

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 1, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

1

**PROCLAMATION REQUEST
ONTARIO FAMILY FISHING WEEKEND JULY 10 – 12, 2009**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated June 2, 2009:

Recommendation

The City Clerk recommends:

- 1) That July 10 – 12, 2009 be proclaimed as “Ontario Family Fishing Weekend”; 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 space availability.

Purpose

To respond to the request received from the Ontario Family Fishing Weekend Steering Committee (Ontario Federation of Anglers and Hunters).

Background - Analysis and Options

The correspondence received from the Ontario Family Fishing Weekend Steering Committee, dated May 14, 2009 is attached (Attachment #1).

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.

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”

The Ontario Family Fishing Weekend Steering Committee(Ontario Federation of Anglers and Hunters) has requested the City publicize this proclamation to declare one summer weekend (Friday, July 10 through Sunday, July 12, 2009) a licence-free weekend. This special weekend runs in conjunction with National Fishing Week and includes fish festivals, clinics, conservation and educational activities. The City has granted this request in previous years.

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Regional Implications

NA

Conclusion

Staff is recommending that July 10 – 12, 2009 be proclaimed as “Ontario Family Fishing Weekend, and that the proclamation be posted on the City’s website and published on the City page, space permitting.

Attachments

Attachment #1 Correspondence from the Ontario Family Fishing Weekend Steering Committee (Ontario Federation of Anglers and Hunters), dated May 14, 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.)

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Item 2, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

**2 ESTABLISHMENT OF THE RECREATIONAL SPORTS INJURY PREVENTION
ADVISORY COMMITTEE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Regional Councillor Ferri and Councillor Yeung Racco, Co-Chairs of the Recreational Sports Safety Task Force, dated June 2, 2009, be approved; and**
- 2) That the confidential memorandum of the Solicitor, dated May 29, 2009, be received.**

Recommendation

Regional Councillor Mario Ferri and Councillor Sandra Yeung Racco, Co-Chairs of the Recreational Sports Safety Task Force, in consultation with the Commissioners of Community Services and Legal and Administrative Services, recommend:

1. That Council approve the "Terms of Reference" of the Recreational Sports Injury Prevention Advisory Committee as identified in Attachment 1 of this report; and,
2. That an advisory committee be established with members of the Recreational Sports Safety Task Force and City staff from appropriate/relevant departments; and,
3. That the Legal Department amend the Parks Bylaw to enforce injury prevention measures and safe practices while participating in tobogganing, in particular, through the mandatory use of helmets while partaking in this sport within the City of Vaughan;
4. That the Recreational Sports Injury Prevention Advisory Committee continue to examine the feasibility of enforcing injury prevention measures and safe practices for other recreational outdoor sports, such as snowboarding, skating, in-line skating and skateboarding; and,
5. That the Mayor and Clerk be authorized to sign the amended by-law.

Economic Impact

There will be costs associated with the installation of signage to communicate the mandatory use of helmets, the identification of safe and unsafe hills/sites throughout the City and the general advertising costs to promote the program. An estimated \$10,000 will be requested in the 2010 Parks Operation Budget to pay for signage and promotional information for the program. A goal of the Advisory Committee will be to identify a minimum of one site per Ward each year to sanction as a "safe hill" or to sign as a mandatory helmet-use site for outdoor tobogganing.

Communications Plan

The program will be promoted on the City's website and City facilities, including signage at outdoor parks and recreational spaces/sites used for activities such as tobogganing, snowboarding, skating, in-line skating and skateboarding throughout Vaughan.

Purpose

The purpose of this report is to seek Council approval of the "Terms of Reference" governing the proposed Sports Injury Prevention Advisory Committee; to initiate the recruitment of an Advisory

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Committee and to establish a by-law that will enforce safe practices and injury prevention measures, in particular through the use of mandatory helmets, within the City of Vaughan's public parks and recreational spaces.

Background - Analysis and Options

The Recreational Sports Safety Task Force (RSSTF) was created in March, 2007 by Ward 4 Councillor Sandra Yeung Racco and Regional Councillor Mario Ferri. Its mandate is to develop and execute an education program aimed at safety and injury prevention in recreational sports and activities such as tobogganing, skateboarding, skiing, snowboarding, etc. The committee is comprised of a coalition of concerned residents, York Region Public Health, the York Region District School Board, the York Catholic District School Board, York Region Police, City of Vaughan Fire and Rescue, Safe Kids Canada and health professionals, including Dr. Charles Tator, a Neurosurgeon at Toronto Western Hospital and Founder of ThinkFirst Canada. Please see Attachment #2 for a complete member list of the Recreational Sport Safety Task Force. The RSSTF also has the support of the City of Vaughan's Safe City Committee.

A public awareness campaign launched in the City of Vaughan in January 2009 called *Helmets Save Lives* aims at reducing unsafe sports practices. The program's principle premise is that our children are our future and while we can't protect them from everything, we can take steps to protect them from preventable accidents. This initiative also reflects the City's corporate objective of enhancing and ensuring community safety, health and wellness.

The program is the main component of the Recreational Sports Safety Initiative launched two years ago and developed by Regional Councillor Mario Ferri and Ward 4 Councillor Sandra Yeung Racco, who serve as co-chairs on the Recreational Sports Safety Task Force. In 2009, the Recreational Sports Safety Task Force sent a pamphlet promoting recreational sport safety to every household and school in Vaughan. A website has also been developed at <http://www.helmetssavelives.org/> promoting helmet use. Sponsorship for the program was recently provided by Wal-Mart and SmartCentres.

In Canada, an estimated 2,000 children a year suffer head injuries in tobogganing accidents alone. Research shows that tobogganing has been ranked fourth in Ontario as a high-risk sport, behind diving, snowmobiling, and parachuting; it outranks hockey, skiing and bicycling. Head, spinal, abdominal and facial injuries were the major types of injuries that occurred.

In researching injuries and fatalities from recreational sports, the task force has been engaged with:

- ThinkFirst Canada: founded by Dr. Tator. This organization offers a comprehensive elementary school-based program for students focused on preventing injuries; and
- Safe Kids Canada: Focused on municipal issues in child injury prevention. This is a public policy body and advocates helmet safety. Safe Kids Canada recommends helmet use for such activities as skateboarding, as well as skating, tobogganing, skiing and snowboarding.

Goals & Objectives of Advisory Committee

The Committee will be mandated with the goal of ensuring that citizens enjoying outdoor recreational sports at City parks, recreational spaces and facilities, will do so in safe conditions. To this end, the Committee will develop standards and procedures for signage, inspection and maintenance of outdoor recreational spaces, including tobogganing/snowboarding hills, skating, in-line skating and skateboarding sites.

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The Committee will identify safe tobogganing/snowboarding hills that are located at a safe distance from dangerous areas such as roads, rocks, rivers, lakes and parking lots; free of obstacles such as trees, rocks, fences, benches, metal poles; have a sufficiently long, clean run-out at the bottom of the hill, free of obstacles; and have dedicated areas for climbing up the hill.

Additionally, it will develop and communicate an educational program for parents and children to ensure safety when tobogganing, snowboarding and other outdoor sports. Importantly, it will ensure a by-law to enforce the mandatory use of sport appropriate helmets when tobogganing, snowboarding, skating, in-line skating, and skateboarding, especially for children and youth, is developed and enforced in the municipality.

Implementation Process

The implementation process for the Committee's mandate will be a three-step process:
Assessing and identifying appropriate sites –Advisory Committee
Ongoing inspections of sites to ensure they meet safety standards-Parks Department
Ongoing monitoring of sites to ensure they are being used according to Safe Use Practices

Item number 3 will be implemented through patrol by our Public Works Roads staff, Bylaw Enforcement Staff and Volunteers such as the City's Parks Ambassadors.

Relationship to Vaughan Vision 2020/Strategic Plan

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

- STRATEGIC GOAL:
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:
Enhance and Ensure Community Safety, Health & Wellness.

This report is consistent with the priorities previously set by Council, however, necessary resources to implement this program have not have been allocated and approved.

Regional Implications

Not applicable

Conclusion

The development of a Recreational Sports Injury Prevention Advisory Committee will ensure that citizens enjoying outdoor recreational sports at City parks, recreational spaces and facilities will do so in safe conditions. The Committee will develop standards for signage, inspection and maintenance of outdoor recreational spaces included tobogganing/snowboarding hills, skating, in-line skating and skateboarding spaces and enforce closures if conditions are dangerous. Furthermore, it will develop an educational program for safe tobogganing, snowboarding, in-line skating, skating and skateboarding targeting parents, schools, daycares and community agencies in ensuring children and youth in Vaughan enjoy recreational sports in a safe environment. In particular, the enactment of a by-law to enforce the use of helmets when participating in outdoor recreational sports such as tobogganing, snowboarding, skating, in-line skating, and skateboarding, will help ensure community safety, health and wellness.

Attachments

1. Terms of Reference of Recreational Sports Injury Prevention Advisory Committee
2. Committee Member List, Recreation Sports Safety Task Force Committee

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Report prepared by:

Regional Councillor Mario Ferri
Co-Chair, Recreational Sports Safety Task Force

Councillor Sandra Yeung Racco
Co-Chair, Recreational Sports Safety Task Force

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

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Item 3, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

**3 ENSURING GREATER PEDESTRIAN/BICYCLIST SAFETY AT THE INTERSECTION OF WOODBRIDGE AVENUE, WALLACE STREET, AND A PRIVATE LANEWAY
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated June 2, 2009:

Recommendation

Councillor Tony Carella recommends that appropriate staff be directed to investigate and implement, as necessary measures to improve the safe flow of all forms of traffic in the vicinity of the intersection of Woodbridge Avenue, Wallace Street, and the laneway running north from Woodbridge Avenue between the Inkerman Block and Primavera 2000 Florists.

Economic Impact

The operating budget will be impacted minimally, to fund any suggested low-cost improvements

Communications Plan

The ward councillor will issue a press release, as this initiative is of such limited interest a media release from Corporate Communications is not called for.

Background - Analysis and Options

Sidewalks are City property, and for that reason the City has an interest in the safety of those who use them, whether as pedestrians or bicyclists. Where conditions on abutting private property have a negative impact on the safety of those using City sidewalks, the normal expectation is that actions will be taken by the private property owner to rectify the situation. However, it would appear that any leverage the City might have had in correcting the situation (as described below) at this location is now gone, as the problem was not anticipated when approvals were given for the abutting condominium development.

With the development of the condominium block abutting the north and east sides of the Inkerman Block, there has been a noticeable increase in the amount of vehicular traffic approaching Woodbridge Avenue from the private laneway between the Block and the premises of Primavera 2000 Florists (the former Royal Bank building). The geometrics of this interface with Woodbridge Avenue, and Wallace Street, directly to the south, are clearly problematic.

A stop sign facing motorists approaching Woodbridge Avenue from the laneway is set an estimated 10 m from the corner of the florist's building. Motorists respecting the import of the sign are thus stopping at such a distance from Woodbridge Avenue that they have only a very limited view of the intersection. As they proceed forward in pursuit of a better view, they must pass the corner of the florist's shop on the right. On several occasions, these motorists have encountered bicyclists coming---at high speed---along the sidewalk that slopes down past the front of the florist's shop.

Two suggestions present themselves as possible solutions to this problem: (1) the transfer of the stop sign to a location closer to the corner of the building, giving motorists a better view of the entire intersection, and (2) the placing of a traffic mirror---either at the corner of the Inkerman Block or of the Primavera 2000 building, so that motorists will be able, literally, to see "around the

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corner” and determine if any pedestrians or, more importantly, bicyclists are coming down the slope from Kipling Avenue, with no expectation that a vehicle may be entering the intersection from the laneway.

The ward councillor and staff (including the Director of Engineering Services) have visited the site and concur that the proposed solution is appropriate, but as it will require the concurrence of one or more of the abutting landowners, Council direction has been requested by staff, prompting this recommendation.

Regional Implications:

None

Attachment:

Sketch of the immediate area

Conclusion:

It is appropriate that the City take the initiative in addressing a safety problem at a local intersection, as the solution will require the concurrence of two abutting landowners, one of whose properties includes the private laneway in question.

Report prepared by:

Councillor Tony Carella, FRSA

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

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Item 4, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

4

**AWARD OF QUOTE Q09-068
WESTON DOWNS TENNIS COURT RESURFACING – WARD 3**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 2, 2009:

Recommendation

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

- 1) That Q09-068, Weston Downs Tennis Court Resurfacing, be awarded to Pine Valley Enterprises Inc. for the amount of \$111,137.00 (excluding G.S.T.); and,
- 2) That a contingency allowance of 10% be approved, within which the Director of Parks Development is authorized to approve amendments to the contract; and,
- 3) That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Capital project PK-6112-07, Tennis Court Replacement – Various Locations funding was approved in the 2007 Capital Budget.

Communications Plan

N/A.

Purpose

The purpose of this report is to seek Council approval to award quote Q09-068 - Weston Downs Tennis Court Resurfacing.

Background - Analysis and Options

The project is for the reconstruction of three tennis courts at Weston Downs Park located at 80 Greenpark Boulevard, in Ward 3.

The project includes the complete reconstruction of the tennis court surface including new granular base, asphalt, acrylic surfacing and nets. The existing fencing system will be repaired.

Quote Q09-068 was advertised with Bidding and the OPBA. Quotes were closed and publicly opened on Tuesday, May 12, 2009. Five (5) bid documents were received and the results are as follows:

<u>Contractor</u>	<u>Base Tendered Price (excl. GST)</u>	<u>Provisional Item (excl. GST)</u>	<u>Total Tendered Price (excl. GST)</u>
Pine Valley Enterprises Inc	\$111,137.00	n/a	\$111,137.00
Sam Velocci Construction Ltd.	\$121,825.60	n/a	\$121,825.60
Forest Contractors Ltd.	\$130,345.00	n/a	\$130,345.00
Court Contractors Ltd.	\$122,363.00	n/a	\$122,363.00
Royalcrest Paving & Construction	\$143,470.52	n/a	\$143,470.52

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Relationship to Vaughan Vision 2020 / Strategic Plan

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

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

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

Regional Implications

N/A.

Conclusion

Parks Development and Purchasing Services Department staff members have reviewed the bid submissions and have determined that the low bid contractor, Pine Valley Enterprises Inc. is deemed to meet the requirements of the contract.

Upon award of this quote, this project will commence within ten (10) working days from the Date of Notification of Award, weather permitting and should be completed on or before July 15, 2009.

Attachments

N/A

Report prepared by:

Stephanie Snow, Construction Coordinator, Ext. 3210
Paul Gardner, Director of Parks Development, Ext. 3209

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Item 5, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

5

**AWARD OF TENDER T09-004
SUPPLY AND DELIVERY OF ONE SINGLE AXLE CHASSIS AND
CAB COMPLETE WITH COMBINATION BODY, PLOW AND WING**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 2, 2009:

Recommendation

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

1. That Tender T09-004, for the Supply and Delivery of one (1) Single Axle Chassis and Cab complete with Combination Body, Plow and Wing is awarded to Galloway Motors Ltd. for a total price of \$192,859.36; and,
2. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Project FL-5080-07 was approved in the 2007 Capital Budget and funded from the Vehicle Reserve Fund.

Community Plan

N/A

Purpose

To award Tender T09-004 for the Supply and Delivery of one (1) Single Axle Chassis and Cab complete with Combination Body, Plow and Wing.

Background – Analysis and Options

Council approved funds for projects FL-5080-07, to purchase the chassis and cab complete with combination body, plow and wing as part of the ongoing equipment program, and is funded from the Vehicle Reserve Fund.

This tender was advertised in the Vaughan Citizen, Biddingo and the Ontario Public Buyers Association (OPBA), with eight (8) bidders contacted and three (3) bid documents submitted to Purchasing Services on closing date April 24, 2009.

The result of the bids including G.S.T and P.S.T are as follows:

<u>Supplier</u>	<u>Bid</u>
1. Galloway Motors Ltd.	\$192,859.36
2. Harper Truck Centres Inc.	\$196,394.00
3. All Truck International Truck Sales	\$201,111.75

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Relationship to Vaughan Vision 2020

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

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

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

Regional Implications

N/A

Conclusion

Staff has reviewed the submissions and based on the tender results, and the ability of the manufacturers to supply the required truck, it is recommended that the tender be awarded to Galloway Motors Ltd.

There are sufficient funds available in the approved capital budget to complete the project.

Attachments

None

Report Prepared by:

Alvin Boyce, Fleet Manager, ext. 6141

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Item 6, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

6 AWARD OF TENDER T09-065 SUPPLY AND DELIVERY OF MOWERS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 2, 2009:

Recommendation

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

1. That Part "A" of Tender T09-065, for the Supply and Delivery of one (1) Sixteen Foot Mower is awarded to G.C. Dukes Equipment Limited for a total cost of \$91,523.22; and,
2. That Part "B" of Tender T09-065 for the Supply and Delivery of two (2) Ten Foot Rotary Mowers is awarded to G. C. Dukes Equipment Limited for a total cost of \$105,206.44; and,
3. That Part "C" of Tender T09-065 for the Supply and Delivery of three (3) Zero Turn Mulch on demand Rotary Mowers to Nobleton Farm Supply Limited for a total cost of \$40,290.15; and,
4. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Projects FL-5096-08 and FL-5097-08 were approved in the 2008 Capital Budget and funded from the Vehicle Reserve Fund.

Communication Plan

N/A

Purpose

To award Tender T09-065 for the supply and delivery of various rotary mowers.

Background – Analysis and Options

Council approved funds for projects FL-5096-08 and FL-5097-08, to purchase the mowers as part of the ongoing equipment program, and is funded from the Vehicle Reserve Fund.

This tender was advertised in the Vaughan Citizen, the Electronic Tendering Network (ETN) and the Ontario Public Bidders Association. Seven (7) bid documents were issued and three (3) bid documents were received by Purchasing Services on closing date of April 9, 2009

The result of the bids including G.S.T and P.S.T are as follows:

<u>Part A - Supplier</u>	<u>Bid</u>
1. G.C. Dukes Equipment Limited	\$91,523.22
2. Turf Care Products Canada Limited	\$101,280.77

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Part B – Supplier

Bid

1. G.C. Duke Equipment Limited	\$106,206.44
2. Nobleton Farm Supply Limited	\$118,243.20
3. Turf Care Products Canada Limited	\$125,136.20

Part C – Supplier

Bid

1. Nobleton Farms Supply Limited	\$40,290.15
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Relationship to Vaughan Vision 2007

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

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

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

Regional Implications

None

Conclusion

Staff has reviewed the submission and based on the tender results, and the ability of the manufacturer to supply the required equipment, it is recommended that tender be awarded to the various dealers as described in the recommendations.

Attachments

None

Report Prepared by:

Alvin Boyce, Fleet Manager, ext. 6141

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Item 7, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

7

**AWARD OF TENDER T09-120
SUPPLY AND DELIVERY OF ONE REGENERATIVE DUSTLESS STREET SWEEPER**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 2, 2009:

Recommendation

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

1. That Tender T09-120, for the Supply and Delivery of one (1) Regenerative Dustless Street Sweeper is awarded to The Equipment specialist Inc. for a total price of \$310,308.75; and,
2. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Economic Impact

Project FL-5073-07 was approved in the 2007 Capital Budget and funded from the City Wide Development Charges and Taxation.

Community Plan

N/A

Purpose

To award Tender T09-120 for the Supply and Delivery of one (1) Regenerative Dustless Street Sweeper.

Background – Analysis and Options

Council approved funds for projects FL-5073-07, to purchase the sweeper as part of the ongoing equipment program, and is funded from the City Wide Development Charges and Taxation.

This tender was advertised in the Vaughan Citizen, the Electronic Tendering Network (ETN) and the Ontario Public Buyers Association (OPBA). Three (3) bid documents were submitted and received to Purchasing Services on closing date April 20, 2009, with Joe Johnson Equipment Inc. submitting two (2) bid documents for different model chassis and cab with the same Regenerative Dustless Sweeper attachments.

The result of the bids including G.S.T and P.S.T are as follows:

<u>Supplier</u>	<u>Bid</u>
1. The Equipment Specialist Inc.	\$310,608.75
2. Joe Johnson Equipment Inc.	\$325,814.03
3. Joe Johnson Equipment Inc.	\$329,315.90

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Relationship to Vaughan Vision 2020

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

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

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

Regional Implications

N/A

Conclusion

Staff has reviewed the submissions and based on the tender results, and the ability of the manufacturers to supply the required truck, it is recommended that the tender be awarded to The Equipment Specialist Inc.

There are sufficient funds available in the approved capital budget to complete the project.

Attachments

None

Report Prepared by:

Alvin Boyce, Fleet Manager, ext. 6141

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Item 8, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

8 **VELLORE VILLAGE DISTRICT PARK – ADOPT-A-PARK
AND PROPOSED PARK RENAMING**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 2, 2009:

Recommendation

The Commissioner of Community Services recommends:

1. That Council approve an amendment to the recommendation adopted at the Council meeting of February 3, 2009 (Item 14, Report No. 2 of the Committee of the Whole – Attachment 1) by deleting the name “Davos Road Park” where it appears in the item and inserting “Vellore Village District Park”, so that the recommendation now reads:
 - “1. That the letter and petition dated December 12, 2008 from Mr. Peter Bottoni and Ms. Laura DeFilippis, be received; and,
 2. That the request to adopt Vellore Village District Park be approved and final agreement be referred to the Commissioner of Community Services in consultation with the Directors of Parks Development and Parks Operations and Forestry; and,
 3. That the request to rename Vellore Village District Park to Matthew Park, be approved.”

Economic Impact

There is no economic impact associated with the correction.

Communications Plan

The Bottoni Family will be notified of Council’s decision and the community will be advised of the park renaming.

Purpose

The purpose of this report is to correctly identify the park that is to be renamed “Matthew Park”.

Background - Analysis and Options

Council at its meeting of February 3, 2009 approved Item 14, Report No. 2 of the Committee of the Whole, adopting and renaming Davos Road Park. The park name, however, was incorrectly identified in the report as there are two parks on Davos Road. The park that is to be renamed “Matthew Park” is “Vellore Village District Park” not “Davos Road Park” as previously identified.

The City of Vaughan received correspondence from Mr. Peter Bottoni and Ms. Laura DeFilippis, dated December 12, 2008, requesting that park located at Davos Road and Fossil Hill be adopted and renamed in memory of their son, Matthew.

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The Bottoni family's request is to adopt and rename the park in memory of their son Matthew James Peter Bottoni who died of a heart condition at the age of 21 months. The meaning of the name "Matthew" means "a gift from God" and would be a befitting name to remember those in which we have a warm memory and wish to honour. The family has been provided with details of the Adopt-a-Park Program and is fully aware of the requirements of this program - promoting partnership between the City of Vaughan and the Community.

The Adopt-A-Park policy states: "The City of Vaughan Adopt-A-Park program has been established as a public service program promoting environmental stewardship and civic pride. It is a way for environmentally responsible citizens to beautify their own neighbourhood."

By adopting the park the family, friends and residents are taking an active role in monitoring the park or organizing a cleanup to create a more beautiful environment.

The City of Vaughan encourages residents and groups to get involved with this program.

Staff from the Parks and Forestry Operations Department will arrange to meet the applicant and get them involved in the formalization of a final agreement.

The City of Vaughan's Policy (No. 04.3.08) for Renaming City Parks, Open Spaces, Community Facilities and Other Municipal Buildings and Properties allows for name designation in honour of individuals or groups providing that the individual meets any of the following criteria:

Criteria/Guidelines for Names Honouring Individuals or Groups

"Names for consideration shall be those of distinguished persons, organizations, corporations, foundations or the families:

1. where there has been a significant contribution to the quality of life, well-being of the City of Vaughan and is consistent with Vaughan Vision; or,
2. to memorialize or otherwise recognize substantial gifts and significant donors, individuals designed by donors, or individuals who have made exemplary or meritorious contributions to the City of Vaughan; or,
3. where there is a strong historical or cultural connection to the City and has made a major contribution to the historical or cultural preservation of the City; or,
4. where there is a strong contribution toward the environmental preservation, conservation or enhancement of the City; or,
5. where there is a major contribution made to the acquisition, development or conveyance of land or building, in question and/or its subsequent development; or,
6. where there is a direct relationship or association that exists between the place former place of residence of the person or group and the facility/park/street to be named.

Relationship to Vaughan Vision 2020/Strategic Plan

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

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 8, CW Report No. 32 – Page 3

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

The Bottoni family are long-time Woodbridge residents who have supported and been active members of their community. They are committed to ensuring that the park will be kept clean and well-maintained and plan to hold an annual community event at the park in memory of their son.

Attachments

Attachment 1 – Item 14, Report No. 2, Committee of the Whole adopted at Council February 3, 2009.

Report prepared by:

Marjie Fraser, Director of Parks and Forestry Operations, Ext. 6137

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 9, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

9 TENDER AWARD - T09-062 CLOSED CIRCUIT CAMERA SEWER INSPECTION AND SEWER ASSESSMENT PROGRAM

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering & Public Works, dated June 2, 2009:

Recommendation

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

1. That Part A of Tender T09-062 be awarded to KLS Inspection Services Limited;
2. That Part B of Tender T09-062 also be awarded to KLS Inspection Services Limited;
3. That staff be authorized to perform the necessary camera inspection work up to the approved budget values of the 2009 Wastewater Budget, and up to the \$60,000 amount previously approved in the 2009 Capital budget; and,
4. That the Mayor and Clerk be authorized to sign the necessary documents.

Economic Impact

Based on estimated annual quantities, Part "A" of this contract has a value of \$70,560.00 including GST, and Part "B" has an estimated annual value of \$53,623.50.

Funds for this work are allocated through the Capital Budget and the Wastewater Budget processes. Although the 2009 Capital Budget has been approved, the 2009 Wastewater Budget has not yet been approved. The approved Capital component of the work amounts to approximately \$60,000 (project PW-2001-08), and the 2009 Wastewater Budget request is for \$190,000. Notwithstanding the fact that the Wastewater Budget has not yet been approved, the inspection of sewers is something that is required on an ongoing basis, and as such, this tender needs to be awarded prior to the 2009 Wastewater Budget being approved.

Communications Plan

The tender was advertised in the Vaughan Citizen (City Page), the Electronic Tendering Network, and the Ontario Public Buyers' Association website.

Purpose

The purpose of this report is to award Tender T09-062, for closed circuit camera inspection of the City's sewer network.

Background - Analysis and Options

The Public Works Department routinely contracts out the camera inspection of the sewers throughout the City, as it has no suitable equipment of its own to perform this service. Part "A" of this tender provides for the inspection and detailed reporting of approximately 24,000 meters of the City's sewer system with non-explosion proof equipment.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 9, CW Report No. 32 – Page 2

Part “B” of the tender provides for inspection and detailed reporting of approximately 16,000 meters of sewer using explosion proof equipment where there is the potential for explosive or hazardous gases to be present in the sewer system.

This camera inspection work includes inspecting laterals, sewers in new developments and City owned facilities. The findings from the inspection will identify areas of concern for repair, as well as provide detailed information of the underground infrastructure.

This information is needed to assist with capital reconstruction projects, such as: sewer replacements; resolving flow related issues; and, ensuring sewer upgrade work is completed prior to road resurfacing or reconstruction.

The tender was called for this service, with the contract expiring December 31, 2011; however, the City has the option of extending the contract through two, one year extensions, conditional upon satisfactory work and approval of funding.

The tender was advertised in the Vaughan Citizen (City Page), the Electronic Tendering Network and the Ontario Public Buyers’ Association website and was closed on March 26, 2009.. A total of seven documents were picked up from the Purchasing Department, with a total of three bids submitted.

The following are the results of the tender opening:

BID RESULTS FOR T09-062 CLOSED CIRCUIT CAMERA INSPECTION				
Bid Rating	Contractor	Total Before G.S.T. Part A	Total Before.G.S.T. Part B	Total Amount Part A & Part B
1.	KLS Inspection Services	\$67,200	\$51,070	\$118,270
2	Benko Sewer Service	\$145,710	\$144,000	\$289,710
3	Mircam Pipe Inspection Inc.	\$194,850		\$194,850 Part A only

Staff completed an inspection of KLS Inspection Services camera equipment to ensure compliance with the tender document and confirmed that their camera equipment meets the requirements of the contract. The camera manufacturer certified their equipment to be explosion proof and this is required to protect the City’s sewer system when performing inspections in the presence of methane or other flammables gases and liquids.

Staff have checked the bids for mathematical errors, and have contacted references.

Relationship to Vaughan Vision 2020/Strategic Plan

The provision of Closed Circuit Camera Inspections is consistent with Vaughan Vision 2020, specifically the Goal of Service Excellence, and the Objective of Enhancing and Ensuring Community Safety, Health and Wellness.

Regional Implications

There are no implications to the Region as a result of this tender award.

CITY OF VAUGHAN

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Conclusion

Public Works and Purchasing Services Department staff have reviewed the bid submissions, inspected the bidders equipment, and have determined that the low bid submitted by KLS Inspection Services, meets the requirements of the contract.

Although the 2009 Wastewater Budget has not yet been approved, funding of \$190,000 has been requested in the 2009 Wastewater Budget. \$60,000 has already been approved in the 2009 Capital Budget for this work.

Notwithstanding the above, this camera inspection work is required to be performed, and as such, it is recommended that both Part "A" and Part "B" of Tender T09-062 for Closed Circuit Camera Inspection be awarded to KLS Inspection Services, and that staff be allowed to perform the work to the limit of the approved budgets.

Attachments

N/A

Report prepared by:

Robert Meek, Manager of Environmental & Technical Services
Brian T. Anthony, Director of Public Works

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 10, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 15, 2009, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated June 8, 2009:

- 1. That Tender T09-165 be awarded to Four Seasons Site Development Ltd. of Mississauga, Ontario at a bid price of \$520,485.00, including GST, from the execution date of the Contract, to December 31st, 2010, with the option to renew this contract for three additional one year extensions, subject to the performance of the Contractor to the City's satisfaction during the previous year, and, availability of funds to perform such work during 2011, 2012 and 2013;***
- 2. That staff be authorized to perform the necessary curb and sidewalk repairs up to the approved annual Capital budget amount; and***
- 3. That the Mayor and Clerk be Authorized to sign the necessary documents.***

10 AWARD OF TENDER – T09-165 FOR CURB AND SIDEWALK REPAIR & REPLACEMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated June 2, 2009:

Recommendation

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

That Tender T09-165 for curb and sidewalk repair and replacement be brought forward to Council on June 15, 2009.

Economic Impact

Funds for this work were approved in the 2009 Capital Budget process, project PW-2012-07, for this work.

Communications Plan

The tender was advertised in Vaughan Today (City Page), the Electronic Tendering Network, Ontario Public Buyers' Association.

Purpose

To advise Council of the upcoming tender award recommendation for curb and sidewalk repair and replacement.

Background - Analysis and Options

Curbs and sidewalks throughout the City are inspected annually and a list of the repair locations is established on a priority basis. Priorities are established on a range from those that create a hazard to public safety (high), to those that are related to cosmetic appearance only (low). Tenders were called for the repair of these sidewalks and curbs that have deteriorated from age, frost heaves and settlements, throughout the City.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 10, CW Report No. 32 – Page 2

The tender, T09-165 for curb and sidewalk repair & replacement, was issued on May 7, 2009, and will close on May 22, 2009.

Due to the timing of the Committee and Council meetings, staff will not have had time to review the tenders and make a recommendation by the deadline for report submission to Committee of the Whole. It is anticipated that further information and results will be forthcoming to Council's meeting of June 15, 2009, with a recommendation for award.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council, specifically the Vaughan Vision objective A-1 "Pursue Excellence in Service Delivery".

Regional Implications

The work covered under this tender does involve repairs to sidewalks on Regional roads; however, there are no other implications to the Region as a result of this tender award.

Conclusion

Tender T09-165 closes on May 22. Once staff has had an opportunity to review the tender documents, a further report will be submitted to Council on June 15, 2009, with a recommendation for award.

Attachments

N/A

Report prepared by:

Brian T. Anthony

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 11, CW Report No. 32 – Page 2

Background - Analysis and Options

The work covered by this tender includes the reconstruction of Pennon Road, Daleview Court and Kipling Avenue and Villagewood Court Resurfacing (Capital Budget Project EN-1775-09). See Attachment No. 1 for project location).

The tender has been advertised with a closing date of May 22, 2009. Staff will prepare an additional information report for this item after the bids have been received and have been evaluated for Council's consideration at the June 15, 2009 meeting. Construction is scheduled to commence in early July and is expected to be substantially completed by mid September 2009.

Relationship to Vaughan Vision 2020/Strategic Plan

This project is consistent with Vaughan Vision 2020, particularly "Maintain Assets & Infrastructure."

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

Regional Implications

Not Applicable.

Conclusion

To be submitted in the additional information after the Tender has closed.

Attachments

1. Location Map

Report prepared by:

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

PM:mc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 12, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 15, 2009, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated June 4, 2009:

- 1. That Tender T09-157, Road Resurfacing/Rehabilitation – West Vaughan, Various Locations be awarded to D. Crupi & Sons Limited in the amount of \$1,402,124.00, plus G.S.T.;***
- 2. That a contingency allowance in the amount of \$140,000.00, plus G.S.T. be approved within which the Commissioner of Engineering and Public Works or his designate is authorized to approve amendments to the Contract;***
- 3. That a geotechnical and material testing amount of \$15,000.00, plus G.S.T. be approved to ensure compliance with all applicable standards; and***
- 4. That the Mayor and City Clerk be authorized to sign the appropriate documents.***

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**AWARD OF TENDER T09-157
ROAD RESURFACING/REHABILITATION - WEST VAUGHAN
VARIOUS LOCATIONS
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 June 2, 2009:

Recommendation

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

That Tender T09-157, Road Resurfacing/Rehabilitation – West Vaughan – Various Locations be brought forward to Council for authorization to award.

Economic Impact

The actual cost of the project will be established following receipt of bids, however, the estimated total cost has been included in the approved 2009 Capital Budget.

Communications Plan

Once the project is awarded, staff will advise the Ward Sub-Committee and will send out a notice of construction letter to the affected residents.

Purpose

Council approval to award Tender T09-157, Road Resurfacing/Rehabilitation – West Vaughan – Various Locations.

Background - Analysis and Options

The work covered by this tender includes the resurfacing and/or rehabilitation of various roads in the West Vaughan area. These roads are outstanding from the 2008 Pavement Management Program. (Capital Budget Project EN-1775-09). See Attachment No. 1 for project location).

.../2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 12, CW Report No. 32 – Page 2

The tender has been advertised with a closing date of May 19, 2009. Staff will prepare an additional information report for this item after the bids have been received and have been evaluated for Council's consideration at the June 15, 2009 meeting. Construction is scheduled to commence in early July and is expected to be substantially completed by mid October 2009.

Relationship to Vaughan Vision 2020/Strategic Plan

This project is consistent with Vaughan Vision 2020, particularly "Maintain Assets & Infrastructure."

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

Regional Implications

Not Applicable.

Conclusion

To be submitted in the additional information after the Tender has closed.

Attachments

1. Location Map

Report prepared by:

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

PM:mc

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 13, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

13

**ASSUMPTION – VAUGHAN CENTER, PHASE 1
NORTHWEST JANE RUTHERFORD REALTY LIMITED
19T-95079 / 65M-3445
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated June 2, 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-3445, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 3 lane kilometers of roadway and associated municipal services including sanitary sewers, watermain, street lighting, streetscaping, sidewalk, storm management facility, 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-3445 by the City.

Background - Analysis and Options

The Vaughan Center Residential Subdivision, Phase 1, Plan of Subdivision 65M-3445 is a 165 lot residential development located north of Rutherford Road, west of Jane Street, in Block 32 East as shown on Attachment No.1.

The Subdivision Agreement with Northwest Jane Rutherford Realty Limited was executed on July 5, 2000, and the Plan of Subdivision was subsequently registered on October 18, 2000. The construction of the roads and municipal services in Plan 65M-3445 was completed in September 2005.

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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 13, CW Report No. 32 – 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 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 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 Vaughan Center, Phase 1, Plan of Subdivision 65M-3445 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in Plan 65M-3445 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
Engineering

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 JUNE 15, 2009

Item 14, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

14

**ASSUMPTION – VAUGHAN CENTER, PHASE 2
NORTHWEST JANE RUTHERFORD REALTY LIMITED SUBDIVISION
19T-99V06 / 65M-3578
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated June 2, 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-3578, and that the municipal services letter of credit be released.

Economic Impact

Upon assumption of this development, approximately 0.6 lane kilometers of roadway and associated municipal services including 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-3578 by the City.

Background - Analysis and Options

The Vaughan Center Residential Subdivision, Phase 2, Plan of Subdivision 65M-3578 is a 20 lot residential development located north of Rutherford Road, west of Jane Street in Block 32 East as shown on Attachment No.1.

The Subdivision Agreement with Northwest Jane Rutherford Realty Limited was executed on February 1, 2002, and the Plan of Subdivision was subsequently registered on July 11, 2002. The construction of the roads and municipal services in Plan 65M-3578 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 14, CW Report No. 32 – 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 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 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 Northwest Jane Rutherford Realty Limited, Plan of Subdivision 65M-3578 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in Plan 65M-3578 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 JUNE 15, 2009

Item 15, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

15

**MOLISE KLEINBURG ESTATES INC.
DRAFT PLAN OF SUBDIVISION 19T-06V14
COLDSPRING & STEVENSON COMMUNITY TRAFFIC COMMITTEE
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works and Commissioner of Planning, dated June 2, 2009:

Recommendation

The Commissioner of Engineering and Public Works and Commissioner of Planning, in consultation with the Solicitor/Litigation, recommend:

1. that this report be received in response to Council's direction of November 10, 2009; and
2. that staff be directed to attend the Ontario Municipal Board Hearing in support of the approved Molise Kleinburg Estates Inc., Draft Plan of Subdivision 19T-06V14.

Economic Impact

There is no economic impact associated with this report.

Communications Plan

Not applicable.

Purpose

The purpose of this report is to inform Council on the outcome of the Community Committee that was formed with residents of both the Coldspring and Stevenson Avenue neighbourhoods for the purpose of reviewing the traffic plans and calming opportunities related to the Kleinburg Estates Inc. Draft Plan of Subdivision 19T-06V14.

Background - Analysis and Options

The Molise Kleinburg Estates Draft Plan of Subdivision is a 449 single detached lot residential subdivision located in the Kleinburg/Nashville Community as shown on Attachment No.1. The Molise draft plan integrates the redevelopment of the Kleinburg Golf Course and was approved by Council on November 10, 2008, subject to a number of conditions. The lands within the draft plan are bisected by an open space valley which naturally creates a north and south neighbourhood in the subdivision. The north neighbourhood contains 68 large lots with a minimum lot size of about 0.20 hectares. Two municipal road connections are provided to the north neighbourhood; a local road link to Coldspring Road in the vicinity of the existing golf course entrance, and a local road connection to Stevenson Avenue.

In response to a number of deputations, Council at its meeting of November 10, 2008 directed as follows:

1. *That staff prepare the required report addressing conveyance of the Stevenson road allowance open space to the TRCA and include any necessary easements for municipal services utilities;*

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 15, CW Report No. 32 – Page 2

2. *That a community committee be established to review traffic plans and calming opportunities and solutions;*
3. *That this committee's report be provided to a future Committee of the Whole meeting; and*
4. *That the committee include three members from both Coldspring and Stevenson neighborhoods and Engineering staff and the Ward 1 Subcommittee.*

This report addresses Items 2, 3 and 4 of Council's direction above. Item 1 will be addressed in a subsequent report to the Committee of the Whole after the design of the municipal services in the Molise Kleinburg Estates subdivision has been completed and the ultimate alignment of Major Mackenzie Drive is confirmed through the Western Vaughan Individual Environmental Assessment.

Coldspring/Stevenson Community Committee

The members of the Coldspring/Stevenson Community Committee were:

Councillor Peter Meffe, Ward 1 Councillor
Frank Rossi – Coldspring
Bret Harris – Coldspring
Ron Viele – Coldspring
Ian Gray – Stevenson
Peter McFarlane – Stevenson
Mike Wixon – Stevenson
Bill Robinson, Engineering & Public Works Department
Andrew Pearce, Development & Transportation Engineering Department

The Community Committee met on February 2, 2009 and February 23, 2009 at the Kleinburg Public Library. The Committee meetings were held on a "without prejudice" basis due to a pending Ontario Municipal Board Hearing of an appeal of the Molise Kleinburg Estates, Draft Plan of Subdivision 19T-06V14.

Subsequently, the applicant prepared an amendment to the Preliminary Traffic Impact Study for the Molise Kleinburg Estates Inc. which was circulated to each member of the Community Committee. Staff followed up after the circulation of the additional traffic information but there was no interest from the Committee members in convening another meeting to discuss the matter further.

To date, despite ongoing without prejudice discussions no consensus has been reached on the subdivision's traffic plans.

Ontario Municipal Board Hearing

Prior to the Community Committee meetings, the City received an Ontario Municipal Board (OMB) Appeal of the Molise Kleinburg Estates Inc., Draft Plan of Subdivision 19T-06V14 from Mr. Frank Rossi, a resident of the Coldspring neighbourhood. The basis of the Appeal relates to the proposed road network and the alignment of the new access road that will intersect with Coldspring Road. Mr. Rossi is currently represented by Counsel as is the applicant. The OMB has scheduled a Hearing commencing July 22, 2009, for three days. To date, the parties have been unable to resolve the matter. Should the Appeal proceed, staff recommends that the City appear at the OMB in support of Council's approval of the Molise Draft Plan of Subdivision.

CITY OF VAUGHAN

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Item 15, CW Report No. 32 – Page 3

Relationship to Vaughan Vision 2020

This report is consistent with the Vaughan Vision 2020 strategic initiatives to enhance and ensure community safety, health and wellness, and plan and manage growth. Accordingly, this report is consistent with the priorities previously set by Council.

Regional Implications

There are no Regional implications associated with this report.

Conclusion

Pursuant to Council direction, a Coldspring/Stevenson Community Committee was formed and met twice at the Kleinburg Public Library on February 2, 2009 and February 23, 2009. Consensus amongst the Committee members could not be reached on the traffic plan. Accordingly, this matter will be addressed at the upcoming Ontario Municipal Board Hearing scheduled for July 22, 2009.

Attachment

Attachment No.1 – Location Plan

Report prepared by:

Andrew Pearce, Director of Development & Transportation Engineering, Ext. 8255
Claudia Storto, Solicitor/Litigation

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 16, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

**16 WYCLIFFE NEIGHBOURHOOD TRAFFIC COMMITTEE PLAN
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 June 2, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That the Wycliffe Neighbourhood Traffic Committee plan proposal not be approved in accordance to the Neighbourhood Traffic Committee Policy and Procedure as the resident support of 66.6% was not met.

Economic Impact

There will be no impact to the 2009 Capital Budget.

Communications Plan

Engineering Services staff will advise the Traffic Committee members of Council's decision on this matter.

Purpose

To report on the Wycliffe Neighbourhood Traffic Committee Plan proposal.

Background - Analysis and Options

At its meeting on September 26, 2005, Council directed:

“Councillor Carella recommends the establishment of a traffic calming committee to review traffic conditions in the area bounded by Clarence Street on the west, Rutherford Road on the north, Islington Avenue on the east, and Kiloran Avenue/Wycliffe Avenue on the south; and to make recommendations for the calming of traffic within this area.”

Refer to Attachment No. 1 for area map and proposed traffic calming measures.

Public Participation

The initial public meeting of the Wycliffe Neighbourhood Traffic Committee was held on December 6, 2005. Engineering Services staff outlined the concept of traffic calming and the types of traffic calming measures available, and explained the City's Neighbourhood Traffic Committee Policy and Procedure. There were 55 residents in attendance and 14 of those residents formed the traffic committee.

The final public meeting was held on April 21, 2009. The Traffic Committee, with the assistance of Engineering Services staff, introduced the traffic calming proposals for the neighbourhood to the residents in attendance. The meeting was attended by 84 residents, of which 37 residents were in favour of the plan, and 47 residents were opposed. It should be noted that sign-in sheets

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were provided; however, only 68 signatures were collected. According to the Council approved Neighbourhood Traffic Committee Policy and Procedures, there must be resident support of at least 66.6% in order for the plan to proceed. The threshold support was not achieved at this meeting.

Prior to the meeting, residents were given the opportunity to voice their support for or against the plan if they could not attend. A summary of the telephone and e-mail replies showed nine residents were in support of the plan, while five residents were against the plan. If these responses are added to those taken at the final public meeting, the new total is 46 residents in favour of the plan, and 52 residents were opposed. The threshold support of 66.6% in support of the plan is still not achieved.

Subsequent to the meeting, staff received three additional phone calls from area residents inquiring to the results of the vote on the proposal. All three residents were not in favour of the proposed plan and were happy to learn that no traffic calming measures will be installed in their neighbourhood.

Traffic Calming Plan - General

The Traffic Committee proposed a combination of speed cushions, flush-to-grade concrete impressed crosswalks, mountable centre medians, and raised centre medians.

Staff undertook field reviews to determine locations that would be feasible for the traffic calming measures proposed.

The measures were proposed at the following locations:

Speed Cushions

- Between #333 and #339 Crofters Road
- Between #266 and #272 Crofters Road
- Between #228 Crofters Road and Delia Place

Flush-to-Grade Impressed Concrete Crosswalks

- At Crofters Road and Woburn Road (south side)
- At Crofters Road and Wycliffe Avenue (east side)
- At Wycliffe Avenue and Kiloran Road (west side)
- At Kiloran Road and Torran Road (west side)
- At Wycliffe Avenue and Colton Drive (south side)
- At Wycliffe Avenue and Wycliffe Gate (east side)

Mountable Centre Medians

- Between #71 and #77 Wycliffe Avenue
- Between #222 and #228 Wycliffe Avenue
- Between #31 Kiloran Road and Woodgreen Road
- Between #552 and #560 Wycliffe Avenue

Raised Centre Medians

- At Wycliffe Avenue and Kiloran Road (south side)
- At Wycliffe Avenue and Kiloran Road (east side)
- Between #472 and #478 Wycliffe Avenue
- At Wycliffe Avenue and Trevi Gate
- Between #609 and #617 Wycliffe Avenue

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Speed Studies

Staff collected speed and volume data on the subject streets by Automatic Traffic Recorder in April 2008. Data was collected on a 24-hour basis. The results are shown in the table below.

Location	Direction	Average Speed	85 th Percentile Speed	Highest 24 hour volume
Crofter's Road north of Appian Way	Southbound	41 km/h	48 km/h	873
	Northbound	41 km/h	48 km/h	1031
Kiloran Road east of Torran Road	Eastbound	36 km/h	42 km/h	1903
	Westbound	35 km/h	42 km/h	1884
Wycliffe Avenue west of Cairnburg (E)	Eastbound	48 km/h	55 km/h	1562
	Westbound	48 km/h	56 km/h	1549
Wycliffe Avenue north of Arnish Street	Northbound	44 km/h	54 km/h	538
	Southbound	45 km/h	55 km/h	648
Wycliffe Avenue north of Trevi Court	Northbound	44 km/h	53 km/h	523
	Southbound	46 km/h	54 km/h	588

The average recorded vehicle speeds range from 35 to 48 km/h. The speed limits on the subject roads are posted at 40 km/h.

Fire and Rescue Services were consulted on the proposed plan. All the subject streets are considered primary response routes and so, vertical traffic calming measures are not permitted. Fire and Rescue Services did support speed cushions however, the design must permit emergency vehicles to maintain their speeds during emergency responses.

Comments Received at the Meeting

Staff received the following comments during the course of the April 21st meeting:

- Concern that the flush-to-grade crosswalks will not reduce speeding.
- Emphasis should be on more enforcement from York Regional Police rather than more traffic calming measures.
- The morning and afternoon school activity on Crofters Road by Our Lady of Fatima School is more effective at reducing speeding than traffic calming measures.
- The proposed speed cushions would not be as effective as speed humps.
- Traffic calming measures are not attractive and devalue the neighbourhood.
- A 'Kiss-and-Ride' program should be established at Our Lady of Fatima School.

Relationship to Vaughan Vision 2020/Strategic Plan

Enhance and Ensure Community Safety, Health & Wellness – To advocate for, protect and enhance community safety, health and wellness through education, design and enforcement. This report is consistent with the priorities previously set by Council.

Regional Implications

Not Applicable.

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Conclusion

Based on staff's review, it is recommended that the Wycliffe Neighbourhood Traffic Committee plan proposal not be approved as the Neighbourhood Traffic Committee Policy & Procedure's requirement of 66.6% resident support was not met.

Attachments

1. Location Map

Report prepared by:

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

MR:mc

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

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Traffic Warrants

Engineering Services staff conducted an intersection turning movement count at the intersection on Tuesday, April 21, 2009. The studied time periods were 7:00 am to 9:00 am, 11:00 am to 2:00 pm and 3:00 pm to 6:00 pm. On the day of the study the weather was cloudy with rain. The results of the study are summarized below.

Traffic volume data collected at the intersection and a comparison to the Provincial Warrant for traffic signal installation on a two lane roadway operating under restricted flow conditions is summarized below.

Warrant #1 – Minimum Vehicular Volumes		
Part A – All Approaches	-	98%
Part B – Minor Street Both Approaches	-	80%
Warrant #2 – Delay to Cross Traffic		
Part A – Major Street Both Approaches	-	92%
Part B – Traffic Crossing Major Street	-	98%
Warrant #3 – Accident Experience		
Part A – Reportable Accidents Correction by a Traffic Signal	-	0%
Part B – Adequate trial of less restrictive remedies	-	No
Part C – Warrant 1 or Warrant 2 satisfied 80% or more	-	Yes
Warrant #4 – Combination Warrant		
Two Warrants Satisfied 80% for Traffic Signals	-	Yes

For a traffic signal control to be warranted on the basis of individual warrants, one or more of the first three warrants must be satisfied 100% or more in both part A and part B.

There is a Warrant 4 – Combination Warrant which may be used if no individual warrants are satisfied 100%, in which two warrants being satisfied 80% or more could warrant the installation of a traffic signal. Based on the study results, this intersection does meet the Warrant 4 requirements of the Provincial Warrant, as Warrant 1 and Warrant 2 are indicated over the minimum 80% requirement.

The proposed signal will be a semi-actuated signal design. The major street is considered to be Zenway Boulevard with New Huntington Road being the minor street. In a semi-actuated design, the minor street will be fitted with loop presence detectors. The green signal preference will be assigned to Zenway Boulevard and the green phase on New Huntington Road will be initiated when the loop detectors are triggered. In this set up, the traffic on Zenway will have a green signal, unless traffic on New Huntington Road is detected and is stopped at the intersection for a period of time programmed in to the signal controller. This signal installation will be a significant improvement over the existing stop controls on New Huntington Road and, through the installation of pedestrian signal heads with push button controls, will provide for safer pedestrian crossing of the intersection to occur.

It is noted that the construction of the arterial road connection of Zenway Boulevard to Highway 427 and the reconstruction of Zenway Boulevard and Fogal Road to Highway 50 has recently been completed and the roadways opened. Traffic is building in this area and will continue to increase with development. Traffic conditions at the Zenway Boulevard and New Huntington Road intersection are expected to more fully satisfy the individual warrants with time.

The approximate cost for the installation of traffic signals is \$130,000, with funding from City Wide Development Charges - Engineering.

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Relationship to Vaughan Vision 2020 / Strategic Plan

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

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

Regional Implications

Not Applicable.

Conclusion

Based on staff's review, it is recommended that a traffic signal be installed at the intersection of Zenway Boulevard and New Huntington Road. Should Council approve the installation, the design and installation of the signal would be undertaken in the 2009 construction season.

Should Council concur with this proposed increase in expenditure, this action would be considered as an amendment to the Capital Budget. Before amending a budget, a municipality shall give notice of its intention to amend the budget at the Council meeting. In accordance with By-law 394-2002, notice of intention to adopt an amendment to a budget consists of publication of notice in a newspaper of a public meeting to consider the proposed amendment at least seven (7) days prior to the date of the Council meeting, at which this proposed amendment is to be considered. Therefore, if Council increases the expenditures to the Capital Budget, staff be directed to provide notice of an intention to adopt an amendment to the Capital Budget pursuant to By-law 394-2002.

Attachments

1. Location Map

Report prepared by

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

LP:mc

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

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Item 18, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

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**MAXWELL COURT ON STREET PARKING
WARD 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated June 2, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That this report be received for information purposes; and
2. That parking of vehicles continue to not be allowed within the cul-de-sac bulb of Maxwell Court.

Economic Impact

None.

Communications Plan

The deputant has been advised that this report is on the agenda for this meeting. Engineering Services staff will advise the deputant of Council's final decision on this matter.

Purpose

To review the possibility of on-street parking on Maxwell Court within the cul-de-sac bulb.

Background - Analysis and Options

At its meeting on February 3, 2009, Council directed:

“The Committee of the Whole recommends that the deputation of Mr. Allan Bierbrier, 56 Maxwell Court, Thornhill, L4J 6X8, written submission dated December 15, 2008 and January 13, 2009, petition dated October 20, 2008 and photographs be received and referred to staff to undertake a survey on Maxwell Court with respect to on street parking.”

Maxwell Court is a local cul-de-sac roadway with a 20.0 metre right-of-way and 8.5 metre travelled pavement width. The existing permissible parking includes a 3 hour maximum time period and no overnight parking. See Attachment No. 1 for area network.

The Deputant's request is to address the issue of parking on Maxwell Court and to propose an amendment to Parking By-law 1-96-4(7)(m) and Parking By-law 1-96-4(1)(b), as they do not suitably apply to Maxwell Court in Thornhill.

Parking By-law 1-96-4(7)(m)

“No person shall park a vehicle on a highway in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway”.

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Parking By-law 1-96-4(1)(b)

“No person shall park or stop any vehicle on any highway or portion thereof except as with the vehicle parallel to the and the right front and rear wheels not more than 0.15 metres from the curb”.

The Deputant recommends that the City of Vaughan consider adjusting the By-law to make accommodation for courts with diameters of more than a pre-determined number of metres across, or adjust the By-law to enable additional parking on Maxwell Court without interference with emergency or maintenance vehicles. Refer to Attachment No.2 for the deputation letter.

A general observation/parking study was conducted on Thursday, March 5, 2009 during the time periods of 8:00 am to 10:00 am, 12:00 pm to 1:00 pm and from 4:00 pm to 5:00 pm in the cul-de-sac area of Maxwell Court. Observations show that only one vehicle was parked on Maxwell Court between house #55 and house #59 from 8:00 am to 9:40 am. The remainder of the day no other vehicles parked on Maxwell Court. There may be vehicles parking on Maxwell Court outside the hours reviewed above, specifically on weekday nights and weekends.

The driveways within the bulb area on Maxwell Court are double car width with double car garages, which will allow two vehicles to be parked on the driveway and two (2) vehicles to be parked in the double car garage. There are nine (9) houses around the cul-de-sac area. There are approximately 2 – 3 metres between driveways, with the exception of houses # 55 and #56 that has a distance of 6.5 metres. The design of Maxwell Court has a road width of 8.5 metres with a 13.5 metre radius of the cul-de-sac area.

By-law Enforcement Services

By-law Enforcement Services staff advised that they can not support parking in the centre portion of the cul-de-sac as it would be difficult to enforce (i.e. how many spots, painted spaces would have no real meaning, etc). There is also safety issue, to clog the centre of the cul-de-sac it will reduce emergency vehicle maneuvering and will reduce visibility for other motorists and pedestrians.

Fire and Rescue Services

Fire and Rescue Services staff informed that they must have unimpeded access for their largest emergency truck. A house fire in one of the houses in a cul-de-sac will require three or more fire trucks to the end of the street and there must be room for an aerial to set up and operate.

Request for Feedback from Other Municipalities

Engineering Services staff received comments from others municipalities, including Town of Newmarket, Town of Aurora and Town of East Gwillimbury. No other municipality has provision in their by-law to allow vehicles to park in the centre of a cul-de-sac. They all stated that the middle of a cul-de-sac should be clear for fire and emergency service, snow plows and garbage vehicle movements. Parking in the middle of the cul-de-sac will restrict this access. Another concern would be the location of the parking signs and posts.

Based on the results of the general observation/parking study, comments received from the By-law Enforcement Services, Fire and Rescue Service and others municipalities, Engineering Services staff does not recommend that the Parking By-law 1-96-4(7)(m) and Parking By-law 1-96-4(1)(b) be amended on Maxwell Court due to the overall safety concerns for fire and emergency services, snow plow and garbage vehicles maneuvering on Maxwell Court in the cul-de-sac area.

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Relationship to Vaughan Vision 2020/Strategic Plan

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

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

Regional Implications

Not Applicable.

Conclusion

Based on staff's review, it is recommended that no further action be required on the parking availability on Maxwell Court, specifically the cul-de-sac area.

Attachments

1. Location Map
2. Deputation – Mr. Allan Bierbrier

Report prepared by:

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

PT:mc

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

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Item 19, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

**19 CITY-WIDE DRAINAGE & STORM WATER MANAGEMENT CRITERIA STUDY
AUGUST 19, 2005 RAINSTORM UPDATE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated June 2, 2009:

Recommendation

The Commissioner of Engineering and Public Works, in consultation with the Manager of Emergency Planning and the Director of Legal Services recommends:

1. That the conclusions and recommendations of the City-Wide Drainage and Storm Water Management Criteria Study be used to enhance and inform all applicable City Emergency Plans and Procedures, and the Engineering Standards Design Criteria;
2. That public educational material outlining the importance of keeping catch basin grates free and clear of visible debris or other potential obstructions to drainage be included in the next regular publication of the Public Works Newsletter and Waste Collection Schedule, and on the City's website; and
3. That a copy of this report be forwarded to the Toronto and Region Conservation Authority for information purposes.

Economic Impact

There are no immediate economic impacts resulting from the adoption of this report. Capital Project No. 1599-0-06 for the City-Wide Drainage and Storm Water Management Criteria Study was approved as part of the 2006 Capital Budget, with combined funding from taxation and development charges. Capital Project No. DT-7026-09, Phase 2 of the City-Wide Drainage Study has been approved in conjunction with the 2009 Capital Budget deliberations. The Phase 2 Study will serve as a follow-up and include additional detailed analysis of key areas of interest throughout the City. Funding approval for subsequent studies and/or remedial works may be considered as part of future Capital Budget deliberations.

Communications Plan

This report recommends that the Public Works Newsletter, the Waste Collection Schedule and the City website be used to inform the public on the overall benefits of keeping catch basin grates free and clear of visible debris or other potential obstructions to drainage.

Purpose

The purpose of this report is to inform Council of the conclusions and recommendations of the City-Wide Drainage and Storm Water Management Criteria Study, and to serve as a follow-up to the August 19, 2005 Rainstorm report, being Item 8, Report No. 5, of the Committee of the Whole, which was adopted without amendment by Council at its meeting of February 13, 2006. Council, at the same meeting resolved as follows:

- a. *"That Staff provide a report outlining options to address emergency situations using existing resources."*

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- b. *“That Staff continue to explore and subsequently report back to Council on funding alternatives and approaches to secure future sustainable funding for:*
 - i. *Unexpected storm damage to roads and infrastructure as a result of flooding or other types of severe natural weather occurrences.*
 - ii. *An enhanced level of cleaning and maintenance of the City’s storm water management pond facilities and catch basins.”*
- c. *“That consideration be given to the development of a Flood Emergency Response Plan in close cooperation with the City’s Manager of Emergency Planning.”*

This report will address items a, b(ii) and c above. It is anticipated that item b(i) will be addressed in a future report in consultation with the Finance Department.

Background – Analysis and Options

On August 19th, 2005, the City of Vaughan and surrounding municipalities from Stratford to Pickering experienced a rainstorm event that caused considerable flooding resulting in significant damage to both private and public property.

A review and subsequent analysis of the precipitation intensities and total rainfall data recorded by various rain gauge stations in the field and operational during this rainstorm, was completed for the City by the engineering consulting firm Clarifica Inc. This analysis concluded that approximately 85% of the City experienced 100-year return period storm conditions or worse (based on statistical analysis, the intensity of the rainfall event was equal to, or in excess of a rainfall event expected to occur at least once during a 100 year period).

The City’s storm sewer system (minor system) and overland flow routes (major system) are designed to accommodate rainstorm flows from 5-year and 100-year return period storm events respectively. This is a commonly accepted design standard within the Province of Ontario. As a result of the high rainfall intensities over a short duration period, as experienced on August 19th, 2005, a significant amount of overland flow within City streets and overall system flooding would be expected and did occur at various locations throughout the City.

The majority of private property damage and flooding complaints received by the City as a result of the August 19th, 2005 rainstorm were in the older residential neighbourhoods of Woodbridge and Thornhill where existing storm drainage systems pre-date the City’s current design criteria. Public Works Dispatch and the Fire Department received and responded to numerous flooding related calls. The majority of complaints were related to basement flooding due to sewer back-ups, and were deferred to the residents’ home insurance company.

The typical types of flooding damage sustained to public property included:

- Erosion to watercourse banks causing collapse, fencing damage, terrafix block and gabion basket damage and rip rap washouts,
- Roadway pavement structure washouts,
- Broken storm sewer inlet grates, and
- Damaged manholes.

It is important to note, that as a result of the August 19th, 2005 rainstorm, similar types of flooding complaints and damages were received by many other neighbouring municipalities.

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In order to substantiate and ultimately mitigate future instances of flooding and related concerns received by residents, Clarifica Inc. was retained by the City (in accordance with the City's procurement policy and in consultation with the Purchasing Services Department) to undertake a City-Wide Drainage and Storm Water Management Criteria Study. This Study was envisioned to be the first phase of a comprehensive investigation of existing drainage conditions throughout the

City that would ultimately lead to recommendations on site specific mitigation measures that will address potential future drainage and flooding issues.

City-Wide Drainage & Storm Water Management Criteria Study

The first phase of the City-Wide Drainage & Storm Water Management Criteria Study has now been completed. It includes a comprehensive mapping and evaluation of the City's existing drainage and storm water management systems. The information gathered and all associated analysis will allow the City to;

- Better understand the storm sewer system design parameters and level of flood protection within existing urbanized areas, in particular the older areas of the City,
- Assess impacts of future urbanization from infill development and urban boundary expansion,
- Make decisions regarding infrastructure needs and priorities for construction, and
- Assess operation and maintenance / remediation requirements.

Although more detailed analysis will be required during future phases of the Study, the ultimate goal is to provide and maintain acceptable storm drainage systems and flood protection throughout the City. The key tasks completed and deliverables provided during the first phase of the Study include:

1. Collection and analysis of all geographic information systems data related to existing storm sewers and appurtenances, surface topography, land use information and applicable hydraulic models,
2. Identification of additional data needs and gaps that will lead to an enhanced drainage evaluation for use in future flood remediation and studies,
3. Identification and mapping of major (overland flow) and minor system networks and drainage areas throughout the City including preliminary development of lumped hydrologic models,
4. A preliminary assessment of potential flood locations and severity of flooding along major river valleys, on table land areas and at road crossings,
5. A review of flooding sites identified during the August 19, 2005 rainstorm event to determine potential causes of flooding and develop recommendations for further evaluation and/or retrofit,
6. A review of the City's current storm drainage and storm water management design criteria by comparing with other municipalities,
7. A review of the Rainbow Creek Master Drainage Plan document, and
8. The preparation of recommendations for future analysis, studies and phases.

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The main components of the City-Wide Drainage and Storm Water Management Criteria Study, and all associated conclusions and recommendations have been summarized below.

Drainage Base Mapping:

Preliminary flood maps have been prepared for valley and stream corridors. Affected properties have been classified with respect to extent of flooding predicted under various return period storm events including 10-year, 25-year, 50-year, 100-year and the regional storm event. A classification system has been developed and is referred to as the Flood Emergency Response Index (FERI). This index or ranking system, prioritizes sites using depth of flooding and land use information. Flood vulnerable structures (FVS) and flood vulnerable roads (FVR) have been identified for each of the return period storm events. For flood vulnerable structures, the FERI equations consider the type of building and land use; while for flood vulnerable roads the FERI equations consider individual roadway classification.

The index system and associated mapping will be used to inform and enhance emergency flood response planning, and will assist in prioritizing the City's storm drainage system inspection and maintenance program.

Future study phases will be required to expand the drainage system databases, address data gaps and work towards the creation of refined data sets that can be used in site specific more detailed evaluation.

In addition, coordination with existing Toronto and Region Conservation Authority floodplain mapping will be required to ensure consistency and accuracy of all resulting detailed analysis work.

Storm Drainage and Storm Water Management Criteria Review:

The City's current storm drainage and storm water management criteria has been reviewed and compared with other municipalities' criteria to determine where improvements could be made to help the City better manage storm water. The criteria comparison included the municipalities of Brampton, Mississauga, Richmond Hill and Bradford-West Gwillimbury.

Various aspects of the criteria were reviewed including, minor and major system design parameters, storm water management criteria, roadway and grading design parameters, Intensity Duration Frequency curves (IDF), inlet and outlet structures and grates, and operational and maintenance procedures.

The results of the review confirmed that the City's design standards are consistent with other municipalities and good engineering practice. In addition, improvements to the storm system design and analysis approach are suggested to better understand the ultimate functioning of these systems and to reflect current information on climate change. Standards pertaining to inlet grates should be revised to allow for over-sizing thereby decreasing the likelihood of clogging due to debris build-up.

With respect to updating system design parameters to reflect the impacts of climate change, the Toronto and Region Conservation Authority is currently working with Environment Canada and other partners on updating synthetic design storm data (Intensity Duration Frequency curves) for all Golden Horseshoe municipalities within Southern Ontario. The City has committed a \$5,000 financial contribution to this project.

The above noted recommendations and initiatives will prove to be very useful and will be incorporated into the City's comprehensive Design Criteria Review Study to be undertaken in 2009.

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Reported Flooding Locations Related to August 2005:

A preliminary assessment was conducted for a number of flood locations reported during the August 2005 storm event. The focus of the assessment was to identify the extent of potential concerns and to recommend further detailed analysis that will lead to recommendations on remedial options.

Reported flood locations were assessed individually by reviewing flood reports, available design drawings and reports, and conducting site visits. Based on this information, a preliminary assessment of major and minor system conditions in the area was completed. The potential causes of flooding have been identified, these typically include:

- drainage systems that were constructed in relatively old areas of the City where sewer capacities are not in accordance with current standards;
- roadside ditches, culverts, catch basins and other sewer inlets that are susceptible to clogging;
- altered grades on private property surrounding homes;
- reverse slope driveways; and
- overland flow routes on private lands that have been altered or blocked.

It is important to note that this analysis is at a very high level and preliminary in nature. Additional detailed analysis will be required at these locations before more specific recommendations can be made on remedial options. Further analysis work of this nature is referred to as a dual system micro drainage analysis that can be used to evaluate the existing drainage infrastructure to determine the existing system design parameters and level of protection for each reported flooding location. Phase 2 funding for this analysis has been approved in the 2009 Capital Budget deliberations and the consultant procurement process will commence soon.

Rainbow Creek Watershed Master Plan Review:

The existing condition in the Rainbow Creek Watershed has been reviewed and compared against the December 1989 Master Plan conclusions and recommendations. This work focused on a comparison of the level of controls recommended in the 1989 Master Plan and the existing storm water management facilities in place.

The review concluded that significant urbanization has occurred in the watershed since 1989. The impacts of uncontrolled flow from older developments and the overall increase in imperviousness in the Rainbow Creek watershed requires a Master Plan update involving detailed site-specific field investigation to update watershed inventories, and to conduct updated hydrologic and hydraulic assessment. The update should analyze impacts on peak flow, flooding frequencies and erosion potential.

It is anticipated that this work will be completed as part of the Storm Drainage and Storm Water Management Master Plan Study in conjunction with the City's Growth Management Strategy.

Emergency Planning Program

The *Emergency Management and Civil Protection Act* became law on April 15, 2003. The *Act* identifies the mandatory requirements of an Emergency Planning Program for all municipalities across the province. Accordingly, on December 6, 2004 Council adopted the City's Emergency Planning Program and related Emergency Plan. This program includes:

- Regular training and exercises for staff and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;

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- Public education on risks to public safety and on public emergency preparedness;
- The identification and assessment of the various hazards and risks to public safety that could give rise to an emergency; and
- The identification of facilities and infrastructure that are at risk of being affected by emergencies included those related to severe weather occurrences.

The Severe Storms Emergency Sub-Plan is a component of the City's overall Emergency Plan. The purpose of this sub-plan is to support the City's Emergency Plan by providing the procedures to be followed in the event of warning and impacts of a severe storm emergency affecting the City. Severe storms may include tornadoes, hurricanes, severe thunderstorms, hail, blizzards, high winds, heavy snow, snow squalls, and heavy rain causing flooding.

The Manager of Emergency Planning in collaboration with the Emergency Planning Working Group is responsible for annually reviewing and revising all City Emergency Plans (including the Severe Storms Sub-Plan) and Procedures as necessary. The Emergency Management Program Committee is responsible for issuing final approval of all revisions to the City's Emergency Plans and Procedures. In addition, the Emergency Management Team is required to participate in annual Emergency Plans and Procedures exercises and training.

The preliminary findings of the Phase 1 Drainage Study will prove to be useful information for a number of applicable City Emergency Plans and Procedures, which more specifically deal with the following emergency related tasks:

- implementation of protective measures;
- issuing evacuation orders or precautionary information to staff and the public;
- identifying and blocking dangerous public travel routes; and
- identifying alternate travel routes.

Accordingly, it is recommended that the conclusions and recommendations of the City-Wide Drainage and Storm Water Management Criteria Study be used to enhance and inform all applicable City Emergency Plans and Procedures.

Other Applicable Programs & Initiatives

Staff will be participating in a Municipal Storm Water Management and Urban Flooding Survey as organized by the Ministry of the Environment. This survey will inform the following current provincial government initiatives:

- The Ministry of the Environment is undertaking a review of municipal storm water management in light of climate change; and
- The Ministries of Natural Resources & Municipal Affairs and Housing are currently undertaking a review of urban flooding in Ontario, the degree to which it is a problem, and what strategies might be put in place to better manage this risk.

It is anticipated that the outcome of the above noted provincial initiatives will assist all municipalities in the future.

Toronto and Region Conservation Authority Flood Contingency Plan:

The responsibility for dealing with flood contingency planning in Ontario is shared by municipalities, conservation authorities and the Ministry of Natural Resources on behalf of the province. Accordingly, the Toronto and Region Conservation Authority in cooperation with all

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Greater Toronto Area conservation authorities have developed a Flood Forecasting and Warning Service for municipalities and residents within their collective watersheds and along the shorelines of Lake Ontario and Georgian Bay. The purpose of this service is to reduce risk to life and damage to property by providing local municipalities, agencies and the public with notice, information and advice so that they can respond to potential flooding and flood related emergencies. This service is accompanied with a Flood Contingency Plan which is intended for all public officials and agency staff likely to play a role in flood warning, mitigation, or emergency relief.

Municipalities carry the primary responsibility and authority for response to flooding and flood emergencies such that the welfare of residents and property is protected. In addition, conservation authorities maintain the following responsibilities related to flooding and flood emergencies:

- Monitor watershed and weather conditions;
- Operate a Flood Forecasting System to provide warning of anticipated or actual flood conditions;
- Issue High Water Safety, Flood Advisory and Flood Warning bulletins;
- Operate dams and flood control structures to reduce the effects of flooding;
- Provide advice to municipalities in preventing or reducing the effects of flooding; and
- Maintain communications with municipalities and the Ministry of Natural Resources during a flood emergency.

The City's Emergency Operations Centre is designed to accommodate external experts as required. If necessary, representatives from the Toronto and Region Conservation Authority or the Ministry of Natural Resources can be requested to mobilize such that on-site expertise is available within the City's Emergency Operations Centre.

York Region Police Community Alert Program:

York Regional Police currently run a Community Alert Program. Residents can easily sign up on-line for this service. The program allows York Regional Police to notify residents and businesses by telephone and email about community safety matters in their area. The system is also used to alert citizens in the event of an emergency, including flooding or flood related emergencies.

Routine Operation & Maintenance of The Storm Drainage System

Based on a recent analysis of the available geographic information systems database, the City's current inventory of storm sewers and related infrastructure includes approximately:

- 900 kilometers of storm sewers;
- 1,800 kilometers of roadways (inclusive of Regional Roads);
- 12,300 storm sewer maintenance holes;
- 19,300 catch basins
- 33,000 storm sewer pipe segments (between maintenance holes);
- 72 assumed storm water management ponds, with approximately 50 additional new ponds to be constructed and/or assumed in the near future; and
- Numerous other drainage facilities such as culverts and engineered and natural channels.

In order to ensure the City's existing storm drainage system continues to operate as designed and as efficiently as possible, the Public Works Department's annual storm sewer and storm water management pond maintenance program includes the following routine activities:

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- Catch basin cleaning;
- Street cleaning along the curb line and gutters of municipal roadways to remove excess debris and reduce the probability of clogging of catch basin grates;
- Inspection and cleaning of storm water management pond inlet and outlet structures;
- Replacement of broken catch basin grates with newer shaped units less susceptible to clogging; and
- Sewer inspection.

The current level of funding does not allow the City to clean all catch basins on an annual basis. In order to achieve this, allocation of additional funding is required in future Operating Budgets to provide for a higher level of catch basin maintenance.

Ensuring catch basin grates are kept free and clear of miscellaneous debris along City streets and within rear yards (in the case of rear yard catch basins), is very important in reducing the amount of overland flow and potential for excessive water ponding on streets and within rear yards during heavy rainstorm events. There are simple steps which can be taken by homeowners in support of this cause both within local roadways and rear yards.

Generally, rear yard catch basins are the responsibility of the individual land owner, accordingly the City does not secure easements for operation and maintenance of these storm drainage system features. The grading of residential lots surrounding a rear yard catch basin is also critical in ensuring the overall drainage system functions as designed. Rear yard drainage swales leading to catch basins are often inadvertently obstructed or altered by homeowners.

Accordingly, it is recommended that educational material on the importance of keeping catch basin grates free and clear of debris or other potential obstructions be included in the next regular publication of the Public Works Newsletter and Waste Collection Schedule, and on the City's website.

Relationship to Vaughan Vision 2020

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

- Enhancing and ensuring Community Safety, Health and Wellness;
- The pursuance of excellence in service delivery;
- Demonstrating leadership initiatives, promoting environmental and financial sustainability;
- Effective governance;
- Enhancing productivity, cost effectiveness and innovation;
- Maintaining assets and infrastructure; and
- Planning and managing growth, and economic vitality.

More specifically, Strategic Initiative No. 17 provides the following mandate:

“A review of the Engineering Department’s design criteria and strategy for storm drainage and storm water management facilities to reflect climate changes, emerging legislation, and protection from significant flooding.”

The conclusions and recommendations of the City-Wide Drainage and Storm Water Management Criteria Study, in association with other related on-going initiatives and Capital Studies as described within this report, will ensure the successful completion of this initiative.

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

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Regional Implications

There are no immediate Regional implications resulting from the adoption of this report.

Conclusion

City-wide storm drainage system mapping and preliminary flooding analysis data has now been compiled with the completion of the first phase of the City-Wide Drainage and Storm Water Management Criteria Study. This study will inform and enhance the City's Emergency Plans and Procedures, the Engineering Standards Design Criteria and other on-going related Capital Studies.

Future study phases will be required to expand the drainage system databases, address data gaps and work towards the creation of refined data sets that can be used in site specific and more detailed evaluation. Funding for the second phase of the City-Wide Drainage Study has been approved in the 2009 Capital Budget. This Study will expand upon the Phase 1 work and include additional detailed analysis of key interest areas throughout the City.

Attachments

N/A

Report prepared by:

Saad Yousaf, Storm Drainage Engineer, Ext. 8251
Michael Frieri, Development Supervisor, Engineering Planning & Studies, Ext. 8729

CITY OF VAUGHAN

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Item 20, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

20

ADMINISTRATIVE PENALTIES

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services & City Solicitor and the Director of Enforcement Services, dated June 2, 2009:

Recommendation

The Commissioner of Legal and Administrative Services & City Solicitor and the Director of Enforcement Services recommend that a by-law be enacted to amend the Licensing By-law substantially in the form attached hereto.

Economic Impact

There is no economic impact as a result of this report

Communications Plan

Public notice has been given in accordance with Notice By-law 394-2002.

Purpose

The purpose of this report is to provide an opportunity for public comment concerning the creation of a system of administrative penalties for licensing matters.

Background - Analysis and Options

On April 14, 2009, Council directed Staff to implement a system of administrative penalties for licensing and parking matters, and that appropriate public notice of the proposed by-law amendments be provided prior to the summer hiatus. Further to this direction, Staff provided public notice of the proposed Licensing By-law amendments pursuant to Notice By-law 394-2002. The attached By-law will amend the Licensing By-law to create a system of administrative penalties for licensing matters. This draft has minor housekeeping amendments in comparison to the draft by-law before Council on April 14, 2009. By-laws creating a system of administrative penalties for parking matters and creating the positions of Screening Officer and Hearings Officer will be brought to Council prior to the summer hiatus.

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

As the Region operates the Courts used by the City to prosecute our Licensing By-law matters, they will be involved in the re-allocation of court time.

Conclusion

Further to Council direction, staff provided public notice pursuant to Notice By-law 394-2002 so as to provide opportunity for public comment regarding the creation of a system of administrative penalties for licensing matters. The attached by-law will amend the Licensing By-law to create such a system.

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Attachments

1. Draft Licensing By-law Amendment

Report prepared by:

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.)

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Item 21, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

21 FENCE HEIGHT EXEMPTION - 99 DAVIDSON DRIVE – WARD 2

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Enforcement Services, dated June 2, 2009:

Recommendation

The Director of Enforcement Services recommends:

- 1) That the fences height application at 99 Davidson Drive be denied, with the exception of the fencing surrounding the elevated deck.

Economic Impact

Nil

Communication Plan

Not applicable.

Purpose

This report is to provide additional information and a resolution to the Fence Height application at 99 Davidson.

Background - Analysis and Options

The owners of 99 Davidson Drive have applied for a fence height exemption. The matter was deferred pending the resolution of issues with respect to the fencing and grading on the west and east sides of their property. At this point there is no resolution to the concerns at the west side of the property.

Councillor Carella has met with the owners of the property to the east, 91 Davidson Drive, and determined that they have no objection at present to a semi-enclosed deck at the rear of 99 Davidson Drive. They have expressed a concern that any new fence that may run along the common property line may be erected excess of the six feet (6') mandated by the by-law.

They therefore request that any fence not be any higher than six feet (6') above the current grade for the entire length of the abutting property, commencing at the southerly end of the aforementioned deck, and running to the rear property lines fronting onto Wakelin Court.

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

As there are no resolutions to the outstanding issues to the west, and the fence does not exceed 6' on the east side, the fence height application at 99 Davidson Drive should be denied, except for the fencing around the elevated decking abutting 91 Davidson Drive.

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Attachments

1. Letter to the Director of Enforcement Services, from M. De Bartolo and L. Moser, April 16, 2008

Report prepared by:

Tony Thompson

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

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Item 22, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 15, 2009, as follows:

By receiving the following written submissions:

- a) ***Mr. Drazen Bulat, dated June 1, 2009; and***
- b) ***Ms. Ann Grech, dated June 1, 2009.***

22

**SIGN VARIANCE APPLICATION
FILE NO: SV.09-003
OWNER: PINEGROVE ON SEVEN INC.
LOCATION: 5263 HIGHWAY 7
7730 KIPLING AVENUE
7720 KIPLING AVENUE
LOTS 10 TO 13, REGISTERED PLAN 3762
WARD 2**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Sign Variance Committee, dated June 2, 2009, be approved;**
- 2) **That the following deputations be received:**
 - a) **Mr. Kregg Fordyce, on behalf of the applicant; and**
 - b) **Mr. Nick Pinto, President, West Woodbridge Homeowners' Association Inc., 57 Mapes Avenue, Maple, L4L 8R4; and**
- 3) **That the written submission of Ms. Joanna Pogorzelski, Janik Real Estate Developers, 5289 Hwy. 7, Unit 1, Woodbridge, L4L 8P7, dated May 25, 2009, be received.**

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-003, Pinegrove on Seven Inc., be REFUSED.

Economic Impact

None.

Communications Plan

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

Purpose

Request that a Sign Variance be approved authorizing the installation of development signs on existing hoarding of the subject property as shown on the attached drawings.

The following are requested:

- 1) **Ground sign to be setback less than 1.0m from all street lines.**

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- 2) Ground sign to exceed 5.0m in length as shown on the attached drawings.
- 3) Ground sign to be setback less than 1.5m from a common lot boundary with an adjacent lot.
- 4) Ground sign including any part of its structure to be located closer than 1.0m to any driveway.
- 5) The total combined sign face area to be 165 sqm.

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

- 1) 6.5 (a) Ground signs shall be set back a minimum of 1.0m from all street lines.
- 2) 6.5 (b) No ground sign shall exceed 5.0 m in any dimensions of the sign face.
- 3) 6.5 (e) Ground signs shall be setback a minimum of 1.5m from any common lot boundary with an adjacent lot.
- 4) 6.5 (f) A ground sign including any part of its structure shall not be located closer than 1.0m to any driveway
- 5) 12.1 (1) (c) Each builder is permitted a maximum of two (2) signs, with a combined sign face area not to exceed 20.0 sq m.

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

Region of York Engineering approval is required for the proposed signs.

Conclusion

The applicant is proposing to install various development signs on the existing hoarding for the project as shown on the attached drawings. (Total Sign Area 165 sqm.)

Members of the Sign Variance Committee do not support the application. In the Committee's opinion, the size and scale of the proposed signs far exceed the maximums contained within the City's Sign By-Law.

Members of the Sign Variance Committee also note that the property is subject to an Ontario Municipal Board Hearing that is scheduled to commence later this month.

Members of the Committee are of the opinion that the intent and purpose of the City's Sign By-law is not being maintained.

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

Attachments

1. Site Plan
2. Sketch of the Proposed Sign

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Item 22, CW Report No. 32 – Page 3

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 23, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

23

**SIGN VARIANCE APPLICATION
FILE NO: SV.09-005
OWNER: BENTALL RETAIL
LOCATION: 255 BASS PRO MILLS DRIVE
BLOCK 1, REGISTERED PLAN 65M-3696
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated June 2, 2009:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-005, Bentall Retail, be APPROVED as per the revised plans.

Economic Impact

None.

Communications Plan

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

Purpose

Request that a Sign Variance be approved authorizing the installation of a wall sign on the north and south building elevations as shown on the attached plans.

Sign Areas: South – Front Elevation 4.25 sqm. or 45.7 sqft. (As Revised)
North – Back Elevation 7.25 sqm. or 78.0 sqft.

Background - Analysis and Options

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-Law.

Noting the above, where the property is regulated by a site plan agreement approved by the City, only those wall signs and pylon signs approved under the site plan agreement are deemed to be permitted by the City's Sign By-law.

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

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

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Conclusion

Request that a Sign Variance be approved authorizing the installation a wall sign on the north and south building elevations as shown on the attached plans.

Members of the Sign variance Committee have no objections to the application subject to the sign area for the south or front elevation being reduced in accordance with the revised plan that is attached to this report. (Being reduced from 5 sqm to 4.25 sqm.)

Members of the Committee are of the opinion that the intent and purpose of the City's Sign By-Law is being maintained.

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

Attachments

1. Site Plan
2. Proposed Sign for the Front Building Elevation (South)
3. Proposed Sign for the Back Building Elevation (North)

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 24, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

24

**SIGN VARIANCE APPLICATION
FILE NO: SV.09-007
OWNER: 2026919 ONTARIO LTD
LOCATION: 3340 STEELES AVENUE WEST, LOT 1, CONCESSION 5
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated June 2, 2009:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-007, 2026919 Ontario Ltd., be APPROVED.

Economic Impact

None.

Communications Plan

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

Purpose

Request that a Sign Variance be approved authorizing two additional wall signs on each building elevation of the subject building as shown on the attached drawings. Each sign has a sign area of 0.55 sqm. or 6 sqft.

Background - Analysis and Options

6.2 (a) Where a site plan approved by the City provides standards for signage and the signs for the development comply therewith, such signs shall be deemed to comply with this By-Law.

Noting the above, where the property is regulated by a site plan agreement approved by the City, only those wall signs and pylon signs approved under the site plan agreement are deemed to be permitted by the City's Sign By-law.

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

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

Conclusion

The applicant is proposing to install two additional wall signs each having a sign area of 0.55 sqm. on each building elevation as shown on the attached drawings.

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Members of the Sign Variance Committee noted that the proposed signs are relatively small and have little negative impact on the architecture of the building.

Members of the Sign Variance Committee are of the opinion that the intent and purpose of the City's Sign By-law is being maintained.

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

Attachments

1. Site Plan
2. Sketch of Sign (Elevations)

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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Item 25, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 15, 2009, as follows:

By approving the following recommendation in accordance with the memorandum from the Director of Development Planning, dated June 12, 2009:

1. ***That the revised site plan, landscape plan, building elevations, and landscape details plan as shown on Attachments #3 o #7 to this memorandum be approved, to the satisfaction of the Vaughan Development Planning Department.***

25

**SITE DEVELOPMENT FILE DA.08.082
2044632 ONTARIO LTD.
WARD 1**

The Committee of the Whole recommends:

- 1) That a decision on this matter be deferred to the Council meeting of June 15, 2009;
- 2) That staff bring forward a report outlining the concerns, conditions and recommendations expressed by the Maple Streetscape Community Advisory Committee, and that staff consider the comments made by Members of Council;
- 3) That the coloured elevation drawings submitted by the applicant be received; and
- 4) That the following report of the Commissioner of Planning, dated June 2, 2009, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.08.082 (2044632 Ontario Ltd.) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Letter of Undertaking:
 - i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department, Engineering Department and Cultural Services Division, and PowerStream Inc.;
 - ii) the Owner shall provide exterior brick and colour samples to the satisfaction of the Vaughan Cultural Services Division and the Development Planning Department; and,
 - iii) the required variances to implement the proposed development shall be approved by the Committee of Adjustment, and shall be in full force and effect; and,

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- b) that the Letter of Undertaking include the following provision:
- i) “The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent 2% of the value of the subject lands prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands, for the commercial component prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment”.

Economic Impact

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

Communications Plan

N/A

Purpose

To permit the development of the subject lands shown on Attachments #1 and #2, for a three-storey commercial/office building consisting of the following:

- a 322 m² children’s day nursery use on the ground floor and second floor mezzanine level;
- a 376.4 m² business or professional office use on the third floor;
- a 282.8 m² basement storage area associated with the day nursery use; and,
- a 155.6 m² common vestibule area.

The proposed site plan and building elevations are shown on Attachments #3, #5 and #6.

Background - Analysis and Options

Location

The 0.117 ha subject lands are located on the north side of Richmond Street, north of Major Mackenzie Drive, and east of Keele Street, municipally known as 10 Richmond Street, being Lot 11 on Registered Plan 72, in Part of Lot 21, Concession 3, City of Vaughan, as shown on Attachments #1 and #2.

Official Plan and Zoning

The subject lands are designated "Maple Commercial Core Area" by OPA #350 (Maple Community Plan), as amended by OPA #533. The Owner proposes a mixed-use development consisting of a three-storey building for the purposes of a children’s day nursery use and business and professional offices. The proposed site development conforms to the Official Plan.

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(923). The proposed day nursery and business or professional office uses are permitted by the Zoning By-law, however, the following site-specific zoning exceptions are required to implement the proposed site plan:

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	By-law 1-88 C1 Zone Standards (Exception 923)	Proposed Changes to C1 Zone (Exception 923)
Minimum lot frontage	20.0 m	18.5 m
Minimum front yard setback to an Institutional Use (ground floor Day Nursery)	15.0 m	3.0 m
Minimum interior side yard setback to an Institutional Use (ground floor Day Nursery)	15.0 m	0.4 m (east property line) 3.1 m (west property line)
Maximum exterior stairway encroachment	0.3 m	1.0 m
Maximum lot coverage (Institutional Use)	20 %	37.5 %
Maximum gross floor area devoted to commercial uses	250 m ²	1,136.8 m ²
Minimum parking requirement	20 spaces	18 spaces
Minimum barrier free parking space size	3.9 m x 6.0 m	3.9 m x 5.5 m
Minimum landscape buffer strip width abutting a Residential Zone (along north property line)	2.4 m	0.67 m

Many of the zoning exceptions are a result of the size of the existing lot, the requirement for an outdoor play area in association with the proposed day nursery use, and the configuration of the parking spaces required to facilitate the proposed development in an economically viable way. The location of the building closer to the street creates a better urban relationship and a pedestrian-friendly interface between the building and the street, particularly given that the main entrance to the building is directly on Richmond Street.

The reduced yard setbacks adjacent to the commercially zoned properties (C1 Zone) to the east and west are primarily the result of the higher institutional setback standards for the day nursery. Though the proposed landscape buffer strip abutting the Residential Zone along the north property line is 0.67 m in width, whereas By-law 1-88 requires a minimum 2.4 m landscape buffer strip, the proposed building maintains approximately a 26 m setback to the residential lots to the north. As a result, there is minimal impact to the surrounding area.

The proposed reduction to the barrier free parking space length from 6.0 m to 5.5 m is consistent with the 5.5 m regular parking space length currently permitted on the property by By-law Exception 9(923). Under this Exception, a minimum of 20 parking spaces is required based on a commercial floor area of 250 m². The total gross floor area of the proposed development is 1,136.8 m², which includes a 282.8 m² dedicated storage area for the day nursery use on the basement level. The Owner proposes 18 parking spaces located at ground level along the west property line, of which 9 spaces are covered and located within the building envelope and the remaining 9 spaces are open and located at the ground level toward the rear of the property, adjacent to the outdoor play area. The parking configuration creates a stronger urban presence with the building reducing the view of the parking area from the street. The reduction of parking to 18 spaces and proposed gross floor area of 1,136.8 m² will facilitate a more efficient use of the

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lands and infrastructure within the Maple Commercial Area. As a result, the Development Planning Department can support the variances requested, subject to approval by the Vaughan Committee of Adjustment, which must be final and binding, prior to the execution of the Letter of Undertaking.

Site Plan Review

The Development Planning Department is satisfied that the proposed site plan, landscaping plan, and building elevations, as shown on Attachments #3, #4, #5, and #6 are satisfactory, subject to the recommendations of this report.

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

By-law 1-88 Parking Standard Requirements	Required
Day Nursery 1.5 spaces/employee @ 3 employees	5 spaces
Business or Professional Office 3.5 spaces/100m ² GFA @ 376.4m ²	14 spaces
	19 spaces

As noted earlier, the current site-specific zoning exception requires a minimum of 20 parking spaces, whereas the subject proposal requires a minimum of 19 spaces to be provided. The applicant is proposing to provide 18 parking spaces. The Development Planning Department can support this variance since it represents a more efficient use of the lands and infrastructure within the Maple Commercial Core Area and is considered to be minor in nature.

Heritage Vaughan Committee

On October 29, 2008, Heritage Vaughan and the Vaughan Cultural Service Division considered the proposed development in conjunction with the Maple Heritage Conservation District Plan and Design Guidelines. Heritage Vaughan and the Cultural Services Division are satisfied that the site plan and building elevation plans shown on Attachments #3, #5, and #6, are in keeping with the design guidelines set out in the Maple Heritage Conservation District Plan.

Maple Streetscape Community Advisory Committee

The Maple Community Plan requires that development applications have regard for specific sections of the Maple Streetscape and Urban Design Guidelines. On January 28, 2009, the Maple Streetscape Community Advisory Committee considered the proposed development and had no objection to the proposed streetscape treatment within the public realm, which is consistent with the Maple Streetscape and Urban Design Guidelines.

Vaughan Engineering Department

The Vaughan Engineering Department is satisfied with the servicing, grading and stormwater management plans. The Environmental Site Assessment (ESA) Reports have been approved to the satisfaction of the Engineering Department. The Record of Site Condition, under Registration Number 51917, has been filed and the Acknowledgment Letter has been provided by the Ontario Ministry of the Environment.

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Access

Access to the subject property will be by way of a driveway, formerly Cousins Lane, which has been closed by Instrument Number R643990. The Owner of the subject lands, and the Owner of the property west of the subject lands (18 Richmond Street) have each purchased half of the former Cousins Lane right-of-way and have entered into a reciprocal access easement, which has been registered on the title of each property. This minimum 6.0 m wide shared driveway will facilitate two way movement onto the subject property from Richmond Street. The shared driveway will terminate at the north property line by a hammerhead vehicle turnaround.

Sustainability

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

- a) Materials:
 - i) locally sourced and manufactured masonry, concrete and wood products;
 - ii) wherever possible, the application of renewable materials will be utilized;
 - iii) eco-concrete foundations and recycled concrete products;
 - iv) low volatile organic compounds (VOC) built into components and finishing materials (flooring, wall coverings and water based varnishes), which produce fewer off-gasses and are less hazardous to inhabitants;
 - v) energy efficient mechanical systems and components, including a combination furnace, hot water boiler and energy efficient fans; and,
 - vi) reduced CFC-based refrigerants in the HVAC system and halons in the fire suppression equipment.
- b) Stormwater Management:
 - i) water efficient rain water harvester for the building roof run-off. This water is to be piped in from the harvester for use in low-flush toilets and urinals; and,
 - ii) landscaping irrigation from the captured rain (recycled site water).
- c) Building Envelope:
 - i) higher level R-Value windows with solar film and greater air tightness to minimize air leakage.
- d) Site Conditions:
 - i) light pollution reduction to eliminate light trespass from the building and site; and,
 - ii) the storage and collection of recyclables with a specific area dedicated to the storage of recyclable material.

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 Transportation Services Department has no objections to the approval of the development proposal.

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Conclusion

Site Development File DA.08.082 (2044632 Ontario Ltd.) has been reviewed in accordance with OPA #350 (Maple Community Plan), as amended by OPA #533, By-law 1-88, the comments from City Departments and external public agencies, Heritage Vaughan Committee, Maple Streetscape Community Advisory Committee, and the area context. The Development Planning Department is satisfied that the proposed development of a three-storey commercial building consisting of a day nursery use on the ground floor, a second floor mezzanine level, and a business or professional office use on the third floor, 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, subject to the required variances to implement the proposed development being approved by the Vaughan Committee of Adjustment. The variances shall be in full force and effect, prior to the execution of the Letter of Undertaking.

Attachments

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

Report prepared by:

Stephen Lue, Planner, ext. 8210
Carmela Marrelli, Senior 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 JUNE 15, 2009

Item 26, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

26

**SITE DEVELOPMENT FILE DA.09.032
SANTANA DEVELOPMENT INC. C/O METRUS DEVELOPMENTS
WARD 2**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 2, 2009, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.032 (Santana Development Inc. C/O Metrus Developments) 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, signage and landscaping plan shall be approved by the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans, stormwater management report, access, parking and on-site vehicular circulation shall be approved by the Vaughan Engineering Department;
 - iii) the Owners shall register their respective subdivision plans for Files 19T-06V13 (Boca East Investments Limited) and 19T-07V05 (Santana Development Inc.) or respective phase thereof to provide for the necessary municipal services to support the site development; or, alternatively, the Owners shall execute the Letter of Undertaking on the entire subdivision lands and enter into an engineering Development Agreement and any other agreement that is required to be entered into with the City to facilitate the site plan; and,
 - iv) the variance for reduced parking to implement the final site plan shall be approved by the Vaughan Committee of Adjustment, and shall be final and binding.

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 Attachments #1 and #2 with a three storey corporate office (Longo's) and one storey distribution warehouse, as shown on Attachment #3.

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Background - Analysis and Options

Location

The subject lands are located at the southwest corner of Huntington Road and the future Trade Valley Drive, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Prestige Area" along Huntington Road and "Employment Area General" in the interior of the site by OPA #450 (Employment Area Plan), as amended by OPA #631 and the approved Block 64 Plan (Attachment #6). The proposed site development conforms to the Official Plan and is consistent with the Block Plan.

The subject lands are zoned EM1 Prestige Employment Area Zone along Huntington Road and EM2 General Employment Area Zone in the interior of the site as shown on Attachment #2, by By-law 1-88, and further subject to Exceptions 9(1307) and 9(1308), respectively. The proposed development for a three storey corporate office (Longo's) and one storey distribution warehouse complies with By-law 1-88. However, in order to implement the proposed site plan, the following variance to By-law 1-88 is required:

	<u>By-law Requirement</u>	<u>Provided</u>
Minimum Parking Spaces	359	287

The Owner is proposing a total of 287 spaces, whereas, By-law 1-88 requires 359 spaces, resulting in deficiency of 72 parking spaces. The Development Planning Department has no objection to the reduction in parking, as the maximum number of employees within the building at one time (during any of the 3 shifts) will be 245. This includes 180 office employees, 15 commissary (food prep) employees, and 50 employees in the distribution centre. On this basis there will be a surplus of 42 parking spaces, and accordingly, the proposed parking reduction can be supported by the Development Planning Department. The Owner will be required to obtain approval for the above-noted variance from the Vaughan Committee of Adjustment, which shall be final and binding, prior to the execution of the Letter of Undertaking.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan, as shown on Attachments #3, #4 and #5, respectively, and will continue to work with the Owner to finalize the details. The final site plan, building elevations and landscape plan shall be approved to the satisfaction of the Development Planning Department

Servicing/External Agencies/Utilities

The applicant has submitted a site servicing and grading plan along with a stormwater management report for the review and approval of the Vaughan Engineering Department, in consultation with the Region of York Transportation Services Department and the Toronto and Region Conservation Authority (TRCA). The final site servicing, grading and stormwater management plans shall be approved to the satisfaction of the Vaughan Engineering Department.

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

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Block Plan

The subject lands are located within the approved Block 64 Plan as shown on Attachment #6. The block plan shows an approved north/south road (future Hunter Valley Road) along the western property line, which will connect north to Rutherford Road and south to Langstaff Road and an approved east/west road (future Trade Valley Drive) along the northern property line, which will connect east to Huntington Road and west to Regional Road 50.

The resolution of Council on June 19, 2006, to approve the Block Plan was subject to several outstanding block plan matters with respect to: stormwater management pond construction; development phasing; transportation and traffic/access; environment; geotechnical/hydrological; urban design guidelines; and, a landscape master plan, being resolved through the submission of documents and plans as part of the individual subdivision/site development application(s) to the satisfaction of the City of Vaughan and other appropriate public agencies.

In accordance with Council's resolution, two related draft plan of subdivision applications were submitted: Files 19T-06V13 and 19T-07V05 (Boca East Investments Limited, and Santana Development Inc), both of which received draft plan approval by Vaughan Council on June 18, 2007 and June 16, 2008, respectively.

The final subdivision plans for the related approved Draft Plan of Subdivision Files 19T-06V13 and 19T-07V05, have not been registered and as such, the industrial blocks and roads (Hunter Valley Road and Trade Valley Drive) have not been legally created. The Owners are working towards fulfilling the conditions of draft plan of subdivision approval and must first register the respective subdivision plans, or phase thereof, to provide for the necessary municipal services to support the site development, prior to the execution of the Letter of Undertaking, to the satisfaction of the Development Planning Department.

However, if the processing of the site plan is determined to be well ahead of the registration of the subdivision plans, or phase thereof, the Site Plan Letter of Undertaking can be executed on the entire subdivision lands (Attachment #7) together with the requirement for the Owners to enter into an engineering Development Agreement and any other agreement that is required to be entered into with the City to facilitate the site plan, to the satisfaction of the Vaughan Development Planning and Engineering Departments.

Sustainability

The applicant has advised that the following sustainable building and site design features will be incorporated into the proposed development:

- i) Heat Island Effect, Roof: A white roof having a high Solar Reflectance Index (SRI) will be utilized.
- ii) Construction Waste Management: As much waste as possible will be recycled rather than being diverted to a landfill.
- iii) Recycled Content: Most of the building materials used include recycled content.
- iv) Regional Materials: Wherever possible, materials used will be extracted and manufactured Regionally.
- v) Water Efficient Landscaping: Planting selected will reduce or eliminate the need for irrigation.
- vi) Ozone Protection: All air conditioning and refrigeration systems will employ CFC-free refrigerants.
- vii) Carbon Dioxide Monitoring: Ventilation controls will be provided to limit CO2 levels.

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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 Transportation Services Department has been circulated the application for their consideration.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #450, OPA #631, the Block 64 Plan, By-law 1-88, and the area context. The Vaughan Development Planning Department is satisfied that the proposed development for a three storey corporate office (Longo’s) and one storey distribution warehouse is appropriate and compatible with the planned and permitted uses in the emerging employment area. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report, including the registration of the related subdivision plans or phases thereof to provide for the necessary municipal services to support the site development for Files 19T-06V13 (Boca East Investments Limited) and 19T-07V05 (Santana Development Inc.), or alternatively, if the processing of the site plan is well ahead of the registration of the subdivision plans, or phase thereof, the Site Plan Letter of Undertaking can be executed on the entire subdivision lands together with the requirement for the Owners to enter into an engineering Development Agreement and any other agreement that is required to be entered into with the City to facilitate the site plan, to the satisfaction of the Vaughan Development Planning and Engineering Departments.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Elevations
5. Landscape Plan
6. Approved Block 64 Plan
7. Approved Subdivisions 19T-06V13 and 19T-07V05

Report prepared by:

Christina Napoli, Planner, ext. 8483
Carmela Marrelli, Senior Planner, ext. 8791
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.)

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 27, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

27

**SITE DEVELOPMENT FILE DA.09.007
RUTHERFORD CONTWO INVESTMENTS LIMITED
WARD 4**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 2, 2009, be approved; and
- 2) That the coloured elevation drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.007 (Rutherford Contwo Investments Limited) 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;
 - ii) the final site grading, servicing, and storm water management plans shall be approved by the Vaughan Engineering Department; and,
 - iii) the zoning variances identified in this report be eliminated by the applicant to the satisfaction of the Vaughan Development Planning Department, or alternatively, the required variances shall be approved by the Committee of Adjustment and shall be final and binding.

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 Attachments #1 and #2 with 79 street townhouse dwelling units within 16 townhouse blocks (Blocks 169 -171, 180 -190 and 192 -193 inclusive) as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands are located southeast of Rutherford Road and Dufferin Street, specifically on Balsamwood Road (Blocks 169 - 171), Pleasant Ridge Avenue (Blocks 180 - 182), Mintwood Road (Blocks 183 - 186 and 192) and Mary Ellen Baker Court (Blocks 187 - 189 and 193) in Part of Lot 15, Concession 2, City of Vaughan. The surrounding land uses are shown on Attachment #2.

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Official Plan and Zoning

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

The property is currently zoned RVM1 (WS-A) Residential Urban Village Multiple Zone One by By-law 1-88, subject to Exception 9(1063), which permits the proposed street townhouse use. However, certain zoning variances have been identified which are discussed later in this report.

Site History

On June 26, 2006, Vaughan Council approved Draft Plan of Subdivision File 19T-05V06 (Rutherford Contwo Investments Limited) to permit the development of 312 residential units consisting of 194 single detached dwellings units, 70 semi-detached dwelling units and 48 street townhouse units. Prior to the Plan of Subdivision being registered, the unit type distribution was changed to reflect the following: 316 residential units consisting of 135 single detached dwellings, 52 semi-detached dwellings and 129 street townhouse units. The above-noted Plan of Subdivision was registered as Plan 65M-4126 on April 27, 2009, and facilitates the subject 16 blocks for 79 street townhouse dwelling units.

Site Plan Review

A typical site plan layout, building elevations and landscape plan for Block 170 are shown on Attachments #4, #5 and #6, respectively. The Vaughan Building Standards Department has advised that there are zoning deficiencies respecting the proposed height of 11 dwellings, the proposed height of a rear retaining wall in Block 192, the proposed front yard setback to the garage in Block 185, and the proposed interior side yard setback in Block 186. The maximum building height permitted under By-law 1-88 is 9.5 m, whereas proposed building heights range up to 9.75 m. The maximum retaining wall height permitted under By-law 1-88 is 1.0 m, whereas the proposed retaining wall height is 1.1 m. The minimum front yard setback from a garage permitted under By-law 1-88 is 6.0 m, whereas 5.55 m has been proposed. The minimum spacing between two dwellings under By-law 1-88 is 0.9 m, whereas less than that has been proposed.

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, landscaping plan and building elevations as shown on Attachments #3 to #6 inclusive. The Development Planning Department is of the opinion that these zoning variances are minor in nature, and the applicant has shown a willingness to revise the site plan and building elevations to address these zoning variances. Therefore, the Development Planning Department will continue to work with the applicant to finalize the plans and eliminate the zoning variances, to the satisfaction of the Department. Alternatively, if the zoning variances cannot be addressed, the applicant will be required to submit a Minor Variance Application for approval by the Vaughan Committee of Adjustment.

Servicing

The applicant has submitted site servicing, grading and stormwater 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:

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- i) High Efficiency Furnace;
- ii) High Efficiency Air Conditioner;
- iii) Energy Star Rated Appliances;
- iv) Low Flow Shower Head;
- v) Low E- Argon Windows; and,
- vi) Environmentally-friendly Drainage Membrane adjacent to the foundation wall (recycled plastic), which stops soil erosion.

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.09.007 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 of 79 street townhouse dwelling units is appropriate and compatible with the existing and permitted uses in the surrounding area, and with the lotting in the approved Plan of Subdivision. Accordingly, the Development Planning Department can support the approval of the Site Development Application. Development Planning Staff will continue to work with the applicant to finalize the plans and eliminate the zoning variances identified in this report, to the satisfaction of the Department.

Attachments

1. Context Location Map
2. Location Map
3. Overall Site Plan
4. Typical Site Plan - Block 170
5. Typical Elevation Plan - Block 170
6. Typical Landscape Plan - Block 170

Report prepared by:

Morgan Jones, Planner 1, ext. 8216
Carmela Marrelli, Senior Planner, ext. 8791
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 JUNE 15, 2009

Item 28, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

28

**STREET NAME APPROVAL
DRAFT PLAN OF SUBDIVISION FILE 19T-06V13
BOCA EAST INVESTMENTS LIMITED
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 2, 2009:

Recommendation

The Commissioner of Planning recommends:

THAT the following street names for approved Draft Plan of Subdivision File 19T-06V13 (Boca East Investments Limited) as shown on Attachment #3, BE APPROVED:

<u>STREET</u>	<u>PROPOSED NAME</u>
Street 'A'	Hunter's Valley Road
Street 'B'	Trade Valley Drive
Street 'C'	Canar Gate

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 Attachments #1 and #2 are located on the east side of Regional Road 50, south of Rutherford Road, in Lots 13-15, Concession 10, City of Vaughan.

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

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

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

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

Conclusion

The Development Planning Department has no objection with the proposed street names for approved draft plan of subdivision 19T-06V13.

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Attachments

1. Context Location Map
2. Location Map
3. Draft Plan of Subdivision 19T-06V13

Report prepared by:

Jack McAllister, Senior GIS Technician, ext. 8209
Carmela Marrelli, Senior 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.)

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Item 29, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 15, 2009, as follows:

By receiving the memoranda from the Commissioner of Planning, dated June 9 and June 12, 2009; and

By receiving the written submission from Danielle and Alan Morris, 44 Thornway Avenue, Thornhill, L4J 7R8, dated June 11, 2009.

**29 ZONING BY-LAW AMENDMENT FILE Z.08.019
KRCMAR PROPERTIES INC.
WARD 4**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 2, 2009, be approved;
- 2) That the applicant be requested to continue to work with the residents in the neighbourhood to maintain a cordial relationship and to address the concerns identified;
- 3) That the following deputations be received:
 - a) Mr. Alan Young, Weston Consulting Group Inc., on behalf of the applicant; and
 - b) Ms. Danielle Morris, 44 Thornway Avenue, Thornhill, L4J 7R8; and
- 4) That the written submissions of Alex and Virginia Argyrides, 24 Parsons Place, Thornhill, L4J 7B2, dated May 28, 2009 and May 30, 2009, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.019 (Krcmar Properties Inc.) BE APPROVED, specifically to amend the C1 Restricted Commercial Zone of By-law 1-88 as amended by Exception 9(1292) to permit a "Regulated Health Professional" use on the subject lands shown on Attachment #2, and to provide the following additional site-specific zoning exceptions to recognize the existing as-built site conditions shown on Attachment #3:

	By-law Standard	By-law 1-88 Requirements as Amended by Exception 9(1292)	Proposed Exceptions to C1 Zone of By-law 1-88 as Amended by Exception 9(1292)
a.	Minimum width of a landscape buffer where a Commercial Zone abuts a Residential Zone (east)	2.4m	2.36m
b.	Minimum width of landscape strip along a lot line which abuts a street line (Centre Street)	1.04m to 6.0m	0.0m to 6.0m

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c.	Use of required landscaped area abutting a street line	A strip of land shall be provided along a lot line which abuts a street line, and shall be used for no purpose other than landscaping.	Permit stairs in the strip of land along a lot line which abuts a street line.
d	Minimum interior side yard setback to an accessory building (east)	3.55m	3.46m
e	Minimum number of parking spaces required	Minimum 55 spaces based on Business or Professional Office uses only (ie. no Regulated Health Professional)	Propose a ratio for a Business or Professional Office use of: 3.2 spaces/100m ² of GFA and, Regulated Health Professional use of: 5.0 parking spaces/practitioner, or the (new) parking standard identified in the City's Comprehensive Zoning By-law, whichever is lesser
f	Regulated Health Professional Use	Not Permitted	Permit a Regulated Health Professional Use

2. THAT the implementing Zoning By-law include the following site-specific definition for a "Regulated Health Professional":

"Means a person registered under the Regulated Health Professions Act, S.O. 1991, C.18, or as a drugless practitioner under the Drugless Practitioners Act, R.S.O. 1990, C.D.18 including: Audiologists, Chiropractors, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Physicians, Physiotherapists, Podiatrists, Psychologists, Respiratory Therapists, and Speech Language Pathologists."

Economic Impact

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

Communications Plan

On April 11, 2008, a Notice of Public meeting was circulated to all property owners within 120m of the subject lands, and to the Brownridge Ratepayers Association. At the May 5, 2008 Public Meeting, area residents expressed concerns with respect to the proposed Regulated Health Professional use, as discussed later in this report.

On May 21, 2009, the Development Planning Department notified those individuals requesting notice of the subject Committee of the Whole meeting, by way of mail. Those notified included all homeowners on Parsons Place, and the six homeowners that back onto the subject lands on Thornway Avenue to the east.

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Purpose

The Owner has submitted a Zoning By-law Amendment Application on the subject lands shown on Attachment #2, specifically to amend the C1 Restricted Commercial Zone requirements of By-law 1-88, as amended by Exception 9(1292), to permit a “Regulated Health Professional” use within the existing 3-storey business or professional office building shown on Attachment #3, and to provide additional site-specific zoning exceptions to recognize the existing as-built site conditions.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2, are located east of Dufferin Street, on the south side of Centre Street and north side of Parsons Place, municipally known as 1137 Centre Street, in Part of Lot 5, Concession 2, City of Vaughan. The surrounding land uses are shown on Attachment #2.

A three-storey office building (1,712.76m²) has been recently constructed on the subject lands as shown on Attachment #3, and most of the site works have been completed. This development was originally reviewed through Zoning By-law Amendment and Site Development Files Z.03.104 and DA.03.080, respectively, which proposed to rezone the subject lands from A Agricultural Zone to C1 Restricted Commercial Zone and to facilitate the 3-storey office building. These files were appealed by the Applicant and were subject to an Ontario Municipal Board Hearing that resulted in a Business or Professional Office use being approved on the subject lands on July 10, 2007, which specifically excluded a Regulated Health Professional use, given the higher parking standard for this use. The implementing Site Plan Agreement was registered on August 20, 2007.

In 2008, the Owner submitted a Minor Variance Application (File A058/08) to the Vaughan Committee of Adjustment to permit a “Regulated Health Professional” use on the subject lands. On March 13, 2008, the Committee of Adjustment refused the application on the basis that the use was not considered minor in nature, and recommended that this matter proceed by way of a Zoning By-law Amendment application. On April 2, 2008, the applicant appealed the Committee of Adjustment’s refusal of File A058/08 to the Ontario Municipal Board. Earlier, on March 25, 2008, the Applicant submitted the subject Zoning By-law Amendment Application (File Z.08.019). To date, the appeal of the Minor Variance Application to the Ontario Municipal Board is still active and pending the disposition of this Zoning By-law Amendment Application (File Z.08.019).

Public Meeting

The following concerns were raised by area residents at the Public Meeting held on May 5, 2008, respecting the subject Zoning By-law Amendment File Z.08.019:

- a) concerns respecting the hours of operation and no 24 hour activity on-site; the residents do not have any issues with a 9:00 am - 5:00 pm operation;
- b) the potential for parking to become an issue if a medical clinic is introduced as a use on the subject lands causing spillover parking onto Parsons Place;
- c) concerns with medical waste in the community and the storage of chemicals and drugs on the site;
- d) the need for the Regulated Health Professional use has not been demonstrated within the area. There are other buildings in the vicinity that are vacant and could facilitate medical practitioners; and,

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- e) clarification is required as to whether the intended use is for a medical clinic or a doctor's office.

In April of 2008, the applicant met with the local residents on a number of occasions, in an attempt to address their concerns respecting the proposed Regulated Health Professional use. To address their concerns, the following changes to the approved site plan will be undertaken and/or have been implemented by the applicant:

- a) exterior light posts have been installed and are located behind large trees to minimize the impact on the adjacent lands;
- b) lights and video surveillance are provided in the parking area addressing safety concerns;
- c) additional landscaping has been included within the Parsons Place municipal boulevard;
- d) the landscape berm and the number of coniferous trees planted in the landscape buffer at the rear of the subject lands have been increased and larger caliper trees have been planted to provide residents living along Parsons Place with more privacy;
- e) the Applicant is replacing the originally approved 3' high fence with a 6' high decorative iron fence along Parsons Place; and, will restore and/or recondition the existing wood privacy fence along the east property line, which includes replacing panels and boards;
- f) the external rear walkway leading to the subject lands from the Parsons Place right-of-way and the rear entrance gate to the subject lands have been eliminated. Instead, the Applicant will provide a private walkway from 55 Parsons Place, being the Krcmar residence, directly to 1137 Centre Street to allow for access between the two private properties;
- g) the lower half of the third floor windows located on the east and west elevations have been frosted to address the privacy issues of the abutting residents to the east on Thornway Avenue and to the west on Parsons Place;
- h) sixteen smaller roof-top air conditioners have been provided as opposed to one large unit in an effort to reduce noise and vibration impacts;
- i) the Owner retained Octagon Medical Services Limited, a licensed medical waste disposal service provider, to review and oversee the storage and removal of medical waste from the subject lands;
- j) the Owner will require that employees of the Regulated Health Professional and Business or Professional Office uses, and Krcmar surveyors office, be directed to park their vehicles on the south side of the building towards the rear of the lot after office hours and during the weekends, whereas visitors/patients will be directed to park on the north side of the building adjacent to Centre Street during business hours of operation;
- k) the Owner has agreed to limit hours of operation for the public to 8:00 AM to 9:00 PM on weekdays and 8:00 AM to 1:00 PM on weekends and regulate the site signage through leasing agreements;

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- l) the definition of a Regulated Health Professional will exclude the following uses: emergency service medical uses, walk-in medical clinic, massage therapist, medical laboratory technologist, medical laboratory, x-ray or other diagnostic clinic, body rub parlour accessory to a permitted Regulated Health Professional office, veterinarian, animal hospital, public clinic operated by or directly funded by a government agency or non-profit institution, and a pharmacy.

All of the above noted issues, except for the definition of a Regulated Health Professional use are site plan issues that are more appropriately addressed through the Site Development approval process. The Applicant has submitted a Site Development Application, File DA.09.019 (Krcmar Properties Inc.) to amend the existing Site Plan Agreement (which was approved by the Ontario Municipal Board), to address the minor changes to the site as a result of the construction process and the issues noted, which can be reviewed and approved to the satisfaction of the Development Planning Department as a Minor Amendment to the existing Site Plan Agreement.

With respect to controlling the hours of operation noted in "(k)" above, the applicant will be including the identified hours of operation in their lease agreements with their tenants. The Vaughan Development Planning Department will also be including the identified hours in the implementing Site Plan Letter of Undertaking and registering this document on title to ensure such hours are clearly stated, recognized and abided by all occupants of this building (both Owner and Tenants).

Official Plan

The subject lands are designated "General Commercial" by OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #256. The proposal conforms to the Official Plan.

Zoning

- a) Regulated Health Professional Use

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to site-specific Exception 9(1292). The C1 Restricted Commercial Zone permits a Business or Professional Office use as-of-right, which normally includes a Regulated Health Professional use, as defined in By-law 1-88. However, through the OMB's approval of Zoning By-law Amendment Application Z.03.104 on July 10, 2007, site-specific Exception 9(1292) removed the Regulated Health Professional use as a permitted use within a Business or Professional Office, given the higher parking standard for a Regulated Health Professional Use. As the entire building was going to be used for a surveyors office only, the Regulated Health Professional use was eliminated. Through the recent as-built changes to the site, the number of parking spaces has increased from 55 to 66 spaces.

By-law 1-88 currently defines a "Regulated Health Professional" use as follows:

"Means a person registered under the Regulated Health Professions Act, S.O. 1991, C.18, or as a drugless practitioner under the Drugless Practitioners Act, R.S.O. 1990, C.D. 18 including: Audiologists, Chiropodists, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Massage Therapists, Medical Laboratory Technologists, Medical Radiation Therapists, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Pharmacists, Physicians, Physiotherapists, Podiatrists, Psychologists, Respiratory Therapists, Speech Language Pathologists. A BODY RUB PARLOUR may also be permitted as an accessory use to a REGULATED HEALTH PROFESSIONAL office provided such accessory use does not exceed a maximum of 30% of the total gross floor area of the REGULATED HEALTH PROFESSIONAL office, and provided that the main business access shall only be from an entrance in common with the principal REGULATED HEALTH PROFESSIONAL office."

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The Applicant has agreed to a site-specific definition of a Regulated Health Professional use for the subject lands, as follows:

REGULATED HEALTH PROFESSIONAL – Means a person registered under the Regulated Health Professions Act, S.O. 1991, C. 18, or as a drugless practitioner under the Drugless Practitioners Act, R.S.O. 1990, C.D.18 including: Audiologists, Chiropracists, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Physicians, Physiotherapists, Podiatrists, Psychologists, Respiratory Therapists, and Speech Language Pathologists.

This definition specifically excludes the following list of uses that are permitted within the By-law 1-88 definition for a Regulated Health Professional: Massage Therapists, Medical Laboratory Technologists, Pharmacists, a Body-Rub Parlour accessory to a permitted Regulated Health Professional, and Medical Radiation Therapists. The proposed site-specific definition will be included in the implementing Zoning By-law, if approved.

b) Zoning Exceptions

In addition, site-specific exceptions are required to recognize the existing site conditions on the subject lands, as follows:

	By-law Standard	By-law 1-88 Requirements, as Amended by Exception 9(1292)	Proposed Exceptions to C1 Zone of By-law 1-88 as Amended by Exception 9(1292)
a.	Minimum width of landscape buffer where a Commercial Zones abuts the boundary of lands zoned Residential (east)	2.4m	2.36m
b.	Minimum width of landscape strip along a lot line which abuts a street line	1.04m to 6.0m	0.0m to 6.0m
c.	Use of required landscaped area abutting a street	A strip of land shall be provided along a lot line which abuts a street line, and shall be used for no purpose other than landscaping.	Permit stairs in the strip of land along a lot line which abuts a street line.
d.	Minimum interior side yard setback to an accessory building (east)	3.55m	3.46m
e.	Minimum number of parking spaces required	Minimum 55 spaces based on Business or Professional Office Uses only (ie. no Regulated Health Professional)	Propose a ratio for a Business or Professional Office use of: 3.2 spaces/100m ² of GFA Regulated Health Professional use of: 5.0 parking spaces/practitioner

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The reduction to a very small portion of the landscape strip abutting Centre Street is as a result of paving the area around the man hole that was required for maintenance purposes. The minor reductions to the required 2.4 m wide landscape buffer abutting a Residential Zone (east) and the minimum interior side yard setback to an accessory structure (for survey equipment) along the east property line (Attachment #3) are a result of a slight reconfiguration of the parking area. The stairs located in the landscape buffer adjacent to Centre Street are required for pedestrian access to the site and address a change in grading. The proposed parking standards are discussed in the following section of this report. The Development Planning Department can support these minor zoning exceptions which do not have a significant impact on the approved site plan.

Parking

Exception 9(1292) to By-law 1-88 requires a minimum of 55 parking spaces for the existing Business or Professional Office building, based on a building size of 1,712.76 m², which equates to a parking ratio of 3.2 spaces/100m² of gross floor area. It is being recommended that the minimum required parking for a Business or Professional Office use be stated as a ratio rather than as "a minimum of 55 parking spaces" as originally approved by the OMB.

With the addition of a Regulated Health Professional use on the subject lands, the parking on site will be calculated based on a combination of the ratios approved for the Business or Professional Office use and the By-law 1-88 parking requirement for the proposed Regulated Health Professional use, as follows:

Business or Professional Office Use - 3.2 spaces/100m² of GFA (proposed ratio to be applied as discussed above)

Regulated Health Professional Use - 5 parking spaces/practitioner (current By-law 1-88 standard to be applied)

Using these ratios for calculating parking will allow for a combination of the permitted uses provided the required number of parking spaces can be supplied. Furthermore, the existing site now accommodates 66 parking spaces, an increase of 11 spaces from the minimum parking requirements under Exception 9(1292), as a result of minor changes to the site plan, including the removal of a dead tree adjacent to Centre Street.

Based on the above-noted parking ratios for a Business or Professional Office and Regulated Health Professional uses, and the 66 space parking supply on the property, the chart below indicates that the 3-storey, 1,712.76m² building is currently occupied with 1,119m² of office uses, requiring 36 parking spaces. There is currently 593.76m² of gross floor area (GFA) remaining in the building to be occupied, and 30 parking spaces remaining to be allocated within the parking lot. If for example, the remaining GFA was to be occupied by Regulated Health Professionals only, based on the remaining parking supply (30 spaces), and the 5 spaces/practitioner ratio, 6 Regulated Health Professionals could operate within the building under today's existing situation.

Total Building GFA	1,712.76m ²			
TENANT	BUSINESS	GFA (m²)	FLOOR	Parking @ 3.2/100m² (office)
Krcmar Surveyors Ltd.	Professional Surveying	394m ²	Ground	
eBase Solutions	Technology	142m ²	Ground	
Mark Feigenbaum	Accountant	156m ²	Second	
Raphael Barristers	Lawyers	427m ²	Second	
Totals		1,119m²		35.8 spaces (or 36 rounded-up)

Remaining GFA 593.76m² 30 spaces (available/remaining)
 • 30 remaining spaces @ 5 spaces/practitioner = 6 Regulated Health Practitioners (could be permitted to operate in the building under today's existing situation)

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a) Proposed New City Parking Standards

The Policy Planning Department is currently working on new parking standards for all uses in the City's Comprehensive Zoning By-law 1-88, which is expected to be completed in Fall 2009. The subject lands are located on Centre Street between Dufferin Street and Bathurst Street, which is proposed as a "Community-Scale Intensification Area" in the draft parking study. In this location, the required parking for a Regulated Health Professional is currently proposed as a minimum of 3 parking spaces/100m² GFA to a maximum of 4.5 spaces/100m² GFA. The criteria to determine when the minimum or maximum parking standard can be applied is currently being established by the Policy Planning Department.

Based on the above-noted chart, there is currently 593.76m² GFA remaining to be occupied within the building, and 30 parking spaces to be allocated for use. If for example, the proposed new parking standards for a Regulated Health Professional use were to be applied to the remaining GFA, the following is revealed:

$$\begin{aligned} 593.76\text{m}^2 @ 3 \text{ spaces}/100\text{m}^2 \text{ GFA} &= 18 \text{ spaces (12 surplus)} \\ 593.76\text{m}^2 @ 4.5 \text{ spaces}/100\text{m}^2 \text{ GFA} &= 27 \text{ spaces (3 surplus)} \end{aligned}$$

On this basis, the proposed newer standards would result in sufficient on-site parking that is more reflective of today's mixed use intensification policies compared to the existing parking standards derived 21 years ago in 1988 (ie. By-law 1-88). Accordingly, the Recommendation in this report will suggest the application of the current Regulated Health Professional ratio of "5 spaces/practitioner" until the proposed newer standards and criteria (ie. when the minimum and maximum ratios are applicable) are confirmed and approved by Council. The implementing by-law will include wording that will require "a minimum of 5 parking spaces/practitioner, or the parking standard identified in the City's Comprehensive Zoning By-law, whichever is lesser". This will enable the applicant to later utilize the new parking standards when they come into effect.

Although the "Office" parking standard is also proposed to be reduced, and will range between a minimum of 2 spaces/100m² GFA to a maximum of 3 spaces/100m² GFA in the Parking Standards Review Study, Development Planning Staff are not recommending reducing the parking ratio below the 3.2 spaces/100m² GFA identified in this staff report, as it is reflective of the "minimum 55 space requirement" in the OMB's July 2007 decision as discussed earlier.

Planning Considerations

The site is developed with a freestanding 3-storey office building used for Business or Professional Office uses, and having a gross floor area of 1,712.76m² and an accessory building used for the storage of survey equipment. The introduction of a Regulated Health Professional use on the property is appropriate as this use is normally permitted to locate as-of-right in a Business or Professional Office building under the By-law 1-88 definition for a "Business or Professional Office". The original Zoning By-law Amendment Application (File Z.03.104) excluded a Regulated Health Professional use on the property as discussed earlier, given the parking supply of 55 spaces (Attachment #4), and therefore, this use was not permitted. As a result of minor changes to the site plan, the as-built site condition now includes an additional 11 parking spaces for a total of 66 parking spaces (Attachment #3).

The Development Planning Department is of the opinion that the scoped down definition for the proposed Regulated Health Professional use will result in a use that is compatible with the existing uses on the site and in the surrounding area. The site-specific definition for a Regulated Health Professional use has been modified as identified above to respond to the concerns raised by the residents. The Owner has agreed to this modification and the Development Planning Department has no objection to the revised definition. The uses on the property will be conducted entirely within the building and the parking supply will regulate the number of Business or Professional Office and Regulated Health Professional office uses on the site.

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As a result of the meetings with the local residents, the Owner will be undertaking a number of modifications to their site to ensure the inclusion of the Regulated Health Professional use does not negatively impact the surrounding area. The modifications noted in this report will be addressed through a minor amendment to the existing Site Plan Agreement, to the satisfaction of the Development Planning Department. The implementing Site Plan Letter of Undertaking will be registered on title, and will include the hours of business operation for the site.

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 indicated that they have no comments or objections to the proposed addition of a Regulated Health Professional use on the subject lands, as the appropriateness of the use will be determined by the City.

Conclusion

The Zoning By-law Amendment application has been reviewed in accordance with the policies of OPA #210 (Thornhill-Vaughan Community Plan), the requirements of By-law 1-88, the comments received from City Departments, external public agencies, and residents in the surrounding area. The Development Planning Department is satisfied that the proposal to permit a Regulated Health Professional use as defined in this report, on the subject lands, is appropriate and compatible with the existing office uses on the site and in the context of the surrounding area. Also, the proposed exceptions to the by-law to reflect the existing as-built site conditions are minor and can be supported by the Development Planning Department. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan (2009 As-built Condition)
4. Original Site Plan (OMB Approved – July10, 2007)

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Carmela Marrelli, Senior 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.)

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Item 30, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

30 **KIPLING AVENUE CORRIDOR STUDY**
DRAFT OPA AMENDMENT
FILE: 15.95
WARD 2

The Committee of the Whole recommends:

- 1) **That consideration of the Kipling Avenue Corridor Study be deferred to the Council meeting of June 30, 2009, pending resolution of matters in respect of two deferral areas:**
 1. **8161 and 8171 Kipling Avenue; and**
 2. **Rainbow Creek South Industrial lands;**
- 2) **That staff be directed to meet with the applicants in respect of OP.07.005 and Z.07.036 (CPR Lands) in concert with the Local Councillor, to resolve outstanding issues; and**
- 3) **That the following deputations and written submission be received:**
 - a) **Mr. Alan Young, Weston Consulting Group Inc., on behalf of the applicant;**
 - b) **Mr. Jamie Maynard, 75 William Street, Woodbridge, L4L 2R9;**
 - c) **Mr. Michael T. Larkin, Larkin + Associates, Planning Consultants Inc., 1168 Kingdale Road, Newmarket, L3Y 4W1, on behalf of GM Real Estate Consultants, and written submission dated June 1, 2009; and**
 - d) **Ms. Deb Schulte, 76 Mira Vista Place, Woodbridge, L4H 1K8; and**
- 4) **That the following report of the Commissioner of Planning, dated June 2, 2009, be received.**

Recommendation

The Commissioner of Planning recommends:

1. **THAT the proposed Kipling Avenue Corridor OPA 695, forming Attachment #4 to this Report, BE APPROVED; and,**
2. **THAT Staff be directed to initiate the process to amend the City of Vaughan Zoning By-law 1-88, to implement the new designations in the Kipling Avenue Corridor OPA 695.**

Economic Impact

There is no additional economic impact to the City of Vaughan as the necessary revenues have been allocated and approved. The proposed policy changes will permit additional new assessment to the local tax base.

Communications Plan

Public Consultation

The consultation process included a number of workshops with landowners and local residents. The following is a list of the open houses and workshops held with the community in date sequence:

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- April 4, 2007 – Kick-off meeting;
- May 1 and 2, 2007 - Forum 1. Workshops to develop guiding principles. Concepts developed for the study area during the workshops, were presented and discussed at Community meeting in the evening;
- June 20, 2007 - Public Information Session;
- June 25, 2007 - Workshop and evening community meeting;
- September 25, 2007 - Progress update meeting for both the Kipling Avenue Study and the Woodbridge Heritage Conservation District Study;
- October 30, 2007 - Gatehouse Court Resident Meeting;
- November 22, 2007 - Design workshop for the industrial lands located between Kipling Avenue and Rainbow Creek;
- March 27, 2008 – Kipling Avenue Study Area Public Meeting to present draft study report and Official Plan; and
- October 6, 2008- Public Hearing to present the Study Report and Draft Official Plan Amendment 695 (Kipling Avenue Study Area), to Committee of the Whole and area residents.

Purpose

To present the final Staff report and proposed Official Plan Amendment 695 for the Kipling Avenue Study area for consideration at the Committee of the Whole.

Public Hearing

The Kipling Avenue Study Report and Draft Official Plan Amendment 695 were presented at a Committee of the Whole Public Hearing on October 6, 2008. Generally, the study and Official Plan were well received, and a number of residents from the study area made deputations commending the public consultation process and the final land use vision. The following additional concerns and comments were expressed at the public hearing:

1. Comment:

(i) The representative from Canadian Pacific Railway questioned the northerly access proposed for the north neighbourhood situated in the Rainbow Creek Area. She stated that the access is currently private and used by the industry located in this area.

(ii) A second concern was raised with respect to the designation of a parkette on CPR owned lands (formerly used as a tennis court by the community), located on the east side of Kipling Avenue, just south of the rail crossing. The reasons for designating the lands as a parkette were questioned, given that it is owned by CPR.

Response:

(i) The proposed access and driveway owned by one of the industrial businesses would be required to be developed as a public road in order for the proposed plan to be realized. A developers' group agreement would ensure equitable cost sharing among the

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developers who would be benefiting from this future road. As the access occurs at a railway crossing, it must be built to CPR and City standards. Once the access and road has been constructed and cleared for compliance with these standards, it will be assumed by the City and become a public road.

(ii) Through the study and public consultation process it became clear that additional park land is necessary to serve the increased population proposed by the OPA. The vacant parcel located immediately south of 8085 Kipling Avenue, and on the east side of the street, is ideally situated to serve as a community parkette. The development of the parkette will be conditional upon the City acquiring the lands from CPR.

2. Comment: A resident from Harmonia Crescent objected to the “High Density Residential” proposed for the north neighbourhood of the Rainbow Creek area, stating that the six storey buildings will have a negative impact on the neighbourhood view of the valley lands.

Response: It should be noted that the rear boundary line of the properties backing onto the western edge of the Rainbow Creek Valley, is a minimum of 182 meters from the proposed “High Density Residential” lands. The Rainbow Creek Valley falls between the existing low density neighbourhood in the west, and the proposed High Density Residential Neighbourhood. In addition there is a minimum 10 meter buffer required for development adjacent to valley lands. Given the distance between the houses on Harmonia Crescent and the proposed maximum six storey high density residential, the impact on views should be negligible.

3. Comment: A number of residents from Gatehouse Court opined that the two vacant lots on Gatehouse should be developed as single detached residential lots, in keeping with the established character of the court. They also commented that the vacant lands to the east of Gatehouse, abutting the rear property line of the Gatehouse lots, should also be low density residential because of their close proximity to Gatehouse Court. They voiced concerns that their privacy and views of the valley would be significantly compromised were the lands to be developed with higher density development.

The Planning Consultant for the landowner of the vacant lots on Gatehouse Court and the vacant lands abutting the court to the east, has objected to the “Low Density Residential” designation of the lands. He opined that the lands should be designated “Medium Density Residential”.

Response: Different options had been presented for these lands, however through the public consultation process and further analysis, it became evident that the Gatehouse Court development consisting of 17 single detached residential homes, on a relatively secluded enclave, and north of the Kipling mixed-use main street, should remain “Low Density Residential”, and that the last two lots on the court should be developed with similar single detached residences. Medium Density Residential on the court or on the vacant lands behind it, would change the character of the existing neighbourhood and introduce more traffic at the common access point to the neighbourhood. The residents from Gatehouse Court were active participants in the public consultation process and they have voiced their opinions that the character of the established neighbourhood should be respected.

The Official Plan Amendment proposes “Low Density Residential” for the vacant lots on Gatehouse Court, and the vacant lands to the east of the court. This designation permits single and semi detached units with a maximum 2 storey height (8.5m). There is also an exception provided to permit only single detached residential on the two vacant lots fronting Gatehouse Court. The proposed designation was the result of the consultation

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process and the acknowledgement that the established Gatehouse residential is an isolated enclave within the Study area. It is north of the mixed-use development on Kipling, and off the main street. In the context of the established residential court, the proposed low density residential designation, and exception is appropriate.

4. Comment:

(i) The Lawyer representing the Toronto District Christian High School raised concerns respecting the property boundary line for the proposed park on the fire hall site located at 325 Woodbridge Avenue. The parkland designation included lands which fell in the ownership of the abutting Toronto District Christian High School.

(ii) A second concern was raised respecting the boundary of the “Conservation Lands” designation reflected on the draft OPA 695 land use map.

(iii) In addition, the Toronto District Christian High School (TDCH) submitted a request to purchase the fire hall site from the City of Vaughan, and that the lands be considered for a Performing Arts Centre through a public/private partnership arrangement with the City or by TDCH independently.

Response:

(i) The land ownership for the back portion of the fire hall site was confirmed to be the property of the Toronto District Christian High School as this piece was purchased from the City some time ago. The boundary line for the parcel has been adjusted in the revised OPA mapping to reflect the correct .6 acre area owned by the City.

(ii) Staff have reviewed the “Conservation Land” designation boundary reflected on the land use mapping of the draft OPA document. The division line that had been used was the Toronto and Region Conservation Authority Regulation Line provided by the TRCA. However, staff have revised the land use map, to reflect the “Drainage Tributary” line as the boundary between land use designations. This is in keeping with the previous OPA 240 for the Woodbridge Community. It should be noted that actual conservation land boundaries are established for abutting lands, at the time that a landowner submits a development application. These boundary lines are determined through site walks with the TRCA, City staff, and the landowner, where environmentally sensitive lands are considered according to the current policies of the TRCA and the City, and a staking of the lands is conducted. It should also be noted that the current TRCA mapping for the “Drainage Tributary” designation has been used. Flood line boundaries do vary somewhat over time due to surrounding development, changing weather patterns and river courses.

(iii) Since the fire hall will no longer be needed at this location in future, draft OPA 695 had designated a .6 acre parkette at the fire hall site to augment the parkland provision as required by the proposed increase in residential units. However, in order to further explore the proposal put forward by the Toronto District Christian High School, to consider the sale and joint use of the fire hall lands as a Performing Arts Centre, staff recommends that a deferral from OPA 695 be placed on the lands (see Attachment #3 Deferral Areas). The underlying designation of “Low Density Residential “(OPA #240), will continue to be in effect until such time as the merits of the new proposal are fully considered.

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5. Comment: The Planning Consultant for Canadian Pacific Railway submitted a letter dated October 2, 2008, listing a number of concerns with respect to the proposed policies for the CPR lands in the south portion of the Rainbow Creek development area. The Proponent had submitted a townhouse concept plan, reflecting a row of stacked townhouses with garages located in the front facade, and facing a private lane. The concerns listed by the proponent's Planning Consultant included policies in the draft OPA 695 which precluded stacked townhouses, and the specific nature of the policies included in the Plan.

Response: Initially, the vision for the CPR lands, in the context of the entire Rainbow Creek area, had been to provide a primary roadway access for future residential development. This scenario provided full access from Woodbridge Avenue, and secondary accesses at the north limit, and midway point of the Rainbow Creek development area.

As the applicant had submitted development applications prior to the initiation of the study, the consulting team reviewed and evaluated the merits of the applicant's proposal in the context of the emerging vision for the study area. The stacked townhouse proposal was evaluated in terms of the need for a functional and high quality design, and for its fit within the surrounding land use context, including attractive pedestrian connections. The CPR site is challenged in terms of development area, being 31 metres in width, and as a result, the proposed density for the site raised serious concerns in terms of achieving good urban design objectives in keeping with the vision for the Kipling Avenue area.

City Staff have met several times with the proponent and his Planning Consultant to resolve outstanding issues. Though many issues have been resolved with the submission of a new concept plan by the applicant, others remain with respect to minimum distances provided from the front wall of the proposed stacked townhouses to the CPR east property line, the minimum proposed land area dedicated to the central pedestrian sidewalk and landscaped promenade, the orientation of the proposed units adjacent to Woodbridge Avenue, and other design considerations.

Staff were continuing to confer with the applicant to resolve these remaining issues at the time that the City received correspondence from the Region of York respecting an issue of the re-designation of these lands being considered a conversion of employment lands. The Region has now clarified that the re-designation of the CPR lands, and the industrial condominium units located to the west (350 Woodbridge Avenue), to residential designations in draft OPA 695 is considered a "conversion of employment lands". The Region is therefore asking that the lands be deferred from OPA 695, so that they may be comprehensively studied as part of the detailed review of proposed employment area conversions city-wide, currently underway in the New City Official Plan review (see Attachment #3 Deferral Areas). The new Vaughan Official Plan is slated for completion and adoption by Council by June of 2010. After such time the Official Plan will be reviewed by the Region of York, and we will receive confirmation respecting the question of converting the lands from an employment use. The work completed to date as part of the Kipling Avenue Corridor Study, will be reviewed further at that time. In the interim, these lands will retain their current "Industrial" designation.

Also, because the CPR lands were being considered as part of a concept plan including the rear portion of the "Low Density Residential" lots (7988-8010 Kipling Avenue), and two lots on Burton's Lane (1 and 3 Burton's Lane), located immediately to the east, these lands are also being deferred from OPA 695, until such time as they may be comprehensively planned with the CPR lands. In the interim, the rear portion of the residential lots will retain their "Low Density Residential" designation (OPA 240); and, the Burton's Lane parcels their "Medium Density Residential" designation (OPA 356).

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Other Comments

On January 20/09, the City of Vaughan Policy Planning Department received correspondence from the planning consultant representing the owner of 8161 and 8171 Kipling Avenue, requesting that a concept plan including a high density component, be reviewed for inclusion in the proposed Official Plan. The properties were formerly the subject of an Ontario Municipal Board Hearing at which the owner was permitted a Medium Density Residential designation including four single-family detached dwellings fronting on Kipling Avenue, and 16 semi-detached dwellings located to the rear of the property (Board Order # PL000567 issued March 18, 2008, OPA 520).

While recognizing approved OPA 520, the vision of the proposed Kipling OPA is that of a mid-density mixed-use (maximum height of 3 storeys and a maximum FSI of 1.0) designation for the length of the Kipling Avenue corridor, with the exception of the Kipling/Woodbridge intersection. Given the introduction of this new proposal for higher density, after the completion of the public consultation process, and the statutory Public Hearing, Staff propose to defer 8161 and 8171 Kipling Avenue from OPA 695, in order that any new development applications for these lands can be reviewed through a full public process, with all required accompanying documents (see Attachment #3 Deferral Areas). In the interim, the lands will retain their current “Medium Density Residential” designation under OPA 520.

Background - Analysis and Options

Organization of this Report

This report provides an overview of the planning process undertaken for the Kipling Avenue Study area and the key recommendations of the Consultant’s Study Report. The report also provides a summary of the proposed land use and design policies contained in the proposed OPA.

Location

The study area is located along the Kipling Avenue corridor and adjacent area from Ellerby Square north, to the point where Kipling Avenue begins to bend westerly, including the undeveloped parcel of land on the east side of Kipling Avenue, south of Langstaff Road, between the existing Gatehouse Court subdivision and the Humber River Valley lands. The study area also includes the lands immediately west of the Canadian Pacific Railway spur line.

Existing Uses

The Kipling Avenue Study Area includes several zoning categories as follows: Single Family Detached Residential (R1, R2, and R3), Apartment Dwelling Residential Zone (RM), Street Townhouse Dwelling (RM1), Block Townhouse Dwelling, Apartment Dwelling, Multiple Family Dwelling (RM2), Restricted Industrial Zones (M1), General Industrial Zones (M2), Transportation and Industrial (M3), Restricted Commercial (C1), Local Commercial (C3), Open Space (OS2), and Agriculture – Residential/Commercial/Farming (A).

The Kipling Avenue Study Area presents the following challenges:

- Some of the historic commercial, agricultural, institutional and residential fabric has been lost and the area lacks a distinct identity and character;
- The civic role of the street has been overshadowed by traffic to support the heavy industrial uses, and the railway crossing causing conflict for local residents and businesses;

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- The overall quality of the main street experience is poor;
- There is no organized business or commercial role for the street within a broader context;
- New development and reinvestment is needed within the Study area;
- The scale of current development is not consistent, and in some locations does not suit the size of the street and the heritage fabric; and
- Pedestrian activity is poor due to a general lack of contiguous walking paths, sidewalks, attractive public realm, and uses conducive to pedestrian activity.

The Planning Context

The Study area falls under the jurisdiction of the City of Vaughan, and the Region of York, and is also subject to Provincial Policy. The following Provincial Policies are applicable to the Kipling Avenue Study area:

Provincial Policy Statement (PPS)

The PPS supports efficient land use, a mix of housing types and densities, residential intensification, public transit ridership, and the protection of cultural heritage. The PPS focuses on development within settlement areas and away from sensitive resources. It encourages growth in built up areas by providing opportunity for mixed uses, housing and employment, parks & open spaces, transportation choices and pedestrian movement. Transit corridors within urban areas are identified as key areas for intensification and redevelopment.

Places to Grow Act, 2006

The Places to Grow Act provides a vision and growth plan for the Greater Golden Horseshoe in southern Ontario and is based on a set of principals for guiding decisions on how land is to be developed and public investments are managed. The Places to Grow Act supports the following principals:

- Building compact vibrant neighbourhoods;
- Protect, conserve, enhance and wisely use valuable natural resources such as land, air and water for current and future generations;
- Optimize the use of existing and new infrastructure to support growth in a compact, efficient form;
- Provide for different approaches to managing growth that recognize the diversity of communities; and
- Promote collaboration among all sectors including government, private and non-profit, and community members to achieve the vision.

Ontario Regulation 166/06 (Toronto Region and Conservation Authority)

Ontario Regulation 166/06 "Toronto and Region Conservation Authority (TRCA): Regulation of Development, Interference with Wetland and Alterations to Shorelines and Watercourses" allows TRCA to regulate a broader scope of natural features and activities. The Regulation ensures public safety by minimizing risk to life and property from flooding, erosion of riverbanks and slope instability.

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Lands within the Kipling Avenue Study Area have been identified by TRCA to be located within and/or adjacent to Floodline Protection Areas. This regulation requires development proposals adjacent to natural areas and floodline boundaries to be reviewed by the TRCA for approval and permit.

York Region Official Plan (ROP)

The York Region Official Plan (ROP) is the upper tier planning document, to which the City of Vaughan's planning documents must conform with respect to goals, objectives and policies. The ROP provides the framework for the overall planning structure for the Region, including specific guidance and policies for the urban structure and regionally significant areas relevant to the context of this study, including:

- Directing the majority of growth to the Urban Areas identified in the Regional Structure Plan. The Kipling Avenue area is located within the identified Urban Area;
- Protecting and restoring the Regional Greenlands System as a permanent resource of the Region. The Humber River and the Rainbow Creek corridors are identified as part of the Regional Greenlands System;
- Creating employment opportunities across the Region and reducing the overall levels of travel;
- Providing rapid transit services linking the Regional Centres within the adjacent urban area. Highway 7 immediately south of the Kipling Study Area is identified as a Regional Rapid Transit Corridor; and
- Promoting healthy communities by providing employment opportunities, encouraging the use of public transit, promoting walking, cycling trails, providing a range of housing options, protecting the natural environment and improving community partnerships.

City of Vaughan Official Plan Amendments

The key municipal policies pertaining to the lands within the context of the Kipling Avenue Area Study are the following: Official Plan 356 – Kipling Avenue Official Plan (1991), Official Plan 440 – Woodbridge Core Official Plan (1995), Official Plan 240 – Woodbridge Community Plan (1987).

An important objective of the applicable Official Plans is to: maintain the residential character of Kipling Avenue while providing for some redevelopment opportunities. Lands to the south of the Study Area are designated to permit a mix of residential and commercial uses. Several of the Official Plan policies have been amended to respond to new development in the Kipling Avenue area.

The Study Process

The Study was undertaken by City of Vaughan staff and a leading planning and urban design firm, Office for Urbanism, and their sub-consultants. Initiated in March 2007, the study included a number of public workshops with key stakeholders, including property owners, local residents, the City of Vaughan, TRCA, and local businesses.

Key Elements of the New "Vision: for Kipling Avenue"

The framework for renewal of the Study Area is based on a vision which seeks to emphasize and enhance the scattering of assets that represent it. The objective is to weave them into a connected and cohesive fabric of new buildings and open spaces that are complimentary and that

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can establish a distinct identity for the area. The Kipling Avenue area has the potential to be transformed into a healthy walkable environment that is oriented to the pedestrian, and reflective of the diversity of uses that defines its history and structure. The vision and policy framework build upon established planning principals, municipal, regional and community goals to:

- Develop an improved public realm, consisting of completed trail networks throughout the Study Area, including an improved green streetscape for Kipling Avenue, enhanced landscaping and architecture, improved and safe crossings and connections, animated building uses and landscaped frontages;
- Enhanced open spaces, enhanced mature forest areas and conservation lands, increased park space and connections, the enhancement of existing parks and the Fairgrounds;
- Established pedestrian priority zones in the Area that provide safe circulation and connections, and an enhanced character;
- Increased community services in the form of additional neighbourhood parks and public squares, increased access and use of the river valleys;
- Infill development along Kipling Avenue to strengthen and reinforce the heritage fabric and bring cohesion to the built form;
- Increased mixed residential development to broaden the variety of available housing stock for the community, and foster a diverse and vibrant community. The additional residential units are also intended to support public amenities along Kipling Avenue by providing a critical mass of residents, and to introduce new road access opportunities;
- Improved transportation providing a new multi-modal framework, enhanced rail crossings, increased bus service along Kipling Avenue, increased on-street parking and bike lanes, ultimately enhancing the pedestrian realm and increasing opportunity for alternative sustainable modes of transportation; and
- Increased mixed use development to enhance the commercial and business opportunities for the Area.

Objectives & Principles

The following principles support the Vision, and represent the fundamental objectives to be considered in the decision-making related to all public and private sector initiatives within the Kipling Avenue area:

- i. Foster a Sense of Place – development shall contribute to a defined identity and should be planned as a destination in its own right, defined by a strong pedestrian realm and a healthy mix of uses.
 - This is to be achieved by ensuring the design of streetscapes is consistent and cohesive, and draws upon existing architecture and landscapes; development of pedestrian oriented streets enhancing the public realm; ensuring building design is appropriately scaled to frame public squares; and, a comfortable and a continuous pedestrian environment within an appropriately scaled urban fabric.
- ii. Protect Heritage Resources – all development shall respect the areas heritage assets and contribute to the heritage character.

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- Ensuring the scale and massing of new development respects and contributes to the existing heritage attributes; ensuring that open spaces, green corridors and trail connections are considered part of the area's heritage resources.
- iii. Create a Supportive Transportation Network – design of transportation network shall support a range of users, pedestrians, cyclists, public and private transit vehicles.
- Develop a street network which is well-connected and is supported by public transit to facilitate movement through the corridor while reducing traffic. Ensure new development supports investment in public transit through increased densities where appropriate and efficient design. The streetscape should also be designed to ensure safety of pedestrians, cyclists and vehicles.
- iv. Provide a Mix of Uses – Policies for the Kipling Avenue Area shall encourage a mix of uses to support the community and local economy.
- Establish compatible mixed uses which include residential, commercial and institutional uses; ensure appropriate transition between uses and building types; offer a variety of housing types to accommodate a range of needs variety of demographics, and complimentary range of heights, unit types and sizes.
- v. Enhance Green Environment and Open Space System – enhancement of public and private open spaces, streets, pathways and trails.
- Ensure conservation and connection of green open space corridors (i.e. Humber River and Rainbow Creek Corridor); develop trails and paths throughout the green corridors; and ensure public parks and neighbouring communities are continuous, accessible and well-linked. Establish an open space network allowing for active and passive recreational activity. Ensure the Fairgrounds remain a key open space amenity for the community.
- vi. Achieve a critical mass – achieve population density to support the role and function of the study area as a vibrant neighbourhood.
- Plan and design the area to accommodate the population necessary to sustain amenities, improve public transit and ensure a vibrant street life; foster compact urban form, and provide residents with a variety of amenities within walking distance.

Land Use Recommendations

The land use recommendations arising from the Kipling Avenue Area Study provide the policy basis for an amendment to the Official Plan to guide the renewal of the Kipling Avenue Area. These recommendations are based on the vision, key planning principals, goals, analysis and conclusions outlined in the Study report. The following section summarizes the proposed policies for each of the land use designations included in the proposed Official Plan.

The Kipling Avenue area is intended to become a “complete” neighbourhood with a fine grain mix of land uses located within walking distance. The area is also intended to accommodate a range of different housing types which will derive in part from different densities. The following land use designations have been proposed as part of this study:

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i. High Density Residential Neighbourhood Designation (proposed Rainbow Creek Neighbourhood)

The High Density Neighbourhood Designation is intended to develop a residential neighbourhood integrating residential and open space uses, to support a pedestrian scale environment. Permitted uses include a variety of residential and open space uses, townhouses, apartment buildings, parkettes and public squares, and one convenience retail store located at grade. The minimum building height is 8.5 metres (2 storeys), with a maximum of 13 metres (4 storeys) podium with 19 metre (6 storeys) maximum stepping back on a 45 degree angular plane from the podium and, a maximum density of 2.5 FSI.

ii. High Density Mixed Use Designation (Woodbridge Avenue & Kipling Avenue Intersection)

The four corners of this intersection will represent the primary retail and commercial centre for the area. It is intended to concentrate a mix of residential and commercial grade uses. Permitted uses include a variety of high density residential, commercial, institutional, civic, recreational, and open space uses that will support a compact urban street and healthy pedestrian environment. High density residential uses include townhouses, condo/apartment buildings. Where heritage contributing buildings on either side of the subject site are set farther back from the front property line than the minimum permitted setback; the setback will be the average of the front yard setbacks of the two properties on either side of the subject site. The minimum building height will be 8.5 metres (2 storeys) and maximum building height of 13 metres (4 storeys) podium, stepping on a 45 degree angular plane from the podium to 19 metre (6 storeys) maximum building height. The maximum density in this designation is 3.0 FSI.

iii. Mid Density Residential Neighbourhood Designation

Lands within this designation will represent the transition area between the High Density Neighbourhood areas and lower density areas along Kipling Avenue. Uses will include a variety of semi-detached, townhouse and apartment/condo buildings; one convenience retail store at grade as part of a residential building; parkettes and public squares. The minimum building height of 8.5 metres (2 storeys), maximum building height of 13 metres (4 storeys) with a maximum density of 2.0 FSI.

iv. Mid Density Mixed Use Designation

This designation will include low scale, mixed use areas, providing amenities and ancillary retail uses for adjacent neighbourhoods. It is intended that the uses along Kipling Avenue will evolve, as the demand for commercial and retail space changes. Permitted uses include a broad variety of residential, commercial, recreational and open space uses that will support the heritage character of Kipling Avenue and permit a healthy pedestrian environment. Where heritage contributing buildings on either side of the subject site are set farther back from the front property line than the minimum permitted setback; the setback will be the average of the front yard setbacks of the two properties on either side of the subject site. The minimum building height will be 8.5 metres (2 storeys). The maximum building height shall not exceed 11 metres (3 storeys) in this designation. The proposed minimum density is 0.60 FSI with a maximum density of 1.0 FSI.

v. Low Density Residential Designation

Permitted uses include single family detached and semi-detached residential dwelling units. The remaining lots on Gate House Court shall be developed as single family detached structures to maintain the character of the existing residential street. The minimum building height will be 4 metres (1storey). The maximum building height will be 8.5 metres (2 storeys) with a maximum density of 0.5 FSI.

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Semi-detached units are permitted on the lands behind the east side of Gatehouse Court which are currently vacant, and will not have frontage on the Court.

vi. Open Space: Parks, Public Squares Designation

Open space designations include a variety of publicly accessible land uses ranging from naturalized woodlots to landscaped public squares. Permitted uses include active and passive recreational uses, and cultural uses. All lands under this designation must be publically accessible to pedestrians, and abutting buildings shall be designed to front onto all open spaces. The proposed OPA provides that parking structures / lots should generally not front onto Open Spaces.

vii. Flood Plain Designation

This designation outlines generally the lands under the jurisdiction of the Toronto and Region Conservation Authority (TRCA). Properties, or parts of a property that lie within the flood plain as determined by the TRCA, must seek approval by the City of Vaughan and the TRCA for any development, including:

- Construction and/or reconstruction;
- Change of use to a building;
- Site grading;
- temporary or permanent placement or removal of fill materials; and,
- interference and alterations to water courses, including the construction of stormwater management ponds and outfalls.

Development proposals adjacent to natural areas and flood plain areas will be reviewed by the TRCA within the context of the Provincial Policy Statement 2005, as well as the TRCA's Valley and Stream Corridor Management Program (VSCMP), and Ontario Regulation 166/06.

viii. General Land Use Policies:

- a. Commercial uses are only permitted as part of a mixed-use building.
- b. The ground level of a mixed-use building must include active commercial uses and must be flush with the public sidewalk, with direct access from the street.
- c. Commercial uses may include retail and office uses. In neighbourhood designations, ancillary commercial uses such as a corner store are to be located at grade level.
- d. Structures that include commercial uses must be a minimum of 2 storeys and a minimum height of 7.5 metres.
- e. Parking areas and parking structures (with the exception of those located within the "Low Density Residential" designation, must not be visible from the street. Wherever possible, parking lots should not be visible from public parks, parkettes, or public squares.
- f. Drive-through facilities, gasoline service stations, gas bar, and uses that require outdoor storage are not permitted.

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ix. Site Specific Policies: Fairgrounds Designation

The intent of the plan is to conserve the Fairgrounds as a Fairground and, as a significant cultural heritage landscape and open space amenity in Vaughan. Proposed uses include: active and passive recreational activities, general farming, agricultural or animal husbandry uses, uses carried on in the field of agriculture, and secondary uses associated with the management of the fairgrounds and open space uses. The maximum permitted building height for structures is 3 storeys (11 metres).

Precincts

To promote the maintenance of heritage character and land use compatibility, the vision for the Kipling Avenue Area is sectioned into distinct precincts. The definition of precinct is a result of both the vision generated for the Kipling Avenue area, and the analysis generated through the Woodbridge Heritage Conservation District Study. The intent is to guide future development and public investments in a way that a) preserves existing character of the neighbourhood in its distinct parts; and b) reinforces the future vision supportive of more compact urban and pedestrian oriented development.

Kipling Avenue

A street that will function as part of a key component of the public realm, providing enhanced pedestrian access to vistas of significant public interest, and amenities such as: Woodbridge Core, the Fairgrounds, and open spaces (Humber River and Rainbow Creek). Kipling Avenue will maintain its heritage character by preserving existing heritage features both manmade and natural. The OPA provides for active at-grade uses and building setbacks, providing landscaped front yards. Any redevelopment or improvements along Kipling Avenue will accommodate the pedestrian and provide walkable connections to a series of parks, open spaces, trails, walkways, commercial and residential areas throughout.

Woodbridge Avenue

The intersection of Kipling Avenue and Woodbridge Avenue should function as the gateway to the Kipling Avenue neighbourhood. It is proposed to have a mix of at grade pedestrian-oriented uses such as retail, offices and restaurants with residential uses above grade. The four corners at this intersection should form a street wall of 4 storeys in height. The gateway will be a welcoming environment where small-scaled storefronts will open directly onto the sidewalk and provide pedestrians with a variety of storefronts.

The Fairgrounds Area

The existing Fairgrounds is to remain an important heritage and open space feature, and as a focal point for the community. The Fairgrounds will continue to function as an important connection and contribution to the natural conservation area situated directly to the east. It will also act as a centre for passive recreational activity such as fairs, events, and functions (i.e. farmers market). Porter Avenue East, will function as a gateway entrance to the Fairgrounds.

Rainbow Creek Neighbourhood

It is the intent of this plan to phase-out the industrial properties that are currently located within the proposed Rainbow Creek Neighbourhood (refer to Attachment 2) to permit more suitable and compatible land uses for the Kipling Avenue neighbourhood. The development of the Rainbow Creek Precinct may be a long-term phased scenario dependent on future residential development market viability.

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Any incremental development of the neighbourhood north and south is expected to be achieved through a comprehensive planning process in order to ensure that the character and function of this precinct is realized. The successful build out of this neighbourhood is dependent on the collaboration of landowners and stakeholders to permit roads and parks that are connected and comprehensive and benefit all landowners. Landowners may be required to enter into Developer Group Agreements prior to consideration of any development applications. This will ensure that front-end costs and land dedication required for infrastructure such as key road connections, other infrastructure and parks are achieved, and landowners of early phases of development can be compensated in the future.

i. Rainbow Creek North

This new neighbourhood is intended to be connected with Kipling Avenue to the east and the Rainbow Creek (Open Space) to the west through a variety of pedestrian and vehicular connections including Porter Avenue West. This neighbourhood will be mostly designated as a High Density residential development, with one corner store integrated within a residential building and located at grade. Pedestrians and residents should have good access to parks and public squares. All streets will be pedestrian oriented, with grade related uses and ample landscaping.

ii. Rainbow Creek South

The Rainbow Creek Neighbourhood South included the Medium Density Residential and Low Density Residential Neighbourhoods in previous drafts of OPA 695. The area is now shown as retaining its current "Industrial" designation, and deferred until such time as the comprehensive review of City employment area conversions is completed as part of the Vaughan Official Plan review. Once the issue of conversion of employment lands has been addressed, the work completed to date in the Kipling Avenue Corridor Study will be further reviewed.

Urban Design Policies

The Urban Design Framework and the Urban Design Guidelines provide specific performance criteria to organize, structure and guide development of the Kipling Avenue area in the future. These elements will be used in conjunction with amendments to the policy framework to ensure the creation of a high quality, pedestrian-friendly, and attractive built environment that is compatible with adjacent neighbourhoods, existing heritage resources, and appropriate to the provision of a higher order transitway and commercial hierarchy.

The Urban Design Framework also provides guidance respecting more detailed elements of the built environment. The Framework establishes policies for the street system, the public realm, built form, streetscape, and general site development. The following is a brief summary of the recommendations for each of these components.

1. The Street System

i. Primary Streets

Primary Streets are mixed use commercial/residential streets and are considered main access roads within the street network. These streets function as two way connections with 20m to 26m R.O.W. and accommodate various modes of transportation such as on street parking, transit, and bicycles, and have a higher quality streetscape treatment.

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Kipling Avenue North

- a) A 26m R.O.W, as existing today and recommended in OPA 600, should be maintained along the entire Avenue. This would provide opportunity to increase the street tree canopy, and enhance the “green character” prescribed for the Kipling Avenue study in general.
- b) The R.O.W. width should accommodate a double row of street trees and a generous pedestrian zone within the boulevard, along the majority of Kipling Avenue.
- c) A minimum setback of 3 metres beyond the R.O.W. unencumbered by structures, should allow for additional landscape enhancements.
- d) One parking lane on the east side of the street at 2.5 metres proposed for Kipling Avenue north of Woodbridge Avenue.
- e) Two bicycle lanes are proposed at 1.5 metres (on either side of the street)

Kipling Avenue South

- a) Kipling Avenue south of Woodbridge Avenue should have a wider roadway width of 17 metres, with additional travel lanes to accommodate the volume of traffic entering the avenue from Highway 7, this will allow for only a single row of street tree planting within a 4.5m boulevard on either side.
- b) Two bicycle lanes (a minimum 1.45 metres) should continue to run south along Kipling Avenue to Highway 7.
- c) On-street parking is only permitted during off-peak hours on the east side only.

Woodbridge Avenue East

- a) Woodbridge Avenue between Kipling Avenue and Islington should maintain a 20m R.O.W. because of the location of existing heritage buildings. There are many buildings contributing to the heritage character of the avenue and area, many of which have minimal or zero setbacks from the 20m R.O.W.
- d) It is recommended in the Woodbridge HCD Study that, Woodbridge Avenue at the commercial core should reflect the tight, pedestrian oriented character of the existing 20m R.O.W. street cross section.
- e) Although the stretch of Woodbridge Avenue, from Islington to Kipling Avenue is envisioned as a future marked bike route in the City of Vaughan Bike Master Plan, incorporating bike lanes would limit on-street parking. Bicycle access along Woodbridge Avenue from Islington to Kipling Avenue should instead be considered under the “Class 3 Facility: Signed Only Routes” category as defined in the Bike and Master Plan, which defines an on-street signed bicycle route used to “form a connection to the bike network”.
- f) On street lay-by parking lanes (2.5 metres) on either side of Woodbridge Avenue should be encouraged as a key element to supporting local businesses.

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Woodbridge Avenue West

- a) The protected 26m R.O.W. is feasible on Woodbridge Avenue, west of Kipling Avenue and should be maintained, which allows for enhanced streetscaping within the boulevard, and should function in the same way as Kipling Avenue in terms of creating an attractive pedestrian oriented environment.
- b) On street lay-by parking lanes (2.5 metres) on either side of Woodbridge Avenue beyond the intersection, should be encouraged as a key element to support local businesses.
- c) A proposed 3.75 metre bus, bike and travel lane is proposed in each direction on Woodbridge Avenue west of Kipling Avenue.

ii. Secondary Streets (Parkside Drive)

- a) Parkside Drive is a new secondary north/south street running parallel to Kipling Avenue. It will mainly service the proposed Rainbow Creek Neighbourhood north requiring a 20 metre right-of-way. Parkside Drive will enable the creation of new frontage to both the Rainbow Creek Valley public open space system, and to new development blocks that support a high density residential neighbourhood.
- b) It is the intent of the plan to achieve as many access points to Parkside Drive from Kipling Avenue to realize development potential for the industrial lands in addition to providing opportunities to redevelop existing adjacent properties.
- c) A high-quality pedestrian environment linking buildings, amenities and open spaces and providing east-west connections to the river valley (Rainbow Creek) and Kipling Avenue.
- d) Generous sidewalk widths on both sides of the new Parkside Drive should be provided to accommodate a promenade with street furniture, streetscaping, lighting, and public amenities.
- e) A minimum of three (3) metre setbacks should be provided to accommodate additional landscaping and front yards grade related residential units.
- f) One parking lane is proposed along the east side of Parkside Drive at 2.5 metres.

iii. Local Connector Streets (Rainbow Creek Road and Industry Avenue)

- a) Rainbow Creek Road and Industry Avenue are two new east/west connector streets to Kipling Avenue and to the new Rainbow Creek neighbourhood and Parkside Drive.
- b) Rainbow Creek Road - crosses the rail corridor, and functions as the key northern gateway to the new Rainbow Creek neighbourhood and connection to Meeting House Road. It is envisioned as a two way 20 m R.O.W. with the same characteristics as Parkside Drive including a 2.5 metre lane dedicated for on-street parking.
- c) Industry Avenue - south of the rail corridor, provides for a two-way connection to Kipling Avenue and the new Rainbow Creek Neighbourhood. The right-of-way for this street is limited to 17.5 metres due to its proximity to a heritage building. Industry Avenue will have a sidewalk on one side. A 2.5 metre lane for parking proposed only on the north side.

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iv. Special Character Streets (Porter Avenue East & Porter Avenue West)

- a) A street which will be characterized by its high quality landscaping, emphasis on pedestrian environment, and its function as a gateway to significant urban spaces.
- b) Porter Avenue East should continue to provide east bound access to the Fairgrounds.
- c) Porter Avenue East is proposed to have a 20 metre right-of-way; Porter Avenue West will have a 17.5 metre right-of-way.
- d) Porter Avenue West is a proposed westbound street that should provide new connections to the Rainbow Creek open space system and residential neighbourhood.
- e) Porter Avenue West should function as the main pedestrian draw towards new public amenities, open spaces, and residences that are part of the Rainbow Creek neighbourhood development.
- f) One travel lane and lay-by parking lane proposed for Porter Avenue West in a one way direction east to Kipling Avenue, and lay-by parking on north side.
- g) A double row of trees is proposed for Porter Avenue East, and enhanced landscaping on both sides of the street to frame the entrance to the Fairgrounds.
- h) A double row of street trees is proposed where the right-of-way allows, along Porter Avenue West, to balance and connect the streetscaping to Porter Avenue East.
- i) Special character streets should have the following attributes:
 - Wide sidewalks, with enhanced paving treatment;
 - Additional street furnishing and lighting;
 - Designed gateways and gateway elements on Kipling Avenue; and
 - Vistas (views) along these streets of the valleylands located east and west of the Kipling Avenue Study Area should be maintained.

v. Residential Streets

- a) Residential streets in the study area are neighbourhood streets that carry lower volumes of vehicular traffic and are pedestrian oriented in character.

vi. Laneways

Laneways will mainly provide vehicular access to parking and services, and function as internal connections within blocks of main streets and linkages for pedestrians in the area.

Public Laneways

- a) Primarily function as vehicular connection, but should also be considered for pedestrian linkages to Kipling Avenue and new areas of development. Public laneways should be designed with special/enhanced streetscape treatment. Burton Lane, just north of Woodbridge Avenue should function as a key public access lane from Kipling Avenue to the Rainbow Creek Neighbourhood. Burton's lane should be enhanced with higher quality materials and streetscaping to signify its heritage significance.

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Private Laneways

- b) Contribute to the overall street network, providing access to parking and pedestrian linkages. Private laneways should be pedestrian friendly, accessible, visible and safe. All private laneways should be located at the rear of the building as a means to accessing and connecting to parking facilities and services. Site servicing should be located in the lane wherever possible.

vii. Pedestrian Priority Nodes

Pedestrian priority nodes are the key intersections at which the focus and priority is pedestrian activity.

- a) Woodbridge Avenue and Kipling Avenue Intersection – this intersection is the main “gateway” or “entranceway” to the Kipling Avenue neighbourhood. Achieving an environment conducive to pedestrian orientation includes: lane width reduction, providing opportunities for on-street parking and bike lanes, landscape enhancement and art, and integration with adjacent public open spaces.
- b) Porter Avenue (East & West) – the intersection of Porter Avenue and Kipling Avenue will be known as the “Junction” which is the east/west connection to the centre of the corridor. Special consideration should be given to achieving a pedestrian oriented environment by reducing lane widths, providing on-street parking and bike lanes, increasing the opportunity for additional landscaping, and art; and integrating adjacent public open spaces.

2. The Public Realm

The public realm includes open spaces including public, private and publicly accessible parks and open spaces, and streets.

Parks are required through the development process. In new neighbourhoods, such as Rainbow Creek, a developer’s group agreement or Plan of Subdivision is required to ensure appropriate provision and equitable contribution of parkland.

3. Building Envelopes, Orientation and Setbacks

The following are design recommendations for the Study Area respecting built form:

- viii. New development should consider the human scale in defining the public realm, and support pedestrian orientation. The human scale makes reference to the experience of the building mass in relation to the size of its users. Achievement of this pedestrian scale is most important in areas that are accessible or visible from the public realm, such as the first few storeys of a building facing the street.
- ix. The building framework should be “fine grained”, where patterns of buildings, or design elements within a building, are small in scale and change frequently, thereby creating a dynamic and animated environment for pedestrians. Blank walls or uninterrupted building walls should be avoided.
- x. New buildings should only be able to maximize the development potential, when undue shadow or overlooks are avoided on adjacent properties or public spaces including, streets, parks, open spaces and other recreational areas.

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- xi. Buildings within High Density Zones and along Primary Streets shall provide a continuous podium/street wall of two to three storeys where pedestrian interaction will occur beside the highest quality of materials and detailing.
- xii. Additional height above the podium base, shall step-back, terracing higher portions of the building to protect views, sunlight penetration, and the sky view.
- xiii. New buildings within the area shall provide a transition in heights. Buildings in the Kipling Area should respect the scale of adjacent buildings by providing proper transition heights. This is extremely important when development is adjacent to heritage properties, lower density land uses; or public open spaces. New buildings should also respect set-backs of existing buildings from the street and provide a transition from the greater setback to the lesser setback.
- xiv. Buildings shall be oriented toward the public streets and other public spaces in order to clearly define the public realm, and provide animation and overlook thereby creating an attractive environment for pedestrians.
- xv. New development or redevelopment of buildings must be sited to first address primarily the intersection or corner locations; primary street frontages; local street frontages, and other publicly accessible open spaces.
- xvi. Architectural features are encouraged at all corner building locations to enhance the visual prominence and identity of the area.
- xvii. Larger buildings should consist of a linked series of pavilion-type segments defined by recessed connector building segments.

2. Open Space

The intent of this plan is to guide private developments and public investments towards the creation of a consistent and inter-connected system of public and private open spaces and to identify opportunities to maximize the amount of open space available. The following are recommendations for the Study Area respecting the Open Space framework:

- i. The total park and open space requirement in relation to total proposed development is 1 hectare per 300 units based on a total of 1,022 units.
- ii. Additional open space opportunities should be explored with respect to the Woodbridge Fairgrounds and the surrounding conservation lands.
- iii. All open spaces and trails within the valley corridors should be easily accessible, connected, clearly defined and properly situated in order to protect the assets of the conservation lands.
- iv. Existing tree canopies should be protected and enhanced at every opportunity, especially along Rainbow Creek and the Fairgrounds.
- v. Bike parking racks should be provided in new parks, at the entrance to the valley trails, and along Kipling Avenue where possible.
- vi. The Kipling Avenue cross section should accommodate at a minimum, enhanced landscaping and street furniture, a comfortable pedestrian walking zone and a zone for café and retail spill-over or residential front yards. New streetscaping should integrate any existing mature trees and enhance all heritage landscape frontages with additional planting. A 1.5 metre sidewalk is proposed along both sides of Kipling Avenue.

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- vii. New landscape design in the Fairgrounds should maintain the existing open field; define boundaries of the racetrack and Fairground edges, enhance mature tree canopy, and focus views to river valley and eastern Woodbridge neighbourhoods. The Fairgrounds should also be the subject of a more detailed study to optimize the grounds as a community asset.
- viii. Porter Avenue East, which will function as a “gateway” street to the Fairgrounds, should be clearly defined by a double set of staggered street trees including pedestrian lighting and signage. A 2.5 metre sidewalk width is proposed along both sides of Porter Avenue East.
- ix. Existing parks, parkettes and public squares should be enhanced where possible, with additional trees, landscaping, materials and furnishings that are in keeping with the overall design and colour palate proposed for Kipling Avenue.
- x. A network of trails, parks and open spaces should connect all parts of the neighbourhood.
- xi. Special enhancement landscape treatments should be applied to streets that function as gateways and/or are identified as pedestrian priority zones, such as Porter Avenue East and Porter Avenue West.
- xii. Pedestrian nodes such as the Woodbridge Avenue intersection and the Kipling Avenue junction, should function as gateways to surrounding open spaces and provide opportunities to celebrate the heritage character of the area.
- xiii. Open space connections within the Study Area are opportunities to enhance the streetscape (i.e. Porter Avenue East and Porter Avenue West), function as pedestrian connections by providing opportunity for pedestrian crosswalks to demarcate their locations.

3. Heritage Conservation

Heritage preservation in the Kipling Avenue area is an integral part of the vision for this plan. The Provincial Policy Statement (PPS) protects against the development, redevelopment, and/or alteration of significant built and cultural heritage landscapes. All heritage attributes of a heritage property must be conserved prior to development or site alteration.

A significant part of the Kipling Avenue Study Area lies within the Woodbridge Heritage Conservation District (WHCD). Heritage conservation is a core principle of this plan. The following policies are proposed to protect the heritage character of the Kipling Avenue Study area.

- i. Heritage resources/properties within the boundary of the WHCD must abide by the policies of the Woodbridge Heritage Conservation District Plan once it is approved and in force. The policies of the Woodbridge Heritage Conservation District would supersede those of the Kipling Avenue Study where conflict occurs.
- ii. Properties outside of the Woodbridge Heritage Conservation District must be sympathetic to the heritage character attributes as described in the Woodbridge Heritage Conservation Plan and provide an appropriate transition to the Woodbridge Heritage Conservation District.
- iii. Properties that are identified adjacent to or near heritage resources that have been identified in the City of Vaughan Heritage Inventory, must be sympathetic to heritage character of the area, as stated in Section 2.6. of the PPS.

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- iv. The City of Vaughan may require a Heritage Impact Assessment and/or a Conservation Plan as part of any municipal approval for properties where heritage resources have been identified. This assessment will form part of the application process for any municipal approval including new construction, renovation or demolition of a structure or landscape.
- v. The City of Vaughan may also require a Conservation Plan secured by a letter of credit, as part of any municipal approval for properties where heritage resources have been identified either as part of the City of Vaughan Heritage Inventory, as part of the Woodbridge Heritage Conservation District, or as a result of the Heritage Impact Assessment.
- vi. Buildings and structures listed as 'contributing heritage buildings' in the Woodbridge HCD shall not be demolished or moved.
- vii. The City of Vaughan may require a Heritage Impact Assessment when it considers that cultural heritage value may exist, or may be affected by any new construction.

Height of Buildings:

- i. In keeping with the character of the surrounding neighbourhood characteristics, the height of 'contributing heritage' buildings outlined in the Kipling Avenue Study Area should be maintained.
- ii. New buildings must be sympathetic to, and transition from the height of adjacent 'heritage' buildings with a minimum 45 degree angular plane, starting from the existing height of the 'heritage' building, measured at the building's edge.

Setbacks:

- i. New buildings must setback from contributing heritage buildings a distance equivalent to half the height of the contributing heritage building.
- ii. Consideration may be given to the construction of new buildings, and additions to contributing heritage buildings, adjacent to, or joining with them only when:
 - a. New construction is setback from the street frontage of the heritage building and, is not generally visible from the street or from a public space.
 - b. New construction is setback from the street frontage of the heritage building, and maintains the heritage character of the street.
 - c. The parts of the heritage building that will be enclosed or hidden from view by the new construction, do not contain significant heritage attributes.
 - d. New construction contributes to the district's heritage character.

Landscape:

- i. New buildings and landscapes, must contribute to the heritage character and attributes of the adjacent contributing landscapes such as parks, public squares, open spaces, recreational areas, and landscaped areas within private properties. New and renovated buildings must provide an active welcoming façade facing significant landscapes and public spaces.

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Architecture:

New buildings will fall into two categories: replica or reconstructed buildings and contemporary buildings.

- i. **Replica or Reconstructed Buildings** – the replication of a historic building should proceed in a similar manner to the restoration of an existing, but altered or deteriorated structure. Design of buildings should be based on documentary evidence/photographs. Replica designs should be prepared by practitioners skilled in historic research and historic construction design.

The design of new buildings in a heritage district should be sensitive and well designed structures that are respectful of the original design of the building/structure and, are compatible with the character of the district and its immediate context. Designers of new buildings should have a proven track record respecting the creation of designs in similar historic contexts. Architectural considerations include the following attributes: contemporary design, material pallet, proportions of parts, solidity verses transparency and detailing.

- ii. **Contemporary Design – Contemporary Design** – Contemporary buildings should be “of their time”. New designs should be neighbourly and respectful of the surrounding historic context and at the same time represent current design philosophy. Pseudo-design statements such as pseudo-Victorian detailing, should be avoided.
- iii. All materials including brick, stone, wood siding and trim, glass windows and storefronts and various metals for new construction should include those drawn from historically used materials in Woodbridge.
- iv. The design of new buildings in this heritage district should take into account the proportions of buildings in the immediate context and consider a design with proportional relationships.
- v. The relationship of solidity versus transparency (brick to glass ratio), should be carefully considered. The level of transparency in a new development should be set at a level that provides a good fit on the street frontages.

Detailing:

The detailing for new buildings should refer to the nature of the immediate context and the attributes of the area in which it is to be placed.

Implementation:

It is recommended that a general Zoning By-law be developed and adopted to incorporate new zones arising from proposed designations in the Kipling Avenue Official Plan.

Relationship to Vaughan Vision 2020

The Kipling Avenue Study Area Report and proposed OPA are consistent with Vaughan Vision 2020 Strategic Plan, through the following strategic initiatives specifically:

Service Excellence:

- Preserve our Heritage & Support Diversity, Arts & Culture;
- Enhance and ensure Community Safety, Health and Wellness; and
- Lead & Promote Environmental Sustainability.

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Management Excellence:

- Maintain Assets & Infrastructure; and
- Plan & Manage Growth & Economic Vitality.

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

Conclusion

The Kipling Avenue Area Study was a comprehensive, collaborative initiative involving the local residents, planning and urban design consultants and City Staff, working together to develop a preferred vision for the future of the community. The vision builds on the positive attributes of the area; its heritage character, rich natural landscapes, and vicinity to conservation areas and the Woodbridge Core; it also seeks to phase out conflicting land uses. Proposed Official Plan Amendment 695 is the policy framework and guiding tool to achieve the vision. Should Committee of the Whole concur with the vision and the policies for renewal as presented in OPA 695, the recommendation contained in this report can be adopted.

Attachments

1. Location Map
2. Proposed Land Use Plan
3. Map of Study Area showing Deferral Areas
4. Proposed Official Plan Amendment 695 (Mayor and Members of Council ONLY)

Report prepared by:

Anna Sicilia, Planner, ext. 8063

Wayne McEachern, Manager of Development Planning, ext. 8635

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

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Item 31, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

**31 PART OF THE PINE VALLEY DRIVE ROAD ALLOWANCE
ROAD CLOSURE REQUEST
WARD 2**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Senior Manager of Real Estate, dated June 2, 2009, be approved;
- 2) That the Toronto Region Conservation Authority be reminded that the City of Vaughan seeks conveyance to the City of land or lands within the City of Vaughan of equivalent extent and value at such times as said lands are identified and acceptable to the City of Vaughan for such conveyance, in return for the conveyance of the Pine Valley Drive Road allowance; and
- 3) That the following deputations be received:
 - a) Ms. Deb Schulte, 75 Mira Vista Place, Woodbridge, L4H 1K8;
 - b) Ms. Laura Larocque Ellies, 30 Club House Road, Woodbridge, L4L 2W2;
 - c) Ms. Doreen Smith, 95 Wallace Street, Woodbridge, L4L 2P2; and
 - d) Mr. Jamie Maynard, 75 William Street, Woodbridge, L4L 2R9.

Recommendation

The Senior Manager of Real Estate in consultation with the Director of Legal Services recommends that:

The Clerk be directed to commence the statutory procedures to stop-up and close 1.69 ha (4.2 ac) more or less of vacant lands being "Part of the Pine Valley Drive road allowance" between Concession 6 & 7, between Rutherford Road and Club House Road.

Contribution to Sustainability

Conveyance to TRCA provides for protection and enhancement of the surrounding natural environment.

Economic Impact

The City of Vaughan shall receive funds in the total amount of \$1,000.00 for an administrative fee.

Communications Plan

Not applicable

Purpose

The purpose of this report is to seek Council authorization for the stop-up and closure of Part of the Pine Valley Drive road allowance.

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Background - Analysis and Options

Council enacted By-law No. 207-2007, on June 25, 2007, to declare the Pine Valley Drive road allowance between Rutherford Road and Club House Road surplus and authorize the conveyance of the lands to TRCA for a nominal amount with TRCA paying legal, survey costs and an administrative fee of \$1,000.00.

On June 25, 2007 Council, also directed:

“That the TRCA agree to convey to the City of Vaughan lands or lands within the City of Vaughan of equivalent extent and value at such times as said lands are identified and acceptable to the City of Vaughan for such conveyance”;

At the time TRCA had no surplus lands available for a land exchange. Resolution #A227/07 at the Authority meeting #8/07 on October 26, 2007 authorized as follows:

“That the City of Vaughan be advised that TRCA does not have any surplus lands of equivalent extent and value”.

The above minutes do not refer to future conveyance of lands to the City. It is TRCA's position that they are unable to commit to a future transaction. However, their Disposal of Property process requires notification of proposed sale to the Region and local municipality prior to a public offering. Therefore, the City can express interest in any property when circulated regarding a proposed sale. Staff are obtaining a valuation for future discussions with TRCA.

In recent discussions, TRCA re-confirmed that they do not have any surplus lands available at this time. TRCA staff are preparing a reference plan and have requested the closing of the unopened road allowance.

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

Not applicable

Conclusion

In June, 2007 Council approved the conveyance of part of the Pine Valley Drive unopened road allowance to TRCA.

The road closure of the City lands is required prior to final conveyance. Therefore, staff recommend approval of this direction to the Clerk to commence the statutory procedures.

Attachments

Location Map

Report prepared by:

Liana Haughton

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

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Item 32, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

32 DEVELOPMENT CHARGES – SEMI-ANNUAL ADJUSTMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager/Commissioner of Finance & Corporate Services and the Director of Reserves & Investments, dated June 2, 2009:

Recommendation

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

- 1) That in accordance with the appropriate semi-annual adjustments sections of each respective development charge by-law, the City Wide Development Charge rates and Special Service Area Development Charge rates be decreased by 3.08% effective July 1, 2009; and
- 2) That the following revised Development Charge Rates (Attachment 1) be approved.

Contribution to Sustainability

This is not applicable to this report.

Economic Impact

The semi-annual adjustment will provide a 3.08% decrease in City-Wide Development Charges and Special Area Development Charges. This adjustment will assist the construction industry during this current economic slow down.

Communications Plan

Public notice through the agenda process.

Purpose

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

Background - Analysis and Options

The Development Charges Act authorizes municipalities to pass By-laws for the recovery of capital costs incurred to provide services to all new development and re-development. A clause in each of the City of Vaughan's Development Charge By-laws states the development charges may be adjusted semi-annually without amendments to the by-laws, as of the 1st day of January and the 1st day of July in each year in accordance with the most recent change in the Statistics Canada Quarterly, Construction Price Statistics (catalogue No. 62-007 Table 327-0043).

In order to reflect economic conditions and based on a review of the Statistics Quarterly Construction Price Statistics (catalogue No. 62-007 Table 327-0043), the City Wide Development Charges and Special Service Area Development Charge Rates should be decreased by 3.08% which reflects the six (6) month decrease in the Statistics Quarterly Construction Price Statistics Index (catalogue No. 62-007 Table 327-0043) for the period October 1, 2008 to March 31, 2009.

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Relationship to Vaughan Vision 2020

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

Regional Implications

Not applicable.

Conclusion

Staff recommend that the City of Vaughan Development Charges be decreased by 3.08%. The City Wide Development Charge and the Special Service Area Development Charges may be indexed without amending the existing by-law. The revised schedules reflecting the new rates are attached.

Attachments

Attachment 1 – Revised Development Charge Rates

Attachment 2 – Summary of Special Area Charges

Report Prepared by

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

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

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Item 33, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

33 2008 DEVELOPMENT CHARGES RESERVE FUND STATEMENT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager/Commissioner of Finance & Corporate Services and the Director of Reserves & Investments, dated June 2, 2009:

Recommendation

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

- 1) That the 2008 Development Charges Reserve Fund Statement prepared pursuant to the Development Charges Act, RSO 1997, be received for information purposes; and
- 2) That the 2008 Development Charges Reserve Fund Statement be forwarded to the Minister of Municipal Affairs and Housing.

Contribution to Sustainability

This is not applicable to this report.

Economic Impact

Not applicable.

Communications Plan

The 2008 Development Charges Reserve Fund Statement will be forwarded to the Minister of Municipal Affairs and Housing.

Purpose

To provide Council with the 2008 Development Charges Reserve Fund Statement pursuant to Section 43 of the Development Charges Act RSO 1997.

Background - Analysis and Options

The Development Charges Act RSO 1997 (DC Act, 1997) outlines specific reporting requirements for development charge reserves. In accordance with Sections 33 and 43 of the Development Charges Act, 1997, the following is required:

- A municipality that has passed a Development Charge by-law shall establish a separate reserve fund for each service to which the development charge relates; and shall be used only to meet growth related capital costs for which the development charge was imposed.
- The Treasurer of a municipality shall give to Council a financial statement relating to development charge by-laws and reserve funds that were established.

Reporting requirements include identifying all other services of funding applied to each project funded with development charges and providing detailed summary of the activity for each development charge reserve for the year.

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The statement shall contain the following information in respect of each service for which the development charge is being imposed:

- 1) A description of the service for which the fund is established.
- 2) The balance as of the first day of January.
- 3) The distribution of the development charge proceeds received during the year.
- 4) The amount transferred to the capital fund.
- 5) Any credits provided in relation to service or services category.
- 6) The development charge amounts refunded or allocated to other sources.
- 7) The apportionment of accrued interest.
- 8) The closing balance as of the 31st day of December.
- 9) An addendum indicating each project, the intended application of the amount and source of any other money that is spent on the project.

Attachment 1 provides for the statutory requirement under the development charges legislation for 2008. The development charges revenue is provided as a summary for each reserve, whereas, the capital expenditures are detailed by capital project.

The statement is prepared on an accrual basis for goods and services received however it does not reflect other commitments of funds.

Relationship to Vaughan Vision 2020

Not applicable.

Regional Implications

Not applicable.

Conclusion

The 2008 Development Charges Reserve Fund Statement provided pursuant to the reporting requirements of the Development Charges Act, RSO 1997, be received.

Attachments

Attachment 1 – 2008 Development Charge Reserve Fund Statement

Report Prepared By:

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

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 34, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 15, 2009, as follows:

By receiving the memorandum from the Director of Financial Services, dated June 12, 2009.

34 2009 ADOPTION OF TAX RATES AND THE ISSUANCE OF PROPERTY TAX NOTICES

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager/Commissioner of Finance & Corporate Services and the Director of Financial Services, dated June 2, 2009:

Recommendation

The Deputy City Manager/Commissioner of Finance & Corporate Services and the Director of Financial Services, in consultation with the Manager of Property Tax & Assessment recommends:

- 1) That the property tax rates as attached be amended if required as a result of the Council meeting to be held on June 15, 2009 regarding an amendment to the City's Budgets for a grant to the Vaughan Health Campus of Care (VHCC), and;
- 2) That a by-law be enacted for the adoption of Municipal, Regional and Education property tax and tax ratios, for the levy and collection of property tax levies and to provide for the issuance of tax notices requiring payment of property taxes for the year 2009.

Contribution to Sustainability

This is not applicable to this report.

Economic Impact

The efficient and timely issuance of the final property tax levy provides a positive economic impact to the City, as it provides the necessary cash flow to meet the City's own needs and its financial obligations to the Region of York and the Province of Ontario for education purposes.

Communications Plan

The final property tax notices for residential, farm, managed forest and pipeline will be mailed in late June and in July for commercial, industrial and multi-residential properties.

Purpose

The purpose of this report is to provide the background to a by-law as required under Section 312 of the *Municipal Act 2001, S.O. 2001*, to levy and collect property taxes for the City of Vaughan, the Regional Municipality of York and the Province of Ontario for education purposes and to provide background for the funding request made by the VHCC.

Background - Analysis and Options

Effective January 1, 2009, the new legislated cycle of reassessment every four (4) years begins with a mandatory phase-in of assessment increases for all property classes. This first four-year program will be in effect until the 2012 tax year and will utilize assessment values (CVA) based as of January 1, 2008.

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The City property tax rates, as attached, are based on the 2009 operating budget. These tax rates are subject to amendment if required as a result of the Council meeting to be held on June 15, 2009 regarding the financial support to the Vaughan Health Campus of Care (VHCC) for the purposes of site acquisition and hospital development in Vaughan.

The Region of York has approved By-law No. 2009-19, which sets region wide tax ratios and uniform tax rates across all municipalities in the Region. In addition to the current policies for property tax capping options for business properties, the Region is currently looking at new provincial legislation now available that will allow a property to remain at full Current Value Assessment (CVA) tax once the property achieves full CVA tax. They would no longer qualify for the Capping program. The proposed recommendations are set to be heard at the Region's Finance and Administration Committee on June 11, 2009.

The Province of Ontario determines education tax rates and has passed Ontario Regulation 92/09 to prescribe the tax rates for 2009.

It is expected that residential, farm, managed forest and pipeline (uncapped classes) property tax bills will be mailed in late June, due in three monthly installments or through the pre-authorized payment plan.

Due to the ongoing capping protection for the commercial, industrial and multi-residential property classes, these bills will be produced following the residential bills. Staff expect to be mailing the commercial bills in July with due dates also in three monthly installments.

The City collects property taxes on behalf of the Region of York and the School Boards, therefore installment due dates are generally set to accommodate the legislated payment dates to these other levying bodies. However, for the convenience of the ratepayers, approximately one month between each installment is given. Due dates are usually the same day of each month, set near the middle of the month, except where weekends or holidays interfere.

The City's budgetary requirement is \$121,171,636 levied on \$44.8 billion in assessment. The 2009 levy requirements for Municipal, Regional, and Educational purposes are shown below:

	2009
City of Vaughan	\$121,171,636
Region of York	\$234,934,547
Education-Province of Ontario	<u>\$236,675,277</u>
Total	<u>\$592,781,460</u>

The ratios, passed by the Region of York on April 23, 2009, will remain the same as 2008, as follows:

PROPERTY CLASS	2009 TAX RATIO
Residential	1.0000
Multi-Residential	1.0000
New Multi-Residential	1.0000
Commercial	1.2070
Industrial	1.3737
Pipelines	0.9190
Farm	0.2500
Managed Forest	0.2500

The tax rates shown on Attachment A, have been established using the above noted levies, tax ratios and the final assessment roll as returned for 2009.

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Vaughan Health Campus of Care Funding Request

The Government of Ontario requires local communities to support the development of hospitals in their community. Recognizing this, the City of Vaughan approved in principle the provision of a significant financial contribution to Vaughan Health Campus of Care (VHCC) in June 2008 for the purposes of site acquisition and hospital development in Vaughan. The final determination of the total local share ultimately depends on land costs and total hospital development costs.

As a result of the Special Committee of the Whole held on May 21, 2009, the City of Vaughan is recommending that a grant be provided to the Vaughan Health Campus of Care (VHCC). There will be a Council meeting on June 15, 2009 regarding an amendment to the City's Budgets for this grant to the VHCC. Consequently, the property tax rates may be amended. The funding of the grant is not part of the City's operations and as such will be shown separately on individual property tax bills.

Council will be dealing with the item to amend the City's Budgets at the Council meeting of June 15, 2009.

Relationship to Vaughan Vision 2020

In consideration of the strategic priorities related to Vaughan Vision 2020, the issuance of the final property tax levy will enhance:

- Service Excellence: Pursue Excellence in Service Delivery
- Management Excellence: Ensure Financial Sustainability

Regional Implications

The City of Vaughan will be collecting approx. \$234,934,547 in property taxes on behalf of the Region of York.

Conclusion

A by-law enacted to adopt the Municipal, Regional and Education tax rates and levies for 2009 will permit staff to proceed with the issuance of the final property tax bills.

Attachments

Attachment 1 – 2009 Property Tax Rates

Report prepared by:

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

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 35, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

35

**PROCLAMATION REQUEST
CANADIAN CANCER SOCIETY – MAJOR MACKENZIE UNIT
RELAY FOR LIFE – JUNE 1 – JUNE 5, 2009**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated June 2, 2009:

Recommendation

The City Clerk recommends:

- 1) That June 1 – June 5, 2009 be proclaimed as “Canadian Cancer Society – Major Mackenzie Unit - Relay For Life”; and
- 2) That the proclamation be posted on the City’s website and published on the City Page, space permitting.

Contribution to Sustainability

N/A

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 Canadian Cancer Society – Major Mackenzie Unit

Background - Analysis and Options

The correspondence received from the Canadian Cancer Society – Major Mackenzie Unit, received May 27, 2009 is attached (Attachment #1).

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”

The Canadian Cancer Society – Major Mackenzie Unit will hold their 3rd Relay For Life event at Boyd Conservation Area, on June 5 through June 6, 2009, in the City of Vaughan. The event is a celebration of survival and a tribute to the lives of loved ones who have been touched by cancer. The Canadian Cancer Society – Major Mackenzie Unit hope to raise awareness and raise funds to beat cancer.

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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 June 1 – 5, 2009 be proclaimed as “Relay for Life”, 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 Canadian Cancer Society – Major Mackenzie Unit

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 JUNE 15, 2009

Item 36, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 15, 2009, as follows:

WHEREAS Council has received, reviewed, and considered the Report of Ken Froese and Glen R. Davison dated May 27, 2009 being the Compliance Audit Report regarding the 2006 municipal election campaign finances of Michael Di Biase;

AND WHEREAS the Compliance Audit Report has identified numerous apparent contraventions of the Municipal Elections Act, regarding the election campaign finances of Michael Di Biase;

AND WHEREAS Council has received and considered the legal advice of Timothy J. Wilkin, the City's external legal counsel retained to provide independent advice in this matter;

AND WHEREAS the obligation to commence legal proceedings in respect of such contraventions under the Municipal Elections Act falls to Council;

NOW THEREFORE THE COUNCIL OF THE CITY OF VAUGHAN RESOLVES AS FOLLOWS:

1. ***That Timothy J. Wilkin of Cunningham, Swan, Carty, Little & Bonham LLP be provided the authority to lay charges against Michael Di Biase under the Municipal Elections Act, 1996; and***
2. ***That Mr. Timothy J. Wilkin be retained to conduct the prosecutions and to proceed in a timely manner; and***
3. ***That the charges to be laid shall be those for which reasonable and probable grounds exist for believing that an offence has been committed, as may be determined in the legal opinion of Timothy J. Wilkin; and***
4. ***That the retainer includes instructions that Timothy J. Wilkin have the authority, in his sole discretion:***
 - i) ***to withdraw any charge, or charges, against Michael Di Biase if, in his opinion, the available evidence in respect of a charge or charges does not provide a reasonable likelihood of obtaining a conviction; and***
 - ii) ***to conduct any pre-trial or trial proceedings necessary, and to summon such witnesses as may be required including, if necessary, the retaining of experts to appear as witnesses; and***
 - iii) ***to enter into negotiations with respect to the charges for the purposes of establishing an agreed statement of facts, a plea bargain and/or a joint submission to the Court in respect of penalty; and***
 - iv) ***to enter into a binding plea bargain agreement; and***
 - v) ***to establish what penalty to seek from the Court upon a conviction; and***
 - vi) ***to provide regular status reports to the City Solicitor for her information.***

The Committee of the Whole recommends:

- 1) That staff be directed to obtain a legal opinion in regard to this matter; and

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Item 36, CW Report No. 32 – Page 2

2) That the following report of the City Clerk, dated June 2, 2009, be received.

Recommendation

The City Clerk recommends that:

- 1) That the Auditor's Report for the 2006 election campaign finances of Michael DiBiase be received or that further direction be given to staff.

Contribution to Sustainability

N/A

Economic Impact

Not applicable.

Communications Plan

Not at this time.

Purpose

The purpose of this report is to present the Compliance Audit Report for Michael DiBiase to the Committee of the Whole.

Background - Analysis and Options

On April 23, 2008 Council appointed Mr. Ken Froese and Mr. Glen R. Davison to conduct the compliance audit of the campaign finances for the 2006 Municipal Election of Michael DiBiase.

The final Audit Report has been completed and was received on May 28, 2009. As is the practice, the report has been brought to the next available meeting date. The *Municipal Elections Act* requires the Report to be submitted to the Candidate, Council, the Clerk and the applicants. Section 81(10) of the Act provides as follows:

"The council or local board shall consider the report within 30 days after receiving it and may commence a legal proceeding against the candidate for any apparent contravention of a provision of this Act relating to election campaign finances".

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

N/A

Conclusion

A decision in this matter must be made within 30 days of receipt of the report. Given that the 30th day falls on a weekend, a decision in this matter should be made by Friday June 26, 2009.

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Attachments

Attachment #1 LECG Compliance Audit Report for the City of Vaughan Re: Michael Di Biase
May 27, 2009 (under separate cover)

Report prepared by:

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.)

Mayor Jackson declared an interest with respect to the foregoing matter as she has been the subject of an election campaign audit, and did not take part in the discussion or vote on this matter.

Councillor Bernie Di Vona declared an interest with respect to the foregoing matter as he has been the subject of an audit which has similar implications, and did not take part in the discussion or vote on this matter.

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 37, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

37

**SITE DEVELOPMENT FILE DA.08.009
ROYBRIDGE HOLDINGS LIMITED
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 2, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.08.009 (Roybridge Holdings Limited) BE APPROVED, to permit the development of a four-storey office building as shown on Attachment #3, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan and landscape plan incorporating sustainability features, and building elevations, shall be approved to the satisfaction of the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans and stormwater management report shall be approved to the satisfaction of the Vaughan Engineering Department;
 - iii) the traffic impact study, access to the site, parking and on-site circulation shall be approved to the satisfaction of the Vaughan Engineering Department and the Region of York Transportation Services Department; and
 - iv) the final waste management plans and reports shall be approved to the satisfaction of the Vaughan Public Works Department.

Contribution to Sustainability

The applicant is providing energy saving features in the building design such as high efficiency lighting systems, double glazed glass, and a white roof to mitigate the heat island effect. The site development will include the use of permeable pavers and a surface water (harvesting) system to reduce the amount of stormwater run-off, and will provide sheltered bicycle racks to encourage alternate forms of transportation. The Vaughan Development Planning Department will continue to work with the Owner to ensure environmentally sustainable features are incorporated into the development, which they have agreed to implement.

Economic Impact

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

Communications Plan

N/A

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Purpose

To permit the development of a four-storey office building being 13,871.9 m² in size as shown on Attachments #3 and #5.

Background - Analysis and Options

Location

The subject lands are located on the west side of Regional Road #27, south of Milani Boulevard, being Block 41 on Registered Plan 65M-3627, City of Vaughan, as shown on Attachments #1 and #2. This development represents Phase 1 of the overall site development (3.57 ha) as shown on Attachment #2. Phase 2 (1.74 ha) will be developed at a later date to the west of the proposed development.

Official Plan and Zoning

The subject lands are designated “Prestige Area” by OPA #450 (Employment Area Plan). The proposed site development for office uses conforms to the Official Plan.

The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1134). The proposed site development and office uses complies with the Zoning By-law, except for the maximum width of the site access on Regional Road #27, which is proposed at 17 m, whereas 13.5 m is permitted. As the access has been designed to meet the requirements of the Region of York Transportation Services Department (ie. 2 inbound lanes, centre median, and 2 outbound lanes), the Vaughan Building Standards Department has advised that a variance will not be required.

Site Plan Review

This site plan application represents a significant revision to the previous development that consisted of a one-storey recreational facility with a two-storey office component that was approved by Vaughan Council on May 20, 2008. The current proposal consists of a four-storey office building situated at the northern edge of the property as shown on Attachment #3. The total gross floor area of the proposed office building is 13,871.9 m². The indoor recreational facility is no longer being proposed as part of this phase of development.

The proposed 4-storey office development represents Phase 1 of the overall development of the subject lands and requires 538 parking spaces, whereas the plan shows 556 spaces (including 6 handicapped spaces). The proposed development exceeds the minimum parking requirement of By-law 1-88, with a surplus of 18 spaces.

Vehicular access to the site for the Phase 1 development is provided by a driveway through the hydro corridor out to Regional Road #27 to the east, which is satisfactory to the Region of York Transportation Services Department. Signalization at the access location will be required at a future date when the full build-out of the site (Phase 2) occurs, and if any recreational uses are contemplated in the future on the southerly open space lands (also owned by the applicant), which would generate more traffic and place a greater demand on the operation of the intersection/access into and out of the site.

The Vaughan Development Planning Department is satisfied with the proposed site plan, landscape plan, and building elevations, as shown on Attachments #3, #4 and #5, respectively. The final plans must be approved to the satisfaction of the Development Planning Department.

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The Vaughan Engineering Department is generally satisfied with the site servicing and grading plans and stormwater management report. The final plans and report must be approved to the satisfaction of the Engineering Department in consultation with the Toronto and Region Conservation Authority.

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

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

A portion of the site abuts Regional Road #27, which is under the jurisdiction of the Region of York. The Regional Transportation Services Department has no objections in principle to the proposed development, however, final approval from the Region will be required. The Owner will also be required to enter into a Regional Site Plan Agreement with the Region of York.

The Region has indicated that a second site access may be necessary from Milani Boulevard to serve the Phase 2 development and any recreational uses that may be contemplated in the future within the open space lands to the south, which would be in addition to the signalization of the proposed driveway access on Regional Road #27. The owner to the north (Milani) owns a sliver of land on the south side of Milani Boulevard, which restricts access to the applicant's property. The applicant has not been able to obtain access to Milani Boulevard to date.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #450, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is generally satisfied that the proposed development for a 4-storey office building is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department recommends approval of the Site Development Application.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations

Report prepared by:

Ryan Mino, Planner, ext. 8213

/LG

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 38, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

38 ARCHITECTURAL DESIGN OF FIRE STATION 7-10 – WARD 1

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 2, 2009:

Recommendation

The Commissioner of Community Services, in consultation with the Fire Chief, the City Manager, the Director of Building and Facilities, the Director of Purchasing Services, and the Director of Reserves & Investments, recommends:

1. That the firm of Francesco Alaimo Architect Inc. at 7872 Kipling Ave., Woodbridge, Ontario be retained to design the new Fire Station 7-10; and,
2. That Purchasing Services staff finalize the terms and conditions and prepare the contract documents; and,
3. That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Contribution to Sustainability

It is the goal of the VFRS Master Fire Plan Implementation Strategy to design the new fire station 7-10 according to the LEED Silver standard (Leadership in Energy and Environmental Design).

Economic Impact

The design cost, estimated to be about \$145,000 was presented in Item 2, Report No. 5, of the Committee of the Whole (Working Session) dated February 24, 2009, report titled, Master Fire Plan Implementation Strategy; The Need for Fire Services in the North East including Land Acquisition and Construction of a North East Fire Station 7-10 which was adopted without amendment by the Council of the City of Vaughan.

Communications Plan

Not applicable

Purpose

The purpose of this report is to obtain Council approval to sole source the design of fire station 7-10 and retain the architectural service of Francesco Alaimo Inc.

Background - Analysis and Options

The firm of Francesco Alaimo Architect Inc. has previously designed fire stations 7-9, 7-8, 7-7 and 7-5 respectively. Fire station 7-9 is a LEED GOLD Building. (Leadership in Energy and Environmental Design). It is the goal of the VFRS Master Fire Plan Implementation Strategy to design the new fire station 7-10 according to the LEED standards.

As verbally reported by the Fire Chief on February 24, 2009 at the Committee of the Whole (Working Session), its imperative to retain an architect immediately to meet Council direction regarding the provision of emergency service to the north east quadrant of the City.

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regard, the Chief indicated that Francesco Alaimo Architect Inc. is familiar with the requirements, concepts and expectations of VFRS and the City of Vaughan. It was also explained that it is more economically prudent to engage this architectural firm to design the new fire station 7-10 for the reasons noted above. In order to meet Council direction and to provide the provision of emergency services in this area it is necessary to retain an architect immediately.

The Purchasing Authorization Bid Limit Policy allows for sole sourcing of goods and services greater than \$100,000 without requiring public advertisement and subject to award by Council.

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.

The design project is consistent with Vaughan Vision 2020 in the areas of:

- Enhance and Ensure Community Safety, health & Wellness
- Pursue Excellence in Service Delivery
- Lead & Promote Environmental Sustainability
- Enhance Productivity, Cost Effectiveness & Innovation

Regional Implications

The Region of York has been advised of the location and potential time table for the design and construction of the proposed fire station 7-10.

Conclusion

The design New Fire Station 7-10; (Capital project FRS – 3533 – 09) has been approved to proceed ASAP. Given the previous satisfactory service provided by this architectural firm, it is anticipated that design work for the proposed station can be expedited in anticipation of construction in 2010. In addition, there is also a financial savings that will realized if we utilized the same architectural firm.

With the approval of Council, Vaughan Fire & Rescue Service in co-operation with Building and Facilities is prepared to initiate the project immediately to meet the Council's direction.

Attachments

No attachments

Report prepared by:

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 39, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

39 MAYOR'S TRAVEL TO ITALY TO PURSUE BUSINESS AND FRIENDSHIP INTERESTS

The Committee of the Whole recommends approval of the recommendation contained in the following report of Mayor Jackson, dated June 2, 2009:

Recommendation

Mayor Linda D. Jackson recommends:

1. THAT the information in this report be approved by Council.

Contribution to Sustainability

Not Applicable.

Economic Impact

All costs associated with ground transportation, accommodation, meals and other incidentals were incurred by the City of Policoro. The only cost incurred by the Mayor's Operating Budget was for airfare.

Communications Plan

A Media Release was distributed to all media outlets by the Corporate Communications Dept. on May 15th, 2009.

Purpose

The purpose of this report is to provide feedback and approval in relation to the Mayor's travel to Italy.

Background - Analysis and Options

An invitation was received by the Mayor of Policoro, Nicola Lopatriello, inviting the Mayor and all Members of Council. The invitation was distributed to all Members of Council.

Mayor Linda D. Jackson travelled to Italy from May 15th – 20th, to visit the City of Policoro. The purpose of the trip was to meet with municipal and business leaders. In addition, the Mayor participated in a ceremony to inaugurate a piazza in the name of a former Vaughan resident. The inauguration was to acknowledge "Piazza Francesco Lofranco", which was named after the father of Cavaliere Rocco Lofranco.

During the visit, Mayor Jackson met with the Mayor and Members of Council of the City of Policoro, together with other business leaders throughout the Basilicata region of Italy. In addition, the Mayor met with representatives of Agri-Foods, an industry which is a major contributor to the economy.

The Mayor of Policoro expressed an interest in developing a Friendship Agreement with the City of Vaughan. In addition, discussions occurred with respect to the facilitation of importing and exporting products from the Basilicata Region to Canada. The Mayor of Policoro will be visiting Canada in the near future to facilitate a Trade Show in Vaughan, which will promote the Basilicata region.

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It is the role of the Mayor to participate in and foster activities, which enhance the economic, social and environmental well-being of the municipality and the residents. Unfortunately, due to time constraints a report to Council was not possible prior to the Mayor's travel. The details of the trip were finalized only a few days prior to departure.

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

Not applicable.

Conclusion

The trip to Policoro was a positive relationship-building exercise which allowed the opportunity for economic, cultural and social exchanges between the two cities. The establishment of a formal relationship will have to be approved by Council.

Attachments

1. Invitation to Mayor and Members of Council from the Mayor of Policoro.

Report prepared by:

Ann Coletta, Office of the Mayor

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

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 15, 2009

Item 40, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 15, 2009.

**40 DEPUTATION – MS. ROSEMARIE HUMPHRIES
WITH RESPECT TO HIGHWAY 400 NORTH EMPLOYMENT LANDS SECONDARY PLAN
STUDY OPA 637 AND REGION OF YORK OFFICIAL PLAN AMENDMENT NO. 52**

The Committee of the Whole recommends:

- 1) That the following be approved:

WHEREAS economic hardships are affecting a significant portion of our community; and

WHEREAS significant employment opportunities would be supported by advancement of the Hwy. 400 North Employment Lands; and

WHEREAS these lands have been previously approved by the City a considerable time ago as OPA 637 and are being dealt with by the Region of York as ROPA 52;

BE RESOLVED THAT the City engage legal council and planning staff resources as required in efforts to work with the Region of York and the Province of Ontario to resolve the appeal of ROPA 52 and move towards the approval of OPA 637 Employment Area as expeditiously as possible; and

- 2) That the deputation of Ms. Rosemarie Humphries, Humphries Planning Group Inc., 216 Chrislea Road, Suite 103, Vaughan, L4L 8S5, and written submission dated May 6, 2009, be received.