

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 1, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

1 ANSLEY GROVE AT PINEDALE GATE PROPOSED NO U-TURN SIGN

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, dated September 6, 2005:

Recommendation

Councillor Bernie Di Vona recommends:

That the Engineering department review the recommendations brought forth by York Regional Police regarding illegal U-Turns at the entrance to the Pinedale Gate community.

Economic Impact

Purpose

This item is in response to a request for increased enforcement, and alternatives that have been brought forth by York Regional Police to address safety concerns at the intersection of Ansley Grove at Pinedale Gate.

Background - Analysis and Options

The property manager of Downing Street Property Management Inc. is representing the residents of the Pinedale Gate Community. Since the opening of Shoppers Drug Mart at the corner of Highway 7 and Ansley Grove, this community has been inundated with a very high volume of vehicles making illegal U turns in the entrance of the complex. These are all customers of Shoppers Drug Mart that do not realize that the entrance to the drug store is located on Hwy 7. After turning onto Ansley Grove they realize that there is an island that stops them from entering into the Shoppers Drug Mart. The vehicles are naturally entering into the complex to make the immediate U-Turn. These movements can create a safety hazard for pedestrians on the sidewalk or crossing the road, as this community is composed of many young families with children.

The condominium corporation have attempted to address this issue with Shoppers Drug Mart directly, and as of this date they have yet to hear from their representatives.

Relationship to Vaughan Vision 2007

This report recommends a change from the priorities previously set by Council and the necessary resources have not been allocated.

Conclusion

The evaluation conducted by York Regional Police determined that unfortunately there is no offence under the Highway Traffic Act for turning into a driveway they do realize that this act is annoying and possibly dangerous. They have offered the following potential solutions for the Engineering departments review.

1) Sign posted that states "LOCAL TRAFFIC ONLY" - under the Highway Traffic Act, police can enforce "Disobey Sign" which is a \$110.00 fine; the only problem is that police can't be there all the time to enforce it, so there will be people still turning into the lot or making U-turns.

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2) Allow access into the pharmacy by creating an entrance from Ansley Grove; the problem is the traffic from Hwy 7 will cause congestion thus resulting in more accidents.

3) Gate off the front entrance to Pinedale Gate and have only the people who reside in that community to enter with a "swipe" or "wand" card; this would definitely work but it would be very costly.

Attachments

1. Letter from Downing Street Property Management Inc.

Report prepared by:

Laura Borello-D'avino, Council Executive Assistant

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

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Item 2, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

2 LATE PAYMENT CHARGES ON TAXES FOR LOW INCOME SENIORS

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Shefman, dated September 6, 2005:

Recommendation

Councillor Shefman recommends:

That staff prepare a report outlining the administrative capability of the City and financial impact of implementing the changes in the administration of tax arrears as suggested below.

Economic Impact

To be determined by staff once report is prepared.

Background – Analysis and Options

Some seniors in the City of Vaughan have requested that a section be added to By-law (328-2004) that would provide for senior citizens on income supplements who have not paid or are late in payment for their taxes but have agreed to a monthly payment plan. In order to receive the benefit of this rule, they would also have to have paid installments for 3 concurrent months without default. Upon meeting these requirements the penalty for late payment of taxes would be put in abeyance for the remainder of the payments unless payment becomes in default once again. If default shall reoccur, the full amount of the penalty for all months shall be incurred.

Purpose

The purpose of this staff report will be to make further recommendations regarding penalty and interest charges to assist low income seniors that may be in arrears.

Relationship to Vaughan Vision

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

Attachments

none

Report prepared by:

Debi Traub, Council Executive Assistant

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Item 3, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By approving that a pilot project to reduce litter at Canada Post community mail boxes be initiated at 5 locations, using a prototype litter/community bulletin board unit manufactured by Envirozone;

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 12, 2005; and

By receiving the report of Mayor Di Biase, dated September 6, 2005.

3 PILOT PROJECT TO REDUCE LITTER AT COMMUNITY MAIL BOXES

The Committee of the Whole recommends that this matter be referred to a future Committee of the Whole meeting for a further report addressing the concerns expressed, as soon as possible.

Recommendation

Mayor Michael Di Biase recommends that a pilot project to reduce litter at Canada Post community mail boxes be initiated at 3 locations, using a prototype litter/community bulletin board unit manufactured by Envirozone.

Economic Impact

This pilot project will be funded from the existing Parks and Public Works Department's operating budgets.

Purpose

To seek Council approval for a pilot project to reduce litter and collect recyclables near Canada Post community mail boxes.

Background - Analysis and Options

The offices of the Mayor and all Members of Council have received an increasing number of complaints regarding the amount of litter and debris that accumulates near Canada Post's community mail boxes. Despite the City's ongoing "Litterbug" anti-littering program, the City's Cash for Trash program, and other "clean city" initiatives, the problem of litter near these mail boxes continues. Therefore, it is proposed that a different approach be tested.

Working with staff of the Mayor's Office, as well as the Parks and the Public Works Departments, "Envirozone", has produced three prototype containers that are designed to capture litter and recyclables. In this case, paper would be the target recyclable material. The units also provide a space for community messages (see attachment) to be posted. The unit is made of galvanized steel, with a high quality paint applied. They are anchored into a concrete base and the rigid containers inside the unit are easily accessible for crews who are required to empty these units.

It is proposed that this combination litter/recycling container and community bulletin board be tested at the following 3 locations:

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Maple - immediately adjacent to Sherwood Park (Keele / Rutherford area)

Thornhill - along the Sugarbush Heritage Park frontage (Highway #7 at Thornhill Woods Drive)

Woodbridge - on Martin Grove (west side) between Jackman Crescent and Amaretto Court

These three locations have been identified by Parks staff as having a high incidence of complaints, and require repeated clean-ups.

It is proposed that these containers be evaluated over the next year to determine if they make a positive improvement in terms of reducing debris near the community mail boxes, and to see how well received they are by residents. If they prove successful, it would be recommended that additional units be obtained and placed in a number of other locations across the City.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council, and complies with Vaughan Vision A-3 "Safeguard Our Environment", and D-2 "Develop Internal/External Collaborative Solutions".

Conclusion

The proposed pilot project will provide an opportunity for residents to properly recycle unwanted ad-mail near their community mail boxes, and reduce litter. There is also an added benefit of a community bulletin board for posting messages of local importance.

Attachments

Prototype Container manufactured by Envirozone

(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. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By approving the following in accordance with the additional report of Regional Councillor Ferri, and Councillors Meffe, Carella and Di Vona, dated September 12, 2005:

1. ***That staff from the City of Vaughan's Public Works Department and Planning Department be authorized to attend a community meeting in the Fall of 2005, for the residents of Wards 2 and 3 to discuss a) "Greening Vaughan" strategy and b) implications of the "Places to Grow" legislation;***
2. ***That the same as above be granted to the residents of Ward 1; and***
3. ***That a City facility be used for the community meetings.***

4

STAFF ATTENDANCE AT COMMUNITY MEETING

The Committee of the Whole recommends that the following report of Regional Councillor Ferri, dated September 6, 2005, be received:

Recommendation

Regional Councillor Mario Ferri recommends:

1. That staff from the City of Vaughan's Public Works Department and Planning Department be authorized to attend a community meeting; and,
2. That a City facility be used for the community meeting.

Economic Impact

N/A

Purpose

To hold a community meeting in the fall of 2005 to present and discuss present and discuss future waste management issues, and "Places to Grow" legislation.

Background – Analysis and Options

A community meeting will be held in the fall of 2005 to present and discuss issues dealing with future waste management and Provincial planning initiatives that may well affect the City of Vaughan residents. The meeting is recommended to be held at a City facility. It is imperative that the meeting be advertised to ensure the residents are informed. It is also crucial to allow staff from the City of Vaughan's Public Works Department and Planning Department to attend this meeting to provide advice and information to the residents.

The City of Vaughan's "Greening Vaughan" initiative along with changes to the waste collection system for the City will be discussed. Furthermore, densities and forms of development will change quite dramatically with the introduction of the "Places to Grow" legislation. This meeting will offer an opportunity to discuss the matters and provide for awareness to the residents.

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Relationship to Vaughan Vision 2007

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

This relates to Vaughan Vision 2007, 4.4 Ensure City wide protection of the environment.

Conclusion

That the recommendation above be approved in order to facilitate the dispersement of accurate information to the residents of Vaughan.

Attachments

None

Report prepared by

Mario F. Ferri

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Item 5, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

5

**BY-LAW ENFORCEMENT OFFICERS
REQUEST TO ATTORNEY GENERAL**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City of Vaughan Special Constable Committee representatives - Regional Councillor Linda Jackson, Councillor Bernie Di Vona and Senior Manager By-Law Enforcement Tony Thompson, dated September 6, 2005:

Recommendation

The City of Vaughan Special Constable Committee representatives - Regional Councillor Linda Jackson, Councillor Bernie Di Vona and Senior Manager By-Law Enforcement Tony Thompson recommend:

That the City of Vaughan approve of the recommendation to amend the Municipal Act 2001 as contained herein.

That the Attorney General of Ontario, Regional Municipality of York, York Region Police Services Board and Local MPP's be notified of our approval.

Economic Impact

Purpose

That the City of Vaughan Council support the recommendation from the Special Constable Task Force for the amendment to the Municipal Act, 2001, imposing a statutory duty on individuals to identify themselves to a by-law enforcement officer, thus facilitating more effective enforcement of municipal by-laws, and that it be forwarded to the Attorney General and local MPP's for their review and approval.

Background - Analysis and Options

See Attachment 1.

The Town of Markham and Town of Richmond Hill are bringing similar recommendations to their respective Councils.

Relationship to Vaughan Vision 2007

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

Conclusion

The proposed amendments to the Municipal Act, 2001 will facilitate more effective enforcement of municipal by-laws.

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Attachments

1. Attachment 1-Backgrounder
2. Attachment 2-Proposed Amendments to Municipal Act, 2001
3. Copy of draft memo to Attorney General from David Barrow

(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. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

6 PROCEEDS FROM THE 2005 MAYOR MICHAEL DI BIASE ANNUAL CHARITY GOLF CLASSIC

The Committee of the Whole recommends that the recommendation contained in the following report of the Commissioner of Economic/Technology Development and Communications, dated September 6, 2005, be approved, subject to adding the words “and that the local charities be so informed particularly as to how applications are to be made to receive such funds”, at the end of Clause 2:

Recommendation

The Commissioner of Economic/Technology Development and Communications, in consultation with the Director of Corporate Communications, recommends:

1. That Council receive this report;
2. That Council direct staff to forward the net proceeds from the 2005 Mayor Michael Di Biase Annual Charity Golf Classic to The Michael Di Biase Charitable Foundation Inc. and that 50 per cent of these funds be allocated to the Vaughan Hospital Foundation and 50 per cent to local charities, as per a consultation with Golf Committee Chair Peter Meffe, and
3. That Ward 1 Councillor Peter Meffe be appointed Chair of the 2006 Mayor Michael Di Biase Annual Charity Golf Classic.

Economic Impact

The net proceeds from the 2005 event totaled \$135,024.22. The costs associated with this event were funded by event-specific sponsorship monies and participation fees, with the exception of staff time resources of approximately 700 hours.

Purpose

The purpose of this Report is to provide Council with a preliminary financial accounting of the 2005 Mayor Michael Di Biase Annual Charity Golf Classic and facilitate the allocation of funds to the selected charities.

Background - Analysis and Options

The Mayor Michael Di Biase Annual Charity Golf Classic, held on Monday, July 17, 2005 at Toronto Board of Trade Country Club, was an unprecedented success raising more than \$135,000 for charity. Over 300 people participated. Sponsorship support was provided by Event Sponsor Sceptre Developments, Pine View Pontiac Buick GMC, Al Palladini's Pine Tree Ford Lincoln, Mercedes-Benz Canada, Solmar, Carwell Construction Limited, Gazzola Paving, Powerstream Inc., Royal Pine Homes, Universal Workers Union Local 183, B. Gottardo Construction Ltd., KPMB Architects, and many other Vaughan businesses and individuals at various sponsorship levels. Total media impressions in support of this event totaled 1,134,426.

Total net proceeds of \$135,024.22 were generated by total donations and sponsorship monies of \$247,137.15, less event expenses of \$112,112.93.

Net proceeds from the event benefit the Michael Di Biase Charitable Foundation Inc. in support of the development of a major health-care facility and local charities in the City of Vaughan.

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Relationship to Vaughan Vision 2007

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

Conclusion

Council's approval of this recommendation to forward net proceeds from the the 2005 Mayor Michael Di Biase Annual Charity Golf Classic to The Michael Di Biase Charitable Foundation Inc. will facilitate the distribution of funds to selected charities.

Attachments

None

Report prepared by:

Madeline Zito, Director, Corporate Communications

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Item 7, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

**7 ASSUMPTION – UNITED CASTLEPOINT – PHASE 4 (PARTIAL)
 EXCLUDING MODESTO VALLEY COURT
 19T-95053 / 65M-3470, 65M-3472, 65M-3473, 65M-3474 & 65M-3475**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 6, 2005:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-3470, 65M-3472, 65M-3473, 65M-3474 and 65M-3475 excluding Modesto Valley Court and that the municipal services letter of credit be reduced to \$58,000 for the completion of road works on Modesto Valley Court.

Economic Impact

Upon assumption of this development, approximately 7 lane kilometers of roadway and 0.6 laneway kilometers associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Purpose

The subdivision has been completed and is ready to be assumed by the City.

Background - Analysis and Options

The 152 lot development is a residential subdivision. The development is located south of Major Mackenzie Drive and west of Islington Avenue as shown on Attachment 1.

The Subdivision Agreement was signed on December 1, 2000. The municipal services in Plan 65M- 3470, 65M-3472, 65M-3473, 65M-3474 and 65M-3475 were installed in June 2000 and the top course asphalt (except on Modesto Valley Court) was placed in July 2003. Modesto Valley Court consists of 12 lots. The houses on these lots are under construction and the top course asphalt and associated curb and driveway works are anticipated to be done in the spring 2006. Therefore, \$58,000 is being held back to ensure that these outstanding works are completed to the City's satisfaction.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Engineering Services, Public Works, Building Standards, Parks Development, Parks Operations and Forestry, Development Planning and Clerks. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

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Relationship to Vaughan Vision 2007

The development of this subdivision and the assumption of the municipal services is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA 600 (4.7.1). OPA policies require that development take place in accordance with the requirements and standards of the City and relevant agencies.

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

Conclusion

It is therefore appropriate that the municipal services in 65M-3470, 65M-3472, 65M-3473, 65M-3474 and 65M-3475 be assumed and the municipal services letter of credit be reduced to \$58,000. Once the outstanding works are completed and the municipal services on Modesto Valley Court assumed, the letter of credit may be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461
Commissioner of Engineering and Public Works Director of Development/ Transportation
Engineering

VR/fc

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

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Item 8, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By approving Clauses 1 and 2 of the recommendation of the Commissioner of Engineering and Public Works, dated September 6, 2005; and

By approving the following contained in the memorandum from the Commissioner of Engineering and Public Works, dated September 9, 2005:

- “1. That Council direct the City Clerk to commence Municipal Act procedures to stop-up and close a portion of Huntington Road, between McGillivray Road and Major Mackenzie Drive;***
- 2. That a By-law be enacted authorizing the Mayor and Clerk to execute a development agreement and any other necessary agreements thereto between the City of Vaughan and Canadian Pacific Railway with respect to the construction and conveyance and reconveyance of an alternate road link east of Huntington Road, in a form satisfactory to the Commissioner of Engineering and Public Works and the City Solicitor;***
- 3. Council confirms that the stopping up and closing of the portion of Huntington Road and the construction, conveyance and reconveyance with the Canadian Pacific Railway of the alternate road link is an interim temporary solution and that the ultimate solution is anticipated to be established through the planning of the adjacent road network together with the determination of the ultimate alignment for the extension of Highway 427.”***

**8 PUBLIC HIGHWAY STOP-UP AND CLOSE
HUNTINGTON ROAD
CLOSURE AND IMPLEMENTATION OF A TEMPORARY ALTERNATIVE ROAD LINK BETWEEN
MAJOR MACKENZIE DRIVE AND MCGILLIVRAY ROAD**

The Committee of the Whole recommends that this matter be referred to the Council meeting of September 12, 2005, and that staff report on revisions to Clause 2 of the recommendation that better identifies the closure as a temporary measure.

Recommendation

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

- 1. That Council direct the City Clerk to commence Municipal Act procedures to stop-up and close a portion of Huntington Road, between McGillivray and Major Mackenzie Drive.**
- 2. That a By-law be enacted authorizing the Mayor and Clerk to execute a development agreement and any other necessary agreements thereto between the City of Vaughan and Canadian Pacific Railway with respect to the construction and conveyance and reconveyance of an alternate road link east of Huntington Road, in a form satisfactory to the Commissioner of Engineering and Public Works and the City Solicitor.**

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Economic Impact

There is no economic impact to the City. The road closure will result in an alternate link being constructed at full costs to Canadian Pacific Railway (CPR). The length of roadway that needs to be maintained will be the same as the portion proposed to be stopped up and closed.

Purpose

To seek Council's approval to commence procedures pursuant to the Municipal Act to stop up and close Huntington Road between McGillivray Road and Major Mackenzie Drive, and the subsequent construction of a new temporary alternate road linking McGillivray Road to Huntington Road. This undertaking is proposed to facilitate the planned expansion of the Canadian Pacific Railway – Vaughan Intermodal Terminal.

Background - Analysis and Options

The Canadian Pacific Railway operates the Vaughan Intermodal Terminal that is bounded by Regional Road 50, Huntington Road, Rutherford Road and Major Mackenzie Drive. This CPR Intermodal Terminal facility in Vaughan is CPR's largest in Canada. The Terminal currently has only a single spur line that connects the Terminal to the main railway line. This spur line is located at the north end of the Intermodal site and crosses Huntington Road at-grade just south of Major Mackenzie Drive.

To meet the growing demand for intermodal transportation, CPR has developed plans to expand its operations at the Vaughan Intermodal Terminal including increasing the number and length of the trains. To accommodate these operational changes, it is anticipated that shunting activities at the existing Huntington Road at-grade crossing will increase resulting in longer and more frequent periods of time when Huntington Road is blocked to motorists and emergency vehicles responding to incidents in the area. Currently, approximately 350 vehicles per day cross the railway tracks at Huntington Road, the majority of which are not generated by local residents. There are six local driveways fronting on to Huntington Road between Major Mackenzie Drive and Rutherford Road. The terminal operates 24 hours a day. On average, there are approximately 31 railway movements per day in and out of the terminal. It takes between 5 to 30 minutes for a train to traverse the existing road crossing at Huntington Road.

EA Process and Public Consultation

A Schedule "B" Class Municipal Environmental Assessment study was undertaken by CPR for the closure of Huntington Road between Major Mackenzie Drive and McGillivray Road and the implementation of an alternative temporary road link east of Huntington Road. This study was done to facilitate Canadian Pacific Railway's plans to expand its operation at the Vaughan Intermodal Terminal. The Class EA process examined many potential alternative solutions including the "Do Nothing" and grade separation options. The EA was commenced in October 2003 and completed in May 2004. A Public Information Centre took place in February 2004. The recommended alternative that came out of the Environmental Assessment study was the temporary closure of the above-described portion of Huntington Road and the construction of a north-south link east of Huntington Road between Major Mackenzie Drive and McGillivray Road, as shown on Attachment 1. Most people who attended the Public Information Centre acknowledged the periodic delays for vehicles traveling on Huntington Road caused by trains temporarily blocking the existing at-grade railway crossing. Most of the local residents spoke of the frequency and duration of delays, and the lack of a reasonable alternate route. There was overall acceptance of the need for a solution which would improve traffic operations while maintaining efficiency in train movement at the CPR Intermodal Terminal.

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This alternative link connecting Major Mackenzie Drive and McGillivray Road would address the operational requirements of the Vaughan Intermodal Terminal and minimize the potential delays to motorists. The proposed closure of Huntington Road and the new link to be located approximately 660 metres east of Huntington Road is intended to serve as a short-term solution to the needs of the Vaughan Intermodal Terminal. It is anticipated that the new link will be a temporary arrangement for approximately 5 to 8 years. The ultimate solution to this situation is anticipated to be established through the planning of the road network within the adjacent employment lands designated under the Regional Official Plan Amendment No. 19, together with the determination of the ultimate alignment for the extension of Highway 427. Currently the vicinity of the subject area is designated rural.

The recommended alternative that came out of the EA study had support from the Vaughan Fire Department, the York Region Police Department and EMS services during the EA process. Canadian Pacific Railway has committed to pay all costs relating to the construction of the new road link, and its subsequent transfer of ownership to the City. The approximate detour time is 5 to 6 minutes longer than the existing straight through route. The new road will be built on CPR lands to City standards. Once the construction is completed, the ownership of the road will be transferred to the City during the temporary arrangement of 5 to 8 years, and when it is no longer required, the lands will be re-conveyed back to CPR. Canadian Pacific Railway will enter into a development agreement with the City with respect to the construction of the road, the conveyance of lands to the City and re-conveyance of the lands back to CPR, preparation of plans, and the responsibilities and limitations to the City. It is estimated that construction of the new road link will take 4 to 8 months to complete. Once the new road is constructed, Huntington Road will then be closed between Major Mackenzie Drive and McGillivray Road.

Relationship to Vaughan Vision 2007

This stop-up and closure of a portion of Huntington Road is consistent with Vaughan Vision 2007 as to establish the appropriate infrastructure required to retain and attract business (2.2.3), ensure growth does not outpace the road network infrastructure (3.2.3) and that adequate and effective road networks are provided for and maintained.

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

Conclusion

It is recommended that the proceedings commence to stop-up and close the portion of Huntington Road between Major Mackenzie Drive and McGillivray Road. Once the proceedings are completed and the development agreement is in place, the construction of a new temporary alternate road link east of Huntington Road can begin. Canadian Pacific Railway shall be responsible for all costs associated with the construction of the new roadway and its ownership transfer to the City.

Attachments

1. Location Map

Report prepared by

Milan Jekic, Acting Development Supervisor, Engineering Planning & Studies, ext. 8742

MJ/fc

(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. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

9

**SUNSET RIDGE AND KISTLER STREET
PROPOSED ALL-WAY STOP CONTROL**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 6, 2005:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That an all-way stop control not be installed at the intersection of Sunset Ridge and Kistler Street.

Economic Impact

Not applicable.

Purpose

To review the feasibility of implementing an all-way stop control at the intersection of Sunset Ridge and Kistler Street, in response to direction from Council.

Background - Analysis and Options

At its meeting on June 27, 2005 Council directed:

“Councillor Tony Carella recommends staff be directed to prepare a report on the feasibility of installing a three-way stop sign at the intersection of Sunset Ridge and Kistler Street.”

Sunset Ridge is a local road with a 20.0 metre right-of-way width and two travel lanes. Kistler Street is a local road with a 15.0 metre right-of-way and two travel lanes. The intersection of Sunset Ridge and Kistler Street has a raised intersection feature. The posted speed limit on Sunset Ridge is 40 km/h, and Kistler Street is a statutory 50 km/h. The north leg of the intersection provides vehicle access to the Woodbridge Expansion Area District Park. The existing stop controls are located on Kistler Street, at the subject intersection. The area is shown on Attachment No. 1.

Staff conducted a turning movement count on Thursday, July 14, 2005 at the subject intersection during peak travel periods. The traffic counts were conducted from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. The collected traffic volumes compared to the Provincial Warrant for All-Way Stop Control are as shown below:

- | | |
|---|---------------|
| • Warrant 1 – Minimum Vehicular Volumes | Warranted 40% |
| • Warrant 2 – Accident Hazard | Warranted 0% |
| • Warrant 3 – Sight Restriction | Warranted 0% |

For an all-way stop control to be warranted, one or more of the 3 warrants must be satisfied 100% or more. The results of the turning movement counts do not meet the requirements of the Provincial Warrant for All-Way Stop Control. The above results reflect the highest peak traffic hour at this intersection.

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There is no sight distance restrictions noted at this intersection and there were zero reported vehicle collisions in the past year.

Staff note that while pedestrian counts were not undertaken in the immediate area, the recent opening of the Woodbridge Expansion Area District Park has seen a rise in pedestrian activity. In this regard, pedestrian warning signs were installed in July 2005 to caution motorists traveling along Sunset Ridge in advance of the intersection.

Relationship to Vaughan Vision 2007

This traffic study is consistent with Vaughan Vision 2007 as to identify and implement innovative traffic management alternatives to improve general traffic safety (1.1.3).

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

Conclusion

Based on staff's review, it is recommended that an all-way stop control not be installed at the intersection of Sunset Ridge and Kistler Street.

Attachments

1. Location Map

Report prepared by

Mark Ranstoller, Senior Traffic Technologist, ext. 8251
Mike Dokman, Supervisor, Traffic Engineering, ext. 8031

MR:mc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 10, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By replacing "Councillor Shefman" in Clause 2 of the Committee of the Whole recommendation with "Councillor Carella".

10

ONTARIO TRAFFIC CONFERENCE APPOINTEES

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 6, 2005, be approved; and
- 2) That Councillor Yeung Racco and Councillor Shefman be selected to attend the Ontario Traffic Conference.

Recommendation

The Commissioner of Engineering and Public Works, in consultation with the Commissioner of Legal and Administrative Services, recommends:

That in addition to two representatives from Engineering and Public Works and two representatives from the Enforcement Services Department, two Councillors be selected to represent the City of Vaughan as members of the Ontario Traffic Conference.

Economic Impact

Not applicable.

Purpose

To select Council representatives on the Ontario Traffic Conference.

Background - Analysis and Options

The Ontario Traffic Conference (OTC) is an association that develops and promotes expertise regarding traffic matters in Ontario. The Region of York pays the OTC an annual fee so that its constituent municipalities can be represented. Membership entitles each municipality to a vote at the OTC Annual Convention, receipt of the "Ontario Traffic" magazine, and a listing on the OTC website.

The OTC has requested confirmation of the City's representatives for 2005 in a recent letter. Most municipalities appoint two engineering/technical staff, two traffic and safety personnel, and two elected officials as members of the Ontario Traffic Conference. Previously, the City's representatives were Linda Jackson, Regional Councillor, Sandra Yeung Racco, Councillor, Ward 4, Tony Thompson, Senior Manager, By-Law Enforcement, Dave Madore, Supervisor of Parking and Sign Control, Bill Robinson, Commissioner of Engineering and Public Works, and Mike Dokman, Supervisor of Traffic Engineering.

The confirmed representatives so far for this year are:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 10, CW Report No. 46 – Page 2

1. Tony Thompson, Senior Manager, By-Law Enforcement;
2. Dave Madore, Supervisor of Parking and Sign Control;
3. Mike Dokman, Supervisor of Traffic Engineering
4. Bill Robinson, Commissioner of Engineering and Public Works;

It is recommended that two elected officials be selected to complete the list of appointees.

Relationship to Vaughan Vision 2007

This report is consistent with Vaughan Vision 2007 which seeks to ensure excellence in public administration (5.2), strengthen relationship with other government authorities and agencies (5.3) and to focus on transportation and transit infrastructure (3).

This report is consistent with the priorities previously set by Council and the allocation of additional resources is not required.

Report prepared by

Amanda Guida, Administrative Coordinator, Ext 8248

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 11, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

11

**VAUGHAN TRANSFER AND RECYCLING INC. –
AMENDMENT TO CERTIFICATE OF APPROVAL NO. A680333**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 6, 2005:

Recommendation

The Commissioner of Engineering and Public Works recommends that:

1. The City advise the Ministry of Environment that it has no objections to the request from Vaughan Transfer and Recycling Inc. to the Ministry of the Environment, that would allow for an increase in the amount of tonnage received at their 650 Creditstone Road facility from 500 to 800 tonnes per day, and outbound tonnage increased from 300 to 600 tonnes per day, and storage be increased from 550 to 800 tonnes, and,
2. Copies of this report and Council's resolution be sent to: Mr. Andrew Mobberley, Waste Evaluator, Environmental Assessment and Approvals Branch, 2 St. Clair Avenue West, Floor 12A, Toronto, Ontario, M4V 1L5.

Economic Impact

There is no economic impact on the City's Operating or Capital budgets as a result of the recommendations contained in this report being approved.

Purpose

To advise Council that the MOE has decided not to designate this facility under the Environmental Assessment Act (E.A.A.), and to confirm Council's previous position regarding the request by Vaughan Transfer and Recycling Inc.'s proposal to increase the amount of tonnage handled at their facility located at No. 650 Creditstone Road.

Background - Analysis and Options

Vaughan Transfer and Recycling Inc. submitted a request to the Ministry of the Environment (MOE) to allow for an increase in the amount of waste processed at their facility located at No. 650 Creditstone Road. The request, if granted by the MOE, would allow for an increase in tonnage received from 500 to 800 tonnes per day. Accordingly, the outbound tonnage would increase from 300 to 600 tonnes per day, and the storage would also increase from 550 to 800 tonnes.

This request was the matter of a previous report to Council in February of this year. At that time, Council approved the following:

"The request from Vaughan Transfer and Recycling's to the Ministry of the Environment that would allow for an increase in the amount of tonnage received at their 650 Creditstone Road facility from 500 to 800 tonnes per day, and outbound tonnage increased from 300 to 600 tonnes per day, and storage be increased from 550 to 800 tonnes, should not be considered for designation under the Environmental Assessment Act; and,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 11, CW Report No. 46 – Page 2

Copies of this report and Council's resolution be sent to: Mr. Kevin Plautz, Project Officer, Environmental Assessment Project Coordination Section, Environmental Assessment and Approvals Branch, 2 St. Clair Avenue West, Floor 12A, Toronto, Ontario, M4V 1L5."

Vaughan Transfer and Recycling Inc. is located on a 6 hectare parcel of land fronting on Creditstone Road.

The facility received approval for operation from the MOE in 1999 to process 500 tonnes of solid non-hazardous Industrial / Commercial / Institutional waste, including construction and demolition waste, per day. The facility is located in an "EM2" zone, which permits waste transfer and processing operations. All waste processing takes place inside the building, and the building is equipped with an odour control system.

Approximately 80% of the waste is received at this site arrives in roll-off trucks, and 20% arrives in front end trucks. The requested increase in tonnage would amount to approximately 60 additional collection vehicle movements at the site per day. In terms of transfer vehicles hauling out of the site, the increase would amount to 14 additional vehicle movements. In total, the increased tonnage would amount to 74 additional vehicle movements (both in and out), per day.

During the City of Toronto strike in 2002, this facility received an emergency Certificate of Approval amendment from the MOE to allow for up to 800 tonnes per day of waste to be received and processed at this facility. During the strike, no objections or complaints were received. As a result, Vaughan Transfer and Recycling Inc. requested that this increased tonnage be made permanent. Vaughan Transfer and Recycling Inc.'s request was posted for 30 days on the Environmental Bill of Rights, and the MOE received no objections.

The MOE had the option of requiring this request be designated under the Environmental Assessment Act (EAA), as any site handling over 300 tonnes per day may be considered for such designation. However, in a letter dated August 3, 2005, to the City Clerk, the MOE has decided not to designate this facility under the E.A.A. As such, it is now following the approvals process set out under the Environmental Protection Act. (E.P.A.)

This site has operated since 1999 with a tonnage limit above the 300 tonnes per day threshold without incident or complaint. As such, there is no technical reason, from a City staff perspective, to object to this request. As such, it is recommended that the Ministry of the Environment be advised that the City has no objections to the request made by Vaughan Transfer and Recycling Inc. to increase the on-site storage, and the inbound and outbound waste flows. It is also recommended that copies of this report and Council's resolution be sent to the MOE.

Relationship to Vaughan Vision 2007

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

Conclusion

The site is an established waste processing and transfer facility in the City that operates in an enclosed building. With the closure of the Keele Valley Landfill, it provides a service to the many businesses located in and around Vaughan. The requested increase in tonnage would permit more materials to be processed for recycling at this site.

Given there is no technical reason to object to the request made by Vaughan Transfer and Recycling Inc., it is recommended that Council advise the MOE of such.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 11, CW Report No. 46 – Page 3

Attachments

1. Location Map

Report prepared by:

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

(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 SEPTEMBER 12, 2005

Item 12, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

12 TENDER AWARD – T05-101 CATHODIC WATERMAIN PROTECTION PROGRAM

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 6, 2005:

Recommendation

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

1. That Tender T05-101 be awarded to C.P. Systems O/B 1460973 Ontario Limited at a contract value of \$326,190.00; and
2. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

The approved 2005 Capital Budget provides \$318,000 for the Public Works Department to perform cathodic protection of watermains which, combined to the remaining \$26,443.40 left from previous years, provides sufficient funding to fulfill year one of this contract.

Purpose

To award Tender T05-101 for Watermain Protection.

Background - Analysis and Options

In 2003, the City of Vaughan introduced a Watermain Protection Program to extend the service life of ductile and cast iron watermains with the placement of sacrificial anodes. Staff compiled an inventory of the areas where ductile and cast iron watermains are currently in place and have prioritized these locations based on the number of main break occurrences in each section. In the first two years of the program, Public Works has protected 19.2 kms of the City's ductile and cast iron watermain. It is anticipated that an additional 11 kms will be protected in 2005.

Tender T05-101 was advertised on June 9, 2005 in the Daily Commercial News, on OPBA and on the Electronic Tendering Network (ETN), and closed on June 23, 2005. A total of two documents were picked up from the Purchasing Department, with a total of two bids submitted.

The following are the results of the tender opening:

BID RESULTS FOR T05-101 WATERMAIN PROTECTION		
Bid Rating	Contractor	Total Before G.S.T.
1.	C.P. Systems	\$326,190.00
2.	Trisan Construction	\$367,066.00

The contract is for a one year period with a one year optional extension period based on the City of Vaughan's satisfaction with the contractor's performance, and the approval of funding.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 12, CW Report No. 46 – Page 2

Staff have checked the bids for mathematical errors and checked references. C.P. Systems, under the name of Taunton Construction has installed sacrificial anodes for the City of Vaughan for the last two years to staff's satisfaction. Accordingly, it would be appropriate to award contract T05-101 to C.P. Systems.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council, specifically Vaughan Vision A-3 "Safeguard Our Environment", and B-3 "Revitalize Infrastructure".

Conclusion

Contract T05-101 "Watermain Protection" will provide for the preservation of the City's cast and ductile iron watermain infrastructure, and assist in the uninterrupted supply of water to the City's residents.

Based on prices submitted and the positive reputation of the company, it is recommended that Tender T05-101 for Watermain Protection be awarded to C.P. Systems

Attachments

None

Report prepared by:

Odette McIntyre, C. Tech
Municipal Services Technician

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 13, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

13

**PROCLAMATION REQUEST –
CANADA'S CITIZENSHIP WEEK**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated September 6, 2005, be approved; and
- 2) That the Minister of Citizenship and Immigration be requested to consider waiving any fee charged to Seniors, defined as those 65 years of age or over, as part of the naturalization process.

Recommendation

The City Clerk recommends:

- 1) That October 17 – 23, 2005 be proclaimed as “Canada's Citizenship Week” and
- 2) That the proclamation be posted on the City's website, published on the City Page, space permitting, and that staff issue a news release.

Economic Impact

N/A

Purpose

To respond to the request received from the Minister of Citizenship and Immigration.

Background - Analysis and Options

The correspondence received from the Minister of Citizenship and Immigration, dated August 2005 is attached (Attachment #1).

The proclamation request meets one of the requirements of the City's Proclamation Policy, namely, “*if the event, campaign or declaration is directly related to matters over which the City has jurisdiction or the City directly sponsors the event, campaign or other matter*”.

The Minister of Citizenship and Immigration has requested the City publicize this proclamation to provide an opportunity to reflect on the value of citizenship and immigration and to focus on the privileges, rights, responsibilities and obligations of citizenship. The Corporate Communications Department posts proclamations issued by the City on the City's website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 13, CW Report No. 46 – Page 2

Conclusion

Staff is recommending October 17 – 23, 2005 be proclaimed as “Canada’s Citizenship Week” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from the Minister of Citizenship and Immigration,
dated August 2005

Report prepared by

John D. Leach, City Clerk

(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 SEPTEMBER 12, 2005

Item 14, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

14 **PROCLAMATION REQUEST –**
CHILD CARE WORKER & EARLY CHILDHOOD EDUCATOR APPRECIATION DAY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated September 6, 2005:

Recommendation

The City Clerk recommends:

- 1) That October 26, 2005 be proclaimed as “Child Care Worker & Early Childhood Educator Appreciation Day” and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

Economic Impact

N/A

Purpose

To respond to the request received from the President, Ontario Coalition for Better Child Care (OCBCC) and the President, Ontario Division of Canadian Union of Public Employees (CUPE).

Background - Analysis and Options

The correspondence received from the President, Ontario Coalition for Better Child Care (OCBCC) and the President, Ontario Division of Canadian Union of Public Employees (CUPE), dated July 20, 2005 is attached (Attachment #1).

The proclamation request meets one of the requirements of the City’s Proclamation Policy, namely, “*That upon request, the City of Vaughan issue proclamations for events, campaigns or other similar matters which are promoted by an organization that is a registered charity pursuant to Section 248 of the Income Tax Act*”. The OCBCC is so registered.

The President, Ontario Coalition for Better Child Care (OCBCC) and the President, Ontario Division of Canadian Union of Public Employees (CUPE) have requested the City publicize this proclamation to allow the community to recognize the influence, dedication and commitment of child care workers to children and their families. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 14, CW Report No. 46 – Page 2

Conclusion

Staff is recommending October 26, 2005 be proclaimed as “Child Care Worker & Early Childhood Educator Appreciation Day” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from the President, Ontario Coalition for Better Child Care (OCBCC) and the President, Ontario Division of Canadian Union of Public Employees, dated July 20, 2005

Report prepared by:

John D. Leach, City Clerk

(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 SEPTEMBER 12, 2005

Item 15, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

15

**PROCLAMATION REQUEST -
CHARACTER COMMUNITY DAY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated September 6, 2005:

Recommendation

The City Clerk recommends:

- 1) That October 19, 2005 be proclaimed as "Character Community Day" and
- 2) That the proclamation be posted on the City's website, published on the City Page, space permitting, and that staff issue a news release.

Economic Impact

N/A

Purpose

To respond to the request received from the Character Community Foundation of York Region.

Background - Analysis and Options

The correspondence received from the Character Community Foundation of York Region, dated May 31, 2005, is attached (Attachment #1).

The proclamation request meets the requirements of the City's Proclamation Policy: *"That upon request, the City of Vaughan issue proclamations if the event, campaigns or declaration is directly related to matters over which the City has jurisdiction or the City directly sponsors the event, campaign or other matter"*.

The Character Community Foundation of York Region has requested the City publicize this proclamation to promote the importance of fostering and demonstrating good character and provide the opportunity for business, education, community organizations, and families in Vaughan to focus on the character attributes and the importance of incorporating good character into everyday actions and interactions. The City of Vaughan is designated as a Character Community and Council has approved this proclamation in the past.

The Corporate Communications Department posts proclamations issued by the City on the City's website under "Events – Proclamations". Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 15, CW Report No. 46 – Page 2

Conclusion

Staff is recommending October 19, 2005 be proclaimed as “Character Community Day” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from the Character Community Foundation of York Region, dated May 31, 2005

Report prepared by:

John D. Leach, City Clerk

(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 SEPTEMBER 12, 2005

Item 16, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

16

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-14
OWNER: METRUS PROPERTIES
LOCATION: 205 MARYCROFT AVENUE
LOT 13, PLAN 65M-2333, CONCESSION 6**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated September 6, 2005:

Recommendation

That Sign Variance Application SV.05-14, Metrus Properties, be APPROVED as proposed.

Economic Impact

None.

Purpose

Request to install a ground sign having a sign dimension of 6.5 m in height as shown on the attached drawings.

Background- Analysis and Options

By-Law Requirements (203-92, as amended)

6.5 (b) No ground sign shall exceed 5.0 m in any dimension of the sign face.

Relationship to Vaughan Vision 2007

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

Conclusion

The By-law permits a maximum sign height of 5m. The applicant is proposing a sign height of 6.5m.

Committee members have no objections to the ground sign as proposed, and are of the opinion that the general intent and purpose of the sign by-law is being maintained.

Upon approval of the sign variance by Council, a Sign Permit is required to be issued by the Building Standards Department.

Attachments

1. Location Map
2. Sketch of Sign

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 16, CW Report No. 46 – Page 2

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/as

(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 SEPTEMBER 12, 2005

Item 17, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By approving the recommendation of the Sign Variance Committee, dated September 6, 2005.

17

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-15
OWNER: ASSOCIATED VAUGHAN PROPERTIES
LOCATION: 330 STEELES AVENUE, UNIT #A1
LOT 19, PLAN M-1607**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of September 12, 2005; and
- 2) That the deputation of Mr. David Adam, Zip Signs, Boardzone, 330 Steeles Avenue, Vaughan, L4J 6X6, be received.

Recommendation

That Sign Variance Application SV.05-15, Associated Vaughan Properties, be REFUSED.

Economic Impact

None.

Purpose

Request to install a roof sign as shown on the attached drawings.

Background - Analysis and Options

By-Law Requirements (203-92, as amended)

- 5.8 No person shall erect, install, post, display, maintain or keep on a premises any roof signs and signs erected in part or entirely above the roof of a building or structure.

Relationship to Vaughan Vision 2007

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

Conclusion

The By-law does not permit a roof sign or any sign erected in part or entirely above the roof of a building or structure.

Committee members do not support the sign variance application. Members are of the opinion that the proposed sign detracts considerably from the architectural of the building, and the sign should be relocated to the sign band area located below the roof and above the expanse of windows.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 17, CW Report No. 46 – Page 2

Attachments

1. Sketch of Sign

Report prepared by

John Studdy, Manager of Customer & Administrative Services

/as

(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 SEPTEMBER 12, 2005

Item 18, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By approving the recommendation of the Sign Variance Committee, dated September 6, 2005.

18

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-16
OWNER: ASSOCIATED VAUGHAN PROPERTIES
LOCATION: 330 STEELES AVENUE, UNIT #1
LOT 19, PLAN M-1607**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of September 12, 2005; and
- 2) That the following deputations and photographs be received;
 - a) Mr. David Adam, Zip Signs, Boardzone, 330 Steeles Avenue, Vaughan, L4J 6X6, and photographs; and
 - b) Mr. Neil Treadway, Listen Up, 330 Steeles Avenue, Vaughan, L4J 6X6.

Recommendation

That Sign Variance Application SV.05-16, Associated Vaughan Properties, be REFUSED.

Economic Impact

None.

Purpose

Request to install a roof sign as shown on the attached drawings.

Background - Analysis and Options

By-Law Requirements (203-92, as amended)

5.8 No person shall erect, install, post, display, maintain or keep on a premises any roof signs and signs erected in part or entirely above the roof of a building or structure.

Relationship to Vaughan Vision 2007

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

Conclusion

The By-law does not permit a roof sign or any signs erected in part or entirely above the roof of a building or structure.

Committee members do not support the sign variance application. Members are of the opinion that the proposed sign detracts considerably from the architectural of the building, and the proposed sign should be relocated to the sign band area located below the roof and above the expanse of windows.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 18, CW Report No. 46 – Page 2

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

Attachments

1. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/as

(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 SEPTEMBER 12, 2005

Item 19, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

19

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-17
OWNER: CANADIAN TIRE REAL ESTATE LTD.
LOCATION: CANADIAN TIRE STORE #237 WOODBRIDGE
3850 HIGHWAY 7
LOT 19, PLAN M-1607**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated September 6, 2005:

Recommendation

That Sign Variance Application SV.05-17, Canadian Tire Store #237 Woodbridge, be APPROVED as proposed.

Economic Impact

None.

Purpose

Request to install signage not in accordance with the site plan agreement as shown on the attached drawings.

Background - Analysis and Options

By-Law Requirements (203-92, as amended)

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

Relationship to Vaughan Vision 2007

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

Conclusion

The By-law permits only those wall signs shown on the approved site plan agreement. The applicant is proposing to install additional wall signs onto the west elevation of the existing building as shown on the attached drawings.

Committee members have no objections to the application as submitted, and are of the opinion that the general intent and purpose of the sign by-law is being maintained.

Upon approval of the sign variance by Council, a Sign Permit is required to be issued by the Building Standards Department.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 19, CW Report No. 46 – Page 2

Attachments

1. Location Map
2. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/as

(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 Ferri declared an interest with respect to the foregoing matter as his daughter is employed by Canadian Tire, and did not take part in the discussion or vote on this matter.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 20, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

20

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-18
OWNER: CANADIAN TIRE REAL ESTATE LTD.
LOCATION: CANADIAN TIRE STORE #653
3200 RUTHERFORD ROAD
LOT 16, CONCESSION 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated September 6, 2005:

Recommendation

That Sign Variance Application SV.05-18, Canadian Tire Store #653, be APPROVED as proposed.

Economic Impact

None.

Purpose

Request to install signage not in accordance with the site plan agreement as shown on the attached drawings.

Background - Analysis and Options

By-Law Requirements (203-92, as amended)

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

Relationship to Vaughan Vision 2007

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

Conclusion

The By-law permits only those wall signs shown on the approved site plan agreement. The applicant is proposing to install additional wall signs onto the south elevation of the existing building as shown on the attached drawings.

Committee members have no objections to the application as submitted, and are of the opinion that the general intent and purpose of the sign by-law is being maintained.

Upon approval of the sign variance by Council, a Sign Permit is required to be issued by the Building Standards Department.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

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Attachments

1. Location Map
2. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/as

(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 Ferri declared an interest with respect to the foregoing matter as his daughter is employed by Canadian Tire, and did not take part in the discussion or vote on this matter.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 21, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

21

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-19
OWNER: ANNA MOSER HOLDINGS INC.
LOCATION: 7756 YONGE STREET
LOT 31, CONCESSION 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated September 6, 2005:

Recommendation

That Sign Variance Application SV.05-19, Anna Moser Holdings Inc., be APPROVED, subject to the following conditions:

1. The "Timothy's" wall sign be reduced in height from 36" to 30" to match that of the proposed Mac's sign;
2. The Mac's sign employ a similar design as the "Timothy's" i.e. non-illuminated projection awning with goose-neck lighting, so that both signs are aesthetically co-ordinated; and
3. The colour schemes for both signs should be co-ordinated.

That the owner also, consider adding shrubs or other landscaping features at the base of the existing pylon sign to "soften" the appearance of the sign.

Economic Impact

None.

Purpose

Request to install two wall signs having an area of 6.2 sq m and 4 sq m respectively as shown on the attached drawings.

Background- Analysis and Options

By-Law Requirements (203-92, as amended)

- 11.4 The area of wall signs shall not exceed 0.25 sq m of sign area per linear horizontal metre of exterior wall upon which such sign is located. No sign shall exceed 1.25 sq m in sign area.

Relationship to Vaughan Vision 2007

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

Conclusion

The subject property is located within the Thornhill Heritage Conservation District.

CITY OF VAUGHAN

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Item 21, CW Report No. 46 – Page 2

Heritage Vaughan at its June 22, 2005 meeting passed the following motion respecting the sign variance application:

1. The “Timothy’s” wall sign be reduced to the same size (to 30 inches) as the Mac’s signage on the unit in order to maintain a consistent sign band along the building.
2. All wall signage be externally illuminated (gooseneck spotlights as proposed are fine, no internally illuminated signage for the wall sign).
3. The signage proposed for the pylon sign be non-illuminated.

That existing pylon sign be altered to appear “softer” in design by adding wood siding on its exterior and also shrubs be planted at its base

Committee members concur with the recommendations from Heritage Vaughan with the exception of the condition respecting the non-illumination of the pylon sign. Committee member noted that this sign is existing and not subject to the sign variance application.

Upon approval of the sign variance by Council, a Sign Permit is required to be issued by the Building Standards Department.

Attachments

1. Site Plan
2. Sketch of Sign - Timothy’s
3. Sketch of Sign - Mac’s

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/as

(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 SEPTEMBER 12, 2005

Item 22, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

22

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-20
OWNER: RIOCAN REAL ESTATE INVESTMENT TRUST
LOCATION: 31 COLOSSUS DRIVE
UNIT 107, WOODBRIDGE
LOT 4-5, CONCESSION 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated September 6, 2005:

Recommendation

That Sign Variance Application SV.05-20, Riocan Real Estate Investment Trust, be APPROVED, subject to the following conditions:

1. The front sign, "Quiznos" should be in green and "Sub" should be in red.
2. The rear sign be reduced in size by 30%.

Economic Impact

None.

Purpose

Request to install a projecting sign as opposed to a wall sign at the front of the unit and a wall sign at the rear of the unit not in accordance with the site plan agreement and as shown on the attached drawings.

Background- Analysis and Options

By-Law Requirements (203-92, as amended)

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

Relationship to Vaughan Vision 2007

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

Conclusion

The By-law permits only those wall signs shown/approved on the site plan agreement. The applicant is proposing to install a projecting sign on the front of the unit and a wall sign on the rear of the unit as shown on the attached drawings.

Committee members have no objections to the application subject to the sign proposed at the rear of the building being reduced by 30% to minimize it's impact on the surrounding units and that the Quiznos" be in green and "Sub" should be in red to better co-ordinate with the rest of the development.

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EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 22, CW Report No. 46 – Page 2

Upon approval of the sign variance by Council, a Sign Permit is required to be issued by the Building Standards Department.

Attachments

1. Location Map
2. Sketch of Sign - SP1
3. Sketch of Sign - SP2

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/as

(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 SEPTEMBER 12, 2005

Item 23, Report No. 46, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on September 12, 2005, was dealt with by approving:

That this matter be referred to staff for further comments from York Region.

23

**SIGN VARIANCE APPLICATION
FILE NO: SV.05-21
OWNER: ROBERTO CLAUSI
LOCATION: 4855 HIGHWAY NO. 7
LOT 5, PLAN 9831, CONCESSION 7**

The Committee of the Whole recommends that this matter be referred to the Committee of the Whole meeting of September 19, 2005.

Recommendation

That Sign Variance Application SV.05-21, Roberto Clausi, be APPROVED, as proposed.

Economic Impact

None.

Purpose

Request to install a wall sign on the north and east elevations having areas of 1.0 sq m and 1.8 sq m respectively and permit the maintenance of an existing ground sign having an area of 1.2 sq m as shown on the attached drawings.

Background- Analysis and Options

By-Law Requirements (203-92, as amended)

7.1 (a) A sign containing the name, address and profession of a resident or occupant, not more than 0.2 sq m in sign area and shall not include any commercial advertising.

Relationship to Vaughan Vision 2007

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

Conclusion

The By-law permits a sign area of 0.2 sq m per single sign face. The applicant is proposing a sign area of 1.0 sq m and 1.8 sq m respectively for each of the signs on the north and east elevations. The applicant is also proposing to maintain the existing ground sign having an area of 1.2 sq m for which a permit was issued in error in 1996.

Committee members have no objections to the application as submitted and are of the opinion that the general intent and purpose of the sign by-law is being maintained.

Upon approval of the sign variance by Council, a Sign Permit is required to be issued by the Building Standards Department.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 23, CW Report No. 46 – Page 2

Attachments

1. Site Plan
2. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/as

(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 SEPTEMBER 12, 2005

Item 24, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

24

**ARCHITECTURAL DESIGN (CONTROL) GUIDELINES
AND APPROVAL OF CONTROL ARCHITECT
BLOCK 11 COMMUNITY PLAN
FILE BL.11.2001**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 6, 2005:

Recommendation

The Commissioner of Planning recommends:

1. THAT the Architectural Design Guidelines for the Block 11 Community, prepared by John G. Williams Limited, Architect, BE APPROVED; and,
2. THAT John G. Williams Limited, Architect, BE APPROVED as the Control Architect for the Block 11 Community.

Economic Impact

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

Purpose

The purpose of this report is to obtain Council approval on the Architectural Design Guidelines and Control Architect for the Block 11 Community.

Background – Analysis and Options

The Block 11 Community is bounded by Rutherford Road to the south, Major Mackenzie Drive to the north, Dufferin Street to the west and Bathurst Street to the east, comprising Lots 16 to 20, Concession 2, City of Vaughan, as shown on Attachment #1.

The approved Block Plan provides for a community with a diversity of land uses including low and medium density residential, neighbourhood commercial, and private and public institutional areas. The Plan is visually attractive and pedestrian-friendly with a distinct and positive identity that capitalizes on its location amidst natural features such as the valley corridors that run continuously north and south through the community, the tableland woodlot, and the nature reserve.

a) **Council Resolution**

On August 25, 1997, Council adopted the following motion (in part):

“The draft plans of subdivision be subject to conditions of approval to implement the architectural review process;”

The Block 11 Architectural Design Guidelines have been submitted by the participating Block 11 Developer's Group in response to the above-noted resolution of Council.

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EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

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b) Context for Application of Design Guidelines

One of the goals of the City in OPA #600 is to “provide attractive streetscapes through attention to the design of the public realm, built form, and the relationship between private development and public areas”. One factor that contributes to the liveability of a community is the quality of the urban design and built form. In giving physical representation to the community, urban design and architecture constitute a critical element in the process of community building.

Obtaining quality urban design is a high priority to the City. The public has come to perceive the urban design approaches to suburban development as problematic, especially in respect to the creation of monotonous streetscapes. Treatments that emphasize attractive streetscapes, a high quality pedestrian environment and the minimization of the visual impact of the automobile, are now being emphasized in the marketplace. To provide guidance in this area, Council adopted, on June 11, 2001, a set of design standards for the new community areas that enunciate a series of design principles that are considered to be common to all areas.

In order that each development makes a positive contribution to the developing community, the implementation of architectural design guidelines through each subdivision agreement is necessary. The guidelines will assist in ensuring that each dwelling or building plays a positive role in creating attractive pedestrian oriented streetscapes.

Block 11 Community Architectural Design Guidelines

Architectural Design Guidelines have been prepared for the Block 11 Community to establish an architectural vision for the community, and to provide guidance in the design and siting of residential, commercial and institutional buildings and their collective impact on the streetscape.

The architectural design control process approved by the City is to be privately administered and will be the responsibility of the developer's group control architect to ensure compliance with the approved Architectural Guidelines. The control architect will be responsible for reviewing the final site plans that form part of the plans for building permit. John G. Williams Limited, Architect has been selected as the control architect by the respective participating landowners in the Block 11 Community. The appointment of John G. Williams Limited, Architect as the Control Architect must be approved by the City.

Implementation

The subdivision agreement will provide for the control architect to approve architectural elevations for buildings prior to submission to the City for building permit. The control architect must stamp the plans certifying that the plans are in conformity with the Architectural Guidelines as approved by Council.

The architectural firm of John G. Williams Limited, Architect is the firm that prepared the Guidelines and has significant experience in this area. It is intended that John G. Williams Limited, Architect provide the services of the Control Architect (whose cost will be paid by the Block 11 landowners group). City staff will monitor the process on a semi-annual basis to ensure the architectural control program is achieving its objectives.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A5', "Plan and Manage Growth".

CITY OF VAUGHAN

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Conclusion

Staff has reviewed the Architectural Design Guidelines prepared by John G. Williams Limited, Architect for the Block 11 Community, and can support its approval, subject to confirmation of John G. Williams Limited, Architect, as the control architect for the Block 11 Community.

Attachments

1. Location Map (Block 11 Community Plan)
2. Draft Architectural Design Guidelines (Block 11 Community) – COUNCILLORS ONLY

Report prepared by:

Rob Bayley, Senior Urban Designer, ext. 8254
Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 25, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

25

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-05V02
INTONACO INVESTMENTS CORP.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 6, 2005:

Recommendation

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium 19CDM-05V02 (Intonaco Investments Corp.) BE APPROVED, subject to the conditions of approval set out in Attachment #1.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Draft Plan of Condominium consisting of an 83-unit commercial plaza in eleven buildings with a total gross floor area of 10,847.98m² and 577 parking spaces.

Background - Analysis and Options

The subject lands are located on the south side of Rutherford Road, west of Jane Street, being Part of Block 1 on Plan 65M-3696 (3175 Rutherford Road), in Part of Lot 15, Concession 5, City of Vaughan (Attachment #2). The surrounding land uses are:

- North - Rutherford Road; existing commercial (C5 Community Commercial Zone)
- South - Vaughan Mills Circle; Vaughan Mills Mall (SCD Vaughan Centre Shopping Centre District Zone)
- East - Vaughan Mills entrance road, vacant outparcel (C1 Restricted Commercial Zone with 'H' Holding Symbol)
- West - approved gas bar (C1 Zone); Vaughan Mills entrance road, outparcel under construction (C1 Zone)

Official Plan/Zoning

The subject lands are designated "General Commercial" and "Office Precinct" by OPA #600, which provides opportunities for commercial uses including retail stores, restaurants, banks, and business and professional office uses. The draft plan of condominium conforms to the Official Plan.

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, and subject to Exception 9(1030), which permits a variety of commercial uses. The draft plan of condominium complies with the provisions of By-law 1-88.

CITY OF VAUGHAN

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Item 25, CW Report No. 46 – Page 2

Site Development

The 4.37ha irregular-shaped lot has frontage of 163m along Rutherford Road and an approximate depth of 190m, as shown on Attachment #3. Four access points are proposed on the site, one from each side of the property, including a right-in from Rutherford Road. The west and east driveways will align directly opposite the other adjacent outparcels.

The site consists of eleven separate multi-unit buildings, all one-storey in height, and intended for commercial purposes. The site is currently under construction and is being built in accordance with the approved Site Plan. The site is designed with the buildings located along the perimeter of the lot and parking in the centre. The parking area consists of 577 spaces. Loading areas for the larger buildings are screened from Rutherford Road, and a rear service laneway is provided for the buildings abutting Vaughan Mills Circle. All garbage areas will be enclosed within the buildings. Landscaped areas are provided around the perimeter of the site, and within the parking lot.

Application Review

The draft plan of condominium is in accordance with the approved Site Plan File DA.04.033. As a condition of approval, the Owner will be required to submit an "as-built" survey to the satisfaction of the Building Standards Department, prior to the registration of the final condominium plan.

The subject lands have access to municipal services, including hydro, storm and sanitary sewers, and water.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The draft plan of condominium is consistent with the approved site plan. The Planning Department has no objections to the approval of the draft plan of condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map
3. Draft Plan of Standard Condominium 19CDM-05V02

Report prepared by:

Stephen Lue, Planner I, ext 8210
Mauro Peverini, Senior Planner, ext 8407
Grant Uyeyama, Manager of Development Planning, ext 8635

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 26, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

26

**SITE DEVELOPMENT FILE DA.05.023
716051 ONTARIO LTD.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 6, 2005:

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.05.023 (716051 Ontario Ltd.) BE APPROVED, subject to the following conditions:

- i) That prior to the execution of the amending site plan agreement:
 - a) the final site plan, landscape plan and building elevations shall be approved by the Development Planning Department; and,
 - b) the final site servicing and grading plan, and stormwater management report shall be approved by the Engineering Department.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Site Development Application to permit a 1,048.8m² addition to the existing 1,345 m² Alta Nissan car dealership shown on Attachment #2. The proposed additional space consists of 607.7m² on the ground floor and 441.1m² on the second floor. The total combined building GFA will be 2,393.8 m².

Background - Analysis and Options

The 1.04 ha site as shown on Attachment #1 is located on the northeast corner of Woodstream Boulevard and Martin Grove Road, being Lot 4 on Plan 65M-2464 (204 Woodstream Boulevard), in Part of Lot 5, Concession 8, City of Vaughan. The subject property contains two automobile dealerships: the Mazda dealership (Building 'A') and the Alta Nissan dealership (Building 'B') as shown on Attachment #2.

The subject lands are designated "General Commercial" by OPA #240 (Woodbridge Community Plan), as amended by OPA #416. The subject lands are zoned C2 General Commercial Zone by By-Law 1-88, subject to Exception 9(854). The surrounding land uses are:

- North - Toyota car dealership (C2 General Commercial Zone)
- South - Woodstream Boulevard; Nissan car compound (EM1 Prestige Employment Area Zone)
- East - employment uses (EM2 General Employment Area Zone)
- West - Martin Grove Road; employment uses (EM1 Prestige Employment Area Zone)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

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Official Plan

The subject lands are designated “General Commercial” by OPA #240 (Woodbridge Community Plan), as amended by OPA #416, which permits automotive sales on the subject lands. The proposed expansion of the existing automobile dealership conforms to the Official Plan.

Zoning

The subject lands are zoned C2 General Commercial Zone by By-Law 1-88, subject to Exception 9(854), which permits a motor vehicle sales establishment use. The proposed expansion of the existing automobile dealership complies with the requirements of the C2 Zone.

Site Design

The site plan (Attachment #2) shows the two existing buildings: Building “A” (Mazda) and Building “B” (Nissan) with the proposed 1,048.8m² addition. The existing full-movement access on Woodstream Boulevard will remain with revisions to the existing concrete curb. There is an existing driveway connection between the subject property and the Toyota dealership to the north. Landscaping and pedestrian walkways are proposed along the west elevation around each of the dealership buildings with a connection to Martin Grove. The final site plan will be approved to the satisfaction of the Development Planning Department.

Parking

The required parking for a motor vehicle sales establishment is 3.0 parking spaces/100m² GFA. The required parking for the subject property is calculated as follows:

Building ‘A’ (Mazda): 1,110.0m ² x 3.0 spaces/100m ²	=	34 spaces
Building ‘B’ (Nissan): 2,393.8m ² x 3.0 spaces/100m ²	=	<u>72 spaces</u>
Total Parking Required:		106 spaces
 Total Parking Provided:		 108 spaces

The proposed parking meets the minimum requirement with a surplus of 2 parking spaces.

Services/Utilities

The site has access to hydro, water, and sanitary and storm sewers. The Owner has submitted a site grading and servicing plan and a stormwater management report, which must be approved to the satisfaction of the Vaughan Engineering Department.

Landscaping

The landscape plan (Attachment #3) consists of a mix of existing and proposed deciduous and coniferous trees, shrubs, and sodded area along Martin Grove Road and Woodstream Boulevard. As the subject application comprises an addition to an existing building; much of the landscaping is already in place. The current site-specific zoning requires a minimum 12m wide landscape strip abutting Martin Grove Road, however, the dealership is currently parking vehicles on a paved surface within this area. As part of the approval of the building expansion, the applicant will be required to remove the paving in accordance with the site-specific zoning requirement and the registered site plan agreement, and provide landscaping in accordance with the landscape plan shown on Attachment #3. The applicant is willing to work with Staff to enhance the landscape plan. The final landscape plan will be approved to the satisfaction of the Development Planning Department.

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Item 26, CW Report No. 46 – Page 3

Building Design

The proposed building elevations are shown on Attachments #4 and #5. The materials for the building include a mix of silver metallic aluminum paneling, fixed glass, and grey architectural concrete blocks. The existing towers on the building will be removed as part of the building expansion.

Staff will work with the applicant to confirm that all roof top mechanical units will be adequately screened. The final building elevations will be approved to the satisfaction of the Development Planning Department.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly “A-5”, “Plan and Manage Growth”.

Conclusion

Staff has reviewed the proposed Site Plan Application in accordance with the policies of the Official Plan and the requirements of the Zoning By-Law, and is satisfied that the proposed expansion of the existing Alta Nissan automobile dealership will facilitate an appropriate development of the site, subject to the conditions of approval identified in this report. On this basis, Staff recommends approval of the Site Plan Application.

Attachments

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

Report prepared by:

Clement Messere, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 27, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By approving Clause 1 of the recommendation of the Commissioner of Planning, dated September 6, 2005;

By approving the following in accordance with the memorandum from the Commissioner of Planning, dated September 12, 2005:

1. ***That this supplementary report respecting file DA.05.016 (Vellore Woods Catholic School) be received and that Recommendation #2 in the Committee of the Whole report be replaced as follows:***

“The School Board is hereby advised that no unauthorized alterations shall be made to the approved site plan which does not maintain the traffic circulation plan in and around the school without first obtaining approval from the City”; and

By requesting that the working name be changed to Vellore Village Catholic School site.

27

**SITE DEVELOPMENT FILE DA.05.016
YORK CATHOLIC DISTRICT SCHOOL BOARD
VELLORE WOODS ELEMENTARY SCHOOL-BLOCK 39**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of September 12, 2005;
- 2) That staff report on a revision to Clause 2 of the recommendation to ensure that traffic circulation will be maintained; and
- 3) That the name of the school be confirmed.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.05.016 (York Catholic District School Board) BE APPROVED, subject to the following conditions:
 - i) That prior to the issuance of a building permit:
 - a) the final site plan, landscape plan and building elevations shall be approved by the Development Planning Department;
 - b) the final site servicing and grading plan, stormwater management report, access and on-site circulation shall be approved by the Engineering Department; and
 - c) all hydro requirements of PowerStream Inc. shall be satisfied.
2. The School Board is hereby advised that no unauthorized alterations shall be made to the approved site plan, including changes to the physical design as it relates to traffic circulation in and around the school, without first obtaining approval from the City.

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EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 27, CW Report No. 46 – Page 2

Economic Impact

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

Purpose

The York Catholic District School Board (YCDSB) has submitted a Site Development Application to permit a 2-storey, 5,947.6 m² elementary school, on the subject lands shown on Attachment #1 with the following site statistics:

Site Area:	2.04 ha	
Landscaped Area:	1.99 ha	
Building GFA:	5,947.6 m ² ;	29 classrooms
6 Future Portables GFA:	466.6 m ² ;	6 classrooms
Parking Provided:	80 spaces	

Background - Analysis and Options

The subject lands shown on Attachment #1 are located southwest of Major Mackenzie Drive and Weston Road, being Block 165 on Plan 65M-3529, in Lot 20, Concession 6 (Block 39) City of Vaughan. The subject lands are vacant, with 182.3m flankage on Maria Antonia Road and 95m frontage on Fossil Hill Road. The surrounding land uses are:

- North - Maria Antonia Road; existing residential (RV3-WS and RV4 Residential Zones)
- South - future municipal park (OS2 Open Space Park Zone)
- East - Fossil Hill Road; existing residential (RVM1(WS-B) Residential Zone)
- West - existing residential (RV4 Residential Zone Four)

Official Plan

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

Zoning

The subject lands are zoned RV4 Residential Urban Village Zone Four by By-law 1-88, which permits the proposed school use. The proposed site development complies with the Zoning By-law.

Site Design

The site plan is shown on Attachment #2. The school is located in the easterly portion of the site, and consists of a 2-storey 5,947.6 m² elementary school, together with a play area, a driveway/drop-off and parking areas. The main entrance to the school fronts onto Maria Antonia Road. The main driveway/drop-off and parking area is located west of the school with access from Maria Antonia Road. The proposed bus driveway, garbage pick-up and service delivery access driveway is located off Fossil Hill Road. The play area is located in the westerly portion of the site and abuts the municipal park to the south. Six future portables are proposed to be located between the school and the main sodded playground area. The final site plan must be approved to the satisfaction of the Development Planning Department.

CITY OF VAUGHAN

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Item 27, CW Report No. 46 – Page 3

Building Elevations

The proposed building elevations are shown on Attachments #4 and #5, and the final design must be approved to the satisfaction of the Development Planning Department. The proposed 2-storey school building is a flat-roofed, square-shaped structure. The building is intended to accommodate 29 classrooms and office and ancillary areas, including a gymnasium/stage and library. The site plan also provides for the location of 6 future portables to the west of the building so that a total of 34 classrooms/portables are proposed.

The building is finished primarily in beige and taupe and brown brick. Limestone veneer has been used on the west and north elevations as an accent. Gray coloured aluminum architectural sheathing panel material is used between and above the windows for accent.

The main entrance to the school is located on the north elevation facing Maria Antonia Road. This elevation includes the library which is located in the northeast corner of the building. Kalwall (translucent) panels and windows are being used in the library windows to provide for views out and to allow for north and east natural light into the library area. The west elevation also functions as a primary entrance into the school, given the location of the drop-off/parking area and the play area to the west.

Both the north and west elevations contain a modular concrete 'base', which is to match the colour of the adjacent limestone veneer so that the 'base' of the building appears as a unified component. These elevations also have a horizontal brick banding for visual interest. The Planning Department recommends a similar horizontal brick banding feature to be provided on the east elevation to animate this façade, which faces Fossil Hill Road and the residential dwellings to the east. The applicant's architect has agreed to this revision. The east elevation includes an entrance to the service and bus drop-off areas opposite Fossil Hill Road.

The south elevation faces the playground and a future municipal park. The school's garbage room is located within the main building, with access on the south elevation.

An enclosed rectangular-shaped mechanical penthouse room is located on the central portion of the roof. The school is using energy efficiency mechanisms including a heat recovery wheel which is accommodated within the mechanical penthouse. The wheel requires a large clearance and the height of the penthouse is higher than conventional mechanical penthouses. The location of the mechanical penthouse, which is setback more than 15m from the edges of the roof, should not be prominent from adjacent the site lines.

Access and Parking

Vehicular access is provided by two one-way driveways, one located on Maria Antonia Road to provide access to the main parking area and drop-off zone and one on Fossil Hill Road to provide access for the bus loading zone and the service entrance as shown on Attachment #2.

The vehicle drop-off zone is located on the west side of the school building with access from Maria Antonia Road. The bus driveway and drop-off area is located on the west side of the school with access from Fossil Hill Road.

The main westerly parking area contains 67 parking spaces, including 2 spaces for the physically challenged. A second parking area located east of the building provides 13 spaces, including 2 spaces for the physically challenged. A total of 80 spaces are provided on the site. By-law 1-88 requires 1.5 spaces for each teaching classroom (34 classrooms/portables) resulting in a parking requirement of 51 spaces for the school site. The proposed development meets the minimum parking requirement with a surplus of 29 spaces.

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There is an existing concrete public sidewalk in front of the school block along both Maria Antonia Road and Fossil Hill Road. The site plan shows internal walkway connections leading from the school to the public sidewalks and to the parking area and play fields.

Landscaping

The site will be landscaped with a mix of deciduous and coniferous trees and shrubs along the perimeter of the school block and building, as shown on Attachment #3. Appropriate landscaping has also been provided along the limits of the site to adequately screen the parking and service/delivery areas from the adjacent residential areas. A sodded field is located to the west of the building, south of the parking area. The school is located adjacent to a future municipal park and the proposed landscape plan and details were reviewed by the Parks Department to ensure compatibility with the future park. The final landscape plan must be approved to the satisfaction of the Development Planning Department, in consultation with the Parks Department.

Servicing

The site will be serviced by hydro, water, and sanitary and storm sewer services. The final site grading plan, storm water management report, and the environmental phase one report, must be reviewed and approved by the Engineering Department.

All hydro requirements must be addressed to the satisfaction of PowerStream Inc.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly “A-5”, “Plan and Manage Growth”.

Conclusion

It is recommended that Site Development application DA.05.016 be approved, subject to the comments and recommendations set out in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. West & North Elevations
5. East & South Elevations

Report prepared by:

Laura Janotta, Planner, ext. 8634
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/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 28, Report No. 46, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on September 12, 2005, was dealt with by approving:

That this matter be referred to the Committee of the Whole meeting of September 19, 2005 for further consultation with staff and the applicant to address the access, egress, and property standards issues;

That the memorandum from the Commissioner of Planning, dated September 12, 2005, be received; and

That the written submission from Ms. Michelle T. Banfield, Larkin & Associates Planning Consultants Inc., 1168 Kingdale Road, Newmarket, L3Y 4W1, dated September 7, 2005, be received.

28

**ZONING BY-LAW AMENDMENT FILE Z.05.008
CANADIAN PACIFIC RAILWAY
REPORT #P.2005.19**

The Committee of the Whole recommends that this matter be referred to the Council meeting of September 12, 2005.

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.008 (Canadian Pacific Railway) BE APPROVED, and that the implementing by-law amend the M3 Transportation Industrial Zone to allow the continued use of the subject lands shown on Attachment #1 only for a driveway access to the existing westerly fuel operation business located at 852 Nashville Road (Maw's Fuels Ltd.) with the following site-specific exception to permit a maximum driveway access and aisle width of 24.91m.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner originally submitted a Zoning By-law Amendment Application to rezone surplus Canadian Pacific Railway lands shown on Attachment #2 from M3 Transportation Industrial Zone to M2 General Industrial Zone with a site-specific zoning exception to facilitate the continued use of the subject lands for a driveway access to the existing westerly fuel operation business located at 852 Nashville Road (Maw's Fuels Ltd.).

Since the Public Hearing held on April 18, 2005, the applicant has amended the proposal to maintain the M3 zoning on the surplus CN property, with a site-specific exception to facilitate the continued use of the lands for a driveway access to the Maw's Fuels property.

Background - Analysis and Options

The 0.318 ha subject lands shown on Attachment #1 are located on the north side of Nashville Road, east of Huntington Road, in Part of Lot 26, Concession 9, City of Vaughan. The subject lands have frontage of 24.91 m on Nashville Road and a lot depth of 165 m.

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The subject lands are identified as “Canadian Pacific Railway” by OPA #601 (Kleinburg-Nashville Community Plan) as shown on Attachment #3, and zoned M3 Transportation Industrial Zone by By-law 1-88, as shown on Attachment #4. The subject lands are currently developed with a 3-storey grain elevator (not operational) as shown on Attachment #2. The surrounding land uses are:

- North - Canadian Pacific Railway (M3 Transportation Industrial Zone)
- South - industrial lands (M2 General Industrial Zone); Nashville Road, Canadian Pacific Railway (M3 Transportation Industrial Zone)
- West - industrial lands (M2 General Industrial Zone); agricultural lands (A Agricultural Zone)
- East - Canadian Pacific Railway (M3 Transportation Industrial Zone)

Public Hearing

On March 24, 2005, a Notice of Public Hearing was mailed to all property owners within 120 metres of the subject lands and to the Kleinburg and Area Ratepayers' Association. At the April 18, 2005 Public Hearing, the adjacent property owner at 830 Nashville Road (A & F Di Carlo Construction Ltd.), advised that he is opposed to the proposal as he stores approximately 20 vehicles on his site and is concerned about the fuel operation business. As discussed later in this report, the owner of 830 Nashville Road is now satisfied with the proposed use of the subject lands.

The recommendation of the Committee of the Whole to receive the Public Hearing report on April 18, 2005, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on April 25, 2005.

Official Plan

The subject lands are shown as “CPR” lands by OPA #601 (Kleinburg-Nashville Community Plan) as shown on Attachment #3. The lands west of the subject railway lands including the Maw's Fuels Ltd. lands are designated “Nashville Core Area” and “Suburban Residential” by OPA #601 which permits a range of commercial and residential uses, and is part of the Kleinburg-Nashville Heritage Conservation District.

The proposed addition of the subject railway lands with the Maw's Fuels Ltd. lands located at 852 Nashville Road results in the expansion of a non-conforming use. The Official Plan designation of “Nashville Core Area” and “Suburban Residential” is intended to provide future commercial and residential uses on the Maw's Fuels lands and not to extend non-conforming uses such as industrial uses. However, the Official Plan also includes provisions to allow for the extension or enlargement of a non-conforming use where; the land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed; and that the extension or enlargement of a non-conforming use will not adversely affect the welfare of the community in which it is located.

Maw's Fuels has been located at 852 Nashville Road, as well as been in an agreement with Canadian Pacific Railway to use the subject railway lands as a driveway since the 1930's. Maw's Fuels currently leases and uses the subject railway lands as a driveway for the fuel trucks to exit from the Maw's Fuels lands. Canadian Pacific Railway intends to sell the subject surplus railway lands to Maw's Fuels, the adjacent property owner to the west at 852 Nashville Road. Maw's Fuels intends to consolidate the subject surplus railway with the rest of its land at 852 Nashville Road. Therefore, a consent application is required for the consolidation of both parcels of lands under the Maw's Fuels ownership.

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Currently, fuel delivery trucks and trailers for Maw's Fuels enter from the driveway at 852 Nashville Road and exit onto Nashville Road from the CPR lands. The irregular configuration of the site and the location of existing buildings and structures at 852 Nashville Road result in manoeuvring difficulty for fuel delivery trucks and trailers to turn around and exit from 852 Nashville Road. Therefore, the additional driveway on the subject railway lands allows for fuel vehicles to exit the Maw's Fuels lands without turning around. Maw's Fuels is a small family business, which primarily operates its business from Monday to Friday between the hours of 8:00 a.m. to 5:00 p.m. The refuelling trucks/trailers deliver fuel to the oil tanks on the Maw's site every two to three days, and approximately two delivery trucks make two trips each per day to the Maw's site to obtain fuel to deliver off-site.

The subject surplus rail lands contain an abandoned 3-storey grain elevator at the north end of the site and a remnant building foundation at the south end of the site. The owner of Maw's Fuels intends to remove the building foundation, and the grain elevator will be kept in its present location, in a non-operational state. No fuel related business and no new buildings or structures are proposed for the subject railway lands. The subject railway lands along with the Maw's Fuels lands are relatively clean and well maintained. The existing house on the Maw's Fuels lands, which is on land that is zoned A Agricultural Zone is fenced off from the fuel operation business except for the driveway along the west side of the 852 Nashville Road lands as shown on Attachment #2.

The lands to the west and south of the subject railway lands are industrial uses. The lands to the west and south of the Maw's Fuels lands at 852 Nashville Road are residential uses with the lands at 864 Nashville Road, which are adjacent to the west side of the Maw's Fuels lands, under the ownership of the Maw Family. To the east of the subject railway lands and east of the railway track is an existing residential subdivision where the rooftops of the dwelling units are visible from the subject lands. The adjacent property owner for the lands at 830 Nashville Road advised that he was concerned about the fuel operation business, but as the site is well maintained, there appears to be no concern with this use in the area, together with the other industrial uses and a railway.

The proposal is to facilitate the continued use of the subject railway lands for a driveway access to the existing Maw's Fuels business located at 852 Nashville Road, which results in the extension or enlargement of a non-conforming use. The use of the surplus railway lands has been used for a driveway access since the 1930's. Also, no new buildings or structures are being proposed on the subject lands. Furthermore, the consolidation of the surplus railway lands with the Maw's Fuels lands does not adversely affect the amenity of the surrounding area. For these reasons, the proposal is in keeping with the non-conforming use policies in the Official Plan.

Zoning

The original application proposed to rezone the subject railway lands as shown on Attachment #2 from M3 Transportation Industrial Zone to M2 General Industrial Zone which permits industrial uses and open storage. The Maw's Fuel lands have a dual zoning with the lands at the north end of the site zoned M2 General Industrial Zone for the fuel operation business and the lands at the south end zoned A Agricultural Zone for the residential use as shown on Attachment #4. The Official Plan requires that the extension or enlargement of a non-conforming use is to comply with the policies of the Official Plan for that type of use.

In order to comply with the Official Plan, the zoning will remain M3 Transportation Industrial Zone and an exception is to be made to the existing zoning to permit only the continued use of the subject surplus railway lands for a driveway access for the Maw's Fuels operation and that no

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new buildings or structures shall be permitted. The existing grain elevator will not be utilized as part of the operation and is legal non-conforming with respect to its sideyard setback. A zoning exception will not be provided in this respect. Exceptions to the M3 Transportation Industrial Zone standards are necessary to recognize the existing state of the driveway on the subject surplus railway lands as follows:

<u>Zone Requirements</u>	<u>Required</u>	<u>Provided</u>
Minimum and Maximum Driveway Aisle Width (on the property)	6 m to 13.5 m	24.91 m (max)
Minimum and Maximum Driveway Width (along Nashville Road)	5.4 m to 7.5 m	24.91 m (max)

The proposed exceptions to the permitted uses and requirements for the M3 Transportation Industrial Zone are to facilitate the continued use of the subject railway lands for a driveway access to the existing Maw’s Fuels business. The subject railway lands deficiencies to the By-law requirements are being addressed as required by the Official Plan. The Planning Department has reviewed the proposal in accordance with the policies of the Official Plan concerning an extension or enlargement of a non-conforming use and can support the proposal as the land continues to be used in the same manner for a driveway access to the existing Maw’s Fuels operation located at 852 Nashville Road.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-5’, “Plan and Manage Growth”.

Conclusion

The proposed application to amend the Zoning By-law has been reviewed in accordance with the applicable policies of the Official Plan concerning an extension or enlargement of a non-conforming use in order to amend the M3 Transportation Industrial Zone to allow the continued use of the subject surplus CP Rail lands for a driveway access to the existing westerly fuel operation business located at 852 Nashville Road (Maw’s Fuels Ltd.) together with site-specific exceptions. The proposal conforms to the policies of OPA #601 with respect to the extension or enlargement of non-conforming uses, there are no new buildings proposed, and the proposal does not adversely affect the amenity of the surrounding area. For these reasons, the Planning Department recommends approval of the proposed amendment to the Zoning By-law.

Attachments

1. Location Map
2. Site Plan
3. Kleinburg-Nashville Community Plan (OPA #601) – Land Use Schedule
4. Existing Zoning

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Report prepared by:

Judy Jeffers, Planner, ext. 8645

Mauro Peverini, Senior Planner, ext. 8407

Grant Uyeyama, Manager of Development Planning, ext. 8635

/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 29, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

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**ZONING BY-LAW AMENDMENT FILE Z.05.027
ROCCO BUSIELLO
REPORT #P.2005.43**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 6, 2005:

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.027 (Rocco Busiello) BE APPROVED, subject to the following:

- i) the implementing zoning by-law shall permit the following uses, on a 3-year temporary basis:
 - a) Business or Professional Office;
 - b) Photography Studio;
 - c) Service or Repair Shop; and
 - d) Retail uses restricted to the sale of patio and, office furniture, crafts, and pottery and antiques.

- ii) the implementing zoning by-law shall include the following provisions:
 - a) require a minimum 9m wide landscaping strip abutting Major Mackenzie Drive;
 - b) require a minimum of 44 parking spaces; and,
 - c) outside storage shall be prohibited.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add assessment to the local tax base.

Purpose

The Owner has submitted an application to amend the Zoning By-law to extend the existing temporary use by-law applicable to the subject lands shown on Attachment #1, for a further 3-year period. The current temporary use by-law (By-law 293-2002) permits business and professional offices, photography studio, service and repair shop, and certain retail uses on the subject lands, which will expire on September 23, 2005.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Major Mackenzie Drive, west of Weston Road (4040 Major Mackenzie Drive), in Lot 21, Concession 6, City of Vaughan. The 4.08 ha site has frontage of 100m, a depth of 406m and is developed with a commercial building and detached dwelling as shown on Attachment #2. The surrounding land uses are:

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- North - vacant (A Agricultural Zone)
- South - Major Mackenzie Drive vacant/future residential (A Agricultural Zone)
- East - temporary Golf driving range (A Agricultural Zone)
- West - agricultural/existing residential (A Agricultural Zone)

Public Hearing

On May 27, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole, to receive the Public Hearing report of June 20, 2005, and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on June 27, 2005.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" and further identified as a "Neighbourhood Commercial Centre" by OPA #600. The proposed Block 40 South Plan further identifies the southerly portion of the subject lands as "Neighbourhood Commercial" and the northerly portion as "Low Density Residential".

Block 40 Plan

The subject lands are located within the proposed Block 40 South Plan, which identifies planned future urban development of these lands. The Block 40 South Plan was considered by the Committee of the Whole at a Public Hearing held on May 2, 2005, and proposes future use of the southerly portion of the subject lands as a Neighbourhood Commercial Centre. The Owner has participated in the Block Plan process and is aware of the plans for the future development of the area.

Upon Council's approval of the Block Plan for the area, landowners within the Block Plan area can proceed to submit and receive approval for corresponding draft plan of subdivision applications, subject to the availability of servicing capacity.

Limited commercial use of the existing building in the interim (over the next 3 years) should not interfere with the future development of the subject lands and surrounding uses. The Planning Department is of the opinion that the proposed temporary uses conforms to the intent of the Official Plan and will not interfere with the future development of the area.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, subject to Exception 9(1058), ie. By-law 293-2002. This By-law expires on September 23, 2005, and currently permits the following commercial uses within the A Agricultural Zone on a temporary basis:

- a) Business and Professional offices;
- b) Photography Studio;
- c) Service or Repair Shop;
- d) Retail Uses restricted to the sale of patio furniture, office furniture, crafts/pottery, and antiques.

The exception also requires a minimum 9m wide landscape strip along Major Mackenzie Drive, a minimum of 44 parking spaces, and prohibits outside storage.

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The provisions of Exception 9(1058) were established by Council's enactment of a temporary use by-law. The *Planning Act* allows Council to pass temporary use by-laws for periods of up to 3-years and does not restrict Council's ability to pass another temporary use by-laws for consecutive periods of time. Temporary use by-laws allow Council to monitor and/or reconsider the use, relative to development in the surrounding area. The uses proposed by this application, are established uses within the existing building. These particular commercial uses are considered to meet the criteria of the "Temporary Use Policies" of the Official Plan. They are less intensive than the uses proposed by the Block 40 South Plan and will not entail additional capital investment or require municipal water and sanitary services.

Temporary Uses

OPA #600 permits temporary uses in the future urban areas, subject to implementation in a site specific zoning by-law, and provided the proposed uses are:

- substantially less intensive than the planned use;
- entail limited capital investment;
- do not require municipal water or sanitary services;
- are not automotive or industrial in nature;
- do not require outside storage;
- are not located within the City's existing residential and employment areas; and
- do not conflict with:
 - the planned development pattern;
 - the road pattern defined in the Official Plan; and,
 - parks, schools, valley and stream corridors, greenway systems, tableland, woodlots, and stormwater management systems defined in the Official Plan.

The subject proposal satisfies these criteria. The building existed at the time of the original temporary use by-law, and no further capital investment is proposed. The site is serviced by a private well and septic system. The proposed restricted commercial uses do not require outside storage and are not industrial in nature. The site is not located within an existing residential or employment area.

The Official Plan designation permits commercial development in the future, and the current development is no more intensive than any future use. The subject lands do not conflict with the planned development pattern. The Planning Department is satisfied that the property is in conformity with the Official Plan.

Land Use Compatibility

The exact uses proposed by this application have been operating within the existing building as temporary uses for the past 6 years. Council's original approval for these temporary commercial uses was granted with the enactment of By-law 293-99. Council extended the approval of these temporary uses with the enactment of By-law 293-2003.

The residential dwelling to the west of the subject lands is occupied by the applicant and the land to the east of the site is used as a temporary golf driving range. There should be no adverse impact on the surrounding area.

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Site Development and Design

There are no required alterations to the site or building as a result of this application. Attachment #2 shows an existing detached dwelling and a 1155m², L-shaped building on the property with a shared driveway access to Major Mackenzie Drive. Thirty-two (32) parking spaces are provided at the front of the building and 12 spaces are located at the rear.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Planning Department has reviewed the application to extend the approval of temporary commercial uses on the subject lands in accordance with the Official Plan, and in the context of the future development of the area as contemplated by the proposed Block 40 South Plan.

The limited range of temporary uses to occupy the existing buildings will not require servicing or extensive investment, and compatible with the existing and future surrounding uses, and meets the intent of the Official Plan with respect to temporary uses.

The proposed extension to the 3-year temporary use by-law for an additional 3-year period conforms to the policies of the Official Plan, and the Planning Department has no objection to the approval of the subject Zoning By-law Amendment application.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Laura Janotta, Planner, ext. 8634
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/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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2. THAT Council pass the following resolution with respect to the allocation of sewage and water servicing capacity:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Zoning BY-law Amendment Application Z.05.026 (Shawn Mark In Trust) be allocated sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water supply from Pressure District No. 7 of the York Water Supply System, for a total of 4 single family residential units”.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands shown on Attachment #1 from A Agricultural Zone to R2 Residential Zone with site-specific exceptions. The application will facilitate a future consent application to create three (3) residential lots plus one part lot to be added to the abutting lands to the east (Block 164 of Plan 65M-3094) to form an additional complete lot. The future lots will complete both the lotting within the existing plan of subdivision (65M-3094) and the Pine Hollow Crescent road allowance.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Jane Street, north of Brandon Gate Drive on the north side of Pine Hollow Crescent, in Lot 25, Concession 4, City of Vaughan. The subject lands have 45.95m frontage on Jane Street, an area of 0.24 ha, and is developed with a bungalow dwelling unit which is to be demolished. The surrounding land uses are as follows:

- North - proposed residential subdivision 19T-02V11 (R2, R3, R4 Residential Zones)
- South - existing detached residential (R2 Residential Zone)
- East - existing detached residential (R2 Residential Zone)
- West - Jane Street; proposed secondary school/residential (C4 General Commercial Zone/RVM1(WS-A) Residential Zone)

On May 27, 2005, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands and to the Maple Landing Ratepayers and Columbus Trail Residents' Associations. To date, no comments have been received. The recommendation of the Committee of the Whole on June 20, 2005, to receive the Public Hearing report and forward a technical report to a future Committee meeting, was ratified by Council on June 27, 2005.

Official Plan

The subject lands are designated “Low Density Residential” by OPA #350 (Maple Community Plan) which permits single-detached and semi-detached housing units at a maximum net density of 22 units/ha, which would yield a maximum of 5 lots (ie. 0.24 ha x 22 units/ha). OPA #350 requires that development within existing neighbourhoods shall be compatible with the existing neighbourhood character in terms of physical form and scale. The proposed three lots plus a part

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lot conforms to the density requirement. The proposed lots are also consistent with the existing lots on Pine Hollow Crescent in terms lot frontage and depth, and will utilize the R2 Residential Zone standards that are consistent with existing development to the south and east in accordance with Exception 9(910). The proposed zoning amendment conforms to the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The abutting lands to the east and south are zoned R2 Residential Zone, subject to Exception 9(910). The applicant is proposing to rezone the subject lands from A Agricultural Zone to R2 Residential Zone with the application of the zone standards contained in Exception 9(910), to be consistent with the existing zoning on the adjacent lands. The proposed rezoning will facilitate a future severance of the subject lands to create 3 full lots and one part lot as shown on Attachment #2, with the following statistics:

	<u>Lot Frontage</u>	<u>Lot Depth</u>	<u>Lot Area</u>
Part 3	14m*	41.08m (min)	519m ²
Part 4	15m	40.63m (min)	612m ²
Part 5	15m	40.17m (min)	606m ²
**Part 6	4.06m	40.0m (approx.)	275m ²

*Frontage as defined By-law 1-88 is measured 6.4m back from the front lot line.

**Note: Part 6 is to be combined with Block 164 on Plan 65M-3094 to create a full lot having a frontage of 14.9m, a depth of 40m, and an area of 560m².

The R2 Residential Zone standards in Exception 9(910), which applies to the adjacent lands, provides for the following development standards:

- Minimum Lot Frontage - 15m
- Minimum Front Yard - 7.5m
- Minimum Rear Yard - 9m
- Minimum Interior Side Yard - 1.2m
- Minimum Exterior Side Yard - 4.5m
- Maximum Building Height - 11m
- Maximum Lot Coverage - 40%
- Minimum Gross Floor Area - 150m²
- Minimum Lot Depth - 30m
- Minimum Lot Area - none

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A zoning exception is required to permit a reduced lot frontage of 14m for Part 3. Part 3 is irregular in shape, and therefore, the lot frontage measured 6.4m back from the front lot line will result in a lot frontage of approximately 14m. The combination of Part 6 and Block 164 on Plan 65M-3494 will also result in a lot frontage of 14.99m (4.06 + 10.936m), which is slightly less than the minimum 15m requirement, thereby requiring an exception to the R2 Zone standards in Exception 9(910).

Part 2 on the Preliminary Plan of Survey is 3m wide, and will be used as a buffer landscape along Jane Street, which is considered to be sufficient. In view of the proposed zoning category and development standards, the proposed zoning amendment application will facilitate the creation of residential lots and a building form that is consistent and compatible with existing residential development in the area, and can therefore be supported. The application will also facilitate the completion of Pine Hollow Crescent (Part 7).

Roads

The future lots will have frontage on the north side of Pine Hollow Crescent. The applicant will need to dedicate lands (identified on the Preliminary Plan of Survey as Part 7) to complete Pine Hollow Crescent to City engineering standards. This will occur through a Development Agreement, which will be prepared by the Vaughan Engineering Department at the consent approval stage.

Region of York

The Regional Transportation and Works Department has reviewed the Zoning Amendment Application and has advised that construction access will not be permitted directly from Jane Street. Construction access and access to the future residential lots will be provided through the internal street network. Any existing driveway(s) along the Regional road frontage must be removed as part of the development work, at no cost to the Region.

The Owner is required to engage the services of a consultant to prepare and submit for review, a noise study to the Regional Transportation and Works Department recommending noise attenuation features and to agree to implement these noise attenuation features to their satisfaction.

The Region requires that a sidewalk be constructed on the east side of Jane Street and the provision of an appropriate concrete pedestrian walkway, subject to design approval by the City and the Region, to facilitate a pedestrian access to/from existing transit services on Jane Street from Pine Hollow Crescent

The Regional Transportation and Works Department is protecting a 36.0m right-of-way for this section of Jane Street. As such, the Region requests that all municipal setbacks be referenced from a point 18.0m from the centreline of Jane Street. The Owner shall convey the following lands, along the entire frontage of the site adjacent to Jane Street, to the Region of York, free of all costs and encumbrances:

- i A road widening along the entire frontage of the site adjacent to Jane Street, of sufficient width to provide 18m from the centreline of Jane Street; and
- ii. A 0.3m reserve across the full frontage of the site where it abuts Jane Street, which shall be conveyed to the Region of York for public highway purposes, free of all costs and encumbrances.

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The Owner will be required to satisfy the requirements of the Region of York, as a condition of the future severance application to be considered by the Committee of Adjustment, and implemented through the execution of the Vaughan Engineering Department Development Agreement for the subject lands.

Vaughan Engineering Department

The Vaughan Engineering Department has provided an allocation resolution included in the recommendation section of this report. The Engineering Department has also advised that the existing watermains and storm and sanitary sewers on Pine Hollow Crescent will provide connections to this development. Connections to the existing infrastructure will be subject to confirmation that there are no downstream constraints in the existing system. Financial contributions for the proportionate share towards any municipal services that have been designed and over sized by others to accommodate the plan will be required from the subject development.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The Planning Department has reviewed the proposed application to amend the Zoning By-law to facilitate a severance of the lands in accordance with the applicable policies of the Official Plan and the requirements of the Zoning By-law. The proposed rezoning will result in residential building lots and dwellings that are consistent in size and configuration to existing development in the vicinity of the subject lands. The proposed development will also complete Pine Hollow Crescent with similar single-detached residential dwellings. For these reasons, it is recommended that the Zoning Amendment Application be approved.

Attachments

1. Location Map
2. Preliminary Plan of Survey

Report prepared by:

Glenn White, Planner, ext. 8213
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/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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- ii) the air quality survey be peer reviewed by a qualified consultant at the cost of the applicant; and
 - iii) that these lands be deleted from the Parkway Belt West Plan.
- 2. THAT Zoning By-law Amendment File Z.05.012 (2012746 Ontario Limited) BE APPROVED, subject to the following conditions:
 - a) That the implementing zoning by-law:
 - i) rezone the subject lands from PB1(S) Parkway Belt Linear Facilities Zone to EM2(H) General Employment Area Zone with a Holding Provision, with the inclusion of asphalt batching, concrete and asphalt recycling/storage, as additional permitted uses on the subject lands;
 - ii) provide a provision that the (H), Holding Provision be removed upon Council approval of a Site Development Application;
 - iii) provide an exception to the minimum requirements for lot frontage and direct access on a public road;
 - iv) include a minimum and maximum height requirement for noise attenuation barriers;
 - v) require a minimum 6m wide landscape strip along the west property line, between the south side of Highway #407 and the north limit of the adjacent southerly woodlot;
 - vi) provide exceptions to the accessory outside storage provisions; and,
 - vii) include a Council approved site plan to secure the location of the various components of the facility, including machinery, buildings, and areas for outside storage of aggregate.
- 3. THAT the Site Management Plan be revised to include the following additional mitigation measures:
 - a) a minimum 6m wide landscape strip with additional tree planting along the west lot line between the north limit of the adjacent woodlot within the Beechwood cemetery lands and the south property limit of Highway #407, to the satisfaction of the City of Vaughan;
 - b) the installation of services to be provided on the site, including hydro, water and sanitary mains, grading, and drainage/stormwater management works;
 - c) the replacement of the pulverizing unit on the rock breaker, with a pulverizer which will emit less noise;
 - d) clearly indicate the installation and maintenance of two noise barrier walls, being a perimeter wall near the west property line and a local wall on the west side of the crusher and rock breaker in the south portion of the site; and
 - e) provision for an on-going site monitoring program to the satisfaction of the City.

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Economic Impact

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

Purpose

The Applicant has submitted applications to amend the Official Plan and Zoning By-law to permit the continued operation of asphalt batching, concrete and asphalt recycling/storage, and a contractor's yard, on lands that are currently owned by and under the federal jurisdiction of CN Rail, and leased to a private operator (Applicant). The applications would facilitate the conveyance of the site to the operator of the yard. The proposal is to redesignate the 4.5 ha site from "Public Use Area - Public Open Space and Buffers" under the Provincial Parkway Belt West Plan, to which the lands still remain, and to redesignate the underlying "Rail Facilities" designation under the City's OPA #450 (Employment Area Plan) to "Employment Area General"; and, to rezone the subject lands from PB1(S) Parkway Belt Linear Facilities Zone to EM2 General Employment Area Zone, under By-law 1-88 to facilitate the above-noted uses.

Background - Analysis and Options

The subject lands are located west of Keele Street at Highway #407 and the CN Railway tracks, in Lots 2, 3 and 4, Concession 4, City of Vaughan (Attachment 1). A private operator for asphalt batching, concrete and asphalt recycling/storage and contractor's yard is currently using the site. The 4.5 ha, irregular shaped site has no frontage on a public road. Access is achieved via an easement through CN's lands, under the Highway #407 overpass, and connecting to Freshway Drive, located to the north of the subject lands. There are existing structures, machinery and storage piles of aggregate located on the site.

The subject lands are designated "Public Use Area" (Public Open Space and Buffers) by the Parkway Belt West Plan and "Rail Facilities" by OPA #450 (Employment Plan), and zoned PB1(S) Parkway Belt Linear Facilities Zone by By-law 1-88. The surrounding land uses are:

- North - Highway #407, employment use (EM2 General Employment Area Zone)
- South - CN Rail Line, hydro corridor (PB1(S) Parkway Belt Linear Facilities Zone)
- East - CN Rail Line (PB1(S) Zone) and employment use (PBM1 Parkway Belt Restricted Industrial Zone)
- West - Beechwood Cemetery (PB2 Parkway Belt Complementary Use Zone), and employment use (PBM7 Parkway Belt Industrial Zone)

On March 24, 2005, a Notice of Public Hearing was mailed to all property Owners within 120 m of the subject lands. To date, Staff has received a letter of objection to the applications from the Beechwood Cemetery to the west. The letter indicates concerns with respect to incompatible land use, unsightly storage, noise, odour and dust emissions, and impacts on stormwater management.

The recommendation of the Committee of the Whole on April 18, 2005, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on April 25, 2005.

The Owner has made application to the Ministry of Municipal Affairs and Housing to remove the site from the Parkway Belt West Plan (Ministry File 19-PBA-028-156). On April 26, 2005, the Ministry forwarded the Parkway Belt amendment application to the Ontario Municipal Board for

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consideration. A Board Hearing has been scheduled for September 13-16, 2005. On August 4, 2005, Consent Application B038/05, a request by CNR to convey a parcel of land for maintenance and storage purposes, together with all required easements and right-of-ways, if required, and retain a portion for CN rail yard purposes, was heard by the Committee of Adjustment. It was the opinion of the Development Planning Department that this application was premature and should be adjourned until such time as Council considered Official Plan OP.05.006 and Zoning By-law Z.05.012 Amendment applications. The Committee of Adjustment ultimately refused the application.

On July 27, 2005, the Owner filed an appeal to the Ontario Municipal Board for the Zoning and Official Plan Amendment Applications based on Council's failure to make a decision on the application, pursuant to the provisions of Section 34(11) of the Planning Act. A request was made for these applications to be consolidated with the appeal for removal from the Parkway Belt.

Subsequently, on July 28, 2005 Site Development Application DA.05.044 was submitted to the Development Planning Department. The application is currently under review.

Official Plan

The subject lands are designated "Public Use Area", and more specifically, "Public Open Space and Buffers" by the Parkway Belt West Plan. The "Public Use Area" comprise areas presently used or planned for public uses, and include legally existing uses, linear facilities, public open space and buffers, and privately operated open space and recreation-oriented uses. The Owner has made application to delete the site from the Parkway Belt West Plan (Ministry File 19-PBA-028-156), which has been referred to the Ontario Municipal Board by the Ministry of Municipal Affairs and Housing for the Board's consideration. The Hearing has not yet been scheduled.

The subject lands are also designated "Rail Facilities" by OPA #450 (Employment Plan). Section 2.2.6.1 of OPA #450 provides policies governing the use of railway facility lands should railway and related uses cease, as follows:

- railway uses are regulated by federal statute and are not subject to municipal planning controls;
- should railway and related uses cease on lands at the periphery of this designation, the lands may be developed in accordance with the policies of the adjacent Employment Area land use designation, subject to a Block Plan being approved by Council;
- should a large portion of the lands designated "Rail Facilities" be released for development, then development shall only occur on the basis of an amendment to the Employment Plan.

The applicant intends to purchase the site from CN Rail. Therefore, an application to amend the Official Plan is required to allow the continued operation of asphalt batching, concrete and asphalt recycling/storage, and a contractor's yard, under private ownership.

The applicant proposes to redesignate the site from "Rail Facilities" to "Employment Area General" under OPA #450. The "Employment Area General" designation is intended to:

- accommodate uses that do not require higher profile locations;
- provide for industrial development requiring outside storage or uses conducted outdoors; and
- provide opportunities for a broad range of lot sizes and a diversity of building forms in order to meet the needs of any size business or industry.

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The “Employment Area General” designation is an appropriate land use designation category to accommodate recycling uses that require outdoor storage or occur outdoors.

Section 2.2.7.2 (B) of OPA #450 contains policies with respect to the location and development of concrete and asphalt recycling facilities and composting facilities. Approval of a zoning amendment application shall be conditional on Council being satisfied that the proposal conforms to the Official Plan policies as they pertain to the location, design and operation of the facility. The proposal does not meet the locational criteria set-out in the Official Plan. Areas of prohibition include lots abutting a highway and a “Prestige Area” designation, and within 1 km of an existing or planned residential area. The site abuts Highway #407, is adjacent to a “Prestige Area” designation to the north and southwest, and is within 1 km of proposed residential on the north side of Steeles Avenue, between Jane Street and Keele Street. The maximum area of a facility shall be approximately 4 ha, whereas the site area is 4.5 ha.

The Official Plan policies contain assessment requirements for recycling uses, including the submission of a site management plan, and studies addressing land use and urban design, transportation and traffic, stormwater management and the environment, noise, dust, and odour. The policies allow Council to, at their discretion, require a monitoring program to resolve any off-site impacts identified during the on-going operation of the facility, and a third party peer review of the submitted studies. Development criteria required to be met include landscape screening, maximum height for storage piles, stockpile locations, paving of stockpiles and parking, location of equipment through a review process and a complex site plan agreement, and a site management plan. Prior to operating, all necessary approvals from the Ministry of Environment and Energy is required.

Planning Staff has reviewed the applications in light of the Official Plan policies and the surrounding land use and have determined that, with appropriate on-site mitigation measures and a site management and monitoring plan, the continued operation of the facility is supportable.

Zoning

The subject lands are zoned PB1(S) Parkway Belt Linear Facilities Zone by the City’s Comprehensive Zoning By-law 1-88, which permits public uses only. The applications would facilitate the conveyance of the site to private ownership, being the Applicant. An “Asphalt Manufacture or Refining” and a “Mixing Plant” are identified as prohibited uses in By-law 1-88. By-law 1-88 does not permit any form of waste recycling as-of-right within the City, which would require an application to amend the Zoning By-law to permit such use. A contractor’s yard is a permitted use in an EM2 General Employment Area Zone. An exception to the by-law will be required to allow the creation of the lot that does not have direct frontage and access on a public road. Exceptions to the accessory outside storage provisions appear to be required, including the following:

- exceeding the maximum 30% allowed for outside storage
- not providing the minimum gross floor area of 550 sq.m required for a building where there is outside storage
- outside storage areas require to be fully enclosed by fencing
- no outside storage, other than for machinery or equipment, can exceed 3 m in height, whereas 9 m is proposed
- outside storage which is obnoxious, visually or otherwise, is not permitted

For these reasons, an application to amend the Zoning By-law is required. These exceptions will be necessary to facilitate the required severance application.

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The Applicant proposes the EM2 General Employment Area Zone, which permits outside storage, and is an appropriate zone to facilitate the continuation of the use. However, due to the sensitive nature of the use, the Development Planning Department is suggesting a (H), Holding Provision be placed on the subject lands until such time as a Site Development application is submitted and approved by Council.

Existing Site Condition

The 4.5 ha wedge-shaped site is approximately 650 m long, 110 m wide at the north end and tapers to 18m wide along the south lot line. Access is achieved via a 7.62 m wide easement through CN's lands, which is located along the easterly lot line and extends more than 400 m north, under Highway #407, connecting to the east end of Freshway Drive. The site is bounded by CN Railway lands to the east and south, which contains tracks connecting the main east/west line located south of the site, with the Classification Yard to the north. Immediately to the west is the Beechwood Cemetery with woodlot, and an employment building located south of the Beechwood property. The north portion of the site is located under the overpass bridge of Highway #407. There is an existing Employment Area located just north of the site. The subject property is relatively flat with no vegetation.

The existing site operation, as shown on Attachment #2, has an asphalt batching plant on the north portion, including structures and equipment for the mixing of asphalt, and stockpiles of aggregate and recycled asphalt. Central to the site is a paved parking area, including a 300 sq.m maintenance building and a row of aggregate storage bins. The southerly portion of the site includes the location of the concrete and asphalt recycling operation, which includes a portable crusher, a rock breaker, and stockpiles of both pre-processed and processed (crushed/recycled) aggregate material. With the exception of accessory structures and a maintenance building, the site operation is conducted entirely outdoors.

Supporting Studies

In order to address the issues of impact and compatibility, and to satisfy the policy requirements of the Official Plan, studies were undertaken and submitted by the applicant. These include reports on land use planning and site design, air quality, site servicing, traffic, and noise, and a site management plan. The following represents a summary of the findings and recommendations from each study.

Air Quality Survey

Water and Earth Science Associates Ltd. (WESA) prepared the Air Quality Survey, dated April 2005. The purpose of the study was to characterize the potential impact from the operations on the subject lands to the surrounding lands according to the applicable Ministry of Environment guidelines. Using a conservative approach, WESA surveyed a 1 km area of influence from the property line with a 300 m minimum separation distance to sensitive receptors. Two potentially sensitive land uses were identified within a 1 km area of influence from the subject property, being the adjacent Beechwood Cemetery to the west, and York University, which is located 600m to the south.

The study has not taken into consideration proposed residential development along the north side of Steeles Avenue West (the "Steeles Corridor Jane to Keele Secondary Plan" study) and potential residential development along the easterly boundary of the Corporate Centre Node, which would also permit residential uses. The applicant should revise the study taking into consideration proposed residential developments as identified above and recommend any required mitigative measures. Staff does not have the expertise to evaluate the air quality survey

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reports. Therefore, Staff recommends that the air quality survey be peer reviewed by a qualified consultant at the cost of the Applicant, prior to Council adopting an implementing Official Plan Amendment, should the subject applications be approved.

The study indicates that several changes proposed to the crusher area will better manage particulate matter and combustion emissions. The installation of a hydro line to run power to the crusher will remove combustion emissions. The installation of a municipal water line and spray system will be used to clean and water down the roadways and to feed wheel-washing areas. Roadways and work areas will be paved. Paving surfaces and water suppression will allow dust emissions from this area to be negligible.

The study indicates that the emissions from the hot mix asphalt operation, including volatile organic compound emissions and combustion gas emissions from mixing, and dust from aggregate transfer and yard vehicle traffic, is minor due to the existing controls that are part of the system. Under the maximum production conditions, particulate emissions (dust) produced from the crushing operation and vehicular traffic at the south end of the site, slightly exceed the Ministry of Environment's criteria, a distance of 10 m east of the property line, at the south end of the site on CN Rail lands.

WESA concludes that the facility does not pose a risk to individuals on Beechwood Cemetery or at York University. The slight exceedence of particulate matter concentrations on the CN Rail lands are unlikely to present a health risk to any individuals, since it consists of multiple rail lines that are generally unoccupied.

Noise Study

Aercoustics Engineering Limited prepared the Noise Study, dated May 5, 2005, to address the impact on the neighbouring lands. The nearest sensitive point of reception is the Beechwood Cemetery. The findings showed that without appropriate noise controls, the facility would not satisfy the Ministry of Environment sound level limits. Recommendations include:

- the replacement of the existing noisy rock breaker with a quieter pulverizing unit;
- a 6m high perimeter barrier wall along the west lot line, north of the adjacent woodlot;
- a minimum 6m high local barrier consisting of aggregate stock piles along the west side of the concrete and asphalt recycling operation at the south end of the site, adjacent to the crusher and rock breaker.

The proposed locations of the noise barriers are shown on Attachment #3. The study concludes that with these noise controls in place, the combined facility would satisfy the prescribed sound level limits for all receptors. If changes are made to the site or equipment, a qualified acoustic consultant should evaluate them. The recommendation to replace a noisy pulverizing unit on the rock crusher with a quieter pulverizing unit should be acted upon by the applicant.

The Vaughan Engineering Department is satisfied with the Noise Study and recommends that the grading plan incorporate the noise attenuation features that are recommended in the study.

With respect to the noise study's recommendations for the provision of a minimum 6m high metal clad barrier wall along the west lot line, the Planning Department questions the appropriateness of the recommended height and material of the barrier. The Department recommends that the requirement of the noise barrier be reviewed further with the consultant and that the determination of the height and material requirements be finalized at the site plan stage.

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Transportation and Traffic Study

The Transportation and Traffic Study, prepared by Paul Hill Consulting, dated April 4, 2005, assessed the workability of the site access and the surrounding road system, including the intersections of Freshway Drive and Costa Road, and Regional Road #7 and Creditstone Road. The study identifies the following conclusions:

- all intersections in the vicinity of the site are operating at good levels of service today;
- the site generates relatively low levels of traffic volumes in the AM and PM peak hours;
- activity on the site and trip generations are not expected to increase substantially in the future;
- traffic volumes have generally decreased at the intersection of Regional Road #7 and Creditstone Road over the past few years;
- testing of future conditions was carried-out assuming the highest counted volume to date as a basis and modest increases in east/west traffic on Regional Road #7; the testing demonstrates the availability of transportation facilities in the future; and
- the transportation and traffic analysis demonstrates the adequacy of facilities and therefore supports the Official Plan and Zoning By-law Amendments.

No additional roads or improvements to roads are required to serve the existing and future development. The Vaughan Engineering Department is satisfied with the Transportation and Traffic Study.

Site Servicing, Grading & Storm Drainage Report

EMC Group Limited prepared a report and Conceptual Servicing Plan, dated April 14, 2005, which recommends servicing options for the site, which is currently not connected to municipal services. Proposed site improvements include connections to the municipal sanitary sewer and to municipal water. Both connections are proposed within the 7.62 m wide access easement that extends to Freshway Drive.

The site drains naturally to the west and south directions. An existing 3m to 4m high berm along the west property line, adjacent to the Beechwood Cemetery lands, serves to contain drainage within the site. Proposed storm drainage works include a combination of catch basin manholes and storm sewer, an open channel, metal culvert along the west side of the site, ending at an existing sediment trap at the south end. The report indicates that additional erosion and sediment control measures, such as granular dykes installed in the drainage channel upstream of the sediment trap, should be considered during periods of increased site operation activities.

An on-site diesel generator is currently providing for the site's electrical requirements. The applicant proposes to extend the hydro service to the site.

The Vaughan Engineering Department and the Toronto and Region Conservation Authority advises that the Site Servicing, Grading and Storm Drainage Report prepared by EMC Group Ltd. is acceptable.

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Land Use Planning & Site Design Report

Templeton Planning Limited prepared a planning report, dated April 2005, in support of the proposal. The report addresses the land use and urban design aspects of the proposal, and includes the relevant policies contained in OPA #450, the Region of York Official Plan, and the Provincial Policy Statement. It identifies the results of the supporting studies, and includes operational details of the facility and a site management plan. The report provides the following conclusions and recommendations:

- The Region of York Official Plan has been reviewed and the policies regarding giving consideration to impact and compatibility have been addressed. No amendment to the Region's Official Plan is required.
- The site is not conducive to a "Prestige Area" designation, due to its proximity to heavy rail traffic, the Highway #407 overpass, and the nature of the access connecting with Freshway Drive through a garbage recycling area. The site is highly suited to asphalt processing, aggregate recycling and contractor's yard uses that have existed on the site since 1997. These uses are impervious to the more negative locational and operational characteristics of the site and its immediate surroundings.
- The results of the required studies indicate that the existing uses on the site are or can be made compatible with surrounding land uses. Particular attention has been directed to the Beechwood Cemetery lands where mitigation measures have been focused.
- The operators of the facility have a long history of involvement and experience in the asphalt production and aggregate recycling industry, and they are well versed in the techniques and technologies for mitigating off-site impacts.
- The facility has been in operation since 1997, under a lease arrangement with CN Rail, and provides services to CN as well as to other customers. The lease agreement expires in over fifteen years, and if the lands cannot be transferred over to the applicant, the existing uses can continue under the lease agreement. The transfer of Ownership would be beneficial and the site plan approval process would result in providing buffering, landscaping and other improvements. Without the Ownership stake in the site, the operators of the facility will likely find it difficult to invest large sums of money in what would be leasehold improvements.
- It is recommended that an Official Plan Amendment and Zoning By-law Amendment be approved by the City of Vaughan to provide land use approval for the production of hot mix asphalt, the recycling and stockpiling of concrete and asphalt and for a contractor's yard. The approvals should be conditional on the subject lands being deleted from the Parkway Belt West Plan.
- It is recommended that the applicant proceed through the City's site plan approval process and that they enter into a site plan agreement with the City.
- It is recommended that the City accept the Proposed Site Management Plan as reflecting appropriate controls and best management practices for the facility. Implementation should include a site plan agreement and zoning by-law amendment.

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Departmental/Agency Comments

Ministry of Transportation (MTO)

The MTO has no objections to the proposal and advise that any new buildings will require a minimum distance of 14 m from the Highway #407 property line. Ministry permits are required for all buildings located within 46m from the highway's property line and a radius of 396m from the centrepoint of the intersection of Highway #407 and any crossing roadway.

There are no new buildings proposed for the site. There would not appear to be any conflict with the future transit corridor, which is parallel with Highway #407 on the south side of the highway.

Regional Municipality of York

The Region of York Planning Department has advised that they have no objections to the approval of the official plan amendment as there are no Regional issues and it is considered a matter of local significance. However, since the land is still part of the Parkway Belt West Plan, the amendment will require final approval from the Region of York, should Vaughan Council approve the subject applications.

Toronto & Region Conservation Authority (TRCA)

The TRCA advises that the site is not influenced by either its flood and fill regulated areas or its Valley and Stream Corridor Management Program. TRCA has reviewed the Site Servicing and Grading/Drainage Report prepared by EMC Group and finds the proposal to be acceptable. TRCA advises that City staff review the proposal to ensure that servicing and stormwater management alternatives for lands to the south within the Steeles Avenue Corridor are not compromised. The TRCA advises they have no objection to the applications.

Vaughan Engineering Department

The Engineering Department advises that the Site Servicing, Grading/Drainage Report prepared by the EMC Group is acceptable. The submission of a site servicing plan will be required at site plan stage, to the satisfaction of the Engineering Department. Given that the applicant proposes to connect to existing private services on adjacent lands, private easements and approval from the adjacent landowner will be required. The submission of grading plans will be required at site plan stage, to the satisfaction of the Engineering Department. The grading plan should incorporate the noise attenuation features recommended in the Noise Study, which is acceptable to the Engineering Department. The Transportation and Traffic Study is also acceptable.

Planning Analysis

Applications to amend the Official Plan and Zoning By-law to permit the continued operation of asphalt batching, concrete and asphalt recycling/storage, and a contractor's yard on the site is supportable for the following reasons:

- the City of Vaughan's Employment Area Plan (OPA #450) anticipates that surplus railway lands would be developed in accordance with the adjacent Employment land use designation, upon deletion from the Parkway Belt West Plan.

Section 2.2.6.1 (b) of OPA #450 states that: "Should railway and related uses cease on lands at the periphery of this designation, the lands may be developed in accordance with the policies of the adjacent Employment Area land use designation where applicable, subject to a

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Block Plan being approved by Council”. There is an existing employment area adjacent to the northwest of the site, consisting of “Prestige Area” and “Employment Area General” designations under OPA #450. Within this employment area, the nearest designation to the site is a band of “Prestige Area” that applies to the rear portion of properties abutting the north side of Highway #407, and that front onto Freshway Drive. The remaining portion of these lots are designated “Employment Area General”. The industrial lands to the southwest are also designated “Prestige Area”. A Block Plan is not required since the site consists of a relatively small area.

The “Prestige Area” designation provides locational opportunities for activities that require high visual exposure, good accessibility and an attractive working environment. Outside storage is not permitted. Given the site location, a “Prestige Area” designation would not be appropriate. The site does not have frontage or direct access to a public road. Access is obtained via a driveway easement connecting to Freshway Drive, which is more than 400 m long. The driveway runs parallel to CN’s rail line that serves the Classification Yard, and next to a waste recycling facility located immediately to the north of the site.

The Applicant proposes to redesignate the site to “Employment Area General” under OPA #450, which permits outdoor storage and uses that occur outdoors. The proposed designation is an appropriate land use category to accommodate the facility.

- The proposal conforms with the Region of York Official Plan.

The Regional Official Plan designates the site as being within the “Urban Area” and the Parkway Belt West Plan. There are no significant natural features, forest resources, or regional greenlands system on or within the vicinity of the site.

- The location of the facility is appropriate in the context of the surrounding land use.

Attachment #4 identifies the site in the context of surrounding land uses. The site is bounded to the east by CN Rail lines that connect to a nearby Classification Rail Yard, and further east is the Snidercroft Road employment area. South of the site is CN’s east-west railway line and a hydro corridor. To the north is an employment area that contains various employment uses, which is for the most part zoned EM2 General Employment Area Zone – a zone category that is proposed by the Applicant for the subject lands. A waste recycling facility is located immediately north of the site, which is municipally known as 10 Freshway Drive. Highway #407 overpasses the north portion of the site. Immediately west is the Beechwood Cemetery and an employment building to the southwest, each having access from Jane Street. There is a woodlot located on the south half of the cemetery lands, adjacent to the site’s west property line. The surrounding area is primarily devoted to employment uses, is not highly visible from public roads, and with appropriate mitigation measures, the subject land is an appropriate land use and compatible with the surrounding land uses.

- Appropriate implementation will ensure compatibility. If executed properly, the facility will not have an adverse impact on adjacent lands, particularly with the adjacent Beechwood Cemetery to the west.

The Applicant submitted studies addressing air quality, noise, transportation and traffic, and site servicing and grading/drainage, and have been reviewed by the various departments and agencies and with the exception of the air quality study, found to be acceptable. The site mitigation measures that are recommended for implementation by the Applicant, as reflected in the Site Management Plan (Attachment #5), include:

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- the installation of minimum 6m high, solid metal clad noise barriers, together with tree planting within a landscape strip between the perimeter wall and the common property line with the Beechwood Cemetery to the west;
- strategically located stockpiles of aggregate around the crusher with minimum and maximum stockpile heights of 4 m and 9 m, respectively;
- a crusher that includes a rotor that is totally enclosed so that the amount of dust emitted is limited;
- the points of aggregate transfer on the crusher shall each contain pressurized water spraying devices; In the event of failure of these devices, crushing shall cease until repaired;
- the 7.62 m access easement into the site shall be paved with asphalt;
- a pressure water truck shall be kept on site to spray down roadways and parking areas;
- stockpiles will be sprayed with water using a misting system.

In accordance with the recycling policies of OPA #450, the Applicant has submitted a description of the facility in support of the proposal, including the name and level of experience of the operator, material type and amount to be recycled, the technology used, hours and days of operation, and other sites utilized by the business owner. The details of the facility's operation and the operator are described on Attachment #6.

Planning Staff recommends additional mitigation measures to be undertaken. This includes paving vehicular maneuvering areas and work areas to help reduce dust emissions. The proposed tree planting along the west property line as shown on the Conceptual Development Plan (Attachment #6) and Landscape Plan (Attachment #7) appears minimal. Additional tree planting will be required, and within a minimum required 6m wide landscape strip, to be located between the north limit of the adjacent woodlot and the south limit of Highway #407. The installation of services such as hydro, storm drainage works and water and sanitary mains will be required in order to achieve some of the mitigation measures that are proposed. The Noise Study also recommends that the pulverizing unit for the rock breaker associated in the crushing activity on the south portion of the site, be replaced with a quieter pulverizer. The site management plan indicates a minimum height of 4m for the strategically placed stockpiles of aggregate adjacent to the crusher and rock breaker, whereas the Noise Study recommends a minimum height of 6m. The site management plan must be revised in this regard, and to include the additional mitigation measures recommended by staff.

The Official Plan Amendment is site-specific and will permit the asphalt batching and concrete and asphalt recycling/storage, and a contractor's yard as permitted uses within an "Employment Area General" designation under OPA #450. The Amendment will contain policies, including the required mitigation measures to be undertaken by the Applicant, and all necessary approvals required by the Ministry of Environment and Energy, prior to the execution of a site plan agreement. Prior to Council adopting the Amendment, the site must be deleted from the Parkway Belt West Plan, and the Applicant must revise the air quality survey to take into consideration planned residential and have it peer reviewed.

The implementing by-law will permit the uses on the site on the basis of an approved site plan that would restrict the location of the various components of the operation. Exceptions to the outside storage provisions contained in By-law 1-88 will be required, as well as, frontage and access requirements. A minimum height of 6m is required for the noise barrier wall, and a minimum 6m wide landscape strip will be required adjacent to the west property line, north of the adjacent woodlot to the south side of Highway #407. Any other exceptions necessary, including a minimum and maximum height requirement for noise barriers, shall be included in the implementing by-law.

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To resolve any off-site impacts that may be identified during the on-going operation of the facility, Planning Staff recommends that a site monitoring program be established. This program will be implemented through an agreement with the operator. This will allow the City, in consultation with the operator and the affected party, to initiate a monitoring program, in accordance with the terms of the agreement, which would identify the specific nature of the problem and the measures necessary to resolve it. The Applicant will be required to enter into a complex site plan agreement with the City of Vaughan. Staff recommends that the terms and provisions respecting a site monitoring program be included in the required site plan agreement as a means of implementation.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

Staff has reviewed the proposed amendments to the Official Plan and Zoning By-law to permit the continued use of the site for asphalt batching, concrete and asphalt recycling/storage, and a contractor's yard, and can support the proposal, provided that mitigation measures are implemented, which are primarily directed to addressing noise and dust. This will ensure that the operations of the facility will not have an adverse impact on the adjacent lands, particularly the Beechwood Cemetery to the west.

The Official Plan Amendment will be site-specific and permit the use in the "Employment Area General" designation under OPA #450, together with policies that include site mitigation measures, provision for establishing a site monitoring program, and requirement for obtaining a Certificate of Approval from the Ministry of Environment and Energy. The site must first be removed from the Parkway Belt West Plan, which has been referred to the Ontario Municipal Board by the Minister of Municipal Affairs and Housing. The air quality survey must be revised to take into consideration any planned residential within 1km of the site and then peer reviewed by a qualified consultant at the Owner's expense. If any further mitigative measures are required, they will be included in the site management plan, zoning by-law, and site plan agreement. The policies will establish the framework for the continued use of the site to ensure that the facility will not have an adverse impact on the surrounding land use.

The implementing zoning by-law will permit the asphalt batching, concrete and asphalt recycling/storage, and a contractor's yard, in an EM2 General Employment Area Zone. Exceptions to By-law 1-88 will be required to facilitate the future severance of the site by providing relief to the lot frontage and direct access requirements on a public road. Exceptions to outside storage are required. An approved site plan will be included to secure the location of the various components of the facility.

Staff recommends that the Site Management Plan be revised to include additional on-site mitigation measures, including paving vehicular maneuvering areas and work areas to help reduce dust emissions, provide additional tree planting along the west property line, replacing the pulverizing unit on the rock breaker with a quieter pulverizer, and provision for a site monitoring program that will provide a means of resolving any off-site impacts that may be identified during the on-going operation of the facility. The installation of services such as hydro, storm drainage works, and water and sanitary mains will be required in order to achieve some of the mitigation measures that are proposed. The Owner will be required to enter into a complex site plan agreement with the City.

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On the basis of land use and compatibility, and with appropriate implementation of the mitigation measures, Planning Staff can recommend approval of the applications to amend the Official Plan and Zoning By-law, subject to conditions.

Attachments

1. Location Map
2. Site Plan – Existing Facility
3. Proposed Noise Barrier Locations
4. Air Photo – Land Use Context Map
5. Description of Site Management Plan
- 6a. Description of Operational Details
- 6b. Description of Operational Details
7. Proposed Conceptual Development Plan
8. Proposed Landscape Plan

Report prepared by:

Arto Tikiryan, Senior Planner, ext. 8212

Grant A. Uyeyama, Manager of Development Planning, ext. 8635

/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 32, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

32 DONATION OF PUMPER AND TANKERS TO COLEMAN TOWNSHIP

The Committee of the Whole recommends approval of the recommendation contained in the following report of Mayor Di Biase, dated September 6, 2005:

Recommendation

It is recommended that the City of Vaughan donate three surplus Vaughan Fire Service Vehicles to Coleman Township.

Economic Impact

The value of these three surplus vehicles would be approximately \$5,000.00 if sold at an auction.

Purpose

To help Coleman township fire services recover from a fire that occurred on August 24, 2005 and destroyed existing trucks.

Background - Analysis and Options

On August 24, 2005 the Coleman Township Fire Hall was devastated by fire. Fully involved when the call came in, fire personnel had no chance to get any apparatus or equipment out. The building and contents were a total loss; three vehicles, all equipment on and off the apparatus as well as kitchen, washroom and all other facilities.

VFRS has three surplus vehicles – two tankers and one International Pumper. One of the tankers has front end damage and was written off by insurance but parts from this vehicle could be used to make one good working tanker.

The truck specs are as follows;

- 2 1985 GMC 7000 Agincourt Tanker/pump 7922/7923
- 427 gas engines
- 5 speed manual Transmission
- 2 speed rear axles
- 1000 Lpm Darley PTO Pump
- no foam
- 6000 ltr tanks
- porta tank holders
- 1981 IHC Cab over 330 series 7919
- Detroit Diesel 6v engine
- Allison Automatic
- 5000 Lpm single stage Waterous pump
- 2250 Ltr tank

Relationship to Vaughan Vision 2007

By following the mandate of showing community support, the City of Vaughan will assist another community in a time of need.

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

Conclusion

Acting Chief Greg Senay suggested and has confirmed that these pieces of equipment are surplus and have little financial benefit.

Attachments

Photos of the destroyed Coleman fire hall and trucks.

Report prepared by:

Greg Senay, Acting Chief VFRS and Bruce Kurta, Communications Co-ordinator

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

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Item 33, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

33 REQUEST FOR STOP SIGNS AT FIRGLEN RIDGE/ST. MARGARET MARY ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated September 6, 2005:

Recommendation

Councillor Tony Carella recommends that stop signs be erected in both directions on Firglen Ridge, where it intersects St. Margaret Mary Road.

Economic Impact

Nil

Purpose

To respond to the request addressed to the local councillor.

Background - Analysis and Options

Firglen Ridge is laid out much like a race track, circling the edges of the plateau between Islington Avenue and the Toronto Board of Trade Golf Course, near Gamble St. Access to Firglen Ridge is at three points only: from Torran Road to the north, Hayhoe Lane to the southeast, and Dorengate Drive to the northeast. While there is apparently little through traffic, residents report sufficient instances of speeding to prompt concern, especially in the vicinity of St. Margaret Mary Road, a short street which leads off Firglen Ridge to St. Margaret Mary School. This concern has prompted a petition signed by approximately one hundred individuals, including the principal of St. Margaret Mary School, and several school bus drivers. The installation of a stop sign will provide an increased measure of pedestrian safety for students who walk to and from school before or after the intersection is patrolled by the one crossing guard assigned to the school.

Relationship to Vaughan Vision 2007

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

Conclusion

It is appropriate for Council to respond to a reasonable request which has the support of so great a number of the local residents.

Attachments

Petition and map of the area

Report prepared by

Councillor Tony Carella

(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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Canadian society, issues which can best be addressed by citizen education rather than government fiat. The most immediate experience of the natural environment available to the citizens of Vaughan is to be found in our open spaces, parks, and residential gardens.

While the City is making the transition to environmentally-friendlier practices in the maintenance of its parks, private gardens still evidence practices which are not truly friendly to the environment, practices such as (1) the use of chemical pesticides and fertilizers to support the growth of plant species which would not otherwise grow in the climate of southern Ontario, and (2) the need for vast quantities of fresh water to sustain plants that are not resistant to drought or cannot otherwise survive without water beyond that supplied by summer rainfalls.

As the chief public space of the City of Vaughan, the landscaping of the new civic campus represents an optimum opportunity to educate our citizens about difference ways of treating the landscaped environment, ways that are in fact environmentally friendlier.

Relationship to Vaughan Vision 2007

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

Conclusion

The construction of the new civic centre is an outstanding opportunity to begin to educate the citizens of Vaughan to new ways of treating the natural components of the built environment, with the twin goal of protecting and enhancing the natural environment while reducing the expense to the City and to individual homeowners of maintaining the landscapes of parks and private residences.

Attachments

None

Report prepared by:

Councillor Tony Carella

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Item 35, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

35

TRAFFIC STUDY: CORONATION STREET & VITA ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated September 6, 2005:

Recommendation

Councillor Tony Carella recommends that appropriate staff conduct a study to determine the feasibility of installing a three-way stop sign and/or speed hump in the vicinity of the intersection of Coronation Street and Vita Road.

Economic Impact

Nil

Purpose

To establish whether traffic control/calming measures are warranted at this location.

Background - Analysis and Options

As a result of a recent traffic accident, reportedly the consequence of speeding, local residents have requested some form of traffic calming/control measure. It is appropriate that staff establish whether in fact such measure(s) are in fact warranted, and not simply anecdotally so.

Relationship to Vaughan Vision 2007

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

Conclusion

A traffic study will establish whether traffic calming/control measures are needed at the intersection of Coronation Street and Vita Road.

Attachments

None

Report prepared by:

Councillor Tony Carella

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2005

Item 36, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

36

RE: PROPOSED AMENDMENTS TO THE CITY OF TORONTO ACT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Intergovernmental Relations Committee, dated September 6, 2005:

Recommendation

The Intergovernmental Relations Committee recommends that Council direct legal and financial staff of the City to review proposed amendments to the *City of Toronto Act*, for purposes of identifying key issues in respect of the impact of any amendments on the City of Vaughan and its relationship with the Province of Ontario; and to report same to Council no later than September 26, 2005.

Economic Impact

Nil

Purpose

To ensure that the impact of the proposed act are clearly understood by Council and staff of the City of Vaughan.

Background - Analysis and Options

Amendments to the *City of Toronto Act* are expected to be enacted in the next few months, following the completion of the work of the *Joint Ontario-City of Toronto Task Force to Review the City of Toronto Act and Other Legislation*. As it is expected that such amendments will have implications for other Ontario municipalities, particularly GTA municipalities, a review of the proposed legislation by City staff is appropriate, in order for Council to address any potentially negative implications.

Relationship to Vaughan Vision 2007

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

Conclusion

A review of proposed amendments to the City of Toronto Act will better equip Council to deal with any implications for the City of Vaughan proceeding from such amendments.

Attachments

Attachment 1
City of Toronto Staff Progress Report - May 2005

Report prepared by:

Councillor Tony Carella

(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 37, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

37

RE: STEELES AVENUE BETWEEN HILDA AND BATHURST

The Committee of the Whole recommends that this matter be referred to staff for a further report.

Recommendation

The Intergovernmental Relations Committee recommends that Vaughan City Council convey to the City of Toronto and to York Region our serious concerns regarding the current condition of Steeles Avenue and the need to move rapidly to expand and rebuild this section of the street.

Economic Impact

Nil

Purpose

To alert both the City of Toronto, the owner of this section of Steeles and the Region, of our growing concern over the state of the road and the need to have it rebuilt.

Background - Analysis and Options

Steeles Ave West, from approximately Hilda on the east to Bathurst on the West continues to deteriorate. For a number of years running It has been declared one of the worst stretches of road in Ontario. In its current condition the road has a negative impact on business and with increasing automobile and transit traffic, it has become a significant bottleneck for the City of Vaughan. Citizens who live close to this part of Vaughan complain both of damage to their vehicles and the increased noise that results from a broken down roadway.

Relationship to Vaughan Vision 2007

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

Conclusion

In order to make the responsible governments aware of our increasing concern to make the rebuilding of Steeles a priority project, the City of Vaughan must express it urgency.

Attachments

None

Report prepared by:

Councillor Alan Shefman

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Item 38, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

38

JOINT/PERMANENT INVASIVE SPECIES TASK FORCE

The Committee of the Whole recommends that this matter be referred to the ALHB Task Force for discussion.

Recommendation

The Intergovernmental Relations Committee recommends:

That a joint permanent invasive species task force be established by the Province of Ontario and the Government of Canada;

That local MPP's and MP's be notified of this request.

Economic Impact

Purpose

That the Province of Ontario and the Government of Canada take the necessary actions immediately to address this eco system and send out proper notification to the local MPP's and MP's.

Background - Analysis and Options

The City of Vaughan and many other municipalities across Ontario have had to address problems with "invasive species" that are growing and threaten or harm our "eco systems, food supply, human health, and built environments".

In the City of Vaughan, one invasive species has been the Asian Long Horned Beetle. The Canadian Food Inspection Agency (CFIA) has reported that, "in the past six years, an unchecked population can explode and can exceed up to 50 billion." There are known predators, no natural enemies to kill the invasive specie.

In the Chatham 80,000 ash trees are to be chopped to address the emerald ash borer invasion.

In Oakville, Ontario 5,000 ash trees have filled as a result of the Chestnut borer beetle.

In New York State to address and combat the growing threat a task force was established seeking public comments and requested to prepare a recommendations to communicate, co-ordinate and compensate for invasive species

Relationship to Vaughan Vision 2007

This report recommends a change from the priorities previously set by Council and the necessary resources have not been allocated.

Conclusion

That the City of Vaughan and many other municipalities across Ontario receive the support to address the problems with invasive species so that it does not threaten or harm our eco systems.

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Attachments

Attachment 6- Hickory Beetles having feast

Attachment 7- News from the NYS Department of Environmental Conservation

Report prepared by:

Councillor Bernie Di Vona

(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 39, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

39 WESTON DOWNS TRAFFIC INFILTRATION-VILLAGE GREEN AND VELMAR DRIVE

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, dated September 6, 2005:

Recommendation

Councillor Bernie Di Vona recommends:

1. That the City of Vaughan Engineering Department be requested to conduct a review of traffic control options such as stop signs, median or speed humps on Village Green in the vicinity of Velmar Drive.
2. That the report be brought back to a future Committee Of The Whole no later than October 31, 2005.

Economic Impact

This report recommends a change from the priorities previously set by Council and the necessary resources have not been allocated.

Purpose

That the City of Vaughan Engineering Department conduct a review of traffic control and provide the residents of Village Green and in the vicinity of Velmar Drive with their comprehensive study and statistics. Numerous residents have contacted my office expressing their concerns with the rate of speed being traveled in this residential area; they also expressed their anxiety and worry for the safety of their children and themselves. They are hoping that the traffic control study will offer them a traffic control measure to help address this serious matter and help reduce the amount of car accidents and hopefully address disobedient travellers.

Background - Analysis and Options

Residents of Village Green in 2004 submitted a petition for a specific review of Village Green. Recently, residents of Village Green at Velmar Drive have reviewed the May 9, 2005 Weston Downs Community Traffic Infiltration Study, and wish to reflect upon one finding.

The study concludes that during the peak hours, the single largest number of entering traffic is located at Weston/Astona, (i.e. 9% in the PM and 10% AM).

Residents have seen numerous vehicles approach the stop sign at Village Green and Velmar Drive and not stop or turn sharply into incoming vehicles.

Residents then have expressed that they immediately speed onto Village Green while travelling westerly during PM rush hours.

Recommendations include: an island or median at Village Green and Velmar Drive with road narrowing, raised intersection, or three way stop signs.

Other recommendations include a three way stop sign on Village Green west of Velmar Drive.

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Relationship to Vaughan Vision 2007 Item , CW Report No. 46 – Page

3.3.1 Implement effective traffic calming measures.

Conclusion

Residents of Village Green hope that the necessary measures are taken so that the travelers in this vicinity start to pay more attention to the rate of speed they are traveling and obey the rate of speed designated for this area. The residents feel that it is time once again to conduct the traffic control study and would like the engineering staff and member of council to consider their recommendations so that their children and families remain safe and are able to enjoy their streets.

Attachments

Item 13, Report No. 29 –Committee of the Whole-Weston Downs Traffic Infiltration Study

Report prepared by:

Councillor Bernie Di Vona

(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 40, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

40

**ZONING BY-LAW AMENDMENT FILE Z.04.050
DRAFT PLAN OF SUBDIVISION FILE 19T-04V13
STELLTACC PROPERTIES INC.
REPORT #P.2004.106**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 6, 2005:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.050 (Stelltacc Properties Inc.) BE APPROVED, to rezone the subject lands shown on Attachment #2 from A Agricultural Zone and OS1 Open Space Conservation Zone to R3, R4, and R5 Residential Zones to permit a 181 unit residential subdivision, OS1 Open Space Conservation Zone (valleylands), and OS2 Open Space Park Zone (Park), together with the necessary exceptions to the zoning standards to implement the approved draft plan of subdivision as discussed in the 'Zoning' section of this report.
2. THAT Draft Plan of Subdivision File 19T-04V13 (Stelltacc Properties Inc.) BE APPROVED, subject to the conditions set out in Attachment #1.
3. THAT the subdivision agreement shall contain a provision requiring the Owner to 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, 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.
4. THAT Council pass the following resolution with respect to the allocation of sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the proposed Draft Plan of Subdivision Application 19T-04V13 be allocated sewage capacity from the Woodbridge Service Area of the York/Durham Servicing Scheme and water supply capacity from Pressure District No. 5 of the York Water Supply System, for 77 single detached and 104 semi-detached units for a total of 181 residential units."

5. THAT the following street names for Draft Plan of Subdivision File 19T-04V13 (Stelltacc Properties Inc.) BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Crestlawn Gate
Street 'B'	Condotti Drive (continuation of existing street)
Street 'C'	Worthview Drive
Street 'D'	Massimo Drive

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Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted applications to:

1. Amend Zoning By-law 1-88 to rezone the subject lands shown on Attachment #3, from A Agricultural Zone and OS1 Open Space Conservation Zone to R3, R4 and R5 Residential Zones, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone; and
2. Permit a revised Draft Plan of Subdivision (Attachment #3) consisting of 181 residential units (77 detached and 104 semi-detached), a park block, and open space blocks, on a 16.97 ha parcel.

Background - Analysis and Options

The subject lands (Attachment #1) are located on the north side of Langstaff Road, east of Regional Road No. 27, in Part of Lot 11, Concession 8, City of Vaughan. The irregular-shaped 16.97ha parcel has 594m frontage on Langstaff Road, with the Rainbow Creek valley traversing through the northerly portion of the site, and vacant tableland located to the south. The surrounding land uses are:

- North - Rainbow Creek Valley (OS1 Open Space Conservation Zone) and detached residential (R3 and R4 Residential Zones)
- South - Langstaff Road; detached residential (R4 Residential Zone) and Rainbow Creek (OS1 Open Space Conservation Zone)
- East - Rainbow Creek (OS1 Zone), vacant lands/future residential (A Agricultural Zone), Canadian Pacific Railway right-of-way
- West - detached and semi-detached residential (R5 Residential Zone) and townhouses (RM1 Multiple Residential Zone), Rainbow Creek (OS1 Zone)

Public Hearing

On October 22, 2004, a Notice of Public Hearing for the Draft Plan of Subdivision and related Zoning By-law Amendment applications proposing a 167 unit residential subdivision was circulated to all property owners within 120m of the subject lands and to the West Woodbridge Homeowners Association. No one appeared in opposition to the proposed development at the Public Hearing held on November 15, 2004. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 15, 2004, and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on November 22, 2004.

Since the Public Hearing, a letter from a neighbouring resident was received by the Development Planning Department expressing concern with construction activity occurring on the subject site, the location of the construction access, and the formation of large mounds of dirt, all of which were impacting the enjoyment of her property. Staff of the Development Planning Department called this resident indicating that the ongoing works were permitted and that all necessary permits for these works were issued. In addition, the resident was directed to the appropriate City Staff in the Building Department who will ensure that the soil stripping and grading is appropriately controlled.

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Official Plan

The subject lands are designated “Low Density Residential”, “Open Space”, "Drainage Tributary", and "Utility" by OPA #240 (Woodbridge Community Plan). The "Low Density Residential" designation permits detached and semi-detached dwelling units at a maximum gross density of 7.4 units/ha, which is calculated on a neighbourhood plan basis. The proposed draft plan of subdivision conforms to the Official Plan, as discussed in the following "Neighbourhood Plan" and "Density" sections of this report.

Neighbourhood Plan

The subject lands are located with the Neighbourhood 4A Development Plan (see Attachment #4), which was approved by Council in October 1988 and revised on May 6, 1996. This plan deals with land use, transportation and roads, traffic impact, servicing and density. The implementation of the Neighbourhood Plan is through the approval of individual plans of subdivision.

To ensure the orderly development of the Woodbridge Community, Section 12(h) in OPA #240 provides the following:

“To enable the City and the Region to co-ordinate the development of individual plans of subdivision and establish priorities for the provision of municipal and regional services and facilities, the City shall require the preparation and adoption of detailed neighbourhood development plans prior to permitting major development to proceed in certain areas. Such neighbourhood development plans need not form an amendment to the Plan.”

The proposed land use and subdivision design is generally consistent with the Council approved Neighbourhood 4A Development Plan with the exception of the park location and size. The applicant is proposing a park block on the north side of the valley (Block 130 on Attachment #3) to address the park requirement in the Neighbourhood Plan, and the status of this block is addressed further in this report.

Density

OPA #240 sets out four residential Neighbourhoods for the Woodbridge Community and provides density requirements for each. The subject lands are situated in Lot 11, Concession 8 within the Neighbourhood 4A Development Plan, which permits a maximum gross density of 7.4 units/ha calculated on a neighbourhood plan basis. A gross hectare includes the net residential land area, local and feeder roads, parks and open space, community facilities, plus one-half of the area of boundary roads and one-quarter of the area of boundary intersections. The Neighbourhood 4A Development Plan has a total development area of 106.5ha, and includes valley lands designated "Drainage Tributary" to be maintained in a natural state as open space blocks.

The maximum number of units permitted and approved/built within the entire Neighbourhood 4A Plan is as follows:

	<u>Permitted</u>	<u>Approved/Built</u>
Low Density (Gross)		
-Lot 11 (43.5 ha @ 7.4 uph):	322 units	128 units
-Lots 12-14 (63 ha @ 12.4 uph):	781 units	520 units

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Medium Density (Net)		
-1.334 ha @ 32 uph:	<u>42 units</u>	<u>42 units</u>
Total units:	1145 units	690 units

An additional 455 residential units can be accommodated within the neighbourhood. The proposed development includes 181 residential units, and therefore conforms to the density policies within the Official Plan. The only remaining lands within the Neighbourhood 4A Plan without development approvals is the property directly to the east adjacent to the CP Rail line.

Zoning

The subject lands are presently zoned 'A' Agricultural Zone and OS1 Open Space Conservation Zone by By-law 1-88 as shown on Attachment #1. To facilitate the proposed draft plan of subdivision shown on Attachment #3, a by-law amendment is required to rezone the valleylands to OS1 Open Space Conservation Zone; the residential tableland south of the valleylands to R3, R4, and R5 Residential Zones; and the tableland north of the valleylands to OS2 Open Space Park Zone as shown on Attachment #5.

The following zoning exceptions are required to facilitate the development of the proposed draft plan of subdivision:

- permit a minimum front yard of 5.8m between a garage and the streetline for all lots with 9.75m and 11m frontages on Streets "A" and "D", whereas 6.4m is required;
- permit a minimum rear yard of 6.2m for all lots with 9.75m frontages, and 5.8m for all lots with 11m frontages on Streets "A" and "D", whereas 7.5m is required;
- permit a minimum exterior side yard of 3.75m for all lots with 11m frontages or that flank on Streets "A" and "D", whereas 4.5m is required;
- permit a maximum lot coverage of 50% for all lots with 11m frontages on Streets "A" and "D", whereas 45% is permitted;
- permit a maximum lot coverage of 50% for all lots with 12m frontages, and a maximum of 45% for lots with 13.5m frontages, whereas 40% is permitted;
- permit a minimum interior side yard of 1.2m for semi-detached units on lands zoned R5, whereas 1.5m is required.

The proposed R3, R4 and R5 Zone categories are consistent with the subdivision to the immediate west and will allow for a similar built form. Changes to the proposed street alignments, road widths and servicing issues have resulted in shallow lots making unit siting difficult, and therefore, the above-noted exceptions are appropriate to facilitate the construction of the proposed dwelling units, with satisfactory setback, coverage and rear amenity areas that will not affect the streetscape or the enjoyment of property by the future residents.

In consideration of the above, the Development Planning Department is satisfied that the proposed zoning categories and required exceptions are appropriate. The implementing by-law will include these exceptions and any other exceptions necessary to implement the proposed draft plan of subdivision, if approved.

Subdivision Design

The proposed draft plan of subdivision shown on Attachment #3 has been prepared in accordance with the approved Neighbourhood 4A Plan with the exception of the park location and

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size. The proposed lotting pattern is similar in size and design to the adjacent plans of subdivision. The proposed road allowance is 20m in width and aligns with Condotti Drive to the immediate west. A total of 181 residential lots are proposed and will be comprised of 77 detached units on lot frontages ranging from 9.75m to 13.5m, and 104 semi-detached units each having a minimum lot frontage of 7.5m.

A section of the hydro corridor, which is under private ownership extends through the proposed plan of subdivision and its disposition will need to be determined prior to registration. The draft plan should identify the Hydro corridor lands north of Street "C" as a separate block, and include all telecommunication (WIC) and hydro switch gear locations. The draft plan has been red-lined to this effect as shown on Attachment #3.

The park block (Block 130) is located at the northern tip of the subdivision plan abutting existing residential homes. This park location is not consistent with the Neighbourhood Plan, and the proposed park size and configuration are not suitable to serve as a Neighbourhood Park, however, there may be an opportunity to secure additional parkland from the development application immediately to the east. These lands could serve as an expanded park facility for the Neighbourhood 4A Plan area. The proposed park location has been reviewed by the Parks Development Department, as discussed below.

Parks Development Department

This Department has reviewed the proposed park (Block 130) and has indicated that this parcel could be accepted for conveyance to the City, subject to the following conditions:

- a Phase 2 ESA is required for Block 130; the developer/applicant will be required to remediate the site in accordance with the recommendation of the Phase 2 ESA to the satisfaction of the City of Vaughan;
- the applicant will be required to pay cash-in-lieu of parkland dedication in accordance with Section 42 of the Planning Act;

Vaughan Engineering Department

The Vaughan Engineering Department provides the following comments:

a) Environmental Site Assessment

A Phase 1 ESA Report prepared by Shaheen and Peaker Limited was submitted on behalf of the Owner for the City's approval. The report was peer reviewed by the Engineering Department on January 28, 2005, and was found to meet the requirements of the Ministry of Environment's, Ontario Regulation 153/04 (Guidelines for Contaminated Sites in Ontario) and is also in compliance with CSA Standard Z768-01.

A Phase 2 ESA report has been submitted for the park block and is currently being reviewed by the Engineering Department.

b) Servicing

The subject development is located within the Woodbridge Service Area, which is a natural tributary to the Rainbow Collector. In addition, based on the City's current Vaughan Water Pressure Districts (2026 Condition) plan, the development falls within the servicing area of Pressure District 5 of the York Water Supply System. The existing watermains on Codotti Drive

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and Langstaff Road and the existing 300 mm diameter sanitary sewer on Langstaff Road will provide water and sanitary connections for this development. The storm water flows from the subject lands are tributary to the Robinson Creek valley. The preliminary stormwater management servicing report prepared by Sernas Associates dated October 2004, proposes an expansion to the existing storm water detention pond, within the abutting Villagio Subdivision 19T-95092 to the west, to accommodate the drainage from the subject draft plan. Storm water will be contained within the subdivision and will proceed to the storm water management block. Connections to the existing infrastructure will be subject to confirmation that there are no downstream constraints in the existing system.

Financial contributions for the proportionate share towards any external municipal services that have been designed and oversized by others to accommodate the plan will be required from the subject development.

The Engineering Department has confirmed sewage and water allocation for this draft plan of subdivision. A recommendation is included in the recommendation section of this report, and shall allocate water and sewage capacity for a total of 181 residential lots.

c) Noise Attenuation

Due to the proximity of the draft plan to Langstaff Road the Engineering Department requires a noise report that analyses the ultimate traffic data and stationary noise source(s) to be submitted for review and approval at the detailed engineering stage. The applicant is advised that City policy requires mandatory air conditioning for residential units that abut and/or face major collector roads such as Langstaff Road.

d) Streetlighting

The streetlighting design shall meet the City criteria within the draft plan and at the Langstaff Road intersection.

Cultural Services Department

The Cultural Services Department has requested that an Archeological Assessment be undertaken on the subject lands, as a condition of draft plan approval.

PowerStream Inc.

PowerStream Inc. has reviewed the proposal and has no objections to its approval, provided the Owner/Agent discusses all aspects of the proposed project with PowerStream Staff. In addition, the Owner/Agent is responsible to maintain proper clearances from the buildings to PowerStream's plant (to appropriate specifications). The submission of Draft M-Plans, Legal Plans, Site Plan, and Architectural design drawings are required. All details of the development, number of lots and units shall be provided to PowerStream Staff nine months in advance of construction to determine the estimated cost and type of installation required to supply this development.

Region of York

The Region of York has completed its review of the draft plan of subdivision and has no objection to the approval of the draft plan, provided water and sewer capacity has been allocated, and subject to the conditions outlined on Attachment #1.

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Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposed draft plan of subdivision and has indicated that the detailed design of the pond may be subject to revisions through the fulfillment of the draft plan conditions outlined on Attachment #1.

School Boards

The York Region District School Board and the York Catholic District School Board have no comments or conditions respecting the proposed draft plan of subdivision, as a school site is not required on these lands.

Canada Post

Canada Post has reviewed the proposed draft plan of subdivision and related zoning file and have no objection to both applications, subject to the conditions provided on Attachment #1.

Street Names

The applicant has submitted street names as identified in Recommendation #5 to this staff report. The Vaughan Development Planning Department has reviewed the proposed street names, and there are no concerns regarding the names. The Planning Department for the Region of York has also reviewed the street names, and does not have any objections to the proposed names.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department is of the opinion that the proposed rezoning of the subject lands to facilitate the development of a proposed 181 residential lot draft plan of subdivision comprised of 77 detached units and 104 semi-detached units conforms with the policies of the Official Plan, and is generally consistent with the approved Neighbourhood 4A Development Plan, and development in the surrounding area. Accordingly, the Development Planning Department recommends the zoning by-law amendment application and draft plan of subdivision be approved, subject to the conditions outlined in Attachment #1.

Attachments

1. Conditions of Approval
2. Location Map/Existing Zoning
3. Draft Plan of Subdivision
4. Neighbourhood 4A Plan
5. Draft Plan of Subdivision & Proposed Zoning

Report prepared by:

Eugene Fera, Planner, ext. 8064
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

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

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Item 41, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 12, 2005.

41

**PROPOSED SCHOOL CROSSING GUARD
THORNHILL WOODS PUBLIC SCHOOL
ADDENDUM REPORT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated September 6, 2005:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That a school crossing guard be approved for the new Thornhill Woods Public School.

Economic Impact

The cost to implement one additional school crossing guard would have an immediate impact to the 2005 Crossing Guard Budget of \$3,300. Future costs will commence with the 2006 Operating Budget. This increase to the budget will not be able to be absorbed given that the recommended guard compliment for September 2005 exceeds the budget, Council approved Crossing Guard cap of 80. The annual cost of increasing the cap to 81 Crossing Guards will be an increase of \$8,100 commencing with the 2006 Operating Budget.

Purpose

To provide additional information on adding a new school crossing guard for Thornhill Woods Public School.

Background - Analysis and Options

Staff have been recently informed that Thornhill Woods Public School, located on the east side of Thornhill Woods Drive and south of Autumn Hill Boulevard, is now open for the start of the 2005/2006 school year. The area is shown on Attachment No. 1.

Accordingly, staff recommends that funds for a new school crossing guard be approved.

Staff will conduct traffic studies to determine the most appropriate school crossing guard location, and follow up with the School Board regarding the catchment area. Staff will report on the proposed location for the Council meeting on September 12, 2005.

Relationship to Vaughan Vision 2007

This report is consistent with Vaughan Vision 2007 which seeks to improve community safety through design, prevention, enforcement and education (1.1) through the review of the level of enforcement, compliance and monitoring of regulations relating to public safety (1.1.6).

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Conclusion

This report is consistent with the priorities previously set by Council. Staff are recommending that the approved cap of 80 be increased to 81 with the understanding that the 2005 Crossing Guard Budget will be exceeded by the corresponding additional expense of \$3,300. Staff are also recommending that resources be put in place and the 2006 Crossing Guard Budget be this additional guard.

Attachments

1. Location Map

Report prepared by:

Mark Ranstoller, Senior Traffic Technologist, Ext. 8251
Mike Dokman, Supervisor, Traffic Engineering, Ext. 8031

:MR

(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 42, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

42

**DEPUTATION – MS. NATHALIE KARVONEN
WITH RESPECT TO WILDLIFE RELATED SERVICES IN THE CITY OF VAUGHAN**

The Committee of the Whole recommends that the deputation of Ms. Nathalie Karvonen, Toronto Wildlife Centre, 60 Carl Hall Road, Unit 4, Toronto, M3K 2C1, and written submission dated August 10, 2005, and the information package, be received and referred to staff.

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Item 43, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

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**DEPUTATION – MR. CRAIG GENTLE
WITH RESPECT TO ON-STREET PARKING CONCERNS**

The Committee of the Whole recommends that the deputation of Mr. Craig Gentle, 43 Peter Andrew Crescent, Thornhill, L4J 3E2, owner of 467 Edgeley Boulevard, and written submissions dated August 16, 2005 and September 1, 2005, and photographs, be received and referred to staff for a report to the Committee of the Whole meeting of October 11, 2005.

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Item 44, Report No. 46, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 12, 2005.

44

**DEPUTATION – MS. PALMA PALLANTE
WITH RESPECT TO VAUGHAN VILLAGE FAIR & EXHIBIT**

The Committee of the Whole recommends that the deputation of Ms. Palma Pallante, Vaughan Business Promotions Inc., 989 Creditstone Road, Suite 200, Concord, L4K 4N7, and written submission dated August 23, 2005, and information package, be received and referred to staff.

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Item 45, Report No. 46, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 12, 2005, as follows:

By approving the following resolution:

WHEREAS the rain storm of August 19, 2005 was an extreme event that caused significant damage to municipal infrastructure and private property within the City of Vaughan; and

WHEREAS The City of Vaughan desires to effect repairs to damaged municipal infrastructure as soon as possible; and

WHEREAS the Province has the authority to grant approvals to the City to undertake remedial works in water courses which form a part of the City's drainage infrastructure; and

WHEREAS the City of Vaughan proposes to complete the remedial works in accordance with the policies and practices of the authorities having jurisdiction;

NOW THEREFORE BE IT RESOLVED:

THAT the Ministry of Natural Resources, the Ministry of Municipal Affairs and Housing and the Toronto and Region Conservation Authority be requested to consider granting regulatory approval to the City of Vaughan for such emergency repair works deemed necessary and appropriate by the City of Vaughan; and

THAT the Toronto and Region Conservation Authority be requested to undertake a review of Valleylands that it owns to determine what action may be necessary to reduce the impact of future severe rainfall events; and

THAT copies of the resolution be forwarded to the Ministry of Natural Resources, the Ministry of Municipal Affairs and Housing, the Toronto and Region Conservation Authority, the Regional Municipality of York, the Association of Municipalities of Ontario and Conservation Ontario.

By approving that copies of the resolution be forwarded to the Honourable Greg Sorbara, MPP, and Mario G. Racco, MPP; and

By receiving the memorandum from the Commissioner of Engineering and Public Works, dated September 12, 2005.

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**DEPUTATION – MR. GIANFRANCO LOCANTORE
WITH RESPECT TO FLOODING ON JEANNE DRIVE**

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Gianfranco Locantore, 120 Jeanne Drive, Woodbridge, L4L 1X9, and written submission dated August 31, 2005, and photographs, be received;
- 2) That staff prepare a resolution to the Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing, with a copy to the Toronto and Region Conservation Authority, requesting some authority be given to the Municipality to act accordingly in emergency situations;
- 3) That the memorandum from the Manager of Emergency Planning, dated September 2, 2005, be received; and

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- 4) **That the written submission of Ms. Clara Astolfo, President, Vaughanwood Ratepayers' Association, 15 Francis Street, Woodbridge, L4L 1P7, be received.**