

**REPORT NO. 50 OF THE COMMITTEE OF THE WHOLE
FOR CONSIDERATION BY COUNCIL, NOVEMBER 24, 2009**

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

Recommendation

The Sign Variance Committee recommends:

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

**3
SITE DEVELOPMENT FILE DA.09.068
YORK CATHOLIC DISTRICT SCHOOL BOARD
WARD 1**

The Committee of the Whole recommends:

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

Recommendation

The Commissioner of Planning recommends:

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

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

The Committee of the Whole recommends:

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

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Recommendation

The Commissioner of Planning recommends:

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

5

**ZONING BY-LAW AMENDMENT FILE Z.08.063
BLACKWOOD REAL ESTATE GENERAL PARTNER I LTD.
WARD 3**

The Committee of the Whole recommends:

1. That the recommendation contained in the following report of the Commissioner of Planning, dated November 10, 2009, be approved subject to the removal of the following uses for Building "A": Education or Training Facility, Car Rental Service, Print Shop Accessory Retail Sales, Place of Entertainment; Technical School; and Video Store; and
2. That the deputation of Mr. David McKay, MHBC Planning, 7050 Weston Road, Suite 230, Woodbridge, L4L 8G7, on behalf of the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.063 (Blackwood Real Estate General Partner I Ltd.) BE APPROVED; to amend By-law 1-88 to rezone the subject lands shown on Attachments #1 and #2 from PBM7 Parkway Belt Industrial Zone to EM1 Prestige Employment Area Zone and C7 Service Commercial Zone to facilitate the construction of 4 multi-unit buildings on the property, as shown on Attachment # 3, and that the implementing zoning by-law shall:
 - a) Permit the following uses in the EM1 Prestige Employment Area Zone and the C7 Service Commercial Zone:
 - i) Business or Professional Office and an Office Building with a total combined maximum Gross Floor Area of 2843m²;
 - ii) Car Brokerage;

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- iii) Club or Health Centre;
 - iv) Employment Use;
 - v) Accessory retail sales to an Employment Use;
 - vi) Accessory office uses to an Employment Use;
 - vii) Recreational Use;
 - viii) Service or Repair Shop;
 - ix) One (1) Personal Service Shop having a maximum gross floor area of 185 m² per multi-unit building; and,
 - x) One Eating Establishment; or Eating Establishment - Convenience; or Eating Establishment - Take-Out, having a maximum gross floor area of 185 m² per multi-unit building, including an outdoor patio use accessory thereto subject to Section 5.1.6 of By-law 1-88;
- b) Permit only the following uses in the C7 Service Commercial Zone, with a total combined maximum Gross Floor Area of 4175m²:
- i) Convenience Retail Store;
 - ii) Bank and Financial Institution;
 - iii) Education or Training Facility;
 - iv) Eating Establishment, Eating Establishment – Convenience, Eating Establishment, Take-Out, including outdoor patio accessory thereto subject to Section 5.1.6 of by-law 1-88;
 - v) Office and Stationary Supply, Sales, Service, Rental;
 - vi) Car Rental Service;
 - vii) Print Shop Accessory Retail Sales;
 - viii) Personal Service Shop;
 - ix) Pharmacy;
 - x) Place of Entertainment;
 - xi) Tavern;
 - xii) Technical School;
 - xiii) Veterinary Clinic;
 - xiv) Video Store; and,
 - xv) Bakery.
- c) require a minimum setback of 14m to the north and west property lines as shown on Attachment #4, for all buildings and structures above or below grade, parking, fire routes, and driveways;
- d) require a minimum of 554 parking spaces;
- e) include the following definition for a “bakery”:
- “A BAKERY shall mean:
- A building or a part of a building or place having not more than 24 seats, where the baking of bakery products is permitted on the premises and where food and drink is permitted on the premises and where food and drink are prepared and offered for sale on a cafeteria-style, buffet or self serve basis for consumption within or outside of such building or place, and where customers do not eat at the same table or counter at which the food is ordered and/or obtained. Such establishment may include a take-out and a catering facility as accessory uses thereto”; and,
- f) include a clause providing that notwithstanding any future land division of the subject lands by way of consent, condominium, etc. that for the purposes of zoning conformity, the subject lands shall be deemed to be one parcel.

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**ZONING BY-LAW AMENDMENT FILE Z.09.009
MADISON BATHURST HOLDINGS LIMITED
WARD 1**

The Committee of the Whole recommends:

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

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.09.002 (Madison Bathurst Holdings Limited) BE APPROVED, specifically to amend OPA #600 to redesignate the subject lands shown on Attachments #1 and #2 from "Medium Density Residential/Commercial" to "High Density Residential/Commercial" and with the following site-specific policies to facilitate the development of a residential/commercial development shown on Attachments #3 to #5:
 - a) the maximum number of assisted living seniors retirement residence suites permitted in Phase 1 shall be 135, and 162 apartment units (seniors condominium) in Phase 2 of the subject lands;
 - b) permit a maximum building height for the assisted living seniors retirement residence in Phase 1 of 6-storeys (excluding roof top mechanical equipment and penthouse) or 25 m, whichever is lower;
 - c) permit a maximum building height for the seniors retirement residence in Phase 2 of 15-storeys (excluding the mechanical equipment and penthouse) or 52 metres, whichever is lower;
 - d) permit 651 m² of ground floor commercial uses within the 15-storey building (Phase 2);
 - e) permit accessory ground floor uses such as personal services and an eating establishment within the proposed 6-storey building (Phase 1) for the use of the residents in Phases 1 and 2;
 - f) permit a maximum density on the subject lands of a Floor Space Index (FSI) of 3.24; and,
 - g) include policies to promote sustainable site and building development features.

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2. THAT Zoning By-law Amendment File Z.09.009 (Madison Bathurst Holdings Limited) BE APPROVED, to rezone the subject lands from A Agricultural Zone to:
 - a) RA3 Apartment Residential Zone on Phase 1 of the subject lands to facilitate the development of a 6-storey building comprised of 135 assisted living seniors retirement residence suites;
 - b) RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" on Phase 2 of the subject lands to facilitate a 15-storey, 162 unit apartment (seniors condominium) building with a maximum of 651 m² of ground floor retail commercial uses;
3. THAT the implementing Zoning By-law include the following:
 - a) a definition for a "Residence Suite" located within an assisted living seniors retirement residence, as follows:

"Residence Suite – means a suite within an assisted living seniors retirement residence, in which sanitary conveniences are provided, and in which cooking facilities and the installation of cooking equipment shall not be permitted.";
 - b) permit accessory uses on the ground floor of the assisted living seniors retirement residence such as personal services and an eating establishment for the use of the residents in Phases 1 and 2;
 - c) permit the following commercial uses to a maximum combined total of 651 m² on the ground floor of the building on Phase 2:
 - one (1) Retail Store;
 - one (1) Pharmacy;
 - one (1) Day Nursery, with a maximum gross floor area of 186 m²; and,
 - d) the zoning exceptions to the RA3 Apartment Residential Zone identified in Table 1 of this Report.
4. THAT the Holding Symbol "(H)" shall not be removed from the subject lands zoned RA3(H) Apartment Residential Zone until such time as the following conditions are addressed for Phase 2 of the subject lands, to the satisfaction of the City:
 - a) that a Site Development Application for the Phase 2 portion of subject lands be approved by Vaughan Council; and,
 - b) that Vaughan Council adopt a resolution with respect to the allocation of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the City's approved Servicing Capacity Distribution Protocol in effect at the time of site plan approval, assigning capacity for the proposed 15-storey, 162 apartment unit (seniors condominium) development.
5. THAT the Owner dedicate a 4.5 m road widening along the Bathurst Street frontage to be dedicated to the Region of York for right-of-way purposes which shall be implemented through the site plan approval process.

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

Recommendation

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

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

The Committee of the Whole recommends:

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

Recommendation

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

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

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

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

Recommendation

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

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

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- 3) That the inclusion of the matter on a public Committee or Council agenda for the additional funding request for Freedom Trail Park is deemed sufficient notice pursuant to Section 2(1)(c) of Bylaw 394-2002; and,
- 4) That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

13

MULTICULTURAL FESTIVAL EVENTS

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

Recommendation

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

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

14

REMOVAL OF STOP SIGNS IN WARD 3

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Councillor DiVona, dated November 10, 2009, be approved, subject to:
 - a) adding "Avenue" after La Rocca; and
 - b) adding "Road" after Maria Antonia;
- 2) That signage advising motorists of the removal of the all-way stops be removed as soon as possible; and
- 3) That the necessary enacting by-law be brought to the Council meeting of November 24, 2009.

Recommendation

Councillor Bernie DiVona recommends:

1. That the existing all-way stop signs located on the following intersections installed by the developer be approved. Via Campanile / La Rocca; Vellore Avenue / St. Urbain Drive; and Vellore Avenue / Maria Antonia.
2. That the necessary By-law be enacted.

15

REGISTRY OF LOBBYISTS

The Committee of the Whole recommends:

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

Recommendation

Councillor Tony Carella recommends:

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

16 2010 OLYMPIC TORCH RELAY IN VAUGHAN

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

Recommendation

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

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

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

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

Recommendation

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

18 OPPI 2009 AWARD OF EXCELLENCE IN PLANNING

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

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

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

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

The Committee of the Whole recommends:

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

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

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

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

22 NEW BUSINESS – CITY OF VAUGHAN'S ORGANIZED EVENTS

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

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

23 NEW BUSINESS – VAUGHAN MILLS OUTPARCELS

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

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

The Committee of the Whole passed the following resolution:

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

1. REPORT ON COMPLIANCE WITH COUNCIL APPROVED PAY POLICY
(labour relations/employee negotiations)
2. RECOMMENDATION OF SELECTION COMMITTEE FOR THE
COMMISSIONER OF FINANCE VACANCY – SUPPLEMENTAL REPORT
(personal information about an identifiable individual)
3. SAFE CITY COMMITTEE
APPOINTMENT OF MEMBER
(personal information about an identifiable individual)
4. PARK RIDGE PARKETTE – PROPOSED RENAMING – WARD 1
(personal information about an identifiable individual)
5. ONTARIO MUNICIPAL BOARD HEARING
PLAN OF SUBDIVISION 19T-89056
F. DINARDO AND A. MIRAGLIOTTA
1101 CLARENCE STREET, WARD 2
(litigation or potential litigation)
6. ONTARIO MUNICIPAL BOARD HEARING
APPEAL OF ZONING BY-LAW 144-2009
RIOTRIN PROPERTIES (VAUGHAN) INC.
HIGHWAY 400 AND HIGHWAY 7 – WARD 4
(litigation or potential litigation)
7. PROPERTY MATTER WARD 2
SALE OF CITY LANDS
BLOCK 100, PLAN 65M-2852
GARRIOCK COURT
(acquisition or disposition of land by the municipality or local board)
8. ACCESSIBILITY ADVISORY COMMITTEE
APPOINTMENT OF CANDIDATES TO FILL VACANCY
(personal information about an identifiable individual)
9. NOMINATION FOR THE 2009 WARD 1 CIVIC HERO
(personal information about an identifiable individual)
10. SALE OF CITY LANDS WARD 3
PORTION OF BLOCK 148, REGISTERED PLAN 65M-3348
CITY OF VAUGHAN
(acquisition or disposition of land by the municipality or local board)

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The meeting adjourned at 4:55 p.m.

Respectfully submitted,

Councillor Bernie Di Vona, Chair