

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 1, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

1 UJA FEDERATION OF GREATER TORONTO PRIVATE LEGISLATION FOR EXEMPTION FROM PROPERTY TAXATION - REQUEST FOR COUNCIL RESOLUTION

The Committee of the Whole recommends approval of the recommendation contained in the following report of Mayor Jackson, dated March 3, 2008:

Recommendation

Mayor Jackson recommends:

That the request from the UJA Federation be referred to staff for a report.

Economic Impact

The impact will be addressed in the staff report.

Communications Plan

The UJA Federation will be notified of the date the staff report will be on Committee of the Whole.

Purpose

The purpose of this report is to obtain Council direction for a staff report following the request from the UJA Federation.

Background - Analysis and Options

Mayor Jackson was approached by the UJA Federation asking that the City of Vaughan Council pass a resolution in support of a Private Members Bill to exempt from property taxation the property owned and currently being developed by the UJA Federation.

The property in question is known as the Joseph and Wolf Lebovic Jewish Community Campus and is approximately 50 acres in size, located on the west side of Bathurst Street, north of Rutherford Road.

The UJA Federation is a charitable corporation and a philanthropic organization. It is supported by a combination of donations and public funds. The UJA Federation supports community service-type organizations as well as education, health and social services.

The Campus on Bathurst Street will be providing a range of significant community facilities and services to the general public. Currently, the majority of the property is still under construction, but the intention is to complete the development with schools, medical service facilities, immigrant aid services, supportive housing for physically and developmentally challenged, family and child services, assisted living, senior housing, pools, gymnasias, community centres, and other community meeting places. Also included in the plans is an ecological garden to serve educational and therapeutic purposes supporting environmental initiatives.

Current Ontario legislation does not permit the City to grant a site-specific exemption which is the reason the UJA is looking to the Ontario Legislature to enact a private member's bill. The UJA must obtain an indication of support for this initiative from the municipality that will be impacted.

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Relationship to Vaughan Vision 2020

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

Regional Implications

The Regional impact will be addressed in the staff report. The UJA Federation will also be directly contacting the Region in order to gain their support.

Conclusion

It is appropriate that the request be referred to staff and that a report be prepared for Council.

Attachments

None.

Report prepared by:

Ann Coletta, Office of the Mayor

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Item 2, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

2 TRAFFIC STUDY – THORNHILL WOODS DRIVE FROM HIGHWAY 7 TO SUMMERIDGE DRIVE

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated March 3, 2008:

Recommendation

Councillor Sandra Yeung Racco recommends:

1. That Engineering staff be requested to conduct a traffic study along the southern end of Thornhill Woods Drive, focusing from Highway 7 to Summeridge Drive and report on those findings.

Economic Impact

N/A

Communications Plan

Residents will be advised upon the results of the traffic studies.

Purpose

That the City of Vaughan Engineering Department conduct a review of traffic control and provide the residents of the southern end of Thornhill Woods Drive with their comprehensive study and statistics.

Background - Analysis and Options

My office has received further complaints regarding the traffic volume, vehicles speeding, stop sign compliance and infiltration problems on these roadways. Several residents in the area have come together because cars in the area are not stopping at posted stop signs and do not abide by the speed limits. Some residents have witnessed accidents and they are fearful that the children in the area are at risk.

Relationship to Vaughan Vision 2020

Promote Community Safety, Health & Wellness

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

Regional Implications

N/A

Conclusion

In response to concerns outlined by the area residents, in order to maintain community safety, it is recommended that staff review the traffic and speed along the southern end of Thornhill Woods Drive, focusing from Highway 7 to Summeridge Drive. Residents of Thornhill Woods Drive hope that the necessary traffic measures are taken.

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Attachments

1. Location Map

Report prepared by:

Anita Micoli, Council Executive Assistant

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

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Recognizing that The Interchange Family Fun Day in support of the Dr. Jay Charitable Foundation is a fundraising event, the foundation could apply for Community Service Organization (CSO) status and act as the lead for the event. Upon approval of CSO status, the Services In Kind will be priced at the CSO rate rather than the commercial rates resulting in considerable savings. For example, picnic tables would be reduced from \$19.09 to \$4.45 each and for the stage from \$391.18 to \$222.50.

In following the above process, the integrity of the CSO policy is maintained and is consistently applied to all CSO groups requiring services in kind.

Staff has been in contact with Ms. Munro and Dr. Jay who were pleased to learn the form of support offered by the City. The foundation was e-mailed an application for CSO status and will act as the lead for the event. Staff will continue to work with Ms. Munro, Dr. Jay and their group as they finalize their services in kind needs.

Relationship to Vaughan Vision 2020

The Vaughan Vision 2020 has identified service excellence as a strategic goal and the delivery of services within approved standards to all city stakeholders as an objective.

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 related to this item as it is an information item.

Conclusion

This report provides Council with information on the support and services available for The Interchange Family Fun Day in support of the Dr. Jay Charitable Foundation; a fundraising event being held at the AMC Interchange Way on June 1, 2008

Through the application of the City of Vaughan Community Services Organization program, the costs for services in kind can be reduced considerably from the commercial rate to the subsidized CSO rate.

Attachments

None.

Report Prepared By

Terri Cosentino, Client Services Supervisor, ext 8078

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Item 4, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

4 HOSPICE THORNHILL LEASE AGREEMENT FOR CHARLTON HOUSE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated March 3, 2008:

Recommendation

The Commissioner of Community Services, in consultation with the Administration and Planning Manager and Buildings Manager recommends:

1. That Council authorize the execution of a lease agreement with Hospice Thornhill for use of the Charlton House located at 220 Charlton Avenue, Thornhill; and
2. That a by-law be enacted authorizing the execution of any necessary documents.

Economic Impact

During each year of the three (3) year lease, the City will receive Seven Thousand, Eight Hundred Dollars (\$7,800.00) in rental revenue.

Communications Plan

Staff have communicated with the Legal Department and Hospice Thornhill board members regarding the associated terms and conditions relating to the Charlton House lease agreement.

Purpose

The purpose of this report is to obtain Council's authorization to execute a lease agreement between the City of Vaughan and Hospice Thornhill for the use of the Charlton House for a period of three (3) years with an option to renew for two (2) one (1) year terms.

Background - Analysis and Options

On November 12, 2007, Council directed staff to enter into discussions with Hospice Thornhill regarding a lease agreement for the Charlton House, and report back to a future Committee of the Whole.

Hospice Thornhill is a not-for-profit organization, serving the Thornhill/Concord communities. Over the past several months, the organization has been looking for an office and program space within the Ward 4 and Ward 5 areas. Following discussions with Community Services staff and the local Councillor, Hospice Thornhill has determined that the space best suited for their needs is the Charlton House.

Recreation and Culture and Building and Facilities staff have consulted with the Legal Department and Hospice Thornhill regarding the necessary terms of the lease, and the group is in agreement with the terms, which include, but are not limited to, the following:

The Lessee will be required to:

- pay the City a monthly rental fee in the total amount of Six Hundred and Fifty Dollars (\$650.00) per month which will include utility costs of heat, water, electricity, and the security system;

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- pay all telecommunications expenses, including, but not limited to, cable, telephone, and computer costs;
- pay the cost of any alterations, additions, installations or lease hold improvements that any governing authority, provincial or otherwise, may require to be made, at the discretion of the City;
- maintain accessibility of the facility parking lot; and,
- obtain five million dollar liability insurance with the City named as insured.

The City will be required to:

- oversee general property maintenance, including, but not limited to, gardening and snow removal; and,
- oversee garbage removal and twice weekly janitorial services.

The Recreation and Culture and Building and Facilities Departments are therefore seeking Council's authorization to execute a formal lease agreement with Hospice Thornhill for use of the Charlton House for a period of three (3) years with an option to renew for two (2) one (1) year terms.

Relationship to Vaughan Vision 2020

This report is consistent with the strategic objectives set out in Vaughan Vision 2020 to:

- Enhance and ensure community safety, health and wellness and to
- Maintain assets and infrastructure.

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 associated with this report.

Conclusion

Council approval is being sought to authorize the execution of a formal lease agreement with Hospice Thornhill for use of the Charlton House, subject to the terms and conditions contained in the lease agreement as well as enacting a by-law authorizing the execution of any necessary documents.

Attachments

None.

Report Prepared By

Mary Reali, Manager, Administration and Planning, ext. 8234
Angelo Cioffi, Buildings Manager, ext. 6166

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Item 5, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

5

TRAFFIC REVIEW OF FOREST FOUNTAIN DRIVE
(Referred from the Council meeting of February 11, 2008)

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 4, 2008:

Recommendation

Council, at its meeting of February 11, 2008, adopted the following:

That this matter be referred to the Committee of the Whole meeting of March 3, 2008, pending consultation with the three traffic calming committees.

Recommendation of the Committee of the Whole meeting of February 4, 2008:

The Committee of the Whole recommends that this matter be referred to the Committee of the Whole meeting of February 19, 2008, pending consultation with the three traffic calming committees.

Report of the Commissioner of Engineering and Public Works, dated February 4, 2008

Recommendation

The Commissioner of Engineering and Public Works recommends:

That no further action be taken based on the results of the traffic studies, existing traffic calming measures and existing traffic control devices on Forest Fountain Drive.

Economic Impact

Not applicable.

Communications Plan

The Local Councillor will contact the residents with the information in the report.

Purpose

To present additional information, as previously directed by Council to review the traffic on Forest Fountain Drive.

Background - Analysis and Options

At its meeting on June 11, 2007. Council approved:

“That a review be conducted on the traffic on Forest Fountain Drive.”

Forest Fountain Drive is a local road with a 20.0 metre right-of-way and 9.0 metre pavement width. The existing posted speed limit is 40 km/h. Forest Fountain Drive is a main thoroughfare that runs north-south from Sunset Ridge to Rutherford Road. There are six All-way stop controlled intersections, two roundabout intersections and one raised intersection. There are four school crossing guards on Forest Fountain Drive. The area is shown on Attachment No. 1.

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Utilizing Automated Traffic Recorders (ATR's) staff conducted speed and volume studies on Forest Fountain Drive from September 10, 2007 to September 14, 2007 north of Laura Sabrina Drive. This is the longest road section between traffic control devices or traffic calming measures. The results have been summarized below:

Direction	Average Speed	85 th Percentile Speed	Average Daily Traffic
Northbound	45	54	1266
Southbound	44	54	1020

The recorded average speeds on Forest Fountain Drive range between 44km/h – 45 km/h. The recorded 85th percentile speed (the speed at which 85 percent of the vehicles are travelling at or below) on Forest Fountain Drive is 54 km/h in each direction. Typically, a major local roadway accommodates up to 3,000 vehicles per day (source; Transportation Association of Canada, Geometric Design Guide for Canadian Roads). Our study indicates that Forest Fountain Drive has 2,286 vehicles per day which is within a major local roadway capacity.

In accordance with the Council approved Neighbourhood Traffic Committee Policy and Procedure, speed humps are considered only when the following three warrants are met:

- The street is not a primary emergency response route.
- The speed limit is 50 km/h or less.
- The average speed is 10 km/h greater than the speed limit.

The existing speed limit is a statutory 40 km/h. However, Forest Fountain Drive is an emergency response route, and the average speeds do not exceed the speed limit by 10 km/h. Therefore, additional speed humps are not warranted on this section of Forest Fountain Drive. Possible alternative traffic calming measures for this roadway could be the installation of curb bumpouts, mini-circle or painted road narrowing (one side only).

Recently Built Traffic Calming Measures

The following speed humps were installed in November 2007 and were proposed/approved through the Neighbourhood Traffic Calming Committee process.

- Sonoma Heights Phase 1 – Forest Fountain Drive - Asphalt Speed Hump will be installed between properties #94 and #98
- Sonoma Heights Phase 2 – Forest Fountain Drive - Asphalt Speed Hump will be installed between properties #326 and #330
- Sonoma Heights Phase 3 – Forest Fountain Drive - Asphalt Speed Hump will be installed between properties #412 and #416

Due to the number of traffic control devices and existing traffic calming measures, Engineering Services Staff does not recommend any additional works for this roadway.

Staff conducted an infiltration study on Tuesday, September 18, 2007, the study took place during the time periods of 7:00 am to 9:00 am and 4:00 pm to 6:00 pm to determine the amount of 'cut-through traffic' that was using Forest Fountain Drive as alternative route through the subdivision. The weather was clear and sunny throughout the day.

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<u>Infiltration Pattern</u>	7:00 - 9:00 AM		4:00 - 6:00 PM	
	<u>Inbound Volume</u>	(# of Vehicles) % of <u>Entering Traffic</u>	<u>Inbound Volume</u>	(# of Vehicles) % of <u>Entering Traffic</u>
Napa Valley Avenue / Forest Fountain Drive to Rutherford Road	276	(13) 5%		
Rutherford Road / Forest Fountain Drive to Napa Valley Avenue / Forest Fountain Drive			241	(10) 4%

Infiltration is considered to be an issue when the infiltration rates exceed 30%. For these two locations, the infiltration is well below the 30% threshold.

There were only three vehicle collisions that occurred on this section of Forest Fountain Drive from June 2003 – June 2006. Staff has scheduled the placement of the radar speed message boards on Forest Fountain Drive as part of the 2008 program.

Relationship to Vaughan Vision 2020

Enhance and Ensure Community Safety, Health & Wellness – to advocate for, protect and enhance community safety, health and wellness through education, design and enforcement.

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

Regional Implications

Not Applicable.

Conclusion

Based on staff's review, it is concluded that no further action is required based on the results of the traffic studies, existing traffic calming measures and existing traffic control devices on Forest Fountain Drive.

Attachments

1. Location Map

Report prepared by:

Peter Trinh, Traffic Analyst, ext. 3120
Mike Dokman, Supervisor, Traffic Engineering, ext. 3118

PT: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.)

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Item 6, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

6

CITY OF VAUGHAN - PESTICIDE BY-LAW

The Committee of the Whole recommends:

- 1) That this matter be referred to the Committee of the Whole (Working Session) meeting of April 1, 2008, for staff to provide a further report addressing the concerns expressed by Members of Council; and
- 2) That the following deputations and written submission be received:
 - a) Mr. Carlo DeFrancesca, 18 Zucchet Court, Vaughan, L4L 7M5;
 - b) Mr. V. K. (Vince) Kishimoto, Regional Director, Central Ontario Chapter, National Golf Course Owners Association, Canada, 6267 Starfield Crescent, Mississauga, L5N 1X3, and written submission dated March 3, 2008;
 - c) Mr. Grant Murphy, The National Golf Club of Canada, 134 Clubhouse Road, Woodbridge, L4L 2W2;
 - d) Ms. Asifa Sheikh, on behalf of the Canadian Cancer Society, Major Mackenzie Unit;
 - e) Mr. Gideon Forman, Canadian Association of Physicians for the Environment, 130 Spadina Avenue, Suite 301, Toronto, M5V 2L4; and
 - f) Mr. Jerry Dalla Corte, President, Thornhill Golf and Country Club.

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, in conjunction with the Director of Enforcement Services, recommends:

- 1) That the Pesticide By-law be enacted; and,
- 2) That the Implementation Plan be approved.

Economic Impact

The cost of the educational material is still being calculated. The cost of the program is dependent on the extent of the program undertaken by the City.

Communications Plan

The communications plan is attached as Attachment #2.

Purpose

This report is to provide the Draft By-law to restrict the use of cosmetic pesticides in the City of Vaughan, as well as the implementation plan for the By-law.

Background - Analysis and Options

At its meeting of December 10, 2007, (Item 29, Report 58) Council approved the recommendation by the Environmental Committee to bring back a draft By-law and implementation plan.

As reported earlier, public consultation on a pesticide by-law was conducted through two evening meetings, on October 29 & 30, one in the east side of the City, and the other in the West. These meetings included information delivered by staff and external resources. The meetings were not

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heavily attended, with more residents at the east meeting. The questions and comments predominantly supported a pesticide ban, particularly in areas frequented by children and pets. Some concerns were raised about the proliferation of weeds, and information was provided by professionals as to safer alternative control methods. Public feedback was also solicited through an online survey. The survey consisted of 15 questions intended to obtain an accurate portrait of the individuals' views on restricting pesticides. Approximately 100 responses to the survey were received.

Staff met in November 2007 with industry representatives, including golf courses and cemetery operators. The space-expansive, heavily landscaped facilities expressed concern with the proposed restrictions. Subsequent to that meeting, several of the agencies represented have provided further written submissions relating to the restriction of use of pesticides.

The Draft By-law was developed after comparing a number of by-laws available from other municipalities. Attributes from these by-laws have been combined into the proposed by-law.

The Draft By-law was circulated in January 2008 to agencies in attendance at the November meeting, as well as the lawn care industry in Vaughan, and to those individuals that attended the consultation meetings and provided e-mail addresses. This advance circulation was to allow them to provide feedback prior to the Committee of the Whole meeting. A further meeting was held with the parties listed above on February 4, 2008. Approximately 20 people attended the meeting to provide feedback and opinions. Some of the comments and suggestions have been incorporated into the By-law. Subsequent to that circulation, additional comments have been brought to the City's attention, resulting in further modification to the Draft By-law.

Summary of Industry Stakeholder Comments

As indicated above, approximately 20 people from various industry stakeholder groups attended a meeting to discuss the Draft By-law. This group was also forwarded a copy of the Draft By-law included in this report. Many of the groups had expressed their positions in writing to the City. These comments are summarized below.

Cemeteries

Initially, the cemeteries were concerned about the impact of a total restriction would have on their properties. As a result of modifications made to the restrictions, the Ontario Association of Cemetery and Funeral Professionals has written to the City supporting the Draft By-law.

Hydro One

A representative from Hydro One has provided the City with an e-mail supporting the Draft By-law.

Canadian Cancer Society

The Canadian Cancer Society has written a letter in support of Council passing a By-law. The Society is concerned with permitting the use of pesticides for infestations as they feel the current wording could lead to abuse and therefore impact health.

Golf Courses

The golf industry was not in support of the initial drafts of the By-law presented to them. Through discussions, and review of other area by-laws, the Golf Course industry in Vaughan is now content with the provisions pertaining to golf courses.

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By-law Highlights

The Draft By-law generally prevents the application of pesticides at anytime, anywhere within the boundaries of the City of Vaughan, subject to specific exemptions.

Health Exemptions

Specific exemptions relate to circumstances where immediate risk to health or property that significantly outweigh the intended benefits of the legislation.

Golf Courses

Section 2.2(l) of the Draft By-law contains specific exemptions for the golf courses, lawn bowling, and cemetery properties. During discussions with staff, the golf course industry indicated that they generally only spot spray with chemicals and the remainder of the courses are weed controlled using other methods. Any such use or application would have to be conducted only under the direction of an I.P.M. Accredited Agent.

Benchmarking discloses that all municipalities which have enacted Pesticide By-laws exempt golf courses provided all pesticide application is conducted exclusively under the direction of an Integrated Pesticide Management Accredited Agent. In addition, at least one municipality is moving towards requiring golf courses to submit pesticide use reduction plans. The Draft By-law contains a provision to this effect.

Cemeteries and Lawn Bowling

The cemetery companies provided feedback relating to restricting their use of pesticides and expressing objection to the outright banning of pesticide use on cemetery property. In discussing spot spraying practices, it was proposed to provide an exemption for cemeteries to spray up to 35% of the area within 30 days. Any such use or application would have to be conducted only under the direction of an I.P.M. Accredited Agent. This provides a major deterrent to blanket applications and provides these facilities with sufficient opportunity to maintain the appearance of their landscape. These facilities have indicated they can work within such restrictions. The City already exceeds these restrictions regarding its own cemeteries.

In cases outlined above, copies of all records submitted to the I.P.M. Auditor annually for accreditation under the I.P.M. program must also be submitted to the Director on or before January 31st of each year.

Canada's Wonderland

Canada's Wonderland also attended the consultation meeting and requested that they too be permitted similar exemptions. This organization has a requirement, as a premier tourist attraction, to maintain their grounds, especially in the immediate vicinity of the water park and other recreation areas. However, as a family-oriented facility, there is a particular sensitivity. Staff recommends that Canada's Wonderland be subject to our exemption similar to cemeteries, to permit spot spraying only, and encourage the use of alternative weed control methods.

Hydro Substations

Section 2.2(m) refers to exemptions at hydro substations, or utility distribution stations. The Hydro One representative provided information that vegetation growing inside stations poses a very serious health risk for power disruption due to interference with grounding systems. Also, staff working inside these stations are put at risk for the same reason. For these reasons staff recommends this exemption.

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The penalties for violations of this By-law are established by the Municipal Act, 2001, Section 429. This provides not only set fines, but also fines for continuing offences, and special fines. In this case, staff is recommending a set fine of \$400.00 for violations of this By-law.

Implementation Plan

It is anticipated that enforcement of this By-law will commence in the Spring of 2008. Enforcement staff will respond to complaints. On initial response for the first six months Enforcement staff will attend the property and provide educational materials along with a Notice of Violation. Continued or repeated violations will, as evidence supports, be subjected to potential charges.

The implementation plan incorporates the comprehensive communications strategy developed by Corporate Communications. The strategy is attached to this report.

The number of complaints will be tracked and monitored. It is expected that this By-law will have a significant impact on the departmental service delivery models currently in place.

The Province has indicated that it will introduce legislation this spring or this fall, to regulate the cosmetic use of pesticides. A posting on the MOE Website sought input in February 2008. It is possible that such regulation would extend to controlling the retail sale of pesticide products. Where in the past, Provincial regulation has overlapped municipal regulation of certain activities (such as smoking in public places), the Provincial regulation has specifically authorized the more restrictive provisions to prevail.

Relationship to Vaughan Vision 2008

This report is in keeping with the Vaughan Vision in that it speaks to enhancing community safety, health, and wellness, as well as leading and promoting environmental sustainability.

Regional Implications

Properties under the ownership or control of York 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.

In 2002, York Region released a report and guidelines for reducing the use of pesticides on public lands. It is still only a guideline and does not related to private property.

Conclusion

The Draft By-law restricts the use of pesticides in the City of Vaughan.

Attachments

1. Draft By-law
2. Communications Plan

Report prepared by:

Tony Thompson, Director of Enforcement Services

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

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Item 7, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

7

PROPERTY STANDARDS ISSUES

The Committee of the Whole recommends that this matter be referred to the Committee of the Whole meeting of March 25, 2008.

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, and the Director of Enforcement Services, recommend:

1. That Council direct staff to cause the necessary work to be carried out to remediate Property Standards matters on the properties municipally known as 274 Arnold Avenue and 7585 Bathurst Street, pursuant to Section 2.4 of By-law 409-99.

Economic Impact

The cost of the contractor to remediate the two properties is estimated at approximately \$20,000. each. The cost will be billed to the property owner. If the invoice is not paid, the amounts will be added to the Tax Roll for the properties.

Communications Plan

Not applicable.

Purpose

This report is to provide information regarding two properties with chronic property standard problems, to seek authority to remediate these problems, and to adopt criteria for future enforcement actions.

Background - Analysis and Options

Section 24 of By-law 409-99 (Property Standards) provides authority for the municipality to demolish or repair problem properties and place the cost of the demolition or repairs on the municipal taxes. Prior to any work being done, Council must provide direction to staff to cause the work to be done.

Stringent guidelines are required for this process due to the serious nature of the intervention.

The two properties in this report have been chronic problems for many years and have been the subject of many notices, orders and convictions in Court, yet the problems persist.

Prior to staff requesting Council authority to proceed with repairs, all three of the following must be met:

1. An outstanding and confirmed Property Standards Order; **and**
2. A minimum of two prior convictions in court for related bylaw offences, **and**
3. At consistent pattern of enforcement action over at least two years.

The Purchasing Policy is followed in the retainer of external contractors to do the work.

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A synopsis of Enforcement Services historic involvement at each property is listed below. An inspection of each property on February 4, 2008 showed the properties in worsening condition despite previous enforcement actions.

1. 7585 Bathurst Street

Staff has received 23 complaints on this property resulting in 90 inspections since May 1999. These calls range from long grass to a defective septic system. There have been two convictions for not complying with a Property Standards Order and there is a trial pending on June 5, 2008 for continuing Property Standards contraventions.

2. 274 Arnold Avenue

Staff has received 15 complaints on this property resulting in 55 inspections. As with 7585 Bathurst, there have been two convictions for not complying with a Property Standards Order and there is a trial pending on June 5, 2008 for continuing Property Standards contraventions.

As indicated earlier in the report, inspections were conducted on each property on February 4, 2008, the results of which are below:

1. 7585 Bathurst Street

- mortar missing from the bricks in numerous locations;
- siding is missing from the upper portion of the north and south facing walls;
- siding on the south side of dwelling must be replaced or the area must be painted with a protective paint;
- the rear basement window is broken and has to be replaced or boarded;
- the top portion of the chimney bricks is dilapidated and there is no chimney cap;
- the air vent by the rear landing steps needs to be capped;
- the front and rear doors require paint and edges caulking;
- the rear landing requires painting with a protective paint.

While the property appears to be presently occupied, the remedial work is exterior, not interior work.

2. 274 Arnold Avenue

- broken tiles, exposing wood;
- mortar is missing from the bricks along the walls;
- mortar is missing from the foundation bricks/blocks;
- paint is peeling off the bricks;
- the soffit has broken away from the roof overhang;
- the paint is peeling off the walls;
- no hand rail on the rear steps;
- loose pieces of concrete beside the rear steps;
- siding is missing from the upper portion of the east and west facing walls;
- exposed opening in the above noted roof portion;
- the top portion of the chimney bricks is dilapidated and there is no chimney cap.

In addition to the above deficiencies, the condition of the roofs at each location is questionable. The properties outlined in this report are owned by the same person.

There is continual resistance to comply with City of Vaughan By-laws. Although this is an escalation in efforts to obtain compliance, these properties are chronic property standards offenders in the City.

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A lawyer representing the property owner has indicated that the owner would like to develop the site in the summer of 2008. However, there are no applications received or firm plans to further this intention at the current time.

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.

Regional Implications

Not applicable.

Conclusion

This property owner, for these two properties, has chronically neglected the properties in question and the escalation in enforcement is warranted in this case.

Attachments

Photographs of 274 Arnold Avenue and 7585 Bathurst Street

Report prepared by:

Tony Thompson
Director of Enforcement Services

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

Please refer to Item 14, Report No. 16, Committee of the Whole for disposition of this matter.

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Item 8, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

8

SIGN VARIANCE APPLICATION

FILE NO: SV.07-028

OWNER: DUCA DEVELOPMENT LIMITED, SMART CENTRES/SEKOU ALLEYNE

LOCATION: 10 DISERA DRIVE, LOT 6, CONCESSION 2

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 3, 2008:

Recommendation

That Sign Variance Application SV.07-028, Duca Development Limited, Smart Centres/Sekou Alleyne, be APPROVED, subject to external goose-neck lighting be provided in addition to the internal illumination for all external wall signs.

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 a window sign on the east elevation and two wall signs on the south elevation of the subject building of the subject property as shown on the attached drawings.

The By-law permits only those wall signs approved on the site plan agreement.

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.

The Sign By-law permits only those wall signs shown on the approved site plan agreement schedules.

Relationship to Vaughan Vision 2020

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 a window sign on the east elevation and two wall signs on the south elevation of the subject building.

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Members of the Sign Variance Committee have considered the variance application and have no objections to its approval provided that external goose-neck lighting is provided in addition to the internal illumination for all exterior wall signs.

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

Attachments

1. Site Plan
2. Ground Floor Plan
3. Elevations and sketch of signs

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

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Item 9, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

9

**SIGN VARIANCE APPLICATION
FILE NO: SV.08-01
OWNER: 2001 AUDIO VIDEO (FRED DOERRIE)
LOCATION: 9100 JANE STREET, UNITS B19 – 25**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 3, 2008:

Recommendation

That Sign Variance Application SV.08-01, 2001 Audio Video (Fred Doerrie), be APPROVED, subject to the proposed wall sign being lowered to below the roof line, and that the existing wall signage located in the sign box be covered with an opaque material.

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 an additional wall sign at the front of the building of the subject unit 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.

The Sign By-law permits only those wall signs shown on the approved site plan agreement schedules.

Relationship to Vaughan Vision 2020

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 an additional wall sign at the front of the unit as shown on the attached drawings.

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Members of the Sign Variance Committee cannot support the application as submitted. In their opinion, the proposed wall sign should be lowered to below the roof line to reduce its overall impact, and, that the proposed signage located in the sign box should be removed or blocked with an opaque material.

The Sign Variance Committee is therefore recommending:

That Sign Variance Application SV.08-01, 2001 Audio Video (Fred Doerrie), be APPROVED, subject to the proposed wall sign being lowered to below the roof line, and that the existing wall signage located in the sign box be covered with an opaque material.

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

Attachments

1. Site Plan
2. Building elevation showing the proposed signage

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

CITY OF VAUGHAN

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Item 10, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

10

**SIGN VARIANCE APPLICATION
FILE NO: SV.08-02
OWNER: B-STAR CORPORATION
LOCATION: 8700 BATHURST STREET, BLOCK 168, REGISTERED PLAN 65M-3524**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated March 3, 2008:

Recommendation

That Sign Variance Application SV.08-02, B-Star Corporation, 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 a wall sign on each building face 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.

The Sign By-law permits only those wall signs shown on the approved site plan agreement schedules.

Relationship to Vaughan Vision 2020

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 a wall sign on each building face as shown on the attached drawings.

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

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

Attachments

1. Site Plan
2. Elevations - 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.)

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- i) the final site plan, building elevations, landscape plan, signage plan and urban design brief shall be approved by the Development Planning Department;
 - ii) the site servicing and grading plans, lighting plan, stormwater management report and noise report shall be approved by the Engineering Department;
 - iii) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
 - iv) all requirements of the Region of York Transportation Services Department shall be satisfied;
 - v) the implementing zoning by-law shall be in full force and effect; and
- b) that the site plan agreement or letter of undertaking, whichever is in effect, shall contain the following clause:
- i) the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a building permit, in accordance with 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.

Economic Impact

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

Communications Plan

On November 11, 2005, a Notice of Public Hearing to consider the Zoning By-law Amendment Application (File Z.04.029) was circulated to all property owners within 120m of the subject lands, and to the Brownridge Ratepayers Association and Beverley Glen Ratepayers Association. No comments were received respecting the proposed application. The recommendation of the Committee of the Whole on December 5, 2005, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on December 12, 2005.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1, to facilitate the following:

1. An application to amend the Zoning By-law (File Z.04.029), specifically By-law 1-88, to rezone the subject lands from R3 Residential Zone to C1 Restricted Commercial Zone, to permit a business or professional office having a maximum GFA of 2,245.73m², within a 2-storey (maximum 11.0m height) building, with site-specific zoning exceptions to facilitate the proposed development shown on Attachment #2.
2. A Site Development Application (File DA.05.065) on the subject lands shown on Attachment #2, for a 2,245.73m² business or professional office, with a total of 77 parking spaces.

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Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Centre Street between Concord Road and Vaughan Boulevard, known municipally as 1272 and 1260 Centre Street, City of Vaughan. The 3,870.54m² site is comprised of two lots, both of which are currently developed with single-detached residential dwellings. These dwellings will be demolished should the subject applications be approved. The subject lands have a combined frontage of 60.96m along Centre Street and a depth of 66.74m. The surrounding land uses are shown on Attachment #1.

Official Plan

The subject lands are designated “Office Commercial” by OPA #210 (Thornhill-Vaughan Community Plan) as amended by OPA #672 (Centre Street Policy), which permits the proposed office use. The designation includes the following policy affecting the development of the site:

“The maximum height for any building within the “Office Commercial” designation shall be two and one-half storeys (11 metres). The one-half storey is permitted in the roof of the building, and its floor area may be up to 50% of the GFA of the second floor. The one-half storey shall be incorporated in a peaked-roof design, with the roof having a maximum pitch of 45° and maximum of 60° off the horizontal.”

To ensure the urban design criteria outlined in OPA #672 is being satisfied on the property, the Development Planning Department required an urban design brief to be submitted outlining the type of building materials and landscape/streetscape treatment both on the subject lands and within the public realm, for review and approval.

An urban design brief has been submitted for the proposed development. Subject to minor revisions in the treatment used for the subject lands to ensure consistency with existing and future office commercial developments along this section of Centre Street, the Development Planning Department are in support of the submission. The final urban design brief must be to the satisfaction of the Development Planning Department.

The proposed development conforms to the Official Plan.

Zoning

The subject lands (1260 and 1272 Centre Street) are zoned R3 Residential Zone by By-law 1-88, subject to site-specific Exception 9(776). The existing R3 Zone does not permit a business or professional office use, and therefore, a zoning by-law amendment is required. The Owner has proposed rezoning the subject lands to C1 Restricted Commercial Zone and restricting the permitted uses to a business or professional office use only, in order to implement the “Office Commercial” policies of the Official Plan.

Two neighbouring properties (1206 and 1200 Centre Street) have been rezoned from residential to commercial for use as business or professional office buildings. Furthermore, an application to rezone 1314 Centre Street (File Z.04.030) from R3 Residential Zone to C1 Restricted Commercial Zone has also been submitted to the City for consideration, further reinforcing the vision for this segment of Centre Street evolving from single detached residential to office commercial uses in accordance with the “Office Commercial” policies contained in OPA #672. The proposed application would be in keeping with the evolution of uses along this segment of Centre Street.

The following site-specific zoning exceptions are required to facilitate the proposed development as shown on Attachment #2:

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	<u>Required</u>	<u>Proposed</u>
- Minimum Front Yard Setback	9.0m	3.0m
- Minimum setback from an “R” Residential Zone (east side)	9.0m	2.66m
- Maximum permitted roof overhang	0.5m	1.5m
- Minimum Parking Spaces Required	79 spaces	77 spaces
- Minimum Loading Spaces	1 space	0 space
- Minimum Width of Landscape Strip (west)	2.4m	2.0m
- Minimum Width of Landscape Strip abutting a Street	6.0m	3.0m

The proposed exceptions to reduce the required landscape strips and setbacks can be supported in light of the potential for all properties along Centre Street to be rezoned for office commercial uses as outlined in OPA #672, and the urban design policies that encourage this form of redevelopment within the Centre Street Spine Area, including bringing buildings close to the street. The building has been sited with significant street presence having a front yard setback of 3.0m to the building face. Furthermore, bringing the building closer to the front property line provides for a 40.85m rear yard setback allowing ample distance separation and perimeter planting to be incorporated into the site to ensure the privacy of the residential properties to the rear has been maintained.

To facilitate the office development shown on Attachments #2, #5 and #6, the following additional exception addressing the basement area is required:

“For the purpose of this by-law, the basement shall not be considered a storey.”

The proposed office building gives the appearance of a 3-storey development as the basement projects above grade. However, the building does not exceed 11.0m in height measured from the average finished grade at the front of the building. At the rear of the building the finished grade is 0.75m lower than at the front. As a result of the grade differential, the building measures 11.75m in height (at the rear), while still maintaining a consistent roofline. This zoning exception will ensure that the building height policy in OPA #672 is respected.

Site Design

The site plan shown on Attachment #2 proposes a 2-storey business or professional office building with a basement projecting out of grade and having a total gross floor area of 2,245.73m². The 2-storey building is situated at the southeast corner of the lot with parking located to the north and west of the building, and underground (Attachment #3). Landscaping will be provided around the periphery of the site. A concrete walkway will be provided at the rear, front and west sides of the building, which extends to the public sidewalk along Centre Street.

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

Landscape Plan

The proposed landscape plan shown on Attachment #4 provides for a mix of coniferous and deciduous tree planting around the perimeter of the site with planting along the front property line located in the public right-of-way. Planting beds will be situated at the southwest corner of the building creating an outdoor space at the main entrance to the building.

The proposed landscape plan has been circulated to the Region of York Forestry Department for review, as the proposed landscape works within the Region’s right-of-way consists of tree species that are included in the Region’s approved planting list.

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The final landscape plan and details, landscape cost estimate and urban design brief must be approved by the Development Planning Department.

Building Elevations

The proposed building elevations are shown on Attachments #5 and #6. The entire building will be built with a sloped parapet to a maximum height of 11.0m. The main entrance to the building is located along the west elevation where the building face steps back. A second predominant entrance is located on the north elevation. Both entrances are comprised of single glass doors with glass paneling on either side. The building will be constructed with a taupe coloured warton limestone having complimentary coloured brick accents. Glass and aluminum framed windows will also be used throughout the building exterior. Two-thirds of the north elevation includes glass providing the building with extensive natural lighting. The north elevation also includes a depressed overhead drive-through door accessing the underground parking.

The final building elevations must be approved to the satisfaction of the Development Planning Department.

Parking

The outdoor parking area includes 58 spaces to the north of the building, and 5 parking spaces on the west side of the building where the 1 handicapped space is to be located in close proximity to an entrance door (see Attachment #2). The site plan also includes 14 underground parking spaces as shown on Attachment #3. The required parking for the site is calculated as follows:

- $2,245.73 \text{ m}^2 \text{ GFA} @ 3.5 \text{ parking spaces}/100\text{m}^2 \text{ GFA} = 79 \text{ parking spaces}$

The subject lands propose a total of 77 spaces resulting in a shortage of 2 spaces, which can be supported by the Development Planning Department.

Services

The Owner has submitted a site-servicing and grading plan, stormwater management report, Phase 1 Environmental Site Assessment, and a noise impact report, which are generally satisfactory to the City Engineering Department. The applicant is also working with the City Engineering Department on the details of the lighting plan submission.

All required engineering plans and reports must be approved to the satisfaction of the City Engineering Department.

The site will be serviced by private garbage pick-up and snow storage will be maintained on site.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The final site plan must be approved to the satisfaction of the Region of York Transportation Services Department, as the site has frontage and a 7m wide driveway access along Centre Street, being a Regional road. The Owner is required to satisfy all requirements of the Region of York Transportation Services Department.

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Conclusion

The proposed Zoning By-law Amendment Application (File Z.04.029), to rezone the subject lands from R3 Residential Zone to C1 Restricted Commercial Zone and Site Development Application (File DA.06.058) have been reviewed in accordance with the policies of OPA #672 and the requirements of Zoning By-law 1-88, and in the context of the surrounding land uses. The Development Planning Department is satisfied with the proposed business or professional office building development, subject to the comments and conditions contained in this report. The proposed development and rezoning to permit a business or professional office building having a total of 2-storeys where the basement is not considered a storey (maximum height of 11.0m) is considered compatible with the existing surrounding area and the future vision for Centre Street as an urban street-related streetscape as envisioned by OPA #672 (Centre Street Policy).

Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development Applications subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Sub-Basement Plan-Parking Level
4. Landscape Plan
5. Elevations (South and West)
6. Elevations (East and North)

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Arto Tikiryan, Senior Planner, ext. 8212

/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 12, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

12

SITE DEVELOPMENT FILE DA.07.047

EMBEE PROPERTIES LIMITED

(Referred from the Council meeting of February 25, 2008)

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 19, 2008, be approved;
- 2) That the deputation of Mr. Bruce Tam, on behalf of the applicant, be received; and
- 3) That the written submission of Ms. Francine Baker-Sigal, Embee Properties Limited, 88 Sheppard Avenue West, Suite 200, Toronto, M2N 1M5, dated February 27, 2008, be received.

Recommendation

Council, at its meeting of February 25, 2008, adopted the following:

That this matter be referred to the Committee of the Whole meeting of March 3, 2008, to allow discussion with the Ward Councillor and the applicant.

Recommendation of the Committee of the Whole meeting of February 19, 2008:

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 19, 2008, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Report of the Commissioner of Planning, dated February 19, 2008

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.07.047 (Embee Properties Limited) BE APPROVED to permit a 9,844.08 m² commercial retail development, as shown on Attachment #2, subject to the following conditions:
 - a) that prior to the execution of the site plan agreement or letter of undertaking, whichever is in effect:
 - i) he final site plan, building elevations, landscape plan and cost estimate, and sample building materials, shall be approved by the Development Planning Department;
 - ii) the final site grading and servicing plan, and stormwater management and noise reports shall be approved by the Engineering Department;

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- iii) a Minor Variance Application to facilitate the zoning exceptions required to implement the proposed site development as discussed in this report be approved by Vaughan Committee of Adjustment, and the decision shall be final and binding;
 - iv) all requirements of the Region of York Transportation Services Department shall be satisfied; and
 - v) all hydro requirements of PowerStream Inc. shall be satisfied;
- b) that the site plan agreement or letter of undertaking, whichever is in effect, shall contain the following provision:
- i) The Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 18 to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of parkland, road and municipal services within Block 18. This Agreement shall also provide a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland dedication shall be paid in accordance with Section 42 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy". If required, non-participating owners shall be required to pay additional cash-in-lieu to the City.

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.07.047) on the subject lands shown on Attachment #1, to permit a 9,844.08 m² commercial retail development, as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 is 4.04 ha in size, vacant, and located at the southwest corner of Dufferin Street and Major Mackenzie Drive, being Block 210 on Registered Plan 65M-3932, City of Vaughan. The surrounding land uses are shown on Attachment #1.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" with a "Neighbourhood Commercial Centre" overlay designation by OPA #600 and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conformity Plan). The proposed commercial development conforms to the Official Plan.

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Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone, subject to Exception 9(1229), by By-law 1-88. The proposed commercial use is permitted by the Zoning By-law. However, the following variances are required to facilitate the proposed site plan:

Standard	By-law 1-88 Requirement	Proposed
Minimum Front Yard Setback (Dufferin Street)	11.0 m	5.32 m
Minimum Rear Yard Setback (Laramie Crescent)	15.0 m	6.0 m
Minimum Exterior Yard Setback (Major Mackenzie Drive)	11.0 m	6.0 m
Minimum Setback to a Residential Zone (Laramie Crescent)	22.5 m	6.0 m
Maximum Gross Floor Area	7,000 m ²	9,844.08 m ²
Required Parking Spaces	591	493
Stacking for drive-through lanes (Buildings 'E' and 'F')	8 cars	4 cars
Maximum Building Height (Building 'A')	11.0 m	11.6 m
Minimum Landscape strip width along a lot line abutting a street line	6.0 m	<ul style="list-style-type: none"> ▪ 4.98 m (Freedom Trail); ▪ 3.32 m abutting sight triangle (Freedom Trail and Dufferin Street); ▪ 0.55 m abutting sight triangle (Dufferin Street and Major Mackenzie Drive)
Loading Spaces	Not located between a building and a street	<ul style="list-style-type: none"> ▪ Permit loading between Building 'A' and Freedom Trail; ▪ Permit loading between Building 'C' and Dufferin Street

The Development Planning Department can support the variances required to implement the proposed site plan shown on Attachment #2. The reductions to the minimum front (Dufferin Street) and exterior side (Major Mackenzie Drive) yards will allow the buildings to be located closer to the street, thereby enhancing the streetscape. The reduced landscaping abutting Freedom Trail and the sight triangles is supportable given the proposed overall landscape plan and amenities (i.e. hard surfaced piazza at Major Mackenzie Drive and Dufferin Street) for the site. The increased building height for Building "A" is required only at the northeast corner of the building to accommodate a raised corner entry feature and will not impact on the adjacent properties. The proposed loading areas are located at the back of the site, and away from Dufferin Street, but screened from the residential area to the west by the proposed buildings, and therefore, will not impact on the streetscape or the adjacent residential uses. The parking deficiency is discussed later in this report. The configuration of the subject lands, which front onto public streets on all sides, can pose obstacles to the functionality and design of the commercial development, thereby necessitating site-specific zoning exceptions.

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The Owner is required to submit a Minor Variance Application to the City for consideration of the proposed variances by the Committee of Adjustment at a future meeting date. A condition of approval is included requiring that the minor variance application be approved by Vaughan Committee of Adjustment, and shall be final and binding, prior to the execution of the site plan agreement or letter of undertaking, whichever is in effect.

Site Design

The site plan, as shown on Attachment #2, consists of 6 commercial buildings, of which Buildings 'A' and 'B' are attached and Buildings 'C', 'D', 'E', and 'F' are free-standing with single tenancy. The proposed buildings are all one-storey in height.

The pertinent site statistics are as follows:

Proposed Gross Floor Area	
Building 'A' (Food Store)	4,257.89 m ²
Building 'B' (Retail Units)	1,844.21 m ²
Building 'C' (Drug Store)	1,582.94 m ²
Building 'D' (LCBO)	1,021.90 m ²
Building 'E' (Bank)	626.19 m ²
Building 'F' (Bank)	510.95 m ²
Total Gross Floor Area	9,844.08 m ²
Lot Coverage	24.37% m ²
Landscaped Area	7,724.60 m ² (19.12%)

The site is designed with the buildings located along the perimeter of the lot and the parking generally located in the centre. The configuration of the buildings on the subject lands, which has frontage on four (4) public streets, maximizes store front exposure to Dufferin Street and Major Mackenzie Drive. However, the configuration of the buildings and the exposure to all four public streets will result with the proposed loading areas for Buildings 'A', 'C' and 'D' facing Freedom Trail and Dufferin Street. The Development Planning Department is satisfied that the proposed loading areas will be appropriately screened by walls and soft and hard landscaping features. All garbage areas will be enclosed and form part of the buildings.

The site plan shows two drive-through locations located at Buildings 'E' and 'F', which are slated for financial institution uses and will be screened with landscaping from Freedom Trail and Dufferin Street.

Four access points are proposed to the site. The Major Mackenzie Drive access will be limited to a right-in and right-out access. The main entry to the commercial site will be by way of a full movement, unsignalized driveway from Dufferin Street. The site will also be accessed to the south by two ingress-egress driveways from Freedom Trail. A signalized intersection will be located at Freedom Trail and Dufferin Street, which will assist with controlling vehicular traffic to and from the subject lands.

Pedestrian connections to the site will be provided by means of public sidewalks on Dufferin Street, Major Mackenzie Drive, Freedom Trail and Laramie Crescent. Particular attention has been made to providing pedestrian access to Laramie Crescent for the benefit of the surrounding local residents, which will be by way of a walkway and stair feature between Buildings 'B' and 'C'.

The Development Planning Department is satisfied with the overall site layout, subject to the conditions of approval in this report being fulfilled.

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Landscaping

The Owner has submitted a landscape plan for the proposed development, as shown on Attachment #3. The landscape plan consists of a mix of coniferous and deciduous trees and ground plantings utilized along the property boundaries and within the site to provide green spaces in the parking area, line pedestrian walkways, and provide screening. The plan also illustrates hard landscaping treatments, featured as corner piazza designs at the corners of Dufferin Street and Major Mackenzie Drive and Dufferin Street and Freedom Trail. A proposed circular concrete curb planter will be a prominent landscape feature at the corner of Dufferin Street and Major Mackenzie Drive. The internal pedestrian connections are identified by concrete unit pavers. The street line along Laramie Crescent is proposed to be heavily landscaped to beautify both the pedestrian access on the site and to provide visual screening of Buildings "A", "B" and "C".

The Development Planning Department has reviewed the landscape plan and is generally satisfied with the proposed landscaping provided that the Owner provides details of the benches, bike rings and trash receptacles to support pedestrian and bicycle modes of circulation and that the metal used for the decorative fencing throughout the landscaped areas is to be aluminum for weather-resistance and electrostatically powder-coated for superior paint adhesion. Galvalume or steel is not acceptable. In addition, plantings will be required within the rear 6m of the daylight triangle at Dufferin Street and Major Mackenzie Drive to the satisfaction of the City and Region of York. The Owner has been advised that a landscape cost estimate must be submitted for review and approval by the Development Planning Department.

Parking

The minimum parking requirement under By-law 1-88 for the proposed development is calculated as follows:

Required Commercial Parking Ratio	Gross Floor Area	Required Parking
6 spaces per 100 m ² GFA	9,844.08 m ²	= 591 spaces
Total Required Parking		= 591 spaces

The Owner has submitted a parking study prepared by BA Group Transportation Consultant, which proposes a reduced parking ratio and number of parking spaces as follows:

Proposed Reduced Parking Ratio	Gross Floor Area	Proposed Parking
5 spaces per 100 m ² GFA	9,844.08 m ²	= 493 spaces
Total Proposed Parking		= 493 spaces

The City Engineering Department has reviewed the parking study and concurs with the proposed parking standards. The Engineering Department also has no objection to the reduction of the drive through stacking lanes from the By-law requirement of 8 cars to 4 cars for the financial institution use in Buildings 'E' and 'F'.

The Owner is required to submit a minor variance application, as discussed above, to include the reduction of parking from the required 591 spaces to 493 spaces and the reduction of the 8 car stacking lane requirement to 4 cars for the proposed drive through lanes. The minor variance application must be approved by the Committee of Adjustment and their decision must be final and binding prior to the execution of the site plan agreement or letter of undertaking, whichever is in effect.

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Building Elevations

The proposed elevations for Buildings 'A' to 'F' are shown on Attachments #4 to #9. The primary building materials used for the development is stone base with brick accents on stucco surface. Signage will be single channel illuminated with awning signs throughout the elevations. All roof top mechanical equipment will not be visible from the street for all buildings fronting onto Major Mackenzie Drive, Dufferin Street, Freedom Trail, and Laramie Crescent.

Building 'A' is comprised of a combination of brick columns with stucco finishing on a stone base, which references the Eagle's Nest Golf Course located north of Major Mackenzie Drive. The entry into Building 'A' (supermarket) is indicated by the ground level vision glazing leading up to the tower feature, which is accented by spandrel glass above. Building 'B' (multi-unit commercial) has cornice-styled parapets and is accented with brick and stucco treatments, similar to the Building 'A' elevations. Vision glazing will line the store fronts facing Dufferin Street while spandrel glazing will line the rear of the building facing Laramie Crescent, which will be screened from the street with the proposed landscape treatment, as shown on Attachments #3, #4 and #5. The main entry elevation for Building 'C' (Attachment #6 - Drug Store), east elevation, will be lined with vision glazing to animate the commercial development. The north elevation will feature spandrel windows in clear anodized aluminum framing with vinyl graphics applied by the tenant with accented corner vision glazing for additional visible store activity on Major Mackenzie Drive.

Building 'D' (LCBO), which will anchor the development at the corner of Dufferin Street and Major Mackenzie Drive, will be well animated with vision glazing windows and doors on the elevations that are exposed to the street (north, south and east elevations) as shown on Attachment #7. Building 'E' (CIBC bank) features a double height vision glazing entry along the Dufferin Street frontage with a sage colour exterior masonry as shown on Attachment #8. Building 'F' (Scotia bank) features a sign tower entry feature composed of red aluminum composite panels with elevations treated in a combination of buff colour face brick and a stone base as shown on Attachment #9. All elevations will be treated with vision glazing in an effort to provide visual connectivity with activity from the street.

The Development Planning Department is generally satisfied with the proposed building elevations, subject to the Owner providing a sample of the proposed building materials to the satisfaction of the Development Planning Department. The Owner has been notified of this request and a condition of approval is included in this respect.

Block 18 Control Architect Approval

The proposed site plan and elevation drawings have been approved to the satisfaction of the Block 18 Control Architect, The Planning Partnership, on November 27, 2007.

Servicing

The Owner will be required to satisfy all requirements of the City's Engineering Department with respect to site servicing, grading and storm water management. All hydro requirements must be addressed to the satisfaction of PowerStream Inc. Waste disposal services and snow removal will be carried out by private contractors.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

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Regional Implications

The Region of York Transportation Services Department is protecting a 42.6 m right-of-way for the intersection of Dufferin Street and Major Mackenzie Drive, both Regional arterial roads. York Region has advised that the Owner shall, as a condition of site plan approval, convey to York Region the entire frontage of the site adjacent to Major Mackenzie Drive and Dufferin Street, and provide the following, free of all costs and encumbrances:

- i) sufficient property to provide a 21.3 m setback from the centreline of both Major Mackenzie Drive and Dufferin Street;
- ii) an additional 2.0 m widening, 70.0 m long with a 60 m taper on Major Mackenzie Drive measured from the proposed west property line of Dufferin Street; and
- iii) sufficient property to provide a 20.0 m by 20.0 m daylighting triangle at the south west corner of Major Mackenzie Drive and Dufferin Street.

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

Conclusion

The Development Planning Department has reviewed Site Development File DA.07.047 in accordance with the policies of OPA #600 and OPA #604, the requirements of By-law 1-88, and in the context of the surrounding land uses. The Development Planning Department is generally satisfied with the proposed application to permit a commercial plaza consisting of 6 single-storey, multi-unit and freestanding commercial buildings totaling 9,844.08 m² and can support the proposed development, subject to the comments and recommendations in this report, and the Owner obtaining approval of the necessary variances from the Committee of Adjustment.

The proposed development conforms with the Official Plan, and the commercial uses are permitted by By-law 1-88, and the development is compatible with the surrounding land uses.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Partial Elevations – Buildings 'A' and 'B'
5. Partial Elevations – Buildings 'A' and 'B'
6. Elevations - Building 'C'
7. Elevations - Building 'D'
8. Elevations - Building 'E'
9. Elevations - Building 'F'

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.)

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Item 13, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

13 PROCLAMATION REQUEST – PARKINSON’S AWARENESS MONTH

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Ferri and Councillor Meffe, dated March 3, 2008:

Recommendation

Regional Councillor Mario Ferri and Councillor Peter Meffe recommend:

1. That the month of April, 2008 be proclaimed as “Parkinson’s Disease Awareness Month”;
2. That a permit be issued at no charge for the use of space, tables and chairs at the Dufferin Clark Community Centre, Maple Community Centre, Vellore Village Joint Complex, Al Palladini Community Centre and Father Ermanno Bulfon Community Centre on Saturday, April 5, 2008 for the purpose of selling tulips to raise money for research; and
3. That the proclamation be posted on the City’s website, published on the City Page, space permitting, and that staff issue a news release.

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 requests received from the Parkinson Society Canada Central & Northern Ontario Region and Mr. John Scaini.

Background - Analysis and Options

Copies of correspondence received from the Parkinson Society Canada Central & Northern Ontario Region and Mr. John Scaini, are attached (Attachments #1 and #2).

The proclamation request meets one of the requirements of the City’s Proclamation Policy, namely, “which are promoted by an organization that is a registered charity pursuant to Section 248 of the Income Tax Act”.

The Parkinson Society Canada Central & Northern Ontario Region has requested the City to publicize this proclamation and encourage everyone to support Parkinson Society Canada during its Spring Campaign.

Since 2005 the City of Vaughan has supported the proclamation request by the Parkinson Society Canada Central & Northern Ontario Region.

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Relationship to Vaughan Vision 2020

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

Regional Implications

N/A

Conclusion

Regional Councillor Mario Ferri and Councillor Peter Meffe are recommending that the month of April, 2008 be proclaimed as "Parkinson's Disease Awareness Month", that space be made available at Dufferin Clark Community Centre, Maple Community Centre, Vellore Village Joint Complex, Al Palladini Community Centre and Father Ermanno Bulfon Community Centre on April 5, 2008 to accommodate the sale of tulips, and that the proclamation be posted on the City's website and published on the City Page, space permitting.

Attachments

1. Correspondence from the Parkinson Society Canada Central & Northern Ontario Region, dated February 25, 2008
2. Correspondence from Mr. John Scaini dated February 1, 2008
3. Mayoral Proclamation

Report prepared by:

Angela Bortoluzzi
Council Executive Assistant

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

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Item 14, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**14 PROCLAMATION REQUEST
THE DR. JAY CHARITABLE FOUNDATION – 1ST ANNUAL INTERCHANGE FAMILY FUN DAY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Clerk, dated March 3, 2008:

Recommendation

The Deputy City Clerk in consultation with the Commissioner of Legal and Administrative Services/City Solicitor recommends:

- 1) That June 1, 2008 be proclaimed as “**The Dr. Jay Charitable Foundation – 1st Annual Interchange Family Fun Day**”; and
- 2) That the proclamation be posted on the City’s website and published on the City Page, space permitting.

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 the space availability.

Purpose

To respond to the request received February 25, 2008 from The Dr. Jay Charitable Foundation. (Attachment 1)

Background - Analysis and Options

The Dr. Jay Charitable Foundation provides palliative care, funding and support for children and helps families face terminal illness with dignity and determination. The focus of the Foundation is to teach and educate families and children to deal with grief, death and the healing process.

The proclamation request meets the City’s Proclamation Policy, as follows:

“That upon request, the City of Vaughan issue Proclamations for events, campaigns or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act”

Relationship to Vaughan Vision 2020

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

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Regional Implications

N/A

Conclusion

Staff is recommending that **June 1, 2008** be proclaimed as “**The Dr. Jay Charitable Foundation – 1st Annual Interchange Family Fun Day**” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

Attachment 1 - Correspondence received from The Dr. Jay Charitable Foundation

Report prepared by:

Sybil Fernandes, Deputy City Clerk

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

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Item 15, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

15 INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Shefman, dated March 3, 2008:

Recommendation

Councillor Alan Shefman recommends:

1. That the City of Vaughan as a signatory of the Coalition of Municipalities Against Racism and Discrimination, declare March 21st as the International Day for the Elimination of Racial Discrimination beginning this year and then on an annual basis; and
2. In recognition of that day the City Officially and publically sign the declaration of its commitment as provided by its membership in the Coalition.

Economic Impact

None

Communications Plan

Corporation communications will prepare a media advisory of the signing and will invite the media to attend the event

Purpose

To declare the International Day for the Elimination of Racial Discrimination in the City of Vaughan and to hold a public celebration of the membership of the City of Vaughan as a member of the Coalition of Municipalities Against Racial Discrimination and Discrimination

Background - Analysis and Options

In the latter part of 2006, the City of Vaughan approved joining the Coalition of Municipalities Against Racism and Discrimination. Although there was consideration, up until this time, the City has not held a public celebration of the approval. The International Day for the Elimination of Racial Discrimination provides a perfect opportunity to both recognize a very important historical event and confirm the City's commitment to the Coalition and its efforts. The International Day for the Elimination of Racial Discrimination is observed annually on 21 March. On that day, in 1960, police opened fire and killed 69 people at a peaceful demonstration in Sharpeville, South Africa, against the apartheid "pass laws". Proclaiming the Day in 1966, the General Assembly called on the international community to redouble its efforts to eliminate all forms of racial discrimination

Relationship to Vaughan Vision 2020

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

Regional Implications

None

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Conclusion

By recognizing this very important day, the City affirms its ongoing commitment in support of diversity, human rights and equality.

Attachments

None

Report prepared by:

Councillor Alan Shefman

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Item 16, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

16

SPONSORSHIP OF PROJECT VAUGHAN 2

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated March 3, 2008:

Recommendation

Councillor Tony Carella recommends that the City of Vaughan repeat its sponsorship of the conference *Project Vaughan: Towards an Understanding of the Italian Canadian Experience Beyond 'Little Italy'* by approving the sponsorship of the next conference in a series of three, entitled *Project Vaughan 2: Connecting Communities*, to permit the use of certain yet-to-be-specified city facilities rent-free, subject to established program requirements.

Economic Impact

The total of rental fees to be foregone as a result of the approval of this recommendation has yet to be determined, but should be nominal.

Communication Plan

The Corporate Communications Department will prepare an announcement that the City of Vaughan is once again sponsoring a conference, in association with the Mariano A. Elia Chair in Italian Canadian Studies.

Purpose

To demonstrate support for a conference focusing on the experience of the Italian Canadian community in Vaughan, as it compares and contrasts with the experience of other ethno cultural groups in the municipality.

Background - Analysis and Options

In September of 2007, the Mariano A. Elia Chair in Italian Canadian Studies at York University convened at the Vellore Village Community Centre / St. Jean de Brebeuf Catholic High School, a conference entitled *Project Vaughan: Towards an Understanding of the Italian Canadian Experience Beyond 'Little Italy'*. The program for the conference is attached, and indicates the broad range of topics which were covered: patterns of post-immigrant social organization, arts and culture, the print media, the next generation, the local economy, and the political scene as well as the view of Vaughan as portrayed in film and video, and as seen by non-residents. The conference's Friday evening (September 28) session lead off with a keynote speaker and respondent, while the new president of York University, Dr. Mamdouh Shoukri, and Mayor Linda Jackson were the special guests at the beginning of the Saturday (September 29) session.

The Elia Chair is currently organizing a second conference, entitled *Project Vaughan 2: Connecting Communities*, which will focus on the commonalities and differences between Italian Canadians and other immigrant groups in the post-modern context of Vaughan. (A third conference, tentatively titled *Project Vaughan 3: Towards Cosmopolis*, is being discussed for the fall of 2009, to coincide with the fiftieth anniversary of the founding of York University.)

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To facilitate the operation of this year's conference, which will extend over two or three days, sessions are being planned to take place at York University and at some venue or venues in Vaughan. With that in mind, the organizers are requesting that if city-owned facilities are identified as the best site or sites for the Vaughan portions of the conference, that they be let to the Elia Chair, at no charge.

Regional Implications

None

Relationship to Vaughan Vision 2007

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

Conclusion

The City of Vaughan will assist in the sponsorship of the conference *Project Vaughan 2: Connecting Communities*, by permitting the use of city-owned facilities not otherwise required for programming purposes during conference hours.

Attachments

Program for *Project Vaughan: Towards an Understanding of the Italian Canadian Experience Beyond 'Little Italy'*

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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Purpose

The Owner has submitted the following applications:

1. An Official Plan Amendment Application (File OP.04.019) to amend OPA #600 to redesignate the subject lands from “Agriculture Area” to “Employment Area General”, as shown on Attachment #2;
2. A Zoning By-law Amendment Application (File Z.04.059) to:
 - a) rezone the subject lands shown on Attachment #1 from A Agricultural Zone to M2 General Industrial Zone to permit a truck terminal with outside storage and a portable administrative office on the property as shown on Attachment #2; and,
 - b) permit the necessary zoning exceptions to implement the proposed site plan including the following:
 - i) an interior side yard setback (east) of 10 m, whereas 15 m is required; and
 - ii) permitting all parking spaces and maneuvering area surfaces on the subject lands to be gravel, whereas asphalt or concrete maneuvering surfaces are required.
3. A Site Development Application (File DA.08.003) to facilitate the development of a truck terminal for the storage and parking of trucks, trailers and storage containers along with a temporary building for an administrative office on the subject lands, as shown on Attachment #2. It is noted that the Owner does not depict where the open storage of containers would occur on the site plan.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Major Mackenzie Drive, east of Highway 50, municipally known as 7290 Major Mackenzie Drive, in Part of Lot 21, Concession 10, City of Vaughan. The subject lands are designated “Agriculture Area” and located within the “Employment Secondary Plan Study Area” by OPA #600. The lands are zoned A Agricultural Zone by By-law 1-88, subject to Exception 9(786). The surrounding land uses are shown on Attachment #1.

A site visit to the property by the Development Planning Department has revealed that the Owner has installed a gate on the main driveway to the subject property, which appears to be in the general location shown on Attachment #2. In addition, a trailer exists on the property in the general location of the proposed temporary sales trailer shown on Attachment #2. The Owner has also installed a sign advertising the business on the entry gate. It also appears that some of the berming around the property may have been installed, or partially installed.

On October 19, 2004, the applicant submitted Official Plan and Zoning By-law Amendment Applications (Files OP.04.019 and Z.04.059) to redesignate the subject lands from “Agriculture Area” to “Industrial” and to rezone the subject lands from A Agricultural Zone to M2 General Industrial Zone to permit a truck terminal with outside storage.

On November 29, 2004, the Development Planning Department advised the applicant that the development applications would be held in abeyance, pending the completion of the City’s Employment Area Secondary Plan Study, of which an important component would be the future alignment of the Highway 427 extension.

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On October 24, 2007, the applicant appealed the Official Plan and Zoning By-law Amendment Applications to the Ontario Municipal Board (OMB) on the grounds that Council neglected to make a decision on the applications within the time frames stipulated by the Planning Act. An OMB Prehearing and Mediation date has been scheduled for March 11, 2008. A Hearing dated has not yet been scheduled to consider these applications.

On November 22, 2007, and November 26, 2007, the applicant advised the Development Planning Department that the applications should proceed on the basis that the proposal is for an interim use, with no permanent structures.

On January 11, 2008, the applicant submitted a Site Development application for the subject lands to permit the development of a truck terminal, for the storage and parking of trucks and trailers and containers, along with a temporary building for administrative purposes. At this time, the applicant submitted a Planning Justification Report, prepared by Weston Consulting Group Inc., dated January 2008, and a Traffic Impact Study prepared by Cole Engineering, dated December, 2007.

Land Use Status/Planning Considerations

The Development Planning Department has reviewed the applications to permit the proposed truck terminal and storage facility on the subject lands shown on Attachment #2, and cannot support the proposal for the following reasons:

i) Prematurity

OPA #600 designates the subject lands as "Employment Secondary Plan Study Area" pending future incorporation of these lands into OPA #450 (Employment Area Growth and Management Plan). OPA #600 states that this area is subject to the Rural Area General, Agriculture Area and Rural Area policies of OPA #600 until a secondary plan(s) amendment is adopted by Council and approved, giving the lands status, and providing appropriate policies and a detailed land use schedule. Accordingly, until a secondary plan(s) is adopted, the lands are designated "Agriculture Area" by OPA #600.

The secondary planning exercise required by OPA #600 has not been started due to the Provincial study on the alignment of the future Highway 427 extension. The Highway 427 route selection process is currently being undertaken by the Province and it would be premature to proceed with the applications prior to the completion of the alignment study. Once the final determination on the Highway route is completed then a comprehensive secondary planning exercise will be required to determine the most suitable land uses, road alignments, environmental protection, et cetera, on a comprehensive basis. On February 14, 2005, Council adopted a motion that provides direction with respect to the preparation of the required studies as follows (in part):

- "1. THAT a Request for Proposals be prepared based upon the attached draft Terms of Reference for the Employment Secondary Plan Study Area as identified in OPA 600 consisting of two phases:
 - a. Phase 1 – Highway 427 Corridor Identification Study; and
 - b. Phase 2 – Land Use Study and Secondary Plan.
2. THAT following Council direction, the Phase 1 – Highway 427 Corridor Identification Study commence under a Request for Proposals at a cost not to exceed \$75,000, to be completed in June of 2005;

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3. THAT after Phase 1 is completed a decision of Council will be required to proceed with the Phase 2 – Land Use Study and Secondary Plan;
4. THAT following Council direction, the Phase 2 Study will commence under a second Request for Proposals at a cost not to exceed \$160,000 to be completed in the fall of 2005;...”

To approve any applications within this study area at this time may prejudice the future planning exercise for the entire area. The lands subject to the study area have significant potential given their location abutting with, or in close proximity to, significant future infrastructure. A comprehensive review of the environmental considerations, efficient road network and land use planning matters should be undertaken first, in order to determine the most appropriate development plan for the study area.

Ministry of Transportation (MTO)

The Ministry of Transportation advised in letters dated November 30, 2007 and February 19, 2008, that they do not support the applications proceeding for the following reasons:

- “1. The site falls directly within an area that may be impacted by the future re-alignment of Major Mackenzie Drive and/or potential new east-west arterial connections being proposed by the Region of Peel.
2. Although the applicant appears to be only applying for a “temporary” use it would be prudent to not permit any development until several transportation planning issues are resolved.
3. In light of the above it would be prudent for Vaughan to not approve this OPA and rezoning application at this time.
4. We would suggest to Vaughan to circulate this application to the Regions of Peel and York for their comments.”

City of Brampton

In a letter dated January 15, 2008, the City of Brampton Planning, Design and Development Department advised that they do not support the proposed applications because the proposed use will be visible from Highway 50. Brampton notes that the proposal has the potential to attract similar development applications to this area. Brampton does not consider these types of applications to be appropriate for lands that are visible from Highway 50. The letter also states as follows:

“We note that the subject site is designated “Employment Secondary Plan Study Area” by Vaughan OPA #600, with the clear intention that these “West Vaughan Enterprise Lands” be comprehensively developed for urban employment uses by means of the formulation and adoption of a Secondary Plan. Policy 4.2.3 of OPA #600 states that transportation studies will be completed to identify the transportation infrastructure within and beyond the secondary plan area. Both requirements have yet to be completed.

At the moment there is no context for this temporary use in terms of an approved secondary plan for the surrounding lands. Furthermore, there are a number of ongoing multi-municipal transportation studies and environmental assessment studies in the Highway 50 area that will determine the preferred corridor for Highway 427 and a supporting arterial road network that includes a realigned Major Mackenzie Drive. Accordingly, it is not appropriate that any development permissions be approved in this

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area until these studies have clarified Highway 427 along with related interchange and arterial road network requirements.

In conclusion, the City of Brampton does not support the temporary use application and it should not be approved for the reasons noted herein.”

ii) Applications Do Not Have Regard to Matters of Provincial Interest Identified in the Planning Act

Section 2 of the Planning Act, requires that Council shall have regard for the following provincial matters of interest including:

- *the adequate provision of and efficient use of communication, transportation, sewage and water services and waste management systems*

At this time, the appropriate studies have not been undertaken to determine what the most efficient transportation system for the Block 66 area and the lands on the west side of Highway #50. Approving the applications now could impede achieving the most efficient transportation system for the overall Block.

- *the orderly development of safe and healthy communities and the co-ordination of planning activities of public bodies*

As stated above, OPA #600 requires that a secondary planning study be undertaken for Block 66. A similar secondary planning process will be undertaken on the west side of Highway 50, in the City of Brampton. The Highway 427 route selection has not been finalized and the Ministry of Transportation has advised that the applications are premature. The Region of York Official Plan requires that a secondary study be completed. Approval of these applications in advance of the appropriate secondary planning studies being undertaken is not considered “orderly development” and would not have regard for the comprehensive planning initiatives being undertaken by the Ministry of Transportation, the Region of York and the City of Vaughan. Approval of a single development within a planning area designated as a study area represents “piecemeal” planning, contrary to the orderly and comprehensive approach required by the Official Plan, and required by the Planning Act.

iii) Applications Do Not Have Regard For The Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The Official Plan and Zoning By-law Amendment applications were submitted in October, 2004 and therefore, the Provincial Policy Statement (1997) is applicable. The applications do not have regard for the Provincial Policy Statement as follows:

- “1.1 b) Development and land use patterns that would hinder the efficient expansion of urban areas or rural settlement areas are not permitted in adjacent areas;”

Given the long term development intentions for the subject lands, the approval of a land use and site development application could hinder the long term planning and implementation of an employment area secondary plan.

- “1.1 e) A coordinated approach should be achieved when dealing with issues which cross municipal boundaries, including:

1. Infrastructure and Public Service Facilities;”

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The Development Planning Department has been advised by the City of Brampton that they are currently studying the lands on the west side of Highway 50 for employment uses. Given that it is anticipated that employment lands will be located along both sides of Highway 50 there will be a need to coordinate road patterns and land uses to ensure the long term efficient movement of goods and traffic. To permit the proposed use at this point may frustrate the ability to achieve a coordinated traffic network.

“1.3.3.1 Corridors and rights-of-way for significant transportation and infrastructure facilities will be protected.”

The Ministry of Transportation (MTO) have provided comments to the City, advising that the applications are premature until the completion of the Highway 427 route selection process is complete.

iv) Applications Do Not Have Regard For the Region of York Official Plan

Section 6.1 Regional Infrastructure, Paragraphs 13 and 19, of the Region of York Official Plan requires that it is Council policy to support the planning, corridor protection and the early construction of (in part):

- *Highway #427 north, by a local official plan amendment and secondary plans that integrate land and transportation planning and development for the Regional Official Plan Amendment 19 area;*
- and,*
- *to address matters of cross-boundary traffic with adjacent regions and municipalities; coordinated planning with such municipalities is supported and encouraged in order to establish a planned network of roads which considers and coordinates the road hierarchy across municipal boundaries.*

Regional Official Plan Amendment #19 (ROPA 19) states that:

“The secondary plans that must be completed and approved by the City and Region require the results of the environmental assessment in order to establish detailed land use designations and policies. Development within the ROPA 19 area cannot occur until the secondary plans are approved and the alignment of the Highway 427 extension is established through the E.A. process.”

The subject applications would not integrate land use and transportation planning for the subject lands within a secondary plan, and this could impact on the planning of the cross border road network between Vaughan and Brampton.

The Cities of Vaughan and Brampton will both be undertaking comprehensive secondary planning exercises to determine the best future land use and transportation planning regime with respect to the overall development in the area. The applications represent the land use desire of one land owner, which could impact on the integrated and coordinated approach to the planning for this area being undertaken by Vaughan and Brampton.

Approval of the subject applications would not be consistent with the requirements of ROPA 19, which promotes a comprehensive approach to land use planning in the study area.

vi) Applications Do Not Conform to OPA #450 – Employment Area Growth and Management Study

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As previously noted, OPA #600 designates the subject lands as “Employment Secondary Plan Study Area” pending future incorporation of these lands into OPA #450 (Employment Area Growth and Management Plan). If the lands were to be included in OPA #450, the following policies would most likely be applicable:

Section 1.7.2 of OPA #450 establishes a structural plan including Prestige Areas, which are intended to be:

“located along provincial highways and arterial roads. Generally, these areas will be expected to accommodate a wide range of users requiring higher visibility. Quality design will be essential in these areas and some restrictions on uses will be applied to secure attractive streetscapes.”

Section 2.2.3 of OPA #450 sets out the development policies applicable to Prestige Areas and includes the following (in part):

“Purpose

1. To provide locational opportunities for activities which require high visual exposure, good accessibility and an attractive work environment.
2. To define areas where it is appropriate to restrict uses which, by nature of their operating characteristics, would not contribute to an attractive streetscape.”

Development Policies

1. Land Use

“b) A wide range of industrial, office and business and civic uses shall be permitted. No outside storage of goods or materials shall be permitted in this designation. The zoning by-law shall establish the permitted uses and development standards.”

“d) In instances where through lots are provided, buildings shall be designed so that all elevations facing a street provide a “front” elevation. Loading areas are not considered appropriate in any front yard facing a street. The location of loading areas will be controlled in the zoning by-law.”

OPA #450 identifies Major Mackenzie Drive as an arterial road, where outside storage would not be permitted and where a higher level of urban design and streetscape is expected. The proposed trucking and storage facility is not consistent with these requirements of the official plan.

The Owner has submitted a Planning Justification report prepared by Weston Consulting Group Inc., dated January, 2008, which suggests that Major Mackenzie Drive “may” be realigned and “if” this happens the proposed use would be appropriately suited for General Employment Uses. However, at this point in time there has been no final decision made about the realignment of Major Mackenzie Drive, and therefore, it is premature and inappropriate to make land use planning decisions based on the possibility that Major Mackenzie Drive “may” be relocated.

OPA #450 also states that any use proposed within the Employment Area must meet the following criteria:

“The use must be functionally compatible with those in the same or neighbouring designations;

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The use must be physically compatible with adjacent uses and the resulting built form and land use shall not conflict with the urban design or streetscape character of the area;

The use must be appropriate to an employment area setting and the specific structural designation. Any use which is more appropriately located in the commercial hierarchy of a residential community or in another structural designation of the Employment Area should not be permitted.”

In respect of these criteria, at this point in time it is premature to assess whether or not the proposed use is functionally compatible with the same or neighbouring designation because the employment designations have not been established. However, in OPA #450, sites that permit open storage (to a maximum of 30% of the lot area in the Zoning By-law) are restricted to the interior of established employment areas, and not abutting arterial roads and highways. In addition, in the interim, the proposed use is not compatible with the existing adjacent residential use located to the west.

There is no built form on the site, save and except for a temporary trailer, and therefore, will not be physically compatible with the adjacent sites since OPA #450 does not permit sites that are essentially used 100% for open storage purposes.

vi) Site-Specific Applications Compromise Comprehensive Planning

The subject applications propose a truck terminal with open storage and an office trailer on a site-specific basis for the subject lands. The Agent representing the Owner has also submitted applications to amend the Official Plan and Zoning By-law for lands fronting onto the east side of Highway #50 (Files - OP.99.014, Z.99.034, DA.07.080 - Danlauton Holdings Inc.) to permit a waste recycling facility and commercial uses, which has been appealed to the Ontario Municipal Board OMB). The Danlauton applications were recently refused by Council on February 25, 2008. On November 1, 2001, the OMB approved applications (Files OP.97.009 & Z.97.040 – Guscon Mackenzie Ltd.) to redesignate and rezone lands on Major Mackenzie Drive within Block 66 to permit a trucking facility with the outside storage of trucks. Approval of the subject applications may set a precedent for continued site specific land use permissions, which cumulatively will impact on the City’s ability to undertake and implement a proper secondary plan study process. The nature of the uses approved and proposed by these applications, a trucking facility and outside storage, and a waste recycling facility (refused by Council but subject to future OMB Hearing) would begin to establish a land use character for the area, which may not be in keeping with the recommended secondary plan upon completion of the study and potentially impact on the future planned function for the employment area. Again, the site by site approach for approvals/applications in this area represents “piecemeal” planning, which will potentially impact on a comprehensive land use plan for the Block.

It should be noted that on April 26, 2002, the Danlauton Holdings Inc. parcel (noted earlier) submitted Official Plan and Zoning By-law Amendment Applications (Files OP.02.009 and Z.02.037) to permit commercial uses (sale of used cars, including outside storage of vehicles and a portable sales office) in the Agriculture Area, as a temporary (maximum 3 years) use, restricted to the 0.607 ha portion fronting onto Highway 50 of the total site. On June 3, 2003, City of Vaughan Council refused these applications.

vii) Applications are Not in the Public Interest

As noted earlier, the final route selection for the Highway 427 extension has not been determined at this point in time. The final Highway 427 route selection may impact on the location of existing roads (i.e. Major Mackenzie Drive), internal roads, and lands required for potential ramps and overpasses. Approving the private development application prior to determination of the Highway 427 route, and the associated road network in Block 66 would not be in the public interest since

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future infrastructure (particularly road) and land use decisions that could benefit the municipality in terms of achieving an efficient and attractive employment area could be compromised. The proposal represents “piecemeal” planning for the purpose of advancing the interests of the land owner, potentially at the expense of the surrounding land owners, the municipality, and the general public if future road patterns, land uses and environmental conditions are not assessed on a comprehensive basis.

Draft Official Plan and Zoning Documents Do Not Represent Good Planning

The Owner has submitted a Planning Justification Study in support of the applications, wherein a draft Official Plan Amendment and Zoning By-law are included. The planning justification report refers to the proposed uses as being “interim” in nature, since there would be no permanent structures on the site, and therefore, when the Secondary Plan Study for the area is complete, the use can be easily removed and the subject lands used for those uses contemplated by the new land use designation. The planning justification also states that the implementing official plan and zoning documents contemplate a “full range of uses”.

If approved, the draft Official Plan and Zoning By-law Amendment documents would permit the proposed trucking, open storage and trailer uses to exist in perpetuity. The removal of the uses would be at the sole discretion of the landowner, despite any future planning exercise that may propose different land uses for the area and the City would have no ability to compel the landowner to remove the uses. The draft Official Plan Amendment does not mention the notion of an “interim use” in either the “Basis” or “Details Of the Amendment” sections and proposes to outright redesignate the site from “Agriculture Area” to “Employment Area General”. The draft zoning by-law states that all buildings and structures shall be temporary structures, however, the uses proposed, would be principally the open storage of trucks and containers. Although the site plan on Attachment #2 illustrates the location of the trailers, it does not depict where the open storage of containers would occur. The applicant has indicated in the Planning Justification Report that the site would also be used for the storage of containers, and has verbally indicated to Development Planning Department as well as at the Public Hearing meeting, that storage containers would also be stored and stacked 3 containers high. The Development Planning Department has not received any detailed information regarding the location or maximum height of the stacked containers. It is also noted that the draft Official Plan Amendment states as one of it’s’ basis for the decision to amend the Official Plan, the following:

“The basis of this Official Plan Amendment is to recognize and allow for the range of permitted uses contemplated by Official Plan Amendment 450 – Employment Growth and Management Plan.”

In this respect, OPA #450 does not permit 100% open storage uses.

Applications Do Not Represent Good Planning

The applications do not represent good planning for the following reasons:

- i) they do not have regard for the requirements of the Planning Act, Provincial Policy Statement, the Regional and City Official Plans, including the Employment Area Growth and Management Plan (OPA #450);
- ii) they do not have regard for the comments expressed by the Ministry of Transportation with respect to advancing the applications in the context of the Highway 427 route selection studies currently being undertaken;

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- iii) they do not have regard for the comprehensive multi-jurisdictional planning and transportation co-ordination efforts being undertaken for this broader area by the Ministry of Transportation, Regions of York and Peel, and the City's of Vaughan and Brampton;
- iv) they propose to locate a 3.374 ha, 169 truck trailer and container storage (including stacking) facility immediately abutting existing residential uses, which would result in land use incompatibilities;
- v) the applications propose to establish a use, which in the long term could impact on the planned function of the broader employment area; and,
- vi) the cumulative impact of approving site-specific development applications within the Employment Study Area, could compromise the comprehensive planning efforts required by the Official Plan.

In view of the above, the Development Planning Department is of the opinion that the applications represent "piecemeal" planning, which does not meet the intent of any local, Regional or Provincial Policy. In addition, locating an industrial facility immediately abutting existing residential uses would result in land use compatibility issues. To allow the use and site development of the subject lands at this time would not only compromise the secondary planning process, but would also severely prejudice the adjacent land holdings by limiting the range of uses that would or could locate adjacent to this type of use. In summary, the applications do not represent good planning.

City Engineering Department

On February 27, 2008, comments received from the Vaughan Engineering Department indicate that the Region of York has initiated the "Western Vaughan Individual Environmental Assessment" to review the potential realignments/widenings of Major Mackenzie Drive, and that the proposed access to the subject development may affect the future Major Mackenzie Drive re-alignment.

The Engineering Department also commented on the Traffic Impact Study dated December, 2007 and prepared by Cole Engineering in support of the development:

- the submitted 'short-term traffic impact study' analyzed a scenario of "interim use of a truck terminal and temporary office" with one access on Major Mackenzie Drive. This access should be reviewed in conjunction with the future road re-alignment of Major Mackenzie Drive, considering the worst case scenario of Highway 427, being the westerly alignment;
- the traffic impact study should address the following:
 - without any geometric improvements, would the intersection of Highway 50 and Major Mackenzie Drive/Coleraine Drive be able to accommodate the anticipated growth in background traffic over the interim periods, such as, the next four years? (it should be noted that the subject intersection is heavily utilized and is currently operating at level of service "F" on the minor approach during peak hours.
 - Traffic operation at Major Mackenzie Drive and Huntington Road; provide Synchro analysis). The existing and future signals/timing/phasing used in the Synchro analysis is to be verified by the Region of York.

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Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth and Economic Vitality".

Regional Implications

The Region of York Planning Department has advised by letter dated February 14, 2008, that the site is located within the Regional Official Plan Amendment 19 (ROPA 19) area, which is designated "Urban Area" by the Regional Official Plan. Policies of the Regional Official Plan support development within "Urban Areas" through comprehensive secondary plans that take into consideration environmental issues, infrastructure requirements, including roads, water, sewer and transit, and high quality urban design. Similar policies are set out in the City's Official Plan (OPA #600). The comprehensive secondary plan process for the ROPA 19 area is awaiting the completion of the Environmental Assessment (EA) for the Highway 427 extension or at least determination of the preferred alignment. Possible alignment options identified at the first Public Information Centre for the Highway 427 extension appear to indicate this site will not be impacted.

However, the site is located east of Highway 50, on the north side of Major Mackenzie Drive. Major Mackenzie Drive is a Regional Road having a 36 metre right-of-way in this area. It is anticipated that Major Mackenzie Drive will play a key role in providing an east-west connection to the Highway 427 extension. Improvements to Major Mackenzie Drive are part of an Individual EA which the Region is carrying out for the road network in West Vaughan. East/west connections to the Highway 427 extension, improvements and/or realignment of Major Mackenzie Drive could impact the proposed site.

Conclusion

The Development Planning Department has reviewed the applications to amend the Official Plan and Zoning By-law (Files OP.04.019 and Z.04.059) and the Site Development Application (File DA.08.003) in accordance with the applicable policies of the Official Plan, the Provincial Policy Statement (1997), and the Regional Official Plan. The applicant has not appropriately justified the need for the applications proceeding in advance of the completion of the Employment Secondary Plan Study. The Development Planning Department is of the opinion that the applications are premature and are not in the public interest, since the approval of the proposed uses in the "Employment Secondary Plan Study Area" could prejudice the future transportation network and land uses in the area. Comments received from the City of Brampton and the Ministry of Transportation also indicate that the proposed applications are premature from a land use and transportation planning perspective.

Furthermore, the approval of site-specific applications will create a precedent in the "Employment Secondary Plan Study Area" and may result in additional applications proceeding in advance of the completion of the Secondary Plan. It is the Development Planning Department's opinion that this site by site approach for approvals of applications within the Study Area represents "piecemeal" planning that may potentially impact the comprehensive plan for the entire block. Accordingly, the Development Planning Department cannot support the approval of the Official Plan Amendment, Zoning By-law Amendment and Site Development Applications as shown on Attachment #2, and recommends that the applications BE REFUSED.

Attachments

1. Location Map
2. Site Plan

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Report prepared by:

Carmela Marrelli, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8407

/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 18, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

18

**LIFE SAVING STATIONS IN
STORM WATER MANAGEMENT FACILITIES**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor DiVona, Chair, Safe City Committee, dated March 3, 2008:

Recommendation

Councillor DiVona, Chair Safe City Committee, in consultation with John Caruso, Chief Fire Prevention Officer, Andrew Pearce, Director of Development/Transportation Engineering, and Joseph Chiarelli, Manager of Licensing/Risk Management, recommend:

1. That the City of Vaughan Council approve of the recommendations contained herein as to the introduction of "life saving stations" in storm water management facilities throughout the City of Vaughan;
2. That Staff be directed to finalize an implementation, operational, and financial plan to equip each storm water management facility in the City with lifesaving stations, and report back to a future Committee of the Whole meeting in the next 30 days; and
3. That the City of Vaughan Council approve of the proposal to amend the "adopt a park" program to provide for "adopt a pond" for all existing ponds.

Economic Impact

There are no immediate budgetary impacts resulting from the adoption of this report and the new safety standard.

However, should Vaughan Council approve of the life saving stations as a new standard for safety, it will result in the revision to the design criteria as contained within the subdivision agreements and life savings station costs will be absorbed by the developer. Currently, the design criteria provides for signage. This is the funding practice used by the City of in Brampton for all "new" and "unassumed" swm facilities and being recommended for the City of Vaughan.

It is further recommended that Vaughan Council should advance the life saving stations to cover all swm facilities. Should Vaughan Council approve of the life saving stations as a new standard for safety, abutting property owners and the public will be offered an opportunity to "adopt a pond" and pay the estimated \$350 cost for the installation of the life saving station for those swm ponds that have already been assumed by the municipality using the guidelines and principles of the "adopt-a-park" program.

Existing maintenance levels are to be maintained. However, during the normal or regular maintenance periods it is requested that the safety audit form be completed which requires a visual 3 point inspection. Should any damage or stolen safety device exist, it is expected that we keep a supply of the life savings station device(s) .

Annual safety audit of all storm water management ponds by Engineering and Parks Maintenance Departments. As swm facilities have been constructed over the past few decades at varying standards, it is necessary, with or without this recommendation, to ensure the necessary signage exists, and consider life saving stations with those facilities in older established areas. A further report will come forth in one year to address the results of the inspections of the older swm facilities and any implication.

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Communications Plan

There will be no communications plan required resulting from the adoption of this report.

Purpose

The purpose of this report is to provide Council with information on a new initiative for the City of Vaughan similar to that of a neighbouring municipality (Brampton) to equip storm water management facilities with lifesaving devices and to receive direction with respect to staff reviewing and implementing this practice in Vaughan.

Background - Analysis and Options

Storm water management techniques are necessary to mitigate the effects of urbanization on the hydrologic cycle, and have been incorporated as part of the municipal services in new development in the City since the early 1980's. Currently, the City owns approximately 120 storm water management facilities. It is anticipated that through further development within the City, an additional 80 SWMF will be constructed over the next 20 years.

Properly designed storm water management plans maintain the existing hydrologic cycle while protecting water quality and preventing increased erosion and flooding. Typically, storm water management plans employ a treatment train approach, which uses a combination of lot level, conveyance and end-of-pipe (storm water management facility) measures. The form, function and design of SWM facilities have evolved over time. Initially, SWM facilities were regular shaped and designed to detain storm water as a means of preventing down stream flooding. Today, SWM facilities are integrated as focal features in new communities and are designed to meet a multitude of objectives including water quantity, quality and erosion control. Over the years, safety has been an important consideration in the design of each SWM facility.

In 1994, the MOE published a document entitled "Storm Water Management Practices Planning and Design Manual" which provided technical and procedural guidance for the planning, design and review of SWM facilities. This document was subsequently updated in 2003 and is currently considered the primary resource/design manual for storm water management facilities by engineers and review agencies. In accordance with the Provincial, City, Conservation Authority, and industry standards, the design of new storm water management ponds must incorporate numerous public safety features including:

- Grading near the edge of the permanent pool is to be terraced with gentle slopes to minimize the potential for any person to fall into the water;
- The maximum depth of the permanent pool is generally between 1.0 and 1.5 metres deep;
- Perimeter fencing is provided along the property lines of residential, commercial and industrial or institutional lands where they abut a storm water management pond block;
- Warning signs are placed near pedestrian traffic routes or walkways located near the perimeter of a storm water management pond;
- Dense landscaping is strategically placed near structures and areas of steeper topography to restrict access and to act as a fall arrest;
- Many SWM facilities have extensive public frontage to ensure that the interior of the facility can be seen by motorists and pedestrians;
- All structures are equipped with the necessary grates and handrails;
- Side slopes between 3:1 and 7:1 which are easily accessible by foot; and
- Pedestrian and vehicular accessibility.

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Notwithstanding the above inherent safety design features, there is still a potential risk that a member of the general public, in particular a child or youth, could stray into the permanent pool area of a SWM facility and may need assisted extraction. In consideration of this potential situation, the Safe City Committee has recommended that the City explore the feasibility of equipping each SWM facility with lifesaving stations. In addition, the Safe City Committee has suggested that the following procedure could be adopted:

- The initial audit of all ponds and storm water maintenance ponds was completed by their Engineering Department. This included identifying locations and size of the ponds and number of safety stations required.
- The installation of the safety stations was completed by outside contractors or internal staff.
- Inspections are carried out on a by-weekly basis by their Parks Service Personnel who then complete inspection forms and maintain the records. (VFRS anticipated Enforcement Services would look after this).
- Inspectors will keep an inventory of parts and equipment on hand for replacement purposes.
- Inspectors will complete a work order for damaged stands, signs etc and submit to their Supervisor for processing within 24 hrs.

Insurance and Risk Management Considerations

The City of Vaughan insurance carrier has been contacted by the Manager of Licensing, Mr. Joe Chiarelli and has submitted a few comments.

The City of Vaughan is required to ensure signage is properly and sufficiently displayed. Currently, new subdivisions include signage requirements at storm water management facilities. Sample signage is attached #4 for Engineering Department to review and consider for inclusion within the design guidelines within subdivision agreements.

The City of Vaughan would be required to ensure that a plan is established to regularly maintain storm water management facilities. Currently, swm facilities are maintained on a regular cycle. The City of Vaughan would be required to include within any regular inspection the inspection and maintenance of the life savings station, i.e. replace the life pole, ring or rope. A sample of the Brampton Parks Department, "safety station inspection" report is attached showing the three point visual inspection requirement. See attachment 5.

No further concern has been raised by the insurance company or Licensing Department.

Relationship to Vaughan Vision 2020

In consideration of the strategic priorities related to Vaughan Vision 2020, the recommendations of this report will assist in:

- The pursue of excellence in service delivery;
- Enhancing and ensuring community safety, health and wellness; and
- Demonstrating leadership and promoting effective governance.

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

Regional Implications

There will be no Regional implications resulting from the adoption of this report.

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Conclusion

The permanent pool in most storm water management facilities in the City presents a potential risk (water hazard) to the general public. To mitigate this risk, it is recommended that staff investigate the feasibility of equipping each storm water management facility in the City with lifesaving stations and report back to a future Committee of the Whole meeting. The feasibility study shall include consideration for the operational, financial and liability implications of implementing such a program.

Attachment

1. Storm water Management Pond Summary
2. Life Saving Stations Components and Criteria- John Caruso, Chief Fire Prevention Officer
3. City of Vaughan Storm Drainage and Stormwater Management Master Plan
4. Proposed signage for Life Savings Stations and signage requirements.
5. Safety Station Inspection form.

Report prepared by:

Bernie DiVona, Councillor Ward 3
John Caruso, Chief Fire Prevention Officer
Andrew Pearce, Director of Development/Transportation Engineering
Joseph Chiarelli, Manager of Licensing/Risk Management
Michael Frieri, Supervisor of Engineering Planning and Studies

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 19, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

19

VAUGHAN ART GALLERY AND MUSEUM

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated March 3, 2008:

Recommendation

Councillor Tony Carella recommends that:

Council authorize Councillor Tony Carella to commence discussions with the Deputy City Manager/Commissioner of Finance, the Commissioner of Community Services, and the Commissioner of Legal & Administrative Services/City Solicitor, to determine the feasibility, in principle, of the City of Vaughan establishing the *Vaughan Art Gallery and Museum*, based on the following framework of assumptions:

1. That the City of Vaughan would agree to accept the gift (or in some cases the long-term loan) of several collections of Canadian art (sculptures and paintings) from a number of prospective donors who wish to remain anonymous at this time, in return for (in the case of gifts only) a receipt suitable for tax purposes; and
2. That the City of Vaughan, having accepted these gifts, would agree to ensure their proper storage between the actual receipt of the gifts/loaned items and their being housed on a permanent or long-term loan basis in a location that meets Canadian museum/gallery standards and is open to the public for their viewing of said collections; and
3. That the permanent home of the gifts/loaned items would be within, adjacent to, or near the new city hall; and
4. That the responsibility for the operation of the art gallery and museum housing the City's collection would be vested in a not-for-profit corporation with a board of directors composed of representatives of the Vaughan arts community, the general public, and the Council of the City of Vaughan; and
5. That the aforesaid corporation would be responsible for creating an on-going basis for meeting its own financial requirements, including grants from but not limited to the federal and provincial governments, private foundations, fees, cash or in kind donations and the proceeds of fundraising activities; and
6. That the agent of the prospective donors would be party to said discussions when appropriate; and
7. That this matter would be considered in light of the forthcoming Recreational and Cultural Master Plan

Economic Impact

Nil

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Purpose

To explore the feasibility of the City of Vaughan accepting the donation of a number of collections of Canadian art which may form the basis for the development of a *Vaughan Art Gallery and Museum*

Communication Plan

As the recommendation is for approval in principle only of a feasibility study based on a number of assumptions, a communication plan would be premature.

Background – Analysis and Options

Councillor Carella was recently approached by the agent for several collectors of Canadian art (paintings and sculptures) who have agreed in principle to the donation or long-term loan of a number of items from their collections to the City of Vaughan. The first collection of approximately one hundred pieces of Inuit sculpture and a dozen paintings depicting the Canadian Arctic (that may serve as a backdrop to a display of such sculptures) is owned by three individuals, and has an estimated (though not formally appraised) value of \$500,000. A second collection, of approximately 130 paintings, mostly of Vaughan scenes from approximately fifty years ago, also has an estimated value of \$500,000. The value of a third collection of paintings by a contemporary of the Group of Seven, including pre-World War II locations in the City of Vaughan has not yet been estimated.

The donors seek two things:

1. Income tax receipts reflecting the fair market value of donated items from their collections as established by an independent appraiser(s), and as required by the Canada Customs and Revenue Agency, and
2. Contractual assurances that within five years of the execution of an agreement between the various donors and the City of Vaughan (or as may otherwise be stipulated in any agreement), the collections will be permanently housed (or in some cases displayed on a long-term loan basis) in a climate-controlled space within, adjacent to, or reasonably near the new city hall.

The size of any collection is the primary determinant of the amount of space needed, particularly if the expectation is that the entire collection will be on display all of the time. As well, most galleries and museums allot a portion of their space to traveling exhibitions, museum/gallery programming, a gift shop, a restaurant, etc. Thus, the first issue is to determine the area required for a museum/gallery that can accommodate the collections, and then where such space might be found to accommodate a facility of the required size.

While there may be some excess space within the new city hall, to accommodate future requirements, it is an unlikely location for a museum/gallery. Two other buildings proposed for the new civic square---a branch of the Vaughan Public Library south of the axial reflecting pool running from the new city hall to Beaverbrook House, and a third building to be sited between the axial pool and Major Mackenzie Drive---may be able to accommodate a museum/gallery. If either of these locations is to serve that purpose, additional information will have to be gathered as to their proposed capacities, and whether those capacities could be augmented to accommodate a museum/gallery, if necessary.

While the new library is to be a capital item in the city's budget, the financing of the third building is not yet determined. This situation may afford the opportunity for some creative solution in respect of the museum/gallery, in terms of private or private/public funding for the building which

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might accommodate a number of public agencies convenient to the residents of Vaughan (e.g., a court house, York Region offices), and quite possibly, the “Vaughan Art Gallery and Museum”, on one or two floors.

Regional Implications

Nil

Relationship to Vaughan Vision 2007

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

Conclusion

Councillor Carella seeks Council's approval to address the opportunity posed by the gift collections described above with the assistance of appropriate staff.

Attachments

Information in respect of art donations v. extended loans; appraisals.

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 20, Report No. 13, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 31, 2008, as follows:

By approving that a report be provided to the Committee of the Whole meeting of April 7, 2008, in accordance with the memorandum from the Manager of Customer and Administrative Services, dated March 28, 2008.

20

**DEPUTATION – MR. FRANK GRECO
WITH RESPECT TO THE SIGN BY-LAW AS IT RELATES TO KLEINBURG**

The Committee of the Whole recommends:

- 1) That the deputation of Mr. Frank Greco, Kleinburg BIA Treasurer, 10504 Islington Avenue, Box 772, Kleinburg, L0J 1C0, and written submission dated March 1, 2008, be received and referred to staff for a report to the Council meeting of March 31, 2008, providing options on advertisement signs in Kleinburg; and
- 2) That the written submission of Ms. Maria Montinaro, Owner, Dolcini by Joseph Inc., dated March 3, 2008, be received.

