

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 1, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

1

**TERMS OF REFERENCE
MAYOR'S TASK FORCE ON SAFETY AND SECURITY IN VAUGHAN**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Mayor's Task Force on Safety and Security in Vaughan, dated February 6, 2006, be approved; and
- 2) That the deputation of Mr. Paul DeBuono, President, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5, be received.

Recommendation

The Mayor's Task Force on Safety and Security in Vaughan recommends:

That the attached Terms of Reference be approved.

Economic Impact

There is no economic impact.

Purpose

As directed by Council, the Mayor's Task Force has developed Terms of Reference and wishes to present them to Council.

Background - Analysis and Options

At the Council meeting of October 31, 2005, Council approved the creation of a Task Force with the objective of developing recommendations which, when implemented would improve community Safety. Recommendations developed by the Mayor's Task Force on Community Safety and Security would focus on education, prevention, and community participation. Mr. Julian Fantino was appointed as the Task Force Chair and Council recommended that Mr. Fantino appoint Task Force members with representation from key stakeholder groups. Members were appointed and the Task Force has had two meetings since its creation.

The Task Force was directed to develop and recommend Terms of Reference to Council at the earliest opportunity. The Task Force has developed the Terms of Reference and wishes to present them to Council.

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

As directed by Council, the Mayor's Task Force on Community Safety and Security has created the Terms of Reference for the Task Force, and wishes to present them to Council.

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Item 2, CW Report No. 5 – Page 2

Attachments

- 1) Terms of Reference (Draft)
- 2) Membership

Report prepared by:

R. Magnifico
Assistant 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.)

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Item 2, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

2 INSTALLATION OF A THREE WAY STOP SIGN AT MAPES AVENUE AND EASTERN ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated February 6, 2006:

Recommendation

Councillor Tony Carella recommends the installation of a stop sign at Mapes Avenue and Eastern Road.

Economic Impact

Estimated to be \$300.

Purpose

To ensure the safety of the residents.

Background - Analysis and Options

Local residents living in and around the area have concerns with the excessive speeding. The residents have provided a petition requesting that a stop sign be installed.

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 response to a petition of the residents, it is recommended that this stop sign be installed.

Attachments

Petition

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 3, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

**3 AMENDMENT TO BY-LAW 374-90, A BY-LAW DESIGNATING
THE ISAAC BAKER HOMESTEAD, 1350 LANGSTAFF ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated February 6, 2006:

Recommendation

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

1. That By-law 374-90, a by-law designating the Isaac Baker Homestead, 1350 Langstaff Road, under Part IV of the Ontario Heritage Act, be amended by deleting the description of lands portion of the designating by-law found in Schedule "A" of the said by-law and replacing it with the new property description, described as "Lots 52, 53 and Block 168 on Plan 65M-3751".

Economic Impact

This request has no financial impact.

Purpose

The purpose of this report is to seek Council approval to amend By-law 374-90, a by-law designating the Isaac Baker Homestead under Part IV of the Ontario Heritage Act.

Background - Analysis and Options

The Isaac Baker Homestead located at 1350 Langstaff Road was designated under Part IV of the Ontario Heritage Act in 1990. The property contains the original house constructed by Isaac Baker in 1930 and his harness workshop from which he operated his harness shop for over 50 years. Isaac Baker was a descendant of the original Baker family that first settled in Vaughan in the 1790s. Mr. Baker was a renowned craftsman in his own right and contributed to the preservation of the Mennonite-Dunkard heritage in the Vaughan community during his lifetime.

In recent years the current property owners severed the original homestead property and while the Isaac Baker House and harness shop remains intact, the vacant land surrounding the property was sold. As a result of this severance, the original legal description of the property has been altered. The new property description contains the designated house and harness shop only. The amendment to the by-law as proposed represents the new legal description of lands that contains the Isaac Baker House and harness shop. Designating by-laws are required to be registered on title and therefore, the amendment to the by-law is necessary to register the revised by-law against the appropriate property title.

Relationship to Vaughan Vision 2007

Section 4.6 of the Vaughan Vision encourages the preservation and enhancement of the natural and built heritage environment and encourages the preservation of significant historical structures and communities.

This report is consistent with the priorities previously set by Council and the necessary resources to implement all points outlined in this report have been allocated and approved.

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Conclusion

The proposed amendment to By-law 375-90, updating the By-law to represent the new property description is required as a result of the severance that was approved for the property several years ago. All designating by-laws must be registered on title and the current by-law does not represent the new legal description of the property that contains the Isaac Baker Homestead and harness shop. It is, therefore, necessary to amend By-law 375-90 to include in its legal description, property that represents the new legal description of lands that contains the Isaac Baker Homestead and Harness shop.

Attachments

None

Report Prepared By

Angela Palermo, Manager of Cultural Services, ext. 8139

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Item 4, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

**4 ASSUMPTION – WESTON WOODS – PHASE 1 – MARIA ANTONIA ROAD
 19T-97V30 / 65M-3460**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 6, 2006:

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-3460, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 0.8 lane kilometers of roadway and 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 municipal infrastructure has been completed and is ready to be assumed by the City.

Background - Analysis and Options

The remaining portion of Maria Antonio Road that is proposed to be assumed is part of a residential subdivision that was previously assumed. This was originally part of the access and construction road to the existing subdivision. The development is located south of Major Mackenzie Drive, west of Weston Road as shown on Attachment 1.

The Subdivision Agreement for the subdivision was signed on October 12, 2000. The municipal services in Plan 65M-3460 were installed in July 2000 and the top course asphalt was placed in September 2002.

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.

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 and the necessary resources have been allocated and approved.

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Conclusion

It is therefore appropriate that the municipal services in 65M-3460 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

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 5, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

5 **ASSUMPTION – WESTON WOODS – PHASE 2**
19T-97V30 / 65M-3592

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 6, 2006:

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-3592, and that the municipal services letter of credit be reduced to \$29,250.00 for the maintenance of boulevard trees and the completion of line painting, as per the Parks Operations and Forestry Department’s and Engineering Services Department’s requests, respectively.

Economic Impact

Upon assumption of this development, approximately 3.0 lane kilometers of roadway and 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 163 lot development is a residential subdivision. The development is located west of Weston Road, south of Major Mackenzie Drive as shown on Attachment No. 1.

The Subdivision Agreement was signed on July 17, 2002. The municipal services in Plan 65M-3592 were installed in June 2001 and the top course asphalt was placed in September 2004.

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 Public Works, Building Standards, Parks Development, Parks Operations and Forestry, Development Planning and Clerks. The Parks Operations and Forestry Department is requesting that \$19,250 be held back as securities for the maintenance of boulevard trees. The Engineering Services Department is requesting that \$10,000 be held back as securities for the completion of line painting in the spring. The Reserves and Investments Department has also confirmed that all of the City’s financial requirements regarding this subdivision have been met.

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.

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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

It is therefore appropriate that the municipal services in 65M-3592 be assumed and the municipal services letter of credit be reduced to \$29,250.00. Once staff are satisfied that the trees are viable and the outstanding lane markings have been completed, the Letter of Credit will be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461

VR/fc

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Item 6, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

6

**RIVERVIEW AVENUE
PROPOSED TRAFFIC CALMING MEASURES**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 6, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That speed humps not be implemented on Riverview Avenue.

Economic Impact

Not applicable.

Purpose

To review the feasibility of implementing speed humps on Riverview Avenue, in response to a request and a petition from area residents.

Background - Analysis and Options

A 7 signature petition was received from residents of Riverview Avenue and Ida Court requesting speed humps on Riverview Avenue. The streets contain a total of 56 residences.

Riverview Avenue is a local roadway with a 20.0 metre right-of-way and an existing posted speed limit of 40 km/h. The area is shown on Attachment No. 1.

Radar speed studies were conducted on Wednesday, September 28, 2005 from 8:00am to 9:00am and from 4:00pm to 5:00pm on Riverview Avenue south of Ida Court. On the day of the study the weather was clear and sunny. The following table summarizes the results of this investigation.

TIME	LOCATION	DIRECTION	AVERAGE SPEED
8:00am – 9:00am	South of Ida Court	Northbound	45 km/h
		Southbound	43 km/h
4:00pm – 5:00pm	South of Ida Court	Northbound	47 km/h
		Southbound	43 km/h

The average speeds range from 43 to 47 km/h indicating a good level of compliance with the existing speed limit.

In accordance with the Council's Neighbourhood Traffic Committee Policy and Procedure;

Warrant 1 - speed humps shall be considered only when the following three warrants are met; the street is not a primary emergency response route, the speed limit is 50 km/h or less, and the average speed is measured to be 10 km/h greater than the speed limit.

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The collected speeds do not exceed the posted speed limit by 10 km/h. Although Riverview Drive is not classified as an emergency response route, comments from Vaughan Fire and Rescue Services indicate they would be opposed to installation of speed humps. Based on the above warrant, the warrant for the installation of speed humps on Riverview Avenue is not met.

Environmental Assessment Act Requirements

As required under the Environmental Assessment Act, whenever traffic calming measures are installed or removed a Schedule B Environmental Assessment process must be followed. This process requires public notification and consultation, the identification of alternates, and the filing of a Notice of Completion with the Ontario Ministry of the Environment and publication in local media.

Should Council approve traffic calming measures for installation on Riverview Avenue then the City would be required to publish a Notice of Commencement, develop a plan for review by the public and publish a Notice of Completion. The notices would also have to be filed with the Ministry of the Environment and published in editions of the Vaughan Citizen, Lo Specchio and Vaughan Weekly newspapers.

Prior to construction, the City's normal practice is to mail letters to the residents of Riverview Avenue should traffic calming measures be approved informing them of their installation.

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 and the necessary resources have been allocated and approved.

Conclusion

Based on staff's review, it is recommended that speed humps not be implemented on Riverview Avenue.

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 7, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

**7 THORNHILL WOODS DRIVE AT COLTRANE DRIVE/
 THORNHILL WOODS PUBLIC ELEMENTARY SCHOOL ACCESS
 ALL-WAY STOP CONTROL AND 'NO STOPPING' PROHIBITION REVIEW**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 6, 2006:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. The installation of an all-way stop control at the intersection of Thornhill Woods Drive Coltrane Drive/Thornhill Woods Public Elementary School Access; and
2. The installation of 'No Stopping' prohibitions with the time periods of 8:00 am to 9:30 am and 3:00 pm to 4:30 pm, Monday to Friday, September 1st to June 30th on the west side of Thornhill Woods Drive from Autumn Hill Boulevard to Coltrane Drive.

Economic Impact

The cost to install the all-way stop control signs, pavement markings and 'No Stopping' prohibitions will be an initial impact on the 2006 Operating Budget. The on-going costs to maintain the signs and pavement markings would be an impact to future Operating Budgets.

Purpose

To review the feasibility of implementing an all-way stop control at Thornhill Woods Drive and Coltrane Drive/Thornhill Woods Public Elementary School access and 'No Stopping' prohibitions on the west side of Thornhill Woods Drive from Autumn Hill Boulevard to Coltrane Drive.

Background - Analysis and Options

A request was received from the Principal of the elementary school to review the traffic activity at the intersection of Thornhill Woods Drive and Coltrane Drive/Thornhill Woods Public Elementary School access. Thornhill Woods Drive is a feeder roadway with a 23.0 meter right-of-way. Coltrane Drive is a local roadway with a 17.5 meter right-of-way. The speed limit on Thornhill Woods Drive is 40 km/h and 50 km/h on Coltrane Drive. The existing stop controls are located on Coltrane Drive and the school's access (driveway entrance). See Attachment No.1 for the area network. Sidewalks are either existing or proposed for installation on both sides of Thornhill Woods Drive in this area.

A turning movement count was conducted on Tuesday, December 13, 2005 at the intersection of Thornhill Woods Drive and Coltrane Drive/Thornhill Woods Public Elementary School access during the peak morning and afternoon time periods of 7:00 am to 9:00 am and 3:00 pm to 6:00 pm. On the day of the study, the weather was cold and clear, with a temperature of -15 degrees Celsius. The data collected was compared to the Provincial Warrant for All-way Stop Control with the following results:

Warrant 1 – Minimum Vehicular Volumes	Warranted 100%
Warrant 2 – Accident Hazard	Warranted 0%
Warrant 3 – Sight Restriction	Warranted 0%

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All-way stop controls are recommended when one of the above warrants are satisfied 100% or more. There are no vehicle collisions at this intersection susceptible to prevention by an all-way stop control over the last twelve-month period. There are no site restrictions at this intersection. According to the above results, an all-way stop control is warranted at the intersection of Thornhill Woods Drive and Coltrane Drive/Thornhill Woods Public Elementary School access.

A request from a resident was received to review the parking activity in the vicinity of Thornhill Woods Public Elementary School. A parking review was conducted on Tuesday, December 13, 2005 during the time periods of 7:00 am to 9:00 am, and from 3:00 pm to 6:00 pm. There were several vehicles parked on both sides of the roadway in front of Thornhill Woods Public Elementary School, during the time periods of 8:30 am to 9:00 am and 3:30 pm to 4:00 pm.

Thornhill Woods Drive has a road width of 11.5 meters. When vehicles are parked on both sides of the roadway, the available travel width is reduced to about 6 meters between the vehicles. There is a concern with small children crossing in between parked vehicles on the west side of the roadway. Also, when vehicles are parked on both sides of Thornhill Woods Drive this impacts emergency and other service vehicles movement in front of the school.

The installation of a 'No Stopping' prohibition on the west side of Thornhill Woods Drive across from Thornhill Woods Public Elementary School will still provide for ample parking spaces on the east side for parents and residents, while still allowing emergency and other service vehicles movement in front of the school.

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 and the necessary resources have been allocated and approved.

Conclusion

Based on staff's review, it is recommended that an all-way stop control be installed at the intersection of Thornhill Woods Drive and Coltrane Drive/Thornhill Woods Public Elementary School access and that 'No Stopping' Prohibitions with the time periods, 8:00 am to 9:30 am and 3:00 pm to 4:30 pm, Monday to Friday, September 1st to June 30th, be installed on the west side of Thornhill Woods Drive from Autumn Hill Boulevard to Coltrane Drive.

Attachments

1. Location Map

Report prepared by:

Sabrina Naccarato, Traffic Analyst, ext. 8759
Mike Dokman, Supervisor Traffic Engineering, ext. 8031

:SN

(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. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

8

AUGUST 19, 2005 RAINSTORM

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 6, 2006, be approved;
- 2) That staff provide a report outlining options to address emergency situations using existing resources;
- 3) That the memorandum of the Commissioner of Engineering and Public Works, dated February 3, 2006, containing a revised Attachment 4, be received; and
- 4) That the deputation of Mr. Terry Goodwin, 122 Thornridge Drive, Thornhill, L4J 1E3, be received.

Recommendation

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

1. That Staff continue to be proactive in the review, updating and implementation of sound engineering design standards, policies and practices in close consultation and cooperation with the Toronto Region Conservation Authority, the Ministry of Environment, the Ministry of Natural Resources and the Department of Oceans and Fisheries.
2. That priority be placed on completing the following projects and studies, as approved in the 2006 Capital Budget;
 - i. Stormwater Management Retrofit Study
 - ii. Stormwater Management Criteria Study
 - iii. Sediment and Erosion Control Study
 - iv. Sewage Flow Monitoring Program
 - v. City-Wide Drainage Study
 - vi. Storm Pond Sedimentation Removal (various locations).
3. That Staff continue to explore and subsequently report back to Council on funding alternatives and approaches to secure future sustainable funding for;
 - i. unexpected storm damage to roads and infrastructure as a result of flooding or other types of severe natural weather occurrences,
 - ii. an enhanced level of cleaning and maintenance of the City's stormwater management pond facilities and catchbasins, and
 - iii. a Downspout Disconnection Program.
4. That Staff prepare educational material on the sources of basement flooding, the benefits of downspout disconnection and illegal sewer connections, in support of initiating a formal educational program where this material may be disseminated to residents via the;
 - i. Corporate Internet Website,
 - ii. Vaughan Page in the Vaughan Citizen,
 - iii. Public Works Department's Waste Collection Schedule mailings,
 - iv. Hydro and water bill mailings,

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- v. Tax bill mailings, and
 - vi. Display Boards posted during National Public Works Week.
5. That following the completion of the proposed 2006 Capital Budget projects noted above, consideration be given to the development of a Flood Emergency Response Plan in close cooperation with the City's Manager of Emergency Planning.

Economic Impact

The immediate budgetary impacts resulting from the adoption of this report have been considered as part of the 2006 Capital Budget deliberation process. The total capital costs required to complete the priority projects and studies relating to the August 19th, 2005 rainstorm as approved in the 2006 Capital Budget is approximately \$1.1 million.

There will be future impacts on staffing resources required to process and administer the recommendations made.

Future educational programs as well as potential programs to develop a Flood Emergency Response Plan will require future budget deliberations in order to be implemented.

Purpose

The purpose of this report is to affirm the details of the August 19th, 2005 rainstorm event and to recommend future initiatives to proactively and more effectively manage such natural occurrences.

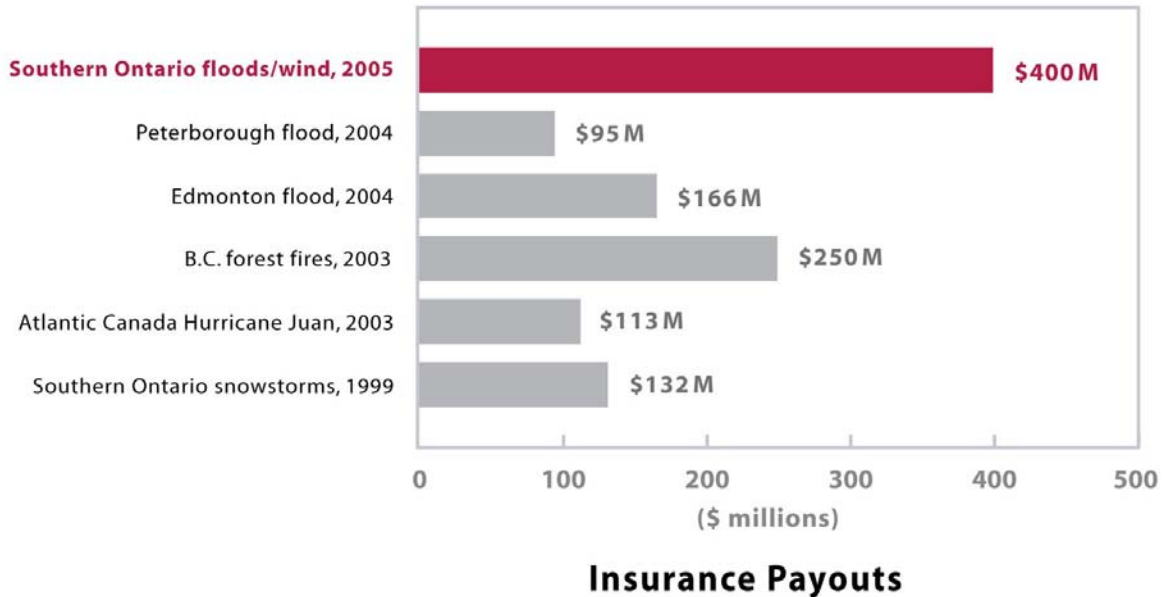
Background – Analysis and Options

On August 19th, 2005, the City of Vaughan, as well as surrounding municipalities from Stratford to Pickering experienced a rainstorm event that caused considerable flooding resulting in significant damage to both private and public property. The same storm system also spawned two tornadoes in the Fergus area.

According to the Insurance Bureau of Canada representing more than 90% of the insurance industry for non-government home, car and business insurance in Canada, the expected pay out to help Southern Ontario recover from the August 19th storm will reach \$400 million. Insurance companies are reporting a huge volume of claims, in the order of 15,000 and growing. The vast majority of claims are for sewer back-up coverage, which is typically purchased as an addition to a homeowner's policy. There have also been a number of auto claims and many businesses were damaged. Figure 1 below provides a comparison of total insurance payouts from recent Canadian natural disasters.

FIGURE 1

Recent Canadian Natural Disasters



Source: <http://www.insurance-canada.ca/consinfohome/IBC-Ontario-storm-509.php>

The Ministry of Municipal Affairs and Housing (MMAH) governs a relief program known as the Ontario Disaster Relief Assistance Program (ODRAP).

ODRAP provides assistance when damages are so extensive that they exceed the financial resources of the affected individuals, the municipality and the community at large. ODRAP is usually activated in cases where there is extensive private damage to essential property not covered by insurance and/or there is damage to public infrastructure exceeding the funding resources of the municipality.

MMAH has stated that the intent of ODRAP is to provide financial assistance in extraordinary situations, where disasters are of such a magnitude that they are beyond the local municipality's ability to manage and thus warrant provincial assistance. The program does not take the place of private insurance coverage.

A memorandum from the City's Manager of Emergency Planning was issued on January 24, 2006 to the Mayor and Members of Council stating that the severe rainstorm of August 19th, 2005 did not meet the provincial guidelines on which to declare an emergency.

Stormwater Management

Since the 1980's, the Toronto Region Conservation Authority (TRCA) and many area municipalities within the Region of York, including the City of Vaughan, have addressed the impact of urbanization on the environment, through the use of stormwater management. When land is converted from open space/agricultural use to residential/employment use, it often results in increased water levels in ditches, sewers, streams, and creeks and ultimately the Don and

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Humber Rivers (the receiving rivers to the City of Vaughan), during periods of rainfall and snow melt. As water is unable to run into the ground (due to concrete, asphalt pavements and buildings) the new sewers and roads move the water to our streams more quickly. Stormwater management involves storing the portion of the “additional” water (referred to as storm water runoff) in designated holding areas or ponds, and releasing this water at a reduced rate, typically equal to the rate prior to development. Stormwater management has since evolved to include water quality and temperature impacts, source control, and retrofitting facilities that do not meet current design standards.

Stormwater management was born out of the detrimental and fatal effects of a storm that left thousands of people homeless and caused extensive damage to municipal and private infrastructure including roads, buildings and houses. In 1954, Hurricane Hazel caused the most severe flooding in the Southern Ontario area in recorded history, dumping approximately 212 millimeters of rain in the Toronto Region within 36 hours. This storm jump-started the Conservation Authorities' Flood Control Program. The intent of the program was to transfer the liability of low lying flood susceptible or flood plain land from private hands to the Authorities' and to acquire lands necessary for the construction of flood protection works. In addition, a province-wide flood plain planning policy was initiated through the Conservation Authorities Act. Regulations were implemented to restrict future development and land use in flood hazard areas.

The TRCA and the City of Vaughan in conjunction with the Ministry of Environment, Ministry of Natural Resources and Department of Fisheries and Oceans implement sound engineering design standards, policies and practices to manage the change in hydrologic and hydrogeologic conditions as a result of land use changes through urban development. Hydrologic models and criteria are utilized to accommodate and mitigate post-development runoff to pre-development levels.

Storm Water Engineering Design Standards and Criteria

One of the key engineering design parameters used in the determination of post-development urban runoff from precipitation or rainfall, and the subsequent design of municipal storm sewer systems, is the development of synthetic design rainstorm events. These synthetic design storm events are unlike actual recorded historical events such as Hurricane Hazel. Their development is based on probable or statistical rainfall depths and durations based on rainfall data collected within a local geographical area such as the GTA.

The three key parameters required to establish a specific synthetic design storm event include intensity, duration and frequency. These parameters are typically referred to as the IDF (intensity, duration and frequency) curve for a specific rainfall event. Intensity is the rate of rainfall as referenced to a time unit. The normal unit of measurement is millimeters per hour (mm/hr). Duration is the length of time in which the rainfall event occurred, usually measured in seconds, minutes and hours. Frequency refers to the probability of reoccurrence or return period of a specific rainfall event of a specified depth, intensity and duration. Frequency is normally reported in years (i.e., the rainfall event is expected to occur at least once in a certain number of years). Frequency or return period estimates are based on a long term statistical analysis and there is absolutely no guarantee that a 10-Year Return Period Storm Event (10-Year Storm) cannot happen in two consecutive years, weeks or even days. It is only a statistical estimate.

In accordance with the Engineering Department's Design Criteria and Standard Drawings Manual, a comprehensive Stormwater Management (SWM) plan including a drainage report must be submitted to the City for review in conjunction with any development application. This provides an integrated means of dealing with the many impacts of urban development on water quantity and quality, erosion and sedimentation and the hydrologic cycle (preservation of groundwater resources). The preparation of a stormwater management plan is based on an approved Master Drainage Plan and TRCA initiatives where the criteria is established by the City and the TRCA.

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The guidelines for the design of stormwater management facilities in the City are considered supplemental to the latest version of the Ministry of Environment Stormwater Management Practices, Planning and Design Manual.

The design of a stormwater management system is divided into the following two main categories: the minor system and the major system. The minor system includes all belowground storm sewer piping and appurtenances such as catchbasins typically buried below city streets. It is designed to accommodate runoff generated by a 5-Year Storm event. In theory, when a storm event more intense than this occurs, the underground storm sewer pipes are not designed to carry the increased flows from this kind of storm and therefore, the major system kicks in. The major system component includes the aboveground overland flow of water within the roadway and boulevards of a municipal right-of-way. The major system design also includes stormwater management ponds and other overland flow routes through municipal property. The overland flow route (major system) is designed to accommodate runoff generated by a 100-Year Storm event.

The above noted criteria represents commonly accepted municipal engineering design standards and practices by all jurisdictions within the Province of Ontario.

Analysis of the August 19th, 2005 Storm Event

A review and subsequent analysis of the precipitation intensities and total rainfall data recorded by twelve rain gauge stations in the field and operational during the August 19th rainstorm, was completed for the City by Clarifica Consulting. Attachment No. 1 geographically identifies the location of the rain gauge stations and the respective total rainfall volume in millimeters recorded at each station. The highest recorded total rainfall volume was 122.6 millimeters (4.83 inches) at rain gauge station number 1 located at York University.

The intensity, duration and frequency analysis concluded that approximately 85% of the entire area of the City of Vaughan experienced 100-Year Storm conditions or worse. Seven of the twelve IDF curves generated for each rain gauge station exceeded the current synthetic 100-Year Storm IDF curve typically used in the GTA. Attachment No. 2 identifies the estimated boundary throughout the City that experienced 100-Year Storm conditions or worse.

Since the City uses the 5-Year and 100-Year Storm design criteria for the minor and major system drainage design respectively, a significant amount of overland flow within city streets and overall system flooding would be expected from the August 19th, 2005 rainstorm. As a result of the high rainfall intensities over a short duration period, flooding damage did occur at various locations throughout the City.

Summary of Flooding Damage

Based on the analysis of the August 19th rainstorm prepared by Clarifica Consulting, it has been noted that most of the high intensities and volumes of precipitation occurred near the middle and south side of the City. The majority of complaints received by Staff were from older areas of the City reflecting the highest intensities of rainfall, which traversed the City roughly along the Langstaff Road corridor. A location summary of private property flooding complaints received and municipal flooding damage experienced is presented in Attachments No. 3 and No. 4 respectively.

It has been noted that the majority of flooding complaints received were in the older residential neighbourhoods of Woodbridge and Thornhill where existing storm drainage systems pre-date the City's current design criteria. Specifically in the Thornhill area, inlet control devices on catchbasins were implemented and required to accommodate post development storm water flows discharging to the Concord and Centre Street Trunk Sewers due to existing restrictions in

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the downstream systems. This would have contributed to additional overland flow and subsequent flooding problems in the area during the August 19th storm.

Overall, the flooding related calls and damage resulting from the August 19th rainstorm is summarized below.

Public Works Dispatch received approximately 160 flooding related calls. The majority of complaints were deferred to the individuals' home insurance company. As a priority Staff responded to basement flooding calls due to sewer back-ups where residents indicated that raw sewage was present.

The Clerks Department received numerous notice letters for potential damage claims and continues to address these with the City's insurance company.

The Fire Department responded to and/or followed up with a total of 172 calls.

The majority of calls to Public Works and to the Fire Department were flooding related.

The types of flooding damage sustained to public property included:

- erosion to watercourse banks causing collapse, fencing damage, Terrafix blocks and gabion baskets damage and rip rap washouts
- roadway pavement structure washouts
- broken storm sewer inlet grates
- damaged manholes and fences

A telephone survey was conducted of neighboring municipalities including Toronto, Markham, Richmond Hill and Brampton in order to evaluate the extent of flood damage. Similar types of flooding complaints and damages were received by all neighboring municipalities contacted. The City of Toronto alone is dealing with approximately 1,600 basement flooding issues related to the August 19th rainstorm. As a result, the City of Toronto has reinstated their Basement Flooding Protection Subsidy Program as described below.

City of Toronto Basement Flooding Protection Subsidy Program

The City of Toronto's basement flooding protection subsidy program was reinstated to help residents who experienced basement flooding and to prevent future flooding. The program offers eligible residential homeowners a subsidy to install flood-prevention devices, such as backwater valves and sump-pumps on the internal plumbing of their homes. Subsidies are based on a maximum of \$3,200 per residential unit and are available to those that qualify on a first come first serve basis, to assist in covering the costs for such preventative items as back water valves and sump pumps.

To be eligible for any of the subsidies, the homeowner's rainwater roof-leaders must be disconnected from the sewer system and one or more detailed quotation(s) from licensed plumber(s) must be obtained. It is important to note that, the City of Toronto as compared to the City of Vaughan, has older infrastructure such as combined sewers (sanitary sewage and stormwater sharing the same pipe) therefore requiring additional mitigative devices on the service connections to reduce the property owners' flooding risk.

Potential Sources of Basement Flooding

In understanding the sources of basement flooding, it is important to keep in mind the fundamental difference between a sanitary and storm sewer system. The sanitary sewer carries wastewater (sewage) from all plumbing fixtures and basement floor drains (i.e. toilets, sinks,

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laundry, etc.) and eventually leads to a sewage treatment plant. Storm sewers collect storm runoff or storm water from catchbasins located in roads, parking lots and rear yards, and weeping tiles (foundation drains) and carry these flows into nearby stormwater management facilities which eventually outlet to natural watercourses.

However, water can enter a residential basement for a number of reasons. Basement flooding is most likely to occur during a heavy rainfall event such as on August 19th, 2005. The main causes of basement flooding include the following:

- leaks in basement walls, windows or doors
- poor lot drainage
- failure of the foundation drain system
- overflowing of eaves troughs
- blocked storm sewer lateral connections between the house and the main storm sewer in the street
- a back-up of water in the storm sewer system or a combination of wastewater and rainwater from the sanitary sewer system
- cross connections (a sanitary lateral connected to a storm sewer or vice versa)
- illegal basement walkouts with improper grading
- illegal basement bathrooms / kitchens connected to the storm sewer instead of the sanitary sewer system
- failure of sump pumps in areas where they are required to pump foundation drain water
- connection of eaves trough downspouts to the sanitary sewer connection
- overland flow exceeding the capacity of the designed storm system
- re-directing downspouts to the road drainage system

Attachment No. 5 schematically illustrates the potential sources of basement flooding as described above. It is important to note that the majority of the above noted sources of basement flooding are due to situations and/or alterations made directly by individual homeowners on private property. Further, mitigating these sources will only reduce the risk of basement flooding and not necessarily eliminate it altogether.

On-Going Engineering and Public Works Initiatives

On-going 2006 Capital Budget funded programs and studies related to stormwater management engineering design standards, policies and procedures review, will allow for future flooding mitigation from events such as the August 19th, 2005 rainstorm, by establishing improved City-wide policies related to:

- stormwater management facility retrofit requirements,
- updated stormwater management design criteria,
- sedimentation and erosion control, and
- infiltration and inflow, based on sewage flow monitoring.

One of the key 2006 Capital Budget studies required to substantiate and potentially mitigate future instances of flooding and related concerns received by residents (as identified on Attachments No. 3 and No, 4) is the completion of the City-wide Drainage Study.

This study will include a comprehensive investigation of existing drainage conditions throughout older subdivisions in the Woodbridge, Maple, Thornhill and Concord areas, with recommendations on mitigative measures to address on-going drainage and flooding issues in these areas.

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Further, Staff is currently implementing the recommendations and maintenance priorities of the Stormwater Management Inventory and Maintenance Study completed by Clarifica Consulting in 2004. As a result, the required maintenance of assumed SWM facilities is being prioritized and included in yearly Capital Budget deliberations.

As a result, it is recommended that priority be placed on completing the following projects and studies, as approved in the 2006 Capital Budget;

- Stormwater Management Retrofit Study
- Stormwater Management Criteria Study
- Sedimentation and Erosion Control Study
- Sewage Flow Monitoring Program
- City-Wide Drainage Study
- Storm Pond Sedimentation Removal (various locations)

In addition, Engineering Services has initiated a comprehensive piped infrastructure data capture project to be completed this year. This will create a detailed Geographic Information System (GIS) database of the City's existing sewer and watermain infrastructure. This database will become essential to improve the City's capabilities to store and analyze critical flooding related data and to develop a comprehensive Flood Emergency Response Plan.

Potential Future Engineering and Public Works Initiatives

Following the completion of the City-wide Drainage Study, it may be appropriate that the following initiatives and programs be implemented.

Annual Catch Basin and SWM Pond Cleaning Program

Currently, the Public Works Department has an annual catchbasin cleaning program. The current level of funding, however, does not allow the City to clean every catch basin on an annual basis. To mitigate concerns and/or legal challenges concerning the City's catchbasin maintenance program and its potential contribution to flooding, sufficient funding for future Operating Budgets, to ensure a higher level of service for catchbasin cleaning is required.

There are currently 52 assumed stormwater management ponds throughout the City, with an estimated additional 30 ponds that will be constructed and assumed in the near future. In 2003 a study was implemented in order to assess the current conditions and prioritize the on-going maintenance of these ponds. The City of Vaughan is one of the first municipalities within the TRCA's jurisdictional watersheds to implement such a study.

The cleaning and maintenance budget requirements for a limited number of existing SWM facilities have been included in the current 2006 Capital Budget. Funding for this work will be from taxation. However, increased sustainable funding for an enhanced level of cleaning and maintenance of the City's stormwater management pond facilities and catchbasins will be required in the future.

Downspout (Rainwater Roof Leader) Disconnection Program

In some areas, residents have connected their rainwater roof leaders into the City's sanitary or storm sewer systems directly, or indirectly to the street curbs and subsequent pavement overland flow system. In cases of significant rainfall, this extra water can contribute to the surcharging of the sewer system, which may result in basement flooding. In order to mitigate the potential for surcharging as a result of roof leaders being connected to the sewer system, summer students could be hired to conduct a door-to-door inventory of homes in severely flooded areas. If they find homes where the roof leaders do not discharge onto the ground, as required, they would leave an

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educational brochure concerning the impact this has on the City's sewer system, as well as the impact it may have on their own property such as basement flooding. A detailed list of locations would be compiled, and those houses would be re-visited the following year to determine if any action had been taken to disconnect these roof leaders from the City's sewer system. This program could be developed and implemented subject to the availability of future funding.

Illegal Sewer Connections Information Brochure

Basement flooding can also be the result of illegal connections being made to the City's sewer system. In cases where the homeowner takes it upon himself/herself to construct a bathroom and/or kitchen in the basement of a house that does not have approved roughed-in connections, there is a danger that the homeowner may connect these fixtures to the wrong sewer. Toilets, sinks, showers etc. must all be connected to the sanitary sewer system. An improper connection made to a storm sewer will not only lead to raw sewage entering the storm drainage system, but it may also result in storm water entering the house in heavy rainfalls through these illegal connections. A smoke or dye-testing program would help identify illegal connections of this type. However, an educational/information brochure could be prepared and circulated to all residents. This may be a more effective means to correct and mitigate this concern.

Flood Emergency Response Plan

As a follow-up to the current proposed City-Wide Drainage Study in the 2006 Capital Budget, the development of a flood emergency response plan identifying areas susceptible to severe flooding and defining concrete steps to mitigate the risk for property damage and/or public safety would be appropriate. The plan would also include a review of potential flooding and hazards in tableland areas and within stream corridors. Some of this information is readily available from the TRCA and would also be analyzed as part of the plan development. Input from the City's Manager of Emergency Planning should also be included as part of this plan development.

A key component of this plan should address procedures relating to the on-going communication of key information to Council, senior management and affected residents during any emergency situation.

Relationship to Vaughan Vision 2007

In accordance with the strategic corporate priorities related to service delivery excellence in serving our citizens (A-1, A-2 and A-3) as established by Vaughan Vision 2007, the recommendations of this report will assist in improving community safety through design, prevention, enforcement and education.

Conclusion

The intensity, duration and frequency analysis of the August 19th, 2005 rainstorm concluded that approximately 85% of the entire area of the City experienced 100-Year Storm conditions or worse.

Since the City uses the 5-Year and 100-Year Storm design criteria for the minor and major system drainage design respectively (a commonly accepted design standard within the Province of Ontario), a significant amount of overland flow within city streets and overall system flooding would be expected. As a result of the high rainfall intensities over a short duration period, flooding damage did occur at various locations throughout the City.

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Accordingly, it is noted that the on-going and future initiatives identified herein will allow the City to remain proactive and more effectively manage future natural occurrences such as the August 19, 2005 rainstorm. Any mitigative measures implemented within the City will no doubt reduce the potential risk and associated damage resulting from natural occurrences, however, they will by no means eliminate the risk completely.

Attachments

1. Total Rainfall Volumes and Rain Gauge Station Locations
2. 100-Year Storm Event Boundaries
3. Private Property Flooding Complaints General Area Map
4. Municipal Flooding Damage General Area Map
5. Potential Sources of Basement Flooding

Report prepared by

Michael Frieri, Development Supervisor, Engineering Planning & Studies, ext 8729
Rob Meek, Manager of Environmental & Technical Services, ext. 6100
Tom Ungar, Manager of Design Services, ext. 3110
Michael Won, Director of Development/Transportation Engineering, ext 8255
Brian T. Anthony, Director of Public Works, ext 6116
Gary Carroll, Director of Engineering Services, ext 3101

(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. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 13, 2006, as follows:

By approving that Clause 2 of the Committee of the Whole recommendation be replaced with the following:

That the March, April and May installments be payable as close as possible to the middle of the month; and

By receiving the memorandum from the Manager of Property Tax and Assessment, dated February 13, 2006.

9

INTERIM PROPERTY TAX LEVY FOR 2006

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Director of Finance, dated February 6, 2006, be approved;
- 2) That the March, April and May installments be payable on the 15th of the month; and
- 3) That the deputation of Mr. Gaetano Iuorio, 22 Curtiss Crescent, Maple, L6A 1Y4, be received.

Recommendation

The Director of Finance, in consultation with the Acting Manager of Property Tax & Assessment recommends:

That a by-law be prepared to levy interim property taxes for 2006, with three installments due in March, April and May for all property classes.

Purpose

The purpose of this report is to inform Council on the issuance of the interim property tax levy for 2006, under the authority of section 317 of the *Municipal Act, 2001*, as amended.

Background - Analysis and Options

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

As noted above the interim levy will be due in three equal installments in March, April and May. Taxpayers enrolled in the pre-authorized payment plan will have withdrawals made on the first banking day of each month from January to November.

In accordance with current Provincial legislation, the amount levied be subject to the following rules:

1. The amount levied on a property shall not exceed 50% of the total taxes levied on the property for the previous year, subject to an adjustment, should it appear the levy would be too high or too low in relation to an estimate of the total taxes that will be levied for 2006.
2. A calculated notional tax rate applied to the 2006 assessment will be used to calculate the levy.

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3. For the purpose of calculating the total amount of property taxes for the previous year, any amount levied for only part of the year will be annualized.
4. For new property assessments added to the roll for the 2006 taxation year, the levy will be calculated by applying the notional tax rate to the 2006 assessment.
5. The interim levy for properties in the commercial, industrial and multi-residential classes (capped classes) will include an amount equal to 50% of the 2005 capping adjustment.

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 interim levy will produce total property tax revenue of approximately \$242 Million based on taxable assessment of \$38 Billion. These funds are raised for City, Region of York and School Board purposes.

Attachments

None

Report prepared by:

John De Santo, Acting Manager of Property Tax & Assessment
Ext. 8406

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Item 10, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

10 **BILL 206, AN ACT TO REVISE THE
ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (OMERS)**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and the Director of Human Resources, dated February 6, 2006, be approved; and
- 2) That a copy of this Resolution be forwarded to all MPP's.

Recommendation

The Commissioner of Legal & Administrative Services and the Director of Human Resources, in consultation with the Commissioner of Finance & Corporate Services and the City Manager, recommends:

1. That the attached resolution be endorsed.

Economic Impact

Bill 206 may have significant financial impacts for municipalities and their residents. The impacts will be felt most severely in large urban centres with a professional fire department or police services. Early estimates indicate that Vaughan's OMERS contributions for 2006 as an employer may increase by as much as \$2,500,000.00, equating to 2% - 3% on an average household. The increase in employee contributions would be in addition to this amount.

Purpose

To provide an update on Bill 206 and advise Council not to support Bill 206 as currently drafted and request the Province not proceed with Bill 206 in its current form.

Background - Analysis and Options

On June 1, 2005, the Ontario Government introduced Bill 206, an Act to revise the Ontario Municipal Retirement System Act. Bill 206 represents a commitment made by Premier McGuinty in 2002 when he was leader of the Official Opposition to move OMERS towards an autonomous governance model. The Government will hold legislative committee hearings to obtain stakeholder input into revisions to the Bill, and aims to have the legislation in place by early 2006.

The Bill includes significant and potentially costly changes to the governance structure of OMERS. If passed, it would allow for greater employer and member control, and would permit the creation of expensive supplemental plans to provide optional enhanced benefits. These supplemental benefits would be accessed through local bargaining or could be imposed upon employers in the fire and police sectors through the local interest arbitration process.

The Association of Municipalities of Ontario (AMO) and the Municipal Finance Officers' Association of Ontario (MFAO) have also expressed concern about the haste with which Bill 206 is moving, without an evaluation and assessment of the financial impact of supplemental plans on municipalities and other financial implications. Early estimations using templates from AMO show a potential increase in the City's share of the annual OMERS premiums by \$2.5 million dollars which would translate into significant tax increases to Vaughan taxpayers.

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It is important that the haste with which Bill 206 is moving forward be slowed to enable potential financial impacts to be fully understood. The attached resolution urging caution in this significant change should be forwarded it to Minister Gerretsen and our local M.P.P's Mr. Greg Sorbara and Mr. Mario G. Racco.

Relationship to Vaughan Vision 2007

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

Conclusion

Bill 206 is expected to significantly increase the City's pension contribution costs resulting in increases to the tax rate for Vaughan taxpayers.

Staff recommend the attached resolution be sent to Premier Dalton McGuinty, Minister Gerretsen and Local M.P.P's Mr. Greg Sorbara and Mr. Mario G. Racco.

Attachments

Resolution to forward as directed.

Report prepared by:

Cathrine Berge
Director of Human Resources

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

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Item 11, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 13, 2006, as follows:

By receiving the memorandum from the Senior Manager, Enforcement Services, dated February 8, 2006.

11

SIGN VARIANCE APPLICATION

FILE NO: SV.05-24

OWNER: WOODBRIDGE GATES INC.

LOCATION: 7945 KIPLING AVENUE

LOT NO. 7, CONCESSION 7

(Referred from the Council meeting of January 23, 2006)

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated January 16, 2006:

Council, at its meeting of January 23, 2006, adopted the following:

That this matter be referred to the Committee of Whole meeting of February 6, 2006.

Recommendation of the Committee of the Whole meeting of January 16, 2006:

The Committee of the Whole recommends that this matter be deferred to a future Committee of the Whole meeting.

Report of the Sign Variance Committee dated January 16, 2006:

Recommendation

That Sign Variance Application SV.05-24, Woodbridge Gates Inc., be REFUSED.

Economic Impact

None.

Purpose

Request to install Development Signs as shown on the attached drawings having the following areas:

Sign #1 - 21.9 sq m with a 5.3 sq m return on both sides (attached to existing dwelling)

Sign #2 - 44.5 sq m (attached to Sales Pavilion)

Sign #3 - 28.4 sq m (free standing)

Sign #4 - 17.5 sq m (V-shaped and free standing)

Background- Analysis and Options

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

12.1 (1) (c) Each builder is permitted a maximum of two (2) signs, with a combined sign face area not to exceed 20.0 sq m.

12.2 (a) One (1) wall sign advertising the sale of lots or dwellings may be erected on a wall of a sales trailer or sales pavilion provided that it covers no more than 50% of one (1) wall of the sales trailer or sales pavilion.

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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

The By-law permits only one Development Sign of 20.0 sq m. per lot frontage.

Members of the Sign Variance Committee are of the opinion that the applicant's proposal far exceeds the maximums contained within the City's Sign By-Law and do not support the application.

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

Attachments

1. Location Map
2. Sketches of Sign 1, 2 & 3

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.)

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Item 12, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

12

**SIGN VARIANCE APPLICATION
FILE NO.: SV.05-30
OWNER: TANASONS HOLDING LIMITED
LOCATION: 30 AVIVA PARK DRIVE
BLOCK 1, PLAN 65M-2790**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 6, 2006:

Recommendation

That Sign Variance Application SV.05-30, Tanasons Holding Limited, be APPROVED.

Economic Impact

None.

Purpose

Request to install an extension to an existing sign located on the north elevation for a total sign area of 28 sq m as shown on the attached drawings.

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

8.2 (a) The area of a wall sign shall not exceed 0.75m per linear horizontal meter of the exterior wall of a building upon which such sign is located. In multiple occupancy buildings or shopping centers, the sign area for each business premises shall be proportional to the length of the exterior wall forming part of the premises. Notwithstanding the foregoing, the total area of a wall sign per business premises shall not exceed 20 sq m or be limited to not less than 2.0 sq m.

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 area of 20 sq m. The applicant is proposing to install an extension to the existing wall sign located on the north elevation as shown on the attached drawings.

The area of the existing sign is 20 sq m. The proposed sign extension has an area of 8 sq m for a total of 28 sq m.

Members of the Sign Variance Committee had no objections to the application and are of the opinion that the intent and purpose of the by-law is being maintained.

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

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Attachments

1. A copy of a plan showing the existing and proposed signage.

Report prepared by:

John Studdy, Manager of Customer & Administrative Services (Ext 8232)

/pa

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

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Item 13, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

13

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-01
OWNER: G. ZANCHIN – IN TRUST
LOCATION: 7685 MARTIN GROVE ROAD
LOT 3, PLAN 65M-2464**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 6, 2006:

Recommendation

That Sign Variance Application SV.06-01, G. Zanchin – In Trust, be APPROVED in accordance with the revised plan submitted and be subject to the following conditions:

- a) York Region Engineering approval; and
- b) Submission of a landscaping plan to the satisfaction of Policy Planning/Urban Design.

Economic Impact

None.

Purpose

Request to install an auto complex information pylon sign located at the north west corner of the subject property 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 one pylon sign for each lot or as approved on the site plan agreement. The auto dealerships are located on separate lots and are under one common property ownership. Each auto dealership has its own pylon identification sign.

The applicant is proposing to erect an additional ground sign to identify all dealerships within the complex. The sign is proposed to be located at the north west corner of the subject property as shown on the attached plan.

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Members of the Sign Variance Committee generally had no objections to the application, and are of the opinion that the intent and purpose of the sign by-law is being maintained. This is subject to any safety concerns that may be raised by the Region of York Engineering Department and that landscaping be placed at the base of the proposed sign to lessen it's impact.

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

Attachments

1. Site Plan A1 showing the location of the proposed sign
2. Revised sketch of the proposed sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services

/pa

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 14, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

14 **PLANNING ACT PROPOSED AMENDMENTS**
BILL 51 (FIRST READING)
GENERAL FILE 13.6

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Commissioner of Legal and Administrative Services, dated February 6, 2006, be approved; and
- 2) That staff provide Council with the potential funding impact of Bill 51, as soon as available.

Recommendation

The Commissioner of Planning and the Commissioner of Legal and Administrative Services recommend:

1. THAT the Province BE ADVISED that the Council of the City of Vaughan requests the following amendments to Bill 51, *Planning and Conservation Land Statute Amendment Act, 2005*:
 - a. That the regulations referred to within Bill 51 be provided in advance of the completion of the legislation in order to provide a thorough review of the impact of the legislation;
 - b. That consistent definitions and terminology be utilized within all provincial documents (Provincial Policy Statement, *Planning Act*, and Provincial Plans) and Bill 51;
 - c. That the Province not require an open house in addition to a public meeting for all applications as currently provided in Bill 51, but rather establish criteria and distinguish the types of applications (for example; complex versus simple amendments) which may require an open house;
 - d. That a minimum of 90 days be provided for the approval authority to review and make a decision based on the additional information admitted as evidence at an OMB hearing;
 - e. That the Province provide the "prescribed matters to be included within an Official Plan" at this time to provide certainty to municipalities in the preparation of Official Plans; and
 - f. That the requirement for the zoning by-law update 3 years after an official plan update be deleted from Bill 51 to ensure that the zoning by-law is updated at the discretion of municipal council.
2. THAT the minutes of Council be forwarded to the Ministry of Municipal Affairs and Housing, and to the Region of York.
3. THAT the Development Planning Department monitor the progression of the *Planning and Conservation Land Statute Amendment Act*, and report back to Council as necessary.

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Economic Impact

Should Bill 51 be enacted as the First Reading version, there will be substantial economic impact to the City in implementing these changes, as detailed in this report. Bill 51 would result in additional administrative costs to the City.

Purpose

The Province has proposed amendments to the *Planning Act* with the introduction of Bill 51 (*Planning and Conservation Land Statute Amendment Act*), which was introduced into the legislature on December 12, 2005. The first reading version of the legislation has been posted on the Environmental Bill of Rights (EBR), Environmental Registry for comments. Comments on the Bill are due on February 26, 2006. The following report summarizes the proposed changes to the *Planning Act*, and makes recommendations on the amendments.

Background - Analysis and Options

Since the introduction of Bill 26, the *Strong Communities Act*, the Province (Ministry of Municipal Affairs and Housing) has been working on a number of changes to the *Planning Act*, both to implement and complement provincial initiatives such as the amendments to the Provincial Policy Statement (2005), *Places to Grow Act*, and the *Greenbelt Act*. Bill 26 was passed on November 30, 2004, and required that decisions in relation to planning matters “be consistent with” the Provincial Policy Statement (which was subsequently amended March 1, 2005) which changed the previous “have regard to” wording of the *Planning Act*. In addition, Bill 26 increased the time period for decision making before appeals could be made to the Ontario Municipal Board (OMB) from 90 to 180 days for official plan amendments and subdivision approvals; from 90 to 120 days for zoning by-law amendments; and from 60 to 90 days for consents. Bill 26 also removed the rights of appeal on Council’s failure to adopt, or refusal of an official plan amendment for an alteration or expansion to the urban boundary.

Bill 51 represents the next phase of “Planning Reform” from the Ministry of Municipal Affairs and Housing. The Bill received first reading on December 12, 2005, and the following report details the proposed changes to the *Planning Act*, and provides comments on the proposed changes within the EBR required time lines.

Portions of the Bill are proposed to come into force when the Act receives Royal Assent, and others will be deemed to come into force on a day to be named by proclamation of the Lieutenant Governor in Council.

A substantive amount of the proposed amendments are to be implemented through regulation which may be filed in the future. To date, no regulations have been drafted for review, which raises questions with regard to the full implications of this legislation in the absence of the regulations. Recommendation 1a requests that the regulations be provided in advance of the completion of the legislation in order have a thorough review of the impact of the proposed changes.

1. New Terms & New Definitions

New terms and new definitions (Subsection (1) (1)) have been added to the *Planning Act*, which relate specifically to some further proposed amendments. New definitions include “area of employment”; “local appeal body”; “provincial plan”; and “residential unit”.

The new terms and definitions relate specifically to proposed changes within the legislation which are discussed within the content of this report. Where there is a repetition of definitions within Provincial documents, the definitions and terms should be consistent throughout. For example Bill

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51 defines an “area of employment” whereas the Provincial Policy Statement uses this definition to define an “employment area” and Places to Grow uses the term “designated employment area”. Inconsistencies in definitions and terminology, however seemingly insignificant can create loopholes in the interpretation and cross-implementation of documents, and therefore recommendation 1b addresses this concern, and requests that all definitions in Provincial documents have consistent definitions and terminology.

2. Decisions

Section 3 (5) has been amended by requiring that, advice, comments and decisions of Council, (and other decision making bodies including the OMB), be consistent with the Provincial Policy Statement, and shall conform with “provincial plans” that are in effect on the date of the decision. This change is significant as it overrules the commonly followed approach which was to apply the policy in effect on the date of the application rather than on the date of decision.

It should be noted that the new approach only applies to the PPS and “provincial plans”, not official plans or other types of policy.

The proposed changes are supported as it allows for the application of current policy in decision making on older planning applications.

3. Local Appeal Body

A new section (8.1) of the *Planning Act* has been added which would allow a municipality, that meets prescribed criteria, to appoint a local appeal body. A “local appeal body” means an appeal body for certain local land use planning matters, constituted under section 8.1.

The local appeal body would adjudicate appeals on minor variances and consents similar to the OMB. Section 8.1 further establishes the term and qualifications for members, eligibility for appointment, as follows:

“Term and qualifications

- (2) *A person who is appointed to the local appeal body,*
- (a) *shall serve for the prescribed term, or if no term is prescribed, for the term specified in the by-law; and*
 - (b) *shall have the prescribed qualifications, if any.*

Eligibility criteria

- (3) *In appointing persons to the local appeal body, the council shall have regard to any prescribed eligibility criteria.*

Restriction

- (4) *The council shall not appoint to the local appeal body a person who is,*
- (a) *an employee of the municipality;*
 - (b) *a member of a municipal council, land division committee, committee of adjustment, planning board or planning advisory committee; or*
 - (c) *a member of a prescribed class. “*

Much of the detail in this new section may be prescribed by a future regulation.

A number of clauses have been included which address jurisdictional overlaps with the OMB. Should an appeal be made to the local appeal body which relates to an appeal to the OMB, then the OMB can claim jurisdiction.

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The framework for the local appeal body is described within the *Planning Act* amendments, however, there are still details which would be included in a future regulation required to implement this local appeal body such as the municipal requirements for having a local appeal body, the qualifications of its members, and the administrative responsibilities.

Local appeal bodies can be useful for adjudicating matters relating to minor variances and consents as they provide a more local perspective to small scale matters. A local appeal body would assist in alleviating the volume of appeals heard by the OMB which would assist in shorter time periods for scheduling a hearing. However, there would be a cost to the City for the administration of such a body. Should Vaughan meet the minimum terms and conditions of the prescribed criteria (which may be subject to further regulatory requirements) then Council could decide to establish a local appeal body.

4. Consultation

A proposed amendment to the *Planning Act* provides that for applications to amend the official plan or zoning by-law, or site plan or subdivision approval, Council shall permit applicants to consult with the municipality or planning board before submitting requests and, may, by by-law require applicants to consult with the municipality.

Preconsultation often occurs in the development process in Vaughan, and this clause would assist in implementing some of the other proposed changes to the *Planning Act*, such as complete applications, which would make preconsultation more significant. Should Bill 51 be passed, Council may decide if it wishes to pass a by-law requiring consultation prior to the submission of a planning application.

5. Open House

For applications which require a public meeting; official plan, official plan amendment, zoning by-law or zoning by-law amendment, the *Act* is proposed to be amended to add the additional public consultation requirement of an "open house". The purpose of an open house is to provide an opportunity for the public to review and ask questions about the proposal; and any information and material submitted related to the matter. An open house shall be held no later than 7 days before the required public meeting is held.

The requirement to hold an open house or a public meeting does not apply if the council or planning board refuses to adopt the requested amendment to the official plan or zoning by-law.

Currently, the City hosts public open houses for City-initiated official plan amendments, and secondary plans, however this proposed change would require an open house for all amendments to the official plan or zoning by-law. This proposed amendment does not distinguish between complex and simple amendments, and may delay the processing of simple amendments. Recommendation 1c requests that the Province reconsider applying the open house requirement to all of the above listed applications, and rather, distinguish the types of applications which should have a public open house and a public meeting.

6. Complete Applications

Bill 51 proposes amendments to the *Planning Act* to require that an applicant provide prescribed information or material in support of an application to amend the official plan, zoning by-law, subdivision approvals, or consents, but only if the official plan contains provisions relating to the requirements.

In support of an application listed above, an approval authority may require that an applicant provide any other information or material that the approval authority considers it may need, but

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only if the official plan contains provisions relating to these requirements. Until the approval authority has received the necessary information or material or fee, Council may refuse to accept or further consider the application, and the time period for appeals does not begin.

This amendment is a welcome change, as it permits the municipality to establish local requirements for what constitutes a “complete application”. This change will assist in addressing frivolous appeals with regard to failure to make a decision on applications which the municipality cannot process as insufficient information submitted in support of an application.

7. Refusal Notice

A municipality must now give notice within fifteen days if it refuses an official plan or zoning by-law amendment application. Additionally, there is a proposed time limit of twenty days from the giving of notice for an appeal to be filed. There formerly was no time limit on such appeals, or notice requirements. This change is supported as it provides a consistent application in the notice and appeal provisions for approvals and refusals.

8. Zoning Changes

a. Area, Density, and Height

A new clause is proposed which would clarify that the municipality has the right to regulate the minimum area of a parcel of land, and to regulate the minimum and maximum density and the minimum and maximum height of development in a municipality or in the area or areas defined in the by-law. Currently the *Planning Act* allows the municipality to regulate height and density, however, this clarification stipulates that the municipality can regulate minimums and maximums for height and density. This change is supported as it will assist the municipality in achieving desired height and density objectives in areas such as the Corporate Centre, Highway 7 Corridor, and in the District Centres.

b. Conditions

Bill 51 proposes amendments that would allow municipalities to impose conditions on zoning by-law amendments, provided that there are official plan policies permitting them to do so, and the conditions may be enforced by agreements registered on title. However, such conditions must be of a kind prescribed by a regulation prepared by the Minister, which is not yet available. Once the regulations detailing permitted conditions are made available, the implications of this proposed change can be reviewed.

9. Ontario Municipal Board (OMB) Appeal Amendments

Several changes are being proposed to the *Planning Act* which serve to amend the procedures of the OMB and protect local decision-making.

a. Have regard to decisions of Council

An additional section (2.1) has been added which requires the OMB to have regard to any previous decision on the same planning matter made by a municipal council and any supporting information or material that the municipal council considered in making the decision.

b. Limits on New Information on Appeal:

Information and material which was not provided to Council before it made a decision will not be permitted to be admitted as evidence at a hearing, unless the information is provided by a public body, or the OMB decides it was not reasonably possible to provide the information and material

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to Council before it made its decision. If the OMB determines that the information could have materially affected the decision, it shall not be admitted as evidence until the approval authority is given an opportunity to reconsider its decision in light of the new material, and makes a written recommendation to the OMB. The OMB shall consider Council's recommendation if it is received within the prescribed time period.

These proposed amendments are supported, as they provide the legislative requirement for the Board to have regard to Council's consideration of a matter before the Ontario Municipal Board, however, there should be a reasonable amount of time given to the approval authority to review and make a decision on any new information which is admitted into a hearing.

To this end, recommendation 1d is provided which requests that the Province stipulate that a minimum of 90 days be provided for the approval authority to review and make a decision based on the additional information admitted as evidence at a hearing.

c. Limits on Who Can Appeal a Decision or be Party at a Hearing

A person who has not made oral submission at a public meeting or written submissions to the approval authority is not entitled to appeal the decision, the lapsing provision, or any of the conditions (of a subdivision approval), or may not be added as a party to the hearing. These prohibitions replace the former process whereby a motion before the OMB had to be brought to dismiss such appeals.

d. Abuse of Process:

The OMB may now dismiss an appeal of an official plan, zoning by-law, Minister's zoning order, plan of subdivision, variance or consent (including a severance) if the appellant has "persistently and without reasonable grounds" commenced proceedings before it that are an "abuse of process".

e. Limit on OMB Powers in Official Plan Amendment Appeals:

The powers of the OMB on an official plan amendment appeal have been reduced to no longer permit the Board to approve or modify any part of the official plan which "is in effect" and "was not dealt with in the decision of council". It is anticipated that this proposed change is intended to prevent the Board from expanding the geographical area subject to a proposed amendment, as long as there was appropriate notice, and from amending parts of the plan not specifically appealed.

This change is supported as it provides Council with certainty that the decision of the Board will be restricted to the area subject to the appeal, and cannot be extended. It complements other proposed changes by ensuring that the appeal before the Board is the same as the matter was considered by Council.

10. No Appeals Permitted

Appeals to the official plan or zoning by-law are exclusively prohibited by the proposed Bill in the following circumstances, except at the time of an official plan review:

- a. There is no appeal permitted in respect of official plan policies, or zoning by-law, which are adopted to permit a second dwelling unit within a detached house, semi-detached house, or row house;
- b. There are no appeals to a council's refusal to expand the urban boundary, or failure to adopt or approve an amendment to expand or alter all or any of the urban boundary (referred to as the area of settlement); and

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- c. There is no appeal on a council's refusal to remove any lands from an area of employment, even if other land is proposed to be added.

These restrictions on appeals are intended to assist municipalities in achieving some of the requirements of the Provincial Policy Statement, the Greenbelt Plan, and Places to Grow. These amendments are supported as it provides Council with certainty on their decisions on these types of applications.

11. Official Plans

a. Contents of an official plan

Bill 51 proposes changes which will allow the Province to prescribe specific information that an official plan shall contain. Currently, the *Planning Act* allows that an official plan shall contain "goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality....". A new clause is proposed which would enable the Province to "prescribe other matters which shall be in an official plan."

Certainty regarding what will be prescribed is requested at this time, as the preparation of an official plan is a costly undertaking. Without clarity as to what may be required within an official plan, a municipality is vulnerable to an ever-changing regulatory context. Recommendation 1e requests that the Province provide this information at the time of the passing of Bill 51.

b. Official Plan Updates Required

Bill 51 proposes amendments to require that official plans be updated every 5 years. Currently the *Planning Act* requires that Council hold a special meeting every 5 years to determine the need for a revision to the official plan, and in doing so, must have regard to the Provincial Policy Statements. The proposed changes would require that an official plan must be revised every 5 years to ensure that it conforms with provincial plans, or does not conflict with them, has regard to matters of provincial interest (which are listed in Section 2 of the Act), is consistent with the Provincial Policy Statement, and, if it contains policies dealing with areas of employment, to ensure that those policies are confirmed or amended.

Further, the amendments would require that before revising the official plan, Council shall consult with the approval authority and with the prescribed public bodies with respect to the revisions that may be required, and hold a special meeting of council, open to the public to discuss revisions that may be required. Each time Council revises the official plan for this requirement, Council, shall by resolution declare to the approval authority, that the official plan meets the requirements.

Currently, the City has a number of Official Plans and Community Plans which would, upon the passing of this legislation, require review. To update all of these documents simultaneously would be extremely time consuming and costly to the City.

In addition to the official plan update requirement, Bill 51 proposes requiring that no later than 3 years after a revision to the official plan comes into effect, Council shall amend all zoning by-laws that are in effect to ensure that they conform with the official plan.

The proposed requirement for the zoning by-law update is not supported by the Development Planning Department. Requiring that the zoning by-law be updated after an official plan update has many implications for the municipality. Currently, when the Official Plan is updated, the zoning is typically updated on a site by site basis at the time of applications made by the landowner to implement the official plan policies. This requirement takes the timing and discretion of updating the zoning by-law out of the hands of Council, or in advance of a landowner driven

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application, which infers pre-zoning lands. This could impact the phasing and timing of development within the municipality, in addition to the substantial costs of such an update. Recommendation 1f is provided which requests that this requirement be deleted from Bill 51.

12. Community Improvement

The definition of “Community Improvement” within the *Planning Act* is proposed to be expanded to include “construction” and the “improvement of energy efficiency”. Certain upper-tier municipalities, which will be subsequently prescribed by regulation, may now designate a community improvement project area.

The maximum amount of grants or loans which a municipality may make has been changed from “not exceeding the cost of rehabilitating the lands and buildings” to permitting any cost related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes, or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.”

An upper-tier municipality may make loans or grants to a lower-tier municipality (and vice-versa) for the purposes of carrying out a community improvement plan that has come into effect, if the official plan of the municipality making the loan or grant so permits.

The proposed changes to the Community Improvement provisions of the Planning Act are supported as it provides for greater flexibility in the implementation of Community Improvement.

13. Site Plan (Section 41) Amendments

The Site Plan Control Area (Section 41) of the *Planning Act* is proposed to be amended to permit Council to require drawings which address matters relating to exterior design, including, without limitation, the character, scale, appearance, and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design, if an official plan and the site plan control by-law both contain provisions relating to such matters are in effect in a municipality.

Site plan control cannot relate to interior design, the layout of interior areas (excluding walkways, stairs, elevators, and escalators), and the manner of construction or construction standards.

The City's Site Plan Control By-law (By-law 228-2005) and the Official Plan will have to be amended to refer to the amendments to the Planning Act, when they are final. These changes are supported as it gives the City more control over the visual appearance of buildings being constructed in the municipality and their sustainable design.

14. Plan of Subdivision Approvals (Section 51)

In addition to the amendments proposed to Section 51 of the *Planning Act* discussed throughout this report, the following changes are also proposed exclusively to Section 51.

Subsection 51(24) contains a list of criteria which are considered when reviewing a subdivision plan. An additional item has been added to the list; the extent to which the plan's design optimizes the available supply, means of supplying, and efficient use and conservation of energy. Additionally, a further condition of approval has been added which permits the municipality to require the dedication of highways, pedestrian pathways, bicycle pathways and public transit rights-of-way. These are positive changes for the City, as it provides the legislative authority to implement important initiatives such as the Pedestrian and Bicycle Master plan.

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15. Undertakings relating to Energy

The Lieutenant Governor in Council will, by regulation, be able to exempt from the *Planning Act* approval process, undertakings that relate to energy and have been approved or exempted under the Environmental Assessment Act.

16. New Rules for Cash-in-Lieu of Parkland

Proposed changes to the Planning Act will allow the municipality to reduce the amount of cash-in-lieu of parkland required for a redevelopment if:

- (a) the official plan contains policies relating to the reduction of payments required;
- (b) the council is satisfied that no land is available to be conveyed for park or other public recreational purposes under this section; and
- (c) the part by whose value the payment is reduced meets sustainability criteria set out in the official plan.

17. Development Permit System

The *Planning Act* currently contains the provision for the establishment of a development permit system, with the passing of regulation by the Lieutenant Governor in Council. A development permit system would collapse three approvals processes - minor variance, zoning and site plan control - into one. Currently, the development permit system is in place as a pilot project in 5 communities throughout Ontario including portions of the City of Hamilton (downtown Gore area), portions of the Town of Oakville (employment redevelopment area), City of Toronto (Central Waterfront Planning Area), Lake of Bays (waterfront community), and Waterloo Region (wellhead protection areas).

Although there are no regulations in place now permitting an expanded development permit system, and no proposed amendments to the *Planning Act*, it is suggested through the media releases issued with the release of Bill 51, that the Ministry of Municipal Affairs and Housing is advocating the implementation of the development permit system across Ontario. In order to implement, further regulations would have to be made. Should a development permit system be permitted throughout Ontario, Council will have the ability to determine if it would like to implement a development permit system.

18. Facilitation of Conservation Easements

The Bill also provides for amendments to the *Conservation Land Act*, the *Conveyancing and Property Act*, the *Land Titles Act*, and the *Municipal Act* to facilitate conservation easements and covenants. The proposed legislation would improve the effectiveness of conservation easements as a tool to support the long-term stewardship and protection of agricultural lands, natural heritage areas and important watershed features on private lands.

The purpose of conservation easements and covenants has been broadened to include protection of water quality and quantity, watershed protection and management and further purposes which may be prescribed by the Minister of Natural Resources. The purpose of this amendment is to assist in the implementation of forthcoming source water protection requirements.

Technical amendments are made to facilitate the creation and preservation of conservation easements and covenants. Construction and demolition on land that is subject to a conservation easement or covenant requires the consent of the conservation body that is a party to the easement or covenant. Provision is also made for registries of conservation easements and covenants, to be established by regulation.

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The *Planning Act* is amended to ensure that the subdivision control and part-lot control provisions of Section 50 do not interfere with the creation of conservation easements and covenants. The *Conveyancing and Law of Property Act* is amended to provide that conservation easements and covenants, unlike easements and covenants in general, are not subject to being modified or discharged by a court. The *Land Titles Act* is amended to exempt conservation easements and covenants from various technical restrictions that apply to easements and covenants in general. The *Municipal Act, 2001* is amended to clarify that land sold for tax arrears remains subject to conservation easements and covenants.

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 Province is proposing amendments to the *Planning Act*, and various other Acts with respect to conservation easements, with the introduction of Bill 51 into the legislature on December 12, 2005. The proposed changes to the *Planning Act* are intended to complement Provincial initiatives such as Places to Grow, and to implement reforms to the Ontario Municipal Board. This report has been prepared to provide the Province with commentary on the Bill, and requests that a number of changes be considered before the Bill receives Royal Assent. The comments are being provided in accordance with the Environmental Bill of Rights comment posting which closes February 26, 2006.

Attachments

1. Bill 51 *Planning and Conservation Land Statute Amendment Act, 2005* (Councillors Only)

Report prepared by:

Karen Antonio-Hadcock, Senior Planner, Environment ext. 8630
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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EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 15, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

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**ZONING BY-LAW AMENDMENT FILE Z.05.055
NORTH BATHURST DEVELOPMENT LTD.
REPORT #P.2006.3**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 6, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.055 (North Bathurst Development Ltd.) BE APPROVED, to rezone Lots 480, 503, 504, 529, 246, 222, 146 and 316 and provide exceptions to the development standards for Lots 161, 162 and 163 located within approved Draft Plan of Subdivision 19T-95044.

Economic Impact

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

Purpose

The Owner has submitted an application to amend the Zoning By-law to:

1. Rezone Lots 480, 503, 504, 529, 246, 222 and 146 shown on Attachment #2 from RD3 Residential Detached Zone Three to RD4 Residential Detached Zone Four.
2. Rezone Lot 316 shown on Attachment #2 from RD3(H) Residential Detached Zone Three with a Holding provision to RD4(H) Residential Detached Zone Four with a Holding provision.
3. Provide zoning exceptions to the RD4 Residential Detached Zone Four, for Lots 161, 162 and 163 as shown on Attachment #2 to: reduce the required number of parking spaces from 3 to 2; permit a minimum interior side yard to be reduced to 0.6m where such yard abuts a minimum yard of 1.2m; and, permit the minimum interior garage dimensions to be a minimum of 3.0m by 6.0m for lots with frontages greater than 9.5m.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located south of Major Mackenzie Drive, west of Bathurst Street, in Planning Block 11, in Part of Lot 18, Concession 2, City of Vaughan.

The Owner has submitted an application to amend the existing site-specific zoning exception 9(1244) for specific lots within approved Draft Plan of Subdivision 19T-95044 (Attachment #2). The approved draft plan has not been registered, and therefore, this application makes reference to the entire subdivision as one parcel of land. The lots specific to this zoning application meet the development standards with respect to lot frontage, lot depth and lot area, however, exceptions to other zoning standards are required to accommodate housing designs that will be consistent with the balance of the subdivision. The proposed rezoning will not create additional lots or reconfigure the existing lotting pattern.

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The subject lands are designated "Low Density Residential Area" by OPA # 600 and zoned RD3 Residential Detached Zone Three, RD3(H) Residential Detached Zone Three with a Holding provision and RD4 Residential Detached Zone Four, by By-law 1-88, subject to site-specific Exception 9(1244). The surrounding land uses are:

North - agricultural; open space; future residential (approved Draft Plan of Subdivision 19T- 04V05) (A Agricultural Zone; OS1 Open Space Conservation Zone; RD3 Residential Detached Zone Three; RD4 Residential Detached Zone Four; RT1 Residential Townhouse Zone)

South - UJA institutional property (A Agricultural Zone)

East - other vacant lands owned by North Bathurst Development Ltd. (A Agricultural Zone)

West - approved Draft Plan of Subdivision 19T-03V09 (A Agricultural Zone)

On December 23, 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 at the Public Hearing on January 16, 2006, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on January 23, 2006.

Official Plan

The "Low Density Residential" designation permits detached dwellings at a maximum net density of 22 units/ha, and an average overall net density for low density across the Block 11 Plan of 16-18 units/ha. Within low density residential areas, a mix of lot sizes and building types is encouraged. The proposed zoning amendment conforms to the Official Plan, as the proposed zoning amendments do not change the use of the lands, and do not increase or decrease the number of residential units approved in the plan of subdivision.

Zoning

The subject lands are presently zoned RD3 Residential Detached Zone Three, RD3(H) Residential Detached Zone Three with a Holding provision, and RD4 Residential Detached Zone Four. The zoning amendment application proposes to rezone the subject lands shown on Attachment #2 in the following manner:

- Lots 480, 503, 504, 529, 246, 222 and 146 are zoned RD3 Residential Detached Zone Three and are proposed to be rezoned to RD4 Residential Detached Zone Four;
- Lot 316 is zoned RD3(H) Residential Detached Zone Three with a Holding provision and is proposed to be rezoned to RD4(H) Residential Detached Zone Four with a Holding provision; and
- provide zoning exceptions to the RD4 Residential Detached Zone Four for Lots 161, 162 and 163 to: reduce the required number of parking spaces from 3 to 2; permit a minimum interior side yard to be reduced to 0.6m where such yard abuts a minimum yard of 1.2m; and, permit the minimum interior garage dimensions to be a minimum of 3m by 6m for lots with frontages greater than 9.5m.

Lots 146, 222, 246 and 316 are corner lots with frontages of 12.45m, 12.9m, 12.9m and 12.45m, respectively (see Attachment #2). These corner lots require sight triangles, which have been designed on the final subdivision plan to be approved by the Development Planning Department for registration. Once the area of the sight triangle has been deducted from the respective lots, the lots cannot accommodate the development standards of the RD3 Zone specifically, the

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decreased sideyard standard and parking space requirement, while still being sited with a dwelling compatible to those on adjacent internal lots. Taking the unusable area of the sight triangle into consideration, these lots are more appropriately in keeping with the standards of the RD4 Zone, requiring minimum lot frontages of 9m. The Development Planning can support the rezoning of these lots from RD3 to RD4 Zone.

The flankage of lots 480, 503, 504 and 529 abut a greenway as shown on Attachment #2, and are considered internal lots requiring a minimum interior side yard of 3.5m, which does not permit yard encroachments for both the current RD3 and proposed RD4 zones. The applicant is proposing to redefine these lots as corner lots in the RD4 Zone. Rezoning these lots would allow the applicant more flexibility in the design of homes, as the RD4 zone would allow for an exterior side yard of 4.5 permitting yard encroachments, a minimum of 2 parking spaces and the option of reducing the interior side yard from a minimum of 1.2m to 0.6m where it abuts a minimum yard of 1.2m in width.

Lots 161, 162 and 163 are zoned RD4 the requiring a minimum lot frontage of 9m. These lots are reversed pie-shaped lots with wider frontages and with the lots narrowing towards the rear (see Attachment #2). The increased width at the front of these lots has resulted in a requirement of three parking spaces. A dwelling with the requirement of 3 parking spaces cannot be accommodated on these lots due to the lot configuration. Also because of the pie-shaped lot a reduction in the minimum interior garage dimensions from the required 5.5m x 6m (2 spaces) to the proposed 3m x 6m (1 space) is also required to accommodate the appropriate development of these lots. In order to maintain consistency of house designs with the rectangular-shaped lots to the immediate north and south and taking into consideration the lots 9.15m width at the rear, permitting the minimum interior side yard on one side to be reduced from 1.2m to a minimum of 0.6m where it abuts a minimum yard of 1.2m is appropriate. The Development Planning Department can support the proposed exceptions to the RD4 Zone for these 3 lots.

Land Use/Compatibility

The application proposes to rezone 7 lots from RD3 Residential Detached Zone Three to RD4 Residential Detached Zone Four; rezone one lot from RD3(H) Zone to RD4(H) Zone; and provide site-specific exceptions to 3 lots zoned RD4 Zone in order to accommodate appropriate siting of the residential dwellings on the lots. The application does not propose lifting the holding provision or altering approved Draft Plan of Subdivision 19T-95044 (North Bathurst Developments Ltd), by increasing or deleting lots. Nor does it propose the reconfiguration of road patterns or lot sizes.

The application conforms to the area Official Plan (OPA #600), and is in keeping with the approved Block 11 Plan.

The minor changes requested, will accommodate appropriate development of the 11 lots with dwellings compatible to those in the rest of the subdivision.

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 has reviewed the proposed application to amend By-law 1-88, and is of the opinion that the proposed rezoning of the subject lands conforms to the policies of OPA #600 and is appropriate for the proposed development of the subject lands. If approved, the implementing zoning by-law will rezone the subject lands and address minor

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exceptions to the requirements of the RD4 Zone in order to facilitate the appropriate siting of the residential dwellings on the subject lots. Accordingly, the Development Planning Department can recommend approval of the proposed zoning amendment application.

Attachments

1. Location Map
2. Approved Draft Plan of Subdivision 19T-95044

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368

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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Item 16, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 13, 2006, as follows:

By approving that Clause 3 of the recommendation of the Commissioner of Planning be replaced with the following:

That the City of Vaughan advise the Minister of Public Infrastructure Renewal that a financial plan linked to the implementation of the Growth Plan be prepared and further that the Plan commit the Province to long-term capital funding for infrastructure projects.; and

By receiving the memorandum from the Commissioner of Planning, dated February 10, 2006.

**16 "PLACES TO GROW, BETTER CHOICES. BRIGHTER FUTURE. –
PROPOSED GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE"
ONTARIO MINISTRY OF PUBLIC INFRASTRUCTURE RENEWAL – NOVEMBER 2005**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 6, 2006, be approved;
- 2) That staff be directed to move the clause with respect to infrastructural support, to Clause 2 of the recommendation;
- 3) That in light of requirements with respect to General Intensification, (as stipulated in Places to Grow Proposed Growth Plan, dated November 2005, Section 2.2.3.1 General Intensification), that "by the year 2015 and for each year thereafter, a minimum of 40% of all residential development occurring annually within [a] municipality will be within the *build-up area*", staff will, no later than April 1, 2006, provide a report on what percentage of residential development in 2003, 2004 and 2005 occurred within the built-up area, and a similar report on the same matter and in the same fashion in subsequent years, up to and including 2014, such report to be titled "Annual Report of Residential Development Within The Built Area Relative To All Such Development";
- 4) That the City of Vaughan strongly request the Province to inform and confer directly with the residents of Ontario with respect to the content of the "Places To Grow" legislation; and
- 5) That the deputation of Mr. Paul DeBuono, President, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Committee of the Whole endorse the recommendations and content of this report; and,
2. THAT the City of Vaughan request that the Minister of Public Infrastructure Renewal, Minister Municipal Affairs and Housing and the Region of York address these recommendations and the matters upon which they are based as outlined in this report respecting, "Places to Grow - Better Choices. Brighter Future. – Proposed Growth Plan for the Greater Golden Horseshoe" released November 24, 2005; and,

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3. THAT the City of Vaughan advise the Ministry of Public Infrastructure Renewal that it supports the Region of York in its position that the aggressive intensification required by the Proposed Growth Plan be seen as targets that cannot be achieved without: significant provincial commitment to infrastructure investment; construction approval for critical infrastructure; new planning and financial tools; and, Provincial commitment to long-term capital planning and actual funding commitments; and,
4. THAT the City of Vaughan strongly request that the Province take every possible measure to expedite and complete the current Highway 427 EA as soon as possible; and,
5. THAT The City of Vaughan strongly request that the Province take every possible measure to expedite and complete the East-West “Future Goods Movement” EA as soon as possible and, in the interim period, take necessary steps to protect land for key links; and,
6. THAT York Region be requested to include the City of Vaughan as part of the Sub-Area Assessment process once undertaken by Public Infrastructure Renewal and other Provincial Ministries and the Region; and,
7. THAT The City of Vaughan should strongly request that the Province make funding support for the Yonge Street and Highway Seven Transitways and the extension of the Spadina Subway from Downsview Station to Highway Seven in the Vaughan Corporate Centre a first priority as part of the Proposed Growth Plan’s, “Moving People” policies; and,
8. THAT the Ministry of Public Infrastructure Renewal be requested to clarify whether completed Sub-Area Assessments will be required prior to municipalities bringing their Official Plans into conformity with the approved Growth Plan; and,
9. THAT the province be requested to provide supportive tools for good urban design, heritage conservation and environmental practices in the form of regulatory, fiscal and educational direction within the “Community Infrastructure” and “Protecting What is Valuable” sections of the Proposed Growth Plan.

Economic Impact

There will be significant economic impact on the City of Vaughan to bring official plan documents into conformity with an approved Growth Plan within three (3) years of its approval, the costs of which cannot be determined at this time. However, this work can be accommodated within a comprehensive official plan review/consolidation that should take place commencing in 2007.

Purpose

The purpose of this report is to:

1. Outline the main points from “Places to Grow - Better Choices. Brighter Future. – Proposed Growth Plan for the Greater Golden Horseshoe (GGH), released by the Provincial Ministry of Public Infrastructure Renewal on November 24, 2005;
2. Provide comments and advice to Committee of the Whole and Council with respect to the Proposed Growth Plan;
3. Provide recommendations to the Ministry of Public Infrastructure Renewal and the Region of York for consideration by Committee and Council.

Background – Analysis and Options

In June of 2004 the Ontario Minister of Public Infrastructure Renewal released a Discussion Paper entitled, “Places to Grow - Better Choices. Brighter Future. – A Growth Plan for the Greater

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Golden Horseshoe". On October 13, 2004 Staff reported to the Committee of the Whole Working Session with a number of conclusions on the "Places to Grow" Growth Plan Discussion Paper document. The Committee comments from that meeting formed the basis for the recommendations to the October 25, 2004 meeting of Council. Council's direction was subsequently sent to the Ministers of Public Infrastructure Renewal and Municipal Affairs and Housing, and Region of York, for their consideration (Attachment 1).

On February 16, 2005 the Ontario Minister of Public Infrastructure Renewal released, "Places to Grow - Better Choices. Brighter Future. – Draft Growth Plan for the Greater Golden Horseshoe" (i.e. the first draft) prepared by the Ministry following receiving input on the 2004 Discussion Paper. The ministry requested that municipalities provide their comments by April 18, 2005.

On April 4, 2005, Committee of the Whole considered a Staff Report (Report No. 19, Item 51) respecting the "Places to Grow - Better Choices. Brighter Future. – Draft Growth Plan for the Greater Golden Horseshoe", February 2005. Further to the recommendations of Committee, on April 11, 2005, Council (Attachment 2) made the following recommendations:

- 1 "THAT the City of Vaughan advise the Ministers of Public Infrastructure Renewal and Municipal Affairs and Housing that the recently released, "Places to Grow – Better Choices. Brighter Future. – Draft Growth Plan for the Greater Golden Horseshoe" contains proposed policies that infringe upon long standing areas of local jurisdiction in land use planning; and,
- 2 THAT the respective Ministers be advised that in consideration of the above, the City of Vaughan strongly objects to those portions of the Draft Growth Plan that enter into established areas of local planning interest; and,
- 3 THAT, given the magnitude and importance of the Draft Growth Plan, the Minister of Public Infrastructure Renewal, The Honourable David Caplan, be advised that the Council of the City of Vaughan requests a commenting extension of six (6) months from April 18, 2005 to permit a detailed analysis of the proposed Draft Growth Plan, its implementation and required infrastructure; and,

Should an extension not be granted, the following recommendations be endorsed in addition to those setout in the Committee of the Whole Report No. 19, Item 51:

- a) The province be advised that the City of Vaughan cannot support Provincial Growth Forecasts as proposed in the Draft Growth Plan because of the disconnect between the proposed Provincial Plans and the lack of Provincial commitment to long term infrastructure funding;
- b) The contents of the Sub-Area Growth Strategies should be limited to high level issues, including Provincial infrastructure, and not intrude into local planning decisions, such as the assignment of population on local municipal level and assignment of intensification locations;
- c) The Province be requested to hold a Growth Summit and invite the regions, municipalities and other stakeholders to participate; and,

By approving that this report be forwarded to AMO and all municipalities with a population of 100,000 and over.

- 4 THAT the Region of York be requested to withhold any comments to the province on the "Places to Grow – Better Choices. Brighter Future. – Draft Growth Plan for the Greater Golden Horseshoe" until such time as the City of Vaughan, and other local municipalities in York Region have had an opportunity to jointly discuss and determine their respective responses to the "Draft Plan" document.

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- 5 THAT the Minister of Public Infrastructure Renewal and the Regional Municipality of York be advised of the above concerns of the City of Vaughan and be requested to provide sufficient additional time for municipalities to respond with a proper response.”

(Note: The third clause replaced clause 3 of the Staff recommendations.)

Since the province granted no extension for comments, these recommendations stand as the comments from the City of Vaughan on the Growth Plan process to date.

On November 24, 2005, the provincial Ministry of Public Infrastructure Renewal released a second (final) draft titled, “Places to Grow - Better Choices. Brighter Future. – Proposed Growth Plan for the Greater Golden Horseshoe”. The Proposed Growth Plan, once approved, will become provincial policy. It derives its authority and legislative framework from the *Places to Grow Act, 2005*, given Royal Assent on June 13, 2005. (It will come into effect through an Order in Council made by the Lieutenant Governor in Council under that Act.) Section 14 of the Act states that official plans and planning decisions made by municipalities, the Province and other authorities will conform to the Growth Plan prepared under the Act

It should be noted that the Proposed Growth Plan is to be read together with other Provincial initiatives/plans. These include the Oak Ridges Moraine Conservation Plan (ORMCP) and the Greenbelt Protection Act and Greenbelt Plan as well as the revised Provincial Policy Statement (released on March 2, 2005). Once in place, the Growth Plan will be subject to a review every ten (10) years.

Also, the government gave first reading to Bill 51, an Act to Amend the Planning Act and the Conservation Land Act (and some other related amendments to other Acts). This Act is intended to provide further support to the Growth Plan and the Provincial Policy Statement. Consideration of Bill 51 is contained in a separate Staff Report to today’s Committee of the Whole.

It is this second, and final draft, of the “Growth Plan” (referred to as the “Proposed Growth Plan” in the balance of this report and appended as Attachment 3) is the subject of this Staff Report.

Analysis

The second iteration of the Proposed Growth Plan contains a somewhat revised vision and strategy for managing growth in the Greater Golden Horseshoe to the year 2031 from that contained in the initial “Draft Growth Plan”.

The Proposed Growth Plan is structured into four main sections followed by a Definitions Section and Six (6) Schedules (primarily maps), and Appendices. The main sections are:

- Where and How to Grow;
- Infrastructure to Support Growth;
- Protecting What is Valuable; and,
- Implementation and Interpretation.

These sections were also contained in the February 2005 Draft Growth Plan. Notably, the earlier section on “Sub-Area Growth Strategies” has been removed and the term, “Sub-Area Assessments” has been introduced to the section on Implementation and Interpretation. Sub-Area Assessments will be undertaken by the Ministry of Public Infrastructure Renewal and other provincial ministries in consultation with upper- and single-tier municipalities. The City of Vaughan is not a single-tier municipality and will rely on York Region to include the City in the Sub-Area Assessment process.

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The appearance of provincial involvement in local decision-making found in the earlier Draft Growth Plan is not reflected in the new Proposed Growth Plan document. This is largely because the “Sub-Area Growth Strategies” approach has been replaced with “Sub-Area Assessments” whereby upper-tier municipalities will work with the province to address broad planning and infrastructure issues. The City will need to be involved through consultation with York Region during this process.

Where and How to Grow

Intensification

The Proposed Growth Plan continues to require intensification in built up areas, urban growth centres (e.g. the Vaughan Corporate Centre), intensification corridors (e.g. Highway Seven, Yonge Street), and at major transit stations (e.g. Steeles Avenue West, east of Jane Street), as well as in brownfield and greyfield sites. Such areas can support transit and infrastructure investment to support more intense development/growth.

The Plan requires that, by 2015, 40% minimum density for residential development occur within the defined built up area. Specifically, Section 2.2.3 states:

“1. By the year 2015 and for each year thereafter, a minimum of 40 per cent of all residential development occurring annually within each upper- and single tier municipality will be within the *built up area*.”

Although this number applies to the upper tier municipality, it will need to be addressed in some way at the local level. The City is currently completing studies that will establish policies for high density in specific locations (along Highway Seven, on Steeles Avenue West, between Keele Street and Jane Street). This is in addition to existing policies for the Vaughan Corporate Centre. The two District Centres at Vellore and Carrville will also have higher densities in specific areas. Combined, these initiatives may achieve the 40% minimum density requirement of the Proposed Growth Plan. However, because development responds to market forces, making 40% a minimum density requirement may not be achievable by policy changes alone. For this reason, staff believes that the 40% minimum density requirement should be restated as a target.

Further to this, it is instructive to note that, in its January 11, 2006 Report to Regional Planning and Economic Development Committee, York Region staff indicated, that York Region cannot implement the aggressive growth and intensification targets in the Proposed Growth Plan unless there is provincial commitment to:

- Significant infrastructure investment
- Construction approval for critical infrastructure
- New planning and financial tools directed at urban areas
- Commitments to long-term Provincial capital planning

Recommendation: The City of Vaughan should advise the Ministry of Public Infrastructure Renewal that it supports the Region of York in its position that the aggressive intensification required by the Proposed Growth Plan should be seen as targets that cannot be achieved without: significant provincial commitment to infrastructure investment; construction approval for critical infrastructure; new planning and financial tools; and, Provincial commitment to long-term capital planning.

The Vaughan Corporate Centre, one of the “Urban Growth Centres”, is required to achieve a minimum gross density of 200 residential and jobs, combined, per hectare, by 2031. The Corporate Centre plan is already on target to achieve this.

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Both Highway Seven and Yonge Street, identified as intensification corridors, are currently the subject of planning studies that will result in policies that will target transit-supportive development densities as put forward in the Proposed Growth Plan.

Major office and institutional uses will also be located in the growth centres and within intensification corridors. This is also in keeping with the City's current planning objectives.

With respect to the expansion of urban boundaries, Public Infrastructure Renewal, in consultation with York Region, will determine the need for, and maximum amount of, additional greenfield area for future development. Urban boundary expansion will only be permitted through a comprehensive review subject to the criteria in the Growth Plan. The city will take this into consideration when undertaking a comprehensive official plan review/consolidation that should take place commencing in 2007.

Infrastructure to Support Growth

Infrastructure is a key component of the Proposed Growth Plan. This section commits Public Infrastructure Renewal to working with other ministries and other public sector partners, such as area municipalities, to identify strategic infrastructure requirements and to develop multi-year infrastructure plans through Sub-Area Assessments. One area that needs immediate attention is to expedite the completion of the Highway 427 Environmental Assessment (EA).

Recommendation: The City of Vaughan should strongly request that the Province take every possible measure to expedite and complete the current Highway 427 EA as soon as possible.

Another is the East-West Future Goods Movement Corridor (formerly called an "Economic Corridor) shown on Schedule 2, "Places to Grow Concept" map. This corridor may be located south of the Greenbelt along the City's northern boundary and may link with an extended Highway 427 and/or Highway 400. The Province has indicated that the Environmental Assessment for this corridor could take up to ten years to complete. During such a long process many corridor options will likely be closed due to the progression of development. The Province should expedite the Environmental Assessment for this corridor and, in the interim period, take necessary steps to protect land availability for identifiable key links.

Recommendation: The City of Vaughan should strongly request that the Province take every possible measure to expedite and complete the East-West "Future Goods Movement" EA as soon as possible and, in the interim period, take necessary steps to protect land for key links.

Transit is identified as the first priority for this planning and investment. The relationship between transit investment and supportive land use is central to this. A key area for transit is Provincial support for higher order transit infrastructure. This includes the Yonge Street and Highway Seven Transitways and the extension of the Toronto Transit Commission's Spadina Subway from Downsview Station to York University and the Vaughan Corporate Centre. Proposed Growth Plan Map 5, "Moving People" shows these initiatives as they apply to Vaughan. Section 3.2.3 – 1 of the Proposed Growth Plan states that, "Public transit will be the first priority for transportation infrastructure planning and major transportation investments." The City of Vaughan should strongly request that the Province make funding support for the Yonge Street and Highway Seven Transitways and the extension of the Spadina Subway from Downsview Station to Highway Seven in the Vaughan Corporate Centre a first priority as part of the Proposed Growth Plan's, "Moving People" policies.

Recommendation: The City of Vaughan should strongly request that the Province make funding support for the Yonge Street and Highway Seven Transitways and the extension of the Spadina Subway from Downsview Station to Highway Seven in the Vaughan Corporate Centre a first priority as part of the Proposed Growth Plan's, "Moving People" policies.

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This section also identifies water and wastewater planning. Public Infrastructure Renewal, through the sub-area assessments in consultation with upper the tier municipalities, will analyze capacity and service requirements to accommodate growth forecasts.

Community infrastructure has also been added to this section. It is defined as land, buildings or structures that support the quality of life by providing public services for health, education, recreation and affordable housing (among others). Services planning is encouraged, including funding and service delivery sectors to develop community infrastructure strategies to co-ordinate land use infrastructure and investment.

One aspect of the delivery of communities and their constituent parts is the quality of urban design, heritage conservation and environmental practices. The Proposed Growth Plan presents an opportunity to establish provincial policy to strengthen the quality of community design within the planning process. One important aspect of this would be for the province to provide supportive tools for this in the form of regulatory, fiscal and educational direction within the community infrastructure section of the Proposed Growth Plan

Regions will be required, in consultation with area municipalities and other stakeholders, to develop a Housing Strategy.

The Housing Strategy is to set out a plan, including Official Plan policies, to meet the community's needs, including needs for affordable rental and home ownership, and the planning and development of a range of housing types and densities to achieve the Growth Plan intensification and density targets.

Much of the infrastructure requirements addressed in this section are the responsibility of York Region. Regional Council has consistently identified critical York Region infrastructure projects that are required to support the growth forecasts and identified Provincial responsibility for:

- Preparation and funding of a long term Provincial capital infrastructure program
- Provision of funding for a transit, affordable housing and human services on a long term sustained basis
- Formulation of a streamlined planning and environmental approval process.

Protecting What is Valuable

The Proposed Growth Plan recognizes that the Oak Ridges Moraine Conservation Plan (ORMCP) and the Greenbelt Protection Act (February 24, 2005) and the Greenbelt Plan, finalized on February 28, 2005 (but effective retroactively to December 16, 2004). Both these plans have been incorporated into the City's planning structure.

Outside of these plans the Proposed Growth Plan will identify a natural system for the Greater Golden Horseshoe through the sub-area assessments. This system will comprise natural heritage features and areas and sensitive surface and groundwater features. Prime agricultural and specialty croplands will also be identified.

In this section, the Proposed Growth Plan also advocates a "Culture of Conservation" that includes water conservation, recycling, energy conservation alternative energy generation and distribution, air quality improvements, integrated waste management systems and cultural heritage conservation. The relationship of this "policy direction" to existing local and regional initiatives is to be determined.

Recommendation: The province should provide supportive tools for good urban design, heritage conservation and environmental practices in the form of regulatory, fiscal and educational direction within the community infrastructure section of the Proposed Growth Plan.

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Implementation and Interpretation

The Proposed Growth Plan will be implemented through the amendment of regional Official Plans and area municipalities' conformity to regional plans. Under the Proposed Growth Plan, Sub-Area Assessments will provide greater detail of implementation requirements and tools.

Sub-Area Assessments

The previous February 2005 Draft Growth Plan referred to "Sub-Area Growth Strategies", now renamed "Sub-Area Assessments". The main focus of the Sub-Area Assessments will be:

- Regional economic assessment to guide planning for employment and identify Provincial significant employment areas and economic clusters;
- Transit and transportation sub area assessment to focus on transportation infrastructure planning and investment;
- Water and Sewer capacity to service the projected growth forecasts;
- Natural Heritage system identification and protection; and,
- Prime agricultural and specialty crop area protection.

Sub-Area Assessments are to be carried out by Public Infrastructure Renewal and other ministries, in consultation with the regions. Sub-Area Assessments will provide further refinement to the Growth Plan's policies and inform implementation strategies at a smaller scale than the Greater Golden Horseshoe.

The ministry intends that the completion of the Sub-Area Assessments will be carried out within eighteen (18) months from the approval of the Proposed Growth Plan. The City of Vaughan is not a direct participant in the preparation of the Sub-Area Assessments, but must rely on York Region to consult with the City during the process.

Recommendation: York Region should be requested to formally include the City of Vaughan within the development process for the Sub-Area Assessment covering York Region.

The Proposed Growth Plan does not indicate whether or not the Sub-Area Assessment needs to be completed prior to municipalities bringing their Official Plans into conformity with the approved Growth Plan. This should be clarified in the final Growth Plan.

Recommendation: The ministry of Public Infrastructure Renewal should be requested to clarify whether completed Sub-Area Assessments will be required prior to municipalities bringing their Official Plans into conformity with the approved Growth Plan.

Conformity With the Proposed Growth Plan

York region, in consultation with the area municipalities, has the main responsibility to carry out the studies and work to bring their plans into conformity with the Proposed Growth Plan. This represents a significant amount of work and expense that will not be borne by the Province. The "Places to Grow Act" requires that this work be completed and plan amendments adopted within three (3) years of the approval of the Proposed Growth Plan. The existing planning approvals process remains in effect, however, and possible OMB applications contesting plan changes could significantly affect this timetable.

A number of studies will be necessary to bring the City's plans into conformity with an approved Growth Plan. These include, but may not be limited to:

- Official plan policies/strategies respecting intensification targets;

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- Transit-associated development density targets;
- Policies and strategies for minimum land requirements, including greenfields, to meet development growth forecasts (e.g. urban boundary expansion);
- Establish minimum housing targets, including affordable housing; and,
- Data, analysis and review, with York Region, respecting such studies.

Staff is unable to determine the cost of carrying out such work at this time although it will be substantial. Such work could be accommodated as part of a comprehensive official plan review/consolidation that could take place commencing in 2007.

Relationship to Vaughan Vision 2007

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

Conclusion

Should Council concur, the recommendation of this report should be adopted and forwarded to the Ministers of Public Infrastructure Renewal and Municipal Affairs and Housing, and the Region of York for their consideration.

Attachments

1. October 13, 2004 Staff Report to Committee of the Whole (Working Session Report No. 72), and October 25, 2004 Council Direction on "Places to Grow Discussion Paper, June 2004" – **Members of Council ONLY**
2. April 11, 2005 Staff Report to Committee of the Whole (Item 51, Report No. 19), adopted by Council, as amended, April 11, 2005 – **Members of Council ONLY**
3. "Places to Grow - Better Choices. Brighter Future – Proposed Growth Plan for the Greater Golden Horseshoe" Ministry of Public Infrastructure Renewal, November 2005 – **Members of Council ONLY**

Report prepared by:

Wayne L. McEachern, Manager, Policy Planning/Urban Design (8026)

/RF

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

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Item 17, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

17 ENSURING SUFFICIENT PUBLIC PARKING SPACES IN THE WOODBRIDGE CORE

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated February 6, 2006:

Recommendation

Councillor Tony Carella recommends that the Planning and Engineering Departments be directed to undertake a joint review of opportunities and options for guaranteeing a sufficient number of parking spaces available for use by the public within the Woodbridge core, whether on private or public lands or both.

Economic Impact

Both departments possess sufficient resources to conduct such a review without recourse to outside consultants.

Purpose

To ensure a sufficient number of parking spaces for future use by the general public in the Woodbridge core.

Background - Analysis and Options

While there appears to be a surplus of parking spaces in the Woodbridge core, most are privately held in a number of condominiums buildings, which were not purchased by tenants of the condominium. As such these spaces cannot be used to relieve any future pressure for additional public spaces in the vicinity. By undertaking a review of this matter at this time, it is hoped that a range of opportunities and options will be identified, for Council's future consideration.

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

As any future development will doubtless bring added traffic into an enhanced core---whether in the form of more business customers, visitors to residents, or indeed tourist traffic, prudence suggests this issue be addressed now, while there is time to consider the broadest range of solutions.

Attachments

None

Report prepared by:

Councillor Tony Carella

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Item 18, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 13, 2006, as follows:

By approving the recommendation of Regional Councillor Jackson, dated February 6, 2006; and

By receiving the memorandum from the City Clerk, dated February 10, 2006.

18

PHOTOGRAPHY PERMITS

The Committee of the Whole recommends that this matter be referred to the Council meeting of February 13, 2006, for staff to report on Councillor Meffe's November 2004 request with respect to issuance of permits for various City-owned properties.

Recommendation

Local and Regional Councillor Linda D. Jackson recommends that City of Vaughan staff prepare a report for the first Committee of the Whole meeting of March 2006, exploring the following:

- Establishing a permitting system for commercial photography at both Thoreau MacDonald House in Thornhill and the Scout House in Kleinburg,
- That the staff report include financial consideration for residents of Vaughan,
- That any funds generated from photography permits be applied towards maintenance and improvements at Thoreau MacDonald House and the Scout House,
- That staff investigate any photography permitting programs used by area municipalities, such as the permitted use of Edwards Gardens in the City of Toronto,
- That the permits be applied to commercial photography only, and
- That the projected start-up date be planned to provide sufficient time to incorporate the 2006 Spring/Summer/Fall season.

Economic Impact

Any financial benefits are to be outlined in staff's report to Council at the first meeting of March 2006.

Purpose

To address the disruption to area residents, caused by the traffic and use of public property by commercial photographers for events such as weddings, engagements, etc., while offsetting the costs of maintenance and improvements to City of Vaughan's capital assets.

Background - Analysis and Options

During the Spring, Summer and Autumn months, seven to eight groups routinely converge on public property for the purposes of commercial photography. This practice impacts negatively on area residents, causing vehicular congestion and the loss of enjoyment of public property. It also becomes necessary for the City of Vaughan to increase maintenance at these locations as a result of increased traffic.

Relationship to Vaughan Vision 2007

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

Report prepared by:

Mirella Compagno

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 19, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

19 REMOVAL OF STOP SIGN AT AMELYNN CRESCENT AND MONTEBELLO ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated February 6, 2006:

Recommendation

Councillor Tony Carella recommends that the stop sign at the intersection of Amelynn Crescent and Montebello Road be removed.

Economic Impact

Nil

Purpose

To respond to a request from the chair of the Sonoma Heights Phase 1 Traffic Calming Committee, that a stop sign not be placed at this intersection as previously requested.

Background - Analysis and Options

The request for a stop sign at this intersection was approved by Council along with a number of other nearby locations, in response to a petition to that effect. However, several residents who had spearheaded the collection of signatures to the petition subsequently noted that the close proximity of this intersection to another for which a stop sign was approved made a sign at this intersection redundant. The chair of the Sonoma Heights Phase 1 Traffic Committee agreed, and on behalf of the committee and the petitioners agreed to bring this matter to the attention of the ward councillor, and through him, to the attention of Council, by way of a letter (see attached).

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 amendment of Draft By-Law 03-2006 as provided in this recommendation will result in the deletion of a proposed stop sign deemed to be redundant.

Attachments

Letter of Mario Raponi, Chair, Sonoma Heights Phase 1 Traffic Calming Committee, date January 24, 2006

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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EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 20, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

20

**SITE DEVELOPMENT FILE DA.97.059
THE ERNEST MANSON LUBAVITCH CENTRE ADDITION**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 6, 2006, be approved;
- 2) That the applicant meet with the Ward Councillor and staff to address the issue of including a barrel shaped canopy roof entrance feature over the main entrance;
- 3) That the deputation of Mr. Alan Young, Weston Consulting, 201 Millway Avenue, Suite 19, Vaughan, L4K 5KB, be received; and
- 4) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.97.059 (The Ernest Manson Lubavitch Centre Addition) BE APPROVED, subject to the following conditions:

- a) That prior to the execution of the site plan agreement:
 - i) the final site plan, landscape plan, and building elevations shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plan, stormwater management report, parking, access and on-site circulation shall be approved by the Engineering Department;
 - iii) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.; and
 - iv) the variances required to implement the final approved site plan shall be approved by the Committee of Adjustment, and shall be final and binding.

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 amend the existing site plan agreement, in order to accommodate south and east additions to the existing synagogue building, on the lands shown on Attachment #1. The intention of the addition is to expand the main sanctuary area, as well as, relocate existing classrooms, provide for additional classrooms and a gymnasium for a religious pre-school, and to provide a 10mx 20m outdoor fenced-in playground as shown on Attachment #2.

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The proposed 1,400.7m² building addition will be 2-storeys to a maximum height of 11m, and is to be joined with the existing 2,110.4m², 2-storey building for a total gross floor area of 3,511.1m² on a 8,794.76m² site. The number of parking spaces provided will be 121 spaces, which includes 2 handicapped spaces.

Background - Analysis and Options

On March 30, 1998, Council approved the original Site Development File DA.97.059 (Lubavitch Youth Organization – Toronto) to permit the development of a 2-storey, 2,110.4m² synagogue and community centre with classrooms, and 79 parking spaces. In August of 1998, the Site Development Agreement was registered and the site was developed according to the approved site plan.

On December 4, 2003, the Owner submitted a Site Development application to amend the existing site plan agreement, in order to accommodate a southerly building addition to the existing synagogue facility. The proposal was considered by the Committee of the Whole on April 4, 2005 and was approved by Council. Subsequently, the Owner submitted a revised site layout in August of 2005, with a new building and parking configuration. The August 2005 submission required a full review and new approvals from Council.

The site is located at the southeast corner of Bathurst Street and Flamingo Road (8001 Bathurst Street), being Block 40 on Registered Plan 65M-3182, in Part of Lots 33 and 34, Concession 1, City of Vaughan. The 8,794.76m² site has 74m frontage on Flamingo Road and 112.17m flankage along Bathurst Street.

The site is designated "Low Density Residential" by OPA No. 210 (Thornhill-Vaughan Community Plan) and zoned R2 Residential Zone by By-law 1-88. The surrounding land uses are as follows:

- North - Flamingo Road; residential (R1 Residential Zone)
- South - residential (R3 Residential Zone)
- East - Highcliffe Drive; residential (R3 Residential Zone) and walkway block (OS1 Open Space Conservation Zone)
- West - Bathurst Street; woodlot (OS1 Open Space Conservation) and residential (R2 Residential Zone)

Official Plan

The subject lands are designated "Low Density Residential" by OPA No. 210 (Thornhill-Vaughan Community Plan). This designation permits single-detached dwellings and institutional uses, including churches and religious institutions on sites of a minimum of 0.4ha. Such uses, located on arterial or collector roads preferably on a corner site, shall require site plan approval. The existing synagogue and proposed addition located on a 0.87 ha parcel of land, conform to the policies of the Official Plan.

Zoning

The subject lands are zoned R2 Residential Zone by By-law 1-88, which permits the proposed church/place of worship and community centre uses as-of-right, provided the site layout can accommodate the development standards that are required for an institutional use.

The following zoning exceptions are required to the R2 Residential Zone to facilitate the proposed building addition as shown on Attachment #2:

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	<u>Required</u>	<u>Proposed</u>
Min. Landscape Strip abutting an OS1 Zone (east):	2.4m	1.55m
Min. Exterior Side Yard (west) (to existing building – new steps):	15.0m	7.70m
Min. Exterior Side Yard (west) (to addition):	15.0m	11.68m
Min. Exterior Side Yard (west) (outdoor play area):	15.0m	1.5m
Min. Width of Landscape Strip abutting a street (Bathurst Street):	6.0m	1.5m
Min. Interior Side Yard:	15.0m	13.75m
Min. Number of Parking Spaces:	165 spaces	123 spaces (25.46% deficiency)
Max. permitted Lot Coverage	20%	26.3%

In 1997, the Committee of Adjustment approved Minor Variance Application A297/97 to permit a front and exterior side yard setback of 9.0m and a 6.0m setback to the site triangle, whereas By-law 1-88 requires 15m, respectively.

The Owner will require a further application for Minor Variance to the Committee of Adjustment in order to address the above-noted zoning deficiencies attributed to the proposed building addition and outdoor play area and to the new steps leading to a new entrance to the existing building on the west facade. The Committee of Adjustment at a future meeting will consider the variance application, should Council approve the proposed site plan.

Site Design

The existing 2-storey synagogue shown on Attachment #2 fronts on Flamingo Road and has flankage on Bathurst street and is located in the northwest quadrant of the subject lands. The applicant is proposing a two-storey addition forming a reversed "L" shape to the east and south of the existing building. A garbage room will be provided internal to the building along the south side of the new addition. The site is to be accessed from Flamingo Drive by a 7.5m wide ingress and egress access as shown on Attachment #2. The only access to the site from Flamingo leads to a reversed "L" shaped parking area around the building. The children's fenced in play area has been proposed within the required 6m wide landscape buffer along Bathurst Street. The location and size of the play area for the proposed day nursery use is subject to the approval of the Ministry of Community Services.

Building Elevations

The multi-leveled building shown on Attachments #4 and #5 has a maximum height of 11m. The building material proposed for the addition is brown brick, matching the brick façade on the existing building. The cream-coloured coursing has also been incorporated around the windows, creating a frame that is used throughout the building as an architectural accent.

Landscaping

The site will be landscaped with a mix of coniferous and deciduous plantings around the perimeter of the site. Planting has also been included in the islands located within the parking areas, as shown on Attachment #3. Specific attention has been given to the new planting located around the outdoor play area. A concrete walkway leading from the building to the play area and further south along the westerly row of parking provides a path for pedestrian movement on site.

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The final landscape plan and detailed cost estimate must be approved to the satisfaction of the Development Planning Department.

Access and Parking

The site plan (see Attachment #2) proposes 123 parking spaces, whereas the By-law requires 165 spaces, resulting in a deficiency of 25.46%, which is satisfactory to the Engineering Department. Parking was calculated based on each use within the existing building and the proposed addition. The applicant requires relief and has made application to the Committee of Adjustment to address the deficiency.

The access to the site is via an existing driveway from Flamingo Road. A secondary existing access from Highcliffe Drive will be removed and replaced with parking spaces and landscaping.

Servicing

The final servicing plan is to be approved by the Engineering Department, and satisfy all engineering requirements.

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 has reviewed the Site Plan application, to permit the building addition to the existing approved synagogue and community centre, and is satisfied that the subject lands can be appropriately developed to accommodate the proposed addition. The Development Planning Department is of the opinion that the proposed addition and the variances to facilitate the addition are appropriate, and that the variances can proceed to the Committee of Adjustment, should Council approve the site plan application.

Attachments

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

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Arto Tikiryan, 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.)

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EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 21, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

21 ENHANCING SAFETY OF SCHOOL-AGE PEDESTRIANS NEAR SAN MARCO SCHOOL

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Councillor Carella, dated February 6, 2006, be approved; and
- 2) That the petition from area residents, submitted by Councillor Carella, be received.

Recommendation

Councillor Tony Carella recommends that staff report back at the next Committee of the Whole on the need and feasibility of the requests contained in the petition (attached) from the residents of West Woodbridge in the vicinity of San Marco School, to enhance the safety of school-age pedestrians in the area by:

1. the installation of a three way stop-sign at the intersection of Martin Grove Road and Morningstar Drive, as well as flashing amber lights facing both directions of traffic on Martin Grove Road;
2. the marking of the pavement at the intersection at Morningstar Drive and Coronation Street, to indicate a crosswalk, with appropriate signage including but not limited to flashing amber lights; and
3. the placement of a second set of crossing signs directed at northbound traffic on Martin Grove Road, west of the intersection with Zinnia Place, indicating "SLOW / SCHOOL CROSSING AHEAD".

Economic Impact

Stop sign installation/manufacturing approximately \$1,000.00, flashing beacons \$14,000.00.

Purpose

To address the concerns of residents with respect to the safety of school-age pedestrians near San Marco School.

Background - Analysis and Options

Extensive damage to a brick wall along Morningstar Drive between Martin Grove Road and Hollyburn Crescent/Coronation Street (see attachment 2)---done by a car turning onto Morningstar from Martin Grove Road at too high a speed and careening out of control---only serves to indicate the basis upon which several hundred local residents have signed a petition requesting a number of steps to enhance the safety of school-age pedestrians in the vicinity of San Marco School. The requests are reasonable from a number of perspectives:

1. Martin Grove Road is the major north-south artery in west Woodbridge, the residential zone bound by Langstaff Road, Kipling Avenue, Highway 7, and Highway 27. As such, it attracts a great deal of traffic, and frequently drivers who speed.

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2. The absence of any stop signs at the intersection of Martin Grove Road and Morningstar Drive is not entirely mitigated by the presence of a crossing guard, given the limited time that such guards are on duty. Evenings and weekends, the intersection is always a busy one and there are many school-age pedestrians in the vicinity during non-school hours.
3. The absence of stop signs on Morningstar Drive at Hollyburn Court/Coronation Street.
4. The fact that Martin Grove Road curves north as it passes the intersection with Zinnia Place aggravates the situation, particularly when drivers speed along the curve, unaware that there is a school crossing ahead until they are well in sight of it. Hence, the request that additional signage well in advance of the curve or slightly along it, alerting drivers to the fact that there is a school crossing ahead.

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 that Council address the concerns of residents in the vicinity of San Marco School in respect of the safety of school-age pedestrians.

Attachments

1. Petition submitted by residents in the vicinity of San Marco School.
2. Photograph of damage done to the sidewall of 1 Hollyburn Crescent, on Morningstar Drive approximately 50 m west of Martin Grove Road.

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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EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 22, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 13, 2006, as follows:

By receiving the coloured renderings submitted by the applicant.

22

**SITE DEVELOPMENT FILE DA.05.063
2748355 CANADA INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 6, 2006, be approved;
- 2) That the applicant be requested to meet with the Ward Councillor and staff to address the issues raised; and
- 3) That the following deputations be received:
 - a) Mr. Paul DeBuono, President, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5; and
 - b) Mr. James Claggett, IBI Group, 230 Richmond Street, 5th Floor, Toronto, M5V 1V6, on behalf of the applicant.

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.05.063 (2748355 Canada Inc.) BE APPROVED, subject to the following conditions:

- a) That prior to the execution of the site plan agreement:
 - i) the final site plan, landscape plan and building elevations shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plan, stormwater management report, parking, access and on-site vehicular circulation shall be approved by the Engineering Department;
 - iii) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - iv) the traffic study shall be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department;
 - v) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.;
 - vi) the Owner shall demonstrate, to the satisfaction of the Development Planning Department and the York Region Rapid Transit Corporation, that the public transit alignment (subway/subsurface alignment) shown on the site plan (Attachment #2), reflects the alignment recommended in the "Highway 7 Corridor and Vaughan North-South Link Public Transit Improvements Environmental Assessment" and provides for the northward extension of the alignment from the lands to the south; and,

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- vii) the Owner shall dedicate to the City, the lands necessary for the Higher Order Transitway Corridor as shown on Schedule “B2” of OPA #529, free of all costs and encumbrances; or, the Owner shall enter into the Option Agreement outlined in Schedule “B” of the Minutes of Settlement dated July 10, 2000 between 2748355 Canada Inc. and the City, which will grant the City the option to purchase in fee simple, a sub-surface stratum of a portion of the subject lands for the purposes of a subway line.

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 on the subject lands shown on Attachment #1, to permit an industrial building, which includes an office with a mezzanine (1,394m²) and a warehouse (9,754m²) as shown on Attachment #2.

Background - Analysis and Options

On January 16, 2006, the recommendation of the Committee of the Whole to approve Site Development File DA.05.063 was deferred by Council on January 23, 2006.

The 2.3ha vacant site that is part of the larger landholding (5.06ha) as shown on Attachment #1, is located on the northwest corner of Jane Street and Interchange Way, in Part of Lots 4 and 5, Concession 5, City of Vaughan.

The subject lands are designated “Corporate Centre District” by OPA #500 (Corporate Centre Plan), and zoned EM1 Prestige Employment Area Zone and C7 Service Commercial Zone by By-Law 1-88, subject to Exception 9(957). The surrounding land uses are:

- North - existing industrial (EM1 Prestige Employment Area Zone)
- South - Interchange Way; approved industrial DA.05.008 (EM1 Prestige Employment Area Zone)
- East - Jane Street; employment (EM1 Prestige Employment Area Zone)
- West - vacant/employment (EM1 Prestige Employment Area Zone)

Official Plan

The subject lands are designated “Corporate Centre District” by OPA #500 (Corporate Centre Plan), which provides opportunities for land uses that require visual exposure, good vehicular accessibility and large development sites that are characterized by high design standards. The proposed industrial building with an office and warehouse is deemed to be a prestige industrial use, which is permitted and conforms to the policies of OPA #500.

The site is also subject to OPA #529, which implements the “Vaughan Higher Order Transit Right-of-Way Corridor Protection Study”. The purpose of the study was to identify and protect a higher order transit right-of-way leading from York University to the Vaughan Corporate Centre.

OPA #529 acknowledges the Public Transit Right-of-Way on the Beutel Goodman Lands, of which the easterly 11.5m of the overall 23m right-of-way is shown on the subject lands to facilitate a sub-surface subway, with the remaining 11.5m to be provided by Beutel Goodman upon development of the adjacent westerly parcel (Attachment #2). Prior to the execution of the site

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plan agreement, the Owner shall demonstrate to the satisfaction of the Development Planning Department and the York Region Rapid Transit Corporation, that the public transit alignment (subway/subsurface alignment) shown on the site plan (Attachment #2), reflects the alignment recommended in the "Highway 7 Corridor and Vaughan North-South Link Public Transit Improvements Environmental Assessment" and provides for the northward extension of the alignment from the lands to the south.

In accordance with OPA #529, construction of buildings or other structures requiring footings or other load bearing support will not be permitted to locate above the underground Public Transit right-of-way, however, surface parking, landscaping, and vehicular and pedestrian circulation will be permitted on the 11.5m right-of-way, as shown on Attachment #2. Prior to the execution of the site plan agreement, the Owner shall inform the City if they will be either dedicating the lands to the City that are necessary for the Higher Order Transitway Corridor as shown on Schedule "B2" of OPA #529, free of all costs and encumbrances, or; if they will be entering into the Option Agreement outlined in Schedule "B" of the Minutes of Settlement dated July 10, 2000, between 2748355 Canada Inc. and the City.

Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone and C7 Service Commercial Zone, subject to Exception 9(957), as shown on Attachment #1, which permits the proposed office and warehouse use. The final site plan will be approved in accordance with the EM1 and C7 Zone requirements and Exception 9(957).

Site Design

The site plan (Attachment #2) shows the irregular shaped industrial building, with the two-storey office portion facing Jane Street. Two accesses will serve the site, consisting of one full-movement access on Interchange Way and a right-in/right-out access on Jane Street. Vehicular circulation and parking is provided around the entire building. Landscaping and pedestrian walkways are also proposed around the building with connections to Jane Street and Interchange Way. The recessed loading area is located on the north elevation and will be screened from the view of Jane Street. The final site plan will be approved to the satisfaction of the Development Planning Department.

Parking/Traffic

The site plan shows 160 parking spaces, which will serve the development. The Owner has submitted a Transportation Impact Study prepared by IBI Group to review any potential transportation impacts, parking and loading requirements resulting from the proposed development. The Engineering Department and the Region of York Transportation and Works Department shall approve the traffic study, parking, access and on-site vehicular circulation.

The Region of York may request to be a party to the site development agreement given that the subject lands abut Jane Street, with conditions of approval to be included in the Agreement. As a condition of site plan approval, all requirements of the Region of York Transportation and Works Department must be satisfied.

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 will be approved to the satisfaction of the Engineering Department and the Region of York Transportation and Works Department.

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All hydro requirements will be addressed by the Owner, to the satisfaction of PowerStream Inc.

Landscaping

The landscape plan (Attachment #4) shows a variety of deciduous and coniferous trees and shrubs along Interchange Way and Jane Street. A landscaped island is proposed at the southeast corner of the site, connecting the building to a concrete entry feature and pedestrian walkways along both Jane and Interchange, and to a Viva bus stop. A concrete pedestrian walkway surrounds the building with connections to Jane Street and Interchange Way. The final landscape plan shall be approved to the satisfaction of the Development Planning Department.

Building Design

The proposed building elevations are shown on Attachment #3. The building will be constructed to a height of 9.3m and consists of blue glass, white precast panels and grey ribbed flexwall panels. The curved blue glass entry feature is located on the southeast elevation facing the corner of Jane Street and Interchange Way and is designed with a glass double-door entry. The remaining elevations are of the same design and will consist of grey ribbed flexwall panels with a grey smooth precast banding. Two of five man doors are located on the east elevation with the remaining on the north elevation, along with two over-head doors and five loading doors, which are screened from the view of Jane Street. 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

The Development Planning Department has reviewed the proposed Site Development Application in accordance with the policies of the Official Plan and the requirements of the Zoning By-Law, and is satisfied that the proposed office and warehouse building will facilitate an appropriate development of the site, within the Corporate Centre. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions in this report.

Attachments

1. Location Map
2. Site Plan
3. Building Elevations
4. Landscape Plan

Report prepared by:

Christina Napoli, Planner I, ext. 8384
Arto Tikiryan, 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 FEBRUARY 13, 2006

Item 23, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 13, 2006, as follows:

By approving the replacement of the document attached to the report with the revised version entitled "City of Vaughan Enforcement Services/York Regional Police Joint Safety Initiatives (2005)" in accordance with the memorandum from Councillor Di Vona, dated February 10, 2006.

23 CITY OF VAUGHAN AND YORK REGIONAL POLICE JOINT ENFORCEMENT 2005

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor DiVona, dated February 6, 2006:

Recommendation

Councillor Bernie DiVona, Chair – Safe City Committee, in consultation with the Senior Manager of Enforcement Services and Manager of Parks Services recommends:

1. That the City of Vaughan receive this report for information.
2. That the City of Vaughan make this report and attachment available on the City of Vaughan website.
3. That the City of Vaughan Clerks Dept. be requested to forward this report to the Mayor's Task Force on Safety and Security.

Economic Impact

None

Purpose

To ensure the residents of Vaughan are aware of the joint enforcement projects carried out by the City of Vaughan Bylaw Enforcement working together with York Regional Police to help reduce nuisances, vandalism, and other activity not in keeping with community safety.

A Safe City Survey conducted in August/September 2005 has concluded that residents are largely unaware of the role and activity of community safety initiatives undertaken by the City of Vaughan. As a result, the Safe City Committee resolved that a comprehensive report should be produced to make the public aware of those joint enforcement efforts carried out in 2005.

Background - Analysis and Options

The City of Vaughan Safe City Committee was established with a mission to investigate and recommend opportunities that would serve to make Vaughan a safer and more enjoyable place to live, work, play or raise a family. Fundamental to the achievement of this mission is the need to participate with York Regional Police towards enhanced enforcement and communication to the public of our efforts and opportunities.

The Safe City Committee conducted a citywide survey of residents in August/September 2005 to better understand their concerns with community safety and to obtain feedback of concerns from residents. The survey has been completed and a final report is to be released within 30 days.

A major finding of the survey included public comments and opinions as to the level of public acceptance of existing community safety program. The survey has concluded that some 40% of respondents were not aware of community safety initiatives or programs within Vaughan.

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However, those respondents that were aware of community safety initiatives provided a “good to excellent” rating 60% of the time. This was evidenced by respondents naming community safety programs or initiatives. It is clear the City of Vaughan needs to inform residents of existing programs and initiatives that have been undertaken to enhance community safety.

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

This report has been prepared to provide a consolidated report of joint City of Vaughan Bylaw Department and York Regional Police initiatives undertaken during 2005. During the year, the Bylaw Department and Parks Department worked jointly with York Regional Police to address enforcement issues that are within the realm of the municipality.

The Safe City Committee has felt that there must be an increased awareness of the programs and initiatives that have been undertaken, as residents have expressed concern as a lack of knowledge of community safety initiatives. This report has been prepared to ensure that both the education and awareness is provided to the public.

Attachments

A summary report is attached outlining those joint enforcement initiatives.

Report prepared by:

Councillor Bernie DiVona

(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 FEBRUARY 13, 2006

Item 24, Report No. 5, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 13, 2006, as follows:

By approving the recommendation of Mayor Di Biase, dated February 6, 2006; and

By receiving the memorandum from the Commissioner of Planning, dated February 10, 2006.

24

CASH-IN-LIEU OF PARKING BY-LAW

The Committee of the Whole recommends that this matter be referred to the Council meeting of February 13, 2006, for staff to report on the status of a previous Council resolution respecting cash-in-lieu.

Recommendation

Mayor Michael Di Biase recommends that the Commissioner of Planning jointly with the Commissioner of Engineering and Public Works and the Commissioner of Legal and Administrative Services be directed to prepare a report on the feasibility of implementing a cash-in-lieu of parking by-law, the intent of which is to establish reserve funds for future municipal parking initiatives.

Economic Impact

There are no implications for the current budget.

Purpose

To direct the Commissioner of Planning jointly with the Commissioner of Engineering and Public Works and the Commissioner of Legal and Administrative Services to prepare a report on the feasibility of implementing a cash-in-lieu of parking by-law, the intent of which is to establish reserve funds for future municipal public parking initiatives.

Background - Analysis and Options

The City of Vaughan is experiencing an increase in development applications seeking higher density at various locations throughout the municipality.

Various corridor and area land use studies are proposing higher densities along major roads and within specified districts.

The Provincial Government through its Provincial Policies and Growth Plans has stipulated that 40 per cent of new growth should occur within existing urban boundaries.

The cumulative effect of these initiatives will result in higher levels of street traffic and a higher demand for more public parking in future.

The City of Vaughan may in the future wish to provide and maintain public parking spaces either under the jurisdiction of a municipal parking authority or independently outside such an authority.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007.

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Conclusion

That a report on the feasibility of implementing a cash-in-lieu of parking by-law with the intent of establishing reserve funds for future municipal parking initiatives should be undertaken.

Attachments

None

Report prepared by:

Mayor Michael Di Biase

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 25, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

25

**REQUEST FOR FENCE HEIGHT EXEMPTION
42 THOMSON CREEK BOULEVARD
WOODBIDGE, WARD 2**

(Referred from the Council meeting of January 23, 2006)

The Committee of the Whole recommends:

- 1) That the fence height exemption for 42 Thomson Creek Boulevard be granted;
- 2) That the following deputations and written submission, be received;
 - a) Ms. Grace Guistino, 50 Thomson Creek, Woodbridge, L4H 1B7; and
 - b) Mr. Michael Palumbo, 42 Thomson Creek Boulevard, Woodbridge, L4H 1B7, and written submission of Mr. Michael Palumbo and Ms. Elizabeth Monaco, dated February 3, 2006; and
- 3) That the following report of the City Clerk, dated January 16, 2006, be received.

Council, at its meeting of January 23, 2006, adopted the following

That this matter be referred to a future Committee of the Whole meeting to allow a meeting with the Ward Councillor and affected parties;

Report of the City Clerk dated January 16, 2006

Recommendation

The City Clerk requests direction on this matter.

Economic Impact

Not Applicable

Purpose

To consider the granting of a fence height exemption pursuant to Section 3.5 of By-Law 80-90.

Background - Analysis and Options

The owner of the above noted property is requesting an exemption to the existing fence height restrictions pursuant to Section 3.5 of By-Law 80-90 to permit the erection of a side yard fence. The by-law permits a fence height of six feet. The applicant has constructed a hot tub and pool in his backyard. The neighbor at 50 Thomson Creek Blvd. has constructed a deck in the side yard of the property approximately three feet in height. Abutting the deck is a fence measuring 7 feet from finished grade. (See Appendix "A") A person standing on the deck has a clear view into the applicant's property.

The applicant is requesting an exemption to permit the construction of the fence in order to gain a sense of privacy when using his hot tub and swimming pool. In addition the increased fence height will provide a degree of safety and security by ensuring that anyone on the deck cannot gain access onto the applicant's property. The proposed fencing will range in height from nine

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feet to seven feet two inches measured from finished grade. The proposed fencing will be erected wholly on the applicant's property approximately four inches inside the property line.

The first section of fencing will commence at the rear corner of the applicant's property a distance of approximately 14 meters to a point in line with the neighbors existing side yard deck. The height of this portion of fencing will be nine feet. From this point to the end of the property the fence will compliment the existing fence, which measures approximately seven feet two inches in height. Appendix "B" attached hereto outlines the neighbors deck and the proposed fencing. Appendix "C" depicts the type of fencing to be erected.

Relationship to Vaughan Vision 2007

The request is consistent with Section 1.0 – Service Delivery Excellence, sub-section 1.1.2. the review of community designs to ensure enhanced safety standards.

Conclusion

Council direction is required on the fence height exemption request.

Attachments

- Appendix "A" - Photograph of existing deck at 50 Thomson Creek
- " B" - Survey showing 42 and 50 Thomson Creek with existing structures.
- " C" - Proposed fence type.

Report prepared by:

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits
Insurance-Risk Management

(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 26, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

26

**DEPUTATION – MR. NORBERT STOECKL
WITH RESPECT TO PROPERTY CONCERNS**

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Norbert Stoeckl, 17 Sundown Court, Thornhill, L4J 3V4, and written submissions, one dated November 28, 2005, be received and referred to staff for a report; and**
- 2) That the confidential memorandum of the Director of Building Standards, dated January 30, 2006, be received.**

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Item 27, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

27

NEW BUSINESS- DEPUTATIONS AT COMMITTEE MEETINGS

The Committee of the Whole recommends that the memorandum from the Deputy City Clerk, dated February 3, 2006, entitled “Deputations at Committee”, be referred to a Committee of the Whole (Working Session) meeting, as soon as possible.

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 28, Report No. 5, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

28

NEW BUSINESS - OUTLOOK 2006 COMMUNITY MEETINGS

The Committee of the Whole recommends that staff support be provided for the Mayor's Outlook 2006 community meetings, including the use of a community centre in each of the five wards.

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