solution for the management of waste that is neither recycled nor diverted through local waste reduction programs. Concern was raised at the October 2005 meeting of Regional Solid Waste Management Committee that the goal of 60% diversion originally proposed in the EA terms of reference was too conservative and would potentially limit the Region's flexibility in defining the outcome of the EA process. Development of a municipally supported waste diversion strategy would help to determine what diversion level the Region could expect to achieve during the timeframe contemplated by the EA. In January 2006 Regional Council, therefore, requested that staff prepare an updated waste diversion strategy and finalize it by the summer of that same year. Following this request, all Local Councils agreed to participate in the development of the proposed joint strategy. To this end, both Local and Regional staff have formed a Diversion Strategy Committee, chaired by staff from the Town of Newmarket, and have been actively creating the strategy.

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Project Timeline

The following table outlines the activities proposed at the outset of the process, in order to complete the strategy within the requested timeframe, and their current status.

**Table 1
Strategy Timeline**

Date	Activity	Status
January 2006	Project initiation	Completed
February 2006	Local municipal Councils agreement to participate in study	Completed
February 2006	Individual discussions with local municipal staff	Completed
March 2006	Joint strategy development	Completed
April 2006	Draft report	Completed
May 2006	Endorsement of the draft strategy by Regional & local Councils	Under way
Summer 2006	Public Consultation	
Fall 2006	Report to Committee and Council on Public Feedback	
Fall 2006	Endorsement of final strategy by Regional and local municipal Councils	

Staff Identified Waste Diversion Options

Over the first quarter of 2006, the Region received formal commitments from all nine local municipal governments committed to jointly participate with the Region in the development of the strategy. During that time Lura Consulting was hired by the Region to hold individual discussions with staff from the ten jurisdictions. Through this process, options to improve the diversion rate of the local municipalities were solicited including improvements to existing programs and development of new programs. Staff were also asked to provide insight into a diversion target that their local Councils would likely support within the ten year timeframe contemplated by the strategy. Joint meetings were then held to review the identified options and determine which had the support of the group. Barriers to implementation and the possible timing associated with doing so were also discussed. Achievable diversion targets, within the context of the preferred options, were also considered. The attached draft strategy (Appendix B) was developed as the outcome of this process.

Table 2 below provides a description of the major waste diversion options identified by staff from the ten municipalities through the strategy to date.

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**Table 2
Description of Identified Options**

Option	Description	Diversion Potential
Source Separated Organics Diversion	Diversion of household compostable wastes excluding yard waste. Requires specialized containers, collection and processing.	30%
Optimized Blue Box Diversion	Weekly collection; addition of new materials; using bags and alternative collection containers; and/or collecting from local schools.	8%
Improved Yard Waste Diversion	Improved collection service across all municipalities to a minimum of biweekly collection (April – November).	5%
Use of Community Environmental Centres	Location of convenient and accessible depots to receive reusable and recyclable materials and waste that can not be set out for curbside collection.	5%
Use of Mandatory Recycling By-laws	Development of by-laws by the Region and local municipalities to mandate recycling and/or restrict collection of waste containing recyclables.	5%
Use of Bag Limits & Financial Incentives	Restriction of the number of bags of garbage set out for collection. Often combined with financial incentives such as bag tags that require payment for any additional amounts set out.	5%
Increased Promotion & Education	Expanded and cooperative promotion and education efforts by both levels of government using multi-media and public engagement techniques and tools.	3%
Construction & Demolition Diversion	Diversion of reusable and recyclable waste from residential and/or commercial renovation & construction.	2.5%
Textiles Diversion	Engagement of not for profit organizations such as Goodwill to divert clothing and other goods via a collection or drop off program.	2%
Expansion of Regional Processing Infrastructure	Expansion/upgrading of the Region's MRF and development of new HHW, CEC and/or composting facilities to meet local municipal needs in a timely manner.	N/A
Expanded Advocacy Efforts by the Region	Lobbying of organizations/governments responsible for policy decisions such as "over packaging".	N/A

Analysis of Options

The options identified in Table 2 were reviewed jointly by municipal representatives from all ten jurisdictions to determine the feasibility of implementation, identify any potential barriers and prioritize them accordingly.

Source Separated Organics

Source separated organics diversion has been under discussion for several years within the Region and the local municipalities. Most municipalities are currently planning to roll out collection programs over the next few years, lead by the Town of Markham who began Town wide collection of organics in July, 2005. The City of Vaughan is scheduled to start its SSO collection November 14th of this year.

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Blue Box Recycling Programs

Optimization of the existing blue box program included a number of alternatives ranging from the addition of new materials to use of alternative collection containers and conversion of collection programs to a weekly collection frequency. The City of Vaughan introduced weekly recycling collection in September of 2005 as Phase 1 of the 3 part Greening Vaughan strategy. Constraints of existing contracts terms, stability of markets for recycled goods and timing were identified as barriers to progress. The addition of materials that do not truly get recycled was not supported. It was recommended that contract termination dates be carefully considered prior to future program changes. Moreover, research into new acceptable materials, alternative collection methodologies and creative solutions to overcoming the cost of weekly blue box collection, is a priority for staff.

Mandatory Recycling By-law

The use of mandatory by-laws by the Region and/or local municipalities requiring mandatory recycling for residents was discussed briefly. The group consensus was that these by-laws are costly and difficult to enforce and consequently, may have minimal success in improving diversion rates. Further examination of their utility at some point in the future was recommended.

Promotion and Education

The importance of effective promotion and education was identified as a key factor to increased waste diversion. Increasing the promotion and education was identified as a priority to improve the performance of existing programs. Staff supported increased cooperative efforts amongst the ten municipalities to deliver consistent messaging, both in design and implementation provided flexibility remained to allow municipalities to reflect the individuality of the local communities in their messaging. The need for the Region to provide continued support to the smaller municipalities with their promotional efforts was also recommended.

Diversion of Textiles

Textiles and reusable goods diversion by not-for-profit charities such as Goodwill was also discussed. Promoting existing services offered by these groups, assisting them in setting up independent curbside collection programs and drop-off depots were all identified as viable solutions to capture this portion of the waste stream. It was recommended that municipalities continue to work with these groups to determine the effective solutions to the issue.

The City of Vaughan has worked with Goodwill for the past 2 years in helping them identify collection areas and days, as well as inviting them to participate in the Public Works Week Day that is held at the JOC.

Community Environmental Centres (CEC's)

Development of community environmental centres by the Region was reaffirmed by the group as a priority for implementation. The need for these centres to reflect the siting and operational preferences of the local community was identified.

The Region has scheduled a Community Environmental Centre to be built in the City of Vaughan as part of their 2006 Capital budget.

Yard Waste

Improving yard waste collection locally to a minimum service standard of bi-weekly collection was also explored. Concern with the cost and unknown value of this service increase, particularly in rural areas, was expressed by some municipalities. The need to establish a sub-committee to explore this matter further was recommended.

Currently, Vaughan provides weekly collection for 8 weeks in the Spring and 8 weeks in the Fall, with every other week collection throughout the summer months.

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User Pay

Many of the municipalities in York Region already have some form of user pay or bag limit system in place. Consideration was given to working towards a uniform standard across the local municipalities. The group consensus was, however, that while bag limits have value, they should be implemented as part of a larger initiative such as introduction of source separated organics collection or bi-weekly garbage collection. The ability to collect large or bulky items and provide temporary relief during specific times of the year (e.g., Christmas or Passover) was also identified as a concern. Continued discussion by the group on this issue in the future was recommended.

Phase 2 of the City's Greening Vaughan initiative introduces the user-pay concept to Vaughan residents. Every item over the 3 item limit will require a paid garbage tag as of November 14, 2006. These tags will be sold for \$1 each at various City-owned facilities.

Construction and Demolition Waste

Construction and demolition waste represents a significant portion of the total waste stream and much of it is readily recyclable and reusable. It was the view, however, of the group that the majority of this waste stream is not managed through municipal curbside collection. Therefore, further consideration of a diversion program for this material was not warranted except within the context of collection through CEC's as appropriate.

Other Considerations

For many of the proposed strategies, the diversion strategy made it clear that special consideration is necessary for the smaller municipalities. The additional costs for either capital or operating expenses related to implementation of enhanced waste diversion programs was identified as a concern for some of the smaller municipalities. Further consideration is required to identify possible means to address this financial barrier.

The implications of continued population growth in York Region were also considered by staff. It was recognized that the ability of the local municipalities to roll out new collection programs is firstly dependent upon the Region to develop the necessary supporting processing and/or diversion infrastructure in a timely manner. Therefore it was recommended that the strategy reflect the need for the Region to examine projected facility needs and coordinate its delivery to meet proposed future program and collection contract changes.

The need for the Region to take a more active role in lobbying manufacturers and senior levels of government on issues such as over packaging and extended producer responsibility was also raised. In general, the group felt this was worthy future consideration by the Region.

Anticipated Diversion Rate

Diversion targets ranging from 50% to a high of 75% were considered by the working group. In general, staff felt their Councils would support a goal of 60% diversion, mirroring the Provincial waste diversion target. Pursuit of the options outlined in Appendix A that were recommended by staff for immediate implementation, the proposed Strategy is expected to allow local municipalities to achieve a diversion level of 65%. Moreover, implementation of the options identified for future consideration could increase local diversion levels as high as 75%. Therefore, the proposed strategy reflects that the goal of 65% diversion be set as an initial goal and that the strategy includes provisions to increase the target once this initial goal is met.

Next Steps

Pending Council approval in principal of the draft strategy, staff from the ten jurisdictions proposes to engage in consultation with the public to the extent that makes sense for their particular municipality over the course of the summer.

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Public feedback will be consolidated and changes made, as required, to the draft strategy. Staff proposes to bring the amended strategy to Committee and Council in the fall of 2006 for final approval.

FINANCIAL/STAFFING/OTHER IMPLICATIONS:

The determination of budget impact as a result of implementation is dependant upon the nature of the final waste diversion strategy adopted by Council. In consideration of implementing a diversion system, often there is a one time start up cost coupled with the annualized operating cost of the diversion service. For example, to roll out a source separated organic collection program to 57,000 houses in the Town of Markham the cost was approximately \$1,200,000 for the purchase and delivery of containers and \$260,000 for promotion and education materials for a total of approximately \$26.00/household.

The City of Vaughan's costs to start the SSO program are approximately \$1.6 million for supply and delivery of approximately 70,000 curbside and in-house containers, with an additional \$365,000 allocated for the promotion and educational program. The City has: implemented weekly recycling collection; a bag limit program; a premium yard waste collection program; committed to user-pay in November of this year (part of Phase 2 of Greening Vaughan); and, worked with third party re-use/recycle enterprises such as Goodwill to recover textiles and used furniture. As such, additional future costs for the City's waste management programs should not be impacted to any great extent by the initiatives listed in this report.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and complies with Vaughan Vision, specifically, A-1 "Pursue Excellence in the Delivery of Core Services", A-3, "Safeguard Our Environment", and D-2 "Develop Internal/External Collaborative Solutions".

Conclusion

Given the recent changes to the waste management programs within York Region following the construction of the Material Recovery Facility, movement towards Source Separated Organics programs and development of Community Environmental Centres, all ten Councils agreed that there is merit to the development of a joint waste diversion strategy to help guide current and future waste diversion programs. The first phase of the strategy has been completed with staff from the ten jurisdictions participating on the Diversion Strategy Committee. The Committee has highlighted specific areas of focus and potential barriers to achieve further waste diversion.

Following Council approval of the strategy to date, the second phase of the strategy will be the inclusion of public consultation through focus groups held through the Region.

Ultimately the goal is to develop realistic and achievable milestones to provide further waste diversion while, where possible, harmonizing and maximizing the benefits and advantages of York Region's two tiered waste diversion programs provided to it's residents.

Attachments

Analysis of Identified Options (2 pages)

Report prepared by:

Brian T. Anthony, CRS-S, C. Tech

(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 16, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

**16 CITY OF VAUGHAN STAFF CONTRIBUTION TO THE ASSOCIATION OF
MUNICIPAL TAX COLLECTORS OF ONTARIO**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance & Corporate Services, dated May 29, 2006:

Recommendation

The Commissioner of Finance & Corporate Services recommends:

That the following report with respect to the contribution made by the City of Vaughan staff in the development of the AMTCO Guide to the Tax Sale Process be received.

Economic Impact

Not applicable.

Purpose

To advise Council of the contribution that staff in the City's Finance department made towards the development of a Guide to the Tax Sale Process. The Guide was developed for the Association of Municipal Tax Collectors of Ontario (AMTCO) and will be used Province wide.

Background - Analysis and Options

On January 1, 2003, as the new *Municipal Act, 2001*, came in effect, the *Municipal Tax Sales Act* was repealed. Consequently, the Treasurer's Guide to the *Municipal Tax Sales Act, 1984* became obsolete.

The Ministry of Municipal Affairs authored and published the original Treasurer's Guide in 1986 and the expectation of those involved in municipal taxation was that a new guide would accompany the new legislation. In response to this need, the Ministry of Municipal Affairs and Housing has supported this AMTCO initiative.

The AMTCO Education Committee developed this Guide to benefit the property tax practitioner. The Guide provides clear instructions on complying with legislative requirements. In addition, the authors have drawn on their combined experiences with the intent to provide the practitioner with a set of best practices. To best serve the Practitioner, the Guide should be used in conjunction with legislation and in consultation with the municipality's legal counsel.

Six municipalities contributed to the development of the Guide:

- City of Vaughan
- Town of Oakville
- City of Oshawa
- City of Greater Sudbury
- City of Mississauga
- City of Kawartha Lakes

Grace Marsh contributed extensively to the development of the Guide. Grace was the Past President & Parliamentarian of the AMTCO and at the time, the Property Tax Manager for the City of Vaughan.

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AMTCO has formally expressed their appreciation through a letter to the Commissioner of Finance & Corporate Services and provided a complimentary copy of the Guide.

Relationship to Vaughan Vision 2007

Promoting and supporting initiatives such as this promotes our staff, promotes the City of Vaughan and builds a positive staff morale.

Conclusion

The contribution of staff should be acknowledged and support for these and other similar initiatives should continue to be encouraged and acknowledged.

Attachments

None

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 17, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

17 DEVELOPMENT CHARGES – SEMI-ANNUAL ADJUSTMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance & Corporate Services and the Director of Reserves & Investments, dated May 29, 2006:

Recommendation

The Commissioner of Finance & Corporate Services and the Director of Reserves & Investments recommends:

- 1) That in accordance with the appropriate semi-annual adjustments sections of each respective development charge by-law, the City Wide Development Charge rates and Special Service Area Development Charge rates be increased 2.78% effective July 1, 2006; and
- 2) That the following revised Development Charge Rates (Attachment 1) be approved.

Economic Impact

The semi-annual adjustment will provide a 2.78% increase in City-Wide development charges and Special Area development charges.

Purpose

To obtain Council approval to index the City of Vaughan Development Charges pursuant to the semi-annual adjustment provision in the respective City of Vaughan Development Charge By-laws.

Background - Analysis and Options

The Development Charges Act authorizes municipalities to pass By-laws for the recovery of capital costs incurred to provide services to all new development and re-development. A clause in each of the City of Vaughan's Development Charge By-laws states the development charges can be adjusted semi-annually without amendments to the by-laws, as of the 1st day of January and the 1st day of July in each year in accordance with the most recent change in the Statistics Canada Quarterly, Construction Price Statistics (catalogue No. 62-007).

In order to protect the municipality from escalating construction costs and based on a review of the Statistics Quarterly Construction Price Statistics (catalogue No. 62-007), the City Wide Development Charges and Special Service Area Development Charge Rates should be increased by 2.78% which reflects the six (6) month increase in the index for the period October 1, 2005 to March 31, 2006.

Relationship to Vaughan Vision 2007

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

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Conclusion

Staff recommend that the City of Vaughan Development Charges be increased by 2.78%. The City Wide Development Charge and the Special Service Area Development Charges may be indexed without amending the existing by-law. The revised schedules reflecting the new rates are attached.

Attachments

Attachment 1 – Revised Development Charge Rates

(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 JUNE 12, 2006

Item 18, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

18 2005 DEVELOPMENT CHARGES RESERVE FUND STATEMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance & Corporate Services and the Director of Reserves & Investments, dated May 29, 2006:

Recommendation

The Commissioner of Finance & Corporate Services and the Director of Reserves & Investments recommends:

- 1) That the 2005 Development Charges Reserve Fund Statement prepared pursuant to the Development Charges Act, RSO 1997, be received for information purposes; and
- 2) That the 2005 Development Charges Reserve Fund Statement be forwarded to the Minister of Municipal Affairs and Housing.

Economic Impact

Not applicable.

Purpose

To provide Council with the 2005 Development Charges Reserve Fund Statement pursuant to Section 43 of the Development Charges Act RSO 1997.

Background - Analysis and Options

The Development Charges Act RSO 1997 (DC Act, 1997) outlines specific reporting requirements for development charge reserves. In accordance with Sections 33 and 43 of the Development Charges Act, 1997, the following is required:

- A municipality that has passed a Development Charge by-law shall establish a separate reserve fund for each service to which the development charge relates; and shall be used only to meet growth related capital costs for which the development charge was imposed.
- The Treasurer of a municipality shall give to Council a financial statement relating to development charge by-laws and reserve funds that were established.

Reporting requirements include identifying all other services of funding applied to each project funded with development charges and providing detailed summary of the activity for each development charge reserve for the year.

The statement shall contain the following information in respect of each service for which the development charge is being imposed:

- 1) A description of the service for which the fund is established.
- 2) The balance as of the first day of January.
- 3) The distribution of the development charge proceeds received during the year.
- 4) The amount transferred to the capital fund.
- 5) Any credits provided in relation to service or services category.
- 6) The development charge amounts refunded or allocated to other sources.
- 7) The apportionment of accrued interest.

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- 8) The closing balance as of the 31st day of December.
- 9) An addendum indicating each project, the intended application of the amount and source of any other money that is spent on the project.

Attachment 1 provides for the statutory requirement under the development charges legislation for 2005. The development charges revenue is provided as a summary for each reserve, whereas, the capital expenditures are detailed by capital project.

The statement is prepared on an accrual basis for goods and services received however it does not reflect all commitments of funds.

Relationship to Vaughan Vision 2007

Not applicable.

Conclusion

The 2005 Development Charges Reserve Fund Statement provided pursuant to the reporting requirements of the Development Charges Act, RSO 1997, be received.

Attachments

Attachment 1 – 2005 Development Charge Reserve Fund Statement

Report Prepared By:

Clayton Harris, CA
Commissioner of Finance & Corporate Services, ext. 8475

Ferruccio Castellarin, CGA
Director of Reserves & Investments, ext. 8271

(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 JUNE 12, 2006

Item 19, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

19

2005 ANNUAL INVESTMENT REPORT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Reserves & Investments, dated May 29, 2006:

Recommendation

The Director of Reserves & Investments in consultation with the Commissioner of Finance & Corporate Services and the Director of Reserves & Investments services recommends:

That this report be received for information.

Economic Impact

Investment income generated from the investment portfolio in 2005 amounted to \$8.5 million. Investment earnings are distributed to the City's reserve funds and operating budget reducing the need for tax revenues.

Purpose`

To report to Council on the City's investment portfolio activities during the year 2005, as required by Ontario Regulation 438/97 (as amended) of the *Municipal Act* and the City's Investment Policy.

Background - Analysis and Options

The Municipal Act is the governing legislation for the investment of municipal funds. Ontario Regulation 438/97, as amended by O. Regulation 399/02 outlines the criteria for eligible investments. The City's investment policy approved by Council in October 2004 conforms to this legislation and acts as the governing guideline in managing the City's investment portfolio.

The reporting requirements in the City's investment policy and the Municipal Act require the Treasurer or his designate to submit an investment a report to Council at least annually, including a management summary that provides an analysis of the status of the current investmmentinvestment portfolio and transaction made over the last year. The management summary will allow Council to ascertain whether the investment activities during the reporting period have conformed to the investment policy. The reportbe submitted to Council each year must containcontaining the following:

- a) Listing of individual securities held at the end of the reporting period;
- b) Listing of all investments by maturity date;
- c) Realized and unrealized gains or losses resulting from investments that were not held until maturity
- d) Average weighted yield to maturity of portfolio on investments compared to applicable benchmarks;
- e) Percentage of the total portfolio which each type of investment represents and;
- f) A statement about the performance of the investment portfolio during the period covered by the report.

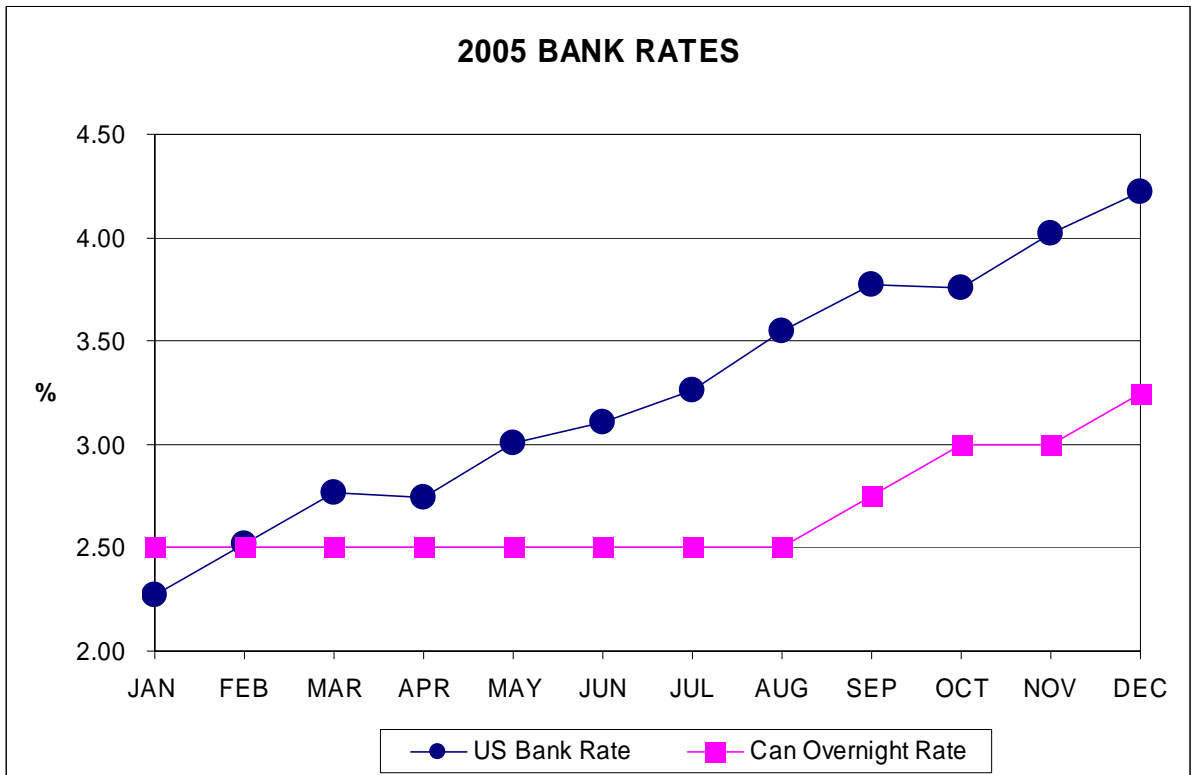
CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 19, CW Report No. 33 – Page 2

The Reserves & Investment Department manages the investment portfolio for the City with a maturity value of approximately \$300.4 Million at December 31, 2005 (Attachment 1) These funds represent the funding requirements . The funds represent investments for day to day operations of the Corporation and represent investments funds held in the reserves, reserve funds, working capital and other funds of the organization. All investments were in compliance with the City’s Investment Policy approved by Council October 25, 2004 and the Ontario Regulation 438/97 (as amended) of the *Municipal Act*.

The Bank of Canada held their key overnight rate steady at 2.5% for the most part of 2005 and began raising rates in September with an additional 2 rate hikes by year end raising the key overnight rate 3.25%. The Bank of Canada’s mandate is to target inflation. Despite the Canadian economy operating close to full capacity for the past few years and the lowest unemployment rate in more than three decades, the Bank of Canada was reluctant to raise rates fearing that it would appreciate the Canadian dollar and in turn harm net trade. However, over the summer, as the Canadian dollar rose, exports did not appear to be influenced and the Bank began raising the overnight rate. In turn, short term rates increased for the first time since October 2004.



Long term interest rates are usually higher than short term interest rates, however, in 2005 long term rates declined. Government of Canada 10–year bonds yields reached a historical low in September of 3.73%. Although there are many economic factors influencing the bond market, some economists believe that Asian central banks purchasing U.S. government debt was a contributing factor to the globally suppressed long term rates.

During 2005 the investment portfolio generated investment income in the amount of \$8.5 million (\$6.8 million in 2004) averaging a rate of return of 2.76% outperforming the ONE Fund which returned 2.52%. The One Fund, a benchmark used by the City, is a pooled investment fund sponsored by AMO and MFOA for Ontario municipalities. The average term of the City portfolio

CITY OF VAUGHAN

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has been kept low partly due to the fact that the yield on investments of 30 days and 90 days remained relatively equal for the first half of the year. In anticipation of a number of Bank of Canada interest rate hikes by the end of the year, staff continued to keep the average term low in order to maximize investment income in the longer term.

The investment portfolio is comprised of Short-term investments under 1 year (98%) and Long-term investments over 1 year (2%). Due to unusually low interest rates and the volatile bond market only two long-term investments were purchased in 2005. Staff is monitoring the bond market and will invest in longer term securities as or when bond yields rise.

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

In 2005 the City's investment portfolio performed well with investment income increasing approximately \$1.8 million to that of 2004 and outperforming the City's benchmark, the ONE Fund by .24%. Increased investment income revenues contribute to reserves and reduces the need for tax revenues. All investments were in compliance with the City's Investment Policy approved by Council October 25, 2004 and the Ontario Regulation 438/97 (as amended) of the *Municipal Act*.

Attachments

Attachment 1 – Listing of Securities Held As At December 31, 2005
Attachment 2 – Listing of All Securities by Maturity Date
Attachment 3 – Investments Held by Institution
[Attachments go here]

Report prepared by:

Ferruccio Castellarin, CGA Ext. 8271
Director of Reserves & Investments

Terry Liuni, Ext. 8354
Capital Revenue Analyst

(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 JUNE 12, 2006

Item 20, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

20 PROCLAMATION REQUEST - NATIONAL ABORIGINAL DAY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated May 29, 2006:

Recommendation

The City Clerk recommends:

- 1) That June 21, 2006 be proclaimed as “**National Aboriginal Day**”;
- 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; and
- 3) That the following report of the City Clerk, dated May 29, 2006, be received.

Economic Impact

None

Purpose

To respond to the request received from Indian and Northern Affairs Canada, dated April 18, 2006

Background - Analysis and Options

A request has been received from Indian and Northern Affairs Canada, to proclaim June 21, 2006 as National Aboriginal Day (Attachment #1).

The proclamation request meets the requirements of the City’s Proclamation Policy: “*If the event, campaign or declaration is directly related to matters over which the City has jurisdiction or the City directly sponsors the event, campaign or other matter*”.

National Aboriginal Day is part of the “Celebrate Canada!” Program, which also includes Saint Jean-Baptist, Canadian Multiculturalism Day and Canada Day. This special day would highlight the unique heritage, cultures and contributions of First Nations, Inuit and Métis peoples in Canada.

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

It is being recommended that June 21, 2006 be proclaimed NATIONAL ABORIGINAL DAY, that the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 20, CW Report No. 33 – Page 2

Attachments

Attachment #1 – Letter from Indian and Northern Affairs Canada, dated April 18, 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 21, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

21

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-07
OWNER: SYM PROPERTIES LTD (PETER HANSEN)
LOCATION: 830 EDGELEY BLVD, BLOCKS 5 AND 6
REGISTERED PLAN 65M-2854**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Sign Variance Committee, dated May 29, 2006, be approved; and
- 2) That the written submission of Mr. Michael Heney, Provincial Sign Systems, 375 Frankom Street, Ajax, L1S 1R4, dated May 29, 2006, and coloured photograph, be received.

Recommendation

That Sign Variance Application SV.06-07, Sym Properties Ltd. (Peter Hansen), be APPROVED subject to landscaping around the base of the proposed sign.

Economic Impact

None.

Purpose

Request to install an additional ground sign located at the north east corner of the subject property as shown on the attached drawings.

Background - Analysis and Options

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

- 6.1 (i) Except as may otherwise be permitted in this by-law, the maximum number of signs that may be erected shall be one (1) only of the following sign types per exterior wall per business premises:

One (1) ground sign per lot

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 applicant is proposing to install an additional pylon sign at the northeast corner of the subject property in addition to the pylon sign located adjacent to the building.

Members of the Sign Variance Committee are recommending that additional landscaping be placed at the base of the proposed sign to lessen the impact, and are of the opinion that the general intent and purpose of the Sign By-Law is being maintained.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 21, CW Report No. 33 – Page 2

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

Attachments

1. Proposed Sketch of Sign
2. Existing Signage
3. Sign Elevations

Report prepared by:

John Studdy
Manager of Customer & Administrative Services

/pa

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 22, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

22

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-08
OWNER: EAST WOODBRIDGE DEVELOPMENTS LIMITED
LOCATION: 1 AUTO PARK CIRCLE
PART OF LOT 4, CONCESSION 6
BLOCK 6/7, REGISTERED PLAN 65M-2554
BLOCK 20/30, REGISTERED PLAN 65M-2339**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated May 29, 2006:

Recommendation

That Sign Variance Application SV.06-08, East Woodbridge Developments Limited, be APPROVED.

Economic Impact

None.

Purpose

Request to install an additional pylon sign located at the north east corner 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 applicant is proposing to install an additional pylon sign at the northeast corner of the subject property in addition to the pylon sign located on Weston Road and Auto Park Circle.

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

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

Attachments

1. Sketch of Sign

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 22, CW Report No. 33 – 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 23, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

23

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-010
OWNER: ESSO CANADA INC.
LOCATION: 3100 MAJOR MACKENZIE DRIVE
LOT 21, CONCESSION 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated May 29, 2006:

Recommendation

That Sign Variance Application SV.06-010, Esso Canada Inc., be REFUSED due to the fact that the sign advertises a product, not a service.

Economic Impact

None.

Purpose

Request to install an additional wall sign not in accordance with the Site Plan Agreement located on the east elevation of the subject building 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 an additional wall sign on the east elevation of the existing building.

Members of the Sign Variance Committee do not support the application as submitted. Members expressed concerns about the proposed sign area in relation to existing signs as the proposed sign is for a new product and not the retailer itself.

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

Attachments

1. Sketch of Sign

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 23, CW Report No. 33 – 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 24, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

24

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-011
OWNER: CREIT MANAGEMENT L.P.
LOCATION: 7850 WESTON ROAD, UNIT 2, BUILDING B
LOT 6, CONCESSION 6**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated May 29, 2006:

Recommendation

That Sign Variance Application SV.06-011, Creit Management L.P., be APPROVED provided that the sign be 6' x 16' in size and be non-illuminated.

Economic Impact

None.

Purpose

Request to install a wall sign located on the north elevation of the existing building 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 on the north elevation of the existing building as shown on the attached drawings.

Members of the Sign Variance Committee are recommending that the application be approved subject to the area of the proposed sign area being reduced and that the sign be non-illuminated to lessen the impact of the proposed sign and reduce the visual clutter in the area.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 24, CW Report No. 33 – Page 2

Attachments

1. Correspondence from Paul Pacini, Permit Officer, Twilight Signs & Neon Inc., dated March 24, 2006
2. Sketch of Sign
3. North elevation of sign location
4. Site Location 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 25, Report No. 33, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 12, 2006, as follows:

By receiving the written submission from Mr. Renzo Belluz, Bianchi Presta LLP, Barristers and Solicitors, 8400 Jane Street, Suite 300, Vaughan, L4K 4L8, dated May 29, 2006.

25

**SITE DEVELOPMENT FILE DA.00.100
ENNIO LIORTI AND 787290 ONTARIO LIMITED**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006, be approved;
- 2) That the deputation of Mr. Alan Young, Weston Consulting Group Inc., 201 Millway Avenue, Suite 19, Vaughan, L4K 5K8, on behalf of the applicant, be received; and
- 3) That the written submission of Mr. Paul W. Mastenbroek, CET, Massdesign Architectural Designers & Planning Consultants, 117 Meeting House, Woodbridge, L4L 1K9, dated May 29, 2006, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES Site Development File DA.00.100 (Ennio Liorti and 787290 Ontario Limited) to permit the development of the subject lands shown on Attachment #1 with 16 semi-detached residential units with access on Kipling Avenue, as shown on Attachment #2, subject to the following conditions:
 - a) That prior to the registration of the site development agreement:
 - i) the final site plan, elevation plan, landscape/buffer plan, tree inventory report, and architectural guidelines shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans, stormwater management report, and slope stability study shall be approved by the Engineering Department;
 - iii) all required road widenings and improvements shall be approved and secured to the satisfaction of the Engineering Department;
 - iv) that a plan to relocate the Heritage House located at 8161 Kipling Avenue be approved to the satisfaction of the Cultural Services Department and Heritage Vaughan Committee, in consultation with the Development Planning Department;
 - v) all hydro requirements of PowerStream Inc. shall be satisfied;
 - vi) all requirements of the Fire Department shall be satisfied;
 - vii) the Environmental Letter (Phase 2) Report shall be approved to the satisfaction of the Engineering Department, in consultation with the City's Peer Reviewer;

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

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- viii) all requirements of the Toronto and Region Conservation Authority shall be satisfied;
 - ix) the Owner shall submit a noise study for approval by the Engineering Department;
 - x) all requirements of the Canadian Pacific Railway Company shall be addressed to their satisfaction;
 - xi) the Owner shall be responsible to pay for all financial requirements (i.e. development charges, special area development charges, etc.) for this development to the satisfaction of the Finance Department; and
- b) That the site development agreement contain the following provisions:
- i) snow removal and garbage pick-up shall be privately administered and the responsibility of the condominium corporation;
 - ii) the Owner shall agree to provide the necessary easements (vehicular, pedestrian, maintenance, etc.) for the adjacent westerly, northerly and southerly lands to the satisfaction of the City;
 - iii) appropriate warning clauses shall be inserted into all offers of purchase, or agreements of sale and purchase or lease, and in title and deed or lease, of each of the dwelling units warning the prospective purchasers or tenants of the existence of CP Rail's operating railway right-of-way, noise, vibration, etc. that may affect the living environment;
 - iv) the Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-In-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and
2. THAT Council adopt the following resolution with respect to the allocation of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated November 14, 2005:

"NOW THEREFORE BE IT RESOLVED THAT the proposed Site Development Application DA.00.100 be allocated sewage capacity from the Woodbridge Service Area of the York/Durham Servicing Scheme and water supply capacity from Pressure District No. 4 of the York Water Supply System, for a total of 20 residential units (ie. 16 semi-detached, and 4 single detached), following the execution of a site plan agreement to the satisfaction of the City."

Economic Impact

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

CITY OF VAUGHAN

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Purpose

The Owner has submitted a Site Development Application to develop the subject lands shown on Attachment #1, with 16 semi-detached condominium units served by a private road as shown on Attachment #2. A total of 40 parking spaces (including garage and visitor parking) are proposed to serve the semi-detached units. The Owner also owns the adjacent westerly lands, as shown on Attachment #2, which are proposed to be severed into 4 lots, and upon which three new detached dwellings will front onto Kipling Avenue and an existing heritage house currently located further east on the applicant's lands will be relocated to front onto Kipling Avenue. The approval of the single-detached dwelling units are exempt from site development approval under the City's Site Plan Control By-law, and are not subject to consideration under this report.

Background - Analysis and Options

The subject lands shown on Attachment #1 are currently comprised of an assembly of 2 separate lots (8161 and 8171 Kipling Avenue) and are located on the east side of Kipling Avenue, south of Meeting House Road (formerly Church Street), in Lot 8, Concession 7, City of Vaughan.

On September 27, 1999, Council approved the related Official Plan and Zoning By-law Amendment applications (Files OP.98.016 and Z.98.064) to facilitate the proposed residential single and semi-detached development. The implementing Official Plan Amendment (OPA #520) was adopted by Council on April 4, 2000, and was approved by the Region of York on May 31, 2000, which redesignated the subject lands from "Low Density Residential" to "Medium Density Residential". On June 13, 2000, two neighbouring residents appealed OPA #520 to the Ontario Municipal Board (OMB), as discussed in the next section of this report. Since that time, one appeal has been withdrawn. To date, the implementing zoning by-law to rezone the subject lands to facilitate the proposed single-detached and semi-detached development has not been enacted.

The surrounding land uses are:

- North - detached residential (R3 Residential Zone)
- South - detached residential, Woodbridge Fairgrounds (R3 Residential Zone and M1 Restricted Industrial Zone, respectively)
- East - detached residential (R3 Residential Zone)
- West - Kipling Avenue; vacant land/proposed residential (M1 Restricted Industrial Zone)

The Zoning By-law Amendment and Site Development Applications had previously been inactive since February 7, 2002, with no correspondence from the Owner or their Agent. On June 24, 2005, the City received a letter from the Owner's solicitor advising of their appeal of the Zoning By-law Amendment and Site Development applications, which were filed with the Ontario Municipal Board (OMB), pursuant to Sections 43(11) and 41(12) of the Planning Act, on the basis that the City of Vaughan failed to make a decision respecting the subject applications within the time frames stipulated under the Act. An Ontario Municipal Board Hearing was scheduled for November 2, 3 and 4, 2005, however was deferred, pending the submission and approval of a Phase Two Environmental Report, which the applicant submitted on March 28, 2006.

OMB Appeal

In June of 2000, the Owners of the two neighbouring properties located at 121 and 117 Meeting House Road as identified on Attachment #1, appealed OPA #520. On October 23, 2000, the Owner of 121 Meeting House Road, which directly abuts the subject lands, withdrew his appeal. The appeal by the Owner of 117 Meeting House Road remains in effect and is based on the following concerns, summarized below:

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- opposed to multiple residential units in their backyard, and find this proposal to be unacceptable;
- the potential loss of the existing heritage home on site;
- the increased traffic resulting from the proposal;
- the lack of rear yard and amenity area for the new units;
- the driveway parking space depth is not sufficient at 5.78m;
- the adjacent Woodbridge Fairgrounds are zoned and designated "Industrial" and therefore, increased setbacks for the subject lands are required;
- the site is higher than 117 Meeting House Road, and therefore, the proposed development will impact on sunlight and views;
- water runoff from the subject lands to the lands to the east including the appellant's property; a proper engineering study should be prepared to address this drainage problem;
- the lands slope to the east and consist of mixed fill that is unstable and this development will increase the rate of its deterioration;
- a slope stability report should be prepared for review prior to development;
- the site has been used as a junkyard for commercial items, derelict vehicles, etc. over the past 10 years; and,
- concerned with the potential future development of 8177 Kipling Avenue (ie. lands north of subject lands).

The applicant has addressed several of the concerns expressed by the appellant, including increasing the parking space size in the driveway and the rear yard setback to 6.0m and 6.4m, respectively. The applicant has submitted the required engineering reports, architectural guidelines, and Phase One and Phase Two Environmental letter report to address the slope stability, architectural design, and environmental concerns, respectively.

Official Plan

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by site-specific OPA #520, which redesignated the subject lands from "Low Density Residential" to "Medium Density Residential" to facilitate the development of the subject lands with 20 residential units, comprising 16 semi-detached and 4 single-detached dwelling units, which will take effect upon approval by the OMB. OPA #520 includes policies respecting the retention of the existing heritage home located at 8161 Kipling Avenue, and the appropriate arrangements governing the use, maintenance and ownership of the private road. In addition, OPA #520 requires that the following studies and reports be submitted to the City, and approved, prior to approval of a site development application:

- a) grading and stormwater management plan;
- b) tree assessment and impact study;
- c) slope stability study;
- d) urban design and architectural guidelines; and,
- e) buffering plan for those lots abutting the eastern lot line of the subject lands.

The applicant has submitted the necessary studies and reports as outlined above.

The proposed site plan conforms to OPA #520.

Zoning

The subject lands are zoned R3 Residential Zone, which permits detached dwelling units. A Zoning By-law Amendment Application (File Z.98.064) to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone with exceptions to facilitate the proposed development (ie. single and semi-detached dwellings) was approved by Council on September 27, 1999, subject to the following prior to passing the implementing by-law:

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- Council shall approve a Site Development Application to determine specific zoning standards for the proposed development; and,
- the Owner shall confirm that the subject lands are free from unacceptable environmental or land use impacts.

The Owner has advised that the front portion of the subject lands, identified as "Phase 2" on Attachment #2 will be severed to facilitate four separate freehold development lots for four detached dwelling units. Originally, the entire subject lands were proposed to be developed with both single and semi-detached dwelling units under one lot. The necessary exceptions to the implementing zoning by-law will be made for the development including the intention of an R3 zoning for the 4 single family detached dwellings. Any necessary zoning exceptions will be considered for the heritage house once the final plan for its relocation is approved by the Cultural Services Division and Heritage Vaughan, in consultation with the Development Planning Department. The zoning for the proposed semi-detached condominium development on the subject lands has been reviewed based on the standards of the RM2 Multiple Residential Zone in By-law 1-88 for block development with frontage on Kipling Avenue. The zoning exceptions to the RM2 Zone identified to date are as follows:

- permit a semi-detached dwelling unit, whereas only townhouse, multiple family, and apartment units are currently permitted;
- permit a minimum lot frontage of 9.5m, whereas 30m is currently required;
- permit a minimum interior side yard setback of 1.2m, whereas 1.5m is currently required;
- permit a minimum front yard setback to a garage of 6m, whereas 6.4m is currently required; and,
- permit a minimum landscape strip width around the periphery of a parking area of 1.4m, whereas 3.0m is currently required.

The proposed road off of Kipling Avenue serves as the frontage and access to the semi-detached development, and therefore, given the configuration of the subject lands, a variance is required respecting the minimum lot frontage and access width requirements of By-law 1-88. The minimum interior sideyard exception from 1.5m to 1.2m relates only to Units 1 and 5. The reduction in the landscape strip width around the parking area is intermittent, however, a substantial landscape area around the parking area is provided. In addition, an exception will be included to allow driveway access from the private internal road to the garage of the two detached lots directly abutting this road. The Development Planning Department can support the zoning exceptions noted above, which are considered appropriate and will result in a development that is compatible with the surrounding lands.

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

Site Plan

The site plan shown on Attachment #2 includes 16 semi-detached units. As shown there are four detached units on the other adjacent lands owned by the applicant along Kipling Avenue, including a two-storey Heritage Home, known municipally as 8161 Kipling Avenue. The four detached dwellings (indicated as Phase 2) have frontages ranging from 11m to 12m. Two of these dwellings will have direct access to Kipling Avenue, while two others, including the Heritage Home will require an easement over the private road for vehicle movement and parking, since the garages for each lot will be located in the rear yard. It is intended that the lands for the 4 detached dwellings will be severed through a Consent application and be dealt with separately as part of a second phase of development.

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The semi-detached units will be serviced by a private road running east from Kipling Avenue to the interior of the site and intersecting with a north/south internal road which provides a potential future vehicular connection to the adjacent northerly and southerly properties, should these lands develop in the future, as shown on Attachment #2. A row of semi-detached units is proposed along the east lot line with a minimum rear yard setback of 6.4m.

A 1.5m wide sidewalk is located along the north side of the east/west internal road leading into the site. The necessary easements are required to be obtained by the Owner to ensure appropriate servicing, vehicular and pedestrian connectivity of the site with the heritage house, the lot at the northeast corner of Kipling Avenue and the proposed road, and the lands to the north and south. The site development agreement will contain wording requiring the Owner to secure the appropriate servicing and cross-easements in this respect, to the satisfaction of the City.

Parking and Access (Condominium units only)

The proposed site plan shows 40 parking spaces, including 2 spaces for each semi-detached unit and 8 visitor parking spaces. Based on the residential parking standards in By-law 1-88, the required parking is calculated as follows:

16 semi-detached units x 2 spaces/unit =	32 spaces
<u>Visitor Parking - 16 semi-units x 0.25 spaces/units =</u>	<u>4 spaces</u>
Total Required Parking =	36 spaces

A total of 40 parking spaces are provided for the proposed development, not including the four single-detached dwellings, which exceeds the minimum parking requirement of By-law 1-88. Parking for the four detached lots will be provided in accordance with the By-law standards for the R3 Zone, once the lands are severed and ready to develop through the Building Permit process.

Block Elevations (Semi-Detached)

The proposed typical building elevations for the semi-detached dwelling units are shown on Attachments #4 to #6 inclusive. The building elevations for the detached units along Kipling Avenue are not subject to site plan control, and will be considered through the separate Building Permit process. The semi-detached units are proposed to be two-storeys in height and will be constructed with a dark red and yellow coloured clay brick combination as the predominant wall cladding material with elements of wood trim and a variation of traditional roof types such as hip and gables with the applicable roof pitches.

The applicant has utilized a variety of elevations for each model type, introducing detailing around the windows and doors, and pairing the garage doors. The Applicant has also provided Architectural Guidelines for the subject lands as required by OPA #520. The guidelines must be approved by the Development Planning Department to ensure that a high quality development is achieved, which compliments the existing community and the heritage character of the area. In light of the small scale of the development, urban design guidelines as identified in OPA #520 will not be required. The Architectural Guidelines and approval of the landscape plans are appropriate to address the urban design component for the development. The final building elevations will be approved by the Development Planning Department, in accordance with the final approved Architectural Guidelines.

Heritage House

The property located at 8161 Kipling Avenue (built in 1881) is designated under Part IV of the Ontario Heritage Act (By-law 228-89) and is included in the City of Vaughan's Listing of Significant Heritage Structures (approved by Council in June 2005), and must be maintained.

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The Owner is proposing to relocate the building from its current location as shown on Attachment #2 onto the lot located at the southeast corner of Kipling Avenue and the proposed private road. Any changes to the dwelling resulting from its relocation must be reviewed by the Cultural Services Department and by Heritage Vaughan and approved through the Heritage Permit process as required under the Ontario Heritage Act.

Landscaping

The proposed landscape plan shown on Attachment #3 consists of a mixture of deciduous trees and shrubbery for the semi-detached condominium portion of the site. A unit paved patio area and sodded areas are provided at the rear of each semi-detached unit, to facilitate private amenity space for the future residents. The periphery of the site along Kipling Avenue should be provided with an entry feature to identify the condominium block, particularly with the eventual severance of the 4 detached homes.

Basic street planting in the form of treed boulevards and minor landscape croppings have been provided in the front of each dwelling unit and along the flankage of certain lots. A landscape buffer comprised of coniferous and deciduous trees and a 1.8m high privacy fence has been provided along the east property line, abutting the existing residential uses. Additional landscaping throughout the site, along the rear lot line (eastern lot line) and along Kipling Avenue may be required upon final review of the landscape plan.

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

Environmental

The policies of the Official Plan require that prior to approving any residential development on lands adjacent to, or in the vicinity of the existing industrial uses, the City and the Ministry of the Environment and Energy shall be satisfied that there are no unacceptable environmental or land use impacts.

In addition to this policy, the subject lands have been used for dumping and as a scrap yard for older vehicles and therefore, the City required the applicant to provide a Phase I Environmental Study to be peer reviewed by the City's consultant, to ensure the suitability of the lands for development prior to site plan approval.

In light of the Provincial downloading to municipalities from the Ministry of Environment, the City has taken on the responsibility of ensuring the suitability of contaminated and potentially contaminated sites for development. On May 14, 2001, Council approved a policy and procedures for dealing with contaminated or potentially contaminated sites. The procedure is to ensure that the potential for adverse effects are kept to a minimum, without unduly restricting or slowing down the development review process.

The procedure states that a Phase 1 ESA will be required if any one or more of the following circumstances apply:

- the completed questionnaire indicates potential for contamination on the subject lands (as the subject application was filed prior to the Procedures, the Questionnaire is not applicable) and the subject lands or adjacent lands are or have been used in the past, for an industrial, automotive, or other non-residential purpose such as automotive repair, or storage of raw materials, land filling or agricultural practices that may generate some level of contamination;
- lands are to be deeded to the municipality including but not limited to roads, parks, valley lands, woodlots, stormwater management facilities; and,

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- the City has information by which it has reason to suspect that the subject lands have the potential of being contaminated.

Although the applications were filed with the City prior to the Council policy being in place, given the official plan amendment policies, the existing industrial uses in the vicinity of the subject lands, the destruction (by fire) of an existing residential structure on site, and the site being used as a scrap yard, the Engineering Department and the City's Peer Reviewer have requested that additional environmental work be undertaken through a Phase Two Environmental letter report to be approved by the City.

To date, the environmental letter report (Phase 2) has not yet been approved to the satisfaction of the City's Peer Reviewer, and therefore the suitability of the subject lands for the proposed development cannot be confirmed. Prior to final approval, the Environmental letter report must be approved to the satisfaction of the City.

Finance

Development Charges and applicable Special Service Area Development Charges will be required to be paid to the City in accordance with the City of Vaughan's Development Charge By-law in effect at the time of payment. The Engineering Services component of the Development Charge and applicable Special Service Area Development Charges shall be paid immediately upon entering into the site plan agreement. The balance of the development charges are payable on the date a building permit is issued at the rate in effect at that time, less any applicable credits, if any.

Cash-In-Lieu of Parkland Dedication

The applicant is required to pay to the City, prior to the issuance of a building permit, cash-in-lieu of parkland dedication, to the satisfaction of the Vaughan Real Estate Division.

Servicing/Allocation

The Owner has submitted site servicing and grading plans, slope stability report, and a stormwater management report, which are currently being reviewed by the Engineering Department. To date, a noise study has not been submitted, and is required, prior to final approval. The Owner must satisfy all requirements of the Engineering Department.

The proposed development is located within the Woodbridge Sanitary Service Area and is a tributary to the Islington Street Collector. In addition, based on the City's current Vaughan Water Pressure Districts (2026 Condition) Plan, the development falls within the servicing area of Pressure District 4 (PDA) of the York Water Supply System. The existing watermain and sanitary sewer lines on Kipling Avenue will provide for the water and sanitary connections. There are no storm sewers immediately within the vicinity of the subject area. Connections to the existing infrastructure will be subject to confirmation that there are no downstream constraints in the existing system.

On November 14, 2005, Council ratified the "Strategy for Allocation/Reservation of Servicing Capacity" report (Item #12, Report #61) from the Commissioners of Engineering and Public Works and Planning recommending the reservation of water and sewage capacity to Ennio Liorti and 787290 Ontario Limited for 20 units which includes the four single-detached units to be provided along Kipling Avenue. Should Council concur, servicing should be allocated for this development, as well as, the four detached dwellings. A resolution to this effect has been included in the recommendation of this report, should the OMB approve the site plan application.

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Canadian Pacific Railway Company (CPR)

A Canadian Pacific Railway (CPR) rail line is located to the south, and west of the subject lands. Comments from CPR have not been provided for the site development application. However, the previous comments for the Official Plan and Zoning By-law amendment were provided as follows:

- "i) dwellings must be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A Noise Study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of the proposed development and to recommend mitigation measures, if required. The recommendations of the study shall be implemented; and
- ii) a clause should be inserted in all offers of purchase, agreements of sale and purchase or lease and in the title deed or lease of each dwelling, warning prospective purchasers or tenants of the existence of the Railway's operating railway right-of way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may effect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations."

A condition has been included in the recommendation requiring the Owner to satisfy the requirements of CPR.

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 has reviewed the proposed Site Development Application in accordance with the site-specific Official Plan Amendment (OPA #520), the approved Zoning By-law Amendment Application (Z.98.064), the comments provided by City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposed infill development is consistent with the site-specific policies of the Official Plan and is compatible with development within the immediate area. Prior to final approval, the necessary environmental and noise reports must be approved, to the satisfaction of the Engineering Department. Accordingly, the Development Planning Department can support the Site Development Application, subject to the recommendations in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Typical Elevation Plans (Semi-detached dwellings)
5. Typical Elevation Plans (Semi-detached dwellings)
6. Typical Elevation Plans (Semi-detached dwellings)

Report prepared by:

Eugene Fera, Planner, ext. 8064
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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Item 26, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

26

**SITE DEVELOPMENT FILE DA.06.042
VAUGHAN WEST II LIMITED**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 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.06.042 (Vaughan West II Limited) as shown on Attachment #3, BE APPROVED.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application on the subject lands shown on Attachment #1, to permit a 26,065.58m² warehouse building with a 1,5040.72m² accessory office component to be occupied by Conair Inc., on a 5.507 ha lot, as shown on Attachment #2. This proposal will comprise Phase One of a two phase project, which will eventually include the development of the westerly portion of the property.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located east of Huntington Road and north of Regional Road #7, being Block 1 on Draft Plan of Subdivision 19T-03V19, in part of Lot 8, Concession 9, City of Vaughan.

The subject lands are designated "General Employment Area" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1256). The proposed site development conforms and complies with the Official Plan and Zoning By-law, respectively.

The building will be constructed to a height of 12.6m, as shown on Attachment #3. The roof-top mechanical equipment will be screened from street view. The building materials for the office component (southeast corner of the building) will consist of alternating blue-coloured spandrel and vision glazed panels. The main double door entranceway for the office, with a white metal canopy above is located on the south elevation. The remaining material for the warehouse portion consists of large white-coloured ribbed insulated panels surrounded by a smooth white coloured banding. Blue-tinted square windows span the upper east, north and south elevations, and vertical blue spandrel panels are also evenly spaced along the east and south facades to break up the large massing of the warehouse. Each façade has man-doors for access into the warehouse, and in addition, the north façade has 30 receiving docks and 2 overhead doors. The west façade is not upgraded because the Owner has advised that the intention is to come in with Phase II in the near future.

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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 is satisfied with the proposed elevations for the warehouse building with accessory office component.

Attachments

1. Location Map
2. Site Plan
3. Elevations

Report prepared by:

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

/LG

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

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Item 27, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

27

**SITE DEVELOPMENT FILE DA.05.039
7700 KEELE STREET LIMITED**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 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.05.039 (7700 Keele Street Limited) BE APPROVED.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application to permit revisions to the Keele Street elevation for an existing 19,513.8m² multi-unit industrial building on a 5.18ha lot.

Background - Analysis and Options

The subject lands (Attachment #1) are located southwest of Regional Road 7 and Keele Street, in Part of Lots 5 and 6, Concession 4, City of Vaughan.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone by By-law 1-88. The proposed development conforms and complies with the Official Plan and Zoning By-law, respectively.

The site plan provided on Attachment #2 shows an existing irregular-shaped building. The front wall facing Keele Street will be reconstructed to a height of 8m, with signage boxes above the four main entries increasing the height to 8.9m. The building materials consist of brown brick, beige stucco and blue glazed windows. The primary façade is located on the east elevation facing Keele Street and will be re-designed with lower level windows framed in stucco, with four main entries, designed with glass double doors, framed in brick and stucco, with signage boxes above. The southeast corner will be designed for an eating establishment, with two of three glass double door entries framed in stucco on the east elevation to the outdoor patio, with the remaining entry wrapping around on the south elevation.

The remaining three facades are existing and are of similar design and consist of brown brick and prefinished grey metal cladding along portions of the roof-line, with overhead doors provided on the south and west elevations. The roof-top mechanical equipment is screened from the view of the adjacent streets.

The applicant has agreed to provide additional planting and enhanced architectural treatment on the north elevation facing Regional Road 7 to the satisfaction of the Development Planning Department.

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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 is satisfied with the proposed revised east elevation for the existing multi-unit industrial building.

Attachments

1. Location Map
2. Site Plan
3. Elevation Plan

Report prepared by:

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

/LG

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

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Item 28, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

28

**SITE DEVELOPMENT FILE DA.06.002
UNICO-994791 ONTARIO INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006, be approved;
- 2) That the deputation of Mr. Fabian Venier, Unico Inc., 8000 Keele Street, Concord, L4K 2A4, be received; and
- 3) 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.06.002 (Unico-994791 Ontario Inc.), as shown on Attachment #3, BE APPROVED.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application on the subject lands shown on Attachment #1, to amend the site plan agreement to permit a 6624m² rear (westerly) warehouse addition to an existing 9339.48m² industrial building, on a 2.66ha lot, as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the west side of Keele Street, north of Regional Road 7, known municipally as 8000 Keele Street, in Lots 7 and 8, Concession 4, City of Vaughan.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone by By-law 1-88. The proposed warehouse addition conforms and complies with the Official Plan and Zoning By-law, respectively.

The existing building (easterly ¾ of site) is constructed to a height of 6.1m and the proposed rear warehouse expansion will be constructed to a height of 11m. Although the building addition is setback substantially from Keele Street, the east façade will be visible from Keele Street. The existing building consists of brown brick, being stucco banding and brown metal siding. The proposed warehouse elevation that is setback from Keele Street will be designed with white precast panels at the base and a row of upper level windows framed in beige and white stucco banding. The remaining three facades are of similar design and consist of white precast panels with a row of upper level windows.

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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 is satisfied with the proposed elevations for the rear warehouse expansion to an existing industrial building.

Attachments

1. Location Map
2. Site Plan
3. Elevations

Report prepared by:

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

/CM

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

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Item 29, Report No. 33, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 12, 2006, as follows:

By approving the following in accordance with the memorandum from the Director of Development Planning, dated June 7, 2006:

“That the revised site plan and landscape plan attached to this memorandum be approved, and that the conditions applicable to the Site Development Application DA.06.022 (Archdiocese of Toronto) included in the report of the Commissioner of Planning dated May 29, 2006, also be approved”; and

By approving that staff work with the applicant and York Region to review the possibility of moving the driveway on Major Mackenzie Drive, at the south west end of the project, further to the east in order to deal with traffic safety concerns.

29

**SITE DEVELOPMENT FILE DA.06.022
ARCHDIOCESE OF TORONTO**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of June 12, 2006, for staff to provide a report on the reduction of parking spaces at the south end of the property; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.06.022 (Archdiocese of Toronto) BE APPROVED, to permit a one-storey, 3768m² place of worship, as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the registration of the site plan agreement:
 - i) the final site plan, building elevations, landscaping plan, and signage plan, shall be approved by the Development Planning Department;
 - ii) the final site grading and servicing plan, stormwater management report, soils/geotechnical report, access, parking and on-site vehicular circulation, shall be approved by the Engineering Department;
 - iii) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - iv) a minor variance application to implement the development shall be approved by the Committee of Adjustment, and shall be final and binding; and
 - v) all hydro requirements of PowerStream Inc. shall be satisfied.

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 on the subject lands shown on Attachment #1 to permit a one-storey, 3768m² place of worship as shown on Attachment #2.

Background - Analysis and Options

The 2.6 ha vacant, triangular-shaped site as shown on Attachment #1, is located on the north side of Major Mackenzie Drive, west of Islington Avenue and municipally known as 5500 Major Mackenzie Drive, in Part of Lot 20, Concession 8, City of Vaughan.

- North - existing residential (R1 Residential Zone)
- South - Major Mackenzie Drive; existing residential (RV3 Residential Urban Village Zone Three), District Park (OS2 Open Space Park Zone)
- East - Old Major Mackenzie Drive and Islington Avenue
- West - existing and future residential (R1 Residential Zone), park (OS2 Open Space Park Zone)

Official Plan

The subject lands are designated "Serviced Residential" by OPA #601 (Kleinburg Nashville Community Plan). The proposed place of worship conforms to the policies of the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The proposed place of worship is a permitted use in the Agricultural Zone.

The following variances to By-law 1-88 are required to implement the proposed site plan:

- i) a maximum building height for the place worship of 14.8m, whereas the By-law currently permits a maximum height of 11m;
- ii) a minimum landscape buffer strip of 0.29m abutting Major Mackenzie Drive, whereas the By-law currently requires a minimum of 6.0m; and
- iii) a minimum exterior side yard setback from the rectory of 9.8m (north property line abutting Old Major Mackenzie Drive), whereas the By-law currently requires a minimum of 15m;

An increase in building height of 3.8m for the place of worship is considered appropriate given the location of the site and adjacent to Major Mackenzie Drive, and the architectural design of the building. The building is designed with a gable roof and the additional 3.8m in height is required to accommodate the roof-line, and therefore, is considered to be appropriate. In addition, this location lends itself to the development of a prominent building that has the potential to be a landmark for Kleinburg and the City of Vaughan.

The landscape strip provided along Major Mackenzie Drive varies in size from 3m to a minimum of 0.29m in the easterly portion of the site. A boulevard exists along the north side of Major Mackenzie Drive abutting the subject lands, which when included with the landscape strip would increase the width to 6.29m. In light of the above, the reduction to 0.29m from 6.0 m is acceptable.

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The proposed rectory will be setback 9.8m from Old Major Mackenzie Drive. The variance is considered minor given that the existing residential dwelling abutting Old Major Mackenzie Drive located immediately west of the subject lands has been developed with a 4.5m exterior side yard setback, and therefore it will not impact on the surrounding development.

The Owner is required to file an application to the Committee of Adjustment for consideration of the above noted variances. In light of the above, the variances required to implement the proposed development are considered supportable for the appropriate development of the subject lands. The variances must be approved and final and binding prior to the execution of the implementing site plan agreement.

Site Design

The proposed site plan is shown on Attachment #2 and illustrates a one-storey place of worship situated towards the centre of the triangular-shaped site. The site plan is proposed to be developed in four separate phases consisting of the place of worship and garden (Phase 1), the atrium, (Phase 2), outdoor amphitheatre (Phase 3), and rectory (Phase 4).

The site will be served by one 7.5m wide driveway access on Major Mackenzie Drive, and 3 accesses on Old Major Mackenzie Drive. The majority of the parking is situated at the west end of the site, with a total of 407 parking spaces, including 4 handicapped spaces. The proposed 'Place of Worship', amphitheatre and rectory uses require a total of 397 parking spaces, therefore the site will be developed with a surplus of 4 spaces. A circular garden is proposed at the front of the building, at the corner of Old Major Mackenzie Drive and Major Mackenzie Drive. A 2.4m wide landscape buffer area along the west property line separates the parking area from the adjacent residential development. The Development Planning Department will work with the applicant to ensure that this area is properly landscaped to achieve appropriate buffering from the adjacent residential dwellings. A rectory is located at the northwest corner of the site adjacent to Old Major Mackenzie Drive, and an outdoor amphitheatre is proposed adjacent to the west side of the building. The site contains various pedestrian linkages from the parking areas to the building entrances, as well as to the amphitheatre. A pedestrian walkway is proposed to connect the building to Old Major Mackenzie Drive. The Development Planning Department requires additional pedestrian connections along Old Major Mackenzie Drive, and will work with the applicant to facilitate the additional linkages.

Building Elevations

The proposed building elevations for the place of worship are shown on Attachments #4, #5, #6 and #7. The one-storey building will be constructed to a maximum height of 14.8m, with different level gable-roof tops throughout. The building material proposed consists of beige-tone manufactured stone, renaissance stone and limestone. The building incorporates many architectural details on the building facades, windows and along the roof-lines. A bell tower is located at the southwest corner, with a brown-tone metal roof. The main entrance consists of a gable-roof atrium (Phase 3) with stained and tinted glass. The side elevations (north and south) feature a series of prominent glass and stained glass windows that help define the architecture of the structure.

The building has been designed to address the grade of the site. The central portion of the building drops below the main grade of the site and allows for the provision of the prominent windows. The rear elevation (west) of the building has been designed to be primarily functional and is consistent with the balance of the structure. The west elevation is visible from the parking area and is adjacent to the proposed amphitheatre (Phase 3), however, provides sufficient architectural elements to define the structure and to display the strong lines of the entire building.

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The proposed elevations for the rectory (Phase 4) at the northwest corner of the site are required for Council's review in the future.

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

Region of York

The proposed development fronts onto Major Mackenzie Drive, and therefore, the Owner will be required to satisfy all requirements of the Region of York Transportation and Works Department.

Services

Garbage and snow removal will be private pick-up/removal. Garbage is to be stored internal to the building. The Owner must identify the location of the internal garbage storage area to ensure proper truck maneuvering for pick-up. The proposed development will be fully serviced on the municipal system, including hydro, water, sanitary and storm sewers. The final site servicing and grading plan, stormwater management report, and access and on-site vehicular circulation shall be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department.

Landscaping

The landscape plan as shown on Attachment #3 includes a variety of deciduous and coniferous trees and shrubs throughout the site, and around the perimeter the property. A 2.4m wide landscape strip is provided along the west property line, a 6.0m landscape strip adjacent to Old Major Mackenzie Drive, and a landscape strip between 0.24m and 3m is provided adjacent to Major Mackenzie Drive. A phased re-naturalization of the southern limits of the site along Major Mackenzie Drive is proposed. Details on the re-naturalization phasing are required to determine its appropriateness at this location. Regional approval is also required for the re-naturalization proposed on the Regional lands abutting Major Mackenzie Drive. The Development Planning Department will work with the Owner and the Region to achieve the re-naturalization in this area

A circular garden is proposed at the main entrance of the building at the Old Major Mackenzie Drive and Major Mackenzie Drive location, which includes flag-stone paving, circular seating areas and various trees, shrubs and perennials. A circular driveway consisting of unit pavers is provided around the garden. Unit pavers are also provided at the main entrance and atrium, as well as the at the north elevation, facing Old Major Mackenzie Drive. A wall feature is proposed for the corner of Major Mackenzie Drive and Old Major Mackenzie Drive. Additional information on the wall details as well as any additional landscape treatment at this street corner is required prior to final approval.

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

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 Site Development Application to facilitate the development of the subject lands with a one-storey, 3768m² Place of worship in accordance with the policies of OPA #601 (Kleinburg Nashville Community Plan) and the

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requirements of By-law 1-88. The Development Planning Department is satisfied with the proposed site plan layout, landscaping and building elevations. In addition, the variances required to implement the proposed site plan are considered minor and will facilitate a development that is compatible with the surrounding land uses. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions identified in the recommendation section of this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Building Elevation (East) - Place of Worship
5. Building Elevation (North) - Place of Worship
6. Building Elevation (South) - Place of Worship
7. Building Elevation (West) - Place of Worship

Report prepared by:

Carmela Marrelli, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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

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Item 30, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

30

**ZONING BY-LAW AMENDMENT FILE Z.06.015
589915 ONTARIO LIMITED**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.015 (589915 Ontario Limited) BE APPROVED, to amend By-law 1-88, specifically to:
 - a) rezone Parcel "A" shown on Attachment #2 from RVM1 (A) Residential Urban Village Multiple Zone One to RV4 (WS) Residential Urban Village Zone Four (Wide and Shallow Lot) to facilitate the development of 8 semi-detached units; and
 - b) rezone Parcel "B" shown on Attachment #2 from RVM1 (WS-B) Residential Urban Village Multiple Zone One to RVM1 (A) Residential Urban Village Multiple Zone One to facilitate the development of 3 street townhouse units.

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 amend By-law 1-88, on the subject lands shown on Attachment #1, specifically to:

- a) rezone Parcel "A" shown on Attachment #2 from RVM1 (A) Residential Urban Village Multiple Zone One to RV4 (WS) Residential Urban Village Zone Four (Wide and Shallow Lot) to facilitate the development of 8 semi-detached units; and
- b) rezone Parcel "B" shown on Attachment #2 from RVM1 (WS-B) Residential Urban Village Multiple Zone One to RVM1 (A) Residential Urban Village Multiple Zone One to facilitate the development of 3 street townhouse units.

Background - Analysis and Options

The subject lands comprising two separate parcels as shown on Attachment #1 are located on the west side of Weston Road, and on the south side of Davos Road, within approved Draft Plan of Subdivision 19T-89024 (Vellore Village Estates), in Part of Lots 17 and 18, Concession 6, City of Vaughan. The Vellore Village Estates Subdivision 19T-89024 was approved by the Ontario Municipal Board on February 28, 1998, and set out the road pattern for this area and blocks for the future development of street townhouse and semi-detached dwelling units.

On February 27, 2006, Council approved the adjacent Draft Plan of Subdivision File 19T-95V04 (St. Magnus Developments Inc.) and revisions to approved Draft Plan of Subdivision 19T-89024 (Vellore Village Estates). As a result, the road and lotting pattern and zoning for those lands were

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slightly adjusted to reflect the development pattern shown on Attachment #2. The subject lands were not part of that application; however, the Owner is requesting the proposed zoning changes to respond to the approvals granted on the adjacent lands.

The surrounding land uses are:

- North - Parcel "A": Davos Road; Vellore Village Joint Complex (RVM1(A) Residential Urban Village Multiple Zone One); Parcel "B": existing detached dwelling (A Agricultural Zone)
- South - Parcel "A": existing and future residential (RV4 Residential Urban Village Zone Four and RVM1(WS-A) Residential Urban Village Multiple Zone One); Parcel "B": existing residential (RVM1 (WS-B) Residential Urban Village Multiple Zone One)
- East - Parcel "A": future street and townhouses (RVM1(A) Urban Village Multiple Zone One); Parcel "B": Weston Road; Vellore Hall (A Agricultural Zone)
- West - Parcel "A": Lucerne Drive; existing residential (RV3 (WS) Residential Urban Village Zone Three (Wide and Shallow Lot); Parcel "B": future townhouses (RVM1(A) Residential Urban Village Multiple Zone One)

Public Hearing

On March 10, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Vellore Village Residents Association. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report of April 3, 2006, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on April 10, 2006.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600. The Official Plan permits semi-detached and street townhouse housing forms on the subject lands. The proposed rezoning conforms to the Official Plan.

Zoning

The subject lands are zoned RVM1 (A) Residential Urban Village Multiple Zone One (Parcel "A") and RVM1 (WS-B) Residential Urban Village Multiple Zone One (Wide and Shallow Lot) (Parcel "B") by By-law 1-88, subject to Exception 9(1024).

In order to implement the proposed zoning changes, as shown on Attachment #2, a by-law amendment is required to rezone the subject lands in accordance with the standard requirements of Schedule "A1" in By-law 1-88 as follows:

- i) rezone the lands shown as Parcel "A" on Attachment #2 from RVM1 (A) Residential Urban Village Multiple Zone One to RV4 (WS) Residential Urban Village Zone Four (Wide and Shallow Lot) to permit 8 semi-detached dwelling units;
- ii) rezone the lands shown as "Parcel "B" on Attachment #2 from RVM1 (WS-B) Residential Urban Village Multiple Zone One to RVM1 (A) Residential Urban Village Multiple Zone One to permit 3 street townhouse units.

The proposed rezoning of the subject lands will facilitate development that is consistent and compatible with the surrounding area and the approved Block 39 Plan, and would not create any negative land use impacts. Parcel "A" as shown on Attachment #2 would be rezoned to RV4 (WS) Residential Urban Village Zone Four to permit 8 semi-detached dwelling units, consistent

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with the existing and future semi-detached units to the south. Parcel "B" as shown on Attachment #2 would be rezoned to RVM1 (A) Residential Urban Village Multiple Zone One to permit 3 street townhouse units, consistent with the zoning and permitted townhouse use on the adjacent lands to the west fronting onto Neuchatel Avenue.

Architectural Approval

The 3 proposed townhouse units would be subject to architectural approval. On March 8, 1999, Council approved the Block 39 (Vellore Village Community) Architectural Guidelines prepared by Watchorn Architects Inc. (dated February 1999), who is the control architect. The proposed 8 semi-detached units are not subject to architectural approval.

Servicing

The Engineering Department previously reserved the allocation of sewage servicing capacity on the subject lands as part of the approvals for subdivision 19T-89024 Phase 7/8 on November 14, 2005. There is no net change to the allocation of servicing capacity, as a result of the proposed 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 Zoning By-law Amendment Application to rezone the subject lands to permit 8 semi-detached and 3 townhouse units. The proposed rezoning would facilitate development that is consistent and compatible with the surrounding area and the approved Block 39 Plan. In addition, there are no changes to the approved lotting or road patterns affecting the subject and adjacent subdivisions. For these reasons, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Location Map
2. Proposed Zoning

Report prepared by:

Carmela Marrelli, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 31, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

31

**ZONING BY-LAW AMENDMENT FILE Z.06.016
SITE DEVELOPMENT FILE DA.06.016
2019625 ONTARIO INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.016 (2019625 Ontario Inc.) BE APPROVED, to remove the 'H' Holding symbol from the subject lands, zoned C1 (H) Restricted Commercial Zone, as shown on Attachment #1, to facilitate the development of a motor vehicle sales establishment;
2. THAT Site Development File DA.06.016 (2019625 Ontario Inc.) BE APPROVED, to permit the development of a 2425.2m² motor vehicle sales establishment (Nissan Dealership), as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations and landscape plan shall be approved to the satisfaction of the Development Planning Department;
 - ii) the final site servicing and grading plans and stormwater management report shall be approved by the Engineering Department;
 - iii) access and on-site vehicular circulation shall be approved by the Engineering Department and the Region of York Transportation and Works Department;
 - iv) all hydro requirements of PowerStream Inc. shall be satisfied; and
 - v) the required variances to implement the approved Site Plan shall be obtained from the Committee of Adjustment, and shall be in full force and effect.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application on the subject lands shown on Attachment #1, to permit the development of a 2425.2m² motor vehicle sales establishment (Nissan Dealership) on a 10,071.47m² site, as shown on Attachment #2.

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In addition, the Owner has submitted a Zoning By-law Amendment Application to remove the 'H' Holding Symbol on the subject lands, currently zoned C1(H) Restricted Commercial Zone.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located on the west side of Jane Street and north of Auto Vaughan Drive, being Part of Block 3 on Registered Plan 65M-3766, City of Vaughan. The vacant 10,071.47m² rectangular site has 56.5m frontage on Jane Street and a depth of 153.5m abutting the existing Toyota dealership to the south.

The surrounding land uses are:

- North - private driveway to 9520 Jane Street; Paramount Canada's Wonderland (TPC Theme Park Commercial)
- South - Toyota dealership (C1 Restricted Commercial Zone)
- West - vacant land (C1 (H) Restricted Commercial Zone with the Holding Symbol "H")
- East - Jane Street; vacant (A Agricultural Zone)

Official Plan

The subject lands are designated "General Commercial-Special Policy" by OPA #600, which permits general commercial uses such as retail stores for the buying, leasing and exchanging of goods and services, restaurants and banks. The proposed development of the site for a motor vehicle sales establishment conforms to the Official Plan.

Zoning

The subject lands are zoned C1(H) Restricted Commercial Zone with the Holding Symbol "H" by By-law 1-88, subject to Exception 9(1031), which permits a motor vehicle sales establishment use, including the open display and storage of new and used motor vehicles. The proposed motor vehicle sales establishment use is permitted by the Zoning By-law.

The proposed development complies with the zoning standards in By-law 1-88, with the exception of the following:

- a minimum landscaping strip width of 4.5m is proposed abutting Jane Street, whereas 6.0m is required.

The Development Planning Department is satisfied that the proposed exception to the by-law which is minor and appropriate in the context of the overall development of the site, and which is consistent with the variances granted to the other motor vehicle sales establishments in the same auto complex. The Owner will be required to submit a minor variance application to the Committee of Adjustment for approval of this variance to implement the final approved site plan. The Committee's decision must be final and binding, prior to the execution of the implementing site plan agreement.

The subject lands are zoned with the Holding Symbol "H", which can be removed upon Council's approval of the subject Site Development Application.

Site Design

The proposed 2,425.2m² building, as shown on Attachment #2, is located on the easterly portion of the property, with two vehicular driveway access points provided through the Toyota dealership

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to the south. There is no vehicular access from Jane Street, however a pedestrian connection is proposed. The main entrance to the building and the indoor showroom are located on the east side of the building. The service bays are located on the north and south sides of the building. Parking spaces are located throughout the site with the majority of the spaces to be provided to the south and west of the building. Garbage storage will be internal to the building.

Building Elevations

The proposed building elevations are shown on Attachments #4 and #5. The main elevation of the rectangular-shaped building faces east, towards Jane Street. The building material for the front sales area consists of glass curtain wall within aluminum frames that wrap around the front portions of the north and south elevations. Gray-coloured, pre-finished aluminum panels comprise the top portion of the building with the main signage in louver fascia containing "Maple Nissan". A prefinished aluminum sign containing the Nissan logo is also located over the main entry door.

The north and south elevations include drive-in overhead doors, associated with the service portions of the building. The main service related areas of the building consist of gray architectural concrete blocks with a dark gray band across the top half of the building along with decorative squares. The building has a flat roof with parapet to a height of 7.32m.

The Development Planning Department is satisfied with the proposed building elevations.

Landscaping

The landscape plan shown on Attachment #3 consists of a mix of shrubs, and coniferous, deciduous and ornamental trees along the perimeter of the site within a 4.5m wide landscaped strip abutting Jane Street and Auto Vaughan Drive. In addition to the soft landscaping surrounding the site, an armour stone boulder feature will be placed intermittently along the Jane Street property line, together with ornamental trees and shrubs, which is consistent with the treatment on the other motor vehicle sales establishments within the auto complex.

The main entrance to the building is connected to Jane Street by a unit paved walkway. Car access will be internal, through the Maple Toyota site to the south. Hard landscaping will also be provided along the base of the front façade of the building. The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Parking

The required parking for the proposed development is calculated as follows:

Motor Vehicle Sales Establishment: 2425.2m² @ 3.0 spaces/100m² GFA = 73 spaces

Total Parking Required = 73 spaces (incl. 2 handicapped spaces)

Total Parking Provided = 154 spaces (incl. 2 handicapped spaces)

The proposed development exceeds the minimum parking requirement of By-law 1-88, with a surplus of 81 spaces.

Services

The site has access to hydro, water and sanitary services. The final site servicing and grading plan and storm water management report shall be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department.

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All hydro requirements must be addressed to the satisfaction of PowerStream Inc.

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 Site Plan Application in accordance with the policies of the Official Plan and the requirements of the Zoning By-law. The Development Planning Department is satisfied that the subject lands can be appropriately developed to accommodate the proposed motor vehicle sales establishment, subject to the conditions of this report. An exception to the zoning by-law is required to be obtained from the Committee of Adjustment, for the landscape strip reduction along Jane Street, which is consistent with the treatment for the other approved development within the auto campus, and such variance must be in full force and effect, prior to entering into the implementing site plan agreement.

The Development Planning Department also recommends approval of the Zoning By-law Amendment Application to remove the "H" Holding Symbol on the subject lands, which will facilitate the development of the site in accordance with the C1 Restricted Commercial Zone standards.

Attachments

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

Report prepared by:

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

/CM

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2006

Item 32, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

32

**ZONING BY-LAW AMENDMENT FILE Z.06.020
SITE DEVELOPMENT FILE DA.06.018
2019625 ONTARIO INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.020 (2019625 Ontario Inc.) BE APPROVED, to remove the Holding Symbol "(H)" from the subject lands, zoned C1 (H) Restricted Commercial Zone with the Holding Symbol "(H)", as shown on Attachment #1, to facilitate the development of a motor vehicle sales establishment;
2. THAT Site Development File DA.06.018 (2019625 Ontario Inc.) BE APPROVED, to permit the development of a 3368m² motor vehicle sales establishment (Mercedes-Benz Dealership), as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations and landscape plan shall be approved to the satisfaction of the Development Planning Department;
 - ii) the final site servicing and grading plan and stormwater management report shall be approved by the Engineering Department;
 - iii) access and on-site vehicular circulation shall be approved by the Engineering Department and the Region of York Transportation and Works Department;
 - iv) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
 - v) all hydro requirements of PowerStream Inc. shall be satisfied; and
 - vi) the required variances to implement the approved Site Plan shall be obtained from the Committee of Adjustment, and shall be in full force and effect.

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 on the subject lands shown on Attachment #1, to permit the development of a 3368m², motor vehicle sales establishment (Mercedes-Benz Dealership) on a 13,853m² site, as shown on Attachment #2.

In addition, the Owner has submitted a Zoning By-law Amendment Application to remove the Holding Symbol "(H)" on the subject lands, currently zoned C1(H) Restricted Commercial Zone.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located on the west side of Jane Street and south of Auto Vaughan Drive, being Part of Block 3 on Registered Plan 65M-3766 in Part of Lot 17, Concession 5, City of Vaughan. The vacant 13,853m² irregular shaped site has approximately 142m of frontage on Jane Street and a depth ranging between 44m and 152m and abuts the Honda dealership located to the north.

The surrounding land uses are:

- North - Honda dealership under construction (C1 Restricted Commercial Zone)
- South - open space valley (OS1 Open Space Conservation Zone)
- West - open space valley (OS1 Open Space Conservation Zone), vacant/commercial (C1(H) Restricted Commercial Zone with Holding Symbol "(H)")
- East - Jane Street; CNR pullback track and proposed office building (M3 Transportation Industrial and C1(H) Restricted Commercial Zone with the Holding Symbol "(H)")

Official Plan

The subject lands are designated "General Commercial-Special Policy" by OPA #600, which permits general commercial uses such as retail stores for the buying, leasing and exchanging of goods and services, restaurants and banks. The proposed development of the site for a motor vehicle sales establishment conforms to the Official Plan.

Zoning

The subject lands are zoned C1(H) Restricted Commercial Zone with the Holding Symbol "(H)" by By-law 1-88, subject to Exception 9(1031), which permits a motor vehicle sales establishment use, including the open display and storage of new and used motor vehicles. The proposed motor vehicle sales establishment use complies with the Zoning By-law.

The proposed development complies with the zoning standards in By-law 1-88, with the exception of the following:

- a minimum landscaping strip width of 4.5m is proposed abutting Jane Street, whereas 6.0m is required; and,
- a maximum building height of 12.05m (to the top of the sign tower attached to the roof of the building), whereas 11m is permitted.

The Owner has filed a Committee of Adjustment application (File A184/06) for the above-noted variances that will be considered on May 25, 2006, prior to the Committee of the Whole meeting. The Development Planning Department is satisfied that the proposed exceptions to the by-law are minor and appropriate in the context of the overall development of the site, and consistent with other variances granted within the auto campus. The Committee of Adjustment's decision must be final and binding, prior to the execution of the implementing site plan agreement.

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The subject lands are zoned with the Holding Symbol "(H)", which can be removed upon Council's approval of the subject Site Development Application.

Site Design

The proposed 3,368m² building, as shown on Attachment #2, is centrally located on the property, with two vehicular driveway access points, one from Jane Street and the second one at the west limit of the property, connecting with the driveway for the Honda dealership to the north.

The Jane Street access is subject to the approval of the Region of York Transportation and Works Department. The main entrance and the indoor showroom are located on the east side of the building facing Jane Street. A pedestrian connection from Jane Street to this entrance is proposed in the form of unit pavers. The service bays are located on the north side of the building, with the bay doors facing east and west. Parking spaces are located around the building and along the periphery of the site. Garbage storage will be internal to the building.

Building Elevations

The proposed building elevations are shown on Attachment #4. The main elevation of the building faces east, towards Jane Street and consists of a glass curtain wall within aluminum frames and blue pole accents that wrap around the south and north elevations of the building. Metallic silver coloured pre-finished aluminum panels comprise the top portion of the building.

The north, east and west elevations include drive-in overhead doors, associated with the service portions of the building. The main service related areas of the building consist of gray architectural concrete blocks with square windows across the top portion of the building. The building has a flat roof with a parapet to a height of 8.55m.

A silver revolving Mercedes-Benz logo that sits above the building requires a variance for height. Additional wall signs identifying "Mercedes-Benz" and "Smart" are located on the east elevation above the main entrance, and along the north and south elevations and consist of lettering on a prefinished silver metallic backing.

The Development Planning Department is satisfied with the proposed building elevations.

Landscaping

The proposed landscape plan is shown on Attachment #3 and consists of a mix of shrubs, and coniferous, deciduous and ornamental trees located along the perimeter of the subject lands within 4.5m and 9.0m wide landscaped strips abutting Jane Street, and the south and south-west property lines abutting the OS1 Open Space Conservation Zone, respectively. In addition to the soft landscaping surrounding the site, an armour stone boulder feature will be placed intermittently along the Jane Street property line, together with ornamental trees and shrubs, which is consistent with the other car dealership sites in the auto mall complex.

The main entrance to the building is connected to Jane Street by a unit paver walkway. Hard landscaping will also be provided along the base of the front façade of the building. The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Parking

The required parking for the proposed development is calculated as follows:

Motor Vehicle Sales Establishment: 3,368m² @ 3.0 spaces/100m² GFA = 101 spaces

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Total Parking Required = 101 spaces (incl. 2 handicapped spaces)
Total Parking Provided = 170 spaces (incl. 2 handicapped spaces)

The proposed development exceeds the minimum parking requirement of By-law 1-88, with a surplus of 69 spaces.

Services

The final site servicing and grading plan and storm water management report shall be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department.

All hydro requirements must be addressed to the satisfaction of PowerStream Inc.

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 Site Plan Application in accordance with the policies of the Official Plan and the requirements of the Zoning By-law. The Development Planning Department is satisfied that the subject lands can be appropriately developed to accommodate the proposed motor vehicle sales establishment, subject to the conditions of this report. Exceptions to the zoning by-law for the landscape strip reduction along Jane Street and for the increase in height of the signage on the roof, are required and must be obtained from the Committee of Adjustment, and be in full force and effect, prior to entering into the implementing site plan agreement.

The Development Planning Department also recommends approval of the Zoning By-law Amendment Application to remove the Holding Symbol "(H)" on the subject lands, which will facilitate the development of the site in accordance with the C1 Restricted Commercial Zone standards.

Attachments

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

Report prepared by:

Margaret Holyday, Planner, ext. 8216
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 33, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

33

**ZONING BY-LAW AMENDMENT FILE Z.06.040
SITE DEVELOPMENT FILE DA.05.048
DREAM WORKS PROPERTY INC.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.040 (Dream Works Property Inc.) BE APPROVED, to remove the Holding Symbol "(H)" from the subject lands, currently zoned RM2 (H) Multiple Residential Zone as shown on Attachment #1, to facilitate the development of a 19-unit townhouse condominium development on a private road; and
2. THAT Site Development File DA.05.048 (Dream Works Property Inc.) BE APPROVED, for a 19-unit townhouse condominium complex on a private road, as shown on Attachment #2, subject to the following conditions:
 - a) the final site plan, building elevations, and landscaping plan shall be approved to the satisfaction of the Development Planning Department;
 - b) the final site grading and servicing plan, lighting plan, stormwater management report, access, parking, and on-site vehicular circulation shall be approved to the satisfaction of the Engineering Department;
 - c) all hydro requirements of PowerStream Inc. shall be satisfied; and
 - d) the final site plan agreement shall include the conditions provided by Trans Canada Pipeline.

Economic Impact

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

Purpose

The Owner has submitted the following applications:

1. A Zoning By-law Amendment Application (File Z.06.040) to remove the Holding Symbol "(H)" from the subject lands, currently zoned RM2 (H) Multiple Residential Zone as shown on Attachment #1, to facilitate the development of 19-unit townhouse condominium development on a private road.
2. A Site Development Application (File DA.05.048) to permit 19, two-storey townhouse units, within four blocks, on a private road, as shown on Attachment #2. Each townhouse unit will two parking spaces, and there will be five visitor parking spaces to serve the 0.535 ha site.

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Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Keele Street, south of Kirby Road, being Block 312 in Plan 65M-3878, City of Vaughan. The subject lands consist of a 0.535ha, rectangular parcel of land with approximately 36m frontage along Ravineview Drive and an average lot depth of approximately 160m. The surrounding land uses are:

- North - existing stormwater management facility (OS1 Open Space Conservation Zone), Central Park Lodge (seniors residence) – (RVM2 Residential Urban Village Multiple Dwelling Zone Two)
- South - existing Trans Canada Pipeline Easement (OS2 Open Space Park Zone), approved residential subdivision (RD4 Residential Detached Zone Four)
- East - Ravineview Drive; existing residential (RVM1 (A) Residential Urban Village Multiple Dwelling Zone One (Street Townhouse))
- West - Keele Street; existing agricultural use (A Agricultural Zone)

Official Plan

The subject lands are designated “North Maple Residential Area - Special Residential Area” by OPA #332, as amended by OPA#535 (Maple Valley Plan) and OPA #604 (Oak Ridges Moraine Conformity Plan). The proposed townhouse development conforms to the Official Plan.

Zoning

The subject lands are zoned RM2 (H) Multiple Residential Zone with the Holding Symbol “(H)” by By-law 1-88, and further subject to Exception 9(947). The proposed development complies with the requirements of By-law 1-88.

The subject land was originally zoned with the Holding Symbol “(H)” to be removed upon the Owner entering into a density bonussing agreement with the City, and preparing architectural and urban design guidelines, and a demographic and marketing study strategy to the satisfaction of the City. The Owner has satisfied all requirements for the removal of the Holding Symbol “(H)” on their larger overall subdivision land holding to the east and south. The Engineering Department has confirmed that sufficient sewage and water capacity exists for the subject development, and therefore, the Holding Symbol can be removed from the subject lands.

The Owner has made an application to remove the Holding Symbol “(H)”, and the implementing by-law will be forwarded to Council, prior to the execution of the implementing site plan agreement.

Site Design

The proposed site plan shown on Attachment #2, consists of 19, two-storey townhouse units, within four blocks accessed by a 6.0m wide private road that intersects Ravineview Drive to the east. The private road abuts the southern property line and leads to 5 visitor parking spaces (including one handicap space) located between Blocks ‘3’ and ‘4’. A 1.5m wide concrete sidewalk is located on the north side of the private road from Ravineview Drive to the community mail box (CMB) and visitor parking areas to the west. The existing emergency flow channel between the two existing stormwater management ponds to the north and south will remain in the location adjacent to Keele Street and townhouse Block 4.

The Development Planning Department is satisfied with the overall site layout, subject to the comments in this report being addressed.

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Building Elevations

The proposed building elevations are shown on Attachments #3, #4, #5, and #6. The proposed townhouse blocks are two storeys (9.11m) in height and provide double door main entrances facing the street. Each unit has a grade level garage facing the private road and will be finished predominately in brick. Parking for each unit is provided by a single car garage and a driveway space. The proposed elevations were circulated to the Control Architect, Michael Spaziani, and no additional concerns were raised.

The elevations plans shall be approved to the satisfaction of the Development Planning Department.

Parking

The required parking for the site is calculated as follows:

Required Parking:	Multiple Family Dwelling: 1.5 spaces/unit x 19 units	= 29 spaces
	<u>Visitor spaces: 0.25 spaces/unit x 19 units</u>	<u>= 5 spaces</u>
	Total Required Parking	= 34 spaces
Provided Parking:	38 resident and 5 visitor spaces	= 43 spaces

The proposed development meets the minimum parking requirement of By-law 1-88, with a surplus of 9 parking spaces. One handicap parking space is included in the visitor parking count. As a condition of site plan approval, parking access and on-site vehicular circulation will be approved to the satisfaction of the Engineering Department.

Landscaping

The proposed landscape plan, as shown on Attachment #7, shows a mixture of deciduous, coniferous, shrubs, and ornamental trees. A line of deciduous trees is proposed along the north property line. The trees, together with the 1.8m high wood acoustic fence, will provide privacy from the property to the north. Ornamental trees are proposed along the private road and will consist of Crabapple, Ornamental Pear, and Ivory Silk Lilac. Additional ornamental trees are proposed along the west side of Block 3, adjacent to the visitor parking spaces, in order to provide a privacy buffer for the end unit. Trees, together with a 2.5m high wood acoustic fence will be constructed at the rear of townhouse Block 4, to provide screening from Keele Street. The final landscape plan will be approved to the satisfaction of the Development Planning Department.

Density Bonusing Agreement

The Owner previously entered into a Density Bonusing Agreement with the City for the Dream Works Subdivision 19T-02V08 (Registered Plan of Subdivision 65M-3878). The subject application will not require any additional cash contribution to be paid by the owner, as they previously satisfied the requirements of the Density Bonusing Agreement, which applied to the subject lands.

TransCanada Pipeline

The subject lands are located within 30m of the TransCanada facilities, which is located along the south side of the property. Any development within 200m of any TransCanada facility requires approval from TransCanada Pipeline. The proposal was circulated to TransCanada, which had no objection to the proposed development provided that a number of conditions respecting the proposed development are included in the implementing site plan agreement. A condition of approval has been included in this respect.

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Services

The Owner has submitted a grading and servicing plan and stormwater management report, which shall be approved to the satisfaction of the Engineering Department.

All hydro requirements shall be to the satisfaction of PowerStream Inc.

Servicing Allocation

The Engineering Department has advised that the servicing allocation to accommodate the proposed 19 units was approved in conjunction with Plan of Subdivision 19T-02V08 (Registered Plan 65M-3878).

Canada Post

Canada Post has provided a number of conditions that the applicant is required to satisfy, for the placement of the central mailbox, which is located immediately south of the visitor parking spaces.

Parkland Dedication

The Parkland Dedication requirement under the Planning Act has been satisfied through the registration of Plan of Subdivision 19T-02V08 (Registered Plan 65M-3878), and no additional cash-in-lieu contribution is required as a result of the subject 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 Site Development Application in the context of the requirements of the Official Plan and Zoning By-law and is satisfied that the plan conforms to the Official Plan and complies with the development standards in Zoning By-law 1-88. The Owner will be required to satisfy all requirements of the City prior to the execution of the implementing site plan agreement. On this basis, the Development Planning Department can support the removal of the Holding Symbol "(H)" on the subject lands currently zoned RM2(H) Multiple Residential Zone and the approval of the Site Development Application.

Attachments

1. Location Map
2. Site Plan
3. Elevation (Block '1')
4. Elevation (Block '2')
5. Elevation (Block '3')
6. Elevation (Block '4')
7. Landscape Plan

Report prepared by:

Stephen Lue, Planner I, ext. 8210
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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Item 34, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

34

**OFFICIAL PLAN AMENDMENT FILE OP.05.016
ZONING BY-LAW AMENDMENT FILE Z.5.029
STEELES MEMORIAL CHAPEL
REPORT #P.2005.51
(Deferred Item)**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 20, 2006, be approved, subject to deleting Clause 2(a)(ii), and inserting the following in accordance with the memorandum from the Commissioner of Planning, dated May 26, 2006, and as reflected in the Revised Proposal (Attachment 1) attached to the memorandum:
 - 2(a) ii) require a minimum easterly interior side yard setback of 2.44m for Part 5, whereas 1.2m is currently required, and that this side yard shall be comprised of landscaping including mature tree planting;
 - iii) require a minimum westerly interior side yard setback of 0.6m for Part 2, whereas 1.2m is currently required;
 - iv) permit a maximum lot coverage of 47% on Parts 2, 3 and 4, whereas 45% is currently permitted;
 - v) require a minimum setback to a garage that faces the front lot line of 6m whereas 6.4m is currently required; and
 - vi) permit a maximum building height of one-storey for a portion of the rear of the residential dwelling on Part 5 as shown on Attachment #1 of the memorandum with the remainder of the dwelling being 2-storeys, all within the maximum permitted building height of 9.5m.;
- 2) That staff be directed to attend the Ontario Municipal Board Hearing on June 8 – 9, 2006, to seek a condition for cost-sharing, should the issue not have been resolved with the Applicant prior to that time;
- 3) That the confidential memorandum of the Solicitor, dated May 29, 2006, be received; and
- 4) That the deputation of Mr. Ross McInnes, 8 Sylvester Court, Thornhill, L4J 5R1, and landscape plan submitted, be received.

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

- 1) That this matter be deferred to provide an opportunity for the applicant to meet with the Ward Councillor and the community to address the concerns expressed;
- 2) That the following deputations and written submission be received:
 - a) Ms. Mary Fraizinger, 6 Sylvester Court, Thornhill, L4J 5R1, and written submission dated February 17, 2006; and
 - b) Mr. Ross McInnes, 8 Sylvester Court, Thornhill, L4J 5R1; and

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- 3) That the written submission of Mr. Ronald M. Kanter, Gardner Roberts LLP, 40 King Street West, Suite 3100, Scotia Plaza, Toronto, M5H 3Y2, dated February 16, 2006, be received.

Report of the Commissioner of Planning, dated February 20, 2006

Recommendation

The Commissioner of Planning recommends:

1. THAT the Ontario Municipal Board be advised that Council endorses Official Plan Amendment File OP.05.016 (Steeles Memorial Chapel) to redesignate the subject lands identified as Block "A" on Attachment #3 from "General Commercial" to "Low Density Residential";
2. THAT the Ontario Municipal Board be advised that Council endorses Zoning By-law Amendment File Z.05.029 (Steeles Memorial Chapel), subject to the following:
 - a) that By-law 1-88 be amended as follows:
 - i) rezone the subject lands identified as Block "A" on Attachment #3 from C1 Restricted Commercial Zone under site-specific Exception 9(106) to R4(H) Residential Zone with the addition of the Holding Symbol "H";
 - ii) require a site-specific exception to the R4(H) Zone to provide a reduced westerly interior side yard setback on Lot 1 to 0.6m as shown on Attachment #3;
 - b) that prior to the removal of the "H" Holding Symbol from the R4(H) Residential Zone, water and sewage servicing capacity shall be identified and formally allocated by the City;
3. THAT the Ontario Municipal Board be advised that Council requires the Owner to amend the existing site plan agreement for the funeral home on the retained portion of the site as shown on Attachments #3, to reflect the changes to the parking area and landscape buffer strip at the rear of the parking lot in accordance with Attachments #3 and #4, to the satisfaction of the Development Planning Department; and
4. THAT the Ontario Municipal Board be advised that no building permit will be issued for any residential dwelling unit until a noise report has been approved by the Engineering Department to address any noise issues identified in the report.

Economic Impact

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

Purpose

The Owner has submitted applications to:

1. Amend the Official Plan, specifically OPA #210 (Thornhill Vaughan Community Plan) as amended by OPA #264, to redesignate the subject lands shown as Block "A" on Attachment #3 from "General Commercial" to "Low Density Residential" to permit the development of four single- detached residential dwellings.

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2. Amend Zoning By-law 1-88, to rezone the subject lands shown as Block "A" on Attachment #3 from C1 Restricted Commercial Zone under Exception 9(106) to R4(H) Residential Zone with the Holding Symbol "H", to permit the development of four single-detached residential dwelling units on lots, each with minimum lot frontages of 10.65m, lot depths of 33.52m, and minimum lot areas of 357m².

The proposed redesignation and rezoning would facilitate the future severance of the 4 lots from the rear of the property fronting onto Steeles Avenue West, which will continue to be used by the existing funeral home.

Background - Analysis and Options

The subject lands are currently part of a larger overall landholding shown on Attachment #1, and located on the north side of Steeles Avenue West, in Part of Lot 26, Concession 1, and municipally known as 350 Steeles Avenue West, City of Vaughan. The site is developed with a one-storey funeral home fronting onto and having access to Steeles Avenue West. Parking for the funeral home is located at the rear of the building, and the rear 11.28m of the site is comprised of a landscaped buffer adjacent to Royal Palm Drive. The surrounding land uses are:

- North - Royal Palm Drive; existing residential detached dwellings (R4 and R3 Residential Zones)
- South - existing funeral home (C1 Restricted Commercial Zone under Exception 9(106))
- East - existing residential detached dwellings (R4 Residential Zone)
- West - existing commercial plaza and parking area (C1 Restricted Commercial Zone under Exception 9(918)).

The subject lands are designated "General Commercial" by OPA #210 (Thornhill Community Plan), and zoned C1 Restricted Commercial Zone by By-law 1-88, subject to site-specific zoning Exception 9(106) for the existing funeral home on the site.

Public Hearing

On August 26, 2005, a Notice of Public Hearing was mailed to property owners within 120m of the subject lands and to the Crestwood Springfarm Yorkhill Residents' Association. Written comments were received from three residents on Sylvester Court, located to the east objecting to the proposed development. A letter from #6 Sylvester Court outlined concerns that a similar 1999 application to develop these lands for housing had been refused by Council; that parking for the Steeles Memorial Chapel maybe inadequate; that existing commercial development may impact negatively on the proposed future residential dwellings; and that the proposed residential development may impact negatively on the property values of the existing neighbouring residences.

A letter from #2 Sylvester Court also objected to the proposed development and raised similar concerns to those indicated above, and additional concerns relating to the loss of mature trees on the property, the appropriateness of developing these lands for housing, and the impact of construction noise on the adjacent properties.

A letter from #8 Sylvester Court objected to the proposed development on the basis of Council's refusal of the 1999 application for similar residential development on this site, and advised concerns similar to those raised by the above-noted neighbours.

The Public Hearing was held on September 19, 2005. A number of residents from Sylvester Court and Royal Palm Drive, including those who submitted letters of objection, appeared as deputations at the Public Hearing. A petition against the proposal was also submitted to the Committee at the Public Hearing. The recommendation of the Committee of the Whole to receive

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the Public Hearing report of September 19, 2005, and to have the applicant meet with the Local Councillor and the affected residents to address the issues identified, prior to a technical report being brought forward to a future Committee of the Whole meeting, was ratified by Council on September 26, 2005.

Community Meeting

An evening Community Meeting was hosted by Councillor Shefman (Ward 5) on November 22, 2005. The meeting was attended by several residents from Sylvester Court and Royal Palm Drive, the applicant's agent, Councillor Shefman and a Planner from the Development Planning Department. The purpose of the meeting was to address issues identified at the Public Hearing and to allow the residents to have an open dialogue with the applicant's agent. The residents were advised of the development process and the applicant's agent presented the Composite Site Plan for the proposed development as shown on Attachment #3 and conceptual elevations for the proposed dwellings as shown Attachments #5 and #6. These drawings formed the basis of the discussion. The residents raised issues and concerns with the proposed lot sizes, setbacks, building height, parking for the funeral home, drainage and servicing for the proposed dwellings, noise, loss of property value, community safety, and the relocation of the existing Canada Post mailboxes on Royal Palm Drive. These concerns and issues are discussed later in this report.

Ontario Municipal Board (OMB)

Pursuant to Section 22(7) and Section 34(11) of the Planning Act, the Owner has referred and appealed their Official Plan and Zoning By-law Amendment applications, respectively, to the Ontario Municipal Board, on the basis that Council did not consider the applications within the timeframes stipulated in the Planning Act. To date, the OMB has not yet scheduled a Hearing date.

Policy Context

1. Provincial Policy Statement (PPS)

The PPS focuses on key provincial interests related to land use planning. Section 1.90 Developing Strong Communities, states (in part) that land requirements and land use patterns will be based on densities which efficiently use land, resources, and infrastructure and public service facilities, and support the use of public transit, and the provision of a range of uses and opportunities for intensification in areas which have existing or planned infrastructure to accommodate them.

The PPS includes provisions for a range of housing types and densities by encouraging all forms of residential intensification in built up areas that have sufficient existing or planned infrastructure to create a potential supply of new housing units from residential intensification.

2. Regional Official Plan

The Region of York Official Plan designates the subject property as "Urban Area". Steeles Avenue West is designated as a "Regional Corridor". The Regional Official Plan includes policies that encourage different housing forms, sizes and tenures. Policy 4.3.6 of the Regional Official Plan encourages housing to be provided on underutilized sites, and on single use development sites with full municipal services. It is also consistent with Regional Official Plan policies to direct development to existing built-up portions of the Urban Areas (Section 5.2.4).

Regional Planning Staff has indicated that the provision of single detached dwellings at this location provides a better interface with the single detached dwellings to the north and east of the subject lands. The Region does not object to the proposed change in land use.

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3. City Official Plan

a) Land Use Designation

The subject lands and lands occupied by the funeral home are currently designated “General Commercial” by OPA #210, which permits commercial uses, retail stores for the leasing and exchanging of goods and services, restaurants, banks and business and professional offices. Policy 2.2.3.6 (o) of OPA #210 provides specific policies that apply to the site, which was implemented through the adoption of OPA #264.

b) Official Plan Amendment #264

OPA #264 was consolidated into OPA #210, and redesignated the rear 41m of the overall funeral homes lands and the properties to the west from “Low Density Residential” to “General Commercial”, as shown on Attachment #2.

OPA #264 was initiated as a result of applications to amend the existing site plan agreements for the two commercial properties located to the west of the Steeles Memorial Chapel property. Those applications proposed that commercial parking be permitted on those sites in accordance with the existing M1 Restricted Industrial zoning, notwithstanding the residential designation in the Official Plan.

In addition to considering the site development plans for those lands, Council also wanted to give consideration to the status of Royal Palm Drive and land use alternatives for these properties. To allow for adequate consideration of these issues, Council enacted an interim control by-law to deal with the rear portions of the lands from 434 Steeles Avenue West to 350 Steeles Avenue West (Attachment #2). While the City studied the appropriate land use planning policies for these lands, both the interim control by-law and the site development applications were referred to the Ontario Municipal Board at the request of Development 2000 Inc. (434 Steeles). The OMB adjourned its consideration of the Development 2000 site plan application and the interim control by-law appeals to allow Council to consider a report on the interim control by-law. In the interim, Development 2000 initiated official plan and zoning by-law amendment applications for their lands (located west of the Steeles Memorial property) and referred these applications to the OMB in 1989 so that all their applications could be considered jointly by the Board.

The reports for the Development 2000 applications indicated it would be appropriate to redesignate the lands for commercial purposes and that providing for residential uses on the south side of the proposed Royal Palm Drive would have the effect of having dwellings backing onto the existing commercial plazas. The reports concluded that this would bring them into conflict with activities related to the normal operation of commercial uses. The report recommended the establishment of a buffer between the residential uses to the north and the commercial uses to the south of Royal Palm Drive.

The purpose of OPA #264 was to establish the buffer by redesignating a 41m wide strip of land on the south side of Royal Palm Drive covering the subject lands and the adjacent properties to the west (Lots 16 to 19 on Plan 1607), from “Low Density Residential” to “General Commercial”. The intent was to eliminate potential conflict between residential dwellings on the north side of Royal Palm Drive and the activities related to the normal operation of commercial sites by eliminating the potential for residential lots on the south side of Royal Palm Drive.

The policies of OPA #264 state:

- “i) In order to ensure that residential properties to the north enjoy an adequate distance separation from commercial uses, the implementing by-law shall provide

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for a generous building setback from the south limit of Royal Palm Drive. In addition, the zoning by-law and/or site development agreement shall ensure that servicing areas do not have a negative impact on the buildings to the north;

- ii) A substantial landscaped strip and privacy fencing shall be provided adjacent to the Royal Palm Drive right-of-way in order to establish a buffer between the commercial uses to the south and the residential use to the north. Conceptually, the landscaped strip and screen shall be provided generally in the manner set out in Schedule “3” to this Amendment and shall be implemented through individual amending zoning by-laws and site development agreements; and
- lii) No commercial access to Royal Palm Drive shall be permitted.”

OPA #264 was approved by the OMB on July 27, 1995, to redesignate the rear 41m of the subject lands and the adjacent lands, as far west as Payson Avenue, from “Low Density Residential” to “General Commercial”, and to provide for a 6m wide landscaped berm and fencing along the south side of Royal Palm Drive.

c) Proposed Redesignation to Low Density Residential

The proposed Official Plan Amendment application would redesignate the subject lands from “General Commercial” back to “Low Density Residential” which existed under OPA #210 thereby removing the existing restriction that the rear 41m of the subject lands be a landscaped buffer and allowing for the development of the 4 proposed residential lots.

A 3.0m wide landscaped buffer strip as shown on the Composite Site Plan on Attachment #3 and the Landscape Detail Plan on Attachment #4, is proposed to be provided at the rear of the funeral home property to screen the proposed new residential dwellings from the existing commercial to the south. The proposed screen fence and cedar hedge would be similar to that which exists at the rear of the Sylvester Court properties.

The proposed residential development of the subject lands precludes the opportunity for any future commercial use to ever gain access to Royal Palm Drive.

The “Low Density Residential” policies of OPA #210 permit a net residential density of 22 units per hectare. The net density for the proposed residential development is 21.51 units per hectare, which is compatible with the density of the existing residential uses to the north and east of the subject lands.

Most of the lots along the north side of Royal Palm Drive were developed as a result of rear lot severances by the owners of the lots along the south side of Crestwood Road severing the rear of their lots following the creation of Royal Palm Drive as a new east/west road between Steeles Avenue West and Crestwood Road. The residential development proposed by the application is similar to and consistent with the pattern of development which has occurred to the north and east of the subject lands, and if approved, would extend the pattern of residential development already established in the existing neighbourhood.

All of the existing lots on Sylvester Court currently abut existing commercial uses (Steeles Memorial Chapel and Toys-R-Us Plaza complex) having frontage on Steeles Avenue West. The existing dwellings along the south side of Royal Palm Drive east of Sylvester Court, also back onto an existing commercial use (Toys-R-Us Plaza Complex). These Sylvester Court and Royal Palm Drive residential properties are screened from the abutting commercial uses by a wood privacy screen fence and a 2.4m wide buffer on the commercial property.

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Typically, a landscaped buffer strip is provided on the commercial property as a buffer between residential uses. By-law 1-88 requires a minimum 2.4m wide landscaped strip to be provided on the retained commercial property (Steeles Memorial Chapel) if this application is approved. The Composite Site Plan shown on Attachment #3 and the Landscape Detail shown on Attachment #4, indicates a 3.0m wide landscaped strip (including a screen fence, cedar trees and shrubs) will be provided at the rear of the funeral home property. The existing site development agreement for the funeral home could be modified to address the requirement for fencing and landscaping of the buffer strip and address the revised parking layout for the funeral home as shown on Attachments #3 and #4.

Zoning

The subject property is zoned C1 Restricted Commercial Zone by By-law 1-88, and is subject to Exception 9(106) which applies to the funeral home. A zoning amendment is required to rezone the rear 33.52m of the property from C1 Restricted Commercial Zone to R4 Residential Zone, to permit the proposed 4 detached residential dwellings having frontages on Royal Palm Drive.

The proposed residential lots will be of similar lot frontages and lot areas to the existing residential lots to the east (on Sylvester Court) and along the north side of Royal Palm Drive which area also zoned R4.

The R4 provisions of By-law 1-88 require the following:

Minimum lot frontage	9.0m
Minimum lot area	270m ²
Minimum front yard setback	4.5m
Minimum rear yard setback	7.5m
Minimum interior side yard setback *	1.2m
Maximum lot coverage	45%
Maximum height	9.5m

*The minimum side yard on one side can be reduced to 0.3m, where it abuts a side yard of a minimum of 1.2m, except where the side yard abuts a non-residential use.

The zoning amendment application proposes the following:

Minimum lot frontage	10.65m
Minimum lot area	357m ²
Minimum front yard setback	4.5m
Minimum rear yard setback	7.5m
Minimum interior side yard setback *	1.2m
Maximum lot coverage	45%
Maximum height	9.5m

The Composite Site Plan (Attachment #3) shows the proposed lots with interior side yard setbacks being 1.2m on the east side of each of the proposed lots and a reduced side yard setback of 0.6m on the west side of each lot.

By-law 1-88 requires a minimum interior side yard setback of 1.2m within the R4 Zone. However, the by-law allows one side yard to be reduced to 0.3m, where it abuts a side yard of a minimum of 1.2m, except where the side yard abuts a non-residential use.

The proposed 1.2m interior side yard setback along the east lot line of Lot 4, which would maximize the distance between Sylvester Court dwellings and the new dwelling, results in a lotting and setback pattern that proposes a 0.6m reduced side yard along the west side of Lot 1.

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Lot 1 is adjacent to a non-residential use (ie. Commercial). By-law 1-88 requires a 1.2m westerly interior side yard setback for Lot 1 since it abuts a non-residential use. A by-law exception to the interior side yard provision for Lot 1 would be required to allow for a 0.6m reduced interior side yard setback in this location.

With the exception of the 0.6m westerly interior side yard setback for Lot 1, the proposed R4 zoning for the residential development is consistent with the R4 zoning provisions of By-law 1-88, in all other respects.

Site Design of Existing Funeral Home Property

If the rear portion of the funeral home property is developed for residential purposes, the existing site plan for the funeral home will be affected. There will be a reduction in the number of parking spaces provided on site and a reduction to the existing 6m wide rear landscape buffer. Development Planning Staff have reviewed the proposed Composite Site Plan and Landscape Detail as shown on Attachments #3 and #4 and are satisfied that the proposed privacy screen fence and cedar hedge in the proposed 3m wide landscape buffer strip will provide satisfactory buffer/screening from the funeral home on the southerly portion of the property, similar to that which exists on the neighbouring properties to the east, which abut commercial.

Issues Discussed at Community Meeting

As indicated earlier, a community meeting was hosted by the Local Ward 5 Councillor on November 22, 2005. That meeting was attended by several residents of Sylvester Court, a resident of Royal Palm Drive, the applicant's agent, Councillor Shefman and Development Planning Staff. At the Community Meeting, the residents raised issues concerning parking for the funeral home, drainage and servicing for the new lots, noise, community safety, the effect of the proposed development on the existing property values, lot sizes building height, setbacks for the proposed lots and loss of mature trees. The following outlines the issues/concerns that were discussed, and how these matters can be addressed.

a) Parking

The residents expressed concerns that if the rear portion of the funeral home lands were to be developed for residential use, it would impact on the amount of parking that could be provided for the funeral home. There was considerable discussion regarding parking. The applicant's agent presented the results of a parking study. The residents requested a peer review of that study. The residents were advised that the City's Engineering Department reviews parking studies. The Parking Assessment by TDG Engineering dated November 2005, was reviewed by the Engineering Department. Additional information was requested and the Engineering Department approved the parking assessment in January 2006.

By-law 1-88 requires 4 parking spaces per 100 m² of GFA for a funeral home. Given the GFA of 1,170m² for the existing funeral home building, By-law 1-88 requires 47 parking spaces to be provided on site. Currently, 77 parking spaces are provided on the site. If the proposed application is approved, parking spaces would be removed from the funeral home parking lot to accommodate the proposed residential development. The proposed Composite Plan, as shown on Attachment #3, indicates a total of 58 parking spaces will be provided on the funeral home site following the development of rear portion of the site. The proposed 58 parking spaces exceeds the minimum 47 parking space requirement of By-law 1-88 for the funeral home on the site.

In addition to the parking spaces required by By-law 1-88, there is a paved area adjacent to the parking area indicated on the Composite Site Plan as "vehicle stacking lanes".

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This area has been provided for vehicle stacking to allow for the funeral procession to form on site and exit via a one way southbound exit driveway (adjacent to west property line) onto Steeles Avenue West. These stacking lanes are not and cannot be included in the parking calculations for the site.

The Development Planning Department is satisfied that the required number of parking spaces can be provided on the funeral home site, if the rear 33.52m of the property is developed for future residential dwellings, in the manner shown on Attachment #3.

b) Drainage

At the Community Meeting, residents questioned the existing and proposed drainage for the site. The existing site plan for the funeral home shows the site grading, which indicates the site drains towards Steeles Avenue West. There is a catch basin on the funeral home site in the grassed area of the buffer along the east side of the parking lot. There is also a catch basin located at the rear of #6 Sylvester Court on the residential property. Any proposed residential development on the subject lands will not be tied into the drainage of the residential lands to the east nor to the funeral home lands to the south.

Site grading plans will need to be approved by the City, prior to building permits being issued for the development of any of the 4 residential lots. The drainage for each lot would be independent of the other lots and surrounding properties, and will each drain towards Royal Palm Drive.

c) Servicing

At the Community Meeting, the residents questioned how the lots would be serviced and were concerned that existing services might run through the subject lands of this application. There are no services running through the property.

Services for the proposed residential lots would connect to those available along Royal Palm Drive. Servicing allocation capacity for the proposed four residential dwellings would need to be assigned by Council resolution. The City's Engineering Department has indicated that servicing allocation capacity for the proposed development is currently not available.

The Development Planning Department recommends rezoning the proposed residential lots, if approved, to R4(H) Zone with the Holding Symbol "H". The Holding provision will be removed upon Council allocating servicing capacity to facilitate the 4 lots.

d) Noise

At the Community Meeting, the Sylvester Court residents complained of occasional late night noise and activity in the parking lot at the rear of 370 Steeles Avenue West, located to the west of the subject lands. The residents were advised that this property is not owned by the applicant and the applicant has no ability to regulate the activities on that property. The residences on Sylvester Court are located a considerable distance from the commercial uses at 370 Steeles Avenue West.

If the proposed development were approved, the new residential units would further buffer the existing residences on Sylvester Court from 370 Steeles Avenue West. The Engineering Department has indicated that a Noise Report is required prior to the release of Building Permits for the proposed residential lots. To date, a noise report has not been submitted. The Development Planning has included a recommendation requiring the

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approval of a noise report by the Engineering Department, and that the OMB be advised of this recommendation.

e) Loss of Mature Trees

The residents of Sylvester Court expressed concerns that the proposed development would destroy the existing mature cedar hedge at the rear of the funeral home property. If the proposed development were approved, the hedge would be removed to construct the homes. There is also one existing mature deciduous tree in an island within the parking lot that would need to be removed to facilitate the proposed development.

By-law 1-88 requires a landscape strip between residential and commercial uses. The proposed Composite Site Plan, as shown on Attachment #3 and the Landscape Detail Plan shown on Attachment #4, provides for a 3.0m buffer strip along the proposed property line between the future residential dwellings and the funeral home parking area. Those plans propose a 1.8m high wood screen fence and landscaping consisting of a cedar hedge and shrubs within the proposed buffer strip. The Development Planning Department has reviewed the proposed Composite Site Plan and the proposed Landscape Detail plan for the subject lands, and is satisfied with the fence details and with the caliper, species and spacing of the proposed landscaping and screening.

f) Relocation of Canada Post Mailbox

The residents advised that the existing Canada Post community mailbox on the south side of Royal Palm Drive would conflict with the driveways of the proposed residences. The residents did not agree on where the mailbox could be relocated. To minimize inconvenience to the existing residents, the mailbox could be relocated close to the current location, where a new concrete pad would need to be provided in the alternate location. Development Planning Staff have consulted with Canada Post and PowerStream regarding the relocation of the mailbox. Given the setbacks required by PowerStream from an existing hydro box in the boulevard, and those required by Canada Post, the exact site for the relocation of the mailbox will need to be determined on site by the applicant in consultation with Canada Post and PowerStream.

g) Traffic

The residents expressed concerns that the proposal would result in additional traffic and driveways along Royal Palm Drive and impact community safety.

Four new residential lots are proposed by this application on an existing residential street. The proposal has been reviewed by the City's Engineering Department and no traffic concerns or traffic safety issues have been identified.

h) Impact on Existing Community

The existing residential development along Royal Palm Drive was made possible a number of years ago when Royal Palm Drive was created as a new east-west street between Crestwood Road and Steeles Avenue West. The creation of Royal Palm Drive facilitated the severance and development of residential back lots along Crestwood Avenue. Most of the Crestwood properties were held in individual ownership so the residential development along Royal Palm Drive occurred piecemeal. A few remaining residential lots could still be developed on the remaining vacant parcels along Royal Palm Drive between Hilda Avenue and Payson Avenue. The development by this subject application would add four residential dwellings to the existing street.

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i) Building Height and Elevations

During the Community meeting, the residents asked the applicant's agent about the height of the proposed residential dwellings. The residents were advised the height of the dwellings would be limited by the R4 Zone provisions of By-law 1-88, which is a maximum of 9.5m.

j) Setbacks

The residents expressed concerns that the easterly interior side yard setback of the proposed Lot 4, adjacent to the rear of the existing lots on Sylvester Court, was inadequate. The residents indicated they did not want to look at a brick wall. In the discussion between the residents and the applicant regarding the setback, no agreement was reached on what setback would be acceptable. However, the residents did not support residential development on the subject lands. The proposed development, as shown on the Composite Site Plan on Attachment #3, proposes a 1.2m setback on the east side of Lot 4 and a 0.6m setback on the west side of the lots in accordance with the R4 Zone standards.

Given the residents sought to achieve the greatest distance possible between their rear yards and any future development, this lot configuration as proposed in the Composite Site Plan provides a greater side yard setback of 1.2m between the proposed residential lots and the existing residential lots, rather than providing 0.6m setback at this location, which would have also been permitted by the R4 Zone Standards.

The proposed lot configuration would result in a similar lotting pattern to what exists, on the east side of Sylvester Court where the rear yards of the Royal Palm Drive lots back onto the side yard of the first lot on the east side of Sylvester Court. The proposed lots would be consistent with the pattern of development, which has already occurred to the east.

Lot Creation

The applicant intends to create the proposed lots through the Consent process. The applications for Consent have been submitted to the Committee of Adjustment under files B048/05 and B051/05 inclusive. The severed lots would be sold to a builder. The retained portion of the subject lands is the funeral home. The funeral home will retain its C1 Zone and existing site-specific zoning exception.

The Consent applications were also appealed to the OMB by the Applicant. The appeals will be considered by the OMB with the appeals of the Official Plan and Zoning By-law Amendment Applications.

Site Plan Agreement

There is an existing site development agreement for the funeral home site. If the proposed application is approved, that agreement would need to be modified to reflect the changes to the funeral home parking area, and to enable the City to ensure that the landscape buffer and fencing is appropriately addressed.

The applicant has submitted the Composite Site Plan and Landscape Detail Plan (as shown on Attachments #3 and #4), which would be used to implement the site plan revision for the funeral home.

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Agency Review of Proposed Applications

The Official Plan Amendment and Zoning Amendment applications were circulated for review and comment to the affected external public agencies and City Departments. No concerns or objections to these applications were raised by any agency or City Department that reviewed the proposal.

Engineering Department

The Engineering Department has reviewed the proposal, and has approved the parking assessment and requires a noise report to be submitted prior to the issuance of a building permits.

Servicing allocation capacity for the proposed residential lots must be allocated to the development application by Council resolution. The current City Protocol for Servicing Capacity Reservation/ Allocation from November 14, 2005 does not include the subject lands. If the applications were approved, Council would consider assigning Reserved Sewage Capacity to the approved applications when the Protocol for Servicing Capacity Report is updated. Should capacity be available, Council may allocate capacity to these units at that time.

As noted earlier, if the OMB were to approve the Official Plan and Zoning Amendment applications, the zoning application could be approved with a Holding provision. Removal of the "H" Holding Symbol would be conditional upon Council's allocation of servicing capacity for these lots.

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 "General Commercial" to "Low Density Residential". The application has been reviewed in the context of the Provincial Policy Statement, and is consistent with the policies of the Provincial Policy Statement. This proposal is for infill residential development in an existing built-up residential community with available full municipal servicing. The application is also consistent the Region of York's Official Plan policies and consistent with the "Low Density Residential" policies in the City's Official Plan.

The proposed residential lots are an appropriate form of development for the subject lands and are compatible with the existing surrounding land uses. Furthermore, the proposed development as shown on Attachments #3 and #4 is consistent with the pattern of development which already exists on the north side of Royal Palm Drive and along Sylvester Court.

A residential/commercial interface already exists between the lots on Sylvester Court which back onto commercial (the Toys R Us Plaza) and several other lots along the south side of Royal Palm Drive, between Sylvester Court and Hilda Avenue, which back onto commercial uses (the Toys R Us Plaza). The proposed residential development, with the proposed buffer strip along the rear of the proposed property line would be very similar to that which already exists along the rear of the majority of these Sylvester Court properties.

The Development Planning Department reviewed the issues raised by the residents and has given consideration to how their concerns can be addressed. The Composite Site Plan and Landscape Plan (Attachment #3 and #4) represents an appropriate and compatible building

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relationship with existing development in the area and is acceptable to the Development Planning Department. Furthermore, the Composite Site Plan and Landscape Plan can be used to modify the existing site plan agreement on the funeral home property to provide wood screen fencing and landscape buffering between the proposed residential lots and the funeral home.

In accordance with the above, the Development Planning Department can support the approval of the Official Plan Amendment Application, and the Zoning By-law Amendment Application which would rezone the proposed residential lands shown as Block "A" on Attachment #3 from C1 Restricted Commercial Zone to R4(H) Residential Zone with the Holding "H" provision. The "H" Holding symbol would be removed upon servicing capacity being allocated to the 4 lots by Council, in the future. In light of the above, the Development Planning Department has provided a recommendation wherein Council can advise the OMB that it endorses the approval of the Official Plan Amendment and Zoning By-law Amendment Applications, subject to the conditions of approval set out in the recommendation section of this report.

Attachments

1. Location Map
2. Extract from OPA #210 showing Official Plan Designations
3. Composite Site Plan
4. Landscape Details
5. Conceptual Street Elevations (Royal Palm Drive)
6. Conceptual Building Elevations
7. Related Correspondence (2)

Report prepared by:

Laura Janotta, Planner, ext. 8634
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 35, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

35

**REQUEST FOR REGION OF YORK TO RECONSIDER
RIGHT-HAND TURN LANE FROM MAJOR MACKENZIE
SOUTH ON KEELE STREET, VAUGHAN**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Ferri and Councillor Meffe, dated May 29, 2006:

Recommendation

Regional Councillor Mario Ferri and Ward One Councillor Peter Meffe request that the Region of York eliminate the proposed right hand turn lane traveling eastbound on Major Mackenzie turning southbound on Keele Street.

Economic Impact

n/a

Purpose

To request that the Region of York eliminate this right hand turn lane.

Background - Analysis and Options

The City of Vaughan is working towards creating a pedestrian friendly "Village Corner" area at the intersection of Keele Street and Major Mackenzie. The inclusion of a right hand turn lane at this location will have a negative impact on the plans for this area. If this right hand turn lane is constructed it will remove all form of intended landscaping and pedestrian friendly "Village Corner" intended on this corner.

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 our belief that this right hand turn is not necessary and will have a negative impact on the Maple Village Core.

Attachments

Artist Concept
Site Plan
Proposed Commercial Renovation/Addition

Report prepared by:

Adele Panicali
Council Executive Assistant

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

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Item 36, Report No. 33, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 12, 2006, as follows:

By approving that the review include Creditstone Road south of Hwy 7.

36 NO STOPPING & NO PARKING PROHIBITION– CREDITSTONE ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated May 29, 2006:

Recommendation

In response to resident concerns, Councillor Sandra Yeung Racco recommends:

1. THAT traffic engineering staff be requested to review the necessity of implementing a No Parking and/or No Stopping prohibition along Creditstone Road;
2. THAT staff return with a full report to the Committee of the Whole before the summer hiatus; and
3. THAT within the report, staff comment on the options of either a) implementing the prohibition full time or b) limiting the prohibition to the morning and afternoon peak hours.

Economic Impact

To be determined upon analysis.

Purpose

To review the need for No Stopping and/or No Parking prohibitions along Creditstone.

Background - Analysis and Options

My office, as well as the offices of several other councilors, has been in receipt of numerous complaints regarding the problem of tractor trailers stopping, parking and unloading along both sides of Creditstone Road.

At the beginning of October 2005, by-law staff attended to this location three times and trucks were observed unloading and staff dealt with scenarios that were interfering with traffic. By-Law noted that it appears to be used regularly for unloading. In addition to unloading, residents have complained that trucks are parking backwards on Creditstone.

Since February 2006, with the closure of the Jane/Hwy #7 intersection, Creditstone Road became a detour route for the diverted traffic. On March 15, 2006, as a result of the increased traffic volume, the Commissioner of Engineering and Public Works – under the power granted by Sections 3(2) a and c of the City of Vaughan By-Law #1-96, the consolidated by-law regulating the parking of vehicles on City of Vaughan Roads - implemented an emergency temporary “No Parking” restriction on Creditstone Road between MacIntosh Boulevard and Hwy #7 to ensure that the increased traffic flow would not be impeded by parked trucks. On May 23, 2006, By-Law advised our offices that the emergency temporary “No Parking” restriction had been cancelled due to the reopening of the Jane/Hwy #7 intersection.

However, the problem with Creditstone Road existed prior to the closure of Jane/Hwy #7 and should be considered independent of the same.

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Relationship to Vaughan Vision 2007

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

3.3 Implement effective traffic management measures

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

Conclusion

In light of ongoing safety concerns on Creditstone Road, it would be appropriate to have staff investigate the need for a permanent No Stopping and/or No Parking prohibition along Creditstone Road in light of the ongoing problem of tractor trailers stopping, parking and unloading along this narrow roadway.

Attachments

N/A

Report prepared by:

Tanya Dubar, Council Executive Assistant

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Item 37, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

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**ZONING BY-LAW AMENDMENT FILE Z.04.067
ALDO AND TINO DE BELLIS
REPORT #P.2005.4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.067 (Aldo and Tino De Bellis) BE APPROVED, to permit a contractor's yard (limited to a landscaping business) on the subject lands shown on Attachment #1, and the following exceptions to the EM1 Prestige Employment Area Zone, to facilitate the development of the proposed site plan shown on Attachment #2:
 - a) deem the south property line as the front lot line, the north property line as the rear lot line, and both the east and west property lines as interior side lot lines;
 - b) there be no frontage requirement on a public street for the proposed structures, to address the existing situation;
 - c) permit a minimum front yard setback of 5.9m, whereas 6m is currently required;
 - d) permit a minimum rear yard setback of 3m, whereas 12m is currently required;
 - e) permit an interior side yard setback from the east property line of 3.4m and an interior side yard setback from the west property line of 2.5m, whereas 6m is currently required for both side yards; and
 - f) permit the rear 1,878.1m² (38.22%) of the subject lands to be gravel for the overnight parking of landscaping vehicles, whereas all surfaces are currently required to be paved or asphalted.

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, specifically By-law 1-88, to permit a contractor's yard (limited to a landscaping business) use on the subject shown on Attachment #1, lands along with the necessary zoning exceptions to the EM1 Prestige Employment Area Zone to facilitate the development of the site as shown on Attachment #2. The zoning amendment would facilitate the over-night parking of vehicles associated with a landscape contractor's yard, which will not include any outside storage of any goods or material, in accordance with the policies of the Official Plan.

Background - Analysis and Options

The subject lands (Attachment #1) are located southwest of Rutherford Road and Keele Street, (9066 Keele Street) in Part of Lot 14, Concession 4, City of Vaughan.

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The 0.49 ha internal lot has no frontage onto a public road, but has access on the south side of the lot to and from Keele Street, by means of an easement over an existing private driveway. The site is developed with an existing 1-1/2 storey dwelling that will be retained and used as an office for a landscape contractor's business (Forecast Landscaping Ltd.). An existing garage and shed located on the southeast corner of the property will be removed and replaced with a new storage and office structure. The existing northwestern frame shed will also be removed and replaced with an enclosed structure for the storage of landscaping materials. Most of the northerly half of the property will be surfaced with gravel and used for the over-night parking of vehicles related to the operation of the landscape contractor's yard (see Attachment 2). There will be no long-term (i.e. greater than 72 hours as per By-law 1-88 standards) or permanent outside storage of vehicles or landscaping materials associated with the subject business, which would therefore be permitted by the By-law.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), and zoned EM1 Prestige Employment Area Zone by By-law 1-88. The surrounding land uses are:

- North - employment (EM2 General Employment Area Zone)
- East - employment (EM1 Prestige Employment Area Zone)
- South - employment (EM1 Prestige Employment Area Zone)
- West - employment (EM2 General Employment Area Zone)

On December 23, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. The recommendation of the Committee of Whole on January 17, 2005, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on January 24, 2005.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which provides opportunities for businesses and industries that require high visual exposure, good accessibility, and an attractive working environment, and permits a wide range of office, business and civic uses, with no outside storage. The proposal to amend to the Zoning By-law, to permit a contractor's yard on the subject lands, along with the necessary zoning exceptions to facilitate the development conforms to the "Prestige Area" policies of the Official Plan.

Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone under By-law 1-88. The EM1 Zone does not permit a contractor's yard use and, therefore, a zoning By-law amendment is required. The proposed site plan was reviewed in accordance with By-law 1-88 and EM1 Zone standards to identify any zoning exceptions.

It is noted that the creation of the subject lands was permitted through the enactment of By-law 36-83, which exempted the lands from having frontage on a public street. By-law 36-83 was not incorporated into the original 1988 version of By-law 1-88, and subsequently in 1995, By-law 80-95 rezoned the lands from A Agricultural Zone to EM1 Prestige Employment Area Zone with no exceptions. The existing structures (one and a half storey dwelling, garage and sheds) are considered to be legal nonconforming with respect to not having frontage on a public street. Should the Committee concur, an exception should be granted to exempt the subject lands from not having frontage on a public street, given the existing situation of where the internal lot is located with access on a private driveway and how it was created in 1983, and the existing industrial development abutting the property. Similarly, the proposed structures (new storage building with office and storage sheds) would also require relief from By-law 1-88 with regards to not having frontage on a public street. As a result, the front, rear, and interior side yards cannot

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be determined using the definitions in By-law 1-88. Given that the internal lot has access on the south side to and from Keele Street, via an easement over an existing driveway, for the purposes of the zoning exception, the south property line will be deemed as the front lot line, the north property line as the rear lot line, and both the east and west property lines as interior side lot lines.

The following additional exceptions to the EM1 Zone will be required based on the preliminary site plan shown on Attachment #2 and discussion noted above:

- permit a minimum front yard (south) setback of 5.9m to the proposed storage/warehouse/office building, whereas 6m is currently required;
- permit a minimum rear yard (north) setback of 3m to the proposed enclosed material storage building, whereas 12m is currently required;
- permit an interior side yard setback of 3.4m (east) and 2.5m (west), whereas the 6m is currently required;
- permit the rear 1,878m² (38.22%) of the lot to be gravel to facilitate the over-night parking of landscaping vehicles, whereas all surfaces are currently required to be paved or asphalted.

The exceptions identified above are considered appropriate and acceptable to the Development Planning Department to facilitate the proposed development. The proposed lot line, frontage and setback deficiencies will be included as exceptions in the implementing Zoning By-law.

Site Development

The site is developed with an existing one and a half storey dwelling that will be retained and used as an office for a landscape contractor's business (Forecast Landscaping Ltd.). An existing garage and shed located on the southeast corner of the property will be removed and replaced with a new storage and office structure. The existing northwestern frame shed will also be removed and replaced with a structure for the storage of landscaping materials. Most of the northerly half of the property will be surfaced with gravel and used for the over-night parking of vehicles related to the operation of the landscape contractor's yard (see Attachment 2). The use of gravel would require an amendment to the Zoning By-law, as currently all driveway and parking areas must be paved or asphalted. This gravel area is 1,878.1m² in area (38.22% of lot) and is satisfactory to the Engineering Department.

The proposed building elevations for the new office/storage/warehouse to be located at the southeast corner of the property are shown on Attachment #3. The building will be constructed to a height of 8.2m and consists of blue glass, grey ribbed metal siding and beige concrete block. The blue glass entry and frame in metal siding will be located on the south elevation facing the private driveway. The remaining elevations are of the same design and will consist of grey metal siding with beige concrete block along the base. Three over-head doors are located on the west elevation, along with two of three man doors, with the remaining man-door on the north elevation.

The landscape plan (Attachment #4) shows existing and proposed planting along the perimeter of the site, along with a landscape island and a 5.9m wide landscape strip along the south property line. The existing and proposed planting provide sufficient screening from all property lines of the proposed enclosed storage shed in the northwest corner and proposed storage building in the southeast corner of the site.

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In accordance with the current Site Plan Control By-law (228-2005), the subject lands are considered to be an internal lot, and the proposed site development is to be processed by the Building Standards Department through their Building Permit review, should Council approve the proposed zoning amendment application to permit a contractor's yard use in the EM1 Zone. This process will include approval of the site plan, landscape plan, engineering plans, and building elevations.

Site Servicing

There are no municipal services fronting on the property, the Owner has submitted a Functional Servicing Plan indicating how the subject lands will be serviced. The Owner shall enter into a Development/Servicing Agreement with the City for the proposed sanitary sewer within the existing servicing easement. The final site servicing and grading plan, stormwater management report, parking, access and on-site vehicular circulation shall be approved by the Engineering Department through the Building Permit review process.

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 permit a "Contractor's Yard" use for a landscaping business on the subject lands along with the necessary zoning exceptions to the EM1 Prestige Employment Area Zone to facilitate the proposed site development, in accordance with the policies of OPA #450 and the requirements of By-law 1-88, and the industrial area context. The Development Planning Department is satisfied that the proposed contractor's yard use is appropriate and compatible with the existing and permitted uses in the surrounding industrial area. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment application and the required exceptions to the Zoning By-law that are necessary to implement the site development proposal, which will be processed and approved through the Building Department's building permit process, in accordance with the City's Site Plan Control By-law.

Attachments

1. Location Map
2. Site Plan
2. Elevation Plan
4. Landscape Plan

Report prepared by:

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

/LG

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

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Item 38, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

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**OFFICIAL PLAN AMENDMENT FILE OP.05.002
ZONING BY-LAW AMENDMENT FILE Z.05.007
SITE DEVELOPMENT FILE DA.06.027
SPRINGSIDE GARDENS ESTATES CORP.
REPORT #P.2005.65**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated May 29, 2006, be approved; and**
- 2) **That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Recommendation 1 i) b) of Council's resolution of April 24, 2006 (Item 36, Report #18) respecting Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.) BE AMENDED, to provide for a total of 125 residential units comprised of 96 units in three 3-storey buildings and 29 units located above ground floor commercial units;
2. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES the approval of Zoning By-law Amendment File Z.05.007 (Springside Gardens Estates Corp.);
3. That the implementing zoning by-law rezone the subject lands as shown on Attachment #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone, C4(H) Neighbourhood Commercial Zone with the addition of the Holding Symbol "H" and OS1 Open Space Conservation Zone, and provide the necessary zoning exceptions to implement the proposed site plan as discussed in this report; and
4. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES the approval of Site Development File DA.06.027 (Springside Estates Gardens Corp.), subject to the following:
 - a) that prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations, landscape plan and cost estimate shall be approved to the satisfaction of the Development Planning Department;
 - ii) the final development limits of the subject lands shall be established to the satisfaction of the Toronto and Region Conservation Authority and the City and the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
 - iii) the Owner shall satisfy all requirements of the Region of York;
 - iv) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
 - v) the Owner shall satisfy all requirements of the Fire Department;

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- vi) the final stormwater management, site grading and servicing plans, and traffic report shall be approved to the satisfaction of the Engineering Department;
 - vii) the Owner shall submit a parking study in support of the proposed parking standards and a parking allocation plan identifying how the parking spaces shall be allocated between the residential, visitor, office and commercial uses and the proposed method of enforcement to ensure that parking spaces are available for each intended use to the satisfaction of the Engineering and Development Planning Departments;
 - viii) the Owner shall provide a plan identifying the location of the community mailboxes to the satisfaction of Canada Post and the Development Planning Department;
 - ix) the final landscape plan shall include the details respecting the valley edge restoration and amenity area for the City owned lands, to the satisfaction of the Development Planning Department;
 - x) the Owner shall satisfy all the requirements of CN Rail as shown on Attachment #11, as may be amended;
 - xi) the site plan shall incorporate the future bicycle lane in accordance with the draft Pedestrian and Bicycle Master Plan Study to the satisfaction of the Parks Department; and
- b) that the site plan agreement include the following clauses:
- i) “The Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed rate prior to the issuance of a building permit in accordance with the Planning Act and the City’s Cash-in-lieu Policy. In addition, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands, for the commercial component prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”;
 - ii) “The Owner shall pay to the City prior to the issuance of a building permit their share of the applicable Special Area Development Charges based on the net area of 4.87 hectares.”;
 - iii) “The Owner shall pay to the City all applicable development charges.”;
 - iv) “The Owner shall undertake the necessary noise study(ies) required to recommend the materials and construction methods to be employed to meet the stationary noise source criteria in all areas of the proposed building;

Prior to the issuance of a building permit, the final noise impact assessment study shall be approved to the satisfaction of the City, in consultation with CN Rail.

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The Owner shall agree to implement all of the recommendations of the final approved noise study and that prior to the issuance of a building permit, a qualified engineer shall certify that the building plans implement the recommendations of the approved noise study(ies).”;

- v) “The Owner shall pay to the City a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the Special Area Woodlot Development Charge By-law.”;
- vi) The relevant clauses as set out in CN Rail’s Conditions of Approval on Attachment # 11, as may be amended;
- vii) A clause identifying that snow removal and garbage pick-up shall be privately administered and the responsibility of the Owner or Condominium Corporation; and
- viii) A clause requiring that that the residential development shall proceed by way of a draft plan of condominium.

Economic Impact

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

Purpose

The Owner has submitted the following applications:

1. 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.
2. A Zoning By-law Amendment Application (File Z.05.007) to rezone the subject lands shown on Attachment #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone with site-specific zoning exceptions required to implement the proposed plan.
3. A Site Development Application (File DA.06.027) to facilitate the development of the subject lands having a lot area of approximately 4.873ha with the following, as shown on Attachment #2:
 - a three-storey office/commercial building having a gross floor area of approximately 11,607m²;
 - three (3), three-storey residential buildings, with a fourth floor amenity space in the roof, totaling 96 units; and
 - three (3), two-storey, mixed-use buildings comprised of approximately 2697m² ground floor commercial uses and a total of 29 residential dwelling units on the second floor.

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.

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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 of approximately 13,500m².

The Owner subsequently amended the applications to facilitate the development of the subject lands with the following, which were considered at a Public Hearing on December 5, 2005:

- 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.

On April 24, 2006 Council endorsed the Official Plan Amendment Application to facilitate the proposed development.

On May 5, 2006, the Owner further revised 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)

Public Hearing

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 was received from CN respecting their concerns about introducing residential uses in the proximity to the MacMillan Yard pullback track. However, since that time CN has provided conditions of approval discussed later in this report.

The Site Development Application was subsequently amended on May 5, 2006, to increase the number of residential units on the subject lands. The Owner on May 4, 2006 mailed a notice of the Ontario Municipal Board Prehearing scheduled for June 9, 2006 to all individuals notified of the original Public Hearing and having expressed interest in the file. This notice reflects the revised proposal.

On May 19, 2006, a notice of the Committee of the Whole meeting was mailed to those individuals having expressed interest in the application.

Ontario Municipal Board (OMB) Appeals

The Owner on March 17, 2006, appealed the Official Plan and Zoning By-law Amendment Applications (Files OP.05.002 and Z.05.007) to the Ontario Municipal Board (OMB).

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Subsequently, on April 18, 2006, the Owner appealed the Site Development Application to the OMB. All three applications will be consolidated and considered at one OMB hearing scheduled for June 9, 2006.

Planning Considerations

Official Plan

The subject lands are located within the Vaughan Centre Secondary Plan Area as defined by OPA #600, as amended by OPA #607. The subject lands are designated "General Commercial (Special Policy)" by OPA #607, which was adopted by both the City of Vaughan Council and the Region of York Council on June 28, 2004, and September 10, 2004, respectively. The Amendment was appealed to the Ontario Municipal Board (OMB) and is currently before the Board for its' consideration. The Zoning By-law Amendment Application does not conform to OPA #607 as currently constituted.

On April 3, 2006, the Committee of the Whole considered a report from the Commissioner of Planning with respect to the Official Plan Amendment Application (File: OP.05.002) to redesignate the subject lands shown on Attachment #1 from "General Commercial (Special Policy)" under OPA #607 to "Medium Density Residential – Commercial" and "General Commercial" with site specific policies to implement the proposed plan. The report included the following recommendation (in part):

"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.)."

The Committee received the application and referred the matter to the Council meeting of April 10, 2006, to provide an opportunity for the applicant to meet with the Development Planning Department to resolve outstanding issues identified.

On April 10, 2006, Council considered a report from the Commissioner of Planning wherein a recommendation was included to refer further consideration of File OP.05.002 (Springside Gardens Estates Corp.) 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.

On April 18, 2006, the Committee of the Whole considered a subsequent report from the Commissioner of Planning, which included the following recommendation:

"That the recommendation in the report of the Commissioner of Planning for File OP.05.002 (Springside Gardens Estates Corp.), dated April 3, 2006 (Item 36, Report #18) be modified by deleting Condition 1. i) e) and that the provision of an ecological buffer be implemented as discussed in this memorandum and implemented through the zoning by-law and site development agreement."

The Committee of the Whole adopted this recommendation, which was ratified by Council on April 24, 2006.

The Official Plan Amendment Application was subsequently amended on May 5, 2006 to reflect the current proposal. The application to redesignate the subject lands shown on Attachment #1 from "General Commercial (Special Policy)" under OPA #607 to "Medium Density Residential – Commercial" and "General Commercial" as shown on Attachment #2, with site specific policies to implement the proposed plan remain the same. Only the specific details of the application have

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changed with respect to the number of residential units and commercial floor area. A condition of approval is included to amend the Recommendation 1. i) b) of Council's approval to reflect to current proposal.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, which does not permit the proposed development, and requires an amendment to the by-law. The proposed zoning categories and exceptions to implement the development are discussed later in this report.

Policy Context

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 20.3ha in size and split into two halves by the CN pullback track.

Based on the Study recommendations, Council on June 28 2004 adopted OPA #607, 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:

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- 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 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. As a result of the OMB approval, the only remaining developable parcel of land within the OPA #607 plan boundary is the subject land owned by Springside Gardens Corp. 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 125 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 intensification opportunity to respond to applicable Provincial and Regional policy.

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 residential component of these applications 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) Regional and Provincial Policy Context

The review of existing provincial and regional policy context indicates that 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 Zoning 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.

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iii) OPA #612 and Ontario Municipal Board (OMB) Decision

On May 24, 2004, the Ontario Municipal Board (OMB) issued Decision Order #0972 wherein, applications to amend the Official Plan and Zoning By-law and for Site Development Approval for the same mixed-use commercial/residential (32 units) development concept proposed for Buildings “E”, “F” and “G” was approved at the southeast corner of Jane Street and Avro Road, approximately 700m north of the subject lands. The OMB concluded in its’ decision that based on the evidence provided at the Hearing that the proposed Amendments and the site plan conformed to the applicable policies of the Provincial Policy Statement, the Regional Official Plan and the Official Plan of the City of Vaughan as a whole. OPA #612 and By-law 216-2004 implemented the OMB’s decision and the development has since been constructed.

Land Use Context

The subject lands are bordered by a public road and 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.

As noted above, the OMB at a lengthy Hearing respecting the lands immediately south of the CN pullback track, wherein considerable noise evidence was provided, 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.

CN has provided the conditions of approval shown on Attachment #11 for inclusion in the appropriate implementing documents. The Owner’s solicitor has advised the Development Planning Department that the wording of some of the conditions on Attachment #11 is being negotiated with CN and may be modified. 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, to the east of the subject lands. 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.

Site Design

The proposed site plan for the overall development is shown on Attachment #2 and consists of seven buildings organized around the perimeter of the subject lands with an open space area in the centre of the site. Building “A” as shown on Attachment #2 is a three-storey office/commercial building having a total gross floor area of approximately 11,607m² and an underground parking garage. The building is setback 11m from the south property line and oriented in a manner parallel to the CN pullback track. It is noted that a loading space is proposed at the southwest corner of Building “A” between the building and Jane Street. This loading area should be relocated away from the visible Jane Street frontage.

Buildings “B” to “D” each consist of a three-storey, 32-unit residential building and include a fourth floor amenity space within the roofline. These buildings include underground parking and are oriented along the east property limit of the subject lands. Buildings “E” to “G” as shown on

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Attachment #2 are each two storeys in height and comprise of a total of 2697m² of ground floor commercial uses and 29 residential units above. The ground floor also includes a single car garage at grade level for the residential unit above, which faces the interior of the site. The buildings are oriented parallel to Jane Street and include one row of parking between the building and Jane Street to service the commercial visitors. The proposed buildings that include residential uses are located a minimum of 114.5m from the south property line and 150m from the centre line of the north rail of the pullback track.

The development statistics for each building are as follows:

Building “A” (Office/Commercial)

Ground Floor Commercial/Office -	4,335.16m ²
Second Floor Office -	3,635.76m ²
Third Floor Office -	3,635.76m ²
<u>Total Gross Floor Area -</u>	<u>11,606.68m²</u>

Buildings “B” to D”

Bldg	Number of Residential Units	Gross Floor Area (m ²)
B	32	3,578.57
C	32	3,578.57
D	32	3,578.57
Total	96	10,735.71

Buildings “E” to “G” (Commercial / Residential)

Bldg	Number of Residential Units	Number of Commercial Units	Ground Floor Commercial & Garage Area (m ²)	Second Floor Residential Area (m ²)	Total Gross Floor Area (m ²)
E	8	8	1,086.45	1,036	2,122.45
F	10	10	1,332.06	1,295	2,627.06
G	11	11	1,461.61	1,424.5	2,886.11
Total	29	29	3,880.12	3,755.5	7,635.62

The site is accessed from two driveways on Jane Street, the most southerly forming part of a proposed signalized intersection aligned opposite Auto Vaughan Drive. The southerly driveway facilitates access to the entire site and the underground parking garages for Buildings “A” and “B” to “D”. The underground parking garage for Buildings “B” to “D” are connected by way of the access ramps located at either end. A driveway is provided around the east, south and west sides of Building “A” facilitating vehicle circulation on the site. Additional driveways are provided internal to the site to access the parking areas and the balance of the site. A second access from Jane Street is proposed approximately 118m south of Springside Road. A median is provided between the office building and mixed-use portion of the site to provide a physical vehicular circulation barrier between the two forms of development.

The main amenity area for the overall development is approximately 3381m² in size and is located in the centre of the site providing a focus for the residential uses located around it. A secondary amenity area is proposed at the corner of Jane Street and Springside Road in the form of a private parkette that is contiguous to the valley lands lying along the east boundary of the site. Balconies are provided in the second floor residential units facing Jane Street and Springside Road, thereby providing additional amenity areas for the occupants of these units.

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The main pedestrian connection into the site is located between Buildings “G” and “F”, with other secondary connections provided at the ends of each of the buildings facing Jane Street and through the parkette to Springside Road.

The Parks Department has advised that the draft network map for the Pedestrian and Bicycle Master Plan Study includes proposed bike lanes on Jane Street. The design of the subject lands is to provide for the future bicycle lane where the lands front onto Jane Street.

Building Elevations

i) Building “A” (Office-Commercial)

The proposed elevations for Building “A” are shown on Attachment #3. The building is three storeys and 13.45m in height. The exterior finishing materials consist primarily of clear and spandrel glass panels and architectural precast in earth tone colours. The north elevation includes the main entrances to the building and incorporates three 3-storey precast architectural elements. The ground floor of the building utilizes glass windows, insulated spandrel panels and an illuminated sign box typical of many commercial developments. The balance of the building is treated in a consistent architectural manner except for the south and east elevations, which are comprised of prefinished architectural panels at the ground floor level, with glazing in the form of clear and spandrel glass at the upper levels.

ii) Buildings “B” to “D”

The proposed elevations for Buildings “B” to “D” are shown on Attachments #4 to #6. Each building utilizes a consistent architectural design and is three storeys and approximately 12m in height. The elevations consist of a combination of an arriscraft renaissance stone base, brick, stucco, thermal windows with french metal railings and arriscraft smooth quoining. The main entrance to each building faces the interior of the site. The roof is finished with chateau style asphalt shingles and a decorative metal railing. An exterior stucco cornice molding is proposed along the top edge of the building and quoining is used to accent the brick and stucco veneer.

iii) Buildings “E” to “G”

The proposed elevations for Buildings “E” to “G” are shown on Attachments #7 to #9. Each building utilizes a consistent architectural design comprised of a two-storey residential facade facing the interior of the site and a mixed ground floor commercial and second floor residential design oriented towards Jane Street. The two-storey residential elevations consist of a stone base, brick veneer, glazing and entrance doors with stucco surrounds. An exterior stucco cornice molding is proposed along the top edge of the building and quoining is used to accent the brick veneer. The buildings are designed with a flat roof and a parapet, which is raised above the residential door entrances. A single garage is provided for each unit, which faces the interior of the site. Balconies are proposed for a majority of the units that overlook the central amenity area. A garbage room is located at the end of each building with a roll-up overhead door. The garbage room is intended for residential and commercial use.

The ground floor commercial elevations facing Jane Street consists of brick veneer, windows in aluminum frames, and entry doors. A canopy roof is provided along the commercial façade to protect patrons from the elements. The residential units on the second floor are finished with a brick veneer with intermittent raised stucco window surrounds and a crown molding.

The proposed elevations for Buildings “E”, “F” and “G” facing Jane Street are repetitive. Given the high visibility of these buildings, it is recommended that the rooflines, materials and colours be more varied in order to animate these elevations. The final elevations for these buildings shall be to the satisfaction of the Development Planning Department.

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Parking

The site plan indicates that parking will be provided in the form of underground garages for Buildings “A”, “B”, “C” and “D”; in garages for the residential units in Buildings “E”, “F” and “G”; and, in separate grade level parking areas for the various uses. The proposed C4 Neighbourhood Commercial Zone requires that the minimum parking standard for the subject lands be calculated on the basis of the shopping centre standard, which is 6 spaces/100m² of gross floor area as follows:

Building “A” (Office Building)

Office & Commercial Uses – 11,607m ² @ 6 spaces/100m ²	=	697 spaces
Outdoor Patio - 86m ² @ 6 spaces/100m ²	=	6 spaces

Buildings “B” to “G”

Residential Units – 125 units @ 1.5 spaces/unit	=	186 spaces
- 125units @ 0.25 spaces/visitor	=	32 spaces

<u>Commercial – 2,696.71m² @ 6 spaces / 100m²</u>	=	<u>162 spaces</u>
Total Parking Required		1,083 spaces

The Owner is proposing that the minimum number of parking spaces for the proposed development be provided as follows:

Building “A” (Office Building)

Office & Commercial Uses – (190 surface + 288 underground)	=	478 spaces
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Buildings “B” to “G”

125 Residential Units + 2696m ² Commercial Uses (97 underground, 29 garage, 177 surface)	=	303 spaces
Total Parking Proposed		781 spaces

Technically, a parking deficiency of 302 spaces is proposed relative to the minimum parking requirements of By-law 1-88. However, Building “A” contains 7270m² of office space, which if developed as a single office building would require 3.5 spaces/100m² of gross floor area under By-law 1-88. The C4 Neighbourhood Commercial Zone provisions of By-law 1-88 requires that the minimum parking requirement be calculated at 6 spaces/100m² for the entire building. Consequently, a technical parking deficiency is created for Building “A” of 182 parking spaces, resulting solely from the proposed C4 Neighbourhood Commercial Zone category. The actual parking deficiency is 120 spaces (302-182) resulting from two factors: the proposed reduced residential parking standard of 1.4 spaces per unit (1.15/residential unit + 0.25 spaces/visitor); and, the proposed commercial parking standard of 5.0 spaces/100m² of commercial floor area instead of 6 spaces/100m² of gross floor area.

The proposed residential parking standard of 1.4 spaces per unit is consistent with other residential development applications approved in the City. The proposed commercial parking standard of 5 spaces / 100m² of Commercial Floor Area was also approved for commercial developments around the Vaughan Mills Mall and for a mixed commercial development located at the southeast corner of Jane Street and Avro Road, north of the subject lands. However, prior to final approval, the Owner is required to submit a parking study for review and approval of the proposed standards by the Engineering Department. In addition, a plan shall be submitted that identifies how the parking spaces will be allocated between the residential, visitor, office and

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commercial uses and the proposed method of enforcement to ensure that adequate parking is available for each intended use, to the satisfaction of both the Engineering and Development Planning Departments.

Landscape Plan

The Owner has submitted a landscape plan as shown on Attachment #10. The plan consists of a mix of deciduous and coniferous plantings throughout the site. The Jane Street frontage includes a 6m wide landscaped strip with decorative fence panels and stone columns at each entrance driveway. Additional plantings are proposed along the easterly limit of the site abutting the valley including two areas where the Owner is proposing valley restoration planting. A 3,381m² amenity area is provided at the centre of the site intended to serve the residential development. A private parkette is proposed at the north limit of the site contiguous to the valley and providing a connection to Springside Drive. The landscape treatment along the south boundary limit consists of a 3m wide sodded and landscaped berm.

Pedestrian connections consisting of unit pavers are provided throughout the site connecting the proposed buildings to each other, Jane Street, Springside Road and to the amenity areas. The office building includes a sidewalk located along the main façade of the building and connecting to Jane Street. The office building also includes an outdoor patio at the northwest corner of the building. The Owner is required to provide a final landscape cost estimate to the satisfaction of the Development Planning Department for the proposed landscape works. It is recommended that the landscape plan be revised to provide the Maple Streetscape themed lighting fixtures at key locations along Jane Street such as driveways and pedestrian entrance points into the site.

Implementing Zoning

By-law 1-88 does not include a zoning category or development standards to implement a mixed-use development and therefore, a site-specific by-law is required to implement the proposed site plan. The Owner has requested that the subject lands be rezoned from A Agricultural Zone to C4 Neighbourhood Commercial Zone with the site specific zoning exceptions required to implement the final approved site plan. Under the C4 Neighbourhood Commercial Zone, the following zoning exceptions are required:

- i) permit residential uses on the subject lands comprised of a maximum of 125 residential units as follows:
 - 32 units in each of Buildings “B”, “C” and “D”;
 - 8 units in Building “E”;
 - 10 units in Building “F”; and,
 - 11 units in Building “G”;
- ii) permit an outdoor patio as a permitted use on the subject lands;
- iii) prohibit the following uses on the subject lands: brewers retail outlet; L.C.B.O. outlet, place of entertainment, and a supermarket;
- iv) restrict the use of the fourth floor of Buildings “B”, “C” and “D” to amenity area for the residential units only;
- v) require a minimum 114.5m setback from the south property line, abutting the CN pullback track for all residential units;
- vi) require a minimum interior side yard setback of 8m from the easterly (valley land) property line for Buildings “B” to “D”, whereas 9m is currently required;

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- vii) require a minimum rear yard setback of 11m from the south property line, whereas 15m is currently required;
- viii) require a minimum building setback of 1.2m from an OS1 Open Space Conservation Zone, whereas 2.4m is currently required;
- ix) require a minimum setback to an underground parking garage (east lot line) of 1.2m, whereas 11m is currently required;
- x) permit a maximum gross floor area of 30,000m² in a C4 Neighbourhood Commercial Zone, whereas a maximum gross floor area of 7,000m² is currently permitted;
- xi) permit a maximum building height of:
 - 3 storeys and 13.75m for Building "A";
 - 3 storeys and 12.5m (to the top of the roof) for Buildings "B" to "D"; and
 - 2 storeys and 10.5m for Buildings "E" to "G".

(exclusive of accessory roof construction such as mechanical penthouses, elevators, antenna, parapet walls or roof top equipment), whereas 11m is currently permitted;
- xii) provide for the following parking standards, subject to approval of a parking study by the Engineering Department:
 - residential units – 1.15 spaces per dwelling unit, whereas 1.5 spaces/unit is currently required
 - visitor parking for residential units – 0.25 spaces per dwelling unit (no change)
 - Building "A" – 3.5 spaces/100m² of gross floor area devoted to an office building comprising business and professional office uses (rather than the "shopping centre" standard of 6 spaces/100m² of GFA)
 - Building "A" – 5.0 spaces/100m² of commercial floor area (rather than 6 spaces/100m² of Gross Floor Area (GFA))
 - Buildings "E", "F" and "G" – Commercial Uses – 5 spaces/100m² of Commercial Floor Area (CFA) (rather than 6 spaces/100m² of Gross Floor Area (GFA))
 - a minimum of 781 parking spaces shall be provided on the subject lands, rather than 1,083 spaces as identified in the "Parking" section of this report;
- xiii) provide an exception to the definition of a "lot" to consider the entire site as one lot for zoning purposes regardless of future conveyances, easements, etc. that may be undertaken on the property;
- xiv) permit a minimum driveway width of 12m and 9m whereas the maximum permitted driveway width of 7.5m is required; and
- xv) permit any other zoning exceptions that may be required to implement the final approved site plan.

In addition, a minimum 114.5m setback from the south property line, abutting the CN pullback track for all residential units will be included in the implementing zoning by-law consistent with the OMB's decision respecting the lands to the south of the pullback track. The implementing by-law shall include a clause requiring that Building "A" be constructed prior to or in conjunction with any residential uses on the balance of the site. Building "A" contributes to the noise mitigation

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measures on the site and is required to be constructed. The implementing zoning by-law will also prohibit a brewers retail outlet, L.C.B.O. outlet, place of entertainment and supermarket uses on the subject lands. These uses are permitted as-of-right in the C4 Neighbourhood Commercial Zone, however, are incompatible with the mixed-use development concept being proposed.

The Engineering Department has advised that servicing for the residential component of the proposed development is not available at this time. Accordingly, it is recommended that the portion of the lands containing the residential uses be zoned with the Holding Symbol "(H)", which shall be lifted upon the identification and allocation of servicing for the proposed development. The Holding provision will also indirectly restrict the commercial uses from developing on the property in Buildings "E", "F" and "G".

Many of the zoning exceptions identified above are technical in nature since By-law 1-88 does not include a mixed-use zone with minimum development standards, and the C4 Neighbourhood Commercial Zone was never intended to implement this form of development. The proposed development concept is considered to be an appropriate development of the lands and is compatible with the surrounding land uses. Accordingly, the Development Planning Department can support the zoning exceptions required to implement the proposed development.

Open Space

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, to be outside of the development lot or block, adjoining a valley and stream corridor, and to form part of a public open space system.

The related Official Plan Amendment application (File OP.05.002) was submitted to the Development Planning Department on January 24, 2005, prior to Council's resolution. The subject lands abut valley lands, which were previously conveyed to the City (Block 1 – Plan 65M-3063), as a condition of draft plan of subdivision approval (19T-93008), as shown on Attachment #12. The Development limits for current applications are established utilizing the greater of the top-of-bank, stable slope or drip line, which has been delineated for the subject lands.

The limit of Block 1 abutting the subject lands is irregular and currently extends beyond the drip line as staked by the City and the Toronto and Region Conservation Authority (TRCA) at certain locations abutting the valley. A unique situation is created whereby the valley limits defined for this application is greater than the previously conveyed (Block 1) valley lands. Therefore, the buffer area abutting the valley varies from 2m at one location to greater than 25m in other locations, creating an irregular buffer along the valley edge.

The entire proposed buffer, which extends to the back edge of the proposed walkway as shown on Attachment #13, will be zoned OS1 Open Space Conservation Zone consistent with the previously conveyed valley lands, to ensure its long term ecological protection.

Should a 10m buffer be provided, in accordance with Council's resolution, the total lands within this buffer would be approximately 0.408ha. The total buffer proposed under the revised plan is approximately 0.417ha, slightly larger than the 0.394ha buffer area included on the original plan. In addition to the proposed buffer, the proponents are also providing tableland restoration areas totalling 0.0742ha and are amenable to providing restoration to the isolated 0.1226ha City owned tablelands at the southeast corner of the site to enhance the terrestrial vegetation cover. The total of the proposed buffer and the proposed restoration areas is 0.6138ha, rather than the 0.408ha, which would have been achieved with the application of the 10m buffer. In light of these factors, the Development Planning Department can support a variation from Council's resolution in this instance since there would be a net ecological gain to the valley corridor.

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In view of the above, the Development Planning Department is satisfied that an appropriate overall level of protection is being afforded for the valley lands abutting the subject lands.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has advised that it has some outstanding concerns that may impact the development limits of the site, as follows:

- a geotechnical study was submitted by the Owner and reviewed by the TRCA and it is requested that the following information be shown and labeled on the plans: the physical top of bank; the long-term stable top of bank; and, the contour lines and spot elevations down to the toe of slope, along the entire slope sector;
- updated hydrology information was provided to the Owner for this reach of the tributary of the Don River. The Regional Flood Plain elevation should be shown and labeled on the plans;
- a stormwater management report is required to identify how drainage to the site will be managed to the satisfaction of the TRCA; and,
- the most recent site plan still shows the apparent surveyed natural features adjacent to the top of bank line (unlabelled). The features were staked with the TRCA on March 4, 2005. This line must be properly identified on the site plan.

The Owner is required to satisfy all requirements of the TRCA.

City Owned Lands

A .1226ha parcel of City owned table lands is located abutting the southeast corner of the subject lands and forms part of the OS1 Open Space Conservation zoned lands as shown on Attachment #13. These lands were originally dedicated to the City as a condition of draft plan of subdivision approval (File 19T-93008) and forms Part of Block 1 on Registered Plan 65M-3063. The Owner has agreed to undertake some valley edge restoration on these lands and provide an amenity area at this location. The Owner shall submit a landscape plan identifying the exact nature of the proposed treatment of the lands, to the satisfaction of the Development Planning Department.

Traffic Study

The Owner has submitted a traffic study prepared by Sernas Trantech, dated January 2006 that concludes that at build out of the development, the traffic generated by the proposed residential, commercial and office uses would have minimal impact on traffic operations at key intersections within the study area. It is noted that the traffic study has not been updated to reflect the current proposal. A final updated traffic study is required and must be approved to the satisfaction of the Engineering Department and the Region of York Transportation Department prior to the execution of the site plan agreement.

Noise Study

The Owner has submitted a preliminary noise study prepared by Jade Acoustics, dated March 2, 2006 in support of the proposed development, which 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. To date, the noise study has not been updated to reflect the revised development concept. A final noise study must be submitted for the review and approval of the Engineering Department.

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The Engineering Department has reviewed the preliminary Noise Study, and has provided the following comments to be addressed in the final noise report:

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

The OMB’s decision with respect to the Jane-Ruth development 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 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.
- ii) The proponent of development on the subject lands will be responsible for attenuating noise from the pullback track at residential receptors in the development.
- iii) 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.
- iv) 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.

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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 implementing Official Plan Amendment will not permit residential uses in Building “A” closest to the pullback track since the Owner is proposing to designate these lands “General Commercial”.

Region of York

The Region of York Transportation and Works Department has advised that the Official Plan Amendment application has not been approved and therefore, it is premature to issue final comments on the site plan. The Region has provided several preliminary comments including the requirement for road widenings along Jane Street, which may impact on the proposed site plan. The Owner is required to illustrate the required road widenings on the site plan, to the satisfaction of the Region of York prior to final approval.

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 Amendment 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 residential component of the subject lands. The application of the Holding provision will also indirectly restrict the commercial uses in the mixed use Buildings “E”, “F” and “G” from developing. It is noted, that serving capacity will be available for the office component of the development.

Services

Garbage and snow removal will be privately administered. The proposed development is to be fully serviced on the municipal system, including hydro, water, sanitary and storm sewers. The Owner is required to submit a stormwater management report, site servicing and grading plans for the review and approval of the City, Toronto and Region Conservation Authority and the Region of York. A condition of approval is included in this respect.

Finance Department

The Finance Department has advised that development charges and a \$1000.00 per unit woodlot charge are applicable.

Cash-in-lieu of Parkland

The Real Estate Division has advised that the Owner shall be required to pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed rate prior to the

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issuance of a building permit in accordance with the Planning Act and the City's cash-in-lieu Policy. In addition, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act.

The Owner shall submit an appraisal of the subject lands, for the commercial component 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. The proposed private amenity area and parkette will not be considered as parkland dedication.

Departments and Agencies

The Fire Department, York Region District and Catholic School Boards, and the Conseil Scolaire de District Catholique have advised they have no objections to the application.

Canada Post

Canada post has advised that it is the Owner's responsibility to purchase and maintain centralized mailboxes for Building "A". With respect to Buildings "B" to "G", Canada Post has provided conditions of approval respecting the Owner's responsibility to provide the required community mailbox, and a suitable temporary community mailbox. The plan as currently designed does not appear to provide convenient locations for the required community mailboxes. Prior to final approval, the Owner shall submit a plan identifying where the community mailboxes will be located.

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 and Zoning By-law Amendment Applications and the Site Development 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 Development Planning Department prepared a report respecting the related Official Plan Amendment application, which was considered and adopted by Council, wherein a recommendation was included advising the Ontario Municipal Board 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.). This recommendation is reiterated in the recommendation section of this report to reflect the current development concept. The related Zoning By-law Amendment and Site Development Applications are consistent with and would implement the site specific Official Plan Amendment.

The applications were reviewed in the context of applicable Provincial and Regional policies and are 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.

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

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Attachments

1. Location Map
2. Proposed Site Plan
3. Proposed Elevations – Building “A”
4. Proposed Elevations – Building “B”
5. Proposed Elevations – Building “C”
6. Proposed Elevations – Building “D”
7. Proposed Elevations – Building “E”
8. Proposed Elevations – Building “F”
9. Proposed Elevations – Building “G”
10. Landscape Plan
11. CN Rail Conditions of Approval
12. Valleyland Block – Block 1 Plan 65M-3063
13. Proposed Open Space Zone

Report prepared by:

Mauro Peverini, Senior Planner, ext. 8407

Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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

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Item 39, Report No. 33, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 12, 2006, as follows:

By replacing Clause 1 of the recommendation of Councillor Yeung Racco with the following:

1. ***THAT staff be requested to investigate and provide a report on speed control and traffic infiltration options for Conley Street between New Westminster Drive and Steeles Avenue.***

39

CONLEY STREET – TRAFFIC CALMING MEASURES

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated May 29, 2006:

Recommendation

Councillor Sandra Yeung Racco recommends:

1. THAT staff be requested to investigate and provide a report on traffic calming options for Conley Street between New Westminster Drive and Steeles Avenue;
2. THAT staff be requested to report back to a future Committee of the Whole meeting before the summer hiatus; and
3. THAT York Regional Police be requested to increase their monitoring and enforcement of the speed limit along Conley Drive.

Purpose

To address the ongoing problem of speeding vehicles along Conley Street.

Background - Analysis and Options

Conley Street is a two lane road that runs between Steeles Avenue across New Westminster Drive into Ward 5. On numerous occasions, my office has been in receipt of complaints regarding vehicles using Conley Street as a cut through to avoid Steeles Avenue and treat this quiet residential street as a raceway.

Although Conley Street is a feeder road into the subdivision, it is clear that drivers are not respecting the neighborhood thereby putting residents, including kids and seniors, at risk.

Relationship to Vaughan Vision 2007

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

This report is consistent with priorities previously set by Council.

Conclusion

In response to concerns outlined by area residents, and in order to maintain community safety, it is recommended that staff review possible traffic calming options for Conley Street.

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Attachments

None

Report prepared by:

Tanya Dubar, Council Executive Assistant

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Item 40, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

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**NEW BUSINESS – REQUEST RECEIVED FROM
IMMACULATE CONCEPTION ROMAN CATHOLIC CHURCH**

The Committee of the Whole recommends that staff review the Noise By-law as it relates to the ringing of manual church bells, in accordance with the request received from the Pastor at Immaculate Conception Roman Catholic Church.

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

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Item 41, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

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NEW BUSINESS – OUTSTANDING REPORTS LIST

The Committee of the Whole recommends that the verbal report of Councillor Di Vona, be received.

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

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Item 42, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

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**DEPUTATION – MS. FELICIA DEFINA
WITH RESPECT TO PROPERTY CONCERNS**

The Committee of the Whole recommends:

- 1) That the deputation of Ms. Felicia Defina, 54 Broda Drive, Woodbridge, L4L 1A7, and written submission dated May 29, 2006, be received;**
- 2) That the City Clerk advise TRCA that Vaughan Council is requesting that the concerns outlined in Ms. Defina's written submission be reviewed and addressed; and**
- 3) That the memorandum of the Senior Manager, Enforcement Services, dated May 24, 2006, be received.**

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Item 43, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2006.

43 PRESENTATION – 2006 COUNCIL/SMT STRATEGIC PLANNING WORKSHOP

The Committee of the Whole recommends that the verbal report of the Senior Manager of Strategic Planning, be received.

The foregoing matter was brought to the attention of the Committee by the City Manager.