

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 12, 2007

Item 1, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

1 PESTICIDE FREE PRIVATE PROPERTY

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Councillor Shefman, dated February 5, 2007, be approved;
- 2) That the staff report requested be forwarded to the Environmental Task Force prior to being forwarded to a Committee of the Whole meeting by May 1, 2007;
- 3) That the deputation of Mr. Carlo DeFrancesca, 18 Zucchet Court, Woodbridge, L4L 7M5, on behalf of the Professional Lawn Care Association of Ontario, be received; and
- 4) That the following written submissions be received:
 - a) Mr. Bruce Turner, Community Outreach Consultant, South Central Region, Canadian Cancer Society, dated March 21, 2006, submitted by Ms. Julie Starr; and
 - b) Ms. Terri Mittlemann and Ms. Julie Starr, Co-ordinators for the Vaughan Environment Action Committee, c/o 1054 Centre Street, Suite 376, Thornhill, L4J 8E5, dated February 2, 2007.

Recommendation

Councillor Shefman recommends:

THAT staff shall provide, by May 1, 2007, a report to the Committee of the Whole recommending appropriate policies and/or by-laws that will serve to eliminate the cosmetic use of chemical pesticides on public and private properties in the City of Vaughan;

And that an implementation plan be developed in conjunction with the policies and/or bylaws.

Economic Impact

Costs associated with City staff support and the production of educational material such as brochures, mailings and advertisements

Background – Analysis and Options

1. The protection of human health and the environment in our community is a fundamental value and a priority in Canadian society;
2. There is growing evidence that cosmetic pesticide use can either create or add to harmful health effects and detrimental environmental impacts;
3. The synergistic effects of the chemicals used for pesticide control is unknown;
4. The use of pesticides for cosmetic purposes is non-essential, protecting neither human nor animal health;
5. The House of Commons Standing Committee on Environment and Sustainable Development conducted an extensive, national review of the issue of cosmetic pesticide use and recommended that municipalities adopt a precautionary approach and seek to minimize or eliminate the cosmetic use of pesticides;

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6. The Supreme Court of Canada in the Town of Hudson decision has upheld a municipality's right to enact control over pesticide application on public and private properties to protect the health and welfare of its residents;
7. On September 11, 2001 the City of Vaughan passed a resolution "that all Ward 4 and Ward 5 parks be pesticide free by December 2003". Over the past few years there has been a reduction in the amount of pesticide use throughout the City. As of 2005 all public lands city wide became pesticide free. Parks staff has implemented an IPM (Integrated Pest Management) program. Together with our Parks staff hard work and the increase in public awareness this pilot project was a great success.

Purpose

To prohibit the use of harmful pesticides used for cosmetic purposes on private property throughout the City of Vaughan.

Relationship to Vaughan Vision

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

Conclusion

The elimination of pesticides used for cosmetic purposes on private property is supportive of our goal of creating a healthy, vibrant community through the elimination of potential health risks and unnecessary exposure to pesticides

Attachments

none

Report prepared by:

Debi Traub, Council Executive Assistant

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Item 2, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

2 REQUEST FOR A CROSSING GUARD AT ST. PADRE PIO CATHOLIC SCHOOL

The Committee of the Whole recommends:

- 1) That staff review and report to the Committee of the Whole meeting of March 5, 2007, on the feasibility of implementing a crossing guard at St. Padre Pio Catholic School to assist the students crossing from south to north and vice versa at Sgotto Boulevard and Napa Valley Avenue; and
- 2) That the following report of Councillor Carella, dated February 5, 2007, be received.

Recommendation

Councillor Tony Carella recommends that a crossing guard be implemented in front of the school, at Sgotto Boulevard and Napa Valley Avenue to assist the students crossing from south to north and vice versa.

Economic Impact

The cost of hiring a crossing guard

Purpose

To ensure the safety of students making their way to and from school. Staff review and report to the March 5, 2007, Committee of the Whole Meeting the feasibility of implementing the crossing guard in front of the school.

Background - Analysis and Options

Presently there is a crossing guard at Forest Fountain Drive and Napa Valley Avenue to assist the students crossing east to west and vice versa. This crossing guard does not assist the children crossing north to south and many parents feel that another guard is required at St. Padre Pio Catholic School. Many parents of the students attending the school feel that a crossing guard is necessary to ensure the safety of the children in the area. Several parents have also expressed that they would stop accompanying their children by car/on foot if a crossing guard was installed.

Relationship to Vaughan Vision 2007

This report recommends a change from the priorities previously set by Council and the necessary resources have not been allocated.

Conclusion

The crossing guard at the above-location will address the concerns regarding the safety of the students.

Attachments

Letter from Principal Marchesini

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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. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

3 2007 VAUGHAN HERITAGE PRESERVATION AWARDS

The Committee of the Whole recommends that the recommendation contained in the following report of the Commissioner of Community Services, dated February 5, 2007, be approved, subject to referring Clause 2.2 back to Heritage Vaughan:

Recommendation

The Commissioner of Community Services, in consultation with the Director of Recreation & Culture, recommends approval of the following Heritage Vaughan recommendation:

1. That the week of February 19-25, 2007 be declared Heritage Week in the City of Vaughan; and,
2. The following individuals/groups be approved for the 2007 Vaughan Heritage Preservation Awards:
 1. Solara Developments and Mr. Anthony Baldassara, Architect for the successful restoration and preservation of the Nathaniel Shunk House, 9901 Keele Street, Maple.
 2. Mr. Domenic Sala for the restoration of the James East house at 10496 Islington Avenue, Kleinburg.
 3. The Wallace House Committee for their excellent efforts to interpret Vaughan's heritage through their programs such as walking tours, special events and exhibits.
 4. Mr. Jack Maynard for his volunteer service in preserving Vaughan's heritage, in particular, in his position as Chair of Heritage Vaughan from 2005-2006.
 5. Mrs. Josie Vivona for her longstanding volunteer service (since 1992) on Heritage Vaughan Committee and her continued commitment to preserving Vaughan's heritage.

Economic Impact

There is no economic impact associated with this request.

Purpose

To seek Council approval of Heritage Vaughan's recommendation of nominees to receive the 2007 Vaughan Heritage Preservation Awards.

Background - Analysis and Options

In January 2004, Council approved the "Vaughan Heritage Preservation Awards" program to grant awards to individuals and organizations that have made an outstanding contribution to the preservation of heritage/cultural resources in the City of Vaughan.

Heritage Vaughan at its meeting of January 17, 2007, approved the list of nominees as noted in the recommendation section of this report. The 2007 Vaughan Heritage Preservation Awards will be presented to this year's recipients at "Cultural Heritage Night", February 20, 2007. "Cultural

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Heritage Night” is celebrated every year during Heritage Week (February 19-25, 2007). Awards will also be presented to winners of this year’s Heritage Vaughan Art Contest for both elementary and secondary school students.

Relationship to Vaughan Vision 2007

Section 4.6 of the Vaughan Vision encourages the preservation and enhancement of the natural and built heritage environment and encourages the preservation of significant historical structures and communities.

This report is consistent with the priorities previously set by Council and the necessary resources to implement all points outlined in this report have been allocated and approved.

Conclusion

Vaughan Heritage Preservation Awards provides an excellent opportunity to thank and highlight individuals and organizations in the community that have helped preserve and promote Vaughan’s cultural/heritage resources such as historic streetscapes, archival collections and heritage buildings. This year’s nominees represent a cross-section of the community and their extensive contribution to the preservation of Vaughan’s heritage and cultural resources.

Attachments

None

Report Prepared By

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

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Item 4, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

4 **ASSUMPTION – HUMBOLD SUBDIVISION**
19T-95045 / 65M-3373

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 5, 2007:

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-3373 and that the municipal services letter of credit be reduced to \$30,000.

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 120 lot development is a residential subdivision. The development is located east of Weston Road and north of Rutherford Road as shown on Attachment 1.

The Subdivision Agreement was signed on October 1, 1999. The municipal services in Plan 65M-3373 were installed in September 1999 and the top course asphalt was placed in June 2004.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Engineering Services, Public Works, Building Standards, Parks Development, Parks Operations and Forestry and Clerks. The Development Planning Department is requesting that \$30,000 be held back in securities to ensure all streetscape deficiencies are repaired to the satisfaction of the City. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

Relationship to Vaughan Vision 2007

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

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

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Conclusion

It is therefore appropriate that the municipal services in 65M-3373 be assumed and the municipal services letter of credit be reduced to \$30,000. The letter of credit will be released once the streetscape deficiencies are repaired and completed to the satisfaction of the City.

Attachments

1. Location Map

Report prepared by:

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

VR/fc

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

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Item 5, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

**5 ASSUMPTION – ROYALE VILLA SUBDIVISION– EXCLUDING FOSSIL HILL ROAD, PHASE 1
19T-89081 / 65M-3476**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 5, 2007:

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-3476 and that the municipal services letter of credit be reduced to \$103,500.

Economic Impact

Upon assumption of this development, approximately 1.4 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 100 lot development is a residential subdivision. The development is located west of Weston Road and south of Major Mackenzie Drive as shown on Attachment 1.

The Subdivision Agreement was signed on September 22, 2000. The municipal services in Plan 65M-3476 were installed in June 2000 and the top course asphalt was placed in September 2004.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Engineering Services, Public Works, Building Standards, Parks Development, Parks Operations and Forestry and Clerks. The Development Planning Department is requesting that \$12,500 be held back in securities for the completion of minor streetscape deficiencies. The Development/Transportation Engineering Department is requesting that \$5,000 be held back in securities for the completion of grading issues and that \$86,000 be held back in securities for the potential installation of in-house booster pumps or until satisfactory arrangements have been made for the construction of the P.D. #6 Watermain. A Special Area Development Charge By-Law has been enacted to facilitate the contribution of the P.D. #6 West Major Mackenzie Watermain. This would enhance the ultimate supply and security of the water distribution system within the surrounding area. It is anticipated that this watermain be constructed in conjunction with the future development of the remainder of the northerly lands within Block 39. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

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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.

Conclusion

It is therefore appropriate that the municipal services in 65M-3476 be assumed and the municipal services letter of credit be reduced to \$103,500. Once the streetscape deficiencies and grading issues are completed to the satisfaction of the City and either the need for installation of in-house booster pumps has been addressed or satisfactory arrangements have been made for the construction of the P.D. #6 Watermain, the letter of credit will be released.

Attachments

1. Location Map

Report prepared by:

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

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 6, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

6 APPOINTMENT OF MUNICIPAL LAW ENFORCEMENT OFFICERS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated February 5, 2007:

Recommendation

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

That a By-law be passed appointing certain staff members as Municipal Law Enforcement Officers and Property Standards Officers.

Economic Impact

N/A

Purpose

This report is to create a By-law appointing staff as Municipal Law Enforcement Officers and Property Standards Officers.

Background - Analysis and Options

The Police Services Act R.S.O. 1990 and the Building Code Act 1992 provide for the appointment of persons as Municipal Law Enforcement Officers and Property Standards Officers.

From time to time amendments to an existing 2000 Appointment By-law have been made to appoint new staff members, or delete names of those that left the employ of the City. It would be a more efficient process to create a bylaw with appendices that can be replaced as staff change, rather than create new bylaws each time. This approach is consistent with how the Building Department handles staff movements that require Council appointment. It would be prudent to create a new appointment By-law and repeal By-law 100-2000.

Relationship to Vaughan Vision 2007

This report is in keeping with the provisions in Vaughan Vision and necessary resources have been allocated.

Conclusion

A new appointment By-law for Enforcement Services Department staff that utilizes appendices is a more efficient and effective use of time and resources.

Attachments

None

Report prepared by:

Tony Thompson
Senior Manager, Enforcement Services

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Item 7, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

7

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-028
OWNER: THOMAS KIRIAKOU
LOCATION: 99 PEELAR ROAD
LOT 13, REGISTERED PLAN 8070**

The Committee of the Whole recommends that this matter be deferred to a future Committee of the Whole meeting, to allow for discussion between the Local Councillor, staff and the applicant, in accordance with the memorandum of Councillor Yeung Racco, dated February 1, 2007.

Recommendation

That Sign Variance Application SV.06-028, Thomas Kiriakou, be APPROVED, subject to the removal of all other sign boxes located on the north and east elevations.

Economic Impact

None.

Purpose

Request to install a wall sign above the roof line 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)

5.8 No person shall erect, install, post, display, maintain or keep on a premises any roof signs and signs erected in part or entirely above the roof of a building or structure.

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 only permits wall signs below the roof line in accordance with the Sign By-law. The applicant is proposing to install a wall sign above the roof line on the east elevation of the existing building as shown on the attached drawings.

Members of the Sign Variance Committee generally had no objections to the application as submitted, provided that all other existing sign boxes located on the north and east elevations were removed. Committee members note that the proposed sign is to be erected on the gable end of the structure and are of the opinion that the general intent and purpose of the by-law is being maintained.

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

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Attachments

1. Sketch of Sign
2. Site Plan

Report prepared by:

John Studdy Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 8, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

8

SIGN VARIANCE APPLICATION

FILE NO: SV.06-029

OWNER: JOSEPH AND WOLF LEBOVIC JEWISH COMMUNITY CAMPUS

LOCATION: 9600 BATHURST STREET

LOT 18, BLOCK 11, REGISTERED PLAN 65R-28984, CONCESSION 2

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 5, 2007:

Recommendation

That Sign Variance Application SV.06-029, Joseph and Wolf Lebovic Jewish Community Campus, be APPROVED.

Economic Impact

None.

Purpose

Request to install nine development signs located on the subject property as shown on the attached drawings.

Background - Analysis and Options

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

12.1 (1) (c) Each builder is permitted a maximum of two (2) signs, with a combined sign face area not to exceed 20.0 sq m.

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 only permits each builder to have one development sign having a total sign area of 20 sqm or two development signs each having a total sign area of 10 sqm each within the development. The owner is proposing nine development signs each having a total sign area of 20 sqm each within the development.

Sign Variance Committee members are of the opinion that given the size and scope of the proposed campus development, the general intent and purpose of the Sign By-Law is being maintained. Committee members have no objections to the application as submitted.

Upon approval of the sign variance by Council a Sign Permit issued by the Building Standards Department is required.

Attachments

1. Sketch of Signs
2. Site Plan

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Item 8, CW Report No. 5 – Page 2

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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Item 9, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

**9 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-06V07
JANE-RUTH DEVELOPMENT INC.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 5, 2007:

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium File 19CDM-06V07 (Jane-Ruth Development Inc.) as shown on Attachment #3 BE APPROVED, subject to the conditions set out in Attachment #1.

Economic Impact

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

Purpose

The Owner has submitted an application on the subject lands shown on Attachment #2 for approval of a Draft Plan of Condominium consisting of a 16 storey residential condominium building with 236 residential units (Building "A"), four levels of underground parking, a total of 441 surface and underground parking spaces, and a total gross floor area of 22,387m². The building is currently under construction.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located at the northeast corner of Jane Street and Rutherford Road (9225 Jane Street), in Part of Lot 16, Concession 4, City of Vaughan. The subject draft plan of condominium forms "Building A" of the Bellaria Residences. The surrounding land uses are:

- North - approved high density residential (RA3 Apartment Residential Zone); open space (OS1 Open Space Conservation Zone)
- South - Rutherford Road; vacant land approved employment/office uses, proposed high density residential development (EM1 Prestige Employment Area Zone)
- East - open space (OS1 Open Space Conservation Zone)
- West - Jane Street; approved commercial under construction (C8 Office Commercial Zone)

Official Plan/Zoning

The subject lands are subject to the Vaughan Centre Secondary Plan as defined by OPA #600, and as amended by OPA #626 and approved by the Ontario Municipal Board (OMB) on April 19, 2005 as part of Decision Order 0982. OPA #626 designates the subject lands "High Density Residential/Commercial". OPA #626 is a site-specific official plan amendment, which facilitates the proposed residential development. The draft plan of condominium conforms to the Official Plan.

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The subject lands are zoned RA3 Apartment Residential Zone by By-law 1-88 and are further subject to Exception 9(1246), in compliance with OMB Decision Order 2494, issued on September 23, 2005. The draft plan of condominium complies with the provisions of By-law 1-88.

Site Development

The OMB approved the site plan for Building “A” in Decision Order 2494, along with the zoning for the subject lands. The Draft Plan of Condominium consists of one high density residential building (Building “A”) being 16 storeys in height with 236 residential units. The site is currently under construction and is being built in accordance with the approved Site Plan (File DA.04.023). Building “A” is situated away from the street as directed in the OMB Decision Order. A total of 441 parking spaces are proposed consisting of grade level visitor parking spaces located opposite the main entrance to the building, off the internal private road, with the balance of the parking for Building “A” provided within a four level underground garage accessed via a driveway from the main internal road. The area between the internal access road and the arterial roads is landscaped and incorporates a larger circular design feature anchoring the project at the northeast corner of Jane Street and Rutherford Road. Garbage and recycling which will be stored internal to the building, will be privately picked-up on designated days on the north side of Building “A”. Private snow plowing will also be the responsibility of the Condominium Corporation.

Access and Easements

A right-in/right-out access to the site is provided on Rutherford Road, which leads to a 7m wide internal road that will wrap around the front of Building “A”, cross the valley to the north and intersect with a new driveway access on Jane Street. The subject internal road will be built as Phase one of the overall development in order to facilitate vehicular and pedestrian movement from Building “A” to the northerly future high density residential buildings, to be constructed by the applicant.

Vehicular and pedestrian access over the internal road between Building “A” and the future condominium buildings will require reciprocal access easements between Building “A” and all future condominium phases, created by way of registration of the condominium declaration that creates the Corporation, pursuant to the Condominium Act, 1998. A condition of approval has been included in Attachment #1 to this effect.

CN Rail

CN has no objections to the draft plan of condominium, however, has provided warning clauses to be included in the Condominium Agreement and the Condominium Declaration, which are included in the conditions of approval as outlined in Attachment #1.

Application Review

The draft plan of condominium is in accordance with the approved Site Plan File DA.04.023. As a condition of approval, the Owner will be required to submit an “as-built” survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

Relationship to Vaughan Vision 2007

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

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Conclusion

The draft plan of condominium is consistent with the approved site plan. The Development Planning Department has no objections to the approval of the draft plan of condominium, subject to the conditions set out in Attachment #1.

Attachments

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

Report prepared by:

Stephen Lue, Planner, ext. 8210
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 10, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

10

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-06V12
GRAND MANOR BY MARKET LANE INC.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 5, 2007:

Recommendation

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium File 19CDM-06V12 (Grand Manor By Market Lane Inc.) BE APPROVED, subject to the conditions of approval set out in Attachment #1.

Economic Impact

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

Purpose

The Owner has submitted an application for Draft Plan of Condominium approval on the subject lands shown on Attachment #2, consisting of a 6-storey, 56 unit residential condominium building, as shown on Attachments #3 and #4, with a total of 74 surface and below grade parking spaces, on a 0.19 ha site. The building is currently under construction.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located on the north side of Woodbridge Avenue between Fairground Lane and Clarence Street, being part of Lots A, B and C, Registered Plan 1200 (known municipally as 154 to 166 Woodbridge Avenue), City of Vaughan.

The proposed Draft Plan of Condominium is consistent with the site plan (File DA.05.010) approved by Council on January 16, 2006, with the exception of the underground parking layout. The draft plan of condominium provides for 60 underground parking stall units, whereas the approved site plan provides for 57 underground parking stall units. The three additional parking stall units have depths that are smaller than the required 6 m minimum by-law requirement.

On August 31, 2006, the Committee of Adjustment approved Minor Variance Application A343/06 to allow the three undersized parking stall units each having a width of 2.7 m and depths of 5.3 m (Unit 58), 5.1 m (Unit 59) and 5.6 m (Unit 60). A condition is included in Attachment #1, that will require the Owner to include in the Condominium Declaration, a warning clause notifying prospective purchasers or leasees that the three parking spaces have undersized depths that would be conducive to small motor vehicles including motorcycles.

The development is under construction, and is comprised of a 6-storey, 56 unit residential condominium building served by 74 parking spaces, including 14 surface and 60 underground spaces. The existing Heritage House, known as the Inkerman House/Hotel is being maintained and restored, and incorporated into the overall development. However, it does not form a part of the draft plan of condominium, as shown on Attachment #3. The proposed draft plan of condominium includes all residential units on all 6 floors, common areas, and underground and surface parking spaces, but excludes the ground floor commercial, which will remain in private ownership as identified on Attachment #3.

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The surrounding land uses are as follows:

- North - parking (RA2 Apartment Residential Zone), Market Lane commercial complex (C4 Neighbourhood Commercial Zone) and the Arbors residential condominium (RM2 Multiple Residential Zone)
- South - Woodbridge Avenue; commercial uses (C1 Restricted Commercial Zone)
- East - Woodbridge Library and the Market Lane commercial complex (C4 Neighbourhood Commercial Zone)
- West - commercial (C4 Neighbourhood Commercial Zone), Fairground Lane, residential townhomes (RM2 Multiple Residential Zone)

Official Plan/Zoning

The subject lands are designated "Mixed Use Commercial" by OPA #240 (Woodbridge Community Plan) as amended by OPA #440 (Woodbridge Core) and further amended by site-specific OPA #611, which permits a maximum 6-storey condominium building comprised of 56 residential units with ground floor commercial uses. The draft plan of condominium conforms to the Official Plan.

The subject lands are zoned RA2 Apartment Residential Zone by By-law 1-88, subject to Exception 9(1201), which permits a maximum 6-storey, mixed residential/commercial building. The draft plan of condominium complies with all requirements of the Zoning By-law.

Garbage and Recycling Collection and Snow Removal

The collection of garbage and recycling, and the removal of snow will be administered privately by the Condominium Corporation.

Region of York

The Region of York has no objection to the approval of the draft plan of condominium.

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 Draft Plan of Condominium application, which is consistent with the approved site plan. The Development Planning Department has no objections to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Approval (19CDM-06V12)
2. Location Map
3. Draft Plan of Condominium
4. Building Elevation

Report prepared by:

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 12, 2007

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/CM

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

CITY OF VAUGHAN

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Item 11, Report No. 5, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on February 12, 2007, was dealt with by approving:

That this matter be deferred;

That the memorandum from the Commissioner of Planning and Commissioner of Engineering and Public Works, dated February 9, 2007, be received; and

That the written submission from Mr. Todd Coles, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Woodbridge, L4L 8S5, dated February 12, 2007, be received.

**11 ZONING BY-LAW AMENDMENT FILE Z.06.017
SITE DEVELOPMENT FILE DA.06.019
ISLINGTON VILLAGE CENTRE INC.
REPORT #P.2006.21**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of February 12, 2007 for additional information regarding the drive-through matter; and**
- 2) That the deputation of Mr. Todd Coles, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Woodbridge, L4L 8S5, and coloured photographs submitted, be received.**

Recommendation

The Commissioner of Planning recommends:

- 1. THAT Zoning By-Law Amendment File Z.06.017 and Site Development File DA.06.019 (Islington Village Centre Inc.) to amend the C4 Neighbourhood Commercial Zone of Zoning By-law 1-88, specifically Exception 9(988), to permit the additional use and development of a drive-through facility to be associated with a permitted bank use in an existing multi-unit commercial building, as shown on Attachments #2 and #3, BE REFUSED.**

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.06.017) to amend the C4 Neighbourhood Commercial Zone of By-law 1-88, specifically Exception 9(988), to permit a drive-through facility to be accessory to a permitted bank use in an existing multi-unit commercial building, whereas the by-law requires a drive-through associated with a bank to be restricted to free-standing buildings "C", "D1" and "D2" as shown on Attachment #2, together with the following site-specific zoning exceptions:**
 - i) require a minimum landscape strip width abutting a street (Napa Valley Avenue) of 1.8 m, whereas 6 m is currently required;**
 - ii) permit an ATM machine within a landscaped strip adjacent to Napa Valley Avenue, whereas the landscaped strip is to be used for landscaping purposes only; and**

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- iii) require a minimum stacking lane queue of 4 cars, whereas the by-law does not provide any stacking lane requirements associated with a bank use.
2. A Site Development Application (File DA.06.019) to permit the construction of a 4 car drive-through facility on the subject lands, as shown on Attachments #2 and #3, which would be accessory to a permitted bank use in the existing multi-unit commercial building, and to facilitate revisions to the adjacent landscape strip abutting Napa Valley Avenue.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the southwest corner of Islington Avenue and Napa Valley Avenue, being Blocks 250 and 251, Plan 65M-3318 (9600 Islington Avenue), City of Vaughan. The 3.94 ha parcel is currently functioning as a Neighbourhood Commercial Centre and is developed with existing free-standing and multi-unit buildings, as shown on Attachment #2. The site is anchored by a supermarket and is served with existing access driveways on Islington Avenue and Napa Valley Avenue.

In early 2006, the Owner proposed a drive-through facility with ATM machines that were attached to the north elevation of the existing multi-unit building, with vehicular movement in a westerly direction from the main Napa Valley Avenue entrance. A number of operational and safety concerns with this design were identified by the City and it was recommended that the drive-through facility be reviewed to address these concerns. On August 22, 2006, the Owner revised the design of the drive-through facility by providing a freestanding ATM machine on the north side of the stacking lane, abutting Napa Valley Avenue, with vehicular movement in an easterly direction by utilizing the service access as shown on Attachments #2, #3 and #4, which is the subject of this report.

The subject lands are designated "Neighbourhood Commercial Centre" by OPA #600 and zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(988). The surrounding land uses are:

- North - Napa Valley Avenue; existing detached residential dwellings (RV4 Residential Urban Village Zone Four), and existing detached dwelling with Official Plan, Zoning and Site Plan approval for a future residential/commercial mixed-use building (RM2 Multiple Residential Zone)
- South - existing residential dwelling with Official Plan/Zoning approval for a future residential/commercial mixed-use building (A Agricultural Zone)
- East - Islington Avenue; existing detached residential dwelling, Toronto and Region Conservation Authority Field Centre, City of Vaughan Fire and EMS building under construction (A Agricultural Zone)
- West - existing residential subdivision (RV4 Residential Zone)

Public Hearing

On March 10, 2006, a Notice of Public Hearing based on the original drive-through design proposal (as noted above) was circulated to all property owners within 120m of the subject lands, and to the Sonoma Heights and Carrying Place Ratepayers Associations.

Several individuals in the immediate community attended the Public Hearing that was held on April 3, 2006, and expressed concerns that the drive-through facility as originally proposed would aggravate an already poor traffic and vehicle movement situation in the vicinity of the Napa Valley Avenue plaza entrance.

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The recommendation of the Committee of the Whole to receive the Public Hearing report of April 3, 2006, and to forward a comprehensive technical report to a future Committee of the Whole meeting, and that the applicant meet with the residents to address any outstanding issues, prior to this matter being brought forward to a Committee of the Whole meeting, was ratified by Council on April 10, 2006.

Community Meeting

The applicant's Planning consultant, on July 13, 2006, held a community meeting on behalf of the Owner to discuss the original application.

The City was not represented at the meeting, however, the Owner's agent advised the Development Planning Department in writing that the residents in attendance were not opposed to the drive-through use specifically, but wanted to ensure that the proposed facility would not further aggravate the current traffic situation on Napa Valley Avenue in the vicinity of the plaza entrance.

Official Plan

The subject lands are designated "Neighbourhood Commercial Centre" by OPA #600, which permits the proposed drive-through facility that would be accessory to a permitted bank use. An amendment to the Official Plan is not required to facilitate the subject proposal.

Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(988), which permits a drive-through facility only when it is accessory to an eating establishment or a financial institution in free-standing buildings "C", "D1" and "D2" as shown on Attachment #2. The Owner has submitted a Zoning By-law Amendment Application to amend the site-specific Exception 9(988) to permit a drive-through facility to be accessory to a permitted bank located within a multi-unit building, together with site-specific development standards to facilitate the proposed amendments to the site plan, as shown on Attachment #2, which will require an amendment to the zoning by-law. To date, the following zoning exceptions have been identified:

- require a minimum landscape strip width abutting Napa Valley Avenue of 1.8 m, whereas 6 m is currently required;
- require a minimum stacking lane queue to accommodate 4 cars, whereas the by-law does not provide any stacking lane requirements associated with a bank use; and,
- permit an ATM machine within a landscaped strip adjacent to Napa Valley Avenue, whereas only landscaping is permitted within the strip.

By-law 1-88 does not include specific standards for a drive-through facility associated with a bank, which would require the application of site-specific standards. Provided below is a comparison between the drive-through requirements for an eating establishment use in By-law 1-88, and the proposed drive-through facility for the bank as shown on Attachment #2:

<u>By-law 1-88 Standards</u> (for an Eating Establishment)	<u>Proposed Standards</u> (for a Bank)
a) The stacking lane shall be separated from the parking area by a curbed island or other such barrier;	a) The stacking lane is separated from the parking area by a curbed island;
	b) The stacking lane accommodates 4 cars

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- b) The stacking lane leading to the pick-up shall accommodate a minimum of eight cars, and shall have a minimum width of 3.5 m;
 - c) The stacking lane shall be clearly identified;
 - d) The access points to the stacking lane shall be properly located so as to minimize the impact of the stacking lane on the internal traffic circulation; and
 - e) A drive-through facility is permitted only with a convenience eating establishment.
- with a minimum stacking lane width of 3.5 m;
 - c) The stacking lane will require the posting of appropriate signage to direct traffic in and around the lane and the Napa Ave. entrance as shown on Attachment #4;
 - d) The access point to the stacking lane is from the westerly delivery and service driveway on Napa Valley Avenue, thereby impacting with the movement of delivery and receiving vehicles and the movement of vehicles at the plaza's main driveway access on the same street; and
 - e) The drive-through facility is proposed to be accessory to a bank use.

Site and Drive-Through Design

The overall site is generally rectangular in shape and is developed with two free-standing eating establishment buildings (with existing drive-through facilities), a large multi-unit retail building and a supermarket. The site is served by four access points, two each along Islington Avenue and Napa Valley Avenue, as shown on Attachment #2.

The proposed drive-through lane is located directly adjacent to the north elevation of Building "B" with a free-standing ATM Machine on the north side of the lane abutting Napa Valley Avenue, as shown on Attachments #2 and #3. This design utilizes the westerly service driveway on Napa Valley Avenue to access the drive-through.

Technical and Planning Considerations

The Owner has submitted a letter prepared by the tenant (Scotia Bank) dated April 20, 2006, stating that the proposed drive-through facility will not generate the same car stacking requirements as an eating establishment and that the proposed 4-car stacking lane satisfies their requirements. The Owner further submitted an assessment of the drive-through prepared by Dillon Consulting dated May 23, 2006. The City's Engineering Department, and the Development Planning Department, have reviewed these documents and do not concur with the findings of these documents, and are of the opinion that the overflow/queuing of vehicles for the drive-through will cause safety and operational problems to oncoming motorists as the entry/exit points for the drive-through facility are located on a busy portion of Napa Valley Avenue and the driveway intersection. Based on the above, the Engineering Department does not support the proposed drive-through facility, which is supported by the Development Planning Department.

The proposed drive-through lane is located directly adjacent to the north elevation of Building "B" with a free standing ATM machine on the north side of the stacking lane parallel to Napa Valley Avenue, as shown on Attachment #3. This design utilizes the westerly service driveway on Napa Valley Avenue to access the drive-through that is designed for use by delivery and service vehicles, and which will be impeded if there are more than 4 cars in the stacking lane, and possibly fewer cars, depending on the spacing between the vehicles waiting to use the ATM machine. Pedestrians using the sidewalk along the south side of Napa Valley Drive may also be impeded by parked vehicles waiting to use the drive-through facility. The drive-through entrance is also closely situated next to the more intensely used plaza entrance on Napa Valley Drive.

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Currently, the major pedestrian access into the commercial plaza for residents located north and northwest of the subject lands is facilitated by a sidewalk on the south side of Napa Valley Avenue, which provides a direct connection to the pedestrian walkway located in front of Buildings “A” and “B” and the supermarket. The proposed drive-through will interrupt this connection and require pedestrians accessing the site from Napa Valley Avenue to cross the drive-through lane to access the plaza. The proposed drive-through design will impact on the pedestrian convenience and safety when entering and exiting the plaza.

The proposed drive-through design will reduce the landscaped boulevard to 1.89 m in width, substantially below the minimum By-law requirement of 6.0 m, thereby making it insufficient to provide the appropriate landscape screening treatment required to buffer the facility from the residential dwelling on the north side of Napa Valley Avenue, which directly faces the drive-through. The combination of the reduced landscaped strip, the additional signage necessary to properly direct vehicular traffic through the drive-through as shown on Attachment #3, the presence of an ATM Machine within the landscape strip, and any required lighting for the drive-through facility, will result in a less desirable interface between the existing residential and commercial uses.

In light of the operational and safety concerns identified by the Engineering Department, the impact on pedestrian connectivity to the site and the less desirable interface between the existing residential and commercial uses created by the proposed drive-through facility, the Development Planning Department cannot support the Zoning By-law Amendment and Site Development applications.

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 Engineering Department and the Development Planning Department have reviewed the proposed drive-through design and location, and the supporting material submitted by the applicant, and have found the proposal to be unacceptable in light of operational and safety concerns. In addition, the impact on the existing landscape strip and pedestrian access use are not acceptable and will negatively impact the site and the nearby residents. The zoning exceptions required to implement the proposed drive-through are not appropriate as they do not ensure a safe environment in the vicinity of the ATM/stacking lane and plaza entrance on Napa Valley Avenue for motorists or pedestrians. Furthermore, a reduced landscape strip fails to provide an attractive streetscape and appropriate buffer strip to screen the stacking lane and ATM Machine. On this basis, the Development Planning Department cannot support the applications.

Attachments

1. Location Map
2. Site Plan
3. Drive-Through Detail
4. Signage Detail

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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/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 FEBRUARY 12, 2007

Item 12, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

12

**APPROVAL OF CONSULTANT-RFP06-247
KIPLING AVENUE CORRIDOR STUDY
FILE: 15.95**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 5, 2007:

Recommendation

The Commissioner of Planning, in consultation with the Director of Purchasing Services and the Director of Policy Planning, recommends:

1. THAT a contract be approved to retain Office For Urbanism as the lead consultant to carry out the Kipling Avenue Corridor Study;
2. THAT the total cost of the study, including all fees and expense not exceed \$190,000.00; and;
3. THAT the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

On September 12, 2006, Council approved the addition of the Capital cost of this study (Project #9831-0-06) to the 2006 Capital Budget.

Purpose

The purpose of this report is to secure Council's approval to award a contract to a consulting team to carry out the Kipling Avenue Corridor Study.

Background - Analysis and Options

Council approved the Terms of Reference and Budget for the Kipling Avenue Study on September 12, 2006.

A Request For Proposals (RFP) to undertake this Study was advertised in the Vaughan Citizen, Electronic Tendering Network (ETN), and OPBA website on Thursday, September 28, 2006, with a closing date of October 25, 2006.

Seventeen firms picked up the RFP documents. Six proposals were received by the deadline, one of which was declared non-compliant.

The consultant selection process is now complete. Based on their proposal to carry out the approved Terms of Reference, Staff recommends that the team led by Office for Urbanism be retained to complete the Kipling Avenue Corridor study.

The RFP package provided details of the contract, including the evaluation criteria to be used in assessing competing bids. The criteria dealt with four disciplines required in each team; land use planning, urban design/streetscape design, transportation and heritage planning. Each team was evaluated based on its capability, experience, expertise, and skills in each discipline, and in terms of its suitability with respect to team organization, project management, public consultation, and the quality of its written presentations.

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From the 5 proposals received by the Purchasing Services Department, two firms were identified which best satisfied the RFP evaluation criteria. A committee comprising staff from the Policy Planning, Development Planning, Engineering and Purchasing Services Departments carried out this evaluation process. Each of the two short-listed teams were interviewed on November 17, 2006.

The Office for Urbanism and their sub-consultants were identified as the team best qualified to carry out the contract, based on staff's evaluation of their proposal and their interview. Staff are satisfied that this team is capable of fulfilling the requirements of the Council-approved Terms of Reference.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council. The necessary resources have been allocated in the 2006 Capital Budget.

Conclusion

Should Council so direct, the Office for Urbanism should be retained by the City to fulfill the requirements of the contract for the Kipling Avenue Corridor study.

Attachments

None

Report prepared by:

Anna Sicilia, Planner, Policy Planning/Urban Design, Ext. 8063

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 12, 2007

Item 13, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

13

VELLORE VILLAGE SAFETY IMPROVEMENTS

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, dated February 5, 2007:

Recommendation

Councillor Bernie Di Vona in consultation with Mayor Linda Jackson recommends:

1. That the City of Vaughan review the petition from St. Agnes of Assisi School Parent Council dated December 6, 2006.
2. That the City of Vaughan Director of Parks Development in consultation with the City of Vaughan Engineering Department and the York Region District School Board review the request for a walkway and fencing in Fossil Hill Park for the children attending St. Agnes of Assisi School.
3. That the City of Vaughan review the budget vs. actual funding to date to determine the availability of funding, if any, for the additional work as requested.
4. Alternatively the capital budget request be forwarded to the Budget Committee and consultation be given for the 2007 Budget.
5. The City of Vaughan By-Law Department include Fossil Hill Park within the normal regular cycle of inspections.
6. That Staff prepare a report for the next available Committee of The Whole meeting to address the concerns of the residents as outlined in the petition.

Economic Impact

There will be associated costs with regard to the initial installation of the fence and walkway and future maintenance costs. This would impact the 2007 Budget.

Purpose

To review the concerns raised by the residents.

Background - Analysis and Options

The recommendation and request originated from the St. Agnes of Assisi School Parent Council dated December 6, 2006.

St. Agnes of Assisi School Parent Council met to discuss matters of local interest for the benefit and safety of their children and community. Their concerns have been outlined in the recommendation section of the item.

Relationship to Vaughan Vision 2007

The Vaughan Vision speaks to the need and importance to build a safer community and to consult with the residents, stakeholders, and generally those that have direct knowledge and direct interest in their community. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

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Conclusion

To review and implement those matters of a local interest to enhance the community safety of the residents.

Attachments

Letter and petition are attached.

Report prepared by:

Councillor Di Vona, ext. 8381

(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 FEBRUARY 12, 2007

Item 14, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 12, 2007, as follows:

By receiving the memorandum from the Commissioner of Finance & Corporate Services, dated February 12, 2007.

**14 PUBLIC INFORMATION/CONSULTATION FORUMS
2007 BUDGET PROCESS**

The Committee of the Whole recommends that the recommendation contained in the following report of Mayor Jackson, dated February 5, 2007, be approved, subject to substituting the word “of” with “and” where it appears in Clause 7 immediately following “City Page”:

Recommendation

Mayor Linda D. Jackson recommends:

- 1) That the City of Vaughan engages the public in meaningful and open dialogue, providing information and soliciting input for the 2007 Budget;
- 2) That three 2007 Budget Information/Consultation Forums be scheduled for the earliest possible dates in March 2007 and that staff poll the Mayor and Members of Council for best available dates;
- 3) That City of Vaughan Budget and Finance staff attend the three forums to provide a presentation explaining the budget process, the services provided by the City and the costs associated with those services;
- 4) That staff engage the public at the three forums, gathering information to reassess the community's needs and interest in continuing/discontinuing/introducing City of Vaughan services;
- 5) That staff invite and include representatives from the Budget and Finance departments of York Region, York Catholic District School Board and York Region District School Board in order that they may provide a similar presentation to the public;
- 6) That Al Palladini Community Centre, Garnet A. Williams Community Centre and the Civic Centre be identified as the three locations for the forums;
- 7) That a notice be published on the Vaughan City Page of local area newspapers and that mobile advertising signs be utilized to advertise the dates and locations of the three 2007 Budget Information/Consultation Forums; and
- 8) That Budget and Finance staff report back to the February 12, 2007 Council Meeting with a report that addresses the above.

Economic Impact

A nominal cost will be incurred for the mobile advertising signs.

Purpose

To inform and engage the public in meaningful dialogue regarding the 2007 Budget process as it relates to the City of Vaughan, York Region, York Catholic District School Board and York Region District School Board services.

CITY OF VAUGHAN

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Background - Analysis and Options

The City of Vaughan continues to provide excellent service to its residents. It is incumbent upon the City to assess the needs of the public from time to time in order to ensure that current needs and interests are being addressed. It is also incumbent upon the City to ensure that the public is provided with information which will lead to a comprehensive understanding of how tax dollars are allocated.

Relationship to Vaughan Vision 2007

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

Report prepared by:

Mirella Compagno

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 12, 2007

Item 15, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 12, 2007.

15

MODIFICATIONS TO ITEM TEMPLATE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Councillors Meffe, Carella and Shefman, dated February 5, 2007, be approved; and
- 2) That the modified item template be implemented on all reports effective March 1, 2007.

Recommendation

Councillors Peter Meffe, Tony Carella, and Alan Shefman recommend that the item template be modified to include sections entitled "Communications Plan" and "Regional Implications".

Economic Impact

Nil

Purpose

To ensure that consideration has been given to the means by which an item brought to the attention of Council will be communicated to the general public or any interested portion thereof; and similarly that consideration has been given to any implications that an item might have in respect of the Regional Municipality of York.

Background - Analysis and Options

The evolution of the item template reflects Council's ongoing interest in better understanding the impact of a given recommendation on the operation of the municipality. Hence, the template sections entitled "Relationship to the Vaughan Vision 2007", to ensure that a recommendation is consistent with the City's strategic plan; and "Economic Impact", to guarantee that thought has been given to the budgetary impact of a particular recommendation. In light of this ongoing interest, it is appropriate that new sections be included: to outline how the "message" of the recommendation will be spread; and if the recommendation has implications at the regional level.

Relationship to Vaughan Vision 2007

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

Conclusion

Council will be better served if it understands how a given recommendation will be communicated to the public; and if said recommendation has any implications in respect of York Region.

Attachments

None

Report prepared by:

Councillor Tony Carella

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 12, 2007

Item 16, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 12, 2007, as follows:

By receiving the written submission from Ms. Patricia A. Foran, Aird & Berlis, Barristers & Solicitors, BCE Place, 181 Bay Street, Suite 1800, Box 754, Toronto, M5J 2T9, dated February 12, 2007.

**16 INITIATION OF COMMUNITY IMPROVEMENT PLAN PROCESS
OFFICIAL PLAN AMENDMENT NO. 620
STEELES CORRIDOR - JANE TO KEELE- SECONDARY PLAN P.2004.95
FILE NO. 15.90**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 5, 2007, be approved; and
- 2) That the written submission of Ms. Rosemarie L. Humphries, President, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Woodbridge, L4L 8S5, dated February 5, 2007, be received.

Recommendation

The Commissioner of Planning recommends:

THAT lands subject to OPA 620 (The Steeles Corridor – Jane to Keele – Secondary Plan), be the focus of a study to prepare a Community Improvement Plan, under the provisions of Section 28 of the Planning Act;

THAT a By-law be enacted providing for the designation of the lands subject to OPA 620 as a Community Improvement Project Area, under the provisions of Section 28 of the Planning Act; and

THAT Staff be directed to prepare a Terms of Reference for the Community Improvement Plan Study.

Purpose

The purpose of this report is to explain the intent of the Provincial legislation permitting area municipalities to designate lands as Community Improvement Project Areas, the appropriateness of applying this approach to lands within the area subject to OPA 620, and the need to undertake a Study to enable the City to utilize the community improvement provisions of Section 28 of the Planning Act.

Economic Impact

This report recommends a change from the priorities previously set by Council and the necessary resources have not been allocated. The Study budget has not yet been determined, and will be submitted when the Terms of Reference are considered by Council. The budget would need to be included in the Policy Planning Department's 2007 Capital Budget.

Location

The Steeles Corridor-Jane to Keele-Secondary Plan area (OPA 620) is bounded by Steeles Avenue on the south and the CN Rail York Subdivision on the north, and by Jane Street on the west and Keele Street on the east.

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Background

- In October, 2002, Council retained a consulting team led by the firm 'Urban Strategies Inc.' to conduct the Steeles Corridor – Jane to Keele – Secondary Plan Study.
- On May 29, 2006, a Public Hearing was held respecting draft OPA 620, a secondary plan consistent with the findings and recommendations of the Steeles Corridor – Jane to Keele – Secondary Plan Study.
- On June 26, 2006, Vaughan Council adopted OPA 620.
- On October 24, 2006, the Region of York approved OPA 620.
- Since the approval of OPA 620, a number of landowners have appealed OPA 620 to the Ontario Municipal Board.

PLANNING CONTEXT

Existing Uses

From west to east, the lands subject to OPA 620 include the following uses:

- a vacant site that has approval to develop a mausoleum/crematorium
- a stormwater management pond on Steeles Avenue owned by the City of Vaughan
- the United Parcel Service (UPS) distribution facility
- York Region's vacant 5 acre site acquired for a transit terminal/commuter facility
- a vacant parcel owned by the Glen Corporation
- four older single storey employment buildings
- vacant lands owned by Steeles-Keele Investments Ltd., including a recently-built, 4-storey office building on the northwest corner of Keele Street and Steeles Avenue West.

On the north side of the OPA 620 lands is the Hydro One transmission corridor that is owned by the Province of Ontario. South of Steeles Avenue is the York University campus, and Black Creek Pioneer Village.

Provincial Policy

The Province's Places To Grow Plan, 2006, strongly supports development of more compact communities at transit-supportive densities, requiring compact urban form in conjunction with intensification efforts, to be coordinated with transit services and infrastructure. Municipalities are obliged to delineate urban growth centres in their official plans, and to use infrastructure investment to promote intensification. OPA 620 correctly anticipated the direction of Provincial policy through its policy framework which is consistent with and strongly supportive of the Places To Grow Plan.

Regional Official Plan

As the upper tier planning document that provides the framework for achieving the Region's urban structure, the Secondary Plan must conform to the York Region Official Plan (ROP). The ROP currently designates the amendment area as a Regional Corridor. The ROP includes policies in Section 5.4. – "Corridors" encouraging area municipalities to comprehensively examine such areas to provide opportunities for mixed use and higher densities.

In approving OPA 620, York Region advised that OPA 620 is consistent with and supportive of the Region's OPA 43, with the following commentary: "OPA 620 exemplifies the Region's Centres and Corridors policies. The Secondary Plan facilitates the development of higher density office/commercial and residential uses in a compact urban built form and will help support higher order rapid transit infrastructure and, specifically, the extension of the Spadina subway."

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Official Plan Amendment 620

The OPA 620 lands are designated as “Transit Core”, “Transit Transition”, and “Corridor” by OPA 620, and are subject to appeals to the OMB. OPA 620 envisions a mixed use, high density form of development centered on a future subway station, with street-related retail uses at grade, and higher density residential and office uses above. OPA 620 also provides for a subway station, and associated transit facilities, with a 3500-car parking lot to be located in the hydro corridor to the north. Development will include a grid network of local roads, and a primary east-west road along the north side of the lands, connecting Jane Street to Keele Street. The road section between Jane Street and the Regional Commuter facility is currently the subject of an Environmental Assessment being conducted by the Region of York (Highway 7 Corridor and Vaughan North-South Link Public Transit Improvements). The road section between the Regional Transit facility and Keele Street will be secured through a Class Environmental Assessment to be initiated at a later date.

OPA 620 permits development densities of 4.0 FSI on and around the subway station, 2.5 FSI within a 5-minute walking distance of the station, and 1.5 FSI at greater distances from the station. South of Steeles Avenue, the secondary plan for York University is now in preparation and is expected to reflect a similar transit-supportive development vision complementing OPA 620.

One of the main objectives of OPA 620 is to provide a high level of support for public transit service by locating the highest densities in close proximity to the subway station on the planned Spadina subway extension. A portion of the subway station is located on the north side of Steeles Avenue within the proposed CIPA. On March 23, 2006, the Province announced its commitment to the extension of the Spadina subway to the Vaughan Corporate Centre at Highway 7.

Zoning

Almost the entire OPA 620 area is zoned Prestige Employment Area Zone - EM1 except for 1) the northeast corner of Jane and Steeles, zoned C1 by a 1998 OMB decision permitting two (2 and 4 storey) buildings for a crematorium and columbarium; and 2) on a property which is the site of an existing multi-unit building, an exception permits eating establishments, banks and financial institutions, with or without a drive-through, and business and professional offices.

As current zoning is now inconsistent with the intent and policies of OPA 620, the zoning will be amended in association with future private development applications implementing OPA 620.

Development Applications

The OMB has approved development of a mausoleum/crematorium on a site on the northeast corner of Jane Street and Steeles Avenue. The owner has not yet submitted a site plan application to proceed with this development.

United Parcel Service (UPS), owner and operator of a large parcel distribution facility on the lands just east of Jane Street, has submitted a site plan application to permit a significant expansion of their building eastward into the vacant portion of their site. This vacant area has also been identified as a possible location for a part of the proposed transit station facilities, and is subject to the EA currently being completed for the Spadina subway extension. The City is in discussions with UPS regarding their proposed expansion.

Steeles–Keele Investments Ltd. (SKI) is the owner of approximately 16 hectares, which constitutes the eastern third of the Amendment Area. Construction of a 4-storey office building on the northwest corner of Keele and Steeles is already complete. In addition, the owner wishes to

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proceed with approvals to develop the balance of the property, which could include high density mixed use development with a range of office, commercial, and residential uses. Staff have met with the owner and his architect several times, and continue to work with them toward a master phasing plan and subsequent development application.

The owners of each of the properties noted above have appealed OPA 620 to the OMB.

Implementation of OPA 620 and Community Improvement Plans

The implementation of OPA 620 is expected to occur over a number of years. To fully achieve the envisioned development, the Spadina subway extension will be required to support the scale and density provided for by the Plan. In addition, there are a number of issues associated with the presence of existing development, servicing and road infrastructure requirements, arrangement of land ownership, parcels and uses, and development phasing issues, which need to be addressed to enable the transformation of the area.

OPA 620 includes a number of policy tools to facilitate its implementation. Section 8.7 of OPA 620 already expresses the City's intention to identify the subject lands as a Community Improvement Area under Section 28 of the Planning Act, and the policies associated with its application to the area.

Section 28 may be applied to areas which display any or all of the following conditions:

- inadequate municipal infrastructure, including piped services, roads and streetscapes, public parking facilities and/or stormwater management facilities;
- inadequate community services such as social services, public recreational/cultural facilities, and public open spaces;
- building and/or property deterioration to the extent that it negatively affects the overall image of the area;
- faulty arrangement of parcels and uses in an area;
- development at densities that are too low to support the planned transit facilities; and
- site contamination levels that require environmental site remediation prior to development.

Section 28 offers municipalities a variety of tools intended to facilitate development and redevelopment in keeping with municipal planning objectives. Under Section 28, municipalities are empowered to engage in the following activities:

- acquire, hold, clear, grade or otherwise prepare land for community improvement activities;
- construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the Community Improvement Plan;
- sell, lease or otherwise dispose of land and any buildings acquired or held by it in conformity with the Community Improvement Plan;
- make grants or loans to the registered owners or the assessed owners to pay for the whole or any part of the cost of developing or rehabilitating such lands and buildings in conformity with the Community Improvement Plan;

In addition, effective January 1, 2007, Bill 51 has expanded the scope of this legislation to permit the following:

- Allow municipalities to include new building construction related to energy efficient uses of lands, buildings, structures and facilities within the eligible costs of a Community Improvement Plan;

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- Allow municipalities to register grant or loan agreements on the title of the land so municipalities can increase their ability to enforce agreements, and developers can increase their ability to secure upfront financing for their projects; and
- Allow upper-tier municipalities to participate in lower-tier community improvement grant or loan programs that would increase lower-tier capacity to stimulate private sector development activities through their financing programs.

Also, the *Planning Act* now allows upper tier municipalities to adopt Community Improvement Plans for matters, which have been prescribed in Ontario Regulation 550/06, to include infrastructure (which includes communication systems, electric power systems, transportation corridors and facilities, waste management and water, wastewater and stormwater works and associated facilities), land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed use development and redevelopment and affordable housing.

To utilize the Section 28 legislation, a municipal bylaw is required which designates a Community Improvement Project Area for which a Community Improvement Plan may be prepared. Once the Community Improvement Plan is approved, it provides the City with the opportunity to utilize the full array of incentives and other measures afforded under Section 28, to facilitate development in keeping with the new transit-supportive vision of OPA 620.

The area to be designated as a Community Improvement Project Area is proposed to include the entire area which is now subject to OPA 620. Study is required to carefully consider the opportunities afforded by the Community Improvement legislation, and the opportunities it provides to facilitate development, and to prepare a Community Improvement Plan tailored to the needs and circumstances of the OPA 620 lands.

The subway extension, and location of a subway station and its associated facilities within the secondary plan area, presents the City with a unique development opportunity. However, there are many challenges to be addressed before the potential of this opportunity can be fully realized. With the exception of the new office building at Keele and Steeles, none of the area's existing development is consistent with the land use and density provisions articulated by OPA 620. None of the required road network is now in place. The OPA 620 lands are largely unserviced and are in need of comprehensive servicing solutions to facilitate their development. (Note: The City's Development Engineering Department is currently engaged in work on a comprehensive stormwater management solution for the OPA 620 lands.) There are also issues associated with the arrangement of some existing uses and land ownerships which could delay or impair the opportunity to fully achieve the OPA 620 vision. Phasing of private development, its coordination with construction of new infrastructure, and the equitable sharing of associated costs by benefiting private development must also be addressed.

The Community Improvement legislation will give the City important tools to resolve the key development issues, and enable the transformation of the OPA 620 lands. Application of the community improvement legislation will allow the City to facilitate the transition of the area from its current low density industrial use to a development form and scale complementing and justifying the considerable public investment in subway infrastructure. The initial steps are to approve a bylaw designating OPA 620 as a Community Improvement Project Area, draft the Terms of Reference for the Community Improvement Plan Study, and retain consulting assistance to complete the work. OPA 620 has already provided a comprehensive policy framework to guide the area's development. The CIP Study will focus on developing a strategy based on the CIP legislation, to begin implementing the plan.

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Relationship to Vaughan Vision 2007

This report and the draft OPA will serve to implement priorities previously set by Council in Vaughan Vision 2007. The following sections of Vaughan Vision are applicable:

Section 3 (Transportation and Transit Infrastructure):

- 3.1.1. connect the TTC Spadina subway extension project to Vaughan
- 3.2. solutions to traffic gridlock
- 3.2.1. the Region of York and other agencies to ensure higher order transit
- 3.2.2. land use designation and urban form to support transit usage
- 3.2.3. growth that does not outpace the road network
- 3.2.4. regional and provincial initiatives on transportation infrastructure
- 3.2.5. bicycle and pedestrian networks

Conclusion

OPA 620 has defined a vision and policy framework to guide the future development of the Steeles Corridor lands. OPA 620 has also identified the subject lands as a Community Improvement Area under Section 28 of the Planning Act. However, there are a number of issues which must be resolved to enable the desired form of development. The Community Improvement legislation can provide the City with essential tools to address these issues.

Staff support the initiation of a Community Improvement Plan Study. It is recommended that a by-law be enacted designating the OPA 620 lands as a Community Improvement Project Area, the Terms of Reference be prepared for Council consideration, and consulting services be retained to complete the Study and prepare the Plan. Upon completion, the Study would be followed by submission of the Community Improvement Plan to a Public Hearing, prior to Council approval of the Plan. These steps will give the City the necessary tools to facilitate the transition of the lands in keeping with the OPA 620 vision.

Attachments

- 1. Schedule A – Land Use and Density, OPA 620
- 2. Schedule B – Conceptual Street Network, OPA 620
- 3. Schedule C – Conceptual Open Space Network & Public Amenities, OPA 620

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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.)