

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 1, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

#### **1 PARKING PERMITTED IN FRONT OF SAN MARCO CATHOLIC SCHOOL**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated March 25, 2008:

##### **Recommendation**

Councillor Tony Carella, in consultation with the Parent Council of San Marco Catholic School, recommends:

1. That the existing parking prohibition on the West side of Coronation Street between the south limit of the north access to San Marco Catholic School and the north limit of the south access to San Marco Catholic School between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday be rescinded; and
2. That a "No Parking" prohibition be implemented on the West side of Coronation Street from 5 metres south of the north access to San Marco Catholic School to 5 metres north of the south access to San Marco Catholic School during the time period from 8:30 a.m. to 10:00 a.m., Monday to Friday.

##### **Economic Impact**

The cost of replacing signage is minimal and can be absorbed in the approved budget.

##### **Communications Plan**

The local Councillor will inform the residents in the vicinity.

##### **Purpose**

To address the concerns of the parents of San Marco Catholic School and the principal, and in order to ensure the safety of the students.

##### **Background - Analysis and Options**

At a recent meeting of the Parent Council of San Marco Catholic School, parents raised concerns with respect to the safety of children. The Kiss-n-Ride Program that operates from 8:00 a.m. to 10:00 a.m. everyday is very successful, as cars are not permitted to park in front of the school. However, parking is required on front of the School from 10:00 a.m. to 4:00 p.m., to facilitate the pick-up of the students throughout the day.

The existing "No Stopping" prohibitions on the east side of Coronation Street and 5 metres either side of the school driveways would remain.

##### **Relationship to Vaughan Vision 2020**

This report is consistent with the Vaughan Vision 2020 strategic initiatives to enhance and ensure community safety, health and wellness.

##### **Regional Implications**

None

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 1, CW Report No. 16 – Page 2

**Conclusion**

In response to the request of the San Marco Catholic School principal and parents, it is recommended that parking be allowed in front of the school after 10:00 a.m. Monday to Friday and that no parking between the hours of 8:30 a.m. and 10:00 a.m. Monday to Friday be enforced.

**Attachments**

None

**Report prepared by:**

Councillor Tony Carella

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 2, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

2

**TEMPORARY BORROWING BY-LAW 2008**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager/Commissioner of Finance & Corporate Services, dated March 25, 2008:

**Recommendation**

The Deputy City Manager/Commissioner of Finance & Corporate Services in consultation with the Director of Reserves & Investments recommends:

That Council enact a Temporary Borrowing By-law for an amount up to \$50,000,000 from the City's corporate bank of record.

**Economic Impact**

There is no cost to have the temporary borrowing available to the City, however there would be an economic impact to the extent of interest carrying costs on amounts borrowed. The funds would only be required in an emergency.

**Communications Plan**

Not applicable.

**Purpose**

To obtain Council approval to allow the City of Vaughan to temporarily borrow funds.

**Background - Analysis and Options**

Section 407 (1) of the Municipal Act states:

“At any time during a fiscal year, a municipality may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amount Council consider necessary to meet the current expenditures of the municipality for the year .....

In the past the City of Vaughan has been able to avoid bank financing for operating purposes. Sound cash management practices supported by fiscal policies have improved Vaughan's financial position. However, as a matter of practice, a temporary borrowing by-law is recommended for unforeseen circumstances. In the event the City requires bank financing, the City's borrowing rate is Bank Prime Rate less 0.50%. Currently the Bank Prime Rate is 5.25%.

The amount borrowed at any one time should not exceed the provisions set out in Section 407 (2) of the Municipal Act:

- a) from January 1 to September 30 in the year, 50 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year; and,
- b) from October 1 to December 31 in the year, 25 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year.

The temporary borrowing by-law authorized the City Treasurer, from time to time as conditions may warrant to borrow from the City's corporate bank such sums as may be deemed necessary

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 2, CW Report No. 16 – Page 2

within the provisions of Section 407 (2) of the Municipal Act up to \$50,000,000. The limit permitted by the Municipal Act based on the 2008 adopted budget is \$90,950,000 from January 1, 2008 to September 30, 2008 and \$45,500,000 from October 1, 2008 to December 31, 2008. This amount increases annually.

**Relationship to Vaughan Vision 2020**

This report is consistent with the priorities previously set by Council particularly: Management Excellence – Ensure Financial Stability.

**Regional Implication**

This report as written has no regional implications.

**Conclusion**

Council authorize the City Treasurer from time to time as conditions may warrant to borrow from the Toronto Dominion Bank in Vaughan, Ontario such sums as may be deemed necessary within the provisions of Section 407 (2) of the Municipal Act.

**Attachments**

None

**Report prepared by:**

Ferruccio Castellarin, CGA  
Director of Reserves & Investments, ext. 8271

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 3, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**3 STATEMENT OF REMUNERATION AND EXPENSES FOR MEMBERS OF COUNCIL AND COUNCIL APPOINTMENTS TO BOARDS AND OTHER BODIES FOR THE YEAR 2007**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager / Commissioner of Finance & Corporate Services and the Director of Budgeting and Financial Planning, dated March 25, 2008:

**Recommendation**

The Deputy City Manager / Commissioner of Finance & Corporate Services and the Director of Budgeting and Financial Planning recommend:

That the following report regarding the 2007 Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and other Bodies be received.

**Economic Impact**

Not Applicable

**Communications Plan**

This item is made available to the public through the agenda process.

**Purpose**

To report the Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and other Bodies for the year 2007.

**Background - Analysis and Options**

The Municipal Act, 2001, Section 284(1) requires that the Treasurer of every municipality submit by-law for Boards, a Statement of Remuneration and Expenses for the preceding year paid to the Members of Council and Council appointments to Boards and other Bodies. The Municipal Act, 2001, Section 283(1) provides authority for the Remuneration and Expenses to Council, Boards and other Bodies. The Remuneration and Expenses of Council are authorized by By-Law Numbers 316-2007 and 142-2004. By-Law Number 38-2007 authorizes the remuneration of members for the Committee of Adjustment, By-Law Number 39-2007 for Court of Revision, By-Law Number 40-2007 for Heritage Vaughan, By-Law Number 41-2007 for Property Standards Committee, Confirming By-Law Number 107-2001 for Hydro Vaughan Holdings Inc. and Hydro Vaughan Energy Corp. and Confirming By-Law Number 291-2005 for Vaughan Holdings Inc. The Statement of Remuneration and Expenses paid during the year 2007 is attached.

**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**

Regional remuneration and expenses for the Mayor and Regional Councilors are reported separately by the Region of York and therefore not included in the Statement of Remuneration provided by the City.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 3, CW Report No. 16 – Page 2

**Conclusion**

The Statement of Remuneration and Expenses for Members of Council and Council appointments to Boards and other Bodies for the year 2007 is being presented, as per requirements of the Municipal Act, 2001, Section 284 (1).

**Attachments**

Attachment 1 - Statement of remuneration and expenses for Members of Council and Council appointments to boards and other bodies for the year 2007.

**Report prepared by:**

Clayton Harris, CA, ext. 8475  
Deputy City Manager/Commissioner of Finance & Corporate Services

John Henry, CMA, ext. 8348  
Director of Budgeting & Financial Planning

Al Meneses, MBA, ext. 8401  
Manager of Operating Budget

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 4, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**4**

**AWARD OF TENDER T08-005  
OHR MENACHEM PARK (UV2-N2)**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated March 25, 2008:**

**Recommendation**

The Commissioner of Community Services, in consultation with the Directors of Purchasing Services Department, Reserves and Investments and Parks Development recommends:

- 1) That T08-005, Ohr Menachem Park (UV2-N2) be awarded to Forest Contractors Ltd. for the amount of \$465,217.79 (excluding G.S.T.) and,
- 2) That a contingency allowance of 15% be approved, within which the Director of Parks Development is authorized to approve amendments to the contract; and,
- 3) That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

**Economic Impact**

Capital project PK 6121-07 – Ohr Menachem Park (UV2-N2) funding was approved in the 2007 Capital Budget. The annual operating cost of \$23,380 is required to maintain this park once completed.

**Communications Plan**

Not applicable.

**Purpose**

The purpose of this report is to seek approval to award tender T08-005 for the development of Ohr Menachem Park (UV2-N2).

**Background - Analysis and Options**

The project is for the construction of the Ohr Menachem Park (UV2-N2) located on 55 Autumn Hill Boulevard, west of Bathurst Street in Ward 4.

The project includes the construction of the following in accordance with the master landscape plan: one mini soccer field; one junior softball field; one half-court basketball court; two tennis courts; gazebo; entry nodes with stone pillars and seating; a senior and a junior play structure; asphalt pathways with lighting; site furnishings; drainage structures, plantings and sodding. The provisional items to be added are asphalt walkway, pathway lighting and additional stone pillars.

The proposed park components were presented at a public consultation meeting on August 14, 2007 at the Baker Homestead within Sugarbush Heritage Park. The park is designed respecting the principles of CPTED – Crime Prevention Through Environmental Design.

The Bidders have been pre-qualified by the City of Vaughan as eligible Bidders to submit bids for this Project. Tenders were closed and publicly opened on Wednesday, February 27, 2008. Six (6) bid documents were received. The bid results of the five (5) lowest bids are as follows:

.../2

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 4, CW Report No. 16 – Page 2

<b><u>Contractor</u></b>	<b><u>Base Tendered Price (excl. GST)</u></b>	<b><u>Provisional Item (excl. GST)</u></b>	<b><u>Total Tendered Price (excl. GST)</u></b>
Forest Contractors Ltd.	\$439,661.60	\$25,556.19	\$465,217.79
Gateman Milloy Inc.	\$469,113.08	\$33,417.45	\$502,530.53
Pine Valley Enterprises Inc	\$479,804.60	\$31,557.14	\$511,361.74
Mopal Construction Limited	\$481,000.00	\$29,886.67	\$510,886.67
Melfer Construction Inc.	\$493,333.34	\$36,697.14	\$530,030.48

**Relationship to Vaughan Vision 2020**

The development of Ohr Menachem Park is consistent with Vaughan Vision 2020 by providing Service Excellence through Enhancing and Ensuring Community Safety, Health and Wellness.

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

**Regional Implications**

Not applicable.

**Conclusion**

Parks Development and Purchasing Services Department staff members have reviewed the bid submissions and have determined that the low bid contractor, Forest Contractors Ltd., is deemed to meet the requirements of the contract.

Upon award of Tender, this project will commence within ten (10) working days from the Date of Notification of Award, weather permitting and should be completed on July 1, 2008.

**Attachments**

None

**Report prepared by:**

Charles Kuo, Landscape Planner, Ext. 3203  
Paul Gardner, Director of Parks Development, Ext. 3209



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 5, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**5**

**AWARD OF TENDER T08-023  
SUPPLY AND DELIVERY OF ANNUAL FLOWERS**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated March 25, 2008:**

**Recommendation**

The Commissioner of Community Services, in consultation with the Directors of Purchasing Services Department, Reserves and Investments and the Parks & Forestry Operations Department recommends:

- 1) That T08-023, Supply and Delivery of Annual Flowers be awarded to Frank Sant & Sons Greenhouses for the amount of \$107,120.18 (including G.S.T. and P.S.T.); and
- 2) That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

**Economic Impact**

Funds for T08-023 Supply and Delivery of Annual Flowers were approved in the 2008 Operating Budget.

**Communications Plan**

Not applicable.

**Purpose**

The purpose of this report is to seek approval to award tender T08-023 for the supply and delivery of annual flowers to Frank Sant & Sons Greenhouses.

**Background - Analysis and Options**

Annual plants are predominant throughout the City of Vaughan's streetscapes as the vibrant colour of annuals compliment the landscape. The City of Vaughan's floral streetscapes has been recognized internationally in the Communities in Bloom program. In addition Vaughan's floral streetscape will be on display when we host the 2009 Communities in Bloom National Conference.

Notwithstanding that the number of flower beds have increased over the past two years, the value of this contract is in line with previous years. This is in part due to less annuals required in our designs due to the increase of perennials. For the past two years, City of Vaughan staff have been propagating and dividing our perennials, therefore reducing our reliance on annuals.

This tender was advertised in the Vaughan Citizen, the Bidingo and the Invitational. Two (2) bid documents were issued and one (1) document was received on closing date February 22, 2008.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 5, CW Report No. 16 – Page 2

The results of the bidding including G.S.T. and P.S.T. are as follows:

<b><u>Supplier</u></b>	<b><u>Bid</u></b>
Frank Sant and Sons Greenhouses	A) \$36,849.87
	B) \$70,271.31

**Relationship to Vaughan Vision 2020**

The Supply and Delivery of Annual Flowers is consistent with Vaughan Vision 2020 by providing Service Excellence through Enhancing and Ensuring Community Safety, Health and Wellness.

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

**Regional Implications**

Not applicable.

**Conclusion**

Parks and Forestry Operations and Purchasing Services Department staff members have reviewed the bid submissions and have determined that the bid supplier, Frank Sant & Sons Greenhouses is deemed to meet the requirements of the contract. The bid is within the approved budget. The Supply and Delivery of Annual Flowers will commence May, 2008.

**Attachments**

None

**Report prepared by:**

Marjie Fraser  
Director Parks & Forestry Operations

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 6, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

6

**AWARD OF TENDER T07-248  
NORTH THORNHILL/BLOCK 10 COMMUNITY CENTRE AND DISTRICT PARK**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated March 25, 2008:

**Recommendation**

The Commissioner of Community Services, in consultation with the Directors of Purchasing Services, Building and Facilities, Parks Development and Reserves and Investments recommends:

1. That T07-248, Construction of the North Thornhill/Block 10 Community Centre and District Park be awarded to The Atlas Corporation for the amount of \$26,985,000.00 (including GST);
2. That a contingency allowance in the amount of 10% be approved within which the Commissioner of Community Services is authorized to approve amendments to the contract; and
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

**Economic Impact**

Projects BF-8203-08, BF-8114-0-07 and PK-6175-08 were approved in the 2007 and 2008 capital budgets respectively for the construction of the North Thornhill/Block 10 Community Centre and District Park. There are sufficient funds approved in the 2007 and 2008 Capital budgets to complete the North Thornhill Block 10 Community Centre and District Park. The annual operating cost of \$1,000,000.00 for Building and Facilities, \$250,000.00 for Recreation and Culture and \$103,000.00 for Parks Operations and Forestry is required to program, operate and maintain this Community Centre and District Park once completed and opened. Funding will be included in the 2010 and future Operating Budgets.

**Purpose**

The purpose of this report is to seek Council approval to award tender T07-248 for the Construction of the North Thornhill/Block 10 Community Centre and District Park.

**Background - Analysis and Options**

Public meetings were held in 2002 and 2003 in order to receive input from the community. Funding for the design phase was approved in 2003, and architectural services for this project were awarded in 2004. This project consists of a two (2) story community centre of approximately 95,000 square feet including indoor swimming pools, fitness, gym and activity rooms. The District Park includes an accessible senior and junior play precinct, water play area, amphitheatre, tennis courts, mini soccer fields, seating nodes, and lit pedestrian walkways.

A pre-qualification for general contractors (RFPQ07-122) was issued on Tuesday, July 10, 2007. This was advertised in The Daily Commercial News (DCN), the Ontario Public Buyers Association (OPBA) website and the Electronic Tender Network (ETN) and closed on Tuesday July 31, 2007. Nine (9) prequalification documents were issued and received.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 6, CW Report No. 16 – Page 2

An evaluation team comprised of Building and Facilities, Parks Development and Parks Operations and Forestry Departments with support from Purchasing Services evaluated the submissions using the following criteria, with a minimum requirement of 70 points:

Criteria:	<u>Potential points</u>
a) Number of years in business	5
b) Total of project experience in past 5 years	15
c) Public complex institutional project experience in past 5 years	15
d) Financial references and bonding & insurance requirements	10
e) Total volume of completed construction in past 5 years	15
f) Project Manager and other Key Personnel	10
g) Site Superintendent and other Key Personnel	10
h) Reference criteria	20

The following eight (8) General Contractors were deemed meeting the requirements by achieving a minimum score of 70 points.

AECON Building  
Toronto, Ontario

Bondfield Construction  
Concord, Ontario

Jasper Construction  
Concord, Ontario

Maystar General Contractors Inc.  
Vaughan, Ontario

Percon Construction Inc.  
Mississauga, Ontario

The Atlas Corporation  
Concord, Ontario

Torbear Contracting  
Woodbridge, Ontario

Urbacon  
Toronto, Ontario

The construction tender was issued to the eight (8) pre-qualified general contractors on Wednesday, October 31, 2007. This was advertised in the Ontario Public Buyers Association (OPBA) website and the Electronic Tender Network (ETN). Tenders were closed and publicly opened on Wednesday, January 23, 2008 at 3:30 p.m. with six (6) bids received. The bid results are as follows:

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 6, CW Report No. 16 – Page 3

<b><u>Contractor</u></b>	<b><u>Total Tendered Price</u></b> (Including GST)
The Atlas Corporation Concord, Ontario	\$ 26,985,000.00
Percon Construction Inc. Mississauga, Ontario	\$ 27,690,000.00
Maystar General Contractors Inc. Concord, Ontario	\$ 27,980,000.00
Jasper Construction Corp. Concord, Ontario	\$ 28,887,000.00
Urbacon Buildings Group Corp. Toronto, Ontario	\$ 30,000,000.00
Bondfield Construction Company Limited Concord, Ontario	\$ 31,403,400.00

**Relationship to Vaughan Vision 2020**

In consideration of the strategic priorities related to Vaughan Vision 2020, the projects will provide:

- STRATEGIC GOAL:  
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:  
Pursue Excellence in Service Delivery; and Enhance and Ensure Community Safety, Health and Wellness - To deliver high quality services and to promote health and wellness through design and program.

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

**Regional Implications**

None

**Conclusion**

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

**Attachments**

1. Summary of Capital Budgets

**Report prepared by:**

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

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 7, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**7**

**AWARD OF TENDER – T08-001  
QUAIL RUN BOULEVARD, FIDDLERS CIRCLE AND DEW DROP COURT  
ROAD RESURFACING/RECONSTRUCTION**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 25, 2008:**

**Recommendation**

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

1. That Tender T08-001, Quail Run Boulevard, Fiddlers Circle and Dew Drop Court Road Resurfacing/Reconstruction be awarded to Furfari Paving Co. Ltd. In the amount of \$612,508.00, plus G.S.T.;
2. That a contingency allowance in the amount of \$62,000.00, plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the contract;
3. That a Geotechnical and Material Testing amount of \$6,000.00, plus G.S.T. be approved to ensure compliance with all applicable standards; and
4. That the Mayor and Clerk be authorized to sign the appropriate documents.

**Economic Impact**

The total cost of \$701,000.00 for the project falls within the approved budget amount and as such there is no additional economic impact to the 2007 Capital Budget.

Long range financial implications will include operating and maintenance costs associated with this type of infrastructure, including long term replacement, which are not quantified at this time.

**Communications Plan**

Once this project is awarded, staff will advise the Ward Sub-Committee and will send out a 'C' letter to the affected residents.

**Purpose**

Approval to award Tender No. T08-001, Quail Run Boulevard, Fiddlers Circle and Dew Drop Court Road Resurfacing/Reconstruction.

**Background - Analysis and Options**

This tender (2007 Capital Budget Project No. EN-1654-07) includes the resurfacing and/or reconstruction of Quail Run Boulevard, Fiddlers Circle and Dew Drop Court. (See Attachment No. 1 for project location).

This tender was advertised in the Daily Commercial News, on the Ontario Public Buyers Association (OPBA) and on the Electronic Tendering Network (ETN), and closed on March 3, 2008. A total of 18 sets of bid documents were picked up from Purchasing Services Department and the following 16 bids were received:

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 7, CW Report No. 16 – Page 2

<u>CONTRACTOR</u>	<u>TOTAL BID (EXCL. G.S.T.)</u>
Furfari Paving Co. Ltd.	\$612,508.00
D. Crupi & Sons Limited	\$628,540.00
Il Duca Contracting Inc.	\$663,060.00
Fermar Paving Limited	\$663,187.00
C. Valley Paving Ltd.	\$666,320.00
Four Seasons Site Development Ltd.	\$666,370.00
Gazzola Paving Limited	\$688,032.00
Aloia Bros. Concrete Contractors Ltd.	\$738,527.29
Pave-AI Limited	\$745,402.60
Graham Bros. Construction Limited	\$759,598.65
K.J. Beamish Construction Co. Ltd.	\$780,656.00
Ashland Paving Ltd.	\$793,768.20
NEI Construction Corp.	\$795,640.00
614128 Ontario Ltd. O/A Trisan Construction	\$823,181.90
Serve Construction Ltd.	\$857,975.00
Lafarge Paving & Construction Limited	\$880,321.52

The estimated cost for this project including provisional items, a contingency allowance and all applicable taxes is \$701,000.00 and is calculated as follows:

Furfari Paving Co. Ltd. (excluding G.S.T.)	\$612,508.00
Contingency Allowance ( $\pm 10\%$ )	\$ 62,000.00
Geotechnical Inspection & Material Testing (estimated)	<u>\$ 6,000.00</u>
Sub-Total	\$680,508.00
G.S.T. (5% amount is 100% recoverable)	\$ 34,025.40
Treasury Administration (3%)	<u>\$ 20,415.24</u>
Total	\$734,948.64
Less G.S.T. Recoverable	<u>\$(34,025.40)</u>
Total Cost	\$700,923.24

**ROUNDED \$701,000.00**

Furfari Paving Co. Ltd. has performed similar works in the past for the City and is deemed capable of successfully completing this project.

Sufficient funding is available in the 2007 Capital Budget Project No. EN-1654-07 to complete the project. Staff recommend that this contract be awarded to Furfari Paving Co. Ltd. in the amount of \$612,508.00, plus G.S.T.

**Relationship to Vaughan Vision 2020**

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

- Pursue Excellence in Service Delivery;
- Enhance and Ensure Community Safety, Health & Wellness; and
- Lead and Promote Environmental Sustainability

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

**Regional Implications**

Region of York Transportation and Works Department will be advised of this project.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 7, CW Report No. 16 – Page 3

**Conclusion**

Staff recommend that this contract be awarded to Furfari Paving Co. Ltd. in the amount of \$612,508.00, plus G.S.T.

**Attachments**

1. Location Map

**Report prepared by:**

Pat Marcantonio, C.E.T., Senior Engineering Assistant, est. 3111  
Tom Ungar, P. Eng., Manager, Design Services, ext. 3110

PM:mc

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



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 8, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**8**

**AWARD OF PROPOSAL – RFP08-015  
SELECTION OF CONSULTANT  
THORNHILL AREA ROAD RECONSTRUCTION  
WATERMAIN REPLACEMENT AND STRUCTURE REHABILITATION/REPLACEMENT**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 25, 2008:**

**Recommendation**

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

1. That the engineering consulting firm of SNC Lavalin Inc. be retained to provide engineering services for the preliminary and detail design of the Thornhill Area Road Reconstruction, Watermain Replacement and Structure Rehabilitation/Replacement at an estimated cost of \$227,270.00, excluding G.S.T.;
2. That a contingency allowance in the amount of \$23,000.00, excluding G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract; and
3. That the Mayor and Clerk be authorized to sign an Engineering Agreement with SNC Lavalin Inc.

**Economic Impact**

The total cost of \$255,000.00 for the preliminary and detail design of this project is included in the approved 2006 Capital Budget (Project No. 1626-0-06) and 2007 Capital Budget (Project No. EN-1655-07) and as such, there is no additional economic impact to the approved Capital Budgets.

**Communications Plan**

Once this consultant assignment is awarded, staff will advise the Ward Sub-Committee and will send out the Engineering Services standard 'A' letter to the affected residents notifying them of this project. The public consultation process will be conducted in consultation with Staff, the Ward Sub-Committee and in accordance with the Class Environmental Process (EA).

Due to the nature of this project, there will likely be a keen interest from the area residents. All current information related to this project will be also be posted on the City web site.

**Purpose**

The purpose of this report is to seek Council approval to retain SNC Lavalin Inc. to provide engineering services for the preliminary design, detail design and construction administration for the Thornhill Area Road Reconstruction, Watermain Replacement and Structure Rehabilitation/Replacement pursuant to Request for Proposal (RFP08-015).

**Background - Analysis and Options**

Thornridge Drive, Charles Street, Raymond Drive, Clarkhaven Street, Calvin Chambers Road, Brooke Street, Elizabeth Street and Old Jane Street are all residential roads with a two lane rural

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 8, CW Report No. 16 – Page 2

cross section located at the south west corner of Yonge Street and Centre Street. (See Attachment No. 1). These roads are included in the City's 5 Year Pavement Management Program for complete reconstruction in 2007. Prior to commencement of design, it was decided in late 2006 that due to the character of the area and several occurrences of flooding, the City retain a consultant to investigate the problem and recommend mitigating measures. The Thornhill Storm Drainage Improvements Study has been completed and has been filed for public review and comments. The recommended solutions identified in the drainage study may be included in the design for road reconstruction in the area. This would be both cost effective and will minimize the disturbance to the area residents.

Also included in the project is the replacement of the existing cast iron watermain on Charles Street, Raymond Drive, Clarkhaven Street, Calvin Chambers Road, Brooke Street and Old Jane Street and the rehabilitation and/or replacement of nine culverts in the project area.

In January 2008, the Purchasing Services Department issued Request for Proposal RFP08-015 to retain a consulting firm to provide professional engineering services in connection with the Thornhill Area Road Reconstruction, Watermain Replacement and Structure Rehabilitation/Replacement. In accordance with the City's Purchasing Policy for projects of this magnitude, the RFP was publicly advertised using the Electronic Tendering Network, the Ontario Public Buyer's Association and the Daily Commercial News.

In response to the RFP, proposal submissions were received on February 15, 2008 from SNC Lavalin Inc., Valdor Engineering Inc., IBI Group, Genivar Ontario Inc., Totten Sims Hubicki, URS Canada Inc., and SRM Associates for engineering services in connection with this project. The professional engineering fees include the preliminary design, detailed design and construction administration.

The evaluation committee reviewed and evaluated the proposals submitted based on the following:

- Project Understanding and Approach – 20%
- Work Plan and Project Management – 25%
- Firm Qualifications and Staff experience – 35%
- Engineering Fees – 20%

SNC Lavalin Inc. scored the highest number of points during evaluation. Based on staff's evaluation of the proposals, it is recommended that the proposal from SNC Lavalin Inc. be accepted at this time for preliminary and detail design and that an Engineering Agreement be executed.

The construction administration of this project was submitted in their proposal and was assessed in the overall project evaluation. SNC Lavalin Inc.'s fee for construction administration is \$5,107.18 per week with an estimated construction schedule of 40 weeks. Subject to Council approval at a future date for the construction of this project, it is anticipated that SNC Lavalin Inc. will be retained to provide contract administration and inspection services.

The total estimated cost for the project which includes preliminary design, detail design, a contingency allowance and all applicable taxes (G.S.T. is 100% recoverable) is \$255,000.00 and is calculated as follows:

SNC Lavalin Inc.	
Preliminary and Detail Design (excluding G.S.T.)	\$227,270.00
Contingency Allowance (10%)	<u>\$ 23,000.00</u>
Sub-Total	\$247,270.00
G.S.T. (5% amount is 100% recoverable)	\$ 12,363.50
Treasury Administration (3%)	<u>\$ 7,418.10</u>

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 8, CW Report No. 16 – Page 3

Total	\$267,051.60
Less G.S.T. Recoverable	<u>\$(12,363.50)</u>
Total Cost	\$254,688.10
	<b>ROUNDED \$255,000.00</b>

**Relationship to Vaughan Vision 2020**

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

- Pursue Excellence in Service Delivery;
- Enhance and Ensure Community Safety, Health & Wellness;
- Lead and Promote Environmental Sustainability; and
- Preserve our Heritage and Support Diversity, Arts & Culture

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

**Regional Implications**

Region of York Transportation and Works Department will be advised of this City of Vaughan project.

**Conclusion**

Sufficient funding is available in the 2006 Capital Budget (Project No. 1626-0-06) and 2007 Capital Budget (Project No. EN-1655-07), to complete the preliminary and detailed design for this project. Therefore, staff recommend that this project be awarded to SNC Lavalin Inc. in the amount of \$227,270.00, plus G.S.T.

**Attachments**

1. Location Map

**Report prepared by:**

Pat Marcantonio, C.E.T., Senior Engineering Assistant, est. 3111  
Tom Ungar, P. Eng., Manager, Design Services, ext. 3110

PM:mc

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 9, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**9 BATHURST STREET AND MARC SANTI BOULEVARD TRAFFIC CONTROL SIGNALS**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 25, 2008, be approved; and
- 2) That staff be requested to coordinate with the Region of York, the installation of the traffic control signals at the intersection of Bathurst Street and Marc Santi Boulevard prior to the start of the school year in September 2008.

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

That this report be received for information purposes.

**Economic Impact**

The cost of the installation of the traffic signals has been approved in the 2008 Capital Budget. There will be on-going costs (estimated to be \$4,000 annually) associated with the maintenance of the traffic signals until the signals are warranted in the future Operating Budgets.

**Communications Plan**

None.

**Purpose**

To install traffic control signals at the intersection of Bathurst Street and Marc Santi Boulevard.

**Background - Analysis and Options**

At its February 11, 2008 meeting, Council directed:

- “1. The recommendation contained in the report of the Commissioner of Engineering and Public Works, dated February 5, 2008, be approved; and
2. The Region of York be requested to install the subject traffic signals as soon as possible.”

Engineering Services staff sent a request to the Region of York for installation of the traffic control signal at the intersection of Bathurst Street and Marc Santi Boulevard. Staff received correspondence from the Region of York and the traffic control signal at the intersection of Bathurst Street and Marc Santi Boulevard is planned for construction for the Fall of 2008.

In accordance with the Regional policy, if Warrant 1, minimum vehicle volumes, and Warrant 2, delay to cross traffic, are satisfied by at least 70%, then the local municipality can request the Region to install the traffic signals at the expense of the local municipality. The Region will review the warrants annually for up to 5 years. Should the warrant be met within the 5 year period following the installation of the traffic signals, the Region will then reimburse the municipality the full cost of installation.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 9, CW Report No. 16 – Page 2

The existing warrant values are: Warrant 1 – 66% and Warrant 2 – 80%. The Region recognizes the development growth and pedestrian crossing issues at this intersection and will allow traffic signals to be installed.

**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**

The Region of York will install and maintain the traffic signal.

**Conclusion**

The Region of York has initiated the design and plan to have the signals constructed in the Fall 2008.

**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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 10, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

10

**PEDESTRIAN SAFETY STUDY  
KIPLING AVENUE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 25, 2008:

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

1. That this report be received for information purposes.
2. That staff arrange to have two "Pedestrians Ahead" warning signs installed on Kipling Avenue;
3. That staff review the area in the Spring, 2008 when there is more pedestrian activity and report further on observations and any recommended action; and
4. That York Regional Police be requested to provide enforcement of the existing 40 km/h posted speed limit.

**Economic Impact**

The cost to install the signs will have an impact of the 2008 Operating Budget. The cost to maintain the signs will have an impact on future budgets.

**Communications Plan**

The Ward Councillor will inform the residents of the decision by Council on this matter.

**Purpose**

To enhance pedestrian safety on Kipling Avenue from Meeting House Road to its terminus at Langstaff Road, in response to a request Council direction.

**Background - Analysis and Options**

At its meeting on October 22, 2007, Council directed:

- "1. That the Commissioner of Engineering and Public Works direct appropriate staff to conduct a pedestrian safety study along that portion of Kipling Avenue from Meeting House Road to its terminus at Langstaff Road, and**
- 2. That recommendations for enhanced pedestrian safety in this area be brought forward to a future Committee of the Whole prior to March 31, 2008."**

Kipling Avenue is a two lane arterial road with an existing 33 metre right-of-way. The existing posted speed limit on Kipling Avenue within this specified area is 40 km/h.

There are three new developments planned for this section of Kipling Avenue:

1. A new subdivision of 181 units on the north side of Langstaff Road between Martin Grove Road and Rainbow Creek.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 10, CW Report No. 16 – Page 2

- 2. A 117 unit condominium / townhouse project on the west side of Kipling Avenue midway between Burton’s Lane and the CPR tracks.
- 3. 116 units on the east side of Kipling Avenue north of Chavender place, and 66 units (including 24 “live-work”) on the west side of Kipling Avenue between the laneway to Woodbridge Foam and the CPR tracks.

Vehicle Volume Studies

Staff installed Automatic Traffic Recorders at three different locations on Kipling Avenue from January 7, 2008 – January 10, 2008. The results are as follows:

Location	Northbound	Southbound
Kipling Avenue north of Tandian Court	3420 vehicles per day	3370 vehicles per day
Kipling Avenue south of Gate House Court	3470 vehicles per day	3440 vehicles per day
Kipling Avenue north of Chavender Place	3570 vehicles per day	3600 vehicles per day

According to the Transportation Association of Canada’s Geometric Design Guide for Canadian Roads, arterial roads are designed to carry no more than 20,000 vehicles per day. Kipling Avenue at its busiest location carries approximately 7170 vehicles per day, which is within this limit.

Speed Studies

Staff conducted radar studies in three different locations on Kipling Avenue on Wednesday, January 9 and Thursday January 10, 2008 between the peak periods of 8:00 – 9:00 am, 11:00 am – 12:00 noon, and 4:00 – 5:00 pm. The weather on both days of the study was partly cloudy and the road pavement was dry. The collected average speeds are summarized in the table below:

Kipling Avenue north of Gate House Court:

Direction	Morning	Noon	Evening
	Average speed	Average speed	Average speed
Northbound	50 km/h	51 km/h	52 km/h
Southbound	50 km/h	51 km/h	52 km/h

Kipling Avenue north of Meeting House Road:

Direction	Morning	Noon	Evening
	Average speed	Average speed	Average speed
Northbound	53 km/h	53 km/h	50 km/h
Southbound	50 km/h	50 km/h	53 km/h

Kipling Avenue south of Meeting House Road:

Direction	Morning	Noon	Evening
	Average speed	Average speed	Average speed
Northbound	51 km/h	49 km/h	52 km/h
Southbound	55 km/h	52 km/h	51 km/h

The average speeds noted above are within acceptable limits for a roadway such as Kipling Avenue. The 85th percentile speeds on Kipling Avenue (the speed at which 85% of vehicles are travelling or less) are:

Kipling Avenue north of Gate House Court	57 Km/h
Kipling Avenue north of Meeting House Road	57 Km/h
Kipling Avenue south of Meeting House Road	59 Km/h

The average 85% percentile speed is 57.6 Km/h.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 10, CW Report No. 16 – Page 3

Kipling Avenue currently has an existing sidewalk on the west side of the road from Langstaff Road to Chavender Place, and on both the east and west side of the road from Chavender Place to Meeting House Road. There are four homes on the east side of Kipling Avenue between Chavender Place and Langstaff Avenue. There are existing all-way stop controls at the intersections of Kipling Avenue and Meeting House Road, and Kipling Avenue and Gate House Court. There is a traffic signal at Kipling Avenue and Langstaff Road / Vaughan Mills Road. All three of these intersections provide an area for pedestrians to safely cross the roadway. During general observations of the roadway, very few pedestrians were observed on Kipling Avenue, however this could be due to the time of the year. These pedestrians were observed on the existing sidewalks.

There is a curve on Kipling Avenue north of Hurricane Avenue, however due to the large radius of the curve, there is not a sight line issue viewing vehicles or pedestrians. There are no parks or playgrounds adjacent to this section of Kipling Avenue or a walkway to the Board of Trade Golf Course. The Parwest Parkette is located between Tandian Court, Beechnut Avenue, the CPR tracks, and Claremont Lane, however it is well away from Kipling Avenue. Any pedestrian from the east side of Kipling Avenue can safely cross at the all-way stop at Kipling Avenue and Gate House Road to access this parkette.

Kipling Avenue has been designated an emergency response route, and therefore according to Council's Approved Neighbourhood Traffic Calming Policy and Procedure speed humps cannot be installed on Kipling Avenue. Other traffic calming measures that could be installed include:

1. Traffic Circles at Hurricane Avenue and at Chavender Place.
2. Road narrowings, either painted or curb.
3. Chokers at the existing all-way stop control at Gate House Court.
4. Overhead pedestrian warning sign and flashing amber beacon to warn motorists of pedestrian activity in the area. (possible 2009 installation upon completion of the residential developments).
5. Pedestrian warning signs installed along the road way to advise motorists of pedestrian activity in the area or those who will cross at the intersection.

Given the limited pedestrian activity observed, traffic calming measures do not appear to be warranted at this time. Accordingly, installation of pedestrian warning signs would serve to advise motorists of the potential for pedestrians in the area and crossing the road. Since this review was conducted in the Winter when pedestrian activity tends to be limited, it is recommended that the area be reviewed in the Spring and a further report be prepared detailing observations and recommending further action as necessary. This report would be brought to a future Committee of the Whole meeting no later than June, 2008.

#### 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

The Engineering Services Department recommends that this report be received for information purposes and that pedestrian warning signs be installed on the curb along this section of Kipling Avenue.



CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 10, CW Report No. 16 – Page 4

**Attachments**

1. Location Map

**Report prepared by**

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

LW:mc

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 11, Report No. 16, 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 the recommendation of the Commissioner of Engineering and Public Works, dated March 25, 2008;***

***By receiving the memorandum from the Commissioner of Engineering and Public Works, dated March 27, 2008; and***

***By receiving the written submission from Mr. Matthew D. Johnston, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated March 31, 2008.***

11

**TEMPORARY ROAD CLOSURE  
FOGAL ROAD BETWEEN HIGHWAY #50 AND HUNTINGTON ROAD**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of March 31, 2008, to provide an opportunity for the deputant to meet with staff to address the access concern raised; and
- 2) That the deputation of Mr. Matthew Johnston, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, on behalf of J V Building Supply, be received.

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed authorizing the temporary closure of Fogal Road from Highway 50 to Huntington Road during the period between April 15, 2008 and July 31, 2008 inclusive to facilitate the timely reconstruction of the road.

**Economic Impact**

There are no immediate economic impacts resulting from the adoption of this report.

**Communications Plan**

A comprehensive communication plan will be implemented to inform all stakeholders of the road closure. This communication plan will include written notification of the road closure to the area property owners and stakeholders including emergency public service agencies (police, fire and ambulance) and public and school transit authorities. In addition, the appropriately worded road side signage will be installed a minimum of two weeks prior to the road closure as a means of informing motorists of the temporary road closure accordance with the Ontario Traffic Manual, Book 7. Access Vaughan will be provided with information regarding the closure and associated contact information in order to effectively respond to enquiries from the general public.

Access to the property at 2 Fogal Road (J V Building Supply) will be directly affected by the temporary closure. The owner of this property will be contacted directly and arrangements made to ensure that local access will be maintained at all times during the road closure period.

Since Fogal Road intersects with Highway 50, the road closure and reconstruction works are being coordinated with both the Region of Peel and Region of York.

The contractor will be responsible for the installation and maintenance of all barricades and construction signage in order to provide pedestrian safety and local access around the construction area.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 11, CW Report No. 16 – Page 2

#### **Purpose**

The purpose of this report is to seek Council's approval for the temporary road closure of Fogal Road between Highway 50 and Huntington Road to facilitate the reconstruction of the road.

#### **Background - Analysis and Options**

Fogal Road between Highway 50 and Huntington Road is proposed to be widened and reconstructed in order to improve vehicular access to the Vaughan West Employment area and to establish a continuous collector road link to the Highway 427 Arterial Road extension as shown on Attachment No. 1. The Highway 427 Arterial Road extension is currently under construction and is expected to be opened for traffic at the end of July 2008.

The widening and reconstruction of Fogal Road will provide for a 4 lane urbanized road cross-section with storm sewers, street lighting and intersection improvements. These road works are being carried out by Vaughan West II Limited and Conair Consumer Products Inc., pursuant to their Subdivision Agreement dated April 20, 2007 for draft plan of subdivision 19T-03V19, and the approved construction drawings. Given the extent of the proposed road reconstruction works, and the relatively low volume of traffic on Fogal Road at this time, it is recommended that Fogal Road be closed between Highway 50 and Huntington Road to facilitate the timely completion of the road works. The temporary closure of the road will create a safer environment for the construction workers and will significantly shorten the construction time frame. A shorter construction period will minimize the disruption to the immediate property owners and motorists. During the road closure, emergency access will be maintained at all times. Based on the contractor's proposed work plan, the consultant responsible for the project (Urban Ecosystem Limited) is requesting that Fogal Road be closed for a period of about fourteen weeks from April 15, 2008 to July 31, 2008.

In addition, City Development Engineering staff is currently working with Vaughan West II Limited and Conair Consumer Products Inc. to advance the placement of the top course of asphalt on Zenway Boulevard so that the traveled portion of the roadway will be structurally adequate to accommodate the expected higher than normal traffic volumes when motorists start using Zenway Boulevard to access the Hwy 427 Arterial Extension. Development Engineering staff will continue to work closely with the Region of York and the area developers to facilitate the timely completion of both the Fogal Road improvements and the Hwy 427 Arterial Extension.

#### **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;
- Promoting effective governance; and
- Planning and managing growth, and economic vitality.

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

#### **Regional Implications**

Since Fogal Road intersects with Highway 50, the road closure and the reconstruction works are being coordinated with both the Region of Peel and Region of York. Road closure signs will be provided on Highway 50 as a means of notifying motorists of the closure period.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 11, CW Report No. 16 – Page 3

**Conclusion**

To facilitate the safe and timely reconstruction of Fogal Road between Highway 50 and Huntington Road, it is recommended that a By-law be passed to implement the temporary road closure of Fogal Road during the period of April 15, 2008 to July 31, 2008. A comprehensive communication plan will be implemented to inform all stakeholders of this temporary road closure as set out in this report. In addition, City Development Engineering staff will continue to coordinate with the Region of York, Region of Peel, Vaughan West II Limited and Conair Consumer Products Inc. to ensure that the collector road network and the Highway 427 Arterial Extension are completed and opened to motorists later this summer.

**Attachments**

1. Attachment No. 1 – Location Plan

**Report prepared by:**

Ziad Yassi, Senior Engineering Assistant, Ext. 8728  
Tony Magliocchi, Manager of Development Services, Ext. 8253

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 12, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

12

**ASSUMPTION OF MUNICIPAL SERVICES  
MAPLEWOOD VILLAGES LTD.  
MAPLE HIGHLANDS - CENTRAL PARK LODGE**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 25, 2008:**

**Recommendation**

The Commissioner of Engineering and Public Works recommends:

That Council enact the necessary by-law assuming the municipal services that are set out in the Development Agreement between the City and Maplewood Villages Ltd. dated July 3, 2001 and that the municipal services letter of credit be released.

**Economic Impact**

Upon assumption of this development, approximately 0.6 lane kilometers of roadway and associated municipal services including storm and sanitary sewers, watermain, street lighting, streetscaping, sidewalk and a storm water management facility will be added to the City's network of infrastructure. This additional infrastructure will incur the normal expense associated with annual operation and maintenance activities plus eventual life cycle renewal.

**Communications Plan**

Not applicable.

**Purpose**

This report pertains to the assumption of the municipal services that were constructed in conjunction with the Maple Highlands Central Park Lodge development.

**Background - Analysis and Options**

The Development Agreement between the City and Maplewood Villages Ltd., dated July 3, 2001, provides for the construction of the necessary municipal services associated with the Central Park Lodge Nursing Home development located on the east side of Keele Street just north of Peak Point Boulevard in Maple as shown on Attachment No. 1. The lands subject to this Development Agreement are defined on Reference Plan 65R-23829.

The construction of the roads and municipal services covered under the Maplewood Villages Ltd. Development Agreement were completed in September 2001 and the top course asphalt was placed on the roads in July 2005.

The municipal services in this development have now completed the required minimum thirteen month maintenance period and the developer has rectified all deficiencies. Accordingly, the developer has requested that the roads and municipal services in the development be assumed by the City, and that the development securities held by the City be released.

All documentation required by the Development Agreement for assumption has been submitted. In addition, Development Engineering staff, in conjunction with the developer's consulting engineer, have conducted all the necessary inspections of the municipal services in the development and are satisfied with the extent of the works.

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 12, CW Report No. 16 – Page 2

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Building Standards, Parks Development, Parks Operations and Forestry, Development Planning and Clerks. In addition, the Reserves and Investments Department has confirmed that all of the City's financial requirements associated with this subdivision have been satisfied.

#### **Relationship to Vaughan Vision 2020**

The assumption of the municipal services in this development is consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. Accordingly, this report is consistent with the priorities established by Council in the Vaughan Vision Strategic Plan 2020.

#### **Regional Implications**

There are no Regional implications associated with the assumption of the municipal services within this development.

#### **Conclusion**

The construction of the roads and municipal services associated with the Maple Highlands Central Park Lodge development has been completed in accordance with the Development Agreement between the City and Maplewood Villages Ltd., dated July 3, 2001. Accordingly, it is appropriate that the roads and municipal services in this development be assumed by the City, and the municipal services letter of credit be released.

#### **Attachments**

1. Location Map

#### **Report prepared by:**

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

VR/fc

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 13, Report No. 16, 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 the recommendation of the Commissioner of Engineering and Public Works and the Commissioner of Planning, dated March 25, 2008;***

***By receiving the memorandum from the Commissioner of Engineering and Public Works, dated March 20, 2008; and***

***By receiving the written submission from Mr. Domenic Rotundo, Gambin RDQ, Barristers & Solicitors, BDC Building, 3901 Highway 7, Suite 400, Vaughan, L4L 8L5, dated March 26, 2008.***

**13                    SERVICING CAPACITY ALLOCATION STRATEGY – ANNUAL UPDATE**

The Committee of the Whole recommends that this matter be referred to the Council meeting of March 31, 2008.

**Recommendation**

The Commissioner of Engineering and Public Works and the Commissioner of Planning, in consultation with the City Manager, recommend:

1. That the revised 'Servicing Capacity Allocation Distribution Protocol' included as Attachment No. 1 be adopted by Council.
2. That Council pass the following resolution with respect to the ALLOCATION of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for the PRIORITY 1 SCHEDULE of development applications listed below:

"IT IS HEREBY RESOLVED THAT the approved development applications 19T-97V23, 19T-04V01, 19T-03V20, 19T-03V03, DA.03.036, B034-036/07, B094/07, B006/07, B074/07, B020-025/07, B049-050/07, B060-073/07 and B015/07 are allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 123 residential units."

3. That Council pass the following resolution with respect to the RESERVATION of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for the PRIORITY 2 SCHEDULE of development applications listed below, which may be allocated in the future by Council in conjunction with Draft Plan or Site Plan approval:

"IT IS HEREBY RESOLVED THAT the development applications 19T-06V15, 19T-06V05, 19T-06V03, 19T-06V02, 19T-03V11, DA.07.092, DA.07.068, DA.07.061, DA.07.046, DA.04.029, Z.06.079 and Z.06.035 are reserved sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 891 residential units. Said reservation shall automatically be revoked after a period of one year from the time of reservation of servicing capacity through Council in the event that a Site Plan agreement (or letter of undertaking whichever is in effect) has not been executed, or that a Draft Plan of subdivision has not been registered."

4. That 355 residential units be reserved for future allocation to development applications at Council's discretion.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 13, CW Report No. 16 – Page 2

5. That Vaughan's distribution of servicing capacity totaling 3,155 residential units (in accordance with the Region of York's Water & Wastewater Capacity & Servicing Assignment Protocol as adopted by Regional Council on November 15, 2007) be ASSIGNED according to the PRIORITY 3 SCHEDULE as follows:
  - i) 1,942 residential units for future allocation to Phase 3 of the four development blocks (Blocks 11, 12, 18 and 33 West) party to the Bathurst and Langstaff Development Charge Credit Agreements, to be distributed amongst the four blocks as identified in the Priority 3 Schedule included as Attachment No. 4 to this report;
  - ii) 1,188 residential units for future allocation to other City-wide active developments as identified in the Priority 3 Schedule included as Attachment No. 4 to this report; and
  - iii) 25 residential units for future allocation to individual consent/severance applications as approved by Committee of Adjustment and requiring not more than 4 residential units per application.
6. That Council pass the following resolution with respect to the ALLOCATION of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System:

"IT IS HEREBY RESOLVED THAT the approved development application 19T-05V05(S) is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 27.7 hectares of employment lands."
7. That an annual review of the status of the available and unused servicing capacity and related distribution protocol be undertaken by Staff and brought forward to a future Committee of the Whole meeting in March of 2009; and
8. That a copy of this report be forwarded to the Region of York.

#### **Economic Impact**

There are no immediate budgetary impacts resulting from the adoption of this report. However, due to the anticipated increase in development activity resulting from allocation, reservation and assignment of servicing capacity, there may be future impacts on staffing resources required to process and administer these applications.

#### **Communications Plan**

There will be no public or ratepayer's groups communications plan required resulting from the adoption of this report. However, the report will serve to inform and update the development industry with respect to the City's current position and priorities relating to the allocation of available and future servicing capacity.

#### **Purpose**

The purpose of this report is to provide Council with an update on the status of available servicing capacity, that is, to reconcile the servicing capacity from the previous year, and to reaffirm the City's 'Servicing Capacity Allocation Distribution Protocol' and related Priority Schedules.



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 13, CW Report No. 16 – Page 3

In addition, Item 19, Report No. 47, of the Committee of the Whole, which was adopted, as amended by the Council of the City of Vaughan on October 22, 2007, directed that:

***“Whereas on October 31, 2007, York Region will be considering a Planning Committee report and presentation to the Transportation and Works Committee regarding servicing allocation and future Regional conditions for Draft Plan of Subdivision approvals;***

***That Staff provide a report to the Committee of the Whole meeting immediately after the above noted reports are considered; and***

***That the report address the remaining allocation for the Developers Groups in Blocks 11, 12, 18 and 33 West that participated in the front-ending costs of the Bathurst and Langstaff Sanitary Trunk sewers.”***

This report will also serve as a response to Council's above noted direction.

#### **Background – Analysis and Options**

Given the ongoing limitations that the Region of York has placed on servicing capacity to the area municipalities, the allocation of the available capacity to development applications in the City must be carried out in an effective and strategic manner. Accordingly, on November 14, 2005 Council adopted the City's 'Servicing Capacity Allocation Distribution Protocol'. This Protocol essentially categorizes active development applications into three priority classes. Applications that are categorized within Priority 1 are **allocated** servicing capacity unconditionally, while applications categorized within Priority 2 are **reserved** servicing capacity for a period of one year. The reserved capacity is automatically revoked after a period of one year if within this time frame, a Draft Plan of subdivision application does not proceed to registration or, if a Site Plan Agreement (or letter of undertaking, whichever is in effect) has not been executed. A Priority 3 category was also established to deal with the **assignment** of future servicing capacity expected to be released by the Region of York in accordance with Regional policy and associated infrastructure triggers.

The 'Servicing Capacity Allocation Distribution Protocol' included as Attachment No. 1, has provided Staff and Council with an effective and efficient tool for prioritizing the allocation of the City's existing and future servicing capacity. The implementation of the protocol has proven itself successful in ensuring:

- efficient allocation of a limited servicing capacity supply,
- the prioritization of development applications based on specific qualifying criteria,
- fairness and equity amongst all development interests throughout the City,
- adequate Local and Regional infrastructure has been constructed, and
- consistency and cooperation with Regional initiatives.

Minor revisions have been proposed to the protocol originally adopted by Council on November 14, 2005. These changes include editorial revisions addressing the City's recent modifications to the Site Plan Application Process, and the inclusion of provisions linking transportation related infrastructure improvements (in addition to water and wastewater improvements) to specific development applications. This will ensure the City is satisfied that the completion of all necessary infrastructure improvements pertaining to a particular development application is stipulated as a condition of the formal allocation of servicing capacity by Council. Accordingly, it is recommended that the revised 'Servicing Capacity Allocation Distribution Protocol' included as Attachment No. 1 be adopted by Council.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 13, CW Report No. 16 – Page 4

Reconciliation of Available Servicing Capacity

A detailed reconciliation of available servicing capacity has been conducted by Staff. This analysis, as described herein, is further summarized in Table 1 below.

On February 26, 2007 Council reserved 2,712 persons equivalent (Item 1, Table 1) of servicing capacity for specific Priority 2 development applications. Since this time, 539 persons equivalent (Item 2, Table 1) has proceeded to be formally allocated by Council prior to the reservation expiry date of February 26, 2008.

Further, on April 2, 2007 the City received written confirmation from the Region of York advising that formal allocation of servicing capacity is not required for retirement home type facilities where:

- i) individual units/rooms do not contain kitchen facilities;
- ii) food preparation and dining are a centralized function/facility; and
- iii) assisted living care and/or healthcare are offered to the residents who are dependent on this service (although the facilities do not necessarily need to be registered under the Nursing Home Act).

Facilities that meet the above criteria are exempt from requiring formal allocation of servicing capacity by Council resolution, as they fall under the “non-residential” category. This policy may be applied retroactively to October 2004. As a result, a review of the retirement home type facilities (fulfilling the above noted criteria) that were formally allocated capacity by Council since October of 2004, has identified 270 persons equivalent (Item 3, Table 1) of re-gained capacity.

**TABLE 1  
CURRENT SERVICING CAPACITY**

<b>Item No. &amp; Description</b>	<b>Servicing Capacity (Persons Equivalent)</b>
1. Capacity Reserved on February 26, 2007 <i>(1,323 residential units equivalent)</i>	2,712
	<i>less</i>
2. Capacity Allocated since February 26, 2007 <i>(Allocated prior to expiry date of February 26, 2008)</i>	539
	<i>plus</i>
3. Re-Gained Servicing Capacity <i>(From Retirement Home Type Facilities Analysis Between October 2004 &amp; March 2008)</i>	270
<b>Available Capacity For Allocation or Reservation</b> <i>(No restriction on registration or unit sales)</i>	<b>Total    2,443 people</b>

As a result, Table 1 identifies that a total capacity of 2,443 persons equivalent has become available for redistribution. This capacity may be allocated or reserved as required. It is not subject to restrictions imposed on the selling of units or plan registration, nor is it linked to the completion of Regional infrastructure triggers.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 13, CW Report No. 16 – Page 5

Servicing Capacity Linked to Bathurst/Langstaff Trunk Sewers

A detailed reconciliation of available servicing capacity linked to the Regional Bathurst and Langstaff sanitary trunk sewers has been conducted by Staff. This analysis, as described herein, is further summarized in Table 2 below.

On February 26, 2007 Council assigned 18,020 persons equivalent (Item 1, Table 2) of servicing capacity for specific Priority 3 development applications. The release of this capacity from York Region was predicated on the completion of construction of the Regional Bathurst and Langstaff sanitary trunk sewers and was to be made available for allocation by the City one year prior to the in service target date for the trunk sewers.

On October 9, 2007 the City received written confirmation from the Region of York that the trigger conditions to permit pre-sales of these assigned units had been met and therefore the Region had no objection to allowing pre-sales and allocation of this capacity by the City.

As a result, on October 22, 2007 Council endorsed the allocation of this capacity to individual Draft Plans within each of the four Blocks party to the Regional Bathurst and Langstaff front-ending agreements. The total allocated capacity to Phase 2 of Blocks 11, 12, 18 and 33 West is 8,160 persons equivalent (Item 2, Table 2).

In addition, 3,094 persons equivalent (Item 3, Table 2) has been allocated to Draft Plans of subdivision within Block 39 (tributary to the Woodbridge Service Area) and not restricted by the Bathurst and Langstaff sanitary trunk sewer triggers. An additional 3,830 persons equivalent (Item 4, Table 2) has been allocated to other active City-wide development applications and 75 persons equivalent (Item 5, Table 2) has been allocated to Consent/Severance applications.

**TABLE 2  
SERVICING CAPACITY LINKED TO BATHURST / LANGSTAFF**

<b>Item No. &amp; Description</b>	<b>Servicing Capacity (Persons Equivalent)</b>
1. Capacity Assigned on February 26, 2007 <i>(5,300 residential units)</i>	18,020
	<i>less</i>
2. Allocated to Phase 2 of Front-Enders <i>(Blocks 11, 12, 18 &amp; 33 West – 2,400 residential units total)</i>	8,160
	<i>less</i>
3. Allocated to Block 39 <i>(910 residential units tributary to Woodbridge Service Area)</i>	3,094
	<i>less</i>
4. Allocated to Other Active City-Wide Applications <i>(1,127 residential units)</i>	3,830
	<i>less</i>
5. Allocated to Consent/Severance Applications <i>(22 residential units)</i>	75
	<hr/>
<b>Available Capacity For Allocation or Reservation</b> <i>(Registration restricted to Q3/2008)</i>	<b>Total 2,861 people</b>

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 13, CW Report No. 16 – Page 6

As a result, Table 2 identifies that a total capacity of 2,861 persons equivalent remains available for redistribution. In accordance with Regional policy, registration of Draft Plans allocated from this capacity may occur no sooner than six months prior to the in-service date for the Bathurst and Langstaff sanitary trunk sewers. The Bathurst and Langstaff sanitary trunk sewer works currently remain on schedule for completion by the fourth quarter of 2008.

Based on summary Tables 1 and 2 above, a total of 5,304 persons equivalent (2,443 + 2,861) remains available for redistribution by the City.

#### Future Servicing Capacity Linked to In-Line Flow Control System & Duffin Creek Upgrades

On November 15, 2007 Regional Council endorsed the next round of servicing capacity to be distributed to individual municipalities based on estimated completion dates for new infrastructure triggers (beyond the in-service dates for the Bathurst and Langstaff sanitary trunk sewers). For Vaughan, servicing capacity for 1,025 units for intensification within existing communities and 2,130 units for green-field development areas was assigned. This represents a total assignment of 3,155 residential units (10,727 persons equivalent) City-wide, excluding Kleinburg. The availability of this capacity for sales of residential units and registration is linked to the proposed in-service dates for the Duffin Creek Water Pollution Control Plant upgrades and the flow control structures as temporary alternatives to the Southeast Collector Sewer improvements. The earliest release of these units for sale would be the fourth quarter of 2009, one year prior to the currently estimated in-service date for the above noted infrastructure.

#### Priority 1 & 2 Schedules – Allocation & Reservation of Servicing Capacity

On a move forward basis, Staff has completed a detailed status assessment of all active development applications City-wide such that new Priority 1 and 2 Schedules may be established to effectively distribute the City's current available servicing capacity for 5,304 persons equivalent (approximately 1,560 residential units) as summarized in Tables 1 and 2 above.

From a planning approval status perspective, immediate consideration was given to those applications having Draft Plan or Site Plan approval. In sequential order of priority, consideration was also given to those applications that have the appropriate Zoning in place for the intended use, followed by those that are Official Plan approved. Consideration was also given to those applications that represent infill development or completion of partially built communities. Accordingly, it is recommended that applications identified on the Priority 1 Schedule (included as Attachment No. 2) be allocated servicing capacity, and those identified on the Priority 2 Schedule (included as Attachment No. 3) be reserved servicing capacity for a period of one year.

After considering all prioritized development applications in the current Priority 1 and 2 Schedules as included in Attachments Nos. 2 and 3 respectively, 1,206 persons equivalent or 355 residential units remain available for distribution. As such, in order to allow Council the opportunity to strategically allocate capacity to individual applications in areas deemed a priority by the City, it is recommended that this balance be reserved for future allocation to specific development applications at Council's discretion.

#### Priority 3 Schedule – Assignment of Servicing Capacity

All Draft Plans of Subdivision of the participating owners within each of the four Blocks (11, 12, 18 and 33 West) party to the Bathurst and Langstaff Sewers Development Charge Credit agreements have now been draft plan approved by Council. In addition, Phases 1 and 2 of these subdivisions have been allocated capacity. There are a number of units remaining in each plan however, that are draft approved but not allocated. These units are currently subject to a Holding provision related to the Zoning By-law and a no pre-sale agreement. As a result, the units may not be sold nor may the balance of their respective plans be registered as the City has not

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 13, CW Report No. 16 – Page 7

committed further capacity to them. Based on discussions with representatives from the four front-ending Blocks, servicing capacity for an additional 6,603 persons equivalent (1,942 residential units) will be required thereby ultimately allowing the sales and registration of these units and completing the build-out of all draft plan approved low-rise development units in each Block.

In accordance with the City's 'Servicing Capacity Allocation Distribution Protocol' (Attachment No. 1), a revised Priority 3 Schedule of active and qualifying development applications has been compiled and is included as Attachment No. 4. Accordingly, it is recommended that 6,603 persons equivalent (1,942 residential units) be assigned for future allocation amongst the participants of the Bathurst & Langstaff Development Charge Credit agreements and that, 3,216 persons equivalent (1,188 residential units) be assigned to other active City-wide development applications which currently meet the City's Priority 3 criteria.

#### Consent/Severance Applications

On a yearly basis, a relatively small number of new residential lots are created throughout the City by way of Consent/Severance applications as approved by Committee of Adjustment. Once approved, servicing allocation capacity for these newly created lots must be accounted for. Over the last year, approximately 25 new residential lots have been created by way of Consent/Severances. These applications have been tracked and are included on the Priority 1 Schedule (included as Attachment No. 2). Accordingly, it is recommended that these severance applications be allocated capacity by Council.

In order to allow for this process to continue over the next year, servicing capacity for 25 residential units (approximately 85 persons equivalent) is recommended for assignment on the Priority 3 Schedule (included as Attachment No. 4). This assigned capacity is reconciled and recommended for allocation on a yearly basis. In order to ensure this process remains consistent with the general intent of Consent/Severance applications, the assigned capacity shall only be committed to applications requiring not more than 4 residential units.

The Priority 3 Schedule included as Attachment No. 4 further identifies 707 residential units (approximately 1,431 persons equivalent) assigned to other development applications. These applications have not shown any sign of advancement over the last 12 months. They were reserved capacity in 2007 and the reservation has since been revoked. As such, they have been included in the Priority 3 Schedule. Staff will continue to monitor the progress of these applications and re-assess this assignment at the next available opportunity. The capacity assigned to these applications forms part of the total servicing capacity available for redistribution (5,304 persons equivalent) as summarized in Tables 1 and 2 above.

#### Non-Residential Land Uses

Current Regional practice regarding servicing capacity assignments for land uses other than residential, dictates that servicing capacity for industrial/employment, commercial and institutional land uses is factored into the residential assignment to individual municipalities. The City's practice has been for Council to formally allocate servicing capacity to individual industrial/employment Draft Plans of subdivision in conjunction with Draft Plan approval. This allows the City additional control to ensure sufficient infrastructure is in step with the provisions for proper conveyance for potential high demand industrial/employment developments.

The York Major Holdings Inc. Draft Plan of subdivision 19T-05V05(S) has been approved by Council. The Plan has proceeded to construction and a subdivision agreement has been executed by the Owner. Accordingly, it is recommended that this Draft Plan be allocated servicing capacity such that it may proceed to registration.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 13, CW Report No. 16 – Page 8

#### Kleinburg-Nashville Servicing Allocation Capacity

Sewage and water servicing capacity for the community of Kleinburg-Nashville currently rely on a separate local water pollution control plant and communal/private wells, respectively. Due to limitations of the existing Kleinburg Water Pollution Control Plan and the communal wells servicing the area, additional servicing capacity is not readily available for distribution by the City and the current servicing capacity has been fully committed.

In 2007 the Region of York completed its Class Environmental Assessment (EA) Study for water supply & wastewater servicing for the community of Kleinburg-Nashville. The recommendations of the Class EA addressed the Regional servicing infrastructure improvements necessary for current official plan approved areas and for the longer-term build-out requirements of the area up to a serviceable population of approximately 8,000 people.

The preferred servicing alternatives identified by the approved Class EA Study include upgrades to the existing Water Pollution Control Plant and decommissioning of the existing communal wells such that a lake based water supply source can be achieved for the entire community. This will require the construction of a new Regional supply watermain north along Huntington Road from Rutherford Road and a new elevated tank in Kleinburg. Detailed design for these works is now underway by the Region. It is anticipated that construction will be completed by the fourth quarter of 2009.

As a result the City has now retained KMK Consultants Ltd. to complete its local Water and Wastewater Servicing Strategy Master Plan Class EA Study for the Kleinburg-Nashville service area. It is anticipated that this study will be completed late this year. It will identify all local infrastructure improvements required to support the full build-out of the current Official Plan approved lands and all future development areas that will be identified by the Kleinburg-Nashville Focus Area Study, in conjunction with the City's overall Growth Management Strategy and OP Review Study.

In keeping with current Regional policies and given the anticipated in-service date for the above noted Regional infrastructure improvements, it is expected that additional servicing capacity will be made available for allocation by the City later this year.

#### 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 pursuit of excellence in service delivery;
- Planning and managing growth and economic vitality; and
- The demonstration of leadership and promotion of effective governance.

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

#### Regional Implications

The amount of Regional servicing capacity assigned to local municipalities is based upon:

- meeting the local needs (as planned for in the current Official Plan),
- historical growth trends in the local municipality,
- Regional forecasts,
- Available infrastructure capacity, and
- Consultation with each local municipality.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 13, CW Report No. 16 – Page 9

York Region will proceed to release conditions of Draft Plan approval to municipalities for development applications within substantially built residential communities at the request of the individual municipality. This provides for an appropriate level of certainty about how these communities will be built as servicing capacity becomes available. The build-out of these communities will be determined through phasing plans adopted for each community and linked to the distribution of servicing capacity by York Region and specific infrastructure triggers for individual municipalities. The potential risk associated with additional Draft Plan approvals will continue to be managed through the application of the following planning tools according to Regional protocol:

- use of “Holding” provisions in the Zoning By-laws,
- local municipality-wide Section 34(5) By-law to prohibit building permits where servicing is not available,
- use of “No Pre-sales” agreements, and
- use of “Indemnity” agreements.

Identification of the City’s servicing capacity allocation Priority Schedules as included in Attachments 2, 3 and 4 will ensure the timely release of Regional Draft Plan approval conditions, such that the City may proceed to build-out within its current Official Plan designated areas. Accordingly, it is recommended that a copy of this report including the related “Servicing Capacity Allocation Distribution Protocol” and associated Priority Schedules be forwarded to the Region of York.

#### **Conclusion**

Given the ongoing Regional limitations imposed on servicing capacity to the area municipalities, the allocation, reservation and assignment of available capacity to development applications throughout the City must be carried out in an effective and strategic manner. The recommendations of this report will serve to implement the City’s ‘Servicing Capacity Allocation Distribution Protocol’ and to allow the orderly progression of development within established urban boundaries.

Staff will continue to work closely with the Region of York to ensure the City’s future servicing capacity requirements will be met in a timely manner. It is anticipated that a yearly update report will be brought forward to the Committee of the Whole to reconcile the City’s available and anticipated future servicing capacity.

#### **Attachments**

Servicing Capacity Allocation Distribution Protocol  
Priority 1 Schedule  
Priority 2 Schedule  
Priority 3 Schedule

#### **Report prepared by:**

Tony Artuso, Senior Engineering Assistant, Ext. 8396  
Michael Frieri, Development Supervisor, Engineering Planning & Studies, Ext. 8729

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 14, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

14

**PROPERTY STANDARDS ISSUES**

(Referred from the Committee of the Whole Meeting of March 3, 2008)

**The Committee of the Whole recommends that this matter be deferred for a period of one month, to provide an opportunity for outstanding issues to be resolved.**

Recommendation of the Committee of the Whole meeting of March 3, 2008:

That this matter be referred to the Committee of the Whole meeting of March 25, 2008.

Report of the Commissioner of Legal and Administrative Services and City Solicitor, dated March 3, 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:



CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 14, CW Report No. 16 – Page 2

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.

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.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 14, CW Report No. 16 – Page 3

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.

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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 15, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

15

**PROCLAMATION REQUEST  
CHILD FIND ONTARIO – GREEN RIBBON OF HOPE MONTH**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Clerk, dated March 25, 2008:

**Recommendation**

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

- 1) That May 2008 be proclaimed as “**The Child Find Ontario – Green Ribbon of Hope Month**”; 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 from the Associate Executive Director of Child Find Ontario, dated February 8, 2008.

**Background - Analysis and Options**

Child Find Ontario is a charitable children’s organization whose mandate is to assist parents and law enforcement agencies search for missing children and teenagers and to educate children and adults about safe guarding their children The Green Ribbon of Hope Campaign helps bring the message of missing children to the forefront.

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.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 15, CW Report No. 16 – Page 2

**Regional Implications**

N/A

**Conclusion**

Staff is recommending May 2008 be proclaimed as “**Child Find Ontario – Green Ribbon of Hope Month**” 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 Associate Executive Director of Child Find Ontario

**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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

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

16

**PROCLAMATION REQUEST –  
WOODBRIIDGE-VAUGHAN SUPER CITIES WALK FOR MS**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Clerk, dated March 25, 2008:

**Recommendation**

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

- 1) That April 13, 2008 be proclaimed as “**THE WOODBRIDGE-VAUGHAN SUPER CITIES WALK FOR MS**”; 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 March 10, 2008, from the Coordinator – Fundraising Events, MS Society of Canada, Ontario Division (Attachment #1).

**Background - Analysis and Options**

The Multiple Sclerosis Society of Canada has requested the City’s support to publicize this proclamation to encourage everyone that can to participate in the WALK for MS. The MS Society’s Mission is to raise awareness about this disease, and be a leader in finding a cure for Multiple Sclerosis and enabling people affected by it to enhance their quality of life.

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.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 16, CW Report No. 16 – Page 2

**Regional Implications**

N/A

**Conclusion**

Staff is recommending that April 13, 2008 be proclaimed as “**THE WOODBRIDGE-VAUGHAN SUPER CITIES WALK FOR MS**”, and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

**Attachments**

Attachment #1 – Correspondence from the Coordinator – Fundraising Events, MS Society of Canada, Ontario Division

**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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 17, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

17

**PROCLAMATION REQUEST -  
SEXUAL HARASSMENT AWARENESS WEEK**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Clerk, dated March 25, 2008:

**Recommendation**

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

- 1) That the first week of June 2008 be proclaimed as "***Sexual Harassment Awareness Week***"; 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 5, 2008 from the Women's Support Network of York Region. (Attachment 1)

**Background - Analysis and Options**

The Women's Support Network of York Region (WSN) is the only sexual assault/rape crisis centre serving York Region. WSN provides support to individuals who have been affected by sexual assault, childhood abuse, sexual harassment and any form of violence. Their services include a 24 hour crisis line, individual counselling, public education, school based programs and outreach.

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.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 17, CW Report No. 16 – Page 2

**Regional Implications**

N/A

**Conclusion**

Staff is recommending that the first week of June 2008 be proclaimed as “***Sexual Harassment Awareness Week***” 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 Women’s Support Network of York Region

**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.)



CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 18, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**18 DEPUTATION – MR. PAUL DE BUONO  
WITH RESPECT TO MATTERS RELATING TO THE CITY’S TENDERING PROCESS**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated March 25, 2008, be approved; and
- 2) That the written submission of Mr. Paul De Buono, President, Vaughan Watch Inc., 14-3650 Langstaff Road, Suite 391, Vaughan, L4L 9A8, dated March 25, 2008, be received.

**Recommendation**

The Commissioner of Legal and Administrative Services and City Solicitor recommends that this report be received for information.

**Economic Impact**

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

**Communications Plan**

The deputant will be advised of Councils' receipt of this report.

**Purpose**

The purpose is to report back to Council as directed by Council on September 25, 2006.

**Background - Analysis and Options**

On September 18, 2006 Mr. Paul De Buono appeared on deputation respecting matters relating to the City's Tendering Process and submitted a five page document to the Committee of the Whole. Page 4 of that document, which is attached as Attachment #1, is a severed copy of a portion of a letter to Mr. De Buono from York Regional Police Chief La Barge dated July 7, 2005. On September 25, Council directed:

"that the correspondence submitted by Mr. De Buono be referred to staff for a report to a Committee of the Whole meeting following the review of the full contents of the letter from York Regional Police addressed to Mr. De Buono, dated July 7, 2005".

Further to Council's direction, staff contacted Mr. De Buono to obtain an unsevered or more complete copy of the July 7, 2005 letter. Mr. De Buono declined to provide any other copy to the City.

Staff wrote to the York Regional Police requesting a more complete copy of the letter. The York Regional Police advised that without Mr. De Buono's written consent to the release of the contents of the letter, they were not at liberty to disclose it.

On September 27, 2006 staff filed a request for access to information with the York Regional Police Freedom of Information Office. On November 1, 2006 the York Regional Police advised that, as the request "may affect the interests of a third party", that party "is being given an opportunity to make representation concerning disclosure of the record".

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 18, CW Report No. 16 – Page 2

On November 17, 2006 the York Regional Police issued a decision denying access to the requested record. On December 5, 2006 staff filed an appeal of the denial of access by York Regional Police to the Information and Privacy Commissioner of Ontario.

The City submitted that Section 4(2) of the Act obliges the York Regional Police to disclose as much of the responsive record as can reasonably be disclosed and to sever material which is exempt, while at the same time protecting the personal information that is exempt from disclosure. The decision letter from the York Regional Police did not identify the type of personal information that is exempt from disclosure, nor provide any information to justify why the personal information is exempt from disclosure.

On December 17, 2007 the Information and Privacy Commissioner issued Order MO-2253, requiring the York Regional Police to disclose those parts of the record "that are not highlighted" no later than January 23, 2007. On January 22, 2008, the partial record was sent by the York Regional Police to the City of Vaughan. That partial record is attached as Attachment #2.

The severed portion of the letter released in January 2008 by the York Regional Police contained one additional line more than the severed portion of the same letter provided by Mr. De Buono in September 2006, as follows, "While York Regional Police assigned one officer, D/Cst. Palmer, to the investigative team, the investigation was managed, directed, and eventually closed by the OPP." Therefore, staff is unable to "review of the full contents of the letter".

As can be seen from Attachment #2, the letter is not readable.

#### **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**

Not applicable.

#### **Conclusion**

Staff have taken the steps available to obtain a more complete version of the letter dated July 7 2005 from the York Regional Police to Mr. De Buono, which Mr. De Buono submitted on September 18, 2006. As Mr. De Buono has declined to provide the full contents of the letter, the matter is at an end.

#### **Attachments**

1. Document from Paul De Buono dated July 7, 2005.
2. York Regional Police Partial Record.

#### **Report prepared by:**

Janice Atwood-Petkovski

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 19, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

19

**REQUEST FOR PROPOSALS – LEGAL SERVICES**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated March 25, 2008:

**Recommendation**

The Commissioner of Legal and Administrative Services and City Solicitor, recommends:

That staff be directed to solicit proposals for the provision of legal services in accordance with the Terms of Reference outlined herein.

**Economic Impact**

There is a potential for cost savings where services are sought in accordance with a Request for Proposals.

**Communications Plan**

A request for proposals for the provisions of legal services would be posted on at least two websites including Bid Navigator, and also in various legal publications.

**Purpose**

The purpose of this report is to initiate a Request for Proposals through the City's procurement process, for the provision of legal services in certain areas of practice.

**Background - Analysis and Options**

The City of Vaughan's Legal Services Department is comprised of a team of lawyers with expertise in a wide variety of areas, including municipal law, litigation, real estate, construction law, and labour and employment law. The Legal Services Department, under the direction of the City Solicitor, advises and represents internal departments on all aspects of The City of Vaughan's mandate, including these areas of law.

The City of Vaughan utilizes external legal counsel to advise on municipal law issues, employment and labour law issues, and issues in other areas of law, due to the need for particular expertise or occasionally due to resource constraints (hereinafter "the required legal services").

An RFP would create a "roster" of qualified legal counsel for the provision of the required legal services in certain practice areas, on an as-needed basis ("Counsel List"). Based on the City's needs, a Counsel List could be created for the following practice areas:

- i) general municipal law;
- ii) municipal finance, tax and assessment;
- iii) planning law;
- iv) general civil litigation;
- v) environmental law;
- vi) information and technology law;
- vii) labour and employment law; and
- viii) expropriations.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 19, CW Report No. 16 – Page 2

The proposed RFP would provide that individuals and law firms could submit proposals to provide legal services in any or all of the various practice areas listed above. Responses to the Request for Proposals would be evaluated by an evaluation team based on criteria established in the RFP, including years and nature of experience, service capabilities, references and billing proposals. Proponents may also be asked to make oral presentations where necessary. Depending on the results of the evaluation, proponents may be listed in more than one practice area.

The creation of a Counsel List does not guarantee any work to the law firms listed. Lawyers are retained on an as-needed basis, but the fees to be charged are pre-determined based on the proposal submitted, valid for a set term.

On completion of the evaluation process, as described in the RFP, a Recommendation Report will be prepared and submitted to the City's Council for consideration. Upon receipt of Council approval and the execution of the Terms of Engagement, it is anticipated that the successful Proponents as approved by Council will commence the provision of services.

Various municipalities have issued RFP's for legal services, including the City of Mississauga, York Region and the Town of Halton, and it has proven to be a valuable tool for selecting external counsel and managing legal costs.

It is anticipated that the Terms of Engagement for selected counsel would commence September 1, 2008 and end on August 31, 2010.

#### **Relationship to Vaughan Vision 2007**

This initiative supports efforts to ensure the most cost effective procurement of quality external legal services.

#### **Regional Implications**

Not Applicable.

#### **Conclusion**

An RFP for external legal services will establish a roster of qualified law firms and will ensure external legal services will continue to be delivered in a cost-effective manner.

#### **Attachments**

None

#### **Report prepared by:**

Nancy Salerno

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 20, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**20** **APPOINTMENTS TO YONGE SUBWAY TASK FORCE**

The Committee of the Whole recommends:

- 1) That Clause 1 of the recommendation contained in the following report of the Deputy City Clerk, dated March 25, 2008, be approved; and
- 2) That the following be appointed to the Region of York's Yonge Subway Task Force as City of Vaughan representatives:

**Regional Councillor Joyce Frustaglio  
Councillor Alan Shefman**

**Recommendation**

The Deputy City Clerk recommends:

- 1) That the appointments to the Yonge Subway Task Force adopted by Council on January 28, 2008 be reconsidered; and
- 2) That direction be provided with respect to Regional Council's request that Council appoint two members to the Yonge Subway Task Force in accordance with the Committee's Terms of Reference.

**Economic Impact**

N/A

**Communications Plan**

Correspondence will be sent to the Regional Clerk to advise the Region which two members have been appointed.

**Purpose**

To respond to the request received from Regional Council regarding appointments to the Yonge Subway Task Force.

**Background - Analysis and Options**

At the Committee of the Whole meeting of January 21, 2008 City of Vaughan representatives were appointed to the Yonge Subway Task Force (Attachment 1) as follows:

Regional Councillor Mario F. Ferri  
Regional Councillor Gino Rosati  
Councillor Alan Shefman

Following the January 28<sup>th</sup> Council meeting at which the Committee of the Whole recommendation was adopted, correspondence was sent to the Regional Clerk advising of Vaughan Council's appointments to this Committee (Attachment 2). This correspondence was received by the Rapid Transit Public/Private Partnership Steering Committee and the Committee

.../2

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 20, CW Report No. 16 – Page 2

directed the Regional Clerk send a letter to Vaughan advising that the Terms of Reference for this Committee state that only two members be appointed from the City of Vaughan and requesting the Region be advised of the two members Vaughan Council appoints (Attachment 3).

**Relationship to Vaughan Vision 2020**

Management Excellence: Demonstrate Leadership and Promote Effective Governance.

**Regional Implications**

This is an initiative of Regional Council.

**Conclusion**

Direction is being requested regarding Regional Council's request for two members from the City of Vaughan to be appointed to the Yonge Subway Task Force in accordance with the Committee's Terms of Reference.

**Attachments**

Attachment 1: Council Extract – Item 7, Report No. 1 Committee of the Whole adopted by Council on January 28, 2008.

Attachment 2: Correspondence to the Regional Clerk dated February 1, 2008

Attachment 3: Correspondence from the Regional Clerk dated February 22, 2008

**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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 21, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**21 KLEINBURG-NASHVILLE (RURAL AREA) COMMUNITY PLAN REVIEW  
FILE #25.2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008:

**Recommendation**

The Commissioner of Planning recommends:

1. That the attached Terms of Reference for a Focused Area Review of lands designated "Rural Area" within the Kleinburg-Nashville Community Plan BE APPROVED.
2. That the Policy Planning Department initiate the process to retain the required consulting services to undertake the required work.

**Economic Impact**

The required budget for this Study (upset limit of \$180,000) has been included and approved in the Capital Budget for the New Vaughan Official Plan project for 2008.

**Communications Plan**

Upon approval of the Study Terms of Reference and consultant selection, the Study's consultation program includes community information and workshop meetings. A Stakeholder Consultation Group(s) and a Technical Advisory Committee will be established to provide input throughout the Study process. A Public Hearing will be required to consider amendments to the Official Plan. Further details of the communications and consultation approach will be identified in the consultants' work plan.

**Purpose**

The purpose of this report is to provide an overview of the Study requirements which are outlined in greater detail in the attached Terms of Reference.

**Background - Analysis and Options**

**Location and Description of the Study Area**

The area of focus for the Review are the lands designated "Rural Area" by the Kleinburg-Nashville Community Plan (OPA 601), as shown on Attachment #1. The "Rural Area" designation applies to portions of properties located in the outer limits of the Community Plan. The Study Area is non-contiguous due to the designated areas being separated by other designations in the Official Plan and they are physically separated by natural features and infrastructure such as the Humber River valley, the CP Rail corridor, roads, and existing development. The subject areas are primarily undeveloped and represent the remaining "Greenfield" development area within the Community Plan.

**Purpose of the Study**

On May 7, 2007, Vaughan Council approved Terms of Reference for the New Vaughan (city-wide) Official Plan, which is a component of the Vaughan Consolidated Growth Management

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 21, CW Report No. 16 – Page 2

Strategy – 2031. When finalized, the New Official Plan will be a contemporary, state-of-the art Official Plan that will represent an update to the City's community planning policies in a manner consistent with the principles of sustainability. Work on the New Official Plan began in October 2007.

The rural area of the Kleinburg-Nashville Community Plan (OPA 601, as amended) is one of four Focused Area Studies to be undertaken as part of the New Official Plan process. The approved Terms of Reference for the New Vaughan Official Plan identifies the need for detailed review of certain areas and that the review of the Kleinburg-Nashville Community Plan will include "an examination of developable lands currently subject to rural/agricultural designations in the community which require detailed study and preparation of a secondary plan and policies to guide their future use and development."

The development pressure in these four areas of Vaughan make it necessary for the City to proceed with land use studies in advance of the completion of the New Vaughan Official Plan process. The purpose of the Focused Area Review for Kleinburg-Nashville is to establish an updated land use and urban design framework for the rural areas within the Community Plan.

The New Vaughan Official Plan process is scheduled for completion by the fall 2010. The Kleinburg-Nashville Review is expected to begin in the Spring of 2008 and should be completed within 12 months. The Study will result in an Amendment to the Kleinburg-Nashville Community Plan and will be incorporated into the city-wide Official Plan.

#### Provincial Policy Context and Initiatives

Recent Provincial policy initiatives and legislation (*The Greenbelt Act*, *The Oak Ridges Moraine Conservation Act* and *The Places to Grow Act*) have established a number of new policy imperatives. The recently enacted Bill 51 (*an Act to amend the Planning Act and the Conservation Land Act*) requires that a municipal council's decisions on planning matters be in conformity with the provincial plans enabled by the above noted legislation. Therefore, these policies will be part of the new policy framework which will regulate how the City of Vaughan grows and evolves for the foreseeable future, including the expansion of the City's "Urban Area" boundary.

The Focused Area Review will be required to address a number of Provincial policies and initiatives. This includes the policy framework provided by the Growth Plan for the Greater Golden Horseshoe, in terms of meeting intensification targets and achieving compact, transit-supportive development. The Growth Plan also identifies a GTA West (Transportation) Corridor as part of the policies for infrastructure to support growth. The Greenbelt Plan provides protection to the agricultural land base and the ecological features and functions on the landscape. The Greenbelt Area applies to certain lands within the Kleinburg-Nashville Community Plan, including the Study Area, and plays an important role in determining what areas within the Study Area are not developable. The Review will also need to take into consideration the Ministry of Transportation's Environmental Assessment (E.A.) of the Highway 427 Transportation Corridor in terms of determining what impacts the future highway extension may have on future development.

#### Regional Policy Context and Initiatives

The Region of York Official Plan identifies Kleinburg-Nashville as "Towns and Villages" for the built-up area and the remainder as "Agricultural Policy Area", "Rural Policy Area" and "Greenlands", which recognizes the Humber River Valley System. The Region is currently reviewing its Growth Management Plan and will be updating its Official Plan based on principles of sustainable development. The Region is projecting significant increases to its population and employment by 2031, and consequently, it is expected that Vaughan will be assigned significant additional growth overall.



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 21, CW Report No. 16 – Page 3

It will be necessary for the Review to take into account the Region's Growth Management initiatives and its approach to sustainability within the context of and compatibility with, the Kleinburg-Nashville Community Plan. This will help to ensure that the City's and the Region's environmental/sustainability programs are complementary and supportive. The New Vaughan Official Plan will establish the policy framework to direct development within developable rural lands as well as redevelopment at appropriate locations within existing built-up areas of the City.

In 2001, Regional Official Plan Amendment No. 19 designated approximately 1700 acres of land southwest of the Kleinburg-Nashville Community Plan as an "Urban Area" for employment use. Development within the ROPA 19 area cannot occur until the related secondary plan(s) are approved, which will set out detailed land use/urban design, transportation, servicing and environmental policies. Before this work can begin, the final alignment of the Highway 427 corridor extension must be established through the Ministry of Transportation's E.A. process. The preferred route for the highway extension is expected to be released to the public for comment this Spring.

The Region's Western Vaughan Arterial Road Improvements Environmental Assessment has been initiated for the purpose of identifying transportation deficiencies in Western Vaughan and to provide preferred alternatives to address the deficiencies. One of the items identified to date is the possibility of having to re-locate Major Mackenzie Drive as much as 300 metres north of its current location to enable an intersection with an extended Highway 427.

The recent approval of Regional Official Plan No. 57 allows for the extension of lake based water supply to the Kleinburg-Nashville Community. Future growth in the area will be based predominantly on full municipal services.

#### Relevant City of Vaughan Official Plans and Initiatives

The Kleinburg-Nashville Community Plan (OPA 601) and subsequent Amendments, such as OPA 610 (Valley Corridor policies), provides the existing local planning context of the area which are relevant to the Focused Area Review. A key goal of the Community Plan is to strike a balance between demand for growth and the need to continue to protect and enhance the character of the community.

In 2003, the Kleinburg-Nashville Heritage Conservation District Plan (KNHCD) was approved. It covers a significant amount of land area within the Community Plan. The KNHCD Plan provides an urban design framework that guides new development for the surrounding areas in a way that integrates and is compatible with the existing village and heritage character. The Review should consider this framework given that portions of lands within the Study Area are adjacent to the Heritage District. In 2007, OPA 633 (Kleinburg Core Area Policy Review) incorporated, among others, policies and recommendations contained in the KNHCD. Additional planned initiatives which came out of the Kleinburg Core Area Policy Review include: an Economic Development Strategy; a Streetscape and Master Plan for main streets in the Core; a Tree Inventory/Preservation By-law; a city-wide review of parking standards and cash-in-lieu, and; a review of the sign by-law. These initiatives provide context to the area.

Environmental policies are an important component of the Community Plan. In addition to recognizing existing environmental policies within the Plan, the consulting team for the Review will be informed by, among others, the Environmental Master Plan (the City's Sustainability Plan), which is scheduled for completion in the third quarter of 2008. The Review will result in an amendment to the Community Plan that will be consistent with the principles, goals and objectives identified in the process leading to the New Vaughan Official Plan.

In response to Regional Official Plan Amendment No. 57 for the extension of lake based water supply to Kleinburg-Nashville, the City of Vaughan is currently undertaking a Servicing Master

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 21, CW Report No. 16 – Page 4

Plan E.A. to identify the servicing needs for the Kleinburg-Nashville area, which is scheduled for completion by the end of 2008. This process will serve to inform the Review. The servicing needs analysis for the area will be undertaken by the E.A. and will, therefore, not be required as a component of the Focused Area Review.

The City's Transportation Master Plan study will evaluate in detail the local road network and identify the infrastructure that will be needed to efficiently accommodate the population and employment growth that will result from the implementation of the Growth Management Strategy. The study will be undertaken as a component of the New Vaughan Official Plan Review and the related Focused Areas Studies. The consultant for the City's Transportation Master Plan will be working with the consulting team for the Focused Area Review on transportation-related matters both within and surrounding the study area. The transportation analysis of the area will be undertaken by the Transportation Master Plan study and done in coordination with the Focused Area Review.

#### Components of the Study

The draft Terms of Reference for the Focused Area Review requires the consulting team to conduct the following work, including:

1. Background review and analysis of existing Provincial, Regional and local policies, regulations and initiatives, as described above, that are applicable within and surrounding the Study Area. This will provide the regulatory basis for the Review.
2. Review and analysis of existing conditions within and surrounding the Study Area, such as land use, heritage resources, transportation networks, community structure, etc. Special consideration will be given to determining:
  - a) issues associated with lands adjacent to natural resource and greenbelt areas
  - b) how to protect for the re-alignment of Major Mackenzie Drive and the Highway 427 Corridor extension and appropriate adjacent land use(s)
  - c) ways in which more recent community development contributes to the area
  - d) appropriate land uses and densities
  - e) sustainability issues, including the natural systems and green space, energy conservation and climate protection, water conservation and water quality, pedestrian and cycling opportunities, transit-friendly design, waste reduction improvements, and
  - f) impact on, integration and connectivity with existing and planned uses within the surrounding area/community.
3. Development of planning principles, goals and objectives (to be consistent with the New Vaughan Official Plan).
4. Preparation of land use/development alternatives and an urban design framework.
5. Development of evaluation criteria.
6. Recommendation of preferred land use/development alternative and urban design framework.
7. Preparation of Secondary Plan/Official Plan Amendment for Council's consideration.
8. Include as part of the Official Plan Amendment, implementation policies, such as enabling a Community Improvement Plan, phasing, etc.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 21, CW Report No. 16 – Page 5

The analysis and recommendations respecting the provision of suitable transportation will be addressed by the consultants preparing the City's Transportation Master Plan, in coordination with the consultants conducting the Focused Area Review. Analysis for servicing will be provided by the Servicing Strategy Master Plan Class Environmental Assessment for Kleinburg-Nashville, which is scheduled for completion by the end of 2008.

#### Public Consultation Requirements

The consultation process will involve all of those individuals and interests having a stake in the future of the Kleinburg-Nashville area – local residents, ratepayer groups, the business community, the development community, public agencies and other special interest groups. The process will include meetings, open houses, workshops and presentations and requires participation from the community to succeed. A Technical Advisory Committee will be established as well as one or more Stakeholder Consultation Groups (SCG's) to represent interests in the area and provide ongoing input throughout the process. A statutory public meeting(s) will be held for an Official Plan Amendment. Details of the proposed consultation process will be provided in the submissions of candidate consulting teams.

#### Consulting Requirements

The Study requires the services of a multi-disciplinary team with expertise in land use planning, urban design, the environment, sustainable development and public consultation. The consulting team will be required to collaborate with, and be informed by, the consultants working on the City's Transportation Master Plan, the Environmental Master Plan, the Servicing Master Plan Class E.A. for Kleinburg-Nashville and the core consulting team for the New Vaughan Official Plan.

#### Products of the Study

The following deliverables will be provided by the consulting team:

1. Background and Final Reports on each of the following components:
  - a) Land use and sustainable community development options and urban design framework
  - b) State of the Environment and environmental policy requirements
  - c) Housing and demographics
  - d) Transportation and servicing impacts
2. Final report with recommendations
3. Draft Official Plan Amendment.
4. Final Official Plan Amendment

#### Project Administration

The project will be managed by the Policy Planning Department with the input and participation from the core consulting team for the New Vaughan Official Plan, the consultants for the City's Transportation Master Plan and the Environmental Master Plan, Development Planning, Parks, and Engineering Departments, other City departments and external agencies as required.

#### Timing

The Study is expected to begin in the Spring 2008 and completed in approximately 12 months.

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 21, CW Report No. 16 – Page 6

#### **Budget**

An upset limit of \$180,000 has been included and approved by Council in the Capital Budget for the New Vaughan Official Plan project for 2008.

#### **Relationship to Vaughan Vision 2020**

This Study is consistent with the Vaughan Vision Strategic Plan 2020 in terms of implementing a component of the Growth Management Strategy. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

#### **Regional Implications**

The Official Plan Amendment resulting from the Study will conform with Regional and Provincial Policy requirements and establish the ground rules for future development. The Plan will accommodate the Region's forecast growth estimates for Vaughan and will have implications for Regional servicing, transportation and community infrastructure.

#### **Conclusion**

The Terms of Reference provide the basis for carrying out a detailed land use analysis that will result in updated land use, urban design and development policies for the rural area within the Kleinburg-Nashville Community Plan. Similar to the approach taken for the New Official Plan, this work will be forward-looking, state-of-the-art and reflective of the principles of sustainability.

The Terms of Reference have been prepared in consultation with other key City departments.

Should Council concur with the Terms of Reference, the recommendation should be approved to enable staff to proceed with the consultant assignment.

#### **Attachments**

1. Study Area
2. The Draft Terms of Reference for the Kleinburg-Nashville (Rural Area) Community Plan Review

#### **Report prepared by:**

Duncan MacAskill, Senior Policy Planner, ext. 8017  
Wayne McEachern, Manager of Policy Planning, ext. 8026

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 22, Report No. 16, 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 receiving the written submission from Mr. Joe Chimenti, 25 Granary Road, P.O. Box 945, Kleinburg, L0J 1C0, dated March 25, 2008.***

22

**AWARD OF PROJECT – RFP07- 297  
SELECTION OF CONSULTANT  
THE ISLINGTON AVENUE STREETScape  
MASTER PLAN STUDY – VILLAGE OF KLEINBURG  
FILE 21.36**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008, be approved;
- 2) That Islington Avenue from Nashville Road to Hwy. 27 be included as part of the Islington Avenue Streetscape Master Plan Study – Village of Kleinburg, as corrected;
- 3) That the deputation of Mr. Frank Greco be received; and
- 4) That the written submission of Mr. Michael Menecola, dated March 24, 2008, be received.

**Recommendation**

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

1. THAT a Contract be approved to retain the consulting team led by LANDinc to carry out the Islington Avenue Streetscape Master Plan Study – Village of Kleinburg to an upset limit not exceeding \$104,762.00 plus GST, for completion of the Study by Winter 2009;
2. THAT a contingency allowance in the amount of \$10,000.00 plus GST be approved within which the Commissioner of Planning or his designate is authorized to approve amendments to the contract; and
3. THAT the Mayor and Clerk be authorized to sign the necessary documents.

**Economic Impact**

The City's 2007 Capital Project (DP-9005-07) includes \$118,300.00 in funding for the anticipated cost of the project. The upset cost of the study will not exceed \$118,300.00, including a 3% administration fee. The cost of the project will be funded primarily (90%) through future development charge revenues associated with anticipated new development, and 10% through taxation.

**Communications Plan**

The Study process includes a public consultation program throughout the duration of the contract. The Study will be initiated with an Open House to which all landowner and community stakeholders in the Islington Avenue Streetscape Master Plan Study Area will be encouraged to attend. A Steering Committee will be established to provide input from key City departments, community stakeholders and public agencies.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 22, CW Report No. 16 – Page 2

**Purpose**

The purpose of this report is to obtain Council authorization to award a contract to carry out the Islington Avenue Streetscape Master Plan Study – Village of Kleinburg.

**Background – Analysis and Options**

At the Council meeting of September 25, 2006, Council approved the following resolution:

1. THAT the Terms of Reference, shown on Attachment #1, for the Islington Avenue Streetscape Master Plan Study – Village of Kleinburg, BE APPROVED; and
2. THAT the \$118,300.00 required to complete the study be referred to the 2007 Capital Budget deliberations.

The 2007 approved Capital Budget Project No. DP-9005-07 provides for the completion of an Islington Avenue Streetscape Master Plan Study – Village of Kleinburg with funding from City-wide Development Charges.

A Request For Proposal (RFP07-297) to undertake this study was issued on November 29, 2007 and advertised in the Vaughan Citizen, on the Ontario Public Buyers Association Website and on the Electronics Tendering Network (ETN) on the same date. The RFP was closed on December 14, 2007 with one addendum issued to clarify proponents' queries and questions. A total of 10 documents were picked up and 5 proposals were received from the following companies before the closing time:

1. NAK Design Inc (Disqualified on a failure to acknowledge receipt of the Addendum)
2. Envision Hough Group
3. IBI Group and PMA Landscape Architects
4. PMA Landscape Architect
5. LANDinc.

A committee comprising staff from Development Planning, Policy Planning, and Engineering & Transportation Departments evaluated each of the proposals based on the following evaluation criteria as indicated on the RFP:

- Qualifications and Experience- 50%
- Quality of the Proposal- 20%
- Project Management- 20%
- Financial-10%

The criteria dealt with each of the disciplines required on each team – urban design, architecture, landscape architecture, transportation and servicing. Each team was evaluated based on its capability, experience, expertise and skills in each discipline, and in terms of suitability with respect to team organization, project management, public consultation, and quality of its written and oral presentation.

Based on the Committee's review of the proposals and subsequent interviews with the project team members of the two short-listed proponents, LANDinc, with the highest score, was identified as the best qualified team to carry out the work. Their job reference was also checked and considered to be satisfactory.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 22, CW Report No. 16 – Page 3

**Relationship to Vaughan Vision 2020**

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

**Regional Implications**

The products of the Islington Avenue Streetscape Master Plan Study – Village of Kleinburg will conform to Regional and Provincial policy requirements, and establish the basis for future development in the Kleinburg – Nashville Heritage Conservation District. The Region of York is a key public agency, and will be requested to participate on the Islington Avenue Streetscape Master Plan Study – Village of Kleinburg Steering Committee.

**Conclusion**

The lead consultant, LANDinc., and their team of sub-consultants are well qualified to fulfill the requirements of the contract, and should be retained by the City. The upset cost of the Study will not exceed \$118,300.00, including the City's 3% administration fee.

**Attachments**

1. Location Map

**Report prepared by:**

Rob Bayley, Senior Urban Designer, ext. 8254

/CM

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 23, Report No. 16, 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 the revised building elevations submitted by the applicant for Site Development File DA.08.005 (Condor Properties Ltd.); and***

***By receiving the report of the Commissioner of Planning, dated March 25, 2008.***

**23** **SITE DEVELOPMENT FILE DA.08.005**  
**CONDOR PROPERTIES LTD.**

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of March 31, 2008, to provide an opportunity for further consultation with the Local Councillor and the applicant with respect to the proposed elevation plan;
- 2) That the deputation of Mr. David Pellegrini, A. Baldassarra Architect Inc., 7800 Jane Street, Suite 200, Concord, L4K 4R6, on behalf of the applicant, be received; and
- 3) That the coloured elevation drawings submitted by the applicant, be received.

**Recommendation**

The Commissioner of Planning recommends:

THAT the building elevations shown on Attachment #3 for Site Development File DA.08.005 (Condor Properties Ltd.), BE APPROVED.

**Economic Impact**

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

**Communications Plan**

N/A

**Purpose**

For the Committee of the Whole to consider the building elevations (Attachment #3) for the Site Development Application (File DA.08.005) on the subject lands shown on Attachment #1, to facilitate the development of a 2,939.9m<sup>2</sup> industrial building, as shown on Attachment #2.

**Background - Analysis and Options**

The subject lands shown on Attachment #1 are located northwest of Langstaff Road and Highway #400, fronting onto Creditview Road, through to Highway #400 (201 Creditview Road), being Block 25 on Plan 65M-3427, City of Vaughan.

**Official Plan/Zoning By-law**

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone by By-law 1-88. The proposed industrial building conforms and complies with the official plan and zoning by-law, respectively.



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 23, CW Report No. 16 – Page 2

Building Design

The proposed elevation plan (Attachment #3) shows an irregular shaped building that will be constructed to a height of 9.2m. The proposed building materials consist of white aggregate and smooth precast and arctic blue coloured glazing. Three loading doors are proposed on the north elevation which will be screened from view of Creditview Road by a 5m high precast screen wall. There will also be roof-top screening for the mechanical equipment. The Development Planning Department is generally satisfied with the proposed building elevations and will continue to work with the Owner to finalize the elevation plan shown on Attachment #3.

Landscaping

The proposed landscaping for the site is shown on Attachment #4, which includes 6.2m and 9m wide landscape strips adjacent to Creditview Road and Highway #400, respectively. The Development Planning Department is generally satisfied with the proposed landscaping, and will continue to work with the Owner to finalize the landscape plan shown on Attachment #4.

**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**

N/A

**Conclusion**

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

**Attachments**

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

**Report prepared by:**

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

/LG

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 24, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

24

**ZONING BY-LAW AMENDMENT FILE Z.07.062  
LINVEST PROPERTIES (BATHURST MACKENZIE) LIMITED**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008:

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.062 (Linvest Properties (Bathurst Mackenzie) Limited) BE APPROVED, to amend site-specific Exception 9(1231) to By-law 1-88, to permit the following exceptions to facilitate the construction of single detached dwellings on 33 lots as shown on Attachment #1:
  - a) a reduced interior side yard setback of 0.6m in one yard, where it abuts a side yard of 1.2 m on the adjacent lot, rather than the minimum requirement of 1.2m in both interior side yards in the RD4 Residential Zone; and,
  - b) a reduced interior side yard setback from 1.2 m to 0.6 m, together with the required exterior side yard of 4.5 m, in the RD3 Residential Zone.

**Economic Impact**

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

**Communications Plan**

On January 11, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Maple Village Ratepayers Association. Through the circulation, no written comments were received by the Development Planning Department, and there were no concerns expressed by the public at the Public Hearing on February 4, 2008.

The recommendation of the Committee of the Whole to receive the Public Hearing report of February 4, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on February 11, 2008.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law on 33 low density residential lots within Phase 2 of approved Draft Plan of Subdivision 19T-04V05 described as the subject lands on Attachment #1, specifically to amend the RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four standards in By-law 1-88, to permit;

- a) a reduced interior side yard setback of 0.6 m in one yard, where it abuts a side yard of 1.2 m on the adjacent lot, rather than the minimum requirement of 1.2m in both interior side yards in the RD4 Zone; and,
- b) a reduced interior side yard setback from 1.2 m to 0.6 m, together with the required exterior side yard of 4.5 m, in the RD3 Zone.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 24, CW Report No. 16 – Page 2

The proposed zoning by-law amendment would facilitate the construction of single-detached dwellings on 33 lots.

#### **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located southwest of Major Mackenzie Drive and Bathurst Street, comprising Lots 43-56, 73-80, 85-88, 126-127, 132-135, and 140 within approved Draft Plan of Subdivision 19T-04V05. The surrounding land uses are shown on Attachment #1.

#### Official Plan

The subject lands are designated “Low Density Residential” by OPA #600 (Carrville Urban Village 2), which permits single detached residential dwellings. The proposed Zoning By-law Amendment conforms to the Official Plan.

#### Zoning

The subject lands are zoned RD3(H) Residential Detached Zone Three and RD4(H) Residential Detached Zone Four with the Holding Symbol “(H)” by By-law 1-88, subject to Exception 9(1231).

On June 15, 2005, Council enacted site-specific Zoning By-law 178-2005 (ie. Exception 9(1231), which implemented the zoning for approved Draft Plan of Subdivision 19T-04V05, including the RD3 and RD4 zone standards applicable to the 33 subject lots. Construction of Phase 1 of the overall subdivision has commenced with the applicant now proceeding with Phase 2 of which the 33 subject lots are included. The housing type to be used in Phase 2 is the same housing type used in Phase 1. However, the proposed housing type will not fit on the 33 affected lots based on the required interior side yard setback requirements for the RD3 and RD4 Zones and the proposed lot widths.

The current RD4 Zone standards permit a minimum interior side yard setback of 1.2 m with a reduced interior side yard setback of 0.6 m in one yard, where it abuts a side yard of 1.2 m on the adjacent lot, provided the subject lot has a frontage equal to or less than 9.5 m. There are 32 RD4 zoned lots within Phase 2 of the approved Draft Plan of Subdivision 19T-04V05 that have lot frontages of 9.8 m, which is 0.3 m larger, and would not permit a reduced interior side yard setback of 0.6 m in one yard. As a result, a minimum interior side yard setback of 1.2 m is required in both interior side yards of the 32 affected lots.

The current RD3 Zone standards for the one affected corner lot do not permit the same 0.6m reduction in the interior side yard as does the RD4 Zone. The one RD3 zoned corner lot has a lot frontage of 14.1 m, and would not facilitate a larger wrap-around porch which the applicant is proposing based on the existing interior side yard setback requirement of 1.2m and exterior side yard setback requirement of 4.5m.

The applicant is seeking to reduce the minimum interior side yard setback requirement from 1.2 m to 0.6 m in one side yard, where it abuts a side yard of 1.2 m on the adjacent lot, while maintaining the current minimum By-law requirement of 1.2 m in the other yard for the 32 RD4 zoned lots. The applicant is also seeking to reduce the minimum interior side yard setback from 1.2 m to 0.6 m, while maintaining the 4.5 m exterior side yard setback requirement for a corner lot in the RD3 Zone. The 32 RD4 lots are only slightly larger (0.3m) than the By-law permits to be eligible for the reduced interior side yard setback, and, the applicant proposes to construct a wrap around porch on the one RD3 corner lot which they seek relief of 0.6 m in the interior side yard to reinforce the visual streetscape and pedestrian focus within the community. The Development Planning Department considers the requested zoning change for the 33 lots to be appropriate and compatible with the surrounding community as the proposed development will not alter the character of the community and will promote a consistent residential housing type for Phases 1 and 2 of the overall subdivision development.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 24, CW Report No. 16 – Page 3

**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 proposed Zoning By-law Amendment affects 33 lots which are internal to an approved Draft Plan of Subdivision, and will not have implications on either of the adjacent Regional Roads. The Holding Symbol “(H)” will not be removed as part of this application, but will be considered for removal in a subsequent zoning by-law amendment application once the Region of York has confirmed that appropriate sanitary sewage and water servicing capacity is available to service the lots.

**Conclusion**

The Development Planning Department has reviewed the proposed Zoning By-law Amendment application to permit a reduced interior side yard setback from 1.2 m to 0.6 m in one yard, to facilitate the construction of 33 single-detached residential dwellings within the RD3 and RD4 Residential Zones. The reduced interior side yard setback that would be applicable to the 33 lots within Phase 2 of the subdivision would facilitate a consistent housing type which has been constructed in Phase 1. Accordingly, the Development Planning Department can support the approval of the proposed Zoning By-law Amendment application.

**Attachments**

1. Location Map

**Report prepared by:**

Ryan Mino, Planner 1, ext. 8213  
Arto Tikiryan, Senior Planner, ext. 8212

/LG

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 25, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

25

**STREET NAME APPROVAL  
DRAFT PLAN OF SUBDIVISION FILE 19T-03V20  
2032331 ONTARIO INC.**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008:

**Recommendation**

The Commissioner of Planning recommends:

THAT the following street names for approved Draft Plan of Subdivision File 19T-03V20 (2032331 Ontario Inc.) as shown on Attachment #2, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Via Borghese (approved October 9, 2007)
Street 'B'	Gambit Avenue

**Economic Impact**

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

**Communications Plan**

N/A

**Background – Analysis and Options**

The subject lands shown on Attachment #1 are located on the south side of Major Mackenzie Drive, east of Pine Valley Drive, in Lot 20, Concession 6, City of Vaughan.

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

The Vaughan Fire Department and the Development Planning Department have also reviewed the proposed street names, which are considered to be satisfactory.

**Relationship to Vaughan Vision 2020**

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

**Regional Implications**

The proposed street names are acceptable to the Region of York.

**Conclusion**

The Development Planning Department has no objection with the proposed street names for approved draft plan of subdivision 19T-03V20.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 25, CW Report No. 16 – Page 2

**Attachments**

1. Location Map
2. Draft Plan of Subdivision 19T-03V20

**Report prepared by:**

Jack McAllister, Senior GIS Technician, ext. 8209

/LG

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 26, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

26

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-07V13  
LANDUCON DEVELOPMENT (2004) LIMITED**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008:

**Recommendation**

The Commissioner of Planning recommends:

THAT Draft Plan of Condominium File 19CDM-07V13 (Landucon Development (2004) Limited) BE APPROVED, subject to the conditions set out in Attachment #1.

**Economic Impact**

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

**Communications Plan**

N/A

**Purpose**

The Owner has submitted a Draft Plan of Condominium on the subject lands shown on Attachment #2, consisting of one industrial use building, currently constructed, with a total gross floor area of 4,568.16m<sup>2</sup> and a total of 25 units and 102 parking spaces (Attachment #3).

**Background - Analysis and Options**

The subject lands shown on Attachment #2 are located south of Rutherford Road, on the west side of Keele Street (8888 Keele Street), City of Vaughan. The development received site plan approval from Council on January 16, 2006 (File # DA.05.032).

**Official Plan and Zoning**

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which provides opportunities for industrial, business and civic uses. The draft plan of condominium conforms to the Official Plan.

The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88, which permits industrial uses. The draft plan of condominium complies with the provisions of By-law 1-88.

**Site Development**

The 1.21 ha condominium site has 103.69 m frontage onto Keele Street. The site has two full movement accesses onto Keele Street, with the northerly access shared with the property to the north. The U-shaped building consists of 25 units and is centred on the lot and faces Keele Street. A total of 102 parking spaces have been provided, including 2 spaces for disabled persons. The draft plan of condominium is in accordance with the approved Site Plan File DA.05.032.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 26, CW Report No. 16 – Page 2

**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 Region of York has reviewed the proposed condominium plan and has no objections to its approval.

**Conclusion**

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

**Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Condominium 19CDM-07V13

**Report prepared by:**

Christina Napoli, Planner, ext. 8483  
Arto Tikiryán, 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**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 27, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**27**

**DRAFT PLAN OF SUBDIVISION FILE 19T-06V03  
1463291 ONTARIO INC., C/O DUNPAR HOMES  
REPORT #P.2006.62**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008:**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Draft Plan of Subdivision File 19T-06V03 (1463291 Ontario Inc., c/o Dunpar Homes) as shown on Attachment #3, BE APPROVED, subject to the conditions in Attachment #1.
2. THAT the subdivision agreement shall contain a provision requiring the Owner to pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 1 ha per 300 units of the value of the subject lands, prior to the issuance of a building permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
3. THAT Council adopt the following resolution with respect to the allocation of sewage and water servicing capacity:

"IT IS HEREBY RESOLVED THAT Subdivision Application 19T-06V03 (1463291 Ontario Inc., c/o Dunpar Homes) is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 114 residential units."
4. THAT the subdivision agreement contain a condition requiring the Owner to enter into a Site Development Agreement or Letter of Undertaking, whichever is in effect, and any other agreements(s) with Vaughan that are necessary to carry out the ultimate development of the site to address among other matters, municipal services, fencing, noise, road widening, grading, and maintenance easements, etc., to the satisfaction of Vaughan.
5. THAT the Owner shall enter into a "No Pre-Sale" Agreement with the City of Vaughan prior to the City issuing a Notice of Decision of Draft Plan of Subdivision Approval, as set out in the Region of York Conditions on Attachment #1.

**Economic Impact**

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

**Communications Plan**

**Public Hearing**

On August 25, 2006, a Notice of Public Hearing was mailed to all property owners within 120 m of  
.../2

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 27, CW Report No. 16 – Page 2

the subject lands, and to the Kipling Avenue Ratepayers Association and West Woodbridge Homeowners Association. At the Public Hearing on September 18, 2006, Council considered related applications to amend the Official Plan and Zoning By-law, and the subject Draft Plan of Subdivision. At the meeting, several residents spoke in opposition to the proposed development expressing concerns with the proposed intensification, built form, traffic and consideration of the applications prior to the completion of the Kipling Avenue Corridor Study. The recommendation of the Committee of the Whole, to receive the Public Hearing report and to forward a technical report to a future Committee meeting, was ratified by Council on September 25, 2006.

On September 26, 2006, a petition in support of the proposed development with 7 names on it was submitted to the City. The petition expressed support for the proposed development and its consideration prior to the completion of the Kipling Avenue Corridor Study.

On June 25, 2007, Council approved the related Official Plan and Zoning By-law Amendment Applications (Files OP.06.008 and Z.06.022), and also adopted Official Plan Amendment #676 and enacted Zoning By-law 231-2007, to facilitate the proposed townhouse development.

On March 14, 2008, a Notice was sent to all individuals requesting notification of this Committee of the Whole meeting.

#### **Purpose**

The Owner has submitted a Draft Plan of Subdivision Application (File 19T-06V03) to create seven separate blocks as shown on Attachment #3, under a single Registered 65M-Plan. Block 1 will accommodate the lands for 116 residential townhouse units with lot frontage ranging between 4.2m to 5.03 m, and common element roads, amenity space and parking areas as shown on the proposed site plan on Attachment #4. An open space buffer area identified as Block 2, and road widenings (including reserves) identified as Blocks 3 to 7 as shown on Attachment #3, will be dedicated to the Toronto and Region Conservation Authority and City of Vaughan, respectively.

#### **Background - Analysis and Options**

The subject lands shown on Attachment #1 represent an assembly of 2 properties (8299 and 8355 Kipling Avenue) into one 2.18 ha parcel. The subject lands are located on the east side of Kipling Avenue, south of Langstaff Road, in Lots 9 and 10, Concession 7, City of Vaughan.

The subject lands are irregular in shape and relatively flat with heavily vegetated croppings comprised of trees and shrubbery scattered throughout the property. Mature trees and a significant tree stand are located along the north and east property lines abutting the Board of Trade Golf Course and along the south lot line. There are two structures and a tennis court located on the parcel, which are to be demolished to facilitate the proposed development. The surrounding land uses are shown on Attachment #2.

#### **Land Use Status**

##### **Official Plan**

OPA #240 (Woodbridge Community Plan), as amended by site-specific OPA #676, designates the subject lands "Medium Density Residential", and permits a maximum of 116 residential freehold block townhouse units served by a common element private driveway system, visitor parking, landscaped areas, and an 18 m buffer area that also includes a 10 m ecological buffer, on the subject lands. The proposed draft plan of subdivision would facilitate the creation of the appropriate Blocks to implement the intended residential development and open space areas contemplated by OPA #676, and therefore conforms to the Official Plan.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 27, CW Report No. 16 – Page 3

#### Zoning

On June 25, 2007, Council enacted By-law 231-2007 to rezone the subject lands from R1 Residential Zone to RM2(H) Multiple Residential Zone with the Holding Symbol (H) for the tablelands and OS1 Open Space Conservation Zone for the valleylands/open space buffer areas, all under By-law 1-88, subject to Exception 9(1289). Servicing capacity was unavailable for the proposed development, and therefore, the lands were zoned with the Holding Symbol "(H)". Since the enactment of the Zoning By-law, the Vaughan Engineering Department has confirmed that water and sanitary sewer servicing capacity is available for all 116 units within this development. A resolution has been included in the recommendation of this report to provide servicing allocation to 114 units (the application is credited with 2 residential units for the two existing service connections). The Holding Symbol "(H)" will remain on the subject lands until a Site Development Application is approved by Council at a future meeting.

The review of the related Site Development Application (File DA.07.066) is almost complete, with the site plan and elevations being generally acceptable as far as building siting, design, and materials are concerned. The applicant is proposing to construct 12 model home units. The approval of the model home units will be through the site plan process, upon confirming the final site design and building elevation details for the entire townhouse development.

#### Planning Considerations

##### Subdivision Design

The draft plan of subdivision shown on Attachment #3, proposes the division of the subject lands into 7 separate blocks under one single Registered 65M Plan. This will enable the residential block (Block 1) to be developed through a separate related Site Development Application (File DA.07.066) with the individual freehold lots to be created through the lifting of Part Lot Control as shown on Attachment #4. The subdivision will also facilitate the conveyance and dedication of Block 2 to the Toronto and Region Conservation Authority as an open space buffer area, and Blocks 3, 4, 5, 6 and 7, for roads and reserves to the City of Vaughan.

The common element areas including the private amenity areas, visitor parking, and driveways will be created through the subsequent Draft Plan of Condominium process. The site will be developed as a condominium complex with a private driveway system, therefore, snow removal and garbage and recycling pick-up will be privately administered and the responsibility of the condominium corporation.

##### Parkland Dedication

The Parks Development and Real Estate Departments have reviewed the draft plan of subdivision proposal and have indicated that cash-in-lieu of parkland at a rate of 1ha/300 units will be applicable and equivalent to a total Parkland Dedication of 0.387 ha. Parkland is not being provided in the draft plan, and therefore, cash-in lieu of parkland will be required to be paid prior to the issuance of a building permit, in accordance with the City's Cash-in lieu Policy.

##### Preliminary Site Plan

The Owner has submitted a Site Development Application (File DA.07.066), as shown on Attachment #4. The plan proposes 116 residential townhouse units distributed over 16 residential blocks. The proposed townhouse units have lot frontages ranging from approximately 4.2 m to 5.03 m in width, all accessed by a common element private driveway. The interior of the site is designed with the more urban oriented 4.2 m frontage lots with rear laneway access and amenity patio area located above the garage of the townhouse units. The periphery of the site includes

.../4

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 27, CW Report No. 16 – Page 4

the 5.03 m frontage lots, with units having a front door and individual parking area located in the front yard and with the amenity area in the rear yard.

The site is accessed by a crescent/ring driveway that provides two access points onto Kipling Avenue and to several laneways, all of which are common elements to the residential units. Parking areas dedicated for visitor parking are proposed primarily in two locations, as shown on Attachment #4. A landscaped amenity area is centrally located on the subject lands.

The Development Planning Department is generally satisfied with the preliminary site plan. However, certain design issues as discussed earlier, will need to be reviewed in more detail through the site plan process stage.

#### Buffer Block

The applicant proposes to dedicate an open space buffer block (Block 2) as shown on Attachment #3 to the Toronto and Region and Conservation Authority (TRCA).

The 4,470.43 m<sup>2</sup> open space buffer block is located along the north and easterly lot lines, and has a width of 18 m taken from the stable slope of the natural/physical top of bank, and includes a 10 m wide ecological buffer area.

The Buffer Block will be dedicated to the TRCA through the approval of this Draft Plan of Subdivision.

#### Energy Star

On November 12, 2007, Vaughan Council adopted Energy Star Conditions to be included in all residential Draft Plan of Subdivision approvals. The Subdivision Plan will be subject to the Energy Star requirements, and the conditions of approval are provided on Attachment #1. The approval of the townhouse dwellings will be forthcoming in a separate report for the related site development application.

#### Engineering

##### i) Servicing Allocation

The Vaughan Engineering Department has confirmed that the proposed development has water and sewer servicing allocation available for 114 residential units from the future residential unit assignment held by Council on February 26, 2007, which will be distributed at Council's discretion. The subject application proposes a total of 116 townhouse units and will proceed as a common element condominium townhouse development. The application is credited 2 residential units for the existing service connections at 8299 and 8355 Kipling Avenue resulting in the allocation requirement of only 114 residential units.

##### ii) Environmental Site Assessment (ESA)

Prior to the registration of the plan of subdivision, or approval of any Site Development Application or building permit application, whichever comes first, Water and Earth Science Associates Ltd. (WESA) must certify, to the satisfaction of the City, the following:

- the septic system at 8299 and 8355 Kipling Avenue are properly decommissioned in accordance with the appropriate standards and regulations; and
- all the above ground storage tanks and the underground storage tanks are properly removed and disposed from the site.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 27, CW Report No. 16 – Page 5

iii) Engineering Servicing

This Plan of Subdivision is serviced by storm sewers, sanitary sewers and watermains that connect to existing services on Kipling Avenue. The sanitary sewer within the Kipling Avenue right-of-way is proposed to be extended north, from the intersection of Kipling Avenue and Chavender Place, to the subject lands, to facilitate the servicing of the site. A Servicing Agreement will be required prior to construction of these services.

iv) Noise Attenuation

The Owner shall provide a Noise Report to the satisfaction of the City, and it is recommended that all noise control measures as required by the report be implemented in the Plan.

v) Other

Any/all telecommunications and hydro utility buildings/easements are to be identified on the draft plan.

The City Engineering Department has no objection to the proposed draft plan of subdivision, subject to the Conditions of Draft Approval set out in Attachment #1.

Toronto and Region Conservation Department

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed development as shown on Attachments #3 and #4 and all relevant supporting material. The TRCA has advised that issues with respect to Water Balance, Water Quality and Sedimentation and Erosion Control, Tree Preservation and Fencing can be satisfactorily addressed through the development process to their satisfaction. Accordingly, the TRCA recommends approval of Draft Plan of Subdivision 19T-06V03 subject to Conditions of Draft Approval set out in Attachment #1.

Bell Canada/Canada Post

Bell Canada and Canada Post have no objections to the proposed draft plan of subdivision, subject to the Conditions of Draft Approval set out in Attachment #1.

School Boards

The York Region District School Board, York Catholic District School Board, and Conseil Scolaire de District Catholique Centre-Sud, have no objections to the approval of the proposed draft plan of subdivision.

**Relationship to Vaughan Vision 2020**

This report is consistent with Vaughan Vision 2020, specifically to "Plan and Manage Growth and Economic Vitality".

**Regional Implications**

In accordance with York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, the Region is requesting that all residential lands be subject to various restrictions to ensure that the water and sewer servicing are available prior to occupancy including:

- the Owner not enter into any agreement of purchase and sale with end-users and non end-users until such servicing allocation is available;

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 27, CW Report No. 16 – Page 6

- the Owner enters into an Indemnity Agreement with the Regional Municipality of York; and
- the use of the Holding Symbol "(H)" provisions in the Zoning By-law.

A Condition of Approval is included in the recommendation section of this report requiring the Owner to enter into a No-Pre Sale Agreement, prior to the issuance of the Notice of Decision for the proposed draft plan of subdivision, if approved. This will ensure that no units are offered for sale prior to allocation for servicing being confirmed by the Region and City.

In addition York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and the Region be provided an opportunity to comment on any proposed extensions of draft plan of subdivision approval. The Region of York has no objections to the proposed draft plan of subdivision, subject to the conditions of Draft Approval set out in Attachment #1.

#### **Conclusion**

The Development Planning Department has reviewed the proposed Draft Plan of Subdivision in the context of the Official Plan, By-law 1-88, and the existing and proposed development in the vicinity of the subject lands. The Development Planning Department has no objection to the approval of the proposed draft plan of subdivision as it would consolidate the parcel and bring it under a single registered 65M-Plan, facilitating the development of a residential townhouse block through a future site plan application consistent with the policies of the Official Plan.

On this basis, the Development Planning Department can recommend approval of the Draft Plan of Subdivision, subject to the recommendations in this report and the conditions of approval set out in Attachment #1

#### **Attachments**

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Subdivision 19T-96V03
4. Proposed Site Plan

#### **Report prepared by:**

Eugene Fera, Planner, ext. 8064  
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.)

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 28, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**28                      ONTARIO BUILDING CODE ACT ANNUAL FINANCIAL REPORT  
                                 BUILDING STANDARDS DEPARTMENT**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Director of Building Standards, dated March 25, 2008:**

**Recommendation**

The Commissioner of Planning and the Director of Building Standards in consultation with Finance Department Staff recommends that the Building Standards Department Annual Financial Report be received for information.

**Economic Impact**

None

**Communications Plan**

The Building Standards Department will make copies of the report available to the public and every person(s) and/or organization(s) that has requested a copy as required by the Building Code Act and Building Code. To date, staff have not received any requests for information.

**Purpose**

To provide Council information respecting the Building Standards Department Annual Financial Report.

**Background - Analysis and Options**

As part of the recent amendments to the Ontario Building Code Act and Building Code (Bill 124), the City shall prepare an annual financial report and provide information on the following matters:

- i) Total Fees Collected (12 month period)
- ii) Direct Costs of Administering the Act (Plans Review and Inspections)
- iii) Indirect Costs (Support and Overhead Costs)
- iv) The account balance for the Building Permit Reserve Fund that has been established by Council.

Attached as Attachment 1 is a copy of the Annual Report that has been prepared for 2007 and is based on unaudited information.

This report has been prepared in consultation with Finance Department Staff and is based on Council's previous approvals respecting the C.N. Watson Activity Based Costing Methodology For User Fees Report, and the establishment of the Building Standards Service Continuity Reserve fund.

**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.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 28, CW Report No. 16 – Page 2

**Regional Implications**

None.

**Conclusion**

This report should be received for information.

**Attachments**

Attachment 1 - A copy of the 2007 Annual Report.

**Report prepared by:**

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

Leo Grellette, Director of Building Standards Ext. 8218

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



CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 29, Report No. 16, 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 the following recommendation contained in the additional report of the Commissioner of Legal and Administrative Services, dated March 31, 2008:***

***“The Commissioner of Legal and Administrative Services, in consultation with the Director of Purchasing Services, recommends that Mr. Ken Froese, CA of the firm of LEGC Canada Ltd. and Glen R. Davison, CA be appointed to conduct the Compliance Audit pursuant to Section 81(6) of the Municipal Elections Act with regard to the campaign finances for the 2006 municipal election of Linda D. Jackson at an estimated cost of \$26,250.00 inclusive of G.S.T.”***

29

**AWARD OF REQUEST FOR PROPOSAL-RFP08-100  
ACCOUNTANT TO CONDUCT A MUNICIPAL ELECTION  
COMPLIANCE AUDIT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Legal Services, dated March 25, 2008:

**Recommendation**

The Director of Legal Services recommends that a report regarding the Request for Proposals be brought to the Council meeting of March 31, 2008.

**Economic Impact**

The economic impact is not known at this time. It will be included in the report to Council.

**Communications Plan**

Not Applicable at this time.

**Purpose**

The purpose of this report is to advise Council that a report regarding the award of Request for Proposal RFP08-100 for an auditor to conduct a compliance audit will be forwarded to the Council Meeting scheduled for March 31, 2008.

**Background - Analysis and Options**

On February 25, 2008, Council directed that a Request for Proposal be issued for an auditor to conduct a compliance audit pursuant to section 81(6) of the Municipal Elections Act, 1996 in regard to the 2006 Municipal Election Campaign finances of Mayor Linda D. Jackson. Request For Proposal RFP08-100 was issued on March 6, 2008. It was advertised on the City Page on March 6, on the Electronic Tendering Network (Biddingo), and on the Ontario Public Buyers Association website, with a closing date of March 25, 2008. Upon closing, the Proposals will be evaluated and a report will be brought to the Council Meeting of March 31, 2008 for award.

**Relationship to Vaughan Vision 2007**

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

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 29, CW Report No. 16 – Page 2

**Regional Implications**

Not applicable.

**Conclusion**

A report recommending award of Request For Proposal RFP08-100 will be brought to the Council Meeting scheduled for March 31, 2008.

**Attachments**

None

**Report prepared by:**

Heather Wilson  
Director of Legal Services

Councillor DiVona declared an interest with respect to the foregoing matter as it may relate to a personal litigation matter, and did not take part in the discussion or vote on the matter.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 30, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

30

**ONTARIO CONFEDERATION OF SICILY AGREEMENT**

The Committee of the Whole recommends:

- 1) That Clauses 1, 2 and 3 of the recommendation contained in the following report of Councillor DiVona, dated March 25, 2008, be approved; and
- 2) That the Local Councillor not play a role with respect to this matter but that the matter be referred directly to staff for resolution.

**Recommendation**

Councillor Bernie DiVona recommends:

1. That the City of Vaughan City receive this report.
2. That Senior Management be directed to conduct a review of matters contained herein, to include and not limited to : Vaughan Council's September 2003 approval to provide space at Chancellor Community Centre (attachment #1) with the Ontario Confederation of Sicily (OCS); the administration, management and reporting of the City of Vaughan Council's decision from September 2003 to date as outlined in this report; and bring forth any draft agreement or recommendation to finalize the direction of Vaughan Council.
3. That Senior Management take any/all actions deemed necessary to bring back a report and address issues raised by their review within the next 30 days.
4. That Council direction be provided as to the role Councillor Bernie DiVona is permitted to take with respect to this matter given the request by both the OCS and Recreation Department to resolve this matter.

**Economic Impact**

**Purpose**

The City of Vaughan Council is being requested to direct the City of Vaughan staff to finalize and execute the City of Vaughan Council's September 2, 2003 with the OCS (see appendix 1).

The City of Vaughan Council's decision:

1. ***"That the City of Vaughan enter into an agreement with the Ontario Confederation of Sicily for the use of space at the Chancellor Community Centre."***

The OCS has not been provided any draft agreement from September 2003 to the present. The OCS gained use and access of the space at Chancellor Community Centre in 2005. The economic impact is dependant now upon the commencement date of the "agreement" and the rate to be applied. The anticipated economic impact cannot be determined at this time.

2. ***"That a By Law be enacted to authorize the execution of a license agreement upon the City of Vaughan Solicitor being satisfied with the terms of the said agreement":***

The City of Vaughan provided the "keys" and removed from circulation two rooms at Chancellor Community Centre in 2005, in exchange for a "license agreement" to include a "library/cultural

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 30, CW Report No. 16 – Page 2

Centre” as per the report by the Commissioner of Community Services of February and September 2003. To date, the OCS has advised they have not entered into any negotiations with The Recreation Department. The economic impact is dependant on what can be negotiated and the result of the “use of space” that has not been finalized.

**3. “That any renovations to the facility to accommodate the Confederation be at their cost.”**

The City of Vaughan Council's approval was subject to full cost recovery by OCS. In 2004 and 2005 the Building and Facilities Department incurred \$17,000 costs at Chancellor Community Centre to accommodate OCS. The OCS have advised they had no knowledge of this condition, and now refuse to pay these costs. There is an economic impact as to the “renovations” that had been incurred. The OCS has requested that I intervene to eliminate this cost. I advised I am unable to violate Council direction, but would have to obtain direction.

**4. Provide the taxpayers of Vaughan an “exchange value” or benefits for the loss of space.**

Chancellor Community Centre has limited available general public uses with additional programming and other user requests. Recreation space availability:

Rooms

- Youth Room (pre determined and at capacity)
- Senior Room (pre determined and at capacity)
- Program Room (pre determined and at capacity)
- Meeting Room (available for meetings save and except Monday and Friday)
- OSC Room (removed from circulation and subject to this report)

Recreation Facility

- Bocce Courts operate with two bocce clubs and at capacity;
- Gym booked regularly and at capacity
- Pool coordinated by a separate co-ordinator

The OCS had promised/committed to provide a “**library/cultural**” centre with books to be made available to the East Woodbridge Seniors and other members of the community. Their deputation of Feb 2003 included the expressed desire to invite youth to attend their centre for the purpose of enhancing their culture and language. To date, there remains no formal request from the City of Vaughan Recreation Department to commence or advance these goals or programs. The City of Vaughan provided the keys to the OCS in the fall of 2005. (he taxpayer's of Vaughan have a right to these benefits as we have carried out our commitment with the OCS.)

**Background - Analysis and Options**

The Ontario Confederation of Sicily (OCS) had been looking for space in Vaughan to house their proposed “library/cultural centre” since their meetings with senior management and members of council in 2002.

In February 2003, the OCS made a deputation to request space at Vellore School, Blue Willow Senior Building and lastly, Chancellor Community Centre (attachment #2). Staff were directed to work with OCS to work out the details and particulars of their need and request.

In September 2003, the City of Vaughan Council gave our approval to the OCS, (appendix 1) “that the **City of Vaughan enter into an agreement with the OCS for the use of space at the Chancellor Community Centre**”. Further, the City of Vaughan Council's approval was subject to

.../3

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 30, CW Report No. 16 – Page 3

a condition “any **renovations to the facility to accommodate the Confederation be at their cost.**” Further an enacting bylaw was to be passed upon the satisfactory approval of the terms of the agreement.

On October 26, 2003, the City of Vaughan Recreation Department holds a community meeting to discuss the expansion of Chancellor Community Centre for the “fall of 2004”. The OSC decision is announced to the public and the East Woodbridge Seniors lends their support.

On May 16, 2004, the City of Vaughan Recreation Department holds a community meeting to show a revised chancellor community centre plan and that there will be a delayed opening to the “spring of 2005”.

On June 4, 2004, the OSC provides the City of Vaughan with their revised plans and requests a change in the room with a fire rated steel door to be installed between their two rooms.

The City of Vaughan expanded Chancellor Community Centre during 2004 and 2005 and again met with the OCS to determine their needs for “space”. The City of Vaughan Building and Facilities met the property needs of the OCS and in the fall of 2005 provided the OCS keys to their rooms. Vaughan Council approval was subject to these costs to be absorbed by the OCS. The Recreation Department did not enter into any agreement nor bill the OCS as per Council’s direction at any time.

The OCS had an “official opening” on Jan 21, 2006, concurrent with the expansion celebration of Chancellor Community Centre. The OCS has not entered into any agreement or rental fees, nor has any draft agreement been provided to the OCS. (The City of Vaughan has lease agreements with other city owned buildings and heritage homes. It is inappropriate for Members of Council to officiate at any event when there are issues with permits or agreements. This was not made known by staff to Members of Council prior to or during the official opening celebration of the OCS Chancellor Centre.)

In May 2007, the Recreation Department Area West Supervisor sent the OCS a notice of change in the rental fees reflecting the current approved rental rate notwithstanding Vaughan Council’s direction that an “agreement be entered” into. The OCS objected to the notice of rental fee change as they feel that the terms of the use should remain -- “free” use and they should not be subject to the normal market rate. (They were given the keys in 2005 and there is no record of any agreement, any request for an agreement, any rate negotiations, or request for monies from the OCS by the City of Vaughan).

In May 2007, the OCS and Recreation Department request my intervention and assistance.

In June and July 2007, I requested a copy of the agreement and any information our staff have with any of the issues. The Recreation Department provide a copy of Council’s decision so there was full knowledge of Council’s decision, but Recreation management at Chancellor and Area Supervisor did not have any information or any information with any “agreement” or “bylaw” as required by Vaughan Council’s decision. (I had been working with both the Area West Supervisor and Director of Recreation. The Commissioner of Community Services was copied on all emails.)

In July 2007 I requested the “agreement” and when I was unable to receive any information from the Recreation Department Area Supervisor and Director of Recreation, I requested directly from the Legal Department a copy of the “agreement” and the “bylaw” to enact the agreement as per Council’s September 2003 decision. The Legal Department had advised they have “no record of any agreement, no assistance has been requested” by the Recreation Department with the OCS September 2003 decision. The Area Supervisor and Director both advise that they have no further information to provide.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

#### Item 30, CW Report No. 16 – Page 4

In July 2007 a meeting is held with 4 representatives from the OSC, Director-Recreation, Area West Supervisor and myself. It is resolved that the Area West Supervisor is to finalize the agreement with the OSC and establish the “library/cultural” centre at Chancellor Community Centre. The Director was to look at opportunities to waive or provide consideration for the “renovation costs”. I advised that I cannot knowingly breach any Council approval, but would be prepared to work with the groups.

August 2007, the Recreation Department provides the OSC with a “CSO application” and requests they apply for CSO status. CSO status would provide the lower CSO rate and it would not take into consideration any of the additional benefits we are to receive through a “library and cultural centre”. The OSC objects to the City of Vaughan’s desire to make them qualify to enter into an agreement. The Recreation Department rejects the OSC as they are not a CSO. The OSC is a “federation” and therefore they have member agencies rather than a list of specific members so they would NOT QUALIFY as a CSO. (Council did not direct, suggest or imply that a CSO rate be applied vs. an agreement. In fact, an “agreement” and a “license agreement” were to be negotiated.)

On August 15, 2007 I met with Director of Recreation and requested we finalize the agreement with the OSC and that CSO status is not appropriate given the type of organization “federation”. Once again, the Area West Supervisor was directed to work with the OSC.

On September 24, 2007, I request an update and advised that the Recreation Department is awaiting a response for “additional information” from OSC. The OSC has advised both the Area West Supervisor and myself that they refuse to provide or release confidential information as membership lists belong to the member associations and not the Federation. Further, the Recreation Department has asked for financial statements of the OSC and member agencies. The OSC is unwilling to provide financial statement of their member associations or clubs. The City of Vaughan Council had approved of the organization and the financial statements would not reflect the OSC.

On October 10, 2007 the OSC advises they will be undergoing a change in governance but would like to have this matter resolved and to hold an event at Chancellor. Staff advise that they can continue to use the facility.

On November 27, 2007, I requested a draft copy of the agreement. I am advised by the Area West Supervisor there is no agreement and that he felt the Director was working on it. As the Director had submitted her resignation, and as the Area West Supervisor was assigned the matter on July 25, 2007, I had requested a copy of all correspondence with any issues. Further, none of the correspondence that had been initiated re the CSO or additional information by the Recreation Department had been subject to any follow-up.

On November 27, 2007, I drafted an item to be brought forward for an ‘in camera’ to be held on December 3, 2007. City Manager pulls the item and advises it can best be handled by management without this matter coming to Council. I agree to support the City Manager and Commissioner of Community Services subject to having this matter resolved with the OSC.

On January 16, 2008, I write again to the Commissioner of Community Services, Area West Supervisor and Chancellor Supervisor “I request you review council direction and your own response ...” Area West Supervisor writes, “**regarding the Sicilian group, I do not know what draft agreement you refer to. Paul.**” There is only one “agreement” that Vaughan Council had approved with the “Sicilian group” and only one agreement that was outstanding, and only one agreement that has been subject to overwhelming efforts.

On January 16, 2008 Area West Supervisor writes, “the final word from the meeting last summer that you, I and Diane attended was that Diane was going to work something out and follow-up  
.../5

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 30, CW Report No. 16 – Page 5

with them. To my knowledge, nothing was “worked out” Are you suggesting that I proceed to apply the approved rates for leasing office space and permitting meeting rooms? ...” This is contrary to the written notice he had provided, communication with them for CSO status that had gone nowhere, nor any negotiations of the library and cultural centre programming that was directed to be put into place by Vaughan Council. Absolutely nothing has happened since the September 2003 decision while Chancellor Community Centre is under his direct control and authority. (Only after the Director has departed by several months was there any expression that

it was the fault of the former Director while the Area West Supervisor provided the September 2003 Council decision to all parties during the July 2007 meeting. As a result, all parties were fully aware of the decision and requirements.)

In February 2008, I am advised by the OCS that there is a trip to Delia and have expressed they would like all matters with the September 2003 decision to be finalized. I contact the Area West Supervisor to once again request the status of the agreement and he advises that he has been unable since August 2007 to obtain information regarding their CSO application. Regrettably, the decision in no meaningful manner has advanced.

In March 2008, I am requested to meet with the OCS and senior management to discuss the “agreement” and cancel the meeting as I have no evidence of any terms being negotiated, any development of any of the programming or any determination of any costs or uses.

#### **4. Review and take the necessary administrative and/or operational changes as a result of their review and information contained herein.**

The City of Vaughan Council has initiated a policy in which Council approved items are to be tracked, deadlines are established and included within an “outstanding items” report. The City of Vaughan September 2003 decision has been removed from the “outstanding items” report thereby preventing any information or knowledge by Council.

Vaughan Council does not receive agreements so there is no mechanism by which we can understand the “terms” that are negotiated or the status of agreements.

The City of Vaughan has instituted in 2007 a policy, to ensure timely response to inquiries. The City of Vaughan Council September 2003 decision is fully outstanding.

#### **Relationship to Vaughan Vision 2007**

This report reflects the strategic goal of service excellence and in particular the strategic objective to preserve our heritage and support diversity, arts and culture.

#### **Conclusion**

This report is requesting a full review of the matters contained in this report with the management, operations, and execution of the City of Vaughan’s Council September 2003 decision with the hope and expectation that we can resolve all matters and initiate the library and cultural centre. I want to repair the relationship with the OCS and their member clubs and associations.

#### **Attachments**

Extract from Council Meeting Minutes September 8, 2003.

Extract from Council Meeting Minutes June 9, 2003.

Additional emails and correspondence available for review by management.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 30, CW Report No. 16 – Page 6

**Report prepared by:**

Councillor Bernie DiVona

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



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

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

**31**

**DEPUTATION – MS. SUSAN DOBSON  
WITH RESPECT TO THE WOMEN’S SUPPORT NETWORK OF YORK REGION**

The Committee of the Whole recommends that the deputation of Ms. Susan Dobson, Public Education Outreach Worker and Counsellor, Women’s Support Network of York Region, 1110 Stellar Drive, Unit 109, Newmarket, L3V 7B7, and written submission dated February 5, 2008, be received and referred to staff.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 32, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

**32**

**DEPUTATION – MS. ISABELLA FERRARA (S.A.V.I.)  
WITH RESPECT TO SERVICES AND PROGRAMS PROVIDED**

The Committee of the Whole recommends that the deputation of Ms. Isabella Ferrara, Chair, Seniors Association of Vaughan Initiative (S.A.V.I.), 70 Tigi Court, Suites 15 & 16, Vaughan, L4K 5E4, and written submission dated March 25, 2008, and brochures submitted, be received and referred to staff for a report.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 33, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

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**33                    DEPUTATION – MR. ERIC GILLESPIE, LL.B. WITH RESPECT TO  
                          REQUESTING A COMPLIANCE AUDIT UNDER THE MUNICIPAL ELECTIONS ACT**

**The Committee of the Whole recommends that the deputation of Mr. Eric K. Gillespie, LL.B., Cunningham & Gillespie LLP, 10 King Street East, Suite 600, Toronto, M5C 1C3, and the affidavit of Quintino Mastroguiseppe and Gino Ruffolo, be received and referred to staff for a report to the Council meeting of March 31, 2008.**

Please refer to Minute No. 66, Council meeting March 31, 2008, for further disposition regarding this matter.

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 34, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

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**34      NEW BUSINESS – FELLOW OF THE ROYAL SOCIETY FOR THE ENCOURAGEMENT OF THE ARTS, MANUFACTURES & COMMERCE AWARD TO COUNCILLOR CARELLA**

Regional Councillor Frustaglio, on behalf of Council and the City of Vaughan, congratulated Councillor Carella on being the recipient of the Fellow Of The Royal Society For The Encouragement Of The Arts, Manufactures & Commerce Award, in recognition for his work in promoting good citizenship.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008**

Item 35, Report No. 16, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

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**35**

**NEW BUSINESS – VERBAL REPORT  
WITH RESPECT TO THE TRADE MISSION TO CHINA**

Regional Councillor Frustaglio and Councillor Yeung Racco provided a verbal report on the City of Vaughan's Trade Mission to China, and expressed appreciation to staff and to all those involved in making the Mission a success.