

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 1, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By receiving the memorandum from the Commissioner of Community Services, dated April 9, 2010.

1 **NEW HORIZONS FOR SENIORS PROGRAM –
COMMUNITY PARTICIPATION AND LEADERSHIP FUNDING GRANT**

The Committee of the Whole recommends:

- 1) That the cheque presentation in the amount of \$25,000 with respect to the New Horizons for Seniors Program (NHSP), Community Participation and Leadership Funding (CPLF) Grant, be referred to the Council Meeting of April 13, 2010;
- 2) That the memorandum of the Commissioner of Community Services, dated March 22, 2010, be received; and
- 3) That the following report of the Commissioner of Community Services, dated March 23, 2010, be received.

Recommendation

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

1. That the following be received:
 - Information on the “Creating Arts and Recreational Experiences for Seniors (C.A.R.E.S)” program initiative; and,
 - Cheque presentation in the amount of \$25,000 with respect to the New Horizons for Seniors Program (NHSP), Community Participation and Leadership Funding (CPLF) Grant.

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 New Horizons for Seniors Program grant of \$25,000 will offset costs related to operating the “Creating Arts and Recreational Experiences for Seniors (C.A.R.E.S)” program.

Communications Plan

The Creating Arts and Recreational Experiences for Seniors (C.A.R.E.S) Program will be promoted and communicated via the City website, Recreation Guide, flyers, posters and our community partners.

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Purpose

The purpose of this report is to receive the presentation and information on the New Horizons for Seniors Program – Community Participation and Leadership Funding Grant of \$25,000 received by the City of Vaughan.

Background - Analysis and Options

The City Vaughan Recreation and Culture Department applied for a grant under the New Horizons for Seniors Program, Community Participation and Leadership Funding and received a \$25,000 grant from Human Resources and Skills Development Canada to support the new City initiative “Creating Arts and Recreational Experiences for Seniors (C.A.R.E.S.)”, a free program designed to engage seniors and encourage them to participate and contribute their creativity, experience and wisdom in support of an environment that will enhance their social well being through creative arts experiences open to all.

Accomplished through a series of free workshops, participants will have the opportunity to complete art projects involving clay, painting, drawing, photography, etc. In turn, the program will support the ongoing involvement of seniors in their communities to reduce the risk of social isolation. Participants will have the opportunity to display artwork at the annual Vaughan of a Kind Craft Show as well as exhibiting finished works throughout Vaughan Public Libraries citywide. The C.A.R.E.S program will also feature a trip to the City Playhouse theatre to attend one of the scheduled performances during the summer months.

The C.A.R.E.S program initiative will support the objectives of the Community Participation and Leadership Funding to encourage seniors to contribute their skills, experience and wisdom in support of social well-being in their communities; and to promote the ongoing involvement of seniors in their communities to reduce the risk of social isolation.

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:
Enhance and Ensure Community Safety, Health and Wellness.

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 \$25,000 grant received from the New Horizons for Seniors Program, Community Participation and Leadership Funding will help Vaughan seniors to actively participate in a free arts based program designed to engage seniors and encourage them to participate and contribute their creativity, experience and wisdom in support of an environment that will enhance their social well being through creative arts experiences open to all.

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Attachments

None.

Report Prepared By

Mary Reali, Director of Recreation and Culture, ext. 8234
Sunny Bains, Business Services Manager, ext. 8336

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Item 2, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

**2 PROCLAMATION AND FLAG RAISING REQUEST –
FILIPINO DAY JUNE 13, 2010**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated March 23, 2010:

Recommendation

The City Clerk recommends:

- 1) That Sunday, June 13, 2010 be proclaimed "Filipino Day" to commemorate the 112th anniversary of Philippine Independence;
- 2) That the Philippine Flag be raised on Sunday, June 13, 2010 at 11 a.m. for the balance of that day at the Civic Centre;
- 3) That the proclamation be posted on the City's website and published on the City Page Online; and
- 4) That a permit be issued on Sunday June 13, 2010 to the Filipino Canadian Charitable Association of Vaughan at "no cost" to use the Council Chambers and the Civic Centre Foyer for a reception and luncheon.

Contribution to Sustainability

N/A

Economic Impact

Approval to grant a permit at "no cost" will impact permitting revenues generated.

Communications Plan

The Corporate Communications Department posts proclamations issued by the City on the City's website under "Events – Proclamations" and on the City Page Online.

Purpose

To respond to the request received from the Filipino Canadian Charitable Association of Vaughan, dated February 22, 2010 (Attachment 1).

Background - Analysis and Options

A request has been received from the Filipino Canadian Charitable Association of Vaughan, dated February 22, 2010 to proclaim Sunday June 13, 2010 as "Filipino Day", to raise the Philippine Flag at 11 a.m. on that day, to commemorate the 112th anniversary of Philippine Independence (Attachment 1). The Association is planning a reception and luncheon, including entertainment, following the flag raising ceremony, and have requested permission to use the Council Chambers and the Civic Centre Foyer. Council has granted this request in the past.

The proclamation request meets the City's Proclamation Policy as the matter relates to municipal business.

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Relationship to Vaughan Vision 2020/Strategic Plan

This report supports the strategic priorities established by Vaughan Vision 2020, in particular “Preserve Our Heritage & Support Diversity, Arts & Culture”.

Regional Implications

N/A

Conclusion

Staff is recommending that June 13, 2010 be proclaimed “Filipino Day”, that the Philippine Flag be raised at 11 a.m. at the Civic Centre for the remainder of that day, that a permit be issued at no charge for the Council Chamber and Civic Centre foyer for a reception and luncheon, and that the proclamation be posted on the City’s website and published on the City Page Online.

Attachments

Attachment #1 – Correspondence from the Filipino Canadian Charitable Association of Vaughan, dated February 22, 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.)

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Item 3, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

3

**SIGN VARIANCE APPLICATION
FILE NO: SV.10-001
OWNER: LORWOOD HOLDINGS INCORPORATED
LOCATION: 3120 RUTHERFORD ROAD, UNIT 22
BLOCK 38, REGISTERED PLAN 65M-3645, CONCESSION 5
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 23, 2010:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.10-001, Lorwood Holdings Incorporated, be APPROVED.

Contribution to Sustainability

N/A

Economic Impact

None.

Communications Plan

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

Purpose

Request to install additional wall signs on the building face of the subject property as shown on the attached drawings.

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

6.1 (a) Except as may otherwise be permitted in this by-law, the maximum number of signs that may be erected shall be:

One (1) wall sign per exterior wall per business premises:

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

Region of York Engineering approval is not required for the proposed signs.

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

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Conclusion

The applicant is proposing to install additional wall signs on the building face as shown on the attached drawings. The total sign of the signs is 2.32 sqm. (25 sqft.)

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

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

Attachments

1. Site Plan
2. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 4, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

4

**SIGN VARIANCE APPLICATION
FILE NO: SV.10-002
OWNER: ZANPAS INVESTMENTS INC.
LOCATION: 5585 HIGHWAY 7 WEST
LOT 5, CONCESSION 8
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 23, 2010:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.10-002, Zanpas Investments Inc., be APPROVED.

Contribution to Sustainability

N/A

Economic Impact

None.

Communications Plan

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

Purpose

The applicant is proposing to install a ground sign not located on the subject property as shown on the attached drawings.

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

6.3 No person shall erect or maintain a sign upon a parcel of land or building unless it is accessory to a use that is lawfully being operated on such land

The City's Sign By-law requires that all ground signs be located on the lands in which the business premises is located.

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.

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Regional Implications

Region of York Engineering approval is required for the proposed sign

Conclusion

The applicant is proposing to install a ground sign on the abutting property 5597 Highway No 7 for a car dealership located at 5585 Highway No 7. The approved site plan agreement for the properties provides for a mutual entrance and accesses between the two properties.

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

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

Attachments

1. Site Plan
2. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 5, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

5

**SIGN VARIANCE APPLICATION
FILE NO: SV.10-005
OWNER: 2227192 ONTARIO INC.
LOCATION: 10480 ISLINGTON AVENUE, UNIT 3, YCC 960
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 23, 2010:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.10-005, 2227192 Ontario Inc., be APPROVED, subject to the existing sign being removed.

Contribution to Sustainability

N/A

Economic Impact

None.

Communications Plan

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

Purpose

The applicant is requesting permission to install a wall sign on the building face of the subject property as shown on the attached drawings.

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-Law.

Noting the above, where the property is regulated by a site plan agreement approved by the City, only those wall signs and pylon signs approved under the site plan agreement are deemed to be permitted by the City's Sign By-Law.

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.

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Item 5, CW Report No. 12 – Page 2

Regional Implications

Region of York Engineering approval is not required for the proposed signs.

Conclusion

The applicant is requesting permission to install a wall sign on the building face of the subject property as shown on the attached drawings. The proposed sign was not shown on the approved site plan agreement for the property.

Members of the Sign Variance Committee have no objections to the application subject to the existing sign for the unit being removed.

Committee members are of the opinion that the intent and purpose of the City's Sign By-law is being maintained.

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

Attachments

1. Site Plan
2. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 6, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

6

**SIGN VARIANCE APPLICATION
FILE NO: SV.10-006
OWNER: RITAJO DEVELOPMENTS INC.
LOCATION: 1611 RUTHERFORD ROAD, UNIT 5
LOT 15, CONCESSION 3
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 23, 2010:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.10-006, Ritajo Developments Inc., be APPROVED, subject to the wall sign with logo and name of business be channel letters with no background colour.

Contribution to Sustainability

N/A

Economic Impact

None.

Communications Plan

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

Purpose

Request to install additional wall signs on the north and south building face of the subject property as shown on the attached drawings.

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-Law.

Noting the above, where the property is regulated by a site plan agreement approved by the City, only those wall signs and pylon signs approved under the site plan agreement are deemed to be permitted by the City's Sign By-Law.

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.

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Regional Implications

Region of York Engineering approval is not required for the proposed signs.

Conclusion

Request to install additional wall signs on the north and south building face of the subject property as shown on the attached drawings. The proposed signs are associated with a new tenant and were not shown on the approved site plan agreement.

Proposed Sign Areas: 1) South Wall - 1.1 sqm. or 12 sqft. 2) North Wall - 8.0 sqm or 78 sqft.

Members of the Sign Variance Committee have reviewed the application and had no objections to the applicant subject to the proposed sign for the north elevation be constructed with channel letters and graphics with no background colour.

Committee members are of the opinion that the intent and purpose of the City's Sign By-law is being maintained

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

Attachments

1. Site Plan
2. Signs on Elevations
3. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 7, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

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

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

Recommendation

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

1. That Council endorse the Highway 427 Transportation Corridor Environmental Assessment Study;
2. That City Staff work with the Region of York and the Block 61 Landowners Group to make the necessary application to the Ministry of Transportation for the approval of the realignment of Huntington Road opposite the terminus of the future Highway 427 north bound off-ramp at Major Mackenzie Drive;
3. That Council pass the following resolution with respect to the timing for the construction of the Highway 427 Corridor Extension:

WHEREAS the extension of Highway 427 to Major Mackenzie Drive will address the current and short-term transportation constraints in the Vaughan Enterprise Zone;

AND WHEREAS development in the Vaughan Enterprise Zone is expected to accelerate with the approval of the Highway 427 Transportation Corridor Environmental Assessment Study and open up the GTA Region's largest contiguous supply of employment lands;

AND WHEREAS the Vaughan Enterprise Zone will provide jobs for approximately 60,000 people;

NOW THEREFORE the City of Vaughan hereby requests that the Province of Ontario through the Ministry of Transportation expedite the design and construction of the Highway 427 Extension to Major Mackenzie Drive and include this highway project in its next capital program.

4. That a copy of this report be forwarded to the Ministry of the Environment, the Ministry of Transportation and the Region of York.

Contribution to Sustainability

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

Economic Impact

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

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Communications Plan

The Ministry of Transportation (MTO) and the Ministry of the Environment (MOE) will be notified of any resolutions which are passed by Council relating to this report before the end of the public review period associated with the submission of the final Hwy 427 Transportation Corridor Environmental Assessment Report.

Purpose

The purpose of this report is to provide Council with an overview of MTO's response to the comments that the City provided on the draft Hwy 427 Transportation Corridor Environmental Assessment Study.

Background - Analysis and Options

On October 8, 2009, the MTO issued the draft Hwy 427 Transportation Corridor Environmental Assessment Study (Hwy 427 EA Study) for a pre-submission review by the agencies and the public prior to the formal submission of the final EA Report to the Minister of the Environment. The purpose of the Hwy 427 EA Study is to:

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

At its meeting on November 24, 2009, Council resolved as follows:

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

On October 27, 2009 and November 6, 2009 meetings were held between City, York Region and MTO staff to discuss the comments on the draft Hwy 427 EA Study. Subsequent to those meetings, MTO provided a supplementary technical assessment of the Highway 427 crossing at Zenway Boulevard on January 5, 2010. This information was reviewed by City and Regional staff and found to be acceptable. On January 18, 2010, the City received a letter from the Hwy 427 Project Team with an accompanying table which outlines how each of the City's comments had been addressed in the final Hwy 427 EA Report. A copy of this summary table is included as Attachment No. 1 to this report. Based on this information, Staff is satisfied that the City's comments on the draft Hwy 427 EA Study have been adequately addressed in the final EA document with the exception of the issue pertaining to the realignment of Huntington Road north of Major Mackenzie Drive and the second road access to planned development in Block 61 (OPA 699). On January 29, 2010, the MTO submitted the final Hwy 427 EA Study to the Ministry of the Environment for the formal review period, which ends on March 19, 2010. During this review period the public and review agencies can provide comments to the MOE on the Hwy 427 EA Study.

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Item 7, CW Report No. 12 – Page 3

The proposed Block 61 Nashville Heights community is located south-west of the community of Nashville and bounded by Major Mackenzie Drive to the south, the CP Railway Line to the east and Huntington Road to the west as shown on Attachment No. 2. The Nashville Heights community is expected to house about 8,000 people and include community services such as schools, parks, open space areas and neighbourhood scaled commercial facilities. On June 15, 2009, OPA 699 for Nashville Heights was adopted by Vaughan Council, and forwarded to the Region of York, the approval authority. The Regional Planning and Economic Development Committee meeting on November 4, 2009 recommended approval of OPA 699 (Nashville Heights). Regional Council approved the Official Plan on November 19, 2009. OPA 699 is currently under appeal to the Ontario Municipal Board by a local resident citing primarily density, traffic and servicing issues stemming from the Nashville Heights development.

The proposed road network for the planned Nashville Heights community provides for Huntington Road to be realigned in an easterly direction to intersect with Major Mackenzie Drive opposite the future Hwy 427 north bound off-ramp terminus. A second collector road access to Major Mackenzie Drive is proposed approximately 300 metres west of the existing CP tracks as shown on Attachment No. 2.

The Hwy 427 Transportation Corridor Environmental Assessment Study is proposing that a realigned Huntington Road be located 650 m east of the existing Huntington Road in order to connect to a future north-south road traversing McGillvray Road and connecting to Major Mackenzie Drive as shown on Attachment No. 3. This conclusion limits the ability to provide access to Block 61 from Major Mackenzie Drive to a single point because of the required separation distances between highway interchanges and signalized intersections, and design standards associated with the proposed grade separation of the CP Rail Line. The text on the Recommended Plan (Exhibit 6-3, Plate 4) in the Hwy 427 EA Study indicates that the exact alignment of Huntington Road within private property (Block 61) is to be determined by the City of Vaughan. The Hwy 427 Transportation Corridor Environmental Assessment denotes that a Huntington Road intersection at Major Mackenzie Drive located at the Highway 427 northbound ramp does not conform to Ministry policy, however, it would be considered under specific circumstances.

The proposed realignment of Huntington Road under the Hwy 427 EA Study would require modifications to the location of land uses and the road network in OPA 699. In short, the proposed reconfiguration of the Huntington Road extension further east to intersect with Major Mackenzie Drive will impact on the proposed road pattern and traffic distribution in Block 61. It is important to note that there are provisions in OPA 699 that provide for modifications to road network, among other matters, within the area defined as the "Major Mackenzie Drive Alignment Special Study Area" as shown on Attachment No.2 without the need for a formal amendment to the Plan.

Consultation with MTO

On March 1, 2010, City and Regional staff met with MTO to discuss the recommendations of the Hwy 427 EA Study with respect to the realignment of Huntington Road with Major Mackenzie Drive and access to the planned Nashville Heights community in Block 61.

As an outcome of this meeting, MTO has reaffirmed that an intersection opposite a highway ramp does not conform to Ministry policy so it can't be recommended in the Hwy 427 EA Study; however, it would be considered under specific circumstances. Notwithstanding this, MTO acknowledges that both the City and Region are concerned with the potential lack of a second access to Block 61 (OPA 699 Nashville Heights community) north of Major Mackenzie Drive. Accordingly, MTO has confirmed that their Corridor Management Office would be prepared to review a specific request from the City for an additional access opposite the future Hwy 427 north bound off-ramp at Major Mackenzie Drive, pending traffic impact study review. In addition, MTO

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will ensure flexibility in the design of the Major Mackenzie Drive interchange to not physically preclude an additional access opposite the off-ramp. The MTO has also confirmed that the Hwy 427 EA Study would not need to be amended if MTO approved the construction of this ramp terminus intersection in the future; however, if MTO determines the changes are significant, consultation will occur with potentially affected stakeholders and the changes will be documented in a Transportation Environmental Study Report (TESR). The TESR would not require approval from MOE but would be filed on the public record in accordance with MTO's Class Environmental Assessment. Accordingly, based on the foregoing, staff is recommending that the City endorse the Hwy 427 EA Study in order to permit the Highway 427 project to proceed. Further, that staff work with the Region of York and the Block 61 Landowners Group to make the necessary application to the MTO Corridor Management Office for the approval of a second intersection with Major Mackenzie Drive opposite the future Hwy 427 north bound off-ramp terminus.

Relationship to Vaughan Vision 2020/Strategic Plan

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

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

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

Regional Implications

It is anticipated that Regional staff will be reporting to their Council on the final Hwy 427 EA Study in April 2010.

Conclusion

On January 28, 2010, the Ministry of Transportation issued the final 427 Transportation Corridor Environmental Assessment Study for review by agencies and the public, ending on March 19, 2010. Vaughan staff is satisfied that MTO has satisfactorily addressed the City's comments on the pre-submission that were outlined in the Item No. 11 of the Committee of Whole Report No. 50. Accordingly, Staff is recommending that the City endorse the Hwy 427 Transportation Corridor Environmental Assessment Study. As a next step, Staff will work with the Region of York and the Block 61 Landowners Group to make the necessary application to the MTO Corridor Management Office for the approval of a second intersection with Major Mackenzie Drive opposite the future Hwy 427 north bound off-ramp terminus.

In addition, since the Highway 427 Extension is the key solution to the existing and short-term transportation problems in the western Vaughan area, Staff is recommending that Council pass a resolution requesting the Province to expedite the design and construction of the highway project. Should Council concur, the recommendations of this report could be adopted.

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Attachments

1. Attachment No.1 – 427 Transportation Corridor Draft EA Report – Municipal Comment-Response Tracking Table
2. Attachment No.2 – Block 61 Plan (OPA 699)
3. Attachment No.3 – Exhibit 6-3 (Plate 4) - Hwy 427 Transportation Corridor Environmental Assessment Study

Report prepared by:

Andrew Pearce, Director of Development/Transportation Engineering – Ext 8255.
Grant Uyeyama, Director of Development Planning – Ext. 8635

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

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Item 8, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

8 **COMPREHENSIVE TRAFFIC BY-LAW 284-94**
WARDS – 1-5

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

Recommendation

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

That consolidation be made to By-law 284-94, the Comprehensive Traffic By-Law to include an amendment to Schedule C - "Prohibit Heavy Trucks", to rescind the existing seasonal restrictions on the City's industrial roads.

Contribution to Sustainability

The current seasonal load restrictions on the City's urban industrial roads are of concern to the local businesses and may impact their economic sustainability due to increased shipping costs during the existing two month load restriction period.

Economic Impact

Although staff time will be required to remove the existing signs, there is no significant economic impact associated with implementing the recommendations in this report.

Communications Plan

Engineering Services staff have been in discussion with the Public Works Department to amend changes to the Comprehensive Traffic By-law 284-94, specifically to Schedule C "Prohibit Heavy Trucks".

Once the changes have been made, staff will advise those business owners that have requested additional information on this matter.

Purpose

To incorporate administrative amendments and consolidations in the City of Vaughan's Comprehensive Traffic By-Law 284-94.

Background - Analysis and Options

The City of Vaughan's Comprehensive Traffic By-Law has had various amendments over the years. These amendments would include approved by-laws and also would reflect updates to the Ontario Highway Traffic Act.

Public Works staff have received complaints from several area businesses with concerns to the seasonal restrictions imposed on industrial roads. Currently, these roads have load restrictions on them from March 1 to April 30 inclusive. The impact of having restricted loads, increases the shipping costs for the local businesses, and makes transporting some loads impossible during this time period.

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The City's industrial roads are built to a higher standard than regular residential streets and can accommodate full loads on a year round basis.

With the assistance of Public Works staff, Traffic Engineering Services staff will update the by-law to rescind the seasonal truck restriction on industrial roads.

The existing heavy vehicle prohibition will not be amended and it is still intended to be year-round (refer to Attachments No. 1, 2, 3, and 4). It should also be noted that the by-law will still allow staff to post seasonal half loads on various roads, if there is a need to do so to avoid damage to the road infrastructure. The industrial roads that have seasonal load restrictions to be rescinded are indicated on Attachments No. 5, 6, 7 and 8.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council, and complies with the following Vaughan Vision 2020, Goals and Objectives:

Goal: Service Excellence
Objective: "Pursue Excellence in Service Delivery"
Objective: "Enhance and Ensure Community Safety, Health & Wellness"

Goal: Management Excellence
Objective: "Maintain Assets & Infrastructure Integrity"

Regional Implications

Not Applicable.

Conclusion

It is recommended, that Council approve the amendments and consolidations to the Comprehensive Traffic By-Law 284-94 to rescind the seasonal load limits on the designated industrial roads.

Attachments

1. City Map, Northwest quadrant - Heavy truck, Load Restrictions, Seasonal Load Restrictions
2. City Map, Southwest quadrant - Heavy truck, Load Restrictions, Seasonal Load Restrictions
3. City Map, Northeast quadrant - Heavy truck, Load Restrictions, Seasonal Load Restrictions
4. City Map, Southeast quadrant - Heavy truck, Load Restrictions, Seasonal Load Restrictions
5. City Map, Northwest quadrant - City Rescinded Existing Seasonal Restrictions
6. City Map, Southwest quadrant - City Rescinded Existing Seasonal Restrictions
7. City Map, Northeast quadrant - City Rescinded Existing Seasonal Restrictions
8. City Map, Southeast quadrant - City Rescinded Existing Seasonal Restrictions

Report prepared by:

Shawn McKenzie, Senior Environment and Technical Assistant, ext. 6177
Mike Dokman, Supervisor Traffic Engineering, ext. 3118

(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 9, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

9

**TERMS OF REFERENCE
WATER / WASTEWATER MASTER PLAN AND
STORM DRAINAGE / STORM WATER MANAGEMENT MASTER PLAN
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 March 23, 2010:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That the general Terms of Reference for the preparation of the Water / Wastewater Master Plan and Storm Drainage / Storm Water Management Master Plan, included as Attachments No. 1 and No. 2 respectively to this report, be approved by Council; and
2. That the Development / Transportation Engineering Department initiate the request for proposal process to retain qualified engineering consulting firms to complete the Water / Wastewater and the Storm Drainage / Storm Water Management Master Plans.

Contribution to Sustainability

The City's Community Sustainability and Environmental Master Plan (Green Directions Vaughan) objectives will be used as a guide to the conclusions and recommendations of the Water / Wastewater and Storm Drainage / Storm Water Management Master Plan Studies. Specific sustainability objectives applicable to these studies include:

- Objective 1.1** *Reduce greenhouse gas emissions and move towards carbon neutrality for the City of Vaughan's facilities and infrastructure.*
- Objective 1.3** *Support enhanced standards of storm water management at the City and work with others to care for Vaughan's watersheds.*
- Objective 1.4** *Ensure efficient and appropriate use of potable water in City facilities.*
- Objective 2.1** *Achieve sustainable growth and development.*
- Objective 2.3** *Create a City with sustainable built form.*
- Objective 5.1** *Share sustainable best practices and ideas between and among municipal staff and the community.*

Policies, decision making framework and implementation programs related to sustainability, will become the cornerstones of the City's new municipal servicing master plans.

Economic Impact

The following approved Capital Budget Projects allocate funds for the completion of various components of the City's municipal servicing master plan studies.

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| | | |
|------------|---|-----------|
| DT-7032-09 | Water / Wastewater Master Plan | \$412,000 |
| DT-7033-09 | Storm Drainage / Storm Water Management Master Plan | \$257,500 |
| DT-7029-09 | Woodbridge Core Master Servicing Strategy | \$98,000 |
| DT-7030-09 | Jane-Rutherford Master Servicing Strategy | \$98,000 |

Funding for the above noted approved Capital Budget Projects is from the engineering component of the City-Wide Development Charges.

Communications Plan

The Terms of Reference for the municipal servicing master plan studies envisage an integrated and comprehensive consultation program involving all affected stakeholders. The public consultation program will be conducted in close consultation with staff from the City, the Region of York and the Toronto and Region Conservation Authority in accordance with the Master Plan requirements of the Municipal Class Environmental Assessment (Class EA) process. It is anticipated that the public consultation program will include multiple public open house meetings at key stages throughout the duration of the studies. In addition, stakeholder consultation group(s) and a technical advisory committee will be established. The Terms of Reference for the master plan studies will require interested consultants to detail the specifics of the communications program and stakeholder consultation process.

A Notice of Study Commencement will be issued as a first point of contact with the public and relevant stakeholders. This notice and all subsequent study notices will be published in local press and are intended to allow the public to participate from the beginning of the study, resulting in a proactive, transparent consultation process. In addition, a communications database will be established and kept up to date of all agencies, stakeholders, property owners and other individuals contacted over the duration of the studies.

Purpose

The purpose of this report is to seek Council's approval of the Terms of Reference for the City-Wide Water / Wastewater and Storm Drainage / Storm Water Management Master Plan Studies, and to seek Council's authority to initiate the process of retaining qualified engineering consulting firms to concurrently complete each of the two assignments.

Background - Analysis and Options

Purpose of the Municipal Servicing Master Plan Studies

In 2007, Council approved the Terms of Reference for the new Vaughan (City-Wide) Official Plan, a component of the City's Consolidated Growth Management Strategy to a planning horizon of 2031. When finalized, the new Official Plan will be a contemporary, state-of-the art document updating the City's community planning policies in a manner consistent with the principles of sustainability. Work on the new Official Plan began in October 2007. Now that the framework for continued urban growth to 2031 is unfolding through the new Official Plan, it is appropriate for the City to solicit proposals from qualified consulting engineering firms to undertake the preparation of city-wide municipal servicing master plan studies. Two concurrent master plan studies will be required, one for water and wastewater infrastructure and one for storm drainage and storm water management. In order to effectively manage the work load required to complete each master plan study, two independent municipal engineering consulting firms will be retained by the City. One firm to complete the City-Wide Water / Wastewater Master Plan and a second firm to complete the City-Wide Storm Drainage / Storm Water Management Master Plan.

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Both master plan studies will be conducted in accordance with the Master Plan process as outlined in the *Municipal Engineers Association Municipal Class Environmental Assessment* document (October 2000, as amended in 2007). The Master Plan Class Environmental Assessment (EA) process includes public and review agency consultation, an assessment of the problem and opportunities, evaluation of alternative solutions, assessment of potential effects on the environment, and identification of reasonable measures to mitigate any adverse effects. The preferred solution(s) will be determined based on engineering requirements, environmental considerations, public input and information gathered during the studies.

Study Area and Timing

The City's new Official Plan process is currently scheduled for completion by the fall of 2010. The municipal servicing master plan study areas will generally encompass the entire City of Vaughan and will be generally premised upon a planning horizon of 2031 (consistent with the new Official Plan). Servicing scenarios beyond 2031 will also be considered to efficiently plan for municipal infrastructure requirements in anticipation of full build-out throughout the City. It is expected that both municipal servicing master plan studies will be completed concurrently. The duration of the master plan studies will be approximately one year with an anticipated completion date approximately 6 months behind the on-going Official Plan process.

Components of the Master Plan Studies

The municipal servicing master plan studies will include a comprehensive city-wide evaluation of the local water, wastewater, storm drainage and storm water management infrastructure needed to efficiently accommodate the population and employment growth projections resulting from the implementation of the City's Growth Management Strategy. A key component of the master plan studies will be the coordination and integration with current sustainable initiatives by the Region of York and the Toronto and Region Conservation Authority (TRCA). It is expected that staff will work closely with both these agencies to ensure all final master plan recommendations are consistent with and complimentary to Regional and TRCA initiatives.

It is anticipated that several new secondary plans will be prepared in conjunction with the completion of the new Official Plan process. The development pressures in these areas have made it necessary for the City to proceed with master plan servicing related studies in advance of the completion of the new Official Plan process. The municipal servicing related master plan studies currently underway (or recently completed) by the City, in support of these various secondary plan areas include:

- Kleinburg-Nashville Servicing Strategy Master Plan Class EA;
- Vaughan Metropolitan Centre Servicing Strategy Master Plan Class EA;
- OPA 620 Steeles Corridor Servicing Strategy Master Plan Class EA;
- Black Creek Optimization Study Master Plan Class EA;
- Highway 400 North Employment Lands – OPA 637 Servicing Study; and
- Yonge Street Intensification Servicing Study.

In addition to the City initiated studies noted above, the following significant development driven servicing studies are currently underway by the development community:

- Block 40 / 47 – Master Environmental / Servicing Plan; and
- Block 61 West – Nashville Heights Master Environmental / Servicing Plan.

It is expected that the City-Wide Master Plan Studies will incorporate the conclusions and recommendations of the above noted City initiated studies and will guide the approval and implementation of the development related studies currently underway for Blocks 40/47 and 61 West.

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New Secondary Plan Areas

The scope of the master plan study assignments will include the preparation of secondary plan level master servicing strategies for the following secondary plan areas within the new Official Plan:

- Woodbridge Core Servicing Strategy
(*water, wastewater, & storm water management*)
- West Vaughan Enterprise Zone Servicing Strategy
(*water, wastewater & storm water management*)
- Kleinburg-Nashville Storm Water Management Servicing Strategy
(*storm water management*)

Future Secondary Plan Areas

Based on the anticipated implementation policies of the new Official Plan, it is expected that future secondary plans shall be prepared for the following areas:

- Blocks 27 and 41;
- Vaughan Mills Centre;
(bounded by Hwy 400, Rutherford Rd., Jane St. and Bass Pro Mills Dr.)
- Block 60 East; and
- Block 31 West (Rutherford Rd. to Bass Pro Mills Dr.)

Accordingly, the ultimate build-out, anticipated land-use and municipal servicing requirements for these areas shall be considered in the final conclusions and recommendations of the City-Wide Master Plan Studies.

Phasing Requirements

The City-wide municipal master plans shall address all necessary phasing requirements based on the following horizon year development scenarios:

- Existing Base Conditions;
- 2016, 2021, 2026, and 2031 Horizons; and
- 2051 City-Wide Build-Out of “White-Belt” Lands + Additional Intensification.

The consultants retained to complete the City's municipal servicing master plan studies will review and incorporate the conclusions and recommendations of all other servicing studies completed and currently underway, in order to prepare final comprehensive city-wide infrastructure master plans.

The key objectives for each master plan study are identified in the draft Terms of Reference for the City-Wide Water / Wastewater and Storm Drainage / Storm Water Management Master Plan Studies, and are included as Attachments No. 1 and No. 2 respectively.

Public Consultation Requirements

The public consultation process will involve all individuals and interest groups having a stake in the City's municipal servicing master plans including, local residents, ratepayer groups, the business community, the development community, public agencies and other special interest groups. The process will include public open houses, stakeholder workshops and presentations, all of which will require participation from various stakeholders to succeed.

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It is anticipated that a Technical Advisory Committee will be established as well as one or more Stakeholder Consultation Groups (SCG's) to represent interests for specific areas and to provide ongoing input throughout the process. Details of the proposed consultation process will be provided in the submissions of candidate consulting engineering firms.

Consulting Engineering Requirements

The Studies will require the services of a multi-disciplinary team with expertise in municipal services / infrastructure planning and engineering, the environment, sustainable development and public consultation. Each consulting team will be required to collaborate with, and be informed by, the Environmental Master Plan (Green Directions Vaughan), the new Official Plan and each of the various other engineering consultants currently involved in the area specific servicing related studies noted above.

Products of the Studies

The study process, conclusions and recommendations will ultimately be documented in various reports which will be available for reference by staff, agencies, stakeholders and the public. The recommendations of the master plan studies will expand upon the policies, goals and objectives of the new Official Plan and will be used as a guide to facilitate the approval of development applications, the update the City's engineering component of the Development Charges By-law and the establishment of a long term capital plan in a timely and efficient manner.

Project Administration

The project will be managed by the Development/Transportation Engineering Department in close cooperation with the Policy Planning Department. Input, participation and coordination will be required from the core consulting team for the new Official Plan, Public Works, Engineering Services, Development Planning, and other City departments and external agencies.

Procurement Process

In accordance with the City's procurement policy, study proposals will be publically solicited and accepted from qualified consulting engineering firms for the completion of each master plan study. Staff will report to the Committee of the Whole on the results of each of the proposal calls together with recommendations to retain the successful engineering firms for each of the master plan assignments.

Final Scope of Master Plan Studies

The scope of work identified within the proposed Terms of Reference included as Attachments No. 1 and No. 2, represent a significant listing of detail-oriented engineering analysis and other related tasks, all to be considered by consultants interested in submitting proposals. The technical evaluation committee will rely upon information provided within the engineering proposals received in order to determine a final scope of work that will be most manageable, efficient and economical given the available study time-frame and approved budget. Accordingly, it may be appropriate to defer or phase specific components of the work plan to a future study.

Relationship to Vaughan Vision 2020/Strategic Plan

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

- The pursuit of excellence in service delivery;
- Ensuring and enhancing community safety, health and wellness;

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- Leading and promoting environmental sustainability;
- Planning and managing growth and economic vitality;
- Ensuring financial stability; and
- The demonstration of leadership and promotion of effective governance.

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

Regional Implications

The City's municipal servicing master plan studies will have regard for the existing and planned Regional infrastructure throughout the City. The master plans will establish the City's local municipal servicing related infrastructure needs and guidelines in support of future development. The master plan studies will accommodate the Region's forecast growth estimates for Vaughan and will be closely coordinated with on-going Regional water and/or wastewater infrastructure initiatives including the recently completed Regional Water & Wastewater Master Plan Update.

In addition, it is expected that Regional Staff will be involved throughout the duration of the City's master plan studies by participating in all established Stakeholder Consultation Groups and on the Technical Advisory Committee.

Conclusion

The proposed Terms of Reference provide the basis for carrying out the City's Water / Wastewater and Storm Drainage / Storm Water Management Master Plan Studies. Similar to the approach taken for the new Official Plan, this work will be forward-looking, state-of-the-art and reflective of the principles of sustainability.

Should Council concur with the Terms of Reference for the proposed City-Wide Master Plan Studies, the recommendations associated with this report should be approved to enable staff to proceed with the consultant selection process.

Attachments

1. City-Wide Water / Wastewater Master Plan - Terms of Reference
2. City-Wide Storm Drainage / Storm Water Management Master Plan – Terms of Reference

Report prepared by:

Tony Artuso, Senior Engineering Assistant, Engineering Planning & Studies, Ext. 8396
Saad Yousaf, Storm Drainage Engineer, Engineering Planning & Studies, Ext. 8251
Michael Frieri, Development Supervisor, Engineering Planning & Studies, Ext. 8729

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

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Item 10, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

10 CONTRACT AWARD – RFP 09–140 CHILD CARE CENTRE OPERATOR – WARD 4

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Community Services, dated March 23, 2010, be approved; and**
- 2) **That the deputation of Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8, be received.**

Recommendation

The Commissioner of Community Services, in consultation with the Directors of Recreation and Culture and the Purchasing Services Department, recommends:

- 1) That the Contract RFP 09-140, Child Care Centre Operator, for the operation of child care services at the North Thornhill Community Centre, be awarded to Upper Canada Child Care for a five (5) year term effective September 1, 2010, with an option to renew for two (2), five (5) year terms at the discretion of the City; and,
- 2) That the Mayor and City Clerk be authorized to sign all documentation necessary to complete the contract.

Contribution to Sustainability

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

- 4.2 To ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century.

Economic Impact

On an annual basis, the implementation of RFP 09-140 will generate approximately \$60,000 in new revenue during the initial contract term of five years; approximately \$21,500 for the remainder of 2010.

Communications Plan

The successful proponent will be advised of Council's decision.

Purpose

The purpose of this report is to obtain Council's authorization to enter into a five (5) year contract effective September 1, 2010 with an option to renew for two (2) additional five (5) year terms, with Upper Canada Child Care for the operation of child care services at the North Thornhill Community Centre.

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Background - Analysis and Options

The City of Vaughan advertised RFEOI (Request for Expression of Interest) 09-045 in the Vaughan Citizen, Electronic Tendering Network and OPBA website on February 25, 2009 with a closing date as March 12, 2009. Fourteen (14) potential proponents picked up the Expression of Interest documents from the Purchasing Services Department and eight (8) submissions were received from the following companies:

1. YMCA of Greater Toronto Area, Markham Ontario
2. Alef-Bet Day Care, Thornhill Ontario
3. Growing Tykes Learning, Woodbridge Ontario
4. Upper Canada Child Care, Markham Ontario
5. Ilyas Rafi, Woodbridge Ontario
6. Kids Come First Child Care Services, Thornhill Ontario
7. Chateau De la Moraine, Richmond Hill Ontario
8. Over the Rainbow Children's Centre, Woodbridge Ontario

As a result, these eight (8) respondents of the RFEOI, were invited to pickup RFP 09-140 documents on December 3, 2009 with a closing date of December 17, 2009.

The Active Together Master Plan identified the opportunity to see community centres become more of a hub of activities; acting like "service centres" for the community. Community Centres have the opportunity of becoming the hub or heart of the community for not only their recreational and cultural pursuits but also to serve as the "one stop shop" for many day-to-day services sought by residents. The addition of a child care operation is a complimentary service partner that is frequently requested by residents, and currently there is no contract for child care services at this location.

The City of Vaughan issued RFP 09-140 on December 3, 2009 with a closing date of December 17, 2009. Eight (8) proponents were invited to apply; five (5) picked up the RFP documents and two (2) were received from:

1. Upper Canada Child Care
2. Alef – Bet Day Care

An evaluation team comprised of the Recreation and Culture, Building and Facilities and Purchasing Services departments was established and the evaluation and selection of the proposals received was based on the following criteria as detailed in the proposal documents:

| Components | Rating |
|---|---------------|
| Payment Proposal | 40 points |
| Overall Business/Operation Plan | 30 points |
| Community Stewardship and Added Benefits/Incentives | 15 points |
| Company Profiles and References | 10 points |
| Audited Financial Statement | 5 points |

An additional 25 points was evaluated during a follow up interview with each proponent.

Upper Canada Child Care obtained overall highest scores based on bid document criteria. With their high score, a well prepared business plan and overall reputability within the industry; it is our recommendation to award Upper Canada Child Care with contract RFP 09-140.

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Upper Canada Child Care is a reputable non profit organization that serves Simcoe County, York Region and the City of Toronto with a total of 54 child care centres. Incorporated in 1991, their objective is to provide high quality licensed and affordable child care in Ontario. Their mandate is to meet the child care needs of growing communities as identified by municipal government departments, municipal organization, school boards and families.

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.

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

Regional Implications

None.

Conclusion

Awarding Contract RFP 09-140, Child Care Centre Operator, for a five (5) year contract with an option to renew for two (2) additional five (5) year terms, with Upper Canada Child Care for the operation of child care services at the North Thornhill Community Centre will provide stable and quality services to the community. The Active Together Master Plan supports the opportunity to offer an array of services to residents via community centres and a child care operation has been frequently requested as a suitable service partner.

Attachments

None.

Report Prepared By

Mary Reali, Director of Recreation and Culture, ext. 8234
Sunny Bains, Business Services Manager, ext. 8336

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 11, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following in accordance with the additional report from the Commissioner of Community Services, dated April 13, 2010:

- 1) ***That the tender T10-013 for Rainbow Creek Park – Bridge 1 & 2 Replacement including Associated Landscape Works be awarded to Forest Contractors Ltd. In the amount of \$167,222.00, plus GST; and***
- 2) ***That a contingency in the amount of \$7,000.00, plus GST be approved within which the Director of Parks Development is authorized to approve amendments to the contract.***

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**AWARD OF TENDER T10-013
RAINBOW CREEK PARK – BRIDGE 1 & 2 REPLACEMENT INCLUDING ASSOCIATED
LANDSCAPE WORKS – WARD 2**

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

Recommendation

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

That Tender T10-013 for the Rainbow Creek Park Bridge 1 & 2 Replacement including associated landscape works be brought forward to Council on April 13, 2010, for authorization to award.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions Vaughan, Community Sustainability Environmental Master Plan, Goal 2, Objective 2.2:

- To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth.

Economic Impact

Capital project PK-6090-09, Bridge Replacement/Repair was approved in the 2009 Capital Budget. The actual cost of the project will be established following analysis of the tenders received.

Communications Plan

Not applicable.

Purpose

The purpose of this report is to seek Council approval to award tender T10-013 – Rainbow Creek Park – Bridge 1 & 2 Replacement including associated landscape works.

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Background - Analysis and Options

The work covered by this tender requires the supply of materials and services for the scope of the bridge replacement works to the Rainbow Creek Park.

The project includes the removal and demolition of two (2) existing wooden bridges and the construction of concrete abutments, supply and installation of two (2) self weathering pre-fabricated steel bridges, and all associated landscape works.

All twelve (12) prequalified general contractors were invited to provide bids for tender T10-013 and were notified that the tender will close and be publicly opened on Thursday, March 18, 2010. Staff will prepare an additional information report for this item after the bids have been evaluated for Council's consideration at the April 13, 2010 Council meeting.

Relationship to Vaughan Vision 2020 / Strategic Plan

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

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

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

Regional Implications

Not applicable.

Conclusion

The actual cost of the project will be established following analysis of the tenders received.

Attachments

Not applicable.

Report prepared by:

Martin Tavares, Construction Coordinator, Ext. 3205
Paul Gardner, Director of Parks Development, Ext. 3209

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 12, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following in accordance with the additional report from the Commissioner of Community Services, dated April 13, 2010:

- 1) ***That the tender T10-012 for Twelve Oaks Park Construction works be awarded to Forest Contractors Ltd. in the amount of \$1,123,827.67 including provisional items, plus GST; and***
- 2) ***That a contingency in the amount of 10%, plus GST be approved within which the Director of Parks Development is authorized to approve amendments to the contract.***

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**AWARD OF TENDER T10-012
TWELVE OAKS PARK – WARD 1**

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

Recommendation

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

- 1) That Tender T10-012 for Twelve Oaks Park construction works be brought forward to Council on April 13, 2010, for authorization to award.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions Vaughan, Community Sustainability Environmental Master Plan, Goal 2, Objective 2.2:

- To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth.

Economic Impact

Capital project PK-6232-09, Twelve Oaks Park was approved in the 2009 Capital Budget. The actual cost of the project will be established following analysis of the tenders received. An annual cost of \$36,386.00 is required to maintain this park once completed and this amount should be added to the 2011 Parks Operations and Forestry base operating budget.

Communications Plan

Not applicable.

Purpose

The purpose of this report is to seek Council approval to award tender T10-012 – Twelve Oaks Park construction.

Background - Analysis and Options

The project is for the construction of Twelve Oaks Park located at 525 Via Romano Boulevard, in Ward 1.

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This new neighbourhood park will provide the community with opportunities for active and passive recreation and will encourage physical activity and promote the health and well being of Vaughan residents. Facilities in this park include: a junior and senior playground precinct, an irrigated senior soccer field, a neighbourhood level skatepark, a double tennis court, lit asphalt walkways, seating areas, benches, trash receptacles and recycling bins, an amphitheatre, low flow vegetated bio-swales and tree planting.

All twelve (12) prequalified general contractors were invited to provide bids for tender T10-012 and were notified that the tender will close and be publicly opened on March 16, 2010. Staff will prepare an additional information report for this item after the bids have been evaluated for Council's consideration at the April 13, 2010 Council meeting.

Relationship to Vaughan Vision 2020 / Strategic Plan

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

- **STRATEGIC GOAL:**
Service Excellence - Providing service excellence to citizens.

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

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

Regional Implications

Not applicable.

Conclusion

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

Attachments

Not applicable

Report prepared by:

Martin Tavares, Construction Coordinator, Ext. 3205
Paul Gardner, Director of Parks Development, Ext. 3209

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 13, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following in accordance with the additional report from the Commissioner of Community Services, dated April 13, 2010:

- 1) ***That the tender T10-011 for Hillside Park Construction works be awarded to Melfer Construction Inc. in the amount of \$1,095,738.09, plus GST; and***
- 2) ***That a contingency in the amount of \$32,870.00, plus GST be approved within which the Director of Parks Development is authorized to approve amendments to the contract.***

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**AWARD OF TENDER T10-011
HILLSIDE PARK – WARD 1**

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

Recommendation

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

- 1) That Tender T10-011 for Hillside Park construction works be brought forward to Council on April 13, 2010, for authorization to award

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions Vaughan, Community Sustainability Environmental Master Plan, Goal 2, Objective 2.2:

- To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth.

Economic Impact

Capital project PK-6235-09, Hillside Park was approved in the 2009 Capital Budget. The actual cost of the project will be established following analysis of the tenders received. An annual cost of \$37,403.00 is required to maintain this park once completed and this amount should be added to the 2011 Parks Operations and Forestry base operating budget.

Communications Plan

Not applicable.

Purpose

The purpose of this report is to seek Council approval to award tender T10-011 – Hillside Park construction.

Background - Analysis and Options

The project is for the construction of Hillside Park located at 549 Vellore Park Road, in Ward 1.

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This new neighbourhood park will provide the community with opportunities for active and passive recreation and will encourage physical activity and promote the health and well being of Vaughan residents. The park will include junior and senior playgrounds, a mini soccer field, neighbourhood level skatepark, baseball field, basketball half-court, shade structures, asphalt walkways, formal and naturalized plantings, and sustainability initiatives such as infiltration areas.

All twelve (12) prequalified general contractors were invited to provide bids for tender T10-011 and were notified that the tender will close and be publicly opened on March 11, 2010. Staff will prepare an additional information report for this item after the bids have been evaluated for Council's consideration at the April 13, 2010 Council meeting.

Relationship to Vaughan Vision 2020 / Strategic Plan

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

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

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

Regional Implications

Not applicable.

Conclusion

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

Attachments

Not applicable.

Report prepared by:

Martin Tavares, Construction Coordinator, Ext. 3205
Paul Gardner, Director of Parks Development, Ext. 3209

CITY OF VAUGHAN

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Item 14, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

14 2010 YORK REGION 55+ SUMMER GAMES (MAY 4 – JUNE 15, 2010)

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

Recommendation

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

- 1) That the Schedule of Activities for the 2010 York Region 55+ Summer Games (*Attachment 1*), outlining the activities and events scheduled to be held throughout the Region of York from May 4 to June 15, 2010, 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; Objective 4.1:

- 4.1.6 Provide more partnership opportunities for existing non-profit and volunteer groups to meet the community's social, cultural and recreational needs.

Economic Impact

There is no economic impact related to this report. Funding for the activities indicated in this report is incorporated into the Ontario Senior Games Association, District #14 York Region funding from the Ministry of Health Promotion.

Communications Plan

In cooperation with the Senior's Association of Vaughan Initiative (SAVI), the Recreation and Culture Department will continue to communicate and inform the community as it relates to its programs, initiatives, and the celebration of the 2010 York Region 55+ Summer Games. This will be done through the City website, press releases, and distribution of flyers to community centres and libraries.

Purpose

The purpose of this report is to provide Council with information on the 2010 York Region 55+ Summer Games and to present an overview of the activities and events scheduled to be held at locations across the Region as outlined in Attachment 1.

Background - Analysis and Options

Since 1986 the Ontario Senior Games Association (OSGA) has promoted and organized Province-wide Senior Games for adults aged 55 and older. Each summer representatives from Municipalities in York Region have organized the York Region 55+ Summer games. With Opening and Closing Ceremonies and events offered across York Region, the games provide older adults the opportunity to: increase their social interaction with others, increase their physical and mental well-being, and maintain and enhance their physiological and psychological well-being through participation in recreational activities and sports.

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The **Active Together Physical Activity Strategy** has objectives designed to increase awareness of rising inactivity and obesity levels across Vaughan, and encourage involvement in physical activity among residents by removing barriers to participation. One of the target groups of the strategy are older adults, who are becoming more active but also face barriers in terms of transportation.

This summer, the City of Vaughan is host to three events and the Closing Ceremonies associated with the 2010 York Region 55+ Summer Games (all held at the **Garnet A. Williams Community Centre** except where noted):

- Swimming events will be held May 5th at 10:30am
- Bocce (open doubles) will be held May 20th at 9:30am at Friuli Terrace (60 Friuli Ct. Woodbridge)
- Tennis (Doubles) will be held June 1st at 9:30am (June 3rd rain date) at Yorkhill Park directly behind Garnet A. Williams Community Centre
- Closing Ceremonies (Medal Presentations and Entertainment) will be held June 15th at 11:00am

The complete list of events throughout the Region can be found on Attachment 1.

Relationship to Vaughan Vision 2020/Strategic Plan

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

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

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

Regional Implications

There are no regional implications.

Conclusion

The City of Vaughan is taking a proactive approach to improve the health and active lifestyles of its older adults by hosting several activities and the Closing Ceremonies for the 2010 York Region 55+ Summer Games. Providing opportunities for older adults to participate in recreational activities helps to achieve the objectives of the Active Together Physical Activity Strategy, namely improving community health and wellness.

Attachments

1. Schedule of Activities for 2010 York Region 55+ Summer Games – District #14

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Report Prepared By

Mary Reali, Director of Recreation and Culture, ext. 8234
Paul Compton, Area Recreation Manager, ext. 8358
Derek Ambrose, Recreation Services Supervisor, ext. 5212

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

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Item 15, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

15 **SITE DEVELOPMENT FILE DA.09.087**
589915 ONTARIO LIMITED
WARD 3

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 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.09.087 (589915 Ontario Limited) 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 landscape plan shall be approved by the Vaughan Development Planning Department.

Contribution to Sustainability

The applicant has advised the Development Planning Department that the following sustainable features will be provided within the building design:

- i) low maintenance Energy Star vinyl casement windows;
- ii) exterior wall construction with R-22 insulation as per Energy Star;
- iii) R-31 sprayed foam insulation;
- iv) R-40 roof insulation and R-12 basement wall full height;
- v) Energy Star high efficiency furnace;
- vi) heat recovery ventilation system; and,
- vii) high-efficiency gas forced hot water heater.

Economic Impact

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

Communications Plan

N/A

Purpose

To permit the development of the subject lands shown on Attachments #1 and #2 with 14, two-storey street townhouse units within two townhouse blocks - Blocks 505 (containing 7 units) within 65M-3922, and Blocks 506 & 67 (combined containing 7 units), within Registered Plans 65M-3922 and 65M-4029, as shown on Attachments #3 to #6.

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Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located south of Major Mackenzie Drive and West of Weston Road, specifically on the south side of Sorgenti Drive between Vellore Avenue and Moderna Drive within Planning Block 39, in Part of Lot 18, Concession 6, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600 (Vellore Urban Village). The proposed residential street townhouse development conforms to the Official Plan.

The subject lands are zoned RVM1(WS-A) Residential Urban Village Multiple Dwelling Zone One by By-law 1-88, subject to Exception 9(1024). The proposed residential street townhouse development complies with By-law 1-88.

Site History

On June 22, 1998, Vaughan Council approved Draft Plan of Subdivision File 19T-89081 (Rachelle Chetti et al) to permit the development of 361 residential units. The above-noted Plan of Subdivision was registered as Plan 65M-4029 on December 7, 2007, and facilitates Block 67 for street townhouse dwelling units.

On February 2, 1998, the Ontario Municipal Board approved Draft Plan of Subdivision File 19T-89024 (Vellore Village Estates Limited) to permit the development of 3645 residential units. The Plan of Subdivision was registered as Plan 65M-3922 on August 31, 2006, and facilitates Blocks 505 and 506 for street townhouse dwelling units, combined with Block 67 noted-above. Servicing for the proposed development has been allocated.

Site Plan Review

The applicant has upgraded the rear elevations for both townhouse blocks to include additional brick detailing around the windows, and to include grills to all doors to match the grills on the windows. The Vaughan Development Planning Department is generally satisfied with the proposed building elevations, site plan, and landscape plan as shown on Attachments #3 to #6 inclusive, and will continue to work with the Applicant to finalize the details of the development proposal.

The subject lands are located within Planning Block 39 and are subject to Architectural Control. The site plan and building elevations have been reviewed and approved by the Block 39 Control Architect, being Watchorn Architects.

The Vaughan Engineering Department has approved the grading and servicing plans and stormwater management report for the townhouse development.

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".

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Regional Implications

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

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.09.087 (589915 Ontario Limited) in accordance with OPA #600, By-law 1-88, the Block 39 Plan, comments from City Departments, and the area context. The Development Planning Department is satisfied that the proposed development for 14 street townhouse dwelling units is appropriate and compatible with the existing and permitted uses in the surrounding area, and with the lotting in the approved Plans of Subdivision. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations - Block 505
6. Elevations - Block 506

Report prepared by:

Margaret Holyday, Planner ext. 8216
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

/LG

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 16, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

16 **SITE DEVELOPMENT FILE DA.10.011**
UNICO FOODS
WARD 4

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 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.10.011 (Unico Foods), BE APPROVED to permit the proposed building elevation and signage revisions and additional landscaping as shown on Attachments #4 and #6 to #8 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking, the final building elevations, signage details and landscape plan shall be approved by the Vaughan Development Planning Department.

Contributions to Sustainability

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

- i) Upgraded roof insulation on office section;
- ii) Timed exterior lighting;
- iii) Occupancy sensors;
- iv) Low-E argon coated double glazed windows;
- v) LED exit lights.

Economic Impact

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

Communications Plan

N/A

Purpose

An application for Site Development approval to permit the refacing of an existing industrial building with new elevations and a refaced ground sign and additional landscaping as shown on Attachments #3 - #4 and #6 - #8.

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Background - Analysis and Options

Location

The location of the existing industrial building is shown on Attachments #1 and #2, within the Keele Employment Area, on the west side of Keele Street and north of Regional Road #7 (8000 Keele Street), in Part of Lot 7, Concession 4, City of Vaughan.

Official Plan and Zoning

The subject lands are designated “Prestige Area” by OPA #450 (Employment Area Plan). The proposed refacing of the industrial building and ground signage conforms to the Official Plan.

The subject lands are zoned EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone by By-law 1-88. The proposal complies with By-law 1-88.

Building Design

The subject lands are developed with an existing older industrial building, built in the late 1960’s. The existing elevation plan (Attachments #5 and #7) shows the existing industrial building, faced with white precast panels, bricks and windows. The proposed elevations shown on Attachments #6, #7 and #8, removes the pre-cast panels, brick and windows on the north, east and south elevations and replaces them with sandpebble natural white stucco, sandpebble antique-grey stucco, Terraneo Gibraltar siding and new windows. The upgrades will include the addition of a barrier free clear glass ramp and a raised landscape stone planting bed along the east elevations facing Keele Street. The final building elevations and landscape plan must be approved to the satisfaction of the Vaughan Development Planning Department.

The proposal also includes changes to the existing signage on the building and on the ground sign. The proposed Unico Foods signage in sandpebble red stucco siding is proposed to be affixed to the east elevation of the industrial building facing Keele Street, as shown on Attachments #6, #7 and #8. The existing ground sign will be upgraded with the revised Unico Foods Logo, as shown on Attachment #8.

The Development Planning Department is generally satisfied with the proposed building elevations and signage as shown on Attachments #6 to #8 inclusive, and will continue to work with the Applicant to finalize the details.

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

There are no Regional implications associated with the refacing of the building elevations and the ground signage.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #450 (Employment Area Plan), By-law 1-88, the comments from City Departments and the area context. The Vaughan Development Planning Department is generally satisfied with the proposed revisions to the building elevations and signage details. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions in this report.

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Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Existing Elevations
6. Proposed Elevations
7. Existing/Proposed Building Refacing
8. Proposed Rendering

Report prepared by:

Mary Serino, Planner, ext. 8215
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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Item 17, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

**17 CONCORD WEST URBAN DESIGN STREETScape MASTER PLAN STUDY
FILE 14.63
WARD 4**

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

Recommendation

The Commissioner of Planning, in consultation with the Commissioner of Finance/City Treasurer and the Director of Reserves and Investments recommends:

1. THAT the Terms of Reference, shown on Attachment #2, for the Concord West Urban Design Streetscape Master Plan Study, BE APPROVED; and
2. THAT the Development Planning Department initiate the process to retain the required consulting services to undertake the required work.

Contribution to Sustainability

Consistent with Green Directions Vaughan, the City's Sustainability and Environmental Master Plan, the Concord West Urban Design Streetscape Master Plan Study will support environmental sustainability and fulfill a number of goals and objectives outlined by the plan, specifically:

Goal 2: To ensure sustainable development and redevelopment.

Goal 3: To ensure that Vaughan is a city that is easy to get around with low environmental impact.

The needs of pedestrians, compact development and public transit will be supported by the strengthening and improvement of the public realm. The Concord West Urban Design Streetscape Master Plan Study will integrate environmentally sustainable materials and features into the streetscape design, facilitate pedestrian and bicycle movement throughout the area, create new open space and recreational connections, ensure transit-supportive land organization, and outline strategies and measures to achieve environmentally sustainable development. Additionally, the Upper West Don River subwatershed regeneration measures will be integrated into the Study, in consultation with the Toronto and Region Conservation Authority.

Economic Impact

A total budget of \$90,000.00 is required to complete the study and was included and approved in the Development Planning Department's 2010 Capital Budget (Project # DP-9018-10).

Communications Plan

Upon Council approval of the Study Terms of Reference and consultant selection, the Study will be initiated with a Public Workshop to which all stakeholders in the Study Area will be encouraged to attend and provide input. A Public Open House will be held to present the recommended Urban Design Vision and Draft Streetscape Master Plan. A graphic poster that summarizes the final study vision will be made available for printing and/or posting to the City's web site. A Stakeholder Consultation Group (SCG) will be established to facilitate input from residents and landowners (represented by the non-statutory Concord West Streetscape

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Community Advisory Committee), key municipal and regional departments, and public agencies. Regular project updates will be communicated by Urban Design staff to the Concord West Streetscape Community Advisory Committee at their scheduled meetings.

Purpose

The purpose of this report is to obtain Council direction to proceed with the Concord West Urban Design Streetscape Master Plan Study on the basis of the Terms of Reference appended to this report as Attachment #2.

Background - Analysis and Options

A Concord West Urban Design Streetscape Master Plan Study is necessary to enhance and improve the public realm of Keele Street and Regional Road 7 in the area known as the Concord West Community shown on Attachment #1. The Study will address key issues and opportunities facing the community; namely to improve its visual quality and sense of place; buffer noise levels for residents; improve pedestrian connectivity and access to open space; improve safety for pedestrians, cyclists and vehicles; and, to create an urban design framework for transit-supportive development.

The Streetscape Master Plan will build upon planned Regional capital road improvement projects for Keele Street and Regional Road 7. It will provide City of Vaughan and York Region with a vision to prescribe the layout and design of the public streetscape/spaces in the study area, including the detailed design of community gateways.

The Urban Design Guidelines are necessary to provide a framework to guide future development applications and will form the basis for subsequent submissions for zoning by-law amendments and site development applications.

Importantly, the Concord West Urban Design Streetscape Master Plan will provide direction to the non-statutory Concord West Streetscape Community Advisory Committee (CWSCAC) for organized and collaborative input to the City of Vaughan and York Region on the upcoming streetscape-related improvements and future development applications.

Study Time Schedule: The Study will be initiated in Summer 2010, following Council's approval of a consulting team to carry out the work plan, and is required to be completed by the end of 2010 in order to co-ordinate with Regional works and maximize potential Regional cost-sharing benefits under the Region's Municipal Streetscape Partnership Policy.

Selection of Consultant: A consultant team will be chosen primarily based upon their demonstrated expertise in planning and urban design, landscape architecture, architecture, engineering, and public facilitation.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, specifically:

- Service Excellence: "Enhance and Ensure Community Safety, Health and Wellness" and "Lead and Promote Environmental Sustainability"
- Management Excellence: "Maintain Assets and Infrastructure" and "Plan and Manage Growth & Economic Vitality"

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Regional Implications

The Concord West Urban Design Streetscape Master Plan Study will build upon and complement planned Regional capital road improvements and vivaNext surface transit projects: timing is to be coordinated with the Keele Street Environmental Assessment/ Detailed Design and the vivaNext preliminary streetscape design for Regional Road 7. The Streetscape Master Plan will enable the City of Vaughan to apply to York Region's Municipal Streetscape Partnership Program for partnership funding on streetscape enhancements.

Conclusion

The Terms of Reference for the Concord West Urban Design Streetscape Master Plan Study provides the basis for carrying out the development of Urban Design Guidelines, and the preparation of a detailed Streetscape Master Plan for the Concord West area. The Guidelines and Streetscape Master Plan will transform the corridors into an inviting, distinctive urban place that is attractive, sustainable, transit-supportive, pedestrian-friendly and connected with the existing Concord West community. The Concord West Urban Design Streetscape Master Plan Study will build upon and complement planned Regional capital road improvement projects for Keele Street and Regional Road 7.

Attachments

1. Study Area Location Map
2. Terms of Reference

Report Prepared by:

Moira Wilson, Urban Designer, ext. 8017
Rob Bayley, Manager of Urban Design, ext. 8254

/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 18, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

18

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-09V05
PROMENADE PARK II LIMITED
WARD 5**

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

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-09V05 (Promenade Park II Limited) BE APPROVED, subject to the conditions of approval set out in Attachment #1.

Contribution to Sustainability

The subject residential condominium apartment building is an existing structure, and the proposed draft plan of condominium application deals with tenure only.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted an application on the subject lands shown on Attachments #2 and #3, for the approval of a Draft Plan of Condominium (Standard) comprised of a 19-storey, 205 unit, residential condominium apartment building with a total of 229 residential parking spaces as shown on Attachments #4 to #9.

Background - Analysis and Options

The subject lands shown on Attachments #2 and #3, are located at the northwest corner of West Promenade and Promenade Circle, municipally known as 88 Promenade Circle, being Part of Block 7 on Registered Plan 65M-2235, in Part of Lot 5, Concession 2, City of Vaughan. These lands represent Phase 2 of an overall residential condominium apartment development shown on Attachments #4 and #5. The surrounding land uses are shown on Attachment #3.

The overall approved site plan as shown on Attachment #4, is comprised of the subject lands being Phase 2, and the Phase 1 portion of the lands located to the north, municipally known as 100 Promenade Circle. Phase 1 (Draft Plan of Condominium File 19CDM-05V05) was approved by Council on May 24, 2005, and is comprised of a 16-storey, 168 unit (but approved by Council for 170 units) residential condominium apartment building, with 186 parking spaces, 75 visitor parking spaces and a lobby/recreation structure. The plan was subsequently registered as YRSCC-1090. Cross easements have been registered on title allowing both Phases 1 and 2 (100 and 88 Promenade Circle) to access visitor parking at-grade and below-grade.

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Building “B” on the subject lands was previously site plan approved by Council on September 22, 2003, for a 16-storey, 170 unit condominium apartment. Subsequently, the Owner applied for an Official Plan Amendment, Zoning By-law Amendment and Site Development applications to increase the overall site density to 312 units/ha and increase the unit count by 33 units (Files OP.05.027 Z.05.059 and DA.05.061). The final proposal for 205 units in Building “B”, which included the additional 33 units and the 2 units leftover from Building “A” was approved by Council on January 29, 2007.

Official Plan/Zoning

The subject lands are designated “High Density Residential Area” by OPA #210 (Thornhill-Vaughan Community Plan) as amended by OPA #665, and zoned RA3 Apartment Residential Zone by By-law 1-88, subject to site-specific Exception 9(480). The draft plan of condominium conforms to the Official Plan and complies with the requirements of the site-specific Zoning By-law.

Site Development

The approved site plan shown on Attachment #4, consists of two residential apartment buildings, connected by a single storey lobby/recreation area. The overall development has been constructed in two phases. Phase 1 comprises the northern portion of the site and includes a 16-storey, 168 unit residential apartment building (Building “A”) and a 1 storey lobby and recreation structure. Phase 2, is the subject of this application, and consists of a 19-storey, 205 unit residential apartment building (Building “B”).

The full movement access to the site is from Promenade Circle, and leads to a circular drop-off/pick-up area at the main lobby located between the two buildings. There are 38 visitor parking spaces provided at grade along the north, east and west sides of Building “A”. Visitor parking at-grade and below-grade will be used for both buildings as cross easements have been registered on title. The location of the ramp to the underground parking area is located to the west of Building “A”, which will serve both Buildings “A” and “B”.

Service areas are provided along the west sides of both buildings. The southwest area of the site will include a large landscaped amenity area, which will serve both Buildings “A” and “B”. The existing one-storey structure that will connect Building “A” with Building “B” also includes recreational facilities. Furthermore, the residential units have been constructed with balconies for additional amenity space.

Application Review

The draft plan of condominium (Attachment #5) is in accordance with the approved Site Plan (File DA.05.061), as shown on Attachment #4. As a condition of approval, the Owner will be required to submit an “as-built” survey to the satisfaction of the Vaughan Building Standards Department, prior to the registration of the final condominium plan.

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

All Regional conditions relating to the approved Site Plan (File DA.05.061) must be fulfilled to the satisfaction of the Region of York, prior to the registration of the final condominium plan.

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Conclusion

The Development Planning Department has reviewed the proposed application for the draft plan of condominium, in accordance with the approved site plan, building permit, and the provisions of the Official Plan and Zoning By-law. The Development Planning Department has no objections to the approval of the draft plan of condominium, subject to the conditions in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Approved Site Plan
5. Draft Plan of Condominium 19CDM-09V05

Report prepared by:

Arminé Hasskourians, Planner, ext. 8368
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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 19, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following in accordance with the memorandum from the Director of Development Planning, dated April 9, 2010:

- 1) ***That Amendments 1-4, 6-18, and 20-27 as contained in the Committee of the Whole report of March 23, 2010 for Zoning By-law Amendment File Z.07.009 (City of Vaughan) be approved, to make general amendments to Zoning By-law 1-88 as outlined in the report in order to clarify and/or correct specific sections of By-law 1-88 to improve its' interpretation, to update certain provisions in the By-law, and to make administrative amendments to the By-law;***
- 2) ***That no change be made to the existing definition of "Pit" in By-law 1-88 with respect to Amendment 5 in the March 23, 2010 report; and***
- 3) ***That Amendment 19 "Parking and Access Requirements" respecting reverse slope driveways as contained in the Committee of the Whole report dated March 23, 2010 for Zoning By-law Amendment File Z.07.009 (City of Vaughan), be approved, as follows:***
 - a) ***add the following sub clause to Section 4.1.4 "Parking and Access Requirements":***

"g) Reverse Slope Driveways

That all driveways shall have a positive slope away from all parts of the building or structure to the street for all single detached, semi-detached, townhouse and street townhouse dwellings."
 - b) ***include a general provision that all reverse slope driveways legally existing on or before the date of the enactment of the implementing zoning by-law shall be deemed to be in compliance with the provisions of the by-law; and***
 - c) ***the 5 year exemption to construct a reverse slope driveway at 15 Oakbank Road be limited to this lot only; and***

By receiving the following report of the Commissioner of Planning, dated March 23, 2010.

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**ZONING BY-LAW AMENDMENT FILE Z.07.009
GENERAL AMENDMENTS TO ZONING BY-LAW 1-88
CITY OF VAUGHAN
WARDS: 1 - 5**

The Committee of the Whole recommends:

- 1) **That consideration of the matter be deferred to the Council Meeting of April 13, 2010:**
- 2) **That staff report to the Council Meeting of April 13, 2010 on the following motion:**

That a site specific exemption be allowed for 15 Oakbank Road regarding the intended construction of a reverse driveway as part of the construction at that location; and

That this exemption be provided to the current owner and will expire in five years if the new home is not built;

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- 3) That the deputation of Mr. Nick Voudouris, 15 Oakbank Road, Thornhill, L4J 2B8, be received; and
- 4) That the following written submissions be received:
 - a) Mr. Cam Milani, 11333 Dufferin Street, PO Box 663, Maple, L6A 1S5, dated March 22, 2010; and
 - b) Mr. Frank Greco, dated March 23, 2010.

Recommendation

The Commissioner of Planning in consultation with the Director of Building Standards recommends:

1. THAT Zoning By-law Amendment File Z.07.009 (City of Vaughan) BE APPROVED, to make general amendments to Zoning By-law 1-88 as outlined in this report in order to clarify and/or correct specific sections of By-law 1-88 to improve its' interpretation to update certain provisions in the By-law, and to make administrative amendments to the By-law.

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

On April 17, 2009, and April 23, 2009, a Notice of a Public Hearing was advertised in Vaughan Today and the Vaughan Citizen, respectively, in accordance with the public notification requirements of the *Planning Act, R.S.O 1990*. To date, no written comments have been received by the Vaughan Development Planning Department, and there were no concerns expressed by the public at the Public Hearing on May 12, 2009.

The recommendation of the Committee of the Whole to receive the Public Hearing report of May 12, 2009, and to forward a comprehensive report to a future Committee of the Whole Hearing was ratified by Council on May 26, 2009.

Purpose

The City of Vaughan has initiated general amendments to Zoning By-law 1-88 in order to clarify and/or correct specific sections of By-law 1-88 to improve its' interpretation, to update certain provisions in the By-law, and to make certain administrative amendments to the Zoning By-law as outlined in this report.

Background - Analysis and Options

Zoning By-law 1-88 implements building and development standards for all properties within the City of Vaughan. The By-law is used by a variety of people including land owners, developers, consultants, City staff and members of the general public. The intent of By-law 1-88 is to implement the policies of the Official Plan to ensure that growth and development is appropriately managed by reducing opportunities for nuisance and conflict between varying land uses, and to

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ensure the orderly development of lands within the City. By-law 1-88 was originally enacted by Vaughan Council in January 1988 and has been amended several times over the past 22 years in order to modernize and improve various sections of the By-law.

Occasionally, the interpretation of By-law 1-88 is unclear, and in some cases the content has become redundant, and therefore, general updates to the Zoning By-law are required to reflect changes in development standards and policy direction.

The majority of the amendments being considered in this report deal with general administrative changes and minor revisions to the By-law to improve the understanding and interpretation of specific sections. The following 27 amendments to Zoning By-law 1-88 are applicable on a City-wide basis, and include a discussion and a proposed course of action to address each issue.

1. R5 Residential Zone:

Schedule “A” of By-law 1-88 establishes minimum development standards (e.g. lot size, building setbacks, etc.) for certain lands in the City. The R5 Residential Zone permits single and semi-detached dwellings, on lots with a minimum frontage of 7.5m/unit and requires a minimum interior side yard setback of 1.5m. Applying the minimum interior side yard setback requirement of 1.5m on each side of a dwelling (3m total) for a lot with a 7.5m frontage results in a building envelope that is only 4.5m in width.

The R2, R3, and R4 Residential Zones on Schedule “A” have greater minimum lot frontage requirements (i.e. 15m, 12m, and 9m/unit, respectively) but require a smaller minimum interior side yard setback of 1.2m, resulting in a dwelling with a greater mass and scale. Furthermore, Footnote #4 to Schedule “A”, which applies to the R5 Zone, permits a reduction in one interior side yard to 0.3m, where it abuts a side yard of a minimum of 1.2m, which cannot occur if all adjacent lots in the R5 Zone have a side yard of 1.5m.

It is considered appropriate to amend the interior side yard setback for the R5 Zone from 1.5m to 1.2 m, which would allow the application of Footnote #4 to facilitate buildable lots.

Amendment: The proposed amendment to By-law 1-88 is as follows:

“Amend Schedule “A” by deleting the minimum 1.5m interior side yard setback for an R5 Residential Zone and substituting therefor a minimum 1.2m requirement.”

2. Schedule “A3”:

Schedule “A3” to By-law 1-88 provides minimum development standards for lands within the more recently developed residential areas of Vaughan (e.g. Block 18). When Schedule “A3” was implemented in 2002 (By-law 192-2002, as amended), it created a number of specific requirements, which are implemented through the use of footnotes on the Zone Requirement Table. Specifically, reference to existing “Footnote #8” respecting the minimum required spacing between driveways in a Residential Detached Zone and applicable to the RD1, RD2, RD3, RD4, and RD5 Zones was inadvertently omitted in the Table, and will need to be added.

Amendment: The proposed amendment to By-law 1-88 is as follows:

“Amend the Table in Schedule “A3” by adding “8” in reference to Footnote “8” after the following text “Residential Detached Zone” below the title “Permitted Use Category”.

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3. Section 1.5 “Administration and Enforcement”:

The purpose of this Section is to require all construction within the City of Vaughan to be subject to the acquisition of a Building Permit from the Chief Building Official. However, this Section makes reference to By-law 241-93, which is an outdated and redundant Building Standards By-law, and has been revised several times as required by the *Ontario Building Code*. This can mislead persons reading By-law 1-88 to make reference to an outdated By-law related to an older version of the *Ontario Building Code*.

Amendment: The proposed amendment to By-law 1-88 is to remove the reference to “By-law 241-93” from Section 1.5 “Administration and Enforcement” and replace it with the words “General Building Standards By-law.”

4. Section 2.0 “Definitions”:

Section 2.0 “Definitions” of By-law 1-88 includes the definitions used to interpret the By-law, which are sequentially (i.e. 1, 2, 3, etc.) numbered for the ease of locating and referencing definitions. However, as By-law 1-88 is amended over time, definitions are added and deleted.

The result is a numbering system that remains in order but uses a combination of numerical and alphabetical references (i.e. 1a, 3a, etc) for reference purposes, which can be confusing to the reader. For ease of incorporating or deleting of future definitions to By-law 1-88, it is recommended that the numbering system be removed and that all definitions be listed in alphabetical order to allow for the addition and deletion of definitions over time.

Amendment: The proposed amendment to By-law 1-88 is to delete and replace Section 2.0 “Definitions” in its entirety, thereby removing the existing numbering system and reorganizing the existing definitions into alphabetical order to allow future amendments and definitions to be easily incorporated or deleted from the “Definitions” section of By-law 1-88. In order to implement this amendment, it is also required that all site-specific exceptions under Section 9.0 “Exceptions” to By-law 1-88 that include a numerical reference associated with a definition as defined in Section 2.0 be amended to reflect the removal of the numbering system.

5. Definition of a “Pit”:

The existing definition of a “Pit” makes reference to the Pits and Quarries Control Act, R.S.O., 1980, C. 378, which is an older version of the regulatory legislation that was in effect at the time of the passing of By-law 1-88.

Amendment: The suggested amendment to the definition of a “Pit” is to delete the existing definition in Section 2.0 “Definitions” and replace with the following text referencing the current Act:

“PIT- Means a pit as defined in the Aggregate Resources Act, R.S.O. 1990, C.A.8.”

This proposed amendment constitutes an administrative amendment to the Zoning By-law.

6. Definition of “Service Shop, Personal”:

By-law 1-88 currently defines a “Personal Service Shop” as follows:

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“Means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and includes a barber's shop, hair dressing establishment, a shoe repair shop and other similar services, but does not include a body rub parlour.”

This existing definition does not reflect the broad range of personal service uses that currently operate within the City or those that have existed through the implementation of site-specific zoning amendments including a tanning salon, a tailor, a seamstress or seamstress establishment, a beauty salon, a laundromat, dry cleaning depot, and a formal wear shop.

Amendment: The proposed amendment to the definition of a “Personal Service Shop” in By-law 1-88 is to delete the existing definition in Section 2.0 “Definitions” and replace with the following definition to permit a tanning salon, a tailor or seamstress establishment, a beauty salon, a laundromat, dry cleaning depot, and a formal wear shop as additional uses:

“PERSONAL SERVICE SHOP - Means a building or a part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and includes a barber's shop, hair dressing establishment, a shoe repair shop, a tanning salon, a tailor or seamstress establishment, a beauty salon, a laundromat, a dry cleaning depot, a formal wear shop, and other similar services, but does not include a body rub parlour.”

Amendment: In addition, it is recommended that, the following definition for a “Dry Cleaning Depot” be added to Section 2.0 “Definitions” for additional clarity:

“DRY CLEANING DEPOT – Means a building or a part of a building used for the purpose of receiving articles to be subjected to the process of dry cleaning at another location off-site, and shall not permit dry cleaning equipment on the property.”

7. Definition of “School, Private”:

In 2002, By-law 72-2002 was enacted, which removed the definition of a “Commercial School” from By-law 1-88 and replaced it with the term “Technical School”. This amendment was a response to the multiple references in By-law 1-88 to a “Commercial School” and a “Technical School”, which were effectively considered to be the same use. However, the existing definition of a “Private School” still makes reference to a “Commercial School”, which is not defined in By-law 1-88.

Amendment: The proposed amendment to By-law 1-88 is to provide the following definition for a “Private School”, which deletes reference to a Commercial School” and replaces with “Technical School” to be consistent with the intent of By-law 72-2002 in 2002 but was inadvertently omitted in the original amendment.

“SCHOOL, PRIVATE – Means a school other than a Public School or a Technical School.”

8. Definition of “Store, Video”:

The existing definition of a “Video Store” makes reference to a redundant Licensing By-law Number (By-law 218-97), which prohibits an Adult Videotape Store.

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Amendment: The proposed amendment to By-law 1-88 is to remove the reference to “By-law 218-97” and replace it with the following text “Adult Videotape Store By-law”, thereby making reference to the most current By-law.

This proposed amendment constitutes an administrative amendment to the Zoning By-law.

9. Section 3.1 “Zones”:

The Table of Contents in Section 3.1 “Zones” makes reference to all the acronyms used on Key Maps 1A to 11G to By-law 1-88 and their related Zone categories. There are six (6) Zone categories that were implemented through site-specific Zoning By-law Amendments that are shown on the Key Maps, but are not referenced in this Table of Contents as follows:

| <u>Zone Acro nym</u> | <u>Zone</u> | <u>Implementing Exception Paragraph/By -law</u> |
|------------------------------|--|---|
| RA4 | Apartment Residential Zone | 9(657) |
| AC | Automotive Commercial Zone | 9(477) |
| SCD | Vaughan Shopping Centre District Zone | 9(1030) |
| TPC | Theme Park Commercial Zone | 9(194) |
| T | Transportation Zone | 9(480) |

Amendment: The proposed amendment to By-law 1-88 is to add the above noted Zone categories to the Table of Contents in Section 3.1 in their respective alphabetical order, which will identify these Zone categories that are implemented through the site-specific zoning by-law amendments and to be consistent with the by-law Key Maps.

This amendment constitutes an administrative amendment to the Zoning By-law.

10. Section 3.5 “Height Exceptions” (Belfry and Clock Tower):

Section 3.5 of By-law 1-88 “Height Exceptions” permits certain structures to be excluded from the building height restrictions in the By-law. Two (2) examples of these structures include a belfry (the part of a steeple or other structure in which a bell is hung) and a clock tower.

The original intent of this section was to allow certain commercial and institutional developments an opportunity to incorporate a clock tower or belfry into a building, which can contribute to the architectural character of a development. However, there has been instances where this height exemption has been used to construct a belfry and clock tower in residential areas, which is not the intent or purpose of this building height exemption.

Amendment: The proposed amendment to By-law 1-88 is to delete the existing text in Section 3.5 “Height Exceptions” and substitute with the following text, thereby restricting height exemptions for belfry’s and clock towers to institutional and commercial development only:

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“Height restrictions set forth in this By-law shall not apply to a church spire, belfry and clock tower for institutional and commercial uses only, chimney, farm building or structure, flag pole, water tank, windmill, radio or television tower or antenna, communications receiving or transmission tower, a silo, or drive-in theatre screen.”

11. Section 3.8 “Parking Requirements” (Commercial School):

Section 3.8 “Parking Requirements” establishes minimum parking requirements for all permitted uses contained within By-law 1-88. The parking requirements for a “*Public Elementary School*” and a “*Secondary School*” both make reference to a “*Commercial School*”, which is a use that was eliminated from By-law 1-88 in 2002 by By-law 72-2002 and replaced with the term “*Technical School*”.

Amendment: The proposed amendment to By-law 1-88 is to replace the reference to “Commercial School” with the term “Technical School” for both “Public Elementary School” and “Public Secondary School” uses listed in Section 3.8, in conformity with By-law 72-2002.

This proposed amendment constitutes an administrative amendment to the Zoning By-law.

12. Section 3.14(c) “Permitted Yard Encroachments and Restrictions” (Porches and Balconies):

Section 3.14 (c) “Permitted Yard Encroachments and Restrictions” (Porches and Balconies) of By-law 1-88 provides provisions for the encroachment of uncovered and unenclosed porches and balconies, which are not on foundations. Specifically, the interpretation of the word “open” has been interpreted to mean “uncovered”, and the words “which is not constructed on footings” to mean “unexcavated”, which was the original intent of this provision. The intent was to allow a property owner to construct a small porch or balcony that did not have the effect of increasing the mass or size of the main structure.

However, as a result of an amendment to By-law 1-88, special provisions for the newer “Residential Detached Zones” (Section 4.22) included the addition of a definition for a “*Porch, Unenclosed (Covered or Uncovered)*” in the By-law resulting in a conflicting interpretation of the use of the word “open” in Section 3.14(c).

Amendment: The proposed amendment to this section of By-law 1-88 is to delete the existing text in Section 3.14(c) “Permitted Yard Encroachments and Restrictions” and substituting with the following text:

- “c) Subject to Paragraph (b), exterior stairways, porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings may extend into a required interior side yard to a maximum distance of 0.3 metres and may extend into a required front, exterior side or rear yard to a maximum of 1.8 metres.”

13. Section 3.14(g) “Permitted Yard Encroachments and Restrictions” (Satellite Dishes):

Section 3.14(g) of By-law 1-88 “Permitted Yard Encroachments and Restrictions” (Satellite Dishes) provides minimum standards for the location of satellite dishes within the City, including minimum setbacks from property lines and a maximum height as follows:

“A satellite dish shall be permitted only in the rear yard, provided such dishes are set back from the rear and side lot lines a minimum of 1.5 metres or the equivalent of the minimum side yard, whichever is greater. The maximum height of any such satellite dish shall be 4.5 metres measured from grade level to the highest point of the structure”;

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Furthermore, Section 6.1.11 "Satellite Dishes" provides different standards for satellite dishes located in Employment Area and C7 Service Commercial Zones as follows:

"Notwithstanding Subsection 3.14(g) a satellite dish shall be permitted in any Employment Area or C7 Service Commercial Zone provided:

- a) The satellite dish shall not be located in the front or exterior side yard or between any main building and a streetline;
- b) The satellite dish shall comply with the minimum yard and maximum height requirements of the Zone as shown in Schedule "A";
- c) Notwithstanding paragraph (b) above, a satellite dish may encroach a maximum of 1.5 m into the minimum side yard requirement, except where there is a mutual driveway, provided the satellite dish is located a minimum of 6 metres above finished grade."

These sections of the By-law were written in the early 1990's when the average size of a satellite dish was significantly larger than those used by common carriers today, thereby requiring significant rear yard and side yard setbacks to reduce their visual impact on adjacent property owners.

A report was prepared in October 2001 by the Planning Department to the Committee of the Whole (Working Session) which analyzed the impact and success of the current zone standards for these larger satellite dishes, and the required changes to By-law 1-88 for the smaller satellite dishes which are currently available to the public. The following recommendation was approved by Council on November 12, 2001, which was inadvertently never implemented:

- "1. THAT Staff be directed to prepare the necessary amendments to the Zoning By-law to implement the following standards respecting satellite dishes/antennae:
 - a) that dishes less than 0.9m square or in diameter be attached to the main building, and be no higher than the height of the building; and,
 - b) that the current standards be maintained for dishes greater than 0.9m square or in diameter and antennae."

The Staff Report previously prepared in 2001, based the above-noted recommendations on a review of the standards of other surrounding municipalities. It was noted that many do not place any zoning restrictions on the smaller satellite dishes (less than 0.9m in diameter) other than requiring that the dish be attached to the main dwelling, and that the height not exceed the highest point of the roof on the main building.

Amendment: It is proposed that Section 3.14 (g) and 6.1.11 of By-law 1-88 be amended to implement the resolution of Vaughan Council from November 2001, by adding the following text to the end of Sections 3.14g) "Permitted Yard Encroachments and Restrictions" and 6.1.11 "Satellite Dishes":

"That satellite dishes less than 0.9m in diameter be attached to the main building, and be no higher than the height of the building."

14. Section 3.17 "Portions of Buildings Below Grade":

Section 3.17 of By-law 1-88 "Portions of Building Below Grade" includes provisions to regulate portions of buildings below grade (e.g. basements and parking garages). By-law 1-

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88 currently requires a minimum setback of 1.8m from the front property line for all portions of buildings below grade. However, there is no specific setback requirement in By-law 1-88 to regulate a minimum setback for below grade structures to the rear or side property lines, and therefore it has generally been interpreted to be 0m. The 1.8m setback at the front property line was established to allow for room for the placement and repair of underground services (e.g. sewers and water) without causing damage to the underground portion of buildings.

It is proposed that Section 3.17 “Portions of Buildings Below Grade” be amended to: i) specifically implement a 0m setback to the interior and rear yard setbacks to clarify the interpretation of this Section; and ii) introduce a minimum 1.8m minimum exterior side yard setback for any portions of a building below grade, which would facilitate the location and repair of in-ground services.

Amendment: The proposed amendment to By-law 1-88 is to delete the text in Section 3.17 “Portions of Buildings Below Grade” and replace with the following text:

“The minimum setback from the front lot line and the exterior lot line to the nearest part of a building below finished grade shall be 1.8 metres, except where the minimum yard for a zone is less than 1.8 metres in which case the minimum setback shall be the same as such minimum yard(s). The minimum setback from the interior side lot line and the rear lot line to the nearest part of a building below finished grade shall be 0m.”

15. Section 3.24 “Prohibited Uses”:

Section 3.24 “Prohibited Uses” of By-law 1-88 identifies specific uses that are not permitted within any Zone category within the City, including but not limited to asphalt manufacture or refining, blast furnace, oil storage tanks and mixing plant. A “Mixing Plant” is currently defined in By-law 1-88 as follows:

“MIXING PLANT - Means a building or a structure or part of a building or structure where concrete, mortar, plaster or paving materials are mixed or batched or are weighed and measured for mixing off site.”

This definition precludes the mixing of any cement in Vaughan, including small mixers at construction sites, or mixers used by some manufacturing businesses which are accessory to the main or principal use of the business.

The intent of this section and the definition of a “Mixing Plant” is to prohibit large scale full-time and outdoor cement mixing plants within Vaughan, which occupy an entire building and/or property and may prove to be a nuisance to nearby property owners. The intent was not to prevent small-scale businesses, which rely on the mixing of cement to create cement products, and which do not represent the primary function of their daily operations or physical space.

Amendment: The proposed change to the definition of a “Mixing Plant” is to include additional wording to the end of the existing definition that will allow the mixing of concrete, mortar, and plaster that is accessory to a permitted employment use provided it is conducted within a wholly enclosed building and with a limited output of concrete per batch. This amendment will allow those uses which require a small mixing operation that is accessory, but not the primary function of a business. The proposed amendment to By-law 1-88 is to add the following text to the end of the existing definition of a “Mixing Plant”:

“...and shall not include the mixing of concrete, mortar and plaster accessory to a permitted use provided all mixing shall occur within a wholly enclosed building and with a maximum batching capacity of 3 cubic metres at any one time.”

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16. Section 3.26 “Mezzanines”:

Section 3.26 “Mezzanines” of By-law 1-88 provides building standards related to the construction of mezzanines within buildings. Specifically, By-law 1-88 permits the space devoted to open and closed mezzanines to be a maximum of 40% and 10%, respectively, of the gross floor area of the building. As such By-law 1-88 currently permits a combined (open and closed) mezzanine area of 50% of the gross floor area of the building. However, the requirements of this Section are out-of-date and conflict with the current requirements of the *Ontario Building Code*, which only allows a combined (open and closed) mezzanine to a maximum of 40% of the total Gross Floor Area of a Building.

Amendment: It has been determined through the review of By-law 1-88 that the requirements of the Ontario Building Code are more restrictive than that of By-law 1-88, and therefore, By-law 1-88 needs to be amended to reflect the current Code requirement. To improve the implementation and clarity of this Section of By-law 1-88, it is recommended that the existing wording be deleted and replaced with new wording, which references the Ontario Building Code. The proposed amendment to By-law 1-88 is to delete the first paragraph in Section 3.26 “Mezzanines” and replace it with the following wording:

“Mezzanines shall be permitted in single use and multi-unit industrial and commercial buildings in accordance with the Ontario Building Code.”

17. Section 4.1.1 “Accessory Buildings and Structures”:

Section 4.1.1 “Accessory Buildings and Structures” of By-law 1-88 provides minimum standards for the location, size, and height of an accessory structure associated with a main dwelling in a Residential Zone. The maximum size of all accessory structures on a residential lot is not permitted to exceed 67m² or 10% of the lot area, whichever is lesser.

However, Section 4.1.1(b) “Accessory Buildings and Structures” of By-law 1-88, permits a reduced rear yard and interior side yard setback of 0.6m for a detached building used as a garden or storage shed provided that such uses do not exceed the maximum floor area (ranging from 6 to 10 m² based on lot frontage), are located in the rear yard only, and do not exceed 2.5m in height.

The building setbacks for any accessory structure (including garden/storage sheds), which has a floor area greater than that permitted by Section 4.1.1(b) are subject to the same zone setbacks applicable to the main dwelling under By-law 1-88 and the structure is not permitted to exceed a maximum building height of 4.5m to the peak of the roof.

Occasionally, the reduced 0.6m rear yard and interior side yard setbacks provided in Section 4.1.1(b) for garden and storage sheds are mistakenly interpreted to apply to all other accessory structures (e.g. pool cabanas), and not just the accessory structures that comply with the garden/storage shed standards found in Section 4.1.1(b), which permits a reduction in the required yards.

Amendment: The proposed amendment to By-law 1-88 is to delete the current provisions in Section 4.1.1 and replace it with the following text in italics, thereby adding updated text to improve the overall clarity of the interpretation of this section, as follows:

- “a) The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed ten percent (10%) or 67 square metres, whichever is the lesser;

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- b) The maximum height of any accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three (3) metres above finished grade;
- c) Any accessory building or structure shall be located in the rear yard *and subject to the required setbacks of the main dwelling unit on the lot, provided that a garage or carport may be erected in a side yard or front yard, in compliance with the provisions of Schedules "A", "A1" and "A3*;
- d) No accessory building or structure shall be used for human habitation;
- e) *Notwithstanding the provisions of Paragraphs (a), (b), and (c) above, the following provisions apply to a detached building used as a garden or storage shed only, and which is accessory to the residential use:*

| <u>Lot Frontage</u> | <u>Maximum Floor Area of a Garden or Storage Shed</u> |
|---------------------|---|
| Less than 9.0m | 6 m2 |
| 9.0 - 17.99 m | 8 m2 |
| 18 m and greater | 10 m2 |

- f) *Where the maximum floor area of a garden or storage shed does not exceed the maximum provided in Paragraph (e) above, the following additional standards shall apply:*
 - i) the garden or storage shed shall be located in the rear yard;
 - ii) the minimum rear and interior side yard shall be 0.6 metres;
 - iii) the minimum exterior side yard required shall be equal to that required for the main use on the same lot;
 - iv) the maximum height of the garden or storage shed shall not exceed 2.5 metres from finished grade to the highest point of the structure; and,
 - v) notwithstanding (ii) and (iii) above, eaves, gutters and other similar projections appurtenant to the garden or storage shed shall not encroach more than 0.3 metres into the required yard;
- g) *Where the maximum floor area of a garden or storage shed exceeds the maximum stated in Paragraph (e) above, the structure shall be deemed to be an accessory structure and subject to the provisions in Paragraphs (a), (b), and (c);*
- h) In computing lot coverage, a garden or storage shed shall not be included provided that it is:
 - i) constructed in accordance with the maximum floor area requirements set out in Subsection 4.1.1 (e); and,

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- ii) erected in the rear yard; and,
- iii) used only as a garden or storage shed;
- i) A private swimming pool shall be constructed only in the rear yard and notwithstanding Subsection 3.16, not nearer to any rear or interior side lot line than 1.5 metres or to any exterior side lot line than the required setback of the main dwelling unit on the lot, notwithstanding any permitted exterior side yard reductions;
- j) Notwithstanding the provisions of Paragraph (b) above, the maximum height of any retaining wall constructed on a property line between two (2) residential lots shall be one (1) metre. Height shall be measured from the finished ground level to the highest point of the wall. A retaining wall which exceeds one (1) metre in height must be set back from the nearest property line a distance equal to its height. If the height of the wall on one side is different than the height on the other side, for the purposes of this paragraph the height of the wall shall be the greater of the two; and,
- k) Any architectural or design element, used in the hard landscaping of any yard, which is greater than 1.8 m in height shall be set back from the property line a distance equal to the height of said architectural or design element. Such elements shall not be considered to be structures for the purposes of calculating any minimum yard requirements.”

18. Section 4.1.4(f) “Dimensions of Driveways”:

Section 4.1.4(f) “Dimensions of Driveways” of By-law 1-88 provides minimum development standards for the construction of driveways in residential areas. This section of the By-law is often misinterpreted in two respects.

Firstly, the by-law does not clearly state that the maximum width of a curb cut in a residential Zone is be 6 m, which is the intent of the by-law. In order to remedy this situation, it is suggested that appropriate wording be added to this section to clearly identify that the maximum curb cut in a Residential Zone permitted under By-law 1-88 is 6 m.

Secondly, on lots with a frontage of 12 m or greater, By-law 1-88 currently permits a maximum driveway width of 9 m. This is often misinterpreted to permit a 9 m wide driveway for it’s full length extending from the face of the garage to the street curb (including the curb cut and municipal boulevard), which is not the intent of By-law 1-88.

The intent of the By-law is to provide a maximum driveway width from the face of the garage to the front lot line (property line), not including the lands in the municipal boulevard which lies between the front lot line (property line) and the curb cut. As noted above, the curb cut should not exceed 6m in width.

Amendment: The proposed amendment to By-law 1-88 is to delete the existing provisions in Section 4.1.4 (f) in their entirety and substituting therefor the following text to provide further clarity respecting the maximum width of a driveway at the street curb, and at the property line in residential areas:

“Dimensions of Driveways:

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- i) The maximum width of a driveway at the street curb and a curb cut shall be six (6) metres, provided circular driveways having two points of access shall have a maximum driveway width and curb cut width of nine (9) metres. For lots zoned RR Rural Residential Zone and A Agricultural Zone, circular driveways having two points of access shall have a maximum combined curb cut and driveway width of 15 metres measured at the street curb.
- ii) Where there is no street curb, the maximum width of the driveway shall be measured at a point 4.25 metres from the street line, onto the private side of the lot.
- iii) The portion of the driveway between the front lot line and the street curb shall not exceed six (6) metres in width;
- iv) Not more than one (1) driveway per lot shall be permitted, and a circular driveway shall not access more than one street;
- v) Driveways located between a lot line abutting a street and a garage or dwelling wall in either front or exterior side yards shall be constructed in accordance with the following requirements:

| <u>Lot Frontage</u> | <u>Maximum Width Of Driveway</u> |
|-----------------------------------|----------------------------------|
| 6.0 - 6.99 m ⁽¹⁾ | 3.5 m |
| 7.0 - 8.99 m ⁽¹⁾ | 3.75 m |
| 9.0 - 11.99 m ⁽¹⁾ | 6.0 m |
| 12.0 m and greater ⁽²⁾ | 9.0 m |

- (1) The Lot Frontage for Lots between 6.0 - 11.99 m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.
- (2) The Lot Frontage for Lots 12.0 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

19. Section 4.1.4 “Parking and Access Requirements”:

The Vaughan Engineering Department prepared a report entitled “Summer 2008 Rainstorm Update” for consideration at the November 25, 2008 Committee of the Whole Working Session. On December 8, 2008, Vaughan Council resolved the following:

“Zoning By-law 1-88 be amended to prohibit the construction of back-sloped residential driveways in the City due to the high potential for flooding and property damage during a major storm event.”

The Vaughan Engineering Department has determined that the flooding of basements has become a growing concern in the City. In response, to address the concerns surrounding the flooding of basements, the Engineering Department proposed a number of solutions in the

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aforementioned report, including but not limited to the prohibition of the reverse slope driveways for all new low and medium density residential development (e.g. single and semi-detached houses, and townhouses).

During extreme storm events such as the one many areas in the GTA experienced on August 19, 2005, the storm water flow can exceed the capacity of older storm sewer systems resulting in the storm sewers overflowing. Depending on the intensity of the storm, water may overtop the curb, and then flow down the driveway, into the garage and basement. The catch basins that drain the driveway, which are often lower than the storm sewer can additionally result in minor surcharging of storm water into the basement. Due to the increased effect that reverse slope driveways can have on basement flooding, it is recommended that reverse slope driveways be prohibited in the City.

Amendment: The proposed amendment to By-law 1-88 is to add the following subclause to Section 4.1.4 “Parking and Access Requirements”

“g) Reverse Grade Driveways

That all driveways shall have a positive slope away from all parts of the building or structure to the street for all single family detached, semi-detached dwellings, townhouse dwellings and street townhouse dwellings.”

This clause will implement Council’s resolution of December 8, 2008.

20. Section 4.1.4(f) “Number of Driveways”:

Section 4.1.4(f) “Number of Driveways” in By-law 1-88 provides regulations regarding the maximum size of driveways and curb cuts. The intent of this section is to ensure that the front yard maintains some soft landscaping elements such as grass, gardens, and planting to reduce the effect of urban heat, improve on-site drainage and to improve the overall aesthetics of a community.

This Section is not clear about the number of driveways permitted on a corner lot, where the intent of the By-law is to allow one driveway, either in the front yard or in the exterior yard, and not one in each yard. The provisions must also be clarified to restrict circular driveways with access on both the front yard and exterior side yard for a corner lot which can impact the flow of traffic at an intersection, and potentially increase opportunities for conflict between pedestrians using public sidewalks and motor vehicles using the driveways and roadways.

Amendment: The proposed amendment to Section 4.14(f) of By-law 1-88 is to add wording that will restrict the number of driveways to one (1) per lot and to require circular driveways to enter and exit onto the same public road, to prevent access onto two public roads, where the lot is a corner lot with access to both the front yard and exterior yard. The proposed change to By-law 1-88 has been incorporated into the proposed text for Amendment #18 noted in the “Dimensions of Driveways” section above as follows:

“Not more than one (1) driveway per lot shall be permitted, and a circular driveway shall not access more than one street.”

21. Section 5.0 Pharmacy Use in “Commercial Zones”:

Section 5.0 “Commercial Zones” of By-law 1-88 establishes the permitted uses within the various Commercial Zones throughout the City. A “Pharmacy” is a defined use in Section 2.0 (Definitions) of the By-law, however, it is not specifically listed as a permitted use in any commercial zone category within By-law 1-88, which often leads to confusion with respect to where a “Pharmacy” use is permitted.

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The definition of a “Retail Store” includes a “Pharmacy” as a permitted use. A “Retail Store” is permitted within the C1, C2, C3, C4, C5, C8, C9, C10, and C11 Commercial Zones and within the definition of an “Office Building” in Section 2.0 “Definitions”.

Amendment: The proposed amendment to Section 5.0 of By-law 1-88 is to add a “Pharmacy” as a permitted use to the following Sections:

- i) 5.2 “C1 Restricted Commercial Zone”
- ii) 5.4 “C3 Local Commercial Zone”
- iii) 5.5 “C4 Neighbourhood Commercial Zone”
- iv) 5.9 “C8 Office Commercial Zone”
- v) 5.10 “C9 Corporate Centre Zone”
- vi) 5.11 “C10 Corporate District Zone”
- vii) 5.12 “CMU1 Mixed Use 1 – Town Centre Zone”
- viii) 5.13 “CMU2 Mixed Use 2 – Town Centre Zone”
- ix) 5.14 “C11 Mainstreet Commercial Zone”

The C2 General Commercial Zone permits all uses in a C1 Restricted Commercial Zone and the C5 Community Commercial Zone permits all uses in a C4 Neighbourhood Commercial Zone, therefore the Pharmacy use does not need to be added as a permitted use in the C2 and C5 Zones.

Amendment: Furthermore, there is currently no specific parking standards for a pharmacy in Section 3.8 as it is currently considered a retail store. It is recommended that a new parking standard be added to Section 3.8 for a pharmacy use, and that the parking standard be the same standard as a retail store, being 6.0 parking spaces per 100 sq. m. GFA.

These changes will clarify where a pharmacy is permitted where a retail store is already permitted.

Amendment: It is recommended that the definition of an “Office Building” in Section 2.0 “Definitions” also be amended to include a pharmacy as an additional permitted use, where an office building is greater than three (3) storeys in height and where ancillary uses are permitted on the ground floor.

Amendment: However, medical buildings can often be less than three (3) storeys in height and generally require a small pharmacy for use by the practitioners in the building. Therefore, it is also recommended that the following wording be added to the definition of an “Office Building” to permit a small scale (75m²) pharmacy on the ground floor of an office building used for medical purposes that is less than three (3) storeys in height:

“Notwithstanding the above, a pharmacy not exceeding 75m² shall be permitted in an office building not exceeding three (3) storeys in height.”

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22. Section 5.1.6. “Outdoor Patio” and Section 6.1.13 “Outdoor Patio Provisions”:

By-law 1-88 currently permits outdoor patios accessory to an eating establishment, provided they comply with the minimum standards for the Commercial Zones (Section 5.1.6) and the Employment Zones (Section 6.1.13) each of which includes the following:

“No public sidewalk, road allowance or lane shall be used for the purpose of an outdoor patio.”

This provision of By-law 1-88 prevents an outdoor patio on public lands. (i.e. owned by a municipal or regional government such as a road right-of-way or sidewalk). The policies within the Provincial Places to Grow Plan and emerging direction of the future City Official Plan with respect to urban design and sustainability encourages active streetscapes in both the public and private realm. Active streetscapes include the location of patios in strategic locations including public sidewalks that would provide opportunities for social interaction.

Appropriate development controls are currently in place respecting the construction of a patio located on public property within the municipal right-of-way. A patio accessory to a permitted use is currently subject to site plan approval, and a patio located within a Municipal or Regional Right-of-Way (eg. sidewalk) is subject to approval by the appropriate public authority and would require an encroachment agreement.

Amendment: The proposed changes to Sections 5.1.6. “Outdoor Patio” and 6.1.13 “Outdoor Patio Provisions” of By-law 1-88 is to amend the above noted provision that currently does not permit a patio on a public sidewalk, road allowance, or lane, thereby providing more flexibility for the construction of a patio accessory to a permitted use, without having to obtain a variance or amendment to the Zoning By-law.

23. Section 5.12 “C11 Mainstreet Commercial Zone”:

Section 5.12 “C11 Mainstreet Commercial Zone” was implemented by By-law 167-2006 on May 23, 2006, and applicable to the Kleinburg area. However, the By-law was subsequently appealed to the Ontario Municipal Board and recently approved on October 5, 2009. In the interim, Vaughan Council approved a By-law Amendment for the Mixed Use Town Centre Zones for the development at the northwest corner of Bathurst Street and Centre Street in Thornhill, which was not appealed and as a result, Sections 5.12 “CMU1 Mixed Use 1-Town Centre” and 5.13 “CMU2 Mixed Use 2 – Town Centre” were added to By-law 1-88 thereby resulting in multiple references to Section “5.12”.

Amendment: The proposed Amendment to By-law 1-88 is to delete the reference to “Section “5.12” C11 Mainstreet Commercial Zone” and replace it with “Section 5.14 Mainstreet Commercial Zone” thereby implementing a proper numbering system within the Commercial Section of the By-law. In addition, By-law 167-2006 made changes to existing Exceptions to By-law 1-88 which included reference to Section 5.12, which must be replaced with the correct reference to Section 5.14

This amendment constitutes an administrative amendment to the Zoning By-law.

24. Section 6.1.1 “Permitted Uses in all Employment Area Zones”:

Section 6.1.1 of By-law 1-88 makes reference to a “*Commercial School*” as a permitted use within all “Employment Area Zones”. A Commercial School is no longer defined in By-law 1-88, and must be removed from this Section, as it has been replaced with the term “*Technical School*” (a permitted use in this section) that is defined in By-law 1-88, as noted previously in this report.

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Amendment: The proposed amendment is to delete reference to the term “Commercial School” from Section 6.1.1 “Permitted Uses in all Employment Area Zones”.

This amendment constitutes an administrative amendment to the Zoning By-law.

25. Section 6.1.10 “Waste Transfer Stations and Material Recovery Facilities”:

Amendment: Section 6.1.10 “Waste Transfer Stations and Material Recovery Facilities” should be removed from By-law 1-88 as it references Zoning By-law 255-93, which never came into full force and effect. The intent of this Section was to permit Waste Transfer Stations and Material Recovery Facilities as-of-right in certain Employment Zones. However, Council later confirmed that applications for these uses should be considered on a site-specific basis and not be included as permitted uses in the general text of By-law 1-88. Accordingly, this section is redundant and should be deleted from By-law 1-88 in its entirety.

26. Section 8.2 “Agricultural Zone – Uses Permitted”:

Section 8.2 “Agricultural Zone – Uses Permitted” of By-law 1-88 permits *Institutional Uses* that are owned and operated by religious, educational and charitable institutions supported in whole or in part by public funds in an Agricultural Zone.

Problems have arisen with the interpretation of this Section related to all types of *Institutional Uses* being permitted in the Agricultural Zone. The intent of the By-law is to allow for low-intensity institutional uses, which do not require significant amounts of sanitary/sewer and water allocation.

Accordingly, it is proposed that this provision be updated to restrict a residential “*Dwelling Unit*” (i.e. units with individual cooking and washroom facilities) as currently defined in Section 2.0 of By-law 1-88 from locating in the Agricultural Zone as an *Institutional Use*, and instead, it is suggested that any suite without cooking facilities that utilizes a common dining facility within the building be permitted in the Agricultural Zone. This form of development is exempt from the Region of York’s policy for requiring sewage and water allocation.

Furthermore, this list of permitted uses makes reference to OPA #400, which has since been replaced by OPA #600. It is recommended that the reference to “OPA #400” will be deleted and replaced with “the applicable Official Plan”.

Amendment: The proposed amendment to By-law 1-88 is to delete the text under “*Institutional Uses*” in Section 8.2 “Agricultural Zone – Uses Permitted:” and to substitute therefor the following text implementing the proposed amendment (shown in Italics below):

“Institutional

Church
Community Centre
Day Nursery
Public Library
Public or Private Hospital
School

Correctional Or Crisis Care Group Home as defined in Section 2.0, only permitted in Agricultural Zone located within the “Rural Area - General” boundary or “Employment Areas” defined in the applicable Official Plan, as amended.

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An institution owned and operated by a religious, educational or charitable institution supported in whole or in part by public funds but not including an Institutional Care Facility or Residential Dwelling Unit as defined in Section 2.0."

27. Section 4.1.4(c) "Parking or Storing of Trailers, Boats and Mobile Homes":

On April 2, 2007, Council approved the following recommendation from Councillor Sandra Yeung Racco:

- "1. That the City of Vaughan Legal Department research the feasibility and merit of revising By-law 1-88, Section 4.1.4 (c), Parking or Storing of Trailers, Boats and Mobile Homes, to include that in the case of a corner lot, boats, trailers and mobile homes shall not be stored in the side yard of a lot when the side yard is adjacent to and visible from the roadway; and,
2. That the City of Vaughan Legal Department report back to a future Committee of the Whole report in May 2007."

The Development Planning Department in consultation with the Building Standards and Legal Services Departments reviewed the existing standard regarding the parking and storage of recreational vehicles in Residential Zones in light of the standards of surrounding municipalities.

The existing standard allows one recreational vehicle to be parked or stored in the rear yard or exterior side yard, provided the boat or mobile home meets the minimum setback requirements for an accessory building as established in Section 3.16 of By-law 1-88. The existing standard ensures that recreational vehicles are not parked or stored within a municipal boulevard, and are sufficiently setback from a public roadway, similar to the requirements for an accessory structure located in the rear or exterior side yard.

The Development Planning Department in consultation with the Building Standards and Legal Services Departments recommend that the existing standard respecting the Parking or Storage of Trailers, Boats and Mobile Homes in By-law 1-88 be maintained, as the standard provides appropriate requirements for these types of vehicles in residential zones, that is consistent with standards used by surrounding municipalities. Furthermore, the By-law Enforcement Department has informed the Development Planning Department that only one (1) complaint (2007) has ever been received by the City with respect to this existing standard, thereby demonstrating that the existing standard appropriately addresses this issue in Vaughan.

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 Vaughan Development Planning Department in consultation with the Vaughan Building Standards and Vaughan Legal Services Departments has reviewed By-law 1-88 with respect to implementing general amendments to By-law 1-88 to clarify and/or correct specific sections of the

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By-law to improve its' interpretation and clarity and to update certain provisions of the By-law. The review includes a brief description of each issue and the proposed amendment to address each issue. There are a total of 27 proposed amendments to By-law 1-88. Should Council concur with the proposed amendments, the Development Planning Department will prepare the implementing zoning by-law for Council's enactment at a future meeting.

Attachments

N/A

Report prepared by:

Ryan Mino, Planner, ext. 8213
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/LG

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Item 20, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

20 **ZONING BY-LAW AMENDMENT FILE Z.05.036**
SITE DEVELOPMENT FILE DA.09.020
THE DOCTOR'S HOUSE DINING CORP.
WARD 1

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 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 Zoning By-law Amendment File Z.05.036 (The Doctor's House Dining Corp.) BE APPROVED, specifically to amend By-law 1-88, for the subject lands shown on Attachment #2 to facilitate the development of a 943.3 m² addition to the existing Doctor's House (eating establishment) and a new 3,540.8 m², 3-storey, 72 suite hotel shown on Attachment #3, as follows:
 - a) rezone a portion of the subject lands identified as Area 1 on Attachment #3, from R1 Residential Zone to C11 Mainstreet Commercial Zone;
 - b) rezone a portion of the subject lands on Attachment #3 from R1 Residential Zone to:
 - i) OS1 Open Space Conservation Zone (identified as Area 2 on Attachment #3), which was leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and is to be renaturalized and returned to the TRCA, free and clear of any encumbrances;
 - ii) OS1 Open Space Conservation Zone (identified as Area 3 on Attachment #3) to permit a buffer ranging from 2.5 m to 5 m in width, which includes a pedestrian promenade and landscaped courtyard, to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances;
 - iii) OS1 Open Space Conservation Zone (identified as Area 5 on Attachment #3) to permit a buffer ranging from 5 m to 10 m in width for open space/valleyland uses to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances; and,
 - iv) OS1 Open Space Conservation Zone (identified as Area 6 on Attachment #3) for open space/valleyland uses to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances;

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- c) rezone a portion of the subject lands from C11 Mainstreet Commercial Zone to OS1 Open Space Conservation Zone (identified as Area 4 on Attachment #3), to permit a buffer ranging from 2.5 m to 5 m in width for a pedestrian promenade and landscaped courtyard to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances;
 - d) permit the following uses on the subject lands as follows:
 - i) permit in Building “A” (The Doctor’s House) only an eating establishment not to exceed a gross floor area of 3,189.3 m² and related accessory uses such as an outdoor patio not to exceed a floor area of 150 m², seminar rooms and entertainment associated with the eating establishment shall be permitted, provided Adult Entertainment as defined by Licensing By-law 315-2005, as amended, is not permitted, and provided all refuse and recycling associated with the eating establishment use shall be stored internally;
 - ii) permit in Building “A” (The Doctor’s House) a banquet hall use, not to exceed a net floor area of 930 m² as a related accessory use, where there is both an eating establishment and hotel on the subject lands;
 - iii) permit in Building “B” (Office) only a business or professional office use, not to exceed a gross floor area of 134 m²;
 - iv) permit in Building “C” (Retail) only one commercial use, not to exceed a gross floor area of 91 m²;
 - v) permit in Building “D” (Chapel) only a place of worship, not to exceed a gross floor area of 230 m²;
 - vi) permit in Building “E” (Inn) only a hotel use not to exceed a gross floor area of 3,540.8 m² and a height of 3 storeys (9.5 m); and,
 - e) require a minimum 10 m setback for any building or structure or swimming pool, above or below grade, in the C11 Mainstreet Commercial Zone from lands zoned OS1 Open Space Conservation Zone;
 - f) delete zoning Exception 9(49) for Building “A” (The Doctor’s House) and Building “B” (Office), which had site-specific exceptions respecting the minimum parking space size, minimum number of parking spaces and permitted uses within building envelopes, and zoning Exception 9(239) for Building “C” (Retail), which had site-specific exceptions respecting the maximum gross floor area, minimum front yard and minimum number of parking spaces, which are obsolete and in light of the new proposal requires modifications; and,
 - g) include the zoning exceptions to the C11 Mainstreet Commercial Zone and existing site-specific exceptions, as identified in Table 1 of this report.
2. THAT Site Development File DA.09.020 (The Doctor’s House Dining Corp.) 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, including, but not limited to:

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- a) indicating on the site plan and floor plan the location of the cistern in the basement area to gather and reuse rain water for irrigation purposes as part of the sustainability features to be provided for the proposal; and,
 - b) justifying the context for how the trails within the buffer areas shown on Attachment #5 as OS1 Open Space Conservation Zone, fit in with the overall trail plan for the Kleinburg-Nashville Community or removing the trails, to the satisfaction of the Vaughan Development Planning Department and the TRCA;
- ii) the final site grading, servicing, stormwater management and lighting plans, and stormwater management and traffic reports shall be approved by the Vaughan Development and Transportation Engineering Department, including, but not limited to:
- a) providing details for an unimpeded maintenance access road to the valley system, which is to include, the access road right-of-way width, access road material and load bearing capacity of the access road;
 - iii) the Owner shall satisfy the requirements of Heritage Vaughan in accordance with the Heritage Permit to the satisfaction of the Vaughan Recreation and Culture Department, Cultural Services Division, including, in accordance with the resolution of Vaughan Council at its meeting on January 26, 2010, but not limited to:
 - a) that the applicant provide samples of all exterior cladding materials and paint samples for consideration and approval by Cultural Services staff;
 - iv) the Owner shall satisfy the requirements of the Toronto and Region Conservation Authority, including, but not limited to:
 - a) receiving approval under Ontario Regulation 166/06 by the Toronto and Region Conservation Authority;
 - b) providing the context for how the trails within the buffer areas shown on Attachment #5 as OS1 Open Space Conservation Zone, fit in with the overall trail plan for the Kleinburg-Nashville Community; and,
 - c) removing any buildings and/or structures, including stairs, within the OS1 Open Space Conservation Zone.
3. THAT the *Parking Requirements - Doctor's House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, to support 302 parking spaces to be implemented by Zoning By-law Amendment File Z.05.036 (The Doctor's House Dining Corp.) to facilitate Site Development File DA.09.020 (The Doctor's House Dining Corp.), where cash-in-lieu of parking is not required BE APPROVED.
4. THAT the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, for the 72 suite hotel, 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

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lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Contribution to Sustainability

The Owner has advised that the sustainable features that will be incorporated into the proposed development include as follows:

- i) provision of bicycle racks near to Building “E” (Inn);
- ii) provision of two stream waste and recycle receptacles near all main building entrances;
- iii) incorporation of permeable pavers in all areas where interlocking pavers have been specified;
- iv) provision of a cistern with an area of approximately 120 m² in the basement area to gather and reuse rain water for irrigation purposes;
- v) introduction of plantings at the edges of asphalt areas to minimize the heat island effect; and,
- vi) provision of a “white roof” in all proposed structures to reduce the heat island effect.

Economic Impact

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

Communications Plan

On December 15, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg and Area Ratepayers' Association. The Public Hearing was held on January 22, 2007, and the recommendation to receive the Public Hearing report, and to address, including, but not limited to, the cultural heritage resources and limits of development, was ratified by Vaughan Council on January 29, 2007. As of March 3, 2010, no written comments have been received by the Development Planning Department.

Purpose

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

1. A Zoning By-law Amendment Application (File Z.05.036) to amend By-law 1-88, as follows for the subject lands shown on Attachment #3:
 - i) to rezone a portion of the subject lands from R1 Residential Zone to C11 Mainstreet Commercial Zone in By-law 167-2006 to permit a 943.3 m² addition to the existing eating establishment not to exceed a gross floor area of 3,189.3 m² and related accessory uses such as an outdoor patio not to exceed a floor area 150 m², seminar rooms and entertainment associated with the eating establishment, and a new 3,540.8 m², 3-storey, 72 suite hotel;
 - ii) to add a banquet hall use not to exceed 930 m², as a related accessory use within Building “A” (The Doctor’s House), to both an eating establishment and hotel on the subject lands;
 - iii) to provide exceptions to the zoning and parking requirements in the C11 Mainstreet Commercial Zone in By-law 167-2006;

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- iv) to rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone to be renaturalized and dedicated to the Toronto and Region Conservation Authority or the City;
 - v) to rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone to permit a 10 m wide buffer, which includes a pedestrian promenade and landscaped courtyard, to be dedicated to the Toronto and Region Conservation Authority or the City; and,
 - vi) to rezone a portion of the of the subject lands from C11 Mainstreet Commercial Zone to OS1 Open Space Conservation Zone to permit a 10 m wide buffer, which includes a pedestrian promenade and landscaped courtyard, to be dedicated to the Toronto and Region Conservation Authority or the City; and,
2. A Site Development Application (File DA.09.020) to facilitate a 943.3 m² addition to the existing Doctor's House eating establishment and a new 3,394.4 m², 3-storey, 72 suite hotel, as shown on Attachments #3 to #6.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the south side of Nashville Road, west of Islington Avenue, being Lots 41 to 43 inclusive and Part of Lot 44 on Plan 9, City of Vaughan. The subject lands have an area of 1.89 ha and frontage of 70.84 m on Nashville Road.

Supporting Documents

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

- i) *A Report to The Doctor's House Dining Corp. - Phase I Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated August 15, 2008, by Soil Engineers Ltd.;*
- ii) *A Report to The Doctor's House Dining Corp. - Phase II Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated October 28, 2008, by Soil Engineers Ltd.;*
- iii) *Geotechnical Investigation - Slope Stability and Erosion Analysis, 21 Nashville Road, Kleinburg, Ontario, dated February 8, 2008, by Terraprobe Limited;*
- iv) *Stormwater Management Report - Doctor's House Dining Corporation, Proposed Three-Storey Inn and Restaurant Addition, Community of Kleinburg, City of Vaughan, dated September 23, 2008 and revised to December 10, 2008, by EMC Group Limited;*
- v) *Traffic Impact Study for the Expansion to Doctor's House, Kleinburg, City of Vaughan, dated August 2009, by Mark Engineering; and,*
- vi) *Parking Requirements - Doctor's House Expansion, 21 Nashville Road, Kleinburg, dated May 12, 2009, by Mark Engineering.*

Official Plan

The subject lands are designated "Mainstreet Commercial" (tableland) and "Valley and Stream Corridor" (valleyland) by OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA

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#633, and are located within the Kleinburg-Nashville Heritage Conservation District, designated under Part V of the Ontario Heritage Act. The property includes the original “Doctor’s House” building, which is designated under Part IV of the Ontario Heritage Act.

The “Mainstreet Commercial” designation permits small scale hotels/village inns and restaurant uses. The subject lands shown on Attachment #2 are currently developed with an eating establishment and related accessory uses including an outdoor patio, banquet hall, seminar rooms and entertainment associated with the eating establishment. The Owner proposes to expand the eating establishment and banquet hall uses within Building “A” (The Doctor’s House) and to develop a 3-storey, 72 suite hotel (Inn) (Building “E”), shown on Attachment #3.

In Subsection 4.4.2.4 “Development Standards”, the “Mainstreet Commercial” policies of the Official Plan provides specific development standards for development within the “Mainstreet Commercial” designation such as limiting the maximum height for buildings to 9.5 m and providing a maximum floor space index within the range of 0.2 to 1.0. The new Building “E” (Inn) is to have a height of 9.5 m to the mid-point of a gable roof, which is in conformity with the Official Plan. The subject lands, with a total gross floor area of 7,186.1 m² on a site area of 11,401.10 m², will have a floor space index of 0.63, which is within the allowable floor space index range of the Official Plan.

The Official Plan includes a cash-in-lieu of parking policy for the purpose of providing and maintaining off-site parking. The cash-in-lieu of parking is applicable where a parking study is not supported by the City. The Owner submitted *Parking Requirements - Doctor’s House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, which supported the provision of 302 parking spaces for the proposal. As the reduction in parking spaces for the subject lands can be supported by the Vaughan Development/Transportation Engineering Department and the Vaughan Development Planning Department as discussed later in this report, cash-in-lieu of parking is not required for the subject lands, in accordance with the Official Plan. A recommendation to this effect has been included in this report.

Kleinburg-Nashville Heritage Conservation District

The subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act and the original “Doctor’s House” building is designated under Part IV of the Ontario Heritage Act. The Owner has submitted a Heritage Permit application, which includes cultural heritage resources, which are to be reviewed by the Vaughan Cultural Services Division and Heritage Vaughan, in accordance with the Kleinburg-Nashville Heritage Conservation District Guidelines and the Official Plan, and be subject to the Heritage Permit process, as discussed later in this report.

Zoning

The subject lands shown on Attachment #2 are zoned C11 Mainstreet Commercial Zone and R1 Residential Zone by By-law 1-88, as amended by By-law 12-93 [Exception 9(49)], By-law 150-79 [Exception 9(239)] and By-law 167-2006. The C11 Mainstreet Commercial Zone respecting the subject lands permits eating establishment, hotel and retail store uses, as well as, a place of worship. However, the R1 Residential Zone does not permit the proposed development. To facilitate the proposed development shown on Attachment #3, an amendment to By-law 1-88 is required to rezone portions of the subject lands, as well as, to provide exceptions to the C11 Mainstreet Commercial Zone standards. The details of the zoning amendment are as follows:

a) Rezoning

Portions of the subject lands require rezoning to the following zones, to facilitate the proposed commercial development, to rehabilitate lands to a naturalized state and to maintain open space/valleylands shown on Attachment #3:

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- i) rezone a portion of the subject lands (Area 1) from R1 Residential Zone to C11 Mainstreet Commercial Zone in By-law 1-88, as amended by By-law 167-2006 to permit the eating establishment and hotel uses, with an accessory outdoor patio not to exceed a gross floor area of 150 m², and banquet hall not to exceed a net floor area of 930 m²;
- ii) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 2, which was leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and is to be renaturalized and returned to the TRCA, free and clear of any encumbrances;
- iii) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 3 to permit a buffer ranging in width from 2.5 m to 5 m, which includes a pedestrian promenade and landscaped courtyard, to be dedicated to the City or TRCA, free and clear of any encumbrances;
- iv) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 5 to permit a buffer ranging from 5 m to 10 m in width for open space/valleyland uses to be dedicated to the City or TRCA, free and clear of any encumbrances;
- v) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 6 for open space/valleyland uses to be dedicated to the City or TRCA, free and clear of any encumbrances; and,
- vi) rezone a portion of the subject lands from C11 Mainstreet Commercial Zone to OS1 Open Space Conservation Zone - Area 4 to permit a buffer ranging in width from 2.5 m to 5 m, which includes a pedestrian promenade to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances.

b) Proposed Uses and Exceptions

The proposed commercial development shown on Attachment #3, will be developed in accordance with the C11 Mainstreet Commercial Zone in By-law 1-88, as amended by By-law 167-2006, with the following exceptions, but not limited to:

- i) permit in Building "A" (The Doctor's House) only an eating establishment not to exceed a total gross floor area (GFA) of 3,189.3 m² and related accessory uses such as an outdoor patio not to exceed a total floor area of 150 m², seminar rooms and entertainment associated with the eating establishment shall be permitted, provided Adult Entertainment as defined by Licensing By-law 315-2005, as amended, is not permitted, and provided that all refuse and recycling associated with the eating establishment uses shall be stored internally;
- vi) permit in Building "A" (The Doctor's House) a banquet hall use, not to exceed a net floor area of 930 m² as a related accessory use, where there is both an eating establishment and hotel on the subject lands;
- ii) permit in Building "B" (Office) only a business or professional office use, not to exceed a gross floor area of 134.00 m²;
- iii) permit in Building "C" (Retail) only one retail store use, not to exceed a gross floor area of 91 m²;
- iv) permit in Building "D" (Chapel) only a place of worship, not to exceed a gross floor area of 230 m²;

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- v) permit in Building “E” (Inn) only a hotel use not to exceed a gross floor area of 3,540.8 m² and a height of 3 storeys (9.5 m), provided that all refuse and recycling associated with the hotel use shall be stored internally; and,

The following zoning exceptions to the C11 Mainstreet Commercial Zone of By-law 1-88, as amended by By-law 167-2006, are required to facilitate the proposal, but are not limited to:

Table 1: Proposed Zoning Exceptions

| Standard | By-law 1-88, as amended by, By-law 167-2006 C11 Mainstreet Commercial Zone Requirements | Exceptions to the C11 Mainstreet Commercial Zone |
|--|---|---|
| Maximum Front Yard (Nashville Road) | 6 m | 24.1 m for Building “A” (The Doctor’s House) 7.6 m for Building “C” (Retail) 49.5 m for Building “D” (Chapel) |
| Maximum Gross Floor Area | 0.6 times the area of the lot excluding lands zoned Open Space (Maximum GFA = 6,840.6 m ²) | 0.63 times the area of the lot excluding lands zoned Open Space (Maximum GFA = 7,185.1 m ²) Building A – 3189.3m ² Building B – 134 m ² Building C – 91 m ² Building D – 230 m ² Building E – 3540.8 m ² |
| Minimum 10 m Setback for any Building or Structure or Swimming Pool, above or below grade, in the C11 Mainstreet Commercial Zone from the OS1 Open Space Conservation Zone | New Standard | 10 m |
| Minimum Landscaping Strip Width abutting a Street (Nashville Road) | 6 m | 2 m |
| Minimum Landscaping Strip Width abutting an Open Space Zone (to the South) | 2.4 m | 0 m |

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| Standard | By-law 1-88, as amended by, By-law 167-2006 C11 Mainstreet Commercial Zone Requirements | Exceptions to the C11 Mainstreet Commercial Zone |
|---|--|---|
| Minimum Landscaping Strip Width abutting a Commercial Zone (to the West of Building “B” and along east property line) | 1.8 m | 0 m |
| Location of an Outdoor Patio accessory to an Eating Establishment | An outdoor patio accessory to an eating establishment is not permitted in any yard between a building and a Residential Zone | Permit an outdoor patio, not to exceed a floor area of 150 m ² , accessory to an eating establishment in the west interior yard between Building “A” (The Doctor’s House) and a Residential Zone |
| Minimum Parking Area to be Located no closer to the Street than the Main Building | Main Building is Building “A” (The Doctor’s House) which is 24.1 m from the street | Permit parking to be a minimum of 3.5 m from the street |
| Minimum Number of Loading Spaces | 2 | 1 |
| Loading and Unloading Location Requirements | No loading and unloading between a building and a street | To permit loading and unloading only between a building and the east lot line |
| Storage Requirements for All Refuse and Recycling Containers | New Standard | All refuse and recycling containers shall be stored internally within a building being Building “A” (The Doctor’s House) |
| Minimum Parking Space Dimensions | 2.7 m x 6 m | 2.7 m x 5.98 m for Parking Space Area “A” 2.7 m x 5.52 m for Parking Space Area “B” 2.7 m x 5.76 m for Parking Space Area “C” |

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| Standard | By-law 1-88, as amended by, By-law 167-2006 C11 Mainstreet Commercial Zone Requirements | Exceptions to the C11 Mainstreet Commercial Zone |
|------------------------------|---|--|
| Minimum Parking Requirements | <p align="center"><u>Building "A"</u> (The Doctor's House)</p> <p>i) Existing GFA of 2,246 m²: 1 parking space for every four persons comprised in the designed maximum capacity of 643 seats - 163 spaces required</p> <p>ii) Additional GFA of 943.3 m²: 1 parking space for every four persons comprised in the designed maximum capacity of 163 seats, OR 16 spaces/100 m² GFA, whichever is greater - 151 spaces required</p> <p>iii) Outdoor patio not to exceed a floor area of 150 m² - 1 parking space for every four persons comprised in the designed maximum capacity of 75 seats or 16 spaces/100 m² GFA, whichever is greater - 24 parking spaces required</p> <p align="center"><u>Building "B"</u> 5 parking spaces required Office 134 m² GFA (3.5 parking spaces/100 m²)</p> <p align="center"><u>Building "C"</u> 6 spaces required Retail – 91 m² GFA (6 parking spaces/100 m²)</p> <p align="center"><u>Building "D"</u> 26 parking spaces required Chapel - 230 m² GFA (11 parking spaces/100 m²)</p> <p align="center"><u>Building "E"</u> 72 spaces required Inn with 72 Suites (1 parking space/suite)</p> <p>Total Required – 447 spaces</p> | <p align="center"><u>Building "A"</u> (The Doctor's House)</p> <p>i) Existing GFA of 2,246 m²: 1 parking space for every four persons comprised in the designed maximum capacity of 643 seats - 161 spaces provided</p> <p>ii) Additional GFA of 943.3m²: 1 parking space for every 4 persons comprised in the designed maximum capacity of 163 seats - 41 spaces provided</p> <p>iii) Outdoor patio - 1 parking space for every 4 persons comprised in the designed maximum capacity of 75 seats - 19 parking spaces provided</p> <p align="center"><u>Building "B"</u> 3 spaces provided</p> <p align="center"><u>Building "C"</u> 6 spaces provided</p> <p align="center"><u>Building "D"</u> 0 spaces provided</p> <p align="center"><u>Building "E"</u> 72 spaces provided</p> <p>Total Provided - 302 spaces</p> |

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The subject lands previously received exceptions through 2 site-specific by-laws. By-law 12-93 [Exception 9(49)] for Building “A” (The Doctor’s House) and Building “B” (Office), had site-specific exceptions respecting the minimum parking space size, minimum number of parking spaces and permitted uses within building envelopes. By-law 150-79 [Exception 9(239)] for Building “C” (Retail), had site-specific exceptions respecting the maximum gross floor area, minimum front yard and minimum number of parking spaces. Given the current development proposal, several of these exceptions are now obsolete and will be deleted entirely or somewhat revised, including the exception for developing within the building envelopes and permitting commercial parking within the R1 Residential Zone due to the expansion of Building “A” (The Doctor’s House) and the addition of the new Building “E” (Inn) outside of the building envelopes, as well as, rezoning the lands from R1 Residential Zone to C11 Mainstreet Commercial Zone to allow parking for the proposal.

An exception to the zoning is required to permit the banquet hall use (maximum 930m²) as an accessory related use, to both the eating establishment and hotel uses combined. As the expansion of the banquet hall will facilitate the hotel use in order to accommodate the related functions, the banquet hall is considered an accessory use to the hotel use and the eating establishment use.

The exceptions to permit a maximum front yard of 24.1 m for Building “A” (The Doctor’s House), 7.6 m for Building “C” (Retail) and 49.5 m for Building “D” (Chapel) and to permit a minimum parking space size respecting the length for Parking Space Areas “A”, “B” and “C” of 5.98 m, 5.52m and 5.76 m, respectively, recognize the existing location of the buildings and parking space sizes shown on Attachment #3. The minimum parking area, which is to be located no closer to the street than the main building, will have an exception to permit the parking areas to be a minimum of 3.5 m from the street whereas the existing main Building “A” (The Doctor’s House) is 24.1 m from the street.

The exception to the maximum gross floor area from 0.6 times the lot area, which would permit a maximum gross floor area of 6,840.6 m² to 0.63 times the lot area, which would permit a maximum gross floor area of 7,185.1 m² is minor and is due to the increase in GFA in relation to the lot area being reduced and dedicated to the City or TRCA.

Generally, a minimum landscaping strip width of 6m is required abutting a street (Nashville Road). However, the C11 Mainstreet Commercial Zone permits 2 m, which will be reflected on the site plan. The exception to the minimum landscaping strip width abutting a Commercial Zone of 0 m is due to providing a 10 m buffer from the open space/valleylands to the west of Building “E” (Inn) and providing parking along the east property line.

The exception to the minimum landscaping strip width abutting an Open Space Zone from 2.4 m to 0 m is due to the 7 m wide, 470 m² open space lands that are to be zoned OS1 Open Space Conservation Zone - Area 2 shown on Attachment #3, which was leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and paved for parking, being renaturalized and returned to the TRCA.

Exceptions are to be provided for the OS1 Open Space Conservation Zone - Area 3 shown on Attachment #3 to permit a buffer ranging from 2.5 m to 5 m in width, which will include a pedestrian promenade and landscaped courtyard, and OS1 Open Space Conservation Zone - Area 4 to permit a buffer ranging from 5 m to 10 m in width for open space/valleyland uses that are to be dedicated to the City or TRCA. The OS1 Open Space Conservation Zone - Areas 5 and 6 when joined together provide a minimum 10 m ecological buffer requirement of the TRCA.

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c) Parking

The By-law requires a minimum of 447 parking spaces, which includes 5 barrier free parking spaces. The site plan proposes 306 parking spaces of which 302 parking spaces are required by the Parking Study to support the proposal, which includes 6 barrier free parking spaces. The eating establishment and banquet hall addition to Building “A” (The Doctor’s House) requires exceptions to By-law 1-88 for the minimum number of parking spaces. Building “A” (The Doctor’s House) previously received exceptions to the minimum number of parking spaces and parking space size through By-law 12-93.

The proposal is deficient a minimum of 145 parking spaces, which requires the submission of a parking generation assessment/study, a heritage property assessment, and a landscape and tree analysis in accordance with the requirements of OPA #633, for review and approval by the City. The Owner submitted the required information, *Parking Requirements - Doctor’s House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, along with the site plan and elevations for the Heritage Permit and landscape plans, in support of the proposal, in accordance with the Official Plan. This parking study was prepared for the subject lands, and the following conclusions and recommendations of the parking report supported the reduction of parking (in part):

“This survey indicates that there is more than sufficient parking to serve the existing development. The expansion of the restaurant by 37 percent would result in a peak use of about 45 spaces. The addition of 1 space for each of the rooms in the inn would increase the typical maximum usage to 115+/- spaces. This is less than the existing parking supply.

However, the peak parking usage tends to occur when there is a significant event at the site, such as a large wedding reception. Then it is expected that the proposed capacity might be approached.

It is concluded from the above that the 302 parking spaces proposed for the expanded Doctor’s House development should be more than sufficient to serve the expected parking demands of the site.”

The Vaughan Development/Transportation Engineering Department reviewed the *Parking Requirements - Doctor’s House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, and advises that the parking supply figures appear to be based on supporting analysis provided in the report and therefore, they agree with the conclusions and can support the proposed minimum required of 302 parking spaces.

Building “D” (Chapel) with a gross floor area 230 m² is required to provide 26 parking spaces. The Chapel will be deficient 26 parking spaces. The Owner advises that the Chapel is to be used only for functions such as wedding parties and photo sessions, and not for any religious congregation. The Chapel is to function as an accessory related use to the eating establishment and hotel uses, and therefore does not require parking to be provided in accordance with the By-law.

The Development Planning Department is satisfied with the amount of parking spaces to be provided for the proposal, as the reduction in parking spaces is due to the leased land that previously provided parking being renaturalized and returned to the Toronto and Region Conservation Authority. Further, the underground parking structure was modified to provide a 10 m setback for any building or structure, above or below grade from the open space/valleylands resulting in a further reduction in the amount of parking spaces to be provided on the subject lands. For these reasons, the Development Planning Department is satisfied that the reduction in parking can be supported for the subject lands.

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The Development Planning Department is satisfied that the requested rezoning from R1 Residential Zone to C11 Mainstreet Commercial Zone and OS1 Open Space Conservation Zone to facilitate the proposal shown on Attachment #3 and the requested additional uses and exceptions discussed above are appropriate for the development of the subject lands as discussed in this report.

Site Plan

Site Plan approval is required for the development of the subject lands for the addition to the existing Doctor’s House and a new, 3-storey, 72 suite hotel shown on Attachments #3 to #6, with 306 parking spaces distributed over an at-grade surface parking area and 2 underground parking areas. The proposal has two accesses both from Nashville Road. The easterly access is the main access, which is to be used to get to the parking and loading areas for Building “A” (The Doctor’s House) and Building “E” (Inn). The westerly access is limited to servicing primarily Building “B” (Office) and Building “C” (Retail) with 14 parking spaces. The site statistics for the proposed site plan are as follows:

a) Site Plan

| Land Use | Area |
|--|------------------------------------|
| Lot Area (Gross) | 1.841ha |
| Open Space/Valleylands to be dedicated to TRCA | 0.700 ha (7,009.4 m ²) |
| Lot Area (Net) | 1.141 ha (11,401m ²) |
| Frontage | 70.84 m |
| Coverage | 27.3% (3,116.4 m ²) |

| Building | Height (Maximum 9.5 m) | Existing Gross Floor Area (m ²) | Proposed Gross Floor Area (m ²) | Total (Gross Floor Area (m ²)) |
|---------------------------------|------------------------------|---|---|--|
| A (The Doctor's House) | 2 - Storeys | 2,246.0 | 943.3 | 3,189.3 |
| B (Office) | 2 - Storeys | 134.0 | 0 | 134.0 |
| C (Retail) | 1 – Storey | 91.0 | 0 | 91.0 |
| D (Chapel) | 1 – Storey | 230.0 | 0 | 230.0 |
| E (Inn) - 72 Suites | 3 - Storeys | 0 | 3,540.8 | 3,540.8 |
| Total | | 2,701 | 4,484.1 | 7,185.1 |
| Outdoor Patio Area (Floor Area) | | 150.0 | | 150.0 |

b) Urban Design/Landscaping

The development proposes to provide a 2.5 m to 5 m wide pedestrian promenade and landscaped courtyard in the west yard, consisting of soft and hard landscaping, within the buffer lands to be zoned OS1 Open Space Conservation Zone - Areas 3 and 4 as shown on Attachments #3 and #5. These lands are part of the overall 10 m buffer as required by the Toronto and Region Conservation Authority. A trail system has been recently proposed within the buffer to be zoned OS1 Open Space Conservation Zone - Areas 2, 5 and 6. The trail system abuts the rear property line of the commercial property at 10462 Islington Avenue and traverses west then north to Nashville Road. The Owner is required to justify the recently proposed trail system or remove it from the plans, to the satisfaction of the Development Planning Department and the TRCA.

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The proposal is for an addition to the existing structure built in 1974 on the site of the original Doctor's House barn, at the back of the historical main house fronting on Nashville Road shown as Building "A" (The Doctor's House) on Attachment #3. The footprint and elevations for the addition to Building "A" (The Doctor's House) and the new hotel Building "E" (Inn) reflect the typical design in which additions, i.e., "tails and wings", would be added for a typical 19th century inn. The roof plan design incorporates multiple roof types, including a flat roof design, not typical of 19th century architecture in order to screen the rooftop mechanical equipment. The proposed building designs reflect the City's requirements and the Kleinburg-Nashville Heritage Conservation District Guidelines.

The Development Planning Department is satisfied with the proposal, provided that the Owner submits samples of the building finishes and cladding materials, an updated landscape cost estimate and justification for the trails within the buffer lands, which are to be approved to the satisfaction of the Development Planning Department and the Cultural Services Division. A condition to this effect has been included in the recommendation of this report.

Kleinburg-Nashville Heritage Conservation District

The Owner submitted a Heritage Permit application (HP.2009.016) as the subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act and the original "Doctor's House" building is designated under Part IV of the Ontario Heritage Act. On November 18, 2009, the Heritage Vaughan Committee approved the Heritage Permit application subject to conditions, which were approved by Vaughan Council at its January 26, 2010 meeting. The Vaughan Recreation and Culture Department, Cultural Services Division has reviewed the proposal and has no objection provided the requirements of the Cultural Services Division, subject to the following Heritage Vaughan Committee conditions, of which a condition to this effect has been included in the recommendation of this report are addressed, as approved by Vaughan Council at its January 26, 2010 meeting:

"Recommendation

Heritage Vaughan Committee recommends:

- a) That the Heritage Permit application for an addition to the existing structure at 21 Nashville Road (as per Attachment #1) [in this report it would be Attachment #6] be approved; and,
- b) That the applicant provide samples of all exterior cladding materials and paint samples for consideration and approval by Cultural Services staff."

Vaughan Development/Transportation Engineering Department

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

- a) Environmental Site Assessment (ESA)

The Owner submitted the following reports, which were reviewed by the Vaughan Engineering Department, and concluded that the soil and groundwater meet Table 2, Industrial, Commercial, Community Property Use Standards of the *Environmental Protection Act*.

- i) *A Report to The Doctor's House Dining Corp. - Phase I Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated August 15, 2008, by Soil Engineers Ltd.; and,*

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- ii) *A Report to The Doctor's House Dining Corp. - Phase II Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated October 28, 2008, by Soil Engineers Ltd.*

The Vaughan Engineering Department advised that an environmental site assessment was not required as the use is existing and the proposal is for an expansion of the use.

b) Development/Transportation

The Vaughan Engineering Department has reviewed the proposal and requires that a 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, including providing details for an unimpeded maintenance access road to the valley system, which is to include, the access road right-of-way width, access road material and load bearing capacity of the access road. A recommendation to this effect has been included in this report.

c) Water Supply and Sanitary Services

Water supply capacity and sewage servicing capacity currently exists for the proposal and additional allocation is not required.

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 2% 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" for the 72 suite hotel Building "E" (Inn). Cash-in-lieu of the dedication of parkland is not required for the addition to Building "A" (The Doctor's House). A condition to this effect has been included in the recommendation of this report.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposal and is satisfied that the development addresses the requirements of the TRCA provided that the concerns as discussed below are addressed.

The TRCA has reviewed the proposal and advises that the subject lands are partially located within the Regulated Area of the Humber River Watershed, and therefore in accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation) permits will be required for any activity within the regulated area prior to final approval of the site plan. A condition to this effect has been included in the recommendation of this report.

The TRCA has advised that a minimum 10 m buffer from the limit of the natural feature (stable top-of-the-bank and/or dripline of significant vegetation, as staked with the Owner) is required, and that the open space/valleylands below the top-of-the-bank, behind the dripline and the buffer lands be rezoned as open space and dedicated into public ownership to either the City or TRCA, free and clear of any encumbrances. The TRCA has agreed that the buffer ranging from 2.5 m to 5 m, which includes a pedestrian promenade and landscaped courtyard, shown on Attachment #3 as OS1 Open Space Conservation Zone - Areas 3 and 4 is to be dedicated into public ownership to the City or TRCA, free and clear of any encumbrances. The open space/valleylands will be zoned to reflect the TRCA requirements shown on Attachment #3 as OS1 Open Space Conservation Zone - Areas 2 to 6 inclusive.

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The proposal recently indicates a trail system within the open space/valley lands shown on Attachments #3 and #5 as OS1 Open Space Conservation Zone - Areas 2, 5 and 6. The TRCA requires that the Owner provide the context for how the trails within the buffer areas fit in with the overall trail system/plan for the Kleinburg-Nashville Community prior to the final approval of the site plan. A condition to this effect has been included in the recommendation of this report.

Planning Considerations

The Development Planning Department has reviewed the Zoning By-law Amendment and Site Development Applications. The zoning exceptions required to implement the proposal are considered to be acceptable as many of the exceptions are a result of the proposed development providing a 10 m wide buffer for open space/valleyland uses, which is to be dedicated to the City or TRCA, free and clear of any encumbrances and for the 7 m wide open space lands which were leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and paved for parking that are to be renaturalized and returned to the TRCA. The balance of the zoning exceptions is to recognize the existing building and uses on the subject lands. The zoning exceptions to facilitate the proposal would result in development that is compatible with the surrounding land uses and conforms to the Official Plan.

The subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act and the original "Doctor's House" building is designated under Part IV of the Ontario Heritage Act. The siting and elevations of the addition to Building "A" (The Doctor's House) and new hotel Building "E" (Inn) reflect the typical architecture for a typical 19th century inn. The proposal, which is in accordance with the Kleinburg-Nashville Heritage Conservation District Guidelines, was approved by Heritage Vaughan Committee on November 18, 2009 and Vaughan Council on January 26, 2010.

The applications have also been reviewed by the required City Departments and external public agencies and are being 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".

Regional Implications

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

Conclusion

Zoning By-law Amendment File Z.05.036 (The Doctor's House Dining Corp.) and Site Development File DA.09.020 (The Doctor's House Dining Corp.) have been reviewed in accordance with the policies of OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 and the Kleinburg-Nashville Heritage Conservation District guidelines, the requirements of the C11 Mainstreet Commercial Zone of Zoning By-law 1-88, as amended By-law 167-2006, comments from City Departments and external public agencies, and the area context. The applications will facilitate the expansion of the eating establishment and accessory banquet hall within Building "A" (The Doctor's House) and the development of the 3-storey, 72 suite hotel Building "E" (Inn). 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.

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

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Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Underground Parking Area
5. Landscape Plan
6. Elevations

Report prepared by:

Judy Jeffers, Planner, ext. 8645
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 APRIL 13, 2010

Item 21, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

**21 TORONTO-YORK SPADINA SUBWAY EXTENSION (TYSSE)
MASTER SERVICING AGREEMENT AND
LAND TRANSACTIONS
WARD 4**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works and the Director of Legal Services, dated March 23, 2010, be approved; and**
- 2) That the confidential memorandum of the Director of Legal Services, dated March 11, 2010, be received.**

Recommendation

The Commissioner of Engineering and Public Works and the Director of Legal Services recommend:

1. That a bylaw be enacted to authorize the Mayor and Clerk to execute a Master Servicing Agreement between the City of Vaughan and the Toronto-York Spadina Subway Extension Project; and
2. That a bylaw be enacted to authorize various land transactions related to the Toronto-York Spadina Subway Extension Project.

Contribution to Sustainability

The Toronto-York Spadina Subway Extension (TYSSE) project will provide higher order transit infrastructure which will support compact urban form and offers an alternative mode of transportation to the single occupant vehicle. In addition, the subway extension into the City will facilitate the establishment of the planned transit orientated development in OPA 620 (Steeles West Secondary Plan Area) and the Vaughan Metropolitan Centre area. The YYSSE is committed to applying sustainability standards in the design and construction of this project.

Economic Impact

There are no direct economic impacts resulting from the adoption of this report. Staff will report back to Council in early 2011 on the financial implications related to the City's infrastructure and land acquisition components associated with the YYSSE project.

Communications Plan

The YYSSE project held public open houses on February 3, 2010 and March 10, 2010 for the station design concepts. In addition, newsletters were issued at strategic points throughout the design stage of the project. Project information can be found on the Toronto Transit Commission Spadina Subway Extension web site. Staff will report to Council at key milestones throughout the subway project, which is anticipated to be in service by 2016.

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Purpose

The purpose of this report is to obtain Council approval to enter into a Master Servicing Agreement with the Toronto-York Spadina Subway Extension Project (TYSSE) to facilitate the relocation and construction of new municipal infrastructure that is associated with the subway project. In addition, this report seeks authorization for various land transactions related to subway project.

Background - Analysis and Options

The TYSSE is an 8.6km extension from Downsview Station north west through York University within the City of Toronto and north to the Vaughan Metropolitan Centre in the City of Vaughan. There are six station sites currently being designed as shown on Attachment No 1 and as noted below:

- Sheppard Avenue West, on Parc Downsview Park Lands;
- Finch West station at the corner of Keele Street and Finch Avenue;
- York University station near the common of York University;
- Steeles West station at Northwest Gate and Steeles Avenue, east of Jane;
- Highway 407 station adjacent to Highway 407 and west of Jane Street; and,
- Vaughan Metropolitan Centre at Highway 7 and Millway Avenue.

Transit terminals and passenger pick-up and drop-off facilities are currently being planned for each station within the City. The estimated cost of this project is \$2.6 billion. The general subway alignment and proposed station locations have been identified on Attachment No. 1.

The TYSSE project team has circulated the 30% conceptual design packages for the three stations within Vaughan and will be proceeding with the 60% and subsequent 90% detailed design submissions within the next few months.

The engineering design submissions to date have identified the need to relocate or construct new municipal services to support the subway project including the following:

Steeles West Station

- Relocation of certain existing municipal services along the Steeles Avenue corridor
- Relocation of certain existing municipal services on Jane Street;
- Design and construction of a segment of the proposed east-west collector roadway from Jane Street to approximately 100 metres easterly;
- Design and construction of Street "C" as defined by OPA 620;
- Design and construction of the proposed Black Creek Storm Water Management Pond; and
- Decommissioning of the existing storm water management pond located at the north-east quadrant of Jane Street and Steeles Avenue.

Highway 407 Station

- Relocation of a portion of the existing Jane Street Collector sanitary sewer;
- Municipal services connection (watermains and sanitary sewers) to the proposed station; and
- Relocation and removal of street lights to accommodate new driveway access to station.

Vaughan Metropolitan Centre

- Design and construction of the realigned Millway Avenue and Apple Mill in the Vaughan Metropolitan Center.

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- Temporary driveway access to the Toromont property to facilitate the subway construction.
- Relocation of existing services along Highway 7 and Millway Avenue.

Most of these municipal infrastructure works will be constructed in conjunction with the main subway contract. However, there is a need to advance some of the works to facilitate the deployment of the tunnel boring machines and the staging for the station construction. TYSSE is proposing to initiate the advanced contracts in the spring/summer of 2010.

The schedule for the subway project has very tight timelines and TYSSE staff is pursuing measures to expedite the municipal approval process. In addition, it is likely that unforeseen issues will arise during the detailed design stage that may need to be resolved in a timely manner to keep the subway project on schedule and on budget. Staff is recommending that TYSSE enter into one Master Servicing Agreement with the City that would cover all the municipal servicing works associated with the subway project.

The main body of the Master Servicing Agreement will include standard provisions and the attached schedules will consist of the specific agreement/conditions related to any specific municipal infrastructure works and/or land conveyance/easements that may be required to facilitate the TYSSE project. The Master Servicing Agreement will be tailored after the City's Standard Servicing Agreement and will cover the following basic elements:

- Financial Requirements
- Indemnification
- Easements and Conveyances
- Municipal Services
- Completion of Services
- Maintenance of Services
- Assumption of Services
- Special Conditions

As plans for various works are finalized, the Master Servicing Agreement would be amended to add them as schedules. This delegation is for amendments which are administrative in nature.

Building Permit

The Chief Building Official has the authority to issue conditional building permits prior to site plan approval if deemed necessary for works below grade. Any conditional building permit with TYSSE would be subject to a condition that prohibits any above ground construction to take place until such time as there is an executed site plan agreement with the City of Vaughan.

Land Requirements

In order to facilitate the various construction projects, TYSSE and the Region will require land conveyances, the transfer of easements, and releases of existing easements. One example is the existing easement for the sanitary sewer to be relocated near the Highway 407 station. A new easement must be granted to the City, and in return the City would release the existing easement. There will be required conveyances for municipal roadways. In order to facilitate the conveyances during the upcoming hiatuses in meetings, it is appropriate to authorize these conveyances which will take place throughout the project as works progress.

Cost sharing principles are being discussed between TYSSE, York Region and the City of Vaughan. At present, the Project Team is currently working on this exercise and hope to deliver a draft cost sharing document in 2011.

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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:

- The pursuit of excellence in service delivery;
- Leadership initiatives and promotion of environmental sustainability;
- Effective governance; and
- Planning and managing growth, and economic vitality.

Specific Strategic Plan Initiatives applicable to the recommendations made in this report include Vaughan's corporate priorities to:

- Work with other levels of government to continue to support the expansion of the Go Rail System, local transit and the Subway; and
- Support and plan high capacity transit at strategic location throughout the City.

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

Regional Implications

The Region is a funding partner for the Toronto-York Spadina Subway Extension.

Conclusion

To facilitate the Spadina Subway project, Staff is recommending that TYSSE enter into a Master Servicing Agreement with the City to address the design and construction of all the municipal servicing works that are needed in connection with the subway project. In addition, TYSSE and the Region will require land conveyances, the transfer of easements, and releases of existing easements in order to facilitate the various construction projects, which requires Council authorization.

Attachments.

Attachment No 1 – Spadina Subway Extension –alignment and station location

Report prepared by:

Eric Gupta, Project Manager- Spadina Subway Extension – Ext. 8433.
Heather Wilson, Director of Legal Services – Ext. 8389.

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 22, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Finance & City Treasurer, dated April 9, 2010:

- 1) ***That a by-law be enacted to authorize the Commissioner of Finance & City Treasurer to execute the grant applications in compliance with the Grant Funding Procurement Policy, as amended from time to time; and***
- 2) ***That the Clerk be authorized to execute the standard grant agreements in a form satisfactory to the City Solicitor.***

22

GRANT FUNDING PROCUREMENT POLICY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance/City Treasurer and the Director of Reserves & Investments, dated March 23, 2010:

Recommendation

The Commissioner of Finance/City Treasurer and the Director of Reserves & Investments recommend:

That the Grant Funding Procurement Policy (Attachment 1) be approved.

Contribution to Sustainability

Not applicable.

Economic Impact

There is no economic impact.

Communications Plan

Once the Grant Funding Procurement Policy is approved, copies of the Grant Funding Procurement Policy will be forwarded to appropriate City staff.

Purpose

The purpose of this report is to obtain Council approval of the proposed Grant Funding Procurement Policy.

Background - Analysis and Options

Incorporated in the Vaughan Vision 2020 – Initiative 15 (2008-2010) states: “Establish a Corporate Policy to facilitate the research, coordination and submission of grants and subsidy requests.” This corporate policy establishes a comprehensive/coordinated approach of researching, developing, submitting, tracking and reporting of grant opportunities and application to optimize the amount of grant resources available to fund City of Vaughan strategic initiatives. The intent is not to replace the role that various departments play in obtaining grants, but rather to co-ordinate, streamline and target grants.

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Item 22, CW Report No. 12 – Page 2

The proposed Grant Funding Procurement Policy was presented to Senior Management on January 27, 2010 and then to the Directors on February 3, 2010. As a result of these meetings, their input was incorporated in the proposed policy.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council specifically Initiative 15 (2008-2010) – Establish a Corporate policy to facilitate the research, coordination and submission of grants and subsidy requests.

Regional Implications

Not applicable.

Conclusion

The City Manager with the Senior Management Team, Directors and Finance staff have reviewed the proposed Grant Funding Procurement Policy and recommend approval.

Attachments

Attachment 1 – Grant Funding Procurement Policy

Report prepared by:

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

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 23, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

23

**SITE DEVELOPMENT FILE DA.09.057
TONLU HOLDINGS LTD.
WARD 1**

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

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.057 (Tonlu Holdings Ltd.) 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 and landscape plan as red-lined, landscape cost estimate, building elevations showing the Maple Streetscape wall lamps, and design details for the external staircase and the barrier-free ramp shall be approved to the satisfaction of the Vaughan Development Planning Department in consultation with the Vaughan Cultural Services Division;
 - ii) the required minor variances to implement the proposed development shall be approved by the Vaughan Committee of Adjustment, and shall be in full force and effect;
 - b) that the Site Plan Letter of Undertaking include the following provision:
 - i) "The Owner shall pay to the City of Vaughan by way of a certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."

Contribution to Sustainability

The interior renovations of the existing heritage building include the use of low volatile organic compound (VOC) paints and materials, low flow toilets and faucets, energy efficient lighting fixtures, and high efficiency furnace and heat pumps.

Economic Impact

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

Communications Plan

N/A

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Item 23, CW Report No. 12 – Page 2

Purpose

The Owner has submitted a Site Development Application (File DA.09.057) to facilitate the development of a day nursery on the subject lands (Attachments #1 and #2) together with the following, as shown on Attachment #3:

- a) two (2) outdoor play areas associated with a day nursery use within the existing heritage building (Building 'A');
- b) the reconfiguration of the existing parking area to facilitate a kiss-and-ride drop-off area; and,
- c) provisions for a barrier free ramp, external staircase, and additional landscaping.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are municipally known as 2600 Major Mackenzie Drive, located on the north side of Major Mackenzie Drive, between McNaughton Road and Killian Road, in Part of Lot 21, Concession 4, City of Vaughan. The surrounding land uses are shown on Attachment #2.

On June 30, 2009, Vaughan Council approved Zoning By-law Amendment Application Z.09.010 to permit a day nursery use and two (2) associated outdoor play areas and to recognize the location of the existing buildings within building envelopes on the subject lands. Consequently, the implementing Zoning By-law 171-2009 was enacted and came into effect on June 30, 2009. The heritage building, shown as Building 'A' and known as "The Jacob Rupert House", is designated under Part IV of the Ontario Heritage Act.

Official Plan and Zoning

The subject lands are designated "Low Density Residential" by OPA #350 (Maple Community Plan), which permits day nursery uses throughout the community, including on the property. The subject lands are zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(821), which permits the day nursery use on the property. Two minor variances will be required to be obtained from the Vaughan Committee of Adjustment to implement the site plan, if approved, as further discussed in the "Minor Variance" section of this report.

Site Plan, Access and Parking

The changes to the existing site are shown on Attachment #3. By-law 171-2009 created two (2) building envelopes: Building Envelope 'A' being the designated heritage building, and Building Envelope 'B' being the existing garage. Building Envelope 'B' will store the garbage and recycling bins, which are to be picked up privately in accordance with the City of Vaughan's Waste Collection Design Standards Policy. The Owner proposes a new wood ground sign on wood posts, as shown on Attachment #4, to be located along Major Mackenzie Drive, and is satisfactory to the Vaughan Development Planning Department. The proposed day nursery use will employ a maximum of 7 employees who will gain access to the day nursery from a separate access off Mathewson Street through the existing garage.

The main entrance to the property is from Major Mackenzie Drive by means of a driveway accessing 7 parking spaces and the maneuvering area (kiss-and-ride drop off). There is a separate access off Mathewson Street to the existing garage for the exclusive use of staff parking, and, there is no vehicular linkage between the two accesses. The Owner has agreed to restrict all pedestrian access to and from the property from Mathewson Street by enclosing the property along Mathewson Street and only allowing access to the property by staff through the existing garage.

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The Owner proposes a total of 11 parking spaces on the property, which includes 7 spaces accessed from Major Mackenzie Drive (main parking area) and 4 spaces (staff parking only) accessed from Mathewson Street of which 2 are tandem parking spaces located within the existing garage. A proposed new barrier-free ramp and a new external staircase to be located on the west and east sides, respectively, of Building 'A', will improve accessibility to the building and provide additional safety measures to the overall function of the property. The final design details for the barrier-free ramp and the external staircase must be approved to the satisfaction of the Vaughan Development Planning Department, in consultation with the Vaughan Cultural Services Division, which is included in the recommendation of this report.

The Owner submitted a parking and traffic study in support of the previous Zoning By-law Amendment File Z.09.010, which was reviewed and approved by the York Region Transportation Services Department and the Vaughan Engineering Department. Both the Region and the City concurred with the conclusions of the study, and currently have no objection to the development proposal.

Maple Streetscape Community Advisory Committee

The Maple Community Plan requires that development applications have regard for specific sections of the Maple Streetscape and Urban Design Guidelines (MSUDGs) to assess development proposals in the Major Mackenzie Drive and Keele Street corridors in Maple. The vision of the Maple Core Area from a physical built form perspective is implemented through the Maple Streetscape and Urban Design Guidelines (MSUDGs). In this context, Vaughan Council has established the Maple Streetscape Community Advisory Committee (MSCAC) to implement the MSUDGs. The Committee considered the development proposal at the October 28, 2009, MSCAC meeting. The Minutes of the said meeting, which was ratified at the November 25, 2009, MSCAC meeting resolved the following:

“Comments from the Committee were as follows:

- Additional light poles on the side of the building leading to the parking area, suggesting that they be lighting standard in accordance with the Maple Streetscape guidelines. The Consultant indicated there will be light fixtures on the wall on the side of the building. He will provide the Committee the type of light fixtures that are being installed.
- Cedar fencing as opposed to chain link on the south side play area, height as per staff recommendation.
- Gate on the northeast side of the property.”

“The Maple Streetscape Community Advisory Committee, given that 2600 Major Mackenzie Drive (“The Jacob Rupert House”) is a historical building, recommends to staff to include additional lighting standards on the side of the building in accordance with the Maple Streetscape guidelines.”

The Development Planning Department has confirmed with its' Urban Design Staff and the Owner that additional light fixtures will be placed on the wall on the west side of Building 'A', in accordance with the above resolution of MSCAC, which must be reviewed and approved by the Vaughan Development Planning Department in consultation with the Vaughan Cultural Services Division.

Attachment #3 shows the locations of the 3 new proposed Maple Streetscape “Acorn” lamp poles to be placed along Major Mackenzie Drive in accordance with the MSUDGs.

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Landscaping

The Development Planning Department has reviewed the landscape plan, as shown on Attachment #3, and recommends improvements to the streetscape view along Major Mackenzie Drive that would better integrate the fencing of the children's play area on the east side of the subject lands with the landscaping. In particular, the Development Planning Department has advised the Owner to integrate evergreen shrubs into the planting bed for an all season vegetation structure in front of the play area fencing, and to continue the current proposed planting located in front of the play area fencing to wrap around to the west side of the fencing to ameliorate view of fencing structures from the street. The planting bed along the west side of the fence should extend approximately in line with the wooden porch on the east side of the octagon building as shown on Attachment #3. The Development Planning Department will continue to work with the Owner to finalize the landscape plan.

In the June 23, 2009 Committee of the Whole report respecting the related Zoning By-law Amendment File Z.09.010, the Development Planning Department reported that as a result of the existing grade differential between the subject lands and the residential use along the east property line, a minimum 3.0m wide landscape strip would be warranted to mitigate any excessive noise generated from the outdoor play area. As noted in the background section of this report, the enactment of Zoning By-law 171-2009 only involved the creation of the building envelopes, the provisions for the required 11 parking spaces, and the establishment of the day nursery and associated outdoor play areas as permitted uses on the property.

During the review of the Site Development File DA.09.057, it was determined that in order to meet the outdoor play area requirements of the Ontario Day Nurseries Act, the Play Area #2 shown on Attachment #3 would need to be a certain size, which would only allow a 2.0m wide landscape buffer along the east property line. Through the review of the site development application, the Development Planning Department can support the proposed 2.0m wide landscape buffer along the east property line adjacent to Play Area #2 as additional tree and shrub plantings are proposed in this location. The proposed landscape buffer width will allow for more play area for the children, as required under the Ontario Day Nurseries Act, and mitigate noise from the adjacent property.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the site development application and has no objection to the development proposal. The Owner has indicated in a letter dated March 9, 2010 that the proposed outdoor play areas and the reconfiguration of the existing parking area will not affect the existing grades and/or drainage pattern and that given the minimal grading modifications, there will be no adverse impacts on the storm water management on the adjacent properties, which Vaughan Engineering Staff concurs with.

Minor Variance

Through the technical review of the site development application, it was determined that the Owner will require an external staircase for Building 'A', as identified on Attachment #3, in order for the day nursery operation to conform with the Ontario Building Code. As a result, a minor variance application will be required to adjust the building envelope that was approved under the related Zoning By-law Amendment File Z.09.010 and reflected in the implementing Zoning By-law Amendment Number 171-2009.

A garbage and recycling area is also required in accordance with the City of Vaughan Waste Collection Design Standards Policy, which will be located in one of the vehicle bays of the existing 1 storey brick garage (Building 'B'). By-law 171-2009 required three (3) tandem parking spaces and a minimum of 11 parking spaces on the site. In order for the Owner to maintain the

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minimum 11 parking spaces, two (2) spaces were relocated at the north end of the kiss-and-ride drop off. The Vaughan Engineering Department has no objection to this amendment to reduce the required number of tandem spaces from 3 to 2 and the relocation of two parking spaces to the north end of the kiss-and-ride drop off, while maintaining the minimum required 11 parking spaces on the property.

The Owner will be required to submit a minor variance application to the Vaughan Committee of Adjustment, to:

- a) amend Building Envelope 'A' to include the additional external staircase to meet the requirements of the Ontario Building Code; and,
- b) reduce the required number of tandem parking spaces in the garage from three (3) to two (2), while maintaining the minimum required 11 parking spaces on the property.

The variances, if approved, must be in full force and effect, prior to the execution of the Site Plan Letter of Undertaking.

Planning Justification

The Development Planning Department supports the proposed revisions to the site layout to facilitate the approved day nursery use on the subject lands, including the reconfiguration of the parking area and the provisions to add a new external staircase and a barrier free ramp, as identified on Attachment #3. The reconfiguration of the parking to facilitate a kiss and ride area will improve the traffic flow generated from the day nursery use. Additionally, the provisions for the barrier free ramp will improve accessibility for persons with disabilities and must be provided in accordance with the Ontario Building Code. The applicant will maintain the existing exterior conditions of the designated historical building.

The Development Planning Department can support the variances, noted earlier, as the external staircase will ensure additional safety measures for the day nursery operation, as required by the Ontario Building Code. The Vaughan Engineering Department has indicated no objection to the relocation of two parking spaces associated with Building Envelope 'B' to the north end of the kiss and ride drop off area. As a result, the Development Planning Department can support the variance to reduce the required number of tandem parking spaces from 3 to 2 associated with Building Envelope 'B' as the reduction would facilitate a garbage and recycling area within the structure, while maintaining the minimum required 11 parking spaces on the property. A condition that the required minor variances be approved by the Vaughan Committee of Adjustment, and be in full force and effect, is included in the recommendation of this report.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has advised the Vaughan Development Planning Department that Heritage Vaughan Committee approval is not required for the property because the development proposal involves only minor modifications to the site plan and there are no proposed alterations to the building elevations. Therefore, at a staff level, the Vaughan Cultural Services Division has reviewed the development proposal and has no objection to the approval of the site development application, provided the outdoor play area along the east property line is screened from Major Mackenzie Drive with landscaping. The Owner has been advised that the existing structure is designated under Part IV of the Ontario Heritage Act and Heritage Permit approval will be required for any changes to the exterior of the building itself.

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".

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Regional Implications

The development proposal has been circulated to the Region of York Transportation Services Department. The Owner will be required to fulfill all requirements of the Region of York Transportation Services Department, including the execution of a Regional Site Plan Agreement.

Conclusion

The Vaughan Development Planning Department has reviewed the proposed Site Development Application in accordance with OPA #350 (Maple Community Plan), By-law 1-88, the Maple Streetscape and Urban Design Guidelines and comments from the Maple Streetscape Community Advisory Committee, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development to facilitate the day nursery use within the existing “Jacob Rupert House”, the reconfiguration of the parking area and the provisions for the barrier free ramp and external staircase is appropriate and compatible with the existing surrounding area. The Development Planning Department can support the approval of the Site Development Application, subject to the recommendations in this report. The applicant will be required to obtain approval for two minor variances from the Vaughan Committee of Adjustment to implement the site plan, if approved, as discussed in the staff report.

Attachments

1. Context Location Map
2. Location Map
3. Development Planning Department Red-lined Site Plan and Landscape Plan
4. Proposed New Sign

Report prepared by:

Stephen Lue, Planner, ext. 8210
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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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 24, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

24 **REVISED COUNCIL MEETING SCHEDULE
FOR THE OFFICIAL PLAN**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Director of Policy Planning, dated March 23, 2010, be approved; and
- 2) That the deputation of Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8, be received.

Recommendation

The Director of Policy Planning in consultation with the Commissioner of Planning recommends:

- 1) That the 2010 Schedule of Meetings be reconsidered for the purpose set out in this report;
- 2) That the Committee of the Whole (Public Hearing) meeting of May 3, 2010 be rescheduled as a Statutory Open House; and
- 3) That the Special Committee of the Whole meeting of June 14, 2010 be rescheduled as a Committee of the Whole (Public Hearing), starting at 6:00 p.m.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

The 2010 Schedule of Meetings will be posted on the City's web site, and the new times will be reflected in affected Agendas. Stakeholders will be notified of the various public meetings by mail, e-mail, on the City's web site and through print media.

Purpose

The purpose of this report is to:

- a) Explain the basis for the recommended modifications to the 2010 Schedule of Meetings; and
- b) To modify the calendar of Council and Committee meetings.

Background - Analysis and Options

Council, at its meeting of Feb. 16, 2010, considered the report from the Feb. 2, 2010 Committee of the Whole (Item 4, Report #5) regarding modifications to the 2010 Schedule of Meetings, and added the following meetings:

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1. Committee of the Whole (Public Hearing) meeting on May 3, 2010,
2. Committee of the Whole (Public Hearing) meeting on May 17, 2010; and
3. Special Committee of the Whole meeting on June 14, 2010.

Subsequently, on Feb. 19, 2010, the Official Plan Review Committee met and discussed the status of the new Official Plan. Staff were directed to review the public process and advise of any required adjustments to the project schedule to ensure timely completion of the new Official Plan. With adjustments to the schedule, the new Official Plan could be considered at the scheduled Committee of the Whole meeting of July 6, 2010.

The Planning Act requires municipalities to hold statutory public open houses preceding public hearings to consider changes to their Official Plans. Consequently, it is considered appropriate to use the May 3, 2010 date to schedule an open house for the City-wide policies for the new Official Plan on May 3, 2010, preceding the public hearing for City-wide policies on May 17, 2010.

For the secondary plans resulting from the focused area studies, open houses have already been planned for five evenings in April (April 7, 12, 14, 19, 22). These will be statutory open houses. Subsequently, these secondary plans require consideration at a Committee of the Whole (Public Hearing). Therefore it is recommended that the June 14, 2010 date originally scheduled for a Special Committee of the Whole be scheduled as a Public Hearing for these secondary plans. In order to allow sufficient time for the presentation of the study work and official plan amendments, and public input it is recommended that the Public Hearing start at 6:00 p.m.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council, in particular “Demonstrate Leadership and Promote Effective Governance”.

Regional Implications

There is no Regional implication.

Conclusion

The 2010 meeting schedule is proposed to be revised to enable the public meeting requirements of the Planning Act to be satisfied pursuant to completion of the City’s new Official Plan. It is requested that Council approve the recommended changes to the 2010 Schedule of Meetings.

Attachments

None.

Report prepared by:

Paul Robinson, Senior Policy Planner, ext. 8410

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Item 25, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following:

- 1) ***That this recommendation be referred to the Integrity Commissioner for her comments as it pertains to Members of Council, and that she comment specifically on the detail of the procedures of this By-law;***
- 2) ***That the Commissioner of Legal & Administrative Services/City Solicitor report to the Committee of the Whole prior to the end of this term of Council on the adoption of an Indemnification By-law, taking into account, if necessary, any comments received from the Integrity Commissioner; and***
- 3) ***That the Indemnification By-law to be adopted by Council take effect at the beginning of the new term of Council 2010-2014, specifically December 1, 2010;***

By receiving the memorandum from the Solicitor, dated April 12, 2010; and

By receiving the following written submissions:

- a) ***Mr. Richard T. Lorello, 235 Treelawn Boulevard, P.O. Box 927, Kleinburg, L0J 1C0, dated April 9, 2010; and***
- b) ***Ms. Deborah Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8, dated April 12, 2010.***

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INDEMNIFICATION BY-LAW

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated March 23, 2010, be approved;**
- 2) **That the Indemnification By-law take effect from the beginning of the current term of Council; and**
- 3) **That the following deputations be received:**
 - a) **Mr. Paul Donofrio, 8730 Martin Grove Road, Woodbridge, L4H 1G2; and**
 - b) **Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8.**

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, in consultation with the City Manager and the Senior Management Team, recommends that Council enact an Indemnification By-law as described herein.

Contribution to Sustainability

Not applicable.

Economic Impact

The economic impact of this Report is presently undetermined, as the number of instances and costs per instance that might occur pursuant to the By-law, during the course of a given year,

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cannot be estimated. However, any costs that are incurred during the course of legal proceedings can be recovered in certain instances where the proceeding is ultimately dismissed or otherwise concluded in a manner favourable to the City. As well, the By-law provides for indemnification only in those instances where insurance coverage is not available. The legal costs that are incurred will be paid from the Human Resources Professional Fees Budget, except where the proceeding does not relate to a labor or employment law matter, in which case costs will be paid from the Legal Services Professional Fees Budget.

Communications Plan

The enactment of the By-law will be communicated to City employees.

Purpose

The purpose of this report is to recommend enactment of an Indemnification By-law, to provide consistency and predictability in the ability to obtain financial assistance where legal proceedings are commenced against current or former members of Council and employees, in relation to actions taken in the course of official or employment duties.

Background

Section 279 of the *Municipal Act, 2001*, permits the City to act as an insurer for the protection of members of council and employees, or former members of Council and employees, to protect against risks that may involve pecuniary loss or liability, the payment of any damages or costs awarded or expenses incurred by them, as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees or members, including while acting in the performance of any statutory duty, as well as settlements paid and costs incurred to defend such proceedings.

Analysis and Options

The City's insurance policies provide coverage for a wide variety of potential claims, such as where a third party seeks compensatory damages because of an alleged wrongful act causing financial loss including negligence or misrepresentation. Coverage is also provided for payment of legal fees including disbursements incurred in the defense of civil legal proceedings. However, despite the extent of coverage, there are inevitably "gaps" in coverage, such as where losses are within the deductible amount. As well, the City's insurance policies provide no coverage for certain claims including payment of fines and penalties, and legal defence costs arising from charges laid for an alleged offence arising under federal legislation, even where the allegations are ultimately dismissed by a Court.

Presently there is no prescribed procedure in effect at the City respecting reimbursement by members of Council or employees, of legal expenses, costs, damages or other losses incurred for actions taken in the course of official or employment duties, which are not otherwise covered by the City's insurance policies. Where such costs or losses have been incurred or were anticipated, staff has sought Council direction to indemnify, on a case by case basis. Adoption of an Indemnification By-law would ensure consistency in the determination of when indemnification is appropriate, and would provide guidelines concerning timing and parameters for indemnification.

Indemnification By-laws similar to the City's draft have been in place for several years in surrounding municipalities including Toronto, York Region, Richmond Hill, Mississauga and Brampton.

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council: supporting employees who may be named in lawsuits for actions taken in good faith in the course of regular duties is illustrative of the City's desire to value and encourage a highly motivated workforce, as well as its interest in attracting, retaining and promoting skilled staff.

Regional Implications

There are no regional implications associated with this Report.

Conclusion

Indemnification under an Indemnification By-law would take place only in respect of matters not covered by the City's insurance policies, for costs or losses arising from acts done or omissions made in good faith in the performance of official or employment duties. The proposed By-law would apply to present and former employees and members of Council.

Attachments

There are no attachments to this report.

Report prepared by:

Nancy Salerno
Solicitor

Mayor Jackson declared an interest with respect to the foregoing matter as she is presently engaged in legal proceedings with the public.

Councillor Meffe declared an interest with respect to the foregoing matter as he is presently engaged in legal proceedings.

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Item 26, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following:

- 1) ***That the rules for the "Meet and Greet" Sessions be as follows:***
 - a) ***Only the following be permitted:***
 - 2 chairs;***
 - 1 table;***
 - 1 lawn sign;***
 - campaign literature; and***
 - a maximum of 2 representatives from each campaign; and***
 - b) ***That at the end of the session, it is the responsibility of the candidate or campaign representative to remove literature, etc.;***

By receiving the written submission from the Director of Recreation and Culture, dated April 13, 2010; and

By receiving the written submission from Mr. Elliott Silverstein, dated April 13, 2010.

26 **2010 MUNICIPAL ELECTION – MEET AND GREET SESSIONS**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioners of Community Services and Legal & Administrative Services/City Solicitor, dated March 23, 2010, be approved, subject to staff taking note of Members of Council detailed comments;
- 2) That if no interested parties come forward to host this event, that the local Federal/Provincial Returning Officers be requested to do so; and
- 3) That the following deputations be received:
 - a) Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8;
 - b) Mr. Elliott Silverstein, 5 Belvia Drive, Vaughan, L4K 5J6; and
 - c) Mr. Savino Quatela, 134 Grand Valley Blvd., Maple, L6K 3K6.

Recommendation

The Commissioners of Community Services and Legal & Administrative Services/City Solicitor, in consultation with the City Clerk, recommend:

- 1) That Council make a formal request (Attachment 1) for an impartial arms'-length organization to act as Event Coordinator for five (5) Meet and Greet sessions at community centres (one per ward) during the period of September 12 to October 24, 2010, including, but not limited to:
 - Vaughan Chamber of Commerce;
 - Omni Television; and,
 - Rogers Communications Inc.

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- 2) That the Event Coordinator's responsibilities include, but not be limited to acting as the Event Lead, and establishing and monitoring a standard set of protocols for participants.
- 3) That City staff be directed to work with the Event Coordinator as follows:
 - a. **Clerks:** Post information about the five (5) Meet and Greet sessions on the Elections website;
 - b. **Corporate Communications:** Post dates, times and locations on the City website regarding the five (5) Meet and Greet sessions;
 - c. **Recreation and Culture:** Provide date and time options that present the least amount of impact to program participants, process rental contracts accordingly and communicate with participants should there be any disruption to their program; and,
 - d. **Building and Facilities:** Site preparation (tables and chairs) and clean up.

Contribution to Sustainability

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

Economic Impact

There may be small amount of staff resources to support the Event Coordinator and possible loss of rental revenue from the use of community centre space.

Communications Plan

Once the Event Coordinator is in place, the Corporate Communications and Clerks Department will establish a communication plan including such mediums as the election website, city website, flyers and posters.

Recreation and Culture will communicate with program participants should there be a disruption to their program.

Purpose

The purpose of this report is to recommend that staff be directed to make a formal request for an impartial arms'-length organization to act as Event Coordinator for five (5) Meet and Greet sessions at community centres in each ward during the period of September 12 to October 24, 2010, including, but not limited to: Vaughan Chamber of Commerce; Omni Television; and Rogers Communications Inc.

Further, that City staff be directed to work with the Event Coordinator as outlined above.

Background - Analysis and Options

At the Council meeting of December 14, 2009, Item 32, Report No. 54, Task Force on Democratic Participation and Renewal Final Report, Council approved that the Commissioner of Community Services in consultation with the City Clerk provide to Council no later than March 31, 2010, the rules and regulations that will be imposed on all candidates participating in five (5) Meet and Greet sessions at community centres during the post Labour Day portion of the 2010 election.

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Meet and Greet sessions at local community centres would allow greater participation on the part of the electorate and an opportunity to meet and learn more about potential candidates. With an aim to improve voter turnout at municipal elections, Meet and Greet sessions are a convenient method for individual candidates to present themselves to ordinary voters in an informal setting.

The recommendation to seek one independent and impartial third party Event Coordinator to facilitate Meet and Greet sessions is viewed as a fair and transparent method and would ensure the consistent application of a standard set of protocols for all candidates and all sessions.

The Event Coordinator will establish protocols, rules and regulations to ensure fair and equitable opportunities for all registered candidates to participate in the Meet and Greet sessions and staff will support the Event Coordinator as follows:

- a. **Clerks:** Post information about the five (5) Meet and Greet sessions on the Elections website;
- b. **Corporate Communications:** Post dates, times and locations on the City website regarding the five (5) Meet and Greet sessions;
- c. **Recreation and Culture:** Provide date and time options that present the least amount of impact to program participants, process rental contracts accordingly and communicate with participants should there be any disruption to their program; and,
- d. **Building and Facilities:** Site preparation (tables and chairs) and clean up

Attachment 1 is the formal letter that will be forwarded to potential organizations. Interested parties will be asked to respond by April 30th, 2010.

Meet and Greet Dates and Times:

It is anticipated that Advance Voting Week will be October 4 to the 10th or 11th, therefore the following dates would be suitable in the gyms for the Meet and Greet sessions and could host up to 100 people. Impact to the clientele of each community centre is noted below:

| Ward | Community Centre | Date | Time | Impact |
|-------------|-------------------------|--------------|-------------|----------------------------|
| 1 | Maple | Tue., Sep 21 | 6:30-8:30pm | Fitness Class Cancellation |
| 2 | Al Palladini | Wed., Sep 29 | 6:30-8:30pm | Fitness Class Cancellation |
| 3 | Chancellor | Wed., Sep 15 | 6:30-8:30pm | No impact |
| 4 | North Thornhill | Thu., Sep 23 | 6:30-8:30pm | Youth Sports Cancellation |
| 5 | Garnet A. Williams | Thu., Sep 30 | 6:30-8:30pm | Fitness Class Cancellation |

Please note that in order to have the least amount of impact to the clientele of the community centres, an alternative venue is the City Hall for the five (5) Meet and Greet sessions for each ward.

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:**
Enhance and Ensure Community Safety, Health & Wellness.

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

Regional Implications

There are no regional implications associated with this report.

Conclusion

Coordination of the Meet and Greet sessions through the services of an impartial and third party organization will achieve the goals of the Task Force on Democratic Participation and Renewal as adopted by Council. An independent and arms length organization would act as the Event Coordinator to monitor the sessions and staff will provide assistance as noted.

Attachments

1. Formal Request Letter to Potential Event Coordinator

Report Prepared By

Mary Reali, Director of Recreation and Culture, ext 8234
Terri Cosentino, Manager of Client Services, ext 8078

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 27, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

27

**COMMENCEMENT OF EXPROPRIATION
NORTH SIDE-MAJOR MACKENZIE DRIVE, WEST OF WESTON ROAD
BLOCK 40 - DISTRICT PARK AND EXTENSION OF
LAWFORD ROAD
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Community Services, the Commissioner of Engineering and Public Works, and the Director of Legal Services, dated March 23, 2010, be approved; and
- 2) That the confidential memorandum of the Director of Legal Services, dated March 11, 2010, be received.

Recommendation

The Commissioner of Community Services, the Commissioner of Engineering and Public Works, and the Director of Legal Services recommend:

1. THAT Staff be directed to commence expropriation proceedings for the municipal purposes of a road and park for the fee simple interest in the lands described as Part of Lot 21, Concession 6, municipally known as 3930 and 4020 Major Mackenzie Drive, shown as Parcels A, B,C,F, and G on the Sketch to Illustrate prepared by Lloyd & Purcell dated February 24, 2010.
2. THAT a By-law be enacted to authorize the Mayor and Clerk to execute the Application for Approval to Expropriate Land and the Notice of Application for Approval to Expropriate land situate in the City of Vaughan, in the Regional Municipality of York being Part of Lot 21, Concession 6, municipally known as 3930 and 4020 Major Mackenzie Drive as described in Recommendation 1, above,
3. That, in the event a Hearing of Necessity is requested by an owner or registered owner, and a report of the inquiry officer is issued, the report shall be placed before Council for consideration, and,
4. That City staff and authorized agents are hereby authorized and directed to do all things arising from the authorizations provided by this resolution.
5. THAT a By-law be enacted to authorize the Mayor and Clerk to execute an Agreement between the Block 40 Developers Group, the City of Vaughan and the York Region District School Board regarding the responsibility for costs of the expropriation.

Contribution to Sustainability

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

Goal 2, Objective 2.2: To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth.

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Goal 4, Objective 4.1.1: Develop an implementation plan for the initiatives described in the City's Active Together Master Plan through a phased and budgeted program.

Goal 3, Objective 3.2: Develop and sustain a network of roads that support affective and accessible public and private transit.

Economic Impact

The economic impact will be the purchase price of the lands, which is the subject of ongoing negotiations and which will be provided in a confidential memo. There are also expropriation costs such as survey, appraisal, environmental assessment and legal costs.

Communications Plan

City staff will advise the York Region District School Board and the Developers Group of Council's direction and Notices will be sent in accordance with the Expropriations Act.

Purpose

The purpose of this report is to obtain direction to commence expropriation procedures for lands for a park and the extension of Lawford Road in Block 40.

Background - Analysis and Options

The Block 40 block Plan includes a public high school block on the north side of Major Mackenzie Drive East, the extension of Lawford Road to be constructed abutting the school block south to intersect with Major Mackenzie Drive, and parkland north of the school site shown on Attachment # 1. None of these requirements are in the ownership of participating developers to the Block 40 Developers Group.

The School Board has advised that the parcel of land for a school needs to be acquired. The land that needs to be acquired for the school site includes all of Parcel 8 and a portion of Parcels 9 and 16. The portion of the road required by the City is comprised of a portion of Part 16 and Part 9. The park is the north part of Part 16. The design of the road has to be engineered.

The parcels to be expropriated, shown on Attachment # 1 are as follows:

Parcel # 9 - 3930 Major Mackenzie Drive East, (1.5ac)

Parcel # 8 - 3956 Major Mackenzie Drive East, (5.3ac)

Parcel # 16 - 4020 Major Mackenzie Drive East, (25.46ac)

The York Region District School Board and the City will have a joint approach to acquisition of lands required by both the City and School Board.

On June 30, 2009 Council authorized City staff to meet with the land owners along with School Board representatives. The School Board and the City met with the landowners, however the negotiations have been unsuccessful to date.

The Block 40 Developers Group is responsible for the conveyance of the required road in the ordinary course. Accordingly, the Developers Group will be responsible for the cost of expropriating the required road.

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There is a component of the parkland north of the proposed school which is over and above the parkland dedication requirement in the Planning Act. This was planned through the Block Planning process and is intended to form a larger, District Park for both Block 39 and Block 40. This “overdedication” is approximately 3.778 hectares. In the ordinary course, when the plans containing the “overdedication “ are registered, the City would negotiate for the purchase of the additional lands with the source of funding being the Parkland Cash-In-Lieu Reserve.

The District Park block was identified in Official Plan Amendment 600 (Schedule ‘B’), the 2008 Development Charge Background Study and in the Active Together Master Plan for Parks, Recreation, Culture and Libraries. This District Park is intended to serve residents living in municipal Blocks 33W, 40 and 47. The District Park is currently scheduled for design and construction in 2014. The timing of funding requests is reviewed annually during the capital budget process. Where development proceeds ahead of projected schedules, project timing is reassessed.

The extension of Lawford Road south to Major Mackenzie Drive is required to complete the road network approved through the Block plan and subdivision plan processes. The extension of services to be constructed under the road will complete the required servicing components.

Staff are presently reviewing an agreement to provide for payment by the three parties (Developers Group, School Board and City) of the expropriation costs, which will be executed before the expropriation notices are sent.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council and is consistent with the goal to Enhance and Ensure Community Safety, Health and Wellness.

Regional Implications

Not applicable

Conclusion

The York Region District School Board and the City require lands for a school, a District Park and the extension of Lawford Road. Staff are recommending commencement of expropriation procedures in conjunction with the YRDSB to acquire the lands in a timely manner, subject to entering into an agreement with the Block 40 Developers Group

Attachments

Attachment # 1 - Block 40 Plan
Attachment #2–Sketch to Illustrate

Report prepared by:

Heather Wilson, Director of Legal Services, Ext. 8389
Paul Gardner, Director of Parks Development, Ext 3209

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

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Item 28, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

28 INCREASING THE NUMBER OF SOCCER FIELDS IN VAUGHAN

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

Recommendation

Councillor Tony Carella recommends that appropriate staff be directed to provide a report in response to the suggestions contained in attached correspondence from Mr Sal Infante, President, Woodbridge Soccer Club; namely:

- the feasibility of converting the former tennis court lands at the rear of Holy Cross Catholic Academy to a mini-soccer field; and
- the potential conversion of vacant lands owned by the Ontario Realty Corporation (situated in the southwest quadrant of the intersection of Regional Road 27 and Milani Boulevard) to an artificial or turf soccer field or fields; the potential timing of such conversion; and the funding and an other options available to the City in pursuing this development; and that
- the requested report be provided to the Committee of the Whole meeting of April 20, 2010

Contribution to Sustainability

The future of recreational soccer in the City of Vaughan---the single most popular sport among young and old alike, depends on the provision of an adequate number of fields. Given the on-going growth in the number of participants, new locations for soccer fields are a perennial issue. This matter must be addressed in order to sustain this most popular recreational activity over time.

Economic Impact

To be determined by way of the recommended report

Communication Plan

Any action taken by Council in respect of the recommendation will be communicated to the Woodbridge Soccer Club.

Background – Analysis and Options

While the City of Vaughan continues to increase in population, the ultimate number of residents (based on provincial projections) will be well in excess of 400,000---still a long way off. Any increase in population increases the demands on municipal services: community centres, libraries, and soccer fields, to name just a few. Indeed, the City's Recreational Master Plan ("Active Together") indicates that of all the recreational activities that the residents of Vaughan participate in, soccer is the one where the supply of fields is expected to lag behind the demand for such fields for a long time to come. In light of that situation, the letter received by the councillor for Ward 2/Woodbridge West from the president of the Woodbridge Soccer Club is timely now, and will likely be so for years to come.

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As Mr Infante has identified two vacant parcels that may serve as sites for additional soccer fields, it is appropriate that his suggestions be explored. While he does not specify to whom the former tennis court lands belong, the fact that they may not belong to the City (but to the York District Catholic School Board) does not preclude their being considered for conversion to a soccer field or fields in cooperation with the YDCSB, many of whose fields are currently among those owned by other entities but permitted by the City for use by local soccer clubs.

The ORC lands on Regional Road 27 have long been considered for possible conversion for use as a soccer field or fields. Indeed, a neighboring landowner has in the past evinced an interest in such a conversion, depending on the City's obtaining a license to that end from the ORC. Where this proposal stands at this time is not known. But given the shortage of fields referred to by Mr Infante, the proposal needs to be firmed up, or alternatives explored. Such exploration should consider the time needed to complete such a conversion, whether the conversion should be undertaken by the City alone, or in cooperation with a private interest or interests, etc.

Regional Implications

Nil

Relationship to Vaughan Vision 2020

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

Conclusion

Without a doubt the need for additional fields is clear, and in light of that need, the suggestions advanced by Mr Infante deserve the City's attention, and without unreasonable delay. What is absolutely certain is that the failure to develop additional soccer fields will severely constrain the City's ability to meet the expectations of its residents interested in playing recreational soccer.

Attachment

Letter of Mr Sal Infante, President, Woodbridge Soccer Club, dated February 26, 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.)

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Item 29, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

29

**PROCLAMATION REQUEST
PARKINSON'S DISEASE AWARENESS MONTH**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated March 23, 2010:

Recommendation

The City Clerk recommends:

- 1) That April 2010 be proclaimed as "Parkinson's Disease Awareness Month"; and
- 2) That the proclamation be posted on the City's website and published on the City Page Online.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

The Corporate Communications Department posts proclamations issued by the City on the City's website under "Events – Proclamations" and on the City Page Online.

Purpose

To respond to the request received from the Community Development Coordinator, York-Simcoe, Parkinson Society Central & Northern Ontario.

Background - Analysis and Options

The correspondence received from the Community Development Coordinator, York-Simcoe, Parkinson Society Central & Northern Ontario, dated February 22, 2010 is attached. (Attachment 1)

Parkinson's disease is a chronic and progressive neurodegenerative illness that affects over 100,000 Canadians. The Parkinson Society Canada Central & Northern Ontario would like to raise awareness and encourage support during their fundraising efforts in communities across Ontario and help find a cure for this debilitating disease. Council has approved this proclamation request in the past.

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.

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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 “Parkinson’s Disease Awareness Month” and that the proclamation be posted on the City’s website and published on the City Page Online.

Attachments

Attachment 1: Correspondence from the Parkinson Society Central & Northern Ontario, dated February 22, 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 APRIL 13, 2010

Item 30, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

30

CITY OF VAUGHAN MARATHON

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

Recommendation

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

- 1) That the following report on a potential marathon in Vaughan 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.

Economic Impact

There is no economic impact to this report.

Communications Plan

No communication plan is required at this time.

Purpose

The purpose of this report is to provide Council with information on the possible move of one of Toronto's marathons to Vaughan and to inform Council of the discussions with the organizers of the Run for Vaughan regarding the addition of a marathon option for their annual fundraising event.

Background - Analysis and Options

In light of the debate taking place by Toronto City Council to restrict the number of Marathons to a single event, at the Council meeting of February 16, 2010 Council directed staff to provide a report to the Committee of the Whole meeting of March 23, 2010 as follows:

1. Staff investigate the possibility of inviting the organizers of the Toronto events to consider holding one of these marathons in the City of Vaughan in the future;
2. A report be prepared for Council's consideration on the feasibility of a marathon taking place in the City;
3. Part of the consideration in the staff report include how the current organizers for the Run for Vaughan be involved in the planning and sponsorship for such an event; and,
4. The fund raising focus for such an event be to support the development of a hospital in the City of Vaughan.

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In early February 2010, Toronto City Council debated the problem of two big marathons paralyzing downtown streets every year. Residents were fed up at traffic headaches from two races three weeks apart. Organizers had to find a compromise or see Toronto cancel both and put out a tender for one big marathon. The city's works committee gave the Good Life Fitness Toronto Marathon and the Scotiabank Toronto Waterfront Marathon until February 22 to stagger their dates or potentially lose both races.

With the possibility of one of the marathons needing to be relocated it was suggested that one of be brought to Vaughan. Both organizers preferred to stay in Toronto but if one of them needed to go, staff would contact them and discuss the possibility of moving the race to Vaughan. It was noted that organizing a marathon run could cost about \$15,000 in staff time.

On February 19 Toronto announced that the Good Life Fitness Toronto Marathon has agreed to move to May starting in 2011 and the Scotiabank Marathon will remain a September race. This solution would alleviate the problem of two marathons scheduled so close together creating traffic chaos twice in a matter of a few weeks. Toronto agreed to the proposal and both races will be staying in Toronto and there is no longer an opportunity for a marathon to move to Vaughan.

Run for Vaughan

The Run for Vaughan is a fundraising event in support of the development of the City of Vaughan's first hospital. The annual Run for Vaughan makes important contributions to the community by raising money to support the Vaughan's Healthcare Foundation Inc. The first Run for Vaughan was held in 2003 and so far over \$150,000 has been raised and donated to the Vaughan Healthcare Foundation. The Run for Vaughan model advocates that strong communities are built through partnerships, teamwork and community spirit and is a valuable example of community engagement.

The Run for Vaughan includes a 3k walk and 3k and 10k runs. Staff have had discussions with Mr. Asif Khan, one of the Run for Vaughan organizers, regarding the possible addition of a full scale marathon option and Mr. Khan confirmed their interest in this addition in the future, possibly as early as 2011. At the Committee of the Whole meeting of March 23rd, 2010, Mr. Khan will be making a deputation to request endorsement of the 2010 Run for Vaughan and to inform Council of their interest in reviewing the possibility of adding a marathon in the future. As part of their review, they will assess any resource requirements including assistance from the City such as Services-in-Kind and promoting the event. With their experience in organizing running events and their mandate to collaborate with and actively engage citizens they are the ideal community partner to launch a marathon in Vaughan.

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

City of Toronto Council approved a plan to change the timing of one of Toronto's two annual marathon runs so there is no longer an opportunity to bring one to Vaughan.

The Run for Vaughan organizers have an established model for community engagement and have been organizing running events in Vaughan since 2003. The primary focus of the annual event is to raise money in support of the Vaughan's Healthcare Foundation Inc. and so far they

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have donated over \$150,000 towards this cause. With their experience in organizing running events and their mandate to collaborate with and actively engage citizens they are the ideal community partner to launch a marathon in Vaughan.

Attachments

None.

Report Prepared By

Paul Compton, Area Recreation Manager, ext. 8358
Mary Reali, Director of Recreation and Culture, ext. 8234

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Item 31, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

31 MUNICIPAL FUNDING AGREEMENT – FEDERAL GAS TAX REVENUES

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance/City Treasurer and the Director of Reserves & Investments, dated March 23, 2010:

Recommendation

The Commissioner of Finance/City Treasurer and the Director of Reserves & Investments recommend:

- 1) That Council enter into an amending Municipal Funding Agreement 2010-2014 – Federal Gas Tax Revenues between the Association of Municipalities of Ontario (AMO) and the City of Vaughan; and
- 2) That a by-law be enacted to authorize the Mayor and the City Clerk to execute the related documents and agreement.

Contribution to Sustainability

The funds received from the Federal Gas Tax revenue are to be directed at environmentally sustainable municipal infrastructure projects. Eligible projects include: public transit, water, wastewater, solid waste, local roads, bridges, tunnels, active transportation infrastructure (bike lanes) and capacity building and community energy systems (i.e. retrofit municipal buildings).

Economic Impact

The City of Vaughan is scheduled to receive a total of \$29.3M split equally over the next four (4) years. The use of these new funds will be considered during the budget deliberations beginning in the fall of 2010.

Communications Plan

Not Applicable

Purpose

The purpose of this report is to obtain Council's approval to enter into an amending Municipal Funding Agreement between AMO and the City of Vaughan for the transfer of Federal Gas Tax Revenues from 2010 to 2014.

Background - Analysis and Options

During the 2005 Federal Budget, Federal Gas Tax Funding for municipalities was introduced. The City of Vaughan was the recipient of \$14.8M for the period 2005 – 2010.

Of the \$14.8M received by the City of Vaughan, Council during its capital budget deliberations has approved \$10.3M as follows:

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| | |
|--|-----------------------|
| Energy Conservation | \$1.1M |
| Roads | \$2.0M |
| Public Transit (Sidewalks, Trail Systems) | \$3.1M |
| Solid Waste (Green Bin, Recycling) | \$1.4M |
| Wastewater (Storm Pond Rehab, Draining Systems) | <u>\$2.7M</u> |
| Total | <u>\$10.3M</u> |

On September 3, 2008, AMO signed an extension to the Agreement for the transfer of Federal Gas Tax Revenues with the Federal Government. The extension was contingent upon the completion of a program evaluation of the initial agreement which has been successfully concluded. The extension is four (4) years, 2010 to 2014.

The City of Vaughan funding allocation under this extension is as follows:

| | |
|------|-------------|
| 2010 | \$7,347,518 |
| 2011 | \$7,347,518 |
| 2012 | \$7,347,518 |
| 2013 | \$7,347,518 |

Before these funds are received, the City of Vaughan will be required to sign an amending Municipal Funding Agreement with AMO to enable this transfer and Council must pass a by-law ratifying the amending agreement.

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

Not applicable.

Conclusion

Staff recommend that the amending Municipal Funding Agreement between AMO and the City of Vaughan be executed and that Council pass a by-law ratifying the amending agreement.

Attachments

Attachment 1 – Amending Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues

Report prepared by:

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

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

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Item 32, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

**32 PROPOSED AMENDMENT TO 2010 CAPITAL BUDGET RESPECTING
 PLAYGROUND REPLACEMENT PROGRAM – WARD 2**

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

Recommendation

Councillor Tony Carella recommends:

1. That the matter of:
 - a) replacing junior playground equipment with senior playground equipment at Michael Fitzgerald Parkette; and
 - b) not replacing playground equipment at Old Firehall Parkette in 2010 be referred to the Budget Committee meeting on April 14, 2010;
2. That staff be directed to provide notice of an amendment to the 2010 Capital Budget in respect of recommendations the Budget Committee may make to change the 2010 Capital Budget as a result of its consideration of this matter.

Contribution to Sustainability

The sustainability of our parks and parkettes depends on the timely replacement of playground equipment when appropriate

Economic Impact

The replacement of junior equipment with senior equipment at Michael Fitzgerald Parkette will make use of funds already approved in the 2010 Capital Budget.

Communication Plan

Not applicable

Purpose

The purpose of this report is to facilitate the giving of timely public notice of a potential change in the 2010 Capital Budget.

Background – Analysis and Options

The 2010 Capital Budget includes funds for the replacement of playground equipment at Old Firehall Parkette in Ward 2. It is proposed that the funds allocated for the replacement of equipment at Old Firehall Parkette be utilized instead for the replacement of equipment at Michael Fitzgerald Parkette, and that the Budget Committee be requested to give this proposal due consideration.

Amendments to the Capital Budget require the giving of public notice and so this report recommends that the placing of such notice be authorized so that when Council considers the recommendations of the Budget Committee on May 4, 2010, it will have the authority to implement such changes. Should the Budget Committee not make recommendations to amend the Capital Budget when it meets on April 14, 2010, then no notice will need to be placed.

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Regional Implications

Nil

Relationship to Vaughan Vision 2020

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

Conclusion

An administrative correction is required to identify the playground at Michael Fitzgerald Parkette as the Ward 2 site for 2010 under the established Playground Replacement and Safety Surfacing program.

Attachment

Extract from 2010 Capital Budget: Project Summary for Playground Replacement & Safety Surfacing (Project # PK-6131-10)

Report prepared by:

Councillor Tony Carella, FRSA

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

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Item 33, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

**33 CEREMONIAL PRESENTATION - TD CANADA TRUST, PRESENTING SPONSOR OF
VAUGHAN CELEBRATES EVENTS - WINTERFEST, CONCERTS IN THE PARK
AND CANADA DAY WITH RESPECT TO A CHEQUE PRESENTATION**

Mr. Vince Aguanno, VP Commercial Banking and Mr. Jack Borges, Relationship Manager, on behalf of TD Canada Trust, Presenting Sponsor of Vaughan Celebrates events - Winterfest, Concerts in the Park and Canada Day, presented to the City of Vaughan a cheque in the amount of \$25,000.00.

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Item 34, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

34 DEPUTATION - MR. ASIF KHAN WITH RESPECT TO THE INTRODUCTION OF THIS YEAR'S PLANS FOR RUN FOR VAUGHAN TO BE HELD ON MAY 30TH

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Asif Khan, Run for Vaughan/AMJ, 10610 Jane Street, Maple, L6A 4A7 and written submission entitled, "*Run for Vaughan*" be received; and**
- 2) That the City of Vaughan provide Services-in-Kind to support the 2010 Run for Vaughan event.**

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Item 35, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

35 DEPUTATION - MS. NANCY VAN KESSEL, EXECUTIVE DIRECTOR, HABITAT FOR HUMANITY YORK REGION WITH RESPECT TO DEFERRAL OF DEVELOPMENT FEES FOR HABITAT FOR HUMANITY YORK REGION BUILDS IN VAUGHAN

The Committee of the Whole recommends:

- 1) That the deputation of Ms. Nancy Van Kessel, Executive Director, Habitat for Humanity York Region, 449 Eagle Street, Newmarket, L3Y 1K7, and the written submission, be received; and**
- 2) That this matter be referred to staff, in consultation with the deputant and York Region, to report back to the Committee of the Whole meeting of April 20, 2010 regarding issues raised by Members of Council.**

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Item 36, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 13, 2010, as follows:

By approving the following in accordance with the additional report from the Chairman of the Sign Variance Committee, dated April 13, 2010:

- 1) ***That a Sign Variance be authorized to permit the erection of (3) Three "V" Shaped Development Ground Signs each having a maximum Sign Area of 112 sqm;***
- 2) ***That any conditions or comments imposed by the Ministry of Transportation or the Region of York be incorporated into the final approval of the Signs and the required Sign Permits; and***
- 3) ***That the Sign Permit fees be waived.***

**36 DEPUTATION - MR. QUINTO ANNIBALE, VAUGHAN HEALTH CARE WITH RESPECT TO
EXEMPTION FROM SIGN PERMIT FEES AND SIGN VARIANCE**

The Committee of the Whole recommends that the deputation of Mr. Quinto Annibale, be received and referred to staff for a report to be brought back to the Council meeting of April 13, 2010.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 37, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

37 DISCLOSURE OF INTEREST - FIRST OPPORTUNITY TO DISCLOSE

Regional Councillor Frustaglio declared an interest with respect to Item 26, Report No. 5 - Report on Complaint of Violation of Code of Conduct for Members of Council Re: File 8.18.09, as she was not present at the Council Meeting of February 16, 2010 when the item was given consideration.

Regional Councillor Frustaglio declared the interest because the allegations in the complaint pertained to her.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 38, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

38 **NEW BUSINESS – REQUEST FOR REPORT ON IMPLEMENTATION
OF INTEGRITY COMMISSIONER RECOMMENDATIONS**

The Committee of the Whole recommends that the e-mail from Mr. Paul Donofrio, dated March 23, 2010, be received and referred to the Clerk for a written response to the Committee of the Whole meeting of April 20, 2010.

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

CITY OF VAUGHAN

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Item 39, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

39

NEW BUSINESS – EARTH HOUR – MARCH 27, 2010

Regional Councillor Frustaglio gave a brief statement noting that Earth Hour is taking place on March 27, 2010.

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

Item 40, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

**40 COMMITTEE OF THE WHOLE (CLOSED SESSION) RESOLUTION
MARCH 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 matters:

- 1. COMPLIANCE AUDIT COMMITTEE APPOINTMENTS**
(personal matter about identifiable individual(s))
- 2. LITIGATION MATTER – LIDDY v. CITY OF VAUGHAN ET AL**
(litigation or potential litigation)