

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

Item 1, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

#### 1 CITY OF VAUGHAN AWARD FOR HIGHER ARTS EDUCATION

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Chair of the Arts Advisory Committee, dated February 23, 2010:

##### Recommendation

The Chair of the Arts Advisory Committee recommends:

1. That the *City of Vaughan Award for Higher Arts Education* eligibility criteria and terms and conditions for the proposed program as outlined in this report and found in Attachment 1 and 2, be approved; and,
2. That Council authorize the Vaughan Arts Advisory Committee to select two annual Award recipients by assessing student applications through an adjudication process based on financial need and academic merit.

##### Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Objective 4.1:

- To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

##### Economic Impact

The annual cost of implementing the proposed *City of Vaughan Award for Higher Arts Education* as outlined in this report will be \$2,000: two awards of \$1000 per year. An award each will be given out to a student enrolled in a secondary school program for the arts, and another pursuing post-secondary education in the arts. The annual cost of the program will be covered through fundraised monies totaling approximately \$22,000 collected in 2009 by the Vaughan Arts Advisory Committee to support the *City of Vaughan Award for Higher Arts Education*.

##### Communications Plan

The promotion of the *City of Vaughan Award for Higher Arts Education* program will be through the distribution of the Submission Guidelines and Application Form (Attachments 1 and 2) to Vaughan secondary schools, Greater Toronto Area universities, colleges and professional and commercial art schools; and it will be posted on the City of Vaughan and Vaughan Public Libraries websites.

##### Purpose

The purpose of this report is to present the *City of Vaughan Award for Higher Arts Education* program for Council's approval, and to request that the Vaughan Arts Advisory Committee be given the authority to select two annual Award recipients by assessing student applications through an adjudication process based on a financial need and academic merit.

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#### **Background - Analysis and Options**

In 2009, the Vaughan Arts Advisory Committee with assistance from the Department of Recreation and Culture and the support of Vaughan Council established the annual R.A.V.E. Awards (Recognizing Arts Vaughan Excellence). This community celebration of excellence and achievement was developed as a formal vehicle to recognize the significant contributions of individuals, businesses and organizations that enhance the vitality of the arts in Vaughan. On June 24, 2009, the inaugural R.A.V.E. Awards reception was hosted to present awards to ten winning recipients nominated from various categories within the disciplines of the Performing, Visual and Literary arts. The Vaughan Arts Advisory Committee launched a successful corporate sponsorship campaign which raised \$28,000 in cash (and additional services in kind) to help offset some of the program and reception costs associated with implementing the inaugural R.A.V.E. Awards and secondly to create a dedicated fund that would facilitate the establishment of an annual bursary program designed specifically to assist the emerging talent of eligible Vaughan students pursuing post-secondary education in the arts by distributing cash awards. A total of approximately \$22,000 from the fundraised monies was allocated to establish the bursary program. Hence, the genesis of the proposed *City of Vaughan Award for Higher Arts Education* program evolved in conjunction with the R.A.V.E. Awards, with both programs sharing the common objective of recognizing excellence and achievement in the arts.

The *City of Vaughan Award for Higher Arts Education* program was developed to encourage the pursuit of secondary and post-secondary education in the arts and provide cash assistance by recognizing outstanding student achievement and an intention to follow an arts career. The eligibility criteria and specifications for students submitting applications for the Award are outlined in the Submission Guidelines and Application Form (Attachments 1 and 2). In summary, the submission guidelines are as follows:

- Students must be residents of Vaughan and be enrolled in either secondary or post-secondary education in an arts discipline.
- A maximum of two cash awards valued at \$1,000 each will be distributed annually: one to a Vaughan student enrolled in a secondary school arts program and one to a Vaughan student enrolled in a post-secondary arts education program.
- Awards will be based on financial need and academic merit.
- Selection of the award recipients will be made by the Vaughan Arts Advisory Committee.
- Submissions must be accompanied by an application form, one academic reference letter and one character reference letter, a record of arts accomplishments and relevant experience and digital illustrations of significant arts accomplishments.
- Award recipients will be expected to sign a formal letter of agreement outlining specific terms and conditions of acceptance to include: a forfeit of the cash award if studies are abandoned, an academic progress report, documentation of academic work to be featured in an annual review and at an upcoming R.A.V.E. Awards Reception, and a testimonial of how the award impacted on their arts career path.
- Award Recipients will be announced on Thursday June 24, 2010 during the upcoming R.A.V.E. Awards Reception.
- The submission deadline for 2010 is May 21.

Student applicants will be expected to provide the following information:

- The art institution in which they are currently enrolled and/or plan to be enrolled with the next academic year along with the level of secondary education achieved to date.
- An explanation of why they should be considered for an Award and how they would use the cash to pursue higher arts education.
- An indication of the career path they envision themselves following over the next five years.

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- A brief statement of financial need identifying expenses or circumstances that makes their situation particularly challenging.

Through the generous contributions of corporate sponsors who supported the 2009 R.A.V.E. Awards, approximately \$22,000 is reserved for the *City of Vaughan Award for Higher Arts Education* program over the next few years. The Vaughan Arts Advisory Committee will continue to campaign for annual corporate sponsorship money in support of both R.A.V.E. Awards and the *City of Vaughan Award for Higher Arts Education* to help ensure adequate funds are available for student bursaries. The program exemplifies the overall vision of the Vaughan Arts Advisory Committee in its continuing efforts to support and promote awareness of the arts in Vaughan.

A subcommittee of the Arts Advisory Committee helped establish the terms and conditions of the bursary program and the Committee approved the program as a whole at its January 14, 2010 meeting.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

- STRATEGIC GOAL:  
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:  
Preserve our heritage and support diversity, arts and culture.

This report is consistent with the priorities previously set by Council, and the necessary resources to implement this program have been allocated and approved.

#### **Regional Implications**

N/A

#### **Conclusion**

The *City of Vaughan Award for Higher Arts Education* will assist the emerging talent of Vaughan students pursuing secondary or post-secondary education in the arts. This initiative will profile the artistic achievements of Vaughan's student sector and reinforce the integral role art education plays in the City's cultural landscape. In association with the R.A.V.E. Awards, this bursary program will play a vital role in fostering the growth of artistic excellence and creative expression in the City of Vaughan, encouraging community engagement and sustainable partnerships.

#### **Attachments**

1. Award for Higher Arts Education Submission Guidelines
2. Award for Higher Arts Education Application Form

#### **Report prepared by:**

Councillor Sandra Yeung Racco, ext. 8342  
Sharon Gaum-Kuchar, Arts Coordinator, ext. 7312  
Angela Palermo, Manager of Cultural Services, ext. 8139

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



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east of Jane Street and north of Highway #407, being Part of Lot 4, Concession 4, City of Vaughan, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

#### Official Plan and Zoning

The property is designated "Prestige Area" by OPA #450 (Employment Area Growth and Management Plan). The "Prestige Area" designation is located adjacent to arterial roads and highways, and accommodates uses that require high visual exposure, good accessibility and an attractive working environment, and no outside storage. The "Prestige Area" designation is generally implemented by the EM1 Prestige Employment Area Zone category. The proposal conforms to the Official Plan.

The subject lands are zoned EM2 General Employment Area Zone by By-law 1-88, which permits an office use. The existing asphalt batching plant on the property is a legal non-conforming use as building permits for the batching plant were issued in 1988, prior to the enactment of Zoning By-law 1-88.

#### Site Plan Review

The property is currently developed with a number of structures including an asphalt batching plant, Buildings "A", "B", "C", "D", "E" and "F" and existing outside storage areas as shown on Attachment #3. The Owner originally submitted a Site Development Application to recognize Buildings "D", "E" and "F" and the outside storage areas, as shown on Attachment #3, which were built on the property in 1999 (approximately) without the appropriate municipal approvals. After review of the application, the Owner has revised the plans to address the comments and concerns raised by the Development Planning Department and other Departments, and to recognize a new leasing arrangement with its existing tenants. The proposed site plan as shown on Attachment #4 illustrates the final proposal, which includes Buildings "B", "C" and "F" only. Buildings "A", "D", and "E" will be demolished and the open storage areas removed from the property. Buildings "B" and "C" are currently used for storage accessory to the asphalt batching plant.

The proposed site plan as shown on Attachment #4 has been revised to establish the location of the required parking area, the fire route and drive aisles, landscaped areas around the building and the property lines including adjacent to Highway #407, and to address site servicing and grading.

The Development Planning Department is satisfied with the proposed site plan, landscaping plan, and existing building elevations as shown on Attachments #4, #5, and #6, respectively. The final plans must be approved to the satisfaction of the Development Planning Department.

#### Vaughan Engineering Department

The Vaughan Engineering Department is generally satisfied with the overall site development. The final site servicing and grading plans must be approved to the satisfaction of the Engineering Department.

#### Parkland Dedication

The Owner is required to pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a building permit in accordance with Section 41 of the Planning Act, to the satisfaction of the Vaughan Legal Department, Real Estate Division.

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#### Ministry of Transportation

The Ministry of Transportation (MTO) has reviewed the Application and has advised that the subject lands are located within the MTO's permit control area and that a Ministry Building and Land Use Permit is required. The MTO has also indicated that prior to the issuance of the Ministry Permit, the Owner must remove the drainage pipes that currently drain onto the Highway #407 lands, and that the fence located between the property and Highway #407, which has been damaged by operations on the property, must be repaired by the applicant.

#### 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 Application was circulated to the Region of York. The Region of York has indicated that they have no objection to the proposed development.

#### Conclusion

Site Development File DA.08.047 (K.J. Beamish Construction Co. Ltd.) has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management Plan), Zoning By-law 1-88, the comments from City Departments and external public agencies, and the surrounding land use context. The Development Planning Department is satisfied that the proposal to maintain the existing asphalt plant, associated office building, and two accessory structures on the subject lands as shown on Attachment #4, together with the proposal to introduce landscaping along the entire perimeter of the property and around the existing office building, while at the same time proposing to remove several structures and outside storage area is appropriate and compatible with the surrounding land uses. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

#### Attachments

1. Context Location Map
2. Location Map
3. Existing Site Plan
4. Proposed Site Plan
5. Landscape Plan
6. Elevation Plan - Building 'F' (Existing Office Building)

#### Report prepared by:

Ryan Mino, Planner, ext. 8213  
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 3, Report No. 9, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 9, 2010, as follows:

***By receiving the written submissions from Mr. Barry Friedman, dated February 24, 2010 and March 7, 2010.***

**3 OFFICIAL PLAN AMENDMENT FILE OP.08.012  
ZONING BY-LAW AMENDMENT FILE Z.08.047  
1541677 ONTARIO LIMITED  
WARD 5**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 23, 2010, be approved; and
- 2) That the following deputations, written submissions and petition be received:
  - a) Mr. Barry Friedman, 19 Karl Court, Thornhill, L4J 8H7 and written submissions, entitled "City of Vaughan Anti-Idling Information and Centre Park Condos West Building Price List by Liberty";
  - b) Mr. Barry A. Horosko, Bratty and Partners, LLP, on behalf of the applicant;
  - c) Ms. Eva Coplevitch, 709-60 Disera Drive, Thornhill, L4J 9G1;
  - d) Ms. Marilyn Snider, 50 Disera Drive, PH #1, Thornhill, L4J 9E9;
  - e) Ms. Helen Shoychet, 60 Disera Drive, PH #2, Thornhill, L4J 9G1, on behalf of Howard Wolff;
  - f) Mr. Lionel Coplevitch, 60 Disera Drive, Suite No. 709, Thornhill, L4J 9G1, on behalf of Marvin Fajertag, and written submission dated February 22, 2010;
  - g) Dr. Gila Martow, 70 Coldwater Court, Thornhill, L4J 7S4;
  - h) Mr. Simon [REDACTED], [REDACTED] Spring Gate Blvd., Thornhill, L4J 3L9; and
  - i) Ms. Kareen Maizel, Harris Management, 50-60 Disera Drive, Thornhill, L4J 9G1, and petition.

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.08.012 (1541677 Ontario Limited) BE APPROVED, specifically to amend OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #621, to:
  - a) increase the maximum permitted density on the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 1598 residential units to 1872 residential units (an additional 274 apartment units); and,
  - b) increase the maximum number of permitted apartment buildings on the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 7 apartment buildings to 9 apartment buildings.
2. THAT Zoning By-law Amendment File Z.08.047 (1541677 Ontario Limited) BE APPROVED, to rezone the westerly portion of the subject lands as shown on Attachment #2 from RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "H", to

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facilitate the development of 2 additional apartment buildings (Buildings “H” and “K”) and an additional 274 apartment dwelling units on the subject lands shown on Attachment #4.

3. THAT the implementing Zoning By-law include the following:
  - a) permit a maximum of 1872 residential units on the entire Liberty Master Plan lands shown on Attachment #9, whereas a maximum of 1598 units is currently permitted;
  - b) permit two additional apartment buildings (Buildings “H” and “K”) on the subject lands shown on Attachment #4, for a total maximum of 9 apartment buildings on the entire Liberty Master Plan lands shown on Attachment #9, whereas a total maximum of 7 apartment buildings is currently permitted; and,
  - c) permit the zoning exceptions to the RA3(H) 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 to the satisfaction of the City:
  - a) that a Site Development Application(s) for the 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 to the proposed additional 274 units for the additional residential apartment buildings on the subject lands (Buildings “H” and “K”).
5. THAT the Owner enter into a maintenance agreement with the City, which addresses the maintenance of landscaping within the City’s right-of-way located at the southwest corner of the site as shown on Attachment #4. The landscaping on these lands shall be consistent with the landscape design for the overall development of the site. The landscape plan for these lands shall be to the satisfaction of the Vaughan Development Planning Department and the requirement for a maintenance agreement will be implemented through the Site Plan approval process.
6. THAT the Owner shall pay to the City of Vaughan, a cash-in-lieu of parkland dedication fee for each additional residential dwelling unit (274 apartment units) in accordance with the City’s cash-in lieu of parkland policy. The cash-in-lieu of parkland dedication fee shall be acquired through the Site Plan approval process.

#### **Contribution to Sustainability**

This will be addressed in the future site plan application report.

#### **Economic Impact**

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

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#### Communications Plan

On September 12, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Beverley Glen Ratepayers Association. The recommendation to receive the Public Hearing report of October 6, 2008, was ratified by Council on October 13, 2008.

- i) Prior to the Public Hearing, a letter was received from a resident expressing concerns respecting the impacts of construction activity on the adjacent site, as well as the impacts that the proposed additional units will have on the overall community. At the Public Hearing, a number of residents also expressed concerns respecting the proposed development. These concerns are addressed later in this report.

On February 12, 2010, a Notice for this Committee of the Whole Meeting was sent to all individuals requesting notice of this meeting or having appeared at the October 6, 2008, 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.08.012), specifically to amend the following policies of OPA #210 (Thornhill Community Plan), as amended by OPA #621:
  - a) increase the maximum permitted density within the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 1598 residential units to 1872 residential units (an additional 274 apartment units); and,
  - b) increase the maximum permitted number of residential apartment buildings within the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from a maximum of 7 to 9 apartment buildings.
2. A Zoning By-law Amendment Application (File Z.08.047) to amend By-law 1-88, specifically to rezone the westerly portion of the subject lands from RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)", to facilitate the development of 2 additional apartment buildings and 274 additional residential apartment dwelling units on the subject lands, together with the site-specific zoning exceptions identified in Table 1 of this report, to implement the proposed apartment development shown on Attachment #4.

#### Background - Analysis and Options

##### Location

The 1.18 ha subject lands shown on Attachments #1 and #2 are located at the southeast corner of New Westminster Drive and North Park Road, being Block 5 on Registered Plan 65M-3872, City of Vaughan. The surrounding land uses are shown on Attachment #2.

##### Liberty Master Plan

The subject lands are currently vacant and are included within the conceptual Liberty Master Plan approved by Vaughan Council on November 8, 2004, attached hereto as Attachment #9, and subject to the site-specific policies of OPA #621. The remainder of the Liberty lands have been

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developed with the following: a 1.94 hectare park; six apartment buildings ranging in height from 15 to 22 storeys; and, 61 block townhouses. The subject lands form the last phase of development of the Liberty Master Plan.

OPA #621 established policies to facilitate the development of the overall Liberty lands as shown on Attachment #9, including an overall maximum unit count of 1598 units. To date, a total of 1,380 units have been site plan approved, in accordance with the Liberty Master Plan. The Liberty Master Plan as shown on Attachment #9, permits the remaining 218 units (1598-1380) to be located on the undeveloped portion of the plan, being the subject lands. The site-specific zoning Exception 9(1153) requires that the remaining 218 units be located on the subject lands in the form of block townhouse units, to a maximum of 32 units, together with an 18-storey apartment building, with a maximum of 186 apartment units.

The proposed development amends the southwest corner of the approved Liberty Master Plan, and is comprised of the following, as shown on Attachment #4:

- a) Building "G", an 18-storey apartment building - consistent with the Liberty Master Plan, however, it is larger in size, and includes 195 residential units;
- b) Building "H" – an additional 16-storey apartment building with 216 residential units; and,
- c) Building "K" – an additional apartment building that replaces the block townhouse development shown on Attachment #9, and is proposed to be 4-storeys in height with 81 residential units.

The Official Plan Amendment Application would increase the maximum number of units and the maximum number of buildings within the Liberty Master Plan. A total of 274 additional apartment units are proposed for the subject lands as well as an additional 2 apartment buildings, as shown on Attachment #4. This would increase the total number of units within the Liberty Master Plan area to 1,872 units, within 9 apartment buildings, whereas 1,598 units are permitted within block townhouse units and 7 apartment buildings by OPA #621.

#### Supporting Documents

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

- i) Planning Justification Report, dated July, 2008, prepared by Malone Given Parsons Ltd;
- ii) Functional Servicing Report, Block 5, Thornhill City Centre Lands, North Park Road & New Westminster Drive, dated July 22, 2008;
- iii) Traffic Impact Study, Thornhill City Centre, dated August 2008; and,
- iv) Sun Shadow Study, Buildings "G", "H" and "K", dated July 31, 2008.

#### Official Plan

The subject lands are designated "High Density Residential" by OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #621. OPA #621 permits a total of 1,598 units within the amendment area (Liberty Master Plan), comprised of 93 townhouse units and 1,505 apartment units, or a combination thereof, with the number of apartment buildings not to exceed 7 buildings, with a maximum height of 22-storeys. The Official Plan Amendment Application proposes to increase the number of residential units from 1598 units to 1872 units, and to permit a maximum of 9 apartment buildings to facilitate the development shown on Attachment #4.

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##### Zoning

The westerly portion of subject lands is zoned RM2(H) Multiple Residential Zone with the Holding Symbol “(H)” by By-law 1-88, which restricts the permitted uses to block townhouse dwelling units. The easterly portion of the site is zoned RA3(H) Apartment Residential Zone with the Holding Symbol “(H)”, which permits apartment dwelling uses. The site-specific zoning Exception 9(1153) limits the total number of units on the Liberty Master Plan lands to 1,598 (of which no more than 93 units can be townhouse units) and the total number of buildings to 7, and the Holding Symbol “(H)” requires site plan approval and traffic improvements to be in place, prior to the lifting of the holding symbol. The Owner is proposing to rezone the westerly portion of the property to RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” to permit a 274 additional residential units within 2 additional apartment buildings on the subject lands.

##### Resident’s Concerns

As previously mentioned, a letter was received from a neighbouring resident expressing disapproval with the proposed increase in density on the subject lands. At the October 8, 2008 Public Hearing, a number of residents expressed the following concerns to Council:

- i) Dust, truck traffic, litter, garbage and noise from the construction of the existing Liberty buildings have been disturbing residents of the existing community to the west over the years.

Response: This area has been subject of construction for several years, which can temporarily impact the surrounding community and is to be expected. The applicant will be required to adhere to the City’s construction standards and maintain the construction site and adjacent roads in accordance with these standards.

- ii) Residents are concerned the new park within the Liberty development is substandard.

Response: The park has been constructed in accordance with City standards for a park facility.

- iii) Residents have indicated that they do not support the proposed density increase and they want the applicant to maintain the Master Plan as originally approved.

Response: Although the Master Plan was approved for the Liberty subdivision in 2004, the land development process is not a fixed process. Landowners can make applications requesting changes in land use or density and a municipality must give consideration to the request. The Owner has requested such changes through these applications and has provided the City with supporting studies to justify the proposed increase in density. The City has reviewed the applications and the supporting information and that review is summarized within this report.

- iv) Residents are concerned the increase in density will increase traffic on streets within the area, and that these streets are already subject to traffic congestion and that such congestion may delay emergency services to the area.

Response: The applicant provided a traffic impact study in support of these applications, which defines the traffic to be generated by the increase in units and outlines the impact on the surrounding road network. This study was reviewed by the Vaughan Engineering Department and the Region of York Roads and Transportation Department. The Vaughan Engineering Department and Region of York comments are discussed later in this report.

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- v) Some residents were concerned that the proposal will remove green space from the area.

Response: The subject lands are vacant, however, these lands are designated for future residential development, as shown on Attachment #9. These lands were never intended to be retained for green space. Green space has been provided within the overall development in the form of an active park and a woodlot area in accordance with City standards.

- vi) Some resident's of Building "B" (shown on Attachment #9) were concerned that the proposed apartment buildings will interfere with west views from their existing units.

Response: Since the Public Hearing, the applicant has revised the conceptual site design for the development to provide greater separation distances between the buildings and to protect the views from the existing buildings to the greatest extent possible. The final site design must meet the City's design standards and will be reviewed and approved through the Site Development Process.

- vii) Some resident's expressed concern that they had not received adequate notice of the Public Hearing.

Response: Notice of the Public Hearing was sent to residents within 120m of the subject lands and to those residents having requested notification of future meetings. The applicant has held additional community meetings in an attempt to resolve community concerns. A courtesy notice of this Committee of the Whole meeting was also sent to individuals who requested notice and appeared at the Public Hearing.

- viii) Some residents expressed concerns regarding the impact of development on hospitals, health care, and the impact on commercial uses in the area.

Response: The subject lands are one of the last vacant parcels within the Thornhill Town Centre area. The area is well served with existing infrastructure and community services. This area is also recognized by both Vaughan and the Region of York as an area for intensification and further development.

- ix) Some residents indicated that the proposed buildings are part of an overall neighbourhood and should be reviewed with the lands directly to the south.

Response: The lands to the south (identified on Attachment #3) are located within the Thornhill Town Centre area identified through OPA #210, and subject to the OPA #671 (Thornhill Centre Street Study). A Zoning By-law Amendment Application (Blue Water Ranch Developments Inc. and Thornhill Retirement Residence LP. - File: Z.08.032) has been submitted to develop these lands for high density residential apartment dwellings, and increasing the maximum number of units and the height of the buildings. That application is currently being reviewed and has been taken into consideration in the review of these applications.

Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the subject Official Plan and Zoning By-law Amendment applications to redesignate and rezone the subject lands shown on Attachments #3 and #4, in light of the following land use policies respecting the proposal:

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##### a) Provincial Policy Statement

Since the approval of OPA #210 and the approval of OPA #621, the Province has approved the Provincial Policy Statement (PPS) in 2005, which provides policy direction on matters of Provincial interest related to land use planning and development. Applications to amend the Official Plan and Zoning By-law must be consistent with the PPS (2005). The subject lands are located within a Settlement Area as defined by the PPS. 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 increase in residential density is consistent with the intent of the PPS with respect to the efficient use of land and infrastructure and would promote efficient land use and development patterns to support a livable and healthy community. 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 the Thornhill Town Centre area.

The “Building Strong Communities” policies within 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 subject applications facilitate intensification and increases the range of housing within the existing built up area.

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 spaces uses to meet long term needs; and by promoting cost-effective development standards to minimize land consumption and servicing costs. The subject proposal will add additional dwelling units to an area currently developed with high and medium density residential dwellings. It will minimize land consumption and servicing costs as it allows more people to live in the area which is already planned, serviced and developed for urban development.

The subject lands are located within a Settlement Area as defined by the PPS. The Thornhill Town Centre (bounded by New Westminster Drive to the west and north, Bathurst Street to the east, and Clark Avenue West to the south) is recognized in the City of Vaughan Official Plan and is identified in the Region of York Official Plan as an “Urban Area”. The proposal makes efficient use of land by increasing the residential density within the existing Settlement Area and the compact form, mix of uses and densities allows for efficient use of land, existing infrastructure and public service facilities. The subject lands are immediately adjacent to an approved high density development within an existing built up community and future residents have access to the services and facilities in the community.

The PPS also includes housing policies requiring Planning authorities to provide an appropriate range of housing types and densities to meet project 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

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Thornhill area. Future residents of the proposed development will help support public transit initiatives and commercial activities within the community. The proposed development is consistent with the policies of the PPS.

#### b) Places to Grow Plan

The Provincial Places to Grow Plan (2006) provides a vision for the Greater Golden Horseshoe for growth to 2031. The Plan requires a minimum of 40% of new residential development to be located within the existing built up area by 2015 and requires that intensification strategies be implemented and addressed through municipal Official Plans.

The “York Region 2031 Intensification Strategy” dated February 2009, identifies population and employment growth forecasts and intensification targets; the types and scale of development; and the urban growth centres and intensification corridors. The City of Vaughan’s Official Plan Update Study, “Directions on Where and How to Grow” (2009), provided a forecast for 2031 that recognized that additional units can be accommodated within the Centre Street Corridor, which includes the subject lands. It is anticipated that Vaughan’s city-wide intensification strategy will be implemented through the Vaughan Official Plan Review.

The proposed development is consistent with the Places to Grow Plan given that the site is located within the Centre Street Corridor area, which is within the built-up area of Vaughan. The proposal represents intensification and is transit supportive and makes use of existing community infrastructure.

#### c) Region of York Official Plan

The Region of York Official Plan (2009) designates the subject lands “Urban Area”. The proposed Official Plan Amendment application is consistent with the Regional Official Plan policies that direct intensive development along regional and local corridors which are supported by public transit services.

The Region’s Official Plan designates this section of Bathurst Street and Centre Street as part of a Regional Corridor. Public transit routes exist on Bathurst Street and Centre Street and the Regional Official Plan includes a planned rapid transit corridor along Centre Street in this area.

The Region’s Official Plan recognizes that development within corridors be of an urban form that is compact, mixed-use, oriented to the street, and is cyclist and pedestrian friendly. The proposed increase in units has a compact form since they are planned to be developed within two additional apartment buildings, where 32 townhouses and one apartment building were previously approved. The residential use is adjacent to existing commercial uses in the community and supports the viability of these uses. The 4-storey apartment is street oriented, and a future site plan design will ensure a built form that is pedestrian and cyclist friendly. The Region’s transportation requirements will be addressed through the future approval of the required site plan(s) for each of the buildings, and the Region’s conditions of approval will be implemented through the Site Development approval process.

#### d) Vaughan Official Plan Amendment #210, as amended by OPA #621

The subject lands are located within the Thornhill Town Centre area and are designated “High Density Residential by OPA #210 (Thornhill-Vaughan Community Plan) as amended by site-specific OPA #621. OPA #621 permits a maximum density of 1598 units, comprised of 93 townhouse units and 1505 apartments units or a combination thereof not to exceed 1598 units to be developed on the Liberty Master Plan lands. The subject Official Plan Amendment application proposes an increase of 274 units on the subject lands and supports the intensification of

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residential land uses within the designated urban area. Transit is available along Centre Street with a major transit node located at Centre Street and New Westminister Drive adjacent to the Promenade Shopping Mall. The Town Centre area provides community facilities, including a municipal library, places of worship, schools and significant commercial developments.

#### Proposed Development Concept

The proposed conceptual site plan, as shown on Attachments #3 and #4, provides for a 4-storey, 81 unit, apartment building (Building “K”), a 16-storey, 216 unit, apartment building (Building “H”) and an 18- storey, 195 unit, apartment building (Building “G”) centred around an internal court yard accessed from North Park Road. The proposed Building “G” was previously approved in this location by OPA #621 and the existing zoning (RA3 Apartment Residential Zone) on the site.

The 4-storey building (Building “K”) provides a transition in height between the existing residential townhouses to the west and the existing and proposed apartment buildings to the east. The 4-storey building also creates a pedestrian related streetscape along New Westminister Drive in keeping with the pedestrian streetscape interface with the 3-storey townhouses further north on New Westminister Drive. An entrance to Building “K” fronts onto New Westminister Drive (and the courtyard) and individual unit entrances and landscaped amenity areas are located adjacent to the street. Surface parking is limited with courtyard visitor parking being provided in front of each building and additional visitor parking adjacent to the service area at the southwest corner of the site. The internal courtyard will be landscaped to suit the urban character of development. Interior and exterior amenity areas are provided for the shared use of the residents of the proposed buildings. A large green roof is proposed atop the large interior amenity area as a greening feature.

The Owner must submit a Site Development Application(s) to facilitate the proposed development as shown on Attachments #3 and #4, and the application(s) will be considered in a future report(s) to the Committee of the Whole, should the subject applications be approved.

During the processing of the subject applications, the Applicant revised the site design to reduce the height of Buildings “H” (from 18 to 16 storeys) and “K” (from 5 to 4 storeys) and re-oriented the buildings to address resident concerns. Building “K” is sited closer to the New Westminister Drive road allowance to provide for a desirable pedestrian streetscape as discussed above, and Building “H” has been relocated and reoriented on the site to maximize sight lines and views from existing and future apartment condominium buildings located to the east.

#### Proposed Zoning

The westerly portion of the subject lands is zoned RM2(H) Multiple Residential Zone with the Holding Symbol “(H)” and restricts the permitted uses to block townhouse dwelling uses. The easterly portion of the site is zoned RA3(H) Apartment Residential Zone with the Holding Symbol “(H)”, which permits apartment dwelling uses. To facilitate the proposed development, as shown on Attachments #4 to #8 inclusive, an amendment to By-law 1-88 is required to rezone the westerly portion of the property from RM2(H) Multiple Residential Zone to RA3(H) Apartment Residential Zone, and to provide the following site-specific zoning exceptions to By-law 1-88:

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Table 1: Proposed Zoning Exceptions

<b>By-law Standard</b>	<b>By-law 1-88 Requirements of the RA3 Apartment Residential Zone, as Amended by Exception 9(1153)</b>	<b>Proposed Exceptions to By-law 1-88 [RA3-H Apartment Residential Zone, as amended by Exception 9(1153)]</b>
Maximum Number of Apartment Buildings Permitted	7 apartment buildings	9 apartment buildings
Maximum Number of Apartment Units and Townhouse Units Permitted	A total of 1,598 units (a combination of a maximum of 93 townhouses and 1,505 apartments)	A total of 1,872 units (a combination of a maximum of 61 townhouses and 1,811 apartments)
Minimum Yard Requirements	<p><u>Building “G”</u></p> <p>i) Front Yard (North Park Road) - 6.0m</p> <p>ii) Rear Yard – 4.0m</p> <p>iii) Interior Side Yard – 6.0m</p> <p>iv) Exterior Side Yard – 6.0m</p>	<p><u>Building “G”</u></p> <p>i) Front Yard (North Park Road) – 2.03m</p> <p><u>Building “K”</u></p> <p>i) Front Yard (North Park Road – 3.42m</p> <p>ii) New West Westminster Road – 3.25m</p> <p>iii) 0m setback to site triangle</p> <p>Stairways and walkways shall be permitted to encroach into these yards</p>
Minimum Parking Requirements	Total Parking Required:	Total Parking Provided: 633 spaces

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<b>By-law Standard</b>	<b>By-law 1-88 Requirements of the RA3 Apartment Residential Zone, as Amended by Exception 9(1153)</b>	<b>Proposed Exceptions to By-law 1-88 [RA3-H Apartment Residential Zone, as amended by Exception 9(1153)]</b>
	640 spaces (1.3 spaces 492 x units)	(1.10 spaces + 0.18 visitor spaces or 1.28 spaces x 492 units = 630 spaces minimum)

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Minimum Landscape Strip Width	<ul style="list-style-type: none"> <li>i) 6.0m abutting south property line;</li> <li>ii) Minimum 6.0 m abutting a street and an RA3 Apartment Residential Zone</li> </ul>	<ul style="list-style-type: none"> <li>i) permit the outdoor parking area to extend into the 6.0m landscape strip abutting the south property line</li> <li>ii) 3.7m abutting New Westminster Drive and Building “K”,</li> <li>iii) 1.8m minimum abutting North Park Road and Building “G”</li> </ul>
Maximum Building Height	Building “G” – 18-storeys (52m)	Building “G” - 18-storeys (55m) Building “H” – 16-storeys (52m) Building “K” – 4-storeys (13m)

As previously mentioned, Exception 9(1153) is the site-specific zoning that implements the original Liberty development, as shown on Attachment #9. Exception 9(1153) permits 7 apartment buildings, and permits a maximum unit count of 1,598 for the overall development. An exception to permit 2 additional apartment buildings (Buildings “K” and “H”), and to increase the number of permitted units on the site from 1,598 to 1,872 units, is required. The proposed heights

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of the buildings will be captured in the implementing zoning by-law as 4-storeys (13m) for Building "K", 16-storeys (52m) for Building "H", and 18-storeys (55m) for Building "G". The height of Building "K" (4-storeys) provides a transition between the existing residential area to the west and north, and the condominium towers to the east. Although the building is 4-storeys in height and in the form of an apartment building, the roof height is consistent with the roof heights of the existing neighbouring 3-storey townhouses as shown on Attachment #8. Building "H" is 16-storeys, which is consistent with the building heights in the existing and proposed apartment buildings to the east and south of the subject lands. The proposed height exceptions are appropriate and acceptable.

Building "G" is proposed to be located on the easterly portion of the subject lands, zoned RA3(H) Apartment Residential Zone with the Holding Symbol (H). The lifting of the holding provision for Building "G" was contingent on transportation improvements within the area (as identified in an earlier traffic study) being completed, as well as, final site plan approval.

The transportation improvements have all been completed as required by the study, and therefore, site plan approval and an application to lift the (H) are all that would be required for the development of Building "G".

Building "H" is also proposed to be located within the RA3 Zone under the existing Exception 9(1153). Building "K" is proposed to be located on the portion of the site currently zoned RM2(H) also under the existing Exception 9(1153) and will need to be rezoned from RM2 to RA3 Apartment Residential Zone. The RA3 Zone is appropriate for the proposed building, however, if Council supports the proposed Official Plan and Zoning By-law Amendment applications, the  
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proposed RA3 zoning for both Buildings "H" and "K" would be with the addition of the Holding Symbol until servicing capacity is available for the additional units and until Site Development approval(s) has been obtained for these buildings.

The proposed slight reduction to the minimum required parking from 640 to 630 spaces is considered to be acceptable as discussed in the "Parking" section of this report.

The proposed reductions to the minimum required setbacks and landscaping strip widths are considered to be consistent and appropriate for this urban area, and can be supported.

The proposed zoning exceptions are supportable and will contribute to creating a development with good urban design principles and is compatible and consistent with the surrounding land use context, and consistent with the applicable Provincial, Regional and local planning policies. The Development Planning Department has no objections to the proposed zoning exceptions to By-law 1-88.

Parking

Exception 9(1153) to By-law 1-88 specifies the following parking ratios for the subject lands and based on the proposed 492 units, the development would yield a parking requirement of 640 spaces, calculated as follows:

Resident Parking: 1.1 spaces/unit (1.1x 492 units)	= 541.2 spaces
<u>Visitor Parking: 0.2 spaces/unit (0.2x 492 units)</u>	= <u>98.4 spaces</u>
Total Parking Required	= 639.6 or 640 spaces

The applicant is proposing a reduction to the visitor parking requirement for the subject lands, as follows:

Resident Parking: 1.1 spaces/unit (1.1 x 492 units)	= 541.2 spaces
Visitor Parking: 0.18 spaces/unit (0.18 x 492 units)	= <u>88.5 spaces</u>

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Total Parking Proposed: = 629.7 or 630 spaces

A Traffic Impact Study prepared by Cole Engineering, dated August 2008, was submitted by the Owner and concluded that the proposed reduced parking ratios identified above are appropriate and sufficient to accommodate all parking for the proposed development, as shown on Attachment #4. The proposed parking reduction justifies a ratio of 1.1 spaces per resident unit and 0.18 spaces per unit for visitor parking. Based on the reduced parking ratios, the proposed 492 units generate the need for 630 parking spaces, however, the applicant is proposing to provide 633 spaces. The Vaughan Engineering Department has accepted the parking reduction as proposed in the Traffic Impact Study. An exception will be required in the implementing zoning by-law to recognize the reduced parking ratios.

#### Vaughan Development Planning Department

The applicant met with the Development Planning Department to review the proposed site design for the subject lands. The southwest portion of the site is adjacent to the City road allowance opposite Katerina Avenue and New Westminster Drive. The road allowance was originally dedicated to the City through the subdivision approval process and was intended to provide for the alignment of a future east-west road, which was determined to be no longer required in 2004 through the Liberty Master Plan. However, a driveway access in this location can be aligned with Katerina Avenue to provide access to the subject site and to also provide for a possible joint secondary access into the adjacent property to the south of the subject site.

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The grade of the subject site drops to the southwest. To accommodate the grade change, the landscape treatment along the west elevation of Building "K" must be enhanced to provide for an appropriate pedestrian streetscape. The Owner must also provide for an appropriate enhanced landscape treatment of the existing City road allowance and sight triangle at this location to provide for a continuous coordinated streetscape which accommodates for the change in grade. Although the road allowance/sight triangle will remain in municipal ownership, the Owner will be responsible for the maintenance of the landscape features through a maintenance agreement with the City. The landscaping details will be addressed through the Site Development Approval process. Final landscape plans must be to satisfaction of the Vaughan Development Planning Department and will be approved through the site plan review process, if the subject applications are approved.

The Vaughan Development Planning Department is satisfied that the conceptual site plan and conceptual building elevations, as shown on Attachments #3 to #8 inclusive, are appropriate to implement the proposed development. A complete Site Development Application(s) must be submitted for the subject lands to facilitate a comprehensive review of the proposal to ensure the provision of appropriate access, traffic circulation, parking, urban design and streetscaping, building elevations and massing, building height, landscaping and buffering, and stormwater management and engineering servicing requirements, that will be complementary to the surrounding area. The final design of the site plan application(s) should be sustainable, and designed in accordance with CEPTD (Crime Prevention Through Environmental Design) guidelines and possibly LEEDS (Leadership in Energy and Environmental Design) criteria. Additional supporting studies may be required for the Site Development review process.

#### Vaughan Engineering Department

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

- a) Sewage and Water Allocation

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The Vaughan Engineering Department has indicated that it has no objections to the municipal services design proposal as detailed in the Functional Servicing Report, prepared by Counterpoint Engineering, dated July 22, 2008. The Engineering Department has also indicated that in the Council minutes dated February 14, 2005, Draft Plan of Subdivision 19T-04V08 (for the Liberty lands) was granted servicing capacity for a total of 984 units, in addition to the 614 units previously allocated on April 14, 2003. The entire Liberty Subdivision was granted a total of 1,598 units of capacity. Based on development approvals to date, there is servicing capacity for 223 residential apartment units at this time. Any development in excess of 223 units requires servicing allocation by Council resolution and an additional 274 residential units are being proposed.

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on April 14, 2009, servicing allocation capacity for the additional 274 residential apartment units for the above noted development has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the unit increase in the proposed development. The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for the above noted development application may be revisited at this time based on their status. A Holding Symbol "(H)" will be required on the subject lands until Council has allocated servicing capacity for the proposed units by Council resolution. A recommendation has been included in this report to require the addition of the Holding Symbol (H).

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The Vaughan Engineering Department will require a stormwater management report, lot grading plan, noise report, and external lighting plan at the site plan approval stage of the development process.

#### **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 development to the existing built up portions of the urban areas (Section 5.2.4) and to locate intensive development along local corridors which are supported by public transit services (Section 5.6). The subject lands are located within 250 metres of the York Region Viva Transit on Centre Street and Bathurst Street. The Region will also provide additional technical comments on the proposal at the Site Development Application review stage of the process. The Region of York has granted an exemption from Regional approval for the Official Plan Amendment application. The exemption allows the Amendment to come into effect following its adoption by Vaughan Council and the expiration of the required appeal period, if approved.

#### **Conclusion**

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment applications to facilitate the development of a proposed 4-storey, 81 unit Building "K", and 16-storey, 216 unit Building "H" proposed to be developed on the subject lands and adjacent to the previously approved 18-storey, 195 unit Building "G" as shown on Attachments #3 to #8 inclusive, along with the required site-specific exceptions to implement the proposal. These

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applications are consistent with the Provincial Policy Statement, particularly with respect to efficient use of land, resources, infrastructure and public service; the Growth Plan; the Region of York Official Plan; and, the City's OPA #210. The proposal is consistent with the existing land use context in the surrounding area, and represents good planning.

The proposed rezoning of the westerly portion of subject lands from RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" 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 can support the approval of the proposed applications, subject to the recommendations in this report.

#### Attachments

1. Context Location Map
2. Location Map
3. Context Site Plan
4. Conceptual Site Plan
5. Conceptual South Elevations (Buildings G, H and K)
6. Conceptual North Elevations Facing North Park Road (Buildings G, H, and K)
7. Conceptual East Elevations (Buildings G, H and K)
8. Conceptual West Elevations Facing New Westminster Drive (Buildings G, H and K)
9. Liberty Master Plan Approved 2004

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#### Report prepared by:

Laura Janotta, Planner, ext. 8791  
Carmela Marrelli, Senior Planner, ext. 8212  
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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Item 4, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**4**

**ZONING BY-LAW AMENDMENT FILE Z.08.020  
SITE DEVELOPMENT FILE DA.08.015  
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-08V02  
ORLANDO SILVESTRI AND ANNA SILVESTRI  
WARD 2**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 23, 2010, be approved;**
- 2) That the maximum lot coverage for Lot 3 shall be 11%;**
- 3) That the coloured elevation drawings submitted by the applicant, be received; and**
- 4) That the deputation of Mr. Thomas Rees, The Biglieri Group Ltd., 20 Leslie Street, Toronto, M4M 3L4, be received.**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.020 (Orlando Silvestri and Anna Silvestri) BE APPROVED, specifically to permit up to four (4) detached residential dwellings on the subject lands shown on Attachment #2 in the RR Rural Residential Zone in By-law 1-88, to facilitate a proposed development consisting of three freehold detached dwellings and an existing freehold dwelling on a common element private road as shown on Attachment #4.
2. THAT the implementing zoning By-law include the following:
  - i) the zoning exceptions to the RR Rural Residential Zone identified in Table 1 of this report, with the exception to the lot coverage, which shall be a maximum of 20% for Lots 1 and 4; and,
  - ii) prohibit any buildings and/or structures for human habitation within a minimum of 30 m of the CP Railway right-of-way.
3. THAT Site Development File DA.08.015 (Orlando Silvestri and Anna Silvestri) BE APPROVED, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department;
    - ii) the final site grading, servicing, stormwater management and lighting plans, noise report and designated substance survey shall be approved by the Vaughan Engineering Department;

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- iii) the Owner shall decommission the monitoring wells in accordance with the requirements of the Ministry of the Environment and submit the certification of the decommissioned wells to the satisfaction of the Vaughan Engineering Department;
- iv) the Owner shall enter into a Development Agreement pursuant to Subsection 51(25) of the Planning Act with the City of Vaughan, to satisfy all conditions, financial or otherwise, of the City of Vaughan with regard to such matters the municipality may consider necessary including payment of the development levies, the provision of roads and municipal services, landscaping and fencing. The said Agreement shall be registered against the lands to which it applies, to the satisfaction of the Vaughan Engineering Department;
- v) the Owner shall satisfy the requirements of CP Rail (Railway), including registering a restriction on title to address the following:
  - a) a clause shall be inserted in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300 m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way, the possibility of alterations including the possibility that the Railway may extend its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuation measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations;
  - b) a clause shall be inserted in all offers of purchase and sale or lease, and to be registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further, that the Owner shall have the sole responsibility for and shall maintain these features; and,
  - c) a 1.83 m high chain link security fence shall be constructed and maintained along the common property line of the railway and the development by the developer at his expense, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.
- vi) the Owner shall satisfy the requirements of Canada Post;
- vii) a Consent Application to create the proposed lots shall be approved by the Committee of Adjustment and the decision shall be final and binding.

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4. THAT the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands to Vaughan, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved 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.
5. THAT Draft Plan of Condominium (Common Elements) File 19CDM-08V02 (Orlando Silvestri and Anna Silvestri) as red-lined (February 23, 2010) and shown on Attachment #6, BE APPROVED, subject to the conditions set out in Attachment #1.

#### **Contribution to Sustainability**

The Owner advises the following sustainable features will be included for the proposed development:

- i) double-paned windows and doors that meet or exceed the applicable Building Code requirements with respect to energy efficiency and performance;
- ii) gas forced air furnaces of 95% efficiency;
- iii) high efficiency tank-less on demand gas water heating systems;
- iv) high efficiency Energy Star air conditioning units;
- v) Energy Star appliances - washers, dryers (natural gas), fridges, stoves and microwaves;
- vi) low flow toilet system; and,
- vii) compact fluorescent light bulbs, where possible.

#### **Economic Impact**

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

#### **Communications Plan**

On April 25, 2008, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands, and to the Kleinburg and Area Ratepayers Association. As of February 12, 2010, two letters of objection dated October 17, 2008 and May 21, 2008 were received from Eduard Krasnokutsky of 88 Simmons Street, the adjacent landowner to the north of the subject lands shown on Attachment #3.

Mr. Krasnokutsky's concerns were with respect to the increased density in a rural area and the proximity of the proposed lots and dwellings to his property thereby minimizing sufficient yard area to manage stormwater drainage from infiltrating onto his lands. Mr. Krasnokutsky advised that he approached the Owner and proposed a merging of the lots, whereby the road would be shared between 70 and 88 Simmons Street for a total of 9 lots for detached dwelling units.

In September 2009, Development Planning Department Staff met with Mr. Krasnokutsky and demonstrated how his lands could be developed without consolidating his lands with the subject property. Staff also advised that a minimum 4.5 m side yard setback to his property line will be provided in accordance with the zoning requirements for the RR Rural Residential Zone and that the subject lands are to be graded for stormwater to be directed into the infiltration trench and drainage swales at the south portion of the subject lands to address his concerns.

The recommendation of the Committee of the Whole to receive the Public Hearing report on May 20, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on May 26, 2008.

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**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3:

1. An application to amend the Zoning By-law (File Z.08.020) on the subject lands, to amend By-law 1-88, specifically the RR Rural Residential Zone provisions to facilitate the development of four (4) residential dwellings on a common element private road as shown on Attachment #4, with the required zoning exceptions as shown on Table 1 of this report.
2. An Application for Site Development Approval (File DA.08.015) on the subject lands shown on Attachment #3, to facilitate the development of 3 new detached dwelling units and the maintenance of the existing detached dwelling unit. The site statistics are as follows:

Lot Number	Lot Area (m <sup>2</sup> )	Lot Frontage (m <sup>2</sup> )	Ground Floor Area (m <sup>2</sup> )	Lot Coverage (%)
1 (Retained)	1,355	22	95.2	7
2 (Severed)	2,387	28	227.3	9.6
3 (Severed)	2,137	25	227.3	9.6
4 (Severed)	1,444	25	275.3	19.1

3. An Application for Draft Plan of Condominium approval (File 19CDM-08V02) on the subject lands shown on Attachment #3, to facilitate a common element condominium road (cul-de-sac) as shown on Attachment #6 and consisting of the following land use statistics:

4 Residential Lots (for freehold dwellings – 3 new dwellings and 1 existing dwelling)	7,323.34 m <sup>2</sup>
Common Element Condominium Private Road (Cul-de-sac)	1,039.00 m <sup>2</sup>
Total Site Area	8,362.34 m <sup>2</sup>

**Background - Analysis and Options**

Location

The subject lands shown on Attachments #2 and #3 are located on the west side of Simmons Street, being south of Rutherford Road and west of Regional Road 27, known municipally as 70 Simmons Street, in Part of Lot 15, Concession 9, City of Vaughan. The subject lands have a total area of 8,362.34 m<sup>2</sup>, with 55.32 m of frontage along Simmons Street and a depth of 139.8 m. The surrounding land uses are shown on Attachment #3.

Supporting Documents

The Owner, in support of the applications, has submitted the following documents:

- i) *Site Servicing and Stormwater Management Plan for 70 Simmons Street, City of Vaughan*, dated March 18, 2008, as revised on September 23, 2009 by Calder Engineering Ltd.;

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- ii) *A Soil Investigation for Proposed Residential Development, 70 Simmons Street, City of Vaughan, dated April 2007 by Soil Engineers Ltd.;*
- iii) *Phase I Environmental Site Assessment, 70 Simmons Street, City of Vaughan, Ontario, dated December 28, 2007 by TiL TorontoInspection Ltd.;*
- iv) *Phase II Environmental Site Assessment, 70 Simmons Street, City of Vaughan, Ontario, dated February 18, 2009, as revised on August 17, 2009 by TiL TorontoInspection Ltd.;*
- v) *Noise & Vibration Feasibility Study, 70 Simmons Street Land Severance, Woodbridge, Ontario, dated March 11, 2008 by Howe Gastmeier Chapnik Limited; and,*
- vi) *Arborist Report for Simmons Street, dated March 20, 2008 by D. Andrew White, M.Sc.*

Official Plan

The subject lands are designated “Hamlet (Elder Mills)” by OPA #600, which permits primarily residential uses, where limited development of an infilling nature is permitted. In the Hamlet, any development is to be serviced by private well or septic system, and is to be of the scale where the development shall not place a significant demand on City or Regional services. The proposal to permit three new detached dwellings and to maintain the existing dwelling, all on a private common element road, on private septic systems and on municipal water systems, conforms to the Official Plan.

Zoning

The subject lands are zoned RR Rural Residential Zone by By-law 1-88, which permits one single detached dwelling on the lot, which fronts onto a public road (Simmons Street). The RR Zone does not permit four detached dwelling units on a common element private road. The following are the current RR Zone standards in By-law 1-88:

- |                         |                     |                               |       |
|-------------------------|---------------------|-------------------------------|-------|
| - Minimum Lot Frontage: | 45 m                | - Minimum Interior Side Yard: | 4.5 m |
| - Minimum Lot Area:     | 4000 m <sup>2</sup> | - Minimum Exterior Side Yard: | 9 m   |
| - Minimum Front Yard:   | 15 m                | - Maximum Lot Coverage:       | 10%   |
| - Minimum Rear Yard:    | 15 m                | - Maximum Building Height:    | 9.5 m |

In order to facilitate the proposed development as shown on Attachment #4, the following zoning exceptions to the RR Rural Residential Zone standards of By-law 1-88 are required:

Table 1: Proposed Zoning Exceptions

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements for the RR Rural Residential Zone</b>	<b>Proposed Exceptions to the RR Rural Residential Zone</b>
a)	Definition for a Lot	Means a parcel of land that fronts onto a street	Means a parcel of land that also fronts onto a common element road

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b)	Definition for a Corner Lot	Means a lot situated at the intersection of and abutting upon two or more streets	Means a parcel of land or lot at the intersection of and abutting upon two or more streets including a common element road
c)	Definition for Front Lot Line	Means the street line	Include a common element road as a street line
d)	Definition for Exterior Lot Line	Means the lot line, on a corner lot, which is the street line and which is not the front lot line	Include the lot line, on a corner parcel of land or lot abutting a common element road as a street line
e)	Frontage on a Public Street	The lot upon which a building or structure is to be erected fronts onto a public street	Permit a lot which a building is erected to front on a common element private road (for Lots 3 and 4)
f)	Permitted Use in the RR Rural Residential Zone	One Detached Dwelling Unit	Four detached Dwelling Units on a common element road
g)	Minimum Lot Frontage	45 m	Lot 1 - 22 m Lot 2 - 28 m Lot 3 - 25 m Lot 4 - 25 m
h)	Minimum Lot Area	4000 m <sup>2</sup>	Lot 1 - 1300 m <sup>2</sup> Lot 2 - 2300 m <sup>2</sup> Lot 3 - 2100 m <sup>2</sup> Lot 4 - 1400 m <sup>2</sup>
i)	Minimum Front Yard	15 m	Lot 2 - 10 m Lot 3 - 10 m Lot 4 - 9 m

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j)	Minimum Interior Yard	4.5 m	North Yard:  Lot 3 - 1.5 m
			South Yard:  Lot 2 - 1.5 m Lot 3 - 3.5 m Lot 4 - 4.2 m
k)	Minimum Exterior Yard	9 m	Lot 1 - 2.4 m Lot 4 - 4.8 m
l)	Maximum Lot Coverage	10%	20%

By-law 1-88 does not provide specific zoning requirements for detached dwelling units developed on a common element road, thereby resulting in the proposed exceptions to By-law 1-88 to facilitate the proposed development.

The common element private road right-of-way is required to be 8 m in width, which includes a 6 m wide paved road and 2 m wide utility corridor and gutter, in order to meet the requirements of the Ontario Building and Fire Codes. In addition, the provision of the berm and acoustic barriers to address noise mitigation from the abutting CP rail line and the provision of the drain basin inlet between the lot lines of Lots 3 and 4, and a grassed swale along the south lot lines of Lots 3 and 4, as shown on Attachment #5, were used to establish the zoning requirements proposed for the future residential development. Further, the interior yard to the abutting property located at 88 Simmons Street (Mr. Krasnokutsky) is 4.5 m in order to address the adjacent property owner's concerns with respect to stormwater management as discussed earlier in this report.

The Development Planning Department is satisfied that the requested additional uses and exceptions to the RR Rural Residential Zone are appropriate for the development of the subject lands, with the exception of the maximum lot coverage, which is discussed in the next section of this report.

Site Plan Approval

Site Plan Approval is required for the development of the subject lands shown on Attachment #4. The site statistics for the proposed site plan are as follows:

a) Site Plan

Land Use	Area
Residential Land Area	7,323.34 m <sup>2</sup>
Common Element Private Road (Proposed Condominium) (Cul-de-sac)	1,039.00 m <sup>2</sup>
Total Site Area	8,362.34 m <sup>2</sup>

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The subject lands currently consist of one existing detached dwelling located on the northeast portion of the subject lands (Lot 1) which has access from Simmons Street, and a metal-clad shed at the south portion of the site. The site plan proposes four (4) lots on an 8 m wide common element private road (cul-de-sac) from Simmons Street, traversing the property in an east-west direction as shown on Attachment #4. Each lot is proposed to be freehold. Lots 1 and 4 will have frontage onto Simmons Street and Lots 3 and 4 will have frontage onto the common element road (cul-de-sac).

The proposed site plan also includes an earthen berm along the rear of the property upon which a 3 m high acoustic fence is proposed. The acoustic fence extends along the rear portion of proposed Lots 2 and 3, at a height of 2.5 m. The berm and fence are proposed for noise mitigation purposes as the site abuts the CP Rail line along its west limit.

The Owner has proposed buildings for 2 of the lots (Lots 2 and 3), along with the existing Lot 1, where the lot coverage is under 10%. The lot coverage proposed for Lot 4 is under 20%. The Owner has requested a maximum lot coverage of 20% to allow for flexibility in housing design for each lot. The following are the site statistics for the proposed lots:

Lot Number	Lot Area (m <sup>2</sup> )	Lot Frontage (m <sup>2</sup> )	Ground Floor Area (m <sup>2</sup> )	Lot Coverage (%)
1 (Retained)	1,355	22	95.2	7
2 (Severed)	2,387	28	227.3	9.6
3 (Severed)	2,137	25	227.3	9.6
4 (Severed)	1,444	25	275.3	19.1

The Development Planning Department recommends that a maximum lot coverage of 20% be approved for Lots 1 and 4 only, which have a smaller lot area and that a maximum 10% lot coverage be maintained for Lots 2 and 3. This will result in dwellings that are similar in mass and scale, particularly if the existing dwelling on Lot 1 is demolished in the future to resemble similar development on Lot 4. A condition in this respect is included in the recommendation.

b) Urban Design/Landscaping

The Development Planning Department has reviewed the proposal, including the *Arborist Report for Simmons Street*, dated March 20, 2008 by D. Andrew White, M.Sc. The Owner will be retaining a small spruce tree woodlot at the west portion of Lot 2 shown on Attachment #5. A portion of the woodlot will have to be removed to facilitate the grassed berm and acoustic fencing in the west portion of Lots 2 and 3, in order to address noise attenuation requirements due to the railway shown on Attachment #4. Trees will be planted to the east of the berm and a 3 m high acoustic barrier/fencing will be erected along the berm. The Owner will be also removing several trees, which are in the location of the proposed grassed swale and drain basin inlet, along the south limits of Lots 3 and 4 and in the location of the common element road of the subject lands shown on Attachment #5.

The Development Planning Department is satisfied with the proposal, and the final plans must be approved to the satisfaction of the Development Planning Department.

Draft Plan of Condominium

The draft plan of condominium, shown on Attachment #6, is comprised of a common element private road (cul-de-sac) with the following details:

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**Common Element Road (Cul-de-sac)**

Area	1,039.00 m <sup>2</sup>
Length	80 m
Road Allowance Width	8 m
Radius	14 m

The common element road, which will be a private cul-de-sac with no sidewalks, would provide access to Simmons Street. A portion of the road is proposed to be used for snow storage. The 8m wide right-of-way is to facilitate emergency vehicles (in accordance with the Ontario Building and Fire Codes (6 m wide road) and services (2 m wide utility corridor and gutter). A fire hydrant is proposed at the west end of the cul-de-sac in front of Lot 2. The Vaughan Engineering Department has reviewed the proposal and requires the following red-lined revision to the proposed draft plan of condominium, as shown on Attachment #6:

- i) the common element road be designed to meet the Vaughan Engineering Standards for the “Local to Local” road basic intersections design.

The Condominium Corporation shall be responsible for the removal and clearing of snow, and the pick-up of garbage and recycling. These requirements have been included as conditions of draft approval (Attachment #1). The Development Planning Department is satisfied with the proposed common element private road design, subject to the red-lined revision, included in the recommendation of this report and in the conditions of condominium approval in Attachment #1.

Consent Application

The Owner is required to submit Consent applications to the Vaughan Committee of Adjustment for the subject lands to create 3 lots (Lots 2, 3 and 4), with Lot 1 being retained. The implementing Zoning By-law must be in effect prior to the consents being final and binding. The consents must also be final and binding prior to the execution of the Site Plan Letter of Undertaking.

Vaughan Engineering Department

The Vaughan Engineering Department has no objections to the proposal and provides the following comments:

- a) Environmental Site Assessment (ESA)

The following reports were reviewed by the Engineering Department and were found to be acceptable:

- i) *Phase I Environmental Site Assessment, 70 Simmons Street, City of Vaughan, Ontario, dated December 28, 2007 by TiL TorontoInspection Ltd.;*
- ii) *Phase II Environmental Site Assessment, 70 Simmons Street, City of Vaughan, Ontario, dated February 18, 2009 and revised to August 17, 2009 by TiL TorontoInspection Ltd.;*
- iii) Record of Site Condition; and,
- iv) Acknowledgement from the Ministry of the Environment, dated June 12, 2009.

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The Owner will need to certify, to the satisfaction of the City, that the underground monitoring wells as identified in the *Phase II Environmental Site Assessment, 70 Simmons Street, City of Vaughan, Ontario*, report, are to be decommissioned in accordance with requirements of the Ministry of Environment. These monitoring wells were required for the sampling and testing of soil and ground water conditions, which are no longer required. Prior to the demolition of any building and/or structure on the subject lands, a Designated Substance Survey must be conducted and the corresponding report submitted to the Vaughan Engineering Department for review and approval.

#### b) Development/Transportation

The Vaughan Engineering Department has reviewed the proposal and requires that the revised site plan, grading, servicing, stormwater management, noise and traffic/transportation plans and reports be submitted for approval to the satisfaction of the Engineering Department, prior to the execution of the Site Plan Letter of Undertaking. The Owner is required to enter into a Development Agreement to satisfy all conditions, financial or otherwise, of the City including payment of development levies, the provision of roads and municipal services, landscaping and fencing to the satisfaction of the Vaughan Engineering Department. The said agreement shall be registered against the subject lands. A recommendation to this effect has been included in this report.

#### c) Water Supply and Sanitary Services

Water supply capacity is to be allocated at the time of consent to create the 3 new lots. Sewage servicing capacity is to be provided by private septic systems for the existing and proposed lots. The Vaughan Engineering Department requires further information respecting stormwater quality control measures proposed for the subject lands, which must be submitted and approved prior to the execution of the Site Plan Letter of Undertaking.

#### Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands to Vaughan, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". A condition to this effect has been included in the recommendation of this report.

#### CP Rail

CP Rail has reviewed the proposal and is satisfied that the development incorporates the required mitigation measures such as the 3 m high acoustic berm and noise attenuation barriers/fences, subject to the a restriction on title which addresses the following:

- a) a clause shall be inserted in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300 m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way, the possibility of alterations including the possibility that the Railway may extend its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuation measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations;

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- b) a clause shall be inserted in all offers of purchase and sale or lease, and to be registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further, that the Owner shall have the sole responsibility for and shall maintain these features; and,
- c) a 1.83 m high chain link security fence shall be constructed and maintained along the common property line of the railway and the development by the developer at his expense, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.

CP has also requested that a 30 m setback be provided from the rail line right-of-way to any habitable building, which will be included as a requirement of the implementing zoning by-law.

A condition of approval is included in the recommendations to address CP's requirements.

#### Canada Post Conditions

Canada Post has no objections to the proposal subject to the Owner installing and maintaining mail facilities and equipment to the satisfaction of Canada Post. A recommendation to this effect has been included in this report.

#### Planning Considerations

The Development Planning Department has reviewed the Zoning By-law Amendment, Draft Plan of Condominium and Site Development Applications. The zoning exceptions required to implement the proposed site plan are considered to be acceptable as many of the exceptions are a result of the proposed development being located on a common element private road, of which By-law 1-88 does not include zoning standards to implement this form of development. The balance of the zoning exceptions would result in development that will not have an impact on adjacent lands, and development that is compatible with the surrounding land uses and conforms to the Official Plan. The proposed common element condominium road with 4 lots conforms to the Official plan and is similar to an existing development on Di Benedetto Lane which runs west from Simmons Street just north of the subject lands as shown on Attachment #3. The dwellings being proposed under the Site Development Application are also considered appropriate from a design perspective and compatible with the surrounding land uses. The Fire Department has reviewed the applications and advised they are satisfied with the proposal. The applications have also been reviewed by the required City Departments and external public agencies and have been supported, subject to the conditions included in this report. On this basis, the Development Planning Department can support the approval of the development applications, subject to the comments and recommendations in this report.

#### 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".

#### Region Implications

The Region of York has reviewed the proposal and advised that the Region has no comments or objections to the proposed development.

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**Conclusion**

Zoning By-law Amendment File Z.08.020 (Orlando Silvestri and Anna Silvestri), Draft Plan of Condominium File 19CDM-08V02 (Orlando Silvestri and Anna Silvestri) and Site Development File DA.08.015 (Orlando Silvestri and Anna Silvestri) have been reviewed in accordance with the policies of OPA #600, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The applications will facilitate the development of 3 new freehold detached dwelling units and the maintenance of an existing dwelling on a common element private condominium road (cul-de-sac) with an 8 m wide right-of-way and access from Simmons Street. The Development Planning Department is satisfied that the proposal can be developed in a manner that is appropriate and compatible with the existing community, subject to the recommendations in this report.

**Attachments+**

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Site Plan
5. Landscape Plan/Service Plan
6. Proposed Draft Plan of Condominium - Red-line Revised

**Report prepared by:**

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/LG

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



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#### **Purpose**

The City of Vaughan has initiated a Zoning By-law Amendment Application (File Z.09.025), to amend the City's Zoning By-law 1-88, to recognize the existing lots on Davidson Drive and Waymar Heights Boulevard (Attachments #1 and #2) as an older established residential area characterized by larger lots and to address historical inconsistencies in zoning. It is proposed that the appropriate zone categories and zone standards be applied to these streets to reflect the existing lot sizes and lot areas for the review area. In addition, a one house per lot provision is proposed to protect this area from future severances.

#### **Background**

This report originates from Vaughan Council's initial consideration at the April 7, 2008, Public Hearing respecting Official Plan and Zoning By-law Amendment Files OP.07.007 and Z.07.043 (L & L Holdings Inc. - see Attachment #2) to facilitate the severance of two (2) residential lots located at 146 and 160 Waymar Heights Boulevard (each with a 45.7 m frontage) into 5 (five) residential lots.

On November 6, 2007, the City Clerk's Department received a written submission on behalf of some of the homeowners who reside on Davidson Drive, Waymar Heights Boulevard and all homeowners on the cul-de-sac portion of Gamble Street, indicating that they would like to be rezoned to R1V Old Village Residential Zone (minimum lot frontage of 30 m), with the exception that existing lots with a frontage of less than 30m as of the date of the petition be deemed to comply with By-law 1-88. On November 19, 2007, the Committee of the Whole received a deputation, requesting that the City of Vaughan address an amendment to the Official Plan to recognize these streets as being:

"An older established residential area characterized by original larger lots, having architectural and landscape value, be recognized as unique enclaves to be protected within the broader community, and any development shall protect the integrity of the area and be consistent with its overall character and maintain existing lot sizes."

On November 26, 2007, Council ratified the November 19, 2007, Committee of the Whole recommendation, which read as follows:

"That the deputation of Mr. Joseph Salvatore, 132 Davidson Drive, Woodbridge, L4L 1M4 on behalf of Homeowners of Davidson Drive, Waymar Heights and Gamble Street, written submission dated November 6, 2007, and petition, be received, and referred to staff for a report to a future Committee of the Whole meeting, to address the request, and that all studies and correspondence also be provided to the deputant."

On September 8, 2009, the Committee of the Whole considered a report from the Development Planning Department, which responded to the deputation. The recommendation in that report were ratified by Council on September 21, 2009, which resolved:

"THAT Council direct the Development Planning Department to schedule a Public Meeting to consider the following amendments to Zoning By-law 1-88 for the properties shown on Attachment #2:

- a) rezone 36, 48, 52, 64, 72, and 84 Waymar Heights Boulevard from R3 Residential Zone to R1V Old Village Residential Zone;

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- b) rezone the front portion of 35, 47, 59, 73 and 85 Waymar Heights Boulevard from R3 Residential Zone to R1V Old Village Residential Zone to facilitate lots with consistent R1V zoning;
- c) rezone 31-197 Davidson Drive and 15 and 21 Waymar Heights Boulevard from R2 Residential Zone to R1 Residential Zone; and,
- d) amend Section 3.20 "Use of Residential Lots" of By-law 1-88 to include the lots on Davidson Drive and 15 and 21 Waymar Heights Boulevard, thereby restricting development on these properties to one dwelling on each lot."

As noted earlier, the Public Hearing occurred on October 19, 2009, and on November 3, 2009, Council ratified the Commissioner of Planning's recommendation to forward a technical report to a future Committee of the Whole, which is the subject of this staff report.

The 4 pie-shaped lots on the Gamble Street cul-de-sac are zoned R1 Residential Zone and would continue to maintain the same zone category, and therefore, it was determined that no further study and rezoning of these lands were necessary.

#### Planning Considerations

##### Official Plan

OPA #26 (Woodbridge Community Plan) was adopted by the City of Vaughan on February 7, 1972, and approved by the Province on June 28, 1972, and included the following policy:

"It is the policy of this amendment that no high or medium density development will be permitted in that area adjacent to the Board of Trade Golf and Country Club. Lot sizes abutting the golf course will be a minimum 10,000 square feet in area. Elsewhere, it is intended that only single family development will be permitted. Particular care should be taken to the siting of individual homes on their lots in order that full advantage may be taken of views of the valley lands surrounding this area. Architectural design and landscaping features of individual properties and streets will be reviewed by Council and the developer prior to the release of building permits, in fact, this amendment expects that all those features that go towards the preparation of a residential community of highest quality will be dealt with by Council prior to any substantial building in the community."

The current Official Plan in effect for the Waymar Heights Boulevard, Davidson Drive and Gamble Street area is OPA #240 (Woodbridge Community Plan), which includes the following policy:

"Lands designated Low Density Residential adjacent to the Board of Trade Golf and Country Club shall be developed for single family residential only and lots abutting the golf course shall be a minimum of 930m<sup>2</sup> (10,000 sq.ft.) in area."

The lands subject to this review are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), and many of the residential lots are located adjacent to the Board of Trade Golf and Country Club, and subject to the site-specific policy identified above.

The purpose of an Official Plan is to set out the planned vision for a community, thereby providing a level of assurance for the logical future development of the community. While an Official Plan sets out long-term land use policies, it is the Zoning By-law that gives interpretation to the policies and translates them into development standards, such as the minimum lot size, lot frontage, building setbacks and height. The "Low Density Residential" designation is implemented through

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a number of residential zone categories, including the R1V Old Village Residential Zone, which requires a minimum lot frontage of 30m, and the R1 Residential Zone, which requires a minimum lot frontage of 18m.

#### Zoning By-law

##### i) Waymar Heights Boulevard

There are 25 lots with frontage onto Waymar Heights Boulevard as shown on Attachments #2 and #3. It is noted that 22 of these were created through Plan of Subdivision 4134, which was registered on January 23, 1952. Two other lots (15 and 21 Waymar Heights Boulevard) were created from the subdivision of Block "A" in Plan of Subdivision 4032. One additional lot was created through the severance of Lots 1 and 2 (L & L Holdings Inc.) as shown on Attachment #2, and discussed later in this report.

The current zoning for the properties located on Waymar Heights Boulevard is shown on Attachment #2. The properties located at 99 to 161 Waymar Heights Boulevard (12 lots including the one additional lot created through the severance of 160 and 146 Waymar Heights Boulevard) are zoned R1V Old Village Residential Zone. The R1V Zone requirements are set out in Table 1, later in this report. The properties located at 36, 48, 52, 64, 72 and 84 Waymar Heights Boulevard are zoned R3 Residential Zone and 35, 47, 59, 73 and 85 Waymar Heights Boulevard are split-zoned R1V Old Village Residential Zone and R3 Residential Zone.

The different zoning for lots on Waymar Heights Boulevard is attributed to certain lots being located within the former Village of Woodbridge, and other lots located within the former Town of Vaughan as shown on Attachment #2. The former Village of Woodbridge and former Town of Vaughan were governed by By-law 980 and By-law 2523, respectively. The lots that were located in the former Village of Woodbridge were zoned R3 Residential Zone by By-law 980, and the lots that were located in the former Town of Vaughan were zoned R2 Residential Zone by By-law 2523. The properties located at 35, 47, 59, 73 and 85 Waymar Heights Boulevard are split-zoned (R3 Residential Zone and R1V Old Village Residential Zone) as these lots are comprised of lands that were part of both the former Village of Woodbridge and Town of Vaughan. The 23 lots on Waymar Heights Boulevard in Registered Plan 4134 conform to the minimum 30m lot frontage and minimum 845m<sup>2</sup> lot area requirements of the R1V Old Village Residential Zone under the current City of Vaughan By-law 1-88.

In addition, Section 3.20, "Use of Residential Lots" in Zoning By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot within Registered Plan 4134. Accordingly, a Zoning By-law Amendment to Section 3.20 would be required in order to facilitate the severance of any lot within Plan 4134, which applies to all of the properties on Waymar Heights Boulevard except for 15 and 21 Waymar Heights Boulevard.

The two lots municipally known as 15 and 21 Waymar Heights Boulevard with frontage on the south end of Waymar Heights Boulevard (on east side, just north of Davidson Drive) are zoned R2 Residential Zone. These lots are not consistent with the balance of the lot fabric on Waymar Heights Boulevard as their lot frontage and lot area are smaller. Furthermore, these lots do not meet the minimum lot frontage and lot area requirements of the R1V Old Village Residential Zone.

##### ii) Davidson Drive

The lots that are located on Davidson Drive are currently zoned R2 Residential Zone by By-law 1-88 as shown on Attachment #2. The majority of these lots were created by 2 different subdivision plans (Plans 4032 and 4632) that were registered in the early 1950's and have lot frontages

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ranging between 22.8m to 29.2m. The historical zoning for these lots is R2 Residential Zone, which originated from By-law 980 (the former Village of Woodbridge) and is maintained under By-law 1-88.

Zoning Standards

Table 1 below identifies the minimum zoning requirements for the City’s current Zoning By-law (By-law 1-88) and previous zoning by-laws for the former Village of Woodbridge and Town of Vaughan.

Table 1 - Minimum Zone Requirements

Zone	minIMUM lot size	MinIMUM lot frontage	MAXIMUM lot coverage	MinIMUM front yard	MinIMUM side yard	MinIMUM rear yard
By-law 980 (Former Village of Woodbridge)						
R2	696.75m <sup>2</sup> (7500 sq.ft.)	19.8m (65 ft)	33%	9.14m (30 ft)	4' + 2'/storey	7.62m (25 ft)
R3	465m <sup>2</sup> (7500 sq.ft.)	18m (60 ft)	35%	7.62m (25 ft)	4' + 2'/storey	7.62m (25 ft)
By-law No. 2523 (Former Town of Vaughan)						
R2	695 m <sup>2</sup> (7481 sq.ft.)	18m (60 ft)	20%	9m (30ft)	1.5m (5ft)	7.5m (25ft)
By-law 1-88 – Current City Standards						
R1V	845m <sup>2</sup> (9095 sq.ft.)	30m (100 ft)	20%	9m (30 ft)	1.5m (5 ft)	7.5m (25ft)
R1	540m <sup>2</sup> (5812 sq.ft.)	18m (60 ft)	35%	7.5m (25 ft)	1.5m (5 ft)	7.5m (25 ft)
R2	450m <sup>2</sup> (4505 sq.ft.)	15m (50 ft)	40%	4.5m (15 ft)	1.2m (4 ft)	7.5m (25 ft)
R3	360m <sup>2</sup> (3875 sq.ft.)	12m (40 ft)	40%	4.5m (15 ft)	1.2m (4 ft)	7.5m (25 ft)

Attachment #4 summarizes the historical zoning including the lot sizes and frontages for the subject lands.

Land Use Context

The built form along Waymar Heights Boulevard is comprised exclusively of established single detached residential dwellings. 23 of the 25 lots on Waymar Heights Boulevard have minimum lot frontages of 30m of which 13 of these lots back onto the Board of Trade Golf Course and are therefore subject to a site-specific policy in OPA #240 (Woodbridge Community Plan), which requires that any lot abutting the golf course shall be a minimum of 930 m<sup>2</sup> in lot area and shall be developed for single family residential lots only.

The majority of the residential lots located on Davidson Drive were created by 2 different subdivision plans that were registered in the early 1950’s and have lot frontages that range between 22.8m and 29.2m, and with lot areas that range between 1,210m<sup>2</sup> and 1,960m<sup>2</sup>.

The larger lot frontages (minimum 30m) on Waymar Heights Boulevard were created through Plan 4134, which distinguishes them from the surrounding area, including the lots on Davidson Drive and the cul-de-sac portion of Gamble Street.

**Analysis/Requested Amendments**

The lots with frontage onto Waymar Heights Boulevard that were created through Plan 4134 and zoned R1V Old Village Residential Zone are distinct from the lots located along Davidson Drive and Gamble Street given their larger lot frontages and lot areas. The Woodbridge Community Plan (OPA #240) includes a policy that states:

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“Lands designated Low Density Residential adjacent to the Board of Trade Golf and Country Club shall be developed for single family residential only and lots abutting the golf course shall be a minimum of 930m<sup>2</sup> (10,000 sq.ft.) in area.”

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Furthermore, Section 3.20 “Use of Residential Lots” in Zoning By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot within Registered Plan 4134 (the large lots with frontage along Waymar Heights Boulevard). A Zoning By-law Amendment to Section 3.20 would be required in order to facilitate the severance of any lot within Plan 4134 (except 15 and 21 Waymar Heights Boulevard).

An amendment to By-law 1-88 is recommended for the properties located at 35, 47, 59, 73 and 85 Waymar Heights Boulevard that are split zoned R3 Residential Zone and R1V Old Village Residential Zone as shown on Attachment #3, in order to establish one consistent zoning for these lots.

The 2 lots located at 15 and 21 Waymar Heights Boulevard are zoned R2 Residential Zone. These lots are not consistent with the balance of the lot fabric on the street since their lot frontage(s) and lot area(s) are more consistent with the R1 Residential Zone standards. Therefore, it is suggested that these lots be rezoned from R2 Residential Zone to R1 Residential Zone, consistent with the proposed zoning for Davidson Drive.

The lots located along Davidson Drive differ from the lots along Waymar Heights Boulevard, particularly with respect to lot frontage. The lot frontages for these lots would not meet the minimum R1V Old Village Residential Zone requirement. These lots are zoned R2 Residential Zone under By-law 1-88 although their lot frontages and lot areas are more consistent with the R1 Residential Zone standards (18m minimum lot frontage and 540m<sup>2</sup> minimum lot area). Accordingly, there is merit in rezoning these lots from R2 Residential Zone to R1 Residential Zone. Furthermore, in order to provide an additional zoning standard to prevent the severance of the lots within Plans 4032 and 4632 (31- 197 Davidson Drive), it is recommended that each plan be subject to the one-house per lot provision currently applicable to Plan 4134 (Waymar Heights Boulevard), under Section 3.20 “Use of Residential Lots” in By-law 1-88. This will permit only one house on each of the existing lots.

The Development Planning Department is satisfied that the existing policy regime within OPA #240 together with the recommended zoning changes will maintain the large lot character of the area identified on Attachment #3.

It is recommended that the Zoning By-law be amended to better reflect the policies in the Official Plan and the existing lot sizes in order to protect the character of the neighbourhood. The proposed zoning for Waymar Heights Boulevard and Davidson Drive is shown on Attachment #3. The specific amendments include:

- a) rezone 36, 48, 52, 64, 72 and 84 Waymar Heights Boulevard as shown on Attachment #3 from R3 Residential Zone to R1V Old Village Residential Zone;
- b) rezone the front portion of 35, 47, 59, 73 and 85 Waymar Heights Boulevard as shown on Attachment #3 from R3 Residential Zone to R1V Old Village Residential Zone to facilitate lots with consistent R1V zoning;
- c) rezone 31-197 Davidson Drive and 15 and 21 Waymar Heights Boulevard as shown on Attachment #3 from R2 Residential Zone to R1 Residential Zone; and,
- d) amend Section 3.20 "Use of Residential Lots" in By-law 1-88, to include 31-197 Davidson Drive and 15 and 21 Waymar Heights Boulevard, thereby restricting development on these properties to one dwelling on each lot.

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Proposed Zoning Amendments and Consistency with Zoning By-law 1-88

i) Legal Non-Conforming Standards

As the R1V, R1, R2 and R3 Residential Zones have differing zoning regulations (e.g. rear, front and side yard setbacks and lot coverage), the Development Planning Department attempted to review each lot subject to this zoning review (i.e. all lots on Davidson Drive and Waymar Heights Boulevard) in order to determine the potential for additional zoning exceptions. As many of the dwellings within this area are over forty years old, adequate information does not exist to properly determine any required exceptions as a result of the required zoning changes on a lot-by-lot basis.

As such, the proposed zoning by-law amendments will satisfy the requirement of implementing a consistent zoning regime for the area that reflects the existing lotting fabric (particularly lot frontage and areas) and addresses the different historical zoning in the area that was not properly addressed when the previous Town of Vaughan and Village of Woodbridge zoning by-laws were consolidated. However, given the different zoning regulations for setbacks and lot coverage, there will be legal non-conforming situations (e.g. building setbacks and lot coverages) that will be created as a result of the proposed zoning amendments.

ii) Section 3.20 "Use of Residential Lots" (one house per lot provision)

This report recommends amending Section 3.20 "Use of Residential Lots" of By-law 1-88 to include 31-197 Davidson Drive and 15 and 21 Waymar Heights Boulevard therein, thereby restricting development on these properties to one dwelling on each lot.

On November 12, 2009, the Committee of Adjustment approved a severance application (File B042/09) that facilitated the severance of 144 Davidson Drive into two lots, each with 19.8m of lot frontage and lot areas of 1185m<sup>2</sup> and 1157m<sup>2</sup> respectively. These lots meet the requirements of the proposed R1 Residential Zone and generally reflect the existing lot fabric.

The purpose of adding the lots on Davidson Drive to Section 3.20 is to maintain the large lot frontage character of the area. There does not appear to be any other lots situate on Davidson Drive that could be severed that would otherwise comply with the proposed R1 Zone category and standards. Therefore, it is recommended that 31-197 Davidson Drive and 15 and 21 Waymar Heights Boulevard be included in Section 3.20.

Request from the Owner of 146 Waymar Heights Boulevard

As was previously stated, the origin for this zoning review stems from Council's initial consideration of Official Plan and Zoning By-law Amendment Files OP.07.007 and Z.07.043 (L & L Holdings Inc. – see Attachment #2) to facilitate the severance of two (2) residential lots located at 146 and 160 Waymar Heights Boulevard (each with a 45.7 m frontage) into 5 (five) residential lots each with a lot frontage of 18m and with a minimum lot area of 768m<sup>2</sup>.

On May 12, 2008, the Development Planning Department received a letter from the Owner of 146 and 160 Waymar Heights Boulevard requesting that Zoning By-law Amendment File Z.07.043 (L & L Holdings Inc.) be amended, to request a site-specific exception from Section 3.20 of Zoning By-law 1-88 in order to facilitate the severance of 146 and 160 Waymar Heights Boulevard from two lots to three lots through the Consent process. Section 3.20 of By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot shown on Registered Plan 4134. The revised Zoning By-law Amendment Application conformed to the Official Plan since each of the proposed lots had a frontage of 30 m and met the lot area requirements of the R1V

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Old Village Residential Zone. On June 11, 2008, Council approved the Zoning By-law Amendment Application to facilitate the creation of 3 residential lots each with minimum 30m frontages. Official Plan Amendment File OP.07.007 is now closed.

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The 2 lots situate at 146 and 160 Waymar Heights Boulevard have been divided into 3 lots by way of the Consent process and are zoned R1V Old Village Residential Zone. The Development Planning Department has been contacted by the Owner of one of the three mentioned lots. The Owner has expressed an interest in increasing the lot coverage for the lot to 35% whereas 20% is the maximum permitted in the Zone. The Development Planning Department has considered the request and cannot support the increase in coverage as part of this zoning review. Firstly, it is not the purpose of this review to examine lot coverages, and secondly, a lot coverage of 35% in an R1V Old Village Residential Zone has not been previously supported by this Department.

**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 Development Planning Department has reviewed the appropriateness of the zone categories for the lots on Waymar Heights Boulevard and Davidson Drive to recognize the existing character of these areas by way of amendments to the Official Plan and Zoning By-law. The Development Planning Department is satisfied that the existing Official Plan policies are adequate to ensure the character of the area is maintained.

The Development Planning Department is recommending amendments to the Zoning By-law to implement a consistent R1V Old Village Residential Zone regime for Waymar Heights Boulevard (except addresses 15 and 21) that reflects the existing lotting fabric and addresses the different historical zoning in the area, and to rezone the lots on Davidson Drive and 15 and 21 Waymar Heights Boulevard from R2 Residential Zone to R1 Residential Zone to reflect the existing lot sizes and lot areas, which are more consistent with the R1 Zone standards. In addition, it is also recommended that the one-house per lot provisions in Section 3.20 “Use of Residential Lots” in By-law 1-88 be applied to 31-197 Davidson Drive and 15 and 21 Waymar Heights Boulevard to protect these lots from being severed in the future, which is consistent with the zoning on the remainder of Waymar Heights Boulevard in this regard.

**Attachments**

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Lot Sizes and Frontages

**Report prepared by:**

Clement Messere, Planner, ext. 8409  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

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

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 6, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**6**

**ZONING BY-LAW AMENDMENT FILE Z.09.033  
1806878 ONTARIO INC.  
WARD 4**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 23, 2010:**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.033 (1806878 Ontario Inc.) BE APPROVED, specifically to amend By-law 1-88 for the subject lands shown on Attachments #1 and #2, to permit a public garage (specifically for the installation of boom lifts on trucks) as an additional use in the EM1 Prestige Employment Area Zone within the existing employment building (with no outside storage) as shown on Attachment #3.

**Contribution to Sustainability**

The applicant is proposing to permit an additional use in an existing building. No changes are being proposed to the site or building.

**Economic Impact**

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

**Communications Plan**

On November 6, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands and to the Concord West Ratepayers Association. To date, no written comments have been received by the Development Planning Department.

At the Public Hearing on December 1, 2009, a concern was raised from the neighbour to the north with respect to the outside storage of a derelict vehicle being parked/stored outside. The applicant advised the neighbour that there would be no outside storage required for the proposed use.

The recommendation of the Committee of the Whole to receive the Public Hearing report of December 1, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on December 14, 2009.

**Purpose**

To amend the City's Zoning By-law 1-88, specifically the EM1 Prestige Employment Area Zone, to permit the additional use of a public garage (installation of boom lifts on trucks), wholly enclosed within the existing employment building and with no outside storage, as shown on Attachment #3.

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### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

Item 6, CW Report No. 9 – Page 2

#### Background - Analysis and Options

##### Location

The subject lands shown on Attachments #1 and #2 are located at 266 North Rivermede Road, south of Langstaff Road and west of Dufferin Street, being Lot 8 on Plan 65M-2223, in Part of Lot 8, Concession 3, City of Vaughan. The surrounding land uses are shown on Attachment #2.

##### Official Plan

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Growth and Management Plan), which accommodates uses that do not require high visual exposure, provides locational opportunities for industrial developments which may require outside storage or be undertaken outdoors, and that facilitates a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing and outside storage and transportation and distribution facilities. The proposed public garage will not require any outside storage, which is not being proposed, and conforms to the policies of the Official Plan.

##### Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88. The proposed public garage use is not permitted in an EM1 Prestige Employment Area Zone, and therefore, an amendment to the Zoning By-law is required. The EM1 Zone does not permit outside storage, which is not required nor proposed by the applicant. Generally, the implementing zone category for lands designated "Employment Area General" by the Official Plan and located internal to an employment area is the EM2 General Employment Area Zone, which would permit the proposed public garage use as-of-right.

##### Planning Considerations

The proposed application to permit an exception to the EM1 Prestige Employment Area Zone of By-law 1-88, on the subject lands, to facilitate a public garage use (installation of boom lifts on trucks) conforms with the Official Plan, and the proposed use would be consistent and compatible with the existing prestige employment land uses and zoning for the abutting properties. Although the "Employment Area General" designation in OPA #450 would permit outside storage on the subject lands, the applicant has indicated that all of the operations will be conducted completely within a wholly enclosed building. The continued restriction of outside storage on the property will maintain the "Prestige Area" appearance of this portion of the employment area and will address the concern raised by an adjacent neighbour with respect to the storing of goods outside of the building, which will not be permitted.

The building is currently outfitted with the necessary equipment (e.g. lifts, hoists, etc.) for the proposed public garage as a result of the previous operations in the building. The proposed Zoning By-law Amendment Application, if approved, will allow the applicant to utilize the existing building for the proposed operations. There are no other changes proposed to the existing building or on-site configuration.

For these reasons, the Development Planning Department has no objections to the approval of the Zoning By-law Amendment Application to permit a public garage (specifically for the installation of boom lifts on trucks) as an additional permitted use in the EM1 Prestige Employment Area Zone within an existing employment building and with no outside storage.

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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 property is located internal to an employment area subdivision, and does not affect lands owned by the Region of York.

**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 public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposal to permit a public garage (specifically for the installation of boom lifts on trucks) within the existing building, and with no outside storage on the subject lands, is appropriate and compatible with the surrounding employment uses. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application, subject to the recommendation of this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Survey Plan

**Report prepared by:**

Ryan Mino, Planner, ext. 8213  
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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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 7, CW Report No. 9 – Page 2

Vaughan In Motion to Cure Cancer is a not-for-profit corporation dedicated to raising funds to assist those living with cancer in our community. Since 1997 Vaughan In Motion have raised over \$500,000 for the Canadian Cancer Society, and in July 2009 presented the Vaughan Hospital Foundation with a cheque for \$81,000 from fundraising events which include The Gala to Cure Cancer, The Walk to Cure Cancer and Fore the Cure Cancer Golf Tournament. The City of Vaughan has in previous years proclaimed April as Cancer Awareness Month.

The proclamation request meets the City's Proclamation Policy, as follows:

"That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act". The Canadian Cancer Society is a registered charity.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report supports the strategic priorities established by Vaughan Vision 2020, in particular "Enhance and Ensure Community Safety, Health and Wellness".

**Regional Implications**

N/A

**Conclusion**

Staff is recommending that April 2010 be proclaimed as "Cancer Awareness Month", that the "Vaughan in Motion flag be raised at the City of Vaughan Civic Centre for one week in the month of April and that the proclamation be posted on the City's website and published on the City Page Online.

**Attachments**

Attachment 1: Correspondence from the Vaughan In Motion to Cure Cancer, dated January 29, 2010

**Report prepared by:**

Connie Bonsignore, Administrative 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.)



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

#### Item 8, CW Report No. 9 – Page 2

Consultant. Accordingly, the Developer has requested that the roads and municipal services in the subdivisions 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 subdivisions 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 these subdivisions have been satisfied.

#### **Relationship to Vaughan Vision 2020**

The development of these subdivisions 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 these subdivisions.

#### **Conclusion**

The construction of the roads and municipal services associated with the United Castlepoint South Inc, Phase 4, Plans of Subdivision 65M-3470 and 65M-3471 have been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in Plans 65M-3470 and 65M-3471 be assumed and the Municipal Services Letter of Credit be released.

#### **Attachments**

1. Location Map

#### **Report prepared by:**

Odette McIntyre, C.Tech. – Engineering Technologist - Development, ext. 8461  
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

OM/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

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#### Item 9, CW Report No. 9 – 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.

It is worth noting that the segment of Summeridge Drive in Plan 65M-3757 was recently retrofitted with traffic calming measures in the form of raised islands in conjunction with a City initiated Capital Project.

#### **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.

#### **Conclusion**

The construction of the roads and municipal services associated with the Langstaff Woods West, Phase II Plan of Subdivision 65M-3757 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3757 be assumed and the Municipal Services Letter of Credit be released.

#### **Attachments**

1. Location Map

#### **Report prepared by:**

Odette McIntyre, C.Tech. – Engineering Technologist - Development, ext. 8461  
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

OM/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 MARCH 9, 2010**

Item 10, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**10                    ADDITIONAL ENGINEERING FEES FOR THE THORNHILL AREA  
ROAD RECONSTRUCTION, WATERMAIN REPLACEMENT AND STRUCTURE  
REHABILITATION/REPLACEMENT  
WARD 5**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 23, 2010:**

**Recommendation**

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

That funding in the amount of \$23,186.00, plus G.S.T., for additional engineering fees provided by SNC Lavalin Inc. for the Thornhill Area Road Reconstruction, Watermain Replacement and Structure Rehabilitation/Replacement project be approved from the 2009 Capital Budget Project No. EN-1731-09.

**Contribution to Sustainability**

The rehabilitation and reconstruction of roads, replacement of watermains as well as rehabilitation and replacement of structures will ensure that an acceptable level of service provided by the City's infrastructure is maintained for the health and well being of its citizens.

**Economic Impact**

There are sufficient funds available in the approved Capital Budget Project EN-1731-09 to cover the additional engineering design fees required for this project, and as such, there is no economic impact.

**Communications Plan**

Not Applicable.

**Purpose**

To obtain approval for additional funds for engineering design services provided by SNC Lavalin Inc. for the completion of the Thornhill Area Road Reconstruction, Watermain Replacement and Structure Rehabilitation/Replacement.

**Background - Analysis and Options**

At its March 31, 2008 Meeting, Council approved the recommendations in Item 8, Report No. 16 of the Committee of the Whole, to retain SNC Lavalin Inc. to provide engineering services for the preliminary and detail design of the Thornhill Area Road Reconstruction, Watermain Replacement and Structure Rehabilitation/Replacement at an estimated cost of \$227,270.00, excluding G.S.T. to be funded from 2006 Capital Budget Project No. 1626-0-06 and a contingency allowance of \$23,000.00, excluding G.S.T. to be funded from the 2007 Capital Budget Project No. EN-1655-07.

During the detailed design stages of this project, various additional tasks had to be undertaken which were outside of the original budget and contemplated scope of work. They included the following:

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Item 10, CW Report No. 9 – Page 2

1. Hydraulic Modelling and Flood Risk Mapping – TRCA Requirement - \$31,600.00, plus G.S.T.;
2. Test Pits and Survey – Various Locations for Bell Verification - \$6,850.00, plus G.S.T.;
3. Thornhill Heritage District Requirements – Design revisions \$3,200.00, plus, G.S.T.; and
4. Environmental Permitting – TRCA requirement. Additional fees for coordination of one additional permit \$4,536.00, plus G.S.T.

Engineering Services staff have confirmed the expanded scope of work and validated the additional costs that were required for the successful completion of this assignment.

Funding has been approved in the amount of \$227,270.00, plus G.S.T. and contingency allowance of \$23,000.00 for a total of \$250,270.00, excluding G.S.T. Due to the expanded scope of work, additional funds in the amount of \$23,186.00, plus G.S.T. are required, funded from Capital Budget Project EN-1731-09.

**Relationship to Vaughan Vision 2020/Strategic Plan**

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

- Pursue Excellence in Service Delivery;
- Enhance and Ensure Community Safety, Health & Wellness; and
- Lead and Promote Environmental Sustainability

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

**Regional Implications**

Not Applicable.

**Conclusion**

Staff have reviewed the correspondence from SNC Lavalin Inc. with respect to the additional fees and concur that the additional funding request is appropriate to cover the cost of the engineering design component of this project.

**Attachments**

1. Location Map

**Report prepared by:**

Pat Marcantonio, C.E.T., Senior Engineering Assistant, ext. 3111  
Tom Ungar, P. Eng., CHRP, Design Engineer, ext. 3110

PM:mc

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



CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 11, CW Report No. 9 – Page 2

**Background - Analysis and Options**

The Sierra Youth Coalition, the Canadian Federation of Students, and the Polaris Institute, have combined resources to develop an educational program concerning the use of bottled water. In doing so, they are promoting March 11, 2010, as the first “Bottled Water Free Day” in Canada.

Council previously approved the following recommendation with respect to the promotion of municipal tap water and the banning of unflavoured bottled water in its facilities:

**A.**

1. *As the City has received a 100.0% rating in the recent inspection of the City’s drinking water systems by the Ministry of the Environment, municipal tap water is to be promoted as a safe and economical means of obtaining drinking water;*
2. *Unflavoured bottled water no longer be sold in any City owned community centre upon the expiration of contract RFP07-050 on August 31, 2010;*
3. *Upon the opening of the new Civic Centre cafeteria, unflavoured bottled water not be sold in the new Civic Centre;*
4. *The Building & Facilities Department continue with their ongoing program of installing refrigerated drinking fountains, complete with water bottle filling spouts, in all municipal buildings to promote the consumption of municipal tap water;*
5. *The use of the stand-alone water coolers that are not connected to a municipal water supply, be removed from all municipal offices and/or work areas no later than June 1, 2009, unless potable water is not available in that particular building; and,*
6. *That all City employees be provided with a stainless steel refillable water bottle to promote the consumption of municipal tap water, funded through reduced operating budget expenditures for contracted bottled water supply.*

In addition, Council also adopted the following resolution at the same meeting:

*Whereas the municipalities across Ontario are in the business of supplying safe, tested, and economical drinking water to its residents and businesses; and,*

*Whereas the cost for bottled water can be 240 – 3,000 times the price of municipal tap water; and,*

*Whereas approximately 40% of all single use plastic water bottles end up in landfill, and are not recycled through blue box programs; and*

*Whereas a significant amount of roadside litter is often found to be single use plastic bottles; and*

*Whereas the fossil fuels used to generate the millions of single use plastic bottles has significant environmental and resource depletion impacts; and*

*Whereas the Province has already set a precedent by requiring a deposit return system be implemented for glass wine and spirit bottles;*

*Therefore, be it resolved that:*

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

#### Item 11, CW Report No. 9 – Page 3

- 1. The Province of Ontario be formally requested to require all manufacturers and producers of products using single use polyethylene terephthalate (PET), and other types of plastic bottles, to implement a deposit return system for all such products;*
- 2. That upon the implementation of such a deposit return system, the Province amend Regulation 101/94 such that single use (PET), and other types of single use plastic bottles, be specifically identified as a product that is not required to be collected in municipal blue box collection programs in Ontario;*
- 3. That the City Clerk circulate this resolution through the Association of Municipalities of Ontario (AMO), seeking their support for such a deposit return system to be implemented.*
- 4. That such a deposit return system be implemented no later than January 1, 2011.*

As per the recommendations adopted by Council, all City staff were provided refillable water bottles to use in place of bottled water. This, and the other measures recommended in the report, were implemented out of concerns for the environment and the detrimental impact that single use water bottles have on the environment, not to mention the potential environmental issues created when water bottling companies take large amounts of water from groundwater sources. (For greater details on these environmental impacts, please refer to the April 14, 2009, report to the Environment Committee).

The organizers of the “Bottled Water Free Day” have indicated that there are over 70 municipalities, 6 school boards and 3 campuses that have successfully phased out the provision and sale of bottled water in their sectors. The City of Vaughan is one of these.

Given Council's previous stand on bottled water, and its commitment to promoting the use of municipal tap water whenever possible, it would be appropriate to declare March 11, 2010 “Bottled Water Free Day” in the City of Vaughan, and promote this event on the City's website.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council and ties into Vaughan Vision 2020 Goal of Service Excellence, and Objective of “Lead and Promote Environmental Sustainability.”

#### **Regional Implications**

The City of Vaughan purchases its municipal tap water from the Region of York and distributes potable water to consumers in Vaughan through the City's network of water mains. By promoting March 11, 2010 as Bottled Water Free Day, the Region would be highlighting to its residents the concerns regarding bottled water use and promoting the use of municipal tap water across the Region.

#### **Conclusion**

One of the primary goals of Vaughan Vision 2020 is for the City to lead and promote environmental sustainability. Declaring March 11, 2010 as “Bottled Water Free Day” is a responsible initiative in pursuit of that goal. This initiative has a direct connection to the sustainability principals embodied in Green Directions Vaughan – The Community Sustainability and Environmental Master Plan through actions associated with efficient water use and waste reduction.

Corporate Communications, along with Public Works, will develop a communications awareness strategy to inform staff and the public of this initiative to promote the use of municipal tap water and reducing materials going to landfill.

**CITY OF VAUGHAN**

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**Attachments**

Promotional brochure (1 page)

**Report prepared by:**

Brian T. Anthony, CRS-S, C. Tech, Director of Public Works, Ext 6116

Bill Robinson, P. Eng., Commissioner of Engineering and Public Works, Ext 8247

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 12, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**12 REPAIR PROTOCOL - CRACKED SEWER SERVICE CONNECTION TEE FITTING  
CITY WIDE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 23, 2010:

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

THAT Council endorse the protocol for the repair of cracked sewer service connection tee fittings as is outlined in this report.

**Contribution to Sustainability**

The recommendations of this report have been developed with consideration for the impact on the natural and built environments, and their potential social and financial implications.

**Economic Impact**

The adoption of this report will establish a mechanism to collect funds from private sector developers to facilitate the inspection, maintenance and ultimate replacement of sewer service connection tee fittings that develop cracks after installation. These funds will be deposited in the City's Sewer Reserve and used to replace the sewer fittings when required in the future, likely as part of a future road renewal project.

**Communications Plan**

The approved recommendations stemming from this report will be communicated to the private sector developers, engineering consultants and contractors through correspondence and the normal design, inspection and acceptance process.

**Purpose**

This report recommends the adoption of a protocol for the repair of cracked PVC sewer service connection tee fittings.

**Background - Analysis and Options**

The City's sanitary and storm sewer system consists of a series of underground pipes, manholes and service connections. According to information compiled in conjunction with the recent water and wastewater rate study, the City owned and operated close to 1,630 kilometers of sanitary and storm sewer in January 2008, which was valued at approximately \$1.08 billion.

Each year, the City's sanitary and storm sewer systems are expanded through the process of land development. After a new sewer system has been constructed, City staff performs a number quality assurance tests on the system before it is put into service or given final acceptance. The purpose of these tests is to confirm the integrity of the new sewer, in particular that it is:

- clean and free of debris;
- free of defects
- acceptable shape and profile; and

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### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

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- has adequate slope to convey sewage by gravity.

Currently, the most effective means of confirming the condition of a new sewer is by performing a visual inspection of the sewer through the use of a video camera. Accordingly, City standards require that a complete camera inspection of all storm and sanitary sewers is conducted prior to the City issuing completion approval, and prior to the assumption of the municipal services if required.

Current camera technology allows the technician to manipulate the direction and location of the camera lens to obtain a 360 degree view of the sewer. This versatility together with improved picture quality in new cameras provide a full view of the pipe joints and service connection lateral fittings.

Over the last several years, camera inspections have revealed cracks along the joint in a small number of PVC sewer lateral tee fittings. To date, there are about 300 known cracked sewer fittings in new developments City-wide. It is unclear at this point what is causing these fittings to develop cracks. Information collected to date suggests that inadequate compaction of the bedding material or inherent defects in the fitting may be contributing factors. Cracked fittings are showing up at various locations throughout the City. In most cases, the crack does not affect the function or performance of the sewer lateral nor does it allow ground water to infiltrate into the sewer.

Generally, a cracked tee fitting is identified through the camera inspection before the final lift of asphalt is placed on the road. In this case, the developer is requested to replace the tee fitting by means of open excavation. Unfortunately, there are circumstances where the cracked tee is discovered after the top lift of asphalt has been placed on the road. The excavation of a finished road is done only when absolutely necessary in order to avoid a repair patch. Generally, repair patches present long term maintenance concerns because they are prone to differential settlement, edge cracking and can cause drainage and winter icing problems. In addition, a patch is esthetically undesirable and a long term scar on the road surface. Accordingly, in this situation, the consulting engineer for the development is requested to explore options and make a recommendation on the preferred repair solution which doesn't require the excavation of the finished roadway. In most cases, the use of a fiberglass tee liner is the recommended solution.

A tee liner is a fiberglass sleeve which is placed over an inflatable bladder and coated with a polymer. The bladder with the polymer coated liner fabric is pulled through the sewer into the repair location and then the bladder is inflated with hot water which forces the liner into place and cures the polymer. After the polymer has cured, the bladder is deflated and removed from the sewer leaving the tee liner in place. The cost of this type of repair is approximately \$2,500 to \$3,000 per fitting. Staff has investigated this method of repair and consulted with one contractor with expertise in this type of work. Based on this review, it was determined that this method of repair has been in use for over five years now with good success. Most contractors will provide a minimum of a five year repair warranty on a tee liner repair but a minimum 10 year service life is expected. Accordingly, it is anticipated that at some point in the future there will be a need to either reline the sewer fitting or replace it.

Public Works operations staff has recommended that wherever possible cracked tees should be excavated and replaced. Since 2004, tee liners have been installed in several developments as a means of repairing the cracked tee without excavating the finished roadway. Camera inspections conducted in these areas in 2009 revealed that in a small percentage of the cases, the liner has partially delaminated from the pipe wall and partially obstructed the pipe. In addition, at several locations, the thickness of the liner has significantly reduced the pipe size such that the inspection camera will not pass through that section. In both these situations, sewage flows were not impacted significantly. These isolated cases are most likely due to improper installation of the tee liner rather than a representation of the performance of the product. Accordingly, the installation

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of any future tee liners will be closely monitored by City staff to ensure that the work is done properly by a qualified contractor. Staff will develop criteria for the proper installation of tee liners to assist with the inspection process.

Staff also conducted an informal survey of neighbouring municipalities and confirmed that other municipalities in the GTA including the Town of Whitby, Town of Richmond Hill and the Town of Markham have accepted the use of a tee liner or chemical sealant/injection as a means of repairing cracked tees depending on the sewer depth, size of crack and location.

Accordingly, it is recommended that the following protocol be followed in the event that a cracked service lateral tee is identified:

1. Where the top lift of asphalt has not been placed on the roadway, the cracked sewer service connection tee fitting shall be excavated, removed and replaced.
2. Where the top lift of asphalt has been placed on the roadway, the cracked sewer service connection tee fitting may be repaired by means of a tee liner or other suitable trenchless technology subject to the developer providing the City with a cash contribution towards the ongoing inspection and maintenance of the tee liner, plus the cost of ultimately replacing the sewer service connection tee fitting in the future when necessary. The cash contribution shall be based on the present day cost of replacing the tee fitting. The current contribution is as outlined below:

Depth of Sewer	Cash Contribution per Fitting
2.5 to 3.0 metres	\$5,000
3.0 to 4.0 metres	\$6,500
4.0 to 5.0 metres	\$8,200
5.0 to 6.0 metres	\$10,000
Greater than 6.0 metres	Based on cost estimate

The value of the contribution will be adjusted annually to account for increases in the cost of labour, materials, inflation and regular inspection.

3. If the City determines that the crack in the sewer service connection tee fitting cannot be adequately repaired by installing a tee liner or other acceptable trenchless technology then the sewer fitting shall be dug up, removed and replaced prior to the start of guaranteed maintenance.

**Regular Inspections**

The Public Works Department cleans and flushes the City’s entire sanitary sewer system on an annual basis. In addition, camera inspections are carried out as needed to ensure the integrity of the sewer systems. Any segment of sewer that includes a repaired service connection lateral will be inspected more frequently in order to monitor the performance of the tee liner.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council, in particular:

- Lead & promote environmental sustainability
- Maintain assets & infrastructure
- Ensure financial sustainability
- Plan and manage growth and economic vitality.

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

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

**Regional Implications**

This report has no implications on the Region of York.

**Conclusion**

The City's current practice which requires a developer to dig up and repair cracked tees in an unfinished roadway is consistent with other municipalities in the GTA. When a cracked tee is identified after the top asphalt has been placed on a road, alternatives methods of the repairing the cracked fitting should be explored in order to avoid excavating the new road surface. Staff is recommending that trenchless technologies, such as a fiberglass tee liner, be used subject to the developer providing the City with a financial contribution towards the ongoing inspection and maintenance of the tee liner, plus the cost of ultimately replacing the sewer service connection tee fitting when necessary in the future.

**Attachments**

Attachment No. 1 - Sewer Service Connection Diagram

**Report prepared by:**

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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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 13, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**13**

**NEW SERVICE CONNECTION STANDARD  
CITY WIDE**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 23, 2010:**

**Recommendation**

The Commissioner of Engineering and Public Works in consultation with the Director of Building Standards recommends:

THAT the best practice from the Ontario Concrete & Drain Contractors Association that recommends new municipal storm and sewer lateral connections be constructed from the main to 1.5 metres beyond the property line in new subdivisions be adopted by the City, and that the City's engineering standards and procedures be amended accordingly.

**Contribution to Sustainability**

The recommendations of this report have been developed with consideration for the impact on the natural and built environments, and their potential social and financial implications.

**Economic Impact**

There is no economic impact to the City in connection with the adoption of the best practices related to the extension of sewer laterals 1.5 metres beyond the property line in servicing of new subdivisions. Where services are being installed by the City in unserviced communities, there would be a nominal increase in cost to the City portion of a contract and a slight reduction in the cost of the homeowner's service extension. However, it is noted that the overall cost to the City and to the homeowner would not change as the homeowner pays the cost of the connection from the main sewer line to the house.

**Communications Plan**

The approved recommendations stemming from this report will be communicated to the private sector developers, engineering consultants and contractors through correspondence and the normal design, inspection and acceptance process.

**Purpose**

To highlight the best practice document prepared by the Ontario Concrete & Drain Contractors Association with respect to the extension of sewer laterals 1.5 metres beyond the property line and to implement the standard in the City of Vaughan.

**Background - Analysis and Options**

The construction of new municipal services and roadways is generally undertaken in typical standard sequence. First, the underground sanitary and storm sewers, watermains and service connections to the property lines are constructed followed by the roadway and the installation of the shallower utilities such as natural gas, telecommunication cables and hydro in the boulevards. Current standards require the sewer laterals to be terminated at the property line about 3.0 metres below grade. The water service connection is also extended to the property line and terminated with a valve (curb stop) as shown on Attachment No.1.

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During the house building program, these service connections are extended into the building by a drain/plumbing contractor. Since the utilities in the boulevards are in close proximity to the capped ends of the sewer and water service connections, there is a high risk of a utility being struck and damaged during the excavation process. Damage to a utility can be costly to repair. In addition, the close grouping of the services often results in a trench excavation with very steep banks creating an unstable and dangerous situation for construction workers requiring the use of a trench box.

This situation has been a concern in the construction industry for some time now. In response, the Ontario Concrete & Drain Contractors Association (OCDCA) has developed a best practice document that recommends extending only the sanitary and storm sewer service laterals to 1.5 metres beyond the property line in new developments. This practice will reduce the hazards associated with the subsequent extension of the lateral connections into a new dwelling. The benefits of extending the lateral connections include the following:

- Contractors are able to connect to the service laterals in more stable soil conditions, which allows for proper trench sloping and safer excavation conditions;
- Reduces the risk of damage to existing utility infrastructure;
- Improves the safety of the construction work environment.

It is estimated that the extension of the sewer lateral 1.5 metres beyond the property line will cost the developer an extra \$175 per lateral. However, this additional cost to the developer is more than recovered by the builder since the connection into the dwelling is shorter and the construction environment is much safer so the work can be done much quicker.

Where the city is constructing a sanitary sewer and service connections to properties in unserviced areas, the cost of the 1.5 metre extension would be part of the City's construction contract. The property owner would complete the extension of the service lateral at his cost. In construction projects of this type, the entire service connection cost from the main sewer to the building being serviced is the property owner's responsibility and adoption of this standard would not increase the final costs to be borne either by the City or the property owner.

The recommended best practice from OCDCA has been either supported or adopted by a number of regional municipalities in the GTA including the Regions of Durham, Peel and York together with many of their associated area municipalities. The practice is also supported by other associates such as the Greater Toronto Sewer and Watermain Contractors Association, the Ontario Sewer and Watermain Construction Association and the Construction Safety Association of Ontario.

#### **Relationship with the Ontario Building Code**

The Ontario Building Code (OBC) applies to the design and construction of the underground sewer and water lines on private property. The extension of the service connections 1.5 metres beyond the property line creates an overlap in the jurisdiction between the OBC and municipal servicing standards. To address this overlap, the City's Chief Building Official has agreed to accept the certification from the developers consulting engineer that the 1.5 metre portion of the service lateral connection within the lot has been constructed in accordance with municipal standards as being sufficient to satisfy the OBC requirements.

#### **Water Service Connection**

Current standards require the water service connection to be terminated at the property line with a valve (curb stop). If the waterline was also extending 1.5 metres beyond the property line, it would result in the need for an additional coupling on the waterline. This additional coupling

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would greatly increase the risk of leaks in the future as the system ages. Accordingly, for this reason, staff is recommending that the current standard of terminating the water service connection at the property line be maintained.

#### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council, in particular:

- Lead & promote environmental sustainability
- Maintain assets & infrastructure
- Ensure financial sustainability
- Plan and manage growth and economic vitality.

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

#### Regional Implications

This report has no implications on the Region of York.

#### Conclusion

The Ontario Concrete & Drain Contractors Association (OCDCA) has developed a best practice document that recommends extending sanitary and storm sewer service laterals to 1.5 metres beyond the property line in new developments. This best practice will improve construction worker safety, construction efficiency and reduce the risk of damage to utility infrastructure. For these reasons, staff is recommending that this best practice be adopted by the City and the applicable standards and procedures be amended accordingly.

#### Attachments

Attachment No. 1 – Service Connection Diagram

#### Report prepared by:

Andrew Pearce, Director of Development & Transportation Engineering, Ext. 8255  
Bill Robinson, Commissioner of Engineering and Public Works, Ext 8247

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

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 14, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

14

**ALL CANADIAN SERIES AT THE CITY PLAYHOUSE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated February 23, 2010:

**Recommendation**

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

1. That the report on the *All Canadian Series* at the City Playhouse Theatre, be received.

**Contribution to Sustainability**

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan:

- 4.1 To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

**Economic Impact**

The cost of producing the *All Canadian Series* at the City Playhouse Theatre will be offset by ticket sale revenues and a \$5,000 grant received by the Community Cultural Impresarios (CCI) Producing Professional Theatre "Fresh Start" grant program.

**Communications Plan**

The professional theatre series called the *All Canadian Series* and the financial support of CCI's Producing Professional Theatre grant for the City Playhouse Theatre will be promoted through both the Theatre's Educational and Season Brochures, the Theatre website, in addition to the Recreation Guide, City website, flyers, radio and print ads and posters.

**Purpose**

The purpose of this report is to provide Council with background information on the *All Canadian Series* which offers professional theatre productions at the City Playhouse Theatre and the \$5,000 grant funds received by the City of Vaughan / City Playhouse Theatre through CCI's "Fresh Start" program.

**Background - Analysis and Options**

The City Playhouse is a 386-seat theatre, owned and operated by the City of Vaughan. The mandate of the Theatre is to offer residents of Vaughan and the surrounding communities, a cultural experience which combines live theatre productions from community-based and professional theatre groups. It provides educational programming for schools and a series of theatre and dance courses. The City Playhouse Theatre is also rented for art shows, corporate and organizational events, music concerts, and dance recitals.

In 2009, the City Playhouse Theatre applied for membership to the Community Cultural Impresarios (CCI) Ontario Presenting Network, whose membership consists of theatres from across Ontario. The main purpose of CCI is to bring together theatres and production and

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presenting companies in order to allow theatre owners to purchase professional theatre shows for their patrons. As a result, the *All Canadian Series* was produced offering eleven shows comprised of both staged readings and full-scale productions.

The list of professional theatre productions which make-up the “All Canadian Series” include *Moving At The Speed of Life*, a play that kicked off the series in September 2009. In October, the family show from Vancouver called *Hidden Elephant* was presented to school audiences. The staged reading of *The Game* featuring well-known Canadian playwright Norm Foster performed *Old Love* in November. In January 2010, the year was launched with *The Perfect Pitch*, and in February the musical *Funny Business* will be on stage. Also in February will be *The Entertainers* followed in March by the riveting drama, *Cherry Docs*, and *An Evening of Cabaret*. Ending the “All Canadian Series” in April 2010 will be the production of *Macbeth in the Wild Wild West*, and the *The Champions*.

In 2009, the City Playhouse applied and was granted a \$5000 grant from CCI’s “Fresh Start” fund. The grant received through CCI will go towards the cost of presenting and set building costs for the production of *Macbeth in the Wild Wild West*. *Macbeth* will feature both public and school shows on stage at the City Playhouse Theatre.

#### Relationship to Vaughan Vision 2020/Strategic Plan

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

- STRATEGIC GOAL:  
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:  
Support Diversity, Arts and Culture.

This report is consistent with the priorities previously set by Council, and the necessary resources to implement this program have been allocated and approved.

#### Regional Implications

N/A

#### Conclusion

The *All Canadian Series* brings professional theatre to the City Playhouse stage and helps continue to offer the residents of Vaughan and the surrounding communities both professional and educational live shows. The CCI \$5,000 grant received through the “Fresh Start” program will allow the City Playhouse Theatre to offset costs associated with bringing live theatre shows to the theatre stage and ensuring patrons experience the art of live theatre in their community.

#### Attachments

None

#### Report Prepared By

Mary Real, Director of Recreation and Culture, ext 8234  
Angela Palermo, Manager of Culture Services, ext 8139  
Steven Fishman, Theatre Operations Manager, (905) 326-7469

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Item 15, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**15**

**ZONING BY-LAW AMENDMENT FILE Z.09.028  
ROMDOR DEVELOPMENTS INC.  
WARD 1**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 23, 2010:**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.028 (Romdor Developments Inc.) BE APPROVED, to amend By-law 1-88, specifically the C4 Neighbourhood Commercial Zone subject to Exception 9(1319), to permit a day nursery as an additional permitted use in Building "C" on the subject lands shown on Attachments #1 and #2, having a maximum gross floor area of 520m<sup>2</sup> and an accessory outdoor play area located within a portion of the required landscaped area as shown on Attachments #3, #4, and #5, with the following site-specific zoning exceptions:
  - i) permit a minimum front yard setback of 4.8m to Building "C" and 1.0m to the proposed masonry wall structure as shown on Attachment #4, whereas 15m is required to facilitate an Institutional Use;
  - ii) permit a minimum 0m wide landscape strip abutting a street line (Ilan Ramon Boulevard), to accommodate the associated outdoor play area for the day nursery, whereas 4.5m is required; and,
  - iii) permit a minimum of 342 parking spaces for the entire property, whereas 348 spaces are required.

**Contribution to Sustainability**

The subject lands are currently being constructed with a mixed-use office and commercial development as shown on Attachment #3, which was approved by Council on March 23, 2009. The development includes the following sustainable development initiatives:

- outdoor lighting will be designed for safety and comfort and to reduce light pollution;
- an erosion and sedimentation control plan will be designed and implemented;
- recycled concrete material will be used for the stone base in the parking lot and pavement construction;
- bicycle racks will be provided on the site;
- permeable pavers will be utilized in the landscaped islands throughout site;
- plumbing fixtures which reduce water requirements will be utilized;
- roofing materials which have a high Solar Reflectance Index (typically referred to as a white roof will be used;
- low emitting adhesives, sealants, paints and coatings will be utilized;
- an easily accessible area for the collection and storage of recyclables will be provided; and,
- landscape materials which minimize the use of water will be provided.

**Economic Impact**

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

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#### **Communications Plan**

On October 19, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 10, 2009, and to forward a comprehensive report to a future Committee of the Whole Meeting was ratified by Council on November 24, 2009.

#### **Purpose**

To amend the City's Zoning By-law 1-88, specifically Exception 9(1319) to add a Day Nursery having a maximum gross floor area of 520m<sup>2</sup> and an accessory outdoor play area as an additional permitted use in the C4 Neighbourhood Commercial Zone within Building "C" of the development currently under construction on the subject lands shown on Attachments #1 and #2. As a result of the Day Nursery and accessory outdoor play area a reduction of 6 parking spaces is required.

#### **Background - Analysis and Options**

The 1.75 ha subject lands shown on Attachments #1 and #2 are located at the southwest corner of Major Mackenzie Drive and Ilan Ramon Boulevard, being Part of Lot 20, Concession 2, within Planning Block 11, City of Vaughan. The subject lands have 170.2m frontage along Ilan Ramon Boulevard and 185.7m flankage along Major Mackenzie Drive. The surrounding land uses are shown on Attachment #2.

On November 26, 2009 the Committee of Adjustment approved Minor Variance File A275/09 to permit the following changes to Building "D" located on the subject lands (Attachment #3):

1. Increase the minimum gross floor area of all buildings on the site from 7,659m<sup>2</sup> to 8,892m<sup>2</sup>; and,
2. To permit a building height of 17.7m (4-storeys), 19.0m to the top of the architectural feature (at the northeast corner), and 18.7m to the top of the atrium for Building "D", whereas a maximum building height of 15m (3-storeys), 18m to the top of the architectural feature, and 17.5m to the top of the atrium was permitted.

A condition of approval for the Minor Variance Application was that the Owner undertake a Site Plan Amendment to address the increased building height, gross floor area and additional storey. The Owner has filed the required Minor Amendment to an approved Site Development Application (File DA.09.067) to address the above and the changes associated with the subject day nursery, which are being reviewed and will be approved in-house by the Development Planning Department.

The proposed day nursery use which is the subject of this Zoning By-law Amendment Application is located in Building "C" of the subject lands, and therefore has no direct impact on the approved Minor Variance File A275/09. The approved development shown on Attachment #3 is currently under construction.

#### **Official Plan**

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600, which permits small-scale retail and office commercial uses. Minor Institutional uses which provide a

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

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locally or neighbourhood-oriented function are permitted in the “Medium Density Residential/Commercial” designation, provided they are compatible with neighbouring designations.

OPA #600 further specifies that in the preparation of Block Plans and larger residential subdivision plans, consideration shall be given to the provision of a day nursery, having regard for the needs of the community, the availability of existing services, and the expected composition of the resident and working populations. Furthermore, reference shall be had to the specific requirements respecting permitted locations, size, on-site facilities, access and parking as established in OPA #325 (Day Nursery Policy).

OPA #325 establishes appropriate policies and guidelines to govern the siting and criteria for day nurseries. The proposed use is located within a “Medium Density Residential/Commercial Area” designation, which is considered to be a mixed-use designation. OPA #325 contains specific policies ensuring the day nursery use is compatible with the established residential character of the surrounding area. The proposed day nursery is situated in a mixed-use residential/commercial area, where the subject lands were developed strictly for neighbourhood commercial uses. In light of this distinguishing factor the day nursery policies pertaining to residential designations do not apply to the subject lands. However, the proposed use does conform to the policies of OPA #325 respecting Permitted Uses, Access, On-Site Facilities and Provision of Day Nursery in large development plans.

Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to site-specific Exception 9(1319), which specifically prohibits a Day Nursery use on the property. The Parking Study submitted with the original Site Development Application (File DA.08.076) did not contemplate a day nursery use and therefore, it was excluded as a permitted use on the site. A Zoning By-law amendment is required to permit the day nursery use and associated play area and to address the following zoning exceptions required to facilitate the proposed use:

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of C4 Neighbourhood Commercial Zone Exception 9(1319)</b>	<b>Proposed Exceptions to C4 Neighbourhood Commercial Zone Exception 9(1319)</b>
a)	Minimum Number of required Parking Spaces	348 (including additional spaces for approved 4-storey Office Building)	342
b)	Minimum Front Yard Setback for an Institutional Use	15m	4.8m (to Building “C” - existing) 1.0m (to the masonry piers and wall - proposed)

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c)	Permitted Uses	Day Nursery Use not permitted	To permit a Day Nursery Use with the associated outdoor play area
d)	Minimum Width of Landscape Strip Abutting a Street Line	4.5m abutting Ilan Ramon Boulevard	0.0m
e)	Uses Permitted Within the Required Landscape Strip Abutting a Street Line	Landscaping and Driveway Access only	To permit the accessory outdoor play area

Parking

The proposed day nursery use and outdoor play area would require the elimination of 7 parking spaces. An additional 2 spaces have also been eliminated from the on-grade parking area to accommodate the exiting kiosk for the underground parking facility, for a total reduction of 9 parking spaces on-grade. Three of these spaces have been relocated to the proposed underground parking garage. As a result the Owner requires an exception for a reduction of 6 spaces for the overall site.

Planning Considerations

The site is developed with 3 single storey multi-unit commercial buildings (Buildings “A”, “B” and “C”) and a 4-storey office building (Building “D”), having a total combined gross floor area of 8,891.48m<sup>2</sup>. The introduction of a day nursery use on the property is appropriate as this use is normally permitted to locate as-of-right in all commercial zones provided the use can accommodate the required 15m setback requirement. The original Zoning By-law Amendment Application (File Z.08.055) excluded a number of uses including the day nursery use on the subject lands as the parking justification report did not address this use, and therefore, it was not permitted in the implementing zoning by-law.

The Development Planning Department is of the opinion that a day nursery use is compatible with the existing uses on the site and in the surrounding area, and that the slight reduction to the required number of parking spaces, the front yard setback and the required landscape strip along Ilan Ramon Boulevard can be supported. The 4.8m setback from Building “C” is existing and the outdoor play area within the landscaped area along Ilan Ramon Boulevard is proposed to be screened by a decorative fence and landscaping. In addition, the masonry piers proposed at the entrance driveway to the site forms part of the decorative fence treatment along the street as shown on Attachment #6. The decorative metal fence and masonry fence combination will ensure security of the play area for the children of the day nursery, which also includes two emergency exit gates.

The Owners have also submitted a Traffic Study Addendum addressing parking demand in support of the application prepared by iTrans Consulting Inc. dated September 29, 2009, which has been reviewed and approved by the Vaughan Engineering Department.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the Zoning By-law Amendment Application to permit a day nursery use and the associated outdoor play area and has no objections to the application.

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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 Transportation Services Department has reviewed the Zoning By-law Amendment application and had no objections to its approval.

**Conclusion**

Zoning By-law Amendment File Z.09.028 (Romdor Developments Inc.) has been reviewed in accordance with the policies of OPA #600 and OPA #325, the requirements of the Zoning By-law and the surrounding area context. The application will facilitate the introduction of a day nursery use and the associated outdoor play area to the commercial development, which is currently under construction, in a manner that is compatible with the surrounding land uses. 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. Context Site Plan
4. Detail Site Plan – Building “C”
5. Landscape Plan
6. Decorative Fence Detail (Facing Ilan Roman Avenue)

**Report prepared by:**

Arminé Hassakourians, Planner, ext. 8368  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager 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 MARCH 9, 2010**

Item 16, Report No. 9, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 9, 2010, as follows:

***By approving the recommendation of the Commissioner of Finance and City Treasurer, dated February 23, 2010.***

**16            ARTIFICIAL SOCCER TURF INFRASTRUCTURE REPLACEMENT RESERVE**

**The Committee of the Whole recommends that this matter be referred to the March 9, 2010 Council Meeting.**

**Recommendation**

The Commissioner of Finance and City Treasurer recommends:

- 1) That Council enact an Artificial Soccer Turf Infrastructure Replacement Reserve by-law;
- 2) That the Artificial Soccer Turf Infrastructure Replacement Reserve be replenished with the net difference in revenues received from the rental revenue of a premium soccer field versus that of revenue from any future artificial turf soccer field conversion;
- 3) That the Artificial Soccer Turf Infrastructure Replacement Reserve be drawn upon at the discretion of the City Treasurer, when required;
- 4) That the Artificial Soccer Turf Infrastructure Replacement Reserve earn interest at the City's average deposit rate; and
- 5) That the Mayor and Clerk be authorized to execute the by-law.

**Contribution to Sustainability**

Not applicable.

**Economic Impact**

The anticipated additional annual revenues generated by the artificial soccer turf field over and above that generated by a premium soccer field will be deposited in a reserve to offset future major artificial soccer turf rehabilitation costs.

**Communications Plan**

Not applicable.

**Purpose**

The purpose of this report is to obtain Council direction of the specifics regarding the operation and the use of the Artificial Soccer Turf Infrastructure Reserve.

**Background - Analysis and Options**

Council at its March 3, 2009 meeting approved:

**“That once the artificial turf soccer field is operational, the net difference in revenues received from the rental of the McNaughton premium soccer field versus that of revenues from the artificial soccer field be deposited in a special reserve to offset future major artificial soccer turf rehabilitation costs.”**

**CITY OF VAUGHAN**

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The McNaughton Artificial Soccer turf was put into service September 29, 2009. Artificial soccer turf field requires substantial initial capital expenditures (approximately \$1,150,000). The site must be rough graded, base granular installed to allow for drainage, the artificial turf material installed and fencing, concrete curbing and lighting installed.

The artificial turf material will have to be replaced due to degradation every 10 – 12 years at an approximate cost of \$400,000 in 2010 dollars. The granular base on which the artificial surface is installed will not have to be replaced.

As approved by Council, the net difference in revenues received from the rental of the McNaughton premium soccer field versus that of revenues from the artificial soccer field be deposited in a special reserve to offset future major artificial soccer turf rehabilitation costs.”

In consultation with the Recreational staff, it is anticipated that approximately \$65,000 in additional rental revenue over and above that of a premium soccer field may be achieved. This additional revenue should be deposited in a reserve to offset future major artificial turf rehabilitation costs.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities set by Council specifically “Ensure Financial Sustainability.”

**Regional Implications**

Not applicable.

**Conclusion**

Council enact an Artificial Soccer Turf Infrastructure Replacement Reserve. The additional revenue generated by an artificial soccer turf field over and above that generated by a premium soccer field be deposited in the Artificial Soccer Turf Infrastructure Replacement Reserve to offset future major artificial turf rehabilitation costs and drawn upon at the discretion of the City Treasurer. Interest will be credited to the Artificial Soccer Turf Infrastructure Replacement Reserve at the City’s average deposit rate.

**Attachments**

None

**Report prepared by:**

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 17, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

17

**PEACE TREE MONTH EVENTS – JUNE**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated February 23, 2010:**

**Recommendation**

Councillor Sandra Yeung Racco recommends:

1. That the City of Vaughan annually endorse the month of June as “Peace Tree Month”;
2. That the City of Vaughan continue to hold its official Peace Tree Day event for schools during the month of June;
3. That the City of Vaughan also hold an official community event in June with activities and events that promote the Peace Tree theme; and
4. That the City of Vaughan continue to issue a permit at no charge for the use of space, tables, chairs, the Showmobile and other services-in-kind, as well as one staff member from the Recreation & Culture Department and one from Corporate Communications for the purpose of organizing the various “Peace Tree Month” events.

**Contribution to Sustainability**

N/A

**Economic Impact**

The cost of the services-in-kind used to celebrate the Peace Tree events will be absorbed by the City of Vaughan.

**Communications Plan**

Peace Tree Month will be promoted, as per protocol, through our Corporate Communication Department.

**Purpose**

To acknowledge June as Peace Tree Month and to celebrate the values and principals associated therewith.

**Background - Analysis and Options**

Based on the movie entitled “The Peace Tree,” it is a story about three young girls of different religious backgrounds seeking to share each other’s cultural and religious festivities. Upon facing resistance from their parents, the girls persevere to convince their parents that learning and sharing each other’s culture can only expand their knowledge and enable them to live in peace and harmony.

## CITY OF VAUGHAN

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The City of Vaughan, with its diverse mix of culture and religion, is recognized as one of the fastest growing multicultural municipalities in the GTA. This is a tremendous asset and benefit to the City and one that should be celebrated and acknowledged at every opportunity.

The City of Vaughan has endorsed Peace Tree Day since 2006 through the yearly organized "Peace Tree Day Celebration" event. This event is held on a weekday morning and comprises of an assortment of activities and performances, working in partnership with the York Region Public School Board, the York Catholic District School Board and the York Regional Police. While we have been very successful with many schools participating on a yearly basis, the Committee recognizes that many community members cannot participate in events that are held during weekdays and as such, would like to expand and organize a series of other activities related to the "Peace Tree Day" theme during the month of June to encourage inclusive community participation. Activities can include multicultural sports activities, as well as multicultural entertainment.

For 2010, the Peace Tree Committee is planning to hold its Peace Tree Day school event on Thursday, June 3 and its Peace Tree Day community event on Sunday, June 13.

#### Relationship to Vaughan Vision 2020

Serving our citizens through the promotion of community, safety, health and wellness.

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

#### Regional Implications

N/A

#### Conclusion

In light of the City of Vaughan's efforts to recognize and promote diversity and to work in partnership with groups to that effect, Councillor Sandra Yeung Racco recommends that the City of Vaughan annually endorse the month of June as "Peace Tree Month" and plan related events and activities with the same theme.

#### Attachments

None

#### Report prepared by:

Cindy Furfaro-Benning, Council Executive Assistant

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 18, Report No. 9, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 9, 2010, as follows:

***By approving the following, in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated March 4, 2010:***

- 1. That Tender T10-025 Thornbank Area - Road Rehabilitation and Watermain Replacement be awarded to Direct Underground Inc. in the amount of \$2,156,152.00 plus G.S.T., subject to MOE approval;***
- 2. That a contingency allowance in the amount of \$216,000.00, plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract with the funding source \$72,000.00 Federal ISF, \$72,000.00 Provincial ISF and \$72,000.00 Long Term Debenture financing;***
- 3. That the City retain a geotechnical engineering firm to provide geotechnical and material testing and disbursements at an estimated cost of \$25,000.00, plus G.S.T., with the funding source \$8,333.00 Federal ISF, \$8,333.00 Provincial ISF and \$8,334.00 Long Term Debenture financing; and***
- 4. That the Mayor and City Clerk be authorized to sign the appropriate documents.***

18

**AWARD OF TENDER T10-025  
THORNBANK AREA – ROAD REHABILITATION AND WATERMAIN REPLACEMENT  
WARD 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 23, 2010:

**Recommendation**

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

That Tender T10-025 for Thornbank Area - Road Rehabilitation and Watermain Replacement be brought forward to Council on March 9, 2010, for authorization to award.

**Contribution to Sustainability**

The road rehabilitation, watermain replacement, and sanitary sewer construction in this project will ensure that an acceptable level of service by the City's infrastructure is maintained for the health and well being of its citizens.

**Economic Impact**

The tender closed on February 4, 2010, however, the actual cost of the project will be established following the analysis of the bids received. The estimated total cost has been included in the approved 2009 Capital Budget as amended by Council on June 30, 2009 (Item 1, Report No 6 of the Budget Committee) as part of the Infrastructure Stimulus Fund – Shovel Ready Projects. The total cost of the project will be 2/3 subsidized by the Federal and Provincial governments.

**Communications Plan**

Once the project is awarded, Engineering Services staff will advise the Ward Sub-Committee and will send out a 'Notice of Construction' letter to the affected residents.

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#### **Purpose**

Council approval to award Tender T10-025, Thornbank Area - Road Rehabilitation and Watermain Replacement.

#### **Background - Analysis and Options**

The work covered by this tender includes the road rehabilitation and watermain replacement on Thornbank Road, Erica Road, Oakbank Road and Elmbank Road, as shown on Attachment No. 1. The contract also includes construction of sanitary sewer extensions on Thornbank Road and construction of several sewer service connections for houses which are not currently serviced. Final connections from the homes to the sewers will not form part of this contract. Individual homeowners who wish to connect to the sanitary sewer in the future will apply through the established procedure with the Public Works Department and Building Standards Department, and fund the work at their expense.

This tender was advertised in the Daily Commercial News, on the Ontario Public Buyers Association (OPBA), on Biddingo and on the City webpage and closed on February 4, 2010. Staff will prepare an additional information report for this item after the bids have been evaluated for Council's consideration at the March 9, 2010 meeting.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

- Pursue Excellence in Service Delivery;
- Enhance and Ensure Community Safety, Health & Wellness; and
- Lead and Promote Environmental Sustainability

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

#### **Regional Implications**

Not Applicable.

#### **Conclusion**

To be submitted in the additional information after the received bids have been evaluated.

#### **Attachments**

1. Location Map

#### **Report prepared by:**

Colin Cassar, C.E.T., Senior Engineering Assistant, ext. 3112  
Tom Ungar, P. Eng., CHRP, Design Engineer, ext. 3110

CC:mc

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 19, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**19 STATEMENT OF REMUNERATION AND EXPENSES FOR MEMBERS OF COUNCIL AND COUNCIL APPOINTMENTS TO BOARDS AND OTHER BODIES FOR THE YEAR 2009**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance and City Treasurer and the Director of Budgeting and Financial Planning, dated February 23, 2010:

**Recommendation**

The Commissioner of Finance and the Director of Budgeting and Financial Planning recommend:

That the following report regarding the 2009 Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and other Bodies be received.

**Contribution to Sustainability**

Not Applicable

**Economic Impact**

Not Applicable

**Communications Plan**

This item is made available to the public through the agenda process.

**Purpose**

To report the Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and other Bodies for the year 2009.

**Background - Analysis and Options**

The Municipal Act, 2001, Section 284(1) requires that the Treasurer of every municipality submit by-law for Boards, a Statement of Remuneration and Expenses for the preceding year paid to the Members of Council and Council appointments to Boards and other Bodies. The Municipal Act, 2001, Section 283(1) provides authority for the Remuneration and Expenses to Council, Boards and other Bodies. The Remuneration and Expenses of Council are authorized by By-Law Numbers 316-2007, the Council expenditure policy, and the annual budget process. By-Law Number 88-2009 authorizes the remuneration of members for the Committee of Adjustment, By-Law Number 39-2007 for Court of Revision, By-Law Number 40-2007 for Heritage Vaughan, By-Law Number 41-2007 for Property Standards Committee, Confirming By-Law Number 107-2007 for Hydro Vaughan Holdings Inc. and Hydro Vaughan Energy Corp. and Confirming By-Law Number 291-2005 for Vaughan Holdings Inc. The Statement of Remuneration and Expenses paid during the year 2009 is attached.

**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.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

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**Regional Implications**

Regional remuneration and expenses for the Mayor and Regional Councilors are reported separately by the Region of York and therefore not included in the Statement of Remuneration provided by the City.

**Conclusion**

The Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and other Bodies for the year 2009 is being presented, as per requirements of the Municipal Act, 2001, Section 284 (1).

**Attachments**

Attachment 1 - Statement of remuneration and expenses for Members of Council and Council appointments to boards and other bodies for the year 2009.

**Report prepared by:**

John Henry, CMA  
Director of Budgeting & Financial Planning  
Ext 8348

Ursula D'Angelo, CGA  
Manager of Operating Budget & Activity Costing  
Ext 8401

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 20, Report No. 9, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 9, 2010, as follows:

***By approving that the implementation of the discount be effective September 7, 2010; and***

***By receiving the memorandum from the Commissioner of Community Services, dated March 4, 2010.***

20

**VAUGHAN SENIORS POOL MEMBERSHIPS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated February 23, 2010:

**Recommendation**

Councillor Tony Carella recommends that appropriate staff be directed to investigate and report back on the impact of the implementation of a 20% discount, currently enjoyed by Vaughan seniors who have fitness centre memberships, being extended to those Vaughan seniors who have pool memberships only such extension to be effective July 1, 2010.

**Contribution to Sustainability**

The more attractive the price of using fitness facilities such as a swimming pool is, the greater the use of such facilities and the corresponding health benefit to users.

**Economic Impact**

Staff will report back.

**Communication Plan**

Members will be advised accordingly.

**Purpose**

To request the extension of the 20% discount currently in place for seniors fitness centre memberships to pool memberships.

**Background - Analysis and Options**

The City of Vaughan has been highly responsive to appeals from its seniors when it comes to making city recreational facilities affordable. In recent years, the annual fee for bocce court use dropped from \$55.00 to \$15.00. Similarly, last year Council ordered a 20% discount to seniors who make use of the fitness centre facilities at our community centres.

Mr Charles Camilleri recently brought to the attention of city officials that seniors who are exclusively users of city pools ( ie pool memberships) do not enjoy the same discount as do those who use both fitness centres. and he has requested that the city correct what he views as a situation unfair to those who use pools only.

**Regional Implications**

None

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**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**

It is appropriate that Council extend the 20% discount to seniors who purchase pool memberships to be consistent with the treatment of fitness centre and bocce memberships.

**Attachments**

E-mail of Mr C. Camilleri, dated January 13, 2010

**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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 21, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

21 **SITE DEVELOPMENT FILE DA.09.080  
RUTHERFORD SHOPPING CENTRE  
WARD 2**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 23, 2010, 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.09.080 (Rutherford Shopping Centre) BE APPROVED, to permit a 483m<sup>2</sup> addition to an existing multi-unit commercial building and minor revisions to the site layout as shown on Attachments #3, #5 and #6, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the final site plan, building elevations, and landscaping plan shall be approved by the Vaughan Development Planning Department; and,
    - ii) the final site servicing and grading plans, stormwater management report, parking and on-site vehicular circulation shall be approved by the Vaughan Engineering Department.

**Contribution to Sustainability**

The applicant has advised that the proposed addition will be constructed to match the quality of the existing building currently on the site.

**Economic Impact**

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

**Communications Plan**

N/A

**Purpose**

The purpose of this Site Development Application is to facilitate the following amendments, as shown on Attachment #3, to the approved site plan for the subject lands:

- i) a 483m<sup>2</sup> addition to an existing unit (Shoppers Drug Mart) within Building "A" of an overall 4,282.9m<sup>2</sup> multi-unit commercial building;
- ii) the removal of the existing internal walkway and driveway along the north side of Building "A", and inclusion of a new public sidewalk on a portion of Turning Leaf Drive to connect to a new internal walkway to Building "A";

.../2

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

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- iii) revisions to the existing driveway aisles and parking areas; and,
- iv) a minor redesign of the drive-through for Building “B” (TD Bank).

#### **Background - Analysis and Options**

##### Location

The 1.97 ha subject lands are located at the northwest corner of Islington Avenue and Rutherford Road being Block 132 on Plan 65M-3413, known municipally as 5100 Rutherford Road, City of Vaughan, as shown on Attachments #1 and #2.

##### Official Plan and Zoning

The subject lands are designated “Neighbourhood Commercial Centre” by OPA #600. The proposed addition to the existing commercial building conforms to the Official Plan.

The subject lands are zoned C4 Neighbourhood Commercial Zone by Zoning By-law 1-88, subject to Exception 9(1052). The proposed development complies with By-law 1-88, as amended.

##### Site Plan Review

The proposed site plan on Attachment #3 shows the existing neighbourhood commercial plaza (Buildings “A” and “B”) and the location of the proposed 483 m<sup>2</sup> addition along the north elevation of Building “A”. The addition is proposed to be constructed with an off-white/gray precast panel system and glazing that matches the existing building both in quality and colour. The east elevation facing Islington Avenue includes new glazing, the relocation of the main entrance and replaces the old corporate signage with new illuminated corporate signage and smaller data signage for the proposed Shoppers Drug Mart expansion. The north elevation facing Turning Leaf Drive, matches the existing building both in quality and colour, and includes new corporate illuminated signage, smaller illuminated data signage and 4 spandrel windows with changeable vinyl graphic applications. The south elevation entails only minor changes related to signage for the proposed addition. The west elevation for the addition will be consistent with the rear of the existing building. The proposed elevations are shown on Attachment #5.

In order to facilitate the proposed addition, modifications to the approved site plan (Attachment #4) are required. The revised site plan shown on Attachment #3 includes the removal of the existing walkway and east-west driveway aisle located along the north side of Building “A”. The plan provides for the introduction of a new pedestrian walkway connection into the site by extending the existing public sidewalk on the west side of Islington Avenue westward along Turning Leaf Drive and then connecting to the pedestrian walkway in front of Building “A”. The public sidewalk extension will be constructed at the Owner’s expense and will require Regional approval as it will be located within the Regional right-of-way. The Owner will be required to satisfy all conditions of the Region or York. In addition, portions of the parking area, internal pedestrian connections and planting on the site have also been changed from the original plan shown on Attachment #4, including a revised drive-through configuration around Building “B”, and a revised parking configuration along the south property line as shown on Attachment #3. A total of 286 parking spaces will be provided on the site, which exceeds the required parking of 284 spaces with the proposed building addition and revisions to the parking layout.

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan, as shown on Attachments #3, #5 and #6, respectively, and will continue to work with the Owner to finalize the details. The final site plan, building elevations and landscaping plan must be approved to the satisfaction of the Development Planning Department.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

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Servicing/Site Circulation

The Owner has submitted a site grading and servicing plan together with a stormwater management report, which must be approved to the satisfaction of the Vaughan Engineering Department. The Vaughan Engineering Department has reviewed the plans as it relates to site circulation and pedestrian connectivity, and are generally satisfied with the latest plans, and will continue to work with the owner to finalize any outstanding issues. A condition of approval to this effect is included in the recommendation of this report.

**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 Transportation Services Department has been circulated the application for their consideration. As the applicant proposes the extension of the public sidewalk from Islington Avenue onto Turning Leaf Drive, which is located within the Regional right-of-way, the Owner will be required to satisfy all requirements of the Region of York.

**Conclusion**

The Site Development Application has been reviewed in accordance with OPA #600, By-law 1-88, the comments from City Departments and the area context. The Vaughan Development Planning Department is generally satisfied with the proposed development for a 483 m<sup>2</sup> addition to the existing building, along with the revisions to the building elevations, parking layout and site access and egress required to facilitate the addition. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions in this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Proposed Site Plan
4. Approved Site Plan
5. Elevations – Building ‘A’
6. Landscape Plan

**Report prepared by:**

Eugene Fera, Planner, ext. 8064  
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 MARCH 9, 2010**

Item 22, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**22                      ONTARIO BUILDING CODE ACT ANNUAL FINANCIAL REPORT  
                                 BUILDING STANDARDS DEPARTMENT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Director of Building Standards, dated February 23, 2010:

**Recommendation**

The Commissioner of Planning and the Director of Building Standards in consultation with the Budgeting and Financial Planning Department recommends that the Building Standards Department Annual Financial Report be received for information.

**Contribution to Sustainability**

N/A

**Economic Impact**

None

**Communications Plan**

The Building Standards Department will make copies of the report available to the public and every person(s) and/or organization(s) that has requested a copy as required by the Building Code Act and Building Code. To date, staff have not received any requests for information.

**Purpose**

To provide Council information respecting the Building Standards Department Annual Financial Report.

**Background - Analysis and Options**

As part of the recent amendments to the Ontario Building Code Act and Building Code (Bill 124), the City shall prepare an annual financial report and provide information on the following matters:

- i) Total Fees Collected (12 month period)
- ii) Direct Costs of Administering the Act (Plans Review and Inspections)
- iii) Indirect Costs (Support and Overhead Costs)
- iv) The account balance for the Building Permit Reserve Fund that has been established by Council.

Attached as Attachment 1 is a copy of the Annual Report that has been prepared for 2009 and is based on unaudited information.

This report has been prepared in consultation with Finance Department Staff and is based on Council's previous approvals respecting the C.N. Watson Activity Based Costing Methodology For User Fees Report, and the establishment of the Building Standards Service Continuity Reserve fund.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 22, CW Report No. 9 – Page 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**

None.

**Conclusion**

This report should be received for information.

**Attachments**

Attachment 1 - A copy of the 2009 Annual Report.

**Report prepared by:**

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

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

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 23, Report No. 9, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 9, 2010, as follows:

***By approving the following, in accordance with the memorandum from the Director of Development Planning, dated March 8, 2010:***

1. ***THAT Council approve the recommendations contained in the report from the Commissioner of Planning dated February 23, 2010, respecting Item #23, Site Development File DA.09.056 (Pine Grove on Seven Inc.), subject to Condition #5 being deleted and replaced with the following:***

***“5. THAT the Ontario Municipal Board BE ADVISED THAT City of Vaughan Council:***

- i) ***supports the approval of Site Development File DA.09.056 (Pine Grove on Seven Inc.), subject to the conditions and recommendations set out in the report from the Commissioner of Planning dated February 23, 2010 (Item #23) and the recommendation from the Director of Development Planning dated March 8, 2010;***
- ii) ***supports the issuance of the Ontario Municipal Board Order respecting Zoning By-law Amendment File Z.07.049 (Pine Grove on Seven Inc.) (OMB File PL080857) to approve the implementing Zoning By-law, subject to the following amendments, which Vaughan Council endorses:***
  - a) ***replace Schedule “2” of the draft by-law showing the 45 degree angular plane, building heights, and setbacks from the south property line to the building, and substitute with the drawing attached to the memorandum of the Director of Development Planning dated March 8, 2010 as Attachment #1; and,***
  - b) ***include an additional exception to the Definition of “Structure” whereby a roof-top trellis shall be considered to be a landscaping/architectural feature and shall not be considered to be a “structure” as defined in By-law 1-88, for the purposes of the site-specific by-law.”;***

***By approving that in respect of floors 5 to 12, Council approves either pre-cast or EIFS cladding; and***

***By receiving the following deputations:***

- a) ***Ms. Rosemarie Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5; and***
- b) ***Mr. Nick Pinto, West Woodbridge Homeowners Association, 57 Mapes Avenue, Woodbridge, L4L 8R4.***

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SITE DEVELOPMENT FILE DA.09.056  
PINE GROVE ON SEVEN INC.  
WARD 2

The Committee of the Whole recommends:

- 1) That Site Development File DA.09.056 (Pine Grove on Seven Inc.) Ward 2 be deferred to the Council Meeting of March 9, 2010 pending; (1) resolution of apparent variances between the details of the site plan and the Minutes of Settlement proceedings from the Ontario

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Item 23, CW Report No. 9 – Page 2

Municipal Board hearing relating to this site (including such variances as have been identified by Drazen Bulat, a local resident, in an e-mail previously forwarded by Councillor Carella, immediately upon its receipt, to the Commissioner of Planning, the City Clerk and the Directors of Development Planning and of Legal Services); (2) resolution of LEEDS – related issues respecting pre-cast concrete versus EIFS exteriors, and (3) that the West Woodbridge Homeowners' Association be included in a staff organized discussion aimed at resolution of these issues, such discussion being set for an evening hour to best accommodate local residents; and (4) that if such matters cannot be resolved by the March 9, 2010 meeting of Council, it be further deferred to the next meeting of the Committee of the Whole set for March 23, 2010, at which meeting staff shall provide a written report of all further and outstanding matters;

- 2) That the coloured elevation drawings submitted by the applicant, be received;
- 3) That the following deputations and written submission be received:
  - a) Mr. Nick Pinto, West Woodbridge Homeowners Association, 57 Mapes Avenue, Woodbridge, L4L 8R4 and written submission dated February 22, 2010;
  - b) Ms. Carole Davies, 288 Veneto Drive, Vaughan, L4L 8X8;
  - c) Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8; and
  - d) Mr. Allen Kershaw, 288 Veneto Drive, Vaughan, L4L 8X8; and
- 4) That the following written submissions be received:
  - a) Mr. Dražen Bulat, dated February 21, 2010; and
  - b) Ms. Rosemarie Humphries, Humphries Planning Group, 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5, on behalf of the applicant.

**Recommendation**

The Commissioner of Planning recommends:

2. THAT Site Development File DA.09.056 (Pine Grove on Seven Inc.) BE APPROVED, to facilitate the development of the subject lands shown on Attachments #1 and #2 with a 12-storey condominium building consisting of 118 residential units and 461m<sup>2</sup> of ground floor commercial uses as shown on Attachments #3 to #9.
3. THAT prior to the execution of the Site Plan Letter of Undertaking:
  - i) the final site plan, building elevations and landscape plans shall be approved by the Vaughan Development Planning Department;
  - ii) the elevation plans shall be revised to include pre-cast panels as the exterior building finishing material in place of the proposed EIFS exterior, as red-lined on Attachments #4 to #7, to the satisfaction of the Vaughan Development Planning Department;
  - iii) the final site servicing and grading plans, and storm water management and noise reports shall be approved by the Vaughan Engineering Department; and,
  - iv) the Owner shall provide a list of building features prepared by an Accredited LEED Professional identifying how the proposed building will meet the Regional "Sustainable Development Through LEED" Program, to the satisfaction of the Vaughan Development Planning and Vaughan Building Standards Departments.
4. THAT the Site Plan Letter of Undertaking shall include the following:
  - i) a clause requiring that prior to the issuance of a building permit:

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 23, CW Report No. 9 – Page 3

- a) the Owner shall provide confirmation to the Vaughan Development Planning and Building Standards Departments that they have entered into an Agreement with the Region of York to facilitate the development of the subject lands with a LEED Silver certified building through the Region of York “Sustainable Development Through LEED” Program;
  - b) the Phase 1 Environmental Assessment shall be approved to the satisfaction of the Vaughan Engineering Department;
  - c) the Owner shall provide a construction schedule for the proposed building to the satisfaction of the Vaughan Development Planning and Vaughan Building Standards Departments; and,
  - d) the Owner shall certify the project with the Canada Green Building Council with confirmation provided to the satisfaction of the Vaughan Development Planning and Building Standards Departments;
- ii) a clause requiring the Owner’s Agreement with the Region of York include a requirement that the Owner post a Letter of Credit in the amount of \$151,040 through the Region’s “Sustainable Development Through LEED” Program at the time of application for a building permit to secure delivery of a LEED Silver building; and,
  - iii) a clause requiring the Owner to file, together with the application for a building permit, all the necessary plans certified by a LEED Accredited Professional demonstrating that the proposed building meets the necessary LEED Silver requirements to the satisfaction of the Vaughan Development Planning and Vaughan Building Standards Departments and the Region of York.
5. THAT Council pass the following resolution with respect to the allocation of servicing capacity:
- "IT IS HEREBY RESOLVED THAT Site Development File DA.09.056 (Pine Grove on Seven Inc.) be allocated sewage capacity from the York Sewage Servicing System and water supply capacity from the York Water Supply System for a total of 94 residential units. The allocation shall be subject to the proposed development successfully achieving all eligibility criteria to qualify for York Region's Sustainable Development Through LEED Program."
6. THAT the Ontario Municipal Board BE ADVISED THAT City of Vaughan Council:
- i) supports the approval of Site Development File DA.09.056 (Pine Grove on Seven Inc.), subject to the conditions and recommendations set out in this report, and;
  - ii) supports the issuance of the Ontario Municipal Board Decision Order respecting Zoning By-law Amendment File Z.07.049 (Pine Grove on Seven Inc.) (OMB File PL080857) to approve the implementing Zoning By-law.

**Contribution to Sustainability**

The Owner has informed that the proposed building will be constructed to a certified LEEDS Silver standard which includes, but not limited to, the following building and site development features:

- i) green roof;
- ii) enhanced waste management plan;
- iii) landscaping will be designed with drought resistant vegetation to eliminate the need for permanent irrigation;

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### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

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- iv) use of dual-flush toilets, ultra-low faucets, low-flow kitchen faucets and ultra-low showerheads; and,
- v) use of recycled drywall, mineral insulation, and steel.

#### **Economic Impact**

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

#### **Communications Plan**

On February 12, 2010, a notice of this meeting was sent to 34 individuals who had either appeared as a deputant at the Public Hearing for the earlier related Official Plan and Zoning By-law Amendment Applications, had requested notice of this meeting, and those who were Party to the Ontario Municipal Board Hearing respecting the subject development (related to the appeals of the Official Plan and Zoning By-law Amendments).

#### **Purpose**

A Site Development Application to permit a 12-storey mixed-use residential/commercial condominium building comprised of 118 units, 461m<sup>2</sup> of ground floor commercial uses, and a total of 161 parking spaces comprised of 142 parking spaces within 3 underground parking levels, and 19 at-grade spaces as shown on Attachments #3 to #9.

#### **Background - Analysis and Options**

##### Location

The site is 0.274 ha in size, and located at the southwest corner of Kipling Avenue and Regional Road 7 with 45.7 m of frontage on Regional Road 7, and 60.9 m of flankage on Kipling Avenue, as shown on Attachments #1 and #2.

##### Official Plan

The subject lands shown on Attachments #1 and #2 are designated "Prestige Areas – Centres & Avenue Seven Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Land Use Futures Study Plan), and site-specific OPA #701, which permits a maximum density of 3.99 FSI (Floor Space Index). The proposed density is 3.86 FSI. This designation permits a range of land uses including office, business, retail, institutional, civic and residential apartment dwellings on the subject lands. The site is also located within 200 m of a designated "Transit Stop Centre" (OPA #661) at the intersection of Kipling Avenue and Regional Road 7. The proposed development conforms to the Official Plan, as amended.

##### Ontario Municipal Board

On June 2, 2008, the applicant appealed the City's OPA #661 (The Avenue Seven Futures Land Use Study) to the Ontario Municipal Board (OMB) on the basis that more than 180 days had elapsed since OPA #661 was received by the Region of York (the approval authority) and that the Region failed to give notice of a decision in respect of all or any part of OPA #661. On October 23, 2008, the Owner appealed their site-specific applications to amend the Official Plan and Zoning By-law (Files OP.07.009 and Z.07.049) to the OMB citing that the City failed to make a decision on the applications within the time frames prescribed by the Planning Act. The Owner, the City of Vaughan, and the West Woodbridge Homeowners Association Inc. were the Parties represented at the OMB Hearing which was held in June 2009. On June 22, 2009, a resolution to the appeals was reached and formalized in the form of signed Minutes of Settlement which were approved by the OMB. Ultimately, OPA #701 which includes site-specific policies related to

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

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height, density and landscaping buffers regarding development on the subject lands was approved by the OMB. On August 28, 2009, the OMB issued a Memorandum of Oral Decision (PL080857) and Order of the Board, respecting the approval of OPA #701. The proposed development conforms with OPA #701.

Zoning

The subject lands are currently split-zoned C1 Restricted Commercial Zone (5263 Regional Road 7) and R2 Residential Zone (7720 Kipling Avenue) by By-law 1-88, as shown on Attachment #2. The subject lands must be rezoned to RA3 Apartment Residential Zone in order to implement the proposed development. The Minutes of Settlement dated June 22, 2009 and an OMB Order issued on September 8, 2009, approved the site-specific Zoning By-law Amendment Application, subject to the Zoning By-law to implement the proposal being approved by the OMB upon the City of Vaughan approving a site plan. A draft of the Zoning By-law was considered at the OMB Hearing. Should Council adopt the recommendation of this report, and approve Site Development File DA.09.056, the OMB will formally approve the implementing zoning by-law that is before it.

The Table below summarizes the site-specific zoning by-law exceptions required to facilitate the proposal, which were considered and supported by all parties at the OMB Hearing.

<b>Standard</b>	<b>By-law 1-88 Requirement (RA3 Residential Apartment Zone)</b>	<b>Proposed Exceptions to the RA3 Residential Apartment Zone</b>
Permitted Uses	<ul style="list-style-type: none"> <li>- Apartment Dwelling</li> <li>- Day Nursery</li> <li>- Home Occupations</li> <li>- Private Home Day Care</li> <li>- Private Home Tutoring</li> <li>- Church</li> <li>- Community Centre</li> <li>- Public or Private School</li> <li>- Public Library</li> <li>- Recreational Use</li> </ul> (As defined in Section 2)	<ul style="list-style-type: none"> <li>- Apartment Dwelling</li> <li>- Bank or Financial Institution</li> <li>- Business or Professional Office</li> <li>- Personal Service Shop</li> <li>- Photography Studio</li> <li>- Retail Store</li> <li>- Video Store</li> <li>- Convenience Retail Store</li> <li>- Pharmacy</li> <li>- Eating Establishment, not exceeding 185m<sup>2</sup> in gross floor area</li> <li>- Print Shop</li> </ul>
Minimum Building Setbacks	<ul style="list-style-type: none"> <li>a) Front Yard (north) - 7.5 m</li> <li>b) Interior Side Yard (west) – 24.25 m</li> <li>c) Exterior Side Yard (east) – 7.5 m</li> <li>d) To Sight Triangle – 7.5 m</li> </ul>	<ul style="list-style-type: none"> <li>a) 0 m</li> <li>b) 1.5 m</li> <li>c) 0 m</li> <li>d) 0 m</li> </ul>

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Minimum Parking Spaces/Unit	1.5	1.05
Minimum Visitor Parking	0.25 spaces/unit	0.2 spaces/unit
Minimum Parking Commercial	6 spaces/100m <sup>2</sup>	4 spaces/100 m <sup>2</sup>
<hr/>		
Minimum Parking Space Size	2.7 m X 6.0 m	2.7 m X 5.8 m
Minimum Handicap Parking Space Size	3.9 m X 6.0 m	3.65 m X 6.0 m
Minimum Number of Handicap Parking Spaces	2 spaces	1 space
Maximum Building Height	44 m	12-storeys or 38.4m, whichever is less, stepping down to a height of 4 storeys or 12.8 m, which ever is less, and in accordance with a 45 degree angular plane as shown on Attachment #5
Minimum Lot Area Per Unit/Total	67 m <sup>2</sup> /unit	18.7 m <sup>2</sup> /unit
Minimum Landscaped Area abutting a Street  (Regional Road 7 and Kipling Avenue)	6.0 m	0m
Minimum Landscaped Area of Lot	10%	8.5%

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Minimum Amenity Area Per Unit	Bachelor Unit - 15 m <sup>2</sup> One Bedroom - 20 m <sup>2</sup> Two Bedroom - 55 m <sup>2</sup> Three Bedroom - 90 m <sup>2</sup>	15.8m <sup>2</sup> /unit regardless of unit type
Minimum Setback to Underground Garage	1.8 m	0 m
Minimum Landscaped Strip Surrounding an Outdoor Parking Area	3.0 m	0 m

It is noted that the zoning exceptions shown in Table 1 are included in the implementing draft zoning by-law to be approved by the OMB, and may be revised should any other exceptions be required to implement the final site plan, if approved.

Site Plan Review

The Development Planning Department is generally satisfied that the proposed site plan, building elevations and landscaping plan, as shown on Attachments #3 to #9 are satisfactory and conform to the policies of OPA #701, the Minutes of Settlement as approved by the Ontario Municipal Board, and the draft implementing Zoning By-law that was considered and is pending approval by the OMB.

The proposed 12-storey building includes 118 residential units and 461m<sup>2</sup> of ground floor commercial uses including Bank or Financial Institution, Business or Professional Office, Personal Service Shop, and other uses identified in Table 1. The building is proposed to be a LEED Silver certified building and includes a green roof, as shown on Attachment #9. The proposed site plan shows an access/egress on Kipling Avenue at the most southerly portion of the property which leads to 19 surface parking spaces and 142 parking spaces located in 3 underground parking levels. The south and west property limits include 1.5 m and 1.1 m of buffer areas, respectively. The building elevations will be comprised of precast stone for the first 4 floors and EIFS finishing system for the balance of the structure (floors 5 - 12), as shown on Attachments #4 to #7. The Development Planning Department has reviewed the elevations and recommends that for the longevity of the building exterior that the 5<sup>th</sup> to 12<sup>th</sup> floors be constructed of pre-cast instead of the proposed EIFS system. A condition of approval has been included in this respect. The design of the building steps in ascending manner from the south to the north. This is generally consistent with a 45 degree angular plane from the south property line included in the Minutes of Settlement and reflected in OPA #701, as shown on Attachment #5. The building setbacks are generally 0m along both Regional Road 7 and Kipling Avenue, which will result in a building that will have a strong street presence.

The Minutes of Settlement approved by the OMB, includes a reduced parking standard for this project including:

- 1.05 spaces per residential dwelling unit (118 units x 1.05 = 124 spaces);
- 0.2 visitor spaces per residential unit (118 units x 0.2 = 24 spaces);
- 4 spaces per 100 m<sup>2</sup> of commercial space (461m<sup>2</sup> x 4/100 =19 spaces);
- a parking stall size of 2.7m by 5.8m;

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010

#### Item 23, CW Report No. 9 – Page 8

- a minimum of 1 handicapped parking space; and,
- a maximum of six (6) above grade required commercial/retail surface spaces to be shared between the commercial use and visitor parking spaces.

The proposed site includes a total of 162 parking spaces including 19 that will serve the commercial use.

The proposed site plan is consistent with the plan which formed the basis for the Minutes of Settlement.

The Vaughan Engineering Department is generally satisfied with the servicing, grading and storm water management plans. The Development Planning Department, together with other relevant City Departments, will continue to work with the Owner to ensure that the final plans reflect the OMB's Decision Order.

#### Region of York's "Sustainable Development Through LEED" Program

The Owner has advised the Vaughan Development Planning Department that the proposed building will be designed to meet a LEED Silver certification and that the building will be enrolled in the Region of York's "Sustainable Development Through LEED" (SDTL) Program. As a result, servicing allocation for the proposed development is available through the City's Servicing Capacity Distribution Protocol.

In order to ensure that the building is constructed to a LEED Silver standard, the Owner will be required to:

- a) post a Letter of Credit with the Region of York in the amount of \$151,040 (\$6400/unit x 20% servicing credit) in accordance with the SDTL Program, at the time of filing for a building permit. This Letter of Credit will not be returned to the Owner until after the construction of the building and it is certified by a LEED Accredited Professional;
- b) register the building with the Green Building Council of Canada;
- c) enter into an Agreement with the Region of York through the SDTL Program; and,
- d) file all the necessary plans with the application for a building permit, certified by an Accredited LEED professional, that demonstrates that the proposed building will include the required building features to meet a LEED Silver certification.

Conditions of approval have been included in the recommendation in this respect.

#### Zoning By-law

As noted above, the Ontario Municipal Board (OMB) approved OPA #701 and the site-specific Zoning By-law Amendment Application and withheld its Decision Order respecting the implementing Zoning By-law pending approval of a Site Development Application by the City of Vaughan. Upon final approval of all required site plan drawings, additional zoning exceptions may be identified that are required to facilitate the proposed site plan.

A clause has been included in the recommendation of this report with respect to advising the OMB that the City supports the Site Development Application and has no objection to the release of the OMB Decision Order to approve the implementing Zoning By-law that is required to facilitate the proposed site plan.

#### Phase 1 Environmental Report

The Owner has submitted a Phase 1 Environmental Report prepared by Forward Engineering & Associates Inc. dated September 26, 2008, in support of the proposed development. A condition

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of approval is included requiring that prior to the issuance of a building permit, the Environmental Report must be approved to the satisfaction of the Vaughan Engineering Department.

#### **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 Owner must enter into an Agreement(s) with the Region of York with respect to conveyances, encroachments, and servicing works. As the building will be built with 0m setbacks along Regional Road 7 and the daylighting triangle at its intersection with Kipling Avenue, the landscaping and building canopies shown on Attachment #8 in this area will encroach into the municipal right-of-way. The Owner will be required to satisfy all conditions of the Region.

#### **Conclusion**

Site Development File DA.09.056 has been reviewed in accordance with OPA #661, as amended by OPA #701, the Minutes of Settlement from the Ontario Municipal Board Hearing, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development for a 12-storey mixed-use building conforms to the decision of the OMB, 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 in this report. Should the Site Plan Application be approved, it will be necessary for the City to advise the OMB so that it can approve the implementing zoning by-law that is before it.

The proposed development will constitute the first LEEDS Silver residential condominium building in Vaughan, and will be subject to the conditions identified in this report to facilitate certification and the necessary securities to ensure a LEEDS Silver certified building.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. North Elevation
5. East Elevation (45° Angular Plane)
6. South Elevation
7. West Elevation
8. Landscape Plan
9. Green Roof Plan

#### **Report prepared by:**

Clement Messere, Planner, ext. 8409  
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 MARCH 9, 2010

Item 24, CW Report No. 9 – Page 2

#### Background - Analysis and Options

Council at its Special Council meeting of January 18, 2010 received a deputation questioning the City's contributions to the Michael Di Biase Charitable Foundation Inc. and the availability of funds on hand in the Michael Di Biase Charitable Foundation Inc.

In 2003, Council established a committee in support of the Mayor Michael Di Biase Foundation. The committee was established to review donation requests made by local Vaughan charities. In the interim, until the Mayor Michael Di Biase Foundation Trust Fund was incorporated and a bank account established, the City of Vaughan held the monies raised in trust.

On February 27, 2004, the Michael Di Biase Charitable Foundation Inc. was incorporated.

Council at its meeting of February 28, 2005, under the report titled "Allocation of Net Proceeds from Fundraising", adopted the following:

*"That annually, the net proceeds from the Mayor's Charity Golf Classic be forwarded directly to the Michael Di Biase Charitable Foundation Inc.; and*

*That the funds that would normally be transferred to the Michael Di Biase Charitable Foundation Inc. continue to be held in trust by the City until the Foundation has established a separate bank account at which time the funds can be transferred."*

On June 14, 2005, the City of Vaughan received correspondence from the Michael Di Biase Charitable Foundation Inc. solicitor stating that the Foundation has opened a bank account. Shortly thereafter, the City of Vaughan issued a cheque in the amount of \$136,133.56 representing the net proceeds from the July 16, 2003 and July 21, 2004 Mayor Golf Tournaments. There were no specific provisions attached to the funding beyond what is contained within the Foundation's Articles of Incorporation.

Council at its meeting of September 12, 2005 adopted:

***"that Council direct staff to forward the net proceeds from the 2005 Mayor Michael Di Biase Annual Charity Golf Classic to the Michael Di Biase Charitable Foundation and that 50 percent of these funds be allocated to the Vaughan Hospital Foundation and 50 percent to local charities, as per consultation with Golf Committee Chair Peter Meffe, and the local charities be so informed particularly as to how applications are to be made to receive such funds."***

The net proceeds from the July 18, 2005 Mayor's Golf Tournament in the amount of \$134,603.05 was distributed to the Michael Di Biase Charitable Foundation Inc. on November 23, 2005. In 2006, the Michael Di Biase Charitable Foundation Inc. donated to the Vaughan Health Care Foundation \$70,000 (slightly more than 50 percent of \$134,603.05, as directed by Council).

The net proceeds for the July 19, 2006 Mayor's Golf Tournament in the amount of \$159,056.36 was distributed to the Michael Di Biase Charitable Foundation Inc. on November 15, 2006, as per the February 28, 2005 Resolution of Council. In 2007, the Michael Di Biase Charitable Foundation Inc. donated to the Vaughan Health Care Foundation \$79,528.

Subsequently, with Council approval, the net proceeds from the 2007, 2008 and 2009 Mayor's Golf Tournaments has been forwarded directly to the Vaughan Health Care Foundation.

The last charity information return filed by the Michael Di Biase Charitable Foundation Inc. is for 2008. Based on this information return, the cash on hand with the Michael Di Biase Charitable Foundation is \$203,875.

**CITY OF VAUGHAN**

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Under the Income Tax Act, every registered charity has to file an information return each year and must be filed no later than six months after the end of the registered charity's fiscal period. The 2009 Michael Di Biase Charitable Foundation Inc. information return would be required to be filed no later than June 30, 2010.

**Relationship to Vaughan Vision 2020/Strategic Plan**

Not applicable.

**Regional Implications**

Not applicable.

**Conclusion**

Net proceeds for the 2003 – 2006 Mayor Golf Tournaments have been distributed to the Michael Di Biase Charitable Foundation Inc. pursuant to Council direction. The information returns indicate that the Foundation is in compliance with Council's direction. The disbursement of funds in the Michael Di Biase Charitable Foundation Inc. are subject to the terms and conditions of their charter.

This report is provided for the information of Council.

**Attachments**

None

Respectfully submitted,

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 25, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**25 REPORT ON COMPLAINT OF VIOLATION OF CODE OF CONDUCT FOR MEMBERS OF  
COUNCIL RE FILE: 12.14.09(A)**

The Committee of the Whole recommends:

1) That the following be approved:

"The Integrity Commissioner recommends that Council consider the recommendations contained in the attached report (Attachment 1), that Mayor Linda D. Jackson seek from appropriate City staff reasonable and complete answers to the questions of the Complainant";

2) That the following report of the Integrity Commissioner, dated February 23, 2010, be received; and

3) That the following deputations and written submission be received:

- a) Mr. Paul Donofrio, 8730 Martin Grove Road, Woodbridge, L4H 1G2; and
- b) Rev. Jim Keenan, 9225 Jane Street, Suite 1416, Maple, L6A 0J7, and written submission dated February 23, 2010.

**Recommendation**

The Integrity Commissioner recommends that Council consider the recommendations contained in the attached report (Attachment 1), that Mayor Linda D. Jackson seek from appropriate City staff reasonable and complete answers to the questions of the Complainant, or provide the prohibitions in legislation or approved City policy that preclude her from so doing and that Mayor Linda D. Jackson provide me with a copy of the response to the Complainant.

**Contribution to Sustainability**

N/A

**Economic Impact**

N/A

**Communications Plan**

N/A

**Purpose**

Under the Code of Ethical Conduct Complaint Protocol (the "Complaint Protocol), the Integrity Commissioner shall report to Council the result of the investigation.

**Background - Analysis and Options**

A formal complaint was received by The Office of The Integrity Commissioner on December 14, 2009. A file was opened and an investigation was started.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

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**Relationship to Vaughan Vision 2020/Strategic Plan**

N/A

**Regional Implications**

There are no Regional implications to the recommendations contained in this report.

**Attachments**

Attachment 1 – Final Report re File 12.14.09(a) – Mayor Linda D. Jackson

Attachment 2 – Addendum Report re File 12.14.09(a) – Mayor Linda D. Jackson

**Report prepared by:**

Suzanne Craig  
Integrity Commissioner

(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.)

*Mayor Jackson declared an interest with respect to the foregoing matter as the allegations in the complaint pertained to her.*

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 26, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**26**

**COUNCIL MEMBER EXPENSE POLICY**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the City Auditor, dated February 23, 2010, be approved with the following amendments:
  - a) That advertising expenses under Section 9.1 be capped at \$2000 for a Member of Council and \$4000 for the Mayor;
  - b) That gifts and promotions under Section 9.11 be capped at \$1000 per year; and
  - c) That the mileage allowance set out in Section 9.29 (a) be \$768 per month; and
- 2) That the deputation of Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8, be received.

**Recommendation**

The City Auditor recommends:

- 1) That the Council Member Expense Policy, Version R13 (Attachment 1) be approved;
- 2) That Policy 01.36, Council Member Expense Policy, be replaced with the revised Council Member Expense Policy, Version R13 (Attachment 1) and assigned a new policy number.

**Contribution to Sustainability**

Not Applicable.

**Economic Impact**

There is no economic impact.

**Communications Plan**

The policy is a draft policy being tabled for discussion. Once approved the Council Member Policy will be posted on the web.

**Purpose**

The Council Member Expense Policy has been refined and amended as a result of the recommendations approved by the Audit and Operational Review Committee meetings held on February 1, 3, 16 and 18, 2010.

**Background - Analysis and Options**

An update of the Council Member Expense Policy was approved by Council on December 14, 2009 to be effective February 1, 2010 with training in January 2010.

Refinements were made to the Policy as a result of comments and questions from the training sessions held in January 2010 with Council Members and their staff.

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At the direction of Council, the Audit and Operational Review Committee met to review the comments. Meetings were held on February 1, 3, 16 and 18, 2010 to review, refine and amend the Policy for clarity and applicable policy changes.

All recommendations from these meetings are included in the Council Member Expense Policy Version 13 (Attachment 1).

In accordance with the Audit and Operational Review Committee meeting of February 18, 2010, the Council Member Expense Policy Version 13 (Attachment 1) is being brought forward to the Committee of the Whole meeting on 23 February, 2010.

The original front section (Executive Summary and Section A to J) of the policy has been redesigned and reformatted to be more in keeping with the City's standardized policy format. The "Executive Summary" section has been removed, as this is not normally included in the standardized policy format. The "Purpose" section has been restated and expanded. The "Guiding Principles" have been restated to provide guidance in the interpretation of the policy. Where appropriate, wording from Sections A to J has been moved to specific Business Related Expenses or incorporated under the correct revised sections of the Policy. These changes are intended to make the Council Members Expense Policy more readable by following the City's standardized policy format.

The revised version is in the City of Vaughan standardized policy format.

**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.

**Regional Implications**

Not applicable

**Conclusion**

The Policy is being brought forward to the Committee of the Whole for approval based on recommendations from the Audit and Operational Review Committee meetings that were held.

**Attachments**

Council Member Expense Policy version R13 (Attachment 1).

**Report prepared by:**

Michael Tupchong

(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.)

*Please refer to Audit and Operational Review Committee, Item 1, Report No. 2 and Audit and Operational Review Committee, Item 1, Report No. 3, for further disposition regarding this matter.*

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 27, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**27**

**VAUGHAN HEALTH CAMPUS OF CARE  
COORDINATION OF PLANNING PROCESSES:  
YORK CENTRAL HOSPITAL, VAUGHAN  
HEALTH CAMPUS OF CARE AND THE CITY OF VAUGHAN**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, dated February 23, 2010:**

**Recommendation**

The City Manager recommends:

That this report be received for information purposes.

**Contribution to Sustainability**

Action 4.1.8 of Green Directions Vaughan provides that the City continue to support the development of a future hospital and continue to work with other levels of government and Vaughan Health Campus of Care to provide comprehensive and integrated health care. The process described in this report will assist in the implementation this action.

**Economic Impact**

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

**Communications Plan**

None required at this time.

**Purpose**

The purpose of this report is to provide an update on staff's discussions with York Central Hospital and the Vaughan Health Campus of Care on the coordination of the processes that will lead to the development of the new hospital; and to advise Council that the Manager of Corporate Policy will be assigned to a Hospital sub-committee.

**Background – Analysis and Options**

**Background**

In June of 2009 the City of Vaughan approved an \$80 million financial contribution to support Vaughan Health Campus of Care (VHCC) in the acquisition of a site for a new hospital. In July of 2009 VHCC announced that it had finalized an agreement to purchase an 87 acre parcel to accommodate the hospital, at the northwest corner of the intersection Major Mackenzie Drive and Jane Street.

In October of 2009 the Boards of York Central Hospital (YCH) and the Vaughan Health Campus of Care announced that they would be collaborating in the planning for the delivery of hospital services in southwest York Region. Later that month, the Ministry of Health and Long-Term Care announced \$7 million in funding for the new health care entity to develop a proposal for a two-site model for the delivery of hospital services. The two sites are the existing York Central Hospital site in Richmond Hill and the VHCC site at Jane Street and Major Mackenzie Drive.

## CITY OF VAUGHAN

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Currently the combined governance structure is being developed to implement the York Central Hospital and Vaughan Health Campus of Care collaboration. The outcome will be a new Board of Directors with broader community membership originating from both Vaughan and Richmond Hill. The “Stage 1” planning submission to the Ministry for the two site hospital is now under development. This will include a Service Delivery Model, a Business Case, a Master Plan and a Facility Development Plan. The City, through the planning approvals process, will be involved in the planning and development of the Vaughan Hospital site.

#### The Hospital Site - Planning Process and Vaughan’s Participation

The actual hospital and its ancillary uses will be located on part of the 87 acre site. Details on the size, location, configuration and services will emerge from the programming and master plan studies that will form part of the basis for the submission to the Ministry. It is expected that the hospital will be located on the west side of the site, being a portion of the Vaughan Health Campus of Care lands.

Recently, Vaughan staff met with representatives of York Central Hospital and the Vaughan Health Campus of Care to advance the consultation process. The City will link into the Hospital’s Project Management and Committee Structure that is being formulated to implement the development of the new hospital system. It is illustrated in Attachment No. 1.

York Central Hospital has put together a Development Planning Task Force, which reports to the President and CEO of the Hospital. It will oversee a number of specialized technical sub-committees. Vaughan will appoint a staff representative to a sub-committee which deals with the site and the master planning exercises associated with the development of the Vaughan Hospital. This will provide the City with a direct connection into the planning of the Hospital site and it will facilitate the sharing of technical information between the City, the Hospital and other agencies.

The City’s representative will be the Manager of Corporate Policy. The representative will: Be the point of first contact for staff involvement; ensure that the appropriate departments are involved when necessary; provide advice on City policy; provide periodic updates to Senior Management and/or Council on the progress of the study; and seek direction where appropriate.

The City will also monitor the work of the Development Planning Task Force. This is a higher level oversight committee which deals with a broad range of issues. Attendance may be triggered when matters affecting Vaughan or the Vaughan hospital site are on a meeting agenda.

This framework will allow the City to participate in the planning process for the Hospital site. It will also assist the City in fulfilling its regulatory responsibilities under the *Planning Act* and it will also provide important input into the planning of the entire 87 acre parcel.

#### Relationship to Vaughan Vision 2020

Under “Enhance and Ensure Community Safety, Health and Wellness” this report is consistent with the objective of supporting the development of a future hospital for Vaughan.

#### Regional Implications

Not applicable.

#### Conclusion

The development of the Hospital is extremely important to the City. It is located in a high profile urban area. The Hospital is a key piece of infrastructure that will benefit the health and welfare of the entire community and it presents important opportunities from an economic development perspective.

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This level of importance will need to be reflected in the overall quality, form and function of the development. City Staff have met with representatives from York Central Hospital and Vaughan Health Campus of Care to put in place a framework which will facilitate the necessary consultation and collaboration. Staff will be proceeding on the basis of the process identified above.

Therefore, it is recommended that this report be received for information purposes.

**Attachments**

1. Project Management and Committee Structure

**Report Prepared By:**

Roy McQuillin, Manager of Corporate Policy  
Ext. 8211

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 28, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

**28**

**CEREMONIAL PRESENTATION - TIM SIMMONDS, DIRECTOR OF  
ECONOMIC DEVELOPMENT WITH RESPECT TO THE ECONOMIC  
DEVELOPMENT DEPARTMENT RECEIVING AN AWARD FROM  
THE ECONOMIC DEVELOPERS COUNCIL OF ONTARIO**

Mayor Jackson and Members of Council congratulated Tim Simmonds, Director of Economic Development and the Economic Development Department on receiving an award from the Economic Developers Council of Ontario for the best community brochure which is entitled, "Open for Business".

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 29, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

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**29 CEREMONIAL PRESENTATION - MR. DANIELE ZANOTTI, CEO,  
UNITED WAY OF YORK REGION, WITH RESPECT TO A CHEQUE PRESENTATION  
TO THE UNITED WAY FROM THE CITY OF VAUGHAN**

Mayor Jackson and Members of Council presented Mr. Daniele Zanotti, CEO, United Way of York Region with a cheque of \$59,347.35 from the City of Vaughan.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 30, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

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**30            CEREMONIAL PRESENTATION - CANADIAN ASSOCIATION OF FIRE CHIEFS  
                 CERTIFICATE TO BE PRESENTED TO JUNIOR FIRE CHIEF  
                 STEPHANIE VAN, DR. ROBERTA BONDAR PUBLIC SCHOOL**

Mayor Jackson and Members of Council presented Stephanie Van with the Canadian Association of Fire Chiefs Certificate for Junior Fire Chief.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 31, Report No. 9, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 9, 2010, as follows:

***By receiving the memorandum from the Director of Development Planning, dated March 5, 2010.***

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**31 DEPUTATION - DR. ASLAM DAUD, CHAIRMAN, HUMANITY FIRST WITH RESPECT TO A  
HUMANITY FIRST COMMUNITY CENTRE IN THE CITY OF VAUGHAN**

The Committee of the Whole recommends that the deputation of Dr. Aslam Daud, Chairman, Humanity First with respect to a Humanity First Community Centre in the City Of Vaughan, written submission dated February 16, 2010 and brochure entitled "*Humanity first Restoring Communities – Building a Future*", be received and referred to staff for a report to be brought back to the Council Meeting of March 9, 2010.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 9, 2010**

Item 32, Report No. 9, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 9, 2010.

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**32 COMMITTEE OF THE WHOLE (CLOSED SESSION) RESOLUTION  
FEBRUARY 23, 2010**

The Committee of the Whole passed the following resolution:

That a closed session of Committee of the Whole be convened for the purpose of discussing the following matter:

1. **COLLECTIVE BARGAINING UPDATE –  
VAUGHAN PROFESSIONAL FIREFIGHTERS ASSOCIATION**  
(labour relations/employee negotiations)
2. **PROPERTY MATTER           WARD 1  
ACQUISITION OF KLEINBURG UNITED CHURCH PROPERTY**  
(acquisition or disposition of land by the municipality or local board)
3. **PERSONNEL MATTERS UPDATE**  
  
(personal information about identifiable individuals)
4. **ITEM SUBJECT TO SOLICITOR CLIENT PRIVILEGE  
RELATED TO RIZMI PIT DISCUSSION**  
  
(solicitor-client privilege)