

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009

Item 1, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

1

**SIGN VARIANCE APPLICATION
FILE NO: SV.09-018
OWNER: ZZEN GROUP
LOCATION: SOUTH SIDE HIGHWAY 7
CONCESSION 9, PART OF LOT 6
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated November 10, 2009:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-018, ZZen Group, be APPROVED.

Contribution to Sustainability

N/A

Economic Impact

None.

Communications Plan

The results of this application will be communicated to the applicant through the Secretary to the Sign Variance Committee.

Purpose

Request to install Poster Panel Sign on a parcel of land zoned “A”(Agricultural Zone).

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

15.1 One Poster Panel Sign (Billboard) per lot may be permitted on vacant lots zoned Industrial or Commercial .

All Poster Panel signs shall be located within the “Industrial Area” as shown on Schedule “D” to the Sign By-Law. (The Industrial Area of Official Plan Amendment 450.)

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

Region of York Engineering approval is required for the proposed sign. (Minimum setback from the centre line of the road only.)

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Conclusion

The applicant is proposing to erect a sign on a parcel of land zoned Agricultural that is within the "Industrial Area" as shown on Schedule "D" to the Sign By-law.

Members of the Sign Variance Committee have no objections to the application as submitted. Committee members are of the opinion that as the subject property will be zoned Industrial or Commercial in the future, the intent and purpose of the City's Sign By-law is being maintained.

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

Attachments

1. 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 2, Report No. 50, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on November 24, 2009, was dealt with by approving:

That this matter be deferred to the Committee of the Whole meeting of December 1, 2009;

That the memorandum from the Chair, Sign Variance Committee, dated November 20, 2009, be received; and

That the written submission from Mr. Graham Armstrong, Pattison Outdoor Advertising, 2285 Wycroft Road, Oakville, L6L 5L7, dated November 24, 2009.

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**SIGN VARIANCE APPLICATION
FILE NO: SV.09-019
OWNER: ZZEN GROUP
LOCATION: SOUTH SIDE HIGHWAY 7
CONCESSION 9, PART OF LOT 6
WARD 2**

The Committee of the Whole recommends:

- 1) That this matter be deferred to the Council meeting of November 24, 2009 to allow staff to report back with respect to the signs on the north side of Hwy #7;
- 2) That the deputation of Mr. Graham Armstrong, Pattison Outdoor Advertising, 2285 Wycroft Road, Oakville, L6L 2L7 and map, on behalf of the applicant, be received.

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-019, ZZen Group, be REFUSED, due to the proposed 320 meter minimum separation between Poster Panel Signs.

Contribution to Sustainability

N/A

Economic Impact

None.

Communications Plan

The results of this application will be communicated to the applicant through the Secretary to the Sign Variance Committee.

Purpose

Request to install a Poster Panel Sign on a parcel of land zoned "A" (Agricultural Zone) and located 320 meters from another Poster Panel Sign located on the same side of the street.

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Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

15.1 One Poster Panel Sign (Billboard) per lot may be permitted on vacant lots zoned Industrial or Commercial.

All Poster Panel Signs shall be located within the “Industrial Area” as shown on Schedule “D” to the Sign By-Law. (The Industrial Area of Official Plan Amendment 450.)

Poster Panel Signs shall be setback a minimum of 600 meters from any other Poster Panel located on the same side of the street.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

Region of York Engineering approval is required for the proposed sign. (Minimum setback from the centre line of the road only.)

Conclusion

The applicant is proposing to erect a sign on a parcel of land zoned Agricultural that is within the “Industrial Area” as shown on Schedule “D” to the Sign By-law. The applicant is further proposing that the minimum separation between Poster Panel Signs be reduced from the required 600 meters to 320 meters.

Members of the Sign Variance Committee do not support the reduction of the separation between Poster Panel Signs. In their opinion the minimum separations required in the Sign By-law should be maintained to provide a distinct separation between the large third party advertising signs (Poster Panel Signs) to reduce the negative impact on the streetscape. For this reason members of the Sign Variance Committee are recommending that the application be refused.

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

Attachments

1. Site Plan

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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Item 3, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

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**SITE DEVELOPMENT FILE DA.09.068
YORK CATHOLIC DISTRICT SCHOOL BOARD
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 10, 2009, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.068 (York Catholic District School Board), BE APPROVED, to permit a 2-3 storey elementary school, an associated playing field, and 70 parking spaces, subject to the following conditions:
 - a) that prior to the issuance of a building permit:
 - i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans shall be approved by the Vaughan Engineering Department; and,
 - iii) any zoning variances identified through the zoning review shall be addressed by the applicant to comply with By-law 1-88 to the satisfaction of the Vaughan Development Planning Department, or alternatively, the variances shall be approved by the Committee of Adjustment and shall be final and binding.

Contribution to Sustainability

The applicant has advised the City that the following sustainable features will be provided within the site and building design:

- i) the HVAC system has heat recovery capability;
- ii) high efficiency boilers;
- iii) utilize materials with recycled content;
- iv) high efficiency light fixtures;
- v) recycling and waste management is part of the school operations;
- vi) utilize water conserving plumbing fixtures; and,
- vii) 'Certified' level of compliance achieved with 26 LEED credits.

Economic Impact

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

Communications Plan

N/A

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Purpose

To permit the development of the subject lands shown on Attachments #1 and #2 with a 2-3 storey elementary school, an associated playing field, and 70 parking spaces as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands are located on the southwest corner of Peter Rupert Avenue and Golden Forest Road, being Block 166 on Plan 65M-3941, in Part of Lot 18, Concession 3, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated “Low Density Residential” by OPA #600, which permits institutional uses including a school. The proposed elementary school development conforms to the Official Plan.

The property is zoned RD4 Residential Detached Zone Four by By-law 1-88, subject to Exception 9(1234), which permits the proposed school use. The final site plan drawings must comply with By-law 1-88, or alternatively, any required variances must be approved by the Committee of Adjustment and shall be final and binding.

Site History

On June 28, 2004, Council approved Draft Plan of Subdivision File 19T-00V19 (Arband Investments Ltd.) to facilitate the development of a residential subdivision including the school block comprised of Block 166 on Plan 65M-3941.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan as shown on Attachments #3 to #5 inclusive, and will continue to work with the applicant to finalize the details. All final plans must be approved to the satisfaction of the Development Planning Department. A condition of approval in this respect is included in the recommendation.

Servicing

The applicant has submitted site servicing and grading plans for review and approval by the Vaughan Engineering Department. All final plans must be approved to the satisfaction of the Engineering Department. A condition of approval is included in the recommendation.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth and Economic Vitality”.

Regional Implications

The subject lands are located internal to the subdivision, and therefore there are no Regional implications.

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Conclusion

Site Development File DA.09.068 has been reviewed by the Vaughan Development Planning Department in accordance with the applicable policies of OPA #600, By-law 1-88, the comments from City Departments, and the area context. The Development Planning Department is generally satisfied that the proposed development of a 2-3 storey elementary school is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Elevation Plan
5. Landscape Plan

Report Prepared by:

Morgan Jones, Planner 1, ext. 8216
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

/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 4, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

**4 SITE DEVELOPMENT FILE DA.09.037
ANTHONY AND THOMAS KIRIAKOH
WARD 4**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 10, 2009, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.037 (Anthony and Thomas Kiriakoh) BE APPROVED, to permit the development of a banquet hall, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department, the Vaughan Public Works Department, and the Vaughan Engineering Department;
 - ii) the variances for the reduction in the minimum required landscape strip abutting Highway #407 and the reduction in the minimum required built-to-zone setback shall be approved by the Vaughan Committee of Adjustment, and shall be final and binding; and,
 - iii) the Owner shall satisfy all requirements of the Ministry of Transportation and the Toronto and Region Conservation Authority.

Contribution to Sustainability

The applicant has advised that the following sustainable building and site design features will be incorporated into the proposed development:

- i) water use reduction: specific dual flush toilets and ultra-low flow faucets will be utilized;
- ii) CFC reduction in HVAC Equipment: specific non-CFC refrigerants will be used for all building equipment;
- iii) optimized energy performance: design and install "Low-E" argon windows in thermally improved frames; and,
- iv) low emitting materials: use water-based paints, adhesives and sealants.

Economic Impact

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

Communications Plan

N/A

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Purpose

To permit a 70.8m² addition to the existing commercial building (former Palazzo Nightclub) and revisions to the building elevations, and paved and landscape areas, to facilitate the development of a banquet hall with an accessory office, as shown on Attachments #3, #4, #5 and #6.

Background - Analysis and Options

Location

The 1.47ha subject lands are located on the south side of Peelar Road, east Jane Street, known municipally as 99 Peelar Road, being Lot 13 on Plan 65M-8070, in Part of Lot 3, Concession 4, City of Vaughan, as shown on Attachments #1 and #2.

Official Plan and Zoning

The subject lands are designated “Corporate Centre District” by OPA #500, the City’s Corporate Centre Plan. The proposed banquet hall use conforms to the Official Plan.

The subject lands are zoned C10 Corporate District Zone by By-law 1-88. The proposed banquet hall use complies with By-law 1-88, however, in order to implement the proposed site plan, the following variances to the C10 Zone are required:

	By-law Standard	By-law 1-88 Minimum Requirement (C10 Corporate District Zone)	Proposed Exceptions (to the C10 Corporate District Zone)
a.	Minimum width of landscape strip adjacent to Highway #407	9m	6m and 3m (at narrowest point)
b.	Maximum built-to-zone setback along Peelar Road	50% of the length of the street line (Peelar Road) shall have buildings located within 0-9m	10% of the length of the street line (Peelar Road) shall have the proposed banquet hall building located within 0-9m

The Owner is proposing minimum 3m and 6m wide landscape strips along Highway #407, as shown on Attachment #3, whereas By-law 1-88 requires a minimum of 9m. The Development Planning Department conducted a site visit and determined that the grade of Highway #407 at this location is higher than the subject lands, and therefore, the site is visible at any buffer width. Accordingly, the Owner has agreed to provide dense planting/trees along the highway within the 3m and 6m strips. The final landscape plan must be to the satisfaction of the Development Planning Department. Accordingly, the proposed reduction in landscape strip width can be supported by the Development Planning Department.

The Owner is also proposing a reduction in the percentage of building area in the required “built-to-zone” setback of 0-9m from the street line (Peelar Road). The intent of the “built-to-zone” setback requirement in By-law 1-88 is to encourage development closer to the street in the Vaughan Metropolitan Centre, more specifically, the Corporate Centre Zone categories of C9 Corporate Centre Zone and C10 Corporate District Zone. The proposal is for a 70.8m² addition to an existing commercial building, of which most of the addition is located in the built-to-zone

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setback, as shown on Attachment #3. The balance of the existing building will be retro-fitted to facilitate the development of a banquet hall. Therefore, the Development Planning Department has no objection to the reduction in the percentage of proposed building area in the required “built-to-zone” setback.

The Owner will be required to obtain approval for the above-noted variances from the Vaughan Committee of Adjustment, which shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan, as shown on Attachments #3 to #6, inclusive, subject to one exception. The proposed outdoor garbage area has been red-lined on Attachments #3 and #6, to be replaced with a completely enclosed garbage area. This revision must be reflected on all pertinent plans, and be approved to the satisfaction of the Development Planning and Public Works Departments. Prior to the execution of the Site Plan Letter of Undertaking, the final site plan, building elevations and landscape plan must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Servicing/Grading/Toronto and Region Conservation Authority

The Owner has submitted a site servicing and grading plan along with a stormwater management report for the review and approval of the Vaughan Engineering Department, in consultation with the Toronto and Region Conservation Authority (TRCA). Prior to the execution of the City’s Site Plan Letter of Undertaking, the final site servicing and grading plan and stormwater management report must be approved to the satisfaction of the Vaughan Engineering Department, and the Owner must satisfy all requirements of the TRCA.

Ministry of Transportation

The subject lands abut Highway #407. The Ministry of Transportation is protecting for a 14m right-of-way along the Highway #407 corridor, as shown on Attachment #3, in order to facilitate any future widening. Prior to the execution of the Site Plan Letter of Undertaking, the Owner must satisfy all requirements of the Ministry of Transportation.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

Regional Implications

N/A

Conclusion

The Site Development Application has been reviewed in accordance with OPA #500, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed 70.8m² addition to the existing commercial building and revisions to the building elevations, and the paved and landscape areas to facilitate the development of a banquet hall, is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report.

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Attachments

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

Report prepared by:

Christina Napoli, Planner, ext. 8483
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

/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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- v) Office and Stationary Supply, Sales, Service, Rental;
- vi) Car Rental Service;
- vii) Print Shop Accessory Retail Sales;
- viii) Personal Service Shop;
- ix) Pharmacy;
- x) Place of Entertainment;
- xi) Tavern;
- xii) Technical School;
- xiii) Veterinary Clinic;
- xiv) Video Store; and,
- xv) Bakery.

- c) require a minimum setback of 14m to the north and west property lines as shown on Attachment #4, for all buildings and structures above or below grade, parking, fire routes, and driveways;
- d) require a minimum of 554 parking spaces;
- e) include the following definition for a “bakery”:

“A BAKERY shall mean:

A building or a part of a building or place having not more than 24 seats, where the baking of bakery products is permitted on the premises and where food and drink is permitted on the premises and where food and drink are prepared and offered for sale on a cafeteria-style, buffet or self serve basis for consumption within or outside of such building or place, and where customers do not eat at the same table or counter at which the food is ordered and/or obtained. Such establishment may include a take-out and a catering facility as accessory uses thereto”; and,

- f) include a clause providing that notwithstanding any future land division of the subject lands by way of consent, condominium, etc. that for the purposes of zoning conformity, the subject lands shall be deemed to be one parcel.

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

On January 16, 2009, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no written comments have been received by the Development Planning Department. The following concerns were identified at the Public Hearing on February 10, 2009:

- i) the reduced number of parking spaces is insufficient to support the proposed development;
- ii) the site is better suited for a large-format, single tenant use given its proximity to two major Highways (Highways #400 and #407), the surrounding land use context; and
- iii) the design of buildings and the amount of parking along Weston Road.

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In response to these concerns, the applicant has undertaken the following:

- i) contacted the City of Vaughan Economic Development Department to inquire if there was any interest expressed by an organization or business requiring a single use large format building. The Economic Development Department advised the applicant and the Development Planning Department that they are not aware of any interested users for a single user building of significant size;
- ii) the Owner has increased the amount of parking on the site and placed limits on the gross floor area devoted to uses that typically generate a higher parking requirement (e.g. service commercial uses). The proposed reduction in the number of required parking spaces has been supported by a Parking Justification Report, which has been reviewed and approved by the Engineering Department. An analysis of the parking requirements and proposed parking will be discussed later in this report; and,
- iii) the Owner has informed the Development Planning Department that they will continue to work with the Department with respect to the related Site Development Application (File DA.08.062) to review the design of the buildings, site plan the parking layout and landscaping. The Owner has prepared and provided a conceptual site plan, landscape plan, and an elevation plan for Building "A", as shown on Attachments #3, #4, and #5 respectively.

The recommendation of the Committee of the Whole to receive the Public Hearing report of February 10, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on February 24, 2009.

Purpose

The Owner has submitted an application to amend the City of Vaughan Zoning By-law 1-88 for the subject lands shown on Attachment #2, specifically to:

- a) rezone the subject lands from PBM7 Parkway Belt Industrial Zone to EM1 Prestige Employment Area Zone and C7 Service Commercial Zone;
- b) permit the following uses in the EM1 Prestige Employment Area Zone within each of the 4 multi-unit buildings, as shown on Attachment #2:
 - i) Business or Professional Office;
 - ii) Car Brokerage;
 - iii) Club or Health Centre;
 - iv) Day Nursery;
 - v) Employment Use;
 - vi) Accessory retail sales to an Employment Use;
 - vii) Accessory office uses to an Employment Use;
 - viii) Office Building;
 - ix) Recreational Use;
 - x) Service or Repair Shop;
 - xi) One (1) Personal Service Shop having a maximum gross floor area of 185 m² per multi-unit building; and,
 - xii) One Eating Establishment; Eating Establishment - Convenience; or Eating Establishment - Take-Out, having a maximum gross floor area of 185 m² per multi-unit building, including an outdoor patio use accessory thereto;
- c) permit the following additional service commercial uses in addition to the permitted EM1 Prestige Employment Area Zone uses listed above, within the proposed buildings located within Area "A" as shown on Attachment #2:

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- i) Sales and service establishments greater than 274m² and less than 930 m² limited to the following: automotive parts, supplies and accessories store; computer and software store; communications and electronics retail and supplies store; work and industrial clothing store; bakery; flooring store; carpet and rug store; bath and tile store; plumbing fixtures and supplies store; lighting store; paint, wallpaper and home décor store; windows and doors store; general contractors shop; kitchens cabinets and housewares store;
 - ii) Convenience Retail Store;
 - iii) Bank and Financial Institution;
 - iv) Education or Training Facility;
 - v) Eating Establishment, Eating Establishment – Convenience, Eating Establishment, Take-Out, including outdoor patio accessory thereto;
 - vi) Office and Stationary Supply, Sales, Service, Rental;
 - vii) Car Rental Service;
 - viii) Print Shop Accessory Retail Sales;
 - ix) Parking Garage;
 - x) Personal Service Shop;
 - xi) Pharmacy;
 - xii) Place of Entertainment;
 - xiii) Tavern;
 - xiv) Technical School;
 - xv) Veterinary Clinic; and,
 - xvi) Video Store;
- d) require minimum of 554 parking spaces; and,
- e) notwithstanding any future land division of the subject lands by way of consent, condominium, etc., that for the purposes of zoning conformity the property shall be deemed to be one parcel.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located at the southeast corner of Weston Road and Highway #407, municipally known as 1 Century Place, in Part of Lots 2 and 3, Concession 5, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated “Prestige Area” by OPA #450 (Employment Area Growth and Management Plan) which encourages locational opportunities for uses that require high visual exposure, good accessibility and an attractive working environment. The “Prestige Area” designation is implemented by the EM1 Prestige Employment Area Zone category.

OPA #450 also contains policies respecting “Service Nodes”, which allow service commercial uses at the intersection of arterial and/or collector roads. The “Service Node” designation provides policies for uses that supply the day-to-day convenience and service needs of the surrounding businesses, industries and their employees and to ensure that service opportunities are provided at convenient and accessible locations throughout the Employment Area. The maximum area of a Service Node is 1.2 ha. The site satisfies the Official Plan criteria respecting the location of a Service Node, since the property is located at the intersection of Weston Road and Highway #407 and is approximately 1.2 ha in size. The balance to the site is proposed to be utilized for Prestige Employment Uses. On this basis, the application conforms to the Official Plan.

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The subject lands were removed from the Parkway Belt West Plan by Amendment No. 106 in January 1996.

Zoning

The subject lands are zoned PBM7 Parkway Belt Industrial Zone by By-law 1-88, which permits a limited range of industrial uses. The proposed employment and service commercial uses are not permitted in the PBM7 Parking Belt Industrial Zone on the subject lands, and therefore, an amendment to Zoning By-law 1-88 is required.

Parking

The required parking under By-law 1-88 for the proposed development based on the maximum gross floor areas devoted to the specific uses proposed by the applicant is calculated as follows:

Proposed Service Commercial Uses - 4,175m ² @ 6 spaces/100m ²	= 251 spaces
Proposed Employment Uses - 16,527m ² @ 1.5 spaces/100m ²	= 248 spaces
<u>Proposed Office Uses - 2,843m² @ 3.5 spaces/100m²</u>	<u>= 100 spaces</u>
Total Required	= 599 spaces
Total Provided	= 554 spaces

Based on the above calculations, the uses proposed would result in a parking deficiency of 45 spaces (7.5%).

In order to deal with the concerns raised at the Public Hearing on February 10, 2009, particularly with respect to the parking deficiency, the Owner is proposing to restrict the total combined gross floor area devoted to Business and Professional Offices uses and an Office Building uses to a maximum of 2900m² and the maximum gross floor area devoted to service commercial uses to 4200m². These gross floor area figures are based on the information and conclusions provided in the parking justification report.

The Owner has submitted a parking justification report prepared by BA Group Transportation Consultants, dated July 27, 2009, in support of the application. The analysis in the parking justification report included a review of other service commercial and employment developments in the surrounding area and other areas within the City of Vaughan in order to determine peak parking rates. The study concludes that the peak parking demand on the property would generally occur between 11:00am and 2:00pm with the maximum peak demand being 65% of total available parking. Based on the average peak parking demand, the consultant concluded that the peak parking demand for the development would require a parking supply of 494 spaces, whereas 554 spaces are proposed on the site. The Vaughan Engineering Department has reviewed the report and concurs with the conclusions. On this basis, the Development Planning Department can support the proposed reduction in the number of parking spaces.

Planning Considerations

The subject property is designated "Prestige Area" by OPA #450 (Employment Area Growth and Management Plan), which is implemented in By-law 1-88 by the EM1 Prestige Employment Area Zone category. The Owner is proposing to rezone the easterly portion of the property from PBM7 Parkway Belt Industrial Zone to EM1 Prestige Employment Area Zone as shown on Attachment #3, which conforms with and implements the "Prestige Area" designation in OPA #450.

The Owner requested that a "parking garage" be included as a permitted use in the EM1 Prestige Employment Area Zone on the site. The Development Planning Department does not consider a parking garage to be an appropriate use on this property in the context of the surrounding land uses and the proposed concept plan. The Development Planning Department does not support a parking garage use on the site, and the recommendation in this report reflects this accordingly.

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The Owner is also proposing to rezone the south western portion of the property from PBM7 Parkway Belt Industrial Zone to C7 Service Commercial Zone as shown on Attachment #3, and to limit the maximum combined gross floor area devoted to service commercial uses to 4200m² on the ground floor of Buildings, which is consistent with the policies in the Official Plan.

The Owner has worked with the Development Planning Department to achieve conformity with OPA #450 and has subsequently amended the application by restricting the service commercial uses to the proposed C7 Service Commercial Zone located at the south west corner of the site, which is approximately 1.2 ha. in size. Furthermore, the Owner has removed the following uses as they were considered to be retail uses and not permitted by the Official Plan;

Sales and service establishments greater than 274m² and less than 930 m² limited to the following: automotive parts, supplies and accessories store; computer and software store; communications and electronics retail and supplies store; work and industrial clothing store; flooring store; carpet and rug store; bath and tile store; plumbing fixtures and supplies store; lighting store; paint, wallpaper and home décor store; windows and doors store; general contractors shop; kitchens cabinets and housewares store;

The Owner also requested that a “bakery” be a permitted use in the C7 Service Commercial Zone. A “bakery” is not a defined use in By-law 1-88, and therefore, a site-specific definition is required to implement the proposed use on the subject lands. It is recommended that the following definition for a bakery use be applicable to the subject lands:

“A BAKERY shall mean:

A building or a part of a building or place having not more than 24 seats, where the baking of bakery products is permitted on the premises and where food and drink is permitted on the premises and where food and drink are prepared and offered for sale on a cafeteria-style, buffet or self serve basis for consumption within or outside of such building or place, and where customers do not eat at the same table or counter at which the food is ordered and/or obtained. Such establishments may include a take-out and an outdoor patio as an accessory use thereto.”

Ministry of Transportation MTO

The subject lands are located within the Ministry of Transportation (MTO) permit control area. The MTO has advised that Ministry permits will be required prior to any construction on the property, including all signage. The MTO has also advised that the Owner is required to maintain a minimum 14m setback from the Highway #400 and #407 rights-of-way, which shall include all buildings, structures and all required amenities (i.e. parking, fire route, stormwater management ponds, etc.). A recommendation to this effect has been included in this report.

Furthermore, MTO has advised that access through the existing northerly access is prohibited for the proposed development, and that arrangements should be made to allow for continued access through this entrance for Hydro only, to access the Hydro Transformer located on the adjacent property to the east. This would result in the proposed development being accessed from a single driveway located on Century Place as shown on Attachment #3. Accordingly, the Owner has submitted a Traffic Impact Statement (TIS), prepared by the BA Group dated July 2008 (as amended) which concludes that the proposed development can be satisfactorily developed and operate using a single access driveway. The Regional Municipality of York and the Vaughan Engineering Department have reviewed the revised TIS and concur with the conclusions.

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Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has no objection to the Zoning By-law Amendment Application, however they have advised that they further information is required, including but not limited, to a Functional Servicing Report (FSR) through the Site Development Application process to ensure the development can be accommodated on the site.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

Regional Implications

The Regional Municipality of York has advised that they had no concerns or objections to the proposed development.

Conclusion

The Zoning By-law Amendment Application has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management Plan), the requirements of By-law 1-88, the comments received from City Departments and external agencies and the surrounding area context. The Development Planning Department is satisfied that the proposal to rezone the subject lands from PBM7 Parkway Belt Industrial Zone to EM1 Prestige Employment Area Zone and C7 Service Commercial Zone and with site specific uses permissions to facilitate the construction of 4 multi-unit buildings on the subject lands, is appropriate and compatible with the existing uses in the surrounding area subject to the comments and recommendations on this report. In addition, a Parking Study and a Traffic Impact Study were prepared in support of the application, which was reviewed and approved by the Vaughan Engineering Department. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Landscape Plan
5. Conceptual Elevations - Building “A”

Report prepared by:

Ryan Mino, Planner, ext. 8213
Carmella Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

/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 6, Report No. 50, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on November 24, 2009, as follows:

By receiving the following written submissions:

- a) *Ms. Brooke Elsner, dated November 23, 2009;*
- b) *Mr. and Mrs. David Pisarek, 12 Asner Avenue, Vaughan, L6A 0W3, dated November 23, 2009;*
- c) *Mr. Matthew Ber, 34, Carmel Street, Vaughan, L6A 0W7, dated November 23, 2009;*
and
- d) *Ms. Marina Avisar, dated November 24, 2009.*

**6 OFFICIAL PLAN AMENDMENT FILE OP.09.002
ZONING BY-LAW AMENDMENT FILE Z.09.009
MADISON BATHURST HOLDINGS LIMITED
WARD 1**

The Committee of the Whole recommends:

- 1. That the recommendation contained in the following report of the Commissioner of Planning, dated November 10, 2009, be approved;
- 2. That the following deputations be received:
 - a) Mr. James Kennedy, KLM Planning Partners Inc., 64 Jardin Drive, Suite 1B, Concord, L4K 3P3, on behalf of the applicant;
 - b) Mr. Matthew Ber, 34 Carmel Street, Maple, L6A 0W7;
 - c) Mr. Steve Colatosti, 9601 Bathurst Street, Richmond Hill, L4C 3X3;
 - d) Ms. Maya Rusetsky, 26 Yarden Drive, Vaughan, L6A 0W2;
 - e) Ms. Tatiana Cohen, 45 Havon Road, Maple, L6A 0W8; and
 - f) Mr. Kanevsky Kirill, 42 Carmel Street, Vaughan, L6A 0W6; and
- 3. That the written submission of Mr. and Mrs. David Pisarek, 12 Asner Avenue, Vaughan, L6A 0W2, dated November 9, 2009, be received.

Recommendation

The Commissioner of Planning recommends:

- 1. THAT Official Plan Amendment File OP.09.002 (Madison Bathurst Holdings Limited) BE APPROVED, specifically to amend OPA #600 to redesignate the subject lands shown on Attachments #1 and #2 from "Medium Density Residential/Commercial" to "High Density Residential/Commercial" and with the following site-specific policies to facilitate the development of a residential/commercial development shown on Attachments #3 to #5:
 - a) the maximum number of assisted living seniors retirement residence suites permitted in Phase 1 shall be 135, and 162 apartment units (seniors condominium) in Phase 2 of the subject lands;
 - b) permit a maximum building height for the assisted living seniors retirement residence in Phase 1 of 6-storeys (excluding roof top mechanical equipment and penthouse) or 25 m, whichever is lower;
 - c) permit a maximum building height for the seniors retirement residence in Phase 2 of 15-storeys (excluding the mechanical equipment and penthouse) or 52 metres, whichever is lower;

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- d) permit 651 m² of ground floor commercial uses within the 15-storey building (Phase 2);
 - e) permit accessory ground floor uses such as personal services and an eating establishment within the proposed 6-storey building (Phase 1) for the use of the residents in Phases 1 and 2;
 - f) permit a maximum density on the subject lands of a Floor Space Index (FSI) of 3.24; and,
 - g) include policies to promote sustainable site and building development features.
2. THAT Zoning By-law Amendment File Z.09.009 (Madison Bathurst Holdings Limited) BE APPROVED, to rezone the subject lands from A Agricultural Zone to:
- a) RA3 Apartment Residential Zone on Phase 1 of the subject lands to facilitate the development of a 6-storey building comprised of 135 assisted living seniors retirement residence suites;
 - b) RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” on Phase 2 of the subject lands to facilitate a 15-storey, 162 unit apartment (seniors condominium) building with a maximum of 651 m² of ground floor retail commercial uses;
3. THAT the implementing Zoning By-law include the following:
- a) a definition for a “Residence Suite” located within an assisted living seniors retirement residence, as follows:

“Residence Suite – means a suite within an assisted living seniors retirement residence, in which sanitary conveniences are provided, and in which cooking facilities and the installation of cooking equipment shall not be permitted.”;
 - b) permit accessory uses on the ground floor of the assisted living seniors retirement residence such as personal services and an eating establishment for the use of the residents in Phases 1 and 2;
 - c) permit the following commercial uses to a maximum combined total of 651 m² on the ground floor of the building on Phase 2:
 - one (1) Retail Store;
 - one (1) Pharmacy;
 - one (1) Day Nursery, with a maximum gross floor area of 186 m²; and,
 - d) the zoning exceptions to the RA3 Apartment Residential Zone identified in Table 1 of this Report.
4. THAT the Holding Symbol “(H)” shall not be removed from the subject lands zoned RA3(H) Apartment Residential Zone until such time as the following conditions are addressed for Phase 2 of the subject lands, to the satisfaction of the City:

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- a) that a Site Development Application for the Phase 2 portion of subject lands be approved by Vaughan Council; and,
 - b) that Vaughan Council adopt a 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 City's approved Servicing Capacity Distribution Protocol in effect at the time of site plan approval, assigning capacity for the proposed 15-storey, 162 apartment unit (seniors condominium) development.
5. THAT the Owner dedicate a 4.5 m road widening along the Bathurst Street frontage to be dedicated to the Region of York for right-of-way purposes which shall be implemented through the site plan approval process.
6. THAT the Owner shall pay to the City of Vaughan, a Woodlot Fee for each residential dwelling unit in the proposed seniors condominium building (Phase 2) through the Site Plan approval process.

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

On April 17, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, as well as, an extended polling area to property owners within an area of approximately 500m of the subject lands, as shown on Attachment #2. The recommendation to receive the Public Hearing report of May 12, 2009, was ratified by Council on June 11, 2009.

- i) Prior to the Public Hearing, a letter was received from a Richmond Hill resident expressing disapproval with the proposed increase in the density for this development.
- ii) At the Public Hearing, a number of residents also expressed concerns respecting the proposed development. These concerns are addressed later in this report.

On October 30, 2009, a Notice for this Committee of the Whole Meeting was sent to all individuals requesting a notice or having appeared at the Public Hearing.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

- 1. An Official Plan Amendment Application (File OP.09.002) specifically to:
 - a) redesignate the subject lands shown on Attachment #3 from "Medium Density Residential/Commercial" to "High Density Residential/Commercial";
 - b) permit a maximum of 135 assisted living seniors retirement residence suites and 162 apartment units (seniors condominium) in Phases 1 and 2, respectively, of the proposed development, yielding a maximum Floor Space Index (FSI) of 3.24;

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- c) increase the maximum building height permitted in the “High Density Residential/Commercial” designation on the Phase 2 portion of the site from 12-storeys to 15-storeys,
 - d) permit 651m² of limited ground floor commercial uses within the 15-storey building (Phase 2); and,
 - e) permit accessory ground floor uses within the 6-storey building, such as personal service uses and an eating establishment intended for use by the residents within Phases 1 and 2.
2. A Zoning By-law Amendment Application (File Z.09.009) to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #3 from A Agricultural Zone to RA3 Apartment Residential Zone (Phase 1) and RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” (Phase 2), together with the zoning exceptions identified in the recommendation of this report, to implement the proposed seniors residential/commercial development.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1, are located at the northwest corner of Bathurst Street and Lebovic Campus Drive, being Part of Lot 17, Concession 2, City of Vaughan. The surrounding land uses are as shown on Attachment #2. The vacant, irregular shaped property has approximately 70m of frontage on Geshar Crescent, and 84.33m flankage on Lebovic Campus Drive.

Supporting Documents

The following supporting reports were submitted for review in consideration of the subject applications:

- i) Planning Justification Report, dated March 2009, prepared by KLM Planning Partners; Addendum Planning Justification Report dated July 2009; and Addendum Planning Justification Report dated August 2009;
- ii) Sun/Shadow Study, prepared by Kirkor Architects dated March 16, 2009;
- iii) Wind Study, prepared by Gradient Microclimate Engineering Inc., dated February 24, 2009;
- iv) Noise Study, prepared by Valcoustics Canada Limited dated March 2009, and updated July 2, 2009;
- v) Phase 1 Environmental Site Assessment by Soil Engineers Ltd., dated January 12, 2007;
- vi) Urban Design Brief, prepared by Kirkor Architects and KLM Planning Partners dated March 2009;
- vii) Transportation and Traffic Study/Parking Study, prepared by Read, Voorhees & Associates Ltd., dated February 2009, and updated June 26, 2009;

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- viii) Stage 1-2 and 3-4 Archaeological Assessment prepared by Archaeological Services Inc., dated January 12, 2007; and,
- ix) Functional Servicing Report prepared by Schaeffers Consulting Engineers, dated March 2009.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by Official Plan Amendment #600, which permits residential uses including detached and semi-detached dwellings, street townhouses, duplex, tri-plex and fourplex units, block townhouses and commercial uses. The 0.86ha site was identified within the Block 11 Plan as a site for Convenience Commercial use. The Official Plan Amendment application for the subject lands proposes to redesignate the property to "High Density Residential/Commercial" to permit the development of a 6-storey assisted living seniors retirement residence building (Phase 1) and a 15-storey senior's residential apartment building as shown on Attachment #3.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, which does not permit the proposed high density residential development. The applicant is proposing to rezone the subject lands to RA3 and RA3(H) Apartment Residential Zone to permit the seniors apartment uses as shown on Attachment #3.

Resident's Concerns

As previously mentioned, a letter was received from a Richmond Hill resident expressing disapproval with the proposed increase in density for this development. At the Public Hearing, a number of residents expressed concerns to Council, as follows:

- i) concern regarding the location of the access to the high density residential development;

Access to the development is proposed from Geshar Crescent. The proposed access, the surrounding road layout and development concept have been reviewed by the Vaughan Engineering Department and the Region of York Transportation Services Department with respect to the Region of York's requirements regarding the Bathurst Street right-of-way, turning lanes and intersections, and the City of Vaughan design standards. Both the Region of York and the Vaughan Engineering Department have reviewed the Transportation and Traffic Study and determined it to be acceptable.
- ii) expected a retail commercial development on site;

Many residents indicated they expected a retail commercial plaza on the site. In response to Council and resident comments raised at the Public Hearing in this respect, the Owner revised the application to increase the amount of commercial GFA on the site. Ground floor retail commercial uses totaling 651 m² of GFA are now proposed within Phase 2 of the development including a pharmacy, retail store, and a day nursery. In addition, accessory uses such as personal services and an eating establishment are proposed on the ground floor within the assisted living seniors retirement residence in Phase 1, for the intended use of the residents living in both Phases.
- iii) increased traffic and pedestrian activity to be generated by development;

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Some residents expressed concerns about the increased vehicular traffic and pedestrian activity expected from the proposed development. The applicant has submitted a Transportation and Traffic Study/Parking Study for the proposed development, which has been reviewed and accepted by the Vaughan Engineering Department and the Region of York Transportation Services Department.

- iv) impact of the Bathurst Street widening and proposed expropriations;

Some residents were aware of the Bathurst Street Environmental Assessment and the required future road widening and questioned the location of possible expropriations to implement the widening. The widening is for a Region of York road improvement to implement the Region's Transportation Plan and Official Plan. The proposed development must provide the appropriate dedications to the Region as required for the Bathurst Street widening, to the satisfaction of the Region of York.

- v) shadowing from proposed buildings;

Shadows from the proposed buildings was raised as a concern. A Sun/Shadow Study demonstrating the shadow impact of the proposed buildings relative to the surrounding lands has been reviewed by the City. The proposed point tower design of the 15-storey building results in narrow shadowing that moves quickly and thereby impacting minimally on the residential dwellings to the west in the early morning in the Spring. The Sun/Shadow Study was reviewed by the Vaughan Development Planning Department and found to be acceptable.

- vi) no other high rise buildings in the area;

The residents commented that there were no other high rise buildings within the area. Although no other high rise buildings have been built within the immediate area, zoning for 4 future 15-storey apartment buildings is in place on the lands located to the immediate north of the subject property. High rise buildings are also proposed within the Carrville District Centre located south-west of the Block, and are also approved for the south-east corner of Dufferin Street and Major Mackenzie Drive within the Block 11 area.

- vii) adequacy of the proposed building setbacks and the proximity of development to low density residential;

The adequacy of the proposed building setbacks and the site's proximity to the low density residential neighbourhood to the west was identified as a concern. The City of Vaughan zoning standards for high density residential uses requires the application of appropriate building setbacks to the lot lines. The proposed high rise development is adjacent to the Bathurst Street frontage and is located approximately 80 metres east of the existing low density residential area to the west and abuts approved high density residential development to the north.

- ix) adequacy of visitor parking and surface parking for day nursery and retail commercial uses;

The applicant has submitted a Transportation and Traffic Study/Parking Study for the proposed development. These reports have been reviewed by the Vaughan Engineering Department and the Region of York Transportation Services Department and found to be acceptable.

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Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment applications to redesignate and rezone the subject lands shown on Attachment #3, in light of the following land use policies respecting the proposal:

a) Provincial Policy Statement

Since the approval of OPA #600 and the Block 11 Plan, the Province approved the Provincial Policy Statement (PPS) in 2005, which provides policy direction on matters of Provincial interest related to land use planning and development. The PPS includes policies that encourage the focus of new growth in urban areas. The applications to amend the Official Plan and Zoning By-law must be consistent with the PPS (2005). The PPS identifies that the subject lands are within a Settlement Area. The PPS policies relating to Settlement Areas state that these areas shall be the focus of growth and that Planning authorities shall identify and promote opportunities for intensification and land use patterns within Settlement Areas, which shall be based on, in part, densities and a mix of land uses which:

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

The PPS promotes a full range of housing types and densities to meet projected demographics and market requirements for the current and future residents by ensuring all forms of residential intensification to create a supply of housing. The proposed redesignation from “Medium Density Residential/Commercial” to “High Density Residential/Commercial” meets the intent of the PPS with respect to the efficient use of land and infrastructure and would provide a range of housing types that promote efficient land use and development patterns to support a livable and healthy community. The proposed development also promotes a mix of housing which differs from that which is currently available within the area.

The increased density proposed for the site would also make more efficient use of land resources and public investment in infrastructure and public service facilities currently provided within Block 11 and within the surrounding area.

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

The policies related to Managing and Directing Land Use state that healthy, livable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs; and, by promoting cost-effective development standards to minimize land consumption and servicing costs. The subject proposal will broaden the mix of residential uses in the area, which has been predominantly approved for low density residential development. It will also minimize land consumption and servicing costs as it allows more people to live in the area, which is already planned and serviced for urban growth.

The subject lands are within a Settlement Area as defined by the PPS. Bathurst Street is a local corridor recognized in both the City of Vaughan and Region of York Official Plans. The proposal makes efficient use of the land by increasing the residential density along a corridor in a Settlement Area.

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The PPS Settlement Area policies also require that “new development within designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for efficient use of land, infrastructure and public service facilities”. The subject lands are located within a designated growth area, being the Carrville Urban Village area, as established in OPA #600 and are immediately adjacent to approved high density development and an existing built up area.

The PPS also includes housing policies requiring Planning authorities to provide an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area, and promote compact form and a structure of nodes and corridors. The proposed high-density development will add to the housing types and density within the area. Infrastructure and public service facilities for this development have been provided as part of the larger development that is occurring within Block 11 and the overall Carrville Urban Village Area. The future residents and employees of the proposed development will also help support public transit initiatives. This proposed amendment would allow for ground floor retail commercial uses along with high rise residential uses, provide a wider range of land uses within the designated urban area, and support public transit. The proposed development is in accordance with the policies of the PPS.

b) Places to Grow Plan

The Provincial Places to Grow Plan (2006) is a vision for the Greater Golden Horseshoe to 2031, and requires that a minimum 40% of a municipalities residential development must be located within the existing built up area by 2015, and that municipalities must develop intensification strategies and implement them through their Official Plan.

The Region of York completed the “York Region 2031 Intensification Strategy” as part of the Region’s Places to Grow Conformity exercise in February 2009. This strategy requires local municipalities to use the Region’s population and employment growth forecasts; identify and meet intensification targets; and, identify appropriate type and scale of development for residential growth and intensification areas, urban growth centres and intensification corridors. The City of Vaughan’s Official Plan Update Study, “Directions on Where and How to Grow”, forecasts for 2031 is currently in progress. The draft document recognizes the greenfield areas of the Carrville Urban Village as one of the areas within Vaughan where additional units can be accommodated. It is anticipated that Vaughan’s city wide intensification strategy review will be implemented through the Vaughan Official Plan Update. The proposed development located in the Carville Urban Village 2 area, is consistent with the intent of the Places to Grow Plan.

c) Region of York Official Plan

The Region of York reviewed the subject proposal and advised that the subject lands are designated “Urban Area” by the Regional Official Plan, and that the proposed Official Plan Amendment Application is consistent with the Regional Official Plan policies that direct intensive development along local corridors which are supported by public transit services (Section 5.6), and to locate housing specifically geared to senior citizens in close proximity to human services, as well as, other community services and facilities (Section 4.3.13).

Under the current Draft York Region Transportation Master Plan Update (endorsed by Regional Council on May 28, 2009), Bathurst Street was identified as a Rapid Transit corridor through this area. An Environmental Assessment (EA) has been completed for this section of Bathurst Street and subject to the approval of the EA, a 4.5m right-of-way is required on Bathurst Street to accommodate Rapid Transit facilities in the future. The Region has requested that a 4.5m widening along Bathurst be dedicated by the Owner to the Region, should this application be approved, and that a policy regarding the 4.5m widening be included in the implementing Official Plan Amendment requiring that the widening be dedicated to the Region at the Site Development stage.

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The Region also indicated that the Parking and Traffic Study dated February 2009 anticipates that car ownership rates among residents of the proposed buildings will be low and the Region recognizes that this site may become a destination for YRT Mobility Plus services. Prior to site plan approval for the proposed development concept, the Region has requested that the Parking Study be amended to reflect the YRT Mobility Plus service. The Region of York has indicated that additional comments will be provided at the site plan review stage.

d) Vaughan Official Plan Amendment #600

The subject lands are located in Block 11 of the “Carrville Urban Village 2” area and are designated “Medium Density Residential/Commercial” by OPA #600 (approved in 2001). The Block 11 Plan (approved in 2003) further identified this site as Convenience Commercial. The “Medium Density Residential/Commercial” designation permits detached and semi-detached houses, street and en-block townhouses, duplexes, triplexes and fourplexes, as well as commercial uses. The commercial use policies would have permitted small-scale, limited commercial facilities that were generally to be integrated with both the residential development and building forms, and were to be located at grade level. The commercial component of a development within this designation was intended to be limited to a density relative to the residential density permitted on the lot. Under the existing “Medium Density Residential/Commercial” designation, a maximum net residential density of 40 uph (units per hectare) and an additional commercial density of 0.5 times the area of the lot is permitted on the site. The applicant has indicated that approximately 1,207m² of commercial GFA could have been developed on the site under this designation.

The Official Plan Amendment application requests a redesignation of the property from “Medium Density Residential Commercial” to “High Density Residential/Commercial”. This designation is intended to contain higher order retail, office and residential uses, in a mixed use form, or as single use buildings, and recognizes that such uses would generate higher levels of activity supportive of transit services. Stacked townhouses, apartment buildings to a maximum of 12-storeys in height, and commercial uses are permitted within this designation. OPA #600 also requires that such development transition in building scale toward lower density housing forms. Buildings are to be sited close to the street rights-of-way and commercial uses shall front directly onto the public sidewalk with parking located at the rear and on-street. OPA #600 permits a maximum density within the “High Density Residential/Commercial” designation of 150 uph (units per hectare).

To facilitate the proposed development, the applicant has requested an increase in the maximum building height permitted in the “High Density Residential/Commercial” designation from 12-storeys to 15-storeys for the proposed Phase 2 building, and requested a site density of 3.24 Floor Space Index (FSI), to accommodate 162 apartment units (seniors condominium), 135 assisted living seniors retirement residence suites, and limited ground floor commercial uses. The applicant has requested approximately 651 m² of ground floor commercial uses within the base of the proposed 15-storey apartment building, and other accessory uses in the base of the assisted living seniors retirement residence such as personal service uses and an eating establishment that are intended for the use of the residents of the Phase 1 and Phase 2 buildings. The proposed use represents a mixed use form of development.

The proposed retail commercial use would be conveniently located to the future residents of the proposed buildings and to the existing community. The proposed development concept responds to the surrounding community context. The adjacent lands to the north were previously approved (OPA #674) for high density residential-commercial development (15-storeys); the land to the south was approved for the Lebovic Jewish Community Campus (private institutional use buildings); and the adjacent lands to the west are being developed as a low density residential subdivision. The conceptual site design locates the tallest building along the easterly edge of the

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property, adjacent to Bathurst Street and the approved high-density residential development to the north, and away from the low density residential subdivision to the west of the site. The 6-storey assisted living seniors retirement residence building provides a transition in building form between the low density residential development to the west and high density residential uses proposed on the site. The developing Lebovic Campus immediately south of the site will provide community facilities including a community centre, places of worship, schools, and special needs housing in close proximity to the subject lands.

The proposed buildings are sited close to the street rights-of-way, and the retail commercial uses in the 15-storey building have direct access to the Bathurst Street sidewalk. The majority of the proposed retail space also has direct access to the parking area. Parking for the proposed development is internal to the site. Transit is available along Bathurst Street, with a stop in front of the proposed buildings making accessibility convenient for future residents and future employees within the proposed buildings.

A Floor Space Index or FSI of 3.24 is proposed for the entire site, which is an alternative and more current way of calculating density than using the units per hectare measurement. Density based on FSI takes into consideration the mass and scale of a building, rather than the total maximum number of units permitted, which can be misleading, given the varying sizes of the residential suites, particularly when smaller seniors units are proposed. The FSI has been calculated based on a total site area of 8,640.98 m² (not including the road widening), and a proposed GFA for the Phase 1 and 2 buildings of 27,961.67 m².

The application to amend the Official Plan to allow a 6-storey assisted living seniors retirement residence and a 15-storey seniors condominium building with ground floor commercial uses, provides for a wider range of land uses within a designated urban area.

Proposed Development Concept

The proposed conceptual site plan as shown on Attachment #3, divides the development into two phases. Phase 1 provides for a 6-storey, 135 assisted living seniors retirement residence suites, with accessory uses such as personal service uses and an eating establishment located on the ground floor intended for the use of the residents of the Phase 1 and Phase 2 buildings. The retirement residence includes suites with a common kitchen and dining facilities and the individual residents' suites do not contain cooking facilities. This building will be attached to Phase 2 of the development as shown on Attachment #3, which provides for a 15-storey, 162 apartment unit (seniors condominium) building with a maximum of 651m² of ground floor retail and commercial uses comprised of one retail store, one pharmacy, and one day nursery within the ground floor of the building.

The proposed 15-storey building is located adjacent to Bathurst Street with the 6-storey building being located at the northeast location of Lebovic Campus Drive and Geshher Crescent to create a street presence and to transition between the low density residential development to the west. Pedestrian accesses to the surrounding streets is proposed from each building. Vehicular access to the site is from Geshher Crescent via an internal driveway and internal parking area. A surface parking area for 30 vehicles is provided, and an additional 259 parking spaces are provided underground. A landscaped outdoor amenity area ("Victory Garden") and interior amenity areas are provided for the shared use by residents of both the condominium and retirement residences.

The Owner must submit a Site Development Application to facilitate the proposed development, to be considered in a future report(s) to the Committee of the Whole, should the subject applications be approved.

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Proposed Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, as shown on Attachment #2, which does not permit the proposed high density residential-commercial development. To facilitate the proposed development, as shown on Attachments #3 to #5, an amendment to By-law 1-88 is required, to rezone the property from A Agricultural Zone to RA3 Apartment Residential Zone, and to provide the following site-specific zoning exceptions to By-law 1-88:

Table 1: Proposed Zoning Exceptions

By-law 1-88 Standard	By-law 1-88 (Minimum Requirements of the RA3 Apartment Residential Zone)	Proposed Exceptions to By-law 1-88 (RA3 Apartment Residential Zone)
<p>Minimum Parking Requirements</p>	<p>i) Total Parking Required: 552 spaces</p> <p><u>Phase "1"</u> (Assisted Living Building)</p> <p>No parking standard in By-law 1-88 for an Assisted Living Seniors Retirement Residence (calculation based on each unit within an Assisted Living Seniors Retirement Residence being the equivalent of an apartment unit 135 units @ 1.5 spaces/unit plus 0.25 visitor spaces/unit = 237 spaces)</p> <p><u>Phase "2"</u> (Seniors Condominium Building)</p> <p>162 units @ 1.5 spaces/unit (243 spaces)</p> <p><u>Visitor Parking</u> 0.25 spaces/unit (41 spaces)</p> <p><u>Retail Uses</u> 465 m² @ 6 spaces/100 m² (28 spaces)</p> <p><u>Day Nursery (186 m²)</u> @ 1.5 spaces/employee (2 employees = 3 spaces)</p>	<p>i) 289 spaces:</p> <p><u>Phase "1"</u> (Assisted Living Building)</p> <p>135 suites @ 0.4 spaces/unit (54 spaces)</p> <p><u>Phase "2"</u> (Seniors Condominium Building)</p> <p>162 units @ 1.1 spaces/unit (179 spaces)</p> <p><u>Visitor Parking</u> 0.2 spaces/unit (33 spaces)</p> <p><u>Retail Uses</u> Retail uses (465 m²) @ 1 space/31 m² = 15 spaces</p> <p>Day Nursery (186 m²) = 3 spaces</p> <p>+ 5 additional spaces</p>

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Minimum Landscaped Strip Widths	6.0 m abutting street line and 2.4 m abutting a Residential Zone	<ul style="list-style-type: none"> i) 2.3 m abutting Bathurst Street; ii) 2.7m abutting Lebovic Campus Drive; iii) 3.8 m abutting Geshher Crescent; iv) 1.5 m abutting a RA3 Apartment Residential Zone (north property line)
Permitted Uses	<ul style="list-style-type: none"> i) Apartment Dwelling ii) Day Nursery 	<ul style="list-style-type: none"> i) Phase “1” – Assisted Living Seniors Retirement Residence, with ancillary uses ii) Phase “2” – commercial uses including, one (1) Retail Store, (1) Pharmacy, and (1) Day Nursery Use (maximum of 186 m²), total combined GFA not to exceed of 651 m²
Minimum Amenity Area	Bachelor unit - 15 m ² 1 bedroom unit - 20 m ² 2 bedroom unit - 55 m ² Total Required: 8,170 m ²	Total Minimum Site Amenity of 6,070 m ²
Minimum Lot Area per Unit	67 m ² /unit	29 m ² /unit
Minimum Yards	Front (Geshher Cres.) - 7.5 m Rear(Bathurst Street) - 7.5m Interior (North property line) -½ building height - 28.2 m Exterior (Lebovic Campus) - 7.5m	Front - 3.8 m Rear - 2.3 m Interior - 5.4 m Exterior - 2.7 m
Definition of a Lot	Lot – Means a parcel of land fronting onto a street separate from any abutting land to the extent that a consent would not be required for its conveyance.	Revise the definition of a “lot” to consider the subject lands as one lot for the purposes of zoning conformity regardless of any future consents, easements, etc.

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Loading space	Not permitted between a building and a street	Permit a loading space between a building and Gesher Crescent
Maximum Building Height	44 m	i) Restrict Phase “1” to a maximum of 6-storeys or 25 m, whichever is less ii) Restrict Phase “2” to a maximum of 15-storeys or 52 m, whichever is less

The proposed zoning exceptions are supportable and will contribute to creating a development that is consistent with good urban design principles and is compatible with the surrounding land use context, and consistent with the applicable Regional and local planning policies. The Development Planning Department has no objections to the proposed exceptions to By-law 1-88. The addition of the Holding Symbol “(H)” is required for the northerly portion of the subject lands (Phase 2) and will be removed upon the identification and allocation of servicing capacity and water by Council for the proposed 15-storey, 162 apartment unit condominium apartment building. In addition, it is recommended that the Owner be required to obtain Site Plan approval for Phase 2, prior to the Holding Symbol “(H)” being removed from the property.

The proposed assisted living seniors retirement residence is not an apartment dwelling as defined in By-law 1-88. The proposed residence will contain individual resident suites without cooking facilities. Meals are to be prepared in a common kitchen and served to residents in common dining areas. A definition for a “Residence Suite” is proposed for this development to permit a residence suite, which is defined as a suite within an assisted living seniors retirement residence, in which sanitary conveniences are provided and in which cooking facilities and the installation of cooking equipment shall not be permitted. The accessory uses, intended for the exclusive use of the residents of the Phase 1 and Phase 2 buildings such as personal service shops and an eating establishment are proposed on the ground floor and must be recognized in the implementing zoning by-law.

Ground floor commercial uses are proposed to be provided in Phase 2. If approved, zoning exceptions will be included in the implementing Zoning By-law to permit one (1) retail store, one (1) pharmacy, and one (1) day nursery to a total maximum of 651 m² on the ground floor of the building on Phase 2. The implementing Zoning By-law would also include all the zoning exceptions identified above, and any other exceptions that may be required to facilitate the proposed development, if approved.

Site Plan Approval

The subject lands are to be developed in two phases and the proposed development requires the submission of a Site Development Application for the review and approval by Vaughan Council. The maximum density on the subject lands shall be a FSI of 3.24. At the Site Development Plan stage, details such as sustainability (site and building design features), landscaping, building elevations, amenity area, stormwater management, site circulation, site servicing, lot grading, an updated Noise Report, external lighting plan, and servicing will be reviewed. The proposed development Concept Plan (Attachment #3) shows the buildings adjacent to the Bathurst Street and Lebovic Campus Drive rights-of-way. Enhanced building elevations will be required to ensure that high quality building facades will be developed along these street frontages. The site plan process will require approvals from the City and the Region of York.

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Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the applications and provides the following comments:

a) Sewage and Water Allocation

A Functional Servicing Report and Site Servicing Plan was reviewed by the Engineering Department. In accordance with the City’s Servicing Capacity Distribution Protocol as adopted by Council on April 14, 2009, formal allocation of Servicing Capacity is required for the 15-storey, 162 apartment unit (senior’s condominium) building (Phase 2). The approved Servicing Capacity Distribution Protocol breakdown did not include these development applications and servicing allocation capacity is currently not available to support the proposed development concept to allow the 15-storey building to proceed to be developed at this time. If Council supports the approval of the proposal, a Holding Symbol “(H)” will be placed on the proposed RA3 Apartment Residential Zone for Phase 2, to ensure that the development of this building does not proceed until Council allocates servicing capacity. The condition for removing the Holding Symbol “(H)” will be Council approval of the allocation for the proposed 162 apartment units and site plan approval.

The assisted living senior’s retirement residence (Phase 1) does not require formal servicing allocation by Vaughan Council given the Region’s Servicing Allocation Protocol for senior’s residences. The Phase 1 component of this application meets the Region’s requirements for consideration under this protocol and no servicing allocation is required.

The Engineering Department has indicated that a stormwater management report, site servicing plan, lot grading, an updated (detailed) noise report, and an external lighting plan will be required at the site plan approval stage of the development.

The Transportation and Traffic Study/Parking Study submitted in support of the application was reviewed by both the Region of York and the Vaughan Engineering Department. The study justified a reduction in the number of resident parking spaces based on the senior’s use of the building. The traffic impact of the proposed development was assessed. Only small volumes of traffic will be generated by the proposed development and will not have any significant impact on the traffic in the area. Further comments from the Vaughan Transportation Engineering Section will be provided at the Site Plan stage.

The Phase 1, ESA (Environmental Site Assessment) report submitted in support of the application has been approved to the satisfaction of the Vaughan Engineering Department.

The applicant has also submitted a Wind Study and a Noise Study. These studies have been reviewed by the Engineering Department and the Development Planning Department. The Engineering Department has indicated that an updated (detailed) Noise Report will be required at the site plan stage of development.

Parking

The Owner has proposed that parking for the proposed development be provided as follows:

Assisted living seniors retirement residence suites	
135 suites @ 0.4 spaces/suite	54 spaces
Residential Units (Seniors Condominium)	
162 units @ 1.1 spaces/unit	179 spaces
Visitor spaces @ 0.2/unit	33 spaces

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Commercial Uses: 465 m ² @ 1 space/31 m ²	15 spaces
Day Nursery 186 m ²	3 spaces
Additional Spaces	<u>5 spaces</u>
Total Parking Proposed	289 spaces

By-law 1-88 does not provide a parking standard for an “assisted living seniors retirement residence”, however, if each suite was considered to be a unit, parking for the proposed development would be calculated as follows:

Assisted living seniors retirement residence suites 135 suites @ 1.75 spaces/unit (including visitors)	= 237 spaces
Residential Units (Seniors Condominium) 162 apartment units @ 1.75 spaces/unit (including visitors)	= 284 spaces
Commercial Uses @ 6 spaces/100 m ² + Day Nursery	= 28 spaces
	<u>3 spaces</u>
Total Parking Required	552 spaces

The Owner has submitted a Transportation and Traffic Study/Parking Study prepared by Read, Voorhees & Associates Limited, dated February 20, 2009, and updated June 26, 2009, which concludes that the parking ratios proposed by the applicant and identified above, are appropriate. The report was updated on June 26, 2009, to address a reduction in the number of condominium units from 163 to 162, and the addition of 465 m² of limited ground floor commercial retail GFA in the building on the Phase 2 portion of the site. The addendum Parking Report/Traffic Study concludes the parking supply continues to be adequate with the addition of retail uses. The report has been reviewed and approved by the Vaughan Engineering Department and the Region of York.

Vaughan Development Planning Department

An Urban Design Brief was submitted by the applicant, which was reviewed and approved by the Vaughan Development Planning Department to determine conformity of the proposed development with the applicable Block 11 Urban Design and Architectural Guidelines. The impact of shadows on the surrounding lands was also reviewed through the Sun/Shadow Study, which demonstrated the shadow impact of the proposed buildings relative to the surrounding lands. The proposed point tower design of the 15-storey building results in shadowing that moves quickly, thereby impacting minimally on the residential dwellings to the west in the early morning in the Spring. The Sun/Shadow Study was found to be acceptable by the Development Planning Department.

Conceptual elevations have been provided along with a conceptual site plan which has been reviewed by the Development Planning Department. Should Council approve the Official Plan and Zoning By-law Amendment Applications, additional information will be required with the Site Development application. This shall include a fully dimensioned and labeled site plan, colour rendered and dimensioned elevations which present realistic views of the proposed building, sustainable site and building features, textures and colours, shadows, landscaping, building cross sections, streetscape elevations, a landscape master plan, existing vegetation assessment, tree preservation plan and sample building finish and cladding materials. The elevations will require Council approval through the Site Development approval process.

Vaughan Finance Department

The Vaughan Finance Department has indicated that the Owner will be required to pay a woodlot fee for each residential apartment dwelling unit proposed on the Phase 2 portion of the site, which is payable at the site plan approval stage. In addition, development charges will be required, prior to the issuance of a building permit.

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Vaughan Economic Development Department

As noted in the Communications Plan section of this report, residents and Council expressed concerns at the May 12, 2009, Public Hearing that there was no commercial use in the original proposal, whereas the Block 11 Plan had envisioned a 0.86 ha Convenience Commercial site for these lands. The subject application has been revised to include a total of 651m² of ground floor commercial uses, and ground floor commercial uses accessory to both the assisted living senior's retirement residence use in the proposed building in Phase 1 and the apartment units (seniors condominium) in Phase 2 which is supported by the applicant's Planning Justification Report. The report further indicates that the proposed amount of commercial GFA is approximately 60% of the GFA that could have been developed on the property, if it had been developed as a single storey commercial plaza and that the proposed retail commercial GFA within the proposed development would maintain the "convenience" nature of the commercial designation for the immediate residents.

The applicant's Planning Justification and addendum reports further indicate that assuming an average FSI of 0.25 for commercial development (which is reflective of ground-related retail development), that there is approximately 561,883m² of estimated commercial GFA available (both under construction and available for development) within the limits of Block 11, and another 78,780m² of estimated commercial GFA on commercial designated sites along the adjacent arterial roads bounding Block 11. The Development Planning Department is satisfied that Block 11 is well served by existing and approved commercial uses and that there is a sufficient amount of commercially designated GFA to serve the residents of Block 11. The Economic Development Department has no comments regarding this application and the Development Planning Department is satisfied that the proposed ground floor commercial uses and the extent of the uses within the base of the buildings would maintain the "convenience" nature of the commercial designation as originally envisioned by OPA #600 and the location of the commercial use as identified in the Block 11 Plan.

Parkland Dedication

The Vaughan Real Estate Division has identified that as a condition of future site plan approval, that the Owner will be required to pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act, and Vaughan's Cash-in-Lieu of Parkland Policy in effect at the time. 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.

Contribution to Sustainability

The sustainable features for the development of the subject lands shown on Attachment #3 will be determined at the Site Development stage.

Comments from Other Agencies

The York Region District School Board has indicated no objection to the proposed development.

Bell Canada may require an easement to service the subject property and has requested the opportunity to comment on the future site plan application.

Canada Post has no comments on the subject application but will provide comment on the future site plan circulation to include Canada Post's Mail Delivery Policy requirements for multi-unit buildings.

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Vitality”.

Regional Implications

The Region of York Planning Department has commented that the subject Official Plan Amendment application was considered by the Regional Development Review Committee. The subject site is designated “Urban Area” by the York Region Official Plan and is consistent with the Regional Official Plan policies that direct intensive development along local corridors, which are supported by public transit, and the policies to locate housing that is specifically geared to senior citizens in close proximity to human services and other community services and facilities. The Region has requested a policy be added to the implementing OPA, should the application be approved, to identify that a 4.5m road widening along the Bathurst Street frontage be dedicated to the Region of York by the Owner at the Site Development approval stage. The Region of York will be the approval authority for the subject Official Plan Amendment, should Council approve the application, since Regional Exemption from the approval of the Amendment for the development has not been requested by the Owner. The Region will also provide additional comments at the Site Development Application review process, to implement the proposed development of the site.

The Region of York no longer requires municipal Council allocation of Servicing Capacity for retirement home type facilities where:

- i) individual units/rooms do not contain kitchen facilities;
- ii) food preparation and dining areas are centralized functions/facilities; and,
- iii) assisted living and/or health care are offered to the residents who are dependant on this service (although the facilities do not necessarily need to be registered under the Nursing Home Act).

Conclusion

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment Applications to permit the development of a 6-storey, 135 suite assisted living seniors retirement residence, and a 15-storey, 162 apartment unit (seniors condominium) building. The Official Plan Amendment to redesignate the subject lands from “Medium Density Residential” to “High Density Residential” and the required site-specific exceptions to facilitate the proposal are consistent with the Provincial Policy Statement, particularly with respect to efficient use of land, resources, infrastructure and public services, the Growth Plan, the Region of York Official Plan and the City’s OPA #600. The proposal is consistent with the existing land use context in the surrounding area, and represents good planning.

The proposed rezoning of the subject lands from A Agricultural Zone to RA3 and RA3(H) Apartment Residential Zone and the proposed zoning exceptions to By-law 1-88 are considered to be appropriate and will result in development that is compatible with the surrounding area. Accordingly, the Development Planning Department recommends that the proposed applications be approved, subject to the conditions in the Recommendation section of this report.

Attachments

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

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Report prepared by:

Laura Janotta, Planner, ext. 8634

Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009

Item 7, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

**7 ASSUMPTION – MACKENZIE GLEN DEVELOPMENTS, PHASE 6
 19T-89016 / 65M-3449
 WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated November 10, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That Council enact the necessary by-law assuming the municipal services that are set out in the Subdivision Agreement for Plan 65M-3449, and that the municipal services letter of credit be released.

Contribution to Sustainability

The municipal services recommended for assumption in this report have been designed and constructed in accordance with City standards which include consideration for sustainability.

Economic Impact

Upon assumption of this development, approximately 2.0 lane kilometers of roadway and associated municipal services including sanitary sewers, watermain, street lighting, streetscaping, sidewalk, etc., will be added to the City's network of infrastructure. This additional infrastructure will incur the normal expense associated with annual operation and maintenance activities plus eventual life cycle renewal.

Communications Plan

The pertinent City departments will be notified of the assumption of this subdivision.

Purpose

This report pertains to the assumption of the municipal services in Plan of Subdivision 65M-3449 by the City.

Background - Analysis and Options

The Mackenzie Glen Developments, Phase 6, Plan of Subdivision 65M-3449 is a 266 lot residential development located on the west side of Keele Street, and north of Drummond Drive in Block 26 as shown on Attachment No.1.

The Subdivision Agreement with Mackenzie Glen Developments Limited was executed on July 18, 2000, and the Plan of Subdivision was subsequently registered on November 2, 2000. The construction of the roads and municipal services in Plan 65M-3449 was completed in September 2006.

The Developer has maintained the municipal services in the subdivision during the required minimum thirteen month maintenance period and has rectified all deficiencies. In addition, the grading of all lots in the subdivision has been certified by the Developer's Engineering Consultant.

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EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009

Item 7, CW Report No. 50 – Page 2

Accordingly, the Developer has requested that the roads and municipal services in the subdivision be assumed by the City, and that the development securities held by the City be released.

All documentation required by the Subdivision Agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works.

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, and Clerks. In addition, the Reserves and Investments Department has confirmed that all of the City's financial requirements associated with this subdivision have been satisfied.

Relationship to Vaughan Vision 2020

The development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications with respect to the assumption of the municipal works within this subdivision development.

Conclusion

The construction of the roads and municipal services associated with the Mackenzie Glen Developments, Phase 6, Plan of Subdivision 65M-3449 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3449 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

Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 NOVEMBER 24, 2009

Item 8, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

8 **ASSUMPTION – WOODBRIDGE ESTATES**
19T-87101 / 65M-3585
WARD 3

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated November 10, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That Council enact the necessary by-law assuming the municipal services that are set out in the Subdivision Agreement for Plan 65M-3585, and that the municipal services letter of credit be released.

Contribution to Sustainability

The municipal services recommended for assumption in this report have been designed and constructed in accordance with City standards which include consideration for sustainability.

Economic Impact

Upon assumption of this subdivision, approximately 0.4 lane kilometers of roadway and associated municipal services including sanitary sewers, watermain, street lighting, streetscaping, sidewalk, etc., will be added to the City's network of infrastructure. This additional infrastructure will incur the normal expense associated with annual operation and maintenance activities plus eventual life cycle renewal.

Communications Plan

The pertinent City departments will be notified of the assumption of this subdivision.

Purpose

This report pertains to the assumption of the municipal services in Plan of Subdivision 65M-3585 by the City.

Background - Analysis and Options

The Woodbridge Estates, Plan of Subdivision 65M-3585 is a 40 lot residential development located on the west side of Weston Road, and south of Rutherford Road in Block 38 as shown on Attachment No.1.

The Subdivision Agreement with Woodbridge Estates Inc. was executed on May 13, 2002, and the Plan of Subdivision was subsequently registered on July 19, 2002. The construction of the roads and municipal services in Plan 65M-3585 was completed in July 2006.

The Developer has maintained the municipal services in the subdivision during the required minimum thirteen month maintenance period and has rectified all deficiencies. In addition, the grading of all lots in the subdivision has been certified by the Developer's Engineering Consultant. Accordingly, the Developer has requested that the roads and municipal services in the subdivision be assumed by the City, and that the development securities held by the City be released.

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EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009

Item 8, CW Report No. 50 – Page 2

All documentation required by the Subdivision Agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works.

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, and Clerks. In addition, the Reserves and Investments Department has confirmed that all of the City's financial requirements associated with this subdivision have been satisfied.

Relationship to Vaughan Vision 2020

The development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications with respect to the assumption of the municipal works within this subdivision development.

Conclusion

The construction of the roads and municipal services associated with the Woodbridge Estates Plan of Subdivision 65M-3585 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3585 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
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 NOVEMBER 24, 2009

Item 9, CW Report No. 50 – Page 2

All documentation required by the Subdivision Agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works.

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, and Clerks. In addition, the Reserves and Investments Department has confirmed that all of the City's financial requirements associated with this subdivision have been satisfied.

Relationship to Vaughan Vision 2020

The development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications with respect to the assumption of the municipal works within this subdivision development.

Conclusion

The construction of the roads and municipal services associated with the ROM Management, Plan of Subdivision 65M-3499 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3499 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
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 NOVEMBER 24, 2009

Item 10, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

10

**ROAD CLOSURE – WARD 1
SIGHT TRIANGLE, ORICO COURT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Legal Service, dated November 10, 2009:

Recommendation

The Director of Legal Services recommends that the Clerk be directed to proceed pursuant to the *Municipal Act* to stop up and close the sight triangle forming part of Orico Court, described as Part 4 on Plan 65R-31763.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

The road closure will be advertised pursuant to standard procedures.

Purpose

The purpose of this report is to obtain Council direction to proceed with a road closure for a sight triangle.

Background - Analysis and Options

On June 30, 2009, Council enacted Bylaw 152-2009 authorizing the sale of Blocks 15, 18 and the sight triangle in Plan 65M-3126, located at the corner of Orico Court and Applewood Court to the abutting owners. The lands are on the north side of Kirby Road, west of Kipling Avenue, on Attachment # 1. During the preparation of the Reference plan, it was determined that the sight triangle had been dedicated as public highway by the registration of the plan of subdivision (which is not usually the case). The sight triangle comprises 12 square metres. The transactions closed on September 3, 2009, except for this piece, as a road closure bylaw is required prior to transfer, and could not be completed in the summer hiatus. The sight triangle is shown on Attachment # 2.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

N/A

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Conclusion

It is in order the proceed pursuant to the *Municipal Act* to close that portion of Orico Court which forms the sight triangle, in order to finalize the transaction.

Attachments

Attachment #1 - Location Map
Attachment #2 - Sight triangle

Report prepared by:

Heather Wilson
Director of Legal Services

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

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Item 11, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

**11 HIGHWAY 427 TRANSPORTATION CORRIDOR DRAFT ENVIRONMENTAL ASSESSMENT
MINISTRY OF TRANSPORTATION
WARDS 1 AND 2**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works and the Commissioner of Planning, dated November 10, 2009, be approved; and
- 2) That the coloured plan/profile drawings submitted by the applicant, be received.

Recommendation

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

1. That the Ministry of Transportation be requested to address the comments on the 427 Transportation Corridor, Draft Environmental Assessment (EA) Report that are outlined in this report before finalizing the EA Report;
2. That Staff report back to Council on the recommendations of the final 427 Transportation Corridor EA Report; and
3. That a copy of this report be forwarded to the Ministry of Transportation and the Region of York.

Contribution to Sustainability

The proposed Highway 427 Transportation Corridor Extension contributes to sustainability by addressing the existing and short-term inter-regional transportation constraints related to the current Highway 427 terminus, and by enhancing goods movement to and from the CPR Vaughan Intermodal facility. In addition, the extension of Hwy 427 will facilitate the planned growth in the City, in particular the West Vaughan Employment area.

Economic Impact

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

Communications Plan

The 427 Transportation Corridor Environmental Assessment Study included three rounds of Public Information Centres, an extensive consultation process with external agencies, municipalities and the Public (including affected landowners, interest groups and the general public) in accordance with the *Environmental Assessment Act*. In addition, the 427 Transportation Corridor Environmental Assessment Draft Report and pertinent appendices are available for public review on the 427 Project Website at www.427corridor.com

The Ministry of Transportation will be notified of any resolution passed by Council relating to this report before the end of the pre-submission review period.

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Purpose

The purpose of this report is to provide Council with an overview of the recommended corridor alignment which is detailed in the 427 Transportation Corridor Draft Environmental Report together with Staff's comments on same.

Background - Analysis and Options

On June 23, 2005, the Ministry of Transportation (MTO) submitted the Terms of Reference (ToR) for the 427 Transportation Corridor Environmental Assessment Study (427 EA) to the Ontario Minister of Environment for approval as required under the *Ontario Environmental Assessment Act*. The ToR was approved by the Ontario Minister of the Environment on November 1, 2005.

The purpose of the 427 EA study is to:

- Address existing and short-term transportation problems related to the then current Highway 427 terminus, truck traffic accessibility to and from the CPR Vaughan Intermodal Facility, and their impact on inter-regional traffic in the Peel-York boundary area;
- Identify and protect required property for any proposed transportation corridor and allow planned development to occur outside of the transportation corridor;
- Ensure that alternatives / preferred solutions will not preclude or predetermine planning for other transportation corridors.

The primary objective of the study is to address transportation issues in the area south of Greenbelt and to facilitate planning and development as envisioned in the Provincial Growth Plan.

The approved ToR set out the following transportation planning alternatives to be considered as part of the 427 EA:

- Do Nothing
- Travel Demand Management (TDM)
- Transportation Systems Management (TSM)
- Improved Existing Roadways
- New or Improved Transit Services
- New Roadways/Transitways
- Combination of the above

The major objective when generating alternatives is to develop alternatives that can reasonably address the problems and opportunities identified. The following combinations of alternatives to the undertaking were evaluated in detail:

1. Do Nothing (including planned infrastructure improvements)
2. TDM, TSM and Improved Existing Roadways
3. TDM, TSM, Improved Existing Roadways, and New or Improved Transit Services
4. TDM, TSM, New or Improved Transit Services, and New Roadways/Transitways

Based on the detailed analysis, Alternative 4 was identified as the recommended Alternative to the Undertaking. Following the selection of the preferred Alternative to the Undertaking, the next step in the process is to develop and examine terminus locations and alignments.

As part of the 427 EA process, three rounds of public consultation were completed. City of Vaughan staff, together with representatives from Region of Peel, Region of York, City of Brampton, Township of King and Town of Caledon also participated in the Municipal Advisory Group meetings (MAG).

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Public Information Centre #1

The first Public Information Centre (PIC) was held in Vaughan on April 25, 2007 which provided information to the public on the transportation problems, the study area conditions, the evaluation of alternatives to the undertaking and initial route alternatives. In addition, an initial assessment of the five terminus locations (Langstaff Road, Rutherford Road, Major Mackenzie Drive, Nashville Road, and Mayfield Road Extension) was completed using an established process to determine whether each location was practical for a future Highway 427 terminus. Based on the results of this initial assessment, the Langstaff Road and Nashville Road terminus alternatives were not carried forward for further assessment.

City of Vaughan Position

Following the first 427 EA PIC, Vaughan Council, at its meeting on May 22, 2007, passed a resolution indicating to the Ministry of Transportation that it prefers a westerly alignment for the extension of Highway 427 that follows the north-south Hydro One Corridor. This option was preferred for the following reasons:

1. Reduced impact on proposed residential development;
2. Reduced impact on a heritage settlement area including the Nashville Cemetery;
3. Provides a better alignment and design of the realignments of Major Mackenzie Drive and Huntington Road.

Furthermore, in advance of the second PIC, Council, at its meeting of May 12, 2008 endorsed the following recommendations:

1. *“That City of Vaughan Council endorse the technically preferred route for the Highway 427 Extension (from Highway 7 to Rutherford Road);*
2. *That City of Vaughan Council support the westerly alignment for the route north of Rutherford Road (to Major Mackenzie Drive);*
3. *That, in the event that the westerly route cannot be approved, that an alignment as far west of the central route be recommended;*
4. *That the Ministry of Transportation (MTO) work closely with the City of Vaughan, the City of Brampton, the Town of Caledon and the Region of York and the Region of Peel as well as all other stakeholders, throughout the remainder of the Environmental Assessment process so as to ensure that the matters identified in the report, adopted by Council on May 22, 2007, are addressed;*
5. *That staff be directed to consult with MTO staff and report back to the Committee of the Whole on the final recommended route; and*
6. *That the following report of the Commissioner of Planning and the Commissioner Engineering and Public Works, dated May 5, 2008, be received.”*

Public Information Centre #2

On May 13 and 15, 2008, the second 427 EA PIC was held in Vaughan and Caledon, respectively. The purpose of this PIC was to present information on the study process, an assessment and evaluation of the alternatives, the technically preferred terminus location and route alternatives, as well as the next steps in the study.

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Based on the evaluation of the three possible terminus locations, Major Mackenzie Drive was identified as the technically preferred terminus location as it fulfilled all the study objectives without significant environmental impacts. The evaluation of the nine route alignments resulted in the selection of Alternative C2 (Central alignment) as the technically preferred route for the highway corridor subject to refinements based on public input and through the preliminary design phase of the EA.

The Central Corridor Alignment Refinements (Westerly Shift)

Following the second 427 EA PIC, consultation on refinements to the technically preferred route (TPR) were held with York Region, CPR, TRCA, City of Vaughan and local landowners. Meetings were held on July 15, 2008 and October 15, 2008. Based on these meetings, the alignment of the TPR in the vicinity of Major Mackenzie Drive was shifted westerly by approximately 150 metres. This modified alignment was generally acceptable to the stakeholders.

After confirmation of the TPR, the preliminary design commenced. Design concepts at three key locations were developed and refined:

- Section south of Langstaff Road – The section south of Langstaff Road was shifted to the east to minimize environmental impacts to Rainbow Creek. The Transitway Corridor was identified and protected along the west side of the alignment. Due to the easterly shift of the corridor, six hydro towers were affected by the proposed alignment.
- Rutherford Road Interchange - At the conceptual stage, it was assumed that the existing municipal roads would cross over the highway. After further review, it was determined that the grade separation required to raise Rutherford Road would result in significant impact to the Knox Vaughan Church, Knox Vaughan Cemetery, West Robinson Creek and require extensive reconstruction of a number of the existing Hydro Towers. Accordingly, the 427 EA Team determined that Rutherford Road should remain at its existing grade and that the 427 Transportation Corridor alignment would cross over Rutherford Road. In addition, to provide better transportation operation on Rutherford Road and to avoid a crossing of the West Robinson Creek, McGillivray Road was realigned further to the east.
- Major Mackenzie Drive Interchange – The westerly shift to the TPR required changes to the proposed Major Mackenzie Drive interchange location and design. The preliminary design maintained the perpendicular crossing of West Robinson Creek and introduced a 1700 m radius curve north of the creek. Major Mackenzie Drive was realigned 250 m north at the proposed interchange which allowed the interchange ramp to be developed off CPR property. The shift also created additional spacing between the interchange and the proposed future access off Major Mackenzie Drive for both the CPR lands and the lands north of Major Mackenzie Drive. In addition, the transit station was placed at the north-west corner of the proposed Major Mackenzie Drive interchange. The realignment of Huntington Road was deferred pending further consultation with the stakeholders.

Public Information Centre #3

On April 22 and 23, 2009, the third 427 EA PIC was held in both Vaughan and Caledon, respectively, for the purpose of presenting the refinements to the TPR (Westerly shift) and the associated preliminary design, impact assessment and proposed mitigation measures.

The realignment of Huntington Road and the access to the lands north and south of Major Mackenzie Drive (east of the 427 Corridor) had not been fully addressed at this time.

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Refinements to the Recommended Alternative

Following the PIC#3 and the confirmation of the TPR, MTO proceeded to complete the preliminary design of the recommended alternative. The preliminary design exercise included a more detailed investigation and the development of preliminary plans, profiles, cross-sections and design criteria.

The key refinements to the TPR that were identified through this design process were:

- Hydro Corridor Crossing Plan – The North bound lanes of the 427 Transportation Corridor were shifted significantly to the east to accommodate the required separation between the existing 500kV hydro towers and the North-bound and South-bound lanes of the future corridor. Based on the TPR, one tower on the existing 230kV transmission line will need to be removed and replaced with two new towers which will be located in the median on either side of the south bound lanes as shown in Attachment No.2 (Exhibit 6-3 Plate 2).
- Hydro Corridor Crossing Profile – The proposed Highway 427 profile in the vicinity of Langstaff Road was lowered to meet Hydro One's current vertical clearance standards.
- Langstaff Road Interchange SWM Pond Location – As a result of consultation with the area stakeholders, the proposed storm water management pond No. 02, which was originally proposed to be located east of the Langstaff Road N-E/W ramp was relocated to the median lands at the North-West quadrant of the Langstaff Road interchange as shown on Attachment No. 2 (Exhibit 6-3 Plate 2).
- Rutherford Road Interchange SWM Pond Location – The proposed storm water management pond No.4 located next to the Rutherford Road North-bound off ramp was shifted approximately 45 metres south of its original location to address stakeholders' concerns as shown on Attachment No.3 (Exhibit 6-3, Plate 3).

The Recommended Alternative

On October 8, 2009, the Ministry of Transportation issued the 427 Transportation Corridor Draft EA Report for a pre-submission review by the agencies and the public prior to the formal submission of the final EA Report to the Minister of the Environment. The pre-submission review period ends on November 12, 2009. Final submission to the Minister of Environment is expected in January 2010.

The 427 Transportation Corridor Draft EA Report recommends a highway corridor that is approximately 6.6 km in length including interchanges at Langstaff Road, Rutherford Road and Major Mackenzie Drive as shown in Attachments 1 to 6 (Exhibit 6-3 on Plates 1-6). The 427 EA is seeking approval for 6 lanes from Highway 7 to Rutherford Road and 4 lanes from Rutherford Road to Major Mackenzie Drive. The 427 Corridor is proposed to have a minimum right-of-way width of 110 m plus an additional 60 metres along the west side of the proposed highway right-of-way for the transitway corridor. Additional property requirements at interchange locations, the transitway stations, local road realignments and storm water management ponds have also been identified. Typical cross-sections of the highway are shown on Attachment No. 7 (Exhibit 6-4).

The horizontal alignment of the 427 Transportation Corridor is curvilinear in nature, consisting of numerous horizontal curves connected by tangent sections. The horizontal alignment of the transitway is also curvilinear in nature and its alignment, in general parallels the highway alignment except in the vicinity of interchanges and the transitway stations. The profile of the future Highway 427 extension varies throughout its length. In some locations the profile is below the existing ground level, while in the north half of the study area the mainline is mostly above the existing ground due to the requirements to pass over Rutherford Road, CP Rail line and Major

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Mackenzie Drive as shown on Attachment No.6 (Exhibit 6-3 Plate 6). The vertical alignment of the transitway follows the profile of 427 Corridor through most of the study length and therefore meets the stringent design criteria of the freeway.

A total of nine storm water management ponds and nine crossing locations (5 road and 4 water crossings) are being proposed along the length of the highway corridor. A grade separated crossings of the 427 Corridor is proposed at Zenway Boulevard (Highway underpass) and McGillivray Road (Highway overpass).

Staff Comments on the Recommended Alternative

Staff has conducted a review of the 427 Transportation Corridor Draft EA Report and has identified the following comments which should be addressed before the EA Report is finalized.

1. The 427 EA recommends that Highway 427 be constructed to cross under Zenway Boulevard based on safety, traffic staging and cost implications. The Draft EA Report does not provide sufficient details to support this recommendation. Respective details supporting this crossing configuration should be provided in a separate section of the final 427 EA Report. **Additional information is required on the traffic implication in the area resulting from the reconstruction of Zenway Boulevard. How will this impact access to the employment lands and the existing Highway 427 Arterial Road and Zenway Boulevard?**
2. The relevant pedestrian and cycling facilities that are identified in both the City of Vaughan and Region of York Pedestrian and Bicycle Master Plans should be referenced in the EA Report and reflected on the appropriate highway plan and cross-section drawings. **Sidewalks and illumination will be required on all of the proposed highway crossings including Zenway Boulevard, Langstaff Road, Rutherford Road, McGillivray Road and Major Mackenzie Drive.**
3. The West Vaughan Enterprise Zone (Regional Official Plan Amendment 19 - ROPA 19) as approved by the OMB on October 22, 2001 added 2,500 net developable acres to the urban area of the City of Vaughan for the purposes of meeting the employment needs of the City of Vaughan and Region of York to the year 2026. Highway 50, Langstaff Road, Highway 27, a portion of the southern boundary of Kleinburg Community Plan, Major Mackenzie Drive, Ontario Hydro Corridor and Nashville Road bound the subject area. Prior to development, a secondary plan(s) detailing land use designations and policies, transportation, servicing and environmental provisions shall be adopted by the City and approved by the Region. The City of Vaughan is currently undertaking a City-Wide Official Plan review including a secondary plan for the ROPA 19 lands which will likely contain policies with respect to environmental sustainability and the City's "Green Directions" plan that need to be addressed in the design of the Highway.

Due to the Langstaff Road interchange location and its proximity to Highway 27 only one north-south roadway connection will be feasible to Langstaff Road to serve the future employment lands north of Langstaff Road and south of Rutherford Road. The only feasible location for this future roadway east of the future Highway 427 extension is opposite the proposed Innovation Drive.

Section 7.2.1 of the 427 EA Report provides details with respect to the three properties located on the north side of Langstaff Road directly east of the future West-North ramp that will require a combined access to minimize potential safety concerns associated with accesses in proximity to the West-North ramp. A combined access is proposed to be located opposite the proposed Innovation Drive as shown on Attachment No. 2 (Exhibit 6-3, Plate 2). An access at this location may hinder the construction of the northerly

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extension of Innovation Drive in the future. **Accordingly, the final 427 EA Report should identify an alternative access arrangement to the three properties on the north side of Langstaff Road in the vicinity of the interchange.**

4. The preferred 427 alignment and the associated interchanges at Rutherford Road and Major Mackenzie Drive impact the existing Huntington Road and McGillivray Road, and present certain challenges to maintaining good access to the surrounding lands. In particular, the proposed Highway 427/Major Mackenzie Drive interchange will be located at the current Major Mackenzie/Huntington Rd. intersection. As a result, Huntington Road is proposed to be terminated south of Major Mackenzie Drive and realigned north of Major Mackenzie Drive. Accordingly, the location for the realigned and/or replacement access for Huntington Road to Major Mackenzie Drive should be determined as part of 427 EA.

The City, Region of York and the landowners expressed concerns with the provision of only one access to the Nashville West Community Plan (OPA 669) lands north of Major Mackenzie Drive. As noted in Draft 427 EA Report, MTO is currently reviewing a report prepared by the developers of the Nashville West Community that includes, in addition to the access between the proposed Highway 427 and the CP Rail line, a proposal for a second access that is directly opposite the proposed Highway 427 NB off-ramp. Based on this traffic study, it appears feasible that Huntington Road north of Major Mackenzie Drive could be realigned to intersect the Highway 427 S-E ramp. A second access location between Highway 427 and the CPR MacTier Subdivision rail line to serve lands both north and south of Major Mackenzie Drive. The future road extending south of Major Mackenzie Drive would maintain the access to the lands south of Major Mackenzie Drive that will be lost by the closure of Huntington Road. It is important to note that both these access points are identified in the City's approved OPA 669 for the Nashville West Community.

Accordingly, the City requires that the Huntington Road realignment and access arrangements to the approved Nashville West Community Plan (OPA 669) be addressed in consultation with the City of Vaughan, Region of York and the landowner prior to the finalization of the 427 EA Study.

5. As recommended in the 427 EA, Huntington Road south of Major Mackenzie Drive will be realigned to connect to McGillivray Road. In addition, an interim access is proposed to connect McGillivray Road to Major Mackenzie as identified on Attachment No. 4 (Exhibit 6.3, Plate 4). It is important to note that in 2004, the City completed a Class Environmental Assessment that assessed the opportunities to improve operations for both vehicles and train traffic at the Huntington Road crossing. Increased demand for intermodal transportation results in a greater volume of trains accessing the terminal, periodically blocking Huntington Road at the rail crossing. The City's EA recommended the establishment of a temporary road link between McGillivray Road and Major Mackenzie Drive at a location approximately 700m east of the existing Huntington Road alignment. This new road link was proposed to be in place for approximately 5-8 years until the Highway 427 extension was selected and a longer term transportation solution for this area could be considered.

The City in their consultation with the MTO and correspondence of June 2, 2009, requested that as part of the 427 EA Study, MTO investigate the feasibility of making a permanent connection from McGillivray Road to Major Mackenzie Drive. Options evaluated in the City's Huntington Road Class EA could be utilized in determining the appropriate location of this road link which provides adequate spacing between the future interchange and CP Rail line. In addition, this new roadway should be coordinated with

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the future access to the Nashville Community Plan on the north side of Major Mackenzie Drive. A connection to Major Mackenzie Drive is necessary to accommodate the proposed employment area south of Major Mackenzie Drive, north of Rutherford Road, east of the future Highway 427 and west of the CP Rail line. The extension of Highway 427 and the existing CP Rail line prohibit any additional east-west access opportunities to these lands in addition to the proposed McGillivray Road crossing under the future Highway 427 extension.

Therefore, it is paramount that the final 427 EA study identify the intersection location of a future permanent roadway on the south side of Major Mackenzie Drive to serve the West Vaughan Enterprise Zone lands and north of Major Mackenzie Drive to serve the Nashville West Community.

6. The preferred alignment of 427 also necessitates the realignment of McGillivray Road in the vicinity of Rutherford Road as shown on Attachment No. 3 (Exhibit 6-3, Plate 3). The location for the realigned intersection of McGillivray Road and Rutherford Road should be situated at a located between the existing stream corridor and the CPR MacTier rail line so the intersection will service the lands both north and south of Rutherford Road. **Accordingly, the final 427 EA should establish the new alignment of McGillivray Road and intersection location with Rutherford Road.**
7. Additional clarification should be provided on the McGillivray Road cross-section under the proposed Highway 427 Overpass structure at CPR/McGillivray Road as shown on Attachment No.4 (Exhibit 6-3, Plate 4). The City does not currently have any plans to widen McGillivray Road; however, as indicated in our previous comments, lands south of Major Mackenzie Drive have been designated for the future employment use. The City will be preparing a secondary plan for these lands as part of the City-Wide Official Plan process and it is anticipated that McGillivray Road will need to be widened some time in the future in order to accommodate development of the future employment lands. **The proposed Highway 427 Overpass structure at CPR/McGillivray Road should accommodate the future expansion of McGillivray Road to provide for four lanes of traffic, and 1.5 meter sidewalk on both sides of the road.**

General Comments

1. On page 1-1 of the draft 427 EA Report, a number of studies closely related to the 427 Transportation Corridor Study have been identified. A reference to the City's Growth Management Strategy currently underway should be added to the list of studies. This process includes a City-Wide Official Plan review to conform to the Places to Grow Act and Regional growth targets to the horizon year of 2031. The City's Transportation Master Plan (TMP) is also well underway and will identify the infrastructure needed to efficiently accommodate the population and employment growth that will result from the implementation of the Growth Management Strategy. The City's Growth Management Strategy process is expected to be completed in spring 2010. Additional information can be found on the Vaughan Tomorrow website @ (www.vaughantomorrow.ca)
2. On page 5-69, Motions by Municipal Council passed in response to the technically preferred route (C2-Central Route) presented at the PIC#2 have been identified. In addition to the Motions passed by the York Region Council and Region of Peel Council, reference should be made to the May 22, 2007 and May 12, 2008 Vaughan Council resolutions.

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3. Section 6.2.13, page 6-31 specifies the total preliminary project construction cost to be approximately \$300 million. The cost of the proposed Zenway Boulevard structure, removal/relocation of the City of Vaughan roadways, property acquisition cost and other associated costs should be budgeted in the 427 Project and details provided in the final EA Report.
4. A detailed analysis of the open space and natural areas affected by the Highway 427 Corridor alignment will need to be undertaken in consultation with the City, and a terrestrial restoration plan produced during the detailed design stage of the project. The Highway 427 project budget will need to anticipate and provide for the implementation of these elements.

Consultation with MTO

City staff met with MTO and their consultant on October 27, 2009 to discuss the City's comments on the 427 Transportation Corridor Draft EA Report. Region of York staff was also present at the meeting. MTO staff provided assurances to City and Regional staff that all comments will be addressed prior to finalizing the 427 Transportation Corridor EA Report.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the recommendations of this report will contribute to:

- Enhancing and ensuring community safety, health and wellness;
- The pursuit of excellence in service delivery;
- Leadership and promotion of environmental sustainability;
- Planning and managing growth and economic vitality; and,
- Promoting effective governance.

Specific Strategic Plan Initiatives applicable to the recommendations made in this report include Vaughan's corporate priorities to continue to support the Highway 427 extension. This report is therefore consistent with the priorities previously set by Council.

Regional Implications

The Region will provide comments to MTO on the 427 Transportation Corridor Draft EA Report separately.

Conclusion

On October 8, 2009, the Ministry of Transportation issued the 427 Transportation Corridor Draft EA Report for pre-submission review by agencies and the public prior to the formal submission to the Minister of the Environment. Comments on the pre-submission will be accepted by MTO up until November 12, 2009. It is expected that the final 427 EA Report will be submitted to the Minister of Environment in January 2010.

Staff has reviewed the 427 Transportation Corridor Draft EA Report and outlined the more significant comments in this report. Accordingly, it is recommended that MTO be requested to address these comments before finalizing the 427 EA Report.

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Attachments

1. Attachment No.1 – Exhibit 6-3, Plate 1
2. Attachment No.2 – Exhibit 6-3, Plate 2
3. Attachment No.3 – Exhibit 6-3, Plate 3
4. Attachment No.4 – Exhibit 6-3, Plate 4
5. Attachment No.5 – Exhibit 6-3, Plate 5
6. Attachment No.6 – Exhibit 6-3, Plate 6
7. Attachment No.7 – Exhibit 6.4

Report prepared by:

Selma Hubjer, Transportation Engineer – Ext. 8674

Andrew Pearce, Director of Development/Transportation Engineering – Ext 8255.

(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 12, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

12

**AWARD OF TENDER T09-003
FREEDOM TRAIL PARK – WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated November 10, 2009:

Recommendation

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

- 1) That T09-003, Freedom Trail Park, be awarded to Rutherford Contracting Ltd. for the amount of \$380,514.50 (excluding G.S.T.); and,
- 2) That funding in capital project PK 6193-08 be increased by \$43,671.74 to be comprised of \$24,646.74 to accommodate the tender shortfall and to permit \$19,025.00 for contingency (5%); and
- 3) That the inclusion of the matter on a public Committee or Council agenda for the additional funding request for Freedom Trail Park 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.

Contribution to Sustainability

The construction of the Freedom Trail Park project will provide a new park facility within a residential neighbourhood. It will encourage physical activity and promote the health and well being of Vaughan residents. The park facility will facilitate walking and activities within the immediate neighbourhood, reducing the need to travel by car to park facilities outside of the core neighbourhood.

Economic Impact

Capital project PK-6193-08, Freedom Trail Park funding was approved in the 2008 Capital Budget. An annual cost of \$17,515.00 is required to maintain this park once completed and this amount should be added to the 2010 Parks Operations and Forestry base operating budget.

Communications Plan

Not Applicable.

Purpose

The purpose of this report is to seek Council approval to award tender T09-003 – Freedom Trail Park.

Background - Analysis and Options

The project is for the construction of a neighbourhood park at Freedom Trail Park located at 121 Freedom Trail in Ward 1.

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The project includes the construction of a junior and senior playground, mini soccer field, neighbourhood level skatepark, a shade structure, asphalt walkways, naturalized and formal plantings, walkway lighting and site furnishings.

Notification of Tender T09-003 was sent to the twelve (12) Pre-qualified contractors. Tenders were closed and publicly opened on Wednesday, October 19, 2009 at 3:30 p.m. Three (3) bid documents were received and the results are as follows:

<u>Contractor</u>	<u>Base Tendered Price (excl. GST)</u>	<u>Provisional Item (excl. GST)</u>	<u>Total Tendered Price (excl. GST)</u>
Rutherford Contracting Ltd.	\$380,514.50	n/a	\$380,514.50
Gateman-Milloy Inc.	\$388,158.57	n/a	\$388,158.57
Pine Valley Enterprises Inc.	\$389,994.00	n/a	\$389,994.00

Staff note that, given the total tendered price, the project budget is in a deficit. The total approved capital budget was \$455,300.00. Once Electrical Engineering, Geotechnical Engineering, and Land Surveyor consulting fees, permit fees, play equipment, and reproduction costs are subtracted from the original total budget a total of \$355,867.76 remained for the construction component of the project. As such, an additional amount of \$43,671.74 plus G.S.T. is required to accommodate the tender shortfall and a 5% contingency in order to expedite the project.

Relationship to Vaughan Vision 2020 / Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the project will provide:

- STRATEGIC GOAL:
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:
Pursue Excellence in Service Delivery; and Enhance and Ensure Community Safety, Health and Wellness - To deliver high quality services and to promote health and wellness through design and program.

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

Regional Implications

Not Applicable.

Conclusion

The Parks Development and Purchasing Services Departments have reviewed the bid submissions and have determined that the low bid contractor, Rutherford Contracting Ltd. is deemed to meet the requirements of the contract.

Should Council concur with the additional funding request this action would be considered as an amendment to the Capital Budget. Pursuant to the Municipal Act 2001, 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 By-law 394-2002

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Upon award of this tender, this project will commence within ten (10) working days from the Date of Notification of Award and should be completed on or before July 30, 2010 (weather permitting).

Attachments

Not Applicable.

Report prepared by:

Mike Kari, Landscape Architectural Technician, Ext. 3202

Stephanie Snow, Construction Coordinator, Ext. 3210

Paul Gardner, Director of Parks Development, Ext. 3209

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

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Item 13, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

13

MULTICULTURAL FESTIVAL EVENTS

The Committee of the Whole recommends that this matter be referred to the Community Equity & Diversity Committee.

Recommendation

The Chair of the Communities in Bloom (CIB) Beautification Committee, in consultation with the Chairs of the Vaughan Tourism Advisory Committee and Peace Tree Day Committee recommend:

1. That this report be received;
2. That City Staff be directed to submit an application to Celebrate Ontario requesting a grant for a Multicultural Festival to take place during the month of June 2010; and
3. That City Staff provide a workplan and budget, should the City's application to Celebrate Ontario be successful.

Contribution to Sustainability

Not applicable

Economic Impact

If the Celebrate Ontario grant application is successful, a detailed workplan and budget will be brought back to the Budget Committee for consideration.

Communications Plan

Not applicable at this time.

Purpose

To report on the first Multicultural Festival and to seek approval to proceed with a multicultural event in 2010 as a legacy program of the Communities in Bloom Beautification. This Multicultural Festival would celebrate Vaughan's multiculturalism and diversity, recognizing that such events build awareness that the City of Vaughan has a rich social-cultural heritage.

Background – Analysis & Options

During the period of September 29 to October 4, 2009, the City of Vaughan hosted the Communities in Bloom National Conference and Awards Ceremonies. In support of the Conference, the City of Vaughan successfully obtained funding from the provincial Ministry of Tourism, on the basis that such events could become multi-year initiatives.

As part of the National Conference, Vaughan held its first-ever Multicultural Festival evening, celebrating Vaughan's diverse cultures in the form of food, art, music and dance. Performers and food suppliers were drawn from the local community. The evening was attended by over 700 people, including CIB registrants, sponsors and local residents.

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While the CIB events may have concluded, it was recognized that the Multicultural Festival evening was a great success and could continue as a legacy event of CIB, building on the community's pride; promoting mutual respect and understanding; and generating economic activity for Vaughan. During discussions with the Chairs of the Tourism Advisory and the Peace Tree Day Committees on the potential to develop a legacy event, it was discovered that a number of similar and complementary events were being contemplated for 2010.

Working together with these groups, the City of Vaughan could develop a host of multicultural events that could include Peace Tree Day, sports activities, a multicultural film/comedy event, cultural shows, etc. These events could be branded together as part of Vaughan Peace Tree Month taking place in June 2010.

June also coincides with York Region's Tourism Week, and the Province's Tourism Week. Annually in June, the Ministry of Tourism declares one week national awareness week to highlight the economic and social value of tourism and encourage "staycations" in the Province. Leveraging the public awareness generated by the Region and the Province, may further enhance the City's program.

Staff will prepare and submit an application for the Celebrate Ontario Grant. If successful, City Staff will develop a workplan and budget.

The deadline for applications is November 27, 2009.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council, and specifically goal: *Preserve Our Heritage & Support Diversity, Arts & Culture*

The necessary resources have not been allocated.

Regional Implications

Should Council approve this initiative, the Region of York's Economic Strategy & Tourism Department will be notified and asked to support the City of Vaughan in the development and promotion of these events.

Conclusion

Festivals and events contribute to the character of communities. The Multicultural Festival, if supported by community groups, local businesses and tourism operators, can generate economic activity and spending, as well as enrich and preserve our heritage, arts and culture.

Attachments

None

Report prepared by:

Mario Ferri, Chair of the Communities in Bloom Beautification Committee
Tony Carella, Chair of the Tourism Advisory Committee
Sandra Yeung Racco, Chair of the Peace Tree Day Committee

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Relationship to Vaughan Vision 2020/Strategic Plan

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

Enhance and Ensure Community Safety, Health and Wellness – To advocate for, protect and enhance community safety, health and wellness through education, design and enforcement.

Regional Implications

None

Conclusion

In response to concerns by area residents, it is recommended that staff not remove the all-way stop signs located at the following intersections: Via Campanile / La Rocca; Vellore Avenue / St. Urbain Drive; and Vellore Avenue / Maria Antonia.

Attachments

None

Report prepared by:

Councillor Bernie DiVona, ext. 8339

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Item 15, Report No. 50, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on November 24, 2009, as follows:

By receiving the written submission from Ms. Anna Bortolus, 303 Westridge Drive, Kleinburg, L0J 1C0, dated November 10, 2009.

15

REGISTRY OF LOBBYISTS

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Councillor Carella, dated November 10, 2009, be approved;
- 2) That this report be presented to the Accountability and Transparency Committee;
- 3) That the following deputations and written submission, be received:
 - a) Ms. Anna Bortolus, 303 Westridge Drive, Kleinburg, L0J 1C0 and written submission dated November 10, 2009; and
 - b) Ms. Carrie Liddy, 36 Humberview Drive, Woodbridge, L4H 1B1; and
- 4) That the written submission of Rev. Jim Keenan dated November 10, 2009, be received.

Recommendation

Councillor Tony Carella recommends:

That the City Manager direct appropriate staff to investigate and report back to Council no later than June 2010 on the implications of a Registry of Lobbyists, including what other municipalities have done, the benefits, cost and other information as appropriate.

Purpose

A better understanding of the benefits, costs and any other implications of a lobbyist registry.

Contribution to Sustainability

The sustainability of the democratic form of government---and of all the benefits which flow from it---is predicated on the belief and knowledge that the business of government is being conducted in a transparent manner.

Economic Impact

The determination of any economic impact will be part of the process by which this initiative will be evaluated.

Communication Plan

Corporate Communications will announce this initiative, once adopted by Council.

Background – Analysis and Options

The perception that lobbyists exercise undue influence on elected officials is one that threatens our faith in the democratic form of government. While such officials should be accessible to anyone with a concern about a matter within the official's jurisdiction, the access enjoyed by some (particularly those who hire others to facilitate access to elected officials; those known as

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“lobbyists”) is problematic because it often is or is perceived to be less than transparent. The recent adoption by Council of a revised Code of Conduct for Members of Council is a significant step in demonstrating transparency. A registry of lobbyists is perhaps one further way in which this phenomenon can be brought under public scrutiny.

At the same time, the City of Vaughan may not need to entirely reinvent the wheel when it comes to the development of a registry of lobbyists. As the attachments attest, the City of Toronto has such a register, embodied in Chapter 140 of its by-laws, under the heading “Lobbying”. It also has a code of conduct for lobbyists. Both these documents will no doubt prove invaluable as City of Vaughan staff proceed to investigate the benefits of a registry of lobbyists.

Regional Implications

Nil

Relationship to Vaughan Vision 2020

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

Conclusion

The investigation of a Registry of Lobbyists is a next step in the evolution of transparency as a feature of local government.

Attachments

Article from Office of the Ombudsman, July/August 2009 Newsletter
City of Toronto By-law, Chapter 140, Lobbying
City of Toronto, Lobbyists' Code of Conduct

Report prepared by:

Councillor Tony Carella, FRSA

(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. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

16

2010 OLYMPIC TORCH RELAY IN VAUGHAN

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Corporate Communications and the Director of Economic Development, dated November 10, 2009:

Recommendation

The Director of Corporate Communications and the Director of Economic Development, in consultation with the Commissioner of Community Services and the Commissioner of Engineering and Public Works, recommend:

1. That the City of Vaughan supports the 2010 Olympic Torch Relay, scheduled to arrive in Vaughan on December 18, 2009, by providing priority services required to ensure city route roads are safe, clear of snow and salted, and;
2. That the City of Vaughan work with the Vancouver 2010 Olympic Torch Relay organizers to promote the event and accommodate public viewing of the relay in Vaughan.

Contribution to Sustainability

N/A

Economic Impact

The cost of accommodating public viewing of the relay is yet to be determined (i.e. setting up bleachers, barricades, garbage/recycling, etc.). Road clearance would be conducted under the Winter Maintenance Program.

Communications Plan

The Corporate Communications Department will issue a media advisory, a news release and provide information on the City website to promote this event.

Purpose

City support for the 2010 Olympic Torch Relay in Vaughan.

Background - Analysis and Options

The Vancouver 2010 Olympic Torch Relay route will be the longest domestic Torch Relay in Olympic history, stretching over 45,000 kilometres across Canada, through more than 1,000 communities and passing within a one-hour distance of more than 90 per cent of the entire Canadian population.

One thousand communities were chosen across the country as Route Communities, including the City of Vaughan.

Residents of Vaughan who want to catch the Olympic Spirit will have the opportunity to see the Olympic Flame in person on Friday, December 18, 2009. The relay is an opportunity to showcase the unique character of our nation and our communities and to unite everyone in cheering on our athletes.

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The Vancouver 2010 Olympic Torch Relay is presented by Coca-Cola and RBC and supported by the Government of Canada. Torch bearers are the winners of a contest conducted by Coca-Cola and RBC.

The route through Vaughan will be publicly announced 14 days prior to the event, as per the requirements of the Olympic Torch Relay. Organizers will inform municipalities of the route prior to this date to accommodate any pre-event planning requirements.

The torch relay will pause at a "Community Stop" in Vaughan, the location of which is selected by the relay organizers. The duration of the stop will be 1 to 2 minutes and will provide a photo opportunity for local dignitaries.

The Olympic Committee will be working directly with Vaughan Public Libraries for the Olympic Relay vehicle location in front of the Kleinburg library on Islington Ave.

Relationship to Vaughan Vision 2020 Strategic Plan

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

Regional Implications

The Olympic Torch Relay will contact the Region to ensure that regional roads on the relay route will be cleared of snow and ice. The RCMP will coordinate all of the "rolling" road closures with the local police.

Conclusion

Council support of the 2010 Olympic Torch Relay in Vaughan will assist in promoting this national event and encourage the participation of City residents and businesses in this event.

Attachments

None.

Report prepared by:

Madeline Zito, Director of Corporate Communications
Tim Simmonds, Director of Economic Development

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

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Item 17, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

17 FUTURE OF THE GREENING VAUGHAN ADVISORY COMMITTEE (GVAC) AND REVISED TERMS OF REFERENCE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Greening Vaughan Advisory Committee, dated November 10, 2009:

Recommendation

1. The Greening Vaughan Advisory Committee recommends that the committee remain in place until the conclusion of the current term of Council
2. That Council approve the revised Terms of Reference as attached

Contribution to Sustainability

The GVAC has played a leading edge role in moving forward the City of Vaughan environmental sustainability efforts. It has acted to support the Greening Vaughan Waste Management Plan, provide input into the Plan's implementation and to assist in the education process for residents. All of these efforts are related to significant matters of sustainability in the City.

Economic Impact

There is no economic impact.

Communications Plan

The continuation of the Committee and its updated mandate including its composition will be brought to the attention through a media release once approval has been given to proceed.

Purpose

To formally have the Greening Vaughan Advisory Committee (GVAC) remain in place until the end of the term of office of the current Council and to approve the revised Terms of Reference.

Background - Analysis and Options

At the Council meeting of March 21, 2005, a report entitled 'Greening Vaughan -- A Comprehensive Waste Management Plan' was presented and approved by Council. At this meeting Council recommended, in part, *"That staff prepare Terms of Reference for the creation of a 'Greening Vaughan' Advisory Committee and report back to Council by April 2005. Subsequently the Committee was established and has been operating since that time.*

In light of the completion of the three year plan and the publication of the *Green Directions Vaughan Plan* there have been on-going discussion at the Green Vaughan Advisory Committee meetings regarding the future of the committee.

The attached revision of the Terms of Reference reflects that discussion.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council, specifically, "Pursue Excellence in Service Delivery" and "Lead and Promote Environmental Sustainability".

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Regional Implications

The GVAC will continue to interact with the Region in appropriate situations.

Conclusion

With the approval of the extension and the new terms of reference the GVAC will continue to play an integral role in support of the City's environmental sustainability plan.

Attachments

Revised Terms of Reference

Report prepared by:

Debi Traub,
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 18, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

18

OPPI 2009 AWARD OF EXCELLENCE IN PLANNING

The Committee of the Whole recommends that the presentation from the Director of Policy Planning/Urban Design regarding the receipt of the Ontario Professional Planners Institute 2009 Award of Excellence in Planning for Communications and Public Education, be received.

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Item 19, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

19 DEPUTATION – MR. DANIELE ZANOTTI, CEO, UNITED WAY OF YORK REGION

The Committee of the Whole recommends that the deputation of Mr. Daniele Zanotti, CEO, United Way of York Region and written submission, dated August 10, 2009 and brochure entitled "...addressing Our Strengths", be received.

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Item 20, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

20

**DEPUTATION – MR. LUCIAN BAIU,
WITH RESPECT TO NOISE FROM THE SPORTS VILLAGE**

The Committee of the Whole recommends:

- 1) That staff review the matter regarding amplified music and report to a Committee of the Whole meeting with the results of the review and any appropriate recommendations to assist with a remedy in this matter; and**
- 2) That the following deputations and written submission be received:**
 - a) Mr. Lucien Baiu, 114 Hollybush Drive, Maple, L6A 2H3 and written submission dated October 21, 2009; and**
 - b) Mr. Tony Furiato, Mentana Group Inc., 2600 Rutherford Road, Vaughan, L6A 1T1.**

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Item 21, Report No. 50, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on November 24, 2009, as follows:

By approving the following:

That the deputation be received;

That, without undermining the integrity of the planning process and any possible legal process and strictly on a without prejudice basis, that council appoints a committee for discussion purposes, comprised of the local councillor, the three regional councillors and the Mayor, the ratepayers group, the owners, appropriate city staff, and an invited regional staff person and a provincial representative, to enter into discussion and for education purposes as well to identify possible solutions that may be applicable to the lands in question;

That, further, on a without prejudice basis, that the respective lawyer of the ratepayers and the owners contact the city lawyer as may be appropriate in reference to this matter, and that staff prepare any documents (if required) for the purpose of clarity and integrity of the process; and

That all members of Council be informed in advance of the date, place, and hour of all meetings;

By receiving the confidential memorandum from the Director of Legal Services, dated November 23, 2009; and

By receiving the following written submissions:

- a) *Ms. Carrie Liddy, dated November 12, 2009;*
- b) *Mr. Ira T. Kagan, Kagan Shastri, Barristers & Solicitors, 188 Avenue Road, Toronto, M5R 2J1, dated November 16, 2009;*
- c) *Mr. Michael Miller, Aylesworth, Barristers & Solicitors, P.O. Box 124, 18th Floor, 222 Bay Street, Toronto, M5K 1H1, dated November 17 and 19, 2009; and*
- d) *Mr. Cam Milani, 11333 Dufferin Street, P.O. Box 663, Maple, L6A 1S5, dated November 19, 2009.*

**21 DEPUTATION – MR. FRANK J. STADLER, MAPLEWOOD RAVINES HOMEOWNERS ASSOCIATION WITH RESPECT TO THE RIZMI GRAVEL PIT
AT DUFFERIN STREET AND KIRBY ROAD**

The Committee of the Whole recommends that the deputation of Mr. Frank Stadler, Maplewood Ravines Homeowners Association, and written submission dated October 29, 2009, be received.

Councillor DiVona declared an interest with respect to the foregoing matter as he may be called as a witness in a related legal proceeding. During discussion of this matter Councillor DiVona relinquished the Chair, and Mayor Jackson assumed the Chair.

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Item 22, Report No. 50, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 24, 2009.

22

NEW BUSINESS – CITY OF VAUGHAN'S ORGANIZED EVENTS

The Committee of the Whole recommends that staff submit a report to the Committee of the Whole (Working Session) meeting of December 7, 2009 on the dates of all City of Vaughan organized events.

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 24, 2009

Item 23, Report No. 50, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on November 24, 2009, was dealt with by approving:

That this matter be deferred to the Committee of the Whole meeting of December 1, 2009.

23

NEW BUSINESS – VAUGHAN MILLS OUTPARCELS

The Committee of the Whole recommends that a report be submitted to Council on the exemption of the Vaughan Mills Outparcels under the Retail Holiday Business Act.

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