

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 1, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

1 DESIGNATION OF THE WOODBRIDGE EXPANSION AREA OPEN SPACE AND OF ITS PRINCIPAL TRAIL

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of Councillor Carella, dated May 28, 2007, be approved, subject to replacing “Elder’s Mills Park” with “Elder’s Mills Nature Reserve”; and**
- 2) **That the following deputations be received:**
 - a) **Ms. Margaret McClure, Elder’s Mills Women’s Institute, 75 Treelawn Boulevard, Suite 109, Kleinburg, L0J 1C0; and**
 - b) **Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8.**

Recommendation

Councillor Tony Carella recommends that the Woodbridge Expansion Area (WEA) Open Space be designated “Elder’s Mills Park”, and that the principal trail within the space be named “The McCallum Trail”.

Economic Impact

Nil

Communication Plan

The source of the requests to these effects will be informed by the ward councillor; the unveiling of signage designating the area as Elder’s Mills Park and of the principal trail therein as The McCallum Trail shall be the occasion of a media release, to inform the public of the renaming and of the historic nature of the names of both the park and the trail.

Purpose

To effect the request of the Elder’s Mills Women’s Institute that the name of the park reflect the history of the area, and that the name of the principal trail within the park acknowledge the presence of the McCallum family in the area for some eight decades.

Background – Analysis and Options

Margaret McClure, Secretary, Elder’s Mills Women’s Institute (EMWI), recently informed Councillor Carella (see attachment) that at their meeting of May 7, 2007, the EMWI requested these designations, to acknowledge the historical fact that the mills which give the area its name were located within the WEA Open Space, and that the McCallum family farmed in the area for some eighty years, beginning in 1858.

The designation of the park with an appropriate place-name, as well as the commemoration of an early settler family by the naming of the principal trail traversing the park after that family, is entirely appropriate, particularly as this year marks the 125th anniversary (or quasiquintennial) of the incorporation of the Village of Woodbridge, of which this area was and is a part.

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Regional Implications

Nil

Relationship to Vaughan Vision

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

Attachments

Letter of Margaret McClure, Secretary, Elder's Mills Women's Institute

Report prepared by:

Councillor Tony Carella

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

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Item 2, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

2

TRAFFIC REVIEW OF FOREST FOUNTAIN DRIVE

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated May 28, 2007:

Recommendation

Councillor Tony Carella recommends that a review be conducted on the traffic on Forest Fountain Drive.

Economic Impact

To be determined.

Communications Plan

Local councillor will communicate with residents.

Purpose

To find possible solutions that would reduce the traffic infiltration onto this street.

Background - Analysis and Options

The residents of Forest Fountain Drive are frustrated with the volume of traffic on their street. A speed hump has been approved at Forest Fountain Drive (between properties #94 and #98) and will be installed this year, but the residents feel that other measures need to be implemented.

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.

Regional Implications

None

Conclusion

The residents are requesting that some options be provided by our Engineering Department to reduce the volume of traffic and speeding that is taking place on this street.

Attachments

None

Report prepared by:

Tony Carella

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Item 3, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

3 **KLEINBURG RAILWAY-SCOUT HOUSE**
EXTERIOR REFURBISHMENTS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated May 28, 2007:

Recommendation

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

THAT capital projects 7870-0-99 Wallace House Renovations and 8071-0-08 Vellore School HVAC be closed and the remaining funds of approximately \$30,000 be used to refurbish the exterior of the Kleinburg Scout House.

Economic Impact

There is no economic impact as this is a re-allocation of previously approved capital funding.

Communications Plan

Not required.

Purpose

The purpose of this report is to obtain Council approval to re-allocate the remaining funding from two previously approved capital projects to replace the roof at the Kleinburg Scout House.

Background - Analysis and Options

The Kleinburg Railway-Scout House has experienced a deterioration of exterior features over the past winter and spring. The roofing requires replacement, the exterior wood requires painting, and the walkway is becoming a health and safety issue with trip hazards following the frost-heaving and re-settling of the surface.

In 2006, discussions took place with the York Region District School Board regarding a relocation of this structure. As this relocation will not be taking place in the near future, these building integrity and safety issues must be remedied at this time.

Funding is not available in the Heritage Reserve account however, staff have completed projects under budget and the remaining funds will be used to fund these projects.

Relationship to Vaughan Vision 2007

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

Regional Implications

Not applicable.

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Conclusion

It would be appropriate to re-allocate the funds remaining in the Wallace House and Vellore School projects to replace the roof of the Kleinburg Scout House as no additional capital funding would be required.

Attachments

None

Report prepared by:

Marjorie Johnson, Manager of Capital Ext. 8984
Angelo Cioffi, Manager of Buildings & Facilities, Ext. 6166

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Item 4, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 11, 2007, as follows:

By receiving the memorandum from the Commissioner of Community Services, dated June 11, 2007.

4 PRIVATE PROPERTY TREE PROTECTION BY-LAW

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Community Services and the Commissioner of Legal and Administrative Services, dated May 28, 2007, be approved;
- 2) That the By-law be amended to state trees “with a diameter of twenty (20) centimetres”, rather than “thirty (30) centimetres”;
- 3) That the By-law be amended to state “any one (1) or more trees”, rather than “four (4) trees”;
- 4) That the Private Property Tree Protection By-law be prepared and presented at the Council meeting of June 11, 2007;
- 5) That an education program be developed to ensure public understanding of the Private Property Tree Protection By-law and acknowledge the benefits of tree preservation;
- 6) That staff include Tree Preservation Policies in all Heritage District Policies;
- 7) That Greening Vaughan be requested to review opportunities to encourage Tree Preservation;
- 8) That the initial permit application fee be set at \$100.00 and reviewed by staff;
- 9) That the memorandum of the Commissioner of Community Services, dated May 28, 2007, be received; and
- 10) That the deputation of Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8, be received.

Recommendation

The Commissioner of Community Services and the Commissioner of Legal and Administrative Services in consultation with the Director of Parks and Forestry Operations, the Director of Legal Services and the Director of Corporate Communications recommend:

That the following report be received and Private Property Tree Protection By-law be enacted for implementation in October 2007.

Economic Impact

There is an economic impact of \$5,000 to the Parks and Forestry Operating Budget that has not been budgeted for in 2007. However, efforts will be made to absorb this cost in the 2007 Operating Budget.

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Communications Plan

The by-law, permit and application process will be available online on the City's website as well as advertised on the city page of the newspaper. Corporate Communications together with Information & Technology Management will place the application on the City's website and also assist with the posting of notifications.

To further engage and educate the public on the benefits of trees, literature on the new By-law will be incorporated into departmental brochures as well as on the Parks and Forestry website.

Purpose

To seek Council approval to proceed with implementation of the Private Property Tree Protection By-law.

Background - Analysis and Options

At the Council meeting of April 23, 2007, Council directed staff to prepare a by-law including a public education program for the protection of trees on private property in the City of Vaughan.

The City of Vaughan has reviewed Private Tree By-laws from 4 Municipalities including two within York Region that have by-laws.

The purpose of this by-law is to protect large, healthy trees growing on private property, and to encourage replacement and new tree plantings. The by-law states that no person shall injure or destroy more than four (4) trees each with a diameter greater than 30 centimetres at 1.4 meters from the existing grade on a lot within any one year period without first obtaining a permit pursuant to this by-law. With the maximum of four (4) trees allowed to be removed within one year, it provides Vaughan residents the opportunity to expand their dwellings, and enhance their landscapes without going through a permit process, while safeguarding against excessive tree removal. Permits will typically be issued for dead or dying trees and trees that may be a hazard. This by-law will not affect the process presently in place for applications submitted to the Planning Department.

The by-law allows an owner to apply for a permit which will be reviewed by the Manager in accordance to established criteria. The department will consider the following before issuing a permit to remove or injure a tree:

- species, size and health of a tree
- property limitations and reasons for removal
- the number of trees on site
- the landscaping plan for replanting (may include a letter of credit).

A major component of the Private Property Tree Protection By-law is public education and how it directly relates to the preservation of trees. Staff has recommended an implementation date of October 2007 in order to provide the public sufficient notification of the implementation date, permit application process and permit costs. It is anticipated that the cost to implement, along with the public education will be \$5,000 and will be ready for a media release date in October 2007.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council specifically addresses:

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A-2 “Promote Community Safety Health and Wellness”

A-3 “Safeguard Our Environment”

Regional Implications

This report is consistent with other By-laws in York Region and has no direct implications to the Region.

Conclusion

Staff recommends that Council approve the attached By-law as well as the implementation date for October 2007.

Attachments

1. Private Property Tree Protection By-law

Report prepared by:

Marjie Fraser, Director of Parks and Forestry, ext. 6137

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

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Item 5, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

5 TENDER AWARD – CT-07-05 SUPPLY & DELIVERY OF ASPHALT MATERIALS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering & Public Works, dated May 28, 2007:

Recommendation

The Commissioner of Engineering & Public Works, in consultation with the Purchasing Services Department, recommends;

1. That Tender CT-07-05 for the Supply & Delivery of hot mix asphalt materials be awarded to Lafarge Paving & Construction Limited and high performance cold mix asphalt be awarded to Innovative Municipal Products Inc. and
2. The Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

Sufficient funds to cover the cost of the supply and/or delivery of asphalt materials are budgeted for in the draft 2007 Operating Budget.

Communications Plan

Tender CT-07-05 was advertised in the local newspaper and Electronic Tendering Network by the Town of Newmarket.

Purpose

To award tender CT-07-05, for the supply of asphalt materials to Lafarge Paving and Construction Limited and the supply and delivery of High Performance Cold Mix asphalt materials be awarded to Innovative Municipal Products Inc.

Background – Analysis and Options

The Town of Newmarket, on behalf of the participating municipal agencies of the York Region Public Buyers Co-operative, called a tender for the supply and delivery of asphalt material required for municipal maintenance operations. The award of the tender will secure unit pricing per tonne of HL2, HL3, HL3A, HL8, hot mix asphalt material and High Performance Cold Mix, for three years from date of award, with the possibility of a one year extension.

Tender CT-07-05 was advertised in the local newspapers and on the Electronic Tendering Network (ETN). The tender closed April 10th, 2007 and a total of 5 bids were received. Of the 5 bids, only 3 provided pricing for the hot mix materials most commonly used by the City's Public Works Department.

Prices have increased of over fifty percent in year one from the current prices. This is consistent with the 2007 Ontario Hot Mix Producers Association asphalt/cement price index. Prices will remain firm for the entire three year contract including the additional year optional extension if both parties agree.

The results of all bids received for CT-07-05 supply & delivery of asphalt materials are shown below, excluding G.S.T.

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Company	Material Delivered or Picked-up	HL2	HL3	HL3A	HL8	HPC Mix
Lafarge Paving & Const. Ltd.	Supply & Delivery	\$92.00	\$89.00	\$91.00	\$87.00	\$97.00
	Supply & pick-up by City	\$82.24	\$79.24	\$81.24	\$77.24	\$87.24
K.J. Beamish Construction Co.	Supply & Delivery	\$94.82	\$83.85	\$87.09	\$81.69	n/b
	Supply & pick-up by City	\$95.26	\$88.78	\$92.02	\$86.62	n/b
Miller Paving Ltd.	Supply & Delivery	n/b	n/b	n/b	n/b	n/b
	Supply & pick-up by City	\$89.41	\$91.41	\$85.41	\$94.41	n/b
Matrix Company	Supply & Delivery	n/b	n/b	n/b	n/b	\$68.00
	Supply & pick-up by City	n/b	n/b	n/b	n/b	\$94.79
Innovative Municipal Products Inc.	Supply & Delivery	n/b	n/b	n/b	n/b	\$63.00
	Supply & pick-up by City	n/b	n/b	n/b	n/b	\$81.05

The bids have been checked for mathematical errors, and Lafarge Paving & Construction Ltd., the contractor having the lowest bid, has provided the same material to the City in the past two years with satisfactory results. They have two plant sites in the Toronto area: one at No. 949 Wilson Avenue in Downsview and the other at No.10475 Keele Street, in Maple.

The High Performance Cold Mix asphalt (HPC Mix) will be awarded separately to Innovative Municipal Products Inc., as they were the lowest bidder for this material to supply and delivery of the material.

All Material amounts as part of this contract are not expected to surpass the yearly budgeted amounts over the 3 year term plus the 1 year extension.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council. Although the funds have been included in the draft 2007 Operating Budget, the necessary resources have not been formally allocated and approved.

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Regional Implications

The Region of York is one of the agencies participating in this contract, therefore the City's contract will not impact the Region's operations.

Conclusion

Awarding the supply of asphalt materials to the low bidder for hot mix asphalt to Lafarge paving & Construction Limited and awarding the supply and delivery of high performance cold mix to Innovative Municipal Products, secures the pricing of hot mix and cold mix asphalt materials for at least three years with the possibility of a one year extension.

Report prepared by:

Tina Di Biase
Technical Coordinator

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Item 6, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

6 TENDER AWARD – T07-057 SEWER FLUSHING – SANITARY & STORM, SPILL RESPONSE & HAZARDOUS WASTE DISPOSAL

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering & Public Works, dated May 28, 2007:

Recommendation

The Commissioner of Engineering & Public Works, in consultation with the Purchasing Services Department, recommends;

1. That Tender T07-057 for Sewer Flushing – Sanitary & Storm, Spill Response and Hazardous Waste Disposal be awarded to Triple A Industrial Service Inc.; and,
2. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

Based on the lowest bid submission, the estimated value of the sewer flushing, spill response and hazardous waste disposal contract is \$317,912.50 per annum, including GST, with an estimated total value of \$1,589,562.50 over the five year life of this contract (3 years + 2 one year optional extensions). Sufficient funds have been included in the draft 2007 Wastewater budget to cover these activities.

Communications Plan

Routine flushing and cleaning of the sewers does not require public communications plans. Should a spill occur, Vaughan Fire & Rescue Services is usually the first to respond to an emergency scene and determines if spills cleanup is required. They then contact the City's Public Works Department to arrange for this work to be done. Should a spill be of a significant size, or pose a risk to a specific area, messages will be sent out as required.

Purpose

To award tender T07-057 for Sewer Flushing – Sanitary & Storm, Spill Response and Hazardous Waste Disposal.

Background – Analysis and Options

Tender T07-057 is for the ongoing maintenance of the City's wastewater infrastructure, as well as for spills clean up and disposal of hazardous waste. Working under the direction of Public Works Department staff, the contractor will be involved in:

- The routine cleaning and flushing of the storm and sanitary sewers as required to prevent the build up of solid materials which could cause a back-up in the system;
- Attending to illegal dumps of hazardous materials and spills that occur on roadways within the City, and in watercourses and drainage systems throughout the City; and,
- The removal of hazardous industrial substances from the City's facilities and fire halls, including the pumping out of oils and petrochemicals from the drains and storage tanks.

The Public Works Department does not have the necessary equipment to perform these types of duties. As such, this work is contracted out.

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The tender was advertised on April 26, 2007 in the Vaughan Citizen (City Page), on the Electronic Tendering Network (ETN) and on OPBA, and closed on May 10, 2007. A total of five documents were picked up from the Purchasing Department. Four bids were received.

Bidders were asked to quote on 3100 hours of sewer flushing services and 200 hours of Spill response and hazardous waste disposal services (based on historical averages).

This contract is for a period of three year from the award of the contract with the possibility of two annual extensions, conditional upon satisfactory work of the Contractor and the approval of the necessary funding.

The following are the results of the tender opening for T07-057 sewer flushing, spill response and hazardous waste disposal:

RATING	CONTRACTOR	TOTAL INCL. G.S.T.
1.	Triple A Industrial Service Inc. King City, ON	\$ 317,912.50
2.	Quantex Technologies Toronto, ON	\$ 543,072.10
3.	Accuworx Inc. Brampton, ON	\$ 712,306.75
4.	Almon Equipment Ltd. Etobicoke, ON	\$ 975,332.50

Staff have checked the bids for mathematical errors. Triple A Industrial has been performing Sewer Flushing Services for City of Vaughan Public Works Department for the last six years to staff's satisfaction.

As stipulated in the bid document, the bidder was asked to demonstrate the suction capability of his two vacuum trucks. Triple A Industrial Service Inc. had their equipment successfully tested at a City designated facility and fulfilled this contract award condition.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council. Although sufficient funds have been included in the draft 2007 Operating Budget, the necessary resources have not been formally allocated and approved.

Regional Implications

The Region of York has its own sewer flushing program.

Conclusion

Public Works Division staff has reviewed the bid submissions and have determined that the lowest bidder, Triple A Industrial Services Inc., meets the requirements of the contract. It is therefore appropriate to award Contract T07-057 to Triple A Industrial Service Inc.

Report prepared by:

Tina Di Biase
Technical Coordinator

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Item 7, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

**7 ASSUMPTION – NORTHDALÉ SUBDIVISION, PHASE 1 – EXCLUDING ATHABASCA DRIVE
19T- 95093 / 65M-3544**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering & Public Works, dated May 28, 2007:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed assuming the municipal services in the Subdivision Agreement for Plan 65M-3544 and that the municipal services letter of credit be reduced to \$2,450.

Economic Impact

Upon assumption of this development, approximately 1.4 lane kilometers of roadway and associated municipal infrastructure will be added to the City of Vaughan's system. There will be a future cost associated with the operation and long-term maintenance of the additional inventory of lands and public highways that may include roads, sewers, watermains, street lighting, streetscaping, storm water management ponds, parks, etc.

Communications Plan

Not applicable

Purpose

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

Background - Analysis and Options

The 100 lot development is a residential subdivision. The development is located west of Dufferin Street and north of Teston Road as shown on Attachment 1.

The Subdivision Agreement was signed on November 7, 2001. The municipal services in Plan 65M-3544 were installed in July, 2001 and the top course asphalt was placed in August 2004.

All the documentation required by the Subdivision Agreement for assumption has been submitted. The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Public Works, Building Standards, Parks Development, Engineering Services, Development Planning and Clerks. The Park and Forestry Department is requesting that \$2,450 be held back in securities for the guarantee of boulevard trees. The Reserves and Investments Department has also confirmed that all of the City's financial requirements regarding this subdivision have been met.

Relationship to Vaughan Vision 2007

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

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

Regional Implications

There are no Regional implications with respect to the assumption of the municipal works within this subdivision development.

Conclusion

It is therefore appropriate that the municipal services in Registered Plan 65M-3544 be assumed and the municipal services letter of credit be reduced to \$2,450. Once the street trees are inspected to the satisfaction of the City, the letter of credit will be released.

Attachments

1. Location Map

Report prepared by:

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

VR/fc

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

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Item 8, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

8

WASTE COLLECTION ZONE CHANGES

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering & Public Works, dated May 28, 2007:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That the proposed collection zone changes be implemented the week of September 10, 2007 to coincide with the launch of Greening Vaughan Phase 3; and,
2. This report be received for information.

Economic Impact

The costs to implement this change are largely covered through existing communications programs. For example, a Greening Vaughan update brochure is scheduled to go out prior to Phase 3 implementation, and as such, there will be no additional cost to advertise this change through this medium. Similarly, mobile signs will be used to advertise the Phase 3 changes. Wording to reflect the change in collection days will be added at no additional cost. Any costs to implement the proposed zone change can be covered in the draft 2007 operating budget.

Communications Plan

City staff will aggressively advertise the collection zone changes, in conjunction with Phase 3 of Greening Vaughan, through a myriad of avenues, including:

- a door-to-door campaign (staff to create a neighbourhood-specific door hanger) conducted in late summer to affected neighbourhoods
- distribution (mail-out) of Greening Vaughan newsletter (Issue 6) in late August early September, 2007
- mobile signs erected in affected neighbourhoods
- newspaper advertisements in local papers
- participation in community events such as Bindertwine, Concerts in the Park etc.
- Access Vaughan staff informing residents of pending changes

Purpose

The purpose of the collection zone changes is to provide more balanced collection zones to ensure waste collection efficiencies are met both now and in the future.

Background - Analysis and Options

Although the collection zones were altered in a minor way in 1998, the current collection zones, as shown in Attachment 1, have been in place for more than a dozen years.

In 2007, the City is providing collection services to approximately 67,400 residential curbside dwelling units. Currently, all collections occur on a weekly basis, over a period of 4 collection days per week. It is anticipated that by 2010, the number of dwelling units requiring municipal collection services will swell to approximately 88,400. This represents an increase of approximately 31% in 3 years.

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The current collection zones (shown in Attachment 1) are significantly out of balance and continue to become more skewed as residential developments proceed in the City, primarily in blocks 11, 12, 18, 33, and 39.

Prior to developing the revised collection zones, staff put forth several ground rules that had to be met in order that the proposed collection zones be considered. These requirements are as follows:

1. Where possible, proposed collection zone boundaries are to be delineated by concession blocks.
2. Where possible, proposed collection zones are to minimize the impact to the majority of residents receiving municipal collections.
3. Proposed collection zones must be easy to convey in printed material and easy to understand by residents.
4. Proposed collection zones are to be configured (i.e. balanced) in such a way as to minimize alterations to collection zones over the next 5 to 10 years.
5. Proposed collection zones be agreeable to both the City and it's' collection contractor.

In order to determine possible collection zone configurations, City staff obtained current residential dwelling unit counts, on a per block basis, from PowerStream. The City's Engineering Department supplemented this data by providing projected growth rate data for the affected blocks, on a per block and per year basis. Growth rate figures were provided up to the year of 2010 inclusive.

With the ground rules and data in place staff, in conjunction with its contractor, developed a viable configuration for new collection zones. As shown in Attachment 2, the proposed collection zones meet all the requirements stipulated above. Similar to the existing collection map, the proposed collection map shows 4 collection zones, with each collection zone divided into "Week 1" and "Week 2". Unlike the current collection map, the collection zone boundaries are delineated by the centre line of the road. As an example, the boundary between the Wednesday and Tuesday collection zone is, in part, Pine Valley Drive. Those residents residing on the west side of Pine Valley Dr. would receive collections Wednesday, whereas those residents residing on the east side of Pine Valley Dr. would receive collections on Tuesday.

Waste and Recycling collections at multi-unit residential dwellings (i.e. condominiums) are not affected by the collection zone changes presented in this report. Multi-unit residential establishments will continue to receive municipal collection services as per their normal schedule.

After developing the revised collection zones, staff had to consider what the most appropriate time was to launch these changes. Phase 3 of Greening Vaughan starts the week of September 10, 2007. Phase 3 introduces every other week garbage collection. Further, the City's current collection schedule is valid until September 2007, at which time a new calendar will be issued. Although each one of the anticipated changes (i.e. collection zones and every other week garbage collection) will result in an increase of calls from residents, it was felt that it would be advantageous to harmonize these changes such that they fell upon the same week (September 10, 2007). In so doing, City staff can maximize the use of Waste Management's summer and fall students and the City will save a considerable amount of money but not having to issue an interim collection schedule prior to September.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by council, specifically:

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A-1 “Pursue Excellence in the Delivery of Core Services”
A-5 “Plan and Manage Growth”
D-1 “Enhance Productivity and Cost Effectiveness”
D-4 “Communicate Effectively”

Regional Implications

There are no Regional implications in implementing the collection zone changes.

Conclusion

The proposed collection zones are required to achieve more balanced collections for the four designated collection days. The reconfiguration has taken into account future growth, and as such, it is not anticipated that the collection zones, as presented, will require any significant alteration within the next 5 – 10 years.

In an effort to maximize the use of Public Works (Waste Management) summer / fall students, and to minimize costs to the City, the launch of the collection zone change is recommended to be synonymous to that of Phase 3 Greening Vaughan. To that end, the week of September 10, 2007 will bring upon every other week garbage collection and the proposed changes to the collection zones.

Attachments

Attachment 1: Existing Collection Zones
Attachment 2: New Collection Zone Changes

Report prepared by

Caroline Kirkpatrick, M.C.I.P., C.E.T., Manager of Solid Waste Management

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 9, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

**9 FOREST FOUNTAIN DRIVE AND SUNSET RIDGE
PROPOSED ALL-WAY STOP CONTROL**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering & Public Works, dated May 28, 2007:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That an all-way stop control be installed at the intersection of Forest Fountain Drive and Sunset Ridge.

Economic Impact

The cost to install the stop signs and pavement markings would be an initial impact on the 2007 Operating Budget, and the costs to maintain the signs and pavement markings would have an impact to future Operating Budgets.

Communications Plan

Engineering Services staff have provided the Mayor's office with a response to this matter. This information has been provided to the Sonoma Heights Phase 3 Neighbourhood Traffic Committee Chair.

Purpose

To review the feasibility of implementing an all-way stop control at the intersection of Forest Fountain Drive and Sunset Ridge, in response to a request from the Mayors office.

Background - Analysis and Options

A request has been received to review the traffic activity at the intersection of Forest Fountain Drive and Sunset Ridge. Sunset Ridge and Forest Fountain Drive are local roadways with a 20 metre right-of-way. The existing stop control is located on Forest Fountain Drive. The area is shown in Attachment No.1.

Staff conducted a turning movement count on Wednesday, March 28, 2007, at the intersection of Forest Fountain Drive and Sunset Ridge during the morning and afternoon peak time periods of 7:00 a.m. to 9:00 a.m., and 3:00 p.m. to 6:00 p.m. On the day of the traffic study the weather was sunny and clear. The data collected was compared to the Provincial Warrant for All-Way Stop Control with the following results:

- Warrant 1 – Minimum Vehicular Volumes Warranted 93%
- Warrant 2 – Accident Hazard Warranted 0%
- Warrant 3 – Sight Restriction Warranted 0%

All-way stop controls are recommended when one of the above warrants are satisfied to 100% or more. There have been no reported collisions from June 2005 through to June 2006 at this intersection susceptible to prevention by implementing all-way stop control. There are no sight restrictions at this intersection. According to the results above, this intersection does not meet the minimum requirements of the warrant.

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Staff however believes it would be beneficial to install an all-way stop control at the intersection of Forest Fountain Drive and Sunset Ridge. The warrant requires 120 vehicles from the side street. Staff recorded 112 vehicles entering the intersection from the side street, only 8 vehicles below the criteria in the All-Way Stop Warrant. Since the 8 vehicles to meet the warrant could be met at anytime it would be beneficial to install the all-way stop control at this time.

Relationship to Vaughan Vision 2007

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

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

Regional Implications

Nil.

Conclusion

Based on staff's review, it is recommended that all-way stop control be installed at the intersection of Forest Fountain Drive and Sunset Ridge.

Attachments

1. Location Map

Report prepared by:

Leslie Winfrow, Senior Traffic Technologist, Ext. 3131
Mike Dokman, Supervisor Traffic Engineering, Ext. 3118

LW:mc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 10, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

10

TRAFFIC SIGNAL HEAD REPLACEMENT AT THREE INTERSECTIONS WITH THE HIGHEST COLLISION RATES

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering & Public Works, dated May 28, 2007:

Recommendation

The Commissioner of Engineering and Public Works in consultation with the Director of Reserves and Investments recommends:

1. That, subject to approval of the 2007 Capital Budget, the installation of LED signal heads at the subject three intersections be undertaken under project EN-1679-07, Traffic Signal Head Replacement; and
2. That the subject intersections be part of the Phase 1 replacement contract in 2007.

Economic Impact

The cost of approximately \$23,500 to install the Light Emitting Diode (LED) signal and pedestrian heads is above the proposed funding line in the 2007 Capital Budget.

These funds are part of a larger long term Capital program to replace all existing pedestrian and traffic signal heads with LED type fixtures. The cost to maintain the LED heads would have an impact on future Operating Budgets. As previously reported to the Budget Committee, the use of LED signal heads will substantially reduce the hydro and maintenance costs at LED signal locations. These three intersections will be part of the Phase 1 replacement program budgeted at \$124,000, which has been included in the draft 2007 Capital Budget.

Communications Plan

Traffic staff have discussed the use of LED heads with other Municipalities. Many municipalities reported that they do have a replacement program underway. There has been no public notice with respect to this program other than staff reports on various meeting agendas.

Purpose

To report on the estimate to replace old fibre-optic signal and pedestrian heads with new Light Emitting Diodes (LED) heads at the three intersections that had the highest collision rates in 2005, as a means of possibly addressing safety issues.

Background - Analysis and Options

At its meeting on June 26, 2006, Item 33, Report 37, Council directed:

- “1. That staff review the top three locations with the highest collision rates and provide a report addressing the safety issues.”***

In the annual report reviewing performance of signalized and unsignalized intersections, Engineering Services staff determined that the intersections at Ansley Grove Road and Embassy

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 10, CW Report No. 28 – Page 2

Drive/Blue Willow Drive, Clark Avenue and New Westminster Drive, and Ansley Grove Road and Windflower Gate/Pinedale Gate had the highest collision rates for the 2005 year.

Collision rates are determined by factors including the number of reportable collisions, and total volumes that travel through the intersection. Collision rates at intersections are measured in “collisions per million vehicles entering” (collisions/mve), or the average number of collisions for every one million vehicles that pass through the intersection.

At all three intersections, the traffic signal heads and pedestrian signal heads are fibre-optic technology. Complaints have been received that the signal heads are not bright enough to see at different times of the day, under varying weather conditions, or depending on the viewing angle. The newest technology available for signal heads is LED (Light Emitting Diodes). LED heads provide a brighter intensity, are known to last longer than fibre-optic bulbs, use less electricity and are environmentally friendly.

Replacement of the traffic signal heads and pedestrian signal heads at all three intersections would improve overall visibility of the various signal indications and hence aid in reducing the probability of collision, thereby improving safety.

Staff estimate the cost to replace all traffic signal heads (26) and pedestrian signal heads (24) to be \$23,500. The cost to maintain the new signal heads would have a minor impact on future Operating Budgets. If this work is approved within the 2007 Capital Budget, the work would commence in the Spring 2007.

Staff have also sent a copy of the June 26, 2006, Council extract to York Regional Police Services to provide increased enforcement of speeding and non-compliance of the existing traffic signals at the three subject intersections.

Relationship to Vaughan Vision 2007

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

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

Regional Implications

The City program is consistent with a similar undertaking at the Region of York.

Conclusion

Staff recommend this report be received for information purposes.

Attachments

1. Location Map

Report prepared by

Mark Ranstoller, Senior Traffic Technologist, ext. 3141
Mike Dokman, Supervisor, Traffic Engineering, ext. 3118
MR:mc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 11, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

11 DEVELOPMENT CHARGES – SEMI-ANNUAL ADJUSTMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Finance & Corporate Services and the Director of Reserves & Investments, dated May 28, 2007:

Recommendation

The Commissioner of Finance & Corporate Services and the Director of Reserves & Investments recommends:

- 1) That in accordance with the appropriate semi-annual adjustments sections of each respective development charge by-law, the City Wide Development Charge rates and Special Service Area Development Charge rates be increased 2.8% effective July 1, 2007; and
- 2) That the following revised Development Charge Rates (Attachment 1) be approved.

Economic Impact

The semi-annual adjustment will provide a 2.8% increase in City-Wide Development Charges and Special Service Area Development Charges.

Communications Plan

Not applicable.

Purpose

To obtain Council approval to index the City of Vaughan Development Charges pursuant to the semi-annual adjustment provision in the respective City of Vaughan Development Charge By-laws.

Background - Analysis and Options

The Development Charges Act authorizes municipalities to pass By-laws for the recovery of capital costs incurred to provide services to all new development and re-development. A clause in each of the City of Vaughan's Development Charge By-laws states the development charges can be adjusted semi-annually without amendments to the by-laws, as of the 1st day of January and the 1st day of July in each year in accordance with the most recent change in the Statistics Canada Quarterly, Construction Price Statistics (catalogue No. 62-007).

In order to protect the municipality from escalating construction costs and based on a review of the Statistics Quarterly Construction Price Statistics (catalogue No. 62-007), the City Wide Development Charges and Special Service Area Development Charge Rates should be increased by 2.8% which reflects the six (6) month increase in the index for the period October 1, 2006 to March 31, 2007.

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Relationship to Vaughan Vision 2007

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

Regional Implications

Not applicable.

Conclusion

Staff recommend that the City of Vaughan Development Charges be increased by 2.8%. The City Wide Development Charge and the Special Service Area Development Charges may be indexed without amending the existing by-law. The revised schedules reflecting the new rates are attached.

Attachments

Attachment 1 – Revised Development Charge Rates

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

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Item 12, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

12 KLEINBURG BUSINESS IMPROVEMENT AREA (KBIA) 2007 BUDGET AND LEVY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Financial Services, dated May 28, 2007:

Recommendation

The Director of Financial Services, in consultation with the Manager of Property Tax & Assessment recommends:

That in accordance with the request from the Board of Management of the Kleinburg Business Improvement Area (KBIA) Council approve the 2007 KBIA budget in the amount of \$24,530.00 and these funds be forwarded accordingly.

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

A Communications Plan is not applicable to this report.

Purpose

The purpose of this report is to approve the KBIA budget that provides funds used for promotion, visual enhancement of the area, advertising and special events and to authorize staff to levy and collect, and remit the special charge related to the KBIA. The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Background - Analysis and Options

Each year the KBIA submits a budget for Council's approval. The 2007 budget amount of \$24,530.00 was approved by the Board of Management of the KBIA in January 2007. The amount is levied to all commercial property within the BIA boundary, utilizing the taxable commercial assessment of each property.

A companion report has been forwarded to Council on this date to request that notice be sent to all KBIA Commercial/Industrial owners of the request from the Board of Management to amend By-law Number 169-84 in order to increase the minimum and maximum special charges for the KBIA, commencing with the year 2007. The members of the KBIA will be levied once these results are known.

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.

Regional Implications

There are no Regional Implications in this Report.

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Conclusion

The source of funding is not from the City's general levy, but is collected on behalf of the KBIA by the City from each member of KBIA.

Council approval of the proposed budget and related by-law provides funds to the KBIA and authorizes staff to levy, collect and remit the funds. Billing will commence once the notification and objection process has been completed.

Attachments

Attachment 1 – 2007 KBIA Proposed Budget

Report prepared by:

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

(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 JUNE 11, 2007

Item 13, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

13 KLEINBURG BUSINESS IMPROVEMENT AREA – BUDGET APPORTIONMENT CHANGE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Financial Services, dated May 28, 2007:

Recommendation

The Director of Financial Services, in consultation with the Manager of Property Tax & Assessment and the Solicitor/Special Services, recommends:

That Council authorize and direct the City Clerk in accordance with subsection 210(1) of the *Municipal Act, 2001*, as amended, to send out the required notice to all Kleinburg Business Improvement Area Commercial/Industrial owners of the request from the Board of Management of the KBIA to pass a By-law to amend By-law Number 169-84 by increasing the minimum and maximum special charge commencing 2007 as follows:

“2007	\$300 minimum / \$1500 maximum
2008	\$300 minimum / \$2000 maximum
2009	\$350 minimum / \$2500 maximum
2010	\$350 minimum / \$3000 maximum
2011	\$350 minimum / \$3500 maximum.”

That a report be brought back to a Council meeting following the expiry of the time for filing objections (60 days) under subsection 210(3) of the *Municipal Act, 2001*.

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

A Communications Plan is not applicable to this report.

Purpose

The purpose of this report is to fulfill the request received from the Board of Management of the KBIA to change the special charge by increasing the minimum and maximum amount that is levied to each applicable property within the Kleinburg Business Improvement Area (“KBIA”) boundary, according to Section 210(1) of the Act.

Background - Analysis and Options

Each year the KBIA submits a budget for Council’s approval, which is required for the purposes of the KBIA. In accordance with section 208 of the Act, the municipality is then required to annually raise this amount from the BIA. The budgeted amount is apportioned, based on a minimum and maximum amount, on all commercial property within the KBIA boundary, utilizing the taxable commercial assessment of such property. The minimum/maximum is a method of apportionment of the annual budgeted amount. This approach, which has been used for many years, provides for a more fair distribution of the budgeted amount.

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The Board has requested that the levy charged to each property be amended to reflect an increase in the minimum and maximum amount. The current minimum and maximum special charges are \$187 minimum / \$1227 maximum.

The amounts proposed by the KBIA Board of Management, as approved in their General meeting, as minimum and maximum amounts for the 5 year period commencing in 2007 are as follows:

2007 \$300 minimum / \$1500 maximum
2008 \$300 minimum / \$2000 maximum
2009 \$350 minimum / \$2500 maximum
2010 \$350 minimum / \$3000 maximum
2011 \$350 minimum / \$3500 maximum

In order for the City to approve the revision, the notice requirements set out in section 210(1) of the Act, as amended, requires notices of the proposed by-law to the Board of Management of the KBIA and to every person assessed for rateable property in the prescribed business or commercial class within the improvement area.

Should no objection be received and should the conditions otherwise set out in subsections 210(3), (4) and (5) be met, the City may proceed to enact the amendment to By-law No. 169-84.

A report will be brought back to Council at the expiration of the period for filing objections, which will be approximately three months from Council's adoption of the recommendations in this report, setting out particulars of objections filed, if any, and the Determination by the Clerk in accordance with subsection 210(5) of the Act. The report will also indicate the amount to be billed to each property owner as applicable and the amount will be levied at that time.

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.

Regional Implications

There are no Regional Implications in this Report.

Conclusion

After the notification process and the results are known, Council can proceed to enact the By-law to change the minimum and maximum special charge if required and staff can bill the 2007 amount to each KBIA member.

Attachments

Attachment 1 - Board of Management letter of request

Report prepared by:

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

(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 JUNE 11, 2007

Item 14, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 11, 2007, as follows:

By receiving the memorandum from the Senior Manager, Enforcement Services, dated June 5, 2007.

14 NOISE CONTROL BY-LAW REVIEW

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and the Senior Manager of Enforcement Services, dated May 28, 2007, be approved;
- 2) That staff provide a report to the Council meeting of June 11, 2007, detailing the dates for the 2006 events and the associated fees paid by the Polish Army Veteran's, Minime Sisters and Veneto; and
- 3) That, if amendments are required, the By-Law be brought forward to the Council meeting of June 11, 2007.

Recommendation

The Commissioner of Legal and Administrative Services and the Senior Manager of Enforcement Services recommends:

That this report be received.

Economic Impact

N/A

Communications Plan

N/A

Purpose

This report is to provide information relating to the Noise control By-law 96-2006.

Background - Analysis and Options

On April 10, 2006 Council enacted a new Noise Control By-law (96-2006).

Council, at its meeting of April 2, 2007 (Item 3, Report 15) requested a report to review the implementation of Noise Control By-law.

The new By-law provided for a number of improvements to the 1981 By-law, including:

- Simpler language
- Time and Place noise limits and General Prohibitions were revised.
- A provision allowing exemptions to the By-law, and monitoring of noise levels with the costs being borne by the service user.
- A provision to assist York Regional Police in dealing with street racing.

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Noise Levels

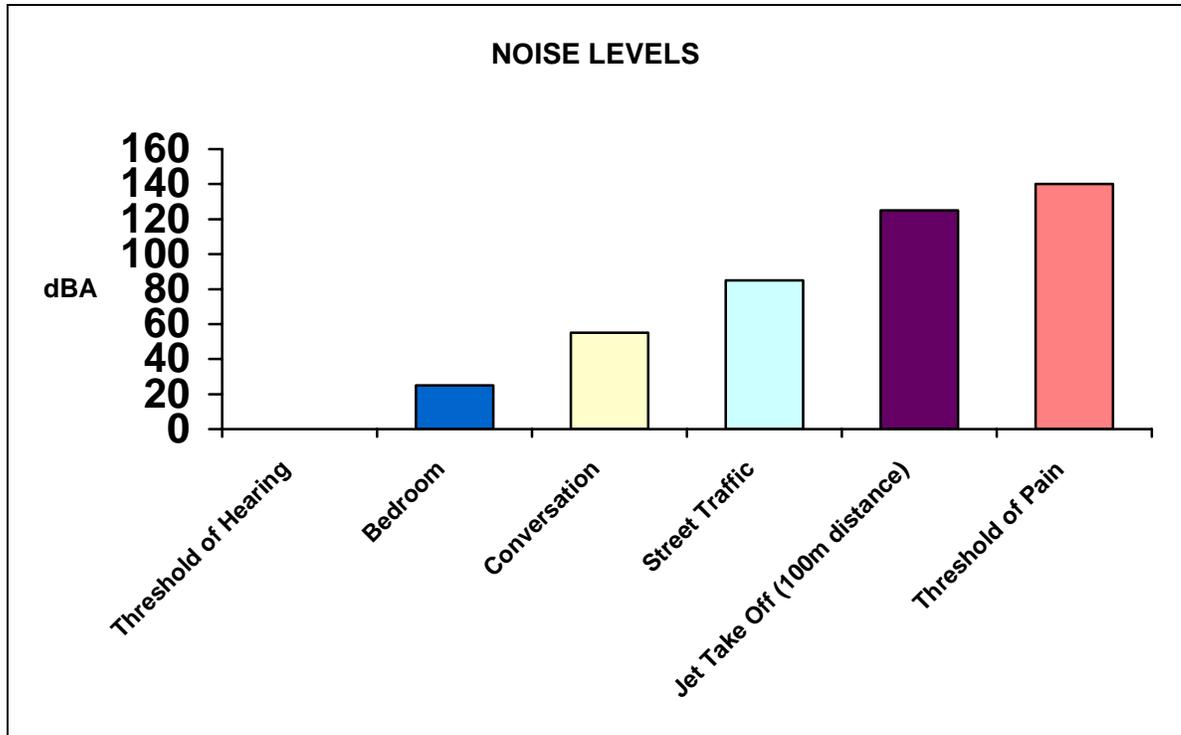
The monitoring of noise levels is conducted by using a calibrated noise meter. The user must be certified in the use of the instrument.

In preparation of the new By-law coming into effect, appropriate Enforcement staff were trained and certified in noise measurement. The department acquired two sound meters in order to have the capability of meeting the demands for the service.

Noise is measured at the point of reception. This means that, for example, if a complaint is received about loud music from a park two blocks distant, the noise levels would be measured at the complainant's location, not where the noise originated.

In cases of noise exemptions, the Noise By-law provides for a maximum noise level of 55 dBA at the point of reception. This noise level is equivalent to normal conversation speech. This level was chosen so that residents would not have to elevate their own voices to communicate, or be disturbed during event times.

The following chart demonstrates the decibel levels for some common sounds.



Permit Process

By-law 96-2006 provides for noise exemptions to be granted for special events and for noise monitoring at the applicant's cost during these events. There must be amplified music or sound used to require an exemption.

Although initially all special event permit requests received by the Licensing Department were forwarded for noise exemptions, this practice was modified in mid-summer 2006 to remove house

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parties (weddings and large backyard parties) and this year street parties will no longer be subject to Noise Exemption or monitoring requests. This was due to concerns from the end users about the cost and also that some parties go on well past 11pm and it was thought that allowing an exemption after that time could possibly inconvenience the public. Any complaints be received about parties would be the responsibility of the police.

Generally, monitoring is required where the amplified music/sound from a special event may reasonably be expected to have a negative impact on neighbouring residential areas, based on historical complaints, or proximity of the event to residential developments.

In 2006, 58 noise exemptions were issued, resulting in 287 hours of noise monitoring being conducted and charged to the applicant. The exemptions resulted in \$5,800. revenue and the noise monitoring resulted in \$18,650. of staff time being re-couped. Staff that conduct the monitoring are working beyond their regular hours and as such are paid at an overtime rate. The volume of monitoring assignments make the use of on duty staff not feasible. The use of on duty staff would also have a negative impact in other departmental responsibilities.

Three locations accounted for 42 of the noise exemptions and monitoring requirements.

- The Polish Army Veteran's Park obtained 22 exemptions and \$11,860. In monitoring.
- The Minime Sisters (7543 Kipling) had 10 exemptions and were charged \$1,720. for monitoring.
- The Veneto Centre also had 10 events and were charged \$950. for monitoring.

Although monitoring and exemptions were issued at these locations, noise complaints were still received from time to time relating to functions at these locations.

The Kortright Centre, had one exemption, but due to the location of the event no monitoring was required. This was also the case at the Soccer Centre on Martingrove Avenue.

A total of 8 exemptions resulting in \$640. of monitoring were attributed to private residences. As mentioned earlier in the report, this kind of event will no longer be part of this process.

The cost of the exemption and monitoring are passed on to the end user through the users agreement. For example, The Polish Army Veteran's Park, Minime Sisters, or the Veneto Centre charge the costs to those that rent the facility.

Staff have maintained an open dialogue with the users of this service and have endeavoured to minimize the impacts of monitoring costs. Staff also hold meetings with representatives of the largest users to ensure that the process and expectations are mutually understood.

The process in place was new in 2006 and staff have modified the processes and requirements over the past year in response to feedback from stakeholders. For 2007, there will be no involvement in street parties or large house parties; the time of monitoring an event will be further confined to 6:00pm-11:00pm to reduce the costs to the users while still providing increased quiet time enjoyment for residents; should the locations being monitored demonstrate compliance with the noise levels through the months of June and July the monitoring time may be further reduced to 8:00pm-11:00pm.

The provisions of the By-law appear to adequately address the public's needs and expectations. Staff are not recommending any amendments to the Noise Control By-law at this time.

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Relationship to Vaughan Vision 2007

This report is in keeping with the Vaughan Vision in that it speaks to providing effective and efficient delivery of services. The necessary resources have been approved and allocated.

Regional Implications

N/A

Conclusion

The Noise Exemption and Monitoring requirements of By-law 96-2006 provide an effective tool to allow groups to enjoy their respective events, while allowing residents the peace and enjoyment of their properties.

Attachments

N/A

Report prepared by:

Tony Thompson
Senior Manager, 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 15, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

15

PESTICIDE FREE PRIVATE PROPERTY

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services, dated May 28, 2007:

Recommendation

The Commissioner of Legal and Administrative Services, in consultation with the Commissioner of Community Services and the Director of Corporate Communications, recommends:

1. That a Public and Stakeholder Consultation process be established and conducted over the next several months;
2. That staff bring forward to the Environment Committee in the Fall a draft By-law and implementation strategy on the elimination of non-essential use of chemical pesticides in Vaughan; and
3. That the report of the Commissioner of Legal and Administrative Services dated May 14, 2007, be received (Attachment #2).

Economic Impact

The economic impact of this initiative is within budget.

Communications Plan

Staff from the appropriate departments will conduct consultations with residents and representatives of the landscape and forestry industry. Subsequent to that, a communication and education plan will be developed and presented to Council.

Purpose

This report is to provide information relating to banning the use of pesticides on private property.

Background - Analysis and Options

At the May 14, 2007 meeting of the Environmental Task Force, this report was presented. The Environmental Task Force recommended as follows:

1. That a Public and Stakeholder Consultation process be established and conducted over the next several months;
2. That staff bring forward to the Environment Committee in the Fall a draft By-law and implementation strategy on the elimination of non-essential use of chemical pesticides in Vaughan; and
3. That the report of the Commissioner of Legal and Administrative Services dated May 14, 2007, be received.

The prohibition of using pesticides has continued to grow across the Region, Province and Country since the Supreme Court upheld the By-law from the Town of Hudson (Quebec) in 2001.

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In York Region, the only municipalities that have addressed this issue are the Towns of Newmarket and Georgina. They have By-laws banning the non-essential use of pesticides. However, Georgina's does not come into effect until 2008. Other GTA municipalities that have restrictions are Toronto that allows noxious weeds to be sprayed and Caledon that allows some pesticide application. There have been no legal challenges by violators to the Toronto By-law to date.

In discussions with staff from various municipalities, and the Senior Prosecutor for the Region of York, prosecution of the By-laws presents evidentiary challenges. Since enforcing this By-law will be difficult, a comprehensive communication strategy in attempts to foster voluntary compliance with the By-law through education has been the common focus for all municipalities.

As a result, staff are recommending a progressive, stepped approach to implementing the By-law.

In order to obtain feedback from the public and stakeholders, it is proposed that consultations be conducted during the summer and fall of 2007. It is suggested that Corporate Communications would take the lead in organizing such consultations, with the support and involvement of appropriate Enforcement Services and Parks staff. Information obtained during the consultations will assist in the formulation of the By-law as well as the nature of education and information required for implementation.

Following consultation, staff will be in a position to report back in late fall 2007, with a proposed by-law and implementation plan. It is anticipated that implementation would entail a campaign of education and awareness; enactment of a by-law with a delayed effective date; and a strategy to achieve maximum compliance through education, persuasion, cautionary notices, and other voluntary measures.

Based on a review of comparable municipal pesticide by-laws, staff would likely be proposing a by-law to restrict, eliminate, or control the use of cosmetic pesticides. The attached draft By-law is provided for discussion purposes at the consultations as it reduces the amount of pesticide usage, while still allowing some usage of some restricted application.

Since 2001 the City of Vaughan has begun educational programs to help residents obtain a healthier, weed-free lawn without the use of pesticides.

The elimination on public lands began at this time in Wards 4 & 5, and since 2005, all lands on City of Vaughan public property are pesticide free.

Relationship to Vaughan Vision 2007

This report is in keeping with the Vaughan Vision in that it speaks to the promotion of community safety, and safeguarding our environment. The necessary resources have yet to be approved or allocated.

Regional Implications

Properties in the control of the Region would be impacted by this By-law as it is anticipated that the By-law would apply to all lands within the boundaries of the City of Vaughan. As such, the Region will be consulted in the public consultation.

Conclusion

The public and stakeholder consultation recommended in this report will be the basis for bringing forward a draft By-law and implementation strategy to restrict, control, and eliminate the non essential use pesticides in Vaughan.

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Attachments

1. Draft Pesticide Management By-law
2. Environmental Task Force – May 14, 2007 - Pesticide Free Private Property Item

Report prepared by:

Tony Thompson
Senior Manager, 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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 16, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

16

**PROCLAMATION REQUEST –
ONTARIO FAMILY FISHING WEEKEND**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated May 28, 2007:

Recommendation

The City Clerk recommends:

- 1) That July 6 through July 8, 2007 be proclaimed as “Ontario Family Fishing Weekend”; and
- 2) That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

Economic Impact

N/A

Communications Plan

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.

Purpose

To respond to the request received from the Ontario Family Fishing Weekend Steering Committee.

Background - Analysis and Options

The correspondence received from the Ontario Family Fishing Week Steering Committee, dated April 27, 2007, 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 Ontario Family Fishing Weekend Steering Committee has requested the City publicize this proclamation to declare one summer weekend a licence-free-fishing weekend. The City has granted this request in previous years.

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.

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Regional Implications

N/A

Conclusion

Staff is recommending that July 6 through July 8, 2007 be proclaimed as “Ontario Family Fishing Weekend” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment #1 - Correspondence from the Ontario Family Fishing Weekend Steering Committee, dated April 27, 2007

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 JUNE 11, 2007

Item 17, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 11, 2007, as follows:

By approving that additional members be recruited to the Vaughan Youth Cabinet in accordance with approved guidelines; and

By receiving the confidential memorandum from the City Clerk, dated June 8, 2007.

17 **APPOINTMENTS TO THE VAUGHAN YOUTH CABINET**

The Committee of the Whole recommends:

- 1) That staff provide a report to the Council meeting of June 11, 2007, identifying the Wards being represented by the current and proposed candidates; and
- 2) That the following report of the City Clerk, dated May 28, 2007, be received.

Recommendation

The City Clerk recommends:

That three (3) further members be appointed to the Vaughan Youth Cabinet.

Economic Impact

There is no economic impact.

Communications Plan

The City of Vaughan website will be updated to include the newly appointed members.

Purpose

The purpose of this report is to request that Council appointment 3 additional members to the Vaughan Youth Cabinet.

Background - Analysis and Options

At the meeting of January 29, 2007, Council appointed 8 members to the Vaughan Youth Cabinet, which was the sum of applications received during the recruitment process. Normally membership on the Cabinet consists of approximately of 10 – 12 youth. The Cabinet has received 3 further applications from youth interested in participating on the Cabinet, and at their May 9, 2007 meeting recommended that Council appoint these individuals to the Cabinet. The 3 applications have been provided to Members of Council under separate cover for consideration.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council as it “Serves our Citizens” by promoting community safety, health and wellness and the necessary resources have been allocated and approved.

Regional Implications

There are no regional implications associated with this request.

CITY OF VAUGHAN

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Conclusion

At the request of the Vaughan Youth Cabinet, applications have been provided for Council's consideration.

Attachments

- 1) Applications (Confidential- Under separate cover.)
- 2) Vaughan Youth Cabinet Membership List (Confidential-Under separate cover.)

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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 18, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

18

**BILL 130 AMENDMENTS TO *MUNICIPAL ACT, 2001* –
ROLE OF COUNCIL AND HEAD OF COUNCIL**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Legal Services, dated May 28, 2007:

Recommendation

The Director of Legal Services recommends that this report be received for information.

Economic Impact

The economic impacts arising from this report are within the existing budget.

Communications Plan

Not applicable.

Purpose

The purpose of this report is to provide additional information as requested by Council on March 19, 2007.

Background – Analysis and Options

Further to the Report to the Committee of the Whole (Working Session) on February 27, 2007, related to Amendments to the *Municipal Act, 2001*, introduced by Bill 130, the *Municipal Statute Law Amendment Act, 2006*, this report provides additional information as requested at the Working Session on the changes to the roles of Council and the Mayor.

Role of Council

The role of Council set out at section 224 of the *Municipal Act, 2001* is as follows:

Role of Council

224. It is the role of council,

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act.

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The roles set out in section 224 were recently amended by Bill 130 to include a duty at clause (d) to ensure “policies,” in addition to “practices and procedures” of the municipality, are in place to implement the decisions of Council. In keeping with the addition of the new Part V.1 of the Act, and other complementary amendments dealing with Accountability and Transparency throughout the Act, clause (d.1) adds to Council’s role “to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management.” Although Councils always had such authority, these new provisions articulate the role.

Staff at the Ministry of Municipal Affairs and Housing takes the view that the intent of the amendments highlights the need for Councils to have an ongoing interest in the operations of the municipality, not to become administrators of the municipality. Hence, the provision for the appointment of a Chief Administrative Officer has been retained. Further the role of the Municipal Administration, or the officers and employees of the municipality, has not changed. Section 227 sets out the administration’s role as follows:

Municipal administration

227. It is the role of the officers and employees of the municipality,

- (a) to implement council’s decisions and establish administrative practices and procedures to carry out council’s decisions;
- (b) to undertake research and provide advice to council on the policies and programs of the municipality; and
- (c) to carry out other duties required under this or any Act and other duties assigned by the municipality.

Role of Mayor

The role of the Head of Council is set out at section 225 and provides as follows:

Role of Head of Council

225. It is the role of the head of council,

- (a) to act as chief executive officer of the municipality;
- (b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- (c) to provide leadership to the council;
- (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- (d) to represent the municipality at official functions; and
- (e) to carry out the duties of the head of council under this or any other Act.

New clause (c.1) articulates a role which was always implicitly understood to be the Head of Council’s role. The Head of Council continues to be recognized under the statute as the Chief Executive Officer at section 225, clause (a). The parameters of this role have now been clarified in the new section 226.1 below.

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The new role, duties or activities of the Head of Council or the Mayor prescribed in amended section 225 and the new section 226.1, however, do not give any additional powers to the Mayor at Council.

The Mayor's responsibilities as Chief Executive Officer are as follows:

Head of council as chief executive officer

226.1 As chief executive officer of a municipality, the head of council shall,

- (a) uphold and promote the purposes of the municipality;
- (b) promote public involvement in the municipality's activities;
- (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

The responsibilities in clauses 226.1(a) to (d) are performed by many heads of council at present and, therefore, section 226.1 for the most part simply itemizes duties a Head of Council or Mayor has always assumed.

Relationship to Vaughan Vision 2007

This report is consistent with the Vaughan Vision 2007.

Regional Implications

This report does not have regional implications.

Conclusion

This report provides additional details requested on Bill 130 amendments to the *Municipal Act, 2001* regarding the roles of the Mayor and Members of Council.

Report Prepared By:

Carolyn P. Stobo, Solicitor/Special Services

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 19, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

19

**SIGN VARIANCE APPLICATION
FILE NO: SV.07-07
OWNER: CONCORD VAUGHAN GP INC.
LOCATION: 11 INTERCHANGE WAY
PART OF LOT 5, REGISTERED PLAN NO. 65R-27858, CONCESSION 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated May 28, 2007:

Recommendation

That Sign Variance Application SV.07-07, Concord Vaughan GP Inc., be APPROVED.

Economic Impact

None

Communications Plan

The results of this application will be communicated to the applicant through the Secretary to the Sign Variance Committee.

Purpose

Request to install two wall mounted signs on the decorative masonry wall entry features in front of the building located on the west side of the subject property as shown on the attached drawings.

Background - Analysis and Options

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.

Regional Implications

Region of York Engineering approval is not required for the proposed signs.

Conclusion

The applicant is proposing to install two wall mounted signs on the decorative masonry wall entry feature, as shown on the attached drawings.

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

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

Attachments

1. Location Plan
2. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 20, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

20

**SITE DEVELOPMENT FILE DA.06.098
CAN VAM HOLDINGS INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007, be approved;**
- 2) That the deputation of Mr. Dave McKay, MHBC 7050 Weston Road, Unit #230, Woodbridge, L4L 8G7, on behalf of the applicant, be received; and**
- 3) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.06.098 (Can Vam Holdings Inc.) BE APPROVED, to permit open storage of precast panels on the subject lands, shown on Attachment #2, without a building located on the same lot, subject to the following conditions:
 - a) that prior to the execution of the site plan agreement:
 - i) the final site plan and landscaping plans shall be approved by the Development Planning Department;
 - ii) the final site grading and servicing plan and site servicing report shall be approved by the Engineering Department;
 - iii) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - iv) the Minor Variance Application (File A177/06) shall be approved by the Committee of Adjustment and the decision shall be final and binding to implement the final approved site plan.
 - b) That the site plan agreement contain the following provision:
 - i) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the Planning Act and City of Vaughan policy. The Owner shall submit an appraisal of the subject lands 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.

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Communications Plan

N/A

Purpose

The Owner has submitted a Site Development Application (File DA.06.098) on the subject lands shown on Attachment #1, to permit an open storage area for precast panels, which would be enclosed by landscaping and chain link fencing, and would exclude any buildings on the same lot as the open storage use, as shown on Attachment #2. The precast panels are manufactured by Global Precast Inc., who are located on the opposite side of the street at 2101 Teston Road, and then brought over to the subject lands.

Background - Analysis and Options

The 2.93 ha subject lands shown on Attachment #1 are located on the north side of Teston Road, east of Keele Street, in Part of Lot 26, Concession 3, City of Vaughan. The surrounding land uses are:

- North - existing industrial (M1 Prestige Industrial Zone)
- South - Teston Road, existing industrial (M2 General Industrial Zone)
- East - vacant (M1 Prestige Industrial Zone), closed landfill site (OS1 Open Space Conservation Zone)
- West - vacant/ future industrial (M1 Prestige Industrial Zone), CNR Rail Line (M3 Transportation Industrial Zone)

The subject lands are currently used in contravention of the zoning by-law by Global Precast Inc., who manufactures the precast panels across the street at 2101 Teston Road. Precast panels are temporarily stored on the subject lands for a period of approximately one week. The precast panels are brought into and removed from the site by way of a trailer. A mobile crane is brought to the site to assist with moving the panels between trailers and the storage area. The Owner has assured the City in a letter dated March 19, 2007, that any mobile cranes are not stored on site.

Official Plan

The subject lands are designated "Prestige Industrial" by OPA #332, as amended by OPA #593, which permits open storage accessory to an industrial use on the subject lands provided that the open storage is adequately screened, appropriately integrated into the development of the subject lands, and does not have a negative impact on the site and the surrounding lands. The proposed use conforms to the Official Plan.

Zoning

The subject lands are zoned M1 Prestige Industrial Zone by By-law 1-88, subject to Exception 9(1168). The proposed open storage use is permitted on the subject lands provided it is accessory to an industrial use on the subject lands, and a number of standards relating to setbacks, screening, height, etc. The proposal complies with all requirements of the By-law with the exception of the following which is required to facilitate the proposed site plan, as shown on Attachment #2:

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By-law 1-88 Requirement	Proposal
<ul style="list-style-type: none">▪ By-law 1-88 requires a building with a minimum gross floor area of 550 m² to be located on the same lot where the open storage use is located.	<ul style="list-style-type: none">▪ The Owner proposes the open storage use to be permitted as an accessory use to an off-site building on the south side of Teston Road, specifically to the Global Precast manufacturing operations located at 2101 Teston Road.

In April 2006, the Owner submitted Minor Variance Application (File A177/06) to the Committee of Adjustment to permit open storage without the presence of a building on the subject lands. Minor Variance Application A177/06 has since been deferred by the Owner to give the Development Planning Department and Vaughan Council the opportunity to consider the proposed site plan.

The Official Plan and Zoning By-law permits the open storage use on the subject lands. The Owner requests that in advance of their intended expansion of their manufacturing facility on the subject lands within three years, the proposed open storage be permitted accessory to a building located off-site, on the south side of Teston Road (2101 Teston Road). In addition, the proposed site complies with all the zoning standards prescribed for open storage (i.e. maximum of 30% of the lot area, setbacks, screening, etc.) except for the requirement to have a minimum 550 m² building located on the site. The nature of the proposal maintains the same type of use permitted on the site and will have minimal negative impact on the surrounding area as the entire lot will be screened by landscaping and chain link fencing to visually shield the storage area from the street and property lines. The Development Planning Department has no objections to the proposed variance, which can be supported. Should Council concur, the Owner must apply to the Committee of Adjustment for approval of the variance, and the Committee's decision must be final and binding. A condition of approval is included in this report.

Site Design

The proposed site plan is shown on Attachment #2. The proposed open storage use would be accessory to the existing manufacturing operations located immediately across the street at 2101 Teston Road, as shown on Attachment #1. Access to the 2.93 ha site is by two access driveways from Teston Road located at the east and west sides of the subject lands.

The purpose of this application is to develop the subject lands for an open storage use in absence of a building. At this time, the Owner does not propose to construct any building on the site. As a result, there is no applicable minimum required parking standard. However, the Owner proposes to service the site with 34 parking spaces on asphalt paving, of which two spaces are for handicap purposes. The parking area is screened from the street by a 2.0 m high planted berm along Teston Road.

The proposed open storage area is limited to 30% (8,790 m²) of the total lot area and is predominately centred on the subject lands, approximately 20 m from the easterly property line and 12 m from the westerly property line. The proposed open storage area is surfaced with gravel and is completely enclosed by a 2.0 m high chain link fence accessed at the rear by an entry gate to ensure that controlled access into the open storage area is maintained. A 589 m² snow storage area is located north of the proposed open storage area, away from the heavy landscaped and parking areas. The remainder of the subject lands (northerly area) will be vacant.

The Development Planning Department is satisfied with the site design, in advance of the Owner's expected expansion (in 3 years) of their manufacturing facility on the subject lands.

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Landscape Plan

The proposed landscape plan is shown on Attachment #3 and provides for a diversified mixture of coniferous and deciduous trees and shrubs within the landscape buffer strips abutting the property lines. A 6 m wide landscape buffer is provided along the west property line to better screen the outside storage from Keele Street and Teston Road. The east side of the property will be heavily screened, but will not infringe upon the existing easement that runs the extent of the east property line. A 2.0 m high, 5.0m to 9.0 m wide landscaped berm is located between Teston Road and the proposed parking area, as shown on Attachment #4, which would provide added visual screening from Teston Road.

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

Easement

An existing 5.0 m wide easement extends along the full length of the easterly limits of the property. The easement is to provide a passive gas-venting barrier to prevent lateral gas migration from the closed landfill site to the east. The easement facilitates the safe development of the subject lands. The proposed open storage and landscaped areas will be located away from the easement.

Region of York

The Region of York Transportation and Works Department is protecting a 36.0 m right-of-way for the section of Teston Road leading up to the subject lands. York Region has stated that the Owner shall, as a condition of site plan approval, convey sufficient property to provide an 18.0 m setback from the centreline of construction of Teston Road along the entire frontage of the site adjacent to Teston Road to York Region, free of all costs and encumbrances.

The Owner will be required to satisfy all requirements of the Region of York. A condition of approval is included in this respect.

Services

The Owner has submitted site-servicing, grading, external and internal drainage plans, along with a site servicing and stormwater management report, which must be approved to the satisfaction of the City's Engineering Department. Snow plowing will be administered privately.

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".

Regional Implications

The Region of York Transportation and Works Department has reviewed the application and have recommended specific road widening requirements as outlined in this report. The Owner is required to comply with all Regional requirements.

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Conclusion

The Development Planning Department has reviewed Site Development File DA.06.098 to develop the subject lands as an open storage area for precast panels as shown on Attachment #2, in accordance with the policies of the Official Plan, Zoning By-law and the area land use context. The proposed use is permitted by the Official Plan and meets all of the standards of the Zoning By-law, with the exception of the requirement for a 550 m² building on the subject lands. The proposed open storage area will be screened heavily with landscaping, including a 2 m high landscaped berm along Teston Road, together with a chain link fence which will provide screening from the property lines. Accordingly, the Development Planning Department can support the proposed development, subject to the comments and recommendations in this report and the Owner obtaining approval from the Committee of Adjustment for the minor variance (FileA177/06).

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Landscape Elevation

Report prepared by:

Stephen Lue, Planner, ext. 8210
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 21, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

21

**SITE DEVELOPMENT FILE DA.07.005
MINISTRY OF TRANSPORTATION (BELL MOBILITY INC.)**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007, 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.07.005 (Ministry of Transportation-Bell Mobility Inc.) BE APPROVED, to permit the construction of a 34m high Bell Mobility Inc. monopole telecommunications tower, as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the issuance of a Building Permit:
 - i) the final site plan, and elevation plan shall be approved to the satisfaction of the Development Planning Department;
 - ii) all hydro requirements of Power Stream Inc. shall be satisfied;
 - iii) the requirements of the Building Standards Department shall be satisfied;
 - iv) the requirements of the MTO shall be satisfied.

Economic Impact

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

Communications Plan

N/A

Purpose

Bell Mobility Inc has submitted a Site Development Application on the subject lands, shown on Attachments #1 and #2, to remove the existing 16.5m high pole antenna and upgrade with a 34m high monopole telecommunication tower in the approximately existing location (see Attachment #3). The existing 3.04m X 3.04m equipment shelter will remain in the same location.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the south side of Rutherford Road, west of Highway #400 and east of the southbound ramp to Highway #400. The subject lands are owned by the Ministry of Transportation Ontario.

The surrounding land uses are:

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- North - Rutherford Road; vacant, proposed commercial (C4 Neighbourhood Commercial Zone)
- South - vacant, southbound on ramp to Highway #400 (A Agricultural Zone)
- East - vacant, Highway #400 and associated ramps (A Agricultural Zone)
- West - vacant, southbound on ramp to Highway #400 (A Agricultural Zone)

The City has adopted a Protocol for the Establishment of Telecommunication Tower and Antenna Facilities, and as a result of this protocol, any facility which is not exempt from municipal approval must make an application to the City to have their proposal reviewed and assessed in light of this protocol.

The protocol requires those antenna facilities that are located within 120m of a residential area to undertake a Public Information Meeting, and to report back to the City with the name of the attendees and the outcome of the meeting.

On May 1, 2007, Bell Mobility held a Public Information Meeting, by notifying residents within 120m of the proposed development. By letter dated May 2, 2007, Bell Mobility indicated that three Bell Mobility Staff and one person from the public attended the Public Information Meeting, which was held at the Vellore Village Community Centre. No objections were received in regard to the proposal.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan). The proposed monopole telecommunications tower use conforms to the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The Building Standards Department has indicated that it has no comments to make with respect to the Zoning By-law.

The Building Standards Department has advised that a Building Permit is required for the designated structure.

Site Design

The proposed development (Attachment #2) is to be located on the south side of Rutherford Road, between the southbound ramp to Highway #400 and Highway #400. The proposed 34m high monopole telecommunication antenna structure (Attachment #4) is located approximately 14.0m south of the sidewalk on Rutherford Road, with the existing associated equipment cabinet (Attachment #3) located immediately west of the pole. The Development Planning Department is satisfied with the proposed site layout.

Elevations

The Development Planning Department has reviewed the proposed monopole antenna (Attachment #4) and is satisfied with the proposed development.

PowerStream Inc.

All hydro requirements to service the telecommunications tower and existing cabinet must be to the satisfaction of PowerStream Inc.

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Ministry of Transportation

The Ministry of Transportation Ontario advises that they have no objection to the proposed installation in the Rutherford Road area. They also advise that the applicant is required to secure all other necessary permits.

Region of York Transportation and Works Department

The Region of York Transportation and Works Department has reviewed the application and has advised that it has no comments.

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".

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed the proposed Site Development Application in accordance with the Official Plan and Zoning By-law. The development of the 34m high monopole antenna structure and the proposed placement and site layout are considered acceptable. Accordingly, the Development Planning Department can support the approval of the Site Development application, subject to the recommendations in this report.

Attachments

1. Location Map
2. Site Plan
3. Proposed Bell Compound Layout Plan
4. Monopole Telecommunications Antenna Elevation

Report prepared by:

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 JUNE 11, 2007

Item 22, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

22

**SITE DEVELOPMENT FILE DA.06.097
N.H.D DEVELOPMENT LIMITED**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT the building elevations for an industrial warehouse building with ancillary office for Site Development File DA.06.097 (N.H.D. Development Limited) as shown on Attachment #3, BE APPROVED.

Economic Impact

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

Communications Plan

N/A

Purpose

For the Committee of the Whole to consider the building elevations (Attachment #3) for the Site Development Application (File DA.06.097) on the subject lands shown on Attachment #1, to facilitate the development of a 23,939.82m² industrial warehouse building with an ancillary office on a 7.09ha vacant lot, as shown on Attachment #2, to be occupied by Multy Industries.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located northeast of Regional Road 7 and Highway 427, in Part of 6, Concession 9, City of Vaughan.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1125). The proposed development of an industrial building conforms and complies with the Official Plan and Zoning By-law, respectively.

The elevation plan that is provided on Attachment #3 shows an irregular shaped building that will be constructed to a height of 9.4m. The building materials consist of white and grey aggregate and smooth precast and blue-tinted glass windows. The primary façades are located on the north, south and southwest elevations, facing Stone Ridge Road, Regional Road 7 and the future extension of Highway 427, respectively. The primary elevations are of similar design and consist of a glass double door-entry (north and west only), framed in glass and white precast, with alternating white aggregate and smooth precast panels from grade to the mid-point of the building

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and smooth precast and cornice details along the roofline. The loading area is located on the east elevation, with 20 over-head doors, 2 drive-in doors and 4 man doors. The loading area will be screened from view of Regional Road 7 and Stone Ridge Drive by precast screen walls, constructed to a height of 3.6m on the north and south elevations. There is also a loading area containing 6 overhead doors that is recessed into the northwest corner of the building, and not visible. Roof-top mechanical units will be screened from view of abutting roads and highways.

Landscaping

The proposed landscaping for the site is shown on Attachment #4, which includes a minimum 14m wide landscape strip adjacent to Regional Road 7 and the future extension of Highway 427. The Development Planning Department is generally satisfied with the proposed landscaping, and will continue to work with the Owner.

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".

Regional Implications

N/A

Conclusion

The Development Planning Department is satisfied with the proposed elevations for the employment use building.

Attachments

1. Location Map
2. Site Plan
3. Elevation Plan
4. Landscape Plan

Report prepared by:

Christina Napoli, Planner, ext. 8483
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 23, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

23

**SITE DEVELOPMENT FILE DA.07.033
GUGLIETTI BROTHERS INVESTMENTS LIMITED**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007, 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.07.033 (Guglietti Brothers Investments Limited) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan, landscape plan, existing site and vegetation analysis plan, and building elevations, shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plan, stormwater management report, traffic impact study, parking, access and on-site vehicular circulation shall be approved by the Engineering Department;
 - iii) all requirements of the Region of York Transportation and Works Department shall be satisfied; and,
 - iv) the required variances shall be approved by the Committee of Adjustment, and shall be final and binding.
 - b) That the site plan agreement contain the following provision:
 - i) If required, the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands in accordance with Section 42 of the Planning Act and City of Vaughan policy. The Owner shall submit an appraisal of the subject lands 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. The cash-in-lieu of the dedication of parkland shall be credited by the amount paid for under Section 51.

Economic Impact

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

Communications Plan

N/A

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Purpose

The Owner has submitted a Site Development Application to permit the development of the subject lands shown on Attachment #1 with a three-storey office building having a gross floor area of 6,293.49m², as shown on Attachment #2.

Background - Analysis and Options

The 1.27ha site shown on Attachment #1 is located on the north side of Confederation Parkway, between Dufferin Street and Floral Parkway, being Part of Block 23 within Registered Plan 65M-2623 (8800 Dufferin Street), City of Vaughan. The site is currently vacant.

The subject lands are designated “Neighbourhood Commercial Centre” by site-specific OPA #457, and zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1007). The surrounding land uses are:

- North - existing office building with a second office building under construction (C4 Neighbourhood Commercial Zone)
- South - Confederation Parkway; office building (C7 Service Commercial Zone)
- East - Dufferin Street; approved synagogue (File DA.04.042) for Temple Kol Ami (A Agricultural Zone), and approved townhouses (RVM2 Residential Urban Village Multiple Dwelling Zone Two)
- West - Floral Parkway; existing employment uses (EM1 Prestige Employment Area Zone)

Official Plan

The subject lands are designated “Neighbourhood Commercial Centre” by site-specific OPA #457, which contemplates office uses. The development of the site with the proposed office building conforms to the Official Plan.

Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1007), which permits the proposed office use. The proposed site plan has been reviewed, and requires the following variances:

- By-law 1-88 requires a minimum landscape strip width of 9.0m along Dufferin Street, whereas 7.29m has been provided;
- By-law 1-88 requires a minimum landscape strip width of 6.0m along Confederation Parkway, whereas 3.0m has been provided;
- By-law 1-88 requires a minimum front yard (east) setback of 11.0m, whereas 7.29m has been provided;
- By-law 1-88 requires a minimum exterior side yard (south) setback of 11.0m, whereas 7.36m has been provided at the southwest corner of the proposed building;
- By-law 1-88 permits a maximum building height of 11.0m, whereas 14.94m is proposed; and,
- By-law 1-88 requires 2 loading spaces, whereas 1 loading space is proposed.

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The Development Planning Department has no objections to the proposed variances as the proposal will facilitate a well-designed office development at this location. The Applicant and the Region of York are now finalizing the extent of possible conveyances as the Region is protecting a 42.6m Right-of-Way for this section of Dufferin Street. As such, there may be adjustments to some of the variances discussed. Should Council approve the site plan application, the Owner will be required to obtain approval of the above-noted variances from the Committee of Adjustment, which shall be final and binding, prior to the registration of the implementing site plan agreement.

Site Design

The site plan (Attachment #2) shows the proposed three-storey office building located at the northwest corner of Confederation Parkway and Dufferin Street. The property also has frontage on Floral Parkway. Two access points are proposed including one full-movement access on Floral Parkway and a right-in/right-out access on Confederation Parkway. Landscaping and pedestrian walkways are proposed around the building with connections to Confederation Parkway and Dufferin Street. Landscaping is also proposed around the perimeter of the site and within the parking area. A total of 257 parking spaces will be provided to the north and west of the building.

The final site plan shall be approved to the satisfaction of the Development Planning Department.

Parking

The required parking for the site in accordance with By-law 1-88 standards is calculated as follows:

Office:	3.5 spaces/100m ² GFA	
	x Building at 6,293.49m ² GFA	= 221 spaces
Total Parking Required:		= 221 spaces
Total Parking Provided:		= 257 spaces

The proposed parking for the site meets the minimum requirement with a surplus of 36 parking spaces.

Services

The Owner has submitted a site grading and servicing plan and a stormwater management report, which must be approved to the satisfaction of the Vaughan Engineering Department, and the Region of York Transportation and Works Department.

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

Landscaping

The proposed landscape plan (Attachment #3) consists of a mix of deciduous and coniferous trees, shrubs, and sodded area along Dufferin Street, Confederation Parkway and Floral Parkway. Deciduous trees will also be located within the parking lot. A number of existing trees are located on the easterly perimeter of the property, which are proposed to be removed. The applicant has submitted an Existing Site & Vegetation Analysis Plan that will be reviewed by Development Planning Staff. The applicant is willing to work with Staff to enhance the landscape plan, and where possible, existing trees that are in good condition will be saved and integrated into the new landscape design. The final landscape plan will be approved to the satisfaction of the Development Planning Department.

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Building Design

The proposed three storey office building is square-shaped with return features at the corner facing the Dufferin Street and Confederation Parkway intersection. The main height of the building is 14.94m, however, the height of the building measured to the top of the mechanical penthouse is 18.8m. The primary façade of the building is the Floral Parkway (west) elevation. This elevation incorporates buff coloured pre-cast concrete with rows of green spandrel glazing and reflective double glazing. The Floral Parkway façade also includes 4 columns comprised of grey natural stone and a tempered glazed canopy to accentuate the proposed principal entrance to the building.

The south elevation (Confederation Parkway) and east elevation (Dufferin Street) each use the buff coloured pre-cast concrete with rows of green spandrel glazing and reflective double glazing as the primary materials. The south elevation includes a man door. The southeast corner of the building includes returns at each elevation that are accentuated by columns comprised of grey natural stone in an effort to upgrade the corner of the building that faces the Dufferin Street and Confederation Parkway intersection.

The north elevation faces the existing Aspen Ridge building and another building under construction, and includes 3 man doors and 2 overhead doors, and is comprised of buff coloured pre-cast concrete with rows of green spandrel glazing and reflective double glazing.

The final building elevations shall be approved to the satisfaction of the Development Planning 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".

Regional Implications

Although no vehicular access is proposed from Dufferin Street, the subject lands abut Dufferin Street, and the approval of the site plan is subject to the requirements of the Region of York. The Owner will be required to satisfy all requirements of the Region of York, prior to the execution of the implementing site plan agreement. York Region has received the subject application, and has no objections to the development concept, in principal. The Region is protecting a 42.6m Right-of-Way for this section of Dufferin Street, and as such, all setbacks must be referenced from 21.3m from the centreline of construction of Dufferin Street. The Region must also approve a traffic management plan and Environmental Site Assessment (Phase 1) as part of this proposal.

Conclusion

The Development Planning Department has reviewed the proposed Site Plan Application in accordance with the policies of the Official Plan and the requirements of the Zoning By-law, and is satisfied that the proposed three-storey office building will facilitate an appropriate development of the site, subject to the conditions of approval identified in this report, and obtaining the required variances from the Committee of Adjustment. On this basis, Staff recommends approval of the Site Plan Application.

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Attachments

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

Report prepared by:

Clement Messere, Planner, ext. 8409
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 JUNE 11, 2007

Item 24, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

24

**SITE DEVELOPMENT FILE DA.07.036
1688643 ONTARIO LIMITED**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007, 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.07.036 (1688643 Ontario Limited) BE APPROVED to permit the construction of an eight storey building for the purposes of business and professional office uses, as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the execution of the site plan agreement:
 - i) the final site plan, parking plans, building elevations, landscaping and signage plans 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;
 - iii) the Owner shall close the previous applicable Site Development File DA.06.045 to the satisfaction of the Development Planning Department;
 - iv) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - v) all hydro requirements of PowerStream Inc. shall be satisfied; and
 - vi) all requirements of Canadian National Railway (CNR) shall be satisfied; and,
 - b) that the site plan agreement contain the following provision:
 - 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 the Planning Act. 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.

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Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Site Development Application (File DA.07.036) on the subject lands shown on Attachment #1 for a proposed eight storey, 13,804.04 m² office building with 546 parking spaces, including 12 handicap spaces, as shown on Attachment #2.

Background - Analysis and Options

The subject lands as shown on Attachment #1 are generally located at the northeast corner of Melville Road and Rutherford Road in Part of Lot 16, Concession 4, City of Vaughan. The 1.94 ha site is currently vacant and has frontage on Melville Avenue and Rutherford Road. The surrounding land uses are:

- North - CNR Rail Line (M3 Transportation Industrial Zone); existing Vaughan Sports Village (A Agricultural Zone)
- South - existing gas station (C5 Community Commercial Zone); Rutherford Road; existing employment uses (EM1 Prestige Employment Area Zone)
- East - CNR Rail Line (M3 Transportation Industrial Zone); existing Vaughan Sports Village (A Agricultural Zone)
- West - Melville Avenue; existing police station and City of Vaughan and Region of York Joint Operations Centre (EM2 General Employment Area Zone)

In May 2006, the Owner submitted a Site Development Application (File DA.06.045) to permit five multi-unit commercial buildings on the subject lands, which was subsequently approved by Council in June 2006. In August 2006, Minor Variance Application A340/06 was approved by the Committee of Adjustment, which permitted a reduced landscape strip along Rutherford Road from 6.0 m to 4.5 m for the subject lands and the abutting gas bar site. As the Owner no longer wishes to pursue the proposed multi-unit commercial development, the Owner is required to close Site Development File DA.06.045. A condition of approval is included in this respect.

Official Plan

The subject lands are designated "Community Commercial Centre" by OPA #350 (Maple Community Plan), as amended by OPA #613, which permits business and professional office uses. The proposed development conforms to the Official Plan.

Zoning

The subject lands are zoned C5 Community Commercial Zone by By-law 1-88, subject to Exception 9(1208). The proposed office building use is permitted on the subject lands and would permit offices for Regulated Health Professionals. The proposed development also meets all of the zone requirements of By-law 1-88.

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Site Design

The proposed site plan is shown on Attachment #2. The Owner of the subject lands also owns the lands directly at the northeast corner of Melville Road and Rutherford Road, where the existing gas bar and car wash facility is located and which have been leased to Shell Canada. The northerly and easterly limits of the gas bar lands represent the common lease line between the two developments. The Owner does not propose any internal traffic or pedestrian connections between the subject lands and the gas bar lands.

The proposed office building is situated predominately in the middle of the subject lands in a campus-style orientation. This allows for the even distribution of surface parking spaces at the north and south ends of the property. A total of 546 parking spaces are provided on the site, of which 12 spaces are allocated for the physically disabled. The majority of the handicap spaces are located close to the proposed building. A total of 220 parking spaces are located underground and accessed by a ramp located on the north side of the building, away from Melville Avenue and Rutherford Road. Two loading spaces and the internal garbage room are also located at the north side of the building and will not be visible from the street lines. The ambulance receiving area is located on the west side of the building. The Canadian National Railway runs along the north property line of the subject lands and is separated by a combination of retaining wall and chain link fence.

Access onto the site will be provided from 2 driveways, one each from Rutherford Road and Melville Avenue. The final design and location of these driveways must be approved by the City of Vaughan Engineering Department and the Region of York Transportation and Works Department.

The final site plan shall be approved to the satisfaction of the Development Planning Department.

Parking

By-law 1-88 requires that the minimum required parking for the proposed office building be calculated as follows:

Parking Standard	Gross Floor Area (GFA)	Required Parking
3.5 spaces / 100 m ² GFA	13,804.04 m ²	484 spaces (including 5 required spaces for the physically disabled)

The total proposed parking is 546 spaces, including 12 spaces for the physically disabled. The proposed development meets the minimum parking requirement of By-law 1-88, with a surplus of 62 parking spaces.

Landscape Plan

The proposed landscape plan is shown on Attachment #3 and provides for a mix of coniferous and deciduous trees, shrubs, ground covers and perennials within the buffer strips abutting each street line. The landscaped areas will assist to visually screen the on-surface parking areas from the street.

The Development Planning Department has reviewed the landscape plan and has provided detailed comments regarding plant material composition, spacing and location. It is recommended that additional plantings be required in the parking area to break up the mass of

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asphalt and provide a more attractive view from the street. As noted above, the subject lands have a surplus of 62 parking spaces. As a result, it is recommended that the row of parking along the property line abutting the CN Railway should be broken up with curbed landscaped islands. The Owner is aware of these comments and the Development Planning Department will work with the Owner to finalize the landscape plan.

The landscape plan includes entry details that show a combination of masonry pillars with coping and 1.2 m high decorative black fencing that will flank each side of the two entry points onto the site. The final landscape plan and landscape cost estimate, including detailed drawings shall be approved to the satisfaction of the Development Planning Department.

Building Elevations

The proposed building elevations are shown on Attachments #4, #5, and #6. The proposed building consists of three elements, comprised of an 8-storey, 3-storey and one-storey components. The main entrance is located on the south elevation of the 8 storey portion and is comprised of a large portico receiving area.

The progressive and urbane elevations consist of precast concrete panels with alternating horizontal panels of gold reflective vision glass and with a gold reflective spandrel glass curtain wall framing. The elevations are well articulated with the precast concrete panel with gold reflective glazing being in clear anodized aluminum frames. The curved articulation helps to break up the concrete texture of the elevations and provides visual interest to the building. The building is capped with modern precast concrete cornices that are curved to mirror the curvature of the anodized aluminum frame accents. The proposed signage is affixed vertically on the south and west elevations.

The one-storey component consists primarily of precast concrete panels with gold reflective glazing in clear anodized aluminum frames. The elevations are articulated with ground floor piers that support a canopy to facilitate a friendlier pedestrian environment and shelter from the elements.

The final elevations and signage plans shall be approved to the satisfaction of the Development Planning Department.

Canadian National Railway (CNR)

The subject lands abut the Canadian National Railway (CNR) MacMillan Yard pullback track. Accordingly, the Site Development Application has been forwarded to CNR for review. CNR has commented on fencing details along the mutual property line and provisions on potential alterations to the existing drainage pattern affecting the railway property. CNR recommends that rail noise, vibration and safety concerns be considered and incorporated into the design of the development. The Owner will be required to satisfy all requirements of CNR. A condition of approval is included in this report.

Services

The Owner has submitted site-servicing and grading plans and a stormwater management report, which must be approved to the satisfaction of the City's Engineering Department.

The site will be serviced by private garbage pick-up and snow removal.

All hydro requirements must be addressed to the satisfaction of PowerStream Inc., prior to the registration of the Site Plan Agreement.

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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".

Regional Implications

The site plan must be reviewed and approved to the satisfaction of the Region of York Transportation and Works Department, as the site has access onto Rutherford Road, being a Regional road, and the Melville access being in close proximity to the Melville and Rutherford intersection. The Owner is required to comply with all Regional requirements. The Region of York will be signing party to the site plan agreement.

Conclusion

The Development Planning Department has reviewed Site Development File DA.07.036 in accordance with the policies of OPA #350 as amended by OPA #613, the requirements of By-law 1-88, and in the context of the surrounding land uses. The Development Planning Department is satisfied with the proposed application to permit an eight storey building for the purposes of a business and professional office use and can support the proposed development subject to the comments and recommendations in this report. The proposed development, as shown on Attachment #2, is an appropriate form of development for the subject lands, conforms to the policies of the Official Plan, complies with the requirements of By-law 1-88, and is compatible with the surrounding land uses.

Attachments

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

Report prepared by:

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

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 11, 2007

Item 25, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

25

**SITE DEVELOPMENT FILE DA.07.004
STRATHERN HEIGHTS INVESTMENTS INC.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT the building elevations for a multi-unit industrial building with ancillary office for Site Development File DA.07.004 (Strathern Heights Investments Inc.) as shown on Attachment #3, BE APPROVED.

Economic Impact

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

Communications Plan

N/A

Purpose

For the Committee of the Whole to consider the building elevations (Attachment #3) for the Site Development Application (File DA.07.004) on the subject lands shown on Attachment #1, to facilitate the development of a multi-unit industrial building comprised of a 8,825.8 m² warehouse with 1,380.4 m² of ancillary office, as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located south of Teston Road, between Highway #400 and Cityview Boulevard (505 Cityview Boulevard), being Block 200 on Plan 65M-3914, City of Vaughan.

The subject lands are designated "High Performance Employment Area" by OPA #600 and zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1218). The proposed industrial use conforms to the Official Plan and complies with the Zoning By-law, with the exception of the driveway access, which must be reduced from 14 m to 13.5 metres. The location of the driveway must also be confirmed by the City, Region of York and the Ministry of Transportation.

The elevation plan that is provided on Attachment #3 shows an irregular shaped building that will be constructed to a height of 9 m. The proposed building materials consist of white smooth and aggregate precast and light blue reflective glass and dark blue spandrel glass. The primary façade is located on the west elevation, facing Cityview Boulevard and consists of two double-

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door glass entries with a canopy for corporate signage above, surrounded by a glass curtain wall, with reflective glass at the base and spandrel glass above to the roofline. The east elevation faces Highway #400 and consists of two glass entrances with a sign box above, with lower and upper level windows, framed in alternating smooth and aggregate vertical precast panels. The north and south elevations are of similar design, with recessed loading areas and alternating smooth and aggregate horizontal precast panels and upper level windows. The loading areas are not visible from Cityview Boulevard and Highway #400 and the roof-top mechanical units will be screened from view of abutting roads by a 1 m high parapet.

Landscaping

The proposed landscaping for the site is shown on Attachment #4, which includes a minimum 6 m and 14 m wide landscape strips adjacent to Cityview Boulevard and Highway #400, respectively. The Development Planning Department is generally satisfied with the proposed landscaping, and will continue to work with the Owner to finalize the plans.

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".

Regional Implications

N/A

Conclusion

The Development Planning Department is satisfied with the proposed elevations for the employment use building.

Attachments

1. Location Map
2. Site Plan
3. Elevation Plan
4. Landscape Plan

Report prepared by:

Christina Napoli, Planner, ext. 8485
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 26, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

26

**STREET NAME APPROVAL
DRAFT PLAN OF SUBDIVISION FILE 19T-97V15
ARTIBUS DEVELOPMENT CORPORATION PHASE III**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007:

Recommendation

The Commissioner of Planning recommends:

THAT the following street names for Draft Plan of Subdivision File 19T-97V15 (Artibus Development Corporation Phase III), as shown on Attachment #2, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Via Campanile (existing)
Street 'B'	Mediterra Drive (existing)
Street 'C'	Noce Way
Street 'D'	Harley Drive
Street 'E'	Isernia Crescent
Street 'F'	Nettles Street
Street 'G'	Ferrazzano Lane

Economic Impact

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

Communications Plan

N/A

Background

The subject lands shown on Attachment #1 are located south of Major Mackenzie Drive, on the east side of Pine Valley Drive, in Lot 19, Concession 6, City of Vaughan.

The applicant has submitted street names for approval. The Planning Department for the Region of York does not have any objections to the proposed names.

Relationship to Vaughan Vision 2007

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

Regional Implications

N/A

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Conclusion

The Development Planning and Fire Departments have no objection with the proposed street names for Draft Plan of Subdivision 19T-97V15.

Attachments

1. Location Map
2. Draft Plan of Subdivision

Report prepared by:

Jack McAllister, Senior GIS Technician, ext. 8209
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

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Item 27, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

27

**ZONING BY-LAW AMENDMENT FILE Z.07.006
GATE TRAIL ESTATES INC.
REPORT #P.2007.13**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.006 (Gate Trail Estates Inc.) BE APPROVED, to rezone an 11,315.6m² portion of the subject lands (Parts-2-4) from M1 Restricted Industrial Zone to C4 Neighbourhood Commercial Zone; and, to amend the existing site-specific Exception 9(1217) to increase the maximum permitted lot area on the subject lands zoned C4 Zone from 5.41 ha to 6.54 ha.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Zoning By-law Amendment Application on the subject lands shown on Attachment #1, specifically to amend By-law 1-88, to undertake the following:

1. Rezone an 11,315.6m² portion of the subject lands shown on Attachment #2 as Parts 2, 3, and 4 from M1 Restricted Industrial Zone to C4 Neighbourhood Commercial Zone, to be consistent with the C4 Zone on Part 1 of the subject lands; and,
2. Amend the existing site-specific Exception 9(1217) to increase the maximum permitted lot area on the subject lands zoned C4 Neighbourhood Commercial Zone from 5.41 ha (Part 1) to 6.54 ha to encompass Parts 1, 2, 3 and 4 as shown on Attachment #2.

The intent of this application is to consolidate land and provide a consistent C4 Neighbourhood Commercial zoning and standards for the subject lands.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the northwest corner of Rutherford Road and Bathurst Street, on the east side of Ilan Ramon Avenue and on the south side of George Kirby Street, in Planning Block 11, being part of Lot 16, Concession 2, City of Vaughan. The 6.54 ha site has 230.6m frontage along Bathurst Street and 240.0m, 280.5m and 250.0m flankage along Rutherford Road, Ilan Ramon Avenue and George Kirby Street, respectively.

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The subject lands are designated “Medium Density Residential/Commercial Area” by OPA #600, with a Neighbourhood Commercial Centre” overlay. The subject lands are located within the approved Block 11 Plan, which shows the entire subject lands consolidated as “Neighbourhood Commercial”. The subject lands are zoned M1 Restricted Industrial Zone (Parts 2, 3 and 4) by By-law 1-88, subject to site-specific Exception 9(358), and C4 Neighbourhood Commercial Zone (Part1) by By-law 1-88, subject to site-specific Exception 9(1217). Parts 2, 3 and 4 were not part of the adjacent Draft Plan of Subdivision (File 19T-95062) approval process, which included Part 1. Parts 2, 3 and 4 were acquired at a later date by the Owner with the intention of consolidating the existing land holdings. The subject lands currently contain industrial structures located on Part 3, and new home sales offices located on Part 1. The surrounding land uses are:

- North - George Kirby Street; townhouses under construction, (RT1(H) Residential Townhouse Zone with Holding Provision)
- South - Rutherford Road; existing multi-unit commercial plaza (C4 Neighbourhood Commercial Zone)
- East - Bathurst Street; existing multi-unit commercial plaza (Town of Richmond Hill)
- West - Ilan Ramon Avenue; future stormwater management pond (OS1 Open Space Conservation Zone and M1 Restricted Industrial Zone)

On March 23, 2007, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Town of Richmond Hill. To date, no written comments have been received by the Development Planning Department. The recommendation of the Committee of the Whole on April 16, 2007, to receive the public hearing report and to forward a technical report to a future Committee meeting was ratified by Council on April 23, 2007.

Other Applications

Previously, at a Public Hearing held on June 19, 2006, Council considered applications to amend the Official Plan and Zoning By-law (Files OP.06.005 and Z.06.013-Gate Trail Estates Inc.) on the subject lands (ie. the lands covered by Parts 1-4 on Attachment #2 of this report) to:

1. Amend OPA #600 to:

Redesignate the subject lands from “Medium Density Residential/Commercial Area” to “High Density Residential/Commercial Area” to permit 8 high-rise buildings with the number of storeys ranging from 4 to 30, and one single storey commercial building. The amendment proposed a total of 8,682m² of commercial GFA and 2,416 residential units (for a maximum net residential density of 370 units/ha); and,
2. Amend Zoning By-law 1-88 to rezone the subject lands from C4 Neighbourhood Commercial Zone and M1 Restricted Industrial Zone to an appropriate zoning category in order to facilitate the proposed development. The application also proposed to retain all of the uses currently permitted in the C4 Neighbourhood Commercial Zone, plus have drive-through facilities operating in conjunction with a bank or financial institution and eating establishment uses.

Both the proposed Official Plan and Zoning By-law Amendment applications have been inactive since the Public Hearing held on June 19, 2006. It is noted that a number of residents from the neighbouring municipality of Richmond Hill attended the Public Hearing to voice their concerns respecting the proposed increase in density and height of the buildings.

The applicant has advised that they will be closing Files: OP.06.005 and Z.06.013, upon approval of the subject zoning application (File Z.07.006).

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Official Plan

The subject lands are designated “Medium Density Residential/Commercial Area” by OPA #600 with a “Neighbourhood Commercial Centre” overlay.

Permitted uses in a “Neighbourhood Commercial Centre” may include a food store, a drug store, other retail, pharmacies, banks and financial institutions, business and professional offices, personal services, restaurants, service station and gas bar, but shall not include, a department store.

The policies also indicate that a “Neighbourhood Commercial Centre shall be developed in accordance with a comprehensive site plan, which shall be pedestrian-oriented and transit-friendly, and which shall be approved by the City.

To date, a site development application has not been submitted for review. The proposed rezoning is to facilitate a land consolidation for future commercial development of the property. The zoning application conforms to the Official Plan.

Zoning

Parts 2, 3 and 4 of the subject lands are zoned M1 Restricted Commercial Zone, subject to site-specific Exception 9(358), whereas Part 1 of the subject lands is zoned C4 Neighbourhood Commercial Zone, subject to site-specific Exception 9(1217). Site-specific Exception 9(358) addresses lot coverage and gross floor area requirements for the existing M1 Restricted Industrial Use, which will no longer apply, should the proposed rezoning be approved. In order for the subject lands (Parts 1, 2, 3 and 4) to comply to the standards of the C4 Neighbourhood Commercial Zone, any necessary zoning exceptions to facilitate the subject proposal will be consolidated within site-specific Exception 9(1217). This would include an exception to increase the maximum lot area requirement from 5.41 ha (Part 1) to 6.54 ha to encompass Parts 1, 2, 3, and 4 as shown on Attachment #2. Exception 9(1217) increased the maximum lot area from 2.5 ha to 5.41 ha to address the size of Part 1 through the original zoning implementation for the draft plan of subdivision. Parts 2, 3 and 4, however, were not in the ownership of the applicant at that time and therefore, were not rezoned to commercial nor accounted for in the maximum lot area requirement, and therefore requires an amendment to the zoning by-law.

The above-noted zoning matters will be discussed in greater detail in the “Planning Considerations” section of this report.

Block Plan

The approved Block 11 plan identifies the subject lands as a Neighbourhood Commercial Area.

Engineering Department

The City Engineering Department has advised that detailed comments will be provided at the Site Development Application stage.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposed application and has no objection to the zoning application, however, should it be determined through the Site Development Application review process that stormwater discharge is flowing into the valley lands to the west of the subject lands, a TRCA Permit will be required.

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Region of York Transportation and Works Department

The Region of York Transportation and Works Department has reviewed the proposed application and has no objection, but will provide detailed comments at the Site Development Application stage.

Planning Consideration

The subject lands being Parts 1, 2, 3 and 4 as shown on Attachment #2 have always been intended for neighbourhood commercial use. The proposed rezoning conforms to the criteria set forth in OPA #600 with respect to “Neighbourhood Commercial Areas”. The rezoning and site-specific exceptions are also in keeping with the Council approved Block 11 Plan, which depicts the subject lands as a Neighbourhood Commercial Area. Rezoning Parts 2, 3 and 4 of the subject lands to C4 Zone would consolidate the Owner’s land holdings with Part 1, to facilitate a consistent zoning. The required site-specific exception would address the new lot size of 6.54 ha given the addition of Parts 2, 3 and 4 with Part 1. The Development Planning Department has no objections to the proposed rezoning and site-specific exceptions.

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”.

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed the proposed application to rezone Parts 2, 3 and 4 of the subject lands (Attachment #2) and provide site-specific exceptions respecting the maximum lot area and maximum gross leasable area for the entirety of the subject lands (Parts 1, 2, 3 and 4), and can support the approval of Zoning By-law Amendment Application Z.07.006. The proposed application to consolidate the subject lands and provide consistent zoning and development standards implements the “Neighbourhood Commercial Area” policies of the Official Plan and the approved Block 11 Plan, and is supported by the Development Planning Department.

Attachments

1. Location Map
2. Zoning Plan
3. Block 11 Plan

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
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.)

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Item 28, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

**28 DESIGNATION OF THE VILLAGE OF MAPLE AS A HERITAGE CONSERVATION DISTRICT
PURSUANT TO PART V OF THE ONTARIO HERITAGE ACT
FILE 15.94**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 28, 2007, be approved; and**
- 2) That the deputation of Mr. Peter Chee, be received.**

Recommendation

The Commissioner of Planning, in consultation with the Commissioner of Community Services and the Directors of Policy Planning Department and Recreation & Culture Department recommend approval of the following:

- 1) A by-law be enacted to designate the area shown on Attachment No. 2 as the Village of Maple Heritage Conservation District pursuant to subsection 41(1) of the Ontario Heritage Act;
- 2) A by-law be enacted to adopt the Village of Maple Heritage Conservation District Plan – Volume 3 (Attachment 4) as guidelines for property owners, City staff, advisory committees and Council when making decisions on matters referred to in Sections 41.2 and 42 of the Ontario Heritage Act;
- 3) That following the adoption of the Heritage Conservation District Plan by Council, the Policy Planning Department, in consultation with the Development Planning Department and the Cultural Services Department, proceed with a review of OPA No. 350 – Maple Community Plan, By-law 1-88 and the City's Sign By-law and bring back a further report(s) on required amendments to reflect the approved Heritage Conservation District for Council's consideration;
- 4) That staff prepare a report for Council's review on any required amendments to the Site Plan Control By-law and associated OPA's to include all properties within the Village of Maple Heritage Conservation District or within the area identified during the review of OPA 200 (Site Plan Control) as amended, for Council's consideration.

Economic Impact

There are no immediate requirements for new funding associated with this report. Resources may be required from time to time to fully implement the programs recommended in the Plan, such as producing educational material and re-examining the City's grant and loan program.

Communications Plan

Upon enactment of the By-laws to designate the Heritage Conservation District and adopt the Village of Maple Heritage Conservation District Plan, the Ontario Heritage Act requires that a notice be published in a local newspaper and that each property owner within the Heritage Conservation District be notified by mail. Pursuant to the Heritage Act, the enactment of the Heritage Conservation District will also be registered on the Title of each property within the District.

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Background – Past Council Action

On December 11, 2006, the Committee of the Whole recommended approval of the recommendation contained in the report from the Commissioner of Planning regarding the proposed Village of Maple Heritage Conservation District and Study.

On December 18, 2006, Council adopted the following regarding the item (Item 42, Report 46):

“That this matter be referred to the Committee of the Whole meeting of January 22, 2007, and;

That the written submission from Ms Vania Ottoborgo, History Hill Group, 8700 Dufferin Street, Vaughan, L4K 4S6, dated December 13, 2006, be received.”

History Hill Group owns a number of properties within the proposed Maple Heritage Conservation District. In their letter, the landowner requested a deferral of the above-noted item to provide an opportunity to meet with staff to review the concerns they have with the proposed District Plan.

On January 10, 2007, staff met with the landowner. However, a number of issues remained outstanding that required further discussion.

On January 22, 2007, the Committee of the Whole recommended the following regarding this matter (Item 26, Report No. 1), which was adopted by Council at its meeting on January 29, 2007:

“That this matter be deferred to a future Committee of the Whole meeting to allow for the discussion between staff and a landowner on issues related to the proposed Heritage Conservation District and Plan, in accordance with the memorandum of the Commissioner of Planning, dated January 11, 2007; and

That the written submission of Ms. Vania Ottoborgo, History Hill Group, 8700 Dufferin Street, Vaughan, L4K 4S6, dated January 11, 2007, be received.”

History Hill Group submitted a letter, dated February 16, 2007, identifying a number of concerns and questions regarding the District Plan (Attachment No. 5). On March 15, 2007, Policy Planning Staff met again with representatives from History Hill. A description of their concerns and staff's response to their concerns is outlined in this report under the heading “History Hill Group”, following “Public Meetings and Consultation”.

Purpose

The purpose of this report is to outline of the actions taken during the preparation of the Village of Maple Heritage Conservation District Study - Volume 2 (Attachment 3) and subsequent development of the Village of Maple Heritage Conservation District Plan – Volume 3 (Attachment 4). This report provides an overview of the contents of each of the aforementioned documents and provides a recommendation to enact a by-law to designate a Heritage Conservation District comprising the lands of the Village of Maple (Attachment 2) and a by-law to adopt the Village of Maple Heritage Conservation District Plan. This report also identifies other actions that will be required to be undertaken by City staff in order to ensure the successful implementation of the Village of Maple Heritage Conservation District Plan.

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Background - Analysis and Options

Ontario Heritage Act

The Ontario Heritage Act, R.S.O. 1990, c.O. 18, as amended, (the “Act”), Part V enables municipalities to establish or designate Heritage Conservation Districts. The Act governs the establishment of Heritage Conservation Districts and is concerned with the protection and enhancement of buildings, streets, and open spaces that collectively give an area a special character, identity or association. Heritage Conservation Districts can either comprise a few buildings, a large area or even an entire municipality. They may have cultural, architectural, historic, scenic or archaeological aspects worth conserving. The designation of a District under Part V of the Act can provide a means to protect and manage that character in the course of change over time.

A municipal council may control alterations, additions and proposed demolitions through the District similar to that for individually designated heritage properties under Part IV of the Act. The compatibility and design of new construction may also be reviewed and managed by Council more rigorously than is permitted under the Planning Act. It should be noted that the intent of a Heritage Conservation District is not to “freeze” a community in time, but to manage its special character through the preparation of a district plan that guides physical change and compatible development. The outcome is the conservation of complete environments as attractive, interesting and congenial places to live, work and visit.

Recent revisions to the Ontario Heritage Act change the relationship between Heritage Conservation District Plans and Official Plans and Zoning By-laws. Pursuant to Part V, Section 41(2) of the Ontario Heritage Act, the development policies and guidelines contained with the Heritage Conservation District Plan will supersede existing policies contained within OPA No. 350 (The Maple Community Plan) and the City’s Comprehensive Zoning By-law 1-88. As a result of this change to the Act, it will be necessary to review these documents to ensure they conform to the policies and guidelines contained within the Heritage Conservation District Plan.

OPA No. 350 – Maple Community Plan

Subsection 41(1) of the Ontario Heritage Act enables a municipal council to designate heritage conservation districts where an Official Plan (Amendment) contains policies relating to the establishment of such districts. Section 8.0 “Heritage Conservation” of OPA No. 350 fulfills this requirement by outlining Council’s intent to undertake a study to determine if a Heritage Conservation District is warranted for Maple. Specifically, subsection 8.0(c) states:

“In Consultation with Heritage Vaughan, Council may, by by-law:

- ii) define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district;”

Should Council decide to designate the Heritage Conservation District and adopt the Heritage Conservation District Plan, this Section of OPA No. 350 will need to be revised to reflect the contents of the Heritage Conservation District Plan. These amendments will address items such as appropriate uses, built form and policies to preserve and enhance the heritage landscape of Maple.

Village of Maple Heritage Conservation District Study Area

At its meeting of October 25, 2004, Vaughan Council approved that:

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- “1. A Heritage Conservation District Study be undertaken in order to secure the long-term protection of Maple's historic fabric and to ensure that new development within the core is compatible with the architectural and contextual character of the Village;
2. Phillip H. Carter, Architect, be retained on a single-sourced basis in accordance with the City's Purchasing Policies to undertake Phases I, II and III of the study, the funds to be paid out of the 2004 Planning Policy and Urban Design Operating Budget in the amount of \$15,000 in accordance with Schedule 'B';
3. This item be forwarded to the City's Budget Committee for its consideration in allocating funds from the Planning Policy and Urban Design 2005 Operating Budget to complete Phase IV and V of the Study in the amount of \$21,000;
4. Council for the City of Vaughan enact a By-law to examine the area shown on Schedule 'A' as a potential Heritage Conservation District in accordance with Section 40, Part V of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended;
5. Staff report back to Council on amendments to the Site Plan Control By-law to include all properties, generally within the Study area and/or to be specifically defined; and
6. All development applications received by the municipality that fall within the approved Study Area be reviewed for conformance with the direction of the Study as it proceeds.”

Based on this recommendation, and other items presented in the Staff Report, Council enacted By-law 366-2004, which defined an area to be examined for future designation of the whole or any part of the study area as a Heritage Conservation District pursuant to subsection 40(1) of the Ontario Heritage Act. The selected consultant reviewed and commented on development applications during the preparation of the Study and Plan. By-law 366-2004 allowed the City to undertake the following tasks:

1. To complete an inventory and evaluation of streetscapes, buildings, landmarks and open spaces within the Study Area as input into evaluating the heritage character of the area.
2. To establish the heritage character of the Study Area, and consider the need, suitability and justification for designating the whole or part of the Study Area as a Heritage Conservation District.
3. To make appropriate recommendations related to the specific determinants and rationale for the proposed boundaries of the Heritage Conservation District and the subsequent designation of the proposed Heritage Conservation District under Part V of the Ontario Heritage Act.
4. To prepare a Heritage Conservation District Plan that includes goals and objectives, policies, design concepts and design guidelines aimed at preserving and enhancing the defined character of the District and provides the basis for considering future development proposals for any lands, buildings or structures within the District.

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5. To review the results of the Maple Heritage Study and identify the need to incorporate any related policies into the Maple Community Plan by way of an amendment to OPA 350 or the need for any amendments to the Zoning By-law.
6. To encourage and ensure the participation and input of local residents and local interest groups in all phases of the Heritage Conservation District Study and any appropriate District Plan preparation process.

These items have been completed, except for Item 5 - the review of OPA 350 and associated planning tools. This review will be undertaken by Policy Planning staff in consultation with Development Planning and Cultural Services staff.

Heritage Consultant Retained to Undertake Heritage Study and District Plan

Phillip H. Carter, Architect was retained to undertake the study based on a submitted proposal and similar work he has completed for the City, including the Kleinburg-Nashville Heritage Conservation District Plan and Study and the Maple Streetscape and Urban Design Guidelines Study: Heritage Review.

Analysis and Options

The Boundary of the Proposed District

In defining the boundary of the Study it was the intention of the City to review the area adjacent to Keele Street and Major Mackenzie Drive (Attachment 1). The study area was large enough to allow the consultant to capture the development history of Maple and determine an appropriate boundary for a Heritage Conservation District. Based on the review of architectural styles and landscapes, which are presented in the Assessment and Study (Attachment 3), combined with public input, the boundary of the Village of Maple Heritage Conservation District presented on Attachment 2 has been determined. The proposed boundary encompasses 56 buildings that were previously identified by the City through its "Inventory of Buildings of Architectural Interest. Of these 56 buildings, 27 are on the City's Register or "Listing of Significant Heritage Structures" (approved by Council, October 2005) and 5 are designated pursuant to Part IV of the Ontario Heritage Act. The area that has been excluded from the proposed Heritage Conservation District contains buildings and landscapes that are more contemporary in terms of architectural styles and neighbourhood design.

Based on the findings contained within the Study, the proposed Heritage Conservation District boundary excludes neighbourhoods built at a later date. However, properties located just outside the study area on Keele Street have been included within the proposed District due to their location and potential to act as gateways to both the District and the "downtown" of the Village of Maple.

Historical Significance of the Proposed District

The core area of the Village of Maple is located at the intersection of Major Mackenzie Drive and Keele Street. Maple was settled in the early to mid 1800's by the Noble and Rupert families. During the 1800's and into the early 1900's Maple acted as a local service centre and contained businesses such as sawmills, a rope factory, a funeral home, a hotel and a harness repair shop. The evidence of some of these businesses and the community they serviced can still be seen today.

In addition to buildings of architectural merit that are worthy of preservation Maple has been

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home to many important Canadians. Two of note include Lord Beaverbrook (Max Aitken), newspaper magnate, and Dr. Frederic William Routley, founder of the Blue Cross Medical Plan.

The Village of Maple has had many names, including Noble Corner and Rupertsville. Local folklore traces the current name to the large number of maple trees. These trees continue to form an integral part of the landscape. Due to their importance in defining the Village of Maple as a special place, special policies and guidelines to preserve and protect this integral landscape feature have been included in various sections of the Village of Maple Heritage Conservation District Plan.

Property and Assessment Research Undertaken for the Proposed District

In accordance with provincial guidelines and heritage criteria provided by the Ministry of Culture, a range of building types, open spaces, vistas, landscapes, and streetscapes that establish the historic, architectural, scenic and contextual character of the Village of Maple were identified. The assessment provides a comprehensive record of the area's heritage-character defining features and contextual aspects. Specifically, it includes photographs of many of the structures and identifies significant features with general guidance on restoration, maintenance and repair. The assessment consists of entries for the vast majority of buildings within the Study area and all buildings within the proposed Heritage Conservation District.

As a research document, the inventory provides the necessary information in developing the Heritage Character Statement and the District Plan. As a conservation and planning tool, the assessment will be of assistance for City Officials, property owners, and local businesses in the future when reviewing proposed building alterations and new development in the District. The Assessment will be made available through the Cultural Services Department and the Policy Planning Department.

Statement of Heritage Value

The District's structure and heritage attributes form the rationale for defining the Heritage District. The Statement of Heritage Value provides a general description of the District's significance, built-form characteristics, architectural styles, streetscape, natural setting, character of roads, open spaces and aspects of contemporary construction. The Statement of Heritage Value was developed based upon the aforementioned Property Assessment and a review of the landscape. A detailed examination and description of the landscape is included in the Section 4 of the Study (Attachment 3). Based on these items, it is proposed that the Statement of Heritage Value for the Village of Maple be as follows:

"The Village of Maple is one of four 19th century settlements in the City of Vaughan that could have been considered more than a hamlet. (Two of these, Thornhill and Kleinburg-Nashville, have been made Heritage Conservation Districts.) The Ontario Huron and Simcoe Railway, the first in Canada, provided the opportunity for its modest prosperity. The core of the village was always small, with some outlying houses and businesses spaced out along the main roads on the outskirts. Today, Maple has many newer buildings, which have filled in the spaces between earlier ones, and in some cases replaced them. Nonetheless, there is a wealth of 19th and early 20th- century buildings, and the character of a village remains evident. Newer development has tended to make design reference to heritage styles, with mixed success. To ensure that existing heritage resources are preserved, and that new development authentically enhances the village character, a Maple Village Heritage Conservation District is proposed. The proposed District consists of the historic block of Church and Jackson Streets, and properties along the two main roads, roughly to the extent of the old Police Village.

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The Maple Village Heritage Conservation District is a distinct area in the City of Vaughan, characterized by a wealth of heritage buildings, and with many newer building that respect the scale and site-plan characteristics of a historic village. The heritage character, shown in sections 4.1 through 4.8 of this Study, is worthy of preservation.”

Public Meetings and Consultation

In preparing the Village of Maple Heritage Conservation District Study and Plan the community was consulted throughout the process and this input was considered and is reflected in the contents of the Plan.

In preparing the Study portion of the project there were three community meetings. These meetings were held June 15, 2005, September 29, 2005 and March 30 2006 at the Maple Public Library. During the preparation of the Plan there was one community meeting held on June 12, 2006. The public was notified of these meetings through mailings to all property owners and advertisements in local newspapers.

Issues raised at the various “Community Meetings” included:

- a) Defining a suitable boundary for the Heritage Conservation District;
- b) Heritage Permits and what the design guidelines would cover and what impact they would have on people looking to renovate or rebuild existing buildings and on new construction;
- c) What programs, grants or incentives might be available to promote heritage conservation;
- d) Property owners not wanting their property included within the proposed Heritage Conservation District; and
- e) Property owners concerned with the Heritage Conservation District effecting property values.

Generally, the concerns raised by the public at the public consultation meetings can be addressed through information contained in the proposed Plan and consultation with City staff before they finalize proposals/construction plans.

The District boundary was based on the location and landscape related by the heritage assets along Keele Street and Major Mackenzie Drive. The boundary was presented at a meeting early in the consultation process and was generally supported by the members of the community in attendance.

Section 8.3.1 of the Plan (Attachment 4) outlines the type of work that is either exempt or requires a Heritage Permit pursuant to the Ontario Heritage Act. For the most part minor work, items considered temporary and work not visible from the public realm will not require a Heritage Permit. Work that will require a Heritage Permit will, depending on its scale, either be addressed by Cultural Services staff or Heritage Vaughan. In either case the issuance of a Heritage Permit will not significantly delay the issuance of a building permit if the work conforms to the guidelines contained within the Plan (Attachment 4). In all cases the best way for a property owner to minimize delay is to contact the City early in the development process to discuss the requirements within the Village of Maple.

With respect to concerns of costs associated with maintaining and renovating existing buildings and increasing the cost of new construction, the Design Guidelines do outline a distinct philosophy of what materials and construction types should be used for existing and new buildings. The costs associated with the use of higher quality materials and finishes, while marginally higher at the time of construction/renovation, should increase the value of buildings in

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the long term. Therefore, they should be seen as an investment in the building and the community.

Based on the potential costs associated with maintaining heritage buildings, it is recognized that additional programs, grants and incentives may have to be developed for the City of Vaughan. Examples of these are presented in Sections 6.1.2 Education and 7.10 Grants and Loans of the Plan (Attachment 4).

With respect to property owners not wanting their properties included in the District, it is the intent of a Heritage Conservation District that the entire district is greater than the sum of its parts and that if you remove some of its parts you weaken the integrity of the district as a whole. The boundary, as proposed, was developed through public consultation, general community agreement and an analysis of the landscape that considered and described the relationship of buildings to the streets and to one another.

With respect to property values, the consultant advises that studies have shown that the designation of an area as a Heritage Conservation District does not have a negative impact on property values. Studies show that in many instances property values in Heritage Conservation Districts actually increase at a higher rate than other neighborhoods within a community.

The Ontario Heritage Act requires that where a municipality has a municipal heritage committee that they be consulted on the Study and Plan. On August 23, 2006 the District Study and Plan were presented to Heritage Vaughan Committee. The Maple Streetscape Committee was also invited and attended this meeting. Although a quorum was not attained, Heritage Vaughan members and Maple Streetscape Committee members were all distributed the Study and Plan for review and to provide comments to staff. In addition to the presentation to these two committees, Cultural Services staff was involved throughout the preparation and review of the Study and Plan and this report.

Items discussed at the joint meeting of Heritage Vaughan and the Maple Streetscape Committee included:

- a) How the boundary for the Heritage Conservation District was decided upon.
- b) How to integrate the Design Guidelines contained within the Heritage Conservation District Plan and the Maple Streetscape and Urban Design Guidelines.
- c) How will exemptions from Heritage Permit will be addressed.

As previously noted, the district boundary was determined through the public consultation process and in relation to the location of heritage resources within the Village of Maple.

With respect to how the Guidelines contained within Part D of the Plan will be integrated with those contained within the Maple Streetscape and Urban Design Guidelines, the consultant indicated that in preparing the Design Guidelines for the Plan the existing streetscape and urban design guidelines were considered and are reflected in the Plan. It should be noted that if Council adopts the Plan it will take precedence over the existing Maple Streetscape and Urban Design Guidelines.

The final item that was discussed in detail was how exemptions from requiring a Heritage Permit will be identified and implemented. It is staff's intention that the exemption process will be handled in a manner similar to that of Kleinburg where a property owner contacts Cultural Services staff and is issued a letter stating that no permit is required for the proposed work. The Heritage Vaughan Committee and the Maple Streetscape Committee are supportive of the Plan.

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On September 5, 2006 the statutory “Public Meeting” required pursuant to the Ontario Heritage Act occurred. The purpose of this meeting was to allow property owners within the area under consideration for designation as a Heritage Conservation District the ability to express their concerns formally to Council. Notices were mailed to all property owners within the Study area and advertisements were placed in the newspaper on August 9 and August 17 2006. The Ontario Heritage Act requires that the Plan be available for public review prior to this “Public Meeting”. The Plan was available by request from the Policy Planning Department. Copies of the Study and Plan were also available prior to and at the Public Meeting.

At the September 5, 2006 Public Meeting, there was one resident/owner who addressed Council regarding the proposal. The owner of 10122 Keele Street expressed concern of the proposed Heritage District restricting his ability to sever his lands in the future. Policy Planning Staff have since met with this property owner and advised that the potential to sever his land would only be minimally effected by a Heritage designation. A severance proposal would primarily be assessed against planning and planning-related regulations, such as the official plan and severance policies and the requirements of the zoning by-law.

History Hill Group

As previously noted, on December 13, 2007, the History Hill Group submitted a letter to the Clerk’s Department requesting that Council defer Item 42, Report 46 at the December 18, 2006 Council Meeting. Based on this request, Council directed staff to meet with the land owner and report to the January 22, 2007 meeting of the Committee of the Whole.

City staff met with representatives of History Hill Group on January 10, 2007. Based on the outcomes of this meeting, it was determined that another meeting would be required. In order to facilitate the required meeting History Hill was requested to provide an outline of their concerns to City staff (Attachment 5). A subsequent meeting was held on March 15, 2007. The following provides an outline of History Hill Group’s concerns:

- 1) Boundary of the District and why some properties have been identified as being of historic importance while other properties have been excluded from the district.
- 2) Use of language related to scale, massing and building height throughout the policies and design guidelines contained within the proposed Heritage Conservation District Plan.
- 3) Relationship of the proposed Village of Maple Heritage Conservation District Plan to the Ontario Heritage Act, Provincial Policy Statement, Provincial Growth Plan and York Region’s Official Plan.
- 4) Notification of meetings and availability of documents for review.

The following provides an overview of the responses provided to History Hill and outlines the actions staff have taken.

History Hill group requested that the property located at 9589 Keele Street not be shown on the maps within the District Plan document as having a “Building of Architectural and Historical Value” (Map 4, pages 8 and 94). Staff has no objection to this request since there is no longer a building located on this site. As such, the maps have been revised accordingly.

With respect to the boundary, it is based on the recommendation of the consultant and is in keeping with the Statement of Heritage Value contained within the Plan. Another question raised

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was why were the lands associated with the Civic Centre excluded from the Heritage Conservation District. The reason for this exclusion is the design of the new Civic Centre had been approved prior to the commencement of the Study. In recognition of this, and in order to provide History Hill a level of comfort in this regard, a letter stating that the Leopard Lane development located at 9973 Keele Street (east side of Keele Street, just south of Major MacKenzie Drive) would similarly be exempt from the requirements of the Heritage Conservation District Plan as Council had previously approved the design of the development prior to a Heritage Conservation District being in effect.

The recurring theme throughout History Hill's letter and the meeting held on March 15, 2007 was how scale and massing are referenced and defined throughout the Village of Maple Heritage Conservation District Plan. History Hill has suggested that references to scale and massing be either removed or rephrased so as to limit the amount of consideration that should be provided to the size, architectural style and landscaping of existing development on adjacent properties. The use of language within the Plan related to existing scale and massing of buildings within the Heritage Conservation District is of paramount importance as they are primary tools used to define the character of a community.

While the language directing new developments to respect or consider existing scale and massing has not been changed, the references to the height of buildings has been modified based on comments received. In previous versions of the policies, Section 4.6 for Commercial Core development limited the maximum height of a building to 11 metres and three storeys. Having reviewed existing development along Major Mackenzie Drive, the maximum building height has been increased to 11.8 metres and clarified to permit a building façade height of three storeys. These values are consistent with the standards established by the Maple Streetscape Guidelines. The Commercial Core policies and guidelines (Sections 4.6 and 9.5.3, respectively) have been amended to include commercial sites (e.g. local commercial) outside of the Commercial Core area within the District. Further, reference to the word "commercial" identified in the policies under Section 4.6.1 "Design Approach", has been deleted in order to allow the policies to apply to all permitted uses/development within its given commercial designation (e.g. would include mixed use in the Commercial Core, institutional, etc.)

In addition to the height of buildings permitted in the Commercial Core, there is concern expressed related to the provisions of Section 4.4.1 "Design Approach" for new residential buildings. This section previously identified that the height of new residential buildings should not be less than 80% or more than 120% of the average height of residential buildings on adjacent properties. In recognition that there are many single-storey buildings within the proposed district and that the Plan recognizes a historical pattern of 1½ to 2 storeys, Staff has amended this section to allow a difference in façade height between buildings on adjacent properties to generally be no more than 1 storey. In all instances the height of new buildings shall conform to the provisions of the City's Zoning By-law 1-88. This clause is intended to provide consistency in height in the residential area of the District. In addition to clarifying how the height of new buildings will be determined, contradictory language was amended with respect to defining the massing of new buildings.

History Hill Group has also expressed concern with respect to the Plan's relationship to existing planning legislation. Having reviewed the contents of the Village of Maple Heritage Conservation District Plan for conformity to the Provincial Policy Statement, the Provincial Growth Plan, the Regional Official Plan, OPA 350 Maple Community Plan as amended by OPA 533 and the requirements of the Heritage Act, staff is able to confirm that these documents have been considered during the preparation of the Village of Maple Heritage Conservation District Plan and that the contents of the Plan are in keeping with the general intent and provisions of these documents.

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The final concern of the History Hill Group was with respect to receiving notice of public meetings and the availability of documents. In reviewing the mailing labels, provided by the Clerk's Department, for the public consultation process and public hearing process, at least three different companies associated with the History Hill Group (Sharewell Investments Inc., Maple-Jane Developers Inc. and Leopard Lane Development Inc.) were sent notices and invitations to an address shared by History Hill Group. Additionally, staff provided copies of all documents requested by History Hill Group throughout the process in a timely manner.

The District Plan (Attachment 4)

The approach of the District Plan is to provide a tool for managing change consistent with recognized heritage conservation principles. The Plan encourages the continued maintenance of the built and natural environment and guides new construction within the Heritage District. The District Plan is not intended to prevent owners from making alterations or additions to their properties, but to provide guidance with respect to what is appropriate in terms of form, scale and massing.

The Plan consists of four sections. These sections include Part A - District Overview, Part B - District Policies, Part C - Implementing the District and Part D - Design Guidelines.

"Part A – District Overview" of the Plan provides a statement of intent for the Plan and establishes the context in which heritage conservation within the Village of Maple should be considered. This is accomplished through the "Statement of Heritage Value" and the identification of existing heritage resources within the community. For a detailed inventory of heritage resources and description of the built form and landscape within the study area see Volume 1 – The Inventory and Volume 2 the Study (Attachment 3). Part A also establishes the objectives of the Plan that will be addressed through the Policies contained within Part B of the Plan.

"Part B – District Policies" of the Plan establishes the framework in which the preservation of the heritage landscape, both built and natural, will be preserved. This includes a range of policies that includes topics such as the conservation of existing heritage buildings, land uses, infrastructure, vegetation and raising public awareness.

"Part C – Implementing the District" of the Plan provides a detailed review of how the objectives of the Plan will be accomplished and outlines the roles and responsibilities of various City Departments and Committees. The key implementation tool for ensuring the policies of the Heritage Conservation District Plan is the Heritage Permit. The Plan includes provisions for work that is exempt from requiring a permit and work that requires permits. In cases of large scale developments that require site plan approval there is a requirement for the development to be reviewed by a qualified heritage architect prior to application for a Heritage Permit. It should be noted that a Heritage Permit is required prior to the issuance of a building permit and does not replace a building permit.

Finally, "Part D – Design Guidelines" provides the standards for development within the Heritage Conservation District. Part D includes detailed pictures and descriptions of all typical building styles within the district and how each of these buildings should be maintained and what materials and processes are appropriate for use within the district. This section includes guidelines for all types of buildings and expected development within the proposed District.

Implementation and Next Steps

There are various programs and actions described throughout the Plan that will be required in order to ensure the preservation of the built and natural environments in the proposed Village of

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Maple Heritage Conservation District. The underlying theme of all of the programs, policies and guidelines within the Plan is communication between the City and property owners within the proposed District. This required communication has been demonstrated by the City, through the consultation process and will continue should the proposed Village of Maple Heritage Conservation District Plan be designated and the Heritage Conservation District Plan be adopted.

Recent amendments to the Ontario Heritage Act strengthen the relationship between the Heritage Conservation District Plan, the Official Plan Amendment (OPA No. 350) and the Comprehensive Zoning By-law 1-88 by requiring that where a conflict between the documents exists, the Heritage Conservation District Plan takes precedence. Therefore, reviews of OPA No. 350 (The Maple Community Plan) and the City's Comprehensive Zoning By-law 1-88 and the Sign By-law to ensure that the policies and development standards contained within these documents match and implement the intent of the Village of Maple Heritage Conservation District Plan are required. Specific items to be considered during this review should include, scale, massing, permitted land uses, signage and site development standards including yard setbacks, parking and landscaping.

In addition to the development policies contained within OPA 350 and the City's Comprehensive Zoning By-law 1-88, there are other planning tools that can be used to protect the heritage character of the community. An important tool available is Site Plan Control Agreements. Therefore, it is recommended that OPA 200 (Site Plan Control), as amended, and the associated Site Plan Control By-law be reviewed and amended to include all properties within the Village of Maple Heritage Conservation District or an area otherwise identified.

During the preparation of the Study and Plan, residents provided comments and questions with respect to the cost of owning and maintaining a heritage building. Possible solutions to offsetting some of the costs associated with maintaining and improving these buildings are grants and low interest loans. As noted in the Plan (Attachment 4), due to currently low interest rates the City's current loan and grant programs are outdated and under funded. The Cultural Services Department will need to review the City's current loan and grant programs and investigate the potential for revised programs.

Subsection 41(10.1) and clause 41(5)(b) of the Ontario Heritage Act requires that "the clerk shall ensure that a copy of the by-law is registered against properties affected by the bylaw". This registration on title ensures that property owners and potential property owners are advised of the Heritage Conservation District. Within the proposed District there are approximately 200 properties. The Legal Services Department advises that the total cost to register the by-law on title for all of the properties within the District is \$70.70 plus staff time. This work will be done by Legal Services as a next step in the implementation process once the by-laws are adopted and in effect.

In addition to actions required by the Policy Planning Department to implement the Heritage Conservation District Plan there are recommendations included in the Study and Plan that require action by the Cultural Services Department. This includes reviewing the City's Inventory of Buildings of Architectural Interest and the Register or Listing of Significant Heritage Structures. All properties included within the boundary of the proposed Village of Maple Heritage Conservation District will automatically be designated under Part V of the Act with the passing of the designation by-law and some of the buildings will also be included in the City's Register or Listing of Significant Heritage Structures.

The Department of Recreation and Culture will be administering the Heritage Permit approval process related to the implementation of the Maple Heritage Conservation District in addition to existing Heritage Districts of Thornhill and Kleinburg-Nashville. The total number of properties now designated under Part V as a result of a third District will be approximately 467 properties. The requirements of a Part V or District Designation under the Ontario Heritage Act necessitates

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that all properties, heritage or contemporary, within a District require application and approval under the Heritage Permit process for any changes or additions to the exterior of these properties. Culture staff are required to undertake a review of all changes to properties to assess whether they conform to the Heritage District Design Guidelines and issue Heritage Permit approvals either via Heritage Vaughan, Council or at the staff level (for minor changes) to property owners.

Relationship to Vaughan Vision 2007

Section 4.6 of Vaughan Vision outlines the City's commitment to preserving "significant historical buildings and communities". The recommendation to designate the lands shown on Attachment 2 as a Heritage Conservation District pursuant to Part V of the Ontario Heritage Act is consistent with the polices contained within Vaughan Vision 2007.

Regional Implications

The creation of Heritage Conservation Districts complies with the provisions contained within the Region of York's Official Plan.

Conclusion

The Village of Maple is a unique community in the City of Vaughan and is significant for its historical associations and its 19th and 20th century architecture. As demonstrated through the study, it is appropriate for Council to enact the necessary By-laws to designate the Village of Maple Heritage Conservation District pursuant to Part V of the Ontario Heritage Act and to adopt the Village of Maple Heritage Conservation District Plan.

By creating the Village of Maple Heritage Conservation District, pursuant to Part V of the Ontario Heritage Act, staff recognizes that additional work will be required to further reinforce and implement the polices and guidelines contained therein. Therefore, it is recommended that, in addition to bringing forward a by-law to designate a Heritage District and adopt its related Plan, Council direct staff to undertake additional actions, including:

- a) A review and update of OPA No. 350 – Maple Community Plan, including all amendments, in order to reflect the Village of Maple Heritage Conservation District Plan and a review of the City of Vaughan Comprehensive Zoning By-law 1-88 and the Sign By-law with specific attention being paid to creating development standards that are consistent with the design guidelines and polices contained within the Village of Maple Heritage Conservation District Plan;
- b) A review of OPA No. 200, as amended, and the associated By-law, to define the types of development within the Village of Maple Heritage Conservation District that will be subject to Site Plan Control; and

Legal Services will pursue fulfilling the Ontario Heritage Act requirement of registering the by-law adopting the Village of Maple Heritage Conservation District on title for every property within the District advising of its Heritage District Designation.

Staff have met with representatives of History Hill Group and incorporated, where appropriate, comments received with respect to clarifying the language of the provisions contained within the Plan to improve its readability and interpretation. Staff does not agree to modify the defined District Area boundary or to the language of provisions related to scale and massing.

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Attachments

- 1) Village of Maple Heritage Conservation District Study Boundary
- 2) Village of Maple Heritage Conservation District Boundary
- 3) Village of Maple Heritage Conservation District Plan – Volume 2 (Study) (Members of Council ONLY)
- 4) REVISED May 2007 Village of Maple Heritage Conservation District Plan – Volume 3 (Members of Council ONLY)
- 5) Letter from Ms Vania Ottoborgo, History Hill Group, dated February 16, 2007.

Report prepared by:

Aaron Hershoff, Planner 1, ext 8320
Duncan MacAskill, Senior Planner, ext 8017
Wayne McEachern, Manager, 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.)

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Item 29, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 11, 2007, as follows:

By approving the recommendation of the Commissioner of Planning, dated May 28, 2007; and

By directing that the study be completed by April 2008.

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**CITY WIDE PARKING STANDARDS REVIEW
TERMS OF REFERENCE
FILE NO. 15.101**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of June 11, 2007; and**
- 2) That the written submission of Mr. Frank Greco, 10504 Islington Avenue, Box 772, Kleinburg, L0J 1C0, dated May 25, 2007, be received.**

Recommendation

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

1. That the proposed Terms of Reference, attached as Attachment 1 to this report, BE APPROVED; and
2. That staff be directed to commence the tendering process for qualified professionals to carry out a review of City Wide Parking Standards, at a total cost not to exceed \$75,000.

Economic Impact

This report is in response to previous requests by Council and to issues related to parking and urban design standards encountered during the processing of development applications and policy planning projects. The funds are available to undertake the required study within the Policy Planning Department's 2007 Professional Fees Operating Budget.

Communications Plan

As the purpose of the proposed study is to review existing standards in the City's Zoning By-law, a Public Hearing held pursuant to the Planning Act will be required. As this item is city wide and is of primary interest to businesses and the development community, circulations will be made to all ratepayer organizations and the City's Chamber of Commerce. Advertisements will be placed in the newspaper. It is expected that staff and the selected consultant may also undertake discussions with individual landowners and other interested parties.

Purpose

The purpose of this report is threefold: obtain Council's approval of the Terms of Reference to review of the Parking Standards contained within Section 3.8 of the City of Vaughan Comprehensive Zoning By-law 1-88; establish City Wide Cash-in-Lieu of On-Site Parking pursuant to the provisions of the Planning Act; and, to assess the supply and provision of private and public parking in the Woodbridge Core Area and other identified areas throughout the City.

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Background - Analysis and Options

Background

The evolution of the City of Vaughan from a rural municipality with multiple distinct communities into a suburban municipality and currently into an increasingly urban place has continued to occur since the preparation of the City's Comprehensive Zoning By-law 1-88. In light of the recognition that the City's Parking Requirements contained within Zoning By-law 1-88 are not in keeping with current and foreseeable development trends and with other comparable municipalities, the City requires a comprehensive review of the "Parking Requirements" contained within Section 3.8 of the Zoning By-law. A review of approximately 20 Zoning By-laws of similar communities within the Greater Toronto Area and across Canada confirms this conclusion.

On February 13, 2006, Council requested that "the Commissioner of Planning, jointly with the Commissioner of Engineering and Public Works and the Commissioner of Legal and Administrative Services, be directed to prepare a report on the feasibility of implementing a city-wide cash-in-lieu of parking by-law, the intent of which is to establish reserve funds for municipal parking initiatives".

In many instances, the standards contained within By-law 1-88 appear to require land owners to supply a greater number of parking spaces than are realistically needed to adequately service a particular use. This becomes evident when reviewing the number of variances and site specific amendments to the Zoning By-law that have varied the City's parking standards. For example, since May 2006 the Committee of Adjustment has reviewed approximately 50 applications which request relief from the City's Parking Standards. In addition to the variances, during this time frame, approximately 15 site specific amendments to the Zoning By-law have also included modifications to the parking standards.

On February 13, 2006, Council requested that "the Planning and Engineering Departments be directed to undertake a joint review of opportunities and options for guaranteeing a sufficient number of parking spaces available for use by the public within the Woodbridge core, whether on private or public lands or both." In keeping with this direction, Woodbridge has been identified as an historic urban place within the proposed Terms of Reference. Specific direction will be provided to the selected consultant with respect to this request.

On April 2, 2007, Council approved a Pedestrian and Bicycle Master Plan for the City. As part of this approval, staff was requested to examine the feasibility of including suitable facilities for bicycle parking within the City's Zoning By-law.

Process

The details of the City Wide Parking Standards Study are presented in the attached Terms of Reference. (Attachment 1). The Study will consist of two sections, the Background Report (Phase 1) and an Options Report (Phase 2). The purpose of the Background Report (Phase 1) will be to examine the parking standards contained within the City's Comprehensive Zoning By-law 1-88 and determine how appropriate they are in the current planning context. Phase 2 (Options Report) will provide recommendations with respect to appropriate development standards for various uses and locations throughout the City.

The Study will pay special attention to the unique types of development within Vaughan and the impact parking has on the landscape. It is expected that in addition to undertaking a literature and development standards review, the selected consultant will also undertake parking utilization

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counts at identified sites throughout the City. Counts will occur at sites such as the Woodbridge Core Area, Kleinburg, typical large and small scale retail uses and in employment areas. The purpose of these counts will be to ascertain the supply and demand for parking throughout the City based on use and location.

Because site specific counts are required, and due to the nature and seasonality of some of the businesses that will be counted, it is expected that this study will take approximately 12 months to complete.

Having compiled the Background Report, an Options Report will be prepared to provide recommendations with respect to the findings and analysis contained Background Report. The Options Report will contain recommendations with respect to the revision of the Parking Standards contained within By-law 1-88, the use of Section 40 of the Planning Act and the location and supply of parking in identified communities. In addition to these required recommendations, other items may be discovered during the preparation of the Background Report which merit further discussion and recommendations. It is expected that the selected consultant will provide suitable comment on these additional items.

Selection of Consultant

A Request for Proposal package, including the attached Terms of Reference will be prepared and provided to qualified consultants. Based on the responses received, a consultant will be selected and a recommendation to approve the successful bid will be forthcoming.

Relationship to Vaughan Vision 2007

This report is consistent with Section 4.7 of Vaughan Vision 2007 as it will aid in the implementation of OPA 600 through the creation of appropriate development standards.

Regional Implications

The review of this portion of the City's Zoning By-law has no Regional implications.

Conclusion

Due to changing development patterns, the City's parking standards contained within the Comprehensive Zoning By-law 1-88 should be reviewed. Therefore it is recommended that the attached terms of reference be approved and staff be directed to prepare a Request for Proposals and undertake the review and selection of a consultant and report back to a future meeting of the Committee of the Whole.

Attachments

1. City of Vaughan – City-wide Parking Standard Requirements Study – Terms of Reference

Report prepared by:

Aaron Hershoff, Planner 1, ext 8320
Wayne McEachern, Manager, ext. 8026

/AH

(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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Communications Plan

Notice of the creation of the Environment Committee will be posted on the City's website.

Purpose

The purpose of this report is to provide for the ratification of the Environmental Task Force's recommendation of May 14, 2007, which would have the following effects:

- Establishing the Environment Committee as a Special Purpose Committee of Council;
- Approving Terms of Reference for the operation of the Environment Committee, as set out in Attachment No. 2; and
- That upon ratification, the Environmental Task Force will cease operations and be replaced by the Environment Committee.

Background – Analysis and Options

At the May 14, 2007 the Environmental Task Force meeting, the Task Force considered a report entitled "Creation of the Environment Committee, Adoption of Terms of Reference". It forms Attachment No. 1 to this report. On consideration of the report, the Task Force adopted the recommendation set out above. In the discussion a number changes were suggested to the draft Terms of Reference, which resulted in Recommendation 2). In response the draft Terms of Reference for the Environment Committee was revised and circulated for review. The responses were taken into account in drafting the amended version of the Terms of Reference, which forms Attachment No. 2 to this report. It is recommended that this version of the Terms of Reference be approved.

Relationship to Vaughan Vision 2007

This report is consistent with the provisions of Vaughan Vision 2007 in respect of Section 4, "Planning and Managing Growth".

Regional Implications

There are no Regional implications resulting from the adoption of this report. Ultimately the City and the Region will need to coordinate their respective sustainability/environmental plans and initiatives.

Conclusion

As set out in Attachment No. 1, the creation of the Environment Committee will be an important step forward for the City in its quest to become a more sustainable community. Approval of this report by Council will ratify the Environmental Task Force's recommendations of May 14, 2007. This will serve to: Create the Environment Committee as a Special Purpose Committee of Council; approve Terms of Reference for the Committee's operations (as revised), which form Attachment No. 2 to this report; and provide for the replacement of the Environmental Task Force with the Environment Committee. Therefore, the recommendation should be adopted.

Attachments

1. Environmental Task Force Report: Item 4.1, "Creation of the Environment Committee, Adoption of Terms of Reference", May 14, 2007;
2. Revised Terms of Reference – Environment Committee

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Report Prepared by:

Roy McQuillin, Manager of Corporate Policy, ext. 8211

(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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31 IMPLEMENTATION OF INTEGRITY COMMISSIONER

The Committee of the Whole recommends:

- 1) That Clauses 1, 2, 3, 4, 5, 6, 7 and 9 of the recommendation contained in the following report of the City Manager and the Commissioner of Legal and Administrative Services, dated May 28, 2007, be approved;
- 2) That staff review opportunities for joint application of the Integrity Commissioner with other York Region Municipalities;
- 3) That the posting of Integrity Commissioner be a part-time position;
- 4) That the advertisement relating to this position be sent to local Universities and Colleges and be consistent with the City's recruitment policy;
- 5) That the position of Integrity Commissioner be reviewed in 2009 in order to assess its value to the City of Vaughan;
- 6) That a communication strategy be developed, to include and emphasize the City's commitment to responsive, transparent and accountable governance; and
- 7) That "June 11, 2007 Council meeting" be replaced with "Committee of the Whole meeting of June 18, 2007", where it appears in the report under "Purpose", in accordance with the memorandum of the Solicitor/Litigation, dated May 25, 2007.

Recommendation

The City Manager and the Commissioner of Legal and Administrative Services in consultation with the Senior Management Team recommend as follows:

1. That the Integrity Commissioner's mandate be applied to members of Council.
2. That the mandate as detailed in this report be adopted.
3. That the duties of the Integrity Commissioner as detailed in this report be adopted and be applicable to members of Council only.
4. That the Accountability and Transparency Committee, along with the Integrity Commissioner, once appointed, review the current Council Code of Conduct and make recommendations to Council regarding any revisions.
5. That a draft complaint procedure for the Council Code of Conduct be reviewed by the Integrity Commissioner and the Accountability and Transparency Committee, to make recommendations to Council for final approval.
6. That the Integrity Commissioner provide an annual general report to Council.
7. That the Integrity Commissioner make recommendations to Council regarding proposed penalties where contraventions of the Council Code of Conduct are found.

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8. That an independent executive search firm be retained to recruit for the Integrity Commissioner position.
9. That the list of qualifications of the Integrity Commissioner detailed in this report be approved.

Economic Impact

Council approved funding for the implementation of the Office of the Integrity Commissioner on April 23, 2007.

Communications Plan

Once an Integrity Commissioner is in place, the City of Vaughan's website should be updated to include a page for the Office of the Integrity Commissioner. This page should provide links to the Code of Conduct, Complaint Procedure, applicable forms, public reports, frequently asked questions and contact information.

Purpose

This report outlines the steps for implementation of an Integrity Commissioner. At its' meeting on April 23, 2007, Council directed staff to bring a report to the Committee of the Whole meeting of May 28, 2007, outlining the implementation, parameters, roles and responsibilities for the Office of the Integrity Commissioner, modelled in a similar fashion to the parameters adopted by the City of Toronto.

Council also directed that an Accountability and Transparency Committee be established to review the City's current policies/practices pertaining to the Code of Conduct, confidentiality, accountability and transparency, and this committee also make recommendations to Council regarding the appointment of an Integrity Commissioner. This report will be presented at the Committee of the Whole meeting on June 18, 2007.

Background – Analysis and Options

A. Mandate

A municipality may assign specific functions and duties to an Integrity Commissioner with respect to the application of the Code of Conduct for members of Council and/or local boards and the application of any procedures, rules or policies of the municipality governing the ethical behaviour of Council and/or local boards.

The *Municipal Act* defines local boards as “a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority”. Based on this definition, the following statutory committees and boards could fall within the Integrity Commissioner's mandate, should Council choose to include them:

- Vaughan Public Library Board
- Accessibility Advisory Committee
- Committee of Adjustment
- Court of Revision

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- Emergency Management Program Committee
- Hearing Committee for Licensing Matters
- Heritage Vaughan
- Property Standards Committee

While members of Council sit on some of these boards and committees, most are comprised of members of the public. Currently, the Code of Conduct for Council does not apply to local board or committee members. **Staff recommend that the Integrity Commissioner's mandate be applied to members of Council only.** The mandate can be reviewed in the future.

The City of Toronto adopted its Code of Conduct in September, 1999 and directed that it apply to Council and all other appointments to City agencies, boards and commissions. In September, 2006, the Integrity Commissioner's mandate was expanded when the Council Code of Conduct Complaint Protocol was amended to apply to complaints against members of local boards.

In keeping with the City of Toronto's model, the Integrity Commissioner's mandate may include the following:

1. **Advisory:** To provide written and oral advice to individual members of Council about their own situation respecting the Code of Conduct and other by-laws and policies governing the ethical behaviour of members, including general interpretation of the *Municipal Conflict of Interest Act*; and providing the full Council with specific and general opinions and advice respecting compliance by elected officials with the provisions of governing Acts, and other conduct policies;
2. **Complaint Investigation:** To assess and investigate complaints against elected officials from members of the public, City staff, and Councillors or on reference from the whole Council;
3. **Complaint Adjudication:** To determine whether a member of Council has violated a City protocol, by-law or policy governing their ethical behaviour except that (as in the provincial model) Council makes the final decision on whether any penalty (as limited by the *Act*) recommended by the Commissioner is imposed on the member found in contravention; and
4. **Educational:** To publish an annual report on findings in typical advice and complaint cases; providing outreach programs to members of Council and staff on legislation, protocols, and office procedures emphasizing the importance of ethics for public confidence in municipal government; and disseminating information available to the public on the City's website.

It should be noted that the City of Toronto's Integrity Commissioner's advisory role includes assisting with the general interpretation of the *Municipal Conflict of Interest Act*. This legislation deals with pecuniary conflicts of interest. Council members receive their own independent legal advice related to the *Municipal Conflict of Interest Act*. The Integrity Commissioner will not be able to answer specific questions of individual compliance or provide legal advice in relation to this legislation. **Staff recommend that the above mandate be adopted.**

B. Duties

In accordance with the City of Toronto's model, the Integrity Commissioner's duties may include the following:

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1. To provide written and oral advice to individual members of Council about their own situation under the Code of Conduct and other by-laws, policies and protocols governing the ethical behaviour of Council.
2. To provide Council with specific and general opinions and advice on the City's by-laws, policies and protocols regulating the conduct of members of Council, and issues of compliance with those by-laws, policies and protocols.
3. To conduct inquiries into a request made by Council, a member of Council, or a member of the public into whether a member of Council has contravened any applicable code of conduct.
4. To determine whether a member of Council has in fact violated a City by-law, policy or protocol governing their ethical behaviour and report any violation with any recommendation for sanction to Council, in accordance with the *Municipal Act* and any prevailing City protocols or policies.
5. To publish an annual report on the work of the office of the Integrity Commissioner including examples in general terms of advice rendered and complaints received and disposed of.
6. To provide general advice to members of Council and City of Vaughan staff on issues of ethics and integrity including relevant statutes, codes of conduct, City by-laws, policies, protocols and office procedures, and emphasizing the importance of ethics for public confidence in municipal government.

In the Toronto model, the above duties include local boards and Council staff. **It is recommended that the duties as listed above be adopted and be applicable to members of Council.**

C. Code of Conduct

The City of Vaughan has a Code of Conduct for members of Council. This Code of Conduct should be updated to include provisions regarding a complaint procedure and penalties. **It is recommended that the Accountability and Transparency Committee, along with the Integrity Commissioner, once appointed, review the current Code of Conduct and make recommendations to Council regarding any revisions.**

D. Complaints Procedure

A procedure for the filing of complaints and investigations by the Integrity Commissioner should be drafted and approved by Council. As a reference, the City of Toronto's Council Code of Conduct Complaint Protocol is attached at Attachment 1. It sets out both an informal and formal complaint procedure. It requires that formal complaints must be in writing and include a supporting affidavit setting out the evidence in support of the complaint. Attachment 2 is a copy of the form of affidavit.

The Protocol also deals with the types of complaints not dealt with by the Integrity Commissioner and the manner in which the Integrity Commissioner will investigate and report on complaints.

A number of other matters may be considered for the complaint procedure, including the following:

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- the manner in which complaints may be withdrawn and how the Integrity Commissioner should deal with this (terminate or continue investigation where warranted);
- whether the Integrity Commissioner may commence investigations of his or her own accord;
- when a public inquiry under the *Public Inquiries Act* may be initiated;
- whether notice provisions for members of Council who are the subject of a complaint should be implemented where sanctions are being recommended along with an opportunity to comment on the proposed sanction;
- specifics regarding the preservation of secrecy and confidentiality of investigations;
- what information will be made available to the public; and
- the manner in which any contraventions of the *Criminal Code* or other Acts are to be handled.

Staff will proceed to draft a complaint procedure. **It is recommended that a City of Vaughan draft complaint procedure be reviewed by the Integrity Commissioner and the Accountability and Transparency Committee, to make recommendations to Council for final approval.**

E. Reporting to Council

An Integrity Commissioner may provide a periodic report to Council regarding his or her activities, summarizing advice given without disclosing confidential information that could identify any person concerned. The City of Toronto's Integrity Commissioner has submitted annual reports which discuss the general nature of the matters handled, including samples of the advice provided. In addition, other aspects of his work are addressed along with procedural and budgetary matters. **It is recommended that an annual general report be provided to Council.**

Toronto's Integrity Commissioner also provides reports to Council upon the completion of individual investigations, with recommendations where warranted. The *Act* provides a duty of confidentiality with respect to the handling of investigations and reporting. The complaint procedure will contain provisions addressing reporting to Council on individual matters.

F. Delegation

The City of Toronto's Integrity Commissioner makes recommendations to Council regarding proposed penalties where contraventions of the Code of Conduct are found. Council makes the final decision as to the appropriate penalty. Alternatively, Council may delegate the authority to assess and impose penalties to the Integrity Commissioner. In this case, an appeal process would be appropriate with the appeal being made to Council. In any event, any administrative decision is subject to judicial review. **It is recommended that the Integrity Commissioner make recommendations to Council regarding proposed penalties.**

G. Qualifications and Recruitment

Given the special role of such an official in advising Council, it would be appropriate for the City Integrity Commissioner to be recruited using the services of an independent executive search firm. Alternatively, Council can authorize staff to place an advertisement in appropriate sources for the position, as other levels of government have done. Appointment of the Integrity Commissioner would be recommended by the Accountability and Transparency Committee. **It is recommended that an independent executive search firm be retained to recruit for the Integrity Commissioner position.** Funding was approved by Council on April 23, 2007.

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It is important that a City Integrity Commissioner meet a set of qualifications that ensures the greatest independence from the members of Council and the business of the City. The qualifications for the position of Integrity Commissioner should include:

- A degree from a recognized university in a relevant field of study such as law, ethics or public administration, or a combination of equivalent education, training and/or experience
- Comprehensive experience in managing investigation activities, including the application of alternative dispute resolution methods
- Experience in representing an organization, in interacting and consulting at a senior level with a broad range of stakeholders, policy and decision-makers, as well as the media
- Extensive knowledge of relevant legislation, including the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act*
- Knowledge of municipal government
- Municipal law adjudication experience
- Proven impartiality and neutrality such as that of a judge
- Must possess personal and professional integrity along with good interpersonal skills and discretion
- The ability to interpret provisions of various statutes, regulations, policies
- Able to provide services on a part-time, flexible, and as-needed basis
- Have no other dealings or employment with the City or financial interest in work undertaken by the City
- Having no involvement in political campaigning/endorsements, or related conflicts-of-interest

It is recommended that the above qualifications be approved.

H. Next Steps

As noted above, a report on the establishment of the Accountability and Transparency Committee will be presented to Council on June 11, 2007. It is anticipated that the Accountability and Transparency Committee will be formed in the Fall of 2007, at which time a short list of candidates for the position of Integrity Commissioner can be considered and a final recommendation be made to Council.

Relationship to Vaughan Vision

This report is consistent with the priorities in the Vaughan Vision and the appropriate resources have been allocated and approved.

Regional Implications

None.

Conclusion

This report is provided in response to Council direction. To further the implementation of the Office of the Integrity Commissioner, staff recommend the matters included in the Recommendations section of this report.

Attachments

- Attachment 1: City of Toronto Council Code of Conduct Complaint Protocol
- Attachment 2: City of Toronto Supporting Affidavit for Complaints

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Report prepared by

Claudia A. Storto, Solicitor/Litigation, Ext. 8315
Heather A. Wilson, Director of Legal Services, Ext. 8389

(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 32, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

32 MANAGEMENT TRAINING PROGRAM – SCHULICH MASTERS CERTIFICATE IN MUNICIPAL MANAGEMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services & City Solicitor, dated May 28, 2007:

Recommendation

The Commissioner of Legal and Administrative Services & City Solicitor, in consultation with the Purchasing Services Department, recommends:

THAT Council approves Certificate of Municipal Management, Modules 2 and 3 of the Schulich Program, at a cost to the City of \$60,000.

Economic Impact

The economic impact of the Schulich Management training program is included in the budget.

Communications Plan

Module 1 of the Certificate program has been advertised and twenty (20) management staff of the City of Vaughan are participating.

Purpose

To provide information to Council regarding the Schulich School of Business Masters Certificate in Municipal Management which is being offered to City of Vaughan management staff.

Background - Analysis and Options

The Schulich School of Business is a widely recognized and respected post secondary educational institution. Schulich worked closely with the municipal sector to develop and deliver the Masters Certificate in Municipal Management which has been delivered within various municipalities in Ontario including the Region of York.

The proven curriculum drives management to dramatically enhance their operational performance levels. We anticipate that the individuals who attend this course will develop leadership and teambuilding skills for existing leaders as well as those aspiring to lead. Further, we will build critical management skills in the areas of interpersonal dynamics and improving operational performance as well as creating a high level of motivation for participants to ensure that skills learned are put into immediate practice.

There are 20 Vaughan staff participating in the program. The individual cost for attendees of the Schulich program would be \$3,000 each per module. Vaughan has arranged with Schulich to have the program offered, one module at a time, on-site at a City-owned facility, at a reduced cost of \$1,500 for each module. This is not only more cost-effective, but has the added advantage of providing our own management staff from diverse areas of the organization an opportunity to team-build together through the program.

Module 2 and Module 3 each cost the City approximately \$30,000 to implement.

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There are no other Business Schools of this caliber who are offering this type of program as this program has been developed with the municipal sector to address our very specific issues.

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 specifically, encouraging staff learning and growth, attracting, retaining and promoting staff, building positive staff morale, enhancing productivity & cost effectiveness and communicating effectively.

Regional Implications

None

Conclusion

The first three (3) days of Module 1 of the Masters Certificate in Municipal Management was conducted in early May and has received favourable feedback from the attendees. In addition, various municipalities within York Region including the Region itself have offered the program to very favourable reviews. In addition, we have had an additional eleven people advise us of their interest in taking the course as well.

Attachments

None

Report prepared by:

Janet Ashfield
Director of Human Resources

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Item 33, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

33

**VILLA GIARDINO
MARTIN GROVE ROAD**

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 28, 2007, be approved;
- 2) That the cost sharing agreement be amended to read "City 75%, Villa Giardino 25%";
- 3) That the same share apply to winter maintenance;
- 4) That curb bumpers be installed as outlined in the report at a one time cost of \$2,000;
- 5) That any relative costs come from the appropriate operating budget; and
- 6) That the written submission and photographs of Ms. Sara Tripodi, AMICA of Villa Da Vinci, 7371 Martin Grove Road, Woodbridge, L4L 9E4, dated May 28, 2007, submitted by Regional Councillor Rosati, be received.

Recommendation

The Commissioner of Engineering and Public Works in consultation with the Commissioner of Legal and Administrative Services and the Commissioner of Community Services recommend:

That this report be received for information.

Economic Impact

None.

Communications Plan

N/A

Purpose

To respond to Council's request for information.

Background - Analysis and Options

At its meeting of April 2, 2007, Council directed "That this matter be referred to staff and a report be provided on the cost implications of amending the cost sharing formula for senior's residences in the City where substantially similar arrangements are also in place."

Staff are not aware of any senior's residences in the City where arrangements are in place for the maintenance of site access works. Accordingly, amending the cost sharing formula in this instance would not set a precedent for any other existing senior's residences.

Relationship to Vaughan Vision 2007

This is consistent with Vaughan Vision 2007 to serve our citizens and manage our resources.

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Regional Implications

None.

Conclusion

Since there are no similar arrangements in place, there would be no implications on other cost sharing arrangements if the subject formula was amended.

Attachments

1. Extract from Council Meeting Minutes of April 2, 2007, Item 26, Report No. 15

(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 34, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 11, 2007, as follows:

By approving the recommendation of Councillor Shefman, dated May 28, 2007; and

By directing that a copy of this report be forwarded to York Region.

34 PROTOCOL FOR YORK REGION ADVISING CITY OF VAUGHAN COUNCIL

The Committee of the Whole recommends that this matter be referred to the Council meeting of June 11, 2007.

Recommendation

Councillor Shefman recommends:

1. That prior to a final decision by York Region Council concerning amendments to any City of Vaughan approved recommendation, bylaw or Official Plan Amendment requiring the concordance of the Region, and especially relating the City of Vaughan Official Plan, a protocol, advising the City of Vaughan Council of any changes, modification or deferrals being proposed shall be implemented which will provide the City of Vaughan Council with an opportunity to respond to the proposed change, modification or deferral.
2. That the Mayor and the Regional Councillors meet with and inform their regional colleagues and officials regarding the intent of this recommendation and work towards establishing the suggested protocol ASAP.

Economic Impact

None

Communication Plan

None

Background – Analysis and Options

1. The City of Vaughan works diligently to make informed decisions on matters relating to its responsibilities.
2. At times, decisions are made that require the input and concordance of the Region of York
3. It is important that when the Region proposes a change to any City of Vaughan approved item, that the City be informed and given the opportunity to respond to the proposed change. This will allow, through cooperation and communication an opportunity for both the City and the Region to resolve any differences relating to these matters.

Purpose

To provide a protocol between York Region and the City of Vaughan Council relating to changes, modification or deferrals proposed by the Region to City of Vaughan approved decisions

Relationship to Vaughan Vision

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

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Regional Implications

Approval of this recommendation will support an improved process of information sharing and decision –making for areas of Regional jurisdiction vis-à-vis City of Vaughan approved decisions.

Conclusion

The City of Vaughan and York Region will be able to work more efficiently and effectively as a result of this recommendation.

Attachments

none

Report prepared by:

Debi Traub, Council Executive Assistant

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Item 35, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 11, 2007, as follows:

By approving the recommendation of the Greening Vaughan Advisory Committee, dated May 28, 2007; and

By receiving the following written submissions:

- a) Ms. Emilia Almeida, 9 Greystone Gate, Maple, L6A 3S2, dated June 1, 2007; and***
- b) Ms. Lyn Divsalar, dated June 1, 2007.***

35

LARGE HOUSEHOLD RECYCLING PROGRAM

The Committee of the Whole recommends that this matter be referred to the Council meeting of June 11, 2007.

Recommendation

The Greening Vaughan Advisory Committee recommends:

That the City implement a one year pilot project commencing September 2007 to address the special needs of large households in the City of Vaughan as practiced in other municipalities.

1. Every large household, consisting of seven people or more, shall be given the opportunity to apply for an exception to the Greening Vaughan standard program relating to waste and recycling. The application for an exception shall include a request to document the members of the household living at the residence.
2. Upon approval of an exception the household shall receive, free of charge, one additional blue box, one green bin and 25 garbage tags.
3. If it is determined that an exception was provided based on false or misleading information in the application, the exception will be immediately revoked and further opportunities for an exception will be denied. Should the household not comply to diversion opportunities provided by the City, staff have the ability to issue warnings and revoke exemption privileges if deemed necessary.
4. Upon providing application to the City for an exemption, city staff will perform an audit on-site to assist residents in their efforts to optimize their waste diversion efforts.
5. The Large Household Recycling Program will be included in promotional and educational materials produced regarding the Greening Vaughan program.
6. Staff will report to Committee of the Whole on the success of the Large Household Recycling Program pilot project in April 2008.

Economic Impact

The cost for the exception package is \$51. It is difficult to estimate the total number of exceptions that might be allowed. From the research conducted through Councillor Shefman's office, it is estimated that there may be 50 to 100 households that may take advantage of the program. The total cost for the program could be between \$2,550 - \$ 5,100.

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Communication Plan

Once this program is approved, communication of its availability will be conducted in response to requests rather than as a public communications effort.

Background – Analysis and Options

1. The purpose of the Greening Vaughan program is to divert as much household waste from the garbage to the recycling/composting stream. Every effort has been made since the initiation of the program, to encourage all Vaughan residents to take an active part in recycling and to limit their garbage.
2. While City-wide programs have to be designed to meet the needs of the average household, quality service means being responsive to the diversity of our City.
3. It makes logical sense that everything should be done to encourage every part of the community to take part in the program.
4. The City of Vaughan has one of the largest concentrations of Orthodox Jews in Canada. One aspect of the belief system of at some of these people is that it is a “blessing” to have as many children as possible. There are therefore a number of families in the Thornhill area that have 5 to 10 children living in a household. As well, because of the concentration on their religious devotion, many of these households have limited funds available for anything but necessities.
5. Beginning in August of 2005, Councillor Shefman received letters, emails and telephone calls from residents with large families asking for some relief from the Greening Vaughan rules or extra support so that they can take part in the program. Some of the comments that have been received include the following:

“You are penalizing large families – how can I be expected to have the same amount of garbage as my neighbour who has two children, when I have 8! I recycle 4 overflowing boxes. I understand that we must cut back on our garbage, and I am trying my best, but what you are asking is impossible.”

“While the initiative to encourage recycling is to be applauded, ignoring the number of members of a family appears discriminatory against large families, who are already struggling to make ends meet.”

“I am in full support of reducing garbage and recycle as much as possible. I called to city to see if we could obtain additional green bins free of charge for large families. I have 8 children from 5-16 years old all living at home. I feel it is very unfair that we are treated like every average family in the City. I feel that large families should be allotted a fair amount of extra garbage tags as well with the understanding that if the green program and the recycling program are used properly the amount of garbage will be greatly reduced. “

“We have been personally responsible for 4 families recycling. We educated them and they are now down to one bag of garbage from 7 or 8. We are an environmentally conscious family but because we are a very large household, it is a constant struggle to keep up”

6. In the late summer of 2006, a meeting with a number of representatives of the Orthodox community/large families was held at a local synagogue. At that time a commitment was made to develop a program to address the concerns raised. Nothing happened as a result of that meeting.

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7. The City of Toronto provides an exemption to their garbage/recycling rules for “special circumstances.” The exemption provides for “one additional item per household (garbage) a specified number of tags will be given to the resident for exemption to the end of the calendar year.”

Purpose

The purpose of this program is to address the concerns raised over the last year by large households that while they make sincere efforts to limit their waste and to recycle as much as possible, the size of their households is such that they cannot meet the standards established for the average size Vaughan household.

In light of this extraordinary situation, a number of these individuals have approached the Greening Vaughan Committee asking for a program to address their concerns through the provision of extra blue and green bins without charge.

Relationship to Vaughan Vision

This report is consistent with the priorities previously set by Council, especially those relating to “the highest quality service.”

Conclusion & Proposed Program

1. This program is designed to support the efforts of large families to take part in the Greening Vaughan program, while recognizing their special needs.
2. Every large household, consisting of seven people or more, shall be given the opportunity to apply for an exception to the Greening Vaughan standard program. The application for an exception shall include a request to document the members of the family living at the residence.
3. Upon approval of an exception the household shall receive, free of charge, one additional blue box, one green bin and 25 garbage tags.
4. If it is determined that an exception was provided based on false or misleading information in the application, the exception will be immediately revoked and further opportunities for an exception will be denied. Should the household not comply to diversion opportunities provided by the City, staff have the ability to issue warnings and revoke exemption privileges if deemed necessary.
5. Upon providing application to the City for an exemption, city staff will perform an audit on-site to assist residents in their efforts to optimize their waste diversion efforts.
6. The Large Household Recycling Program will be included in all promotional and educational materials produced regarding the Greening Vaughan program.

Attachments

none

Report prepared by:

Debi Traub, Council Executive Assistant

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Item 36, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

36

**DEPUTATION – MS. ANTONIETTA GARERI
WITH RESPECT TO PARKING**

The Committee of the Whole recommends that the deputation of Ms. Antonietta Gareri, 74 Thistle Ridge Drive, Woodbridge, L4L 3K4, written submissions dated May 8, 2007 and May 28, 2007, and photographs, be received.

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Item 37, Report No. 28, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 11, 2007.

37

**DEPUTATION – MR. JOE SICOLI
WITH RESPECT TO THE CITY OF VAUGHAN BOCCE POLICY**

The Committee of the Whole recommends:

- 1) That staff consult with the Bocce Clubs and Senior's Clubs for comments and provide a report to the Committee of the Whole meeting of June 18, 2007, outlining the effects to restore the free bocce play time for seniors during off-peak hours from Monday to Friday; and**
- 2) That the deputation of Mr. Joe Sicoli, 271 Triton Avenue, Woodbridge, L4L 6P9, and written submission, be received.**

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Item 38, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 11, 2007, as follows:

By replacing “collapsible stages” in the fourth paragraph of the Committee of the Whole recommendation with “City inventoried items”.

38

NEW BUSINESS - KLEINBURG JAZZ FESTIVAL

The Committee of the Whole recommends that the following be approved:

Whereas it is the City of Vaughan’s intention to promote economic development in Kleinburg including conducting an economic study; and

Whereas the Kleinburg Business Improvement Association has undertaken a number of new initiatives to support economic development; and

Whereas one of these initiatives is a Kleinburg Jazz Festival to be held on June 9, 2007 and June 10, 2007.

That the Kleinburg Business Improvement Association be provided with the requested collapsible stages for the Jazz Festival in support of Kleinburg economic development; and

That the special occasion permit be provided, if required.

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