

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 1, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

1

NOISE CONTROL BY-LAW

(Proposed amendments to Fees and Charges By-law 396-2002, as amended)

No one appeared either in support of or in opposition to this matter.

The Committee of the Whole recommends approval of the Committee of the Whole (Working Session) recommendation of March 28, 2006:

Council, at its meeting of April 10, 2006, adopted in part the following:

“That the City of Vaughan Fee By-law be amended to include the necessary costs;

That Public Notice be provided in accordance with the City’s Notice By-law 394-2002.”

Refer to Attachment 1 for proposed amendments to Fees and Charges By-law 396-2002, as amended.

Committee of the Whole (Working Session) recommendation March 28, 2006

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated March 28, 2006, be approved; and
- 2) That the portion of the by-law relating to special events be subject to on-going staff review and a report be brought back to a future Committee of the Whole meeting, with any necessary amendments to the by-law, no later than March 31, 2007.

Report of the Commissioner of Legal and Administrative Services, dated March 28, 2006

Recommendation

The Commissioner of Legal and Administrative Services recommends:

1. That By-laws 270-81 and 283-85 be repealed and replaced with a new Noise Control By-law;
2. That the City of Vaughan Fee By-law be amended to include the necessary costs;
3. That Public Notice be provided in accordance with the City’s Notice By-law 394-2002;
4. That this report be received.

Economic Impact

There is no impact as a result of implementing a new By-law. Staff will be trained within existing budget funds.

Purpose

This report is to provide detail on a new Noise Control By-law.

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Background - Analysis and Options

Council, at its meeting of November 14, 2005, Item 28, Report 61, directed that:

“The Commissioner of Legal and Administrative Services and the Senior Manager of Enforcement Services bring forward a report updating the Noise By-law to a Committee of the Whole (Working Session) in February 2006.”

As part of this review, recently revised Noise By-laws from Markham, Ottawa and Hamilton were reviewed for content and format.

In order to ensure the new By-law is technically sound, the services of dBA Environmental Services were retained. This agency has served the City over the past years as trainers and provided assistance with noise complaint investigations. This agency is considered an expert in Noise By-laws and application.

The new By-law contains the following changes:

- Ministry Noise Pollution Control publications have been updated;
- The language in the By-law is simpler, reducing the technical terms and making it easier to understand;
- The new By-law has revised Time and Place noise limits and General Prohibitions for specific noise services;
- There is a new provision relating to noise relating to special events, including allowable noise levels at the point of reception during special events. This includes a provision for the requirement for special event holders to pay for a By-law Officer to monitor noise levels to ensure compliance with the By-law. The charge for the monitoring is proposed to be \$65.00 per hour. It is anticipated that any monitoring will be conducted by off duty staff, so this rate reflects the coverage of salaries at an overtime rate;
- There is a provision to assist York Regional Police in dealing with street racing as the noise associated with these events is not permitted on public or private property;
- There is also a proposal to allow exemptions to the By-law to be granted by the Department Head of Enforcement Services. This will increase customer service, and remove the step of appearing before Council to receive an exemption. This is consistent with the Markham and Ottawa By-laws. It is proposed that an exemption application carry a fee of \$100.00 to cover administrative costs.

The new provisions of the By-law relating to Special Events will result in all Enforcement field staff being trained in noise monitoring. This cost will be covered by existing budget funds.

The City of Vaughan Fee By-law will require amending to include these new charges. Public Notice is required.

Relationship to Vaughan Vision 2007

The enactment of an updated Noise Control By-law is in keeping with the Vaughan Vision of promoting community safety, health and wellness and of safeguarding our environment.

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The necessary resources have been allocated and approved.

Conclusion

The existing Noise Control By-law is out-of-date. By enacting an updated By-law at this point, the new provisions will be in place in time for the outdoor event season.

Attachments

1. Proposed amendments to the Fees and Charges By-law 396,2002, as amended.

Report prepared by:

Tony Thompson
Senior Manager of Enforcement Services

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

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Item 2, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

**2 PRE-PERMIT REVIEW SERVICE FOR SINGLE AND SEMI-DETACHED HOMES
BUILDING STANDARDS DEPARTMENT**

(Proposed amendments to Fees and Charges By-law 396-2002, as amended)

No one appeared either in support of or in opposition to this matter.

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 3, 2006:

Council, at its meeting of April 10, 2006, adopted the following:

“That a new pre-permit review service and fee in the amount of \$1500.00 be approved and that the necessary public notice, as set out in by-law 394-2002, of the proposed amendment to the Fees and Charges By-Law be provided.”

Report of the Commissioner of Planning, dated April 3, 2006

Recommendation

The Commissioner of Planning recommends that a new pre-permit review service and fee in the amount of \$1500.00 be approved and that the necessary public notice, as set out in by-law 394-2002, of the proposed amendment to the Fees and Charges By-Law be provided.

Economic Impact

If adopted there will be a positive economic impact on the City's operating budget.

It is estimated that the economic impact will be:

Number of requests per year between: 40 to 50 @ \$1500/ per model = \$60,000. to \$75,000

Purpose

To consider a report regarding a proposed new service to be provided by the Building Standards Department in advance of formal permit applications.

Background - Analysis and Options

Since the time that Bill 124 came into full force and effect (July 1, 2005), the Building Standards Department has received numerous requests from the new home builders to provide a review of model home drawings well in advance of the formal permit applications.

Under Bill 124 the department is constrained to only accept complete applications. That is, the Plans of Subdivision for the development must be registered first, prior to any review of the permit applications. If the City was to accept the incomplete applications prior to the registration of the plan, the Department would not meet the statutory 10 day turn-around time mandated by the provincial regulations. (Ontario Building Code). The new home builders have expressed frustration with this, and further expressed the need for the City to provide a new service.

The Director of the Building Standards Department proposes to provide a new pre-permit review service that operates independent from the requirements of the Building Code Act so as to permit the review of model home drawings at any time. This new service would be voluntary and

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available to everyone. It is proposed that this new service be provided for a fee charged at a rate of \$1,500 per model home. This new fee is over and above permit fees charged under the provisions of the Building Code Act and is solely for the provision of services beyond those which are legislated. The fee recommended is to ensure that the service is a full cost recovery service.

A By-law amendment is required to include the proposed fee in the City's Fee and Charges By-Law. Notice By-law 394-2002 provides for 14 days notice of the public meeting at which the proposed amendment will be considered.

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 recommended that Committee of the Whole adopt this new pre-permit review service and fee, and the notice be given of the proposed inclusion of the fee in the City's Fees and Charges By-law.

Attachments

None

Report prepared by:

John Studdy, Manager of Customer and Administrative Services Ext. 8232
Leo Grellette, Director of Building Standards Ext 8218

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Item 3, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

3

DEPUTATIONS AT COMMITTEE

(Proposed amendments to Procedure By-law No. 400-2002, as amended)

No one appeared either in support of or in opposition to this matter.

The Committee of the Whole recommends approval of the Committee of the Whole (Working Session) recommendation of March 28, 2006:

Council, at its meeting of April 10, 2006, adopted in part the following:

"That public notice in accordance with By-law 394-2002 be provided with respect to the proposed amendments to Procedure By-law 400-2002, as amended"

Refer to Attachment 1 for proposed amendments to Procedure By-law No. 400-2002, as amended.

Committee of the Whole (Working Session) recommendation March 28, 2006

- 1) That Clauses 3, 4, and 5 of the recommendation of the Committee of the Whole (Working Session) meeting of February 28, 2006, be approved;
- 2) That in an effort to provide a better opportunity for citizens to attend Committee of the Whole meetings, deputations at Committee of the Whole listed on the agenda regarding matters that are not related to agenda items, be heard at 3:00 p.m.;
- 3) That ceremonial presentations be heard a 1:00 p.m.; and
- 4) That staff request any written material submitted by deputants to Members of Council, be provided prior to the meeting.

Council, at its meeting of March 20, 2006, adopted the following:

That Clauses 1, 3, 4, and 5 be referred to the Committee of the Whole (Working Session) meeting of March 28, 2006.

Committee of the Whole (Working Session) recommendation February 28, 2006:

The Committee of the Whole (Working Session) recommends:

- 1) That deputations at Committee of the Whole listed on the agenda regarding matters that are not related to agenda items, be heard at 3:00 p.m.;
- 3) That presentations at Committee of the Whole be heard at 3:00 p.m.;
- 4) That public notice in accordance with By-law 394-2002 be provided with respect to the proposed amendments to Procedure By-law 400-2002, as amended; and
- 5) That the additional information entitled "Summary of Comparator Municipalities Procedures By-Law Re: Delegations (Deputations)", be received.

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Council, at its meeting of February 14, 2006, adopted the following:

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.

Attachments

1. Proposed amendments to Procedure By-law No. 400-2002, as amended.

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

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Item 4, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

**4 GREENING VAUGHAN ADVISORY COMMITTEE MEETING OF APRIL 10, 2006 –
STATUS REPORT**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated May 1, 2006, be approved; and
- 2) That staff review opportunities for schools to work more closely with the municipality on recycling initiatives.

Recommendation

The Commissioner of Engineering and Public Works recommends that this report be received for information.

Economic Impact

There is no impact to the 2006 Operating Budget as the necessary resources have been allocated and approved in various Public Works operating accounts.

Purpose

To update Council of matters arising from the inaugural meeting of the Greening Vaughan Advisory Committee of April 10, 2006

Background - Analysis and Options

The Greening Vaughan Advisory Committee (GVAC) held its inaugural meeting on April 10, 2006. Pursuant to the Terms of Reference for the GVAC (revised April 10/06), "*Staff shall provide progress reports to the Committee of the Whole concerning the work of the Greening Vaughan Advisory Committee on a monthly basis*". This report has been prepared in keeping with the aforementioned requirement.

The GVAC consists of:

Mayor Michael Di Biase (ex-officio),
Regional Councillor Mario Ferri,
Regional Councillor Joyce Frustaglio,
Ward 2 Councillor Tony Carella,
Ward 5 Councillor Alan Shefman,
Leslie Atkinson (Public Member),
Romina Bortoluzzi (Public Member),
Mariam S. Mozes (Public Member),
Bill Robinson, Commissioner of Engineering and Public Works,
Brian T. Anthony, Director of Public Works,
Caroline Kirkpatrick, Manager of Solid Waste,
with other internal/external support staff attending as required.

The Commissioner of Engineering and Public Works chaired the meeting until the Chair and Vice Chair were selected. Councillor Alan Shefman was selected as the Chair of the GVAC, and Regional Councillor Mario Ferri was selected as Vice-Chair.

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Matters arising from the meeting are summarized as follows:

1. Availability of Blue Boxes, Green Bins, and Garbage Tags

The members of the GVAC spoke in detail regarding how blue boxes, green bins and garbage tags must be conveniently accessible to residents. Staff indicated that there are space restrictions, and that the current blue box tracking system for residents who have obtained their free blue boxes is not available outside of the Joint Operations Centre. Without access to the tracking system, there is a significant opportunity for abuse of the "Free Blue box" policy. The GVAC recommended that staff pursue discussions with the Recreation and Culture Department as well as the Building and Facilities Department to have blue boxes, green bins and garbage tags available to residents at Vaughan's community centres. At this point in time, it was felt by the GVAC that there is no need to develop external business partnerships for the sale of these items.

Action Public Works Department staff will enter into detailed discussions with Community Services staff concerning the need to make blue boxes, green bins and garbage tags available at all community centres, the Civic Centre, as well as the Joint Operations Centre.

Public Works staff has entered into preliminary discussions with the Information Technology Department concerning the technical support required to implement this initiative and track blue boxes obtained at remote locations.

Updates on these discussions will be presented at the next GVAC meeting.

2. Collections at Residential Multi-Unit Establishments

With the impending intensification of Vaughan, an issue arose concerning waste collections at multi-unit residential establishments.

Under Regulation 103/94, the Ministry of Environment defines multi-unit dwellings as Industrial / Commercial / Institutional (ICI) uses, and further requires:

- (1) *The owner of a building that contains six or more dwelling units shall implement a source separation program for the waste generated at the building.*
- (2) *In subsection (1), "owner" includes a condominium corporation created under the Condominium Act.*
- (3) *This section applies only in respect of a building located within a local municipality that has a population of at least 5,000.*
- (4) *This section takes effect with respect to a building in Northern Ontario on July 1, 1996. O. Reg. 103/94, s.10.*

The Regulation goes on to state that:

- 1) *A source separation program required under this Regulation must include,*
 - (a) *the provision of facilities for the collection, handling and storage of source separated wastes described in subsection (2) adequate for the quantities of anticipated wastes;*
 - (b) *measures to ensure that the source separated wastes that are collected are removed;*
 - (c) *the provision of information to users and potential users of the program,*
 - (i) *describing the performance of the program,*

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- (ii) *encouraging effective source separation of waste and full use of the program;*
- (d) *reasonable efforts to ensure that full use is made of the program and that the separated waste is reused or recycled.*

The Regulation requires the following materials to be collected:

MULTI-UNIT RESIDENTIAL BUILDINGS (referred to in section 10)

1. *Aluminum food or beverage cans (including cans made primarily of aluminum).*
2. *Glass bottles and jars for food or beverages.*
3. *Newsprint.*
4. *Polyethylene terephthalate bottles for food or beverages (including bottles made primarily of polyethylene terephthalate).*
5. *Steel food or beverage cans (including cans made primarily of steel).*
6. *The categories of waste that are collected or accepted by the blue box waste management system, if any, of the municipality where the building is located.*

Notwithstanding that the onus is on the building owners, as defined in the Regulation, to provide for a source separation program in their buildings, there was agreement that the City should develop design criteria for multi-unit residential establishments as it relates to the collection of garbage, recycling, and other waste diversion streams. This requirement would be placed in development agreements and would make Vaughan a leader in this area.

Action: Public Works staff have developed preliminary design criteria for multi-unit residential establishments as it relates to waste / recycling. City staff will continue to work with other departments (Engineering / Planning) prior to finalizing the document. The final document will go before the GVAC and Committee of the Whole in the near future.

3. Greater prominence of Greening Vaughan (GV) on the City's website

The members of the GVAC were in agreement that the Greening Vaughan initiative should have greater prominence on the City of Vaughan's home page. Although all of the Greening Vaughan communications (i.e. newsletters, calendars, door hangers etc.) promote www.greeningvaughan.ca, residents may still choose to access the site from the City of Vaughan's home page.

Currently, the Greening Vaughan initiative is provided a "tile" on the City's home page and can also be accessible under 'City Services'. Residents will also find a link to Greening Vaughan from the City's Garbage and Recycling site.

It was explained that Corporate Communications' current design constraints dictate and/or restrict how the homepage can be manipulated. Within these parameters, it is also recognized that space on the City's homepage is premium "real estate", and as such there are numerous 'demands for priority' for this site. Recognizing these issues, staff was directed to explore with Corporate Communications whether the Greening Vaughan initiative can be granted greater exposure on the City of Vaughan's home page.

Action: Due to the scale of the Greening Vaughan initiative, and its direct impact on almost every Vaughan resident, City staff will discuss with Corporate Communications the ability to improve the prominence of the Greening Vaughan initiative on the City of Vaughan's home page.

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4. Environment Days / Region of York

The members of the GVAC felt that the City should provide / promote events synonymous to the Environment Day(s) held in the City of Toronto and other municipalities.

It was explained that in 2005, the City of Vaughan hosted a “Public Works Day”, with the primary focus on the environment. The City worked with other Departments within the City, as well as entities external to the City (i.e. Goodwill, the Region of York, PowerStream), in an effort to ensure broad exposure to various environmental – related initiatives.

Action: Staff indicated that this year’s event will be on May 27th, and a report was on the agenda for the Committee of the Whole meeting of April 18th. It was also noted that the Parks Department will have their free mulch give-away at this event also.

It was agreed that the City would continue to work closely with the Region of York to further develop the concept of an “Environment Day”, especially given the inter-relationship of waste management responsibilities for collection and disposal.

Should the Region of York locate a Community Environmental Centre (CEC), in Vaughan, it is fully anticipated that the current Public Works Day Event will be replicated or morphed into a full fledged “Environment Day” at this new facility. The CEC would afford a wider range of diversion opportunities to residents, such as renovation waste, metals, textiles, etc. to name a few.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and is consistent with the Greening Vaughan initiatives previously approved by Council

Conclusion

The initial meeting of the GVAC was very productive, and it is anticipated that this committee will play a significant part in the roll-out of Phases 2 and 3 of the City’s Greening Vaughan program.

The next meeting of the GVAC is scheduled for May 15th, 2006, at which time staff will report back to the GVAC on the progress of the initiatives identified in this report.

Attachments

N/A

Report prepared by:

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

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Item 5, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

**5 PROCLAMATION AND FLAG RAISING REQUEST
ITALIAN NATIONAL DAY – JUNE 2, 2006**

The Committee of the Whole recommends:

- 1) That Clauses 1, 2 and 3 of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and the City Clerk, dated May 1, 2006, be approved;
- 2) That the Italian Flag remain raised until Sunday, June 4, 2006; and
- 3) That the deputation of Mr. Giacomo Parisi, be received.

Recommendation

The Commissioner of Legal and Administrative Services and the City Clerk recommend:

1. That June 2, 2006, be proclaimed “Italian National Day” to commemorate the 60th anniversary of the establishment of the Italian Republic;
2. That the Italian Flag be raised on the morning of Friday, June 2, 2006;
3. That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release; and
4. That direction be provided with respect to the request to that the Italian Flag remain raised until Sunday, June 4, 2006.

Economic Impact

There is no economic impact associated with this report.

Purpose

The purpose of this report is to respond to a request to proclaim June 2, 2006, as “Italian National Day” and that the Italian Flag remain raised from Friday, June 2 to June 4, 2006.

Background - Analysis and Options

A request has been received from Mr. Giacomo Parisi requesting that Friday, June 2, 2006, be proclaimed as Italian National Day to commemorate the 60th anniversary of the establishment of the Italian Republic in 1946, and that the Italian Flag be raised that morning and remain raised for three full days (June 2 – June 4, 2006) to coincide with various celebratory events to be held that weekend. The City’s policy provides for the flying of another country’s flag for one day and direction is requested regarding the request for the flag to be flown additional days.

The proclamation request meets the requirements of the City’s Proclamation Policy: *“That upon request, the City of Vaughan issue proclamations for events, campaigns or other similar matters: If the event, campaign or declaration is directly related to matters over which the City has jurisdiction or the City directly sponsors the event, campaign or other matter”.*

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

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly "A-1", "Pursue Excellence in the Delivery of Core Services" and the necessary resources have been allocated and approved.

Conclusion

It is recommended that Friday, June 2, 2006, be proclaimed as Italian National Day and that the Italian Flag be raised that morning, and that direction be provided regarding the request that the flag remain raised for three full days (June 2 – June 4, 2006).

Attachments

1. Correspondence from Mr. Giacomo Parisi

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 6, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

6 **REQUEST WITH RESPECT TO ACQUISITION
OF PUBLIC ROAD ALLOWANCE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Legal Services, dated May 1, 2006:

Recommendation

The Director of Legal Services recommends this report be received and that the correspondence be forwarded to the Region of York for action.

Purpose

To report pursuant to Council direction.

Economic Impact

There is no economic impact as a result of this report.

Background

On April 10th, 2006, Council resolved "that the correspondence from Mr. Lucio Poisinelli, DiPoce Management, 488 Edgeley Boulevard, Unit 2, Concord, L4K 4G4, dated March 31, 2006, submitted by Councillor Meffe, be received and that staff meet with the landowners and report back to the Committee of the Whole Meeting of May 1st, 2006."

The correspondence from Mr. Polsinelli, DiPoce Management Limited is attached as Attachment # 1. The letter requests possible conveyance of a parcel of land on the west side of Regional Road 27, north of Kirby Road. The lands are shown on Attachment # 2. The parcel is shown on Registry Office maps as a small triangular piece in Regional Road 27, along with the strip abutting to the west.

The lands are in the title of the Department of Highways, Ontario, now and the Ministry of Transportation. While the Region of York has jurisdiction over Regional Road 27 (formerly Highway 27) there are parcels which still remain in the title of the Ministry of Transportation.

Upon request for purchase, the Region would contact MTO and request that an application be made to transfer the lands from MTO to the Region as it is the municipality having jurisdiction over the abutting road.

The Region would proceed with its disposal of property process, which involves circulation to various departments for comment, and a declaration that the lands are surplus. A By-law stopping up and closing this portion of the road is likely required. The City would have no objections to the closure and sale.

Staff have met with Mr. Polsinelli, and provided this information, along with a copy of the title search.

Conclusion

It is recommended to forward the correspondence to the Region for appropriate action.

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Attachments

1. Correspondence from Mr. Polsineli, DiPoce Management Limited
2. Map - Location of Lands

Report prepared by:

Heather A. Wilson, Director of Legal Services

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

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Item 7, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

7

**SIGN VARIANCE APPLICATION
FILE NO: SV.06-09
OWNER: URGENT CARE CENTRE
LOCATION: 4000 HIGHWAY 7, LOT 6, CONCESSION 6**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated May 1, 2006:

Recommendation

That Sign Variance Application SV.06-09, Urgent Care Centre, be APPROVED, subject to the proposed sign being reduced to 30" x 16'.

Economic Impact

None.

Purpose

Request to install a wall sign having an area of 4.5 sqm. The proposed sign is to replace a 2.84 sqm wall sign that was approved under Sign Variance File No. SV.05-012, 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 applicant is proposing to install a larger wall sign in lieu of the a sign approved under Sign Variance File No. SV.05-012.

Members of the Sign Variance Committee have no objections to the application, and are of the opinion that the intent and purpose of the Sign By-Law is being maintained.

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

Attachments

1. Site Location Map
2. Elevations
3. Sketch of Sign

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Report prepared by:

John Studdy, Manager of Customer & Administrative Services, Ext.8232

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

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Item 8, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

**8 SITE DEVELOPMENT FILE DA.06.021
POWERSTREAM INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.06.021 (PowerStream Inc.) BE APPROVED, to permit a three-storey, 8,593m² office building, as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the registration of the site plan agreement:
 - i) the final site plan, building elevations, landscaping plan, and signage plan, shall be approved by the Development Planning Department;
 - ii) the final site grading and servicing plan, stormwater management report, soils/geotechnical report, access, parking and on-site vehicular circulation, shall be approved by the Engineering Department; and
 - iii) the required variance to implement the final site plan shall be approved by the Committee of Adjustment to address the reduction to the southerly interior side yard requirement, and such variance shall be final and binding.
 - b) that the site development agreement contain the following clause:
 - i) the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a building permit, in accordance with Section 51 of the Planning Act and City of Vaughan Policy. The Owner shall submit an appraisal prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application on the subject lands shown on Attachment #1 to permit a three-storey, 8,593m² head office building for PowerStream Inc., as shown on Attachment #2.

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Background - Analysis and Options

The 2.08 ha vacant site as shown on Attachment #1, is located on the west side of Highway #400, north of Major Mackenzie Drive, being Block 61 on Registered Plan 65M-3885, and the northerly 20m of Part 31 on Reference Plan 65R-28427, in Part of the west half of Lots 21 and 22, Concession 5, City of Vaughan.

On December 12, 2005 Council enacted By-law 334-2005 to authorize the conveyance of an easement over the City-owned lands (stormwater management pond) to the south (described as Part 31 on Plan 65R-28427) in favour of PowerStream Inc. The purpose of the easement is for parking, driveway and a landscaped area.

The subject lands are designated "High Performance Employment" by OPA #600 and zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1221). The surrounding land uses are:

- North - employment area; future industrial buildings (EM1 Prestige Employment Area Zone)
- South - stormwater management pond (OS1 Open Space Conservation Zone)
- East - Highway #400
- West - Cityview Boulevard; future park (OS2 Open Space Park Zone), and future townhouses (RT1 Residential Townhouse Zone)

Official Plan

The subject lands are designated "High Performance Employment" by OPA #600, which encourages development of a high quality business park environment, primarily for prestige/light industrial uses, and research and data processing facilities. Office commercial uses and head offices in particular, are permitted. The proposed office development conforms to the policies of the Official Plan.

Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1221). The proposed office use complies with the Zoning By-law.

PowerStream Inc. is a public use governed by Section 3.10 (b) Public Uses, of By-law 1-88, and is exempt from all requirements of the By-law, except the minimum lot coverage and yard requirements, as well as the provisions for outside storage.

The Owner is required to obtain a variance from the Committee of Adjustment for the minimum southerly interior side yard, located at the south elevation facing the stormwater management pond. By-law 1-88 requires a minimum interior side yard of 6m to the lot line, whereas 0.98m is proposed. The City will grant the Owner an easement over a portion of the stormwater management pond lands, which will facilitate a parking area, driveway and landscaping. In light of the above, the Development Planning Department considers this variance to be minor in nature, at this location.

Site Design

The site plan (Attachment #2) illustrates a three-storey office building situated in the southeast portion of the site. By way of an easement, the Owner is proposing to utilize approximately 20m of the abutting City owned lands to the south, for development of a driveway, parking area and landscaping. In total, a combined area of 2.08ha will be developed to accommodate the PowerStream Inc. head office. The site is served by 2 full movement accesses from Cityview

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Boulevard. The site will be developed with a total of 276 parking spaces, comprised of 69 underground and 207 surface spaces. A circular parking area is provided at the west end of the site, adjacent to Cityview Boulevard. A 6m wide landscaped strip provides a buffer between the parking area and Cityview Boulevard. A 20m wide landscape strip is provided adjacent to Highway #400. Additional parking areas are included on the north side of the site, as well as a single row of parking at the south and east sides of the building. A pedestrian walkway is provided, which connects the building to Cityview Boulevard. Garbage storage is internal to the building.

The site has access to municipal services. The final site servicing and grading plans, stormwater management report and access and on-site vehicular circulation shall be approved to the satisfaction of the Engineering Department. The Owner will be required to enter into a site plan agreement with the City to implement the proposed development.

Landscaping

The landscape plan as shown on Attachment #3 includes a variety of deciduous and coniferous trees and shrubs around the building and parking areas. A 6m wide landscape strip is provided adjacent to Cityview Boulevard, consistent with the Architectural Design Controls for Block 33. A minimum 20m wide landscape strip is provided along Highway #400, which is landscaped with trees and shrubs.

The Owner is required to build an armour stone retaining wall along the northern edge of the storm water management pond. The wall material and colour is consistent with that being used throughout the development of the pond and other storm ponds within the Block 33 West community. The lands along the storm pond are heavily landscaped with trees and shrubs, and include 3 paved observation areas, with a gazebo and metal covered seating structures.

The Development Planning Department requires additional pedestrian linkages from the building to these lookout areas, and will work with PowerStream to facilitate the linkages. The final landscape plan, including detail drawings and a landscape cost estimate must be approved to the satisfaction of the Development Planning Department.

Building Design

The proposed building elevations are shown on Attachments #4 and #5. The three-storey building will be constructed to a height of 15.7m, which increases to 18m at the top of the two circular atriums located on the west and east elevations facing Cityview Boulevard and Highway #400, respectively. The oval-shaped building contains four dominant corners, which protrude from the sides of the building. The building materials consist of a combination of double-glazed blue-tinted glass and spandrel panels in aluminum frames. White architectural precast panels accent the building around the roofline, and are situated on either sides of the two atriums as well as on the north and south elevations to add architectural detail. The Owner will be required to ensure that all roof-top mechanical equipment is screened from view. The final building elevations must be approved to the satisfaction of the Development Planning Department, and the Block 33W Control Architect.

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".

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Conclusion

The Development Planning Department has reviewed the Site Development Application to facilitate the development of the subject lands with a three-storey, 8,593m² head office building for PowerStream Inc. in accordance with the policies of OPA #600 and the requirements of By-law 1-88. The Development Planning Department is satisfied with the proposed site plan layout, landscaping, building elevations, and the required variance for a reduction to the southerly interior side yard. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions identified in the recommendation section of this report.

Attachments

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

Report prepared by:

Carmela Marrelli, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

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

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Item 9, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

9 **SITE DEVELOPMENT FILE DA.06.006**
2003008 ONTARIO LIMITED, C/O NORSTAR GROUP OF COMPANIES

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.06.006 (2003008 Ontario Limited, C/O Northstar Group of Companies) BE APPROVED, to permit a four-storey office building, as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the registration of the site plan agreement:
 - i) the final site plan, building elevations, and landscaping Plan shall be approved by the Development Planning Department;
 - ii) the final site grading and servicing plans, stormwater management report, access, parking and on-site vehicular circulation shall be approved by the Engineering Department, York Region Transportation and Works Department and the City of Toronto Engineering Department;
 - iii) a Phase 1 Environmental Site Assessment shall be approved to the satisfaction of the Engineering Department and York Region Transportation and Works Department;
 - iv) all requirements of the York Region Transportation and Works Department shall be satisfied;
 - v) all requirements of the City of Toronto Engineering Department shall be satisfied including a traffic study and detailed collision analysis;
 - vi) all hydro requirements of PowerStream Inc. and Hydro One shall be satisfied; and
 - vii) the required variances to implement the final site plan shall be approved by the Committee of Adjustment to address the reductions in landscaping, driveway access, joint driveway and parking, minimum rear yard setback, maximum height, and location of loading spaces, and such variances shall be final and binding.

Economic Impact

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

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Purpose

The Owners have submitted a Site Development Application to permit a four-storey office building as shown on Attachment #2.

Background - Analysis and Options

The 4.47 ha site as shown on Attachment #1 is located on the northeast corner of Steeles Avenue West and Keele Street, in Part of Lot 1, Concession 3, City of Vaughan. A three-storey commercial building, a 1 storey commercial building, and a gas bar currently exist on the site.

The subject lands are designated "General Commercial" by site-specific OPA #495; and, zoned C1 Restricted Commercial Zone, subject to Exception 9(617) and the portion of the development within the hydro corridor that is owned by the applicant is zoned PB1(S) Parkway Belt Linear Facilities Zone, subject to Exception 9(614), by By-law 1-88. The surrounding land uses are as follows:

- North - hydro corridor (PB1(S) Parkway Belt Linear Facilities Zone)
- South - Steeles Avenue West; City of Toronto
- East - Bessemer Court; employment uses (EM1 Prestige Employment Area Zone)
- West - Keele Street; employment use (EM1 Prestige Employment Area Zone); hydro corridor (PB1(S) Parkway Belt Linear Facilities Zone)

Official Plan

The subject lands are designated "General Commercial" by OPA #495, which permits a range of commercial and office uses. The proposed office building conforms to the Official Plan.

Zoning

The subject lands are zoned C1 Restricted Commercial Zone, subject to Exception 9(617) and the portion of the development within the hydro corridor is zoned PB1(S) Parkway Belt Linear Facilities, subject to Exception 9(614), by By-law 1-88, which permits the office building and the parking of automobiles, respectively.

The Owner will be required to obtain the following variances from the Committee of Adjustment, in support of the development:

- a 3m - 4.7m wide landscape strip along the lot line abutting Bessemer Court, whereas 5.5m is required: The existing landscape strip is 2.95m. Development Planning Staff is satisfied that the applicant is proposing to increase the width of the landscape strips.
- a minimum 7.4% landscaped area, whereas 10% is required: a slight reduction in landscaping can be supported, in order to meet other requirements including parking;
- a minimum 9.5m rear yard (west), whereas 15m is required. This can be supported to maintain consistency with the location of the existing 3-storey commercial building to the south,
- a maximum building height of 21m, whereas 11m is permitted: The majority of the building will be comprised of a building height of 16.1m, which increases to 21m to the top of the mechanical penthouse on the roof, on the subject lands zoned C1. In comparison, the maximum permitted building height on the surrounding employment zoned lands is 15m, with a provision for increased height above 15m, subject to providing increased interior side yard setbacks. The building heights for the subject office building would be consistent with the office building located on the west side of Keele Street, and will provide for compatible development in the immediate area;

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- to permit two loading spaces between a building and a street (Bessemer Court) whereas loading spaces are not permitted to be located between a building and a street: The office building is placed in a location where loading will not be visible from Keele Street, however, the loading will be directed towards the less visible internal cul-de-sac road on Bessemer Court, rather than Keele Street and therefore can be supported;
- a 9.0m wide access on Keele Street, whereas 7.5 m is required: The City considers this to be appropriate, and minor in nature; York Region is to provide final approval of the access width;
- a 9.4m wide driveway access on Bessemer Court, whereas 7.5 m is required: The City considers this to be appropriate, and minor in nature;
- a second 12.8m wide access from Bessemer Court, whereas 7.5 m is required: The Engineering Department has reviewed this request, and has no objection;
- to allow parking spaces and areas on adjacent properties, whereas parking spaces and areas are to be provided and maintained on a lot upon which a building or structure is erected: landholdings, which provide for integrated parking areas and driveways, and therefore can be supported;

The above noted variances must be approved by the Committee of Adjustment, and shall be final and binding, prior to the registration of the implementing site plan agreement.

Site Design

The site plan (Attachment #2) shows the existing gas bar (Petro-Canada) in the southwest corner of the site with the three-storey multi-unit commercial building and one-storey single user commercial building (Staples) located directly to the north. The proposed four-storey office building is located in the northwest vicinity of the site. The site is served by four access points, one on Steeles Avenue West, two on Bessemer Court and one on Keele Street. There is appropriate vehicular circulation and parking throughout the site and to the north (within the hydro corridor on lands owned by the applicant) to service all the buildings. The City of Toronto Engineering Department is requesting a traffic study/collision analysis to be submitted for their approval to support the increase in car traffic. There is existing landscaping abutting the street lines and additional landscaping has been added around the office building and throughout the new configured parking areas. Garbage will be internal to the building.

The Owner will be required to satisfy any requirements of the York Region Transportation and Works Department, City of Toronto Engineering Department and Hydro One as outlined in this report.

Parking

The minimum required parking for the site is calculated as follows:

Existing Development:	286 spaces
Proposed Office Building: $7669.7034\text{m}^2 @ 3.5 \text{ spaces}/100\text{m}^2 \text{ GFA} =$	269 spaces
Total Required Parking:	555 spaces
Total Parking Provided:	565 spaces

The site has an excess of 10 parking spaces. The Owner is required to enter into a parking agreement with Hydro One due to locate the parking within the hydro corridor, which is owned by the applicant and which Hydro One has an easement to locate their electrical transmission lines.

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Services

The final site servicing and grading plan and stormwater management report must be approved to the satisfaction of the Engineering Department and the York Region Transportation and Works Department.

Due to the existing gas station on site, the Engineering Department and York Region is requesting a Phase 1 ESA report for their approval. The Owner has submitted a report (prepared by Candec Consultants Limited dated March 2006) that is currently under review.

City of Toronto

Due to the additional traffic which is expected to use the existing Steeles Avenue West full-movement access, as well as, the “cut-through” traffic from southbound Keele Street that is destined for eastbound Steeles Avenue and the accesses to Bessemer Court, a traffic study is required. The Owner must also submit a detailed collision analysis for the past three years at the existing Steeles Avenue West access to the satisfaction of the City of Toronto Engineering Department.

York Region

The Regional of York Transportation and Works Department has no objections to the proposed development, in principle. Prior to final approval, the Owner will be responsible for satisfying the Region’s conditions including but not limited to: proof of resolution pertaining to the cross-border servicing between York Region and the City of Toronto, a Phase 1 ESA, providing plans depicting that all requirements within the Regional right-of-way are complied with and that the site plan agreement contains a clause that the passenger standing area/shelter pad be installed to their satisfaction.

Landscaping

The proposed landscape plan as shown on Attachment #3 shows a variety of deciduous and coniferous trees and shrubs. Landscaped islands are provided adjacent to the new parking areas and a 1.5 m wide walkway is provided around the office building. The final landscape plan, detail drawings, and a landscape cost estimate must be approved to the satisfaction of the Development Planning Department.

Building Design

The proposed office building as shown on Attachments #4a and 4b will be constructed to a height of 16.1m, increasing in the middle portion to 21m to the top of the mechanical penthouse on the roof. The building material consists of alternating light gold coloured vision and spandrel glazed panels. A continuous aluminum band panel to match the glazing is evenly spaced throughout the building to break up the panels. The middle portion of the building which projects outward follows the same design and is dark gold in colour. There are two main entrances on both the east and west elevations that consist of a double glass door surrounded by a pillar on each side. The west elevation also has two smaller entrance doors on either side of the main door. An entrance is also proposed on the north façade. The roof-top mechanical equipment will be screened from street view using the same material as the rest of the building for consistency.

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”.

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Conclusion

The Development Planning Department has reviewed the proposed Site Development application in accordance with OPA #495, By-law 1-88, and the area context, and is satisfied that the proposed development of a four-storey office building is appropriate for the subject lands. Accordingly, the Development Planning Department can support the approval of the Site Development Application, and the required variances that are necessary to implement the proposal, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
- 4a. Elevations (North and East)
- 4b. Elevations (South and West)

Report prepared by:

Andrea Seca, Planner, ext. 8215
Arto Tikiryan, Senior Planner, ext. 8212
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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 10, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

10

**ZONING BY-LAW AMENDMENT FILE Z.05.056
ROYBRIDGE HOLDINGS LIMITED**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006, be approved; and**
- 2) That the written submission of L. Milani, 611428 Ontario Limited, 11333 Dufferin Street, P.O. Box 663, Maple, L6A 1S5, dated February 6, 2006, be received.**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.056 (Roybridge Holdings Limited) BE APPROVED, to permit an additional eating establishment on the subject lands shown on Attachment #1, subject to the following:

- 1) The implementing Zoning By-law shall modify the existing site-specific Exception 9(1134) as follows:
 - i) to permit an eating establishment use to occupy Units #12 and #13 of the multi-unit building as shown on Attachment #2;
 - ii) to permit the minimum parking standard for the eating establishment use in Units #12 and #13 to be based on the maximum design capacity of one (1) parking space for every 4 patrons; and,
 - iii) to require a minimum of 199 parking spaces to be provided on the subject lands.

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 on the subject lands shown on Attachment #1 to permit an eating establishment/banquet facility within 2 units (Units #12 and #13) of a multi-unit building that is currently under construction, as shown on Attachment #2. Upon completion of the building, the proposed eating establishment/banquet facility will have a Gross Floor Area (GFA) of 860.81m² (including the mezzanine area) and a maximum design capacity of 270 persons (Attachments #3 and #4). The applicant is also requesting that the parking related to the proposed use be calculated on the maximum design capacity based on a minimum parking standard of one parking space for every 4 patrons, and not based on the GFA of the two units.

The current site-specific zoning permits one free-standing eating establishment with drive-through (ie. existing Tim Horton's), but does not permit an eating establishment or banquet hall use within the multi-unit building (under construction).

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Background - Analysis and Options

The subject lands are located on the northwest corner of Regional Road 27 and Zenway Boulevard (8000 Regional Road 27), being Part of Block 1, Plan 65M-3627, in Lot 7, Concession 9, City of Vaughan.

The subject lands are designated "Prestige Area" by OPA #450, and zoned EM3 Retail Warehouse Employment Area Zone by By-law 1-88, subject to Exception 9(1134). The surrounding land uses are:

- North - valleylands (OS1 Open Space Conservation Zone)
- South - Zenway Boulevard; vacant (C7 Service Commercial Zone)
- East - Regional Road 27; existing employment (EM1 Prestige Employment Area Zone)
- West - existing employment (EM3 Retail Warehouse Employment Area Zone)

On January 13, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowners' Association. To date, the Development Planning Department has received one letter of objection from a landowner (611428 Ontario Limited) to the north of the subject lands, concerning the unwarranted increase in the amount of eating establishment GFA, above what is currently permitted by the site-specific zoning by-law. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 6, 2006, and to forward a technical report to a future Committee meeting was ratified by Council on February 13, 2006.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses, with no outside storage. The zoning by-law is to establish the permitted uses and development standards. The proposed eating establishment use is permitted in Employment Zones by By-law 1-88, and conforms to the Official Plan.

Zoning By-law

The subject lands are zoned EM3 Retail Warehouse Employment Area Zone by By-law 1-88, subject to site-specific Exception 9(1134), which permits one free-standing eating establishment with a maximum GFA of 306m² and an associated drive-through, and no eating establishments within the multi-unit building. The proposal to permit a 860.81m² (including the mezzanine area) eating establishment in Units #12 and #13 of the multi-unit building, requires an amendment to the Zoning By-law.

Recent History

On May 19, 2004, the Owner submitted an application to amend the Zoning By-law to permit a freestanding Eating Establishment up to 300m² GFA and a drive-through facility, on the subject lands zoned EM3 Retail Warehouse Employment Area Zone. A Public Hearing was held on June 21, 2004. On September 23, 2004, the Owner revised the application to permit two freestanding Eating Establishments with a combined total maximum floor area of 625m² and a drive-through facility. Another Public Hearing was held on October 18, 2004. On April 25, 2005, Council approved the proposal to permit one-free-standing Eating Establishment restricted to a maximum gross floor area of 306m² and a drive-through facility. The approval of the proposal did not permit an eating establishment within the multi-unit building. Council enacted the implementing by-law (By-law 132-2005) on May 9, 2005. The approved site plan shown on Attachment #2 (File DA.04.066) illustrates a total ground floor area of 5,726.56m² (5,420.99m² for the multi-unit building, and 305.57m² for a free-standing Tim Horton's) and 208 parking spaces. The multi-unit building is under construction and the free-standing Tim Horton's is built and operating.

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Current Application – Planning Analysis

On December 13, 2005, the Owner submitted the subject application to permit an eating establishment/banquet facility of approximately 860.81m² GFA within 2 units (Units #12 and #13) of the multi-unit building. The application is for an eating establishment and banquet facility, as it would cater to fine dining and smaller banquets with a maximum design capacity of 270 persons. The banquet component would operate primarily on weekends, whereas the eating establishment would operate at all other times. In this regard, and for the purposes of this report and the implementing By-law, the use is considered to be an eating establishment.

In addition to adding the proposed use by way of a zoning by-law amendment, the Owner requested that the required parking for the proposed use be based on a maximum design capacity of 270 persons, and not by gross floor area, as a significant portion of the gross floor area for the 2 units will be devoted to kitchen, bar, reception and washroom facilities, and this would overstate the required number of parking spaces for these units. Furthermore, the peak hours of operation for the eating establishment would not conflict with the hours of operation for the other employment uses on site.

Parking for an eating establishment is calculated at a rate of 16 spaces/100 m² GFA. As the two units comprise 860.81m², the required parking for these units would be 138 spaces. However, basing the required parking on a maximum design capacity of 270 persons for the eating establishment use on the provision of one parking space for every 4 patrons, would require 68 parking spaces, as proposed by the applicant.

The breakdown of the existing approved parking requirement, and the proposed parking requirement with Units #12 and #13 being occupied by an eating establishment use, is as follows:

a) Current Parking Requirement:

Units 1-13 (Multi-Unit Employment):	5,420.99m ² x 2 spaces/100m ²	= 109 spaces
(+)		
Tim Horton's:	305.57m ² x 16 spaces/100m ²	= 49 spaces
Total Required:		158 spaces
Total Provided:		208 spaces

Under the existing site plan approval, there is a surplus of 50 parking spaces.

b) Proposed Parking Requirement:

Units 1-11 (Multi-Unit Employment):	4,708.63m ² x 2 spaces/100m ²	= 95 spaces
(+)		
Units 12 & 13 (Proposed Eating Establishment):	270 persons x 1 space/4 persons	= 68 spaces
(+)		
Tim Horton's:	305.57m ² x 16 spaces/100m ²	= 49 spaces
Total Required:		212 spaces
Total Provided (minus 9 spaces for new site access as discussed below):		199 spaces

The subject proposal would be deficient 13 spaces (6.1%).

The approved site plan provides for a total site parking of 208 spaces to serve both the multi-unit building and the stand-alone eating establishment (Tim Horton's). However, the Region of York recently approved a new driveway access onto Regional Road 27, in the location shown on Attachment #2, which will be in addition to the existing two accesses on Zenway Boulevard. The new driveway access will likely result in the loss of 9 parking spaces from the existing 208 parking spaces, yielding a new site parking total of 199 spaces. Although the access on Regional Road

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27 was shown as a future access during the review of the site plan application and within the existing Site Plan Agreement, the Owner will be required to amend the existing site plan agreement to include the new Regional Road 27 access.

In support of the current application, the Owner submitted a Parking and Site Circulation report to review the parking requirements for the proposed eating establishment use within the two units of the development, and an examination of the overall site plan with respect to parking and circulation. The report analysed similar plaza types to that of the subject site, and analyzed the mix of potential uses that are likely to be tenants within the building on the subject lands. The report indicated that at peak periods (ie. 12:00 noon to 1:00pm) 193 parking spaces would be sufficient to service the plaza comprising the existing Tim Horton's, and the proposed eating establishment together with employment uses, which would support the 199 spaces that are proposed on the site. The report was reviewed by the Engineering Department and was found to be acceptable.

It should be noted that within the general provisions of By-law 1-88, an eating establishment use is permitted in all Employment Zones, restricted to one per multi-unit building and to a maximum gross floor area of 185m². However, as part of the approval for the existing Tim Horton's component of the development, the site-specific zoning applicable to the subject lands does not permit this use within the multi-unit building. At the time of the previous Zoning Application, the applicant did not pursue an additional eating establishment on the site within the multi-unit building as there were time constraints to have the Tim Horton's establishment approved. In light of the review of this application, access to and from the site is sufficient to accommodate the expected traffic and the parking supply is adequate. Accordingly, the proposal to add an additional eating establishment use at this site within Units #12 and #13 is supported.

Relationship to Vaughan Vision 2007

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

Conclusion

The Development Planning Department has reviewed the proposed Zoning By-law Amendment Application in accordance with the policies of the Official Plan and the requirements of the Zoning By-law, and is satisfied that an amendment to the Zoning By-law to permit Units #12 and #13 of the multi-unit employment building (under construction) to be occupied by an eating establishment use, to be appropriate, and will serve the surrounding area, given the lack of existing eating establishments in the area.

The Development Planning Department can also support the applicant's request to base the minimum parking standard requirement for the eating establishment use in Units #12 and #13, on the maximum design capacity of one (1) parking space for every 4 patrons, rather than on the GTA of the two units, which is acceptable to the Engineering Department.

The applicant has also recently received approval from the Region of York to permit the construction of a new access onto Regional Road 27, which will reduce the on-site parking supply by 9 spaces, from 208 to 199 parking spaces, which is acceptable to the Engineering Department. The applicant will be required to amend the existing site plan agreement to include the new Regional Road 27 access. The implementing zoning by-law will require a minimum of 199 parking spaces to be provided on site, if the subject zoning application is approved.

In light of the above, the Development Planning Department can recommend the approval of the Zoning By-law application.

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Attachments

1. Location Map
2. Site Plan
3. Conceptual Floor Plan
4. Conceptual Floor Plan - Mezzanine

Report prepared by:

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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 MAY 8, 2006

Item 11, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

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**ZONING BY-LAW AMENDMENT FILE Z.06.002
1675865 ONTARIO LTD. (O/A JR QUALITY MEATS AND FINE FOODS)**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.06.002 [1675865 Ontario Ltd. (O/A Quality Meats and Fine Foods)] BE APPROVED, subject to the following conditions:

1. The implementing zoning by-law shall:
 - i) permit a retail store on the ground floor of Unit #14, as shown on Attachment #2;
 - ii) permit a second floor in Unit #14 provided that it is used for no purpose other than storage associated with the retail store on the ground floor; and,
 - iii) exempt the second floor from the minimum parking requirement of By-law 1-88.

Economic Impact

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

Purpose

The Owner has submitted a Zoning By-law Amendment Application on the subject lands shown on Attachment #1, to permit a Retail Store use on the ground floor of Unit #14 for the sale of meat, deli, cheese, baked goods and prepared foods, and for catering services; and, to permit the construction of a second floor to be utilized for accessory storage purposes only. Unit #14 is located within a service commercial complex consisting of two existing, one-storey multi-unit buildings as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Pine Valley Drive, south of Regional Road 7, being Part of Lots 3 and 4 within Registered Plan 65M-2167, in Lot 5, Concession 6, City of Vaughan. Specifically, the application applies to Unit #14 within the northerly multi-unit building, municipally known as 7611 Pine Valley Drive, as shown on Attachment #2. The single-storey unit has a GFA of 126m². The applicant is proposing to construct a full second floor comprising an additional 126m², which would double the GFA of Unit #14 to 252m². The surrounding land uses are:

- North - existing bank and commercial uses (C7 Service Commercial Zone)
- South - existing multi-unit employment building (EM1 Prestige Employment Area Zone)
- East - Rowntree Dairy Road; existing employment uses (EM1 Prestige Employment Area Zone)
- West - Pine Valley Drive; existing commercial uses (C3 Local Commercial Zone and C1 Restricted Commercial Zone)

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On January 3, 2006, the Owner submitted a Zoning By-law Amendment Application to amend By-law 1-88, specifically the C7 Service Commercial Zone, Exception 9(864), to permit a retail store use for the sale of meat, deli, cheese, baked goods and prepared foods, and for catering services on the ground floor of Unit #14 of the existing one-storey multi-unit building on the subject lands shown on Attachment #2.

On January 26, 2006, the Owner revised the zoning amendment application to permit a second floor within Unit #14 to be used for storage (inventory and equipment), seasonal business use (basket making, etc.) and office space, in addition to the proposed ground floor retail store use, notwithstanding that the number of parking spaces on the subject lands is fixed at 259 spaces, and the creation of additional parking is unavailable.

On March 15, 2006, the Owner further revised the application to clarify that the second floor would be used only for storage purposes, that would be accessory to the ground floor retail store.

Public Hearing

On February 10, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to all residents along Birch Meadow Outlook, the Vaughanwood Ratepayers' Association, and the Pine Valley Village Ratepayers' Association. To date, no comments have been received.

The recommendation of the Committee of the Whole to receive the Public Hearing report of March 6, 2006, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on March 20, 2006.

Official Plan

The subject lands are designated "Highway 7 Commercial Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #345, which permits office buildings, and retail and office uses. The proposed retail store use conforms to the Official Plan.

Zoning

The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(864). A retail store is not a permitted use, and an amendment to the Zoning By-law is required. Also, an exception will be required to not apply the commercial shopping centre parking standard to the proposed 126m² second floor addition, which the applicant is proposing as storage space only.

Planning Considerations

History

Council approved the site-specific zoning and site plan applications for the subject service commercial plaza on May 26, 2003. A Site Plan Agreement was subsequently registered on September 24, 2003. The original site plan proposed a total of 3 buildings including a 3-storey office building, and two, 1-storey multi-unit service commercial buildings. Site-specific Exception 9(864) requires that a minimum of 280 parking spaces be provided for the development.

The original site plan agreement was superseded by an amending agreement dated November 16, 2004, to implement the current site development comprised of two, 1-storey multi-unit service commercial buildings, as shown on Attachment #2. The site-specific parking requirement for a minimum of 280 parking spaces was based on the original proposal. The original Owner applied

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to the Committee of Adjustment for a parking variance (Application A239/04) to reduce the minimum number of parking spaces for the subject lands from 280 to 259 spaces, which was approved on August 5, 2004.

On June 27, 2005, Council approved a Draft Plan of Condominium (File 19CDM-05V05) in association with the existing development. A Condominium Agreement was registered on October 4, 2005 and the final Condominium Plan was registered on December 14, 2005 as YRCP No. 1051. Both single-storey buildings are constructed, with finished exterior facades and are unoccupied.

Proposed Uses

The proposed first and second storey floor plans for Unit #14 are shown on Attachments #3 and #4, respectively. The main front floor area is proposed for a retail store for the sale of meat, cheese, baked goods and prepared foods, and catering services, and is comprised of a customer service area including a counter, cashier, meat/deli/dairy cases, and associated work areas. The rear portion of the main floor consists of a work area with a walk-in cooler, table saw and washroom. The second floor that is proposed to be constructed is intended to be used only for storage associated with the main floor retail store use.

As previously stated, the subject lands are designated "Highway 7 Commercial Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #345, which permits office buildings, and retail and office uses. Adding the proposed retail store use within Unit #14 by way a site-specific amendment to the Zoning By-law would conform to the policies of the Official Plan. The proposed retail store use is compatible with and will complement the composition of C7 Zone uses that are permitted as of-right in the commercial complex, and with the surrounding commercial and employment area.

The application also seeks to use a proposed second floor for storage associated with the main retail floor space. The Development Planning Department can support such a request and will limit the use of the second floor to storage use only within the implementing Zoning By-law, as there will be no impact on the existing parking supply, as discussed below.

Parking

Site-specific Zoning Exception 9(864) requires that a minimum of 280 parking spaces shall be provided on the subject lands. A Minor Variance application (File A239/04) was approved in 2004 that reduced the overall parking requirement from 280 to 259 parking spaces for the existing complex that is comprised of 2 multi-unit buildings, which were each approved and constructed as one-storey buildings.

Since December 2005, five (5) unit Owners (not including Unit #14) within the condominium complex have filed Minor Variance applications with the Committee of Adjustment (Files A360/05 – Unit #12, A39/06 – Unit #36, A59/06 – Unit #19, A62/06 – Unit #13 and A75/06 – Unit #7) to permit the expansion of permitted C7 Zone uses in the form of second floor additions without additional parking being required.

The first Minor Variance application was approved on December 8, 2005. The last 4 applications to the Committee of Adjustment were supported with a Parking Study, submitted jointly by the four unit owners. The parking study conducted by Mark Engineering (dated March 2006) concluded that there was sufficient parking on the subject lands to support the proposed second floor additions for commercial uses. The Engineering Department reviewed and approved the Parking Study, and on March 22, 2006, the Committee of Adjustment approved the four Minor Variance applications. The Owner of Unit #14 did not want to participate with the other unit owners, or submit their own parking study to justify their original proposal to construct and utilize

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a proposed 126m² second floor addition for a combination of office, commercial and storage uses, and as identified earlier, they amended their zoning application to utilize the proposed second floor addition only for storage purposes.

The subject zoning application is to permit a retail store use on the ground floor of Unit #14, and an accessory second floor storage area. When Council approved the site-specific zoning and site plan applications for the subject service commercial plaza on May 26, 2003, the required parking for the permitted C7 Zone uses on the ground floor was based on the "shopping centre standard of 6 parking spaces per 100m² GFA, which is the same standard that would apply to the proposed retail store use. As such, the proposed retail store use would not generate the requirement for additional parking, and the Owner has requested that the second floor be used for storage purposes only and that no additional parking spaces be associated for storage uses. The Development Planning Department can support such a request as the proposed storage area on the second floor will not generate a need for additional parking and will limit the use of the second floor to storage use only within the implementing zoning by-law.

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 Zoning By-law Amendment application to permit a retail store use on the ground floor of Unit #14 for the sale of meat, deli, cheese, baked goods and prepared foods, and for catering services, and the construction of a second floor to be used for storage associated with the retail store use, within the existing multi-unit building shown on Attachment #2. The subject lands are designated "Highway 7 Commercial Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #345, which permits office buildings, and retail and office uses. The proposed retail store use conforms to the Official Plan. The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(864), which permits a range of commercial uses that would be compatible with the proposed retail store use, the latter which will not impact upon the existing parking supply, as the original application of parking on the ground floor was based on the "shopping centre" standard of 6 spaces/100m² GFA, which is consistent with the standard for a retail store use. Furthermore, the Development Planning Department is satisfied that the proposed storage area on the second floor will not generate a need for additional parking. Accordingly, the Development Planning Department can support the approval of the proposed zoning amendment.

Attachments

1. Location Map
2. Site Plan & Unit Location
3. Main Floor Plan – Unit 14
4. Second Floor Plan – Unit 14

Report prepared by:

Clement Messere, Planner, ext. 8409
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 12, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

12

**ZONING BY-LAW AMENDMENT FILE Z.05.061
SEANG INVESTMENTS LIMITED
REPORT #P.2006.17**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006:

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.061 (Senang Investments Limited) BE APPROVED, subject to the following:

1. That the implementing temporary use by-law shall permit the following uses on the subject lands shown on Attachment #1, until July 31, 2007:
 - a) retail store for the sale of agricultural produce not grown on the subject lands;
 - b) preparation, production and sale of baked goods; and
 - c) operation of a winery, the selling of wine (alcoholic beverages) and associated retail items.

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 in order to permit the continuation of the following uses, on the subject lands shown on Attachment #1:

- a) retail store for the sale of agricultural produce not grown on the subject lands;
- b) preparation, production and sale of baked goods; and
- c) operation of a winery, the selling of wine (alcoholic beverages) and associated retail items.

The proposed uses exist on the subject lands (Southbrook Farms) in accordance with a 3-year temporary use by-law, that has lapsed. The Owner is proposing to continue the temporary use until July 2007.

Background - Analysis and Options

On February 16, 1996, Council enacted By-law 31-96, which permitted the selling of agricultural produce not grown on the subject lands, and the production and selling of baked goods, wine and wine products, for a temporary 3 year period, on the subject lands shown on Attachment #1.

Subsequently, on July 10, 2000, Council enacted By-law 259-2000 to extend the temporary permitted uses for an additional 3 years.

By-law 259-2000 has lapsed. The Owner is seeking to extend the proposed temporary uses until July 2007 at which time the sale of the subject lands, and subsequent relocation of the use (Southbrook Farms) to the north side of Major Mackenzie Drive, will be completed.

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The subject lands are located on the south side of Major Mackenzie Drive between Dufferin Street and Bathurst Street (1061 Major Mackenzie Drive), in Part of Lot 20, Concession 2, City of Vaughan. The 3.03 ha irregular-shaped lot has 239m frontage along Major Mackenzie Drive and a depth of 127m. The site is presently developed with a barn converted to a winery and retail sales establishment.

The subject lands are designated "Medium Density Residential/Commercial Area" by OPA #600, and zoned "A" Agricultural Zone by By-law 1-88. Under the approved Block 11 Plan, the subject lands form the northerly portion of a larger overall 9.88ha District Park.

The surrounding land uses are:

- North - Major Mackenzie Drive; Block 12 future residential/other lands owned by applicant for relocation of agricultural/winery uses (A Agricultural Zone)
- South - vacant, future District Park (A Agricultural Zone)
- East - valleylands (OS5 Open Space Environmental Protection Zone)
- West - vacant, future road and high school (A Agricultural Zone)

On February 10, 2006, 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 on March 6, 2006, to receive the Public Hearing report and to forward a technical report to a future Committee meeting was ratified by Council on March 20, 2006.

Official Plan/Block Plan

The subject lands are designated "Medium Density Residential/Commercial Area" by OPA #600. This designation permits residential with limited commercial uses located at grade level along transit routes to encourage and facilitate pedestrian movement.

However, the approved Block 11 Plan further identifies the subject lands as a "District Park", to be combined with the lands directly to the south, as shown on Attachment #1. The Owner has participated in the Block Plan process and is aware of the plans for the future development of the site and area.

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

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

A discussion of how the proposed temporary uses conform with the above-noted criteria will be discussed later in this report.

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In addition, the subject lands are also designated as "Settlement Area" by OPA 604 (The City's Oak Ridges Moraine Conformity Official Plan Amendment), which permits the range of uses as referenced above.

OPA 604 also permits the extension of uses of land, building, or structures if that use was lawfully used for that purpose on November 15, 2001, and continues to be used for that purpose. The Development Planning Department is satisfied that the requested extension conforms with the requirements of the Oak Ridges Moraine Conservation Plan as adopted in OPA 604.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, subject to site-specific Exception 9(925), which is directly related to the temporary continuance of the agriculturally related retail/commercial and winery uses previously permitted by By-laws 31-96 and 259-2000. The Planning Act allows Council to pass temporary use by-laws for periods of up to 3 years, and does not restrict Council's ability to pass further temporary use by-laws for consecutive periods of time. Temporary use by-laws allow Council to monitor and/or reconsider the use, relative to development in the surrounding area. The uses proposed by this application are established uses within the existing buildings. These agricultural/retail and winery uses are considered to meet the criteria of the "Temporary Use Policies" in OPA #600, and will not entail additional capital investment.

The proposed uses are considered appropriate for the subject lands as they are interim agricultural related uses, until July 2007, which will not conflict with the development of the District Park, which is expected thereafter.

Temporary Land Use/Compatibility

The application proposes amending the Zoning By-law in order to permit the continuation of agriculturally-related commercial uses, including:

- a retail store for the sale of agricultural produce not grown on the subject lands;
- the preparation, production and sale of baked goods; and
- the operation of a winery, the selling of wine (alcoholic beverages) and associated retail items.

The uses in question are not permitted as-of-right in the A Agricultural Zone. The proposed winery and associated uses are presently operating on the subject lands, and have been in existence since 1992. In light of the temporary use criteria in OPA #600, the proposed extension of the temporary use by-law until July 31st of 2007, will not result in an intensification of the existing uses, as no change or new construction is proposed. All buildings on the site will be demolished once the use has ceased to operate.

In contrast, the planned use of the subject lands is for a district park and community centre servicing the Block 11 and surrounding communities. The Parks Development Department requires that all approvals respecting the time period for extending the temporary use conform to the lease agreement between the Block 11 Developers Group, which includes the Applicant.

The proposed temporary use requires limited capital investment, as it is an existing use on the subject lands. A substantial investment is unlikely as the use is temporary and will relocate in July of 2007. The subject lands also have no access to municipal services, and therefore will not impact or strain the already limited water and sanitary services.

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The proposed use does not negatively impact neighbouring properties, as it is not industrial or automotive in nature, and does not include outside storage other than what is normally incidental of an agricultural setting. The subject property and the area surrounding the subject lands has been designated as Phase 2 development in the Block 11 phasing plan, and the proposed use will have relocated prior to the development of the surrounding area, including the district park. Furthermore, residents will not be living in the vicinity as the neighbouring properties are intended to be for a high school to the west, valleylands to the east, district park to the south, and Major Mackenzie Drive to the north, as shown on Attachment #1.

The proposed temporary use does not impact the road network approved for Block 11, nor does it impact any development designated as Phase 1 in the Block Plan. The Region of York and the Toronto and Region Conservation Authority have advised that the proposal will not impact the adjacent arterial road system and valleylands, respectively. The Development Planning Department is satisfied that the proposed temporary uses are appropriate until July 31, 2007, and that the proposal is in conformity with the Official Plan.

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 the Zoning By-law to permit the retail sales of agricultural produce and goods not grown on the same lands, producing and selling of baked goods, and operating a winery the sale of wine products, for a temporary period to cease on July 31, 2007. Development Planning Staff are satisfied that the proposal is in accordance with the Temporary Use Policies in OPA #600, which permits interim uses prior to urban development. Should the Committee concur, Zoning By-law Amendment Application Z.05.061 (Senang Investments Limited) can be approved with the adoption of the recommendation in this report.

Attachments

1. Location Map

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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 13, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

13

**ZONING BY-LAW AMENDMENT FILE Z.06.003
MONTECASSINO LIMITED
REPORT #P.2006.10**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-Law Amendment File Z.06.003 (Montecassino Limited) BE APPROVED, to rezone the subject lands shown on Attachment #1, from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, to permit the following:
 - a) the full range of C7 service commercial uses, excluding the following uses: automobile service station; automobile gas bar; car wash; banquet hall; hotel; motel; convention centre; office building; parks and open space and parking garage;
 - b) to permit the following additional EM1 Prestige Employment uses within the C7 Zone; employment use; accessory retail sales to an employment use; and accessory office uses;
 - c) require a minimum landscape strip width on the subject lands abutting both Carlauren Road and Jevlan Drive of 3m, whereas 6m is currently required; and,
 - d) require a minimum of 206 parking spaces to be provided on the subject lands, whereas 221 spaces are currently required.
2. THAT prior to the enactment of the implementing zoning by-law:
 - a) the Owner shall pay Regional Development Charges in accordance with Regional By-Law DC-0005-2003-050, as amended.

Economic Impact

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

Purpose

The Owner has submitted an application to amend Zoning By-law 1-88 to:

1. Rezone the subject lands shown on Attachment #1 from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, to permit the full range of C7 service commercial uses, excluding the following uses: automobile service station; automobile gas bar; car wash; banquet hall; hotel; motel; convention centre; office building; parks and open space; and parking garage; and,

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2. To permit the following additional EM1 Prestige Employment uses within the C7 Zone: employment use; accessory retail sales to an employment use; and accessory office uses to an employment use.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the southeast corner of Weston Road and Carlauren Road (8099 Weston Road), being Lot 6 on Plan 65M-2589, City of Vaughan. The 1.32ha site was severed from a larger 2.19ha land holding, which formerly included the lands to the south (currently in the same ownership – Montecassino Banquet Hall) (Committee of Adjustment File B014/05m approved March 31, 2005). The subject lands have 84m frontage on Weston Road and 134m flankage along Carlauren Road. The site is currently under construction and will be developed with a single storey, 3676.11m² multi-unit (30) building, as shown on Attachment #2, for which Council approved the site plan (File DA.05.005) on June 8, 2005. The Owner has also submitted a related Draft Plan of Condominium application (19CDM-06V01) for 30 service commercial units which will be considered at a future Committee of Whole meeting.

The subject lands are designated “Prestige Area” by OPA #450 (Employment Area Plan) and subject to the “Service Node” policies; and, currently zoned EM1 Prestige Employment Area Zone by By-Law 1-88. The surrounding land uses are as follows:

- North - Carlauren Road; existing service commercial uses (C7 Service Commercial Zone)
- South - Montecassino Banquet Hall (EM1 Prestige Employment Area Zone)
- East - Jevlan Drive; existing employment uses (EM2 General Employment Area Zone)
- West - Weston Road; existing detached residential (R3 Residential Zone)

On January 27, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands and to the Pine Valley Village Ratepayers Association. This notice listed "Pet Grooming Establishment", which is a permitted use in the C7 Zone, as a use to be excluded from the subject lands. However, the applicant amended their application to include the said use, which was to be reviewed together with the other proposed service commercial uses. To date, no comments have been received. The recommendation of the Committee of the Whole on February 20, 2006, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on February 27, 2006.

Since then, the applicant has further amended the application to include additional uses to the proposed C7 Service Commercial Zone, namely: employment use; accessory retail sales to an employment use; and accessory office uses to an employment use. These uses are currently permitted on the site through the existing EM1 Zone that is applicable to the property.

Official Plan

The subject lands are designated “Prestige Area” by OPA #450 (Employment Area Plan) which, provides opportunities that require high visual exposure, good accessibility, and an attractive working environment, and permits a wide range of office, business and civic uses, with no outside storage. The “Service Node” policies of OPA #450 also apply and permit uses that provide for the day-to-day convenience and service needs of businesses, industries and their employees, and as such the proposed rezoning of the subject lands to C7 Service Commercial Zone along with proposed additional employment uses (currently permitted by the EM1 Prestige Employment Area Zone) conforms to both the “Service Node” and “Prestige Area” policies of the Official Plan.

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Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88. The EM1 Prestige Employment Area Zone does not permit many of the proposed service commercial uses; therefore a zoning by-law amendment is required. The proposal to rezone the subject lands to C7 Service Commercial Zone to permit the full range of service commercial uses, excluding the following uses: automobile service station; automobile gas bar; car wash; banquet hall; hotel; motel; convention centre; office building; parks and open space; and parking garage; and, to permit the following additional EM1 Prestige Employment uses within the C7 Zone: employment use; accessory retail sales to an employment use and accessory office uses to an employment use, would provide for the day-to-day needs of businesses and their employees and implement the “Prestige Area” and “Service Node” policies of the Official Plan.

The proposed rezoning application was reviewed in accordance with the C7 Service Commercial Zone requirements to identify any zoning exceptions. As such a minimum landscape strip of 6m in width is required abutting both Carlauren Road and Jevlan Drive. The applicant has provided 3m along both streets. When Council approved the related site plan application (DA.05.005) on June 8, 2005, the said landscape strips complied with the zoning requirements of the EM1 Prestige Employment Area Zone. In addition, the application has been reviewed with respect to parking, given the higher service commercial standards (6 spaces/100m² GFA), in comparison to the lower employment use standard (2 spaces/100m² GFA or 4 spaces/unit, the latter which is greater and applicable at 120 spaces). By-law 1-88 calculates the required parking for the site as follows:

Shopping Centre: 3676.11m ² at 6.0 spaces/100m ² GFA	=221 spaces
Total Parking Required	=221 spaces
Total Parking Provided	=206 spaces

At total of 221 spaces are required, whereas 206 spaces will be provided upon completion of the construction on the property, resulting in a deficiency of 15 spaces (6.36%), which is below 10%, and does not require a parking study to be submitted for review by the Engineering Department. The proposed parking supply and deficiency is considered to be appropriate to service the proposed C7 Zone uses, and is acceptable to the Engineering Department.

The proposed parking and landscape strip deficiencies will be included as exceptions in the implementing zoning by-law.

Regional Development Charges

The Finance Department has advised that according to Regional By-law DC-005-2003-050; given the proposed rezoning from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, additional Development charges will be imposed for the increased need for services. The Owner shall pay Regional Development charges to the satisfaction of the Finance Department.

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 Zoning By-law Amendment application to rezone the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone with the exclusion of various C7 Zone permitted uses and the inclusion of a few select and currently permitted EM1 Prestige employment uses, in accordance with the policies of

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OPA #450 and the requirements of By-law 1-88, and the area context. The Development Planning Department is satisfied that the proposed rezoning will implement the “Service Node” policies of the Official Plan, and is appropriate and compatible with the existing and permitted uses in the surrounding area. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application and the required exceptions to the zoning by-law that are necessary to implement the proposal, subject to the condition contained in this report.

Attachments

1. Location Map
2. Site Plan - Approved by Council June 8, 2005

Report prepared by:

Christina Napoli, Planner, ext. 8483
Arto Tikiryan, Senior Planner, ext. 8212
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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 14, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

14 **SITE DEVELOPMENT FILE DA.02.076**
FIRST VAUGHAN INVESTMENTS LTD.

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT revised Site Development File DA.02.076 (First Vaughan Investments Ltd.) BE APPROVED, as shown on Attachment #3, which will eliminate Building "D" and permit a larger 780.36 m² multi-unit commercial Building "B" as shown on Attachment #3, subject to the following conditions:
 - a) that prior to the execution of the amending site plan agreement:
 - i) the final revised site plan, building elevations, landscaping and signage plans shall be approved by the Development Planning Department;
 - ii) the final revised site grading and servicing plans, stormwater management report, parking and on-site vehicular circulation, shall be approved by the Engineering Department;
 - iii) all requirements of York Region shall be satisfied; and,
 - iv) all hydro requirements of PowerStream Inc. shall be satisfied.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application to amend an existing site plan agreement to permit a 780.36 m² multi-unit commercial building shown as Building 'B' on Attachment #3, and the elimination of Building "D" as shown on Attachment #2.

Background - Analysis and Options

The 5.2 ha site shown on Attachment #1 is located on the southwest corner of Portage Parkway and Edgeley Boulevard (100 Edgeley Boulevard), in Part of Lots 6 and 7, Concession 5, City of Vaughan.

The subject lands are designated "Corporate Centre District" by OPA #500 (Corporate Centre Plan) and zoned C10 Corporate District Zone by By-Law 1-88, subject to Exception 9(959). The surrounding land uses are:

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- North - Applewood Crescent; employment use (EM1 Prestige Employment Area Zone)
- East - Edgeley Boulevard; Walmart/commercial use (C10 Corporate District Zone)
- South - office/commercial use (C8 Office Commercial Zone)
- West - vacant/open space (OS2 Open Space Park Zone)

In April 2003, the Owner received site plan approval for four commercial buildings on the subject lands. Only one of the buildings (Sam’s Club shown as Building "A" on Attachment #3) has been constructed to date. The Owner is now requesting a revision to the existing site plan agreement to eliminate the approved building at the southwest corner of the site (Building "D" on Attachment #2) and to develop the approved building in the northeast corner from a single user commercial building (Building "B" on Attachment #2) to a multi-unit commercial building (Building ‘B’ shown on Attachment #3). The remaining single-unit commercial building (Building ‘C’ shown on Attachment #3) will remain as originally approved. Additional parking will be added to the vicinity of the originally approved Building ‘D’.

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. The proposed use and development of the subject lands conforms to the Official Plan.

Zoning

The subject lands are zoned C10 Corporate District Zone by By-Law 1-88, subject to Exception 9(959), which permits the proposed multi-unit commercial building. The development of the site would comply with the zoning requirements of By-law 1-88 and site-specific Exception 9(959).

Site Design

The revised site plan (Attachment #3) shows the existing 12,258 m² Sam’s Club building (Building "A"), the approved (unbuilt) 418.05 m² retail building at the southeast corner of the site (Building "C"), and the proposed 780.36m² multi-unit commercial building (Building "B"). The site is served by the three existing access locations on Edgeley Boulevard, Applewood Crescent, and via a temporary private driveway within the future Applemill Road, respectively.

Parking

The revised minimum required parking for the site (Buildings "A", "B" and "C" on Attachment #3) is calculated as follows:

Retail: 13,456.41m ² at 6 spaces/100m ²	= 808 spaces
Total Parking Required:	= 808 spaces
Total Parking Provided:	= 819 spaces

The site meets the minimum parking requirements with a surplus of 11 spaces.

Services

A revised grading and servicing plan and stormwater management report have been submitted to address the revised site plan, and the final plan and report must be approved to the satisfaction of the Engineering Department. All hydro requirements must be to the satisfaction of PowerStream Inc.

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Landscaping

The landscape plan (Attachment #4) shows a variety of existing and proposed deciduous and coniferous trees and shrubs. The majority of the landscaping exists, with additional planting being placed within the revised parking area adjacent to Building "B". An outdoor patio is proposed at the southeast corner of this multi-unit building, and will be accessory to the proposed restaurant use. Decorative landscaping will provide an entry feature at the northeast corner and a walkway will be provided around the building for pedestrian friendly access.

Building Design

The proposed building elevations are shown on Attachment #5. The building will be constructed to a height of 8.23 m. The building material will consist of a nutmeg colour stucco along the upper portion of the end units, and a red colour brick within the middle portion. Signage will appear in the upper portion of the building for each of the 6 units. Attachment #5 identifies the company signage for three eating establishments, and the three other commercial units (middle) have yet to be determined. A canopy/awning structure will span the middle portion of the building. The lower building material will be clear glazed windows on the south and west elevation and spandrel windows on the north (for security and aesthetic reasons given these areas will include the storage area and cooking areas for the restaurants). Each unit will have a main entrance on the south elevation and man-doors on the north elevation. Paprika coloured architectural block will break up each unit and white stucco decorative cornice details will be used along the roof. The north and south elevations wrap around the east and west elevations to provide a consistent façade. The east elevation will have an entry door located in the middle to provide for a second entrance into the restaurant and the west elevations will include an overhead door for access to the garbage room. All roof-top mechanical equipment will be screened from street view.

The final building elevations must 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 revised Site Development Application in accordance with the policies of OPA #500, the requirements of By-law 1-88, and the area context. The Development Planning Department is satisfied that the proposed elimination of an approved single use Building "D" on Attachment #2, and increase in size of Building "B" from a single use to a multi-unit building as shown on Attachment #3, is appropriate for the site and the Corporate Centre. The existing Sam's Club (Building "A") will be maintained, and there is no change to the approved/unbuilt Building "C". Accordingly, the Development Planning Department can support the approval of the site plan application, subject to the conditions contained in this report, which will facilitate a revision to the registered site plan agreement in the manner shown on Attachment #3.

Attachments

1. Location Map
2. Original Site Plan
3. Revised Site Plan
4. Landscape Plan
5. Elevation Plan

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Report prepared by:

Andrea Seca, Planner, ext. 8215

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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Item 15, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

**15 OFFICIAL PLAN AMENDMENT FILE OP.05.018
ZONING BY-LAW AMENDMENT FILE Z.05.039
ANDRIDGE HOMES FIVE LIMITED
REPORT #P.2005.52**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006, be approved; and**
- 2) That the written submission of Mr. Rudy P. Bratty, President, Nine-Ten West Limited, 7501 Keele Street, Suite 100, Vaughan, L4K 1Y2, dated April 28, 2006, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.05.018 (Andridge Homes Five Limited) BE APPROVED, to redesignate the subject lands from "Neighbourhood Commercial Centre" and "Low Density Residential" to "High Density Residential" and "Neighbourhood Commercial Centre" as shown on Attachment #2, and to permit a maximum residential density of 250 units/ha; a maximum building height of 12-storeys and a maximum Floor Space Index (F.S.I.) of 2.95.
2. THAT Zoning By-law Amendment File Z.05.039 (Andridge Homes Five Limited) BE APPROVED, to rezone the subject lands from C4(H) Neighbourhood Commercial Zone with the Holding Symbol (H) to RA3(H) Apartment Residential Zone and C4(H) Neighbourhood Commercial Zone each with the Holding Symbol (H) as shown on Attachment #3. The C4(H) Neighbourhood Commercial Zone shall in addition, permit an drive-thru associated with a bank or financial institution, automobile gas bar and car wash. The Holding Symbol "H" shall be lifted upon the availability of servicing allocation and the approval of a Site Plan Amendment Application.

Economic Impact

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

Purpose

The Owner has submitted the following applications:

1. An application to amend the Official Plan, specifically OPA #600, to redesignate the subject lands shown on Attachment #1, from "Low Density Residential" and "Neighbourhood Commercial Centre" to "High Density Residential" and "Neighbourhood Commercial Centre" in the manner shown on Attachment #2 and to permit: a maximum residential density of 250 units/ha (approximately 700 residential apartment dwellings units); a maximum building height of 12-storeys; and a maximum Floor Space Index (F.S.I.) of 2.95. The northerly 0.98ha portion of the subject lands abutting Teston Road would be designated "Neighbourhood Commercial Centre" and the remaining 2.83ha would be designated "High Density Residential".

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2. An application to amend the Zoning By-law, specifically By-law 1-88, to rezone the subject lands shown on Attachment #1, from C4(H) Neighbourhood Commercial Zone with the Holding Symbol (H) to C4(H) Neighbourhood Commercial Zone and RA3(H) Apartment Residential Zone each with the Holding Symbol (H) in the manner shown on Attachment #3. In addition, the application proposes to permit a drive-through in association with a bank or financial institution, and an automobile gas bar and a car wash as permitted uses in the C4 Neighbourhood Commercial Zone.

The applications would facilitate the future development of the subject lands with six residential apartment buildings having approximately a total of 700 units to a maximum building height of 12-storeys, a gas bar with a car wash, a bank or financial institution with a drive-thru and other commercial uses as shown on the concept plan on Attachment #6.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located on the southwest corner of Teston Road and Bathurst Street, in Part of Lot 25, Concession 2, within Planning Block 12, City of Vaughan.

The rectangular-shaped 3.81 ha site has 130m frontage on the south side of Teston Road, 215m on the west side of Bathurst Street, 125m on the future Lady Dolores Avenue (opposite Oxford Street on the east side of Bathurst Street), and 220m frontage on the future Torah Gate as shown on Attachment #4.

The subject lands were historically used for farming purposes and are flat, featureless and contain no significant vegetation. The southern portion of the property contains a temporary new home sales pavilion that will be removed upon completion of sales in the surrounding neighbourhood, otherwise the site is vacant. The surrounding land uses are as follows:

- North - Teston Road; existing estate residential dwellings (RR Rural Residential Zone); a one-storey commercial plaza on the northeast corner of Teston Road and Bathurst Street (Town of Richmond Hill)
- South - future Lady Dolores Avenue; future place of worship (RD3 Residential Detached Zone) and semi-detached dwelling units - approved draft plan of subdivision 19T-99V08 (RS1 Residential Semi-Detached Zone)
- East - Bathurst Street; automobile gas bar and convenience kiosk; existing three-storey block townhouses (R3 Residential Zone)
- West - future Torah Gate, and semi-detached dwelling units in approved draft plan of subdivision 19T-99V08 (RS1 Residential Semi-Detached Zone)

Background

The lands subject to this application, being Block 1158 on approved draft plan of subdivision 19T-99V08 are part of a larger 121.67ha landholding owned by the applicant as shown on Attachment #1. Applications for draft plan of subdivision approval and rezoning (Files 19T-99V08 and Z.99.063) were approved by Vaughan Council on May 25, 2004, to rezone the overall landholdings for low density residential uses, a place of worship, open space valley park and neighbourhood commercial uses. The implementing Zoning By-law was subsequently enacted thereby rezoning the subject lands from A Agricultural Zone to C4(H) Neighbourhood Commercial Zone with the Holding Symbol (H).

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On September 19, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, ratepayer groups, and to those individuals requesting notification. Comments were received from area residents, and people in attendance at the Public Hearing meeting, primarily stating their concerns that the proposed development is not consistent with the character of the area and will create noise, traffic and congestion.

The Town of Richmond Hill advised that the lighting and noise from the proposed car wash should not impact the existing residential development on the east side of Bathurst Street, and that due to the existing traffic volumes on Bathurst Street, the residential site plan should not be approved until Bathurst Street is widened to 6 lanes.

The recommendation of the Committee of the Whole on September 19, 2005, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on September 26, 2005.

Since then, the Applicant by way of letter dated April 19, 2006 has revised the application. Originally, the application consisted of 300 units/ha; a maximum building height of 16-storeys; and, a maximum F.S.I. of 3.2. Currently as stated in the recommendation, the application has been amended to 250 units/ha, a maximum building height of 12-storeys and a maximum F.S.I. of 2.95ha.

Land Use Status

Official Plan

The subject lands are designated "Neighbourhood Commercial Centre" and "Low Density Residential" by OPA #600, and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conformity Plan). The "Neighbourhood Commercial Centre" designation is generally located along major arterial roads and certain primary roads. The "Low Density Residential" designation for Block 12 permits detached and semi-detached units at an overall gross density of 14 units per hectare. The proposed development does not conform to the policies of the Official Plan.

An Official Plan Amendment is required to redesignate the southerly 2.83ha of the subject lands from "Neighbourhood Commercial Centre" and "Low Density Residential" to "High Density Residential" and "Neighbourhood Commercial Centre" to permit the proposed residential apartment dwelling use.

Zoning

The subject lands are zoned C4(H) Neighbourhood Commercial Zone with the Holding Symbol (H) by By-law 1-88, subject to Exception 9(1205). The subject lands are part of a larger draft plan of subdivision and zoning amendment application (Files 19T-99V08 and Z.99.063), which were approved by Council on May 25, 2004 for low-density residential uses, a place of worship, open space valley, park and neighbourhood commercial uses, as shown on Attachment #4.

The proposed rezoning, as shown on Attachment #3, to RA3(H) Apartment Residential Zone with the Holding Symbol (H) would permit high-rise apartments on the southerly 2.83ha of the site, upon removal of the Holding provision. The balance of the lands (0.98ha) are to remain zoned C4(H) Neighbourhood Commercial Zone with a Holding Symbol (H). The following site-specific zoning exceptions are required to facilitate the proposed development concept shown on Attachment #6, if approved:

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- i) Exceptions to C4 Neighbourhood Commercial Zone
 - include an automobile gas bar and car wash as permitted uses in the C4 Neighbourhood Commercial Zone;
 - include a drive-through as a permitted use in association with a bank or financial institution; and,
 - permit a minimum 6m setback between a commercial building and a Residential Zone, whereas 22.5m is required.

- ii) Exceptions to the RA3 Apartment Residential Zone
 - permit a minimum of 33m² of lot area/unit, whereas 67m²/unit is required;
 - permit a minimum building setback and landscape strip width of 4m, whereas 7.5m and 6m are required, respectively;
 - permit a minimum amenity area of 22m²/unit for all unit types, whereas a minimum of 15m²/unit is required for a bachelor unit, 20m²/unit for a one bedroom unit, 55m²/unit for a two bedroom unit, 90m² for a three bedroom unit, and 110m² for a four bedroom or larger unit;
 - permit a minimum residential apartment dwelling parking standard of 1.2 parking spaces/unit, whereas 1.5 parking spaces/unit, is required; and,
 - for the purposes of zoning compliances the residential lands shall be deemed to be one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent, and any easements or restrictions that are given, if approved.

It is noted that other zoning exceptions may be required to implement the final site plan. Other similar applications have been approved that have been exempted from the no minimum lot area/unit requirement (33m² limit) of the zoning by-law, reduced building setbacks and landscaping strips have been permitted at 1.9m in the Liberty development compared to 4m that this application is proposing; and finally the Block 11 high density proposal was approved with a reduction in parking to 1.1 parking spaces per unit plus 0.20 visitor parking spaces per unit, whereas the application proposes a minimum apartment dwelling parking standard of 1.2 parking spaces/unit plus the standard 0.25 for visitor parking.

The proposed development exceeds the zoning exemptions granted in the above noted applications. The minimum development standards being proposed includes a lot area per unit of 22m²/unit, building setback and landscape strips of 4.0m and a minimum parking space standard of 1.2 spaces per unit and 0.25 spaces for visitors per unit.

The Development Planning Department is satisfied that the above-noted exceptions are appropriate to facilitate the proposed. It is recommended that the lands be zoned with the Holding Symbol (H) which would be lifted upon the approval of a site development application confirmation that servicing capacity has been allocated to this development, if approved.

Block 12 Plan

The Block 12 Plan as shown on Attachment #5 was approved by Council on September 22, 2003, which identifies the subject lands for commercial uses.

The Block 12 Plan provides for primarily low-density residential development over most of the Block, comprised of detached units with frontages ranging from 10m to 18m. There are four elementary schools and five neighbourhood parks. Four of the school sites are adjacent to parks, forming campuses. There are two Neighbourhood Commercial sites, one local convenience commercial site, and 12 stormwater management ponds. The Block Plan accommodates a total of 3086 dwelling units (3074 low density units and 12 medium density units). OPA #600 provides

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for an overall net density of 14 units per hectare. The Block Plan has an approximate overall net density of 14.38 units per hectare, which conforms to the Official Plan.

Approved Draft Plan of Subdivision 19T-99V08

The applicant will be required to revise the approved draft plan of subdivision to reflect the proposed lotting pattern (ie. create one commercial block, and one residential block) required to implement the plan for the subject lands within approved draft plan of subdivision file 19T-99V08, as shown on Attachment #4, if the applications are approved.

Preliminary Development Concept

While a formal site plan submission has not been filed, a conceptual site plan as shown on Attachment #6 has been submitted to address matters such as access, building locations, height, and massing assuming a density of up to 250uph and an F.S.I of 2.95.

Based on the conceptual site plan, the combined total unit count for all buildings would be approximately 700 units, whereas, the applications originally proposed 840 units. Ultimately, the actual unit size and mix may result in less than 700 units, if some of the unit sizes were larger, with the final building size, form and massing remaining the same. The supporting traffic report is based on a maximum 840 apartment units, as originally proposed by applicant.

The location of the proposed buildings is anticipated to occur along the street edges and frontages, thereby creating a positive street presence, utilizing views and vistas in addition to creating the opportunity for an interconnection of common open space areas/meeting places. This opportunity will facilitate the integration of the pedestrian with the built form between the proposed buildings within the development block itself.

Primary access to the block is proposed from Lady Dolores Avenue and Torah Gate, as shown on Attachment #6, thereby not interfering with traffic along the major arterial roads of Bathurst Street and Teston Road. Internally, these two access locations will connect to a vehicular loop road providing access to pedestrian drop-off areas, ramps to the underground parking garage and to above ground visitor parking spaces for each building. It is anticipated that parking will be primarily located underground.

The northerly 0.98ha of the subject lands has a proposed north/south depth of approximately 60m, and is proposed to be developed in accordance with the current Official Plan designation for commercial purposes and including an automobile gas bar and car wash. The gas bar and car wash uses are proposes to be located at the southwest corner of Teston Road and Bathurst Street, with the balance of the northerly lands developed with a retail commercial centre. The Teston Road and Bathurst Street frontages will implement the existing Official Plan policies on the lands directly opposite the rural estate lots on the north side of Teston Road.

Current Policy Framework

Provincial Policy Statement (PPS) 2005

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject applications were commenced on July 29, 2005 and therefore, are subject to the 2005 PPS. The PPS envisions efficient development patterns that optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, employment, parks and open space, and transportation choices that facilitate pedestrian mobility and other modes of travel.

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The “Building Strong Communities” policies of the PPS state that sufficient land shall be made available through intensification and redevelopment and, if necessary, designate growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time frame of up to 20 years.

In particular, the policies related to Managing and Directing Land Use, states that healthy, livable and safe communities are sustained by:

- accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs; and
- promoting cost-effective development standards to minimize land consumption and servicing costs.

The subject proposal will broaden the mix of residential uses in the area, which has been predominantly approved for low density residential development. It will also minimize land consumption and servicing costs as it allows more people to live in the area, which is already planned for urban growth.

The policies relating to Settlement Areas state that these areas shall be the focus of growth and that Planning authorities shall identify and promote opportunities for intensification and land use patterns within settlement areas, which shall be based on, in part, densities and a mix of land uses which:

- i) efficiently use land and resources; and
- ii) are appropriate for, and efficiently use infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.

The location of the proposed high-density designation is within a settlement area as defined by the PPS and located at the intersection of two urban corridors (Bathurst Street and Teston Road). The proposal makes efficient use of the land by increasing residential densities. The development will utilize infrastructure efficiently by using existing and planned roads and will tie into the planned servicing scheme for the area. The development is appropriate with respect to public service facilities as it is part of a larger development area (Block 12) for which facilities are being planned and will support public transit.

The settlement area policies also require that “new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities”. The location of the lands subject to the proposed high density development is within an Urban Village as established in the Vaughan Official Plan and is immediately adjacent to previously approved development.

The PPS also includes housing policies that require that Planning authorities provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area and promote compact form and a structure of nodes and corridors.

The high-density development will add to the housing types and density in the area. Infrastructure and public service facilities for this development will be provided as part of the larger development that is occurring within the concession block. The future residents will also help support public transit initiatives.

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The PPS transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus. The proposed high-density development will assist the municipality in achieving this goal. The location of the development at a major intersection will allow easy access for residents in any direction they wish to travel. Two future bus stops are proposed adjacent to the site, one each on Teston Road and Bathurst Street. The site is also located in relative proximity to the Maple GO Transit rail stations, thereby providing an alternative mode of transportation to the private vehicle.

In view of the above, the applications to amend the Official Plan and Zoning By-law to permit high-density residential uses on the subject lands are consistent with the policies of the PPS. The proposed development will broaden the mix of residential uses and promote an increase in transit ridership in this area, which has been predominantly approved for low-density residential development. In addition, the development form minimizes land consumption and servicing costs, and allows more people to live in the area already planned for urban growth.

Places to Grow - 2005

The Province released a second draft of the Places to Grow Plan in November 2005, which is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form and housing. The Plan envisages increasing intensification of the existing built-up area, with a focus on urban growth centres, intensification corridors, and major transit stations. Concentrating intensification in these areas provides for a focus for transit and infrastructure investment to support growth, and for building compact, transit-supportive communities in greenfields. The Plan requires that, by 2015, a minimum of 40% of all residential development occurs within the defined built-up area.

The proposed high-density development addresses these principles and policies through its location, compact development form and supporting a viable transit network.

The subject lands are located within a designated urban area of the City that is beginning to undergo development. The proposed development will complement the planned community by adding a mix of housing and further establish a pedestrian friendly community through the layout and design of the buildings and site. The increase in density will also contribute to the creation and maintenance of a transit-supportive environment.

The Draft Growth Plan states that “Strong, healthy, inclusive communities have a broad mix of housing types, tenure opportunities and price ranges available to meet the needs of all residents.” creation of a mix of housing types through intensification or through “more compact land-use patterns in Greenfield developments” can result in more attractive and livable communities.

The proposed development is a form of intensification, in that the application is for a density higher than that originally approved. The location of the site is ideal for intensification because of its access to arterial roads, public transit and existing and planned commercial uses. It will add to the mix of housing and represent a more compact form of development when compared to the approved development in the area. By virtue of the proposed density there will also be ample opportunity to provide a further layer of housing types, tenure and price ranges within the development block itself. The proposal is in accordance with the goals of intensification established in the Draft Growth Plan.

Intensification corridors are identified by the Growth Plan as locations that present an opportunity to accommodate growth. Intensification corridors are defined by the plan as “Lands along major roads or arterials that can provide a focus for higher density mixed-use development, higher order transit, and infrastructure investment”. The policies of the Growth Plan indicate that the

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intensification corridors will be planned “to have a diverse mix of land uses, including residential and employment uses” and will have “the existing and planned infrastructure capacity to accommodate projected increases in residents and jobs”.

The location of the proposed high density development is along two arterial roads, and therefore within an intensification corridor. This development will add to the mix of the land uses along each corridor and is within a developing area that will have an infrastructure that can accommodate the increased population.

One of the intentions of the Growth Plan is to “ensure that designated but not yet urbanized areas grow at transit-supportive densities, with transit-supportive street configurations”. These designated growth areas are a key component in the Growth Plan. The Plan notes that though lands outside of the built-up area will gradually be needed to accommodate new residents, development within the designated growth areas “will be significantly different than it is today.”

In view of the above, the applications to amend the Official Plan and Zoning By-law to permit high density residential uses on the subject lands are consistent with the Province’s draft Places to Grow policy document, by directing growth to built-up areas where the capacity exists to best accommodate the expected population, household and employment growth and promoting transit-supportive densities and a healthy mix of residential and employment land uses. It is noted that the final Places to Grow policy document has not yet been approved at this point in time.

Region of York Official Plan

The Region of York Official Plan is a broad based plan that establishes a set of policies that are intended to guide economic, environmental and community-building decisions affecting the use of land, to assist with the coordination of more detailed planning by the area municipalities.

One of the objectives of the Regional Official Plan with respect to housing is “to promote an integrated community structure and design that ensures a broad mix and range of lot sizes, unit sizes, and housing forms, types and tenures that will satisfy the needs of the Region’s residents and workers”.

The Regional Official Plan designates the subject lands as “Urban Area” and also identifies Bathurst Street and Teston Road as “Local Corridors”. The Plan encourages and promotes opportunities for higher densities, recognizing the functions of the corridors in linking centres and providing transit routes. Corridors should provide for a range of housing units, employment and services in a mixed use form that is transit supportive.

The proposed official plan amendment will assist in achieving all of these goals. The proposed high density residential development, in conjunction with the previously approved low density residential development on the applicant’s other lands and lands within Block 12, will provide a variety of dwelling types and sizes. The higher density will make more efficient use of services in the area, infrastructure and transit. The development represents a compact and efficient community, through its location, layout and design and also encourages pedestrian activity through the arrangement and design of the development.

In view of the above, the applications to amend the Official Plan and Zoning By-law to permit high-density residential uses are consistent with the objectives of the Regional Official Plan. The applications propose residential intensification along the designated corridors, makes efficient use of land and existing services, and provides for compact development that promotes transit supportive densities.

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City of Vaughan Official Plan (OPA #600)

OPA #600 is based on two major themes being environmental protection and compact and efficient urban form. Key policy elements supporting these themes include:

- encouraging an urban structure reflecting compact urban form;
- achieving a significant increase in public transit;
- encouraging transit friendly land uses and higher density development along major transportation corridors; and
- encouraging the provision of an adequate supply of housing with a mix of densities, unit types, costs and tenures.

The proposed high density development is consistent with the two major themes of OPA #600 respecting environmental protection and compact and efficient urban form. Existing environmental features will be protected and the development represents a compact urban form. It will increase the mix of housing supply at a strategic location at the intersection of two transportation corridors. In consideration of the site location on the two corridors, it is anticipated that the proposed high density development will encourage and increase transit ridership, which will assist in sustaining and improving demand for public transit.

Encouraging the viability of urban areas through residential intensification is one of the goals and objectives established by the Official Plan, with respect to housing. This can be accomplished through infill, redevelopment and conversions. The criteria that must be met include the availability of services, proximity to transit and compatibility with existing land uses. The applications directly address this goal. The intensification of the site meets the criteria of servicing, transit, and compatibility through its location and design. Services will be constructed for the residential community and transit (already exists) will be extended to this new area. The development concept takes into account the previously approved nearby low-density residential development by locating the tallest buildings away from these dwellings.

OPA #600 further deals with transportation related matters. The proposed development is anticipated to have its primary access from Lady Dolores Avenue and Torah Gate Road, as shown on Attachment #6. It is also noted that all primary roads should be considered potential transit routes. Public transportation that will service the communities within the City will include transit bus service opportunities on all arterial, collector and primary roads. Regional commuter bus and rail service will also be facilitated. The proposed high-density development will contribute to the viability of a local transit system, and will be served by the nearby regional rail service (GO Transit).

The location of the development at a major intersection means that both east-west and north-south transit lines will be accessible by residents of the proposed development, and will foster the transit linkages identified in the Official Plan.

Oak Ridges Moraine Conservation Plan

The subject lands are located within the "Settlement Area" designation on the Oak Ridges Moraine, and as a result of the submission of the Official Plan Amendment application after November 16, 2001, the applications are required to conform to the Settlement Area provisions of the Oak Ridges Moraine Conservation Plan (ORMCP). A conformity report was submitted and approved for the entire Block 12 area. It was approved with the understanding that if the block-plan remained the same (land uses, road pattern, etc.) that subsequent planning applications would not need individual ORM Conformity reports.

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Notwithstanding the current proposed official plan change, the subject lands are located greater than 120m away from a Key Natural Heritage Feature or a Hydrologically Sensitive Feature, with approved development intervening between any features and the proposed development and therefore, a Natural Heritage Evaluation/Hydrological Evaluation is not required by the ORMCP.

In addition, within the context of the ORMCP “Major Development” is considered to be development consisting of the creation of four or more lots; building(s) with GFA of 500m² or more; or the establishment of a major recreational use. Both the existing permitted “Neighbourhood Commercial” designation and the proposed “High Density Residential” would be considered “major development” and are treated equally within the context of the policy requirements of the ORMCP, which were addressed within the overall Block 12 ORM conformity report.

In light of the above, the Development Planning Department is satisfied that the requisite sections of the ORMCP have been addressed adequately within the context of the overall ORMCP Conformity Report, which was completed for the entire block plan.

Planning Considerations

Location as well as compatibility of surrounding land use considerations suggests that the proposed development for high density residential and neighbourhood commercial are complementary and appropriate for the subject lands. Recently, a number of applications proposing to increase the permitted density levels have been approved within the City of Vaughan:

- Bathurst & Centre Street – increased density from 150 units/ha to a density controlled by F.S.I of 2.7, and to a maximum building height of 18-22-storeys;
- density levels on a site within the Thornhill Vaughan Town Centre area have been increased from 150 units/ha to 283 units/ha with an F.S.I. of approximately 2.7, and building heights to a maximum of 22 storeys;
- lands located at the northeast corner of Jane Street and Rutherford Road were approved for high density development at 200 units/ha, 2.7 F.S.I., and 16-storeys in height;
- lands within the Steeles Avenue Corridor from Jane Street to Keele to be regulated by F.S.I. ranging from 1.0 to 3.0;
- lands located at the southeast corner of Dufferin Street and Major Mackenzie Drive were approved for high density residential development at 200uph, an F.S.I. of 2.7, and a maximum of 12-storeys; and
- the City is considering to permit an F.S.I. of 3.0 to 3.5, and maximum building heights of 8 to 12-storeys in the Carrville District Centre.

The proposed residential density and building height is consistent with other approved high-density residential developments.

The various Neighbourhood Centres designated within OPA #600 are primarily located at a key arterial road intersection in greenfield areas surrounded by relatively recently constructed or planned lower density development. The neighbourhood centres that have developed to date have largely developed as commercial centres to serve the surrounding low density neighbourhoods.

Review of existing provincial, regional and local policy context indicates the proposed high-density development is appropriate in terms of location, form and density and responds to matters such as providing for a range/mix of residential uses and promoting transit supportive uses.

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The York Region Official Plan includes goals and policies that promote a mix of housing types, supports compact communities and establishes corridors to link urban centres. The proposed high density development will add to the mix of housing and assist to establish a compact and efficient community.

The Provincial Policy Statement includes policies that are similar in nature to the Region's and City's respective Official Plans. The PPS includes policies requiring a mix of residential uses that promote cost-effective development standards to minimize land consumption. Development is to be directed to settlement areas and land use patterns and densities that support public transit are promoted. The proposed development satisfies these policies.

The Draft Growth Plan for the Greater Golden Horseshoe further establishes the principles of compact communities that provide a choice in housing and transportation. The density and location of the proposed development meets these principles.

The introduction of a higher density residential land use for the subject lands achieves the objectives of the provincial, regional and city policies by creating more compact and concentrated development patterns that make efficient use of land, infrastructure and supports public transit.

Given the site's orientation to Bathurst Street and Teston Road, the minimal impact on soft and hard services and the transit supportive nature of the proposal the high density residential land use is considered to be appropriate and represents good planning for the subject lands.

Transit

The proposed development and associated density is transit supportive. The site is located immediately adjacent to two Regional arterial roads that are designed to accommodate public transit. At the present time, the site is serviced by two York Regional transit and one Toronto Transit Commission (TTC) route. Routes 83 and 90 are operated by the Region of York. Route 83 is a local service route with connection to the Yonge Street Viva line and Route 90 provides a connection to the Yonge Street Viva Line and direct connection to the Don Mills transit station. Route 88 is operated by the TTC and provides direct connection to the Finch Avenue subway station and the Thornhill transit station.

Major Mackenzie Drive provides an east/west service with the subject site being located in relatively close proximity to the Richmond Hill and Maple Go Station and the Yonge Street VIVA corridor. Dufferin Street provides a north/south service to the Downsview Go Station via the TTC.

Currently, there are no transit stops on Teston Road, however, in the future, stops will be implemented as this area begins to develop. The proposed Community Plan also identifies that six (6) transit stops will be added along Teston Road, west of the subject lands, thereby serving the subject site.

Urban Design

The Owner has submitted Urban Design Guidelines for the proposed high-density residential buildings intended to create a distinct character for the development, while achieving the following objectives:

- i) supporting the collective positive image of the community;
- ii) supporting the streetscape image through site planning, architecture and landscaping; and,
- iii) integrating with adjacent buildings through complementary detailing, materials and colours.

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The Guidelines encourage, when possible that buildings be located close to the street lines of their sites, be oriented to maintain significant street frontage and address any street intersections. In addition, high density building forms shall be compatible with and complementary to architecture of adjacent low-density buildings.

The Guidelines require that where an individual site is to be developed with more than one building, the collective architectural composition of the buildings must be considered appropriately, in terms of: massing, roof lines, street relationships, and visual impact on adjacent low rise housing. The design of facades are to be articulated to provide relief and visual definition through the expression of cornices and other architectural elements and details. Wall materials shall be consistent in their uses and shall not change from front to back. Due to the complete visibility of these buildings they must always be seen in three-dimensional terms. Building entrances should be clearly articulated and visible, with pedestrian walkway connections to the street, and designated vehicular drop-off areas.

Pedestrian connections are to be provided to transit stops, adjacent public open space, and sidewalks using hard surface material (other than asphalt). Emphasis is placed on enhancement of these connections with landscape materials and colours, which help to provide a distinct entry and front yard treatment. All garbage storage and loading service are to be screened from adjacent residential or public lands by the strategic placement of buildings, architectural screens and/or landscaping. Where only soft landscape materials are used for screening, they will be designed to maintain a year-round effect, and include a dominant evergreen component.

All other relevant sections of the Block 12 Community Urban Design Guidelines (May 2005) are applicable to the design of high-density residential buildings. The Block 12 community Architectural Design Guidelines (May 2005) will need to be amended to include the high-density residential buildings.

Department /Agency Comments

Region of York Planning Department

The Region of York has advised that they have no objection to identifying additional locations for high-density residential development within the City, provided that the intent of the planned urban structure set out by OPA #600 is maintained. The Region therefore, has no objection in principle to the proposed amendment.

Vaughan Engineering Department

Servicing

- i) Water and sanitary servicing capacity is not available to service this proposal and must be identified and allocated by Council. A Site Servicing Plan is to be submitted at the Site Plan stage. If approved, the lands will be zoned with the Holding Symbol (H), which will be lifted upon City of Vaughan and Region of York confirming that adequate water supply and sewage treatment capacity are available to accommodate the proposed development and have been allocated thereto through Council resolution.
- ii) Transportation/Traffic

A Traffic Impact Study prepared by Poulos Chung has been submitted in support of the subject applications. Poulos Chung also undertook the original transportation work for the Block 12 Planning Area on behalf of the landowners group. Poulos Chung has reviewed the land-use planning proposal as it relates to the existing/planned transportation system and has advised that the proposed development can be

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accommodated by the planned road network with no physical improvements. The Engineering Department concurs with the findings of the consultant's report subject to final approval from the Region of York.

The study reviewed the collector roads bounding the site, and the entrances that provide access to the site, as well as, the critical arterial boundary road intersections. It concluded that the proposed change in land use designations to permit a high density residential development with a gas bar and minor retail/ commercial uses does not cause an adverse impact onto the proposed roadway network for the horizon year 2009.

The analysis demonstrates that the vehicle generation and distribution characteristics resulting from the proposed high density land use form is not materially different when compared to the former designation permitting approximately 12,077m² of retail commercial uses.

The report further concludes that entrances within the community will operate at very good levels of service. In effect, this area of the Block 12 community is isolated and as a result, vehicle movements on all roads within this community area are quite low.

The resultant magnitude of vehicle trip making does not necessitate any change to the design of the internal road network, pavement widths and intersection lane configurations. All vehicle demands can be satisfactorily accommodated with the approved road plan contained in the site plan for this community area.

The Bathurst Street and Teston Road intersection shows a slight decrease in the overall level of service, but is still very good for an urban environment. The most significant turning movement in the roadway A.M. peak hour continues to be the west to south left turn. Although development traffic is not part of this flow, the balancing of signal phases has led to a slight degradation in the volume to capacity ratio for this turning movement. Monitoring and adjustment of signal times could benefit this condition or some of the vehicle trips could find it more convenient to continue onto Dufferin Street before turning to go south.

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 Official Plan and Zoning By-law Amendment applications to redesignate the subject lands from "Neighbourhood Commercial Centre" and "Low Density Residential" to "High Density Residential" and "Neighbourhood Commercial Centre"; and rezone the property from C4(H) Neighbourhood Commercial Zone with the Holding Symbol (H) to RA3(H) Apartment Residential Zone and C4(H) Neighbourhood Commercial Zone each with the Holding Symbol (H). The applications are consistent with the Provincial, Regional, and City policy context, and compatible with the surrounding area context in terms of existing land uses and built form. The proposal to redesignate and rezone the subject lands to facilitate high density residential development, commercial uses and a gas bar and car wash is appropriate in terms of location, form and density and responds to matters such as providing for a range/mix of residential uses and promoting transit supportive densities.

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In light of the above, the Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment Applications, together with the Holding Symbol (H) that will be applied to the rezoning of the subject lands. The Holding Symbol (H) will be removed upon servicing capacity being allocated to the various phases of this development and site plan approval.

Attachments

1. Location Map
2. Proposed Official Plan Designations
3. Proposed Zoning
4. Approved Draft Plan of Subdivision 19T-99V08
5. Block 12 Plan - Community Plan
6. Conceptual Site Plan
7. Elevation Rendering

Report prepared by:

Margaret Holyday, Planner, ext. 8216
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

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

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Item 16, Report No. 25, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on May 8, 2006, was dealt with by approving:

That this matter be referred to the Committee of the Whole meeting of May 15, 2006.

16 **KLEINBURG CORE AREA POLICY REVIEW**
OFFICIAL PLAN AMENDMENT FILE OP.06.004
ZONING AMENDMENT FILE Z.06.012
AMENDMENT TO OPA No. 601 (KLEINBURG NASHVILLE COMMUNITY PLAN) AND
AMENDMENT TO CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW 1-88
(Revised Item)

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006, be approved;
- 2) That the following be approved in accordance with the memorandum from the Commissioner of Planning, dated April 25, 2006:

“That Item #16 in the Committee of the Whole May 1, 2006 Agenda BE REPLACED with the attached revised Item that reflects accurate reference to the attachments in the report.”; and
- 3) That the following deputations and written submission be received:
 - a) Mr. Ian Mitchell, P.O. Box 219, Kleinburg, L0J 1C0;
 - b) Mr. Yurij Michael Pelech, Senior Planner, EMC Group Limited, 7577 Keele Street, Suite 200, Vaughan, L4K 4X3, on behalf of Enza Realty Limited, and written submission dated April 24, 2006;
 - c) Mr. G. Robert Klein, Kleinburg and Area Ratepayers Association, 8 Daleview Court, Kleinburg, L0J 1C0; and
 - d) Mr. Frank Greco, 10504 Islington Avenue, Box 772, Kleinburg, L0J 1C0, on behalf of Heritage Hill.

Further, the Committee of the Whole recommends:

That a Phase II be considered by staff for inclusion in the Streetscape Master Plan to address Islington Avenue north of Major Mackenzie Drive to Highway 27.

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.06.004 (Kleinburg Core Area Policy Review) BE APPROVED as follows:
 - a) That the implementing Official Plan Amendment:
 - i) amend Schedule “A” and add a Schedule “A1” to OPA No. 601 to redesignate the lands shown on Attachment 3 to this report from “Kleinburg Core Area” to “Mainstreet Commercial”;
 - ii) incorporate new policies for the “Mainstreet Commercial” designation, including policies with respect to appropriate scale, massing and built form, and permitted uses;

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- iii) incorporate revised policies with respect to permitted uses within the “Kleinburg Core Area” designation;
 - iv) add Schedule “B” to OPA No. 601, to identify the boundary of the Kleinburg-Nashville Heritage Conservation District as shown on Attachment 4 to this report;
 - v) incorporate recommendations and policies contained in the Kleinburg-Nashville Heritage Conservation District Study and Plan;
 - vi) incorporate policies related to Section 40 of the Planning Act (Cash-in-lieu of Parking), which will address agreement(s) exempting owners from the requirement to provide parking, within the “Mainstreet Commercial” designation.
2. THAT Zoning By-law Amendment File Z.06.012 (Kleinburg Core Area Policy Review) BE APPROVED as follows:
- a) That the implementing Zoning By-law:
 - i) rezone lands from C1 Restricted Commercial Zone, C3 Local Commercial Zone, C6 Highway Commercial Zone, and R1 Residential Zone to C11 Mainstreet Commercial Zone, as shown on Attachment 5 to this report;
 - ii) incorporate the new C11 Mainstreet Commercial Zone into By-law 1-88, together with permitted uses and zone requirements, and provisions respecting undersized lots, existing buildings, access from flanking streets, location of parking areas, patios, and use of basements/cellars, as set-out in this report;
 - iii) incorporate definitions for a Bed and Breakfast Establishment, Mixed Use Development Mainstreet, and a Studio into By-law 1-88;
 - iv) establish minimum parking requirements for a Bed and Breakfast Establishment and a Studio and incorporate them into the Comprehensive Zoning By-law 1-88;
 - v) delete or revise where necessary, the site specific zoning exception paragraphs contained in By-law 1-88 for lots within the C11 Mainstreet Commercial Zone to reflect the new zone requirements and provisions.
3. THAT the following additional initiatives for Kleinburg be undertaken by the appropriate City Department(s), in consultation with the Policy Planning/Urban Design Department, and report back to Council with terms of reference and budget implications for (a), (b), (c) and (d) and recommendations for (e) and (f):
- a) An Economic Development Strategy to be undertaken by the Economic/Technology Development Department;
 - b) A Streetscape Master Plan to be undertaken by the Development Planning Department;
 - c) A Tree Inventory/Preservation By-law to be undertaken by the Parks and Forestry Operations Department and the Development Planning Department;
 - d) A City wide review of parking standards to be undertaken by the Policy Planning / Urban Design Department;
 - e) The Cash-in-Lieu of Parking for Kleinburg report undertaken by the Policy Planning / Urban Design Department be acted upon;
 - f) A review of the Sign By-law as it relates to the Special Sign Districts (Heritage areas) is to be undertaken by a committee/task force of staff from the Building Standards, Recreation & Culture, Policy Planning / Urban Design and Development Planning Departments.

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Economic Impact

The implementation of recommendations from the Kleinburg Core Area Review can provide additional business opportunities that are in keeping with and enhance the Heritage/Tourism context of the area. Should Council wish to pursue any or all of the recommended additional initiatives for Kleinburg, including an economic development strategy, a streetscape master plan, tree survey and preservation by-law, sign bylaw review, and cash-in-lieu of parking, additional funding may be required.

Purpose

The purpose of amending OPA No. 601(Kleinburg–Nashville Community Plan) is:

- 1) to incorporate recommendations and policies contained in the Kleinburg-Nashville Heritage Conservation District Study and Plan, as adopted by By-law No. 183-2003 as amended by By-law 268-2003, into OPA No. 601;
- 2) to provide appropriate policies with respect to massing, scale, built form and uses; and
- 3) to redesignate portions of the Kleinburg Core Area to Mainstreet Commercial.

The purpose of amending the Comprehensive Zoning By-law 1-88 is:

- 1) to rezone lands from C1 Restricted Commercial Zone, C3 Local Commercial Zone, C6 Highway Commercial Zone and R1 Residential Zone to C11 Mainstreet Commercial Zone; and
- 2) provide appropriate zoning and development standards to implement the policies recommended in the Kleinburg Core Area Policy Review (Draft OPA No. 633).

Background – Analysis and Options

Background

On April 19, 2004 Council directed staff to undertake a land use planning study for the Kleinburg Core Area and provide Terms of Reference for that study. The Terms of Reference were subsequently prepared and approved at the June 28, 2004 Committee of the Whole Meeting. Ted Davidson Consultant Inc. was selected to undertake the review in the Spring of 2005.

The goal of the study was to review the policies within OPA No. 601 “to determine how they could be improved to implement an appropriate scale and character of permitted ‘Mainstreet commercial’ uses/buildings in order to protect the historical character of the Kleinburg Core Area.”

The objectives of the study as presented in the Terms of Reference were:

“...To ensure the outcome of the study are compatible with the scale and massing addressed within the Kleinburg Nashville-Heritage Conservation District Plan and Study, as adopted by By-law No. 183-2003.

To review OPA No. 601 with respect to development standards for permitted ‘Mainstreet Commercial’ land uses on Islington Avenue And Nashville Road, including mixed use and multiple family residential development; and

To identify appropriate planning instruments / means of implementing the findings and recommendations pursuant to the Planning Act;”

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An Interim Control By-law was adopted on June 28, 2004 and renewed on June 15, 2005. The purpose of these By-laws was to provide the City with the opportunity to undertake the above study in an environment free from development pressures while preserving the character of the village. The Interim Control By-law is scheduled to lapse on June 15, 2006.

As part of the review, the consultant and City staff met with the Kleinburg Area Ratepayer's Association twice, the Business Improvement Association twice, Heritage Vaughan twice and presented to a community meeting prior to the public hearing. In addition to these meetings, multiple conversations and meetings were held between City Staff and various concerned members of the community.

The Public Hearing was held on February 20, 2006. The consultant's report and an outline of the proposed amendments to the Official Plan and Zoning By-law 1-88 were made available to the public on January 31, 2006. At the Public Hearing, Council directed staff to consult with the McMichael Canadian Art Collection. Further to this direction, staff provided a copy of the consultant's report to the McMichael Canadian Art Collection and have considered the comments received from the McMichael Canadian Art Collection during the preparation of this report and associated By-laws. The proposed amendments to OPA No. 601 - The Kleinburg-Nashville Community Plan and the Zoning By-law presented herein are based on the findings and recommendations contained within the consultant's report.

Site Description

The study area is generally those lands associated with the Kleinburg Core Area designation contained within OPA No. 601 - The Kleinburg-Nashville Community Plan and further refined in the Terms of Reference for the Kleinburg Core Area Policy Review (Attachment 2). The proposed changes will affect properties within the "Kleinburg Core Area" as presented in OPA No. 601 and lands within the Kleinburg-Nashville Heritage Conservation District. These changes will affect properties located primarily along Islington Avenue between the McMichael Canadian Art Collection and Highway 27, the lands fronting onto Nashville Road between Islington Avenue and Highway 27.

The lands within the study area consist of a mix of tablelands and valleylands. A complete description of the topography and history of the community is available in the Kleinburg-Nashville Heritage Conservation District Study and Plan.

Land Use Status

OPA No. 601 - The Kleinburg-Nashville Community Plan designates the lands as "Core Area".

The majority of land within the proposed "Core Area" designation are currently subject to site specific zoning amendments for various commercial uses and existing single family residential dwelling units. Lands within the Core Area are currently zoned C1 Restricted Commercial Zone, C3 Local Commercial Zone, C6 Highway Commercial Zone, R1 Residential Zone and OS1 Open Space Conservation Zone.

Analysis and Options

Official Plan Amendment 633 – Kleinburg Core Area Policy Review

Items Presented in Public Hearing Report

Contained within the Public Hearing Report (Report 11, Item 5) Staff outlined the following recommended changes to OPA No. 601:

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1. OPA No. 601 preceded the Kleinburg Nashville Heritage Conservation District Study and Plan. Within OPA No. 601 there are references and guidance that the Heritage Conservation District Study and Plan should be prepared. As the Heritage Conservation District Study and Plan have been completed and adopted by Council, the consultant has recommended that OPA No. 601 be amended to incorporate the policy recommendations contained within the Study and Plan. In order to empower comprehensive development standards in an implementing zoning by-law, policies and development criteria contained within OPA No. 601 requires revision. The recommended revisions will include new standards that are reflective of the intent of the Kleinburg-Nashville Heritage Conservation District Study and Plan.
- 2) The consultant has recommended that the role of Heritage Vaughan be more clearly explained in the development review process for Kleinburg.
- 3) The consultant has recommended that the current “Core Area” designation be further refined to distinguish between the residential “back streets” and the “mainstreet commercial area” associated with Islington Avenue. This would provide a policy framework that would more clearly define the residential and commercial areas and the permitted uses in each designation.

Issues Identified By Public

At the public hearing and through correspondence members of the public expressed various concerns related to the proposed OPA No. 633. These concerns can be characterized into three broad themes:

- 1) Boundary of the Mainstreet Commercial Designation;
- 2) Permitted Uses; and
- 3) Other studies and “Next Steps” recommended by OPA No. 601.

These concerns were considered during the comprehensive review and analysis of the consultant’s report and are reflected in the suggested amendments to OPA No. 601.

Review and Analysis of Proposed Amendments to OPA No. 601

The consultant’s report and recommended wording for the proposed amendments were prepared in cooperation with staff and reviewed by staff prior to its release to the public. The consultant’s report indicated Sections where no changes are required and Sections where changes, revisions and additions are recommended. Having worked with the consultant to develop the policies contained within the Kleinburg Core Area Policy Review, staff generally agrees with the content of the report and recommended amendments. However, in order to ensure the ability to implement the items presented and to ensure compatibility with other City policies and to incorporate the comments from the public and Council, a detailed analysis of items presented and recommendations are contained within this report. Due to existing wording contained within OPA No. 601 - The Kleinburg-Nashville Community Plan and accepted practices, some of the language proposed by the consultant has been revised. The consultant agrees with these revisions as they do not change the intent of the study.

1) Recurring Themes

Many of the proposed amendments to OPA No. 601 - Kleinburg-Nashville Community Plan contain recurring themes and language are related to the following items:

- a) Recognition of the Kleinburg-Nashville Heritage Conservation District Plan;

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- b) Creation of development standards to integrate the policies contained within the Kleinburg-Nashville Heritage Conservation District Plan into OPA No. 601 and Zoning By-law 1-88 for consideration during development approval; and
- c) Standards and policies related to the scale, massing and landscape for new buildings, the adaptive reuse of existing buildings and for additions to existing buildings.

2) Section 3.0 Goals

The purpose of Section 3.0 and its associated subsections is to establish the general philosophy of OPA No. 601 – Kleinburg-Nashville Community Plan and underlying framework on which the policies of OPA No. 601 were developed.

The proposed amendments to Section 3.0 provide a formal recognition of the relationship between the Kleinburg-Nashville Heritage Conservation District Plan Study and Plan and OPA No. 601 and the importance of this relationship when considering development in Kleinburg. The formal connection of the documents to one another will enable Staff and the public to have a greater understanding of the relationship between the Heritage Conservation District Plan, the Official Plan, Zoning and development applications. Having reviewed this item and comments received from the public and other Departments, staff is able to support the consultant's recommendation to include reference to the Heritage Conservation District Study and Plan.

3) Section 3.5 Core Areas and Commercial Growth / Section 3.6 Residential Areas / Neighbourhoods / Section 3.7 Heritage

The proposed changes to these Sections of OPA No. 601 are required in order to recognize that items proposed in OPA No. 601 have occurred and should be formally recognized and integrated into OPA No. 633. Specifically, OPA No. 601 empowered the City to undertake the preparation of a Heritage Conservation District Study and Plan. The Study and Plan was undertaken and adopted by Council in June 2003. (By-law No. 183-2003 as amended by 268-2003) The Kleinburg-Nashville Heritage Conservation District Plan contains policies and design guidelines that must be considered when reviewing development applications.

4) Section 4.4 Core Areas

The purpose of the revisions to Section 4.4 is to identify and refine by redesignation, the "mainstreet commercial" area that is currently described but not shown in OPA No. 601.

During the preparation of the OPA 633 Kleinburg Core Area Policy Review and the various rounds of public consultation this boundary changed multiple times. The reason for these changes is due to input received from the public and analysis undertaken by the consultant and staff. Ultimately, the boundary was decided upon based on consideration of the following items:

- a) the description of the "mainstreet commercial area" in OPA No. 601 - The Kleinburg-Nashville Community Plan;
- b) the location of the majority of existing commercial development in Kleinburg;
- c) existing zoning;
- d) existing land use patterns;
- e) the boundary of the Improvement Area as defined in By-law 169-84; and
- f) input from Kleinburg Area Ratepayers Association and the Kleinburg Business Improvement Association.

OPA No. 601 provides a general description of the area along Islington Avenue, Nashville Road and Stegman's Mill Road to be appropriate for "mainstreet commercial" type uses. OPA No. 601 distinguishes between "village" residential uses and the "commercial uses" but fails to graphically

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distinguish between the areas. The creation of the “Mainstreet Commercial” designation, as proposed by OPA No. 633, incorporates existing policies into the decision making framework in a manner that is easy to explain and identify.

In preparing OPA No. 633- The Kleinburg Core Area Policy Review, existing land uses and the site specific amendments to the City’s Zoning By-law, 1-88 were reviewed and compared. This review found there to be 29 site specific amendments to the Zoning By-law and one amendment to OPA No. 601 – The Kleinburg Nashville Community Plan. Of these approximately 29 amendments to the Zoning By-law, 21 are for commercial uses, with 18 of these amendments located on Islington Avenue between Nashville Road and Stegman’s Mill Road. This high concentration of commercial and mixed use buildings in this area differentiates it from other areas with the Kleinburg Core Area as described in OPA No. 601 - The Kleinburg-Nashville Community Plan. The proposed boundary reflects the extent of current commercial uses and provides for additional lands, contiguous to existing commercial development to be rezoned in the future. The commercial use of lands outside this designation would require an amendment to the Official Plan and Zoning By-law. During the public consultation process, it was requested that policies be included in OPA No. 633 that outline the requirements and conditions required to expand the “Mainstreet Commercial” designation. These conditions and requirements include items such as planning justification and heritage reports.

As Kleinburg is a designated Improvement Area (By-law 169-84), and the purpose of this improvement area is “the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the improvement area.....and the promotion and advertising of the improvement area as a business, tourist or shopping area”, it is logical that the proposed commercial designation generally be applied to properties within the improvement area. While all of the properties within the proposed “Mainstreet Commercial” designation are not currently in the Improvement Area, they share other traits that warrant their inclusion in this designation. Based on the review of existing land uses and the boundary of the proposed “Mainstreet Commercial” designation, it may be advisable to amend By-law No. 169-84 to better reflect current commercial conditions.

The proposed location of the boundary has been determined based upon the above noted items and a general consensus between KARA and the BIA and consultation with the McMichael Canadian Art Collection. This agreement on the boundary by these groups aids in establishing the legitimacy of the proposed boundary as it reflects the main stakeholder groups’ objectives.

Having defined the boundary of the “Mainstreet Commercial” designation in OPA No. 633 policies have been recommended with respect to appropriate permitted uses and the development of lands. The policies contained within Section 4.4.2.2 address items such as future studies, scale and massing, empowering the zoning by-law, to regulate appropriate items, land division, the future expansion of the “Mainstreet Commercial” designation and appropriate uses within the Mainstreet Commercial and Kleinburg Core Area designations. These proposed policies consider and reflect the policies and guidelines established by the Kleinburg-Nashville Heritage Conservation District Plan.

5) Section 4.7 Urban Design

Amendments to Section 4.7 Urban Design are proposed. The purpose of these amendments is to clarify the existing polices with respect to scale and massing and formally recognize the guidelines contained within the Kleinburg-Nashville Heritage Conservation District Study and Plan.

Similar to Section 4.7.1 Objectives, there are proposed amendments to Section 4.7.4 Strategic Sites. The proposed amendment will incorporate the importance of these sites and recognize the proposed “Mainstreet Commercial” designation. The proposed amendment speaks to the importance of design and defining Kleinburg as a special place in Vaughan.

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The purpose of the revisions to Section 4.7.6 Kleinburg-Nashville Core Areas, including the Mainstreet Commercial designation is to incorporate the proposed “Mainstreet Commercial” designation into the existing policies and to empower the Zoning By-law.

The purpose of Section 4.7.6.7 Built Form is to provide guidance with respect to the construction of new buildings with respect to compatibility, height, architecture and building entrances. It is proposed to revise Section 4.7.6.7 in order to provide greater regulation of commercial uses, empower the implementing zoning by-law and to minimize the potential for conflict between uses. These revised policies will aid in maintaining a pedestrian friendly environment by limiting below grade development and promote siting and accesses that relate to the main streets.

Due to concerns raised related to the provision of parking and to empower the use of Section 40 of the Planning Act to collect cash-in-lieu of parking, various amendments are proposed to Section 4.7.6.8 Parking and Service Areas. As with all of the recommended amendments, the purpose of the proposed amendments to Section 4.7.6.8 is to improve the landscape by limiting the location of parking areas to side and rear yards and to empower the use of Section 40 of the Planning Act to collect cash-in-lieu of on-site parking. A detailed report has been prepared on cash-in-lieu of parking and has been presented to Council for consideration. The report provides a framework for calculating the levy and establishes a preferred decision making process for the levy’s collection.

Amendments to Section 4.7.6.9 Signage have been included in OPA No. 633 to better regulate signage. These amendments consist primarily of ensuring that the City’s Sign By-law reflects the design guidelines in the Kleinburg-Nashville Heritage Conservation District Study and Plan. This item will require additional work be undertaken by the Recreation & Culture Department and the Policy Planning / Urban Design Department.

The proposed amendments to the Urban Design Section of OPA No. 601 will implement the findings and guidelines contained within the Kleinburg-Nashville Heritage Conservation District Study and Plan, provide guidance for the establishment of provisions for uses within the Mainstreet Commercial designation and empower Section 40 of the Planning Act with respect to cash-in-lieu of parking.

6) Section 4.9 Heritage Conservation

It is proposed that Section 4.9 Heritage be deleted in its entirety and that it be replaced with a comprehensive set of polices. The proposed policies consist of the following items:

- 4.9.1 Introduction
- 4.9.2 Objectives
- 4.9.3 Heritage Vaughan (Municipal Heritage Advisory Committee formerly L.A.C.A.C.)
- 4.9.4 Listing of Buildings of Architectural and Historical Value
- 4.9.5 Heritage Conservation District Designation
- 4.9.6 Signage
- 4.9.7 Retention/Relocation/Demolition of Heritage Buildings
- 4.9.8 Pioneer Cemeteries
- 4.9.9 Archaeological Resources
- 4.9.10 Vegetation
- 4.9.11 Funding and Advocacy

The proposed policies provide detailed items to consider when reviewing development applications within the Kleinburg-Nashville Heritage Conservation District. These sections build upon and strengthen the Kleinburg-Nashville Heritage Conservation Plan and Study by incorporating the Study’s findings and the Plan’s guidelines directly into OPA No. 601. These findings and guidelines are further strengthened by additional objectives and policies related to

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each of the specific highlighted topics. Staff from Cultural Services have reviewed the proposed amendment and generally concur with the recommended policies. Changes suggested by Cultural Services have been considered and incorporated into Section 4.9.

7) Section 5.3 Community Design Guidelines

Similar to the other amendments proposed, the purpose of amending Section 5.3.2 is to provide better linkages and formally recognize the contents of the Kleinburg-Nashville Heritage Conservation District Study and Plan.

Staff reviewed the proposed amendments to OPA No. 601 as presented by the consultant and considered the input received from the public through various meetings and the public hearing. Staff has also obtained input from other Departments. Based on these staff has made minor revisions to the consultant's report and included them in OPA No. 633 - The Kleinburg Core Area Review.

City of Vaughan Zoning By-law 1-88

In order to implement many of the changes proposed in OPA No. 633 - Kleinburg Core Area Review, amendments to the Zoning By-law are also required. The following provides analysis, response to comments and recommendations for items to be included in the implementing By-law.

Items Presented in Public Hearing Report

The following summation of the proposed changes was presented in the Public Hearing Report.

“The City's Comprehensive Zoning By-law 1-88, was prepared prior to OPA No. 601 and the Kleinburg-Nashville Heritage Conservation District Study and Plan. As a result, the commercial development standards and permitted uses within By-law 1-88 are not consistent with the policies and development standards contained within OPA No. 601 and the Kleinburg-Nashville Heritage Conservation District Study and Plan. The consultant recommends amendments to By-law 1-88 to provide a development framework that recognizes and preserves Kleinburg's unique character and landscape. Recommended changes include a new commercial zone category, standards related to height, parking, landscaping, yard setbacks, Floor Space Index and calculation of lot coverage. The new zone will provide for more appropriate uses than what is currently contained within By-law 1-88. The proposed Mainstreet Commercial (C11) zone would replace the existing C1, C3 and C6 zones within the Kleinburg Core and contain uses that are more in keeping with the policies in OPA No. 601 and the Kleinburg-Nashville Heritage Conservation District Study and Plan.”

Issues Identified at Public Hearing

Similar to the proposed amendments to the Official Plan, concerns raised by the public at the Public Hearing and through correspondence, can be summarized into three categories:

- a) Properties to be included within the C11 Mainstreet Commercial Zone;
- b) Permitted Uses; and
- c) Parking Standards

Review and Analysis of Proposed Amendments

The consultant, through his review of the City's Comprehensive Zoning By-law 1-88, recommended the creation a new zone called the MC1 – Mainstreet Commercial Zone. This .../10

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zone was subsequently changed to the C11 - Mainstreet Commercial Zone in order to conform to the City's naming and number of zones. The purpose of the C11 Zone is to implement the policies contained within OPA No. 601-The Kleinburg-Nashville Community Plan as amended by OPA No. 633. The new zone addresses items such as: permitted uses, location of uses in the building, building massing as defined by Floor Space Index and lot coverage, building height, building location on a lot (setbacks), parking and landscaping.

1) Definitions

In order to regulate permitted uses, it is first necessary to define them. Based on the recommended permitted uses within the C11 Mainstreet Commercial Zone, "bed and breakfast establishment", "mixed use development-mainstreet" and "studio" each require definitions. The definitions were developed based on definitions from other municipalities and a consideration for existing uses and language contained within Zoning By-law 1-88.

The purpose of the "bed and breakfast establishment" definition is to enable a use permitted by OPA No. 601 that has not been previously regulated in Kleinburg.

The purpose of the "mixed use development - mainstreet" definition is to permit development of new buildings that contain commercial uses at grade and residential uses on the upper storey(s). It also allows for the adaptive reuse of existing buildings permitting ground floor commercial and upper storey residential.

The purpose of the "studio" definition is to permit businesses to produce items typically associated with artists or skilled craftsman for sale in a retail space. The inclusion of this use within the C11 Mainstreet Commercial Zone will permit businesses such as pottery and stain glass studios to be established while limiting the ability for the establishment of a large scale manufacturer of items not typically associated with a "village" environment. This is accomplished by limiting the percentage of gross floor area dedicated to the production of goods on site (30%). Concern has been expressed about some types of uses and the impact they might have on a building. However, market conditions and other approvals (Building Code, Fire Code, Heritage Permit etc.) would prevent them from occurring or limit the impact of a potential noxious use on adjacent properties and the architectural integrity of the building in which it might be located.

2) Parking

During the Kleinburg Core Area Policy Review, the consultant was requested to examine the impact of parking on the landscape and the appropriateness of the current parking standards within a "village" environment. Based on the Poulos & Chung Limited (2003) study, the findings contained within the Kleinburg-Nashville Heritage Conservation District Plan and Study, review of other jurisdictions parking standards and discussions with City staff the consultant recommended that the parking standards contained within By-law No. 1-88 be reduced for uses permitted within the C11 Mainstreet Commercial Zone. The reason for this recommendation is that all previous studies indicate that the total number parking spaces available in Kleinburg is adequate to service the area. However, the location of the parking spaces may not be conveniently located. While staff participated in the preparation of the proposed parking standards, staff has since reviewed the recommendations related to adjusting the parking standards. Based on input received from the public and due to a lack of a current detailed parking assessment, it is recommended that the changes proposed in the Kleinburg Core Area Review with respect to parking standards not be implemented at this time. It is recommended that changes to the parking standards in Kleinburg as suggested by the consultant be noted and included in the proposed City-wide review of parking standards at a later date.

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While an overall review and creation of standards related to the provision of parking for existing defined uses is not included in the implementing Zoning By-law, it is necessary to include parking standards for new uses. Therefore, it has been recommended that the parking standard for a “bed and breakfast establishment” be “in addition to the requirements for a dwelling, single family detached 1 parking space for each bedroom used for the purpose of the bed and breakfast establishment”. This provision is consistent with the standards established in other municipalities that permit bed and breakfasts. For a “studio” the proposed standard is 4.5 parking spaces per 100 m² of Gross Floor Area. The rationale for this number is based on the description of the uses that compose a “studio” (retail as the primary use and production as an accessory use). As up to 30% of the GFA is permitted to be devoted to the production of goods, it is assumed that the number of parking spaces associated with a studio should be less than a retail establishment at 6 spaces per 100 square metres Gross Floor Area.

3) Bed and Breakfasts

As previously noted, OPA No. 601 - The Kleinburg-Nashville Community Plan permits bed and breakfasts to occur throughout the “Kleinburg Core Area” designation, but there are no corresponding zone provisions. The following are the recommended zone provisions to permit a “bed and breakfast” for lands zoned C11 Mainstreet Commercial Zone.

“5.1.9 Bed and Breakfast Establishment

No dwelling unit other than a single family detached dwelling shall be used for a bed and breakfast establishment and then only in accordance with a site plan approved by Council and the following provisions:

- a) The single family detached dwelling shall be owner occupied;
- b) Not more than three bedrooms within the dwelling unit shall be devoted for accommodation of guests.
- c) The use of accessory buildings for the lodging of guests or the operator shall not be permitted;
- d) Meals will be provided to registered guests only;
- e) Parking shall be provided in accordance with Section 3.8”

The development of these provisions was based on upon a review of other jurisdictions’ standards and the City’s standards for similar uses, primarily home occupations. The intent of these standards is to minimize nuisance while permitting the small scale use of detached single family residential units in the C11 Mainstreet Commercial Zone and provide a framework for landowners within the “Kleinburg Core Area” to apply for site specific zoning amendments to permit a bed and breakfast.

4) Establishing the “C11 – Mainstreet Commercial” Zone

The consultant has proposed that a new zone be created that recognizes the unique characteristics of Kleinburg. For the purposes of the Review, the zone was labeled the “MC1 Mainstreet Commercial Zone”. For consistency with By-law 1-88, it is proposed that the zone be called the “C11 Mainstreet Commercial Zone”. The purpose of this zone is to permit commercial, mixed and limited residential uses along Kleinburg’s main streets while recognizing and protecting the village character.

Within the proposed Mainstreet Commercial Designation there are approximately 46 properties. Of these 46 properties, 25 have site specific exceptions to By-law No. 1-88. The following is a summary of the current zoning in the Mainstreet Commercial designation of Kleinburg:

- 17 properties are zoned C1 Restricted Commercial Zone with exceptions;
- 6 properties are zoned C1 Restricted Commercial Zone with no exceptions;

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- 1 property is zoned C3 Local Commercial Zone with exceptions;
- 1 property is zoned C6 Highway Commercial Zone,
- 15 properties are zoned R1 Residential Zone with no exceptions.
- 4 properties are zoned R1 Residential Zone but permit commercial uses; and
- 2 properties have been granted exceptions to the R1 Residential Zone for residential development.

It is proposed that 21 of the 25 properties with exceptions be rezoned to C11 Mainstreet Commercial Zone. Some may have their exceptions modified to recognize the provisions of the C11 Zone. It is intended that exceptions that conform to the C11 Zone will be deleted and that the permitted uses will be increased. The proposed list of permitted uses will only have a direct impact on the six properties in the C1 Zone and one property in the C6 Zone by changing the uses permitted. With the exception of the property within the C6 zone, the uses that have been removed from the permitted list are not currently occurring in Kleinburg.

In providing a recommendation of the uses to be permitted in the C11 Mainstreet Commercial Zone, the consultant reviewed the existing zones in Kleinburg (C1, C3, C6, R1 and various site specific by-laws) and based his recommendation on a combination and modification of these zones. Staff generally concurs with the recommendation, however due to comments presented at the public hearing and requests received prior to the public hearing staff reviewed all commercial uses in By-law 1-88 for their suitability to be included in the C11 Mainstreet Commercial Zone as well as created a new definition for "studio". Attachment 1 provides a comparison of the number and type of uses permitted in existing zones (C1, C3, C6, and R1) within Kleinburg and the proposed C11 Mainstreet Commercial Zone. It should be noted that in addition to the uses permitted within each of these zones, some properties may have site specific exceptions that may either limit or enhance the uses and or standards within the zone category.

As previously mentioned in this report, the consultant stated it was not the intention of the review to remove or reduce the development options for existing properties within the Kleinburg Core Area. However, upon further review of permitted uses in the C1 Restricted Commercial Zone, C3 Local Commercial Zone and C6 Highway Commercial Zone, it was determined that some of the uses permitted in these zones do not comply with the intent of OPA No. 601 nor OPA No. 633 - and are clearly inappropriate for a "village mainstreet". These uses include all automotive uses, boating show room, club or health centre, funeral home, laboratory, place of entertainment, radio transmission establishment, service or repair shop and correctional or crisis care group home. For the most part these uses, if existing, are subject to site specific amendments to the Zoning By-law that will be carried forward with the new By-law.

It is the Department's opinion that the proposed list of permitted uses will contribute to a more vibrant and viable "Mainstreet Commercial" district in Kleinburg. The consultant has reviewed this list of permitted uses and concurs with the modifications staff has made by deleting some uses and adding others. See Attachment 1.

5) Establishing Development Standards for the C11 Mainstreet Commercial Zone

In addition to the permitted uses within a zone category, the standards to which properties are developed play an important role in defining, creating and reinforcing the character of a community. In order to develop these standards, an analysis of variances and amendments to the Zoning By-law was undertaken. Table 2 provides a summary of properties reviewed during the preparation of the zone provisions for the C11 Mainstreet Commercial Zone.

Based on the values in Table 2, a review of air photographs and site visits to Kleinburg, Table 1 compares the proposed development standards within the C11-Mainstreet Commercial Zone and the existing C1 Restricted Commercial Zone, C3 Local Commercial Zone, C6 Highway Commercial Zone and R1 Residential Zone.

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In addition to the typical zone provisions, special attention has been provided to ensure additional separation between commercial and residential uses. To accomplish this, it is proposed that new construction for commercial uses would be subject to setbacks from lands within residential zones. The rationale for the reduced sideyard setback requirement is to recognize and promote the preferred development option, adaptive reuse and to recognize the existing lotting and development pattern in Kleinburg. This is accomplished by adding a minimum rear yard and minimum interior sideyard setback from a Residential zone, whereas existing commercial zones have a single minimum separation from a residential zone that is not appropriate for Kleinburg.

The general philosophy of the standards within the C11 Mainstreet Commercial Zone is to promote a scale of development that recognizes and considers the historic land use patterns and development standards while permitting the adaptive reuse of existing buildings and construction of new buildings in a village context. This work was done in support of the purpose of the Kleinburg Policy Review as expressed by Council:

“To ensure the outcome of this study is compatible with the scale and massing addressed within the Kleinburg-Nashville Heritage Conservation District Plan;

To identify appropriate planning instruments / means of implementing the findings and recommendations pursuant to the Planning Act;”

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Table 1: Zone Provision Comparison

Provisions		Zone				
		C11	C1	C3	C6	R1
Permitted Use Category		Mainstreet Commercial	Restricted Commercial	Local Commercial	Highway Commercial	Single Family Detached Dwelling
Minimum Lot Frontage (m)		16.5	N/A	N/A	60	18
Minimum Lot Area, unless otherwise noted		742.5 m²	N/A	8100 m ² (maximum)	N/A	540 m ²
Yards (m)	Front (minimum)	2	9	11	15	7.5
	Front (maximum)	6	N/A	N/A	N/A	N/A
	Rear	15	15	15	15	7.5
	Interior Side	1.8	N/A	9	10	1.5
	Exterior side	4.5	9	11	15	4.5
Maximum Lot Coverage		30%	50%	33%	30%	35%
Minimum Lot Depth (m)		45	60	60	60	N/A
Maximum Building Height (m)		9.5	11	11	11	9.5
Maximum Gross Floor Area		0.6 times the area of the lot	N/A	1860m ²	N/A	N/A
Minimum Rear Yard Setback from a "R" Zone		15m	N/A	N/A	N/A	N/A
Minimum Interior Sideyard Setback from a "R" Zone		2.4 m	N/A	N/A	N/A	N/A
Minimum Setback from an "R" Zone to any building, structure, or open storage use		See above	13.5 m	9m	13.5	N/A

In his report, the consultant recommended that the minimum front yard setback be based on a floating average of the setback on adjacent lots. Due to the complexity of calculating and defining this average and because of various development options, it was decided that consistent minimums and maximums would be easier to interpret and implement. The current front yard setbacks in the various commercial zones in Kleinburg are based on standards that permit parking in front of the building and modern freestanding or pylon signs. This form of development is not appropriate in a village setting, such as Kleinburg, and does not promote the pedestrian environment desired by the Kleinburg Area Ratepayers Association (KARA) and the Kleinburg Business Improvement Association (BIA). The proposed maximum front yard setback standard will realistically prevent parking in front of buildings and aid in developing a more pedestrian friendly and interesting environment by permitting buildings to be closer to the street. The proposed minimum and maximum values are consistent with existing development in Kleinburg.

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Table 2: Development Review – Kleinburg Core Area

Municipal Address	Street	FSI	Lot Area m ²	Lot Frontage	Lot Depth	Building Area	Building Foot Print	Lot Coverage	Front Yard	Rear Yard	Side Yard 1	Side Yard 2
10360	Islington	0.55	4426	85	130	2425.0	862	0.36	11.0	35.0	2.6	5.4
10462/10472	Islington	1.22	3428	70	50	4182.2	1072	0.26	8.0	13.0	2.0	3.0
10522	Islington	0.11	891	16	35	101.6	104	0.12	4.7	8.0	1.5	1.5
10516	Islington	0.33	629	13	46	207.6	106	0.17	1.8	20.0	1.0	1.0
10512	Islington	0.56	596	13	53	333.8	172	0.29	2.7	94.0	0.0	4.6
10504	Islington	0.82	1708	28	60	1393.7	563	0.33	2.2	18.0	0.0	8.4
10496	Islington	0.20	919	20	72	186.6	177	0.19	4.2	38.0	4.1	1.5
10480	Islington	0.49	2848	60	50	1395.5	632	0.22	3.0	20.0	0.5	0.3
10432	Islington	0.11	2511	38	53	281.2	142	0.06	23.0	23.0	10.0	16.9
10535	Islington	0.17	943	27	34	155.6	154	0.16	6.1	7.5	5.6	0.0
10519	Islington	0.16	1179	23	53	183.9	188	0.16	6.0	32.0	1.6	6.0
10513	Islington	0.19	963	18	53	178.2	180	0.19	1.8	53.0	4.8	0.9
10503	Islington	0.10	1636	18	54	163.6	173	0.11	6.3	24.0	0.0	2.8
10473	Islington	0.26	937	18	52	243.6	141	0.15	2.0	29.0	8.6	0.1
10465	Islington	0.60	878	18	49	526.8	252	0.29	9.0	24.0	7.5	3.0
10459	Islington	0.34	931	18	54	316.5	156	0.17	18.0	12.0	5.5	4.3
10449	Islington	0.33	935	14	62	305.7	162	0.17	7.2	2.5	0.3	0.0
10435	Islington	0.26	1126	18	65	292.8	143	0.13	7.3	54.0	1.5	1.6
10429	Islington	0.13	1956	27	65	260.1	140	0.07	3.9	43.0	5.3	11.0
Mean		0.37	1490			601.3	290	0.17	0.4	28.6	3.5	
Median		0.26	953			251.9	172	0.17	6.0	24.0	1.8	

The maximum lot coverage and maximum floor area are related to one another. The regulation of these items will contribute directly to the future scale and massing of buildings in Kleinburg.

It is proposed that the calculation of maximum lot coverage and maximum floor area be based on the developable area of a lot. Due to the topography of lands within the Kleinburg Core Area and Mainstreet Commercial Designations there are many lots that contain valleyland. As the ability to develop valleylands is limited, they should not be used when calculating maximum lot coverage. By calculating lot coverage and maximum building area only on the developable portion of the property, any new development should be of a scale that is compatible with the existing built form of Kleinburg.

The proposed maximum lot coverage and maximum floor area of a building also considers and reflects existing development patterns of various eras. In Kleinburg, the typical built form is a two storey building. Therefore, it is logical that the maximum building area on a site be twice the maximum lot coverage. The proposed Maximum Lot Coverage and Maximum Building Area were determined based upon a review of the properties examined in Table 2. The review of values was supplemented by site visits and discussion with KARA and the BIA. It was determined that the new development located at 10465 Islington Avenue (Here's My Baby) was felt by most people to be a suitable scale of development in Kleinburg. This property has a Floor Space Index (FSI) of approximately 0.6 and a lot coverage of approximately 29%. Based on the general acceptance of this building and the recognition that additions may be a suitable form of intensification, it is recommended that the values of 30% for lot coverage and 0.6 for maximum floor area are appropriate for Kleinburg for development by right. While 0.6 is less than the one times lot coverage permitted in OPA No. 601, it does not preclude the construction of a building with a higher lot coverage ratio than 0.6. To construct a building or buildings on a site with a

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higher value, a variance would be required. When applying for the required variance, a detailed review of site conditions and the design characteristics of any proposed building would occur and be considered.

In order to provide for a separation between commercial and residential uses and to preserve the natural features which define Kleinburg, it is proposed to increase the required setback between new buildings and additions in the C11 Mainstreet Commercial Zone and properties zoned R1 Residential Zone.

In addition to the typical development standards expected in a zoning by-law, the consultant has recommended a series of development standards that are specific to the C11 Mainstreet Commercial Zone. These standards include existing lots of record, landscaping, expansion and additions to existing buildings, vehicular access from side streets to commercial uses, regulation of main floor uses and the permitted location of parking spaces. As with the typical development standards proposed for the C11 Mainstreet Commercial Zone, the purpose of each of these provisions is to reinforce and enhance the village character of existing development.

6) Exceptions

The intent of the proposed amendments to the Zoning By-law is not to modify any existing site specific zoning amendments in a manner that removes or reduces property rights from existing developments and uses. The consultant has proposed that all existing amendments will be brought forward and that they will be revised to reflect that the properties are now in the C11 Mainstreet Commercial Zone. While this would not change the status of a property with respect to uses and development standards, it is staff's opinion that it is appropriate, in certain situations, to amend the existing exceptions related to permitted uses to allow all uses permitted in the C11 Mainstreet Commercial Zone. The reason for this modification to the consultant's recommendation is there are multiple properties where the uses permitted are highly restrictive and do not reflect the current economic reality as expressed by the business community in Kleinburg.

Additional Items for Consideration

Further to the consultant's work staff considered additional items. This includes the boundary of the C11-Mainstreet Commercial Zone and the potential for the creation of non-conforming uses.

The proposed boundary of the C11 Zone differs from what was presented at the public hearing. Specifically, the map prepared by the consultant showed 10443 and 10447 Islington Avenue as being zoned C11 Mainstreet Commercial Zone. The current use of these properties is residential. In order to ensure that all required permits and approvals are granted prior to the potential use of the buildings for commercial uses, it is proposed that these properties maintain their present "R1 Residential Zone".

Another difference between the consultant's proposed boundary of the C11 Mainstreet Commercial Zone and what staff is proposing, is the inclusion of the property located at 10535 Islington Avenue in the C11 Zone. This property currently has a site specific exception to permit a retail store and residential uses in the main building in a R1 – Residential Zone. It is proposed to include this property in the C11 Mainstreet Commercial Zone as it fronts onto Islington Avenue, contains a use permitted in the C11 Mainstreet Commercial Zone and the development consists of the adaptive reuse of a building with heritage merit. Any revision to the site specific exceptions will need to recognize the access gained from John Street.

The property located at 10432 Islington Avenue is currently zoned C6 Highway Commercial Zone. This zone does not comply with the intent of OPA No. 601 nor OPA No. 633 which prohibit automobile oriented uses within the "Kleinburg Core Area". If the automobile service station and associated pumps were currently in use, it would not be an issue to change the zoning to C11

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Mainstreet Commercial Zone and create a legal non-conforming use. The automobile service station has not been an ongoing use and the pumps have been removed. Any changes to the property's zoning may have an impact on the owner's ability to use the property for automobile related uses. The City's Legal Department is investigating this and their advice will be considered prior to the enactment of the By-law.

The proposed amendments to the Zoning By-law have been circulated to the Development Planning and Building Departments for comment. The comments received from these Department's have been reviewed and incorporated into the proposed amendment to the Zoning By-law.

Having reviewed the report presented by the consultant, incorporated comments received from members of the public and various City Departments staff is of the opinion that the proposed creation of the C11 Mainstreet Commercial Zone and the proposed zone provisions are suitable for Kleinburg.

Next Steps

In undertaking the research to compile this report and based upon comments received from the public additional items outside the terms of reference for the Kleinburg Core Area Policy Review have been identified. These items include:

- a) a review of the boundary of the Improvement Area as defined by By-law No. 169-84;
- b) an economic development strategy for Kleinburg;
- c) review of parking standards;
- d) the preparation of a streetscape master plan; and
- e) a tree inventory and associated by-law.

Interim Control by-law

The lands within the Kleinburg Core Area and Mainstreet Commercial designation are currently within an area under an Interim Control By-law. As the purpose of the Interim Control By-law was to allow for the Policy Review to be undertaken in an environment free from development pressure, and the recommendations contained within this report will regulate development it is appropriate that once the required By-laws to enact the Official Plan Amendments and Zoning Amendments come into force and effect that a by-law to repeal the Interim Control By-law be enacted. If these By-laws are appealed, the approval of the Official Plan is delayed by York Region or the By-laws are appealed to the Ontario Municipal Board the Interim Control By-law will lapse on June 15, 2006.

Relationship to Vaughan Vision 2007

The proposed amendments to OPA No. 601 – The Kleinburg-Nashville Community Plan and to By-law 1-88 - The City's Comprehensive Zoning By-law aid in implementing Vaughan Vision 2007. Specifically, the proposed amendments "encourage the preservation of significant historical structures and communities" as presented in Section 4.6.1 of Vaughan Vision 2007.

Conclusion

Having reviewed the proposed amendments to OPA No. 601 - The Kleinburg-Nashville Community Plan as presented by the consultant, considered the input received from the public through various meetings and the public hearing, considered the input of other Departments and considered the questions raised by Council at the Public Hearing staff has made minor revisions to the document and recommend that OPA No. 633 - The Kleinburg Core Area Review be adopted by Council.

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Having reviewed the proposed amendments to By-law No 1-88 the Comprehensive Zoning By-law as presented by the consultant, considered the input received from the public through various meetings and the public hearing, considered the input of other Departments and considered the questions raised by Council at the Public Hearing, staff has made revisions to the document that reflect the input received and recommend that the proposed amendments be adopted by Council.

Attachments

1. Proposed Zoning Comparison
2. Study Area/ Location Map
3. Proposed Mainstreet Commercial Designation
4. Proposed Kleinburg-Nashville Heritage Conservation District
5. Proposed C11 Mainstreet Commercial Zone
6. Draft Official Plan Amendment (OPA No. 633) – Members of Council Only
7. Draft Zoning By-law Amendment By-law – Members of Council Only

Report Prepared by:

Aaron Hershoff, Planner 1, ext 8320

Duncan MacAskill, Sr. Planner, ext 8017

Wayne McEachern, Manager Policy Planning / Urban Design, ext 8026

(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 MAY 8, 2006

Item 17, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

17

**AWARD OF TENDER T06-019
FIRE STATION #7-6 EXPANSION**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated May 1, 2006:

Recommendation

The Commissioner of Community Services, in consultation with the Acting Fire Chief, Directors of Purchasing Services, Building and Facilities, and Reserves and Investments recommends:

1. That T06-019, Expansion of Fire Station #7-6 be awarded to Mortizavi Inc. for the amount of \$387,000.00 (including GST); and,
2. That a contingency allowance in the amount of 10% be approved within which the Commissioner of Community Services is authorized to approve amendments to the contract; and,
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Capital project #8060-0-05 was approved in the 2005 capital budget. The annual operating cost of \$7,000.00 is required to maintain this expansion once completed, and funding will be included in the 2007 Operating Budget.

Purpose

The purpose of this report is to obtain Council's approval to award tender T06-019 for the expansion of Fire Station #7-6.

Background - Analysis and Options

Fire Station #7-6 is located at 120 McCleary Court in Concord. Project #8060-0-05 was approved in the 2005 capital budget to provide female accommodations at Fire Station #7-6. This expansion was necessary due to space restrictions within the existing structure. The expansion will provide for female washroom and shower areas, and female sleeping quarters.

This tender was advertised in the Daily Commercial News and the Electronic Tender Network (ETN). Tenders were closed and publicly opened on Wednesday, April 5, 2006. Twenty-one (21) bid documents were received. The bid results are as follows:

<u>Contractor</u>	<u>Total Tendered Price</u> (Including G.S.T)
Mortazavi Inc. Toronto, Ontario	\$387,000.00
Samson Management & Solutions Ltd. Toronto, Ontario	\$429,000.00
Surrey Construction Toronto, Ontario	\$437,630.00

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Anacond Contracting Inc. Concord, Ontario	\$462,240.00
NVK Inc. Markham, Ontario	\$479,000.00
Varcon Construction Corp. Brampton, Ontario	\$489,000.00
Grenwitch General Contracting Inc. Concord, Ontario	\$489,184.74
Klescon General Contractors Inc. Toronto, Ontario	\$494,483.58
Jass Construction General Cont. Mississauga, Ontario	\$496,252.00
Johal Corporation Brampton, Ontario	\$508,000.00
Gen - Pro (1320376 Ont. Ltd.) Burlington, Ontario	\$518,518.00
Ross Clair (R.O.M.) Cont. Inc. Toronto, Ontario	\$526,800.00
Nubuild Construction Ltd. Concord, Ontario	\$534,893.00
Frank Pellegrino Gen. Cont. Ltd. Scarborough, Ontario	\$534,931.00
BWK Construction Co. Ltd. Vaughan, Ontario	\$542,490.00
Rama-Con Inc. Oakville, Ontario	\$549,800.00
Jeviso Contraction Ltd. Vaughan, Ontario	\$648,764.00
Trinox Corporation Woodbridge, Ontario	\$654,500.00
Land Construction Co. Ltd. Markham, Ontario	\$654,800.00
Aplus General Contractors Toronto, Ontario	\$800,000.00
Martinway Contracting Ltd. Toronto, Ontario	\$840,000.00

Relationship to Vaughan Vision 2007

In keeping with Vaughan Vision, this award of tender provides service delivery excellence for the community.

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

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Conclusion

Building and Facilities and Purchasing Department staff have reviewed the bid submissions and have determined that the low bid contractor, Mortizavi Inc., have met the requirements of the contract. The low bid is within the approved capital budget. This project will commence immediately after Council approval and the completion of the necessary documents.

Attachments

None

Report prepared by:

Jeff Peyton, Director of Building and Facilities, Ext. 6173

CITY OF VAUGHAN

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Item 18, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

18

**PROCLAMATION REQUEST –
FIBROMYALGIA AND CHRONIC FATIGUE SYNDROME AWARENESS DAY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated May 1, 2006:

Recommendation

The City Clerk recommends:

- 1) That May 12, 2006 be proclaimed as “Fibromyalgia and Chronic Fatigue Syndrome Awareness Day”; and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

Economic Impact

Not applicable.

Purpose

To respond to the request received from Gisella Imbrogno, on behalf of York Region Fibromyalgia and Chronic Fatigue Wellness Support Group, in association with FM-CFS Association of Canada and Compassion in Action.

Background - Analysis and Options

The correspondence received from Gisella Imbrogno, dated April 18, 2006, is attached (Attachment #1).

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

The purpose of this proclamation is to raise public awareness of this disease which afflicts about 8% of the population. The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability. Corporate Communications will, given sufficient lead-time, issue news releases in support of the proclamation.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-2, “Promote Community Safety, Health and Wellness” and the necessary resources have been allocated and approved.

Conclusion

Staff is recommending May 12, 2006 be proclaimed as “Fibromyalgia and Chronic Fatigue Syndrome Awareness Day” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

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Attachments

Attachment #1 - Correspondence from Gisella Imbrogno, on behalf of York Region Fibromyalgia and Chronic Fatigue Wellness Support Group, in association with FM-CFS Association of Canada and Compassion in Action, dated April 18, 2006.

Report prepared by:

John D. Leach, City Clerk

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

CITY OF VAUGHAN

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Item 19, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

19

**PROCLAMATION REQUEST
ASIAN HERITAGE MONTH – MAY 2006**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated May 1, 2006:

Recommendation

The City Clerk recommends:

- 1) That May 2006 be proclaimed as “Asian Heritage Month” in the City of Vaughan; and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

Purpose

To respond to the request from the Founder, Human Endeavour, dated April 24, 2006 (Attachment #1).

Background - Analysis and Options

The attached request to proclaim May as Asian Heritage Month in the City of Vaughan was received from the Founder, Human Endeavour, an organization committed to Social Change. Three associates of Human Endeavour include appointed members of the City of Vaughan’s Community Relations Committee and Accessibility Advisory Committee. This proclamation will bring awareness of the Asian contribution to the settlement, growth and development of Canada.

Although the organization requesting that the City proclaim May as Asian Heritage Month does not meet the City’s Proclamation Policy, in that the organization is not a registered charity with the Ministry of Consumer and Commercial Relations, the City has Proclaimed Asian Heritage Month in the past.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-1, “Pursue Excellence in the Delivery of Core Services” and the necessary resources have been allocated and approved.

Conclusion

Staff is recommending that May 2006 be proclaimed as “Asian Heritage Month” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachment

Attachment #1 Correspondence from the Founder, Human Endeavour, dated April 24, 2006.

Report prepared by:

John D. Leach, City Clerk

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

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

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Item 20, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

20

**PROCLAMATION REQUEST –
SOUTH ASIAN HERITAGE WEEK**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated May 1, 2006:

Recommendation

The City Clerk recommends:

- 1) That May 25 – 31, 2006 be proclaimed as “South Asian Heritage Week” in the City of Vaughan; and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

Economic Impact

Not applicable.

Purpose

To respond to the request from the Founder, Human Endeavour, dated April 23, 2006 (Attachment #1).

Background - Analysis and Options

The attached request to proclaim May 25 – 31, 2006 as South Asian Heritage Week in the City of Vaughan was forwarded by the Founder of Human Endeavour, an organization committed to Social Change. Three associates of Human Endeavour include appointed members of the City of Vaughan’s Community Relations Committee and Accessibility Advisory Committee. This proclamation will help promote programs that will highlight South Asian heritage, culture and their contributions.

The organization requesting the proclamation does not meet the City’s Proclamation Policy, in that the organization is not a registered charity with the Ministry of Consumer and Commercial Relations, however, the City’s proclamation policy does provide for such proclamations where the City wishes to directly sponsor the event. The City has proclaimed Asian Heritage Month in the past. It is noted that this request as indicated in the attachment is for a sub-region of Asia comprising India, Pakistan, Bangladesh, Sri Lanka, Nepal, Bhutan and the Maldives.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-1, “Pursue Excellence in the Delivery of Core Services” and the necessary resources have been allocated and approved.

Conclusion

Staff is recommending that May 25 – 31, 2006 be proclaimed as “South Asian Heritage Week” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

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Item 20, CW Report No. 25 – Page 2

Attachment

Attachment #1 - Correspondence from the Founder, Human Endeavour, dated April 23, 2006

Report prepared by:

John D. Leach, City Clerk

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 21, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

21

RECOGNITION OF FORMER MEMBERS OF COUNCIL

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Frustaglio and Ward Councillor Meffe, dated May 1, 2006:

Recommendation

Regional Councillor Frustaglio and Ward Councillor Meffe recommend:

- 1) That the Employee Recognition Policy apply to Members of Council; and
- 2) That former Members of Council be recognized within 3 months of their departure from their position (in accordance with the following policy).

Economic Impact

To be allocated from Council Corporate Budget.

Purpose

To respond to a Council directive respecting a policy to recognize former members of Council for their years of service.

Background - Analysis and Options

From time to time there have been discussions regarding appropriate recognition of former members of Council and recognition of long-serving incumbents. It would seem to be appropriate to have a policy in this regard. It has also been suggested that the policy respecting employee recognition should apply to serving members of Council which is the case at the Region of York.

With respect to recognition of former Members of Council, the following policy is recommended and such presentation shall be made at a Council Meeting.

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 would be appropriate to adopt a policy to recognize term of service by former Members of Council.

Presentation of the following for:

1. One full term of Council – engraved plaque recognizing term of service
2. Two full terms of Council – plaque and a silver desk clock
3. Three full terms of Council – plaque and a Mont Blanc pen
4. Four or more full terms of Council – plaque and an engraved Swiss watch (male/female)

Attachments

None

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Report prepared by:

Regional Councillor Frustaglio and Councillor Peter Meffe

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22

MAJOR MACKENZIE DRIVE STREETScape STUDY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 1, 2006:

Recommendation

The Commissioner of Planning recommends:

1. THAT Staff initiate the consultant selection process for the "Major Mackenzie Streetscape Study" on the basis of the Terms of Reference appended to this report as Attachment No. 1.
2. THAT Staff be directed to enter into discussions with Go Transit Staff to request that they complete the design and construction of the stair access from Major Mackenzie Drive to Station street (Maple Go Transit Station) to the satisfaction of the City.

Economic Impact

The funding for this study has been allocated within the operating budget.

Purpose

To obtain direction from Council to proceed with the "Major Mackenzie Streetscape Study" on the basis of the Terms of Reference appended to this report as Attachment No. 1 and to enter into discussions with Go Transit Staff to request that they complete the design and construction of the stair access from Major Mackenzie Drive to Station Street.

Background - Analysis and Options

Major Mackenzie Streetscape

The new City Civic Centre master plan and building design has been finalized for the current site of the existing municipal offices along the south side of Major Mackenzie Drive. The establishment of a high quality streetscape along both sides of Major Mackenzie Drive, from Keele Street, east to McNaughton Road, (Attachment #2) will be instrumental in establishing the high quality pedestrian precinct and front face envisioned for the new City Civic Centre. However, the approved streetscape strategy along Major Mackenzie Drive, as outlined in the approved "Village of Maple Streetscape Master Landscape Plan and Design Study" (July 2004), uses heritage inspired streetscape elements, which has the potential to conflict with the contemporary architectural and landscape design for the Civic Centre and site.

Advancing the Major Mackenzie Streetscape Study will allow the proper design considerations to take place in conjunction with the Civic Centre Phase 1 work, and integrate the planning and design objectives outlined in the existing plans and studies listed below.

Existing Plans & Studies

- City Civic Centre Master Plan Design
- Maple Streetscape & Urban Design Guidelines (1996)
- The Village of Maple Streetscape Master Plan and Design Standards (2004)
- Maple Streetscape & Urban Design Guidelines Heritage Review
- Maple Heritage Study (Draft)

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Goals & Objectives

The purpose of the proposed Major Mackenzie Drive Streetscape Study is to:

- Prescribe the layout and design of the streetscape and pedestrian system along both sides of Major Mackenzie from Keele Street east to McNaughton Road, with an emphasis on establishing a high quality pedestrian precinct and front face envisioned for the new City Civic Centre.
- Prepare a streetscape and tender documents for the construction of the streetscape elements for Major Mackenzie Drive from Keele Street to McNaughton Road.

GO Transit Pedestrian Stairway

In 2003, GO Transit renovated the station area located in the Village of Maple core area on Station Street, a north-south street approximately 0.5 kilometres east of Keele Street, on the east side of the railway right-of-way and north of Major Mackenzie Drive. Station Street does not intersect Major Mackenzie Drive due to a seven metre grade difference between the two streets. Pedestrian and vehicular access to the station is only possible on the east side of the railway because at-grade track crossings are not provided east to west in the area. Vehicular access to the station is by way of Hill Street from Major Mackenzie Drive, however, there is no formal pedestrian route from Major Mackenzie Drive to the station currently. Pedestrians have created an informal desire path from the sidewalk on the north side of Major Mackenzie Drive up a slope on the east side of the railway overpass to Station Street, which is the most direct route possible, however, the slope presents a hazard for pedestrians.

As a component of the station renovation, GO Transit proposed to design and construct a pedestrian stair connection on the east side of the railway overpass from Station Street to the north sidewalk along Major Mackenzie Drive; thus formalizing and making safe, the existing informal pedestrian route.

The stairway connection could be designed and built by GO Transit independently of any associated streetscape enhancements to the satisfaction of the City. However, the integration of the stairs into the streetscape design for Major Mackenzie Drive will be included as a component of the Major Mackenzie Streetscape Study.

Relationship to Vaughan Vision 2007

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

Conclusion

The Major Mackenzie Streetscape Study will provide the City with the detailed design work related to the Major Mackenzie Drive streetscape and the pedestrian system from Major Mackenzie Drive to the Maple GO Transit Station. This work should be considered as the final piece in the overall integration of the City Civic Centre design with public transit and the immediate interface with the Village of Maple streetscape fabric.

The study is expected to be completed in late Fall 2006. Should Council concur with this report, then Staff should be directed to initiate the consultant selection process with the adoption of the recommendation in this report.

Attachments

1. Terms of Reference
2. Location Map

CITY OF VAUGHAN

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Item 22, CW Report No. 25 – Page 3

Report prepared by:

Rob Bayley, Senior Urban Designer, ext. 8254

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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 23, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

23

FENCING LANGSTAFF ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, dated May 1, 2006:

Recommendation

Councillor Bernie Di Vona recommends:

1. That the petition from the residents with fencing that backs onto Langstaff Road be received.
2. That staff prepare a report for the next available Committee of the Whole meeting to address the concerns of residents as outlined within the petition to include the role, responsibility of the City of Vaughan, Regional Municipality of York and residents. Report to include a response to each of the six questions as outlined below and as contained within the petition.
3. That staff review and/or consult with the Regional Municipality of York with respect to noise attenuation fencing as per York Region Policy dated May 2005 or any other related policy as provided by the residents and attached.

Economic Impact

No economic impact.

Purpose

Residents that back onto Langstaff Road have submitted a petition accompanied with York Region Noise Policy (draft policy dated May 2005) to look at better understanding the role, responsibility and liability of either the Region of York or City of Vaughan with respect to the unsafe condition that exists with the severely deteriorated wall along Langstaff Road, a regional road.

Background - Analysis and Options

The residents have been advised that the noise attenuation wall was designed and approved based on the standards at the time their home was approved for construction.

The residents have been advised that noise attenuation walls and fencing that back onto regional roads and arterial roads are built on private property and it is the responsibility of the property owners to maintain and/or replace the fencing or walls.

In a very real sense, when a homeowner purchases a home they get one "free" fence as the fencing is constructed by the developer on their property based on the standards at the time. Other homeowners when they buy a home within the same subdivision are required to construct at their own cost their own fence. Further, these homes as with other homes, when they purchase a home on a regional road allowance often have a longer or deeper property to mitigate against noise levels. And, over the years every property owner is expected to replace their fencing. So some 20 years after the fencing has deteriorated, all property owners are expected to replace their own fencing on their own property.

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However, the residents feel that there is a role to play with noise attenuation fencing and those fences on regional road allowances that have, they feel, prematurely aged or deteriorated. The residents that back onto Langstaff Road, as with other regional roads and arterial roads, have experienced severe deterioration of the noise attenuation walls on their property. Noise attenuation walls have been built on private property and abut municipal or regional road allowances or property.

The residents have conducted such review and consulted with the Region of York and feel there exists an opportunity for the municipality (City and/or Region of York) to have a direct role to mitigate the noise they experience. The residents further have six direct questions that they wish to be addressed as they feel that either the Region of York or the City of Vaughan have a role to play with the noise attenuation wall.

The questions that are expected to be addressed are:

1. What is the total cost?
2. What materials will be used?
3. How will new footings be poured?
4. What is the height? (They recommend 3 metres in height because of the excess or higher traffic and noise pollution they experience).
5. How will the contract be awarded?
6. How will old material be disposed?

The report is important as the fencing along Langstaff Road has caused a dangerous scenario to exist as portions have either collapsed, are leaning and will soon collapse. An emergency fence has been installed (since the Fall of 2005) to prevent residents from walking on the sidewalk for fear of the fence falling while walking.

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

Petition to replace damaged fencing on Langstaff Road, as well as other regional roads, needs to be addressed as there is a safety issue.

Attachments

Petition dated Feb 24, 2006. and York Region Draft Noise Policy dated May 2005.

Report prepared by:

Councillor Bernie Di Vona

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 24, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

24

NEW FIREWORKS BY-LAW

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Acting Fire Chief, dated May 1, 2006, be approved; and
- 2) That the following be approved, in accordance with the memorandum from the Solicitor/Special Services, dated May 1, 2006:

“Amending the recommendations contained in the Fireworks By-law Report to add recommendation 3 as follows:

3. That Council enact a By-law to amend the City’s Fees and Charges By-law, By-law Number 396-2002, at Schedule “E” – Fire and Rescue Services, to add the permit fees for different classes of Fireworks and Pyrotechnics Special Effects at the end of Schedule “E” to the Fees and Charges By-law, and that, prior to the proposed By-law to amend the City’s Fees and Charges By-law being brought before Council, staff be directed to provide required notice of a public meeting in accordance with the City’s Notice By-law, By-law Number 394-2002, for the purpose of receiving any input from the public on the proposed amendment to the Fees and Charges By-law”.

Recommendation

The Acting Fire Chief, in consultation with the Director of Legal Services and Solicitor/Special Services, recommends:

1. That this report be received; and
2. That Council enact a by-law regulating the possession, use and setting off of consumer fireworks, display fireworks, and pyrotechnics special effects.

Economic Impact

The revenue from fire works related permits was approximately \$ 1200.00 in 2005, and a marginal increase can be expected in 2006 given the addition of pyrotechnics.

Purpose

The purpose of this report is to consider the enactment of a Fireworks By-law dealing with the regulation of the possession, use and setting off of Fireworks within the City of Vaughan.

Background - Analysis and Options

In 1998, Council passed By-law Number 124-98 to regulate the sale and setting off of fireworks. This by-law was used by the licensing department to regulate and license the sale of fireworks, and by the fire service and enforcement services to control the setting off of fireworks. In 2004, Council passed By-law Number 369-2004 to separate out regulation of the sale, possession and setting off of Display Fireworks and Theatrical Fireworks, leaving the regulation of the sale of Consumer Fireworks in the Licensing By-law, By-law Number 2-2001.

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Council passed the Licensing By-law, 2006, By-law Number 315-2005 in 2005, that established requirements only related to obtaining a licence for the sale of consumer fireworks. This by-law repealed By-law Number 369-2004, on the basis that staff would be bringing forward a revised by-law dealing specifically and only with regulating the possession, use and setting off of consumer fireworks, display fireworks and pyrotechnic special effects, including the circumstances where a permit would be required and the implementation of changes to address outstanding safety issues.

Some of the highlights of the new Fireworks By-law include:

- Fire Crackers and nuisance fireworks are prohibited.
- The setting off of consumer fireworks *without a permit* is only permitted on Canada Day and Victoria Day.
- The setting off of consumer fireworks is permitted at other times during the year only with a permit issued by the Vaughan Fire and Rescue Service.
- New restrictions with respect to distances from certain facilities.
- New restrictions with respect to bothering or endangering neighbours.
- New safety requirements for the setting off of consumer fireworks.
- The setting off of display fireworks still requires a permit with stringent conditions.
- A completely new section of the by-law covers the use of pyrotechnic special effects. This is in response to public complaints of unlicensed persons using pyrotechnic special effects in unsafe ways at functions in banquet halls, etc.
- The permit fees (\$150.00) are transferred to Schedule E of the City's Fees and Charges By-law.

Relationship to Vaughan Vision 2007

This report complies with Vaughan Vision 2007 – A-2, Promote Community Safety, Health & Wellness.

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

Conclusion

In order to properly regulate the possession, use and setting off of consumer fireworks, display fireworks and pyrotechnic special effects within the City of Vaughan, Council should enact a new by-law.

Attachments

None

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 25, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

25 NEW CONTRACT BETWEEN THE CITY OF VAUGHAN AND THE TOWNSHIP OF KING FOR THE PROVISION OF EMERGENCY FIRE COMMUNICATIONS SERVICES

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Acting Fire Chief, dated May 1, 2006:

Recommendation

The Acting Fire Chief, in consultation with the Director of Legal Services, recommends:

1. That Council approve a new agreement that allows the City of Vaughan to continue to provide Emergency Fire Communications Services for the Township of King and areas serviced by the King Fire and Emergency Services; and
2. That Council enact a by-law authorizing the Mayor and Clerk to execute an Agreement on behalf of the City of Vaughan in substantially the form attached to the By-law, subject to final approval by the Acting Fire Chief and Commissioner of Legal and Administrative Services and City Solicitor.

Economic Impact

This contract will maintain a positive revenue stream of \$35,000 to Vaughan Fire & Rescue Service for provision of this service to King Township. It should be noted that Vaughan is able to provide the emergency fire communications service at no additional cost to Vaughan. Vaughan has always had the capacity to service King's needs as well as our own without investing any additional resources.

Purpose

The purpose of the contract is to retain King Township as a customer for Emergency Fire Communications Services

Background – Analysis and Options

The City of Vaughan has provided emergency fire communications services for the Township of King for at least the last 35 years. All 9-1-1 calls related to fire emergencies for King Township, and parts of New Tecumseth that are serviced by the King Fire and Emergency Services, are directed to the Vaughan Fire and Rescue Services Communications Centre. Vaughan Communications Operators take the required information from the caller and then dispatch the appropriate King Township Fire Station.

The authority for the provision of this service is outlined in a contract between the two municipalities. The contracts have always laid out the services to be provided and a formula to determine how much King Township would pay for the contracted service.

From 1971 until 2000, King Township paid a portion of salary costs based on a comparison of population and assessment values.

In 2000, a new contract was negotiated with King Township in order to increase Vaughan's revenues. The new formula required King Township to pay a percentage of the *total cost* of running the communications centre based on a comparison of population, assessment values and number of incidents. In 2001, the first full year of the contract, King Township paid \$51,699.11.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

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Presently, there are three municipalities that offer emergency fire communications services to other municipalities. These relationships are outlined in the following chart:

Vaughan	Richmond Hill	Markham
King Township	Aurora	Whitchurch-Stouffville
	Newmarket	
	Georgina	
	East Gwillimbury	

In late 2005, the Richmond Hill Fire Department, through the Richmond Hill CAO's office, sent an invitation to all municipalities in York Region to enter into discussions for the provision of emergency fire communications services.

Vaughan and King Township both entered discussions with Richmond Hill and while Vaughan's negotiations are much more complex, it was a straightforward decision for King Township. Richmond Hill offered to provide King Township with emergency fire communications at a rate of \$1.96 per capita or \$38,220.

The previous administration in the King Fire and Emergency Services wished to switch their communications provider from Vaughan to Richmond Hill without discussion with Vaughan. However, discussions were undertaken with the new Fire Chief in King Township, hired in March/06, and senior management from Vaughan Fire and Rescue Service. As a result, a new contract for the service at a reduced cost was negotiated and despite the competing interests for this service, a positive revenue stream of \$35,000 was maintained.

Relationship to Vaughan Vision 2007

This report complies with Vaughan Vision 2007, B-2 – Maximize Revenue and Tax Base.

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

Conclusion

Given the competing interests for the provision of this service and in order to maintain a positive revenue stream of \$35,000 per annum, the City of Vaughan should enter into a new agreement for the provision of emergency fire communications services with the Township of King.

Attachments

None

Report prepared by:

G. Duncan, Deputy Fire Chief

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 26, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

26

**DEPUTATION – MR. BRIAN SHIFMAN
SMART COMMUTE-NORTH TORONTO, VAUGHAN
WITH RESPECT TO AN UPDATE ON SMART COMMUTE NTV**

The Committee of the Whole recommends that the deputation of Mr. Brian Shifman, Executive Director, Smart Commute-North Toronto, Vaughan, William Small Centre, Room 120, 4700 Keele Street, Toronto, M3J 1P3, brochure and presentation material, and written submission of Ms. Rebekah McGurran, Program Manager, Smart Commute-North Toronto, Vaughan, dated April 5, 2006, be received and referred to staff for information.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 27, Report No. 25, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 8, 2006, as follows:

By receiving the memorandum from the City Clerk, dated May 8, 2006.

27

**DEPUTATION – MR. RICHARD LORELLO
WITH RESPECT TO THE UPCOMING MUNICIPAL ELECTION**

The Committee of the Whole recommends that the deputation of Mr. Richard Lorello, 235 Treelawn Boulevard, P.O. Box 927, Kleinburg, L0J 1C0, and written submission, be received and referred to staff for a report to the Council meeting of May 8, 2006.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 28, Report No. 25, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 8, 2006, as follows:

By approving that the comprehensive parking by-law (maximum 3 hour limit 6:00 am – 2:00 am) be maintained at this location;

By receiving the memorandum from the Director of Engineering Services, dated May 4, 2006; and

By receiving the written submission from Ms. Carolyn Gentle and Mr. Craig Gentle, 43 Peter Andrew Crescent, Thornhill, L4J 3E2, dated May 5, 2006.

28

**DEPUTATION – MR. MICHAEL DUNN
WITH RESPECT TO PARKING CONCERNS ON CIDERMILL AVENUE**

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Michael Dunn, John Vamvakidis Barrister & Solicitor, 211 Marycroft Avenue, Suite 2005, Vaughan, L4L 5X8 on behalf of Proto Electric Contracting Inc., and written submission dated May 1, 2006, be received and referred to staff for a report to the Council meeting of May 8, 2006; and
- 2) That the memorandum from the Director of Engineering Services, dated March 22, 2006, be received.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 29, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

29

**DEPUTATION – MS. LORI CASTELLANO
WITH RESPECT TO TRAFFIC CALMING MEASURES IN WOODBRIDGE HIGHLANDS**

The Committee of the Whole recommends that the deputation of Ms. Lori Castellano, 6 Longview Crescent, Woodbridge, L4H 1A7, and petition submitted on behalf of area residents, be received and referred to staff for a technical report to be brought forward no later than September 1, 2006.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 30, Report No. 25, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 8, 2006, as follows:

By receiving the written submission from the City Manager, dated May 8, 2006, submitted by Councillor Carella.

30

**DEPUTATION – MR. PAUL DE BUONO
WITH RESPECT TO “INTERNAL AND EXTERNAL REVIEWS AT THE CITY OF VAUGHAN”**

The Committee of the Whole recommends that the deputation of Mr. Paul De Buono, President, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5, and written submission dated May 1, 2006, be received.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 31, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

**31 NEW BUSINESS – GRAHAM BROTHERS CONSTRUCTION BASE-SITE
SOUTH WEST QUADRANT OF PINE VALLEY DRIVE AND LANGSTAFF ROAD**

The Committee of the Whole recommends that staff request the Region of York to direct Graham Brothers, the Region's Contractor with respect to the widening of nearby regional roads:

- 1) To clean up the site and remove forthwith all debris, refuse and garbage and all other materials not otherwise needed on the site;**
- 2) Maintain the site in good and workmanlike order until such time as the premises are finally vacated, and further, that City staff monitor actions taken by the Region of York in furtherance of the intention of this resolution and report same to Members of Council on a regular basis; and**
- 3) To address issues raised by City staff with respect to the condition of the City's nearby corporation yard west on Langstaff Road.**

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 32, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

32

**NEW BUSINESS - PRIVACY FENCING AND SCREENING
ALONG PUBLIC ROADS**

The Committee of the Whole recommends that staff bring forward a report to address the concerns expressed by Members of Council with respect to privacy fencing and ensuring that all future sub-divisions that require privacy fences along public roads, also include plantings.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 33, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

33

NEW BUSINESS - RECOGNITION OF MS. JANE JACOBS

The Committee of the Whole recommends that Vaughan Council recognize, on her passing, the extraordinary contributions that GTA resident Ms. Jane Jacobs made throughout her life to the excellence of the urban environment.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 34, Report No. 25, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 8, 2006, as follows:

By approving that services-in-kind be provided to COM.IT.ES OF TORONTO, for the “Festa Della Repubblica” event.

34

**NEW BUSINESS - COM.IT.ES OF TORONTO
WITH RESPECT TO “FESTA DELLA REPUBBLICA” EVENT**

The Committee of the Whole recommends that the written submission of Mr. Mimmo Rizzo, Vice-President, Com.It.Es of Toronto, 3010 Dufferin Street, Unit #2, Toronto, M6B 4J5, dated April 26, 2006, submitted by Mayor Di Biase, be received and the request relating to support be referred to staff for a report to the Council meeting of May 8, 2006.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 8, 2006

Item 35, Report No. 25, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 8, 2006.

35

NEW BUSINESS - NATIONAL CHILD CARE PROGRAM

The Committee of the Whole recommends that staff work with Region of York staff to get information pertaining to the new legislation relating to daycare.

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