

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, CW Report No. 1 – Page 2

All documentation required by the Subdivision Agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works, with the exception of stormwater pond landscape deficiencies relating to the repair of damaged turf areas, landscape maintenance relating to weed removal and mow strips and re-surfacing of the pond maintenance road.

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, and Clerks. The Development Planning Department has no objection to the assumption of the plan, subject to the rectification of the landscaping deficiencies noted above. The value of these deficiencies are estimated to be approximately \$50,000.00. The Developer has committed to the completion of these works in the Spring of 2011.

Relationship to Vaughan Vision 2020

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

Regional Implications

All regional implications have been satisfied as they have conducted their own inspection of municipal services located within the Dufferin Street right of way and have found the works to be satisfactory. The Region of York provided their release on April 19, 2007.

Conclusion

The construction of the roads and municipal services associated with the Trullwork Industrial Subdivision, Plan of Subdivision 65M-3531, has been completed in accordance with the Subdivision Agreement. It is therefore appropriate that the roads and municipal services in 65M-3531 be assumed and the Municipal Services Letter of Credit be reduced to \$50,000.00, pending the rectification of the aforementioned landscaping works within the stormwater management pond in the Spring of 2011. Once the deficiencies are repaired and completed to the satisfaction of the City, the Municipal Services Letter of Credit will be released.

Attachments

1. Location Map

Report prepared by:

Kevin Worth Engineering Technologist - Development, ext. 8670
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

KW/vp

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

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Item 2, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

**2 DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-10V002
WOODBRIDGE GATES INC.
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated January 11, 2011:

Recommendation

The Commissioner of Planning recommends:

1. THAT Draft Plan of Condominium (Standard) File 19CDM-10V002 (Woodbridge Gates Inc.) BE APPROVED, subject to the conditions of approval set out on Attachment #1.

Contribution to Sustainability

The site is developed, and the proposal addresses the tenure of the property only, and therefore, there is no contribution to sustainability through this application.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Draft Plan of Condominium (Standard) application for the subject lands shown on Attachments #2 and #3, for one 6-storey building, comprised of 7 retail units, 4 live-work units and 228 residential units. The site is served by 335 parking spaces distributed over two underground parking garage levels and 16 surface parking spaces. This development will function as a standard condominium.

Background - Analysis and Options

The subject lands shown on Attachments #2 and #3 are located on the southeast corner of Woodbridge Avenue and Kipling Avenue, municipally known as 281 Woodbridge Avenue, in the City of Vaughan. The surrounding land uses are shown on Attachment #3.

The proposed Draft Plan of Condominium is consistent with the approved site development application (File DA.04.050) which was approved by Vaughan Council on February 26, 2007.

Official Plan/Zoning

The subject lands are designated "Mixed Use Commercial" by OPA #440 (Woodbridge Core Plan), as amended by site-specific OPA #659 and "Mid-Rise Mixed-Use" by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 and is pending final approval by the Region of York. The proposed draft plan of condominium conforms to the Official Plans.

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The subject lands are zoned RA2 Apartment Residential Zone by By-law 1-88, subject to Exception 9(990). The proposed draft plan of condominium complies with Zoning By-law 1-88 as amended by Exception 9(990).

Garbage and Recycling Collection and Snow Removal

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

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The application was circulated to the Region of York Planning Department for comment. As of December 1, 2010, no comments have been received by the City. Any conditions required by the Region will be included in the City's Condominium Agreement with the applicant.

Conclusion

The Vaughan Development Planning Department has reviewed the Draft Plan of Condominium application, which conforms to the Official Plan and complies with the Zoning By-law, and has no objection to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Condominium Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Condominium 19CDM-10V002 – Typical Level

Report prepared by:

Eugene Fera, Planner, ext. 8064
Christina Napoli, Acting Senior Planner, ext.8483
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/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.)

Councillor Carella declared an interest with respect to the foregoing matter as family members have an interest in the property.

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Item 3, CW Report No. 1 – Page 2

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located at the northwest corner of Rutherford Road and Bathurst Street, City of Vaughan, with the proposed Building 11 to be located in the northwest quadrant of the property. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are located within the Carrville Urban Village Area of OPA #600 and are designated "Neighbourhood Commercial" as amended by site-specific OPA #689, which permits the proposed retail building. The subject lands are designated "Mid-Rise Mixed Use" by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010, and is awaiting final approval by the Region of York. The proposed retail building would be permitted in this designation.

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88 and subject to Exception 9(1217), which permits the proposed retail building.

The proposed one-storey, 2 unit retail building conforms and complies with the Official Plans and Zoning By-law, respectively.

Site History

The original Site Development Application (File DA.08.013) was approved to develop the entire site with 10 retail buildings within a campus style setting. A total of 8 buildings have been developed on the site to date, as shown on Attachment #3. The north-west portion of the site remains vacant at this time, as the Owner has not yet built 2 approved buildings. This site plan application proposes to include one additional building on the site, and increase the number of buildings on the property from 10 to 11, and the overall site gross leasable area (GLA) by 392m² to 26,283.27m² and gross floor area (GFA) by 441.17m² to 28,235.74m². This increase is consistent with the permitted maximums in the Official Plan (maximum 26,800m² GLA) and Zoning By-law (maximum 28,535.61m² GFA) for the site.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, landscape plan and building elevations shown on Attachments #3, #4 and #5, and will continue to work with the applicant to finalize the details. The final site plan, elevation plan and landscape plan must be approved to the satisfaction of Vaughan Development Planning Department. A condition to this effect has been included in the recommendation of this report.

Vaughan Engineering

The applicant has submitted a site servicing and grading plan for review and final approval to the satisfaction of the Vaughan Engineering Department, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect has been included in the recommendation of this report.

Relationship to Vaughan Vision 2020/Strategic Plan

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

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Regional Implications

N/A

Conclusion

The Site Development Application has been reviewed in accordance with the Official Plan, Zoning By-law 1-88, comments from City Departments, and the area context. The Vaughan Development Planning Department is satisfied that the proposed development of a single storey, 2 unit retail building within the existing commercial campus is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the recommendations contained in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan (Proposed Building 11 & Surrounding Area)
5. Elevations – Building 11

Report prepared by:

Laura Janotta, Planner, ext. 8634
Christina Napoli, Acting Senior Planner, ext 8483
Carmela Marrelli, Acting Manager of Development Planning, ext 8791

/CM

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

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Item 4, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

4 INTERIM PROPERTY TAX LEVY FOR 2011

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 Financial Services, dated January 11, 2011:

Recommendation

The Commissioner of Finance/City Treasurer and the Director of Financial Services, in consultation with the Manager of Property Tax & Assessment recommends:

That a by-law be prepared to levy interim property taxes for 2011, with three installments due in March, April and May for all property classes.

Economic Impact

The issuance of an interim property tax levy provides the necessary cash flow to meet the City's own needs and its financial obligations to the Region of York and the Province of Ontario for education purposes. The interim levy will produce total property tax revenue of approximately \$310 Million based on taxable assessment of approximately \$53 billion.

Communications Plan

Advertised notices for the interim property tax notices will be posted in all local papers in late February and early March as well as the on-line City Page.

Purpose

The purpose of this report is to inform Council on the issuance of the interim property tax bills for 2011 to all property classes, under the authority of section 317 of the *Municipal Act, 2001*, as amended.

Background - Analysis and Options

The issuance of an interim property tax levy provides funds for the City to meet day-to-day operating and capital financial obligations.

As noted above, the Interim levy will be due in three equal installments in March, April and May. Taxpayers have the option to enroll in the installment due date payment plan for interim and final billing or the eleven month installment plan. The withdrawals for the due date payment plan will be made on the Interim billings' installment due date and the withdrawals for the 11-month plan will be made on the first banking day of each month from January to November.

The Interim billing will be calculated utilizing the 2011 phase-in assessment roll as provided by the Municipal Property Assessment Corporation (MPAC).

In accordance with current Provincial legislation, the interim amount levied by property is subject to the following rules:

1. The amount levied on a property shall not exceed 50% of the total taxes levied on the property for the previous year, subject to an adjustment, as per Section 317(9), should it appear the levy would be too high or too low in relation to an estimate of the total taxes that will be levied for 2011.

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2. A calculated notional tax rate applied to the 2011 assessment will be used to calculate the levy.
3. For the purpose of calculating the total amount of taxes for the previous year, any amount levied for only part of the year will be annualized.
4. For new property assessments added to the roll for the 2011 taxation year, the levy will be calculated by applying the notional tax rate to the 2011 assessment.
5. The interim levy for properties in the commercial, industrial and multi-residential classes (capped classes) will include an amount equal to 50% of the 2010 capping adjustment, if applicable.

The 2011 final tax billing will be calculated utilizing the assessment values under the new legislated cycle of reassessment every four (4) years with mandatory phase-in of assessment increases for all property classes. The four-year program came into effect January 1, 2009 and will continue until the 2012 tax year. Assessment values (CVA) as of January 1, 2008 market will be utilized.

Relationship to Vaughan Vision 2020

In consideration of the strategic priorities related to Vaughan Vision 2020, the issuance of the interim property tax levy will enhance:

- Service Excellence: Pursue Excellence in Service Delivery
- Management Excellence: Ensure Financial Sustainability

Regional Implications

The City of Vaughan will be collecting an amount of approximately \$122 million in interim property taxes on behalf of the Region of York.

Conclusion

The interim levy will produce total property tax revenue of approximately \$310 Million based on taxable assessment of approximately \$53 billion. These interim funds are raised for the City's, Region of York's and School Boards' operational purposes.

Attachments

None

Report prepared by:

Maureen E. Zabiuk, A.I.M.A., AMTC
Manager of Property Tax & Assessment
Ext. 8268

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The recommendation of the Committee of the Whole to receive the Public Hearing report of June 23, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on June 30, 2009.

Purpose

The Owner has submitted a Zoning By-law Amendment Application to rezone the 3,178m² subject lands shown on Attachments #1 and #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone. The rezoning is required to consolidate the subject lands with the adjacent commercial properties to the north, west and east, which are zoned C4 Neighbourhood Commercial Zone, and also owned by the applicant. The consolidated lands would create a neighbourhood commercial block having a total area of approximately 9,810 m² or 0.981 ha.

Background - Analysis and Options

The 0.32 ha site is part of a larger land holding to the north, west and east, which is also owned by the applicant. The subject lands are located on the north side of Rutherford Road, east of Thomas Cook Avenue, municipally known as 1076 Rutherford Road, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600, which permits neighbourhood commercial uses, which include such uses as a drug store, retail store, pharmacy, bank, and business and professional offices. The subject commercial lands are further designated "Low-Rise Mixed-Use" with a maximum height of 4-storeys and a maximum Floor Space Index of 1.5 by the new Vaughan Official Plan 2010, which is pending final approval from York Region. Retail uses are permitted within the "Low-Rise Mixed-Use" designation. The proposed rezoning would implement neighbourhood commercial uses that will serve the surrounding residential area. Accordingly, the proposal conforms to the Official Plans.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The proposal to rezone the subject lands to C4 Neighbourhood Commercial Zone requires an amendment to By-law 1-88. The proposal would facilitate the consolidation of the subject lands with the abutting commercial properties, to the north, west and east, which are also in the same ownership.

Vaughan Cultural Services

The Vaughan Cultural Services Division has reviewed the application to rezone the subject lands to C4 Neighbourhood Commercial Zone Division and has no objections. The proposed does not impact the siting or status of the existing Heritage Structure, identified as the former Carrville Post Office and General Store, which is not a designated heritage structure under the Ontario Heritage Act, however, is listed as a property of interest in the City of Vaughan's Heritage Inventory.

All issues respecting the relocation/reorientation and incorporation of the structure into an appropriately designed commercial development will be addressed through the future site plan process. The structure currently is situated partially within the required Rutherford Road widening along the frontage of the subject lands, which will also be addressed through the future site plan process. The Cultural Services Division has advised that they will not support the demolition of the structure. The Owner intends to relocate the structure into the site and outside of the future road widening. The Owner is required to obtain a Heritage Permit from the Cultural Services Division, which will be initiated in conjunction with the submission of the required site development application to the Vaughan Development Planning Department.

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Planning Considerations

The subject lands are intended to be developed with neighbourhood commercial uses. The proposed rezoning to C4 Neighbourhood Commercial Zone conforms to the current Official Plan (OPA #600) with respect to the “Neighbourhood Commercial Area” policies, as well as, the policies of the new City of Vaughan Official Plan 2010. Rezoning the subject lands to C4 Neighbourhood Commercial Zone would consolidate the Owner’s landholdings and facilitate a consistent zoning for the entire 9,810 m² site. Issues with respect to the preservation of the Carrville Post Office and General Store on the property will be appropriately addressed through the future site plan process. The Development Planning Department has no objection to the proposed rezoning, subject to applying an “H” Holding provision on the property, which will provide an additional level of security to ensure that the disposition of the Carrville Post Office and General Store is satisfactorily addressed through the site plan process to the satisfaction of the Vaughan Cultural Services Division and the Vaughan Development Planning Department.

The subject lands will be zoned C4(H) Zone, and the removal of the “H” Holding provision through a future zoning by-law amendment application will be subject to site plan approval by Vaughan Council of an appropriate commercial development including satisfactorily addressing the preservation of the Carrville Post Office and General Store on the property to the satisfaction of the Vaughan Cultural Services Division and the Vaughan Development Planning Department.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York Transportation Services Department has advised that they have no comment respecting the rezoning of the subject lands.

Conclusion

The Vaughan Development Planning Department has reviewed the proposal to rezone the subject lands located at 1076 Rutherford Road as shown on Attachments #1 and #2 in accordance with the Official Plan, Zoning By-law, internal and external public comments, and the area context, and can support the approval of Zoning By-law Amendment Application Z.09.016. The zoning application will consolidate the subject lands with the adjacent lands to the north, east and west, which are in the same ownership and will be zoned C4(H) Neighbourhood Commercial Zone with the “H” Holding Symbol to provide consistent commercial zoning that will facilitate a consolidated landholding and future site development with a neighbourhood commercial plaza. The conditions to remove the “H” Holding provision will be Vaughan Council’s approval of a site plan for an appropriately designed commercial development on the property including the preservation of the Carrville Post Office and General Store, which must be to the satisfaction of the Vaughan Cultural Services Division and the Vaughan Development Planning Department.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Rezoning

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Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Christina Napoli, Acting Senior Planner, ext. 8483

/LG

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

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Item 6, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

6 **SITE DEVELOPMENT FILE DA.10.067**
BUNGALOFT INC.
WARD 2

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated January 11, 2011, 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.10.067 (Bungaloft Inc.) BE APPROVED, to facilitate the development of the subject lands shown on Attachments #1 and #2 with 12 duplex units that are presented to the street as 6 single family residential dwellings as shown on Attachments #3 to #9, 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;
 - ii) the final landscape plan shall screen the rear yards from the neighbouring westerly properties to the satisfaction of the Vaughan Development Planning Department; and,
 - iii) the final site servicing and grading plans, storm water management report, and any required revisions to the approvals associated with the registered plan of subdivision (Plan 65M-4051) and the subdivision agreement for Anland Woodbridge Inc. (File 19T-04V16), shall be approved by the Vaughan Engineering Department; and,
 - b) that the Site Plan Letter of Undertaking include the following provision:
 - i) that of the 4 duplex model types permitted, no 2 models shall be permitted to locate side-by-side.
2. THAT the Owner shall pay cash-in-lieu of parkland dedication in accordance with the Planning Act and the City's "Cash-In-Lieu of Parkland Policy".

Contribution to Sustainability

The Owner has advised that the proposed development will incorporate the following sustainable building and site development features:

- i) the utilization of energy recycling technologies such as retaining waste heat from sewage water and capturing energy from combustion emissions;
- ii) use of higher levels of insulation in excess of R-2000;
- iii) develop overland flow for storm water and directing storm water to and through planted swales;

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- iv) the utilization of low water volume taps and high efficiency toilets and showers; and,
- v) the utilization of permeable unit pavers and permeable grass paving in the front yard.

Economic Impact

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

Communications Plan

On December 17, 2010, a notice of this Committee of the Whole meeting was sent to the Owners of properties that abut the subject lands and to those individuals who had either appeared as a deputant at the Public Hearing on April 20, 2010 for the related and completed Official Plan (File OP.10.003) and Zoning By-law (File Z.10.009) Amendment Applications, or had requested notice of this meeting.

Purpose

The Owner has submitted a Site Development Application (File DA.10.067) to facilitate the development of 12 duplex units that are presented to the street as 6 single family residential dwellings as shown on Attachments #3 to #9.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the west side of Islington Avenue, north of Hayhoe Lane, municipally known as 8450 to 8472 Islington Avenue, being Part of Block 19 on Registered Plan 65M-3883, and Lots 7-12 inclusive on Registered Plan 65M-4051, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Medium Density Residential" by site-specific OPA #716, and are zoned R5(H) Residential Zone with the Holding Symbol "(H)" by By-law 1-88, subject to Exception 9(1343).

On June 29, 2010, Vaughan Council approved Official Plan Amendment File OP.10.003 (Bungaloft Inc.) to amend OPA #240 (Woodbridge Community Plan) as amended by OPA #597 (Islington Avenue Corridor Secondary Plan), specifically to redesignate the subject lands from "Low Density Residential" (maximum 8.6 units/ha) to "Medium Density Residential" (maximum 35 units/ha), and to permit a residential duplex dwelling as an additional permitted use, and consisting of a maximum of 12 duplex units having a maximum density of 23 units/ha. The site-specific OPA #716 was adopted by Vaughan Council on July 13, 2010, and is in full force and effect. The proposed development conforms to the Official Plan.

On June 29, 2010, Vaughan Council also approved Zoning By-law Amendment File Z.10.009 to amend By-law 1-88, to rezone the subject lands from R3 Residential Zone to R5(H) Residential Zone with the following zoning exceptions:

- i) permit a duplex dwelling;
- ii) a minimum interior side yard of 1.2 m, whereas 1.5m is required; and,

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- iii) that the Holding Symbol “(H)” shall be removed from the subject lands upon servicing capacity being allocated by Council and that a Site Development Application be approved by Council.

The implementing Zoning By-law 194-2010 was enacted by Vaughan Council on July 13, 2010, and is in full force and effect. The proposed development complies with the Zoning By-law.

Servicing Allocation and the Removal of the Holding Symbol “(H)”

On June 8, 2010, Vaughan Council approved the “Servicing Capacity Allocation Strategy” as recommended by the City’s Engineering and Development Planning Departments. The subject site plan application (DA.10.067) has not been reserved servicing capacity. The original Draft Plan of Subdivision (File 19T-04V16) was allocated capacity for 6 units on 6 lots. However, as the development would create 12 duplex units, 6 additional units of capacity are required for the proposal. The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity will be revisited next Spring 2011. Should Vaughan Council find merit in the proposed development and approve the subject site plan application (DA.10.067), and once Vaughan Council has allocated sewer and water capacity for the 6 additional units in the future, the Owner can then submit a Zoning By-law Amendment Application to remove the Holding Symbol “(H), in order to build.

Site Plan Review

The Development Planning Department is generally satisfied that the proposed site plan, building elevations and landscape plan, shown on Attachments #3 to #9, are satisfactory and conform to the policies of OPA #716 and comply with the requirements of the R5(H) Residential Zone, subject to Exception 9(1343).

The proposed site plan (Attachment #3) shows 12 duplex units situate on 6 residential lots with frontage onto Islington Avenue. Attachment #5 illustrates a conceptual streetscape along Islington Avenue that incorporates the four (4) duplex models proposed by the Owner. The elevations for each of the four models incorporate different materials including: stucco, precast stone, and brick and stone veneers as shown on Attachments #6 to #9. The location of a particular duplex model on each lot is not yet certain. The Development Planning Department will be including a provision in the Site Plan Letter of Undertaking, wording respecting the design and character of the housing must vary and avoid repetition (i.e. not result in 2 identical models located side-by-side).

In addition, the Department will continue to work with the Owner to ensure the proper screening of the rear yards from the abutting properties to the west on Autumn Ridge Court. The landscape plan shown on Attachment #4 includes 24 mature coniferous trees along the rear property line which reflect discussions between the surrounding residents and the Owner during the review of the Official Plan Amendment (OP.10.003) and Zoning By-law Amendment (File Z.10.009) applications. Attachment #10 includes a cross-section detail of future planting and terracing.

The final site plan, building elevations and landscape plan must be approved to the satisfaction of the Development Planning Department. Conditions to this effect are included in the recommendation of this report.

The Vaughan Engineering Department is generally satisfied with the servicing and grading plans, and storm water management report. The applicant will be required to submit revised drawings related to the registered plan of subdivision (65M-4051) and the subdivision agreement that has been executed for Anland Woodbridge Inc. (File 19T-04V16). The Vaughan Engineering Department, together with other relevant City Departments, will continue to work with the Owner to finalize the details of the proposal.

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The Owner will need to submit a Draft Plan of Condominium (Common Elements) Application in order to create the proposed common elements associated with the development, for review by City of Vaughan Departments and approval by Vaughan Council.

Toronto and Region Conservation Authority (TRCA)

The TRCA has no objections to the application and advises that a TRCA Permit pursuant to Ontario Regulation 166/06 is required, prior to the start of any proposed works on the site.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Owner must enter into a Regional Site Plan Agreement with the Region of York with respect to any required land conveyance and servicing works along Islington Avenue. The Owner will be required to satisfy all conditions of the Region of York Transportation Services Department.

Conclusion

The Site Development File DA.10.067 has been reviewed in accordance with OPA #716, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department can support the approval of the Site Development Application for 12 duplex dwelling units (resembling 6 single detached dwellings), which is appropriate and compatible with the existing and permitted uses in the surrounding area, subject to the conditions in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Islington Avenue Elevations
6. Gucci Model Elevations
7. Armani Model Elevations
8. Valentino Model Elevations
9. Versace Model Elevations
10. Cross-Section for Future Planting

Report prepared by:

Clement Messere, Planner, ext. 8409
Christina Napoli, Acting Senior Planner, ext. 8483
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/CM

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

CITY OF VAUGHAN

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Item 7, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

7

**AWARD OF TENDER T10-489
SUPPLY & DELIVERY OF ONE (1) PICKUP TRUCK AND FOUR (4) VANS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated January 11, 2011:

Recommendation

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

1. That Part A of Tender T10-489, supply & delivery of one (1) pickup truck be awarded to Leggat, for the amount of \$21,785.27 (including H.S.T.); and,
2. That Part B of Tender T10-489, supply & delivery of one (1) van with tilt steering be awarded to Dixie Ford, for the amount of \$25,982.09 (including H.S.T.); and,
3. That Part C of Tender T10-489, supply & delivery of three (3) vans be awarded to Dixie Ford, for the amount of \$77,946.27; and,
4. That the Mayor and the City Clerk be authorized to sign the necessary documents.

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 1, Objective 1.2:

- To promote reduction of greenhouse gas emissions in the City of Vaughan.

Economic Impact

Projects FL-5108-09, FL-5110-09, FL-5112-09 and FL-5114-09 were approved in the Capital Budget and are funded from the Vehicle Reserve Fund, City Wide Development Charges and Taxation.

Communications Plan

N/A.

Purpose

To award Tender T10-489 for the supply and delivery of one (1) pickup truck and four (4) vans.

Background – Analysis and Options

Council approved funds for the above projects, to purchase one (1) pickup up truck and four (4) vans as part of the ongoing equipment program, and is funded from the Vehicle Reserve Fund, City Wide Development Charges and Taxation.

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Tender T10-489, was advertised in the Bidding, Ontario Public Buyers Association, the City of Vaughan website and invitational. A total of thirteen (13) bidders picked up bid documents and eight (8) bids were received by Purchasing Services on the closing date of November 18, 2010.

The result of the bids plus applicable taxes are as follows:

<u>Supplier</u>	<u>Bid</u>
<u>PART A</u>	
1. Leggat	\$21,785.27
2. Dixie Ford	\$22,811.31
3. City Buick	\$22,903.06
4. Georgian Commercial	\$23,247.49
5. Donway Ford	\$23,547.06
6. Performance Chrysler	\$23,946.96
7. Pine Tree Ford	\$23,975.21
8. Colombo Motors	\$24,082.56
<u>PART B</u>	
1. Dixie Ford	\$25,982.09
2. City Buick	\$26,241.08
3. Georgian Commercial	\$26,422.79
4. Pine Tree Ford	\$26,760.66
5. Donway Ford	\$26,756.14
6. Leggat	\$26,757.27
7. Colombo Chrysler	No Bid
8. Performance Chrysler	No Bid
<u>PART C</u>	
1. Dixie Ford	\$77,946.27
2. City Buick	\$78,140.16
3. Georgian Commercial	\$78,685.29
4. Leggat	\$78,831.06
5. Donway Ford	\$80,268.42
6. Pine Tree Ford	\$80,281.98
7. Colombo Motors	No Bid
8. Performance Chrysler	No Bid

The estimated cost for this tender is calculated as follows:

PART A - Leggat	\$ 19,279.00
PART B - Dixie Ford	\$ 22,993.00
PART C - Dixie Ford	<u>\$ 68,979.00</u>
Sub Total	\$111,251.00
Non Refundable Portion of HST (1.76%)	<u>\$ 1,958.02</u>
Sub-total	\$113,209.02
Treasury Administration (3%)	<u>\$ 3,396.27</u>
Total	\$116,605.29
Rounded	\$116,600.00

Relationship to Vaughan Vision 2020

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

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- STRATEGIC GOALS:
Service Excellence – Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:
Pursue Excellence in Service Delivery and Enhance and Ensure Community Safety, Health and Wellness – To delivery 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

N/A.

Conclusion

Staff has reviewed the submissions and based on the Tender results, and the ability of the manufacturer to supply the required vehicles, it is recommended that the Tender be awarded to the suppliers mentioned in the recommendation in this report.

There are sufficient funds available in the approved Capital Budget to complete the projects.

Attachments

None.

Report Prepared by:

Jeff Peyton, Director of Building and Facilities, ext. 6173
Alvin Boyce, Fleet Manager, ext. 6141

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Item 8, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

8 FENCE HEIGHT EXEMPTION - 10 DOWNING BOULEVARD - WARD 5

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Enforcement Services, dated January 11, 2011:

Recommendation

The Director of Enforcement Services recommends the following:

That the fence height exemption application for 10 Downing Boulevard be approved.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius. No objections have been received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 10 Downing Boulevard has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The By-law permits a fence height of 6 feet in rear yards. The Applicant has requested an exemption to permit an existing rear yard wooden board on board fence with decorative lattice ranging in height from 7 feet 1 inch to 7 feet 5 inches.

This fence height violation was brought to the attention of the Enforcement Services Department as a result of a complaint. However, the complainant did not provide/submit a letter of objection to this exemption request.

There are no site plan requirement for a front yard fence for this location.

Relationship to Vaughan Vision 2020

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

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Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case supports a fence height exemption for this location at it's current height.

Attachments

1. Site Plan
2. Map of surrounding streets
3. Photographs

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

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

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Item 9, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

9 FENCE HEIGHT EXEMPTION - 144 FOREST LANE DRIVE – WARD - 5

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Enforcement Services, dated January 11, 2011:

Recommendation

The Director of Enforcement Services recommends the following:

That the fence height exemption application for 144 Forest Lane Drive be approved.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius. No objections were received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 144 Forest Lane Drive has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The By-law permits a fence height of 6 feet in rear yards. The Applicant has requested an exemption to permit 2 existing gates attached to the rear yard fence.

This fence height violation was brought to the attention of the Enforcement Services Department as a result of a pool permit inspection. Enforcement Services staff inspected the Applicant's property and also reviewed other properties within the 60 metre radius. The fence itself is 6 feet in height and is the same as other fences in the area which fall within the parameters set out in the Fence By-law. The gates have a design feature attached (pergola design) which increases the gates and supporting fence heights to between 6' to 8'2". There are other gates in the general area which are of similar design and height.

There are no site plan requirements for this location.

The height of the gates does not pose a sight line issue for neighbouring properties.

The details outlined above support the approval of a fence height exemption for this location.

Relationship to Vaughan Vision 2020

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

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Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case supports a fence height exemption for this location at it's current height.

Attachments

1. Site Plan
2. Map of surrounding streets
3. Photographs

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

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

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Item 10, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

10 FENCE HEIGHT EXEMPTION - 395 CUNNINGHAM DRIVE - WARD 1

The Committee of the Whole recommends:

- 1) That the fence height exemption application for 395 Cunningham Drive, be approved;**
- 2) That Communication C19, photos submitted by Councillor lafrate, be received; and**
- 4) That the following report of the Director of Enforcement Services, dated January 11, 2011, be received.**

Recommendation

The Director of Enforcement Services recommends the following:

That the fence height exemption application for 395 Cunningham Drive be denied.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius. One petition containing objections from 10 residences was received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 395 Cunningham Drive has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The Applicant is making application to permit an existing front yard wooden fence with decorative lattice.

The By-law permits a fence height of 4 feet in front yards. The Applicant has requested an exemption to permit an existing front yard wooden fence with decorative lattice ranging in height from 5'9" to 7'3".

This fence height violation was brought to the attention of the Enforcement Services Department as a result of a complaint from area residents having difficulty exiting driveways. Enforcement Services staff inspected the Applicant's property and also reviewed other properties within the 60 metre radius. There are three other properties in the general area with similar fence locations of similar height and construction.

There are no site plan requirement for a front yard fence for this location.

The fence height could potentially pose a sight line issue for neighbouring properties when exiting driveways.

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The property in question is a corner lot located on the south east corner of Cunningham Drive and Cranston Park Drive. The fence is located on the portion of the property facing Cranston Park Drive. Although the positioning of the fence is on Cranston Park and it is a Cunningham address, the Fence By-law defines the front yard as that side of the house containing the front door.

Previous fence height exemptions rarely exceed 5 feet in front yards. The details outlined above do not support the approval of a fence height exemption for this location.

Relationship to Vaughan Vision 2020

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case does not support a fence height exemption for this location at it's current height.

Attachments

1. Site Plan
2. Map of Surrounding Streets
3. Photographs
4. Letter of Objection (petition)

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

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

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Item 11, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

11 FENCE HEIGHT EXEMPTION - 8388 PINE VALLEY DRIVE - WARD 2

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Director of Enforcement Services, dated January 11, 2011, be approved; and**
- 2) **That the deputation of Mr. Karanjeet S. Minhas, 61 Hayhoe Avenue, Vaughan, L4L 1S5, be received.**

Recommendation

The Director of Enforcement Services recommends the following:

That the fence height exemption application for 8388 Pine Valley Drive be denied.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius. Two objections from abutting neighbours have been received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 8388 Pine Valley Drive has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The Applicant is making application to permit an existing fence located in the front yard made of precast concrete & decorative stone with pillars measuring between 5.29 feet to 7.8 feet, and to add an additional 3 inches to the pillars for finishing caps, bringing the total maximum height to 7'8"

The By-law permits a fence height of 4 feet in front yards.

This Application is a direct result of a complaint received by Enforcement Services. Enforcement Services staff inspected the Applicant's property and advise that there may be site line issues when backing out of neighbouring driveways. In addition, staff reviewed other properties within the 60 metre radius and reported there are no other fences similar in height or design in the immediate area.

There are no site plans registered for this property.

The details outlined above do not support the approval of a fence height exemption for this location. Past precedence for fence height exemptions in front yards rarely has exceeded 8 feet.

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Relationship to Vaughan Vision 2020

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case does not support a fence height exemption for this location.

Attachments

1. Maps of Area
2. Site Plan
3. Photos
4. Letters of Objection

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

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

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Item 12, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

12 FENCE HEIGHT EXEMPTION - 145 WOODLAND ACRES CRESCENT – WARD 1

The Committee of the Whole recommend:

- 1) That the fence height exemption application for 145 Woodland Crescent, be approved;
- 2) That the deputation of Ms. Nancy Saavedra, 145 Woodland Acres, Maple, L6A 1G1, on behalf of applicant, be received;
- 3) That the last sentence on page 12.1 under **Background** be amended (in accordance with Communication C6, Office Coordinator, Enforcement Services Department, dated January 10, 2011) to read:

"The details outlined above *does not* support the approval of a fence height exemption for this location"; and
- 4) That the following report of the Director of Enforcement Services, dated January 11, 2011, be received.

Recommendation

The Director of Enforcement Services recommends the following:

That the fence height exemption application for 145 Woodland Acres Crescent be denied.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius. No objections were received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 145 Woodland Acres Crescent has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The By-law permits a fence height of 4 feet in front yards.

The Applicant is making application to permit the construction of a front yard fence with decorative gates. The fence will be constructed of brick and wrought iron pillars on either side 6.6 feet in height with decorative front wrought iron gates measuring 14.7 feet in height.

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Enforcement Services staff inspected the Applicant's property and also reviewed other properties within the 60 metre radius and found 5 properties with fences of similar design and height, with only one of those properties gates being 10 feet in height. While there are other fences of similar structure and design, this fence gates are significantly higher than those on neighbouring properties.

Below is a listing of heights of the front yard fences in the area:

- 96 Woodland Acres Crescent Crescent – wrought iron fence enclosure 5'6"
- 85 Woodland Acres Crescent Crescent – wrought iron fence and stone pillars 4-5'
- 74 Woodland Acres Crescent Crescent – wrought iron with stone pillars 7-8' , gate 10'
- 58 Woodland Acres Crescent Crescent – 7' gate and a fence that varies in height from 5'5" to 6'
- 32 Woodland Acres Crescent Crescent – wrought iron fence 5', gates 6'

There are no site plan requirement for this location.

The details outlined above support the approval of a fence height exemption for this location.

Relationship to Vaughan Vision 2020

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case does not supports a fence height exemption for this location at it's current height.

Attachments

1. Site Plan
2. Map of surrounding streets
3. Drawings of Proposed Fence

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

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

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Item 13, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

13 FENCE HEIGHT EXEMPTION - 217 GRANDVISTA CRESCENT – WARD 3

The Committee of the Whole recommends:

- 1) That the fence height exemption application for 217 Grandvista Crescent, be approved;
- 2) That the deputation of Mr. Joe Alessandro, 217 Grandvista Crescent, Woodbridge, L4H 3J7, be received; and
- 3) That the following report of the Director of Enforcement Services, dated January 11, 2011, be received.

Recommendation

The Director of Enforcement Services recommends the following:

That the fence height exemption application for 217 Grandvista Crescent be denied.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, no objections were received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 217 Grandvista Crescent has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The By-law permits a fence height of 6 feet in rear yards and 4 feet in front yards. The Applicant is making application to permit an existing rear yard board on board fence with decorative iron and lattice which surrounds a swimming pool and for a front yard wrought iron fence with masonry columns.

This fence height violation was brought to the attention of the Enforcement Services Department as a result of a complaint. However, the complainant has not submitted an official objection to this fence height exemption request.

The fence panels in the rear yard range in height from 8'1" to 11'. The front yard wrought iron fence and columns range in height from 5'3" to 7'8". There are no other fences in the general area which are of similar design and height.

The fence height does not appear to obstruct the sight line for neighbouring properties.

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The details outlined above do not support the approval of a fence height exemption for this location.

Relationship to Vaughan Vision 2020

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case does not support a fence height exemption for this location at it's current height.

Attachments

1. Site Plan
2. Map of surrounding streets
3. Photographs

Report prepared by:

Janice Heron
Office Coordinator, Enforcement Services

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

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Item 14, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

14 COMMUNICATIONS RESPECTING THE EXTENSION OF GO TRAIN COMMUTER SERVICE THROUGH WOODBRIDGE AND POINTS NORTH IN VAUGHAN

The Committee of the Whole recommends that the following resolution submitted by Councillor Carella, dated January 11, 2011, be approved subject to the following addition:

And that this resolution be communicated to the Region of York and the York Region rapid Transit Corporation.

Member's Resolution

Submitted by Councillor Carella

Whereas, the Province of Ontario has vested the co-ordinated development of public transit infrastructure across the Greater Golden Horseshoe in the provincial crown corporation known as Metrolinx; and

Whereas, in furtherance of its mandate, Metrolinx has developed a plan for the staged development of all types of public transit infrastructure within the Greater Golden Horseshoe; and

Whereas, the development of GO Train commuter service through the west half of Vaughan has been identified as a secondary priority within Metrolinx's planning schedule; and

Whereas, a significant number of residents of the western half of Vaughan currently travel outside the area to make use of GO Train commuter services running through stations in northern Etobicoke and two stations in the Maple area (at Major Mackenzie Drive and Rutherford Road); and

Whereas, travel to these stations by motor vehicle increases the number of automobiles on already overcrowded east-west traffic corridors in Vaughan; and

Whereas, two hundred and twelve (212) residents have, by means of an electronic petition, already indicated their wish to see GO Train commuter service in the west half of Vaughan made an immediate priority by Metrolinx;

Now Therefore Be It Resolved that Council receives the aforesaid communications, endorses it, and directs the Clerk to forward it to Metrolinx, with the request that a substantive response be transmitted to the Clerk of the City of Vaughan, for dissemination to the signatories of the communications within three months of the receipt of the communications by Metrolinx.

Background

One of the keys to sustainable development is the increase in the percentage of commuters who rely on public as opposed to private transportation, as contemplated in this recommendation.

Metrolinx has identified primary and secondary priorities for the creation of a comprehensive public transit plan for the Greater Golden Horseshoe. One part of the plan indicates that GO Train commuter service from Toronto to Bolton, through Woodbridge and other possible station locations in the west half of Vaughan, is a secondary priority for Metrolinx.

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The fact is that the customer base for such a service already exists in the west half of Vaughan, as many residents in the area already commute by car to GO Train stations in northern Etobicoke and Maple, where there are two GO stations---one on Major Mackenzie, near city hall, and another on Rutherford Road, east of Keele Street.

To access service at these sites, these would-be rail commuters must first commute by automobile to these stations, where they board trains that are too frequently so crowded that the chance of getting a seat is negligible. By providing GO Train service through Woodbridge, a measure of relief will be given to overcrowding on the lines presently serving Maple and north Etobicoke, while at the same time reducing the number of automobiles needed to bring these commuters from Woodbridge and west Vaughan to the north Etobicoke and Maples stations.

Any development that improves the chances of residents opting for public as opposed to private transit has the net effect of lessening the burden of vehicular traffic on what are for the most part regional roads.

This Council endorses the request of the petitioners and asks Metrolinx to provide a substantive response to the petitioners in writing to the Clerk of the City of Vaughan within three months of the petition being received by Metrolinx

Attachments

1. Communications (available in the Clerk's Department)

(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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12. Ms. Mary Pataki, 233 Pine Grove Road, Woodbridge, L4L 2H7;
13. Mr. Stephen Roberts, Sustainable Vaughan, 143 Vaughan Mills Road, Vaughan, L4J 1K2;
14. Mr. Brian E. Pittman, 183 Camlaren Crescent, Kleinburg, L0J 1C0;
15. Mr. Michael Melling, Davies Howe Partners LLP, 99 Spadina Avenue, 5th Floor, Toronto, M5V 3P8, on behalf of Block 27 Landowners' Group and 400 Landowners' Group; and
16. Mr. Frank Greco, 10472 Islington Avenue, Suite No. 201, Kleinburg, L0J 1C0.

Member's Resolution

Submitted by Regional Councillor Schulte

Whereas, the current removal of the Phasing Clause does not meet "Places to Grow" growth phasing requirements. The residential/commercial expansion is unnecessary to meet the provincial and regional requirements for population growth.

To help justify the expansion:

Six intensification area growth estimates were left as TBD in the population forecast studies.

Vaughan Metropolitan Centre density estimates were kept to the pre-subway Provincial "Places to Grow" requirement, much lower than would be expected at a subway station location.

Current OPA 600 greenland estimates were reduced.

White Belt lands (expansion lands) are rated some of the highest LEAR (Land Evaluation and Area Review) rated agricultural lands in York Region.

White Belt lands are riddled with Greenbelt lands and environmentally significant areas; home to at least one endangered species and many more threatened species, both flora and fauna.

The whitebelt land in Block 27 provide important wildlife and ecological linkage areas in the Don Watershed to the Oak Ridges Moraine.

Suburban development provides little or no financial benefit to the City, in fact it is often a cost burden, due to dispersed services.

Housing demand is undergoing a transformation in Vaughan due to our aging population downsizing and the high cost of single family homes.

AND THEREFORE BE IT RESOLVED that the Region of York be requested to modify the City of Vaughan Official Plan 2010 by deleting all reference to the New Community Areas in Blocks 41 & 27 as depicted on Schedule 13 entitled Land Use of the Plan and redesignating those areas as Agricultural.

Schedule 13-H entitled Land Use (Block 41), Schedule 13-I entitled Land Use (Block 27) be redesignated from New Community Areas to Agricultural.

That Schedule 1 Urban Structure be modified to redesignate these lands from Community Areas to Natural Areas and Countryside.

That Schedule 1A Urban Area be modified to redraw the Urban Boundary to remove Block 41 and 27 from the Urban Boundary and to designate them as Non-Urban Area.

And further that any policies related to the urban expansion of these referenced blocks be deleted from the Plan.

Attachments

1. Vaughan and York region Premature in Requesting Urban Boundary Expansion in Vaughan

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

Regional Councillor Di Biase declared an interest with respect to the foregoing matter as his children have had a long standing interest in a parcel of land in the area within Block 27.

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Item 16, Report No. 1, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on January 25, 2011, as follows:

By approving that this resolution be referred to a future Special Committee of the Whole meeting to be held in the evening to allow for public participation;

By receiving Communication C1 from Mr. Mauro Cristini, Development Manager, Central Region, Ivanhoe Cambridge, dated January 11, 2011, and

By receiving the resolution from Councillor Iafrate, dated January 11, 2011.

16

MODIFICATION OF CITY OF VAUGHAN OFFICIAL PLAN 2010

The Committee of the Whole recommends:

- 1) That the following resolution submitted by Councillor Iafrate, dated January 11, 2011, be submitted to Council without recommendation;
- 2) That the following Communications be received:
 - C2 Mr. Richard Lorello, dated January 5, 2011;
 - C5 Councillor Iafrate, dated January 10, 2011;
 - C11 Rev. Jim Keenan, VSAC Board Co-Chair, dated January 11, 2011; and
 - C12 Mr. Richard Lorello, dated January 11, 2011; and
- 3) That the deputation of Mr. Alan Young, Weston Consulting Group Inc., 201 Millway Avenue, Suite No. 19, Vaughan, L4K 5K8, on behalf of Casertano Development Corp. and Sandra Mammone, be received.

Member's Resolution

Submitted by Councillor Iafrate

Whereas the new Official Plan has re-designated the lands in the area bounded by Jane Street to the east, Hwy 400 to the west, Bass Pro Mills to the south and Rutherford Road to the north from General Commercial to High Rise Mixed Use, and

Whereas there is sufficient capacity at the Vaughan Metropolitan Centre to accommodate the residential units that have been allocated to the Vaughan Mills Mall area, and

Whereas the higher order transit infrastructure to support high density residential development in the Vaughan Mills Mall area is not in place, and

Whereas certain higher order transit infrastructure may not be realized for a least a decade or more.

Now Therefore Be It Resolved that the Region of York be requested to modify the City of Vaughan Official Plan 2010, by restoring the original designation of General Commercial in accordance with Official Plan Amendment 600.

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1. THAT Zoning By-law Amendment File Z.09.030 (Warren Newfield and Joe Wade) BE APPROVED, to amend By-law 1-88, specifically to rezone the respective rear portions of the subject lands shown on Attachments #1 and #2, from R1V Old Village Residential Zone to R2 Residential Zone to facilitate rear lot severances of the respective properties to permit the creation of five (5) new residential lots (to facilitate single detached dwellings on minimum 15.2m frontage lots) fronting onto the easterly extension of Pondview Road, in the manner shown on Attachment #3, and to provide site-specific exceptions to the R1V and R2 Residential Zones to By-law 1-88, as identified in Table 1 of this report.
2. THAT City of Vaughan staff attend the Ontario Municipal Board (OMB) Hearing in support of the Zoning By-law Amendment (File Z.09.030) and related Consent (Files B013/10, B014/10, B015/10, B052/10 and B053/10) applications.
3. THAT should the Ontario Municipal Board approve the related Consent Applications (B013/10, B014/10, B015/10, B052/10 and B053/10), the following conditions, in addition to the standard conditions required by the Committee of Adjustment shall be applicable:
 - i) the applicants shall convey land to the City for the easterly extension of Pondview Road, including the granting of easements necessary to complete the right-of-way and to provide for the temporary cul-de-sac (as shown in grey on Attachment #3) until such time as Pondview Road is extended further eastward and the City obtains that portion of the external lands identified on Attachment #3 to provide for the easterly extension of Pondview Road;
 - ii) the applicants shall enter into a Development Agreement with the Vaughan Engineering Department for the design and construction of the easterly extension of Pondview Road, and the provision of municipal services. The applicants shall pay their proportionate share for the external municipal services and road construction for the westerly section of Pondview Road and Edward Street in accordance with the CCCCC Investment Corporation Development Agreement dated January 4, 2000;
 - iii) the applicants shall address tree preservation measures on the subject lands and compensation plantings within the adjacent westerly City-owned park in the vicinity of the stormwater management pond, to the satisfaction of the Vaughan Development Planning Department, Vaughan Parks and Forestry Operations Department, and the Toronto and Region Conservation Authority;
 - iv) the applicants shall submit a Tree Protection and Removal Plan and Landscape Buffer Planting Plan to the satisfaction of the Toronto and Region Conservation Authority and the Vaughan Development Planning Department; and,
 - v) the Owner shall pay to Vaughan, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the lands prior to the issuance of a building permit, in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Contribution to Sustainability

The existing minor watercourse that runs east to west through the centre of 143 Thornridge Drive will be protected on either side by a 10m setback from the TRCA flood line through the subject

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Zoning By-law Amendment application. Additional tree compensation planting will be provided by the Owner within the City's park in the vicinity of the stormwater management pond on the adjacent property to the west, as discussed in the 'TRCA' section of this report.

Economic Impact

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

Communications Plan

On December 18, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to individuals requesting notice. A resident on Arnold Avenue provided the Vaughan Development Planning Department with an email letter in opposition to the application and expressed concerns regarding the loss of trees from the development, and two letters were received from residents on Thornridge Drive in opposition to the extension of Pondview Road. These concerns will be addressed further in the report. The recommendation to receive the Public Hearing report of January 12, 2010, and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on January 26, 2010.

On December 17, 2010, the Development Planning Department mailed a notice of the Committee of the Whole meeting for January 11, 2010 to 17 residents having requested notification of future meetings respecting the subject zoning by-law amendment application.

Purpose

The Owners have submitted an application to amend Zoning By-law 1-88 on the subject lands shown on Attachments #1 and #2, to rezone the rear portions of 138 Arnold Avenue and 143 Thornridge Drive from R1V Old Village Residential Zone to R2 Residential Zone to facilitate rear lot severances in the manner shown on Attachment #3. The Owners propose to create 5 new residential lots (for single detached dwellings) having minimum 15.2m frontages on the proposed easterly extension of Pondview Road, in accordance with the Council approved 'A4' Neighbourhood Development Plan shown on Attachment #4.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are comprised of two residential properties located southeast of Centre Street and Atkinson Avenue, being Lot 19 on Plan 3319 (138 Arnold Avenue) and Lot 43 on Plan 4061 (143 Thornridge Drive), City of Vaughan. The surrounding land uses are shown on Attachment #2.

The existing lot area of 138 Arnold Avenue is 2522m², with a frontage of 30.5 m and a lot depth of 92.5m. The lot area of 143 Thornridge Drive is 4587m², with a frontage of 36.9m and a lot depth of 112.8m. Each lot is rectangular in shape. The previous dwelling on 143 Thornridge Drive has been demolished and will be replaced with a new single detached dwelling on the retained (R1V) portion of the lot. The existing dwelling on 138 Arnold Avenue will be retained.

In 2007, a similar Zoning By-law Amendment Application (File Z.07.039) was submitted by the previous owners (Joe Wade and Jules Goldstein), however, was subsequently withdrawn.

Ontario Municipal Board Hearing

On July 29, 2010, the applicants appealed the subject Zoning By-law Amendment application to the Ontario Municipal Board (OMB) pursuant to Section 34(11) of the Planning Act with respect to Council's failure to make a decision on the application within the maximum time frame stipulated in the Planning Act (120 days). On July 12, 2010 and October 27, 2010, the applicants appealed the related Consent applications B013/10 to B015/10, and B052/10 and B53/10, respectively, to

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the Ontario Municipal Board with respect to the Vaughan Committee of Adjustment's failure to make a decision on the severance applications within the maximum time frame stipulated in the Planning Act (90 days).

The OMB Hearing to consider the appeals has been consolidated and a 3 day Hearing to consider all of these appeals is scheduled to commence on January 26, 2011. A recommendation has been included for City staff to attend the OMB Hearing in support of both the Zoning By-law Amendment and Consent applications, with related conditions as specified in this report.

Supporting Documents

The following reports were submitted in support of the application:

- i) Conceptual Site Plan, Weston Consulting Group Inc.;
- ii) Tree Inventory, Ontario Tree Experts Inc, August 6, 2009;
- iii) Functional Servicing Report, Proposed Pondview Road Extension – 5 lots) (143 Thornridge Drive and 138 Arnold Avenue), Valdor Engineering Inc., October 2009;
- iv) Flood Line Study, 143 Thornridge Drive, Valdor Engineering Inc., City of Vaughan, March 30, 2009;
- v) Phase 1 Environmental Site Assessment, 143 Thornridge Drive and 138 Arnold Avenue Terra Firma Plus Inc., October 10, 2007;
- vi) Phase 1 Environmental Site Assessment Update, 143 Thornridge Drive and 138 Arnold Avenue, Soil Probe Ltd, December 1, 2009;
- vii) Scoped Environmental Impact Study, Thornridge Drive and Arnold Avenue, Savanta Inc., June 2010; and,
- viii) Technical Addendum to Environmental Impact Study, Savanta Inc., August 17, 2010.

Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the proposed Zoning By-law Amendment application to rezone the subject lands in the manner shown on Attachment #3, in light of the following:

a) Provincial Policy Statement

The Provincial Policy Statement (PPS) identifies the subject lands as being within a Settlement Area. The proposal meets the objectives of providing for a range of land uses in a manner that promotes efficient land use and development patterns to support a livable and healthy community, and make efficient use of land and resources within the community, and is appropriate for and efficiently uses the infrastructure and public service facilities within the community. The proposed rezoning to facilitate the future severances of the properties conforms to the PPS.

b) Region of York Official Plan

The subject lands are designated "Urban Area" by the Regional Official Plan, which permits the proposed residential use. The Region of York has no comments or concerns with this application, which conforms to the Regional Official Plan.

c) Vaughan Official Plan

The subject lands are designated "Low Density Residential" by OPA #210 (Thornhill Community Plan), which permits single detached dwelling units at a maximum density of 22 units/ha. The proposal to rezone and sever 138 Arnold Avenue into 3 lots (1 retained

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lot plus 2 new lots - 11 units/ha) and 143 Thornridge Drive into 4 lots (1 retained lot plus 3 new lots - 8 units/ha), all for single detached dwellings, conforms to the "Low Density Residential" policies of OPA #210.

The subject lands are located within the A4 Neighbourhood Area of the Thornhill community. The A4 Neighbourhood Development Plan was developed in accordance with Official Plan Amendment No. 70 (former Thornhill Community Plan), with extensive public consultation, and, was adopted by Vaughan Council on January 22, 1979. Additional issues concerning the A4 Neighbourhood Development Plan were resolved through meetings and public hearings involving the A4 Subcommittee of Council, City staff and area residents. On March 4, 1980, Vaughan Council adopted a revised A4 Neighbourhood Development Plan, as shown on Attachment #4. The A4 Neighbourhood Plan provides for the eastward extension of Pondview Road terminating in a cul-de-sac, approximately 6 lots east of Edward Street. The proposed road allowance would provide access to those lots severed from the rear of the properties having frontage on Arnold Avenue and Thornridge Drive.

The south side of Pondview Road located west of the subject lands, has been developed with 10 single detached dwellings following approvals by the City and the Ontario Municipal Board on January 21, 1999. These approvals rezoned the rear of the properties at 146, 148, 154, 158, 162 and 166 Arnold Avenue from R1V Old Village Residential Zone to R2 Residential Zone. These properties were severed into lots with minimum 15m frontages on the south side of Pondview Road, as shown on Attachment #2. The east end of Pondview Road currently ends in a temporary hammerhead turn-around.

The proposed five (5) new residential lots as shown on Attachment #3, will have minimum 15m frontages (4 lots with 15.2m frontage, and 1 lot with 18.1m frontage) on a further easterly extension of Pondview Road. The proposed rezoning to R2 Residential Zone is consistent with the existing lot pattern of the Pondview Road area and will provide the continuation of the existing Pondview Road lot pattern. This extension of Pondview Road reflects the Council approved A4 Neighbourhood Plan for this area (Attachment #4).

The property is also subject to OPA #589 which applies to areas in Thornhill zoned R1V Old Village Residential Zone. The intent of OPA #589 is to ensure that all development in the R1V Zone areas characterized by historical, architectural or landscape value, shall be consistent with the overall character of the area. The existing neighbourhood streetscape along Thornridge Drive and Arnold Avenue will not be altered by the proposed rezoning and development of the rear of these lots, as the existing dwelling at 138 Arnold Avenue will be retained and a new dwelling will be built at 143 Thornridge Drive within the R1V Old Village Residential Zone. By retaining the R1V Zone on the front of the original lots, the large lot character of Thornridge Drive and Arnold Avenue will be preserved. The 5 proposed new lots at the rear of the original lots will be consistent with the lot pattern established on Pondview Road within an R2 Zone category. The proposed rezoning (and severances) conforms to OPA #589.

d) City of Vaughan Official Plan 2010

On September 7, 2010, Vaughan Council adopted the new *City of Vaughan Official Plan 2010*, which designates the subject lands "Low-Rise Residential". The proposed detached dwellings that are intended for the 5 new lots are permitted uses and building types within the Low-Rise Residential designation. This document has been forwarded to the Region of York for final approval.

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Zoning

The Zoning By-law Amendment Application (File Z.09.030) proposes to rezone the rear portions of the subject lands from R1V Old Village Residential Zone to R2 Residential Zone, to facilitate the severance of the subject lands into 5 new residential lots for single detached dwellings. The proposed eastward extension of Pondview Road will facilitate two new lots with 15.2m frontages on the south side of Pondview Road, and 3 new lots (2 with 15.2m frontages, and 1 with 18.1m) on the north side of Pondview Road, as shown on Attachment #3. If this rezoning application is approved, the proposed lots would be created through the Consent (Severance) process.

The following site-specific exceptions to By-law 1-88 are proposed:

Table 1

By-law Standard		By-law 1-88 Requirements of the R2 Zone, R1V Zone and Section 3.20	Proposed Exceptions to R2 Zone, R1V Zone and Section 3.20
a.	Minimum Front Yard Setback in an R2 Residential Zone	4.5m to dwelling, and 6.4m where a garage faces the lot line	5.5m to dwelling (measured from the future road allowance) and 6.4m from a garage (measured from the City easement for the temporary cul-de-sac bulb) as discussed in this report
b.	Maximum Lot Coverage in an R1V Old Village Residential Zone	20%	35% (for retained R1V lot, 138 Arnold Avenue)
c.	Section 3.20 – Use of Residential Lots	1 dwelling permitted per lot in Registered Plans 4061 and 3319	Permit a total of 4 dwellings on Lot 43, Registered Plan 4061 (143 Thornridge Drive); and, Permit a total of 3 dwellings on Lot 19, Registered Plan 3319 (138 Arnold Avenue)

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d.	Minimum Rear Yard Setback in an RIV Zone	7.5m	Notwithstanding the minimum rear yard requirement, a minimum 10m development setback to be provided on either side of the TRCA floodlines on Lot 1 (143 Thornridge Drive)
e.	Minimum Interior Side Yard Setback in an RIV Zone	1.5m	Notwithstanding the minimum requirement, a minimum 2.0m setback to be provided on the easterly property line of Lots 1 and 4 (143 Thornridge Drive)

The subject lands are zoned R1V Old Village Residential Zone by By-law 1-88, subject to Exception 9(662). By-law 1-88 permits one single detached dwelling on a lot in a Residential Zone within specific registered plans listed in the by-law. Plan 4061 and Plan 3319 are two such registered plans and an amendment to By-law-1-88 is required to permit the proposed total of 7 (including the 2 retained lots and 5 new lots) residential lots within the two original lots being within Plan 4061 and Plan 3319. Exception 9(662) to By-law 1-88, provides additional provisions respecting front yard, rear yard, interior, side yard, building heights, and garage projections for R1V lots in this area. If the subject zoning application is approved, exceptions to the R1V Zone are also required for the retained lot at 138 Arnold Avenue to recognize the new maximum lot coverage of 35% (from 20%), which is satisfactory to the Vaughan Development Planning Department.

To provide a buffer to protect the existing vegetation along the easterly property line, an interior side yard setback of 2.0m is proposed for Lot 1 and Lot 4 (143 Thornridge Drive) as shown on Attachment #3, which is satisfactory to the Vaughan Development Planning Department.

The original R1V lot at 143 Thornridge Drive is traversed by a stream corridor and the watercourse is associated with the Regional Storm/Flood Plain. As such, the property is partially located within the Regulated Area of the Don River Watershed under Ontario Regulation 166/06. Any grading works conducted on the original lot and on the proposed three new lots that front onto the north side of the proposed Pondview Road extension will require a Permit under Ontario Regulation 166/06 from the Toronto and Region Conservation Authority (TRCA). To protect the TRCA flood line, a minimum 10m rear yard development setback is proposed on either side of the stream corridor on the original R1V lot at 143 Thornridge Drive (Attachment #3), to the satisfaction of the TRCA.

The current By-law 1-88 standard permits a minimum 4.5 m front yard setback from the main wall of the dwelling to the road allowance and a minimum 6.4 m setback from the garage to the road allowance. The existing dwellings on Pondview Road have been constructed to this by-law standard based on the existing road allowance for Pondview Road. The proposed zoning by-law exception is for a minimum 5.5m front yard setback measured from the front wall of the dwelling to the proposed road allowance for the Pondview Road extension, and a minimum 6.4m setback

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measured from the front of the garage to the easement for the temporary cul-de-sac as shown in grey on Attachment #3. Given the City requires a temporary cul-de-sac to provide for appropriate municipal services and turning movements for City maintenance and emergency vehicles, an easement in favour of the City will be required on the front yards of the proposed future Lots 3, 4, 5 and 6 for the 'bulb' portion of the temporary cul-de-sac. When the road is extended further east, the 'bulb' portion of the easement will no longer be required. The proposed easements will be in favour of the City and the conveyance for the road allowance are both acceptable to the Vaughan Engineering Department. This will facilitate an appropriate streetscape and the future dwellings will be setback similar to the setbacks of the existing dwellings on Pondview Road when the road is extended further eastward.

The proposed front yard setbacks to the dwelling and garage are supported by the Vaughan Development Planning Department and would be consistent with the existing dwelling units on the south side of Pondview Road, which are setback 6.4m from the road allowance in accordance with By-law 1-88. When Pondview Road is extended further east, the proposed setbacks for the lots subject of this application, will be in keeping with the existing streetscape and established building setbacks on the south side of Pondview Road. These setbacks and the configuration of the cul-de-sac for the extension of Pondview Road have been reviewed by the City and are considered acceptable.

The proposed rezoning of the rear portions of 138 Arnold Avenue and 143 Thornridge Drive to R2 Residential Zone conforms to the Official Plan, and implements the lotting pattern and Pondview Road alignment as identified in the Council approved 'A4' Neighbourhood Development Plan. The proposed zoning by-law amendment and site-specific exceptions to both the R1V Zone and R2 Zone, are considered to be appropriate by the Vaughan Development Planning Department.

Committee of Adjustment - Consent Applications

The Owners submitted Consent Applications to the Vaughan Committee of Adjustment. Consent Applications B013/10, B014/10 and B015/10 were filed by the Owner of 143 Thornridge Drive, which propose to create 3 new lots for single detached residential dwellings fronting onto the north side of the proposed easterly extension of Pondview Road. Consent Applications B052/10 and B053/10 were filed by the Owner of 138 Arnold Avenue, and propose to create 2 new lots for single detached residential dwellings fronting onto the south side the proposed easterly extension of Pondview Road. These 5 Consent applications are subject to approval by the OMB.

On March 11, 2010, Consent Applications B13/10, B014/10, B015/10 were adjourned a first time, then subsequently adjourned "Sine Die" on June 10, 2010 by the Vaughan Committee of Adjustment. On July 12, 2010, the applicant appealed their applications to the OMB on the basis of the Committees failure to make a decision within the maximum time frame stipulated in the Planning Act (90 days). Consent Applications B052/10 and B053/10 were adjourned "Sine Die" on August 19, 2010 by the Committee of Adjustment. On October 27, 2010, the applicant also appealed these applications to the OMB for the same reason as the previous appeal. The Development Planning Department had earlier advised in the Planning comments that the Consent applications were premature, pending resolution of several issues including that prior to considering the proposed severances, the change in zoning from R1V Zone to R2 Zone must be first approved by Vaughan Council.

The technical review of this zoning application has determined that the proposed consents are desirable for the appropriate development of the land and would implement the intent of the proposed Zoning By-law Amendment application. The Development Planning Department can support the approval of the proposed Consent applications by the OMB, subject to the following conditions:

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- i) the applicants convey land and any required easements for the extension of Pondview Road to the City;
- ii) the applicant enter into a Development Agreement with the Vaughan Engineering Department for the construction of the Pondview Road extension, and the provision of services and cost sharing; and,
- iii) the applicant address tree preservation measures and planting compensation measures to the satisfaction of the Vaughan Development Planning Department and the Vaughan Parks and Forestry Operations Department.

Should Council concur, it is recommended that the OMB apply the above-noted conditions of Consent approval to the properties, in addition to the standard conditions required by the Committee of Adjustment as well as other conditions identified in this report.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposed Zoning By-law Amendment application and has no objection, subject to conditions. The TRCA advised that Permits under Ontario Regulation 166/06 are required for any grading work on the 143 Thornridge Drive property, which include the 3 new proposed lots on the north side of the Pondview Road extension. The TRCA is satisfied that these lots are adequately setback more than 10 metres from the southerly extent of the flood plain, and therefore, has no objection to the approval of the rezoning application.

The TRCA has reviewed the proposal, including the *Functional Servicing Report* and the *Flood Line Study prepared by Valdor Engineering*. Based on the Flood Line Study, the TRCA is satisfied that the proposed and retained lots have been adequately setback 10 metres on either side of the flood plain, as shown as Attachment #3, and the TRCA has no concerns with the Functional Servicing Report for the proposed development.

A Tree Inventory submitted for the site indicated the presence of two Butternut trees on the 143 Thornridge Drive property. The Endangered Species Act, lists Butternut trees as protected. The Ministry of Natural Resources staff conducted an assessment of these trees on November 23, 2009 and determined that these trees do not qualify for protection under the Act due to their current degraded condition. The TRCA requested additional detailed information through an Environmental Impact Study (EIS) to assess the ecological functions of the wooded area on the 143 Thornridge Drive property. The TRCA also required a scoped EIS for 143 Thornridge Drive to look at bird and amphibian breeding, incidental wildlife and ecological land classification and flora. To address these issues, the applicant submitted a Technical Addendum to the Environmental Impact Study, prepared by Savanta Inc., dated August 17, 2010. The TRCA is satisfied with the report findings, provided that a Tree Protection and Removal Plan and Landscape Buffer Planting Plan is provided for their approval at the detailed design stage. The TRCA has also requested that planting be provided in the vicinity of the stormwater management pond on the municipally owned park property immediately to the west of the subject property.

The Owner will be required to provide Compensation Plantings for the trees which are to be removed through the proposed Tree Protection and Removal Plan. A Compensation Plan must be approved to the satisfaction of the Vaughan Parks and Forestry Operations Department and the compensation plantings shall be provided on the municipally owned park or storm water management pond lands as determined through the City's Development Agreement, at no cost to the City.

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As there is no requirement for site plan approval for single detached residential development within this area, both the TRCA and the Vaughan Development Planning Department are recommending that the requirement for the applicant to submit a Tree Protection and Removal Plan and Landscape Buffer Planting Plan be addressed through a condition of approval for the related Committee of Adjustment Consent applications.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the Preliminary Site Plan Concept prepared by Weston Consulting Group Inc. dated January 26, 2010, the Environmental Assessment documentation, and the Functional Servicing Report submitted in support of the development proposal. The Vaughan Engineering Department is satisfied with the proposed design of the Pondview Road extension, including the provision for a temporary cul-de-sac bulb, as shown on Attachment #3, prior to the further future extension of Pondview Road, and has no concerns with the Environmental Assessment and the Functional Servicing Report.

The Owner shall enter into a Development Agreement with the City, to satisfy all conditions financial or otherwise, with regard to such matters that the City may consider necessary including payment of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies and to the satisfaction of the Vaughan Engineering Department.

As a condition of the severance, the Owner shall pay their proportional share for the external municipal services and road for Pondview Road West and Edward Street that have been designed, oversized and built temporarily or permanent by others to accommodate the development of the lands if required, to the satisfaction of the Vaughan Engineering Department.

As previously identified, the proposed 5 new residential lots will be created through the Consent (Severance) process through applications already filed with the Committee of Adjustment, which are currently subject to approval by the OMB. If the applications are approved, a condition should be applied to ensure that the Applicants convey land including granting easements for the extension of Pondview Road to the City, and enter into a Development Agreement with the Vaughan Engineering Department for the construction of this road and installation of services.

The Vaughan Engineering Department has also advised that servicing is not an issue for the proposed 5 additional lots, as this is considered an infill development and servicing capacity is available.

Vaughan Real Estate Division

The Owner shall pay to Vaughan, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the lands prior to the issuance of a building permit, in accordance with the Planning Act and the City's Cash-in-Lieu Policy, which should be included as a condition of the Consent (Severance), if approved by the OMB. The Owner shall submit an appraisal of the subject lands in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

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 Region of York has reviewed the proposal and has no objections to the proposed rezoning.

Conclusion

The Owners have submitted a Zoning By-law Amendment Application (File Z.09.030) to rezone the rear portions of the subject lands from R1V Old Village Residential Zone to R2 Residential Zone to facilitate the creation of a total of 5 new lots for single detached residential dwellings on lots having minimum 15m frontages on the proposed easterly extension of Pondview Road. The Owner has also submitted related Consent applications to facilitate the rear lot severances. The Zoning By-law Amendment Application proposes a residential development which implements the objectives of the Provincial Policy Statement by making efficient use of land and resources within the community and is appropriate for and efficiently uses the infrastructure and public service facilities within the community. The proposed rezoning to facilitate the rear lot severances and the easterly extension of Pondview Road conforms to the Official Plan, and implements the lotting pattern and Pondview Road alignment as identified in the Council approved 'A4' Neighbourhood Development Plan.

The Vaughan Development Planning Department is satisfied that the proposed development of the residential lands as shown on Attachment #3, is appropriate and compatible with the surrounding area, as discussed in this report. The Development Planning Department can support the approval of the Zoning By-law Amendment Application, subject to the recommendations in this report. The Ontario Municipal Board Hearing to consider the Zoning By-law Amendment and related Consent applications will commence on January 26, 2011.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Lotting and Zoning
4. Council Adopted A4 Neighbourhood Development Plan

Report prepared by:

Laura Janotta, Planner, ext. 8634
Christina Napoli, Acting Senior Planner, ext. 8483
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/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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current development proposed by the applicant in this report, which is scheduled to be considered at an Ontario Municipal Board Hearing commencing on February 7, 2010. This plan proposes to redesignate the subject lands to “High Density Residential” and to increase the permitted density and height within the “High Density Residential” designation to facilitate one, 7 storey building with a Floor Space Index (FSI) of 1.53 and 94 residential units. To date, two (2) letters from area residents have been received by the Development Planning Department, and strongly opposing the proposed development applications.

At the Public Hearing on December 7, 2010, several residents spoke in opposition to the proposed development expressing the following concerns (in part):

- a) the latest proposal for 7 storeys is too dense;
- b) the traffic on Islington is too congested, and the proposed development will add to this traffic;
- c) this proposal will set a precedent for future similar intensification;
- d) the proposal should be reduced in height and density to conform with the Official Plan; and,
- e) the proposed building setback along the southern property line abutting the Montessori School is not acceptable, and the high number of units and proximity of the development to the Montessori school site access will impact the school and the safety of the children.

The Owner’s agent provided a rebuttal to the residents concerns and indicated that they would be willing to re-open negotiations with the community. Council members also strongly encouraged that the parties meet to resolve the issues of height and density.

On December 14, 2010, Vaughan Council adopted the following motion (in part):

- “1) That the recommendation contained in the following report of the Commissioner of Planning (to receive the Planning report) dated December 7, 2010, be approved;
- 2) That the Ward 2 Sub-committee convene a meeting with representation from staff, the applicant, and the community, to resolve outstanding issues.”

Ward 2 Sub-Committee Meeting (December 13 and 15, 2010)

Ward 2 Sub-Committee meetings were held at the City of Vaughan Civic Centre on December 13 2010 and December 15, 2010. The meetings were held on a confidential and without prejudice basis.

Purpose

The Owner has submitted the following revised applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of the site with one, tiered 7-storey building comprised of 94 residential apartment units, with a Floor Space Index (FSI) of 1.53 as shown on Attachments #3 to #7:

1. An Official Plan Amendment Application (File OP.08.013), to amend OPA #597 (Islington Avenue Corridor Secondary Plan) to redesignate the subject lands from “Medium Density Residential” (maximum 0.5 FSI and 3.5 storeys) to “High Density Residential” and to increase the maximum permitted “High Density Residential” density and height from 1.0 FSI to 1.53 FSI (Floor Space Index), and from 5-storeys to 7-storeys, respectively. (Refer to Attachment #8).
2. A Zoning By-law Amendment Application (File Z.08.048) to amend Zoning By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone to RA3 Apartment Residential Zone, and to permit the following site-specific exceptions required to implement the concept site plan shown on Attachment #3:

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	By-law Standard	By-law 1-88 RA3 Residential Zone Requirements	Proposed Exceptions to RA3 Residential Zone
a.	Minimum Lot Area	6,298 m ² or 67 m ² /unit	4190.18 m ² or 44.5 m ² /unit
b.	Minimum Yards	Front Yard – 7.5 m Interior Side Yard - 11.17 m (south)	Front Yard – 2.0 m Interior Side Yard – 3.0 m (south)
c.	Minimum Parking Requirements	165 parking spaces as follows: 1.5 spaces/unit for resident parking and 0.25 spaces/unit for visitor parking	114 parking spaces as follows: 1.1 spaces/unit for resident parking 0.10 spaces/unit for visitor parking
d.	Minimum Landscaping Requirement for Parking Areas	3 m along north property line	0 m

Background – Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are currently comprised of an assembly of 3 separate lots (8294, 8298 and 8302 Islington Avenue) being Lots 2, 3 and 4 on Plan M-1107, and are located on the west side of Islington Avenue, south of Langstaff Road, in Part of Lot 9, Concession 7, City of Vaughan. The surrounding land uses are shown on Attachment #2.

The 0.43 ha parcel (4,301.63m² including road widening, and 4,190m² excluding road widening) is relatively flat with a gradual slope towards the west and abrupt upward slope at the western most part of the site. There are three existing single family dwellings on the site, all of which are planned for demolition. There are mature trees randomly scattered throughout the site and a heavily vegetated and treed area along at the westerly portion of the site.

Original Proposal 2008

On October 10, 2008, a Notice of Public Hearing for the original initial proposal was circulated to all property owners within 120m of the subject lands, and to those individuals requesting notification. The original application proposed to redesignate and rezone the subject lands to facilitate the development of two, 4 storey residential apartment buildings connected by a walkway, comprised of 85 residential units and a Floor Spare Index (FSI) of 1.53. On October 20, 2008, one letter was received by the Vaughan Development Planning Department from a resident expressing opposition to the proposed development based on the following reasons (in part):

- the development is next door to a pre-school/elementary school and half a kilometre away from a second elementary school and would impact the school and parental drop-off traffic for the schools;

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- the increase in traffic that would be generated by the proposed development will aggravate an already dangerous traffic situation for the school children and area residents;
- the development will change the hamlet character of the area and impact the enjoyment of the existing residents and senior citizens.

At the Public Hearing on November 3, 2008, several residents spoke in opposition to the proposed development expressing the following concerns (in part):

- a) the proposed development is too dense;
- b) negative impact to the Islington Avenue traffic conditions;
- c) not in character with the Pine Grove Hamlet;
- d) this proposal will set precedent for future similar intensification; and,
- e) request that the Islington Avenue Corridor Study be updated.

The Owner's architect and agent provided a rebuttal to the residents concerns and provided material supporting the proposed development, including petitioned letters in support of the proposed development.

On November 10, 2008, Vaughan Council adopted the following motion (in part):

- “1. THAT the recommendation contained in the report of the Commissioner of Planning dated November 3, 2008 (to receive the staff report) be approved; and,
2. THAT the draft motion regarding an update on the Islington Avenue Corridor Secondary Plan (OPA #597) verbally presented by deputant Franca Poretta, and the responses provided by the agent for the applicant, be reviewed by Planning Staff and that a memorandum be provided as early as possible to members of Council in anticipation of a community meeting to be convened by the Ward 2 Sub-Committee.”

Shortly after the 2008 Public Hearing additional letters in opposition to the development were received by the Development Planning Department from neighbouring residents expressing the same concerns identified at the November 3, 2008 Public Hearing. The applicant had also provided Staff with an additional package of petitioned letters in support of the proposed development from residents both outside and inside the notification area indicating that the proposed development met the design intent and guidelines of the area.

Ward 2 Sub-Committee Meeting (February 2, 2009)

In accordance with the Council resolution on November 10, 2008, a Ward 2 Sub-Committee meeting was held at 7pm at the Woodbridge Memorial Arena meeting room on February 2, 2009. The meeting was chaired by the Local Councillor with other members of Council and Development Planning Staff in attendance, together with members of the public, and the applicant and their consultants. At this meeting, similar issues as those raised at the Public Hearing were discussed, including traffic, density and impacts to adjacent neighbours. A Committee made up of a few residents was also established to meet with the developer to discuss ways of addressing some of the issues and to come up with a development proposal that would benefit all parties and the community, however, no formal plan was established to the knowledge of the Development Planning Department.

The Owner submitted a formal revised plan on April 3, 2009, proposing one tiered building with a maximum building height of 5 storeys comprised of 77 residential units and an FSI of 1.49.

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Ontario Municipal Board (OMB)

On March 31, 2010, the Owner appealed both the Official Plan Amendment and Zoning By-law Amendment applications to the Ontario Municipal Board based on the City of Vaughan's failure to make a decision within the prescribed time periods in accordance with the requirements of the *Planning Act*. On June 9, 2010, the applicant submitted material for the July 16, 2010 OMB Pre-Hearing which was provided to Development Planning Staff. The information included a copy of a draft zoning by-law and explanatory notes on the official plan amendment for a 7 storey building with an FSI of 1.62.

On July 26, 2010, the Owner submitted revised plans for the subject lands. The new plans are the subject of this report and propose one, tiered building with a maximum building height of 7 storeys, 94 residential apartment units and a Floor Space Index (FSI) of 1.53.

An OMB Hearing is scheduled to consider the subject development applications from February 7 to February 25, 2011.

Land Use Policies/Planning Considerations

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

a) Provincial Policy Statement (PPS)

The PPS provides policy direction on matters of Provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS includes policies that direct new growth to urban areas which contributes to the creation of strong and safe communities, healthy environments and long term economic growth. The PPS is supportive of intensification provided that it is planned and coordinated within built-up areas that have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The PPS requires Planning authorities to identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. In addition, Planning authorities must establish and implement minimum targets for intensification and redevelopment within built-up areas in accordance with Provincial targets.

The City's Islington Avenue Corridor Study, which was approved by the Region of York in 2006 as OPA #597, permits a "Medium Density Residential" land use on the subject lands with a maximum permitted density of 0.5 FSI (maximum permitted 0.55 with applicable bonusing) and a maximum permitted height of 3.5 storeys, as shown on Attachment #8. Through this comprehensive land use study it was determined that a medium density land use designation would permit an appropriate level of development form that would compliment and be compatible with the primarily low density residential land use in the existing immediate area. The Owner proposes to redesignate the subject lands from "Medium Density Residential" to "High Density Residential", and to increase the permitted "High Density Residential" density from 1.0 to 1.53 FSI and the permitted building height from 5 to 7 storeys, which is better suited along a Regional Corridor or in an Urban Centre.

In addition, the City has undertaken a City-wide Official Plan review for the past 3 years and culminating in Vaughan Council's adoption of the new Vaughan Official Plan 2010 on September 7, 2010, which requires approval by the Region of York. In Volume 2 of the new Official Plan

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respecting the Woodbridge Centre Secondary Plan, which applies to the subject lands, the property is designated “Low Rise Residential (2)”, which permits a maximum FSI of 0.5 (maximum permitted 1.0 FSI with applicable bonusing) and a maximum height of 3.5 storeys (Attachment #8). Both of these comprehensive land use studies and implementing Official Plan Amendments (OPA #597 and COVOP 2010) have a consistent maximum permitted FSI (0.5) and maximum permitted height (3.5 storeys), to permit appropriate development to the surrounding area and subject lands.

The proposed development does not conform to the policies of the PPS with respect to planned and co-ordinated intensification within an existing built-up area, as the proposed 1.53 FSI and 7 storey height far exceeds the planned maximums, which would set an undesirable precedent for others to submit similar application proposals and place stress on infrastructure and public services.

b) Provincial Growth Plan - Places to Grow

The Province’s Places to Grow Plan sets out a framework to provide overall leadership and guidance to municipalities as they plan for growth in their communities. The plan sets out policy on a wide range of issues including, managing growth, general intensification, infrastructure planning among other policies. The inherent goal of the Growth Plan is to manage growth by directing and focusing it to a hierarchy of intensification areas including urban growth centres, major transit stations, intensification corridors and local corridors. The primary focus is to the Urban Growth Centres as these will increasingly become focal points and a hub for activities for communities.

The Growth Plan also requires that municipalities develop and implement through official plans and other supporting documents a strategy and policies to phase and achieve intensification which are based (in part) on the following:

- a. the growth forecasts contained in the plan;
- b. recognize urban growth centres, intensification corridors and major transit station areas as key focus areas for development to accommodate intensification; and
- c. identifying the appropriate type and scale of development in intensification areas.

The subject lands are located on a local corridor (Islington Avenue) and considered a local infill area which is intended to provide some level of intensification that is supportive of the existing residential built form and transit movement in accordance with the Provincial Growth Plan. The subject area is not intended to function as an Urban Growth Centre, Major Transit Station or Intensification Corridor, and although some level of intensification is supportable, the level of new growth must be managed to ensure an appropriate type and scale of development for the area. The proposed development does not conform to the growth plan in this respect as it proposes a type and scale of development that is not appropriate for the area for the same reasons as discussed in the previous PPS section of this report, and should be directed to urban growth centres or intensification corridors.

c) York Region 2031 Intensification Strategy

The approval of the Provincial Growth Plan in 2006, intends to guide decisions on issues related to transportation, infrastructure, land use planning, urban form, housing, natural heritage and resource protection to secure the future prosperity of the Greater Golden Horseshoe. The Provincial Growth Plan stipulates that a minimum of 40% of all residential development occurring annually within a municipality will be within the built-up area. This intensification will be

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developed and implemented through official plans and supporting documents of the regional and local municipalities. The York Region 2031 Intensification Strategy was adopted to ensure intensification policies are consistent with the strategy set out in the Provincial Growth Plan.

As part of this strategy, the Region developed an Intensification Matrix Framework (IMF). The matrix identifies a hierarchy of the key strategic areas and levels where intensification can be best accommodated including local corridors and local infill areas as noted below:

1. Regional Centres
2. Regional Corridors
3. GO Stations
4. Local Centres and Corridors
5. Other Major Corridors
6. Local Infill
7. Secondary Sites

The establishment of the IMF supports intensification, but at varied levels, dependent on the area and its location. The level best to accommodate intensification and its location will be determined by the local municipality through its' official plan and secondary plans. The subject lands abut Islington Avenue, a local corridor, and are within a local infill area. The current Official Plan Amendment #597 and the new COVOP 2010 provide opportunities for intensification at a level that is in keeping with the area, continues to meet Provincial and Regional policies, is transit supportive, and achieves an appropriate transition of built form with adjacent land uses. The proposed development is better suited in a higher order centre along a Regional Corridor (Regional Road #7 or a Local Centre such as the Woodbridge Core).

d) Regional Official Plan (YROP)

The Region of York Official Plan identifies the subject lands as an "Urban Area" and Islington Avenue as a "Local Corridor". The objectives of the Regional Plan include targeting growth to existing built-up portions of urban areas, encouraging carefully planned intensification, and providing for a broad range of housing types. The appropriate level of development and density will depend on site-specific circumstances and the nature of the surrounding area.

The new YROP, adopted by Regional Council on December 16, 2009 (requires Provincial approval), identifies the subject lands within the Local Centres and Corridors of the urban structure. Section 5.3 indicates that intensification will occur in strategic locations in the built-up areas based on the Regional IMF, which recognizes that the highest density and scale of development will occur in Regional Centres followed by Regional Corridors. Based on the IMF, the subject lands fall within a Local Centre/Corridor or Local Infill hierarchy where the level of intensification should be appropriate to the existing built up area within the immediate surroundings. In short, the local municipality must have the authority to determine appropriate height and density of a development for an area taking into consideration the existing built form policies and Provincial targets without setting an adverse precedent for future development that will detract from the underlining intent of the City's Official Plan.

On September 16, 2008, the Region of York Planning Department exempted the original Official Plan Amendment application proposal from Regional approval. Similarly, the current revised plan for a 7 storey building with 94 residential units and a density of 1.53 FSI was recently considered by the Regional Review Committee and found to be a matter of local significance and was also exempted from Regional Planning approval. This decision will allow the local planning staff to determine the appropriate building height, density, residential type and total number of units.

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e) City Official Plan

The subject lands are designated "Medium Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #597 (Islington Avenue Corridor Study). On June 23, 2003, Vaughan Council adopted OPA #597 to implement the recommendations of the study and guide development within the Islington Avenue Corridor. On May 31, 2006, the Region of York approved OPA #597.

The Islington Avenue Corridor Secondary Plan was centred on the historic hamlet settlement of Pine Grove and was to provide an overall framework for the future orderly growth of the Islington Avenue corridor in accordance with sound and reasonable land use planning policies and urban design principles. The policies were meant to be responsive to the needs of the area residents, while having regard for the Provincial and Regional policy objectives. The intent of the secondary plan was to maintain and strengthen the existing community structure through appropriate and contemporary planning policies and design guidelines, and to accommodate limited residential intensification in keeping with the character of the area.

In calculating density for the subject lands, the existing lot area of 4,301.63m², which includes the rear 13.6m buffer portion of the subject lands (to remain in the applicant's private ownership) to be zoned OS1 Open Space Conservation Zone plus half of the Islington Avenue right-of-way was used to calculate the Floor Space Index (FSI) as follows:

Gross Floor Area:	7,684.12m ²
Site Area:	÷ 5,022.49m ²
	1.53 FSI

The open space parcel, representing the TRCA buffer requirement is proposed to be privately owned and maintained by the applicant as part of the lot. The rezoning of this parcel to an open space category, as requested by the TRCA, would prevent the parcel to be developed in the future, if the City were to approve the subject applications.

A general goal of OPA #597 is to augment and complement the existing residential community and surrounding area in a manner which respects the existing scale and residential character of the area, and to respond to development pressures by identifying suitable redevelopment opportunities, while having regard for the environment, traffic, urban design and parks. A residential goal of OPA #597 is to implement the intent of the Provincial Policy Statement and Regional Official Plan, as it relates to intensification and to identify a range of suitable residential densities and built forms that would provide a compatible integration to the existing community and respect the areas existing scale and residential character.

OPA #597 clearly supports intensification, but at a level that complements the area. OPA #597 was not intended to support densities that radiate from the Woodbridge Core Area or the Highway #7 Corridor, but more of a moderate level of development respectful and responsive to Provincial and Regional targets as well as complementary to the existing community. The proposed 7 storey residential apartment building with an FSI of 1.53 will disturb the character of the area, set an undesirable precedent and create a negative impact for future development, and does not conform to the policies of the Official Plan.

f) The City Of Vaughan Official Plan 2010 (COVOP 2010)

On September 7, 2010, the City of Vaughan Council adopted COVOP 2010, which included a secondary plan for the Woodbridge Centre. The new official plan, and in particular, the Woodbridge Centre Secondary Plan (COVOP 2010, Volume 2) was to provide for a more focused framework for the orderly growth of the Woodbridge Centre having regard for Provincial, Regional and Municipal policies and their objectives as outlined in the Provincial Policy Statement (PPS),

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Places to Grow and the Region of York Official Plan. The direction of the new City Official Plan maintains similar development policies as those found in OPA #597 by redesignating the subject lands from "Medium Density Residential" (OPA #597) to "Low Rise Residential (2)". Under this new designation, a Low Rise Building with a maximum FSI of 0.5 and maximum building height of 3.5 storeys is permitted. However, unlike OPA #597, the new official plan permits density bonusing of up to 100% (maximum 0.5) to a maximum FSI of 1.0 through the provision of community benefits as outlined in Section 10.1.2.8 "Bonusing for Increases in Height or Density" in Volume 1 of the City of Vaughan Official Plan 2010, as shown on Attachment #9.

The new City Official Plan is still awaiting final approval from the Region of York, but given the recent Council adoption of the Official Plan and its policies, future new development for this area will be in line with the policies described in COVOP 2010 with respect to density and heights and be designated "Low Rise Residential (2)". The subject applications propose to redesignate the site under the current OPA #597 from "Medium Density Residential" (maximum 0.5 FSI and 3.5 storeys) to "High Density Residential" (maximum 1.0 FSI and 5 storeys; if bonusing is applicable and accepted, the maximum High Density FSI is 1.1). The proposed development is requesting a 7 storey building with a maximum FSI of 1.53, which exceeds the development permissions for the "High Density Residential" designation in OPA #597 and the "Low Rise Residential (2)" designation in COVOP 2010, as shown on Attachment #8.

As mentioned previously, both OPA #597 and specifically COVOP 2010 were intended to be responsive to Provincial and Regional intensification policies supporting density in built up areas. Both OPA #597 and the new COVOP 2010 propose varied levels of intensification for different planning areas. The current designation in OPA #597 and that proposed by COVOP 2010 provide for a moderate level of intensification for this area, that respects the current settlement area and that is consistent with the Provincial Policy Statement, Growth Plan and Regional Plan. The new Official Plan designation continues to retain its primarily low density character for this area.

Density Bonusing: Official Plan Amendment #597

As indicated in this report, the applicant is not only redesignating the subject lands from "Medium Density Residential" to "High Density Residential" but is also proposing a plan that exceeds the maximum permitted building height of 5 storeys and the FSI of 1.0 as permitted by the "High Density Residential" designation. Official Plan Amendment #597, Section 2.2 q) permits density bonusing of up to 10% (from 1.0 to 1.1 FSI) on the property, subject to the provision of one of the following criteria:

- i) the provision of linkages from public streets to open space and parkland areas by way of interconnecting walkways and trails;
- ii) landscape areas in excess of the normal minimum required and landscape material in excess of the City's standard requirements;
- iii) the provision of public facilities;
- iv) additional parkland or cash-in-lieu of parkland in excess of the required; and,
- v) provision of senior citizen housing.

The conceptual site plan as proposed is requesting a 53% increase in density above 1.0 FSI to 1.53 FSI for the "High Density Residential" designation to allow increased building height and density. Although the applicant has submitted a proposed list of sustainable features, the applicant has not formally requested the application of the bonusing provision, nor does the proposal include any of the above applicable criteria to qualify for bonusing.

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Density Bonusing: City of Vaughan Official Plan 2010 (COVOP 2010)

The COVOP 2010 also provides bonusing through the provision of community benefits as outlined in Section 10.1.2.9 “Bonusing for Increases in Height or Density” in Volume 1 of the City’s Official Plan 2010. The COVOP 2010 designates the subject lands “Low Rise Residential (2)”, which permits a maximum building height of 3.5 storeys and density of 0.5 FSI with a potential increase in the maximum FSI to 1.0, subject to achieving density bonusing through the provisions of community benefits (Attachment #9) outlined in COVOP 2010, as follows:

“10.1.2.11 That a landowner seeking to take advantage of additional height and/or density must demonstrate that with such addition the proposed development represents good planning and is consistent with the policies of this plan or any other applicable planning policy including, but not limited to, a Secondary Plan or Heritage Conservation District Plan.”

“10.1.2.12 That a landowner seeking to take advantage of additional height and/or density must provide rationale for the specific community benefits being proposed in return for the additional height and/or density. Council reserves the right to select community benefits based on local community needs, the nature of the development application, any implementation guidelines or plans adopted by Council and the policies of this Plan.”

The applicant has not demonstrated that the current bonusing provisions outlined in COVOP 2010 have been satisfied, nor have they demonstrated that the proposed development is compatible and consistent with the policies of the new COVOP 2010 with respect to height and density. The applicant has submitted a list of sustainable features to be included within their building and site design as shown on Attachment #10. The maximum permitted FSI in COVOP 2010 is 0.5, and the proposed list of sustainable features would not qualify for bonusing of 1.03 to the proposed FSI of 1.53, which is excessive. There has been no identification from the applicant that this development will be LEEDS certified.

Urban Design

The urban design policies contained in OPA #597 have been developed to provide further detail to guide new development along the Islington Avenue Corridor to ensure compatibility with the overall character of the area. New residential development shall have regard to the following criteria (in part):

- Buildings should be sited to promote positive building-to-street relationships;
- In areas where “high density” or “medium density” is introduced adjacent to single-family housing, there must be an appropriate transition in scale and building form;
- Building massing and volumes should respect the existing family character predominant in the Secondary Plan Area; and,
- Above-ground parking should not be visible from the street or be located within the front yard setbacks.

The proposed development is not compatible with the overall character of the area as the proposed development has been sited on the lot with very little setback to the southern lot line (3m to the building, but 2.4 m from the patio), and the eastern front lot line along Islington Avenue (4m to the building, but 2 m from the terraces), as shown on Attachment #3. The building fails to appropriately utilize the entire lot and should be redesigned and relocated to better adjust to the character of the area.

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The Urban Design Section of the Vaughan Development Planning Department has reviewed the proposed development concept shown on Attachments #3 to #7, and provides the following comments:

1. The proposed development introduces a 7-storey building which is inconsistent with the City of Vaughan's current height policies from a maximum 3.5 storeys (OPA #597, Section 2.2g) and Schedule "A"), and the new Official Plan requirements which also limits the height of the building to a maximum of 3.5 storey's (COVOP 2010, Volume 2, Schedule 13-Q).
2. The proposed 7-storey residential building orients half of the apartment units toward and in close proximity to the neighbouring low-density residential property (currently used as a school) to the south. The design also does not consider any transitional element to reduce conflicting impacts, such as privacy loss and overwhelming effects by the building massing. The inclusion of transitional elements such as setback and other privacy protection features are required by the following policies:
 - a) "In areas where "high-density" or "medium-density" is introduced adjacent to single-family housing, there must be an appropriate transition in scale and building form (OPA #597, Section 3.0-C-3)."
 - b) "Buildings should be sited and designed to minimize the visual impact and overshadowing of adjacent properties (Islington Avenue Land Use Study, Page 7, Section 5.1.2-A)."
 - c) To ensure privacy of the adjacent property to the south is protected, Schedule "A" to City of Vaughan's By-law 1-88 requires a minimum 7.5 m setback for the front yard and a minimum interior side yard setback of 11.2 m (ie. ½ the proposed height) in the proposed RA3 Apartment Residential Zone."
3. The applicant should reduce the building height and FSI and provide a site plan more compatible to the neighbouring areas by considering the following comments:
 - a) Increase the front yard setback from 2 m to 7.5 m to allow a minimum of 4.5 m of soft landscaping between the suggested porch and the public right-of-way.
 - b) To avoid creating any exposed concrete platform along Islington Avenue, ensure that the proposed underground parking ceiling elevation is not higher than that of Islington Avenue.
 - c) A total of 21 parking spaces are proposed on the surface, which should be substantially reduced to address the "heat island" effect.
 - d) The proposed green roof does not reflect an "intensive" green roof that requires 15 cm of soil depth, and a native planting mix would be more appropriate than the proposed sedum grass.
4. The proposed site design locates the surface parking adjacent to the neighbouring property to the north, eliminating the 3 m wide landscape strip required by the Zoning By-law and the City's new Official Plan. As a result of this site arrangement, the privacy and overall quality of the neighbouring site's environment will be impacted. To reduce the impact, the 3 m wide landscape strip required by the Zoning By-law and COVOP 2010 should be respected:
 - a) The City of Vaughan's By-law 1-88, Section 4.1.2 (b) "Parking Areas for Multiple Family Dwellings", states: (i) "A strip of land not less than three (3) metres in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways through the said screening".

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- b) The City of Vaughan's new Official Plan, Section 9.2.3.4 (c): Surface parking is not permitted between the front and side of a Low-Rise Building and a public street. Surface parking elsewhere on a lot with a Low-Rise Building shall generally be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping".
5. The underground garage plan proposes a parking garage that extends to the north and south property lines. The underground parking will significantly harm all neighbouring mature trees, as well as, the trees along the north and south property lines. The trees should be protected by redesigning the site so as to contain the underground parking and its components, such as ramps and staircases, within the setbacks and boundaries required by the City's Zoning By-law.
6. The City requires a revised vegetation inventory and assessment report that addresses the impact the proposed development will have on the existing vegetation.

Surrounding Land Uses

The surrounding land uses are shown on Attachment #2. The subject lands are comprised of an assembly of three residential lots with a total lot area of 0.44ha and 56m frontage on the west side of Islington Avenue. The land use within the Islington Avenue corridor is comprised primarily of low density and low intensity residential uses. The majority of dwellings are single-family detached houses varying in age, size and condition. While the predominant land use are 2 storey single family dwellings, there are some higher density developments. In particular, the area bounded by Willis Road to Hayhoe Lane, which includes the subject land is made up of both old and new 2 storey single family homes, two church buildings, a Montessori School, and a 3.5 storey seniors nursing home building. There are also 3 residential condominium buildings, two having a height of 3 storeys, while the third was approved for 5 storeys in height by the OMB, all within a Floor Space Index ranging from 0.5 to 1.0. It should be noted that subsequent to the OMB Hearing, the third building received approval for a 6th storey at the Committee of Adjustment. This third building is located at the northwest corner of the intersection of Willis Road and Islington Avenue and has been sited in a manner that better utilizes the entire lot, and is significantly set back from the street with a large amount of landscaping.

The proposed 7 storey building with a density 1.53 FSI is located within an area of moderate intensification allowing some level of growth that respects the surrounding area while still achieving the provincial density targets. The height and density proposed is currently associated with properties along Highway #7 under OPA #661 and within the Woodbridge Core Area OPA #240 and is not compatible within the existing area.

Recent Amendments to OPA #597

Since the approval of OPA #597 by the Region of York on May 31, 2006, there have been three (3) other development applications in addition to the subject application proposing to amend OPA #597 as shown on Attachment #2 as follows:

- i) The first application (Michael Esmailzadeh and Bianca and Pasquale Martinis, Files OP.06.026 and Z.06.065) was approved for six, 2 storey semi-detached units which conformed to the permitted land use and built form, but required an official plan amendment for density increase from 8.6 uph to 22 uph within the "Low Density Residential" designation (#1 on Attachment 2).
- ii) The second application (2088756 Ontario Limited, Files OP.06.022 and Z.06.049) was approved to redesignate the lands from "Low Density Residential" (8.6 uph) to "Medium Density Residential" and increase the permitted density from 35 uph to 50 uph to permit a block townhouse development comprised of ten, 3 storey residential townhouse units (#2 on Attachment 2).

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- iii) The third application (Bungaloft Inc., Files OP.10.003 and Z.10.009) was approved to redesignate the lands from “Low Density Residential” (8.6 uph) to “Medium Density Residential” (35 uph) to permit six, 3 storey residential duplex buildings comprising 12 units and a maximum permitted density of 23 units/ha (#3 on Attachment 2).

These applications respected the current lower intensity built form within the area as it relates to building height and density. The subject application proposes to redesignate the subject lands from “Medium Density Residential” to “High Density Residential” and to increase the permitted residential density from a maximum floor space index (FSI) of 1.0 to 1.53 and increase the permitted maximum building height from 5 storeys to 7 storeys, which is clearly out of context with the surrounding area and built form.

Zoning

The subject lands are zoned R2 Residential Zone by By-law 1-88, which does not permit the proposed residential apartment use and development. The Owner has submitted a Zoning By-law Amendment Application (File Z.08.048) to rezone the subject lands from R2 Residential Zone to RA3 Apartment Residential Zone with exceptions to facilitate the proposed development. Through the development review process and discussions with the TRCA, the Owner was asked to provide a buffer along the western lot line and to rezone this 13.6m buffer to OS1 Open Space Conservation Zone. Based on the latest site plan submitted, the following zoning exceptions to the RA3 Apartment Residential Zone standards have been identified:

	By-law Standard	By-law 1-88 RA3 Residential Zone Requirements	Proposed Exceptions to RA3 Residential Zone
a.	Minimum Lot Area	6,298 m ² or 67 m ² /unit	4190.18 m ² or 44.5 m ² /unit
b.	Minimum Yards	Front Yard – 7.5 m Interior Side Yard - 11.17 m (south)	Front Yard – 2.0 m Interior Side Yard – 3.0 m (south)
c.	Minimum Parking Requirements	165 parking spaces as follows: 1.5 spaces/unit for resident parking and 0.25 spaces/unit for visitor parking	114 parking spaces as follows: 1.1 spaces/unit for resident parking 0.10 spaces/unit for visitor parking
d.	Minimum Landscaping Requirement for Parking Areas	3 m along north property line	0 m

The proposed zoning exceptions would facilitate a development that does not conform to the Official Plans, nor is compatible with the built form present in the area, and therefore, cannot be supported by the Vaughan Development Planning Department. As discussed earlier, the front and side yard setbacks need to be increased and a landscaping buffer provided along the north property line to provide compatibility with the adjacent existing development, and an appropriate landscaped streetscape with the building set back from the street line.

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The reduced parking standard has been justified with a Parking Study, which is discussed later in this report.

Conceptual Site Plan and Elevations

The Owner has submitted a conceptual site plan and building elevations as shown on Attachments #3 to #6. The plan proposes one apartment building with 4-storeys along Islington Avenue, and slightly tiering back to a maximum of 7 storeys. The building footprint occupies approximately the southern half of the site with landscaping and parking areas making up the northern half. The site is relatively flat along Islington Avenue, but slopes sharply upwards toward the rear westerly lot line.

A driveway access from Islington Avenue along the north lot line is proposed to serve the development, and although not the preferred location it has been accepted by the Region of York Transportation Services Department. The proposed building is to be comprised of 94 residential condominium apartment units and served by 114 parking spaces of which 21 spaces are above ground and 93 spaces are underground on 2 levels. The proposed building materials shown on Attachment #5 and #6 consists of glazing, stone and brick cladding in a reddish brown and cream colour scheme, which would be reviewed at the site development stage.

The building is narrow and lengthy and runs from east to west on the site. The building is proposed to be located on the southern portion of the site approximately 3 m from the southern property line (2.4 m from the patio). There is considerable room on the site to lower and widen the building to better utilize the entire lot and conform to the development policies of the official plans with respect to height and density, and by eliminating a lot of the surface parking and placing it underground. The subject lands are under Site Plan Control and a future site plan and elevations for a more appropriate designed development will be reviewed in detail upon submission of a formal site plan application.

Parking

The preliminary site plan shown on Attachment #3 proposes 114 parking spaces on the subject lands, 21 of which are located at grade level and the balance underground. By-law 1-88 requires that the minimum parking for the proposed development be calculated as follows:

Residential units: 94 units x 1.5 spaces/unit	= 141 spaces
<u>Visitors parking: 77 units x 0.25 spaces/unit</u>	<u>= 24 spaces</u>
Total Parking Required	= 165 spaces
Total Parking Provided	= 114 spaces

The proposed parking supply is deficient by 51 parking spaces. The Owner has submitted a Parking and Traffic Impact Study prepared by Mark Engineering dated May 5, 2010 in support of the proposed development. The study utilizes a parking ratio of 1.2 spaces per unit or 114 parking spaces, which is based partly on City of Toronto requirements and with similar type of developments approved by the City of Vaughan. The parking brief also indicated that any overflow parking could be served by Islington Avenue or Hartman Avenue. The study concludes that the site is providing sufficient on-site parking and there is on-street parking available to serve any parking overflow.

The Region of York has reviewed the Traffic Impact and Parking Study prepared in support of the development and have no objections to the report as it relates to traffic volumes, but has indicated that there shall be no overflow parking permitted on Islington Avenue.

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The Vaughan Engineering Department has reviewed the Traffic Impact and Parking Study and has indicated that they concur with the overall traffic study and methodology and accept its conclusions and recommendations. However, the Parking Study used comparison sites within and outside the municipality and therefore several examples should be included in the report (ie. analysis of at least two similar facilities is recommended and a survey should be done during the busy peak periods).

Vaughan Engineering Department

a) Servicing

In accordance with the City's Servicing Capacity Allocation Protocol, which was adopted by Council on June 8, 2010, water and sanitary servicing allocation capacity for the proposed development application has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development concept. The City intends to undertake an annual review of the status of the available and unused servicing capacity affecting the Distribution Protocol. The availability of servicing allocation capacity for this application may be revisited based on the status of the subject development application at that time.

A revised Functional Servicing Report to show how the proposed development can be serviced, has been submitted and is being reviewed by the Vaughan Engineering Department.

b) Environmental

Prior to the approval of a future site development application, documented proof of the registration of a Record of Site Condition with the Environmental Site Registry (ESR) of the Ministry of Environment (M.O.E.), must be submitted to the Vaughan Engineering Department for review and approval.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has reviewed the revised proposal and have noted that a copy of the draft by-law is required in order to assess the proposal based on previous comments that a 13.6m wide buffer from the rear lot line, with the exception of the 4 m wide permeable patios to the rear of the proposed building, be zoned and designated into an Open Space or another suitable environmental category, which has the effect of prohibiting development to the satisfaction of the TRCA.

A copy of the draft by-law was circulated to the TRCA on November 19, 2010 for their review and comments. The current site plan submission is proposing a 13.5 m setback rather than 13.6 m, which the applicant previously agreed to with the TRCA. Furthermore, the draft zoning by-law does not appropriately zone the 13.6m buffer as required by the TRCA.

It should be noted that the 13.6m buffer strip will continue to be privately owned and maintained by the applicant as it is an isolated piece with no linkage to an open space area. Rezoning the lands to OS1 Open Space Conservation Zone would prevent the development of the parcel in the future.

Cash-in-Lieu of Parkland Dedication

The Vaughan Real Estate Division has indicated that the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a building permit, or fixed unit rate per unit whichever is higher, in accordance with the Planning Act and the City's Cash-in-Lieu Policy. This will be addressed in a future site plan report once an appropriate development has been confirmed for the property through the Official Plan and Zoning By-law Amendment review.

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Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

On September 16, 2008, the Region of York Planning Department exempted the original Official Plan Amendment application proposal from Regional approval. Similarly, the current revised plan for a 7 storey building with 94 residential units and a density of 1.53 FSI was recently considered by the Regional Review Committee and found to be a matter of local significance and was also exempted from Regional Planning approval. This decision will allow the local planning staff to determine the appropriate building height, density, residential type and total number of units.

Conclusion

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment Files OP.08 013 and Z.08.048 (Vince DiTomasso) in the context of the applicable Provincial policies, Regional and City Official Plan policies, the requirements of By-law 1-88, the surrounding land use context, and recent development approvals.

The Provincial Policy Statement (PPS) and Places to Grow Plan (GP) encourage planned and coordinated intensification that identifies the appropriate type and scale of development in built-up areas. The inherent goal is to manage the level of growth by directing it to a hierarchy of intensification areas with the primary focus of growth and intensification being the Urban Growth Centres. The applicants proposal is better suited along a Regional Corridor or in an Urban Centre, rather than a local corridor.

The Region of York 2031 Intensification Strategy (IS) and Regional Official Plan (ROP) are documents that were designed to be read in conjunction with one another when considering intensified development. In this respect, both these documents support intensification, but at varied levels depending on the area and its location. The highest level of intensification identified by the IS directs intensification to Urban Growth/Regional Centres, Regional Corridors and GO Stations. The subject lands are located within a settlement area of Pine Grove with intensification policies currently in place to complement and support the existing built form. Although, intensification is supportable, consideration must be given to the level of intensification to ensure new development complements the existing character of the surrounding community. The applicants proposal is better suited in a higher order centre along a Regional Corridor (Regional Road 7) or a Local Centre (Woodbridge Core) rather than along a local corridor.

OPA #597 (Islington Avenue Corridor Study) was centred on the Pine Grove settlement area and was to provide an overall framework for future orderly development of the Islington Avenue corridor that would maintain and strengthen the existing community structure through appropriate planning policies and design guidelines, while being responsive to Provincial policies.

The current submission proposes to redesignate the subject lands under the current OPA #597 from “Medium Density Residential” (maximum 0.5 FSI and 3.5 storeys) to “High Density Residential” (maximum 1.0 FSI and 5 storeys; if bonusing is applicable, the maximum FSI is 1.1). In addition to the redesignation of the land use, the development proposes increases to the permitted “High Density” height from 5 storeys to 7 storeys and density from 1.0 to 1.53 FSI. The intent of OPA #597 and the new COVOP 2010 is to provide for the future orderly development and growth of Islington Avenue in a manner that is in keeping and respectful with the general low density character of the area.

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In light of the above Provincial, Regional and Municipal objectives, some degree of intensification is supportable, but it must be at a level that complements and is in keeping with the area. The proposed development is greater in density than what is existing in the immediate area and what has been currently approved by Vaughan Council. The area is in transition and for this reason the applications should not be considered or reviewed in isolation, but rather a cautionary approach should be taken to ensure that new development does not set an adverse precedent for future development that will detract from the area and the underlining intent of the City's official plans. The applicant must reduce both the height and density, increase the front and side yard setbacks, reduce surface parking, and utilize much more of the site, to a level that is in keeping with the general low density character of the area.

On this basis, the Vaughan Development Planning Department cannot support the Official Plan Amendment Application (OP.08.013) and Zoning By-law Amendment Application (Z.08.048) to permit a 7 storey building with a Floor Space Index of 1.53 and 94 residential units as set out in the recommendation of this report.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Landscape Plan (Proposed)
5. Conceptual East Elevation
6. Conceptual South Elevation
7. Cross Section
8. OPA Comparison Chart
9. Density Bonusing Criteria in COVOP 2010
10. Applicant's Proposed List of Sustainable Features

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/LG

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

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Item 19, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

19

2010 GENERAL ELECTIONS ACCESSIBILITY REPORT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated January 11, 2011:

Recommendation

The City Clerk and Returning Officer recommends:

- 1) That this report be received by Council pursuant to section 12.1(2) of the *Municipal Elections Act, 1996*; and
- 2) That a copy of the report be forwarded to the City's Accessibility Advisory Committee for information.

Contribution to Sustainability

N/A

Economic Impact

Measures to address barriers facing voters and other election stakeholders who have disabilities have for the most part been incorporated in the base budget for the election since they exist to the benefit of all voters. The cost of the accessible voting appliances used in the election were included in the overall tabulator lease. Consumables and attachments, such as sip and puff devices, paddles, programming for the devices, and magnifying screens, cost under \$5000.

Communications Plan

A link to the 2010 General Elections Accessibility Report will be posted to the City's election website, www.vaughanvotes.ca, and it is recommended that a copy of the report be forwarded to the City's Accessibility Advisory Committee for information.

Purpose

The purpose of this report is to present for Council's consideration a report on how the administration of the 2010 general municipal elections addressed the needs of voters, candidates and election workers with disabilities. This report also satisfies the City Clerk/Returning Officer's obligation under section 12.1 of the *Municipal Elections Act, 1996*, to submit a report to Council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

Background - Analysis and Options

Section 12.1 of the *Municipal Elections Act, 1996* specifies that a Clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities. Subsection 45(2) of the *Act* specifies that in establishing the locations of voting places, the clerk shall ensure that each voting place is accessible to electors with disabilities. Even in the absence of the statutory obligation, providing an accessible election is one of the core principles that guided the City Clerk and his election team in planning and delivering the 2010 general municipal and school board elections.

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A threefold approach was taken to planning for the 2010 General Municipal Election. Firstly, every place to be used as a voting location had to be physically accessible – that is to say that there were to be no physical barriers to persons with disabilities from entering the voting place and exercising their right to vote, or to otherwise participate in the election on behalf of a candidate or as election staff. Secondly, the needs of voters with disabilities other than those relating to physical accessibility were to be addressed so far as reasonably possible. The third element focused on communications and training.

On April 27, 2010, the City's Accessibility Advisory Committee was provided with an overview of the City Clerk/Returning Officer's accessibility plan for the election, and was provided with a demonstration of the specialized equipment to be used during the advance vote. The Committee was very supportive of the City Clerk's approach and was interested in hearing the results of the initiative after the election.

1. Physical Accessibility at Voting Locations

School Board sites:

On March 12 and April 14, 2010, the City Clerk/Returning Officer and senior members of the election project team met with senior administrators from the York Catholic District School Board and with the York Region District School Board to discuss a variety of topics related to the election. Given the significant number of schools that were to be used as voting locations, a key component of the discussion was the need to make every voting location physically accessible, and to maintain that accessibility throughout Election Day. Both school board administrative teams acknowledged the responsibility and assured election staff that school board personnel would support the initiative, and that internal communications would be sent to prevent any last-minute changes that might undermine the effort to provide full physical accessibility. There were no reports of board staff at any of the school voting locations taking steps that interfered with the accessibility of the voting process, and the City Clerk/Returning Officer thanks both Boards for that cooperation.

Accessibility Audit:

In May and June of 2010, four teams from the City Clerk's Office completed a four page accessibility audit report for all voting locations under consideration. The audit included a checklist of items such as the measuring of door and ramp widths, turning radii, the availability of automatic accessible door entrances, adequate lighting, accessible parking, and an assessment of any physical plant that might form a barrier to accessibility (staff used rented wheelchairs to help determine whether such barriers existed). The audit included the taking of location photographs.

As a result of the audit, some facilities which had been used in previous elections were deemed not suitable for use in the 2010 general elections. Where necessary, voting subdivisions were merged to ensure voters were provided accessible facilities, with the trade-offs including larger numbers of voters being processed at a particular place, and unfamiliar locations being used for some voters.

Removal of physical barriers:

In some circumstances, facilities which did not have automatic accessible door entrances were assigned a Customer Service Officer whose duties included assisting electors by opening the door to the voting place.

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The layout of the various voting locations included space for a five-foot turning radius between the tables and voting screens. This ensured that sufficient space was incorporated in the layout for ease of movement for those electors who use mobility devices such as walkers, scooters and wheelchairs.

When designing the layout for the voting places, extra seating was included in the plan for use by voters and scrutineers. During the training process, election workers were directed to be attentive to voters requiring a chair while waiting in lines as necessary.

Voting locations used yellow vinyl signs to designate the accessible entrance. In addition, yellow and black signs bearing the universal accessibility symbol were placed at the street entrance to each voting location. Voting locations were placed as close to accessible entrances/accessible parking as was possible in the circumstances.

2. Non-physical barriers

Accessible voting appliance:

Numerous advance vote opportunities were provided during the 2010 general elections. 'Advance Voting Week' ran from October 4th through 10th, with weekday voting hours extending as long as 6:00 a.m. (at the Civic Centre) to 9:00 p.m. (at the Promenade Shopping Centre and at Vaughan Mills Mall). With the inclusion of a community centre in each ward, a total of seven locations over the seven days were provided. An additional two days of advance voting was provided at York University on the 18th and 19th of October. Each advance voting location was outfitted with an accessible voting appliance that helped address the needs of voters who might have difficulty in negotiating a paper ballot.

The appliance consisted of a tactile controller with large buttons distinguishable by shape and colour. Each button had a Braille label next to it. The device itself was connected to the vote tabulator, and connected to the device were a set of headphones, and at the voter's option, a set of paddles or a sip and puff device. At the request of a voter, the device could be used to allow the voter to vote independently by listening to instructions and the names of candidates through the headphones. Though the process could take in excess of twenty minutes, by pressing buttons on the tactile controller (or by using paddles, or the sip and puff device, depending on the nature of the disability) a voter could cause a ballot to be printed using a dedicated printer connected to the vote tabulator. The printer would produce a ballot that looked like any other ballot used in the election – including randomized marks within the voting spaces that appeared as if they were produced by hand. The ballot would be output into a special secrecy sleeve, and from a secrecy folder be deposited into the vote tabulator where it would be scanned and tabulated *like every other ballot used in the election*.

During the nomination meeting with the City Clerk/Returning Officer, every candidate was asked to speak their name into a recording device so that the pronunciation of their name would be properly made for voters using the accessibility device. When a name was selected, the candidate's own voice could be heard reciting the name as it appeared on the ballot.

Only one voter made use of the accessible voting device after having contacted the City Clerk's Office. The voter (and a parent) were provided with transportation to the York University advance voting location. In the end, the voter provided the following feedback:

- the opportunity to vote independently is important to persons with disabilities and the City's use of the tactile controller was very much appreciated, even with the limitations noted;

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- the headphones provided with the device were not sufficient to block out background noise. The York University location was particularly noisy and the voter found it difficult to hear the device's instructions (headphones more conducive to noisy environments have been purchased for the January 10th York Catholic School Board by-election);
- the ability to speed up or slow down instructions on the device was helpful – though the process of voting with the device seemed unduly lengthy.

In the face of a printer error at the conclusion of the session, and in order not to delay the parent who accompanied the voter, the voter decided to have the parent vote on the voter's behalf after taking the necessary oaths administered by election officials.

The voter's and staff's experiences will be communicated to Dominion Voting Systems for use in improving the device in time for the next general municipal election.

Vote Marking by a 'Friend' or Election Staff

Pursuant to paragraph 4 of subsection 52(1) of the *Municipal Elections Act, 1996*, Deputy Returning Officers were empowered to administer oral oaths to permit electors who needed assistance in voting to have such assistance as the Deputy Returning Officer considered necessary. Oral oaths were administered to both the voter and the person acting as the voter's 'friend' in marking the ballot according to the voter's instructions. In some cases, election officials, already having taken oaths to maintain the integrity and secrecy of the voting process, filled the role.

Proxies:

Voters who chose not to vote at a voting location had the ability to appoint another person as their voting proxy, pursuant to section 44 of the *Municipal Elections Act, 1996*. Proxy voters could vote at any of the advance vote locations or at the voter's designated location on Election Day.

Other Devices:

Many people with visual impairments do have some element of vision. To assist voters and staff, magnifying sheets were provided as a standard supply item at every voting location. Customer Service Officers were available to assist at multiple poll locations, and they and other election staff were provided with pads to help demonstrate to voters how to mark a ballot. Each ballot also contained a sample voting space (the space between the head and tail of the red arrow pointing to the name of a candidate) and Deputy Returning Officers were instructed to show every voter how to indicate their vote(s) with reference to the sample voting space.

Nursing and Retirement Homes, and Seniors:

Pursuant to Subsections 45(7) and 46(3) of the *Municipal Elections Act*, dedicated voting locations were provided at retirement/nursing homes meeting the 50/20 respective bed threshold set out in the *Act* on a reduced hours basis (one three hour shift in either the morning or afternoon, to include either the lunch or dinner meal period). Meetings with the administrators of each of the qualifying locations were conducted in the Spring of 2010 with follow-ups by telephone in the early fall to ensure that the residents of these facilities were given full access to the voting process. In anticipation of it becoming necessary, specific training was provided to election officials working in these facilities to provide bedside voting.

Prior to October 25, 2010 to ensure ease of accessibility to residents, on-site revisions to the voters' list were conducted at facilities where the Preliminary Voters' List provided by the Municipal Property Assessment Corporation showed few (or no) eligible voters.

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Voter Information Notices were sent to all of the residents involved, advising them of the reduced voting hours, the location of the poll within their facility as well as the dates of the advance votes. In addition, posters were supplied to the administrators of each facility to reinforce the date and times of voting. Identification requirements were communicated well in advance of Election Day so that residents could have the necessary documents with them.

In addition to the arrangements made with retirement and nursing homes, special outreach was made to SAVI, an umbrella group representing seniors' groups in the City. On July 27, 2010 the City Clerk/Returning Officer and the Election Coordinator met with the SAVI board and provided an overview of the City's election awareness campaign, and a description of the City's plans for addressing any barriers for persons with disabilities. The presentation was so well received that two additional dates were requested so that individual members of clubs represented by SAVI could hear the presentations. Presentations were prepared for September 14 and 16, 2010 and advertised through SAVI. Regrettably, despite the original interest by the SAVI board, attendance at the sessions was extremely poor.

3. Communications and Training

Candidate's Information Guide:

During the nomination filing process each registered candidate was provided a candidate's guide issued by the Ministry of Municipal Affairs and Housing. In it, candidates were advised of an amendment to the *Municipal Elections Act, 1996* which stated that any candidate with a disability was able to charge expenses, which would not have been incurred except for the election, towards their campaign and these expenses were excluded from the candidate's spending limit. Examples included costs for a sign-language interpreter for door-to-door campaigning, costs of accessible transportation to attend campaign events/all candidate's meetings or the costs of specialized software.

Ministry of Municipal Affairs and Housing (MMAH) candidate training on May 18, 2010 conducted in the City of Vaughan Council Chamber included a discussion on accessibility requirements and the legislation related to candidates with a disability. Ministry officials explained that expenses incurred by a candidate that were directly related to a disability were excluded from the permitted spending limit.

During the nomination filing process, candidates were advised that all voting places would be accessible and that accessible voting devices would be used during the Advance Vote period. Each candidate received a detailed explanation of the types of accessible devices available for independent voting at each of the Advance Vote locations.

In addition, for use with the accessible voting appliance, each candidate was asked to pronounce their name into a recording device so that a voter using the audio device would hear the proper pronunciation of candidate's names.

Each candidate was also provided a copy of a joint publication from the Association of Municipal Managers Clerks and Treasurers of Ontario (AMCTO) and the Province of Ontario entitled 'Candidate's Guide to Accessible Elections'. An explanation was given to each candidate on how the document could assist in making a candidates' campaign accessible to voters with disabilities.

In addition to the hardcopy of these documents, candidates and voters were provided access to these reference documents in the Useful Links section of the vaughanvotes website.

Municipal Election Website – www.vaughanvotes.ca and www.thisisyourspace.ca:

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Dedicated websites were created for the purpose of the general elections for use by both candidates and voters. The websites were designed to work across all browsers, and on mobile devices. They also worked with screen readers, employed contrasting colours for ease of reading, and used a standard Arial font that could be increased or decreased in size.

Closed captioning was utilized on the “How to Vote” video on the thisisyourspace site with a link to the vaughanvotes site. The video provided a demonstration on ballot marking procedures.

In the “I Want to Vote” section of vaughanvotes.ca website, opportunity was provided to voters and candidates to provide feedback on both voting location accessibility and accessibility initiatives provided during the municipal election process.

Sample ballots were provided for on the vaughanvotes.ca website with the purpose of familiarizing voters with actual ballot faces so that they could be fully prepared to vote when being issued a ballot at a voting location.

Municipal Election 2010 Brochure:

In the late summer/early fall of 2010, in conjunction with the Recreation and Culture Department, an election brochure and advertisement was included in 2010/11 Fall and Winter Recreation and Culture Guide. The brochure was included within the guide packaging as well as a one page advertisement on the back page of the guide itself. The brochure included information such as voting eligibility, when and where to vote and other accessibility as shown below:

Accessibility

All voting places will be physically accessible. However, if you have special needs in marking a ballot please come to one of the Advance Voting locations. For more information please contact:

Access Vaughan at 905 -832-2281.
Hearing Impaired (TTY): 1-866-543-0545.



Accessible Election Poster:

The nine municipalities within York Region worked together to create a poster to advertise accessibility during the 2010 elections. The poster was distributed to accessibility organizations within York Region with the request that the information be provided to their clients. Included on the poster was contact information for the election official at each of the municipalities. The 2010

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experience shows, unfortunately, that the information provided to the organizations did not necessarily reach the intended audiences and a more direct campaign will be considered in the future.

Accessibility Training Component:

In accordance with Ontario Regulation 429/07, Accessibility Standards for Customer Service made under the *Accessibility for Ontarians with Disabilities Act, 2005* everyone who works for or on behalf of a municipality must receive customer service training regarding their interaction with individuals with various disabilities and how best to provide service.

Recognizing that all municipalities would be planning to design a similar training package geared towards election workers, the York Region Clerks group pooled resources to offer a joint training by an accessibility expert at the offices of the Town of Whitchurch-Stouffville.

The session was attended by not only municipalities within York Region but also by a number of other municipalities from as across the Southern Ontario - including Toronto, Barrie, Peterborough, Oakville, Ajax and Whitby. The training session provided “train the trainer” material for use in delivering customer service training to all election officials.

The information from the accessibility session was incorporated into the 23 training sessions delivered by City Clerk’s staff to all election staff hired to work for the 2010 municipal elections.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

N/A

Conclusion

Aside from the one printer error noted above when using the accessible voting appliance, there were no significant barriers identified in the course of the 2010 election that related specifically to voters with disabilities. It should be noted that at some locations, long lines may have posed difficulty for persons who did not have the ability to stand for long periods, or who were tired. The issue of long lines will be addressed in planning for the 2014 general municipal and school board elections.

Despite the City’s efforts at providing accessible voting opportunities, only one voter availed themselves of the opportunity to use an accessible voting device, and only two other persons made inquiries. For 2014, a more focused approach will be made, and the following are under consideration:

- reducing the provision of accessible voting devices to a single location such as City Hall, by appointment, but in doing so:
 - offer the service throughout the voting period, up to (and perhaps including) Election Day;
 - offering/providing free transportation to and from the central location for voters with disabilities, and one companion;

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- investigating the use of Braille templates or other devices to more simplify independent voting by persons who have diminished or no sight;
- more aggressive outreach to organizations representing persons with disabilities;
- discussions with Dominion Voting Systems, the provider of the City's vote tabulator technology, on improvements that can be made to accessible voting appliances;
- including the needs of voters with disabilities in the considerations to be given to the potential use of internet voting in future Vaughan elections.

Suggestions made by the City's Accessibility Advisory Committee and other interested parties will also of course be given full consideration.

Attachments

N/A

Report prepared by:

Donna Winborn, Elections Coordinator

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 20, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

20

**OFFICIAL PLAN REVIEW
CITY-WIDE POLICIES
RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY
SUBMISSIONS**

The Committee of the Whole recommends that the following resolution submitted by Local and Regional Councillor/Deputy Mayor Rosati, dated January 11, 2011, be received.

Member's Resolution

Submitted by Regional Councillor Gino Rosati

Whereas, this matter was dealt with at the Council Meeting of September 7, 2010,

Whereas, the following resolution was adopted at the September 7, 2010 Council Meeting:

WHEREAS Metrolinx and York Region Transit have funded road widening for Rapid Transit on Highway 7 from Vaughan Corporate Centre to Weston Road in Phase I from Weston Road to Helen Street in Phase II; and

WHEREAS no funding or plans have been provided to widen Highway 7 to accommodate Rapid Transit from Helen Street to Martin Grove Road, Woodbridge; and

WHEREAS this area is already congested since the road reduces from seven lanes to four lanes, between Helen Street and Woodstream Boulevard, Woodbridge; and

WHEREAS this section also provides a major challenge in its widening to cross the Humber River and the railway tracks west of the Humber River; and

WHEREAS the Official Plan 661 designates this area as a mid rise development with a permitted building height of ten stories and FSI of 3.0;

BE IT THEREFORE RESOLVED THAT:

THE SECTION OF ROAD BETWEEN BRUCE STREET AND WOODSTREAM BOULEVARD, ALONG THE NORTH AND SOUTH SIDE OF HIGHWAY 7, WOODBRIDGE, BE AMENDED TO PERMIT A MAXIMUM BUILDING HEIGHT OF SIX STORIES AND FSI (FLOOR SPACE INDEX) OF 2.0 ;

It is therefore recommended that:

- 1) This resolution be reconsidered; and
- 2) That the reference to "Woodstream Boulevard" be replaced with "Rainbow Creek" where it appears in the resolution.

Background

When the resolution was prepared the intent was always to amend the area Helen Street to 300 meters west of Kipling (Rainbow Creek) being the area where Highway 7 is restricted to 4 lanes only. It was not the intent to impact Woodstream Boulevard which is not affected by the lane restrictions and connects well to Highway 7, as well as Martingrove Rd.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 21, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

21

**TEMPORARY ROAD CLOSURE
HUNTINGTON ROAD FROM RUTHERFORD ROAD TO MCGILLIVRAY ROAD
TRUNK SANITARY SEWER CONSTRUCTION
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated January 11, 2011:

Recommendation

The Commissioner of Engineering and Public Works recommends that the necessary by-law be enacted authorizing the temporary closure of Huntington Road between Rutherford Road and McGillivray Road from approximately February 1, 2011 to May 31, 2011 to facilitate the timely construction of a segment of the proposed trunk sanitary sewer extension that will ultimately service development in the West Vaughan Employment Area and portions of Kleinburg/Nashville Community by Huntington Landowners Trustee Inc., subject to the City and the Region of York being satisfied that the proposed construction staging of the sewer works will not impact the construction of the proposed Regional trunk watermain on Huntington Road, which is to be in-service by January 2012.

Economic Impact

There are no immediate economic impacts resulting from the adoption of this report. All costs associated with the proposed sewer works and road closure will be borne by the developers group (Huntington Landowners Trustee Inc.).

Communications Plan

A comprehensive communication plan will be implemented to inform all stakeholders of the proposed temporary Huntington Road closure and related detour routes. This communication plan will include written notification of the road closure to the area property owners and stakeholders including emergency public service agencies (police, fire and ambulance) and public and school transit authorities. In addition, an appropriate advanced notice will be advertised in the local newspapers advising the general public of the proposed road closure.

Access Vaughan will be provided with information regarding the closure and associated contact information in order to effectively respond to inquiries from the general public. The contractor will be responsible for the installation and maintenance of all barricades and construction signage in order to provide pedestrian safety and local access around the construction area. The appropriately worded road side signage will be installed a minimum of two weeks prior to the road closure as a means of informing motorists of the temporary road closure in accordance with the Ontario Traffic Manual, Book 7.

Access to six properties along this section of Huntington Road will be directly affected by the road closure. The owners of these properties will be contacted directly and arrangements made to ensure that local access is maintained at all times during the road closure period.

The proposed sewer construction and the associated temporary road closure are being coordinated with the Region of York.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 21, CW Report No. 1 – Page 2

Purpose

The purpose of this report is to seek Council's approval of the temporary closure of Huntington Road between Rutherford Road and McGillivray Road to facilitate the timely construction of a proposed deep trunk sanitary sewer on Huntington Road in advance of the Regional trunk watermain construction.

Background – Analysis and Options

The western part of the West Vaughan Employment Area and a portion of the development in the Kleinburg/Nashville Community are proposed to be serviced by the northerly extension of the existing 750 mm diameter trunk sanitary sewer located on Huntington Road at Trade Valley Road as shown on Attachment No.1. This trunk sewer extension will generally be located approximately 1.5 metres east of the existing center line of the road and have a depth ranging between 10 and 12 metres deep. The development in the Kleinburg/Nashville Community is also dependant on the completion of water system improvements including the installation of a new Regional 750mm diameter trunk supply watermain on Huntington Road. This trunk watermain is to be connected to the York-Peel Feedermain at Rutherford Road and extended northerly on Huntington Road to Nashville Road. The Region of York intends to tender the construction contract for this trunk watermain in January 2011 and award the contract in February 2011. Construction of the watermain should commence at the end of February and take 250 working days (eleven months) to complete. Accordingly, the expected in-service date of this Regional trunk watermain is January 2012.

Given the location and depth of the proposed trunk sanitary sewer on Huntington Road, the size of the open cut excavation will, in many locations, extend the full width of the traveled roadway. Accordingly, it is advantageous to construct the trunk sanitary sewer in advance of the trunk watermain. If the watermain was installed before the sewer then there is a real risk that the watermain could be exposed to undermining during the sewer construction, which could result in a watermain break. In addition, the construction of the sewer would require the use of vertical trenching techniques, which would greatly increase the cost of the sewer works and the duration of its construction.

Given this situation, a number of developers/landowners in the Kleinburg/Nashville Community have formed a developers group which is prepared to advance the construction of the trunk sanitary sewer on Huntington Road to avoid any potential conflicts with the Region trunk watermain construction. The developers group umbrella company is called the Huntington Landowners Trustee Inc. and includes the following firms: Nashville Developments Inc., Pinestaff Developments Inc., Molise Kleinburg Estates Inc., and Lake Rivers Inc. The sewer construction will be carried out by TACC Construction and is estimated to cost approximately \$7.0 million including engineering assuming it can be constructed in advance of the Regional trunk watermain. As previously noted, this cost will be borne by the developers group.

Construction Methodology

As noted previously, the size of the open cut excavation associated with the sewer construction will extend the full width of the traveled roadway. Accordingly, it will be necessary to close the road to general traffic during the period of construction. The closure of the road will establish a safer work environment for the construction workers and will significantly shorten the construction time frame for the project. A shorter construction period will minimize the disruption to the immediate property owners and motorists.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 21, CW Report No. 1 – Page 3

Huntington Road Closure

Huntington Road between Rutherford and McGillivray Road is a two lane rural gravel road. This stretch of roadway contains several private driveways, which serve residential dwellings, farm operations and a small truck storage operation. Recent traffic/transportation studies indicate that between 300 and 350 vehicles travel this roadway daily. At the request of the City, the Huntington Landowners group retained the transportation engineering firm of Poulos and Chung to assess the impact on traffic as a result of the proposed temporary closure of Huntington Road. Poulos and Chung submitted a traffic impact study on January 5, 2011 that concludes the following:

- The existing traffic volumes are very low on Huntington Road between Rutherford Road and Major Mackenzie Drive;
- Huntington Road is not orientated or situated in the path to serve any vehicles that may be disrupted due to the planned construction on Highway 50 and Langstaff Road;
- If Huntington Road were temporarily closed from February to June 2011, the existing adjacent primary roadway network and existing traffic controls can satisfactorily accommodate all re-orientated Huntington Road traffic flows without any measurable change to existing levels of service and operating conditions.

Accordingly, the proposed temporary closure of Huntington Road between Rutherford Road and McGillivray Road is not expected to negatively impact the area transportation system. The contractor will be required to ensure that local access along Huntington Road is maintained at all times during the road closure period.

Construction Schedule

Construction of this segment of the trunk sanitary sewer is estimated to take about six months to complete, weather permitting. The sewer work will need to be thoroughly coordinated with the Region of York so it is in sequence with the construction of the trunk watermain which is scheduled to commence in February 2011. The Region has indicated that they will include a provision in their watermain contract that restricts the watermain contractor from working south of Major Mackenzie Drive before June 2011. This will provide sufficient time for the trunk sewer to be constructed without impacting the in-service date of the trunk watermain, which is January 2012. In the event that the sewer construction isn't completed by the end of May 2011, then Huntington Landowners Trustee Inc. will be required to pay any contractor delay claims or standby expenses incurred by the Region.

Before construction begins, the contractor shall provide a detailed construction schedule that demonstrates to the satisfaction of the City and Region that the sanitary sewer can be constructed without impacting the construction timing of the Regional trunk watermain or result in a "constructor" issue between contractors. In addition, all necessary permits and approvals must be in place prior to the commencement of construction.

Given the sewer will be constructed during the winter months by way of open cut, the Huntington Landowners group will be required to provide full-time geotechnical inspection/testing to ensure suitability and compaction of the back-fill material. In addition, a more rigorous construction inspection program will be required on this project to ensure a high level of quality assurance and control. The new sewer commissioning standards, which are being recommended by the joint Regional and Municipal Water and Wastewater Task Force, will be applicable to this sewer work.

Following the sewer installation, Huntington Road will be restored to its existing rural road condition. Ultimately, Huntington Road will be reconstructed to an urban standard to support the development of the surrounding industrial lands. The necessary Class Environmental Assessment will be undertaken by the City in 2011 to establish the width and preferred design of the Huntington Road improvements.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 21, CW Report No. 1 – Page 4

The construction of the balance of the trunk sewer on Huntington Road south of Rutherford will be carried out under a separate project in the near future.

Road Closure Logistics

Road closure signage and barricades will be installed by the contractor at the intersections of Rutherford Road and Huntington Road, and McGillivray Road and Huntington Road along with the appropriate detour route information signage to the satisfaction of the City and Region. During the road closure, emergency access will be maintained to the area at all times. Access to the existing six properties along Huntington Road will be maintained during the construction period and every effort will be made to inform all affected residents as the work progresses to lessen and mitigate any construction related impacts.

Servicing Agreement

Prior to the commencement of construction, the Huntington Landowners group (Huntington Landowners Trustee Inc.) will be required to enter into a servicing agreement with the City to address matters such as securities, insurance, fees, construction specifications, sewer commissioning standards and staging.

The servicing agreement will include an acknowledgement from the Huntington Landowners Trustee Inc. confirming that they are undertaking this sewer work solely at their own risk and expense, and that there is no commitment on behalf of the City or Region at this time to include the sewer in a future Development Charge by-law or allocate servicing capacity to the proposed development.

Relationship to Vaughan Vision 2020

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

- The pursue of excellence in service delivery;
- Enhancing and ensuring Community Safety;
- Promoting effective governance; and
- Planning and managing growth, and economic vitality.

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

Regional Implications

The Region of York is intending to tender the construction of a new trunk watermain on Huntington Road from Rutherford Road to Nashville Road in late January 2011 to meet an in-service date of January 2012. Regional staff has advised that they have no objections to the trunk sanitary sewer being constructed in advance of the watermain so long as it doesn't impact the construction and schedule for the trunk watermain.

The proposed sewer construction and the associated temporary road closure are being coordinated with the Region of York.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 21, CW Report No. 1 – Page 5

Conclusion

To facilitate the timely construction of the sanitary trunk sewer on Huntington Road, it is recommended that a by-law be passed to implement the temporary road closure of Huntington Road from Rutherford Road to McGillivray Road from approximately February 1, 2011 to May 31, 2011 inclusive, subject to the City and the Region of York being satisfied that the construction staging of the sewer works will not impact the timing or construction of the Regional trunk watermain.

A comprehensive communication plan will be implemented to inform all stakeholders of this temporary road closure as set out in this report. In addition, City Development Engineering staff will continue to monitor the construction and staging of the sewer and watermain works with the Region of York to ensure the works are completed in a timely and coordinated manner.

Attachments

1. Attachment No. 1 – Location Plan

Report prepared by:

Andrew Pearce, Director of Development & Transportation Engineering, ext. 8255.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 22, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

22 DEPUTATION - MR. DAVID A. MCKAY WITH RESPECT TO VAUGHAN CROSSINGS INC.

The Committee of the Whole recommends that the deputation of Mr. David A. McKay and Communications C1, dated December 14, 2010 and C16, dated January 11, 2011, be received and referred to staff for a further report on the request.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 23, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

**23 DEPUTATION - CITY OF VAUGHAN BASEBALL & SOFTBALL ASSOCIATIONS WITH
RESPECT TO 2011 BANTAM BOYS BASEBALL CHAMPIONSHIP**

The Committee of the Whole recommends that the deputation of Mr. Dirk Drieberg, City of Vaughan Baseball Association, 10190 Keele Street, Maple, L6A 1R7, and Communication C17, be received and referred to staff for a report to be brought forward to a Finance and Administration Committee during the 2011 budget process.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 24, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

**24 DEPUTATION - CITY OF VAUGHAN BASEBALL & SOFTBALL ASSOCIATIONS WITH
RESPECT TO 2011 GIRLS SOFTBALL CHAMPIONSHIP**

The Committee of the Whole recommends that the deputation of Mr. Dirk Drieberg, City of Vaughan Baseball Association, 10190 Keele Street, Maple, L6A 1R7, and Communication C17, be received and referred to staff for a report to be brought forward to a Finance and Administration Committee during the 2011 budget process.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 25, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

25

OTHER ITEMS CONSIDERED BY THE COMMITTEE

25.1 RECESS

The Committee of the Whole recessed at 5:10 p.m. and reconvened at 5:15 p.m. with all members present.

25.2 ITEM #17 – RE-OPENED

Upon the motion moved by Councillor Shefman and seconded by Councillor Racco, Item #17 - ZONING BY-LAW AMENDMENT FILE Z.09.030 WARREN NEWFIELD AND JOE WADE WARD 5 was re-opened for the purpose of consideration to the following motion:

"That a planning consultant be retained to assist in preparation of the position recommended by the City of Vaughan opposing this application at the OMB."

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 26, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

**26 COMMITTEE OF THE WHOLE (CLOSED SESSION) RESOLUTION
JANUARY 11, 2011**

The Committee of the Whole passed the following resolution:

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

1. **APPOINTMENTS TO BOARD AND STATUTORY COMMITTEES
2010-2014 TERM OF OFFICE**
(personal matters about identifiable individuals)
2. **VAUGHAN PUBLIC LIBRARY BOARD APPOINTMENTS
2010-2014 TERM OF OFFICE**
(personal matters about identifiable individuals)
3. **RIZMI/MILANI LANDS WORKING GROUP
REPORT NO. 1**
(litigation or potential litigation)
4. **PROPERTY MATTER – WARD 1
MACMILLAN FARM PROPERTY, DUFFERIN STREET**
(acquisition or disposition of land by the municipality or local board)
5. **ONTARIO MUNICIPAL BOARD HEARING
OPA FILE NO. OP.08.013 AND ZBL FILE NO. Z.08.069
2174824 ONTARIO INC. – HARTMAN HEIGHTS
8294, 8298 & 8302 ISLINGTON AVENUE – WARD 2**
(litigation or potential litigation)
6. **LITIGATION/LEGAL ADVICE
VAUGHAN ATS RIZMI HOLDINGS LTD AND LUCIA MILANI
ONTARIO MUNICIPAL BOARD – 11333, 11641 DUFFERIN STREET
11490 BATHURST STREET, PART LOT 31, CONCESSION 2
WARD 1**
(litigation or potential litigation)
7. **COLLECTIVE BARGAINING WITH
VAUGHAN PROFESSIONAL FIREFIGHTERS ASSOCIATION**
(labour relations or employee negotiations)