

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 1, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

**1 PROCLAMATION AND FLAG RAISING REQUEST
CANCER AWARENESS MONTH**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated March 31, 2009:

Recommendation

The City Clerk recommends:

- 1) That April 2009 be proclaimed as "Cancer Awareness Month";
- 2) That the "Vaughan in Motion" flag be raised at the City of Vaughan Civic Centre in the month of April for a period no longer than one week in accordance with the Flag Raising/Half Masting Policy; and
- 3) 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 space availability.

Purpose

To respond to the request received from the President & Co-founder, Vaughan in Motion to Cure Cancer.

Background - Analysis and Options

The correspondence received from the President & Co-founder, Vaughan in Motion to Cure Cancer, dated March 4, 2009 is attached. (Attachment #1).

A request has been received from Vaughan in Motion to Cure Cancer to proclaim April as Cancer Awareness Month. They also request that the City of Vaughan Council authorize the raising of the "Vaughan in Motion" flag from Monday, March 31st up until April 31st, 2009. The City's Flag Raising/Half Masting Policy provides that the flags of non-partisans, non-profit, charitable organizations shall be flown at the City of Vaughan Civic Centre upon written request and on the understanding that the individual flag will not be flown for a period longer than one week.

Vaughan in Motion to Cure Cancer is a not-for-profit corporation that organizes events to benefit programs and equipment for cancer care and the new Vaughan Hospital. Fundraising events include The Gala to Cure Cancer, The Walk to Cure Cancer and Fore the Cure Golf Tournament. The City of Vaughan has in previous years proclaimed April as Cancer Awareness Month.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 1, CW Report No. 18 – Page 2

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 Strategic Plan

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

Regional Implications

N/A

Conclusion

Staff is recommending that April 2009 be proclaimed as "Cancer Awareness Month", that the "Vaughan in Motion" flag be raised at the City of Vaughan Civic Centre for one week in the month of April 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 Vaughan in Motion to Cure Cancer, dated March 5, 2009

Report prepared by:

Connie Bonsignore, Administrative Assistant

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 2, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

2

**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 City Clerk, dated March 31, 2009:

Recommendation

The City Clerk recommends:

- 1) That May 2009 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 Fundraising & Development Coordinator of Child Find Ontario, dated March 2, 2009.

Background - Analysis and Options

Child Find Ontario is a registered charitable children’s organization whose mandate is to assist parents and law enforcement agencies search for missing children and teenagers. Child Find Ontario wishes to increase public awareness of this problem and help reduce the incidence as well as help locate missing children. This year, Child Find Ontario celebrates its 18th Green Ribbon of Hope month in May as well as celebrating their 25th year anniversary.

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/Strategic Plan

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 APRIL 14, 2009

Item 2, CW Report No. 18 – Page 2

Regional Implications

N/A

Conclusion

Staff is recommending that May 2009 be proclaimed as “The Child Find Ontario – Green Ribbon of Hope Month”; and that the proclamation be posted on the City’s website and published on the

Attachments

Attachment #1 Correspondence from Child Find Ontario, dated March 2, 2009

Report prepared by:

Connie Bonsignore, Administrative Assistant

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 3, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

**3 NAYLON STREET ONE-WAY REVIEW
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Rosati, dated March 31, 2009:

Recommendation

Regional Councillor Gino Rosati recommends that:

1. Engineering Services Department staff conduct the necessary traffic infiltration, volume and speed studies to determine the need and justification of making Naylon Street between Jackson Street and Keele Street one-way eastbound in response to resident concerns about traffic infiltration through the community;
2. That following the completion of the engineering studies, a community meeting be convened to consult with the residents about the findings and recommendations; and;
3. That a report be brought to a future Committee of the Whole meeting regarding the results of the studies, community input and recommendations.

Economic Impact

There is no economic impact resulting from this report.

Communications Plan

Following approval of the recommendation of this report and when the study results are available, staff would co-ordinate a meeting of the area residents and the Ward 1 Sub-Committee and distribute notices of the meeting through door-to-door distribution, place an ad in the local papers and posting on the City's web site.

Purpose

To initiate the traffic studies necessary to determine the need and justification for prohibiting west bound traffic on Naylon Street between Keele Street and Jackson Street.

Background - Analysis and Options

Naylon Street is a local residential street intersecting with Keele Street in the Historic Maple Community. The area road network is illustrated in Attachment No. 1.

Northbound drivers on Keele Street wishing to travel west on Major Mackenzie Drive are faced with delays due to queues experienced on Keele Street. Residents on Naylon Street complain that impatient drivers turn left from Keele Street on Naylon Street and infiltrate the community to access Major Mackenzie Drive westbound. The volume of cars travelling through the community has increased and both volume and speeds are concerns to the residents.

Several years ago, Church Street between Jackson Street and Keele Street was converted to a one-way eastbound in order to deal with a problem identical to that being identified by the Naylon Street residents.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 3, CW Report No. 18 – Page 2

In order to quantify the problem, the infiltration, speed and volume studies should be done to confirm the need for traffic controls. Once completed, the results of these studies and recommendations should be presented to the affected community for input and to obtain concurrence on recommendations.

Relationship to Vaughan Vision 2020

This report is consistent with Vaughan Vision 2020 as it deals with enhancing and ensuring community safety, health & wellness.

Regional Implications

As the elimination of westbound traffic on Naylor Street could impact traffic operations on Keele Street, Region of York approval would be required to implement the prohibition. Engineering Services Department staff will keep Regional Transportation and Works Department staff informed and involved in the necessary studies and will request the Region to review signal timing at the Keele/Major Mackenzie intersection.

Conclusion

Naylor Street residents have expressed concerns regarding traffic infiltration, volumes and speeds in their community resulting from drivers wishing to by-pass the traffic signal at Keele Street and Major Mackenzie Drive. In order to address these concerns, the necessary traffic studies should be conducted to determine the need and justification for westbound traffic prohibitions on Naylor Street between Keele Street and Jackson Street. The area residents should be informed of the findings of these studies and given an opportunity through a community meeting to provide input on the findings and recommendations.

Attachments

1. Area Road Network

(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 APRIL 14, 2009

Item 4, CW Report No. 18 – Page 2

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, specifically in enhancing and ensuring community safety, health and wellness.

Regional Implications

N/A

Conclusion

Council direction will guide staff's response to a proposal from The Vaughan Health Care Foundation to host a joint gala event.

Attachments

Letter from Vaughan Health Care Foundation, dated March 10, 2009

Report prepared by:

Madeline Zito, Director of Corporate Communications

(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 APRIL 14, 2009

Item 5, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

5 KLEINBURG BUSINESS IMPROVEMENT AREA (KBIA) 2009 BUDGET AND LEVY – WARD 1

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Financial Services, dated March 31, 2009:

Recommendation

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

That in accordance with the request from the Board of Management of the Kleinburg Business Improvement Area (KBIA) Council approve the 2009 KBIA budget in the amount of \$20,000 and these funds be forwarded accordingly;

Economic Impact

There is no economic impact to the City of Vaughan.

Communications Plan

A Communications Plan is not applicable to this report.

Purpose

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

Background - Analysis and Options

Each year the KBIA submits a budget for Council's approval. The 2009 budget amount of \$20,000 was approved by the Board of Management of the KBIA in February 2009. The amount is levied to all commercial property within the BIA boundary, utilizing the taxable commercial assessment of each property.

The minimum and maximum special charge to pay for the 2009 budget amount is \$350 minimum and \$2,500 maximum per amended By-law 169-84.

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

There are no Regional Implications in this Report.

Conclusion

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 5, CW Report No. 18 – Page 2

Council approval of the proposed budget provides funds to the KBIA and authorizes staff to levy, collect and remit the funds.

Attachments

Attachment 1 – Letter from Kleinburg BIA Treasurer
Attachment 2 – 2009 KBIA Proposed Budget

Report prepared by:

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

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 6, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

6 **AWARD OF TENDER T09-018**
SECURITY GUARD AND PATROL SERVICES FOR VARIOUS CITY FACILITIES AND PARKS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated March 31, 2009:

Recommendation

The Commissioner of Community Services, in consultation with the Directors of Building and Facilities, Parks Operations and Forestry and Purchasing Services recommends:

1. That T09-018, Security Guard and Patrol Services for various City Facilities and Parks be awarded to Primary Response Inc. for a three year contract in the amount of \$982,667.81 (including GST) for Buildings and Parks Patrols; and,
2. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Funds have been allocated in the 2009 operating budget for the first year of the contract. Funds for the remaining two year term will be allocated in the respective budget years.

Purpose

The purpose of this report is to seek Council approval to award Tender T09-018 for the Security Guard and Patrol Services for Various City Facilities and Parks.

Background - Analysis

Garda Security has been providing security services at City facilities and seasonal parks patrols for the past three years. The presence of uniformed security personnel is effective for demonstrating a safe and secure environment for staff and citizens at the buildings. It is also effective as a deterrent to vandalism to City property and enforcing by-laws and security for City Parks and soccer fields. The current contract with Garda for security services will expire April 30, 2009. Security services will be provided at City facilities primarily at the Civic Centre and the Joint Operations Centre, and to patrol the parks from May 15th to October 31st annually and at special events when requested.

The tender was posted on the City Page, ETN (Bidding) and Ontario Public Buyers Association (OPBA) website. Sixteen (16) bids were issued. Tenders were closed and publicly opened on Friday, February 20, 2009 at 3:30 p.m. Ten (10) bids received, of which three (3) were deemed not compliant by the Purchasing Services Department and six (6) did not submit bids. The bid results are as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 6, CW Report No. 18 – Page 2

Contractor	Bid Submitted (Including GST)
Primary Response Inc	\$ 982,667.81
Intelligarde International Inc.	\$1,082,797.70
Allied Protection Agency	\$1,171,507.50
Sheprott K9 Security Inc.	\$1,208,441.10
Knights on Guard Surveillance Systems Inc.	\$1,340,189.22
Orion Security & Investigation Services	\$1,417,902.89
Task Force Security	\$1,958,125.05
Sentinel Security Inc.	Non-compliant
Klass Security and Investigations Inc.	Non-compliant
Commissionaires	Non-compliant

Relationship to Vaughan Vision 2020

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

- **STRATEGIC GOAL:**
Service Excellence - Providing excellence in the services provided by our city.
- **STRATEGIC OBJECTIVE:**
Enhance and Ensure Community Safety, Health and Wellness - To provide presence of security at City facilities and parks.

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, Parks Operations and Forestry and Purchasing Services Department staff have reviewed the bid submissions and have determined that the low bid contractor, Primary Response Inc., has met the requirements of the contract for security services at buildings and for the seasonal patrol of parks. The contract will be for three years with two one year optional extensions. The low bid is within the approved operating budget. This contract will commence May 1, 2009 pending Council approval and the completion of the necessary documents.

Attachments

None

Report prepared by:

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 7, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

7 REPLACEMENT OF MUNICIPAL REPRESENTATIVE FOR THE CREDIT VALLEY, TORONTO REGION AND CENTRAL LAKE ONTARIO REGION SOURCE PROTECTION COMMITTEE AS REQUIRED UNDER THE “CLEAN WATER ACT”

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 31, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends that:

1. The City endorse the Regional Municipality of York's choice of Laura McDowell as the municipal representative for York Region and its constituent local municipalities, on the Credit Valley, Toronto Region and Central Lake Ontario Region Source Protection Committee, and a copy of the Council extract be sent to Mr. Brian Denney, Chief Administrative Officer, Toronto and Region Source Protection Authority, 5 Shoreham Drive, Downsview, Ontario, M3N 1S4;
2. A copy of the Council extract endorsing the member be sent to Ms. Barbara Bridle, Committee Co-ordinator, Regional Clerk's Office, The Regional Municipality of York, 17250 Yonge Street, Newmarket, Ontario, L3Y 6Z1

Economic Impact

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

Communications Plan

Not Applicable

Purpose

To provide local Council endorsement of the new representative selected by York Region to represent the area municipalities on the various Source Protection Committees (SPC's) that impact the Region and its area municipalities.

Background - Analysis and Options

In September of 2007, the “Clean Water Act” came into effect. The Act is designed to provide a basis for protecting water at its source to ensure safe drinking water for all Ontarians. Under the Act, source protection plans must be created for each watershed. There are two SPC's in York Region. There is the Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Committee, as well as the South Georgian Bay – Lake Simcoe Source Protection Committee.

As membership in the committees is limited to one third municipal members, and there are numerous municipalities covered by the various watershed areas, York Region staff were selected to represent the Region and its area municipalities on the two SPC's. However, the staff person previously selected and endorsed to sit on one of these committees (Mr. Neil Garbe), is no longer working for York Region. As such, a new appointee had to be selected and appointed by Regional Council.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 7, CW Report No. 18 – Page 2

At its meeting of February 19, 2009, Regional Council appointed Ms Laura McDowell to replace Neil Garbe as the municipal representative for York Region and the constituent municipalities on the Credit Valley, Toronto and Region and Central Lake Ontario Region Source Protection Committee.

The Region has indicated that the new appointee meets the qualifications prescribed by the Regulations and recommendations by the Ministry of the Environment, and is well positioned to keep all of the local municipalities informed as to the activities of the committee. As such, it is recommended that Vaughan Council approve the recommendation contained in this report and endorse York Region's appointment of this person to sit on the Source Protection Committee that impact York Region and the area municipalities.

Relationship to Vaughan Vision 2020

This ties into Vaughan Vision 2020's Goal of "Service Excellence", and the Objective to "Enhance and Ensure Community Safety, Health & Wellness".

Regional Implications

As was noted earlier, the Region has appointed Laura McDowell to the Credit Valley, Toronto Region and Central Lake Ontario Region Source Protection Committee. Local Councils were requested to endorse this appointment.

Conclusion

As a result of staff changes at the Regional Municipality of York, a new appointee had to be made to the Credit Valley, Toronto Region and Central Lake Ontario Region Source Protection Committee. As such, it is recommended that Council approve the recommendation contained in this report.

Attachments

N/A

Report prepared by:

Brian T. Anthony, CRS-S, C. Tech.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 8, CW Report No. 18 – Page 2

As a member of Ontario One Call, the City has the benefit of increased notifications of excavation activity near its underground street light power supply, which will:

- Reduce risk of damage to the streetlight power supply wires
- Reduce the risk of accidents and injuries to public and employees
- Result in fewer interruptions to streetlight service as a result of damaged wires
- Result in fewer dissatisfied residents due to broken wires
- Potentially reduce costs associated with emergency repairs

To further limit the City's liability, Ontario One Call uses recorded voice tapes, and documents all ticket requests. They are open 24 hours a day, 7 days a week, 365 days per year to process locate requests.

The City does not have the ability or staffing to handle the number of locate requests that are received by Ontario One Call for locating the City's underground street light power supply. As such, membership in Ontario One Call is required to ensure that this service is uninterrupted, and excavators can continue to call a familiar number to request underground street light power supply locates.

The fees that Ontario One Call charged prior to April 1, 2008, were the one time membership fee of \$1,000 (plus GST), and an administrative fee of \$1.80 per locate ticket created. When the former contractor provided the street light repairs, the cost for this service was included in the unit price for locating the streetlight conductor.

As of April 1, 2008, Ontario One Call introduced a one time membership fee of \$1,000 (plus GST), and eliminated the ticket fee to encourage municipal membership. The City's current street light repair contractor has paid the membership fee directly to Ontario One Call on behalf of the City.

The membership agreement has been reviewed by staff from Legal, Risk Management, and Records Management, and all the required changes have been incorporated into this agreement.

Relationship to Vaughan Vision 2020/Strategic Plan

The recommendations in this report relate to the following Vaughan Visions 2020's Goals and Objectives:

Goal: Service Excellence
Objective: Pursue Excellence in Service Delivery

Goal: Management Excellence
Objective: Maintain Assets and Infrastructure

Regional Implications

N/A

Conclusion

Ontario One Call has provided this service for the City's street light conductor previously without issues. Membership will continue to provide the City with a call centre to receive, log, and refer street light locate requests from excavators which will reduce damage to the City's street light infrastructure. As was noted earlier, the City does not have the ability to handle this number of calls and create the necessary work orders on a 24/7/365 basis.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 8, CW Report No. 18 – Page 3

Staff from the various departments have reviewed this service agreement and all requested changes have been made. Therefore, it is recommended that the Mayor and Clerk be authorized to sign this agreement on behalf of the City

Attachments

N/A

Report prepared by:

Robert Meek, C.E.T.
Manager of Environmental Technical Services

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 9, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

9 **ASSUMPTION – AVDELL AVENUE EXTENSION**
WARD 2

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 31, 2009:

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 1199394 Ontario Limited, Gold Park Woodbridge Developers Inc., P&M Gabriele and Air-Lite Windows Inc., dated October 31, 2000, and the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 750 meters of sanitary sewer, watermain and storm sewer 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

The pertinent City departments will be notified of the assumption of this development.

Purpose

The purpose of this report is to recommend the assumption of the municipal services that were constructed under the terms of the Development Agreement between the City and 1199394 Ontario Limited, Gold Park Woodbridge Developers Inc., P&M Gabriele and Air-Lite Windows Inc., dated October 31, 2000.

Background - Analysis and Options

The Avdell Avenue Extension Development Agreement provided for the construction of the underground services within the right-of-way of Avdell Avenue between Clarence Street and Bush Drive in Woodbridge as shown on Attachment No. 1. The construction of these underground services facilitated the development of the surrounding lands that were owned by the parties to the agreement. The traveled portion of the roadway was subsequently constructed under the Belvedere Phase 3 Subdivision Agreement.

The Development Agreement between the City and 1199394 Ontario Limited, Gold Park Woodbridge Developers Inc., P&M Gabriele and Air-Lite Windows Inc. was executed on October 31, 2000. The construction of municipal services was completed in July 2001.

The Developer has maintained the municipal services in the development during the required minimum thirteen month maintenance period and has rectified all deficiencies. Accordingly, the Developer has requested that the municipal services in the development be assumed by the City, and that the development securities held by the City be released.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 9, CW Report No. 18 – Page 2

All documentation required by the Development Agreement for assumption has been submitted. 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 now satisfied with the extent of the works.

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

Relationship to Vaughan Vision 2020

The assumption of these municipal services is consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

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

Conclusion

The construction of the municipal services covered under the Development Agreement for the Avdell Avenue Extension has been completed in accordance with the Agreement. Accordingly, it is appropriate that the municipal services be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 APRIL 14, 2009

Item 10, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

10

**ASSUMPTION – LATERNA GROUP SUBDIVISION
19T-02V01 / 65M-3798
WARD 3**

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 31, 2009:

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 Subdivision Agreement for Plan 65M-3798, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 1.2 lane kilometers of roadway and associated municipal services including sanitary sewers, watermain, street lighting, streetscaping, sidewalk, storm management pond, etc., 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

The pertinent City departments will be notified of the assumption of this subdivision.

Purpose

This report pertains to the assumption of the municipal services in plan of subdivision 65M-3798 by the City.

Background - Analysis and Options

The Laterna Group Subdivision, Plan of Subdivision 65M-3798, is a 41 lot residential development located east of Weston Road, south of Major Mackenzie Drive in Block 32 west as shown on Attachment No.1.

The subdivision agreement with Laterna Group Limited was executed on November 16, 2004, and the Plan of Subdivision was subsequently registered on February 10, 2005. The construction of the roads and municipal services in Plan 65M-3798 was completed in September 2007.

The Developer has maintained the municipal services in the subdivision during the required minimum thirteen month maintenance period and has rectified all deficiencies. In addition, the grading of all lots in the subdivision has been certified by the Developer's engineering consultant. Accordingly, the Developer has requested that the roads and municipal services in the subdivision be assumed by the City, and that the development securities held by the City be released.

All documentation required by the subdivision agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 10, CW Report No. 18 – Page 2

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, 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 development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

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

Conclusion

The construction of the roads and municipal services associated with the Laterna Group Subdivision, Plan of Subdivision 65M-3798 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3798 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 APRIL 14, 2009

Item 11, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

11

**ASSUMPTION – ROYAL LANE HOMES
19T-01V09 / 65M-3625
WARD 3**

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 31, 2009:

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 Subdivision Agreement for Plan 65M-3625, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 0.95 lane kilometers of roadway and associated municipal services including sanitary sewers, watermain, street lighting, streetscaping, sidewalk, etc., 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

The pertinent City departments will be notified of the assumption of this subdivision.

Purpose

This report pertains to the assumption of the municipal services in plan of subdivision 65M-3625 by the City.

Background - Analysis and Options

The Royal Lane Homes, Plan of Subdivision 65M-3625, is a 42 lot residential development located west of Weston Road, south of Rutherford Road in Block 38 as shown on Attachment No.1.

The subdivision agreement with Royal Lane Homes (Weston II) was executed on October 28, 2002, and the Plan of Subdivision was subsequently registered on December 11, 2002. The construction of the roads and municipal services in Plan 65M-3625 was completed in July 2006.

The Developer has maintained the municipal services in the subdivision during the required minimum thirteen month maintenance period and has rectified all deficiencies. In addition, the grading of all lots in the subdivision has been certified by the Developer's engineering consultant. Accordingly, the Developer has requested that the roads and municipal services in the subdivision be assumed by the City, and that the development securities held by the City be released.

All documentation required by the subdivision agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are now satisfied with the extent of the works.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 11, CW Report No. 18 – Page 2

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, 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 development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

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

Conclusion

The construction of the roads and municipal services associated with the Royal Lane Homes Plan of Subdivision 65M-3625 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3625 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 APRIL 14, 2009

Item 12, CW Report No. 18 – Page 2

All documentation required by the subdivision agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services in the subdivision and are satisfied with the extent of the works considering the age of the development.

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, 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 development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

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

Conclusion

The construction of the roads and municipal services associated with the first phase of the Tudor Valley Business Park, Plan 65M-2980 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-2980 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 APRIL 14, 2009

Item 13, CW Report No. 18 – Page 2

All documentation required by the Municipal Servicing Agreement for assumption has been submitted. Engineering staff, in conjunction with the Developer's Consulting Engineer, have conducted all the necessary inspections of the municipal services and are satisfied with the extent of the works considering the age of the development.

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

Relationship to Vaughan Vision 2020

The development of this business park and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

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

Conclusion

The construction of the roads and municipal services associated with the second phase of the Tudor Valley Business Park has been completed in accordance with the Municipal Servicing Agreement between the City and 941615 Ontario Inc. Accordingly, it is appropriate that the roads and municipal services covered under this Agreement 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
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 APRIL 14, 2009

Item 14, CW Report No. 18 – Page 2

The Commissioner of Engineering and Public Works has received clearance from all pertinent City Departments including Development/Transportation Engineering, Development Planning, Building Standards, Parks Development, Parks Operations and Forestry, Public Works, 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 development of this subdivision and the assumption of the municipal services are consistent with Vaughan Vision 2020, which encourages management excellence through planned and managed growth and the maintenance of City assets and infrastructure. This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications associated with the assumption of the municipal services in this subdivision.

Conclusion

The construction of the municipal services associated with the third phase of the Tudor Valley Business Park, Plan of Subdivision 65M-3040 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the municipal services in 65M-3040 be assumed and the municipal services letter of credit be released.

Attachments

1. Location Map

Report prepared by:

Vick Renold, C.E.T. – Senior Engineering Assistant, ext. 8461
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

VR/vp

(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 APRIL 14, 2009

Item 15, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

15

**TEMPORARY ROAD CLOSURE
HUNTINGTON ROAD FROM LANGSTAFF ROAD TO RUTHERFORD ROAD
WARD 2**

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 31, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the necessary by-law be passed authorizing the temporary closure of Huntington Road from the Langstaff Road (south leg) to Rutherford Road to facilitate the timely construction of the proposed trunk sanitary sewer extension that will service the Hunters Glen Industrial Subdivision, 19T-06V13 in Block 64, which is tentatively scheduled to occur between April 14, 2009 and September 04, 2009 inclusive.

Economic Impact

There are no immediate economic impacts resulting from the adoption of this report. All costs associated with the proposed sewer works and road closure will be borne by the developer of Hunters Glen Industrial Subdivision.

Communications Plan

A comprehensive communication plan will be implemented to inform all stakeholders of the proposed temporary Huntington Road closure and related detour routes. 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. Since the closure of this section of Huntington Road will effectively also close Langstaff Road because of the existing jog at the intersection of Huntington and Langstaff Road, the Region of York has requested that the appropriate notice be advertised in the local newspapers advising the general public of the proposed road closures.

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. The developer's 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. 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 in accordance with the Ontario Traffic Manual, Book 7.

Access to seven properties along this section of Huntington Road will be directly affected by the road closure. The owners of these properties will be contacted directly and arrangements made to ensure that local access is maintained at all times during the road closure period.

The proposed sewer construction and the associated temporary road closures are being coordinated with both the Region of York and Region of Peel.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 15, CW Report No. 18 – Page 2

Purpose

The purpose of this report is to seek Council's approval of the temporary closure of Huntington Road from Langstaff Road (south leg) to Rutherford Road to facilitate the timely construction of the proposed trunk sanitary sewer that will service the Hunters Glen Industrial Subdivision in Block 64.

Background – Analysis and Options

The Hunters Glen Industrial Subdivision, Draft Plan of Subdivision 19T-06V13, is a 310 hectare industrial development located south of Rutherford Road between Huntington Road and Highway 50 as shown on Attachment 1. This industrial development will be serviced by the northerly extension of the existing 750 mm diameter trunk sanitary sewer located on Huntington Road just south of Langstaff Road. The trunk sewer will need to be extended northerly on Huntington Road approximately 1500 metres to a point just north of the Robinson Creek as shown on Attachment 1. The trunk sewer will be located approximately 1.5 metres east of the existing center line of the road and have a depth ranging between 6 and 14 metres deep. Given the depth and location of the sewer, the size of the excavation will in many locations extend the full width of the traveled roadway. Accordingly, it will be necessary to close the road to general traffic during the period of construction. The closure of the road will also establish a safer work environment for the construction workers and will significantly shorten the construction time frame for the project. A shorter construction period will minimize the disruption to the immediate property owners and motorists.

Construction of the trunk sanitary sewer is estimated to take about 21 weeks to complete weather permitting. The initial stage of the construction will include the section of sewer in the vicinity of the Langstaff Road/Huntington Road intersections and is expected to take about seven weeks to complete (extend from April 14, 2009 to the end on May 30, 2009). Once the sewer has been constructed beyond the influence of the intersection of Langstaff Road/Huntington Road, Langstaff Road can be reopened to traffic. This stage of the sewer works has been coordinated with the Region of York so it is in sequence with the widening and reconstruction of Langstaff Road, which is proposed to commence in late spring 2009.

The construction of the balance of the trunk sewer to a point about 1250 metres north of Langstaff Road will take a further 12 weeks to complete (June 1, 2009 to September 04, 2009). Following the sewer installation, Huntington Road will be restored to its existing rural road condition. Ultimately, Huntington Road will be reconstructed to an urban standard to support the development of the surrounding industrial lands. The necessary Class Environmental Assessment will be undertaken in 2009 to establish the width and preferred design of the Huntington Road improvements.

Road Closure Logistics

Road closure signage and barricades will be installed by the contractor at the intersections of Highway 50 and Langstaff Road, Huntington Road and Rutherford Road, Huntington Road just south of Langstaff Road and on Langstaff Road at a point about 400 metres east of Huntington Road as a means of notifying motorists of the closure period together with the appropriate detour route information signage as generally shown on Attachment 1.

During the road closure, emergency access will be maintained to the area at all times. Access to seven properties on Huntington Road will be directly affected by the road closure. These properties share a combination of land uses such as rural residential agricultural, automotive, supply depot and construction industry training centre.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 15, CW Report No. 18 – Page 3

Staff has contacted the construction industry training centre and are advised that their peak business period was between January to June consisting of daily bus traffic in the a.m. and p.m.. In order to minimize any access interruption to the construction industry training centre and to the other properties along Huntington Road, construction will be staged to allow road access to remain open from the north from Rutherford Road in the early stage and once the intersection of Langstaff Road is reopened, local traffic will be allowed road access from the south to their properties. The closure of the road may have different specific interruption to these properties because of the varied land uses, however, every effort will be made to maintain local access and inform all affected residents to lessen any impacts.

Servicing Agreement

Prior to the commencement of construction, the developer will need to enter into a servicing agreement with the City to address matters such as securities, insurance, charges and construction specifications and staging.

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

The closure of Huntington Road will effectively also close Langstaff Road because of the existing jog at the intersection of Huntington and Langstaff Road. Pursuant to Report No.7 of the Transportation and Works Committee, Regional Council Meeting of September 18, 2008, the Region is planning on closing Langstaff Road between Highway 50 and Highway 27 in the spring of 2009 to facilitate the reconstruction and widening of Langstaff Road. On March 19, 2009, Regional staff advised that they had no objections to the temporary closure of Langstaff Road from Highway 50 to 400m east of Huntington Road for the proposed sewer works subject to a number of conditions including the requirement to complete the works in the vicinity of the intersection of Huntington Road and Langstaff Road by May 30, 2009.

The closure of the intersection will close all road traffic on Langstaff Road from Highway 50 to 400m east of Huntington Road. A temporary turning circle will be constructed at the barricade located on Langstaff Road between Highway 27 and Huntington Road for local traffic.

The Regional staff has advised that they intend to begin the widening and reconstruction of Langstaff Road between Highway 50 and Highway 27 in the spring of 2009. These road works will include the re-alignment of the existing jog at the intersection of Huntington Road and Langstaff Road. The Region's road project may result in Langstaff Road being closed to traffic during the summer of 2009.

Conclusion

To facilitate the timely construction of the sanitary trunk sewer on Huntington Road, it is recommended that a by-law be passed to implement the temporary road closure of Huntington Road from Langstaff Road (south leg) to Rutherford Road during the period between April 14, 2009 and September 04, 2009.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 15, CW Report No. 18 – Page 4

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 monitor and coordinate the construction and staging of the sewer and road works with the Region of York and the Region of Peel to ensure the works are completed in a timely manner.

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

ZY/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 APRIL 14, 2009

Item 16, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

16 SERVICING CAPACITY ALLOCATION STRATEGY – ANNUAL UPDATE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works and the Commissioner of Planning, dated March 31, 2009, be approved;
- 2) That, whereas, the following are approved applications at the time of this report, that staff provide a report to the Committee of the Whole meeting of April 20, 2009, on the implications of providing temporary servicing capacity to Block 33 and Kleinburg Estates, as requested;
- 3) That the memorandum from the Commissioner of Engineering and Public Works, dated March 26, 2009, be received;
- 4) That the following deputations and written submissions be received:
 - a) Mr. Louis Greenbaum, The Vogue Development Group Inc., 1118 Centre Street, Suite 209, Thornhill, L4J 7R9, and written submission addressed to City of Vaughan, Engineering Department, from Mr. Gerry Lynch, Cole Engineering, 100 Renfrew Drive, Suite 100, Markham, L3R 9R6, dated February 17, 2009;
 - b) Mr. Frank Greco, 10504 Islington Avenue, Box 772, Kleinburg, L0J 1C0, and written submission dated March 31, 2009; and
- 5) That the following written submissions be received:
 - a) Mr. Rudy P. Bratty, Nine-Ten West Limited, 7501 Keele Street, Suite 100, Vaughan, L4K 1Y2, dated March 31, 2009; and
 - b) Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5, dated March 31, 2009.

Recommendation

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

1. That the 'Development / Allocation Process' and revised 'Servicing Capacity Distribution Protocol' included as Attachments No. 1 and 2 respectively, be adopted by Council.
2. That Council pass the following resolution with respect to the ALLOCATION of servicing capacity to specific development applications:

"IT IS HEREBY RESOLVED THAT development applications B025/08, B082/07, B083/07, B039/07 to B044/07, B058/07, B017/08, B018/08, B004/08, B005/08, B019/08, B020/08, B047/08, and Z.07.003 are allocated sewage capacity from the York Sewage Servicing System and water supply capacity from the York Water Supply System for a total of 16 residential units.
3. That Council pass the following resolution with respect to the RESERVATION of servicing capacity to specific development applications:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 2

“IT IS HEREBY RESOLVED THAT the development applications forming Phase 3 in Blocks 11, 12, 18 and 33 West as committed by the Trustee for each Developers’ Group, and development applications 19T-06V04 (Phase 2), 19T-06V07 (Phase 2), 19T-07V04, 19T-07V06, 19T-02V12, DA.08.060, Z.07.053, Z.06.035, DA.05.007, 19T-95098, 19T-84076 and 19T-08V07 are reserved sewage capacity from the York Sewage Servicing System or the Kleinburg Sewage Servicing System (as applicable) and water supply capacity from the York Water Supply System for a total of 3,599 residential units. This reservation shall automatically be revoked after a period of 12 months in the event that a Draft Plan of Subdivision has not proceeded to registration, or in the case of a Site Development Application, that a Letter of Undertaking (or Site Plan Agreement, whichever is in effect) has not been executed”

4. That 300 residential units be RESERVED from the York Sewage Servicing System for distribution to development applications at Council’s discretion.
5. That 1,500 residential units be ASSIGNED from the York Sewage Servicing System for distribution to development applications participating in and meeting all eligibility criteria for York Region’s Sustainable Development Through LEED™ Program.
6. That servicing capacity be ASSIGNED in accordance with the Assignment Schedule included as Attachment No. 5, as follows:
 - i) 935 residential units from the York Sewage Servicing System for development applications Z.07.047, Z.06.005 and 19T-00V21;
 - ii) 2,800 residential units from the York Sewage Servicing System, for Transit Oriented Development applications within the Vaughan Corporate Centre and within the City’s Official Plan Amendment 620 lands north of Steeles Avenue, between Jane Street and Keele Street;
 - iii) 665 residential units from the Kleinburg Sewage Servicing System, for future distribution to development applications subject to completion of the City’s on-going Kleinburg-Nashville Focus Area Study; and,
 - iv) 20 residential units from the York Sewage Servicing System, for future distribution to consent/severance applications approved by Committee of Adjustment and requiring not more than 4 residential units per application.
7. That an annual review of the City’s available and unused servicing capacity, and the related development process and distribution protocol, be undertaken by Staff and brought forward to a future Committee of the Whole meeting; 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.

Communications Plan

There will be no public or ratepayer group 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 development approvals and the distribution of servicing capacity.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 3

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 Distribution Protocol' (Attachment No. 2) and related Schedules (Attachments No. 3 to No. 5).

Background – Analysis and Options

Given the ongoing limitations the Region of York has placed on servicing capacity to local municipalities, the distribution of available capacity to development applications throughout the City must be carried out in an effective and strategic manner. As a result, on November 14, 2005 Council adopted the City's 'Servicing Capacity Distribution Protocol'.

The Protocol has provided Staff and Council with an effective and efficient tool for prioritizing the allocation of the City's existing and future servicing capacity. 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;
- that adequate local and regional infrastructure has been constructed; and,
- consistency and cooperation with regional initiatives.

In the past, Council allocated servicing capacity to specific development applications in conjunction with Draft Plan of Subdivision or Site Development approvals. As there were no limitations on the availability of servicing capacity from a Regional perspective, these development applications could immediately proceed to market for the sale of residential units and registration.

Currently, the Region of York continues to provide local municipalities with limited yearly allotments of servicing capacity that is linked to the in-service/construction completion dates of specific regional infrastructure projects. 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.

York Region will proceed to release conditions of Draft Plan of Subdivision approval to municipalities for development applications within substantially built residential communities at the request of each individual municipality. This provides for an appropriate level of certainty about how these communities will be built-out as servicing capacity becomes available.

The build-out of these communities however, is now 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 of Subdivision approvals continues to be managed with the use of "Holding" provisions in the implementing Zoning By-laws and conditions respecting No Pre-Sale Agreements.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 4

Development Approval Process

Given the Regional restrictions placed on the City's current servicing capacity, it is necessary to coordinate the development approval process with the anticipated construction schedule for key regional infrastructure projects.

Where servicing capacity for a development application is linked to specific regional infrastructure triggers, York Region will allow the pre-sale of units and plan registration to occur no sooner than 12 months and 6 months respectively, prior to the anticipated infrastructure in-service date. Given this current practice, allowing development approvals to proceed 6 months prior to pre-sales (or 18 months prior to the anticipated regional infrastructure in-service date), will provide the development industry with a reasonable amount of time to prepare for market, and will allow the City to continue granting development approvals in the absence of available unrestricted servicing capacity. Further, it may be appropriate to advance the timing of development approvals in certain situations in order to facilitate construction phasing and orderly development. Attachment No. 1 graphically illustrates the proposed development approval process and its relationship to York Region's infrastructure delivery schedule.

Servicing Capacity Distribution Protocol

The 'Servicing Capacity Distribution Protocol' has been modified to accommodate the above noted development approval process. Attachment No. 1 also identifies how the current protocol aligns with the development approval process and with York Region's infrastructure delivery schedule. Assignment of servicing capacity may be granted as early as 12 months prior to draft plan approval and as early as 24 months prior to registration. Reservation of servicing capacity may be granted as early as 12 months prior to registration. As a result, formal allocation of servicing capacity by Council resolution, will now be recommended in conjunction with the lifting of the Holding Symbol "(H)" from the affected Draft Plan of Subdivision, once regional clearance for registration has occurred. Typically, this will happen no sooner than 6 months prior to the anticipated regional infrastructure in-service date.

Accordingly, it is recommended that the 'Development / Allocation Process' and revised 'Servicing Capacity Distribution Protocol' included as Attachments No. 1 and 2 respectively, be adopted by Council.

Sustainable Development Through LEED™

Earlier this year, Council endorsed the City's participation in York Region's Sustainable Development Through LEED™ program, and a recommendation to amend the City's current Servicing Capacity Distribution Protocol to encourage the program.

The Sustainable Development Through LEED™ program is a conservation initiative implemented by the Region of York. It provides the development industry with the opportunity to earn servicing capacity allocation credits up to a maximum of 40% of the total proposed residential units within a high density residential green building development. The development project must meet the following six eligibility criteria in order to participate in the program:

1. Located within a Regional Centre / Corridor or within a Local Centre / Corridor;
2. High density residential development project with a minimum building height of 5 stories (including mixed-use buildings);
3. Permitted without the need for a major Official Plan Amendment;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 5

4. Servicing capacity has been assigned to the development application by the local municipality; and,
5. The project has been registered with the Canada Green Building Council and that a minimum level Silver Certification is proposed.

Once deemed to have met the eligibility criteria, applicants must commit to building a development that incorporates significant water conservation measures, conformity with Transit-Oriented Development Guidelines and the implementation of three-stream waste management systems.

Servicing capacity allocation credits may be applied to qualifying applications based on the proposed level of water conservation and LEED™ Certification as summarized in Table 1 below:

**TABLE 1
SUMMARY OF SERVICING CAPACITY ALLOCATION CREDITS
SUSTAINABLE DEVELOPMENT THROUGH LEED™ PROGRAM**

Credit	Water Conservation	Minimum LEED™ Certification Level
20%	50% Outdoor Reduction 20% Indoor Reduction	Silver
35%	100% Outdoor Reduction 30% Indoor Reduction	Silver
40%	100% Outdoor Reduction 30% Indoor Reduction	Gold

In support of on-going environmental sustainability initiatives, development applications meeting all eligibility requirements for the Sustainable Development Through LEED™ program will be provided with the opportunity to move ahead sooner through the development approval process.

The 'Servicing Capacity Distribution Protocol' has further be amended to encourage and acknowledge development applications participating in this program. As a result, it is recommended that a LEED™ Reserve be set aside for this purpose. The servicing capacity set aside and held in this reserve, will not be dependent upon specific regional infrastructure improvements and will be accumulated over time. Therefore, the timing of unit sales and registration (or execution of Letters of Undertaking), for applications which are committed capacity from this pot, would not experience delay as a result of York Region's anticipated infrastructure delivery schedules.

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 2 below.

The following development applications were committed capacity on March 31, 2008. As these applications have not proceeded to registration and have not significantly moved forward in the development approval process, the committed capacity has been revoked.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 6

Reserved March 31, 2008:

19T-06V05 Cesira D'Aversa (6 Single Family Units)
Z.06.079 Market Lane Holdings Ltd. (90 Apartment Units)

Assigned March 31, 2008:

DA.04.022 Lino & Grace Colagiacomo (12 Town House Units)

Allocation Not Required – Qualifies as a retirement home type facility.

DA.04.029 Hesperus Fellowship Community of Ontario (82 Apartment Units)

TOTAL: +/- 540 Persons Equivalent

TABLE 2
CURRENT SERVICING CAPACITY - YDSS

Item No. & Description	Servicing Capacity (Persons Equivalent)
1. Capacity Reserved on March 31, 2008 <i>(891 residential units equivalent)</i>	2,325
	<i>less</i>
2. Capacity Allocated since March 31, 2008 <i>(Allocated prior to expiry date of March 31, 2009)</i>	1,785
	<hr/>
	Sub-Total 540
	<i>plus</i>
3. Capacity Remaining at Council's Discretion <i>(Reserved on March 31, 2008, un-allocated)</i>	1,010
	<hr/>
Available Servicing Capacity <i>(No restriction on unit sales or registration.)</i>	Total 1,550 people <i>(+/- 456 Units)</i>

Table 2 identifies a total capacity of 1,550 persons equivalent, that has become available for redistribution. This capacity may be allocated, reserved or assigned as required. It is not subject to restrictions on unit sales or plan registration, nor is it linked to the completion of any specific regional infrastructure triggers.

Servicing Capacity Linked to Duffin Creek WPCP and Flow Control Structures

In December of 2008, York Region committed an additional 2,802 residential units to the City of Vaughan. The capacity to service these units is linked to the proposed Duffin Creek Water Pollution Control Plan upgrades. A summary of the current total available capacity linked to Duffin Creek is provided in Table 3 below.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 7

**TABLE 3
SERVICING CAPACITY
LINKED TO DUFFIN CREEK WATER POLLUTION CONTROL PLANT - YDSS**

Item No. & Description	Servicing Capacity (Persons Equivalent)
1. Capacity Committed by York Region in 2007 <i>(Assigned by Vaughan on March 31, 2008 - 3,155 residential units equivalent)</i>	10,695
	<i>plus</i>
2. Capacity Committed by York Region in 2008 <i>(2,802 residential units equivalent)</i>	9,500
Available Capacity For Allocation or Reservation <i>(Pre-sales restricted to Q4 - 2009, registration restricted to Q2 - 2010)</i>	Total 20,195 people <i>(+/- 6,000 Units)</i>

As identified in Table 3, a total capacity of 20,195 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 anticipated in-service date for the improvements to the Duffin Creek Water Pollution Control Plant. The plant expansion works currently remain on schedule for completion by the fourth quarter of 2010.

The flow control structures as an alternative to the completion of improvements to the Southeast Collector Sewer were completed late last year. Therefore these infrastructure works no longer pose a restriction on the above noted servicing capacity.

Kleinburg-Nashville Servicing Capacity

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 preferred servicing alternatives identified by the approved Class EA Study include upgrades to the existing sewage Water Pollution Control Plant (WPCP) 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 to Nashville Road. Detailed design for these works is well underway by the Region. It is anticipated that construction of the water supply system will be completed by the second quarter of 2010 and that the construction of the Kleinburg WPCP improvements will be completed by the fourth quarter of 2010.

The City's local Water and Wastewater Servicing Strategy Master Plan Class EA Study for the Kleinburg-Nashville service area is currently underway in conjunction with the Kleinburg-Nashville Focus Area Study and the City's overall Growth Management Strategy process. It is anticipated that both these studies will be completed late this year.

On May 20, 2008 York Region committed servicing capacity totaling 7,745 persons equivalent (including existing population) for water supply, and 7,505 persons equivalent (including existing population) for sewage servicing. This capacity is linked to the proposed water supply system and sewage treatment plant improvements.

Table 4 below summarizes the available and current remaining capacity within the Kleinburg-Nashville Service Area, considering all existing and allocated capacity to date.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 8

**TABLE 4
KLEINBURG-NASHVILLE SERVICING CAPACITY
LINKED TO KLEINBURG WATER POLLUTION CONTROL PLANT (WPCP)
AND WATER SUPPLY SYSTEM IMPROVEMENTS**

Item No. & Description	Servicing Capacity (Persons Equivalent)
<hr/>	
1. Capacity Assigned on May 20, 2008	
Sewage System – WPCP	7,505
Water Supply System	7,745
	<i>less</i>
2. Existing & Allocated Sewage Capacity	3,800
3. Existing & Allocated Water Supply Capacity	4,040
	<hr/>
	<i>less</i>
4. Allocated Capacity (Sewage and Water)	1,075
	<hr/>
Available Capacity For Allocation or Reservation	Water 2,630
<i>(Pre-sales restricted to Q4 - 2009, registration restricted to Q2 - 2010)</i>	Sewage 2,630
	(+/- 710 Residential Units)

As identified in Table 4, a total capacity of 2,630 persons equivalent (approximately 710 residential units) remains available for distribution. Currently, a number of development applications remain active within the existing Kleinburg-Nashville Official Plan Amendment 601 limits. Given the on-going secondary plan review study for this area, it is recommended that the disposition of the remaining uncommitted servicing capacity within the Kleinburg-Nashville service area be dealt with upon the completion of this study. In the interim, any development applications in-line for approvals may be dealt with on an individual basis in accordance with the existing policies and approved land-use schedules within the current OPA document.

Proposed Allocation, Reservation and Assignment Schedules

On a move forward basis, and in consideration of the ‘Servicing Capacity Distribution Protocol’ included as Attachment No. 2, Staff has completed a detailed status assessment of all active development applications City-wide such that new Allocation, Reservation and Assignment Schedules may be established to effectively distribute the City’s current servicing capacity.

From a planning approval status perspective, immediate consideration was given to those applications having Draft Plan of Subdivision or Site Development approvals in place. 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 9

Accordingly, it is recommended that applications identified on the Allocation, Reservation and Assignment Schedules included as Attachment Nos. 3, 4 and 5 respectively, be committed servicing capacity in accordance with the City's protocol. This will ensure that all previously committed development applications are re-affirmed their servicing capacity commitment by Council (excluding the three applications noted above that were revoked capacity).

In addition to the commitments for development applications specifically identified on the Allocation, Reservation, and Assignment Schedules, it is further recommended that 300 residential units be reserved for distribution to development applications at Council's discretion. Thereby allowing Council the opportunity to strategically allocate capacity to individual applications in areas deemed a priority by the City.

Transit-Oriented Development

Detailed design is currently underway for the Spadina Subway Extension Project. It is currently anticipated that construction will be complete and the subway will be operational by late 2015. In support of this key regional transportation initiative, it is recommended that servicing capacity for 2,800 residential units be assigned for development applications within the Vaughan Corporate Centre and within the Official Plan Amendment 620 lands.

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 recognized. Over the last year, 16 new residential lots have been created by way of Consent/Severances. These applications have been tracked and are included on the Allocation Schedule (included as Attachment No. 3). 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 20 residential units (approximately 68 persons equivalent) will be recommended for assignment as noted on the Assignment Schedule (included as Attachment No. 5). 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.

Non-Residential Land Uses

Current Regional practice regarding servicing capacity commitments to land uses other than residential, dictates that servicing capacity for industrial/employment, commercial and institutional land uses is factored into the residential distribution to individual municipalities. Accordingly, formal allocation by Council resolution will continue to be provided in conjunction with Draft Plan of Subdivision of Site Development approval.

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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 16, CW Report No. 18 – Page 10

Regional Implications

The proposed development approval process and revised 'Servicing Capacity Distribution Protocol' is in line with current Regional practices.

Identification of the City's Priority Schedules as included in Attachments No. 3, No. 4 and No. 5 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 Distribution Protocol" and associated Schedules be forwarded to the Region of York.

Conclusion

Given the ongoing Regional limitations imposed on servicing capacity to all 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 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

Development – Allocation Process Map
Servicing Capacity Distribution Protocol
Allocation Schedule
Reservation Schedule
Assignment Schedule

Report prepared by:

Tony Artuso, Senior Engineering Assistant, Ext. 8396
Michael Frieri, Development Supervisor, Engineering Planning & Studies, Ext. 8729
Mauro Peverini, Manager of Development Planning, Ext. 8407

(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 APRIL 14, 2009

Item 17, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

17

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, and the Director of Legal Services, dated March 31, 2009:

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, and the Director of Legal Services, in consultation with the Director of Purchasing Services, recommend:

1. That the Counsel List shown on Attachment 1 of this report be approved; and,
2. That the City Solicitor be authorized to execute retainer agreements and related documents necessary to implement agreements as indicated herein.

Economic Impact

The City will achieve cost savings for external legal services as a result of the discounted rates proposed by law firms selected through the RFP process.

Communications Plan

All proponents will be notified of the City's acceptance or non-acceptance of their respective Proposals through the Purchasing Services Department, in accordance with standard procedure.

Purpose

The purpose of this report is to update Council about the outcome of the Request for Proposal process for the provision of legal services in certain areas of practice, and to seek authorization for the execution of retainer agreements where applicable.

Background - Analysis and Options

Background:

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 Council and City departments, as well as the Vaughan Public Libraries, on all aspects of the City of Vaughan's mandate, including these areas of law.

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

In 2008, Council approved staff's recommendation to solicit proposals for the provision of legal services in accordance with Terms of Reference outlined. Pursuant to Council direction, staff issued a Request for Proposals ("RFP") inviting law firms to submit proposals for the provision of a range of legal services, as follows:

- i) general municipal law;
- ii) municipal finance, tax and assessment;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 17, CW Report No. 18 – Page 2

- iii) planning law;
- iv) general civil litigation;
- v) environmental law;
- vi) information and technology law;
- vii) labour and employment law; and
- viii) expropriations law.

The RFP (RFP08-240) was advertised in Vaughan Today (City Page), the ETN and OPBA websites and in the Ontario Reports, and had a closing date of September 29, 2008. Sixty six (66) proponents picked up the RFP documents from the Purchasing Services Department. One addendum was issued on September 18, 2008 to clarify queries and questions. Thirty-two (32) law firms responded to the RFP in respect of one or more of the practice areas indicated.

Evaluation:

Responses to the RFP were evaluated by an evaluation team based on criteria established in the RFP document. Each practice area was separately evaluated. In total, 100 points were available, as follows:

Technical and Management Evaluation

(80 points)

- Qualifications and Experience (65 points)
 - > The Proponent firm has extensive experience in the portfolios of required legal work. (Years of practise, nature of matters, success rates).
 - > The proposed team from the Proponent firm has a sufficient number of associates and paralegal and other resources.
 - > The proposed team has provided the Curriculum Vitae's and references that are required by the RFP, and these are assessed in determining the appropriate score under this section.
- Case and Workflow Management (5 points)
 - > Description of systems and protocols to manage timeliness of service and communication with City staff.
 - > Description of systems to oversee and coordinate workflow, including appropriate delegation to and supervision of associates and paralegals and suggested "managing partner" (if applicable).
 - > Description of methodology of case and workflow management.
- Quality Assurance and Client Service Programs (5 points)
 - > Description of conflict of interest protocols and identification of known or potential conflicts of interest.
 - > Description of systems or protocols for managing quality assurance and client satisfaction, confidentiality of information and technological systems.
- Suggestions for enhancing the working relationship with The City of Vaughan (5 points)

Financial Evaluation

(20 points)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 17, CW Report No. 18 – Page 3

The lowest priced or most cost-effective financial proposal was awarded 10 points and other financial proposals were scored proportionately comparing it to the lowest priced proposal. An additional 10 points was available for allocation, awarded based on innovative and/or value-added billing proposals.

Only those Proponents meeting all of the mandatory requirements of the RFP document, and obtaining a minimum threshold score of 60 points of the available 80 allocated to the Technical and Management Section, were considered for the second stage of the evaluation.

As indicated in the RFP document, no more than five law firms could be selected to be part of the “roster” of qualified legal counsel for each practice area, on an as-needed basis (“Counsel List”). In respect of certain practice groups, more than five law firms met the threshold requirements of the first stage of the evaluation. For those categories, the five highest scoring firms were considered for the Counsel List.

Selection for the Counsel List does not guarantee any work to the law firms listed. Firms will be retained on an as-needed basis, but the fees to be charged will be based on the proposal submitted, valid for the agreed-upon term (two years). The RFP document also provides for a one year renewal period, at the option of the City.

All of the highest-scoring firms proposed some or all of the following: discounted rates, complimentary education or training, establishment of extranet services, flat fees and/or 2-year fee guarantees and volume discounts.

Accordingly, it is anticipated that the City will experience cost savings for external legal services over the next two year period, as well as savings resulting from complimentary education and training.

Attached as Attachment 1 is a list of the successful proponents in each practice area. Subject to Council direction, these firms will be invited to enter into Retainer Agreements with the City for a set term, based on the City’s Terms of Reference, and the Proponent’s respective Proposal documents.

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

A roster of qualified law firms will be created for each of the nine practice areas listed above, and Retainer Agreements will be entered into with successful proponents, ensuring that legal services will continue to be delivered in a cost-effective and efficient manner.

Attachments

Attachment 1: List of Successful Proponents for the Provision of Legal Services

Report prepared by:

Nancy Salerno
Solicitor

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 17, CW Report No. 18 – Page 4

(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 APRIL 14, 2009

Item 18, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

18 **CLOSED MEETING INVESTIGATION REPORT
MEETING OF COMMITTEE OF ADJUSTMENT
NOVEMBER 13, 2008**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated March 31, 2009, be approved;
- 2) That the confidential memorandum from the Solicitor, dated March 31, 2009, be received; and
- 3) That the written submission from Ms. Mary Ruffolo, 149 Fieldgate Drive, Maple, L6A 1K4, dated March 29, 2009, be received.

Recommendation

The City Clerk recommends:

- 1) That the Closed Meeting Investigation Report of Amberley Gavel Ltd., dated March 17, 2009 be received.

Economic Impact

The cost of the investigation has not yet been invoiced by Amberley Gavel Ltd. A \$300 per year retainer has been paid to the firm for each of 2008 and 2009. A further fee of \$1,250 per day, plus taxes and reasonable out of pocket expenses, is also payable upon receipt of an itemized invoice. A filing fee of \$125 was paid by the Complainant to the City at the time the Complaint was filed.

Communications Plan

The Investigation Report is a public document and will be made available upon request. A copy has been made available to the Complainant.

Purpose

The purpose of this report is to advise Council of the outcome of a Closed Meeting Investigation conducted by the City's appointed Investigator pursuant to Sections 239.1 and 239.2 of the *Municipal Act, 2001*.

Background - Analysis and Options

On December 1, 2008, the City Clerk received a Complaint with respect to Committee of Adjustment Minor Variance Application No. A235/08, considered at the November 13, 2008 meeting of the Committee of Adjustment (hereinafter "the Complaint").

The Complaint alleged that a portion of the Committee of Adjustment meeting took place *in camera*, contrary to section 239(2) of the *Municipal Act, 2001*, that one party made representations *in camera*, and that minutes were not taken. .

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 18, CW Report No. 18 – Page 2

The Complaint was considered by the City's Closed Meeting Investigator (Amberly Gavel Ltd.), appointed pursuant to Sections 239.1 and 239.2 of the *Municipal Act, 2001*.

The Closed Meeting Investigator's Report concluded that the Committee of Adjustment is subject to the closed-meeting investigator provisions of the *Municipal Act, 2001*, and that a portion of the meeting held on November 13, 2008, was not held in accordance with the requirements of the *Municipal Act, 2001*. The Investigator found that a public resolution was not passed by the Committee of Adjustment prior to convening into closed session, and that additional minutes were not taken by the secretary-treasurer of the Committee who attended only a portion of the "closed meeting".

The following recommendations were made in the Report:

- i. That members of the Committee of Adjustment and its secretary-treasurer undertake the Ontario Association of Committees of Adjustment training;
- ii. That rules of procedure adopted by the Committee of Adjustment in 1987 be reviewed and updated; and,
- iii. That the City Clerk review the *Municipal Act, 2001* closed meeting requirements with members of the Committee of Adjustment and staff.

The Closed Meeting Investigator's Report does not render the Committee of Adjustment's decision invalid.

Additional information will be provided to Council in a confidential memorandum.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly the goal to "Demonstrate Leadership and Promote Effective Governance".

Regional Implications

Not applicable.

Conclusion

Staff is reviewing the recommendations in the Report to determine whether any actions need to be taken. A confidential memorandum from legal staff will be provided to Council at its meeting of March 31, 2009.

Attachments

Attachment #1: Closed Meeting Investigation Report of Amberly Gavel Ltd., dated March 17, 2009.

Report prepared by:

Nancy Salerno, Solicitor
Jeffrey A. Abrams, 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 APRIL 14, 2009

Item 19, Report No. 18, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on April 14, 2009, was dealt with by approving:

That this matter be referred to the Committee of the Whole meeting of April 20, 2009; and

That the following written submissions be referred for consideration with this matter on April 20, 2009:

- a) ***Regional Councillor Frustaglio, dated April 8, 2009;***
- b) ***Mr. Bill Hogarth, Director of Education, York Region District School Board, 60 Wellington Street West, Box 40, Aurora, L4G 3H2, dated April 8, 2009;***
- c) ***Mr. Jim Keenan, 9225 Jane Street, Maple, L6A 0J7, dated April 13, 2009;***
- d) ***Ms. Deborah Schulte, dated April 14, 2009;***
- e) ***Mr. Frank Greco, dated April 13, 2009;***
- f) ***Ms. Erlinda Insigne, dated April 9, 2009; and***
- g) ***Mr. Peter Badali, dated April 4, 2009.***

19

**WARD BOUNDARY REVIEW
WARD CONFIGURATION OPTIONS**

The Committee of the Whole recommends:

- 1) **That this matter be deferred to the Council meeting of April 14, 2009;**
- 2) **That the following deputations be received:**
 - a) **Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8;**
 - b) **Mr. Nick Pinto, 57 Mapes Avenue, Vaughan, L4L 8R4; and**
 - c) **Mr. Frank Greco, 10504 Islington Avenue, Box 772, Kleinburg, L0J 1C0; and**
- 3) **That the following written submissions be received:**
 - a) **Mr. Gino Ruffolo, 149 Fieldgate Drive, Vaughan, L6A 1K4, dated March 29, 2009;**
 - b) **Ms. Lucia Milani, 11333 Dufferin Street, P.O. Box 663, Maple, L6A 1S5, dated March 30, 2009; and**
 - c) **Mr. Ken Schwenger, Kleinburg and Area Ratepayers' Association, P.O. Box 202, Kleinburg, L0J 1C0, dated March 30, 2009.**

Recommendation

The City Clerk recommends:

- 1) That Council select either:
 - a. a five ward configuration, based on the 5 Ward "B" option; or
 - b. a six ward configuration, based on the Councillor Submission "2A" optionfrom the options set out in Appendix 'A' and "C" to this report for the purpose of conducting the 2010, 2014 and 2018 general municipal elections;
- 2) That the City Clerk and the Commissioner of Legal and Administrative Services/City Solicitor be directed to undertake all steps required to implement the selected ward boundary configuration, including appearances necessary for that purpose before the Ontario Municipal Board or a Court of law;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 2

- 3) That the necessary by-law be passed, and statutory notice given; and
- 4) That this report be circulated to York Region School Boards, and The Regional Municipality of York.

Economic Impact

Direct costs associated with the Ward Boundary Review have to date been absorbed within the budgets of the City Clerk's Office and the Planning Department.

The cost of one additional Council office should Council adopt a six ward system will be between \$150,000 and \$200,000 for salaries, plus one time furniture/equipment costs and discretionary expenditures. Discretionary expenditure budgets are based on the size of the population served, and with a reallocation of budgets amongst wards, increases over present discretionary costs are not expected to be significant. Only one-twelfth of any additional costs will be incurred in 2010, with full-year impact not felt until 2011.

Communications Plan

Notice of the by-law, once adopted, will be given by publication in the City Page, and by posting on the City's web site.

Purpose

The purpose of this report is to summarize input received at the public meeting held as part of the public consultation component of the Ward Boundary Review. This report also facilitates a decision by Council to adopt either a five ward or six ward configuration for the purpose of conducting the 2010, 2014 and 2018 general municipal elections.

This report quotes generously from previous reports on the Ward Boundary Review and so also serves to summarize the background information set out in those reports.

Background - Analysis and Options

Current Situation:

City of Vaughan Council currently is comprised of 5 local Councillors elected by ward, three Regional and Local Councillors elected at large, and one Mayor.

Responding to a need to address perceived growing population inequalities between the various wards, prior to the 2003 municipal election Council directed that a ward boundary review be conducted for implementation in the 2006 municipal election. Staff reported on the matter to a Committee of the Whole (Working Session) meeting on March 22, 2005, at which time, amongst other things, direction was given for a report to be brought forward addressing 5, 6 and 7 local ward configurations. This report was considered at a Special Committee of the Whole (Working Session) in April of 2005. In considering the necessity to equalize the ward populations, Council considered in detail a number of 5, 6 and 7 ward configurations for local representation and also reviewed the matter of regional representation. In examining various options, Council was mindful of the cost of increasing the size of Council and the possibility that Council may eventually expand should the City of Vaughan gain an additional representative on Regional Council as a result of a then anticipated review of regional representation by the Council of The Regional Municipality of York. Council ultimately adopted a recommendation "That a five ward option that addresses the current inequality in ward population be considered as an interim

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 3

measure for the 2006 election and that a review be undertaken prior to the 2009 election”. That decision resulted in the Rutherford (north) limits of Wards 2 and 3 being shifted to Major Mackenzie Road, and the area bounded by Clark Avenue West, New Westminster Drive and Bathurst Street being added to Ward 5.

Since the last adjustment of the ward boundaries the City has continued to grow, predominantly in the new urban areas established in OPA #600. This has resulted in some wards growing in population disproportionately to other wards. In 2006, based on census data, Ward 1 had a population of approximately 58,000 people, while the smallest ward, Ward 5, had a population of approximately 36,700. This resulted in a variation of population from the average ward size of 22% more, and 23% less, respectively.

Population Forecasts

With the assistance of Planning Department staff, population projections have been applied to the existing 5 ward system for the next 3 elections. The results of the analysis show that the inequalities of the population distribution amongst the wards continues to grow. By 2018, if not reconfigured, Ward 1 is expected to have a population of approximately 117,200 people (85% above the average ward size in 2018), and Ward 5 will have a population of approximately 37,900 (40% below the average ward size in 2018). This analysis supports the need for evaluating new ward boundary options.

Members of Vaughan Council represent considerably more residents per Council member than those of comparable municipalities. When comparing the number of residents per local councillor Vaughan local councillors represent approximately 14,500 more residents on average, as compared to the municipalities set out at Table 1. It is noted that Council size has increased over the years by two regional councillors to reflect Vaughan’s increasing population and size relative to other York Region municipalities.

Table 1

Municipality	2006 Census Population	No. of Wards	Council Size	No. of Local Councillors	No. of Regional Councillors	Ratio/ Local Councillor	Ratio/ Regional Councillor
VAUGHAN	238,866	5	9	5	3	1: 47,773	1: 79,622
Richmond Hill	162,704	6	9	6	2	1: 27,117	1: 81,352
Markham	261,573	8	13	8	4	1: 32,697	1: 65,393
Brampton	433,806	10	11	5	5	1: 86,761	1: 86,761
Mississauga	668,549	11	12	11	N/A	1: 60,777	N/A
Oakville	165,613	6	13	6	6	1: 27,602	1: 27,602
St. Catherines	131,989	6	13	12	N/A	1: 10,999	N/A
London	352,400	14	15	14	N/A	1: 25,171	N/A
Guelph	114,493	6	13	12	N/A	1: 9,541	N/A
Oshawa	141,590	7	11	3	7	1: 47,197	1: 20,227
Kingston	117,207	12	13	12	N/A	1: 9,767	N/A
Barrie	128,430	10	11	10	N/A	1: 12,843	N/A
AVERAGE						1: 33,187	1: 60,160

Ward Boundary Review Methodology

With the initial report to Committee of the Whole (Working Session) on September 9, 2008, staff submitted preliminary ward boundary options for 5, 6 and 7 ward configurations. Population based on the 2006 census was analyzed at the census dissemination level (roughly equivalent to .../4

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 4

the neighbourhood level except in sparsely populated areas) and then adjusted to project estimated populations for the next three elections. Proposed ward boundary options were created using the following criteria:

- No population variances greater than 15% based on the average populations between the wards
- The maintenance of distinct communities
- Acknowledgement of natural or built boundaries between communities
- Use of easily identifiable boundaries
- Recognition of communities of interest
- Accommodation of future growth

Population Projections

OPA #600 is the City's guide for development until 2026, and it established a number of new urban areas within the City, including the Vellore and Carrville Urban Villages. It is within these new urban areas where the majority of growth within the City is expected to occur. Using the population projections in OPA #600 for these new urban areas, along with consultation with Policy Planning Department and Engineering Department staff, population projections were developed for the city at each of the next 3 elections. These projections were applied to specific areas of the City where development is proposed so that growth within each ward could be estimated. This approach allowed an evaluation of population distribution amongst the wards at each election year.

The population estimates for the new urban areas for OPA #600 have been found to be very reliable. The new urban areas in OPA #600 that have already developed, such as the Woodbridge Expansion Area, have census populations that are very close to the population estimates in OPA #600. This allows for a high level of confidence in using the population estimates in OPA #600.

While the OPA #600 new urban areas are the source of the majority of growth in the City, they are not the only source. The Growth Plan for the Greater Golden Horseshoe requires that 40% of residential development shall occur within existing built areas by 2015. This, however, is a Region-wide requirement which means the actual target for Vaughan may be different than the 40% in the Growth Plan. The Region of York has not yet established the target for Vaughan's intensification and as a result cannot be accounted for in our population projections in this exercise. We have assumed that intensification will occur on a roughly equal basis across the City.

The population projections also only take into account major areas for development outlined in OPA #600. There will be some development outside of the OPA #600 new urban areas, such as the Kleinburg Golf Club redevelopment or individual condominium developments. These types of developments will have only a small impact on the population projections when looked at on a City-wide basis. Including these types of developments would lead to a level of detail in population forecasting that is not necessary for the purposes of determining ward boundaries. Each potential ward will see some of this type of development, whether it be new low-density subdivisions or high-density buildings, and it is assumed that this will be generally equally spread across the City and affecting no one ward more so than another.

While the City is undertaking an Official Plan review, any new development areas that may be established will not be substantially developed until after the 2018 election. OPA #600 has a planning horizon of 2026, which is well beyond the election in 2018. There will be some impact on population projections as early as 2015, however no significant impact as a result of the OP review are anticipated for the next three elections.

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 5

It is important to understand that the population projections that are being completed are not intended to give detailed populations for a ward at an election date, but rather are to be used as a tool to evaluate the equitable distribution of population amongst the proposed wards as the City's population grows.

Public Consultation Component of the Ward Boundary Review

Survey

It was the view of the Committee of the Whole (Working Session) on September 9, 2009 that rather than engaging in public consultations on the basis of ward options already created, it would be preferable to assess the importance of the ward boundary criteria to the citizens of the City of Vaughan. The Committee wanted to take an approach which ensured that the public consultation process was not prejudiced by the presentation of concrete options, and asked that a report on the consultation approach be presented.

At its meeting of November 24, 2009, by its adoption of Item 2 of Report No. 56 of the Committee of the Whole (Working Session), Council adopted a revised timetable for the Ward Boundary Review Public Consultation Process. In accordance with the revised timetable a survey was released to the general public seeking perspectives on such things as the City's ward system, the need for an additional ward(s), and representation at Regional Council. In accordance with Council's direction, the relative ranking of the key ward boundary criteria was tested through several questions in the survey.

Survey Response:

Despite the Survey being widely advertised only a small proportion of potential respondents replied to it. A total of 93 responses were received.

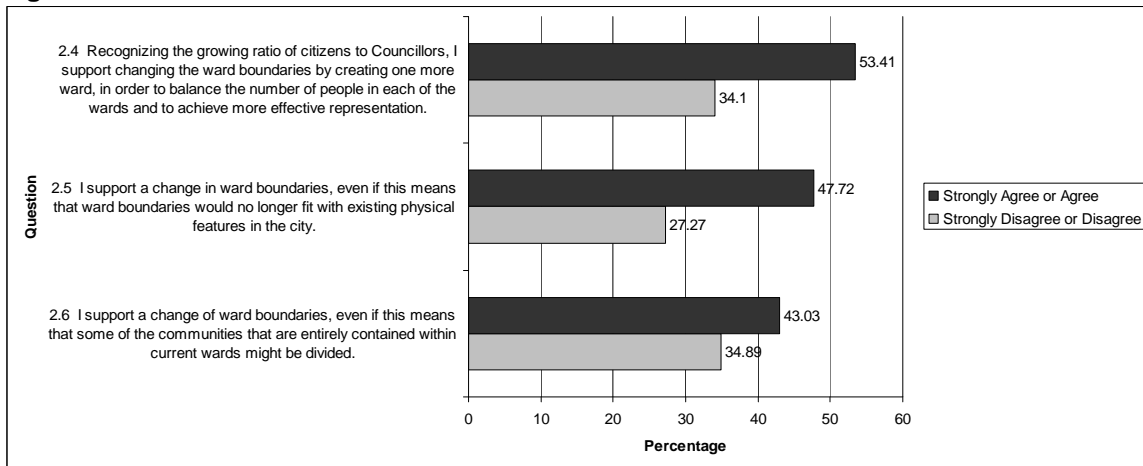
Ward Boundary Review Criteria:

The survey showed that Representation by Population, followed closely by Physical Features and Boundaries, and then by Maintaining Communities and Neighbourhoods and Future Population Trends, was the order in which the ward boundary criteria were ranked by survey respondents.

Ward Size:

The survey revealed that the most popular response for ward size in the survey was a population of 40,000 for each local ward. Using simple arithmetic, a ward size of 40,000 in a total current population of just under 270,000 results in a ward configuration of between 6 and 7 wards. The creation of at least one more ward is also supported by the answers set out in the following chart in Figure 1:

Figure 1



CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 6

Regional Representation:

Survey results on the desirability of additional representation were clearly in favour of increasing Vaughan's membership on York Region Council. The response on the method of representation, whether by city-wide vote or on a ward (or ward combination) basis, showed no significant preference.

Public Meeting

The public meeting on March 9, 2009 was held in an 'open house' format, similar in nature to meetings held to confer with communities on infrastructure developments affecting neighbourhoods. In preparation for the meeting, staff printed large format maps of the ward boundary options prepared by staff and from those submitted by one member of Council. No members of the public, submitted options until after the meeting. In all 14 options were prepared for presentation and consideration (See Appendix 'A').

Each of the proposed ward maps were examined by Planning Department staff and labeled with the estimated ward populations at each of the next three elections. Omitted from the population projections were estimates for infilling, because of insufficient information upon which to base predictions.

Large format reference maps of the existing wards, street network and natural features of the City were also posted (See Appendix 'A')

Each ward map underwent a mathematical analysis of the population projections, each ward's variances from the average ward size, and the overall average deviation from average ward size. The resulting information was listed in a table on each map. Attendees at the meeting were advised that the lower the average deviation number, the better that map achieved balanced ward populations (however the caution was also given that though it is possible to achieve a low average deviation number, wide swings in population size that net themselves out (ie. +30%, -30%) could mask an unbalanced solution.

Approximately 20 members of the public attended the open house.

The meeting began with a welcome from the City Clerk, an introduction of the Members of Council in attendance, and a brief background on the Ward Boundary Review.

In laying the foundation for the review, the City Clerk:

- presented current ward boundaries and population
- identified the major established communities in the City (Kleinburg, Woodbridge, Maple, Concord, Thornhill)
- addressed the review criteria
- Showed slides setting out the major natural features of the City, and major roads and highways
- presented the table of population ratios from comparator municipalities.

The meeting proceeded to its second phase, with participants asked to discuss the map options with their neighbours, and to write comments directly on the maps. A table was also prepared so members of the community could create their own maps with the aid of acetates showing the road network, natural features, and existing ward boundaries. Though the majority of the room did as invited and discussed/commented on the maps presented, several in attendance expressed dissatisfaction with the meeting format in that:

- a consultant had not been hired to conduct the review (the review was conducted by the City Clerk's office with the aid of Planning staff)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 7

- comments were not allowed from the floor with respect to opposition to any additional ward, regardless of configuration (such comments were directed to the committee of the whole meeting on March 31, 2009, at which this report is to be considered).

The comments made in respect of each of the options are set out at Appendix 'B'. (Personal information removed).

One member of the public submitted (and subsequently clarified) a map proposal based on the 5 Ward "B" option. The submission is identified as "Public Submission "1" and is set out at Appendix "C" to this report for easy reference.

Options Presented for Consideration:

Council is not bound to choose any of the options under consideration, or to undertake any changes in its ward boundaries. To facilitate Council's decision making, however, staff have identified two options, one each for a five ward system and a six ward system, for Council's consideration. Each of the options are respectful of the ward boundary review criteria, and are clearly the best options from the perspective of balancing ward populations over time. Each of the options, plus the variation on the 5 Ward "B" option submitted by a member of the public (Public Submission "1") are separately set out in Appendix "C". The versions set out in Appendix "C" are being presented in a manner which reflects the ward boundary lines that differ from the current ward configuration.

5 Ward "B" (and Public Submission "1" Variation)

Of all of the options prepared, this option best distributes the anticipated population at the 2018 election, though it does take the three elections to "grow" into balance. Initially, Wards 3 and 5 have populations over 20% greater or lower than the average ward population. By 2018, the variation from the average ward population is no greater than 4% for any ward.

The proposed wards respect man-made boundaries. Each of the wards uses a 400 series highway as one boundary. The disadvantage of the option is that it does not contain Maple within a single ward. Additionally, the Woodbridge Expansion Area is separated from the Woodbridge community by being placed in Ward 1. Ward 1 also includes Block 39 and additional new urban areas, in addition to the Kleinburg community, which is located at the centre of this proposed ward.

Under this proposal, Wards 1 and 3 will experience the most growth. Vellore Urban Village 1 is located within the proposed Ward 1. When fully built out, this urban area will have an estimated population of 47,485 people, as outlined in OPA #600. Ward 3 contains approximately half of the Carrville Urban Village 2, being Blocks 11 and 12. The other half of this urban area is within the proposed Ward 4, and this area is almost built out. The result is that both the proposed Wards 1 and 3 start out with populations below the average, but with the continued development have populations very close to the average at the 2018 election.

After the Public meeting, staff received an additional proposed ward option from the public in the form of a variation of the 5 Ward "B" option (Public Submission "1"). Under the variation, initially 3 wards have populations that vary more than 15% from the average ward size, however by the 2018 election all of the proposed wards have a variation of no more than 11%. The wards respect man-made boundaries, such highways and arterial roads. A railway line, along the east side of Maple is used as a boundary as well. This proposal also combines Woodbridge into one ward, while having the benefit of containing the majority of Maple into one ward.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 8

The 5 Ward “B” and Public Submission “1” proposals represent wholesale change from the existing wards. No existing ward remains the same, and very few of the boundaries remain intact.

Councillor Submission 2A

This option also achieves ward populations meeting the criterion by the third election. By 2018, no ward exceeds 15% variation from the average ward size.

The proposed wards in this option respect man-made boundaries, such as the 400 series highways and arterial roads. Wards 2 and 3 maintain the current boundaries of those wards. The proposed Ward 1 maintains much of its current boundaries, and Ward 5 sees some change in the form of additional residential areas.

The most significant departure from the current ward boundaries is the proposed Ward 1. This proposed ward encompasses Maple and could be referred to as the “Maple” ward.

This option generally respects community boundaries. Although Woodbridge is divided between two wards, this has been the situation for many years in Vaughan. The division is not inappropriate given the size of the community, and the natural divider presented by river valleys. Ward 5 contains more, but not all of the Thornhill community. Ward 4 encompasses the Concord area and newer areas north of Thornhill. Ward 6 contains Kleinburg, the rural areas of the city and the newly developing areas of Vellore Village and Carrville Village.

The proposed Ward 6 contains most of the new growth. This ward contains significant portions of both Vellore Urban Village 1 and Carrville Urban Village 2. These areas, for the most part, remain to be developed and this is reflected in the population projections. At the 2010 election it is estimated that this ward will be approximately half of the average ward size, but by 2018 it will be very nearly at the average ward size.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Demonstrate Leadership and Promote Effective Governance.”

Regional Implications

Implementation of any measures modifying the number or manner in which Vaughan councillors are appointed to Regional Council will require the approval of that body.

The election of representatives on York Region’s School Boards will be affected by reconfiguration of Vaughan wards.

Conclusion

Council has long recognized that Vaughan’s rapidly growing population creates increasing imbalance in ward populations over time. The current ward structure was put in place as an interim measure, it being recognized that a ward boundary review would be conducted prior to the 2010 general municipal election.

The Ward Boundary Review assessed a variety of ward options against key criteria – principal amongst which was the need to address the population imbalance by attempting to set ward boundaries so that each ward was within 15% of the average ward size by the end of the review period. Communities of interest, physical and natural boundaries, and the recognition of Vaughan’s established communities were also important factors that were assessed in reviewing each of the options.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 19, CW Report No. 18 – Page 9

Two ward boundary options, one each for a five ward system and a six ward system, have been recommended as viable choices from all the options reviewed.

Should a by-law be passed adopting a new ward configuration for the City, notice of the by-law is to be given within 15 days. Within 45 days from the date the by-law is passed, any person may appeal the by-law to the Ontario Municipal Board by filing a notice of appeal setting out the objections to the by-law and reasons in support of the objections.

Attachments

Appendix 'A' – Ward Boundary Options
Appendix 'B' – Public Comments on Options
Appendix 'C' - Options presented for Consideration

Report prepared by:

Jeffrey A. Abrams,
City Clerk

Joseph Chiarelli,
Manager, Special Projects, Licensing and Permits - Insurance Risk Management

Todd Coles,
Manager, Development Services and, Secretary-Treasurer to Committee of Adjustment

(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 APRIL 14, 2009

Item 20, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

20 FENCE HEIGHT EXEMPTION REQUEST – 179 WEAVER COURT – WARD 1

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Director of Enforcement Services, dated March 31, 2009, be approved; and
- 2) That the following deputations and written submissions be received:
 - a) Mr. Bruno Campoli, 179 Weaver Court, Kleinburg, L0J 1C0, and written submissions, dated March 27 and March 31, 2009; and
 - b) Ms. Lilian Gianforcaro, 183 Weaver Court, Kleinburg, L0J 1C0.

Recommendation

The Director of Enforcement Services recommends:

1. That the fence height exemption application for 179 Weaver Court be denied.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, objections to the fence height exemption application have been received..

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 179 Weaver Court has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90, for the property located at 179 Weaver Court.

The Applicant is making an application to permit an existing front yard fence with 4 ½ panels ranging in height from 5 feet 11 inches to 6 feet 8 inches and support posts ranging in height from 6 feet 1 inch to 7 feet 7 inches which has been constructed between the properties of 181 Weaver Crt and 179 Weaver Crt.

The By-law permits a fence height of four feet in front yards.

Enforcement Officers attended the location due to a complaint. A Notice of Violation was issued to the homeowners outlining contravention of City of Vaughan By-law 80-90 and asking for compliance being to reduce the height of the fence so that it conforms to the By-law requirements.

Further inspections revealed no compliance with the By-law and the matter was brought before the courts.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 20, CW Report No. 18 – Page 2

The first court appearance was in November 2008 and the fence height exemption application was submitted to the City after the homeowners were made aware of their impending court date.

The area was inspected by Enforcement staff and there are no similar front yard fences similar in height to the Applicant's.

The fence height does not pose a site line issue.

In this general area there has not been any similar fence height exemptions approved in recent years.

The details outlined above do not support the approval of a fence height exemption for this location.

This application is outside the parameters of the delegated authority passed by Council.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case does not support the approval of a fence height exemption for this location.

Attachments

- 1) Map of Area
- 2) Site Plan
- 3) Fence Plan
- 4) Photos of existing Fence
- 5) Objections

Report prepared by:

C. Booth, Property Standards Officer
Ext: 8682

(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 APRIL 14, 2009

Item 21, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

21 FENCE HEIGHT EXEMPTION REQUEST – 63 JOHNSWOOD CRESCENT – WARD 3

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Enforcement Services, dated March 31, 2009:

Recommendation

The Director of Enforcement Services recommends:

1. That the fence height exemption application for 63 Johnswood Crescent be approved.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, no objections have been received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 63 Johnswood Crescent has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90, for the property located at 63 Johnswood Crescent.

The Applicant is making an application for a proposed rear yard fence along the West Side property line only 7 feet 3 inches in height by adding 1 foot 3 inch lattice to the existing 6 foot fence in order to provide a feeling of safety and security around an existing pool.

The By-law permits a rear yard fence height of 6 feet in rear yards.

The area was inspected by Enforcement staff and there is one other rear yard fence similar in height to the applicant's where a fence height exemption was approved by Council on June 9, 2003 (Item 6, Report No. 45)

The fence height does not pose a potential sight line issue.

The details outlined above do support the approval of a fence height exemption for this location.

This application is outside the parameters of the delegated authority passed by Council.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 21, CW Report No. 18 – Page 2

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case does support the approval of a fence height exemption for this location.

Attachments

- 1) Map of Area
- 2) Site Plan
- 3) Fence Plan
- 4) Photos of existing Fence

Report prepared by:

C. Booth, By-law Enforcement Officer
Ext: 8682

(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 APRIL 14, 2009

Item 22, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

22 FENCE HEIGHT EXEMPTION REQUEST – 26 BEAUVISTA CRT – WARD 3

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Enforcement Services, dated March 31, 2009:

Recommendation

The Director of Enforcement Services recommends:

1. That the fence height exemption application for 26 Beauvista Court be approved.

Economic Impact

N/A

Communications Plan

Notification/Request for Comment letters were sent to surrounding neighbours within a 60 metre radius, no objections have been received.

Purpose

This report is to provide information for the consideration of a fence height exemption application.

Background - Analysis and Options

The property owner of 26 Beauvista Court has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90, for the property located at 26 Beauvista Court.

The area is still under construction and some of the surrounding properties have not been graded or landscaped. The rear of the property abuts a forested area, however the rear fence along the rear property line is constructed of chain link link and is less than 6 feet in height as stipulated in the Site Plan.

The Applicant is making application to permit an existing rear yard fence along the East and West Side property lines ranging in height from 6 feet 6 inches to 7 feet 7 inches in order to provide safety and security around the pool and also to provide for privacy from neighbours.

The By-law permits a rear yard fence height of 6 feet in rear yards.

The area was inspected by Enforcement staff and there are no other fences of this height in the immediate area.

The fence height does not pose a potential sight line issue.

In this general area there has not been any applications for fence height exemptions.

The details outlined above do support the approval of a fence height exemption for this location.

This application is outside the parameters of the delegated authority passed by Council.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 22, CW Report No. 18 – Page 2

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

N/A

Conclusion

Fence Height Exemption requests brought before Council should be granted or denied based on the potential impact to neighbour relations, comparables in the specific area, site plan requirements, history, and safety impacts. This case do support the approval of a fence height exemption for this location.

Attachments

- 1) Map of Area
- 2) Site Plan
- 3) Fence Plan
- 4) Photos of existing Fence

Report prepared by:

C. Booth, By-law Enforcement Officer Ext: 8682

(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 APRIL 14, 2009

Item 23, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

23

**SITE DEVELOPMENT FILE DA.07.089
MILLWICK ACQUISITION CORPORATION
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.07.089 (Millwick Acquisition Corporation) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Letter of Undertaking:
 - i) the final site plan, building elevations and landscaping plan shall be approved by the Development Planning Department;
 - ii) the final site grading, servicing, stormwater management and lighting plans, and noise and traffic reports shall be approved by the Engineering Department;
 - iii) the Owner shall satisfy final the requirements of the Region of York; and,
 - iv) Minor Variance Application File A332/08 and Consent Application File B054/08 shall be approved by the Committee of Adjustment.

Economic Impact

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

Communications Plan

N/A

Purpose

To permit the development of the subject lands shown on Attachment #1 with a commercial development as shown on Attachment #2, consisting of the following:

- i) a 408.27 m² eating establishment with an 81 m² outdoor patio (Building "A");
- ii) a 707.56 m² building (Building "B") to be used for 198.32 m² convenience retail uses and a 509.24 m² daycare use with a 251.43 m² playground for the daycare located between Buildings "B" and "C"; and,
- iii) a 405.19 m² commercial building (Building "C") comprised of a 197.17 m² dental office and 208.02 m² of retail store uses.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 23, CW Report No. 18 – Page 2

Background - Analysis and Options

Location

The subject lands are located at the southeast corner of Weston Road and Canada Drive, being Parts 23 and 36, on Reference Plan 65R-28421, in Part of Lot 23, Concession 5, City of Vaughan, as shown on Attachment #1.

Official Plan/Zoning By-law

The subject lands are designated “Medium Density Residential/Commercial”, with an overlay “Neighbourhood Commercial” designation by OPA #600, as amended. The proposed commercial development conforms to the Official Plan and are located within the approved Block 33 West Plan.

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Paragraph 9(1224). The lands (Phase 1) for the commercial development are proposed to be severed from a larger parcel of land, the balance of which is proposed for a residential development (Phase 2) as shown on Attachment #2. The proposed severance will result in zoning deficiencies being created on the commercial property. The following zoning exceptions to the C4 Neighbourhood Commercial Zone of By-law 1-88 are required to facilitate the proposal:

Standard	By-law 1-88 C4 Neighbourhood Commercial Zone Requirements	Exceptions to the C4 Neighbourhood Commercial Zone
Minimum Front Yard Setback (Canada Dr.)	11.0 m	6.0 m
Minimum Rear Yard Setback (south)	15.0 m	6.0 m
Minimum Interior Yard Setback (east)	11.0 m	3.0 m
Minimum Exterior Yard Setback (Weston Road)	11.0 m	6.0 m
Minimum Yard Setback (Institutional Use – day care)	15.0 m	6.0 m
Minimum Number of Parking Spaces	149 spaces (based on 16 spaces/100m ² GFA for the eating establishment and outdoor patio use; 6 spaces/100 m ² GFA for the shopping centre use)	109 spaces (based on 6.55 spaces/100m ² GFA)
Maximum Driveway Width on Weston Road and Canada Dr.	7.5 m	9.0 m

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 23, CW Report No. 18 – Page 3

The front, interior and exterior side yard setback deficiencies are due to the siting of the proposed buildings closer to the street, which is preferred from an urban design perspective. The variances for the rear yard setback of Building “C” and the minimum yard setback for an institutional use (daycare) occur along most of the south property line of the subject lands. The variances for the interior side yard setback (Building “B”) and minimum yard setback for an institutional use (daycare) occur along the southern portion of the east property line of the subject lands. An 1.8 m privacy fence and a 2.4 and 5 m wide landscaped area are proposed along the east and south lot lines respectively, to buffer the commercial development from the future residential uses. The Development Planning Department is satisfied that the requested variances are appropriate for the development of the subject lands.

The Applicant has submitted a Minor Variance Application (File A332/08) and a Consent Application (File B054/08) to create separate parcels of land for the commercial and residential portions of the Applicant’s lands and to create servicing easements with the Committee of Adjustment. The Committee of Adjustment decision respecting the minor Variance and Consent application shall be final and binding prior to the execution of the Letter of Undertaking.

The applicant has submitted a Traffic Impact and Parking Study, dated October 17, 2007, prepared by Cole Engineering in support of the application. The study concludes that the parking supply for the uses proposed on the subject lands is sufficient to accommodate the on-site parking demand. The proposed variances for the driveway egress/ingress are proposed in order to improve the on-site circulation of vehicles. The Engineering Department has reviewed the Traffic Impact and Public Study and are generally satisfied with its conclusions. The final report must be to the satisfaction of the Engineering Department.

Site Plan Review

The Development Planning Department is satisfied with the proposed site plan, building elevations and landscaping plan, as shown on Attachments #2, and #4 to #6 inclusive. The final plans must be approved to the satisfaction of the Development Planning Department.

Sustainability

The sustainable features proposed for the development will include the collection and storage of recyclables, the use of certified wood, low emitting adhesives, sealants, paints, coatings and carpets, and composite wood.

Development/Transportation Engineering Department

The Engineering Department has no objections to the proposal and requires that site grading, servicing, stormwater management and lighting plans, and noise and traffic reports be addressed to the satisfaction of the Engineering Department.

Relationship to Vaughan Vision 2020/Strategic Plan

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 no objections to the proposed development, and requires that the final site grading, servicing, stormwater management and landscaping plans, and noise and traffic reports be approved to the satisfaction of the Region of York. The Applicant will be required to enter into a Regional Site Plan Agreement.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 23, CW Report No. 18 – Page 4

Conclusion

Site Development Application File DA.07.089 (Millwick Acquisition Corporation) has been reviewed in accordance with the policies of OPA #600, the requirements of Zoning By-law 1-88, as amended, comments from the City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed commercial development consisting of a proposed eating establishment and two multi-unit buildings as shown on Attachment #2, is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

1. Location Map
2. Site Plan - Commercial (Phase 1)
3. Site Plan - Commercial and Residential Phases
4. Elevations - Buildings "A"
5. Elevations - Buildings "B" and "C"
6. Landscape Plan

Report prepared by:

Judy Jeffers, Planner, ext. 8645

Mauro Peverini, Manager of Development Planner, ext. 8407

/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 APRIL 14, 2009

Item 24, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

24

**SITE DEVELOPMENT FILE DA.09.003
JRN HOLDINGS INC./EDEN OAK (VELLORE PARK) INCORPORATED
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.003 (JRN Holding Inc./Eden Oak (Vellore Park) Incorporated) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Letter of Undertaking:
 - i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department; and,
 - ii) the final site grading, servicing, and storm water management plans shall be approved by the Vaughan Engineering Department.

Economic Impact

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

Communications Plan

N/A

Purpose

To permit the development of the subject lands shown on Attachment #1 with 14 street townhouse dwelling units within 3 townhouse blocks (Blocks 72, 73, and 142) as shown on Attachment #2.

Background - Analysis and Options

Location

The property is located on the south side of Canada Drive (Block 142) and on the north side of Venice Gate Drive (Blocks 72 and 73), in Part of Lot 23 and 24, Concession 5, City of Vaughan. The surrounding land uses are shown on Attachment #1.

Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600. The proposed residential street townhouse development conforms to the Official Plan.

The property is currently zoned RT1 Residential Townhouse Zone by By-law 1-88, subject to Exception 9(1224). The proposed residential street townhouse development complies with By-law 1-88.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 24, CW Report No. 18 – Page 2

Site History

On December 15, 2003, Council approved Draft Plan of Subdivision File 19T-00V09 (JRN Holdings Incorporated) to permit the development of 221 residential units consisting of 84 single detached dwellings units, 104 semi-detached dwelling units and 33 street townhouse units. On June 28, 2004, Council approved Draft Plan of Subdivision File 19T-00V10 (Weston – 400 Holdings Inc.), to permit the development of 488 residential units consisting of 328 detached dwelling units, 52 semi-detached dwelling units and 108 street townhouse dwelling units. The above mentioned Plans of Subdivision have been registered as Plans 65M-4105 (JRN Holdings Inc.) and 65M-4107 (Eden Oak (Vellore Park) Inc).

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, landscaping plan and building elevations as shown on Attachments #2 to #5 inclusive, and will continue to work with the applicant to finalize the details. A typical site plan layout, landscaping plan, and building elevations for Block 142 are shown on Attachments #3, #4, and #5 respectively.

Servicing

The applicant has submitted site servicing, grading and storm water management plans for review and approval by the Vaughan Engineering Department.

Sustainability

The applicant has advised the City that the following sustainable features will be provided within the building design:

- i) aerated low flow faucets in kitchen and bathrooms;
- ii) high efficiency forced air gas furnace;
- iii) ENERGY STAR certified Low E coated argon filled vinyl casement windows;
- iv) ENERGY STAR qualified draft proof sealed electrical outlet and switches;
- v) ENERGY STAR rated programmable set back thermostat;
- vi) fully sodded front and rear yard.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The subject lands are located internal to the subdivision, and therefore, there are no Regional implications.

Conclusion

Site Development File DA.09.003 has been reviewed by the Development Planning Department in accordance with the applicable policies of OPA #600, By-law 1-88, the comments from City Departments, and the area context. The Development Planning Department is generally satisfied that the proposed development for 14 street townhouse dwelling units is appropriate and compatible with the existing and permitted uses in the surrounding area, and the lotting in the approved Plans of Subdivision. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 24, CW Report No. 18 – Page 3

Attachments

1. Location Map
2. Overall Site Plan
3. Site Plan - Block 142
4. Landscape Plan - Block 142
5. Elevations - Block 142

Report prepared by:

Morgan Jones, Planner 1, ext. 8216
Mauro Peverini, Manager of Development Planning, ext. 8407

/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 APRIL 14, 2009

Item 25, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

25

**SITE DEVELOPMENT FILE DA.08.083
THE REGIONAL MUNICIPALITY OF YORK
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development Application File DA.08.083 (The Regional Municipality of York) BE APPROVED, subject to the following conditions:
 - a) that prior to the issuance of a building permit by the Building Standards Department:
 - i) the final site plan, building elevations and landscaping shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans, and stormwater management report, shall be approved by the City Engineering Department; and,
 - iii) all requirements of York Region Transportation Services-Roads Branch shall be satisfied.

Economic Impact

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

Communications Plan

N/A

Purpose

The Regional Municipality of York Property Services Branch has submitted a Site Development Application for the Region owned lands shown on Attachment #1, to permit revisions to the existing site plan and industrial building shown on Attachment #2, to facilitate the use of the building for an operations and maintenance facility with no outside storage, for approximately 236 York Region buses, 17 repair bays (internal to the building) and an ancillary offices. The proposed revisions to the existing industrial building are discussed in the Site Plan Review section of this report.

Background - Analysis and Options

Location

The site is located on the southwest corner of Keele Street and Bowes Road, municipally known as 8300 Keele Street, being Part 1 on Plan 65R-31086, in Part of Lots 9 and 10, Concession 4, City of Vaughan.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 25, CW Report No. 18 – Page 2

Official Plan and Zoning

The subject lands are designated "Prestige Area" by the City's Employment Area Plan (OPA #450), which permits a wide range of industrial, office, business and civic uses with no outside storage.

The subject lands are zoned EM1 Prestige Employment Area Zone along Keele Street and EM2 General Employment Area Zone in the interior of the lot, by By-law 1-88 as shown on Attachment #1. The Public Uses Section (3.10) of By-law 1-88 permits the use of any land in any zone for a civic purpose by the City, the Regional Municipality of York, or other Government Authorities.

The proposed York Region Transit Operations and Maintenance Facility is deemed a civic use and therefore, it conforms and complies with the Official Plan and Zoning By-law, respectively.

Site Plan Review

The proposed site plan (Attachment #2) shows the existing industrial building with staff and visitor parking along the perimeter of the site. The site will be enclosed by a new security chain-link fence with security gates located at the southeast and northeast corners of the site and at the Bowes Road access point. In order to serve buses, individual oil and anti-freeze tanks, and a diesel fuel pump are proposed on the south and west elevations, respectively as shown on Attachment #2. The maintenance, repair and storage of buses will occur inside the existing industrial building, no outside storage is proposed.

The existing building elevations shown on Attachment #3 will be revised as shown on Attachment #4 to incorporate the following changes:

North Elevation (facing Bowes Road):

- i) the existing dark brown brick will be re-clad in pre-finished grey metal insulated panels;
- ii) the existing windows in the office areas will be replaced with new energy efficient units; the number of windows and their configuration will remain unchanged;
- iii) the proposed new entry for staff to bus maintenance area will be re-clad with bronze metal panels; and,
- iv) 23 clear polycarbonate drive-through overhead doors will be added to the building;

South Elevation:

- i) 4 clear polycarbonate drive-through overhead doors will be added; and;
- ii) the existing grey precast concrete walls will remain unchanged.

West Elevation (CNR Freight Classification Yard):

- i) 6 existing overhead doors and depressed loading area, will be removed and replaced with white and blue metal panels to match the existing adjacent wall panels; and,
- ii) a new recessed overhead door will be added to the southwest corner and will act as the main bus entry into the facility.

East Elevation

- i) the existing dark brown brick will be re-clad in pre-finished grey metal insulated panels;
- ii) the existing windows in the office areas will be replaced with new energy efficient units, the number of windows and their configuration will remain unchanged;
- iii) existing grey precast walls will remain;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 25, CW Report No. 18 – Page 3

- iv) the proposed addition of a bronze metal panel feature wall that will include York Region Signage, and;
- v) a new double-door glass entry with canopy above.

The proposed landscape plan is shown on Attachment #5, which includes a 9m wide and 3.5m wide landscape strip, within the property limits, along Keele Street and Bowes Road, respectively. Additional planting is proposed in the interior. The existing trees on the subject lands will be removed and replaced with planting proposed and shown on Attachment #5.

The Development Planning Department will continue to work with the Region to finalize the site plan, elevations and landscaping plans which must be approved to the satisfaction of the Development Planning Department.

Vaughan Engineering Department

The Region has also submitted a site grading and servicing plan and a stormwater management report in support of the application, which must be approved to the satisfaction of the Vaughan Engineering Department, prior to the issuance of a building permit. The Vaughan Engineering Department is also of the opinion that site access, parking and on-site vehicular circulation is acceptable. The Vaughan Engineering Department has approved the Transportation and Traffic Study prepared by Delcan Corporation, in support of the proposed development.

York Region Transportation Services-Roads Branch

The application was circulated to York Region Transportation Services Department for review and comment. The Region has advised that the only access permitted to the site via Keele Street will be located approximately 230m south of the centerline of Bowes Road as shown Attachment #2 and will be restricted to right-in/right-out movements only. The Region of York has no objections to the proposed development. As a condition of site plan approval, all requirements of the Region of York Transportation Services Department shall be satisfied.

Sustainability

The Region is pursuing a Silver LEED accreditation for the proposed York Region Transit operations and maintenance facility, which is consistent with recent Regional policy to obtain a minimum sustainable design and construction standard of LEED Silver for new Regional facilities over 500m². The proposed development includes the following sustainable features:

- i) Limit Parking Capacity: Provide preferred parking designated for use exclusively by carpools/car co-ops equal to 10%.
- ii) Heat Island Effect, Roof: Utilize a white roof, with material having a high Solar Reflectance Index (SRI).
- iii) Construction Waste Management: Divert 50% of waste from a landfill through the reuse of construction waste on the site.
- iv) Recycled Content: Most building materials used include or exceed 15% recycled content.
- v) Regional Materials: 20% of materials used are extracted and manufactured Regionally.
- vi) Water Efficient Landscaping: Reduce by 50% through the use of a rainwater reclaim system.
- vii) Minimum Energy Performance: Reduce designed energy consumption by 25%.
- viii) Carbon Dioxide Monitoring: Provide ventilation controls to limit CO2 levels.

Relationship to Vaughan Vision 2020/Strategic Plan

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 25, CW Report No. 18 – Page 4

Regional Implications

The Region of York should satisfy all the conditions noted in the recommendation section of this report, prior to the issuance of a building permit by the Building Standards Department.

Conclusion

The proposed Site Development Application has been reviewed in accordance with the policies in OPA #450, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development of the subject lands for a York Region Transit operations and maintenance facility is consistent with the objectives of Vaughan Vision 2020 to plan and manage growth and economic vitality. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan (Existing Industrial Building)
3. Existing Building Elevations
4. Proposed Building Elevations
5. Landscape Plan

Report prepared by:

Christina Napoli, Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

(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 APRIL 14, 2009

Item 26, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

26

**STREET NAME APPROVAL
PLAN OF SUBDIVISION FILE 19T-06V15
THE RAVINES OF RAINBOW CREEK
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

THAT the following street name for approved Plan of Subdivision File 19T-06V15 (The Ravines of Rainbow Creek) as shown on Attachment #2, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Gentile Circle

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 north side of Langstaff Road, west of the CPR line, in Lot 11, Concession 8, City of Vaughan.

The Planning Department for the Region of York and the Vaughan Fire Department and Development Planning Department do not have any objection to the proposed name.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The proposed street name is acceptable to the Region of York.

Conclusion

The Development Planning Department has no objection with the proposed street name for approved plan of subdivision 19T-06V15.

Attachments

1. Location Map
2. Approved Plan of Subdivision

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 26, CW Report No. 18 – Page 2

Report prepared by:

Jack McAllister, Senior GIS Technician, ext. 8209

/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 APRIL 14, 2009

Item 27, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

27

**ZONING BY-LAW AMENDMENT FILE Z.08.067
2092702 ONTARIO LTD.
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-Law Amendment File Z.08.067 (2092702 Ontario Ltd.) BE APPROVED.
2. THAT the implementing Zoning By-law shall:
 - i) permit the following additional uses in Units #1 and #2 of the building on the subject lands shown on Attachment #1;
 - a personal service shop;
 - a regulated health professional; and,
 - a dry cleaning depot (Pick Up);
 - ii) define a Dry Cleaning Depot (Pick Up) as follows:

“Shall mean a building or place used for the purpose of receiving and distributing articles or goods or fabrics to be dry-cleaned, dry-dyed, cleaned or pressed off the premises”;
 - iii) restrict the maximum gross floor area devoted to the additional commercial uses to 72 m²; and,
 - iv) require 26 parking spaces on the subject lands for the existing permitted and proposed additional uses.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically Exception 9(1296) of By-law 1-88, applicable to the subject lands shown on Attachment #1, to permit additional commercial uses on the ground floor of Units #1 and #2 of a live/work building (currently under construction) as shown on Attachment #2, to include a personal service shop, a regulated health professional, and a dry cleaning depot (pick-up only). The combined ground floor area of Units 1 and 2 that is devoted to the proposed additional uses is 72 m².

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 27, CW Report No. 18 – Page 2

The current by-law exception on the property permits only a business and professional office use (excluding the office of a regulated health professional) on the ground floor of the 3-storey live/work building.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located on the west side of Keele Street and north of McNaughton Road, in Part of Lot 23, Concession 4, municipally known as 10388 and 10390 Keele Street, City of Vaughan. The rectangular-shaped lot has an area of 2,129.69 m², with 60.31 m frontage on Keele Street, and a lot depth of 36.3 m. The surrounding land uses are shown on Attachment #1.

Official Plan and Zoning

The subject lands are designated "Office Commercial" by OPA #350 (Maple Community Plan), and zoned C8 Office Commercial Zone by By-law 1-88, subject to Exception 9(1296). The "Office Commercial" designation permits business and professional office buildings with limited ground floor retail uses and residential units appropriately integrated into office commercial developments. The Zoning By-law Amendment Application to permit the additional office and commercial uses on the subject lands to conform to the Official Plan. The proposed commercial uses are not permitted on the subject lands by By-law 1-88, therefore a Zoning By-law Amendment is required.

Site History

Zoning By-law Amendment File Z.07.033 and Site Development File DA.07.061 (2092702 Ontario Ltd) were approved by Vaughan Council on November 26, 2007. Furthermore, on December 8, 2008, Vaughan Council approved Draft Plan of Condominium Application File 19CDM-08V10 on the subject lands. These applications facilitated the development of the subject lands with a three-storey live/work condominium development, with 231 m² of business and professional offices on the ground floor and seven (7) residential dwelling units above, which is currently under construction on the subject lands.

Planning Considerations

The proposed personal service shop, regulated health professional and dry cleaning depot (pick up only) would occupy the ground floor of Units #1 and #2 and total 72m². Exception 9(1298) of By-law 1-88 restricts the ground floor of the live/work units to business and professional offices. When the original Zoning By-law Amendment Application (File Z.07.033) was considered and subsequently approved, the permitted use on the ground floor was restricted to business and professional offices in order for the development to comply with the minimum parking requirements of By-law 1-88.

The applicant has not identified the total gross floor area that would be devoted to each of the proposed additional uses in Units #1 and #2. This would allow the applicant flexibility with respect to leasing this space. The parking requirement of By-law 1-88 for each of the proposed uses as follows:

- i) Regulated Health Professional – 5 spaces per practitioner;
- ii) Personal Service Shop – 6 spaces per 100m²; and,
- iii) Dry Cleaning Depot (pick up) – 6 spaces per 100m².

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 27, CW Report No. 18 – Page 3

The site plan shown on Attachment #2 indicates that 26 parking spaces are currently provided on the site. Three scenarios have been developed to illustrate the potential parking requirement for the proposed uses as follows:

- i) Scenario #1 – Both units (72 m²) to be used as a personal service shop/dry cleaning depot;
- ii) Scenario #2 – Both units (72 m²) to be used as a regulated health professional; and,
- iii) Scenario #3 – One unit (36 m²) to be used as a personal service shop/dry cleaning depot and one unit (36 m²) to be used as a regulated health professional.

By-law 1-88 requires that parking for each scenario would be calculated as follows:

Land Use	By-law Requirement	Development Scenario					
		Scenario #1		Scenario #2		Scenario #3	
		Size	Spaces	Size	Spaces	Size	Spaces
Permitted Uses subject to By-law 1-88 (Exception 1296)							
Residential	1.5 per unit	7 units	11	7 units	11	7 units	11
Visitor	0.25 per unit	7 units	2	7 units	2	7 units	2
Business or Professional Office	3.5 per 100 m ²	159 m ²	6	159 m ²	6	159 m ²	6
Proposed Additional Uses							
Personal Service Shop/Dry Cleaning Depot	6.0 per 100m ²	72 m ²	5	N/A	0	36 m ²	3
Regulated Health Professional	5 per practitioner	N/A	0	2 units	10	1 unit	5
Total Required			24		29		27

Scenario #2 which proposes a regulated health professional use in both units would generate the greatest parking requirement at 10 spaces. When added to the parking required for the other permitted uses on the subject lands, the total parking required on the site is 29 spaces, whereas 26 are provided. It should be noted that there are 2 additional on street parking spaces to the front of the subject lands. Technically By-law 1-88 does not permit on-street parking spaces to be included in the parking supply, but in all likelihood they will be used by the patrons visiting the subject lands given their proximity to the subject lands. The applicant has submitted a parking study prepared by LEA Consulting Ltd, dated January 15, 2009 in support of the proposed additional uses which, has been reviewed and approved by the Engineering Department. Accordingly, the additional uses can be supported from a parking perspective.

By-law 1-88 does not include a definition for a dry-cleaning depot (pick up). The intent is to permit a dry cleaning facility where patrons can drop-off and pick-up clothes and fabrics that have been dry cleaned. However, the Development Planning Department does not support processing or cleaning taking place on the premises given the residential uses above the ground floor. Accordingly, it is recommended that the implementing Zoning By-law include the following definition for a dry-cleaning depot (pick up):

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 27, CW Report No. 18 – Page 4

- “Shall mean a building or place used for the purpose of receiving and distributing articles or goods or fabrics to be dry-cleaned, dry-dyed, cleaned or pressed off the premises”.

The proposed uses are considered to be compatible with the business and professional office uses currently permitted on the subject lands, and appropriate in the context of the surrounding land uses and enhance the commercial uses available to serve the local community and the viability of the project. In addition, the proposed uses will be restricted to Units #1 and #2 totaling 72 m², which is limited in size and will be restricted in the implementing zoning by-law. Accordingly, the Development Planning Department can support the application.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The previous site plan and condominium applications that were approved by Vaughan Council for the subject lands were circulated to the Region of York for review and comment. Any site design issues raised by the Region of York were addressed when the previous technical reports were considered.

Conclusion

Zoning By-law Amendment File Z.08.067 has been reviewed by the Development Planning Department in accordance with the applicable policies of OPA #350, the requirement of By-law 1-88, the comments from City Departments and external public agencies, site considerations and the area context. The Development Planning Department is satisfied that the proposed additional commercial uses on the ground floor of Units #1 and #2 can be developed on the subject lands in a manner that is compatible with the balance of the site and the surrounding land uses subject to the recommendations in this report. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Morgan Jones, Planner 1, ext. 8216
Mauro Peverini, Manager of Development Planning, 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 APRIL 14, 2009

Item 28, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

28

**ZONING BY-LAW AMENDMENT FILE Z.09.002
SITE DEVELOPMENT FILE DA.09.010
DILUCA & MAZZOCCA INVESTMENTS LTD.
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.002 (DiLuca & Mazzocca Investments Ltd.), BE APPROVED; specifically to amend Exception Paragraph 9(398) to By-law 1-88 to permit a day nursery having a gross floor area of 310 m² in Unit #4 of the existing commercial building and an associated outdoor play area as shown on Attachment #3 as additional permitted uses in a C1 Restricted Commercial Zone and with the following zoning exceptions:
 - a) permit a 0.0 m wide landscape buffer along the west property line where the outdoor play area is located; and,
 - b) permit a 1.9 m interior side yard setback (south property line) to an institutional use (Unit #4), whereas 15 m is required.
2. THAT Site Development File DA.09.010 (DiLuca & Mazzocca Investments Ltd.) BE APPROVED, subject to the following conditions:

That prior to the execution of the Letter of Undertaking:

- a) the Owner shall satisfy all requirements of the Development Planning and Engineering Departments; and,
- b) the final configuration of the outdoor play area be approved to the satisfaction of the Development Planning Department.

Economic Impact

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

Communications Plan

On February 6, 2009, a Notice of a Public Meeting was circulated to all property owners within 120 m of the subject lands and to the Maple Village Ratepayers Association. A Public Meeting was held on March 3, 2009. No comments were received from the area residents and no one was in attendance at the Public Meeting.

Purpose

The Owner has submitted a Zoning By-law Amendment Application (File Z.09.002), specifically to amend Exception Paragraph 9(398) of By-law 1-88 on the subject lands shown on Attachment #1 as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 28, CW Report No. 18 – Page 2

- i) to permit a day nursery having a gross floor area of 310 m² as additional permitted uses in a C1 Restricted Commercial Zone in Unit #4 of the existing building and the associated outdoor play area on the subject lands, as shown on Attachment #3; and,
- ii) to permit the following zoning exceptions:

Standard	By-law 1-88 Requirement	Proposed
Minimum Interior Yard Setback (south property line)	15.0 m	1.9 m
Minimum landscape width along west property line	2.7 m	0.0 m along the outdoor play area

Background - Analysis and Options

Location

The subject lands are located on the west side of Keele Street, north of Major Mackenzie Drive, in Part of Lot 21, Concession 4, Municipally Known as 10040 Keele Street, City of Vaughan. The surrounding land uses are shown on Attachment #1.

Official Plan and Zoning

The subject lands are designated "Maple Commercial Core Area" by OPA #350 (Maple Community Plan). The proposed site development and day nursery use conforms to the Official Plan.

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(398). The Owner proposes a day nursery use in Unit #4 of the existing commercial building with an outdoor play area. The proposed site development does not comply with the current site-specific provisions of Zoning By-law 1-88. The Owner also proposes a reduction to the minimum setback for an institutional use from 15 m to 1.9 m for the interior side yard from Unit #4 (south property line), and a 0.0 m wide landscape buffer along the west property line where the outdoor play area is proposed, whereas 2.7 m is required. The reduction of the interior yard setback to 1.9 m to Unit #4 reflects the existing setback of the commercial building. The proposed 0.0 m wide landscape buffer is a result of the existing landscaped buffer becoming part of the playground area. The existing trees and sodded area will remain in place.

The Development Planning Department supports the proposed day nursery use on the subject lands as it will provide an additional local amenity that will service the residents of the Maple Core and surrounding areas. The applicant is also proposing changes to the west building elevation, as shown on Attachment #4, which will improve the building aesthetics. Furthermore, the day nursery use and outdoor play area use will be more compatible with the surrounding land uses compared to the current use of small engine repair and testing that would otherwise adversely contribute to the air and noise pollution.

The Development Planning Department has been in discussions with the Owner with respect to the configuration of the associated outdoor play area proposed on Attachment #2. The modified configuration of the outdoor play area shown on Attachment #3 is the result of negotiations with the day nursery operator. The Development Planning Department supports the negotiated modified outdoor play area configuration for the following reasons:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 28, CW Report No. 18 – Page 3

- i) it is less disruptive and has less impact to the existing mature trees within the landscape buffer along the west property line as opposed to the play area shown on Attachment #2;
- ii) the modified outdoor play area is directly connected to Unit #4 in order to alleviate the children from walking across the parking area and provides for a safer environment and direct visual sight line from Unit #4;
- iii) it does not block the pedestrian access to the neighbouring commercial units or the existing concrete walkway surrounding the existing building;
- iv) It occupies less parking spaces (approximately 10 spaces versus 12 spaces);
- v) It provides for a mixture of hard and soft play surfaces for the children; and,
- vi) there are no conflicts with existing catch basins in the parking area and minimal internal traffic conflicts.

The Owner is required to provide a revised site plan illustrating the modified outdoor play area configuration. A condition of site plan approval has been included in this respect.

Site Plan Review

The Development Planning Department is satisfied that the proposed site plan, as modified and the building elevation, as shown on Attachment #3 and #4, are satisfactory.

The Owner has reconfigured the parking area along the west side of the subject lands to increase the number of parking spaces on the subject lands from 83 to 86 spaces, not including the area devoted to the outdoor play area. By-law 1-88 requires a minimum of 79 parking spaces. Therefore, the minimum parking spaces provided meets the minimum parking spaces requirements of By-law 1-88.

The Vaughan Engineering Department has no objections to the proposed development.

Sustainability

The applicant has advised that the following sustainable features will be provided:

- i) the location of the outdoor play area will protect the existing mature trees along the west property line which provides shading and reduces the site's heat island effects and the amount of storm water runoff;
- ii) the existing mature trees will decrease the noise impact on the surrounding land uses generated by the play area; and,
- iii) the day nursery operation will generate refuse that will be sorted and recycled.

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 York Region Transportation Services Department has no objections to the development proposal.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #350 (Maple Community Plan), By-law 1-88, the comments from City Departments and the area context. The

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 28, CW Report No. 18 – Page 4

Development Planning Department is satisfied that the proposed development for a day nursery use and an associated outdoor play area is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development Application, subject to the recommendations in this report.

Attachments

1. Location Map
2. Original Site Plan
3. Site Plan with Modified Play Area
4. West Elevation

Report prepared by:

Stephen Lue, Planner, ext. 8210
Mauro Peverini, Manager of Development Planning, ext. 8635

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

29

**ZONING BY-LAW AMENDMENT FILE Z.07.061
DRAFT PLAN OF SUBDIVISION FILE 19T-07V06
MAJORMACK INVESTMENTS INC., 4074 MM INC.
AND M3DC CAPITAL CORPORATION AND ROCCO BUSIELLO
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.0061 (Majormack Investments Inc. et. al) BE APPROVED, specifically to amend By-law 1-88 to rezone the subject lands shown on Attachment #2, in the manner shown on Attachment #4 as follows:
 - i) rezone Lots 1-53 inclusive, Lots 68-71 inclusive, Block 72, Blocks 76-104 inclusive from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 57 single detached dwelling units and 30 blocks (15 units) on lots with a minimum frontage of 12m;
 - ii) rezone Blocks 105 and 106 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 2 blocks to be combined with the adjacent subdivision to the west File (19T-07V04) to create 2 lots with a minimum 15 m frontage;
 - iii) rezone Blocks 54-67 inclusive and Blocks 73-75 inclusive from A Agricultural Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)", to provide for 14 street townhouse blocks (67 units) and 3 townhouse blocks (7.5 units) to be combined with the adjacent subdivision to the west (File 19T-07V04);
 - iv) rezone school Block 107 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)";
 - v) rezone stormwater management Block 108, and Buffer Blocks 109 and 110 from A Agricultural Zone to OS1 Open Space Conservation Zone; and,
 - vi) include a zoning exception to permit an exterior side yard of 2.6 m for Block 92 on the proposed draft plan of subdivision.
2. THAT prior to the removal of the Holding Symbol "(H)" from Lots 1-53 inclusive, Lots 68-71 inclusive, Blocks 54-67 inclusive, Blocks 72-107 inclusive, the Region of York confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same.
3. THAT prior to or concurrent with draft plan approval for the initial 103 units, the Owner shall enter into an agreement with the City of Vaughan, committing the Owner to:
 - A) Not enter into any agreements of purchase and sale with end users for the subject lands until such time as:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 2

- i) that York Region has advised, in writing, that it is no earlier than twelve (12) months prior to the expected completion of the Bathurst Langstaff Trunk Sewer, Duffin Creek Water Pollution Control Plant expansion project, the YDSS Flow Control Structures project; and,
 - ii) the Council of the City of Vaughan has reserved adequate available water supply and sewage servicing capacity to the subject development.
 - B) Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in item A) above;
- 4. THAT prior to or concurrent with draft plan approval beyond the 103 units (remaining 44.5 units), the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:
 - A) Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as the Region of York confirms that adequate water supply and sewage treatment capacity are available and the Council of the City of Vaughan has reserved adequate water supply and sewage servicing capacity to the subject development for the remaining units or phase thereof;
 - B) Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in item A) above.

(*) the term 'end users' for the purpose of the above noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.
- 5. THAT Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc. et. al) and shown on Attachment #3, BE APPROVED, subject to the pre-conditions and conditions set out in Attachment #1 to this report.
- 6. THAT for the purposes of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc. et. al) shall contain a provision that the parkland shall be dedicated and/or cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands be paid, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved 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.
- 7. THAT the Owner shall enter into an agreement with the City to be registered on title, indicating that no Lots and/or Blocks, will be offered for sale by the Owner or purchasers until water supply and sewage servicing capacity has been identified and allocated by the City.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 3

8. THAT the Revised Block 40 South Plan as shown on Attachment #5, respecting the changes made to the subject lands only, be approved.

Economic Impact

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

Communications Plan

On January 25, 2008, a Notice of a Public Meeting was circulated to all property owners within 120m of the subject lands, and to the Millwood Woodend Ratepayers' Association. As of March 18, 2009, no responses respecting the applications were received by the Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 19, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on February 25, 2008.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #2:

1. Zoning By-law Amendment Application (File Z.07.061), specifically to amend By-law 1-88, to rezone the subject lands shown on Attachment #2, from A Agricultural Zone to the following zone categories in the manner shown on Attachment #4:
 - i) RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)" for 2 blocks (2 units);
 - ii) RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)" for 72 units;
 - iii) RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)" for 14 townhouse blocks (67 units) and 3 blocks (7.5 units) to be combined with the adjacent draft plan of subdivision (File 19T-07V04) to the west;
 - iv) RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)" for Block 107 (school block); and,
 - v) OS1 Open Space Conservation Zone for Blocks 108 (Stormwater Management Pond) and Blocks 109 and 110 (Landscape Buffer Blocks).
2. An Application for Draft Plan of Subdivision approval (File 19T-07V06) as shown on Attachment #3 consisting of the following:
 - i) 57 lots and 32 blocks for single detached dwelling units on lots with a minimum frontage of 12m;
 - ii) 14 townhouse blocks for 67 street townhouse units;
 - iii) 3 townhouse blocks (7.5 units) to be joined with blocks within the adjacent draft plan of subdivision (File 19T-07V04) to the west;
 - iv) 1 elementary school block to be combined with the school block within the adjacent residential subdivision to the west (File 19T-07V04);
 - v) 1 stormwater management block; and,
 - vi) 2 landscape buffer blocks.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Major Mackenzie Drive, east of Pine Valley Drive, municipally known as 4040, 4052 and 4074 Major Mackenzie

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 4

Drive, within Planning Block 40, City of Vaughan. The surrounding land uses are shown on Attachment #1.

Block 40 South Plan

The Development Planning Department has reviewed the proposed draft plan of subdivision in the context of the Block 40 South Block Plan, approved by Council on April 24, 2006, as shown on Attachment #5. The landowners have amended the Council approved Block 40 South Plan in the location of the subject lands, as shown on Attachment #6. The changes include: the removal of a Neighbourhood Commercial Block and replacing it with street townhouse blocks; and, the removal of a Neighbourhood Park due to the over dedication of parkland within the Block 40 South Plan. As a result of these changes, additional north-south local roads are included at this location. The landowners are requesting that the revisions proposed to be made to the Block 40 South Block Plan at this location as shown on Attachment #6, be approved. The Development Planning Department has no objection to the proposed amendments to the Block Plan. Should Council concur, a condition of approval to this affect is included in the Recommendation section of the report.

The Policy Planning Department has provided an update on the status of the April 24, 2006 Council approved Block 40 South Plan conditions, and all outstanding block plan conditions have been included as conditions of draft plan of subdivision approval in Attachment #1.

Official Plan

The subject lands are designated “Low Density Residential” and “Medium Density Residential/Commercial” and “Elementary School” by OPA #600, which permits the proposed single detached and street townhouse uses on the subject lands. The “Low” and “Medium Density Residential” designations permit a maximum residential density of 22 and 40 units per hectare respectively. The proposed draft plan of subdivision proposes 73 single detached residential units and 74.5 street townhouse units yielding low and medium densities of 17.16 units/ha and 21.22 units/ha respectively, which conforms to OPA #600.

Zoning

The subject lands shown on Attachment #2 are currently zoned A Agricultural Zone by By-law 1-88. To facilitate the proposed plan of subdivision shown on Attachment #3, an Amendment to By-law 1-88 is required to rezone the subject lands to the following Residential and Open Space Zones in accordance with the standard requirements of Schedule “A3” in By-law 1-88, as shown on Attachment #4:

- i) rezone Lots 1-53 inclusive, Lots 68-71 inclusive, Block 72, Blocks 76-104 inclusive from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol “(H)”, to provide for 57 units and 30 blocks (15 units) on lots with a minimum frontage of 12m;
- ii) rezone Blocks 105 and 106 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol “(H)”, to provide for 2 blocks (1 unit) with a minimum frontage of 15m;
- iii) rezone Blocks 54-67 inclusive and Blocks 73-75 inclusive from A Agricultural Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol “(H)”, to provide for 67 units on 14 street townhouse blocks, and 7.5 units on 3 townhouse blocks to be combined with Blocks the adjacent subdivision to the west (File 19T-07V04);

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 5

- iv) rezone elementary school Block 107 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol “(H)”; and,
- v) rezone stormwater management Block 108 and Landscape Buffer Blocks 109 and 110 from A Agricultural Zone to OS1 Open Space Conservation Zone.

These residential lands will be zoned with the Holding Symbol “(H)”, as shown on Attachment #4, as the residential dwelling units do not have water and sewage servicing allocation. A clause will be included in the implementing zoning by-law limiting the use of the lands zoned with the Holding Symbol “(H)” to a use legally existing as of the date of enactment of the implementing by-law. The Holding Symbol “(H)” shall not be removed until the water and sewage servicing capacity has been identified and allocated by the City.

Zoning Exception

The applicant is requesting a zoning exception for a Block 92, a partial residential block within the proposed draft plan of subdivision. This block, as shown on Attachment #3, is adjacent to “Street 2”, at the north east end of the plan. The applicant is requesting an exterior side yard of 2.6m, whereas a 3.0m setback to a site triangle is required by By-law 1-88. The Development Planning Department is of the opinion that due to the Engineering Department’s requirement for a road taper at this location, a reduction of 0.4m to the 3.0m requirement is considered minor and acceptable.

Subdivision Design

The proposed draft plan of subdivision as shown on Attachment #3 provides a north-south collector road accessing Major Mackenzie Drive, and two single loaded streets adjacent to Major Mackenzie Drive that include a landscape buffer block along the Major Mackenzie Drive frontage. A partial school block (Block 107) is provided at the westerly portion of the draft plan of subdivision, which will be combined with a separate block on the proposed draft plan of subdivision to the west (File 19T-07V04) to provide for an elementary school block approximately 2.578 ha in size. The development details for the draft plan of subdivision are as follows:

57 single detached units	2.331 ha
32 part blocks (16 units)	0.743 ha
14 townhouse blocks (67 units)	1.608 ha
3 part townhouse blocks (7.5 units)	0.198 ha
Elementary School Block 107	0.873 ha
Landscape Buffer Blocks 109 & 110	0.103 ha
SWM Pond Block 108	0.011 ha
Road Widening Block 111	0.113 ha
0.3m Reserves (Blocks 112-142)	0.007 ha
<u>Roads</u>	<u>2.885 ha</u>
Total Draft Plan Area	8.872 ha

All development within the Block 40 South Planning Area is subject to architectural approval. Prior to final approval, the Owner is required to submit Architectural Guidelines, which are to be approved by the control architect and Council. A condition respecting this has been included in Attachment #1.

The Owner shall convey Buffer Blocks 109 and 110 to the City free of all cost and encumbrances for landscaping purposes.

Prior to final approval, the Owner shall prepare a Streetscape Landscape Master Plan in accordance with the approved Block 40 Urban Design Guidelines and OPA #600 policies. The plan shall address but not be limited to the following issues:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 6

- i) co-ordination of the urban design/streetscape elements as they relate to the approved Urban Design Guidelines including entrance features and fencing; and,
- ii) community edge treatments along Major Mackenzie Drive.

The Development Planning Department is satisfied with the proposed subdivision design subject to the comments in this report, and the conditions of approval in Attachment #1.

Parkland/Cash-in-Lieu

The parkland dedication for the draft plan of subdivision shall be dedicated and/or cash-in-lieu of the dedication of parkland paid, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy".

Energy Star

On November 12, 2007, Vaughan Council adopted Energy Star Conditions to be included in all Draft Plan of Subdivision approvals. The proposed Draft Plan of Subdivision will be subject to the Energy Star requirements, and the conditions of approval are provided in Attachment #1.

City Engineering Department

The Engineering Department has reviewed the proposed draft plan of subdivision and provides the following comments:

- i) Water Servicing

The draft plan of subdivision is located within City of Vaughan Pressure District 6. A watermain loop for fire protection and water quality assurance shall be provided. Connection as per the approved Master Environmental Servicing Plan (MESP) shall be from the south end of Street "1" at Major Mackenzie Drive and the north end of Street "1" to abutting Draft Plan of Subdivision File 19T-06V07. In the event that this Plan and the adjacent Plan 19T-07V04 develop independently from 19T-06V07 to the north, the second connection to loop the system shall be from the south end of the cul-de-sac in Plan 19T-07V04 described as Street "1" of the Plan at Major Mackenzie Drive.

- ii) Sanitary Servicing

According to the Block 40 MESP and the City's sanitary master plan, the subject draft plan is to be serviced through the Maple Sanitary Drainage System via a proposed pumping station located in Block 40 (Proposed Pine Valley North Pumping Station) that discharges to the sanitary sub-trunk on Fossil Hill Road within the eastern portion Block 39. The Owner is however, proposing an alternate sanitary servicing scheme which would direct sanitary flows to the sanitary sewer on Sant Agostino within the west portion of Block 39 which outlets to the Woodbridge Sanitary Drainage System via the Regional Pine Valley Pumping Station. This alternate servicing scheme is outlined in an Addendum to the MESP from Schaeffer Engineering dated October 22, 2008. Before this alternate servicing scheme can be accepted, the Block 40 engineering consultant must confirm that there is sufficient conveyance and pumping capacity in the downstream wastewater collection system to accommodate the additional sewage flows, and there are no impacts to the sanitary servicing scheme for the block and surrounding area to the satisfaction of the City and Region. The Engineering Planning and Studies Section of Development/Transportation Engineering has provided comments to the applicant's Consultant and are awaiting a reply to finalize this matter.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 7

The Owner shall contribute their proportionate share of the cost to design and construct the future Block 40/47 Pine Valley North Pumping Station as well as the downstream sanitary sewers in the eastern portion of Block 39 (original sanitary drainage scheme) that have been oversized by the Block 39 Developer Group to accommodate flows from this plan. The Owner is required to pay their proportionate share for the over-sizing of the downstream sanitary sewers in addition to any required downstream improvement or over-sizing costs for the proposed alternative outlet.

iii) Stormwater Drainage

In accordance with the approved Master Environmental and Servicing Plan (MESP), in order to convey storm water from the proposed development, Storm Water Management Pond #2 located in a future phase of 19T-06V07 (Belmont) to the north and partially in Plan 19T-07V04 to the west, shall be constructed. The Storm Water Management Pond is a permanent wet facility designed to control storm water quantity and quality. This storm water management facility is located on lands owned by participating landowners in the Block so the construction of this facility should be constructed as a spine service by the Block 40 South Developers Group.

iv) Engineering Planning Studies

On April 24, 2006 the Block Plan for Block 40 South was approved by Council with a number of Block Plan Approval Conditions, which were to be addressed prior to the approval of any draft plans of subdivision. The Engineering Department is requesting that all outstanding Engineering related Block Plan conditions be transferred to draft plan approval conditions, and will clear individual draft plan conditions as appropriate.

v) Transportation

The development of this plan would provide for the construction of a collector road access (Street "1") to Major Mackenzie Drive in accordance with the approved Block Plan. The proposed road is to be constructed as 23 m right-of-way flaring to 26 m right-of-way at the intersection with Major Mackenzie Drive. The pavement of Street "1" shall be designed to be on a common tangent with Vellore Avenue in draft plan of subdivision 19T-03V24 as approved by the Ontario Municipal Board. The subject subdivision and the adjacent subdivision to the west (19T-07V04) require two road accesses.

The Region of York is currently undertaking the Western Vaughan Transportation Improvements Individual Environmental Assessment (IEA) to identify preferred transportation improvements in the south-west corner of the City of Vaughan to support planned growth to the year 2031. More specifically, the study covers the area west of Highway 400, and south of Teston Road to Highway 407. The widening and realignment of Major Mackenzie Drive is included in the study. The IEA is currently scheduled to be submitted to the MOE in the Summer of 2010.

As per the latest Region's 10 Year Roads Capital Program approved by Regional Council on December 18, 2008, Major Mackenzie Drive improvements in the vicinity of the subject lands are scheduled as follows:

- i) between Keele Street and Highway 400 – 2013;
- ii) between Weston Road and Pine Valley Drive – 2011; and,
- iii) between Pine Valley Drive and Highway 27 – 2012.

The aforementioned dates are subject to completion of the IEA, followed by planning and design stage before improvements commence. If development is to proceed prior to the completion of the approved improvements to Major Mackenzie Drive, the Owner shall demonstrate to the Region and City that there is sufficient transportation capacity available on the existing two-lane Major Mackenzie Drive.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 8

vi) Allocation of Servicing Capacity

On March 31, 2008, Council assigned 600 residential units of servicing capacity to Block 40 South to facilitate the second phase of the development. Based on correspondence from the Block 40 South Trustee, the Cal-Wood Developments Inc. Draft Plan of Subdivision File 19T-07V04 and the Majormack Investments Inc. & 4074 MM Inc. & M3DC Capital Corporation, Draft Plan of Subdivision File 19T-07V06 were distributed 70 residential units and 103 residential units respectively from the 600 residential unit assignment. The balance of the 600 units is being distributed to the second phase of the Belmont and Greenbrooke draft plans, which are already draft approved.

The availability of this servicing capacity is linked to the completion of the Duffin Creek Water Pollution Control Plant upgrades and the flow control structures as temporary alternatives to the Southeast Collector Sewer improvements, which aren't expected to be completed and in-service until the fourth quarter of 2010.

According to the Region's infrastructure-allocation procedure, the earliest that these 600 units could be released for house sales would be the fourth quarter of 2009, one year prior to the current estimated in-service date for the above noted infrastructure. In addition, the earliest possible date that registration of these units could be permitted would be the second quarter of 2010. It is important to note that these dates are only estimates at this time and are subject to change. Written confirmation/clearance from the Region of York is required in order for pre-sales and plan registration to occur.

As part of the "Servicing Capacity Allocation Strategy – Annual Update", March 31, 2009 which is included on the Committee of the Whole Meeting Agenda concurrently with this report, the Engineering Department is recommending the adoption of a new protocol to address the timing of development approvals in relation to the availability of future servicing capacity. If this protocol is adopted by Council, the subject draft plan of subdivision could be draft approved with the Holding Symbol "(H)" on the entire plan together with a requirement for the Owner to enter into an agreement of no-sale with the City and Region. The allocation of the servicing capacity for the first phase of this draft plan would occur concurrently with the removal of the Holding Symbol "(H)", which should occur around Q2-2010.

The subject Draft Plan is being recommended for approval earlier than 6 months before the pre-sale trigger being met in Q4-2009 in order to facilitate the orderly development and servicing of the second phase of the development in Block 40 South. The development of this plan would also provide for the construction of a collector road access to Major Mackenzie Drive in accordance with the approved Block Plan and provide a sanitary sewer outlet to the second phase of the development. Accordingly, it is considered in the best interest of the City to permit the approval of these plans earlier than six months before the pre-sale trigger date to facilitate the orderly and timely development of the second phase of the Block 40 South development.

Archaeological Assessment

The Cultural Services Department has reviewed the proposal and advised that prior to final approval of a plan of subdivision or prior to the initiation of any grading, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has advised that the Block 40 MESP was submitted for their review and has been approved. The TRCA also advises they have no

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 9

objections to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications and have issued conditions of draft plan approval, included in Attachment #1 of this report.

York Region District School Board

The proposed draft plan of subdivision proposes an Elementary School Block with an area of 0.873 ha in size (Block 107), which is to be combined with a school block within the proposed draft plan of subdivision to the west (Cal-wood Developments Inc. – File 19T-07V04) for a combined area of approximately 2.578 ha. The York Region District School Board has provided conditions of approval requiring that the School Board provides clearance prior to final approval of the plan. These conditions are included in Attachment #1.

Agency Comments

Canada Post and PowerStream have advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, set out in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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 provided the following comments:

In November, 2007, Regional Council approved an additional one year supply of servicing allocation for draft plans to the City of Vaughan in the amount of 2,130 units. The development received an assignment of capacity from the City on March 31, 2008, in the amount of 103 units from this additional one year supply. In order for the units to be occupied it is anticipated that all of the following Regional infrastructure will be required:

- i) Bathurst Langstaff Trunk Sewer – Q3 2009 expected completion;
- ii) YDSS Flow Control Structures Q4 2009 expected completion; and,
- iii) Duffin Creek WPCP – Q4 2010 expected completion.

The remaining 44.5 units in this draft plan may have to further rely upon completion of the following infrastructure:

- i) Southeast Collector Sewer – Q4 2012 expected completion.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

In accordance with York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, the Region of York is requesting that all residential lands be subject to various restrictions (i.e. Holding Symbol “(H)”) to ensure that water and sewer servicing are available prior to occupancy. 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 that York Region be provided an opportunity to comment on any proposed extensions of approval.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 29, CW Report No. 18 – Page 10

The Region of York has no objection to the approval of the proposed draft plan of subdivision subject to the Owner satisfying the Region's Pre-conditions and Conditions set out in Attachment #1.

Conclusion

The Development Planning Department has reviewed the Zoning Amendment Application File Z.07.0061 and Draft Plan of Subdivision 19T-07V06 (Majormack Investments Inc. et. al) in accordance with the applicable policies of the Official Plan, the requirements of Zoning By-law, and the area context. The proposed draft plan of subdivision consisting of 57 single detached lots, 32 residential blocks (16 units), 14 townhouse blocks (67 units), 3 townhouse blocks (7.5 units), a school block and a stormwater management block, as shown on Attachment #3 is an appropriate form of development for the subject lands and conforms to the policies of OPA #600.

The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed draft plan of subdivision, subject to the pre-conditions and conditions of approval as set out in Attachment #1.

Attachments

1. Pre Conditions and Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision 19T-07V06
4. Proposed Zoning
5. Approved Block 40 South Plan – April 24, 2006
6. Proposed Revisions to the Block 40 South Plan

Report prepared by:

Carmela Marrelli, Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, 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 APRIL 14, 2009

Item 30, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

30

**ZONING BY-LAW AMENDMENT FILE Z.07.046
DRAFT PLAN OF SUBDIVISION FILE 19T-07V04
CAL-WOOD DEVELOPMENTS INC.
REPORT #P.2008.6
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.046 (Cal-wood Developments Inc.) BE APPROVED, specifically to amend By-law 1-88 to rezone the subject lands shown on Attachment #2, in the manner shown on Attachment #4 as follows:
 - i) rezone Lots 1-11 inclusive, Lots 27 and 28, Lots 32-36, Lot 63, Lots 66-73 inclusive, and Blocks 74 and 75 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 27 lots (minimum 15m frontage) and 2 part blocks for single detached dwelling units;
 - ii) rezone Lots 12-26 inclusive from A Agricultural Zone to RD1(H) Residential Detached Zone One with the addition of the Holding Symbol "(H)", to provide for 15 single detached dwelling units on lots with a minimum frontage of 18m;
 - iii) rezone Lots 29-31 inclusive, Lots 37-62 inclusive, Lots 64 and 65 and Block 76 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 31 lots for single detached dwelling units on lots with a minimum frontage of 12m;
 - iv) rezone Blocks 77-79 inclusive from A Agriculture Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)", to be combined with Blocks in the adjacent draft plan of subdivision (File 19T-07V06) to the east;
 - v) rezone school Block 80 from A Agricultural Zone to RD3 Residential Detached Zone Three;
 - vi) rezone Buffer Block 81 and Stormwater Management Block 83, from A Agricultural Zone to OS1 Open Space Conservation Zone; and,
 - vii) include a zoning exception for Lot 46 on the proposed draft plan of subdivision for an exterior side yard of 2.7m, whereas an exterior sideyard of 3.0m is required.
2. THAT prior to the removal of the Holding Symbol "(H)" from Lots 1-73 inclusive, and Blocks 74-80 inclusive, the Region of York confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same.
3. Prior to or concurrent with draft plan approval for the initial 70 units, the Owner shall enter into an agreement with the City of Vaughan, committing the Owner to:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 2

- A) Not enter into any agreements of purchase and sale with end users for the subject lands until such time as:
 - i) that York Region has advised, in writing, that it is no earlier than twelve (12) months prior to the expected completion of the Bathurst Langstaff Trunk Sewer, Duffin Creek Water Pollution Control Plant expansion project, the YDSS Flow Control Structures project; and,
 - ii) the Council of the City of Vaughan has reserved adequate available water supply and sewage servicing capacity to the subject development.
 - B) Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in item A) above.
4. Prior to or concurrent with draft plan approval beyond the 70 units (remaining 12 units), the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:
- A) Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as the Region of York confirms that adequate water supply and sewage treatment capacity are available and the Council of the City of Vaughan has reserved adequate water supply and sewage servicing capacity to the subject development for the remaining units or phase thereof; and,
 - B) Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to the same terms as set out in item A) above.
- (*) the term 'end users' for the purpose of the above noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.
5. THAT Draft Plan of Subdivision File 19T-07V04 (Cal-Wood Developments Inc.), and shown on Attachment #3, BE APPROVED, subject to the pre-conditions and conditions set out in Attachment #1 to this report.
6. THAT for the purposes of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-07V04 (Cal-Wood Developments Inc.) shall contain a provision that the parkland shall be dedicated and/or cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands be paid, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 3

7. THAT the Owner shall enter into an agreement with the City to be registered on title, indicating that no Lots and/or Blocks, will be offered for sale by the Owner or purchasers until water supply and sewage servicing capacity has been identified and allocated by the City.
8. THAT the Revised Block 40 South Plan as shown on Attachment #5, respecting the changes made to the subject lands only, be approved.

Economic Impact

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

Communications Plan

On January 25, 2008, a Notice of a Public Meeting was circulated to all property owners within 120m of the subject lands, and to the Millwood Woodend Ratepayers' Association. As of March 18, 2009 no responses respecting the applications were received by the Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 19, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on February 25, 2008.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #2:

1. A Zoning By-law Amendment Application (File Z.07.046), specifically to amend By-law 1-88, to rezone the subject lands shown on Attachment #2, from A Agricultural Zone to the following zone categories in the manner shown on Attachment #4:
 - i) RD1(H) Residential Detached Zone One with the addition of the Holding Symbol "(H)" for 15 lots;
 - ii) RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)" for 27 lots and 2 Blocks;
 - iii) RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)" for 31 lots;
 - iv) RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol "(H)" for 3 blocks to be combined with Blocks in the adjacent draft plan of subdivision (File 19T-07V06) to the east;
 - v) RD3 Residential Detached Zone Three for Block 80 (school block); and,
 - vi) OS1 Open Space Conservation Zone for Blocks 81 (Stormwater Management Pond) and 83 (Landscape Buffer).
3. An Application for Draft Plan of Subdivision approval (File 19T-07V04) as shown on Attachment #3, consisting of the following:
 - i) 73 lots and 1.5 blocks for single detached dwelling units with minimum frontages ranging from 12m to 18m;
 - ii) 3 townhouse blocks to be joined with blocks within the adjacent draft plan of subdivision to the east (File 19T-07V06);
 - iii) 1 elementary school block to be combined with the school block within the adjacent residential subdivision to the east (File 19T-07V06);
 - iv) 1 stormwater management block; and,
 - v) 1 buffer block.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 4

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Major Mackenzie Drive, east of Pine Valley Drive, municipally known as 4150 Major Mackenzie Drive, within Planning Block 40, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Block 40 South Plan

The Development Planning Department has reviewed the proposed draft plan of subdivision in the context of the Block 40 South Block Plan, approved by Council on April 24, 2006, as shown on Attachment #5. The landowners have amended the Council approved Block 40 South Plan in the location of the subject lands, as shown on Attachment #6. The changes include: the removal of a Neighbourhood Commercial Block and replacing it with street townhouse blocks; and, the removal of a Neighbourhood Park due to the over dedication of parkland within the Block 40 South Plan. As a result of these changes, additional north-south local roads are included at this location. The landowners are requesting that the revisions proposed to be made to the Block 40 South Block Plan at this location as shown on Attachment #6, be approved. The Development Planning Department has no objection to the proposed amendments to the Block Plan. Should Council concur, a condition of approval to this affect is included in the Recommendation section of the report.

The Policy Planning Department has provided an update on the status of the April 24, 2006 Council approved Block 40 South Plan conditions, and all outstanding block plan conditions have been included as conditions of draft plan of subdivision approval in Attachment #1.

Official Plan

The subject lands are designated "Low Density Residential" and "Medium Density Residential - Commercial" which permit the proposed single detached and street townhouse uses on the subject lands. The "Low Density" and "Medium Density" residential designations permit a maximum residential density of 22 and 40 units per hectare respectively. The proposed draft plan of subdivision proposes 74.5 single detached residential units and 7.5 townhouse units yielding low and medium densities of 12.86 units/ha and 44.12 units/ha respectively, which conforms to OPA #600.

Zoning

The subject lands shown on Attachment #2 are currently zoned A Agricultural Zone by By-law 1-88. To facilitate the proposed plan of subdivision shown on Attachment #3, an amendment to Zoning By-law 1-88 is required to rezone the subject lands to the following Residential and Open Space Zones in accordance with the requirements of Schedule "A3" in By-law 1-88, as shown on Attachment #4:

- i) rezone Lots 1-11 inclusive, Lots 27 and 28, Lots 32-36, Lot 63, Lots 66-73 inclusive, and Blocks 74 and 75 from A Agricultural Zone to RD2(H) Residential Detached Zone Two with the addition of the Holding Symbol "(H)", to provide for 27 lots (minimum 15m frontage) and 2 blocks for single detached dwelling units;
- ii) rezone Lots 12-26 inclusive from A Agricultural Zone to RD1(H) Residential Detached Zone One with the addition of the Holding Symbol "(H)", to provide for 15 single detached dwelling units on lots with a minimum frontage of 18m;
- iii) rezone Lots 29-31 inclusive, Lots 37-62 inclusive, Lots 64 and 65 and Block 76 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", to provide for 31 lots for single detached dwelling units on lots with a minimum frontage of 12m;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 5

- iv) rezone Blocks 77-79 inclusive from A Agriculture Zone to RT1(H) Residential Townhouse Zone with the addition of the Holding Symbol “(H)”, to be combined with Blocks in the adjacent subdivision (File 19T-07V06) to the east;
- v) rezone elementary school Block 80 from A Agricultural Zone to RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol “(H)”; and,
- vi) rezone Buffer Block 81 and Stormwater Management Block 83 Landscape from A Agricultural Zone to OS1 Open Space Conservation Zone.

These residential lands will be zoned with the Holding Symbol “(H)”, as shown on Attachment #4, as the residential dwelling units do not have water and sewage servicing allocation. A clause will be included in the implementing zoning by-law limiting the use of the lands zoned with the Holding Symbol “(H)” to a use legally existing as of the date of enactment of the implementing by-law. The Holding Symbol “(H)” shall not be removed until the water and sewage servicing capacity has been identified and allocated by the City.

Zoning Exception

The applicant is requesting a zoning exception for Lot 46 on the proposed draft plan of subdivision. This lot, as identified on Attachment #3, is adjacent to “Street 3”, at the south end of the plan. The applicant is requesting an exterior side yard of 2.7m, whereas a 3.0m setback to a site triangle is required by the By-law 1-88. The Development Planning Department is of the opinion that due to the Engineering Department’s requirement for a road taper at this location, a reduction of 0.3m at this location is considered minor and acceptable.

Subdivision Design

The proposed draft plan of subdivision as shown on Attachment #3, has been designed to provide a north-south road on the westerly portion of the plan, ending in a cul-de-sac design and 6 metre landscape buffer adjacent to Major Mackenzie Drive. The subject lands abut an existing estate residential subdivision to the west. The 19 lots abutting this subdivision are proposed to have a 18m minimum lot frontages, except for 2 lots (27 and 28) which are proposed to have 15m frontages. The draft plan of subdivision includes an elementary school block (Block 80), which will be combined with a separate block on the proposed draft plan of subdivision to the east (File 19T-07V06) to form a full school site of 2.578 ha in size. A stormwater management block (Block 83), as shown on Attachment #3, is proposed at the north limit of the draft plan of subdivision.

The development details for the proposed draft plan of subdivision are as follows:

73 single detached units	4.309 ha
3 part blocks (1.5 units)	0.077 ha
3 part townhouse blocks (7.5 units)	0.143 ha
Elementary School Block 80	1.705 ha
Landscape Buffer Block 81	0.097 ha
SWM Pond Block 83	0.228 ha
Road Widening Block 82	0.104 ha
0.3m Reserves (Blocks 84-92)	0.004 ha
<u>Roads</u>	<u>1.432 ha</u>
Total Draft Plan Area	8.099 ha

All development within the Block 40 South Planning Area is subject to architectural approval. Prior to final approval, the Owner is required to submit Architectural Guidelines, which are to be approved by the control architect and Council. A condition respecting this has been included in Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 6

The Owner shall convey Buffer Block 81 to the City free of all cost and encumbrances for landscaping purposes.

Prior to final approval, the Owner shall prepare a Streetscape Landscape Master Plan in accordance with the approved Block 40 Urban Design Guidelines and OPA #600 policies. The plan shall address but not be limited to the following issues:

- i) co-ordination of the urban design/streetscape elements as they relate to the approved Urban Design Guidelines including entrance features and fencing; and,
- ii) community edge treatments along Major Mackenzie Drive.

The Development Planning Department is satisfied with the proposed subdivision design subject to the comments in this report, and the conditions of approval in Attachment #1.

Parkland/Cash-in-Lieu

The parkland dedication for the draft plan of subdivision shall be dedicated and/or cash-in-lieu of the dedication of parkland paid, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy".

Energy Star

On November 12, 2007, Vaughan Council adopted Energy Star Conditions to be included in all Draft Plan of Subdivision approvals. The proposed Draft Plan of Subdivision will be subject to the Energy Star requirements, and the condition of approval are provided on Attachment #1.

City Engineering Department

The Engineering Department has reviewed the proposed draft plan of subdivision and provides the following comments:

- i) Water Servicing

The draft plan of subdivision is located within City of Vaughan Pressure District 6. A watermain loop for fire protection and water quality assurance shall be provided. Connection as per the approved Master Environmental Servicing Plan (MESP) shall be from the south end of Street "1" at Major Mackenzie Drive and the north end of Street "1" to abutting Draft Plan of Subdivision File 19T-06V07. In the event that this Plan and the adjacent Plan 19T-07V04 develop independently from 19T-06V07 to the north, the second connection to loop the system shall be from the south end of the cul-de-sac in Plan 19T-07V04 described as Street "1" of the Plan at Major Mackenzie Drive.

- ii) Sanitary Servicing

According to the Block 40 Master Environmental and Servicing Plan (MESP) and the City's sanitary master plan, the subject draft plan is to be serviced through the Maple Sanitary Drainage System via a proposed pumping station located in Block 40 (Proposed Pine Valley North Pumping Station) that discharges to the sanitary sub-trunk on Fossil Hill Road within the eastern portion Block 39. The Owner is however, proposing an alternate sanitary servicing scheme which would direct sanitary flows to the sanitary sewer on Sant Agostino within the west portion of Block 39 which outlets to the Woodbridge Sanitary Drainage System via the Regional Pine Valley Pumping Station. This alternate servicing scheme is outlined in an Addendum to the MESP from Schaeffer Engineering dated October 22, 2008. Before this alternate servicing scheme can be accepted, the Block 40 engineering consultant must confirm that there is sufficient conveyance and pumping capacity in the downstream wastewater collection system to accommodate the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 7

additional sewage flows, and there are no impacts to the sanitary servicing scheme for the block and surrounding area to the satisfaction of the City and Region. The Engineering Planning and Studies Section of Development/ Transportation Engineering has provided comments to the applicant's Consultant and are awaiting a reply to finalize this matter.

The Owner shall contribute their proportionate share of the cost to design and construct the future Block 40/47 Pine Valley North Pumping Station as well as the downstream sanitary sewers in the eastern portion of Block 39 (original sanitary drainage scheme) that have been oversized by the Block 39 Developer Group to accommodate flows from this plan. The Owner is required to pay their proportionate share for the over-sizing of the downstream sanitary sewers in addition to any required downstream improvement or over-sizing costs for the proposed alternative outlet.

iii) Stormwater Drainage

In accordance with the approved Master Environmental and Servicing Plan (MESP), in order to convey storm water from the proposed development, Storm Water Management Pond #2 located in a future phase of 19T-06V07 (Belmont) to the north and partially in Plan 19T-07V04 to the west, shall be constructed. The Storm Water Management Pond is a permanent wet facility designed to control storm water quantity and quality. This storm water management facility is located on lands owned by participating landowners in the Block so the construction of this facility should be constructed as a spine service by the Block 40 South Developers Group.

iv) Engineering Planning Studies

On April 24, 2006 the Block Plan for Block 40 South was approved by Council with a number of Block Plan Approval Conditions, which were to be addressed prior to the approval of any draft plans of subdivision. The Engineering Department is requesting that all outstanding Engineering related Block Plan conditions be transferred to draft plan approval conditions, and will clear individual draft plan conditions as appropriate.

v) Transportation

The development of this plan would provide for the construction of a collector road access (Street "1") to Major Mackenzie Drive in accordance with the approved Block Plan. The proposed road is to be constructed as 23 m right-of-way flaring to 26 m right-of-way at the intersection with Major Mackenzie Drive. The pavement of Street "1" shall be designed to be on a common tangent with Vellore Avenue in draft plan of subdivision 19T-03V24 as approved by the Ontario Municipal Board. The subject subdivision and the adjacent subdivision to the west (19T-07V04) require two road accesses.

The Region of York is currently undertaking the Western Vaughan Transportation Improvements Individual Environmental Assessment (IEA) to identify preferred transportation improvements in the south-west corner of the City of Vaughan to support planned growth to the year 2031. More specifically, the study covers the area west of Highway 400, and south of Teston Road to Highway 407. The widening and realignment of Major Mackenzie Drive is included in the study. The IEA is currently scheduled to be submitted to the MOE in the Summer of 2010.

As per the latest Region's 10 Year Roads Capital Program approved by Regional Council on December 18, 2008, Major Mackenzie Drive improvements in the vicinity of the subject lands are scheduled as follows:

- i) between Keele Street and Highway 400 – 2013;
- ii) between Weston Road and Pine Valley Drive – 2011; and,
- iii) between Pine Valley Drive and Highway 27 – 2012.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 8

The aforementioned dates are subject to completion of the IEA, followed by planning and design stage before improvements commence. If development is to proceed prior to the completion of the approved improvements to Major Mackenzie Drive, the Owner shall demonstrate to the Region and City that there is sufficient transportation capacity available on the existing two-lane Major Mackenzie Drive.

vi) Allocation of Servicing Capacity

On March 31, 2008, Council assigned 600 residential units of servicing capacity to Block 40 South to facilitate the second phase of the development. Based on correspondence from the Block 40 South Trustee, the Cal-Wood Developments Inc. Draft Plan of Subdivision File 19T-07V04 and the Majormack Investments Inc. & 4074 MM Inc. & M3DC Capital Corporation, Draft Plan of Subdivision File 19T-07V06 were distributed 70 residential units and 103 residential units respectively from the 600 residential unit assignment. The balance of the 600 units is being distributed to the second phase of the Belmont and Greenbrooke draft plans, which are already draft approved.

The availability of this servicing capacity is linked to the completion of the Duffin Creek Water Pollution Control Plant upgrades and the flow control structures as temporary alternatives to the Southeast Collector Sewer improvements, which aren't expected to be completed and in-service until the fourth quarter of 2010.

According to the Region's infrastructure-allocation procedure, the earliest that these 600 units could be released for house sales would be the fourth quarter of 2009, one year prior to the current estimated in-service date for the above noted infrastructure. In addition, the earliest possible date that registration of these units could be permitted would be the second quarter of 2010. It is important to note that these dates are only estimates at this time and are subject to change. Written confirmation/clearance from the Region of York is required in order for pre-sales and plan registration to occur.

As part of the "Servicing Capacity Allocation Strategy – Annual Update", March 31, 2009, which is included on the Committee of the Whole Meeting Agenda concurrently with this report, the Engineering Department is recommending the adoption of a new protocol to address the timing of development approvals in relation to the availability of future servicing capacity. If this protocol is adopted by Council, the subject draft plan of subdivision could be draft approved with the Holding Symbol "(H)" on the entire plan together with a requirement for the Owner to enter into an agreement of no-sale with the City and Region. The allocation of the servicing capacity for the first phase of this draft plan would occur concurrently with the removal of the Holding Symbol "(H)", which should occur around Q2-2010.

The subject Draft Plan is being recommended for approval earlier than 6 months before the pre-sale trigger being met in Q4-2009 in order to facilitate the orderly development and servicing of the second phase of the development in Block 40 South. The development of this plan would also provide for the construction of a collector road access to Major Mackenzie Drive in accordance with the approved Block Plan and provide a sanitary sewer outlet to the second phase of the development. Accordingly, it is considered in the best interest of the City to permit the approval of these plans earlier than six months before the pre-sale trigger date to facilitate the orderly and timely development of the second phase of the Block 40 South development.

Archaeological Assessment

The Cultural Services Department has reviewed the proposal and advised that prior to final approval of a plan of subdivision or prior to the initiation of any grading, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 9

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has advised that the Block 40 MESP has been submitted for their review and was approved. The TRCA also advises they have no objections to the approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications and have issued conditions of draft plan approval, included in Attachment #1 of this report.

York Region District School Board

The proposed draft plan of subdivision proposes an Elementary School Block with an area of 1.705 ha in size (Block 80), which is to be combined with a school block within the proposed draft plan of subdivision to the east (Major Mac Investments Inc. – File 19T-07V06) for a combined area of approximately 2.578 ha. The York Region District School Board has provided conditions of approval requiring that the School Board provides clearance prior to final approval of the plan. These conditions are included in Attachment #1.

Agency Comments

Canada Post and PowerStream have advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, set out in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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 provided the following comments:

In November, 2007, Regional Council approved an additional one year supply of servicing allocation for draft plans to the City of Vaughan in the amount of 2,130 units. The development received an assignment of capacity from the City on March 31, 2008 in the amount of 70 units from this addition one year supply. In order for the units to be occupied it is anticipated that all of the following Regional infrastructure will be required:

- i) Bathurst Langstaff Trunk Sewer – Q3 2009 expected completion;
- ii) YDSS Flow Control Structures Q4 2009 expected completion; and,
- iii) Duffin Creek WPCP – Q4 2010 expected completion.

The remaining 12 units in this draft plan may have to further rely upon completion of the following infrastructure:

- i) Southeast Collector Sewer – Q4 2012 expected completion.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

In accordance with York Region’s servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, the Region of York is requesting that all residential lands be subject to various restrictions (i.e. Holding Symbol “(H)”) to ensure that water and sewer servicing are available prior to occupancy. 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 that York Region be provided an opportunity to comment on any proposed extensions of approval.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 30, CW Report No. 18 – Page 10

The Region of York has no objection to the approval of the proposed draft plan of subdivision subject to the Owner satisfying the Region's Pre-conditions and Conditions set out in Attachment #1.

Conclusion

The Development Planning Department has reviewed Zoning Amendment Application File Z.07.046 and Draft Plan of Subdivision File 19T-07V04 (Cal-Wood Developments Inc.) in accordance with the applicable policies of the Official Plan, the requirements of Zoning By-law 1-88, and the area context. The proposed draft plan of subdivision consisting of 73 detached residential units, 1.5 blocks, 3 partial townhouse blocks (7.5 units), a school block, and a storm water management block as shown on Attachment #3 is an appropriate form of development for the subject lands and conforms to the policies of OPA #600.

The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed Draft Plan of Subdivision, subject to the pre-conditions and conditions of approval as set out in Attachment #1.

Attachments

1. Pre Conditions and Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision 19T-07V04
4. Proposed Zoning
5. Approved Block 40 South Plan – April 24, 2006
6. Proposed Revisions to the Block 40 South Plan

Report prepared by:

Carmela Marrelli, Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, 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 APRIL 14, 2009

Item 31, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

31

**RFP08-310
APPROVAL OF CONSULTANT
STUDY FOR THE NORTH WEST QUADRANT OF
JANE STREET/MAJOR MACKENZIE DRIVE
FILE #15.107
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

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

1. That the Request for Proposals RFP08-310 be awarded to Sorensen Gravely Lowes Planning Associates Inc. to carry out the study for the north west quadrant of Jane Street/Major Mackenzie Drive for an upset amount of \$147,770 inclusive of GST and expenses; and
2. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

The Capital Project Budget for the north west quadrant of Jane Street/Major Mackenzie Drive (PL-9014-08) in the amount of \$150,000 is included and approved in the 2008 Capital Budget.

Communications Plan

The Study's consultation process includes community information and workshop meetings. A Stakeholder Consultation Group 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 communication and consultation approach will be identified in the consultant's work plan. This will include any requirements for local signs respecting the study as well as notices to be displayed in public facilities such as Community Centres and Libraries.

Purpose

To seek Council's authorization to award the contract to a consultant team to carry out the study for the north west quadrant Jane Street/Major Mackenzie Drive.

Background – Analysis and Options

The study for the north west quadrant of Jane Street/Major Mackenzie Drive was directed by Council on September 8, 2008. The purpose of this study is to establish a new land use and urban design framework for this area.

On September 8, 2008, Council also approved the Terms of Reference for the study, and directed staff to initiate the process to retain the required consultant services. The Capital Project Budget (PL-9014-08) in the amount of \$150,000 is included and approved in the 2008 Capital Budget.

.../2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 31, CW Report No. 18 – Page 2

The consultant selection process to retain external consulting services to carry out the study for the north west quadrant of Jane Street/Major Mackenzie Drive is complete, and the recommended firm/team is Sorensen Gravely Lowes Planning Associates Inc.

A Request For Proposals to undertake this Study was advertised in: the Vaughan Today; Novae Res Urbis (NRU); and, Electronic Tendering Network (Bidding) and the Ontario Public Buyers Association, with a closing of 3 p.m., Tuesday, November 25, 2008. One Addendum was issued to clarify proponents' queries and questions. Subsequently, eight (8) RFP documents were picked up from the Purchasing Services Department. Four (4) proposals were submitted prior to the closing time and date.

The package provided details of the contract, including the following evaluation criteria used in assessing competing bid submissions:

a) Qualification and Experience: 35%

- Capability of the Team Leader;
- Qualifications and expertise of the team members;
- Skills consistent with the needs of the project;
- Experience in similar studies;
- Level of public sector experience;
- Demonstrated success in public stakeholder consultation; and the quality of the proposed consultation plan;
- Demonstrated skill in communicating project proposal and products, including excellent graphic presentation

b) Quality of the Proposal: 30%

- Complete and comprehensive submission;
- Demonstrated understanding of the project requirements;
- Organization and clarity of presentation;
- Introduction of innovative ideas and concepts;
- Skill in communicating the project plan.

c) Project Management: 25%

- Work Program, timelines and scheduling consistent with study requirements;
- Degree of participation of senior staff;
- Ability to commit to the timing objectives for the completion of the study.

d) Financial Considerations: 10%

- Proposal Fee;
- Appropriate allocation of resources to various phases or study tasks

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

Four (4) proposals were received by the Purchasing Services Department at the closing date of Tuesday November 25, 2008 from the following consultants leading their respective teams:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 31, CW Report No. 18 – Page 3

1. planningAlliance
2. The Planning Partnership Limited
3. Sorensen Gravely Lowes Planning Associates Inc.
4. Weston Consulting Group Inc.

A committee comprised of staff from the Policy Planning, Development Planning (urban design) and Engineering Departments evaluated each of the proposals and short-listed two teams which best satisfied the evaluation criteria. Purchasing Services facilitated and monitored the evaluation process. Subsequently, this committee received presentations and conducted interviews with the two teams on January 23, 2009.

The team led by Sorensen Gravely Lowes Planning Associates Inc. scored highest scores and was determined to be the best qualified team to carry out the contract, based on the Committee's evaluation of their proposal and interview.

Relationship to Vaughan Vision 2020/Strategic Plan

The products of the study for the north west quadrant of Jane Street/Major Mackenzie Drive, resulting in a recommended amendment to the Official Plan, will be consistent with the Vaughan Vision Statement, and in particular to Section 4 of the Vision, 'Planning and Managing Growth'. It will also be consistent with the new Official Plan vision and principles and approach to sustainable community design.

Regional Implications

The products of the study for the north west quadrant of Jane Street/Major Mackenzie Drive will conform to Regional and Provincial policy requirements, and establish the basis for the future development and redevelopment of the Major Mackenzie Drive/Jane Street Study area.

Conclusion

Should Council so direct, the lead consultant, Sorensen Gravely Lowes Planning Associates Inc., and their team of sub-consultants should be retained by the City to fulfill the requirements of the contract for the study of the north west quadrant of Jane Street and Major Mackenzie Drive.

Report prepared by:

Wayne L. M^eEachern, Manager of Policy Planning, ext. 8026

Attachment

None

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 2

- i) the proposal will impact the existing and stable low density residential community;
- ii) the proposal will increase traffic along Kipling Avenue and on Regional Road 7, and the ability of emergency vehicles to access the area may be compromised with the increased traffic;
- iii) the proposal is not compatible with the adjacent low density residential development;
- iv) the boundary of the land use designation (“Prestige Areas – Centres & Avenue Seven Corridor”) within OPA #661 should be adjusted so that there is no change in the existing land use policies on the lands located between Rainbow Creek and Bruce Street; however, they are most concerned about the land use policies at the intersection of Regional Road 7 and Kipling Avenue;
- v) the City should initiate a change to OPA #661; and,
- vi) residents are not opposed to intensification provided it is located in the appropriate locations; however, the Kipling Avenue and Regional Road 7 intersection is inappropriate for intensification due to the existing stable community, impact on property values, traffic, emergency services, etc.

On March 20, 2009, a Notice for this Committee of the Whole Meeting was sent to all those individuals on record requesting notice or having appeared at the Public Meeting.

Purpose

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

1. An Official Plan Amendment Application (File OP.07.009) to amend OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Land Use Futures Study) specifically to:
 - i) amend Section 8.3(f)(2)(ii) of OPA #661 to increase the overall density target within the Transit Stop Centre from 3.0 to 5.5 FSI;
 - ii) amend Section 8.3(f)(2)(iv) of OPA #661 to increase the maximum height of a building in a Transit Stop Centre from 10-storeys or 32 metres, whichever is less, to 17-storeys or 48 metres; and,
 - iii) amend Section 8.3(f)(2)(v) of OPA #661 to delete the phrase, “For sites that abut a low density residential designation, the maximum height of the development within 30 metres of such designation shall be 4 storeys, or 12.8 metres, whichever is less”, and substitute therefor the text, “there shall be an appropriate height transition between development within a Transit Stop Centre to adjacent, sensitive land uses.”

The proposed amendments would have the effect of changing the above noted policies for all lands located within the designated Transit Stop Centre.

2. A Zoning By-law Amendment Application (File Z.07.049) to amend By-law 1-88, specifically to:
 - i) rezone the subject lands shown on Attachment #1 from C1 Restricted Commercial Zone and R2 Residential Zone to RA3 Apartment Residential Zone with the following zoning exceptions:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 3

Proposed Zoning Exceptions

Standard	By-law 1-88 Requirement (RA3 Residential Apartment Zone)	Proposed Exceptions to the RA3 Residential Apartment Zone
Permitted Uses	<ul style="list-style-type: none"> - Apartment Dwelling - Day Nursery - Home Occupations - Private Home Day Care - Private Home Tutoring - Church - Community Centre - Public or Private School - Public Library - Recreational Used (As defined in Section 2) 	<ul style="list-style-type: none"> - Apartment Dwelling - Bank or Financial Institution - Business or Professional Office - Personal Service Shop - Photography Studio - Retail Store - Video Store - Convenience Retail Store - Pharmacy - Bakery / Coffee Shop - Print Shop
Minimum Building Setbacks	<ul style="list-style-type: none"> a) Front Yard (north)- 7.5 m b) Rear Yard (south) - 7.5 m c) Interior Side Yard (west) – 24.25 m d) Exterior Side Yard (east) – 7.5 m e) To Sight Triangle – 7.5 m 	<ul style="list-style-type: none"> a) 0 m b) 6 m c) 0 m d) 0 m e) 0 m
Parking		
Spaces / Unit	1.5	1.05
Visitor Parking	0.25 spaces/unit	0.2 spaces/unit
Commercial	6 spaces/100m ²	4 spaces/100 m ²
Total	Residential – 256 spaces Commercial - 28 spaces Total 284 spaces	Residential – 184 spaces Commercial - 19 spaces Total 205 spaces
Parking Space Size/ Handicap Parking	2.7 m X 6.0 m/ 3.9 m X 6.0 m	2.6 m X 5.8 m/ 3.65 m X 6.0 m
Handicap Parking	2 spaces	1 space
Maximum Building Height	44 m	48.5 metres and 17 storey, whichever is less
Minimum Lot Area Per Unit/Total	67 m ² / unit & 9,782m ²	16.57 m ² / unit & 2,768.8m ²

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 4

Minimum Landscaped Area abutting a Street	6.0 m	0m
Minimum Landscaped Area of Lot	10%	8.5%
Minimum Amenity Area Per Unit	Bachelor Unit – 15 m ² One Bedroom – 20 m ² Two Bedroom -- 55 m ² Three Bedroom – 90 m ²	13 m ² /unit regardless of unit type
Standard	By-law 1-88 Requirement (RA3 Residential Apartment Zone)	Proposed Exceptions to the RA3 Residential Apartment Zone
Minimum Setback to Underground Garage	1.8 m	0 m
Minimum Landscaped Strip Surrounding an Outdoor Parking Area	3.0 m	0 m

The applications would facilitate the development of the subject lands shown on Attachment #1 with a proposed 17-storey mixed-use residential / commercial condominium building comprised of 146 units, 464m² of ground floor commercial uses, and 205 parking spaces as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the southwest corner of Regional Road 7 and Kipling Avenue, being Lots 10, 11, 12 and 13 on Registered Plan 3762, municipally known as 5263 Regional Road 7 and 7720 Kipling Avenue, in Lot 5, Concession 8, City of Vaughan.

Official Plan

The subject lands shown on Attachment #1 are designated “Prestige Areas – Centres & Avenue Seven Corridor” by OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Land Use Futures Study Plan). This designation permits a range of uses including office, business, retail, institutional, civic and residential apartment dwellings on the subject lands. The subject lands are also located within 200 m of a designated “Transit Stop Centre” (OPA #661), proposed at the intersection of Kipling Avenue and Regional Road 7, which would permit a maximum building height of 10-storeys or 32 m, whichever is less, subject to a reduced building height of a maximum of 4 storeys within 30 m of a Low Density Residential designation. OPA #661 was adopted by Council on June 25, 2007. The Region of York Council approved a report recommending that the Ontario Municipal Board (OMB) approve OPA #661, with modifications, on June 19, 2008.

Zoning

The subject lands are zoned C1 Restricted Commercial Zone (5263 Regional Road 7) and R2 Residential Zone (7720 Kipling Avenue) by By-law 1-88, as shown on Attachment #1. The property is 0.274 ha in size, with 45.7 m of frontage onto Regional Road 7, and 60.9 m of flankage on Kipling Avenue, and are currently vacant. The lands were previously used for an automobile sales and leasing establishment, which has been demolished. The surrounding land uses are shown on Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 5

Ontario Municipal Board Status - OPA #661/Official Plan and Zoning By-law Amendment Applications

On June 2, 2008, the applicant appealed OPA #661 (The Avenue Seven Futures Land Use Study) to the Ontario Municipal Board (OMB) stating that more than 180 days had elapsed since OPA #661 was received by the Region of York and that the Region failed to give notice of a decision in respect of all or any part of OPA #661. On October 23, 2008, the Owner appealed the applications to amend the Official Plan and Zoning By-law (Files OP.07.009 and Z.07.049) to the OMB citing that the City has failed to make a decision on the applications within the time frames prescribed by the Planning Act as the reason for appeal. The OMB has scheduled a hearing to consider all three appeals for approximately 4 weeks, commencing on May 25, 2009.

Planning Considerations

The Development Planning Department has reviewed the applications to amend the Official Plan and Zoning By-law and is of the opinion that they do not represent good planning and are not in the public interest for the following reasons:

i) Applications are Not Consistent with the Planning Act

Section 2 of the *Planning Act* states that the Council of a municipality in carrying out their responsibilities shall have regard to, among other matters, matters of Provincial interest such as:

- the orderly development of safe and healthy communities;
- the co-ordination of planning activities and public bodies;
- the appropriate location of growth and development; and,
- the promotion of development that is designed to be sustainable, to support public transit and be oriented to pedestrians.

Section 3(5) also requires that a decision of Council of a municipality in respect of the exercise of any authority that affects a planning matter:

- shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and,
- shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

The applications do not represent an orderly development of the subject lands since the scale of the development proposed is not consistent or compatible with the existing community or the planned development envisaged by OPA #661. The *Planning Act* requires that municipalities shall have regard for the appropriate location of growth and development, which the City has done through the land use review along the Regional Road 7 corridor (The Avenue Seven Futures Land Use Study) and is further being studied through the current comprehensive city-wide Official Plan review that will include an intensification strategy as required by Provincial policies. The applications are not consistent with the Provincial Policy Statement, and the Growth Plan for the Greater Golden Horseshoe as set out in the following sections, and therefore, do not have regard for the requirements of the *Planning Act*.

ii) Applications are Not Consistent with the Provincial Policy Statement (PPS)

The applications to amend the Official Plan and Zoning By-law were filed with the City on October 19, 2007, and therefore, are subject to and must be consistent with the Provincial Policy Statement (PPS) 2005. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The applications to amend the Official Plan and Zoning By-law 1-88 are not consistent with the following policies of the PPS:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 6

- i) Section 1.1.3.3 - This section states that “planning authorities” shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas.

The applications are not consistent with the PPS in this respect since the City has undertaken and approved a land use study to identify and promote opportunities for intensification and redevelopment along the Regional Road 7 corridor, which has been implemented by OPA #661, and recommended for approval by the Regional Municipality of York. The applications do not conform to the maximum building height and transition policies of OPA #661.

The applications do not take into account the existing building stock or the surrounding area, specifically with respect to the established low density residential community located to the immediate south of the subject lands and the proposed scale of the development as envisioned by OPA #661. Conversely, OPA #661 promotes intensification and takes into account the existing building stock and surrounding land use context through the application of land use, density, building height and setback policies.

- ii) Section 1.1.3.4 - This section states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining levels of public health and safety.

OPA #661 establishes development standards to promote and facilitate intensification along the Regional Road 7 corridor, consistent with the requirements of the PPS and the Avenue Seven Land Use Futures Study. The applications are not consistent with building height and transition requirements for development abutting an existing Low Density Residential designation.

- iii) Section 1.2.1 - This section states that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, or which cross lower, single and/or upper tier municipal boundaries, including managing and/or promoting growth and development.

The City has undertaken a coordinated, integrated and comprehensive approach to managing and promoting growth with respect to intensification and related planning matters along the Regional Road 7 corridor by undertaking The Avenue Seven Land Use Futures Study, which formed the basis for OPA #661 together with other Official Plan Amendments (#660, #662, #663 and #664), which implemented an intensification strategy for Regional Road 7 across the City of Vaughan. These amendments have been adopted by Vaughan Council and either approved by the Regional Municipality of York or recommended for approval. The applications are not consistent with the PPS in this respect since they do not represent an integrated or comprehensive approach to managing growth related to City planning matters, in particular the intensification of land uses on the Regional Road 7 corridor, and more specifically on the subject lands. The City has also undertaken several other studies which have identified areas that are appropriate for intensification and has adopted Official Plan Amendments to implement these plans including, but not limited to: The Vaughan Corporate Centre (OPA #500); The Steeles Avenue Corridor Keele Street to Jane Street (OPA #620); and The Carville District Centre (OPA #651).

Instead, the applications represent a piecemeal approach to planning on a single development parcel, which is not in the public interest and is inconsistent with the planning initiatives undertaken by the City and recommended for approval by the Region of York.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 7

- iv) Section 1.2.2 - Section 1.2.2 requires that where planning is conducted by an upper-tier municipality, the upper tier municipality in consultation with the lower-tier municipality shall identify, co-ordinate and allocate population, housing and employment for lower-tier municipalities which shall identify where growth will be directed, and targets for intensification. The Places to Grow Plan requires that 40% of annual residential development must be located within the existing built up area and that municipalities are required to develop intensification strategies by June 2009.

On February 4, 2009, The Regional Planning and Economic Development Committee considered a report from the Regional Planning and Development Services Department, which includes a “York Region 2031 Intensification Strategy” completed as part of the Region’s Places to Grow conformity exercise. The strategy clearly identifies that how intensification will occur is based on local intensification strategies. The plan requires that the City complete a local intensification strategy and that the strategy include targets for each locally-identified intensification area to meet municipal intensification targets. This study is currently in progress and is expected to be completed by June 2010.

The City has undertaken a land use review along the Regional Road 7, which implements an intensification strategy along this corridor.

- v) Section 1.4.3 – This section states that planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part) permitting and facilitating:
- all forms of housing required to meet the social, health and well being requirements of current and future residents, including special needs requirements; and,
 - all forms of residential intensification and redevelopment in accordance with policy 1.1.3.3.

OPA #661 provides for higher density building and housing types within the context of the broader Woodbridge community, which when taken together is consistent with the PPS with respect to providing all forms of housing and residential development consistent with policy 1.1.3.3. As noted above, the applications are not consistent with policy 1.1.3.3.

- vi) Section 4.5 - This section states that the Official Plan is the most important vehicle for the implementation of the PPS and that comprehensive, integrated and long term planning is best achieved through municipal official plans. It further states that municipal official plans shall identify provincial interests and set out appropriate land use designations and policies. OPA #661 identifies the importance of the PPS and also reiterates that integrated and long term planning is best achieved through municipal official plans. The integrated approach utilized to establish the development standards in OPA #661 (Avenue Seven Futures Land Use Study), included the review of Provincial Policy, the GTA Urban Structure, The Highway 7 Corridor Land Use and Transit Strategy, the York Region Official Plan, the York Region Transportation Master Plan – Planning 2031, Making it Happen! The York Region Centres and Corridors Study, ROPA #43, Vaughan Vision and City of Vaughan Official Plan Policies. This approach also incorporated public engagement throughout the approval process. In addition, the City is undertaking a further comprehensive city-wide Official Plan review to establish an intensification strategy for the municipality and determine

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 8

where and how intensification will be accommodated to respond to Provincial and Regional policy requirements.

The applications are not consistent with the PPS as there has been no such integrated or comprehensive review undertaken by the applicant to determine what constitutes good planning for the subject lands in the broader context of the Regional Road 7 Corridor and the City. Accordingly, the applications are not consistent with the PPS.

iii) Applications are Not Consistent With The Growth Plan for the Greater Golden Horseshoe

The applications are required to conform to the Growth Plan for the Greater Golden Horseshoe (GPGGH). The applications do not conform to the GPGGH as follows:

- i) Section 2.2.3 – This section states that all intensification areas will be planned and designed to achieve an appropriate transition of built form to adjacent areas. The applications propose to develop the subject lands with a 17-storey mixed use residential condominium building that does not provide an appropriate transition of built form with the adjacent low density residential community or the planned built form envisaged by OPA #661.

The Key Growth Principles, Issues by the Province of Ontario, dated February 2008 identifies “good urban design” as a key principle to support the Growth Plan and specifically states:

“Development should be attractive, functional and fit the local context.”

The existing surrounding land use context is comprised of low density development primarily one and two storeys in height and includes an existing low density residential community to the immediate south. A 3-storey office building is located on the east side of Kipling Avenue, north of Regional Road 7. In addition, the planned land use context set out in OPA #661 would provide for a maximum 4 storey building within 30 m of a Low Density Residential designation and 10-storeys on other lands located within the Transit Stop Centre located to the east, west and northeast of the subject lands.

The proposed 17-storey building does not fit into the local context and would be in sharp contrast to the existing and planned built form in the surrounding area. The Owner has not submitted a Site Development Application in support of the Official Plan and Zoning Amendment Applications that would identify the exact nature of the development proposed. Furthermore, the draft Official Plan Amendment submitted to the OMB in support of the applications proposes to delete the specific transition policy in OPA #661 and replace it with a general statement that states, “There shall be an appropriate height transition between development within the Centre to adjacent, sensitive land uses,” thereby substantially weakening the intent of the transition policies by providing no guidance with respect to what might constitute an “appropriate height transition” and leaving potential future changes to the proposed plan subject to a zoning amendment application only. In addition, the draft zoning by-law submitted to the OMB in support of the application does not include any transition related zoning standards. Accordingly, the implementing Official Plan Amendment and Zoning By-law do not facilitate development that is designed to achieve an appropriate transition of built form to adjacent areas.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 9

The proposed 17-storey building height and FSI of 5.5 significantly exceeds the maximum planned building height established by OPA #661. The Engineering Department has advised that it is protecting for a 30 m right-of-way for Kipling Avenue and that a 5 m road widening is required from the centre-line of Kipling Avenue. This will reduce the size of the site, thereby increasing the FSI beyond 5.5, and further reduce the suitability of the subject lands for the scale of development proposed. The proposed FSI does not fit into the local context. Accordingly, the applications do not conform to the GPGGH.

ii) Comprehensive Planning for Intensification

The Places to Grow Act requires that municipal Official Plans must be brought into conformity with the Growth Plan by June 2009. The Ministry is considering extensions to this date. The City is currently undertaking a City-wide Official Plan review to bring the City's Official Plan into conformity with the Growth Plan. As noted above, the Region of York has released an intensification strategy. The City's Official Plan review will, in part, identify and implement an overall City strategy with respect to where and how intensification will be accommodated in the City. As noted above, Section 4.5 of the PPS clearly states that the Official Plan is the most important vehicle for the implementation of the PPS and that comprehensive, integrated and long term planning is best achieved through municipal official plans.

The Growth Plan and the Region's draft intensification strategy clearly places the onus on the upper tier and local municipalities to decide where and how to accommodate growth and intensification. Through OPA #661 the City has adopted a municipal official plan amendment to promote intensification on the Regional Road 7 corridor. The applications do not conform to the amendment. The City will implement its' intensification strategy in a comprehensive and coordinated manner with the Region of York as required by the Growth Plan.

The most efficient and appropriate way of addressing the requirements of the Growth Plan respecting intensification is by way of a comprehensive planning analysis that evaluates all the built up areas in Vaughan and recommends an intensification strategy that is sensitive to the needs and requirements of all of Vaughan's existing and future residents.

iv) Applications Do Not Conform to the Region of York Official Plan

The applications are not consistent with the Region of York Official Plan and Council approved OPA #661 as follows:

i) Applications Not Consistent with Regional Direction re OPA #661

Council of the Regional Municipality of York has adopted a recommendation to approve OPA #661, with modifications. The staff report prepared by the Region of York Planning and Development Services Department respecting the series of Amendments that implement the Avenue Seven Futures Land Use Study, which includes OPA #661, undertakes a planning analysis of each amendment including: the planned function of the Regional Road 7 corridor; the urban structure along Regional Road 7; compliance with Provincial and Regional Policies (PPS and Growth Plan); Regional Centres Policies; Regional Corridor Policies; and ROPA 43. Upon consideration of these policies, the Regional Planning and Development Services Department recommended approval of the five Official Plan Amendments, including OPA #661 and concluded:

.../10

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 10

“The Amendments add a new designation, “Prestige Area – Centres and Highway 7 Corridor”. This new designation elevates the existing Corridor to a more intense, dynamic, mixed-use, compact, pedestrian friendly, transit supportive Corridor. The City of Vaughan has studied the Highway 7 Corridor for over six years and the resulting Amendments reflect Vaughan’s progressive planning efforts at City Building.”

The Regional Planning and Development Services Department also concluded the following with respect to the Official Plan Amendments which implement the Highway 7 Futures Land Use Study, including OPA #661:

“The Highway 7 Amendments are a significant new threshold of City Building for the City of Vaughan. The Amendments (as illustrated on *Attachment 10*) establish a comprehensive basis of a renewed Highway 7, supporting more intense, mixed use, compact development. This section of Highway 7, in Vaughan, is a Regional Corridor and runs through a Regional Centre: the Vaughan Corporate Centre, which is also identified as an “Urban Growth Centre” in the *Growth Plan*. This Regional Corridor will be served by the VIVA rapid transit system and the Regional Centre will be the new terminus of the Spadina Subway. Vaughan has ensured a strong local planning policy framework for this Regional Corridor and Regional Centre with adoption of these Amendments.”

Regional review of the amendment to OPA #661 which provides for the transition policies related to building height abutting the low density residential designation concludes:

“The revised boundary of OPA #661 provides for additional protection for the low density residential area from the high density residential development adjacent to Highway 7. This is still in compliance with Regional Official Plan intensification policies.”

The report further goes on to state:

“The revised boundary of OPA #661, around the intersection of Kipling and Highway 7, reflects Vaughan staff being responsive and working to find a balance between intensification and compatibility with surrounding single detached dwellings.”

The proposed development is not consistent with the development transition policies of OPA #661, which has been approved by the City and recommended for approval by the Region of York.

ii) Regional Official Plan Amendment #43 (ROPA 43)

On January 7, 2005, the Region of York approved Regional Official Plan Amendment #43 (ROPA 43) being the Regional Centres and Corridor Amendment the policies of which have since been consolidated into the Region of York Official Plan. The purpose of the amendment was to enhance the existing policies of Chapter 5 – Regional Structure and Growth Management, and Chapter 6 – Regional Infrastructure. The amendment better articulates and more fully implements the Region’s planned urban structure of Regional Centres linked by Regional Corridors, served by rapid transit, and the role of Local Centres and Local Corridors in this structure. The amendment concerns lands comprising the four Regional Centres of Markham, Newmarket, Richmond Hill and Vaughan, and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 11

lands in and adjacent to the Regional Corridors connecting them, including Regional Road 7. The Amendment also enhances policies relating to Local Centres and Local Corridors in each of the nine area municipalities.

The Avenue Seven Futures Land Use Study addresses the goals of ROPA 43 in a comprehensive manner. The series of Official Plan Amendments, which includes OPA #661 implements an urban structure consisting of five elements including: the Vaughan Corporate Centre (VCC) which is identified in the Regional Official Plan as a Regional Centre and in the Province's Growth Plan as an Urban Growth Centre and where the most intense development is to occur; two GO Centres (Concord Centre and the Woodbridge Go Centre); and Transit Centres along the rapid transit route. The series of Amendments provide for a coordinated approach to intensification along the Regional Road 7 corridor, in a manner consistent with the PPS, the Growth Plan and the Regional Official Plan. In addition, the City's comprehensive city-wide official plan review will build and further elaborate upon this intensification strategy once completed, to conform to the PPS and Places to Grow. The proposed development does not address development of Regional Road 7 in a comprehensive manner, does not have regard for the urban structure established along the corridor, and is therefore not consistent with ROPA #43.

iii) Section 5.2 – Community Building

Section 5.2 of the Regional Official Plan requires:

“That area municipalities, in cooperation with the Region, are required to develop and monitor growth management strategies prior to the expansion of the urban areas shown on Map 5 and/or major growth in towns and villages. These growth management strategies shall be implemented through official plans and secondary plans and are to be based on the policies of the Plan including (in part):

- a) incorporation of the centres and corridors structure of this Plan;
- b) promotion of infill and redevelopment; that shows consideration for the existing built-form and surrounding land uses of the community through appropriate building design and massing; and,
- c) provision for efficient and mixed-use compact communities.

This section also requires that:

- i) development consider the impact and compatibility of potentially conflicting land uses on each other and the surrounding area including the assessment of noise impacts for land uses adjacent to arterial road and highway facilities; and,
- ii) that the Region work with area municipalities in the completion of comprehensive growth management studies which address the policies and criteria of the Plan.

The City has undertaken a study process which has culminated OPA #661 to address these Regional policies. The City is also working with the Region in the completion of a comprehensive growth management plan. The proposed development does not respond to the building height, density and transition policies of the Official Plan. Section 5.5 of the Regional Official Plan states:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 12

“Regional Corridors are not uniform across their entire length. The character and pace of change varies dramatically. From historical mainstreets to vacant land to modern higher-density buildings, there are a variety of conditions that make-up the character of each Regional Corridor. These conditions can be classified three ways: 1) "greenfield," representing vacant, development-ready lands; 2) "second generation" comprising developed sites ideal for new and intensified development; and, 3) areas unlikely to change, like historical areas and environmentally sensitive features like the Oak Ridges Moraine. Lands adjacent to these corridors are at different stages in the land development lifecycle and should be subject to specialized policies and programs that recognize this. These should provide incentives for redevelopment in appropriate areas, while maintaining the character and integrity of areas where little change is expected.”

The Region Official Plan recognizes that intensification may not occur on every parcel of land located along its' corridors and that new development, particularly intensification, must respect and take into consideration local context, including in this case, an existing stable low density residential community. The Regional Planning and Development Services Department recognized Vaughan's efforts in this respect where in their staff report of June 19, 2008 respecting the series of amendments implementing the Avenue Seven Futures Land Use Study, the following analysis is provided:

“While the main planned function of the Amendments is to encourage intensified transit supportive mixed use developments, the Amendments are also responsive to surrounding low density residential neighbourhoods. Vaughan has carefully considered where redesignating lands for higher densities should be focused, in the context of existing lower density communities. Residential communities located on local streets internal to the existing neighbourhoods are not being redesignated to higher densities. They are physically separated from the transit service on Highway 7 and the potential impact from new development on the Corridor will require careful consideration. As the Table above indicates, redevelopment on lands within a minimum of 30m of lands designated low density residential, has a maximum height limit of four storeys.”

The proposed development does not respect the local context, and proposes to utilize a 45 degree angular plane “rule of thumb” approach, as stated in the Planning Analysis submitted in support of the application, to assess compatibility of the proposed development with the adjacent low density residential community. This approach is not in keeping with the Regional Official Plan.

York Region Intensification Strategy

On February 4, 2009, The Regional Planning and Economic Development Committee considered a report from the Regional Planning and Development Services Department, which includes a “York Region 2031 Intensification Strategy” completed as part of the Region's Places to Grow conformity exercise. The strategy clearly identifies that how intensification will occur is based on local intensification strategies. The plan requires that the City complete a local intensification strategy and that the strategy include targets for each locally-identified intensification area to meet municipal intensification targets. The City has undertaken a review along the Regional Road 7 corridor, and is currently undertaking a city-wide intensification strategy review, as required by the draft York Region 2031 Intensification Strategy.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 13

Region of York Transportation Master Plan 2002

The Region of York Transportation Master Plan (TMP) 2002 identifies the potential extension of the GO line through west Vaughan to Bolton. Section 3.2.2 of the TMP identifies a “potential” Woodbridge GO station located north of Regional Road 7 on the proposed Bolton GO line. Table 9 of the TMP identifies the proposed staging of the GO rail improvements and identifies the potential Woodbridge station in a category slated for implementation beyond 2021. Similarly, Figure 23 of the Plan “2021 Transit Network”, which identifies existing and future GO stations, does not indicate a station in the Woodbridge area in the vicinity of Kipling Avenue and Regional Road 7. In addition, the Plan does not identify a Woodbridge GO station within its 5 year transit priorities.

As noted below, OPA #661 requires that a tertiary plan be undertaken respecting a potential GO Centre to determine the appropriate planning policies respecting its’ development and the determination of the potential GO Centre boundaries. Further, in the Region of York Planning and Development Services Department Report of June 19, 2008, respecting the series of Amendment implementing The Avenue Seven Land Use Futures Study, and specifically OPA #661, the Regional Planning and Development Services Department stated:

“There is also a future Woodbridge GO Centre identified, and its location and planned function will require further in-depth study.”

The Region of York is currently undertaking an update of the Transportation Master Plan. The Region at the latest Public Consultation Centre meetings held between November 12 -27, 2008, presented a Draft Transit Network Plan for 2031 which includes a Woodbridge GO station on Kipling Avenue, north of Regional Road 7, being the latest information available at the time of preparation of this report.

In addition, the Region of York Planning and Economic Development Committee on December 18, 2008 considered Regional Official Plan Amendment #56 (ROPA 56). The purpose of this amendment is to clarify, add technical detail to, and update the policies of and schedule related to Section 6.2 – The Transit Network, and to advance the implementation of transit infrastructure and services. A potential Woodbridge GO station was not included in the list of transit related improvements.

Based on the information available at this point in time, a potential Woodbridge GO station does not appear to be included in Regional Transportation plans for the near term (i.e. next 5 years). However, more importantly, when a location for a future Woodbridge GO station is determined, a proper land use study will be undertaken to assess the appropriate densities, land use policies and other planning issues in a comprehensive manner, consistent with Regional and City policies. Accordingly, using the potential GO station in Woodbridge as a planning basis to support intensification on the subject lands beyond that provided for in OPA #661 and inappropriate at this point in time.

v) GO Transit Strategic Plan - GO 2020

GO Transit (GO) has released its Strategic Plan – GO 2020 which presents their strategic direction to the year 2020, including the vision, objectives and goals, and service strategy. The document, and the program of rapid transit improvements identified in the Metrolinx RTP, will provide the basis for GO Transit’s 10-year capital program, three year operating plan and annual business plans and budgets. The GO 2020 Plan identifies capital improvements including a peak-period Bolton line through the City of Vaughan. The Plan does not identify a Woodbridge GO station. The Development Planning Department has met with GO Transit and have been advised that GO is currently

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 14

undertaking a feasibility study for the Bolton line, including potential station locations in Vaughan, and a station to serve the Woodbridge Community. However, at this point in time a specific station location to serve the Woodbridge community has not been identified. Furthermore, as noted above, and identified by OPA #661, when a GO station location is chosen, a land use study will be undertaken to address the relevant planning issues in a comprehensive manner including its location and planned function.

vi) Applications Do Not Conform to the City of Vaughan Official Plan

The City has adopted OPA #661, which has been recommended for approval by the Regional Municipality of York. The applications do not conform to OPA #661 for the following reasons:

i) Applications Exceed the Maximum Building Height; Propose a High Density; and, do Not Provide For An Appropriate Transition

OPA #661 designates the subject lands as “Prestige Areas – Centres & Avenue Seven Corridor” and identifies a “Transit Stop” at the intersection of Kipling Avenue and Regional Road 7. OPA #661 permits a maximum building height of 10-storeys, or 32.0 metres, whichever is less on the subject lands and requires that there be an appropriate transition between development on the subject lands and adjacent sensitive land uses. The Amendment states that for sites that abut a Low Density Residential designation, the maximum height of development with 30.0 metres of such designation shall be 4-storeys, or 12.8 metres, whichever is less.

The south property line of the subject lands abuts a Low Density Residential designation, as established by OPA #240 (Woodbridge Community Plan). The proposed site plan indicates that the lot depth of the subject lands is 60.91 and 60.971 metres on the west and east sides respectively. Accordingly, under OPA #661 the southerly 30 metres of the subject property can only be developed to a maximum height of 4 storeys or 12.8 metres, whichever is less. The proposed elevations shown on Attachment #4, illustrates that the 4-storey portion of the proposed building has a 6.0 metres setback from the low density residential designation and is 12.8 metres in height, for approximately 6 m (scaled), after which portions of the 5th to 11th floors lie within 30 metres of the low density residential designation. This does not comply with the maximum building height or transition policies of OPA #661.

OPA #661 also establishes a Floor Space Index (FSI) target of 3.0 for the overall Transit Stop Centre, based on the net developable land area as defined in the Amendment. The area of the Centre is generally based on a 200 m distance from the Transit Stop. For the purposes of calculating FSI, OPA #661 states that net developable lands shall not include major distributor roads, City streets, valleys, woodlots, parks, open space (including storm water management ponds), hydro easements, existing development, parks or schools. The subject lands have a site area of approximately 2768.8m² and the proposed gross floor area for the development is 15,192 m² yielding an FSI of 5.48. The proposed FSI is not consistent with the Hierarchy of Centres structure set out by OPA #661 and inappropriate given the surrounding existing and planned land use context.

ii) GO Centre

OPA #661 recognizes the opportunity for a Woodbridge GO Centre, which under Section 8.1 b), Purpose, of OPA #661 states the following:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 15

“The opportunity for a Woodbridge GO station on the CPR line is recognized in this Plan. The York Region Transportation Master Plan identifies such a station as a long term opportunity that will occur in the 2021 time frame; prior to the implementation of the service, improvements to the rail line and an Environmental Assessment will be required. For the purposes of this Plan, the Woodbridge GO Centre has been shown conceptually to be located in the vicinity of Avenue Seven/Kipling Avenue intersection. However, the Kipling Avenue corridor shall be subject to further, more detailed planning through the preparation of a tertiary plan, which shall be implemented as a further amendment to this Plan, in anticipation of the future establishment of GO service on the CP line, with a GO station sited between Highway 7 and the Woodbridge fairgrounds.”

Section 8.2 f) 1) includes several policies respecting the Woodbridge GO Centre including (in part):

- “i) the boundaries of the Centre shall be determined through the tertiary plan study, as directed by Council;”
- “iv) the maximum height of any building shall be 10-storeys or 32 metres, whichever is less, subject to further refinement during the required tertiary planning process.”
- “v) there shall be an appropriate height transition between development within the Centre and adjacent, sensitive land uses. For sites that abut a low density residential designation, the maximum height of development within 30 metres of such designation shall be 4-storeys, or 12.8 metres, whichever is less.”

Section 8.2 h) 1) 2) 3) and 4) sets out the “Tertiary Plan Requirements” for the Woodbridge GO Centre, which states (in part):

- “1) Prior to the development of the Woodbridge GO Centre, as identified in Section 8.2. of this Plan, or any portion thereof, a Tertiary Plan in the form of an Official Plan Amendment shall have been adopted by Council and approved. The area required for the preparation of such an amendment will be determined through the tertiary Planning study directed by Council.”

OPA #661 further sets out the minimum requirements of the Tertiary Plan, the objectives of the Plan, the requirement for an Urban Design Plan for Council’s consideration, and minimum requirements for consideration of the Urban Design Plan prepared on the basis of the entire Tertiary Plan study area.

The Planning Analysis submitted by the applicant, prepared by Humphries Planning Group Inc., dated December 2008, utilizes the potential for a GO Centre as a planning basis for supporting increased intensification on the subject lands. However, to date, the location of a potential Woodbridge GO station has not been identified, the Tertiary Planning study has not commenced, the boundary of the GO Centre has not been determined, an Urban Design Plan has not been prepared, and the proposed 17-storey building exceeds the maximum building height established by OPA #661 within the GO Centre. The rail line has not been expanded and an Environmental Assessment has not been undertaken.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 16

Using the potential for a GO Centre located somewhere in the vicinity of the subject lands as a planning basis to support intensification on the subject lands is inappropriate since none of the requirements of OPA #661 with respect to establishing a GO Centre have been undertaken by the City, and the studies submitted in support of the development applications do not in any way represent a comprehensive tertiary planning exercise as envisaged by OPA #661.

The Planning Analysis states:

“that with the development of the Metrolinx Draft Transportation Plan (September 2008) and its identification of a Bolton GO Transit line as a priority within the 5 year capital plan, and confirmation of Provincial funding for the project, the potential for the achievement of intensified residential development in the Highway 7 – Kipling Avenue Transit Stop Centre has significantly increased.”

On November 28, 2008, the Metrolinx Board of Directors voted to adopt a Regional Transportation Plan (RTP) titled “The Big Move: Transforming Transportation in the Greater Toronto and Hamilton Area”. The Metrolinx Plan identifies the top 15 transit priorities of the plan for early implementation within the first 15 years. A GO line expansion through the City of Vaughan to Bolton is identified as a 15 year priority. The Plan identifies a Bolton GO Service Improvement as a “Quick Win” intended to be in service within five years or less. The plan also states that the information displayed on the maps is conceptual only and represents projects proposed for full or substantial completion within 15 years of the Regional Transportation Plan’s adoption and that, additional details such as routing and stations are subject to further analysis.

At this point in time, a Woodbridge GO station in the vicinity of the subject lands has not been identified by the Metrolinx Plan. Therefore, using the Metrolinx plan as a planning basis to support and make planning decisions respecting intensification on the subject lands is inappropriate. When the location for a Woodbridge GO station is identified, proper planning principles would dictate that a comprehensive land use review would be undertaken to define the boundaries of the GO Centre and ensure that the GO station and land uses around it, development policies, urban design requirements and other planning issues are comprehensively addressed and the appropriate planning policies are established to guide its’ development. This approach is clearly established by OPA #661 which requires that a tertiary planning exercise be undertaken. The tertiary planning exercise could ultimately determine that a Woodbridge GO Station would be located far enough north or south of Regional Road 7, that the subject lands may not be located within the potential future GO Centre. To consider the subject lands a candidate for further intensification prior to the completion of the required planning exercise, does not represent good planning and is not in the public interest.

iii) Development Incentive Program

OPA # 661 establishes a “Community Improvement Area” within which the subject lands are located and where the City may offer incentive programs to facilitate the goals and objectives of OPA #661. Prior to any incentives being applied, OPA #661 requires that a Community Improvement Plan be prepared, which has not been undertaken to date. The Planning Analysis submitted in support of the application appears to suggest that additional density can be allocated to the subject lands as a result of the incentive program, as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 17

"Further to the above, policies provide for a development incentive program. Qualifications for such require that an individual site must attain an FSI of 2.0 based on net developable land area."

OPA #661 is clear in Section 15 c) which states that the strategy for the application of any financial or other incentives provided by the municipality shall be tied to conformity with the general policies of OPA #661, the applicable Urban Design Guidelines adopted by the City, and the minimum density qualification criteria established by the Plan. The applications do not conform to the policies of OPA #661 and Urban Design Guidelines have not been prepared or adopted by the City. Section 15 of OPA #661 is also clear that a Community improvement Plan must be prepared and in place, neither of which is the case. Therefore, to imply that the incentive program identified in OPA #661 confers additional development density to the subject lands, at this point in time, is incorrect.

vi) Applications are Not Consistent With the Vaughan Vision 2020

The Vaughan Vision 2020 strategic plan sets out a vision and direction for the City over the next decade and beyond. Planning for the future through the strategic plan will position the City to deal with the many pressing issues including those related to growth. The key strategic initiative respecting planning and managing growth is the completion and implementation of a growth management strategy. The city-wide Official plan review represents the growth management strategy identified by the Vaughan Vision 2020 document. This review will include an intensification strategy, as required by the Places to Grow Plan. The review is being undertaken in a comprehensive manner, with full public input, and a review of all planning issues and coordinated with other planning authorities. Approving the applications on a site-specific basis is not consistent with the comprehensive approach undertaken by the City to implement an intensification strategy for the Regional Road 7 corridor.

vii) Applications May Set Precedent

As noted above, the City has undertaken a review of the Regional Road 7 corridor (The Avenue Seven Land Use Futures Study) to identify intensification opportunities to meet Provincial and Regional intensification initiatives. This study culminated in the implementation of OPA #661, which was adopted by Council and recommended for approval by the Region of York on June 19, 2008. The appeals by the applicant represent the first challenges to the policies included in OPA #661 particularly with respect to the maximum building height, density and transition policies of the plan. There have been two other approvals within the "Prestige Areas – Centres and Avenue Corridors" designation of OPA #661 both of which are also located within Transit Stop Centre and comply with the provisions of OPA #661. The first development is located at the southwest corner of Regional Road 7 and Woodstream Boulevard, west of the subject lands, and was approved for two 10 storey buildings with a total of 377 residential apartment units, 14 townhouse units, 912m² ground floor commercial uses, and with an FSI of 3.0, as shown on Attachment # 5. It is noted that this site does not directly abut a low density residential development and to date, the proposed development has not been constructed.

The second development is located on the north side of Regional Road 7, west of Pine Valley Drive. This development consists of two phases. Phase 1 includes a 4-storey apartment building, with 81 units at an FSI of 1.36 as shown on Attachment #6. Phase 2 is comprised of a 6 storey building with a 4-storey portion located within 30 metres of existing low density residential community to the immediate west of the property as shown on Attachment #7. The development consists of 122 residential units at an FSI of 1.34. To date, only Phase 1 of the proposed development has been constructed. Both phase of this development comply with the building height and density provisions of OPA #661.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 18

To permit a 17-storey building on the subject lands would set a precedent for lands within the OPA #661 amendment area, and potentially impact on other low density residential areas that abut the "Prestige Areas – Centres & Avenue 7 Corridor" designation. In addition, approving the proposed development is inappropriate at this time because it may set a precedent for other development that may not conform to the city-wide Official Plan review (Vaughan Tomorrow), which will implement an intensification strategy as required by the Provincial Growth Plan and emerging Regional policies.

The Development Planning Department cannot support a proposal of this scale on the subject lands as it would set a negative and undesirable precedent that would render OPA #661 ineffective in protecting existing sensitive land uses in this case and other similar situations.

viii) Scale of Development Proposed Does No Have Regard for Existing or Planned Character of the Area

The proposed scale of the development does not have regard for the existing or planned character of the surrounding area as follows:

i) Surrounding Land Use Context – Existing and Planned

The existing surrounding land context includes an established low density residential community to the south, an automobile gas bar and additional low density residential to the east, a commercial plaza to the west, and generally other commercial and office uses on the north side of Regional Road 7, opposite and in the general vicinity of the subject lands. The existing land uses are primarily characterized by one and two-storey buildings, with the exception of a 3-storey office building located on the east side of Kipling Avenue, just north of Regional Road 7.

The proposed 17-storey building would be in sharp contrast to and does not maintain the of the local existing built form character. The policies of OPA #661 will facilitate a change in character for the area, however, the proposed development would not comply with the planned land use context from a built form perspective.

OPA #661 states that the Transit Stop Centre is generally defined based on a 200m distance from the Transit Stop. However, it is noted that although the Kipling Avenue and Regional Road 7 intersection is identified as a Transit Stop Centre, Kipling Avenue dead ends south of Regional Road 7, within the existing low density residential community and does not afford the opportunity to provide continuous transit service south of Regional Road 7 that would connect to another arterial or collector road.

In addition, the subject lands are located at the crest of Regional Road 7, which drops in elevation to the west and east of the subject land towards Woodstream Boulevard and Islington Avenue respectively. The proposed 17-storey development would sit at a "high-point" of Regional Road 7 in the area, further accentuating the height and incompatibility of the proposed building relative to the surrounding lands on Regional Road 7.

ii) 45 Degree Angular Plane

The Planning Analysis submitted by the applicant indicates that a 45 degree angular plane has been utilized to determine an appropriate transition between the adjacent lower density development and the proposed development. The Analysis includes the following statements:

"The proposal maintains a 45 degree view plane for the existing residential dwellings to the south."

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 19

and,

“The 45 degree view plane is a rule of thumb used to determine appropriate transition between lower and higher density development to create appropriate building envelopes without abrupt increases in height.”

and,

“It determines the building envelope utilizing a cross-section and drawing a 45 degree angle measured from the property, extending the angle to determine the overall maximum building massing along that property line. Additional building height is then achieved using step backs, with additional height added in stages as distance from the property line increases.”

The angular plane described in the Planning Analysis is shown on the east elevation drawing submitted by the applicant on Attachment #4. The applicant has shown the angular plane starting from the edge of the four storey portion of the building attempting to illustrate that the proposed building is located within the 45 degree angular plane within 30 m of the abutting Low Density Residential designation. However, the elevation clearly illustrates that the 45 degree angular plane is interrupted by the 17 storey portion of the building. The intent of using an angular plane to determine compatibility is to maintain an uninterrupted plane, which is clearly not the case. Therefore, the proposal does not maintain a 45 degree view plane for the existing residential dwellings and does not satisfy the “rule of thumb” test established as a measure of compatibility identified in the Planning Analysis.

In addition, when an angular plane is utilized, it is typically taken from the property line, not from the edge of a building. If the 45 degree angular plane is applied from the south property line, it would be broken at every floor of the proposed building as shown on Attachment #4. Coincidentally, if the 45 degree angular plan is correctly applied from the property line as a measure of compatibility as suggested by the Planning analysis, it would yield a maximum 11-storey building (based on the building design proposed) at the 30 metre distance from the Low Density Residential designation, consistent with the maximum 10-storey building height prescribed by OPA #661.

iii) Proposed Site Plan

Section 5.2 of the Planning Analysis states that, “The proposed development has been carefully designed to fit within the context of its location, adjacent to both a Regional Corridor and a lower density area.” The proposed site plan is shown on Attachment #2, and illustrates the following:

- i) the main driveway access is located at the extreme south end of the property, abutting existing low density residential properties to the south and separated solely by a 1.8 m high board privacy fence;
- ii) there is no landscaping or buffer provided along the south property line to visually screen the proposed development from the rear yard amenity areas of the abutting residential properties;
- iii) the main driveway will be used for all vehicles exiting the site, and likely many accessing the site, including garbage, snow removal, moving and delivery vehicles (some possibly refrigerated) for the proposed commercial uses. Many service vehicles are higher than 1.8 metres in height and therefore, will not be adequately screened from the residential properties;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 20

- iv) the main driveway is partially located opposite the driveway for the residential property at 7721 Kipling Avenue;
- v) the “rear yard” of the subject lands is almost completely paved to accommodate vehicular traffic and parking, save an except for a small water feature, a single tree and a raised planter box abutting the west property line. In effect, a parking lot which will likely be lit and a driveway has been created immediately abutting the low density residential lands;
- vi) according to the Site Servicing and Grading Plan, prepared by Masongsong Associates Engineering Limited (Drawing No. SG-1) submitted in support of the applications, the southerly curb for the access driveway on Kipling Avenue encroaches onto the northeast corner of the adjacent residential property to the south;
- vii) the proposal does not maintain a 45 degree angular plane view as suggested by the Planning Analysis;
- viii) the main residential entrance to the building used for moving new residents in and out of the building is located at the rear of the building towards the low density residential uses, and specifically their amenity areas;
- ix) the ventilation shaft for the underground parking lot has not been identified on the plan but may also likely be located in the rear yard given the 0 m building setbacks proposed for the front and side yards; and,
- x) the site plan does not consider the requirement for a Kipling Avenue road widening.

Furthermore, the Development Planning Department has provided the following comments:

- i) the proposed 48% building coverage and provided surface parking have resulted in exclusion of the landscaping and amenity area from the site plan;
- ii) the 17-storey building height and its massive volume will create overwhelming effects over nearby low-density residential neighbourhood;
- iii) the proposed 6.0m rear yard and 0m interior and exterior side yards cannot be supported;
- iv) a minimum 3 metres landscape buffer should separate the proposed high-density development from its neighbouring lands, where it is adjacent to any low-density residential or commercial sites;
- v) the proposed at-grade parking spaces should be relocated to the underground parking garage in order to dedicate the rear yard to a well landscaped amenity area for the residents;
- vi) to reduce the overwhelming effects on the neighbouring residential uses and public areas, the building height should be reduced from 17 to 10 storeys, and create a 4-storey (with minimum depth of 3 metres) podium along Regional Road 7 and Kipling Avenue;
- vii) to encourage pedestrian activities on Kipling Avenue, all at grade residential units main entrances should open directly to the sidewalk; and,
- viii) the propose and principal residential entrance should be relocated from the rear yard to the front of the building, preferably, at the intersection of Regional Road 7 and Kipling Avenue.

The proposed site design has not been “carefully designed to fit within the context of its location”, as suggested. In fact, the proposed site plan leads to the conclusion that the site is being overdeveloped and has little regard for the adjacent sensitive land use. The proposed site design locates the most intensive operations associated with the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 21

development abutting the low density residential community with no buffering other than a wood fence and, as discussed, and a 45 degree angular plane is not being maintained.

viii) Applications Do Not Represent Good Planning

As outlined above, the applications do not conform to the Planning Act, The Provincial Policy Statement, The Growth Plan, the Region of York Official Plan and the City of Vaughan Official Plan in the form of OPA #661. The applications do not meet the requirement and intent of the PPS which clearly states that the Official Plan is the most important vehicle for the implementation of the PPS and that comprehensive, integrated and long term planning is best achieved through municipal official plans and that municipal official plans shall identify provincial interests and set out appropriate land use designations and policies.

The applications do not respect the local area and are not contemplated in the context of a comprehensive approach to City building. The applications represent piecemeal planning on one development site that is inappropriate and does not represent good planning. The PPS, Growth Plan and Regional planning policies respecting intensification do not mean that intensification can occur anywhere and everywhere on any corridor, at any density, throughout the City regardless of the local planning context. This is the reason why the PPS and Growth Plan and the Regional Municipality of York clearly require that the municipality establish an intensification strategy respecting where and how intensification will occur. The City has met these tests through the adoption of OPA #661 and is further committed to meeting the requirements of the Growth Plan through its comprehensive city-wide Official Plan review.

ix) Amendments Being Sought Represent Poor Planning and Are Not Supported

As noted in the "Purpose" section of this report, the Owner has requested the following specific amendments to OPA #661:

- i) amend Section 8.3(f)(2)(ii) to increase the overall density target within the Transit Stop Centre from 3.0 to 5.5 FSI;
- i) amend Section 8.3(f)(2)(v) to increase the maximum height of a building from 10 storeys or 32 metres, whichever is less, to 17 storeys or 48 metres;
- iii) amend Section 8.3(f)(2)(v) to delete the phrase, "For sites that abut a low density residential designation, the maximum height of the development within 30 metres of such designation shall be 4 storeys, or 12.8 metres, whichever is less", and substitute therefore, "there shall be an appropriate height transition between development within the Centre to adjacent, sensitive land uses".

The proposed amendments, as requested, would have the effect of changing land use policies for other lands within OPA #661, without any supporting planning analysis or justification. For example, the Transit Stop Centre identified by OPA #661 includes other lands not subject to the applications. The proposed amendment to increase the overall density target within the Transit Stop Centre from 3.0 to 5.5 would have the effect of increasing the maximum FSI for all lands within the Centre. Similarly, the requested increase in building height and the deletion of the transition policy abutting low density residential designations would affect other lands, beyond the lands subject of the applications. The proposed Official Plan Amendment, submitted to the OMB for approval as worded, has not been supported by any planning analysis or other appropriate studies and therefore, do not represent good planning and are not in the public interest. Should the OMB approve the applications, the implementing official plan amendment must be redrafted to ensure that any approvals affect only the subject lands shown on Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 32, CW Report No. 18 – Page 22

Relationship to Vaughan Vision 2020/Strategic Plan

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 OPA #661 and recommended that it be approved.

Conclusion

The Development Planning Department has reviewed the application to amend the Official Plan and Zoning By-law to facilitate the development of the subject lands with a 17–storey apartment building consisting of 146 units and 464 m² of at-grade commercial uses. The Development Planning Department is of the opinion that the applications do not conform to the Planning Act, The Provincial Policy Statement, The Growth Plan for the Greater Golden Horseshoe, the Region of York Official Plan and the City of Vaughan Official Plan and therefore, the applications do not represent good planning and should be refused.

Attachments

1. Location Map
2. Proposed Site Plan
3. Proposed Elevations - North and South
4. Proposed Elevations - East and West
5. Proposed Development – Regional Road 7 & Woodstream Boulevard
6. Existing Development – Regional Road 7 (West of Pine Valley Drive) – Phase 1
7. Existing Development – Regional Road 7 (West of Pine Valley Drive) – Phase 2

Report prepared by:

Mauro Peverini, Manager of Development Planning, ext. 8407

/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 APRIL 14, 2009

Item 33, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

33

**ZONING BY-LAW AMENDMENT FILE Z.08.071
CONDOR PROPERTIES LIMITED
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.071 (Condor Properties Limited), BE APPROVED; specifically to amend Exception 9(509) of By-law 1-88 to permit the following on the subject lands shown on Attachment #2:
 - i) Unit #9 – permit the existing motorcycle sales establishment currently engaged in the design, research and development, assembly, minor repair, and sale of motorcycles to be maintained; and,
 - ii) Unit #10A – to permit the warehousing and storage of motorcycles, and motorcycle parts.
2. THAT the implementing zoning by-law include the following site-specific definition for a "motor vehicle sales establishment":

“A MOTOR VEHICLE SALES ESTABLISHMENT shall mean:

 - i) the display and sale, manufacture, assembly, minor mechanical and body repair for motorcycles only, and research and development, in Unit #9 only, provided that the gross floor area of the area devoted to the display of motorcycles does not exceed 116m²;
 - ii) the warehousing of motorcycles and motorcycle parts in Unit #10A only; and,
 - iii) accessory outside storage shall not be permitted.”

Economic Impact

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

Communications Plan

On February 6, 2009, a Notice of a Public Meeting was circulated to all property owners within 150m of the subject lands, and to the Concord West Ratepayers Association. On February 10, 2009, a Revised Notice of a Public Meeting was circulated to the aforementioned property Owners and Ratepayer Association as a result of the Owner expanding the proposed use into an additional unit (Unit #10A). To date, no written comments were received by the Development Planning Department, and there were no concerns expressed by the public at the Public Meeting on March 3, 2009.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 33, CW Report No. 18 – Page 2

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically to amend Exception 9(509) of By-law 1-88 to permit the following in Unit's #9 and #10A as shown on Attachment #2:

- i) Unit #9 – to permit the existing motorcycle sales establishment to be maintained. The business currently engaged in the design, research and development, assembly, minor repair, and sale of custom motorcycles; and,
- ii) Unit #10A – to permit warehousing and storage of motorcycles and motorcycle parts.

The Owner is also currently operating an Automotive Retail Store in Unit #8, which is a permitted use under the Zoning By-law, and is associated with the motorcycle sales establishment. The Owner has advised that the existing business has established a relationship with Transport Canada to develop new standards for increased quality, safety, and design for motorcycles.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located at the northeast corner of Langstaff Road and Keele Street, municipally known as 8575 Keele Street, in Part of Lot 11, Concession 3, City of Vaughan. The surrounding land uses are shown on Attachment #1.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Growth and Management Plan) which encourages a wide range of industrial, business and civic uses with no outside storage and, which require high visual exposure. The subject lands are also consistent with the "Service Node" policies of OPA #450, which allow service commercial uses at the intersection of arterial and/or collector roads. The "Service Node" designation provides policies for uses that supply the day-to-day convenience and service needs of the businesses, industries and their employees. The proposed motor vehicle sales establishment is consistent with the policies of OPA #450.

Zoning

The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(509). The proposed motor vehicle sales establishment is not permitted use within the C7 Service Commercial Zone, and therefore, an amendment to the Zoning By-law is required.

Planning Considerations

The proposal to amend the existing C7 Service Commercial Zoning would facilitate the operation of an existing motorcycle sales establishment specifically to allow for motorcycle research and development, design, assembly, and minor repair.

Unit #8 is internally attached to, and associated with the motorcycle sales establishment and is currently used as an automotive retail parts store, with an accessory service bay used for the installation of the products sold in the store. Although Units #8, #9 and #10A are leased by the same Owner, an Automotive Retail Store is a permitted use in Unit #8 under Exception 9(509) and therefore, a zoning amendment to implement this use is not required. Unit #9 is divided into two parts, the rear portion is being used for the research, development and design of custom motorcycles, and the front portion for offices and a showroom for the custom motorcycles, which

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 33, CW Report No. 18 – Page 3

services motorcycle dealers throughout North America. The Owner is proposing to utilize Unit #10A for the purposes of warehousing motorcycles and motorcycle parts. The Owner proposes to conduct small repairs to the custom motorcycles, however, for larger repairs the motorcycles are disassembled and parts shipped to nearby businesses for repair. Once the repairs are complete, the parts are shipped back and the motorcycles are reassembled by a qualified employee.

The Owner has indicated that the motorcycle showroom and automotive retail parts store comprises 30% of the total leasable area, with the majority of the unit being devoted to research and development, manufacturing, warehousing, and design of custom motorcycles, thereby maintaining the employment character of the proposed use.

Subsection 2.2.3, of the Prestige Area policies of OPA #450 (Employment Area Growth and Management Plan) states that a wide range of industrial, office, business and civic uses shall be permitted and that no outside storage of goods or materials shall be permitted. The proposed motorcycle sales establishment includes a number of employment and industrial type uses including motorcycle design, research and development, which is consistent with the Prestige Employment Area Policies of the Official Plan. Additionally, the Owner is not proposing any outside storage and has confirmed that the business will operate entirely within the existing units. The proposed use complies with the policies in the Official Plan.

The proposed use most closely complies with the "Motor Vehicle Sales Establishment" definition in By-law 1-88 that would typically be used to implement a use of this nature. However, in order to ensure that the intent of the proposed motorcycle sales display, research and development, assembly and minor repair is maintained, it is recommended that the Motor Vehicles Sales Establishment definition of By-law 1-88 be modified to reflect the specific nature of the proposed use, as follows:

“A MOTOR VEHICLE SALES ESTABLISHMENT shall mean:

- i) the display and sale, manufacture, assembly, minor mechanical and auto body repair for motorcycles, and research and development in Unit #9 only, provided that the gross floor area of the area devoted to the display of motorcycles does not exceed 116m²;
- ii) the warehousing of motorcycles and motorcycle parts in Unit #10A only; and,
- iii) accessory outside storage shall not be permitted.”

A recommendation has been included in this respect.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has reviewed the application and has indicated that they have no objections to the Zoning By-law Amendment Application.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

There are no Regional Issues associate with this application.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 33, CW Report No. 18 – Page 4

Conclusion

The proposed Zoning By-law Amendment application has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management Plan), the requirements of By-law 1-88, the comments received from City Departments and external agencies and the surrounding area context. The Development Planning Department is satisfied that the proposal to permit a site-specific motorcycle sales establishment, specifically to allow for the research and development, sale, manufacture, assembly, and warehousing of motorcycles and accessory parts only, as an additional permitted use in a C7 Service Commercial Zone within Units #9 and #10A of the existing multi-unit building, is appropriate and compatible with the existing and permitted uses in the surrounding area, subject to the recommendations in this report. The Development Planning Department has recommended that a site-specific definition be included in the implementing zoning by-law to reflect the nature of the proposed use. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment application.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Ryan Mino, Planner, ext. 8213
Mauro Peverini, Manager of Planning 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 APRIL 14, 2009

Item 34, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

34

**SOCIAL SERVICES STUDY
NEW VAUGHAN OFFICIAL PLAN
FILE NO. 25.1.3**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 31, 2009:

Recommendation

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

1. That the Terms of Reference for the Social Services Study be approved;
2. That the Study be incorporated into the work program of Urban Strategies Inc., the City's lead consultant for the Official Plan Core Consulting Team, on a sole source basis subject to 2009 Capital Budget approval; and
3. That York Region be requested to share the costs of the Study.

Economic Impact

The City's 2009 Capital Budget Request for Project #PL-9003-07 includes \$70,000 in funding for the cost of completing a Social Services Study (referred to in the approved Official Plan terms of reference as the Community Services Study). This projected expenditure is expected to be sufficient to cover the work described in the attached Study Terms of Reference.

Communications Plan

The process includes a public consultation program in association with the public engagement process for the Official Plan. Details of the public consultation process will be coordinated with other public engagement initiatives for the Official Plan process.

Purpose

To present an overview of the work to be undertaken to complete a Social Services Study in keeping with the City's commitment to introduce sustainable approaches and solutions to all of its functions, and satisfy the triple bottom line requirement of addressing the environmental, economic and social needs of Vaughan to 2031.

Background - Analysis and Options

On March 10, 2009, the Official Plan Review (OPR) Committee recommended:

- “1) That the report of the Commissioner of Planning, entitled "Social Services Study New Vaughan Official Plan File No. 25.1.3", dated March 10, 2009, be received and move forward to the Committee of the Whole meeting of March 31, 2009 for consideration; and
- 2) That application be made to York Region to support the Social Services Study.”

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 34, CW Report No. 18 – Page 2

This report reflects the recommendations of the March 31, 2009 meeting of the Official Plan Review Committee. The report and the attached Study Terms of Reference have also been modified to address the sole sourcing and other requirements of the Purchasing Department, and the need to partner with other social service providers, as discussed at the OPR Committee.

The Social Services Study is an important component of a sustainable approach to planning for the future needs of the Vaughan community. Sustainability incorporates the "triple bottom line" philosophy of addressing the community's economic, environmental and social needs. The application of sustainable community design principles is expected to result in communities whose residents will enjoy improved quality of life and health on an individual and collective basis.

This Study addresses the social services required by Vaughan residents. Human services, in their broadest definition in the municipal context, refer to the full range of 'hard' and 'soft' services which a municipality provides to its resident, business and development communities. However, in Vaughan, 'hard services' are provided by the engineering and public works departments; 'soft services', such as the provision of recreation services and programming, are provided by the Recreation and Culture Department (addressed in the Active Together Master Plan, and through currently ongoing studies of built heritage, archaeological and cultural mapping, in association with the new Official Plan). However, social services are also considered 'soft services' and many are not provided by the municipality.

Currently, the Region of York is the principal provider of social services to residents throughout the Region. There are also a variety of other organizations and agencies involved in social service delivery.

This study will assess the needs of Vaughan's current communities in terms of the challenges some residents face and how well they will be met by the existing system. If the initial phase of the Study determines that there are gaps in the delivery of social services to Vaughan residents, then a second study phase will focus on developing a strategy to ensure provision of social services to better meet Vaughan citizens' needs.

Scope and Focus of the Study

The scope of the Study entails examining the full range of social service needs of Vaughan citizens, now and in the future, and on determining how best to meet those needs in the future. The focus of the study is on identifying the gaps in the services currently available from York Region and other providers, and determining how such gaps can be addressed, including defining a possible role for the City in addressing them directly. Social services needs are affected by growth, intensification and demographic changes. Vaughan's 2031 population will be more than 50% greater than at present, and the city will evolve into a more complex urban society during this time. Increasing and changing social services needs can be anticipated to some extent, and must be addressed to sustain and enhance the quality of life of Vaughan residents.

The Study will require completion of the following tasks (as a minimum):

1. Development of a Community Profile describing the current situation in Vaughan respecting a) social service needs, and b) their delivery, including what and where services are being provided today, and what policies exist. The Profile will include relevant community economic, employment, health and demographic data, key issues and trends; this will entail research, data collection and analysis, to define the context for current social service needs, and will provide a starting point for anticipating future needs;
2. Preparation of a Citizen Bulletin providing basic information about the existing structure of social service provision in Vaughan, and the need for social services;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 34, CW Report No. 18 – Page 3

3. Projection of future conditions, based on current and anticipated trends and changes in the composition of the forecast population;
4. A community survey (telephone interviews) on social service needs and issues with Vaughan residents;
5. Development of a report/presentation summarizing key themes and identification of preliminary gaps and shortcomings in service delivery for the existing system;
6. Coordination of a roundtable of social service providers in Vaughan to comment on the findings and provide recommendations for the Official Plan;
7. Development of a set of principles, goals, objectives and policies suitable for inclusion in the new Official Plan;
8. Preparation of draft and final reports on Phase 1 of Social Services Study: preliminary findings, forecasts and directions;

At the conclusion of the Study, its draft results will be presented to a Technical Advisory Committee, and to a public meeting with user groups and providers. The Study will establish the City's basic position respecting social services provision. If appropriate, a recommendation in the Study will address whether or not to proceed with a Phase II Study that identifies an approach to providing additional services, and a strategy for implementation. As in Phase I, Phase II would be expected to entail extensive consultation with York Region and other social service providers, as well as public consultation with target user groups.

Working Meetings and Public Consultation

The attendance of the Consultant and/or subconsultants will be required at meetings of the OP working group, and the OP Technical Advisory Committee to discuss the progress of the Study and ensure the integration of the Study's work and recommendations within the framework of the new Official Plan.

The Study process shall reflect the following meeting requirements:

- Meetings with the OP working group/OP Technical Advisory Committee/Social Services Providers: Up to eight (8) meetings;
- Meetings with the City's Project Coordinator: As required;
- Meetings/presentations to Senior Management/Council/Official Plan Review Committee of Council: Up to (8) meetings;
- The Consultant may also be required to meet with individual members of Council;
- Public Meetings: Up to three (3) meetings (May/June and October). The Consultant shall be responsible for the logistical requirements of the public consultation process, including scheduling of meetings, preparation of agendas, presentation materials and meetings minutes. Prior to the scheduling of each meeting, the Consultant shall confer with the City's Project Coordinator;

Budget

This contract has an upset limit of \$70,000 including GST and disbursements. This is expected to cover the scope of work described herein, and satisfy the requirements of the new Official Plan. If the Study recommends that a Phase II Study is required, a separate budget approval will be necessary.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 34, CW Report No. 18 – Page 4

Timing

The Study is expected to require about six months to complete, and will coincide with other OP-related tasks so that the results and products of the Study may be integrated with the draft new Official Plan late in 2009. A Phase II Study, if necessary, would require a further 9 - 12 months to complete. In the event that the Phase II Study produced conclusions of relevance to the adopted new Official Plan, the City would request York Region to modify the Official Plan accordingly, prior to its final approval.

Prior to commencing work on the project, the consultant will submit a draft work plan to the City's Project Coordinator. The work plan will establish the detailed study schedule with key milestones, public meeting dates, etc. The workplan will be refined and finalized in consultation with the Project Coordinator.

Consulting Requirements and Sole Source Justification

Subject to the approval of the 2009 Capital Budget for the Official Plan, (PL-9003-07), the Study will be incorporated into the work program of Urban Strategies, the City's lead consultant for the Official Plan Core Consulting Team. Urban Strategies have previous experience in planning for community and social service facilities requirements and in developing social planning policies for official plans. The firm is well acquainted with the context, issues and requirements of the Official Plan process, and well-positioned to ensure the timely completion of the Social Services Study.

Staff will contact and discuss with other social service providers, including York Region (Human Services Planning Coalition), the United Way of York Region, and the Vaughan Community Health Centre, regarding opportunities to share data and information, and to partner on this exercise (and/or add a subconsultant for specific tasks if necessary e.g. telephone survey) in order to ensure appropriate outreach to social service agencies, and to draw on their experience and expertise on these issues.

Project Administration

The Consultant will report to the OP Project Coordinator in the Policy Planning Department. The Study and its findings will be coordinated with other ongoing OP work, and integrated into the new Official Plan.

A Technical Advisory Committee will be established, with representation from York Region and other social service providers, to provide ongoing consultation and feedback for the duration of the Study.

Relationship to Vaughan Vision 2020/Strategic Plan

The Social Services Study is an important component of the work required to complete the new Official Plan is consistent with Council's commitment to sustainability and the Vaughan Vision Statement, and in particular to Section 4 of the Vision, 'Planning and Managing Growth'.

Regional Implications

The Social Services Study will define a set of principles for incorporation into the new Official Plan in keeping with the principles of sustainable community development, and will conform with Regional and Provincial policy requirements which are also committed to sustainable community planning solutions.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 34, CW Report No. 18 – Page 5

Conclusion

The Social Services Study is an important component of the Official Plan project, and is consistent with Council's commitment to sustainability. The proposed inclusion of the Study's requirements in Urban Strategies work program for the Official Plan will address important social planning issues and concerns, and ensure timely completion of the Study. Should Council concur, the recommendation should be approved.

Attachments

n/a

Report prepared by:

Paul Robinson, Senior Policy Planner, ext. 8410

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 35, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

35

ADMINISTRATIVE PENALTIES

Referred Item (Item 2, CW (WS) Report No. 15)

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 9, 2009, be approved; and**
- 2) **That Councillor Yeung Racco and Councillor Shefman be identified, on an alternative basis, as the Council members to interview and recommend suitable candidates, for the position of Hearings Officer.**

Council, at its meeting of March 23, 2009, approved the following Committee of the Whole (Working Session) recommendation of March 9, 2009:

That this matter be referred to the Committee of the Whole meeting of March 31, 2009.

Report of the Commissioner of Legal and Administrative Services and City Solicitor, dated March 9, 2009

Recommendation

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

- 1) That the implementation of a system of Administrative Penalties be approved;
- 2) That appropriate public notice of the proposed by-law amendments be provided prior to the summer hiatus; and
- 3) That Council identify a committee of Council members to interview and recommend suitable candidates for the position of Hearings Officer.

Economic Impact

The one time Capital costs to implement an Administrative Penalties system in the City of Vaughan is \$110,000. These funds are for software upgrades to existing systems, \$63,000, and required hardware, \$45,000. These funds are included in the 2009 Capital Budget for approval.

The ongoing impacts to the Operating Budget to operate the Administrative Penalties system are expected to be \$35,000. These funds are included in the 2009 Operating Budget for approval.

It is expected that the costs to implement and operate this system will be completely offset by revenue within the first year.

Communications Plan

An extensive communication strategy will be developed as part of the project and is attached to the report (Attachment #1).

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 35, CW Report No. 18 – Page 2

Purpose

This Report is to provide additional information related to the implementation and requisite by-laws for the Administrative Penalties system.

Background - Analysis and Options

Council, at its meeting of November 10, 2008, Item 3, Report 52, approved the recommendation regarding Administrative Penalties:

“That the following report of the Commissioner of Legal and Administrative Services and City Solicitor, dated October 28, 2008, be received and referred to staff for a further report to be brought forward to a Committee of the Whole meeting for consideration..”

Administrative Penalties are an alternative to the traditional method of issuing *Provincial Offences Act* tickets to enforce the Parking and Licensing By-laws.

Bill 130, the *Municipal Statute Law Amendment Act, 2006* amended the *Municipal Act* to permit municipalities to establish a system of Administrative Penalties. This amendment also allows a municipal council to delegate its quasi-judicial and administrative functions to individuals approved by Council.

Under a system of Administrative Penalties, an Officer will issue a Penalty Notice to an alleged offender. The penalty becomes a debt owed to the City. The recipient of the penalty may contest the penalty to a Screening Officer and then a Hearing Officer, both of whom are appointed by Council. Court is not an available option as the Hearing Officer's decision is final.

It is estimated that there are approximately 1,800 parking tickets with a face value of \$180,000 awaiting trial at Provincial Offences Court. Due to the lack of Court time to hear these trials, most may be dismissed for delay. Similarly, there are close to 200 licensing charges pending trial with potential fines of \$75,000. These too are in danger of being lost due to the amount of time it takes to get the matters before a Justice of the Peace. Generally speaking, delays for trials are ranging from 10-24 months.

• Project Benefits

This project will generate a number of positive enhancements including increased customer service and increased administration of justice. The project benefits are outlined below.

a) Increased Service to Citizens

- Both the First Attendance (Screening Officer) and the Hearing components of the process are located in Vaughan. This eliminates the need for defendants to drive to either Newmarket or Richmond Hill to have their matters heard.
- The public will have their matters dealt with in an expeditious fashion, normally within a few weeks versus many months, or years.
- This initiative brings the City of Vaughan closer to the model of other municipalities in the GTA (excluding York Region) that have their own municipal courts. This will reduce the reliance on the Region for some less serious matters.
- Removing parking and licensing from the Provincial Offences Court docket frees up additional court time so that citizens will have other matters of concern dealt with in a more efficient and timely manner. This will allow the City to more effectively deal with such other enforcement matters.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 35, CW Report No. 18 – Page 3

b) Increased Administration of Justice

- The public interest is not well served having trial matters waiting in queue for up to 24 months for a trial date. This will result in these matters being quashed due to the length of time between charge and trial, which increases customer and staff frustration. This process will allow hearings to occur within weeks of the offence date, resulting in a more streamlined and efficient offence dispute resolution process.
- The court time that will be able to be re-allocated as a result of the removal of most of the parking and licensing matters for the court schedule will allow more serious matters such as Building Code or Fire Code charges to be dealt with faster. This will result in the decision (and penalty if there is a finding of guilt) to be handed down more quickly, potentially increasing compliance.

c) Reduced Environmental Impacts

- As a result of the parking and licensing matters being dealt with, through First Attendance to Hearing, in Vaughan, the defendant, staff, and any other witnesses will not have to drive the distance to Newmarket or Richmond Hill, therefore reducing the consumption of fuel and carbon emissions.

d) Revenue Timeliness

- While it is not expected to increase revenues through the issuance of more tickets or increased fines, there is a benefit to the Administrative Penalties in that less fine revenue is lost through delays in the prosecution and collection by the courts.
- Under the Administrative Penalties system, the penalty is a debt owed to the City and there are stronger collection powers available to the City to pursue payment. The powers include, but are not limited to, license plate denial for parking offences, to business license suspensions.

• **Administrative Penalty By-laws**

When establishing Administrative Penalties for parking matters, the *Municipal Act* requires that a municipality implement a series of policies and procedures. Although there is no corresponding requirement for licensing Administrative Penalties, it is recommended that such a system closely mirror the requirements for parking. The requisite policies and procedures include:

- Guidelines for Conflict of Interest
- Financial Management and Reporting
- Public Complaints
- Extension of Time for Payment
- Extension of Time to Request a Review
- Prevention of Political Interference
- Relief from Undue Hardship

To effectuate the majority of these policies and procedures, and to create the actual Administrative Penalty Systems, it is recommended that three by-laws be passed: a By-law amending the Licensing By-law, a By-law amending the Parking By-law, and a By-law that creates the position of a Screening Officer and Hearings Officer.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 35, CW Report No. 18 – Page 4

a) Licensing and Parking By-laws

The processes under the Licensing and Parking Administrative Penalty Systems will be substantially identical. When a By-law Enforcement Officer witnesses a contravention of the relevant By-law, the By-law Enforcement Officer may issue a penalty notice to the alleged offender. In the case of a licensing infraction, the set penalty will be \$350. With parking matters, the set penalty will range between \$25 and \$100, depending on the infraction.

Once the offender receives the penalty notice, the offender will have 15 days in which to either pay the penalty or request a review of the penalty notice. If no action is taken within these 15 days, the offender will have an additional 15 days to request an extension to review, provided that he or she establishes that there are extenuating circumstances that warrant granting the extension. If nothing is done in the 30 day period after which the penalty notice is given, the penalty is deemed to have been affirmed.

A Screening Officer is responsible for reviewing the penalty notice. The Screening Officer is similar to a First Attendance Adjudicator in the Provincial Offences context. In reviewing the penalty notice, the Screening Officer will hold a meeting with the offender, and will either affirm, vary, or cancel the penalty. The Screening Officer may cancel or vary the penalty if the offender establishes that he or she did not commit the infraction, or if the penalty would cause undue hardship.

The offender may appeal the Screening Officer's decision to a Hearings Officer within 15 days of being notified of the decision. The offender will have an additional 15 days to request an extension to appeal, provided that he or she is able to demonstrate that there are extenuating circumstances that warrant granting the extension. If nothing is done in the 30 day period after which the offender is notified of the Screening Officer's decision, the decision is affirmed.

The Hearings Officer will hold a Hearing where the offender is given an opportunity to be heard. At the conclusion of the hearing, the Hearings Officer may either affirm the penalty notice, or cancel or vary the penalty notice only if the offender establishes that he or she did not commit the infraction, or if the penalty would cause undue hardship. The decision of the Hearings Officer is final.

Where an administrative penalty is not paid by 15 days after it became due and payable to the City, the City may adopt enforcement measures to collect the penalty. In the case of a licensing infraction, the City may commence legal proceeding in court to collect the penalty, or suspend or revoke the business license of the offender. With respect to the parking infractions, the City may obtain a certificate of default and inform the Registrar of Motor Vehicles of the default so that vehicle permits are not validated.

Staff are also recommending that the City adopt the following administrative fees as part of the Administrative Penalty process:

Each late payment of an administrative penalty	\$50
Each failure to attend hearing before Screening Officer or Hearings Officer	\$100
Documentation Fees	
Plate Denial	\$35
Civil Filings	\$150
Copy of Charges	\$15 (per)

An amendment to the City's General Fees and Charges By-law is necessary to effectuate these changes.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 35, CW Report No. 18 – Page 5

Attached as Attachment #2 and #3 respectively are the draft Licensing By-law Amendment and the draft Parking By-law amendment.

b) Screening Officer and Hearings Officer By-law

It is also recommended that the City pass a By-law that creates the position of Screening Officer and Hearings Officer. This By-law would require Council to appoint appropriately qualified individuals to the positions of Screening Officer and Hearings Officer. With respect to the Screening Officer, it is anticipated that Staff will be recommending current Staff to be the Screening Officer (and alternates). With respect to the Hearings Officer, Staff are recommending that Council create a committee of Council members to interview suitable candidates and recommend a candidate to Council for the Hearings Officer position.

This By-law will prohibit Members of Council and their relatives from being appointed Screening Officer. It will also prohibit employees, Members of Council, and their relatives from being appointed as Hearings Officer. The term “relative” has the same meaning as found in the City’s Hiring and Nepotism Policy No. 05.5.17. These provisions will prevent the appearance of conflicts of interest.

This By-law will also make it an offence for any person to communicate with the Screening Officer or Hearings Officer for the purpose of influencing their decision. This will address the political interference requirements of the *Municipal Act*.

Attached as Attachment #4 is the draft Screening and Hearings Officer By-law.

c) Policies not codified into By-laws

Policies relating to Financial Management and Public Complaints are being developed. Also, Staff will adopt standing operating procedures to deal with these issues prior to the final implementation of the Administrative Penalty System.

- **Project Timelines**

The vendors have advised that they require 6 – 8 weeks to deliver their products to Vaughan, and the ITS Department will need a week or two to test the product. As the vendors are unable to commence their work until the 2009 Capital Budget is approved, presumably on April 7, 2009, the earliest implementation date of this program will be August 1, 2009. Earlier reports had indicated that the launch date could be June 1, 2009, but this is no longer possible. The remaining major steps in the project are outlined in the table 1.1 below, with a target completion date.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 35, CW Report No. 18 – Page 6

**Table 1.1
(March – July 2009)**

Identified Task	Responsible Dept
Software Modifications	External Vendor
Software Testing	External/ITM
Ticket Design and Order	Enforcement/External
Ticket Machine/Hardware Acquisition	External
Staff Training Manual	Enforcement
Collection Protocols	Enforcement/Finance
Communication Strategy	Corp Comm/Enforcement
Retain Hearing Officer	Enforcement/HR
Establish Hearing Schedule	Enforcement
Bylaws Approved	Council
Update Departmental Website	Corp Comm/Enforcement
Establish New Revenue Accounts	Finance
Re-allocation of court time	Region/Legal/Enforcement

Although the majority of the work thus far has been performed by Enforcement Services staff, the stakeholders and departments listed above will be requested to provide support to complete the outstanding tasks in Table 1.1

Relationship to Vaughan Vision 2020

This project is in keeping with the Vaughan Vision in that it speaks to Enhancing Productivity, Cost Effectiveness and Innovation ; Pursuing Excellence in Service Delivery; and, Enhancing and Ensuring Community Safety, Health & Wellness

Regional Implications

As the Region operates the Courts used by the City to prosecute our by-law matters, they will be involved in the re-allocation of court time.

Conclusion

The project to implement a system of Administrative Penalties has developed well and is now at the stage where final approvals are required to permit the ordering of equipment and to commence the process of retaining the services of a Hearings Officer in time for an August 1 launch date.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 35, CW Report No. 18 – Page 7

Attachments

1. Communications Strategy
2. Draft Licensing By-law Amendment
3. Draft Parking By-law Amendment
4. Draft Screening and Hearings Officer By-law

Report prepared by:

Tony Thompson, Director, Enforcement Services
Rick Girard, Managing Supervisor, Enforcement Services
Chris G. Bendick, Solicitor

(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 APRIL 14, 2009

Item 36, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

36 FORMATION OF AN OFF LEASH PARK STEWARD GROUP - WARD 4

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Councillor Carella, dated March 31, 2009, be approved; and
- 2) That the deputation of Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8, be received.

Recommendation

Councillor Tony Carella, on behalf of the Off Leash Area Working Committee, recommends that:

- 1) Council approve the authority of the Off Leash Area Working Committee to provide start up support in the formation of an Off Leash Park Steward group for the City of Vaughan's first off leash park at the eastern most end of Concord Thornhill Regional Park.

Economic Impact

N/A

Communication Plan

Pending Council approval, an advertisement seeking interested individuals to form the Off Leash Park Steward group for the facility at Concord Thornhill Regional Park will appear on the City Page and also on the City of Vaughan web site.

Purpose

That Council approve the authority of the Off Leash Area Working Committee to provide start up support in the formation of an Off Leash Park Steward group for the City of Vaughan's first off leash park.

Background – Analysis and Options

The Off Leash Area Working Committee reported to Council on December 10, 2007, Item #31 of Report 58. Resulting from this report, Council directed that "members of the Off Leash Area Working Committee be asked to continue to work towards finalizing a management plan to be implemented once the park location is decided and also to provide further advice and liaison with the City on the development and management of off leash parks."

A critical component of any off leash area management plan is the establishment of an Off Leash Park Steward group. Based on the experiences of many other municipalities like Toronto and Mississauga, it is apparent that much of the success of the off leash areas depend on the formation of a volunteer group of individuals (Stewards) who will utilize the facility regularly, share the ongoing responsibilities for educating off leash park users, and to assist with minor maintenance. Most municipalities require that a Steward group exist for each off leash area. The Steward group would not be a committee of Council, but would report through the Off Leash Area Working Committee. It is intended to be a separate, independent group supporting the daily management of the off leash area within Concord Thornhill Regional Park. Additionally, the

.../2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 36, CW Report No. 18 – Page 2

Stewards will provide another level of monitoring specific to the off leash park within Concord Thornhill Regional Park that will augment tasks already being performed by Park Ambassador volunteers.

The role of the Off Leash Park Steward group will evolve over time and may include the following key tasks:

- Promote and advocate the use of off leash areas;
- Educate and foster awareness with users with regard to the rules of operation and potential consequences;
- Participate in activities to increase awareness of responsible dog ownership including licensing, pet care etc.;
- Facilitate co-operation and communication between the park users and deal with minor disputes;
- Facilitate communication and report through the Off Leash Area Working Committee and municipal staff should issues arise;
- Day to day minor maintenance including keeping the facility free of dog waste;
- Maintain a membership list (will contain an MFIPPA consent statement);
- Participate in an annual review of the management of the off leash area.

The Off Leash Area Working Committee, through advertisements on the City Page, and City website will seek volunteers to form this Off Leash Park Steward group. Those who respond to the advertisement will be required to attend an information session to review their role and responsibilities, and attend a conflict resolution seminar hosted by the City of Vaughan Human Resources Department. All those who attend these sessions and remain interested in volunteering will form the Steward group.

As this is a one year pilot project, the Off Leash Park Steward group for Concord Thornhill Regional Park is tied to the success of the site, however over time it is expected that the membership will evolve and change. In order to function effectively, the Off Leash Park Steward group will be expected to maintain a minimum of five (5) active members. Following its initial formation as approved by Council, the Off Leash Park Steward group would be responsible for recruitment of new members.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the project 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.

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

Regional Implications

N/A

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 36, CW Report No. 18 – Page 3

Conclusion

As the off leash area is expected to open in late June, 2009 (weather permitting) it is timely for Council to approve the authority of the Off Leash Working Committee to provide start up support in the formation of an Off Leash Park Steward group for Vaughan's first Off Leash Area at the eastern most end of Concord Thornhill Regional Park.

Attachments

Attachment "A" - Draft Advertisement

Report prepared by:

Melanie Morris, Landscape Architect, Ext. 3207
Paul Gardner, Director Parks Development, Ext. 3209

(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 APRIL 14, 2009

Item 37, CW Report No. 18 – Page 2

Conclusion

There is a demonstrated need for a pilot permit parking project in this area to accommodate the parking requirements of some local businesses prospering during this difficult economic period.

Attachments

None

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 38, Report No. 18, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on April 14, 2009, as follows:

By approving Clause 1 of the recommendation of the Economic Development Steering Committee; and

By replacing Clause 2 of the recommendation of the Economic Development Steering Committee with the following:

That the following Council members be appointed to the Economic Development Advisory Committee as Council representatives:

- ***Mayor Jackson (Chair)***
- ***Councillor Yeung Racco***
- ***Councillor Meffe***

38 PROPOSAL FOR AN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

The Committee of the Whole recommends that this matter be deferred to the Council meeting of April 14, 2009.

Recommendation

The Economic Development Steering Committee recommends:

1. That the formation of an Economic Development Advisory Committee and the Terms of Reference, as set out in Attachment 2, be approved;
2. That the following Council members be appointed to the Economic Development Advisory Committee as Council representatives:
 - Councillor Yeung Racco (Chair)
 - Councillor Meffe

Economic Impact

Through the creation of an Economic Development Advisory Committee, there is a perceived notion that this will have a positive impact on the local economy.

Communications Plan

Upon approval of this report, the Corporate Communications and Clerks Departments will undertake to advertise for membership in the Business Advisors Group.

Purpose

To seek approval from the Economic Development Committee to proceed with forming a Economic Development Advisory Committee as detailed in Attachment 2.

Background – Analysis & Options

Vaughan Vision 2020, the City's corporate strategic plan identifies planning and managing growth and economic vitality as a key strategic initiative. To date, the Economic Development Department has sought input from the Vaughan Chamber of Commerce, and the real estate and development community. City Staff also sits on two external committees: the Greater Toronto

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 38, CW Report No. 18 – Page 2

Area Economic Development Partners and the York Region Economic Development Partners. These two peer-to-peer groups provide information, best practices sharing and may collaborate on projects where there is a mutual interest and benefit. However, in recognition that the City's evolution has come to a critical juncture, it was recommended that we examine the possibility of forming a Economic Development Advisory Committee to provide advice and support and to champion economic development initiatives both within civic administration and to the community at large.

To begin the process of developing Vaughan's Economic Development Advisory Committee, Staff contacted municipalities in the Greater Toronto Area to gather background on similar advisory groups. Attachment 1 is a summary of the findings.

Economic development is a collaborative and collective effort. Business, education, associations, community organizations and citizens-at-large all play a major role in any successful community. As employers, educators, advocates and organizers, these stakeholders have much to contribute. In recognition of this, it is recommended that Vaughan's Economic Development Advisory Committee be comprised of a spectrum of players, complemented by Members of Council. It is recommended that Councillor Yeung Racco be appointed as the chair as she currently chairs the Vaughan Corporate Centre Advisory Committee (VCCAC), an important component of the City's economic development strategy. Her leadership and knowledge of the machinery of government would be instrumental in chairing the Economic Development Advisory Committee and would provide clear direction and manage the business of the committee in the City of Vaughan's best interest.

Proposed Mandate

The Economic Development Advisory Committee will provide advice and support to the Economic Development Committee and Economic Development Department on matters relating to the attraction and retention of business and investment in the City of Vaughan. The intent of the Advisory Committee is to provide high level advice to the City on matters such as:

- Opportunities for business attraction and retention;
- International Partnership Program activities;
- International business development, including trade missions, foreign delegations;
- Marketing and communications;
- Strategic studies and policy development and;
- Intergovernmental relations.

Goals and Objectives

- To provide business and academia input, advice and support on matters relating to the City's Economic Development Program;
- To promote, build awareness and communicate to the larger business community, the City's Economic Development Program;
- To assist in aligning the City's Economic Development Strategy with the interests of the business community, present and future;
- To encourage communication and co-operation between the private and public sector.

Membership

Ideally, the Economic Development Advisory Group will be comprised of members of Council and stakeholders who have a keen interest in the City's development, and specifically business

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 38, CW Report No. 18 – Page 3

growth, employment generation, education, corporate branding, image, marketing and promotion. The optimal size of the Economic Development Advisory Committee should be no more than ten external members plus two Council members. The proposed composition draws representation from academia, business associations, as well as major employment sectors. The objective is to provide broad representation and depth of expertise while maintaining the Advisory Committee at a manageable size.

Upon approval of the draft Terms of Reference, Economic Development Staff will work with the City Clerk and the Corporate Communications Department to publicly advertise for recruitment of non-Council membership. The Economic Development Committee will review and recommend non-Council members for inclusion on the Economic Development Advisory Committee.

Administrative Support

Administrative and secretariat services will be provided by the Economic Development Department.

Appointment of an Economic Development Advisory Committee Chair

A Chair and Vice Chair shall be appointed at the first meeting of the Economic Development Advisory Committee.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set by Council and the necessary resources have been allocated and approved. Specifically, this report addresses the strategic initiatives: *Planning and Managing Growth and Economic Vitality* and *Enhancing Productivity, Cost Effectiveness and Innovation*.

Regional Implications

Not applicable

Conclusion

The Economic Development Advisory Committee represents a further step in the process of building an integrated Economic Development team; one that is inclusive, accountable and transparent to area stakeholders. As an external stakeholders group, it will assist the Economic Development Committee to develop and implement an Economic Development Program that has the full support of its business, academic and political community.

It is recommended that the recommendations contained in this report be approved.

Attachments

Attachment 1 – Economic Development Committees – Findings Across the Greater Toronto Area
Attachment 2 – Economic Development Advisory Committee Draft Terms of Reference

Report prepared by:

Shirley Kam, Manager of Economic Development
Michael Nepinak, Director of Economic Development

(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 APRIL 14, 2009

Item 39, CW Report No. 18 – Page 2

In order to give effect to this direction, a Terms of Reference for the Economic Development Committee has been prepared for the Economic Development Steering Committee's consideration. Upon satisfaction of the Steering Committee with its content, it will be forwarded to Committee of the Whole and Council for ratification in accordance with the recommendation set out above.

To maintain consistency and continuity, it would serve the Economic Committee well to re-appoint the current Economic Steering Committee members over the new Economic Development Committee. Also, appointing Councillor Carella, who is currently the Chair of the Vaughan Tourism Advisory Committee (VTAC), would be appropriate as he would be the voice of the tourism group on the Economic Development Committee.

b) Draft Terms of Reference

The intent of the Terms of Reference is to establish an Economic Development Committee to advocate and support economic development efforts within the City of Vaughan. The draft Terms of Reference are set out below. It defines the Committee's mission, its mandate, goals and objectives. From an operational perspective, the Terms of Reference establishes the Committee's membership, the sources of technical and administrative support, procedural rules, the process for setting meetings and the term of service.

DRAFT TERMS OF REFERENCE THE CITY OF VAUGHAN ECONOMIC DEVELOPMENT COMMITTEE

The Mission

To act as an agent of change and a champion for the development of municipal economic development policies, plans and initiatives that reflect a community committed to attracting and retaining business investment.

The Mandate

1. To provide assistance and advice to Council in the pursuit of the City of Vaughan's objective of ensuring economic vitality;
2. To provide oversight in the development, implementation, monitoring and renewal of the City's Economic Development Strategy;
3. To investigate and report on any issues, policies, plans or initiatives relating to economic development, as necessary; and
4. To work with external parties to further the City's competitiveness as a preferred business location.

The Goals

To support and provide oversight as required in the development and implementation of municipal policies, plans and investments based on the Vaughan Vision Goal of Plan & Manage Growth & Economic Vitality.

To promote public awareness of the importance of economic sustainability as it affects our communities, businesses and investors.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 39, CW Report No. 18 – Page 3

To work in co-operation with all levels of government, education, industry and external agencies or parties, and the community at large by participating in the development of initiatives, plans and programs targeted at promoting the City as the preferred business location, a creative and entrepreneurial community and a community that attracts the best and brightest workers;

To consider local, regional, national and international economic challenges in the policy development process; and

To be a point of contact for the public and private sectors on potential economic development initiatives that further the interests of the City.

The Objectives

To optimize the employment opportunities and quality of work experience for the residents of the City of Vaughan by attracting and retaining vibrant, innovative, creative and competitive industries.

Membership

The Economic Development Committee will be comprised of:

- Four members of Council, appointed by Council; and
- The Mayor (ex officio)

The administrative and reporting relationship is illustrated in Attachment 1.

Technical Support

Technical support to the Committee will be provided by the required City Departments and related entities, including but not limited to:

- The City Manager and the Senior Management Team and/or assigned representatives from:
 - Economic Development
 - Corporate Policy
 - Corporate Communications

Administrative Support

Administrative support for the Economic Development Committee will be provided by the Economic Development Department. Secretariat services will be provided by the Clerks Department. The operations of the Economic Development Committee will be governed by the City's Procedural By-law.

Meetings

A schedule of meetings shall be adopted by the Committee at the first meeting of every calendar year. The Committee will meet at minimum, on a quarterly basis. The meeting dates may be altered, added to or deleted at the discretion of the Chair.

Term

The Economic Development Committee will be appointed for a four-year term, concurrent with Council's term of office.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 39, CW Report No. 18 – Page 4

In addition to the Economic Development Committee as proposed in this report, Staff is also proposing the formation of an Economic Development Advisory Committee to provide advice and support from the business community and academic institutions. The Business Advisors Group will be the subject of a subsequent report to the Economic Development Committee.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set out by Council and the necessary resources have been allocated and approved. Specifically, this report addresses the strategic initiatives: *Planning and Managing Growth and Economic Vitality* and *Enhancing Productivity, Cost Effectiveness and Innovation*.

Regional Implications

Not applicable

Conclusion

The Terms of Reference put in place an administrative framework for focusing on economic development initiatives and issues. It is recommended that the Economic Development Steering Committee approve the Terms of Reference set out above and that recommendations be forwarded to Committee of the Whole and Council for ratification. Upon ratification, the Committee will replace the existing Economic Development Steering Committee.

Attachments

1. Economic Development Committee – Organizational Chart and Reporting Structure

Report prepared by:

Shirley Kam, Manager of Economic Development
Michael Nepinak, Director of Economic Development

(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 APRIL 14, 2009

Item 40, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

40

EI BENEFITS

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Regional Councillor Rosati, dated March 31, 2009, be approved subject to adding the word “immediately” after “introduce” in Clause 6 of the resolution; and
- 2) That the following deputations and written submissions be received:
 - a) Mr. John Cartwright, Toronto and York Region Labour Council, 15 Gervais Drive, Suite 407, Toronto, M3C 1Y8, and written submission dated March 30, 2009;
 - b) Mr. Fa Lim, PMP Worker Action Centre, 80 Domingo Street, Maple, L6A 2Z5, and written submission dated March 30, 2009; and
 - c) Mr. Tony Chiappetta, IBEW Local 353, 83 Tumbleweed Court, Woodbridge, L4L 8Y6.

Recommendation

Regional Councillor Gino Rosati recommends that:

WHEREAS a healthy unemployment insurance system is the most powerful of all economic stabilizers. In the recessions of the early '80s and '90s, UI prevented deeper, longer downturns and reduced the shock of job and GDP losses;

WHEREAS we have entered this new economic crisis with a much weaker EI system. It provides only half the coverage it did in the last recession. Now only one third of the unemployed in greater Toronto receive EI at any given time - because fewer workers qualify and benefit weeks are reduced;

WHEREAS the federal government stopped contributing to EI and diverted EI premiums to other spending (\$54 Billion between 1994 -2007 instead of restoring EI benefits);

WHEREAS even the US government has shown leadership through major improvements in the duration of UI benefits and a universal benefit top-up as part of a stimulus package to deal with the crisis;

WHEREAS there will be a negative fiscal impact on all municipalities if residents are unable to access EI benefits or otherwise maintain incomes during this economic downturn, due to the increased reliance on locally provided social programs,

THEREFORE BE IT RESOLVED that the City of Vaughan call upon the Government of Canada to introduce the following changes to the Employment Insurance system:

1. **360 hours to qualify for EI benefits in all regions of Canada**
2. **Increase benefit duration to at least 50 weeks in all regions, and**
 - **Provide an additional year of “Special Extension” benefits if national unemployment exceeds 6.5% - paid from federal general revenues.**
 - **Extend EI Part 1 benefits while a worker is in approved training.**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 40, CW Report No. 18 – Page 2

- 3. Increase benefits to at least 60% of normal earnings, using workers' 12 best weeks, and raise the maximum. Suspend the allocation of severance pay, and eliminate the 2 week waiting period.**

Economic Impact

There is no economic impact for the City of Vaughan resulting from this report.

Communications Plan

To be circulated to York Region Council, Durham Council, Peel Council, Halton Council, Prime Minister of Canada, Minister of Finance, Minister of Labor, York Region MP's, City of Toronto Council, Leader of the Opposition, Leader of the NDP, Leader of the Bloc, Premier of Ontario.

Purpose

To request the Government of Canada improve the eligibility of laid off and unemployed working Canadians to access EI Benefits during this current crisis.

Background – Analysis, Options and Explanation

Employment Insurance comparison of the proposed recommendations to the current legislation.

Recommendations:

- 1) Reduce the number of hours to qualify for EI to 360 hours in all regions of Canada.**

Right now there are varying amount of hours required to qualify for EI across the country.

You need anywhere between 360 to 720 hours to qualify.

In areas of high unemployment such as the Maritimes and parts of Quebec, you need less than what is required in the GTA. In the GTA, you require 630 hours. The number of hours that is required to quality for GTA ignores the economic reality of living in the GTA. Most workers in the GTA, who lose their jobs will not be eligible for EI because they can not secure 630 hours. In fact the hardest hit categories are women and new Ontarians in the GTA

The unemployment rate in the GTA is currently 9%

Under the current legislation, this hour requirement does not apply to first time entrants in the workforce, i.e. young workers and newcomers who are working for the first time in workplaces. **They will still require 910 hours to qualify for EI.** This has prevented a lot of young workers and part timers who are having a difficult time to accumulate such number of hours in this economic recessionary climate.

- 2) Increase benefits to 50 weeks in all regions, and**

- Provide an additional year of 'Special Extension benefits if national unemployment exceeds 6.5% --paid from federal general revenues.**
- Extend EI Part 1 benefits while a worker is in approved training**

Currently, the maximum benefit period that workers in GTA are entitled to is 38 weeks. The number of weeks is far from adequate and again, it does not take into consideration that the employment picture for workers is bleak in this region of the country.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 40, CW Report No. 18 – Page 3

The Federal government's stimulus package is only extending 5 weeks which will provide relief for workers in GTA up to 43 weeks. It is far from enough. The US government has shown leadership with major improvement in the duration of UI benefits and a benefit top up as part of a stimulus package by extending up to 59 weeks.

3) Increase benefits to at least 60% or normal earnings, using workers' 12 best weeks, and raise the maximum. Suspend the allocation of severance pay. Eliminate the 2 week waiting period.

At present, EI claimants receive 55% of their earnings up to \$430 as their maximum weekly payment. The benefit level since the early 1980s has been dramatically reduced from 72%, to 66% and now it is at 55%.

Workers have experienced hardship about making ends meet. It has been particularly difficult for many who are single parents trying to juggle the demands on daily survival, when the cost of living has actually gone up.

The EI program has accumulated a huge surplus of \$54 billion since the mid 1990s, the result of deep cuts in benefits paid to unemployed workers. That surplus could and should be available to backstop and improve benefits when we hit a recession. Now is the time to improve the EI system and make sure unemployed workers are not left 'out in the cold.'

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with Vaughan Vision under service excellence "Enhance and Ensure Community Safety, Health and Wellness".

Regional Implications

NIL

Conclusion

This resolution is being recommended in an effort to increase eligibility for EI by reducing the number of hours to 360 in all regions across Canada and to provide extended EI to displaced workers during these difficult economic times.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 41, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

41 DIRECTION TO STAFF RE TORONTO DISTRICT CHRISTIAN HIGH SCHOOL PROPOSAL

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Councillor Carella, dated March 31, 2009, be approved; and
- 2) That the draft proposal submitted by Mr. Ren Siebenga, Principal, Toronto District Christian High School, dated March 25, 2009, be received.

Recommendation

Councillor Tony Carella recommends that appropriate staff from the Parks Development, Planning, Real Estate, and Recreation & Culture Departments (and any other departments as determined by the City Manager) be directed to consider jointly the feasibility of a preliminary proposal submitted to Councillor Carella by TDCHS for the future development of a performing arts centre at the Woodbridge Avenue firehall, Station 73, once the firehall is decommissioned.

Economic Impact

Nil

Communication Plan

A communication plan would be premature at this time.

Purpose

To establish the feasibility of Toronto District Christian High School developing a performing arts centre at Firehall Station 73, once it is decommissioned.

Background – Analysis and Options

The Toronto District Christian High School has owned and occupied the lands located at 377 Woodbridge Avenue and adjacent to the west side of Firehall Station 73 for forty-five years, since 1964. An increasingly important feature of the school's curriculum is its dramatic arts program. To better accommodate this program, the TDCHS proposes to purchase the fire hall once it is decommissioned and fire services staff are transferred to a proposed new facility in west Woodbridge within approximately two years.

Any sale of municipal property is governed by the City's *Disposal of Property By-law*, which requires that the offer for sale of any property to a particular purchaser, in this case the TDCHS, requires that benefits to the City and its residents be clearly documented beforehand and form part of the agreement of purchase and sale. Such benefits might include but not be limited to the exchange of lands and services by the two parties, or both.

To facilitate the identification of potential benefits to the City and its residents will require discussion of opportunities—some already identified in part, others not yet contemplated—with the prospective purchaser. As these benefits may touch on a variety of issues (parks development, as the area is deficient in playground space; planning, especially in light of the Kipling Avenue Corridor Study; recreation and culture, as what is proposed may positively impact

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 41, CW Report No. 18 – Page 2

the delivery of cultural services in Woodbridge; and real estate) it appropriate that the City be represented in such discussions by the four departments enumerated in the recommendation, and possibly others as determined by the City Manager.

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.

Conclusion:

It is appropriate that selected staff meet with representatives of the TDCS, to discuss potential benefits to the City flowing from the school's interest in purchasing Fire Station 73 and converting it into a performing arts centre.

Attachment:

None.

Report prepared by:

Councillor Tony Carella, FRSA

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 42, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

42

A TASTE OF VAUGHAN FESTIVAL

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, dated March 31, 2009:

Recommendation

Councillor Bernie DiVona recommends:

1. That the City of Vaughan Council receive this update with the proposed "A Taste of Vaughan Festival". Formerly referenced within the minutes of VTAC as the "Woodbridge Wine and Cheese Festival".
2. That the Vaughan Tourism Advisory Committee (VTAC) be updated on a regular basis as to the event.
3. That the City of Vaughan Council approve of the recommendations contained herein.

Economic Impact

There is no economic impact resulting from this report.

Communications Plan

Following approval of the recommendation of this report, Corporate Communication Department has advised they are prepared to develop a communication plan incorporating information and strategies for this event.

Purpose

To initiate the Taste of Vaughan Festival to serve as an opportunity to attract tourism and economic development opportunities within the City of Vaughan. The event is to be self funding and no additional budgetary considerations are being requested.

The "Taste of Vaughan Festival" will coincide with the Communities in Bloom 2009 event and provide delegates an opportunity for Vaughan businesses to showcase the City of Vaughan.

Background - Analysis and Options

Ryerson University conducted a study concluding the Highway 400/7 corridor is the number one desired retail destination in Canada. This study also concluded the depth of character and unique attribute of the corridor as it includes wineries and cheese manufacturers, banquet halls, restaurants and other businesses reflecting the diversity and excellence of local businesses.

The VTAC is mandated to work with businesses and other stakeholders to look at opportunities to attract tourism and spur economic development. The Manager of Tourism in consultation with VTAC and the local councillor arranged for a meeting in May 2007 to determine if there was interest with the business community to sponsor and/or participate in the event. The meeting resulted in 17 companies offering sponsorship opportunities. VTAC was updated as to the interest from May 2007 to January 2009.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 42, CW Report No. 18 – Page 2

As a result of administrative matters and other events, the ‘wine and cheese’ festival at the time was cancelled for October 2008 but the interest from local businesses continued.

Local businesses have once again reconfirmed their interest to participate and separate committee based on volunteers, community leaders and members of staff (Economic Development, IT for the program management function, and Corporate communications for the corporate communication plan) for the event to be taking place on October 3, 2009.

Members of the public will prepare grant applications and each of the corporate sponsors are directly responsible to self fund events on their own premises. Additional sponsorship will be sought from local area businesses. No request for any additional operational funding is required.

Depending on the level of success of the “Festival” this may be an annual event.

This recommendation does not approve or suggest that any approval is to automatically provide any approval for any future event.

Relationship to Vaughan Vision 2020

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

Regional Implications

N/A

Conclusion

To proceed with the purpose and scope of the Vaughan Tourism and Advisory Committee, to generate the opportunity to attract tourism and economic development opportunities within the City of Vaughan through events and “festivals”.

Attachments

N/A

Report prepared by:

Councillor Bernie DiVona – ext. 8339

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 43, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

43

PROCLAMATION REQUEST: ASIAN HERITAGE MONTH

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated March 31, 2009:

Recommendation

Councillor Sandra Yeung Racco recommends:

1. That May 2009 be proclaimed as "Asian Heritage Month" in the City of Vaughan; and
2. That the proclamation be posted on the City's website.

Economic Impact

None.

Communications Plan

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

Purpose

To respond to requests from the Canadian Multicultural Council Asians in Ontario, the Vaughan Chinese Seniors Association and the Vaughan Chinese Business Association.

Background - Analysis and Options

Attached is correspondence from the Canadian Multicultural Council Asians in Ontario, the Vaughan Chinese Seniors Association, and the Vaughan Chinese Business Association requesting that May 2009 be declared as Asian Heritage Month.

The month of May was officially declared as Asian Heritage Month by the Canadian Senate in December of 2001 and has since been celebrated every May since 2002. Asian Heritage Month offers all Canadians an opportunity to learn about the history and culture of Asian Canadians and to develop harmony among the many ethno cultural groups that make up York Region. Numerous events will be taking place throughout York Region during the month of May in celebration of Asian Heritage Month.

The organizations requesting the proclamation do not meet the City's Proclamation Policy, in that the organizations are not registered charities with the Ministry of Consumer and Commercial Relations, however, the City has proclaimed this proclamation numerous times in the past.

Relationship to Vaughan Vision 2020

Preserve our Heritage and Support Diversity, Arts and Culture.

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 APRIL 14, 2009

Item 43, CW Report No. 18 – Page 2

Regional Implications

N/A

Conclusion

Councillor Racco is recommending that May 2009 be proclaimed as “Asian Heritage Month” and that the proclamation be posted on the City’s website, published on the City Page, space permitting, and that a news release be issued regarding the proclamation.

Attachments

1. Letter of request from the Canadian Multicultural Council Asians in Ontario
2. Letter of request from the Vaughan Chinese Seniors Association
3. Letter of request from the Vaughan Chinese Business Association

Report prepared by:

Cindy Furfaro-Benning, Council Executive Assistant

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 44, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

44

**PROCLAMATION REQUEST –
NATIONAL DAY OF MOURNING**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated March 31, 2009:

Recommendation

The City Clerk recommends:

- 1) That April 28th, 2009 be proclaimed as a “National Day of Mourning for Workers Killed or Injured on the Job”;
- 2) That the proclamation be posted on the City’s website and published on the City Page space permitting; and
- 3) That the City of Vaughan flags be lowered to half-mast on April 28th, 2009.

Economic Impact

N/A

Communications Plan

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability.

Purpose

To respond to the request received from the President of the Labour Council, Toronto and York Region, dated March 16, 2009.

Background - Analysis and Options

A request has been received from the President of the Labour Council, Toronto and York Region, dated March 16, 2009 to proclaim April 28th, 2009 as a “Day of Mourning for Workers Killed or Injured on the Job”, and that the City’s flags be lowered to half mast (Attachment #1).

The proclamation request meets the City’s Proclamation Policy as the matter relates to municipal business.

The Labour Council, Toronto and York Region has also requested the City of Vaughan flags be lowered to half mast. The City of Vaughan Flag Raising/Half Masting Policy includes the provision for the City of Vaughan flags to be flown at half-mast on April 28, National Day of Mourning for Workers Killed or Injured on the Job.

Relationship to Vaughan Vision 2020/Strategic Plan

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 APRIL 14, 2009

Item 44, CW Report No. 18 – Page 2

Regional Implications

N/A

Conclusion

Staff is recommending that April 28, 2009 be proclaimed “National Day of Mourning for Workers Killed or Injured on the Job, that the proclamation be posted on the City’s website, published on the City Page space permitting, and that the City of Vaughan flags be flown at half-mast on April 28th.

Attachments

Attachment #1 – Correspondence received from John Cartwright, President, Labour Council ,Toronto and York Region, dated March 16, 2009

Report prepared by:

Connie Bonsignore, Admin Assistant

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 45, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

45 PROCLAMATION REQUEST FOR NORTH AMERICAN OCCUPATIONAL HEALTH AND SAFETY WEEK (NAOSH WEEK)

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 31, 2009:

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, in consultation with the Director of Human Resources, recommends:

That the week of May 3, 2009, be proclaimed as “**North American Occupational Health and Safety Week**”.

Economic Impact

Not applicable

Communications Plan

The Corporate Communications Department posts proclamations issued by the City on the City’s website under “Events – Proclamations”. Publishing proclamations on the City Page depends on space availability.

Purpose

To acknowledge North American Occupational Health and Safety Week within the City of Vaughan.

Background - Analysis and Options

North American Occupational Safety and Health Week was first launched in June 1997, marked by an agreement between Canada, the United States and Mexico.

The responsibility of NAOSH Week is managed through an effective partnership with the Canadian Society of Safety Engineering (CSSE), the Canadian Centre for Occupational Health and Safety (CCOHS), Human Resources and Social Development Canada’s (HRSDC) Labour Program and the American Society of Safety Engineers (ASSE). Together many safety partners now throughout North America work hard to promote and encourage the goals of NAOSH week.

The goal of NAOSH Week is to focus attention of employers, employees, the general public and all partners in occupational safety and health on the importance of preventing injury and illness in the workplace, at home, and in the community.

Relationship to Vaughan Vision 2020

Increase service excellence by enhancing employer, employee and the general public’s understanding of occupational health and safety and to promote safe practices in the workplace and the community at large.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 45, CW Report No. 18 – Page 2

Regional Implications

Not applicable

Conclusion

The Commissioner of Legal and Administrative Services and City Solicitor, in consultation with the Director of Human Resources, is recommending that the week of May 3, 2009, be proclaimed as “**North American Occupational Health and Safety Week**” and that the proclamation be posted on the City’s website and published on the City Page, space permitting.

Attachments

1. About NAOSH week

Report prepared by:

Karen Campbell, Occupational Health Nurse/Learning and Development Specialist
Frank Kraljevic, HR Specialist, Workplace Health and Safety

(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 APRIL 14, 2009

Item 46, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

46

**DEPUTATION – MS. SUSAN DOBSON
WOMEN’S SUPPORT NETWORK OF YORK REGION**

The Committee of the Whole recommends:

- 1) That the deputation of Ms. Susan Dobson, Public Education Outreach Worker, Women’s Support Network of York Region, 1110 Stellar Drive, Unit 109, Newmarket, L3Y 7B7, and written submission, dated March 16, 2009, be received; and**
- 2) That the City Clerk provide a report proclaiming May 2009 to be “Sexual Assault Prevention Month” in the City of Vaughan.**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 47, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

**47 DEPUTATION – MR. ASIF KHAN, MR. FARHAN KHAN, AND MR. IBRAR KHAN
 WITH RESPECT TO RUN FOR VAUGHAN - MAY 31, 2009**

The Committee of the Whole recommends:

- 1) That the deputations of Mr. Asif Khan, Mr. Farhan Khan, and Mr. Ibrar Khan, Run for Vaughan, c/o The Ahmadiyya Muslim Jama'at, 10610 Jane Street, Maple, L6A 3A2, and written submissions, dated March 12 and March 31, 2009, be received; and**

- 2) That the event be provided with the same services-in-kind that have been granted in the past.**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 48, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

**48 DEPUTATION – MS. SILVIA DURANTE AND MS. MERILENA CARINCI
 WITH RESPECT TO A SIDEWALK ON KINGLY CREST WAY**

The Committee of the Whole recommends:

- 1) That the deputation of Ms. Silvia Durante and Ms. Merilena Carinci, and written submission, dated March 31, 2009, be received; and**

- 2) That staff contact by letter the owners of the properties whose sidelots form the west side of Kingly Crest Way between Cachet Hill and Royal Pine Avenue, to determine whether they support the construction of a sidewalk along the west side of Kingly Crest Way, and if they do:**
 - i) That staff prepare a report to Council, indicating appropriate budget related documentation of the costs attached to this project; and**

 - ii) That this matter be considered as part of the 2010 Capital Budget process.**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 49, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

**49 DEPUTATION – MR. PETER VECCHIARELLI AND MIKE RIETTA
 WITH RESPECT TO THE WOODBRIDGE SOCCER CLUB
 LITTLE SUPER CUP TOURNAMENT**

The Committee of the Whole recommends that the deputations of the Mr. Peter Vecchiarelli and Mr. Mike Rietta, Woodbridge Soccer Club, 5289 Highway #7, Unit #7, Box 56571, Woodbridge, L4L 8V3, and written submission, dated January 26, 2009, be received and referred to staff.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 50, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

**50 NEW BUSINESS – REVIEW OF OFFICIAL PLAN AND ZONING POLICIES RELATED TO
PLACES OF WORSHIP**

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

WHEREAS, the City of Vaughan Official Plan and Zoning By-law are permissive with regard to the location of places of worship and religious assembly, in that the policies and zoning permissions allow such uses in many residential zones and districts;

AND WHEREAS, the location of such uses in established residential neighbourhoods result in the conversion of existing single-family homes causing negative impacts within the neighbourhood such as but not limited to issues of traffic, parking – both on site and off site, reduction in landscaped areas, noise and hours of operation;

THEREFORE BE IT RESOLVED, that the Commissioner of Planning be directed to prepare a report, the purpose of which is to review current Official Plan policies and zoning permissions concerning places of worship and religious assembly with a view to examine whether the current Official Plan policies and zoning permissions are appropriate and to advise Council on appropriate revisions to these documents as may be necessary; and

FURTHER, that the Commissioner of Planning be requested to report to the Committee of the Whole no later than September 30, 2009.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 51, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

**51 NEW BUSINESS – CORRESPONDENCE FROM RESIDENT
EXPRESSING POSITIVE REMARKS REGARDING THE CITY'S SNOW CLEARING SERVICE**

Regional Councillor Frustaglio submitted correspondence from Ms. Avi Glina, a resident expressing positive comments regarding the City's snow clearing service this past winter.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 14, 2009

Item 52, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 14, 2009.

52 NEW BUSINESS – WESTON DOWNS WALL ALONG RUTHERFORD ROAD
REVIEW OF URBAN DESIGN GUIDELINES AND FUNDING OF LIGHTING

The Committee of the Whole recommends that the Engineering and Planning Departments be requested to immediately review the appropriate urban design guidelines in consultation with the Finance Department, and provide a report to a future Committee of the Whole, addressing the appropriateness, timing, and funding of lighting in the Weston Downs Wall along Rutherford Road.

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