

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 1, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

**1 REQUEST FROM ACCESSIBILITY ADVISORY COMMITTEE (AAC)
FOR A SUB-COMMITTEE TO BE DELEGATED THE AUTHORITY FOR
SCREENING AND INTERVIEWING CANDIDATES TO FILL
VACANCIES ON THE AAC**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Accessibility Advisory Committee, dated June 23, 2009:

Recommendation

The Accessibility Advisory Committee recommends:

1. That Council be requested to authorize and delegate to the Accessibility Advisory Committee, the establishment of a sub-committee to conduct, along with appropriate staff, the screening and interviewing of candidates for appointment to fill vacancies on the AAC with their recommendations to be put forward to Council for approval.

Contribution to Sustainability

Not applicable

Economic Impact

There is no economic impact.

Communications Plan

Not Applicable

Purpose

The purpose of this report is to inform Council of the Accessibility Advisory Committee's proposal to be involved in the selection process for appointment to fill the vacancies on the AAC.

Background - Analysis and Options

At the May 26, 2009 meeting of the Accessibility Advisory Committee, the issue of the selection and interview process for candidates for appointment to AAC was discussed. It was felt that a sub-committee of the Accessibility Advisory Committee could provide assistance in identifying suitable and committed individuals who can make full contribution and fulfill the objectives of the committee. The Committee approved the following recommendation:

That Council be requested to authorize and delegate to the Accessibility Advisory Committee, the establishment of a sub-committee to conduct, along with appropriate staff, the screening and interviewing of candidates for appointment to fill vacancies on the AAC with their recommendations to be put forward to Council for approval.

Relationship to Vaughan Vision 2020/Strategic Plan

The Accessibility Advisory Committee supports the Vaughan Vision through provision of effective and efficient delivery of services by identifying opportunities to promote a barrier-free community.

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This report is consistent with the priorities previously set by Council by Serving our Citizens and promoting community safety, health & wellness.

Regional Implications

Not applicable.

Conclusion

The Accessibility Advisory Committee is requesting Council to authorize and delegate to the Accessibility Advisory Committee, the establishment of a sub-committee to conduct, along with appropriate staff, the screening and interviewing of candidates for appointment to fill vacancies on the AAC with their recommendations to be put forward to Council for approval.

Attachments

None

Report Prepared By

Lilian Pagnanelli, Assistant City Clerk, Ext. 8698

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Item 2, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

2

**PROCLAMATION REQUEST
CHILDHOOD CANCER AWARENESS DAY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated June 23, 2009:

Recommendation

The City Clerk recommends:

- 1) That September 4, 2009 be proclaimed as “Childhood Cancer Awareness Day”; 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 Communications and Development Officer, of the Pediatric Oncology Group of Ontario (POGO).

Background - Analysis and Options

The correspondence received from the Communications and Development Officer of the Pediatric Oncology Group of Ontario (POGO), dated May 20, 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 Pediatric Oncology Group of Ontario (POGO) is the official advisor on childhood cancer to the Ministry of Health and Long-Term Care. Childhood cancer is the biggest disease killer of children in Ontario, and their mandate is to raise awareness about the disease and its effects. The Pediatric Oncology Group of Ontario (POGO) works to develop new policies and programs that improve the care of children with cancer, their families and childhood cancer survivors.

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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 September 4, 2009 be proclaimed as “Childhood Cancer Awareness Day”, 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 Communications and Development Officer, Pediatric Oncology Group of Ontario (POGO), dated May 20, 2009.

Report prepared by:

Connie Bonsignore, Administrative Assistant to the City Clerk

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

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Item 3, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

3 IDENTIFYING THE WOODBRIDGE HERITAGE CONSERVATION DISTRICT – WARDS 1, 2 AND 5

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Councillor Carella, dated June 23, 2009, be approved; and
- 2) That the written submission of Ms. Dawna Guglielmi, Kleinburg BIA Chair, The Village of Kleinburg Business Improvement Association, Box 152, Village of Kleinburg, L0J 1C0, dated June 20, 2009, be received.

Recommendation

Councillor Tony Carella recommends:

1. that appropriate staff prepare and submit to the Committee of the Whole no later than December 31, 2009 a draft plan for the placement of signs at designated approaches to the Woodbridge, Kleinburg, Thornhill and Maple Heritage Conservation Districts, such plan to address design and cost issues, and
2. that upon approval in principle of such a plan, it be referred to the Budget Committee, as part of the 2010 budget process.

Contribution fo Sustainability

By definition, heritage conservation districts represent a commitment to sustainability over replacement. By promoting an appreciation of such districts, we contribute to a mind-set congenial to sustainability.

Economic Impact

Nil

Communication Plan

The ward councillors will issue a joint media release once the draft plan is approved in principle and included in the approved 2010 budget.

Purpose

To build awareness of the existence, location, and limits of the four heritage conservation districts, and thereby promote the values they express and in fact champion greater respect for our architectural heritage, pride in the ownership of a “contributing property”, etc.

Background – Analysis and Options

On May 26, 2009 Council approved the creation of the Woodbridge Heritage Conservation District, the fourth such district in the City of Vaughan. Key to the successful understanding of the role of such districts as a means of preserving and appreciating our built heritage is the building of general consciousness about the existence of these districts and their location and limits. Defining each district by way of signage is one method of achieving this goal.

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In the case of the Woodbridge Heritage Conservation District, there are five “gateways” (see attached map) and each should have some form of signage indicating that the viewer is “entering the Woodbridge Heritage Conservation District”. Design considerations (size, placement, message, typeface, etc.) would be part of the development of this plan, as well as an accurate costing of the project, hence the referral of this matter to the Budget Committee (as part of the 2010 budget process) subsequent to approval in principle of a draft plan developed by appropriate staff.

Relationship to Vaughan Vision 2020:

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

Regional Implications:

None

Attachment:

Map indicating five possible “gateways” to the Woodbridge Heritage Conservation District

Conclusion:

To further the goal of heritage conservation districts, it is necessary to build consciousness of their location and extent.

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. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

4 PILOT PROJECT: SOLAR-POWERED FLASHING BEACON

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated June 23, 2009:

Recommendation

Councillor Tony Carella recommends that the next flashing traffic beacon that the City of Vaughan installs be the subject of a pilot project to test the alternative supply of electricity by photovoltaic cell mounted above said beacon, and that staff report on the results of this pilot project twelve months following the start of the test period.

Contribution to Sustainability

Consistent with *Green Directions Vaughan*, this initiative will contribute to the reduction of our use of natural resources (via the burning of coal or natural gas to generate electricity) and minimize energy consumption.

Economic Impact

Minimal. Any added beacons (with or without photovoltaic cells) will be provided for in future budgets, as needed. The use of solar energy will result in a net reduction in the operational cost of electricity for such beacons.

Communication Plan

Corporate Communications shall issue a media release once the project is underway

Purpose

To demonstrate the feasibility of photovoltaic technology as a means of reducing electricity costs.

Background – Analysis and Options

Photovoltaic technology is developing at lightning speed, and there are numerous opportunities to demonstrate the benefit of such technology in a variety of settings. For example, in many jurisdictions, emergency telephone systems that line major highways are now powered by photovoltaic cells.

Ontario's new *Green Energy Act* is expected to provide a substantial boost in interest across the province around the benefits of photovoltaic power generation, with the promise that thousands of homeowners will eventually adopt it as a way of not only reducing the amount of energy drawn from the province's electrical grid, but also as a way of producing on site electricity to be sold to the grid, thereby driving energy costs of a typical single family dwelling down by an estimated 66.6%.

Relationship to Vaughan Vision 2020:

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

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Regional Implications:

None

Attachment:

None

Conclusion:

An opportunity presents itself to demonstrate how photovoltaic technology can reduce on-going electricity costs, an initiative consistent with the intent of the Province of Ontario's new Green Energy Act.

Report prepared by:

Councillor Tony Carella, FRSA

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Item 5, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

**5 FOUR WAY STOP SIGNS AT MONTEBELLO AVENUE/MARBELLA ROAD
AND MONTEBELLO AVENUE/MONDAVI ROAD – WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Carella, dated June 23, 2009:

Recommendation

Councillor Tony Carella recommends:

That a four way stop be installed at Montebello Avenue/Marbella Road and at Montebello Avenue/Mondavi Road.

Contribution to Sustainability

None

Economic Impact

Minimal

Communications Plan

The local councillor will advise the residents in th area.

Purpose

In order to ensure the safety of the residents in the area.

Background - Analysis and Options

The residents of the area have concerns with respect to two way stop signs at this location and strongly feel that a four way stop sign be installed to reduce the possibility of a serious accident.

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

None

Conclusion

In response to concerns by the area residents and supported by the Sonoma Heights Traffic Calming Committee Phase 1, it is recommended that these stop signs be approved.

Attachments

Letter from the Chair of the Sonoma Heights Traffic Calming Committee Phase 1.

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Report prepared by:

Councillor Tony Carella

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

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Item 6, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

6 ENSURING PEDESTRIAN SAFETY ALONG A PORTION OF REGIONAL ROAD 7 – WARD 2

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of Councillor Carella, dated June 23, 2009, be approved;
- 2) That the Mayor and Regional Councillors discuss with appropriate regional staff the urgency of this matter being dealt with before the start of the school year, September 8, 2009, and that representatives of the local community be invited to participate in such discussions; and
- 3) That the following deputations, written submissions, aerial photograph and petition, be received:
 - a) Ms. Pina DiStefano, 72 Nadia Avenue, Woodbridge, L4L 8N9, and written submission dated June 23, 2009;
 - b) Mr. Lucien Rotino, Holy Cross Catholic Academy, 7501 Martin Grove Road, Woodbridge, L4L 1A5;
 - c) Ms. Alexandra Milani, 321 Veneto Drive, Woodbridge, L4L 8X8;
 - d) Ms. Nadia Milani, 321 Veneto Drive, Woodbridge, L4L 8X8, and written submission dated June 23, 2009;
 - e) Ms. Norma Basciano, 63 Coles Avenue, Woodbridge, L4L 1L8;
 - f) Ms. Lynn Amanda Di Iorio, 35 Dalmato Court, Woodbridge, L4L 8X7, and written submission dated June 23, 2009, and aerial photograph;
 - g) Ms. Victoria Di Iorio, 35 Dalmato Court, Woodbridge, L4L 8X7, and written submission dated June 23, 2009;
 - h) Mr. Dražen Bulat, 245 Veneto Drive, Woodbridge, L4L 8X7;
 - i) Mr. Adriano Volpentesta; and
 - j) Ms. Giuseppina Fedele, The West Woodbridge Homeowners Association, 35 Albany Drive, Woodbridge, L4L 2X5, and petition dated May 27, 2009.

Recommendation

Councillor Tony Carella recommends:

1. That the attached letter from Mr. Luigi Tucci, Chair, Holy Cross Catholic Academy School Council, regarding the impact of the cessation of school bus service between the Kipling South neighbourhood and the school be received, and
2. That Engineering staff be directed to meet with appropriate staff of the Region of York, to discuss the placement of pedestrian safety barriers along the south side of Regional Road 7 in the vicinity of Rainbow Creek prior to the commencement of the school year on September 8, 2009, and
3. That as part of the 2010 capital budget process, a feasibility study be conducted to determine the cost of developing a pathway or trail from the entrance to the open space at the intersection of Angelina Avenue and Sara Street, through the open space to the west, across Rainbow Creek at the most appropriate location, and through the open space on the far side of the creek, ending in the general vicinity of the Ontario Soccer Centre, Vaughan Grove Park, and Holy Cross Academy.

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Contribution to Sustainability

Any initiative that encourages pedestrian travel is a contribution to sustainability.

Economic Impact

Nil

Communication Plan

Corporate Communications will issue a media release once this recommendation is adopted by Council

Background – Analysis and Options

The York Catholic District School Board recently wrote separate school supporters living in the Kipling South neighbourhood, informing them that the busing of students from Kipling South to Holy Cross Academy on Martin Grove Road would be discontinued as of September 2009. According to the circular (see attachments), the distance from the neighbourhood to the school is such that the continuation of busing would be in contravention of board policy, notwithstanding the fact that the cessation is not the result of a change in board policy.

The parents of Holy Cross students are concerned that the cessation of bussing will expose to danger those children who will be walking to school along Regional Road 7, especially along that portion of the roadway that traverses Rainbow Creek where the boulevard and the sidewalk are especially narrow. They are thus requesting that pedestrian safety barriers be erected at this location, in time for the start of the school year on September 8, 2009.

In light of the recent tragic death of a secondary school student as a result of a “freak” vehicular accident at an intersection in Ward 3 where the victim was waiting to cross a signalized intersection, the concerns of the petitioners---about the safety of children walking along a busy regional road where the roadway narrows to four lanes from six and speeding traffic is often “squeezed” as a result---cannot be viewed as unreasonable.

In addition, it has been suggested that a long-term solution to the problem may lie in the construction a pedestrian walkway or trail, linking the neighbourhood---from the entrance to the open space at the west end of the subdivision (near the intersection of Angelina Avenue and Sara Street), through the open space, across Rainbow Creek, and continuing through the open space along the west side of the creek to the Ontario Soccer Centre, Holy Cross Academy, and Vaughan Grove Park. In discussion of this potential solution, the City of Vaughan’s commitment to the development of pedestrian and bikeway systems in two official plan amendments can be cited:

OPA No. 240 (the Woodbridge Community Plan) states “A system of pedestrian walkways/bicycle paths linking the park system, school and open space lands, and providing connections to major facilities shall be provided, the precise location being determined at the subdivision approval stage.”

OPA No. 700 (on Open Spaces) states “A network of pedestrian and bicycle paths shall be located within the greenway corridors incorporated into Block plans, with linkages between neighbourhoods to ultimately create a continuous system throughout Vaughan.”

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In the view of many of the residents, they live in a “land-locked” neighbourhood. Their only vehicular exit is via Kipling Avenue at Regional Road 7, and when, as some assert, the plan for their neighbourhood was developed, a walkway from the Kipling Parkette to Vaughan Grove Park was included. In their view, a walkway/bicycle path will improve the neighbourhood in many ways and increase the options for safe travel around their community.

To that end, a feasibility study is in order, especially as the topography on the west side of Rainbow Creek will present a significant challenge in respect of the location of any crossing and the height of the tableland on the west side of the creek.

Regional Implications

As the highway in question is a regional road, and as the Region of York has addressed similar concerns in other parts of Vaughan (e.g., along the south side of Major Mackenzie Drive, west of St. David's Church in Maple), the participation of the Region will be key to addressing the concerns of the residents of the Kipling South Area.

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

Valid concerns regarding pedestrian safety have been raised by residents of the community and action is required.

Attachments

Letter of Luigi Tucci, Chair, Holy Cross Catholic Academy School Council
York Catholic District School Board: Important Notice/Transportation Service Changes for September 2009

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 7, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

**7 CHARACTER COMMUNITY COMMITTEE
RESIGNATION OF A COUNCIL MEMBER AND RECRUITMENT FOR A NEW COUNCIL MEMBER**

The Committee of the Whole recommends:

- 1) That the vacancy on the Character Community Committee not be filled; and
- 2) That the following report of the City Manager, dated June 23, 2009, be received.

Recommendation

The City Manager recommends that Council appoint a new member to the Character Community Committee.

Contribution to Sustainability

N/A

Economic Impact

There is no economic impact.

Communications Plan

The City's website and all Clerks' documents will be updated to advise the public of the members of the Character Community Committee.

Purpose

The purpose of this report is to seek Council's approval to accept the resignation of Councillor Yeung Racco from the Character Community Committee and to appoint another Member of Council to this vacancy.

Background - Analysis and Options

A Character Community is one in which elected officials, community leaders, citizens and staff recognize and promote good character. Everyone works together to ensure that families are strong, homes and streets are safe, education is effective, business is productive, neighbors care about one another, and people make wise choices for their families and lives. In short, a Character Community has leaders who are models of the character attributes they advocate for their citizens.

Vaughan City Council, at its meeting on October 9, 2007 established a Character Community Working Committee with representation from Council (Mayor Linda Jackson, Regional Councillor Joyce Frustaglio, and Councillor Yeung Racco).

The Character Community Working Committee is currently comprised of 11 members. Mayor Linda Jackson, Regional Councillor Joyce Frustaglio (Chair), In addition to the City Manager there are a number of staff who support the Working Committee.

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Option 1:

That Council appoint a new member to the Character Committee.

Option 2:

That Council accept the resignation of Councillor Yeung Racco and elect to not appoint another member to the Character Committee.

Relationship to Vaughan Vision 2020

All initiatives of the Vaughan Vision 2020 are incorporated within a Character Community as the Character Community Committee strives to provide Service Excellence by preserving our heritage and supporting diversity, arts and culture, Management Excellence by demonstrating leadership and promoting effective governance, and Staff Excellence by valuing and encouraging a highly motivated and engaged workforce.

Regional Implications

The City continues to work closely with the Character Community Committee of York Region to promote the City of Vaughan's Character Community Initiatives.

Conclusion

Character Community Week is celebrated annually in conjunction with York Region's Character Community Week. Character Community Week for 2009 is scheduled for October 26 - 30th, 2009. The Committee requests that Council choose Option 1 and appoint a Councillor to the Character Community Committee.

Attachments

N/A.

Report prepared by:

Lorena Marcucci
Executive Assistant to the City Manager

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8

FIRE APPARATUS PURCHASE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Fire Chief, dated June 23, 2009:

Recommendation

The Fire Chief, in consultation with the City Manager, the Director of Purchasing Services, and the Director of Capital Reserves and Investments, recommends:

1. That the City enters into a sole source contract with Smeal Fire Apparatus, Snyder NE. USA, for the Supply and Delivery of:

ONE (1) 2009 Smeal Custom 6000L/min Triple Combination Engine, as per the Capital Budget Project # FR - 3532 - 09 , for the NET sum of \$478,000 US dollars plus applicable taxes or approximately \$537,000 Canadian Dollars from Smeal Fire Apparatus Company, Snyder, NE. USA.

ONE (1) 2009 Smeal Custom 6000L/min Triple Combination Engine, as per the Capital Budget Project # FR – 3518 – 09, for the Net sum of \$478,000 US dollars plus applicable taxes or approximately \$ 537,000 Canadian dollars from Smeal Fire Apparatus Company, Snyder, NE. USA.

2. That the Mayor and Clerk be authorized to sign the necessary documents.

Contribution to Sustainability

The apparatus will be compliant to the new EPA Engine Emission and NFPA 1901 – 2009 Standard with the latest safety features included.

Economic Impact

Funds are available to undertake the required purchase with the approved 2009 Capital Budget.

Communications Plan

Not applicable.

Purpose

To seek approval for the sole source award and issuance of a purchase order to Smeal Fire Apparatus (Safetek Emergency Vehicles - Canadian Representative) for two triple combination engines (# FR 3532-09 & # FR 3518-09) funded from the CWDC Fund and Fire Equipment Reserve Fund respectively.

Background - Analysis and Options

The City of Vaughan was an original partner in the York Region Fire Cooperative Purchasing Program, which issued RFPs for the supply of various models of fire apparatus for various municipalities in the Region, and has been active for the past several years. Over that time, the City has purchased fifteen (15) fire apparatus units from Smeal Fire Apparatus (Safetek), utilizing the bulk purchasing power of several municipalities

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working together and the vendor's ability to extend original pricing for extended periods. Monitoring the trend of apparatus sales, it appears that we have been successful in that regard.

The Toronto Fire Services adopted our RFP process in the fall of 2000 and sought out a vendor for their fire apparatus needs. Smeal Fire Apparatus, who had been successful with the York Region Fire Cooperative Purchasing Program, was also successful on the Toronto RFP process. In 2006 the City of Toronto entered into the largest single contract for fire apparatus in fifty years for fifteen (15) Smeal custom Cab Rescue Pumpers. In August 2008 the City of Toronto Bid Committee authorized staff to award a contract for the supply and delivery of seven (7) Rescue/Pumper Trucks to Safetek Emergency Vehicles. In addition our status as an Authorized Warranty Center for Spartan Motors, Smeal Fire Apparatus, SVI and Safetek Emergency Vehicles has enabled VFRS to consistently negotiate best price for our emergency response vehicles.

The Vaughan Fire and Rescue Service currently has purchased its last fifteen (15) apparatus from Smeal fire Apparatus (Safetek) with the same Spartan MFD chassis model, with the same diesel engine and Allison transmission etc. that Toronto and other York Region municipalities have purchased and we desire to purchase again.

Capital Project # FR -3532 - 09 is new engine for fire station 7-10 approved in Capital Budget 2009. Capital Project # FR – 3518-09 a replacement engine for vehicle 79 -32 (1988 Dash Engine) has reached its serviceable life span, approved in Capital Budget 2009.

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.

The purchase of these vehicles is within the budget-approved amounts of \$ 600,000 each and funding is available. The Administrative Fee is in addition to the purchase amount and some equipment will be purchased and installed locally to complete the projects within the approved budget amounts.

Although there are other fire apparatus manufacturers, it is recommended to sole source the acquisition of this fire apparatus from the same manufacturer of the last thirteen (15) units purchased by the City of Vaughan. This will provide standardized chassis and fire-package components, servicing and parts inventory, and training/operator familiarity.

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

None

Conclusion

The recent RFP process in Toronto and other York Region municipalities demonstrate that the recommended vendor, Smeal Fire Apparatus, through its local sales agent Safetek Emergency Vehicles Ltd., continues to provide a high quality product at the best price.

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Attachments

Proposal Letter 2009 from Safetek Emergency Vehicles Ltd.

Report prepared by:

Larry Bentley, Deputy Fire Chief Operations
Chris Dennis, Chief Mechanical Officer

(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 9, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

9 VAUGHAN FIRE AND RESCUE SERVICE (VFRS) 2008 ANNUAL REPORT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Fire Chief and the VFRS Senior Command, dated June 23, 2009:

Recommendation

The Fire Chief and the VFRS Senior Command, in consultation with the City Manager, recommend that this report be received as information only.

Contribution to Sustainability

N/A

Economic Impact

The 2008 annual report was produced with internal resources at an approximate cost of \$1,800.00 and additional funds are not required.

Communications Plan

Through anticipated co-operation of the Senior Management Team (SMT), the 2008 annual report will be available on the City web site, in all City reception areas, Vaughan Public Libraries, VFRS Fire Stations and will be distributed to all Ratepayer Groups as well as to some peer organizations.

Purpose

To provide a summary report of activities and highlights of Vaughan Fire & Rescue Service in 2008.

Background - Analysis and Options

The 2008 Annual Report of Vaughan Fire and Rescue Service is the third annual report prepared by the department. The annual report is intended to provide a summary of the Department's activities as well as non-technical descriptions of the work of each division/program. An Operational Process Analysis conducted in 2005 by IER Consultants recommended that as part of an overall communication strategy, VFRS should develop a short annual report describing relative operations and highlights of the department.

As such this annual report will enhance communication between VFRS, Council, SMT and the citizens we serve which has been very well received over the past two years by members of the Ratepayers Association, citizens and staff.

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. This report conforms to:

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- Enhance and Ensure Community Safety, health & Wellness
- Pursue Excellence in Service Delivery
- Value & Encourage a Highly Motivated Workforce
- Citizens first through service Excellence

Regional Implications

The VFRS 2008 Annual Report has no regional implications.

Conclusion

The VFRS Annual Report documents achievements and highlights of the Vaughan Fire and Rescue Service in 2008. The Annual Report is an important part of a VFRS communication strategy as recommended by IER Consultants and will provide Council, Senior Management and our citizens with an overview of the types and categories of service provided by VFRS in 2008.

Attachments

Vaughan Fire and Rescue Service, Annual Report 2008 (For Members of Council – under separate cover).

Copies of the 2008 Annual Report are available through the Office of the Fire Chief.

Report prepared by:

L. Bentley, Deputy Fire Chief
G. R. Senay, Fire Chief

(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 30, 2009

Item 10, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

10

**CITY OF TORONTO REQUEST
TO ENTER INTO 311 CALL ROUTING AGREEMENT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Chief Information Officer (CIO), dated June 23, 2009:

Recommendation

The Chief Information Officer (CIO), in consultation with the Deputy City Manager / Commissioner of Finance & Corporate Services, and the Manager of Access Vaughan, recommends:

1. That staff be authorized to engage with neighbouring municipalities in order to establish 311 Call Routing Agreements, as required by the Canadian Radio and Telecommunications Commission (CRTC), and;
2. That a by-law be enacted to authorize the Mayor and the City Clerk to sign the finalized 311 Call Routing Agreements with neighbouring municipalities.

Contribution to Sustainability

N/A

Economic Impact

All costs related to custom programming of wiring centres to facilitate municipal routing of 311-dialed calls will be the responsibility of the requesting municipality. Therefore, there are no immediate costs to the City of Vaughan for entering into 311 Call Routing Agreements that are initiated by other municipalities. Should the City of Vaughan consider implementation of the 311 service at a future time, related costs and resource requirements will be identified at that time and form part of the business case for the 311 service.

Communications Plan

Not required.

Purpose

In response to a request from the City of Toronto, the purpose of this report is to receive Council authority to enter into 311 Call Routing Agreements with neighbouring municipalities, as required by the Canadian Radio and Telecommunications Commission (CRTC) and requested by the neighbouring municipalities.

Background - Analysis and Options

“311” has been designated by the Canadian Radio and Telecommunications Commission (CRTC), as a telephone access number to non-emergency municipal services. At the request of a municipality, the local telecommunications services provider will enable routing of all “311-dialed” calls to a central location as designated by the requesting municipality. Typically, the designated central location would be the municipality’s call centre.

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In order to properly route 311-dialed calls, the telecommunications services provider needs to accurately identify the municipal origin of the call. Typically, origin of calls is determined by the location of the telecommunications wiring centre which services a particular geographic area. The geographic area is not always contained within a single municipality. Wiring centres that service geographic areas which are shared by multiple municipalities need to be custom programmed by the telecommunications services provider to accurately route 311-dialed calls.

City of Vaughan shares several wiring centres with neighbouring municipalities (Toronto, Brampton, Richmond Hill, Markham, etc.). If neighbouring municipalities implement 311 access numbers, shared wiring centres need to be custom programmed by the telecommunications service provider. A CRTC regulation (General Tariff, Item 6001 – the 311 Service Tariff) requires neighbouring municipalities to formally agree to custom programming of shared wiring centres prior to the programming taking place. As the City of Toronto is preparing to activate 311 service in June 2009, they made a request for the City of Vaughan to formally agree to implement the necessary custom programming of shared wiring centres.

As per the referenced CRTC regulation, any costs related to custom programming of wiring centres to facilitate municipal routing of 311-dialed calls will be the responsibility of the requesting municipality. Therefore, there are no immediate costs to the City of Vaughan for entering into 311 Call Routing Agreements that are initiated by other municipalities. Should the City of Vaughan consider implementation of the 311 service at a future time, related costs and resource requirements will be identified at that time and form part of the business case for the 311 service.

Opportunity for Implementation of 311 a Service in Vaughan

Successful implementation of a 311 service is dependent on the effectiveness of the call centre being accessed through 311. City of Vaughan Council has committed to the development of Access Vaughan as the City's call centre. Although the launch and operation of Access Vaughan to-date has been highly successful, it still requires further development and integration with all "citizen facing" departments in order to be able to handle all citizens' inquiries. Additionally, some level of integration or interface needs to be established with the Region and potentially with other government agencies, such as school boards. A decision is also required as to who would front-end the diversity of citizens' inquiries, the Region or the municipality.

Before considering the implementation of 311 service, thought needs be given to the level of service that 311 is to provide and the resources required to maintain such level of service. For example, if the 311 service is to operate 24x7 it would require additional resources to staff Access Vaughan for 24x7 operations and potentially require increased staffing levels in departments that are integrated with Access Vaughan to handle more complex inquiries during the expanded Access Vaughan operating hours.

A prudent approach for implementation of 311 service would be to continue with the current strategy of developing Access Vaughan capabilities over time, in phases and in pace with available resources. While Access Vaughan capabilities are being enhanced and expanded, staff will engage with the Region and other government agencies to establish an understanding of how the 311 service might operate in a multi-tier municipal environment. For example, would the Region take all 311 calls and transfers them to local municipalities and agencies, or do the local municipalities take the calls?

Once Access Vaughan capabilities are developed to handle a 311 service, and a 311 protocol is determined with the Region and other municipalities then staff can develop a business case to assess potential costs and benefits of implementing 311 in Vaughan and bring appropriate recommendations to Council.

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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

While Access Vaughan capabilities are being enhanced and expanded, staff will engage with the Region and other government agencies to establish an understanding of how a 311 service might operate in a multi-tier municipal environment.

Conclusion

City of Vaughan Council should proceed to collaborate with the neighbouring municipalities and enter into 311 Call Routing Agreements as requested by the neighbouring municipalities, provided that there are no associated costs to the City of Vaughan.

Staff will continue to develop Access Vaughan capabilities over time, in phases and in pace with available resources. While Access Vaughan capabilities are being enhanced and expanded, staff will engage with the Region and other government agencies to establish an understanding of how the 311 service might operate in a multi-tier municipal environment.

Report prepared by:

Dimitri Yampolsky, Chief Information Officer (CIO) – 905.832.8585 x 8352

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 11, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

**11 PRE-QUALIFICATION OF COMPUTER HARDWARE SUPPLIERS AND
SERVICE PROVIDERS – RFPQ09-053**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Chief Information Officer (CIO), dated June 23, 2009:

Recommendation

The Chief Information Officer (CIO), in consultation with the Deputy City Manager / Commissioner of Finance & Corporate Services, Director of Information Technology & Telecommunications, and the Director of Purchasing Services, recommends:

1. That Dell Canada Inc., Agil IT Inc. and Duocom Canada Inc. be established as the City's vendors of record for supply of computer hardware and services for a term of three (3) years subject to annual review by the City, as described in the Request for Pre-qualifications RFPQ09-053, and;
2. That staff be authorized to seek competitive bids, negotiate, and enter into service agreements in accordance with the Purchasing Policies with the computer hardware and services vendors of record to meet the City's computer hardware requirements at a cost not exceeding previously approved budget for such services, and;
3. That a by-law be enacted to authorize the Mayor and City Clerk to sign related documents.

Contribution to Sustainability

As part of the technology asset management methodology, consideration is given to environmental sustainability when assets are acquired, used and decommissioned. During the vendor of record selection process, additional evaluation points are given to vendors who demonstrate environmentally responsible business practices. As technology assets are acquired, equipment specification is set to minimize power consumption and minimize unfriendly environmental emissions during the use of such equipment. As the technology assets reach their end of life, they are disposed through auctioned sale to organizations that either recycle or refurbish the equipment.

Economic Impact

The City of Vaughan maintains a large and complex technology infrastructure, consisting of computer hardware and software that is deployed in most City facilities, including community centers, parks, Libraries and Vaughan Fire and Rescue Services locations. Additionally, the City acquires related services for configuration, installation and maintenance of complex technology solutions. The total operating and capital cost of all hardware, software, maintenance and support services in all City facilities is approximately \$1.4 million per year. This amount is included in the City's annual operating and capital budgets.

Communications Plan

Not required.

Purpose

The purpose of this report is to receive Council approval for the establishment of qualified vendors of record for supply of computer hardware and services to the City.

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Item 11, CW Report No. 35 – Page 2

Background - Analysis and Options

The City of Vaughan maintains a large and complex technology infrastructure, consisting of computer hardware and software that is deployed in most City facilities, including community centers, parks, Libraries and Vaughan Fire and Rescue Services locations. Additionally, the City acquires related services for configuration, installation and maintenance of complex technology solutions.

Use of technology is a key business requirement for efficient City operations and delivery of services to residents. Effective management of the City’s technology assets must be aligned with departmental business requirements and performed on a timely basis by qualified professionals.

To efficiently and effectively manage the City’s technology infrastructure, a process needs to be put in place to enable timely and competitive response from qualified service providers to the City’s rapidly changing technology needs.

By establishing a set of pre-qualified computer hardware suppliers and service providers vendors of record will enable the City to quickly communicate its requirements for hardware, software and related services to qualified vendors, receive competitive bids and engage the vendors in delivery of needed services. This approach ensures integrity of the City’s technology infrastructure, and enhances the City’s ability to adapt to its rapidly changing technology needs.

Pre-Qualification Process

Request for Pre-Qualification of Computer Hardware Suppliers and Service Providers (RFPQ09-053) was advertised in the Vaughan Citizen, Electronic Tendering Network (ETN) and with Ontario Public Buyers Association (OPBA) on March 19, 2009 with closing date of April 2, 2009. Twenty-two (22) proponents picked up the RFPQ documents from the Purchasing Services department.

Nine (9) proposals were received, five (5) of which were declared non-compliant. The following four (4) qualified proposals were evaluated by a selection team in consultation with Purchasing Services department and Legal Services department staff:

- ✓ Dell Canada Inc.
- ✓ Duocom Canada Inc.
- ✓ HCQ Technologies Inc.
- ✓ Agil IT Inc.

The following evaluation criteria, as outlined in the RFPQ09-053, were used in the evaluation process:

| EVALUATION CRITERIA | EVALUATION POINTS |
|--|-------------------|
| <p>Company Profile and Financial Status</p> <ul style="list-style-type: none"> • Company profile, history, business practices, clients, locations and size of offices, warehouses within the GTA • Financial Status – financial statements, revenue, equity and expenditure figures, Bank reference, etc. | 40 |

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Technical Capabilities, Qualifications, Experience

- Demonstrated experience and qualifications necessary to deliver the services 40
- Demonstrated ability to provide the breadth of services including the number, experience and qualifications of technical personnel employed

Additional Value Add Services

- Distinct services provided that demonstrate leadership, innovation and customer service. This can include portals, online ordering and tracking systems, environmentally friendly policies and practices, etc 20

Based on the above evaluation criteria, as put out in the RFPQ, the evaluation team determined that Dell Canada Inc., Agil IT Inc. and Duocom Canada Inc. achieved the required minimum amount of evaluation points to qualify as the City’s vendors of record for supply of computer hardware and related services.

Engagement with Computer Hardware and Services Vendors of Record

As the City’s technology needs are identified, the computer hardware and services vendors of record will be required to propose solutions to address identified needs on a case-by-case basis. The proposed solutions will be assessed for technical compatibility with the City’s technology infrastructure, effectiveness in addressing the City’s needs and value of the solution. Information and Technology Management department, in consultation with Purchasing Services department will engage the appropriate vendor of record to provide the needed solution. Specific terms and conditions of engagement have been detailed in the RFPQ09-053 and acknowledged by all qualified proponents.

In the event that none of the vendors of record are able to propose solutions to address the City’s technology needs, an open Request for Proposals (RFP) will be issued.

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.

Specifically, the recommendations of this report support the following VaughanVision 2020 initiatives:

- A-1 *Pursue Excellence in Service Delivery* – To deliver a high quality of services within approved service standards to all City stakeholders e.g. staff, citizens and businesses.
- C-2 *Enhance Productivity, Cost Effectiveness and Innovation* – To develop and implement innovative solutions and technological infrastructure, providing enhanced productivity and operational efficiency.
- C-3 *Maintain Assets and Infrastructure*– To optimize existing infrastructure through sound asset management.

Regional Implications

None

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Conclusion

Use of technology is a key business requirement for efficient City operations and delivery of services to residents. Effective management of the City's technology assets must be aligned with departmental business requirements and performed on a timely basis by qualified professionals.

By establishing a set of pre-qualified computer hardware suppliers and service providers vendors of record will enable the City to quickly communicate its requirements for hardware, software and related services to qualified vendors, receive competitive proposals and engage the vendors in delivery of needed services. This approach ensures integrity of the City's technology infrastructure, and enhances the City's ability to adapt to its rapidly changing technology needs.

The total operating and capital cost of all hardware, software, maintenance and support services in all City facilities is approximately \$1.4 million per year. This amount is included in the City's annual operating and capital budgets.

Attachments

None

Report prepared by:

Dimitri Yampolsky, Chief Information Officer (CIO) – Ext. 8352

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 12, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

12

**AWARD OF TENDER T09-162
SUPPLY AND DELIVERY OF THREE (3) CURRENT YEAR MODEL MULTI-PURPOSE
SIDEWALK TRACTORS WITH ARTICULATING CHASSIS STRUCTURE AND
COMPLETE WITH SANDER, SNOW BLOWER, AND MULTI POSITION SNOW PLOW**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 23, 2009:

Recommendation

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

1. That Tender T09-162, for the Supply and Delivery of three (3) Current Year Model Multi-Purpose Sidewalk Tractors with Articulating Chassis Structure and complete with Sander, Snow Blower and Multi Position Snow Plow is awarded to G.C. Duke Equipment Inc. for a total price of \$557,299.05; and,
2. That the Mayor and the City Clerk be authorized to sign the necessary documents.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 1, Objective 1.2:

- To promote reduction of greenhouse gas emissions in the City of Vaughan.

Economic Impact

Project FL-5125-09 was approved in the 2009 Capital Budget and funded from the City Wide Development Charges and Taxation.

Community Plan

N/A.

Purpose

To award Tender T09-162 for the Supply and Delivery of three (3) Current Year Model Multi-Purpose Sidewalk Tractors with Articulating Chassis Structure and complete with Sander, Snow Blower and Multi Position Snow Plow.

Background – Analysis and Options

Council approved funds for projects FL-5125-09, to purchase the multi-purpose sidewalk tractors as part of the ongoing equipment program, and is funded from the City Wide Development Charges and Taxation.

This Tender was advertised in Vaughan Today, ETN (Bidding) and the Ontario Public Buyers Association (OPBA). Four (4) bids were picked up and two (2) bid submissions were submitted to Purchasing Services on closing date June 1, 2009. One (1) bid was declared non-compliant for not meeting the technical specifications and the only compliant bid is as follows:

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| <u>Supplier</u> | <u>Bid Price (Includes G.S.T and P.S.T)</u> |
|---|--|
| 1. G.C. Duke Equipment Inc. <u>Relationship to Vaughan Vision 2020</u> | \$557,299.05 |

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 have reviewed the submissions and based on the quote results, and the ability of the manufacturers to supply the required sidewalk tractors, it is recommended that the tender be awarded to G.C. Duke Equipment 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 13, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

13

**AWARD OF QUOTATION Q09-044
SUPPLY AND DELIVERY OF ELECTRICAL SUPPLIES**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 23, 2009:

Recommendation

The Commissioner of Community Services, in consultation with the Director of Building and Facilities and Purchasing Services recommends:

1. That Q09-044, Supply and Delivery of Electrical Supplies be awarded to Vaughan Electrical Supply Co. Ltd. for a one year contract in the amount of \$105,562.50 (excluding GST); and,
2. That the Mayor and the City Clerk sign the necessary documents.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 1, Objective 1.1:

- To reduce greenhouse gas emissions and move towards carbon neutrality for the City of Vaughan’s facilities and infrastructure.

Economic Impact

Funds have been allocated in the 2009 operating budget for this contract.

Purpose

The purpose of this report is to seek Council approval to award Quote Q09-044 for the Supply and Delivery of Electrical Supplies.

Background- Analysis and Options

The City of Vaughan has an inventory of sixty five buildings and numerous park field houses that require routine maintenance. Many common electrical items are repaired and replaced at the buildings and field houses by maintenance staff. As the buildings age, repairs and replacements can become more frequent and increase in volume, therefore obtaining the best possible pricing for electrical items is essential in an effort to reduce or maintain expenditures.

The Request for Quotation was sent to nine (9) potential bidders. The quotations were closed and publicly opened on Monday May 11, 2009 at 3:30 p.m. with three (3) bids received. The lowest complete offer however was over \$100,000.00 which requires this quote to be awarded by Council. The results of the submitted quotations are as follows:

| Contractor | Percentage Quoted | Total Cost (excluding GST) |
|----------------------------------|--------------------------|------------------------------------|
| *Vaughan Electric Supply Inc | 100% | \$105,562.50 |
| O’Neil Electric Supply | 80% | \$107,687.50 |
| Hudco Electric Supply Ltd | 90% | \$99,766.25 |

*Vaughan Electric priced 100% of all the items at the lowest cost.

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The lowest complete bid offered by Vaughan Electric Supply Co. Ltd. has been supplying similar items to the City for a number of years and their performance has been considered satisfactory.

Relationship to Vaughan Vision 2020

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

- STRATEGIC GOAL:
Management Excellence – Providing excellence in the management of our city.
- STRATEGIC OBJECTIVE:
Enhance Productivity, Cost Effectiveness and Innovation - To develop and implement innovative solutions and technological infrastructure, providing enhanced productivity and operational efficiency

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

Regional Implications

None

Conclusion

Buildings and Facilities, and Purchasing Department staff have reviewed the quotations received and have determined that Vaughan Electric Supply Co. Ltd, has met the requirements of the contract for the supply and delivery of electrical supplies. Vaughan Electric Supply Co. Ltd. was the only supplier that submitted pricing on all the items listed and had the lowest submitted price. O'Neil Electric Supply and Hudco Electric supply did not submit pricing for all of the items as listed. The contract will be for one year. The bid is within the approved operating budget. This contract will commence pending Council approval and the completion of the necessary documents.

Attachments

None

Report prepared by:

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

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Item 14, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

14

**AWARD OF TENDER T09-027
THOMSON HOUSE PARK – WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated June 23, 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 T09-027, Thomson House Park, be awarded to Melfer Construction Inc. for the amount of \$150,483.00 (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 funding in capital project PK 6113-07 be increased by \$17,500.00 to allow for additional construction funding of \$2,000.00 and a 10% contingency; and,
- 4) That the inclusion of the matter on a public Committee or Council agenda for the additional funding request for Thomson House Park is deemed sufficient notice pursuant to Section 2(1)(c) of Bylaw 394-2002; and,
- 5) That a bylaw be enacted authorizing the Mayor and the City Clerk to sign the necessary documents.

Contribution to Sustainability

The construction of the Thomson House Park project will provide a new park facility within a residential neighbourhood and may encourage physical activity and promote the health and well being of Vaughan residents. The park facility will facilitate walking and activities within the immediate neighbourhood, reducing the need to travel by car to park facilities outside of the core neighbourhood.

Economic Impact

Capital project PK-6113-07, Thomson House Park funding was approved in the 2007 Capital Budget. An annual cost of \$4,800.00 is required to maintain this park once completed and this amount should be added to the 2010 Parks Operations and Forestry base operating budget.

Communications Plan

N/A

Purpose

The purpose of this report is to seek Council approval to award tender T09-027 – Thomson House Park.

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Background - Analysis and Options

The project is for the construction of a neighbourhood parkette at Thomson House Park located at 301 Vaughan Mills Road, in Ward 2.

This park development project will commence construction concurrently with the scheduled traffic calming measures that are to be implemented on Vaughan Mills Road adjacent to the park. During construction, the park will be closed to the public and physically secured by temporary metal hoarding (construction fence). It is anticipated that the park will not be open for public use until the traffic calming measures have been fully implemented.

The project includes the construction of a playground precinct (concrete curb, drainage system and sand safety surfacing), installation of play equipment, asphalt walkway and tree planting.

Tender T09-027 was advertised with Biddingo and the OPBA. Quotes were closed and publicly opened on Wednesday, May 20, 2009. Four (4) 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> |
|--------------------------------|--|-------------------------------------|---|
| Melfer Construction Inc. | \$150,483.00 | n/a | \$150,483.00 |
| Pine Valley Enterprises Inc. | \$156,580.00 | n/a | \$156,580.00 |
| Rutherford Contracting Ltd. | \$159,631.57 | n/a | \$159,631.57 |
| Forest Contractors Ltd. | \$160,533.00 | n/a | \$160,533.00 |

Relationship to Vaughan Vision 2020 / Strategic Plan

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

- STRATEGIC GOAL:
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:
Pursue Excellence in Service Delivery; and Enhance and Ensure Community Safety, Health and Wellness - 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, Melfer Construction Inc. is deemed to meet the requirements of the contract.

Should Council concur with the additional funding request this action would be considered as an amendment to the Capital Budget. Pursuant to the Municipal Act 2001, before amending a budget, a municipality shall give notice of its intention to amend the budget at a Council meeting. Where a capital project has been subject to a public meeting during the adoption of the approved

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capital budget and where additional funding is required to complete the approved works, inclusion of the matter in a staff report requesting additional funding on a public Committee or Council agenda is deemed to be sufficient notice pursuant to Section 2(1) (c) of By-law 394-2002

Upon award of this quote, this project will commence within ten (10) working days from the Date of Notification of Award and should be completed on or before September 11, 2009 (weather permitting).

Attachments

N/A.

Report prepared by:

Chris Welsh, Landscape Architect, Ext. 3213
Martin Tavares, Construction Coordinator, Ext. 3205
Paul Gardner, Director of Parks Development, Ext. 3209

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Item 15, Report No. 35, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 30, 2009, as follows:

By inserting the words “or other opportunities” following “3” in Clause 2 of the recommendation of the City Manager, Commissioner of Community Services, Directors of Buildings and Facilities, Parks Development, Parks Operations and Forestry, Recreation and Culture and Reserves and Investments, dated June 23, 2009.

**15 GREENPARK GROUP OF COMPANIES AND EDGE SPORT MANAGEMENT PROPOSAL –
AC MILAN VAUGHAN SPORTS CENTRE – WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, Commissioner of Community Services, Directors of Building and Facilities, Parks Development, Parks Operations and Forestry, Recreation and Culture and Reserves and Investments, dated June 23, 2009:

Recommendation

The City Manager, Commissioner of Community Services, Directors of Building and Facilities, Parks Development, Parks Operations and Forestry, Recreation and Culture and Reserves and Investments, in consultation with the Directors of Legal and Purchasing Services recommend:

- 1) That appropriate staff be authorized to enter into formal discussions with the Greenpark Group of Companies, Edge Sport Management and all other relevant stakeholders in response to a partnership proposal on the AC Milan Vaughan Sports Centre;
- 2) That the discussions proceed to further explore the proponent's proposed Options 3 with a view to:
 - establish a partnership agreement respecting prepayment for subsidized community access for Vaughan minor sports groups at the AC Milan Vaughan Sports Centre;
 - identify the number of hours available for community access that would equate to the prepayment amount proposed;
 - determine the length of the agreement and timing of payments: and,
- 3) That a report on the details of the discussions be provided to a future meeting.

Contribution to Sustainability

None

Economic Impact

There is no economic impact related to this report.

Communications Plan

Council's decision on this matter will be relayed to the principles of the Greenpark Group of Companies, Edge Sport Management and all other relevant stakeholders.

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Purpose

The purpose of this report is to obtain Council approval to enter into formal discussions with the Greenpark Group of Companies, Edge Sport Management and all other relevant stakeholders respecting prepayment for subsidized community access at the AC Milan Vaughan Sports Centre.

Background - Analysis and Options

The Greenpark Group of Companies has recently completed the construction of an indoor sports centre named the AC Milan Vaughan Sports Centre on 2 Balda Court in the Teston Road and Highway 400 area (refer to Attachment 1). The facility houses 6 indoor soccer fields and accommodates other sports and house sport amenities such as concessions and meeting rooms.

The Greenpark Group is the owner of the AC Milan Vaughan Sports Centre (ACMVSC) and has leased the facility to Edge Sport Management. Mr. Enrico Mazzone, who has been associated with City based soccer endeavours over the past several years, is the president and primary shareholder of the Edge Sport Management. The site development costs, cost of capital construction, maintenance and financing has been bourn by and is the full responsibility of the Greenpark Group of Companies.

Mr. Angelo Baldassarra, representing the Greenpark Group of Companies, submitted a proposal on December 5, 2008 seeking to form a partnership that would facilitate public access for Vaughan residents in exchange for a financial contribution. This committee report serves to provide Council with an overview of the proposal and options, along with information on ACMVSC, their business plan and the relationship to the Vaughan Ventures Policy and Active Together Master Plan. Staff have had preliminary discussions with the proponents and based on the information gathered to date, find merit in proceeding to the formal discussion stage.

Partnership Proposal / Options

Greenpark, on behalf of the management company, in its proposal submitted to the City Manager has proposed the following three options:

Option 1 – A One Time Grant of \$800,000

The City would grant a one time amount of \$800,000. The grant would be solely utilized for the leasehold improvements for the ACMVSC. The condition of the grant would be an agreement between the facility and the City for guaranteed community access at a predetermined rate structure.

Option 2* – Loan for \$800,000

The City would provide a loan of \$800,000 needed for leasehold improvements. The load would be interest free and could be paid back through profit sharing over the course of 10 years (or an agreed to timeframe).

Option 3* – Prepayment for Subsidized Community Access

The City would prepay \$800,000 to guarantee subsidized access to the facility for community groups. The agreement would specify the number of hours per week of community access during prime time and would outline the length of the agreement. City staff would determine how the time would be allocated.

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* Note: In Options 2 and 3 above, the Commissioner of Community Services could become a member of the Board of Directors for the duration of the agreement.

In all three options, the Greenpark Group would remain the owner of the facility and the Board of Directors would hire and oversee the operator/manager of the facility. It is also anticipated that Greenpark would offer non prime time hours to the City at both the Astra Sportsplex (another indoor soccer centre owned by the Greenpark Group) and the ACMVSC for community access at a preferred rental rate consistent with the cost of utilities and hourly maintenance costs.

Comments from Legal and Financial Services

Legal staff have reviewed the proposal and associated options suggested by the Greenpark Group of Companies and are of the opinion that Options 1 & 2 are not available options to the City as this facility is not considered a Municipal Capital Facility as defined in the Municipal Act.

If Council approves staff's recommendation, Option 3 – Prepayment for Subsidized Community Access, staff will commence formal discussions with the proponent and identify the number of hours available for community access that would equate to the prepayment amount proposed, determine the length of the agreement, and determine the timing of payments. The proposed financial contribution by the City could be spread over a number of years (e.g. 10 years) and linked to securing hours suitable for resale to the community, thus recapturing a portion if not all of the fees paid by the City.

Should the City pursue this option, there would be no operating obligations associated with the centre. The prepayment for community access times in this facility could be from the operating budget with a potential to offset costs from revenues.

Vaughan Ventures Policy

The Vaughan Ventures Policy is the City's framework for the evaluation of unsolicited proposals.

The policy states that the City's goal for establishing partnerships is to provide municipal services or infrastructure in ways that encourage creativity and innovation, free up or allow more flexible use of capital and operating resources and encourage economic development within the municipality as permitted under the Municipal Act. The Vaughan Vision envisions private/public/non-profit partnerships as being among the strategies available to the City to provide tourism, recreational and leisure opportunities, to encourage economic development and to encourage private and public investment including the provision of municipal infrastructure and services.

Partnering should be pursued only if it results in less cost to the taxpayer, while ensuring efficiencies, quality and level of service acceptable to Council.

The policy outlines four basic means for locating potential partners:

- Sole source negotiations by the City with a targeted organization:
 - Appropriate where there is only one source for the desired product.
- Tender call process:
 - Used when seeking a well defined commodity and is not seeking to share risk. This process limits creativity on terms.
- Request for Proposal:
 - Appropriate when a need/opportunity is identified by the City but the means to achieve the need are not readily known.

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- Unsolicited proposals:
 - Partnership propositions in the form of unsolicited proposals to the City are examples of where the detailed evaluation must be customized within the framework of the Ventures Process Model.
 - The venture must first successfully proceed through the assessment phase to ensure it complies with municipal goals and objectives.

The Purchasing Department has confirmed that although the four basic means for locating potential partners outlined above are extracted from the Vaughan Ventures Policy, the concepts are in keeping with the purchasing policies and procedures.

On the premise stated above that an unsolicited proposal is an approved means of establishing a partnership within the Vaughan Ventures Policy, the relevant criteria in the Level One Assessment Phase were assessed against the contents of this proposal and summarized below:

| Policy Criteria | Relevant Information |
|--|--|
| Relevance to Goals and Objectives of Vaughan Vision | <p>The proposal supports many goals and objectives including:</p> <ul style="list-style-type: none"> ▪ service excellence, ▪ responding to demonstrated public need, ▪ enhance productivity, cost effectiveness and innovation, ▪ encouraging private investment in public infrastructure, ▪ stimulating and assisting the existing business community, and, ▪ supporting an established business style corporate philosophy. |
| Fit with Organization and Vaughan Corporate Culture | <p>The proponent, Greenpark Group, has successfully worked with the City on previous initiatives and demonstrated a commonality in corporate culture and philosophies.</p> |
| Need or Benefit to Municipality's Public Services | <p>The proposal supports the needs identified in the Active Together Master Plan and will expand service to local sports groups and community. Consultation with sports groups further validated the need for this level of service.</p> |
| Economic Impact or Spin offs within the Municipality | <p>Pending further discussion on the terms, option 3 could result in a low economic risk to the City through the recapturing of upfront fees through the sale of facility time to minor sports groups.</p> <p>The facility also provides local economic benefits through job opportunities with the community.</p> |

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|---|---|
| <p>Costs & Effectiveness of Proposal relative to the City implementing the service in house</p> | <p>The centre will be available to the users at a lower cost and the City will not have to operate the centre.</p> <p>The overall effectiveness of the partnership results in increased service levels at a fraction of the cost.</p> |
| <p>Value of Enhanced Service</p> | <p>The facility is a state of the art facility elevating the level of service to users.</p> <p>The Active Together Master Plan validates the value of the service both in terms of trends and the high interest in Vaughan for indoor soccer.</p> |
| <p>Financial and Other Obligations</p> | <p>There will be no operating obligations assigned to the City. The financial contribution will be directly linked to securing community access which could result in recapturing any upfront fees. There would be no other obligations reinforcing the low risk of this possible venture.</p> |
| <p>Operating / Technical Qualifications and Financial Ability of Partner</p> | <p>The partnership group has strong financial capacity and the management team extensive business background. They have demonstrated experience in soccer and other ventures and superior qualifications in the business of soccer.</p> |
| <p>Risk Analysis</p> | <p>Analysis of the business plan determined that its assumptions are reasonable and within acceptable industry standards.</p> <p>The partnership group will assume all financial and operating risks of the project whereas the City will receive community access.</p> |
| <p>Benefit Analysis</p> | <p>Community groups will benefit through having access to a state of the art facility. Vaughan's youth will have new sport skill development choices and an increase in recreational and complete opportunities.</p> |

The assessment of the AC Milan proposal against the criteria outlined in the Vaughan Ventures Policy supports moving forward. Enough of the criteria have been satisfied to warrant further exploration through formal discussions.

Should an agreement be reached, data will be gathered in the short term (4 - 6 years) to evaluate the current and future needs and make recommendations on whether the City should continue to provide this added level of service, and to what extent. The data gathered will be analyzed to determine, whether the needs can be met within the existing agreement or does the agreement need amending to include additional hours. This timeframe will also allow staff to explore other facilities that may have been built or alternatives that may meet the needs of the users.

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With added information gathered during the term of the agreement and the possible addition of similar facilities, the City maybe in a position to issue a Request for Proposal process or to directly build and own an indoor turf facility.

Active Together Master Plan

The Active Together Master Plan, approved in principle in the fall of 2008, identifies the growing trend on indoor facility development due to increased demand for indoor facilities.

Although not a current level of service, indoor turf was reviewed as part of the development of the plan and within the planning context it was noted indoor soccer has increased in line with the growth of outdoor soccer in the 1990's. Presently, indoor soccer programs are being offered by many soccer clubs out of indoor facilities operated by the private sector and school and community centre gymnasiums.

Trends on Indoor Facility Development

Increased demand on indoor facilities is a trend observed by many public and private service providers. Recognizing lack of time was cited as the biggest barrier to participation, potential users are looking for **maximum convenience** when they find time to recreate, without the restriction of elements such as weather (hot, cold, windy, rainy etc) and facility maintenance conditions. The demand was articulated for soccer and expands beyond to tennis, rock climbing, cricket and bocce.

As the demand continues to rise municipalities are increasingly being pressed to provide indoor soccer facilities. Although traditionally this service has been borne by the private sector, research suggest that many municipalities in Ontario with a population of over 100,000 have invested in the development and/or operation of an indoor turf. Generally the most cost effective approach to facility development and operation has employed a public-private model.

More and more there are examples of municipalities who are solely responsible for the funding and operation of indoor turf centres. It has been found that, if a sound business planning process has been undertaken, municipal investment in indoor turf can be an Endeavour with a tolerable level of risk. **Municipalities that have recently started to provide this level of service include: Brampton, Mississauga and Oakville. Richmond Hill has been operating an indoor turf centre for many years.**

The plan suggests that the City could enter into a partnership agreement for the development of an indoor soccer facility after completing a feasibility study and business plan.

Assessment of Need and Planning Context

National trends suggest that after major growth in the 1990's, soccer still enjoys great popularity particularly amongst youth. The youth aged 5 -19 (the primary market for soccer) presently account for 21% of the City's population and the numbers will increase by 32% towards 2021. This sheer increase in numbers will create additional demands for soccer facilities. As youth soccer players of today become adults, it is expected that an even greater demand for adult soccer (both indoor and outdoor) will be seen.

Review of inventory data from several communities surveyed suggests that at a minimum, 50% of municipal soccer fields are full size. The review of Vaughan's inventory of fields found that 40% are full size, essentially a 10% deficit in comparison. In a City where a substantial proportion of soccer play is at the older youth and young adult levels, it appears as though **there are not**

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enough large/senior fields to meet current needs. Full size soccer fields can accommodate a greater range of users, as they can easily be divided into 2 or more mini fields if portable/movable goals are available; for this reason, as well as growing interest, many communities are moving away from mini field provision in favour of larger more flexible field templates.

Given the need for more full size soccer fields, the plan suggests the City should look for ways to develop larger fields in its future, including artificial turf fields. Artificial turf fields can be used more intensely, for longer periods and for a variety of sports.

Consultation Process - General

It is estimated that there were approximately 8,009 registered outdoor youth soccer players in the City as of 2007 representing 16% of the youth population.

As part of the consultation process to develop the Active Together Master Plan, statistically significant household telephone survey of Vaughan residents was conducted. The survey observed that 54% of respondents believed the City should be investing in new or improved indoor turf facilities and (4% rated this their top priority) rounding out the top ten list of facility demands. Furthermore 18% of the sample indicated that a member of their household had participated in indoor soccer or football. The ratio of indoor to outdoor soccer players is believed to be higher than average in Vaughan when compared to most other communities.

The demand for additional soccer fields was also expressed through the community input workshops held with representatives of local soccer organizations. Praise was provided for the permitting system, field location and maintenance and the Sportsplex thus confirming their need for indoor turf.

Consultation Process – Vaughan Minor Soccer Clubs

To further assess community interest for indoor artificial turf, staff consulted with the presidents of the four Vaughan-based, minor soccer clubs:

1. Glen Shields Minor Soccer Club
2. Kleinburg / Nobleton Minor Soccer Club
3. Vaughan Minor Soccer Club
4. Woodbridge Minor Soccer Club

Collectively the clubs serve over **8,000 players**.

The clubs expressed unanimous interest in artificial turf and gaining additional prime time access at more affordable rates. They commented on the difficulty in obtaining reasonable hours for the various needs and that they are frequently fielding complaints from parents about the high costs associated with indoor play.

The clubs operate various programs including recreational programs from October to April and, training programs for their rep teams.

The clubs presently have access to the indoor fields at the Ontario Soccer Centre for one weeknight each. The Vaughan Soccer Club also uses the Astra Sportsplex in Maple and the AC Milan in Woodbridge however the allocated hours do not meet their growing needs. Coaches do look outside of Vaughan, such as the Wild Water Kingdom and Hanger in Toronto and the Richmond Green in Richmond Hill.

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The future outlook for indoor field sports indicates that indoor soccer will become more popular as more youth and adults pick up the game and conduct additional off season training. Increasing popularity of soccer (both indoor and outdoor) is certainly anticipated in Vaughan where there is a strong enthusiasm and interest in soccer, as well as a strong local and regional market for the sport (as evidenced by the presence of multiple organizations leading soccer advancement). Vaughan is also promoted as a soccer tournament destination and the City's location at the hub of major transportation infrastructure adds to its attractiveness and potential in the sport tourism market. Interest in other sports such as ultimate frisbee, lacrosse and football is also increasing, suggesting that there will be even greater demand for indoor turf venues overtime.

AC Milan Vaughan Sports Centre

Features and Amenities

The 93,000 square foot facility provides the following:

- 6 indoor artificial turf mini soccer fields (convertible)
- space for fitness testing/medical clinic
- meeting/party rooms
- 2,000 square foot concession area
- office, storage and support areas

Portable walls and curtains allow the fields and floor space to be divided into various sizes to accommodate different activities. The space can be converted to a non-standard size senior field.

The goal of the centre is to provide a centralized hub of the AC Milan Academy and to create an environment where student athletes can experience soccer in a fun, safe and learning environment. It will focus on amateur soccer and strive to become a prominent force in the soccer scene.

AC Milan Brand

Greenpark and ESM have created a close working relationship with the AC Milan Soccer Club – one of the strongest soccer brands in the world. Mr. Mazzone has secured all rights to the AC Milan name in Canada as well as a national license for AC Milan products and services.

Officially known as the Associazione Calcio Milan, the club is one of the top 20 football clubs in the domestic leagues worldwide.

Since 2006, AC Milan has granted Mr. Mazzone the right to associate its brand with The Soccer Academy of Champions of Vaughan. The positive impact of the brand recognition was in large part responsible for two very successful summer soccer camps that have been organized to the benefit of Vaughan residents. The extension of this relationship to the new soccer centre will ensure that the AC Milan expertise will be brought to bear instructional programs for children, youth, adults, schools, clinics and camps.

From a marketing perspective the brand should attract participants from all age groups. It is further hoped that talented youth will have the opportunity to train with AC Milan in Italy.

Edge Sport Management

Edge Sport Management (ESM) will lease and manage the new facility, undertake the lease hold improvements to the facility and be entirely responsible for its operations including:

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- Developing a sound, achievable and measurable business plan that seeks to maximize revenues and streamline expenditures in the safe operation of the facility
- Developing an annual operating budget, completing budget control measures, cash management and ensuring budget targets are met
- Marketing and promoting the facility to ensure that it achieves or exceeds the annual rental targets
- Selling advertising and naming rights for the fields and advertising on signage to ensure a viable and strong alternative revenue stream
- Allocating and booking field time to the various user groups in order to maximize facility usage
- Overseeing the operations of the concessions and the café
- Ensuring that all legislative requirements are met at a minimum (Health and Safety, Fire Code Safety regulations, Workplace Hazardous Material Information Systems, local by-laws etc.
- Recruitment, selection, training, supervision and retention of all full and part time staff
- Overseeing the repairs and maintenance of the facility including preventative maintenance, cleaning, minor repairs to the equipment and equipment replacements,
- Creating leagues, soccer academies and training schools to support soccer development through the Soccer Academy of Champions
- Promoting alternate uses of the facility, birthday parties, tradeshow, golf, major events and other ancillary uses.

ACMVSC Business Plan

Principles of the AC Milan Vaughan Sports Centre developed a business plan based on assumptions and financial projections from the research of local market conditions as well as a general understanding of the soccer environment in Vaughan and the GTA.

Officials of Greenpark requested an independent analysis of the plan and hired the JF Group and Tucker-Reid & Associates to provide objective opinions regarding its viability. It should be noted that the named consultants were part of the consulting team who completed the Active Together Master Plan.

The consultants performed the following research and analysis to review the plan:

- Reviewed the City's Active Together Master Plan with a specific focus on the need for the indoor soccer facilities to serve the short and long term requirements of Vaughan residents;
- Assembled financial and operating information from several indoor soccer facilities in the GTA;
- Accessed competitive information associated with the Vaughan soccer environment;

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- Developed operating, revenue and cost ratios that were applied to the related elements of the business plan; and,
- Documented the results of the preceding tasks.

Based on the foregoing, the JF Group provided the following opinion:

Demographic projection, soccer participation and facility provisions identified in the City's Active Together Master Plan would suggest that current demand would be sufficient to support an indoor soccer facility. The plan presents significant evidence supporting the need for the proposed facility to service Vaughan soccer enthusiasts and anticipated that the facility will be capable of capturing approximately 25% of soccer registrants in the York Market. This would seem reasonable based on the supply of indoor facilities to regional demands,

The revenue projections per indoor field are quite conservative and the model could be adjusted to include a higher proportion of league play which would increase the revenue and the hourly rates have been cautiously established. Therefore while the plans are reasonable, there could be opportunity to improve the amount of revenue income.

Most of the plan's operating metrics fall within acceptable ranges making the overall plan a viable business.

Summary and Rationale for Formal Discussions

Recognizing that:

- The Greenpark proposal for the ACMVSC satisfies the criteria within the Vaughan Ventures Policy and enhances the level of service to the community;
- Option 3, prepayment for subsidized community access, is a low risk option in that there is potential to recapture all or at minimum, a substantial portion of any financial contribution;
- As articulated in the Active Together Master Plan:
 - The trends for indoor facilities is rapidly increasing;
 - Vaughan's population will grow specifically in the age groups that will utilize indoor soccer and there is public support (54%) for more indoor soccer facilities;
 - Vaughan has a greater number of adult soccer participants than in many municipalities; and,
 - There is a need for additional outdoor soccer fields within the next 26 years; and,
- Formulating a partnership with an existing and qualified provider as compared to constructing a new building is cost effective.

There is a reasonable basis for staff to enter into formal discussions with the proponents with a view to establish terms and options to best meet the needs of Vaughan residents.

Staff will review the business plan in detail, consult with users and other stakeholders and report back to Council with the findings.

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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 and the necessary resources have been allocated and approved.

Regional Implications

N/A

Conclusion

Given that the AC Milan Vaughan Sports Centre proposal submitted by the Greenpark Group of Companies has merit, meets the criteria of the Vaughan Ventures Policy and is supported by the Active Together Master Plan, it is recommended that Council authorize appropriate staff to enter into formal discussions with the Greenpark Group of Companies, Edge Sport Management and all other relevant stakeholders with a view to fully explore the proposal respecting prepayment for subsidized community access.

Community interest for artificial turf is strong and local clubs have expressed unanimous interest in gaining additional prime time access at more affordable rates. The formal discussions will explore the merits of establishing a partnership agreement that allow access for Vaughan minor sports groups at a subsidized rate and the potential for the city to recover costs from revenues.

The future outlook for indoor field sports indicates that indoor soccer will become more popular as more youth and adults pick up the game and conduct additional off season training. Increasing popularity of soccer (both indoor and outdoor) is certainly anticipated in Vaughan where there is a strong enthusiasm and interest in soccer, as well as a strong local and regional market for the sport (as evidenced by the presence of multiple organizations leading soccer advancement). Vaughan is also promoted as a soccer tournament destination and the City's location at the hub of major transportation infrastructure adds to its attractiveness and potential in the sport tourism market. Interest in other sports such as ultimate frisbee, lacrosse and football is also increasing, suggesting that there will be even greater demand for indoor turf venues overtime.

Attachments

1. Location Map - AC Milan Vaughan Sports Centre

Report Prepared By

Ferruccio Castellarin, Director of Reserves and Investments, ext. 8271
Marjie Fraser, Director of Parks Operations and Forestry, ext 6137
Paul Gardner, Director of Parks Development, ext. 3209
Jeff Peyton, Director of Building and Facilities, ext. 6173
Mary Reali, Director of Recreation and Culture, ext. 8234

(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 16, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

16 ONTARIO CONFEDERATION OF SICILY USE OF SPACE – WARD 3

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, Directors of Recreation and Culture, Building and Facilities and the Area Recreation Managers, dated June 23, 2009:

Recommendation

The Commissioner of Community Services, Directors of Recreation and Culture, Building and Facilities and the Area Recreation Managers, in consultation with the Director of Legal Services, recommend:

1. That the City of Vaughan, Recreation and Culture Department issue a facility rental permit to the Ontario Confederation of Sicily (OCS) for their use of meeting space at the Chancellor Community Centre, in accordance with facility permit terms, conditions and approved rental fees; and,
2. That the Council resolution of September 8, 2003 (Item 2, Report No. 61) be rescinded.

Contribution to Sustainability

None

Economic Impact

Depending on the number of meetings and associated rental permits, the Recreation and Culture Department could realize a positive net impact of approximately \$200 to \$400 to the annual operating budget.

Communications Plan

Since 2005, staff have had ongoing meetings with the executive of the OCS.

On October 27, 2008 a meeting was held with Mr. Paul Natale, President of the OCS, Mr. Campione, past legal advisor for the OCS, and Recreation and Culture staff where a tentative agreement was reached. The tentative agreement was further amended in January to respond to preliminary feedback from some members of the Executive Board and is the basis of the terms outlined in this report.

It was agreed that the Mr. Natale would recommend ratification by the full Executive Board following which, staff would present the proposed agreement to City of Vaughan Council. Note: The recommendation in this report is based on the principles of the tentative agreement.

At the Executive Board meeting on Wednesday, March 4th, 2009, Mr. Natale presented the terms however could not obtain consensus from the members. As they have from on the onset, they maintain they have no source of funding to absorb any rental costs and understood the space would be provided for free. The Board further decided to continue with their current practice of utilizing meeting space within the offices of the various organizations that makeup the Ontario Confederation of Sicily rather than the Chancellor Community Centre.

On May 4th, 2009 staff wrote to Mr. Natale (Attachment 1) and confirmed the City's commitment to the OCS and to the terms of the tentative agreement with no response.

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In summary, the OCS is aware of this report to Council including the corresponding recommendations. Communication of any Council decision on this matter will be relayed to the executive of the OCS.

Purpose

The purpose of this report is to obtain Council's approval to issue a facility rental permit to the OCS for their use of meeting space at the Chancellor Community Centre, rescind the resolution from September 8, 2003, (Item 2, Report No. 61) and, to report on the review of matters related to the administration, management and reporting of the City of Vaughan Council's decision from September 2003 to date.

Background - Analysis and Options

On March 31, 2008, Council directed Senior Management to:

1. Conduct a review of matters contained herein, to include and not limited to: Vaughan Council's September 2003 approval to provide space at the Chancellor Community Centre with the Ontario Confederation of Sicily (OCS); the administration, management and reporting of the City of Vaughan Council's decision from September 2003 to date as outlined in this report and bring forth any draft agreement or recommendation to finalize the direction of Council; and,
2. Take any/all actions deemed necessary to bring back a report and address issues raised by their review within the next 30 days.

In addition, on December 10, 2007, Council directed staff to review the Council decision of September 2003 regarding the Ontario Confederation of Sicily's request for space and report back in January 2008.

REVIEW

The Ontario Confederation of Sicily is a non-profit umbrella organization, currently representing approximately 14 Clubs and Associations of Canadians of Sicilian decent in the Province of Ontario. One or two representatives of each club sits on the OCS.

The objectives of the OCS include maintaining a relationship with all levels of government of the Region of Sicily, disbursement of information to Sicilians in Ontario and assisting in the mutual exchange of cultural, social and educational programs for the betterment of Sicilians in Ontario and Sicily.

In 2002, the OCS was in need of space in Vaughan to house their proposed library/cultural centre. In February of 2003 they made a deputation to Council to request space at the Vellore School House, Blue Willow Activity Centre, or the Chancellor Community Centre.

In response to the March 31st, 2008 direction of Council, Senior Management conducted a review of matters related to the administration, management and reporting of the City of Vaughan Council's resolution from September 2003.

In September 2003, Council resolved the following:

1. That the City of Vaughan enter into an agreement with the OCS for the use of space at the Chancellor Community Centre;

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2. That a By-Law be enacted to authorize the execution of a license agreement upon the City Solicitor being satisfied with the terms of said agreement; and,
3. That any renovations to the facility to accommodate the Confederation be at their cost.

The following report provides Council with:

1. Findings from a review conducted by Senior Management, both in summary and in detail; and,
2. A proposed recommendation to finalize the corresponding matters contained in this report.

In total, there were five directives from Council as summarized below. The December 10th, 2007 and March 31, 2008 directives are currently on the Outstanding Reports List.

Summary:

| | Council date | Item Prepared by | Item Title | Synopsis Recommendation... / |
|-------------------------------|---------------------|---|--|---|
| Item 33, Report 17, CW | Feb 24, 2003 | Deputation Mr. A. Balsamo | Deputation – Mr. Angelo Balsamo – Ontario Confederation of Sicily with Respect to the Use of Vellore School |rec'd and referred to staff for a report to a future CW meeting. |
| Item 22, Report 45, CW | Jun 9, 2003 | D. Haas, Commissioner of Community Services | Ontario Confederation of Sicily – Request for Space | ...approved;that space be provided at the location identified as the former CMHC Blue Willow site; andthat prior to allocating the space, that a report be provided addressing the space requirements and the cost implications. |
| Item 2, Report 61, CW | Sep 8, 2003 | D. Haas, Commissioner of Community Services | Ontario Confederation of Sicily – Request for Space |adopted without amendment... |
| Item 47, Report 58, CW | Dec 10, 2007 | New Business Councillor DiVona | New Business – Ontario Confederation of Sicily Request for Space at Chancellor Community Centre |that staff review the Council decision of Sept 2003 regarding the OCS's request for space and report back in January 2008. Matter brought to the attention of the Committee by Councillor DiVona. |

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| Item 30, Report 16, CW | Mar 31, 2008 | Councillor DiVona | Ontario Confederation of Sicily Agreement | <p><i>....that Clauses 1, 2 and 3 of the recommendation contained in the following report of Councillor DiVona, dated March 25, 2008, be approved, and</i></p> <p><i>...that the local Councillor not play a role with respect to this matter but that the matter be referred directly to staff for resolution.</i></p> |
|------------------------|--------------|-------------------|---|---|

There were several factors that impeded staff’s ability to respond to the directives. Overall, while staff has acted in good faith, they were unsuccessful in negotiating an agreement with the OCS primarily due to the consistent position taken by the OCS that the space including any renovation costs was to be provided for free. Note: The tentative agreement recently reached is in keeping with the Recreation and Culture facility rental process which outlines terms and conditions and Council approved fees.

Since the resolution of September 2003, there have been a number of staff changes and the turnover may have impacted the efficiency and the effectiveness of the negotiations. While the review of matters related to the administration, management and reporting of the City of Vaughan Council's resolution from September indicates that staff could have been more aggressive, the staff interviewed have advised that the former Director of Recreation and Culture was apprised of the discussions and issues throughout the various stages. They further advised that the former Director noted she would take care of it at her level thus removing them from the equation.

In the short time of the new Director’s involvement, it is evident that receiving responses from the OCS is challenging and on the balance of probabilities, it is likely that both parties share in the delay in reaching an agreement in this regard.

Details:

The following provides the details for each of the three items resolved by Council in September 2003 and includes, but is not limited to, the discussions and activities that have taken place with the OCS.

September 2003 Resolution, Items 1 and 2:

1. That the City of Vaughan enter into an agreement with the OCS for the use of space at the Chancellor Community Centre; and,
2. That a By-Law be enacted to authorize the execution of a license agreement upon the City Solicitor being satisfied with the terms of said agreement.

Numerous meetings and communications have taken place from October, 2005 through October, 2008 in an effort to reach an agreement with the OCS. Throughout this period and at virtually every meeting, the OCS has maintained that they have no source of funding to absorb any rental costs and that their understanding is there would not be any fees imposed for their use of space. Further they have maintained that they would not have agreed to the terms of the September, 2003 directive if they had known payment would be required.

In chronological order the following is a summary of the discussions that have taken place:

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2005

October: Staff met with the OCS President to identify the OCS's needs and requirements for using the space at Chancellor Community Centre.

2006

January: The OCS requested storage for cultural books. The cupboards in Activity Room 1 were vacated for the books. The OCS had also indicated a preference for the books to be stored in their office. The books were not delivered to the community centre until 2008. At the time of delivery of the books, the OCS was also offered the option of having the books catalogued and stored at the Ansley Grove Library. The books were secured at the community centre, pending the OCS's decision.

May: Staff met with the OCS to discuss the use of Activity Room 1 and the office. The OCS indicated the need for space for meetings, a library for their books and an office.

September: Staff met with the OCS to discuss their use of the space. They requested a kitchenette, as they were under the impression that this would be included. It was suggested that the kitchen area next to the gymnasium was an option.

2007

February: Staff requested the OCS complete a Community Service Organization (CSO) application to be consistent with past practice. The information was promised for February 23, 2007, however, was not provided.

April: Staff called the OCS President to inquire about the status of the CSO information. He stated that he would be resigning and there will be new elections in May; the matter was on hold.

May: The OCS Vice President called to inform staff that the Board of Directors meeting had been cancelled due to the passing of the OCS President's wife, so no actions could take place.

Staff met with the OCS in an attempt to complete the CSO application. The OCS provided a list of executives and a financial statement. Still missing were a membership list, membership fees, minutes from their AGM and an audited financial statement. They were informed by email of the missing information and that an agreement needed to be completed. They stated that their preference for the books was to store them in the office. Note: The OCS was supplied with a key for their office in October, 2006. The OCS has typically used the office on the second Tuesday of every month.

The OCS was emailed a letter, which gave details of the CSO fees and was also provided with a copy of the council extract from June 9, 2003.

June: Two scheduled meetings were cancelled by the OCS.

August: Staff met with the OCS to discuss fees and outstanding CSO. The OCS protested that the requested information could not be provided as it was private.

2008

February: The membership information was again requested.

August: A meeting was held with Mr. Frank Perricone, a Vice President of the OCS. When discussing past and future use of the space, he stated that they originally had intentions of doing activities at the centre but did not organize anything. He said that they meet one to two times per month, although they sometimes meet at his business office.

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Staff advised that the only option available that is consistent with other users is to allow use of space either through a lease or facility rental permit both of which would incur costs. Although Mr. Perricone understood the fairness of this approach he maintains their position regarding their initial understanding of the terms.

October: Staff meet with Mr. Natale and Mr. Campione past legal advisor for the OCS. Upon review of the Council resolution of September 2003, Mr. Campione states that the directive regarding payment is clear. A tentative agreement is reached that complies with the facility permit terms and conditions. The OCS confirms they will present the terms to their Board of Directors meeting in January 2009.

2009

January: At the Board of Directors meeting on January 14th, the Board did not accept the terms presented. Following further discussions between staff and Mr. Natale revised terms were agreed upon. Mr. Natale advises the revised terms will be presented at a board meeting on March 4, 2009.

March: Mr. Natale could not get the Executive Board of Directors to ratify the tentative agreement. They elected to continue their current practice of meeting within the offices of the various organizations that make up the Ontario Confederation of Sicily rather than the Chancellor Community Centre.

May: Via letter staff reconfirm the proposed terms to the president of the OCS and advise of the report to Council.

Item 3:

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

In keeping with the Council direction of September 2003, during the construction of the Chancellor Community Centre, an office was created to accommodate the needs of the OCS. The estimated capital cost to create this office is approximately \$17,000. Options proposed by staff included the spreading of payments over a number of years so as to lessen the burden however they contest any payment.

When discussing options for an exchange value or benefits for the loss of space in a centre with limited public space they had stated that they originally had intentions of doing activities including a library/cultural centre with books, however, they did not articulate the definitive variables in this regard. Essentially their use of space is limited to one to two times per month in the office and this being their only need was confirmed by Mr. Perricone at the August , 2008 meeting.

In summary, staff has taken numerous steps to facilitate the finalizing of an agreement between the City of Vaughan and the OCS for their use of space in the Chancellor Community Centre.

RECOMMENDATION

1. Facility Rental Permit Option

Meeting space at other centres is provided to Community Service Organizations (CSO's) on a permitted basis. All of these organizations pay the approved CSO rates for their use. This is the basis for requesting that the OCS pay for their space. Payment for space provides taxpayers with an exchange value for the space provided and is consistent with past practice.

Although the OCS has elected to use meeting space outside of the Chancellor Community Centre, there may be a need from time to time to meet at this location. During those times the recommendation is that they be charged the CSO rates for their use.

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2. Rescinding of Resolution of September 8, 2003 (Item 2, Report No. 61)

The recommendation to rescind this resolution is based on the fact that the OCS has maintained the following:

- a) They had no knowledge of the requirement to pay for any facility renovation;
- b) They would not have agreed to any conditions involving payment;
- c) At the onset they understood their use of space would be granted without costs; and,
- d) They do not have the financial means to pay the expense,

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 and the necessary resources have been allocated and approved.

Regional Implications

None

Conclusion

This report serves to provide Council with the administration and management activities since the September 2003 Council resolution.

Since October 2005, there have been numerous meetings with staff and the OCS to discuss terms of their use of space. Throughout, the OCS has maintained that they do not have a source of funding to offset rental or lease costs and that their understanding was they would be allocated space at no cost.

Should the OCS wish to use the space at Chancellor utilizing the rental permit process would provide a consistent practice and adherence to City policies as it relates to fees and permit requirements.

Attachments

- 1. Letter to Mr. Paul Natale dated May 1, 2009

Report Prepared By

Mary Reali, Director of Recreation and Culture, ext. 8234
Paul Compton, Area Recreation Manager (West), ext. 8358

(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 17, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

17 MULTI-SERVICE COMMUNITY CENTRES – STATUS REPORT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services and the Director of Recreation and Culture, dated June 23, 2009:

Recommendation

The Commissioner of Community Services and the Director of Recreation and Culture, in consultation with the Director of Public Works recommend:

1. That this status report on Multi-Service Community Centres and the One-Stop Shopping promotional flyer (Attachment 1) be received.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Objective 4.1, Action 4.1.5:

- Provide access to, and information about, the City's services at community centres.

Economic Impact

There is no direct impact as a result of this item.

Communications Plan

Multi-services offered in community centres will be advertised at all centres and as required through such mediums as the City of Vaughan website, Recreation and Culture seasonal guides, flyers, posters and other notices used to promote programs and services. The One-Stop Shopping promotional flyer (Attachment 1) will be posted at Community Centre customer service desks.

City departments, whose services are offered through community centres, will advertise this benefit through their specific promotional material.

The Public Works Department will be providing an information report regarding the availability of blue and green bins at community centres to the Greening Vaughan Committee and will include information in the annual Greening Vaughan Calendar.

Purpose

The purpose of this report is to provide Council with the status of current and future multi-services offered at City of Vaughan community centres and a copy of the One-Stop Shopping promotional flyer (Attachment 1).

Background - Analysis and Options

The Active Together Master Plan emphasizes the benefits of a multi-service community centre concept, recommending that the City of Vaughan expand select municipal services and augment other public services at local community centres.

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By utilizing a site that is city-owned and operated, community centres have the opportunity of becoming the hub or heart of the community for not only recreational and cultural activities but also serve as a “one-stop shopping centre” for many day-to-day services that are provided by the City, Region or other public service agencies.

Community centres are generally open longer hours and more days than the Civic Centre and the JOC; therefore, in addition to the convenience of accessing comprehensive and cost effective services without the need to travel outside of their neighbourhood, a greater benefit to the citizen is the ability to access services at their convenience such as evenings and weekends.

According to the public consultation findings within the Active Together Master Plan development, the number one reason people do not participate in recreational activities is due to lack of time. Bringing more services into community centres helps residents with time-stressed challenges. Further, a greater sense of familiarity is created, which could lead to an increased awareness of recreational activities and in turn, greater participation.

The City has long recognized the value of consolidating multiple uses at a single site. The multi-service centre concept is a key strategic initiative put forward by the Vaughan Vision 2020 and affirms the City’s mission of “placing citizens first through service excellence”.

Staff have been actively pursuing multi-services in community centres. This status report will provide Council with a summary of existing and recently added services and the plan for new services in both the short and long term.

Existing Services

The following multi-services were introduced in community centres a number of years ago and continue to be offered at some or all local community centres. These services are outside the realm of traditional services typically offered at community centres (i.e. swimming, skating, fitness classes, preschool programs, etc.):

- Library Services
- Garbage Tag Sales
- York Region Transit (YRT) Tickets
- York Region Passes
- City Information Literature Stands
- Community Information Boards
- Self-Serve Registration Kiosks
- Gift Certificates

Recently Added Services

- Roadwatch Drop-boxes (reporting station for dangerous or aggressive driving)
- Human Resources Job Posting Boards
- City Information Display Boards (City of Vaughan program and service information)
- Language Line Services (over-the-phone interpretation service - translation of 150 languages to assist staff with serving customers with language barriers)

New Services to be introduced – Phase I

On June 22nd of 2009, the Recreation and Culture Department, in partnership with the Public Works Department, implemented a soft launch for the “sale only” of green bins and blue boxes at Al Palladini Community Centre and Garnet A. Williams Community Centre.

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As per the Public Works Department, the City's current green bin and blue box distribution program is three-pronged and includes the following methods of sale:

1. "Sale Only" – residents who have purchased resale homes or require additional containers may purchase them from the City;
2. "New Occupancies" – a "waste container" fee has been collected through the City's standard subdivision agreement for residents who have purchased a home directly from a builder;
3. Free Replacement - replacement of damaged green bins and blue boxes at no cost to the resident

Due to the complexity of the current systems and the limited space at the community centres, it is not possible to provide any service other than "Sales Only" for blue boxes or green bins. Public Works will be reporting at a later date on a revised strategy concerning the distribution of blue boxes and green bins. In the interim, the JOC will continue to be the distribution centre for all three methods of sale (i.e. Direct Sales, New Occupancies, and Free Replacement Policy).

A full launch of the program ("sales only") will take effect immediately after Labour Day at the following community centres:

Al Palladini
Garnet A. Williams
Dufferin Clark
Maple
Vellore Village

Note: Block 10 will be added upon opening.

All new service options will focus on municipal services. However, services outside municipal jurisdiction that add convenience or generate foot traffic, and would result in added exposure to recreation services, will also be considered in Phase II.

After extensive analysis, including ongoing community input from residents, and consultation with staff, the following new services will also be added to the current multi-service offerings this Fall:

- Postage Stamp Sales (booklets of 10 "Permanent" Domestic Stamps)

New Services to be considered – Phase II

The following services will be considered for Phase II of the multi-service centre initiative:

- Municipal Application Forms
- Building Permit Application Forms
- Municipal Licensing
- Property tax and municipal bill payment
- Expanded use of Registration Kiosks (i.e. Vaughan On Line Services)
- Sale of City Playhouse Theatre Tickets
- Rechargeable Battery and Cell Phone Battery Recycling Program

Relationship to Vaughan Vision 2020/Strategic Plan

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

- STRATEGIC GOAL:
Service Excellence – Providing service excellence to Citizens.

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- **STRATEGIC OBJECTIVE:**
Enhance and Ensure Community Safety, Health & Wellness.

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

Regional Implications

There are no regional implications.

Conclusion

The Recreation and Culture Department is committed to providing services that best reflect the needs of Vaughan residents. According to the Active Together Master Plan, the number one reason many people are not able to participate in recreational activities as often as they like is due to lack of time. The expansion of multi-service options will increase opportunities for recreation by bringing citizens into community centres to do tasks they already had to perform, such as purchasing garbage tags, buying a green bin or postage stamps. By bringing more traffic into community centres, a greater sense of familiarity is created, which could lead to an increased awareness of recreational activities, and in turn, greater participation and an increased sense of community.

Attachments

1. One-Stop Shopping promotional flyer

Report Prepared By

Mary Reali, Director of Recreation and Culture, ext 8234
Sunny Bains, Business Services Manager, ext 8336

(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. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

18

ART OF DIVERSITY PROJECT

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services and the Director of Recreation and Culture, dated June 23, 2009:

Recommendation

The Commissioner of Community Services and the Director of Recreation and Culture, in consultation with the Community Equity and Diversity Committee recommend:

1. That the following report on the Art of Diversity project be received for information.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Objective 4.1:

- To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

Economic Impact

The net budget for the project is \$3,500 per year for two years and is included in the current operating budget for the Community Equity and Diversity Committee.

Communications Plan

The Art of Diversity project will be communicated on the City of Vaughan website through a 'Call for Entries' notice. The project will also be advertised through direct mailing to artists; and, at community centres, libraries, cultural groups and community service organizations throughout Vaughan. (*Note: Cultural Services maintains an extensive listing of Vaughan-based artists*).

Purpose

The purpose of this report is to inform Council of a project, called "Art of Diversity", organized by the Community Equity and Diversity Committee with assistance from the Vaughan Arts Advisory Committee and Recreation and Culture Department. The purpose of the project is to select a work of art that celebrates diversity for display in the new Vaughan Civic Centre.

Background - Analysis and Options

The Community Equity and Diversity Committee, a non-statutory committee of Council, serves to promote the principles of equity and diversity through a greater understanding of diversity in the community and workplace and to pursue better relations between diverse groups represented in Vaughan.

To celebrate the dynamic spirit of diversity in the City of Vaughan, members of the artistic community will be invited to submit original works of art to be considered for acquisition and public display. The competition encourages artists to focus their creative vision on distinctive aspects of the City's character and to capture the vibrant essence of Vaughan's cultural, religious

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and racial diversity. One work of art that embodies this special diversity will be selected by a jury panel and displayed prominently in the new Vaughan Civic Centre for the whole community to appreciate and to connect with personally.

Competition will be open to both emerging and established artists in an open call for entries format versus a closed invitation to professional artists only.

Call for Entries will be distributed in August of 2009 and digital entries with all support material must be received in full by February 26, 2010. Artists will be notified of the status of their submission by March 31, 2010, following the adjudication.

This initiative is organized by the Community Equity and Diversity Committee with assistance from the Vaughan Arts Advisory Committee and the Recreation and Culture Department.

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:
Preserve our heritage and support diversity, arts and culture.

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

Regional Implications

None

Conclusion

The Art of Diversity project will allow the whole community to appreciate and to connect with diversity in a personal way.

The promotion of equity and diversity in Vaughan through the creation of one work of art that embodies creative vision on distinctive aspects of the City's character will capture the vibrant essence of Vaughan's cultural, religious and racial diversity. The work of art, selected by a jury panel, will be displayed prominently in the new Vaughan Civic Centre.

Attachments

None

Report Prepared By

Mary Reali, Director of Recreation and Culture, ext. 8234
Paul Compton, Area Recreation Manager (West), ext. 8358
Angela Palermo, Manager of Cultural Services, ext. 8139

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Item 19, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

19 COMMUNITY FACILITY FOR KLEINBURG / NASHVILLE - 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 23, 2009:

Recommendation

The Commissioner of Community Services, in consultation with the Directors of Parks Development, Recreation and Culture and Building and Facilities recommends:

- 1) That the existing Kleinburg Golf Course Clubhouse and out-building not be retained as a community centre for the residents of Kleinburg/Nashville – Short Term, and;
- 2) That the developer be required to demolish the Kleinburg Golf Course Clubhouse, the out-building, parking lot and all services at their sole expense and return the area to a parkland condition, and;
- 3) That the timing of the district park / community centre facility approved as part of the Nashville Heights OPA 699 be accelerated to meet the growth in the Kleinburg/Nashville area, and;
- 4) That staff be directed to enter into discussions with the proponents of the Nashville Road Community Church regarding community access for use by the Kleinburg community, and;
- 5) That the following report be received for information.

Contribution to Sustainability

None

Economic Impact

There is no economic impact as a result of recommendations 1 and 2 and the construction of a new community centre identified in recommendation # 3 will be funded through development charges.

Should discussions with the proponents of the Kleinburg Road Community Church be successful the community group currently using the Kleinburg United Church will be transferred to the new church. Possible fees associated with the new church will be offset from savings from the current location.

Communications Plan

Council's decision with respect to a community facility for Kleinburg/Nashville will be communicated to the various stakeholders and general public through the use of web postings and newspaper advertisements as required.

Purpose

The purpose of this report is to provide Council with a response to the direction given to staff at the Committee of the Whole meeting of November 10, 2008, Report No. 53, Item 2.

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Background - Analysis and Options

At the Committee of the Whole meeting of November 10, 2008, Council, through Report No. 53, Item 2, directed staff to:

- 1) review the provision of a community centre for the Kleinburg/Nashville Community – Long Term;
- 2) investigate the possibility of retaining the Kleinburg Golf Clubhouse for use as a community centre for the residents of Kleinburg/Nashville – Short Term;
- 3) explore other alternatives which will provide community space within the Kleinburg/Nashville area – Short Term, and;
- 4) that a report be provided to a future Council meeting on these matters.

Provision of a Community Centre for the Kleinburg/Nashville Community – Long Term

The “Active Together” Master Plan points to trends towards active living (i.e., the integration of physical activities into an individual’s daily routine). The City should continue to expand its focus on provision of facilities that facilitate health benefits associated with physically active lifestyles. Additional fitness centres and active program space will respond to these demands through the availability of equipment and studio-type spaces. It should be noted that the priorities and timing contained in the “Active Together” Master Plan are based upon current data and population forecasts. Changes in growth forecast, budget pressures, changes in participation rates or demographics, and other factors could also impact the timing of the provision of facilities.

The “Active Together” Master Plan identifies a proposed community centre for the Long Term Residential Growth Area in 2022 and is envisioned to contain an indoor pool, multi-use senior, youth and arts program space, fitness and active living program space, a gymnasium, and office/storage/miscellaneous space in conjunction with a branch library. A twin pad arena may also be included pending further review of the growth and demand in the area. Planning approvals and development applications in 2008 in the Kleinburg/Nashville area could add approximately 11,000 additional residents which would necessitate a review of the timing/location and program of the proposed community centre for the Long Term Residential Growth Area.

To support future community need for facilities as the population of Kleinburg increases and based upon facility needs assessments conducted as part of the Master Plan, the City should closely monitor the population growth in Kleinburg/Nashville and consider moving forward with the construction of a multi-use community centre in a location approved as part of OPA 699, Nashville Heights subdivision (refer to attachment ‘B’).

Retention of the Kleinburg Golf Clubhouse as a Community Facility – Short Term

On February 20, 2009 staff from Buildings and Facilities, Recreation and Culture, and Parks Development performed an inspection of the existing golf course clubhouse and the surrounding lands to determine if it would be suitable for community use. The inspection identified the following deficiencies that will need to be remediated in order that this building be renovated to City standards:

- parking lot construction – with an anticipated through connection from Cold Spring Drive to the future Nashville Heights subdivision, the existing parking lot will be removed and a new parking lot would be required (cost approx. \$150,000)

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The following is a list of items and associated costs required to bring the building to current building code and city standards for public use

- a) The commercial kitchen would need to be removed
- b) A fire sprinkler system would need to be installed
- c) The building is presently not handicapped accessible thus major changes are required
- d) The electrical and mechanical systems need to be upgraded
- e) A structural, mechanical and electrical engineer would have to be hired to fully asses the building and an architect would be required to a feasibility study

In order to quantify the associated costs of remediating the deficiencies, estimates were prepared and vetted through an architectural consultant.

The costs to renovate this building to the City are standard so that it can be utilized for community space is as follows:

| | |
|----------------------------------|--------------------|
| Architects, consultants, permits | 190,000 |
| Demolition and construction | 1,900,000 |
| Administration – 3% | 62,700 |
| Total | \$2,152,700 |

In addition to the capital renovation costs, annual operating costs of \$125,000 are anticipated. These costs are attributable to the dated mechanical systems such as heating, A/C, and H/Vac. It bears noting that the Kleinburg Golf Course Clubhouse facility will become redundant once a new Community Centre identified as part of the Nashville Heights Subdivision (OPA 699) is completed (timing of this facility is unknown at this time and is dependent upon population growth in Kleinburg/Nashville).

Additionally, there is a significant cost to demolish the existing structure and to restore the lands to a parkland condition.

Renovating the existing Kleinburg Golf Course Clubhouse would be contrary to several indoor recreation facility action plans contained with the “Active Together” Master Plan that state:

- new community recreation facilities should be designed to incorporate “green” technologies to a level supported by LEED or equivalent standards, thereby reinforcing the City’s role as a leader in environmental efficiency and stewardship;
- new community centres should, at a minimum, be located in highly accessible locations on transit routes, have high visual identification, and be designed in consultation with community representatives to ensure that spaces are responsive to their users;
- the City should continue to ensure that standards established in the Accessibility for Ontarians with Disabilities Act are met at all community centres.

Additionally, the “Active Together” Master Plan notes that the City of Vaughan has long recognized the value of consolidating multiple uses at a single site rather than pursuing the development of stand-alone, single purpose multi-site venues.

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As leaders in this facility design trend, the City has been able to streamline services and make delivery much more cost effective. The Kleinburg Golf Course Clubhouse would be considered a stand-alone, single purpose site and therefore not desirable from a service delivery or cost effectiveness perspective.

Alternatives for Community Space in Kleinburg / Nashville – Short Term

Currently, the Kleinburg community conducts most of its local activities at the Kleinburg United Church and the Kleinburg Public Library. Other venues available for use through permit include the Kleinburg Public School, the Kline House, the Kleinburg Railway Station (Scout House), Nashville Road Community Church, and L'ecole La Fontaine Elementary.

Activities in Kleinburg include the Book Club, Quilting Ladies, Bridge Club, Euchre Club, University Women's Club, Bindertwine, Old Boys Club and Cubs and Scouts (refer to attachment 'A' for full list of CSO's and stakeholders). For the majority of these clubs their current space does not meet the facility requirements for their activities.

Overall, although the activities are sustained with the current supply of community meeting rooms the capacities and amenities in some cases are not ideal (i.e. meeting rooms in basement and not accessible).

A summary of rooms available is as follows:

| Facilities | Rooms available | Occupancy | Notes |
|---|-------------------------------|----------------------------------|--|
| Kline House | 2 meeting rooms | less than 12 people in each room | The room on the upper level is not accessible. |
| Kleinburg United Church | Information not available | less than 50 people | The meeting room is not accessible and does not meet the needs of the community group. |
| Kleinburg Public Library | 1 meeting room on lower level | less than 50 people | The meeting room is not accessible. |
| Kleinburg Public School (under construction) | 14 classrooms Gym | TBD | School commitments are given priority and experience has shown classrooms have restricted community access. + |

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| | | | |
|--|---------------------|------------------------------|---|
| Kleinburg Railway Station (Scout House) | 2 meeting rooms | less than 20 people | One meeting room is in the basement And both rooms are not accessible. |
| Nashville Road Community Church* | Gym Meeting Room | 150 people 20 – 30 people | TBD |
| La Fontaine Elementary School | Gym | 150 people | Subject to availability. |

+There may be additional opportunities for CSO's to utilize the new Kleinburg Public School that is currently under construction and scheduled to be completed by September 2009. School Board representatives have identified several meeting rooms that may be appropriate for community meeting space. Experience has shown however, that school commitments restrict use of classrooms. The gymnasium is available for permitting by larger groups and sports associations.

*It is recommended that staff be directed to enter into discussion with the proprietors to gain access for community use by Kleinburg residents.

Relationship to Vaughan Vision 2020 / Strategic Plan

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

- STRATEGIC GOAL
Service Excellence - Pursue Excellence in Service Delivery; and,
- STRATEGIC OBJECTIVE
Maintain Assets and Infrastructure - to optimize existing infrastructure through sound asset management

This report is consistent with the priorities previously set by Council. The necessary resources have not been allocated.

Regional Implications

N/A.

Conclusion

Based on the current state of the Kleinburg Golf Course Clubhouse and the costs and implications for building renovations and parking lot construction, Community Services staff recommend that its use as a community facility not be pursued and that the developer, at their sole expense, be requested to demolish this facility, the out-building and the associated parking lot on demand by the City of Vaughan and restore the lands to a parkland condition.

It is anticipated that current CSO spatial requirements will continue to be met at the Kleinburg United Church, the Kleinburg Public Library, Kleinburg Railway Station (Scout House) and the Kline House. Other opportunities for community space may be available at the new Kleinburg Public School once construction is completed and the Nashville Community Church.

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Attachments

Attachment 'A' - Kleinburg Associations, Clubs, Groups, etc... 2009

Attachment 'B' – Nashville Heights (OPA 669) – Community Facility Location Map

Report prepared by:

Paul Gardner, Director of Parks Development, Ext. 3209

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

Mary Reali, Director of Recreation and Culture, Ext. 8234

(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 30, 2009

Item 20, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

20

**ASSUMPTION –VAUGHAN CENTER, PHASE 3
NORTHWEST JANE RUTHERFORD REALTY LIMITED SUBDIVISION
19T-00V04 / 65M-3645
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 23, 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-3645, and that the municipal services letter of credit be released.

Contribution to Sustainability

The municipal services recommended for assumption in this report have been designed and constructed in accordance with City standards which include consideration for sustainability.

Economic Impact

Upon assumption of this development, approximately 0.7 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-3645 by the City.

Background - Analysis and Options

The Vaughan Center Residential Subdivision, Phase 3, Plan of Subdivision 65M-3645 is comprised of 20 single family lots, 15 medium density residential blocks, a school and a park, and is located north of Rutherford Road and 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 December 2, 2002, and the Plan of Subdivision was subsequently registered on February 23, 2003. The construction of the roads and municipal services in Plan 65M-3645 was completed in September 2005.

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

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

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 Residential, Phase 3, Plan of Subdivision 65M-3645 has been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in Plan 65M-3645 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.)

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are also compiling studies and surveys for the existing traffic calming measures installed in the Sonoma Heights subdivision to receive feedback on their effectiveness. A report will be prepared with this feedback in the Fall 2009.

There were ten residents in attendance. The residents were not in favour of the proposed horizontal traffic calming measures. The consensus of the meeting was to await the feedback of both the speed cushion installations, as well as the feedback of the existing traffic calming measures in the Sonoma Heights subdivisions. Should the speed cushion feedback be favourable, a plan for speed cushion installations will be developed. Should the speed cushion feedback not be favourable, a further public meeting will be scheduled to provide options for the residents.

The ten residents in attendance will be notified on the progress of Engineering Services staff review and they will form the review group for this section of Napa Valley Avenue.

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

York Region Transit was invited to attend the meeting; however, a representative was unable to attend. Staff will request comment from York Region Transit regarding the appropriateness of speed cushions on Napa Valley Avenue.

Conclusion

Staff recommends that this report be received for information.

Attachments

1. Location Map – Napa Valley Avenue – Horizontal Traffic Calming Measures Alternative #1

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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Edgeley Boulevard is designed as a 26.0 metre collector road with an existing posted speed limit of 40 km/h. Bass Pro Mills Drive is designed as a 30.0 metre arterial road with an existing 50 km/h statutory speed limit. There is an existing all-way stop control at the intersection. Refer to Attachment No. 1.

Engineering Services staff conducted three intersection turning movement counts at the intersection. 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 March 27, 2008, the weather was clear and sunny, on September 11, the weather was clear and sunny, and on April 28, 2009, the weather was rainy in the AM and partly cloudy in the PM.

The results of the studies are summarized below.

| | 27-Mar-08 | 11-Sep-08 | 28-Apr-09 |
|--|------------|------------|------------|
| Warrant #1 - Minimum Vehicular Volumes | | | |
| Part A – All Approaches | 95% | 95% | 96% |
| Part B – Minor Street Both Approaches | 100% | 100% | 100% |
| Percentage Warrant (lowest of the two above) | 95% | 95% | 96% |
| Warrant #2 - Delay to Cross Traffic | | | |
| Part A – Major Street Both Approaches | 67% | 68% | 68% |
| Part B – Traffic Crossing Major Street | 100% | 100% | 100% |
| Percentage Warrant (lowest of the two above) | 67% | 68% | 68% |
| Warrant #3 - Accident Experience | | | |
| Part A – Reportable Accidents Correction by a Traffic Signal | 70% | 60% | 47% |
| Part B – Adequate trial of less restrictive remedies | 100% | 100% | 100% |
| Part C – Warrant 1 or Warrant 2 satisfied 80% or more | 100% | 100% | 100% |
| Percentage Warrant (lowest of the three above) | 70% | 60% | 47% |
| Warrant #4 - Combination Warrant | | | |
| Two Warrants Satisfied 80% for Traffic Signals | NO | NO | NO |

For a traffic signal control to be warranted on the basis of individual warrants, one or more of the 3 warrants must be satisfied 100% or more.

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.

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Based on the above results, the Provincial Traffic Signal warrant is not met. Warrant 1 is very close to being met. The accident experience has not been reduced with the installation of the all-way stop control.

Staff did note that the southeast corner of the intersection is in the process of being developed. There is a sign on the property, stating that occupancy will begin in September of 2009. Once development in this area is completed, it is anticipated that the traffic generated by this development may fulfill the requirements of the Provincial Traffic Signal warrant.

Staff will monitor the development and will follow-up with intersection turning movement counts at this intersection in late Summer 2009 and Fall 2009, depending on when the development is complete. If the traffic signal warrant values are met, Engineering Services staff will commence the design and tender of the traffic signals at the intersection of Edgeley Boulevard and Bass Pro Mills Drive.

If the traffic signal warrants are not met, a report will be submitted to a Committee of the Whole meeting to update the status of the traffic signal warrants.

The approximate cost for the installation of traffic signals is \$125,000, and is approved in the 2009 Capital Budget Account EN-1757-09.

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

Engineering Services staff recommends that the intersection be monitored in the Fall 2009 or the Spring 2010 to determine if the traffic signal warrant values have been met. The required budget sheets have been submitted in the 2009 Capital Budget in anticipation that the Provincial Warrant for traffic signals will be met.

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 23, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

23

**THORNHILL WOODS DRIVE
PROPOSED 'U-TURN' PROHIBITION
WARD 4**

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 23, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

That By-law 284-94, the Consolidated Traffic By-law, be amended to add a 'U-turn' prohibition on Thornhill Woods Drive from Autumn Hill Boulevard to the south property line of Thornhill Woods Public School.

Contribution to Sustainability

The implementation of the proposed prohibition would create a safer environment for motorists, the crossing guard and school children in front of the school on Thornhill Woods Drive.

Economic Impact

The cost to install the signs would be an initial impact on the 2009 Operating Budget. The on-going costs to maintain the signs would be incorporated in future Operating Budgets.

Communications Plan

The School Council Chair has been advised that this report is on the agenda for this meeting. Engineering Services staff will notify York Regional Police to request enforcement of this prohibition. Engineering Services staff will advise the School Council Chair of Council's final decision on this matter.

Purpose

To review the feasibility of implementing a 'U-turn' prohibition on Thornhill Woods Drive, in response to a request from the Thornhill Woods Public School Council Chair.

Background - Analysis and Options

Thornhill Woods Public School is located on the east side of Thornhill Woods Drive between Autumn Hill Boulevard and Coltrane Drive. There is an existing all-way stop and school crossing at the intersection of Thornhill Woods Drive and Coltrane Drive. There is an existing parking prohibition on the west side of Thornhill Woods Drive between Autumn Hill Boulevard and Coltrane Drive. Refer to Attachment No.1 for the area road network.

Engineering Services staff received a request from the Thornhill Woods Public School Council Chair to review the frequency of U-turn movements on Thornhill Woods Drive in front of the school. The Thornhill Woods Public School Council Chair stated that numerous vehicles make a U-turn in front of Thornhill Woods Public School to obtain a closer parking spot for pick up/drop off of their children. This traffic movement along with the existing traffic congestion in front of the school is unsafe on Thornhill Woods Drive.

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Staff conducted observations on Tuesday, May 5, 2009, during the morning peak time period of 8:25 am to 9:15 am and on Thursday, April 23, 2009 during the afternoon peak time period of 3:15 pm to 3:50 pm on Thornhill Woods Drive, just south of Autumn Hill Boulevard. The weather during both studies was sunny and clear, the data collected is summarized below:

| Date | Time | Total U-Turns |
|---------------------|--------------------------|---------------|
| April 23, 2009 | 8:25 am – 9:15 am | 7 |
| May 05, 2009 | 3:15 pm – 3:50 pm | 3 |

During staff’s observations, the majority of the vehicles parked on the east side of Thornhill Woods Drive to drop off/pick up their children and then proceeded northbound. There were a few vehicles parked on the west side of Thornhill Woods Drive, south of Coltrane Drive (not within the parking prohibition zone), to drop off/pick up their children, and then proceeded southbound. There were ten U-turn vehicle movements observed in front of the school. The majority of these movements occurred in the morning.

To improve the overall traffic safety due to the number of U-turns and possible safety conflicts near the Thornhill Woods Public School accesses and the intersection of Thornhill Woods Drive and Coltrane Drive, it would be beneficial to install a ‘U-turn’ prohibition on Thornhill Woods Drive from Autumn Hill Boulevard to the south property line of Thornhill Woods Public 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.

Conclusion

Based on this review, it is recommended that a ‘U-turn’ prohibition be installed on Thornhill Woods Drive from Autumn Hill Boulevard to the south property line of Thornhill Woods Public School.

Attachments

- 1. Location Map

Report prepared by:

Peter Trinh, Traffic Analyst, Ext. 3120
Mike Dokman, Supervisor, Traffic Engineering, Ext. 3118
PT:mc

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

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**24 JULES AVENUE 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 23, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That the Jules Avenue Neighbourhood Traffic Committee plan proposal for curb bump-outs not be approved in accordance to the Neighbourhood Traffic Committee Policy and Procedure as the resident support of 66.6% was not met; and
2. That the application of a yellow centreline pavement marking on Jules Avenue from address #94 to #136 be approved.

Contribution to Sustainability

The implementation of a yellow centreline pavement marking will provide guidance to motorists travelling through this section of road and around the 90° angle bend.

Economic Impact

There will be no impact to the 2009 Capital Budget. There are sufficient funds to install the yellow centreline pavement marking in the Pavement Marking Operating Budget Account. The on-going cost to maintain the markings will be incorporated in future Operating Budgets.

Communications Plan

Engineering Services staff will advise those residents in attendance at the community meeting of Council's final decision on this matter.

Purpose

To report on the Jules Avenue Neighbourhood Traffic Committee Plan proposal.

Background - Analysis and Options

At its meeting on October 15, 2007, Council directed:

“Councillor Carella recommends that appropriate staff conduct a traffic study along that portion of Jules Avenue which runs north of the intersection with Riverview Avenue to Jeanne Drive, to identify measures that may be taken to mitigate speeding, especially in the vicinity of the right angle turn in the direction of the roadway.”

Refer to Attachment No. 1 for the area road network and the proposed traffic calming measures.

Public Participation

The initial public meeting of the Jules Avenue Neighbourhood Traffic Committee was held on November 19, 2008. Engineering Services staff outlined the concept of traffic calming and the

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types of traffic calming measures available, and explained the City's Neighbourhood Traffic Committee Policy and Procedure. There were 7 residents in attendance and 3 of those residents formed the traffic committee.

The final public meeting was held on May 28, 2009. Engineering Services staff introduced the traffic calming proposals for the neighbourhood to the residents in attendance. The meeting was attended by 4 residents which were in favour of the yellow centreline, and were opposed to the curb bump-outs. 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 achieved for a yellow centreline and not achieved for curb bump-outs 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. Engineering Services staff received one telephone reply and the resident was against the plan.

Traffic Calming Plan - General

Staff undertook field reviews to determine locations that would be feasible for a yellow centreline and curb bump-outs.

The yellow centreline is proposed at the following location:

- From the property of #94 Jules Avenue to the property of #136 Jules Avenue.

Curb Bump-outs can be placed at the following locations:

- In front of #94
- In front of #101
- Side yard of #119
- In front of #132

Speed Studies

Engineering Services staff collected speed and volume data on the subject street by the handheld radar gun on March 19, 2008. Data was collected during the AM/PM peak hours of 8:00-9:00am and 4:00-5:00pm. The results are shown in the table below.

| Location | Direction | Average Speed | 85 th Percentile Speed | Highest Speed |
|----------------|-----------|---------------|-----------------------------------|---------------|
| #150 Jules Ave | Eastbound | 43 km/h | 49 km/h | 55 km/h |
| | Westbound | 43 km/h | 49 km/h | 58 km/h |

The average recorded vehicle speed was 43 km/h. The posted speed limit on the portion of the road is 40 km/h.

Speed and volume data was collected on the subject street by Automatic Traffic Recorders (ATR's) between March 17 and March 20, 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 |
|----------------|-----------|---------------|-----------------------------------|------------------------|
| #150 Jules Ave | Eastbound | 39 km/h | 48 km/h | 457 |
| | Westbound | 40 km/h | 48 km/h | 456 |

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The average recorded vehicle speeds range from 39 to 40 km/h. The average speeds are 3 km/h lower using the ATR's as the collection time period was longer, therefore, more vehicles were part of the analysis.

Comments Received at the Meeting

Staff received the following comment at the May 28 meeting.

- To place a stop sign control at the right angle curve.
 - A stop sign can not be placed on an angle bend as the travel movement is continuous around the curve. Engineering Services staff explained that a stop sign can only be placed where two separate roadways intersect.

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

The Engineering Services Department recommends the Jules Avenue Neighbourhood Traffic Committee plan proposal not be approved for the curb bump-outs as the Neighbourhood Traffic Committee Policy & Procedure's requirement of 66.6% resident support was not met. Also, that a yellow centreline pavement marking be installed on Jules Avenue from #94 to #136.

Attachments

1. Location Map

Report prepared by:

David Fan, Traffic Analyst, ext. 3109

Mike Dokman, Supervisor, Traffic Engineering, ext. 3118

DF: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 25, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

25

**KING HIGH DRIVE UPDATE
CENTRE MEDIAN CONSTRUCTION
WARD 4**

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 23, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That the Region of York be requested to construct the proposed centre median on Dufferin Street at King High Drive with an enhanced landscaping plan, similar to those on Dufferin Street south of Centre Street;
2. That the Parks and Forestry Operations Department provide service maintenance on the landscaped median until such as time the median is equipped and operational with an underground irrigation system; and
3. That the City fund 50 percent of the cost in the amount of \$95,000 for the construction of the proposed landscaped centre median once completed by the Region of York in accordance with the Region of York Municipal Streetscape Partnership Program. The project will be funded through the Municipal Roads and Infrastructure Grant from the Province of Ontario.
4. That the inclusion of the matter on a public Committee or Council agenda for the additional funding request identified as King High Drive – Centre Median Construction is deemed sufficient notice pursuant to Section 2 (1) (c) of By-law 394-2002.

Contribution to Sustainability

The construction of the proposed centre median on Dufferin Street and the modifications to the traffic signal operation at the intersection of Dufferin Street and Centre Street will improve the overall travel movements on the surrounding Regional and City roadways.

Economic Impact

There will be an impact to the 2009 Capital Budget of \$95,000 which is the 50 percent share by the City for the overall construction cost of the upgraded median. This represents a \$25,000 incremental increase over the estimated \$70,000 cost of the basic median which would have been paid entirely by the City of Vaughan. The source of funding for the work is the Municipal Roads and Infrastructure Grant from the Province of Ontario. The on-going costs for regular maintenance of the landscaped median will be incorporated in future Operating Budgets.

Communication Plan

Once the construction date has been confirmed, a notice of construction letter will be sent out to those affected residents within 100 metres of the intersection and the Ratepayers Association. City of Vaughan staff will maintain discussion and coordination throughout the construction of the project. Engineering Services staff will discuss the planned design of the centre median with Parks and Forestry Operations Department staff and Policy Planning/Urban Design staff.

.../2

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Purpose

To provide an update and the status of the proposed centre median to be constructed on Dufferin Street at King High Drive.

Background - Analysis and Options

Dufferin Street is an arterial roadway and the intersection of King High Drive and Dufferin Street is under the jurisdiction of the Region of York. King High Drive is a local roadway under the jurisdiction of the City of Vaughan. The area road network is shown on Attachment No. 1.

At its meeting of May 22, 2007, Council approved a temporary closure of King High Drive near the east property limit of the commercial development for a trial period (one year). The closure was implemented in August 2007. Break-away bollards were installed across King High Drive east of Dufferin Street near the commercial development. Notices were mailed out to the residents of King High Drive and Belfield Court notifying them of the approved temporary closure. In November 2007, Council requested an interim report to the Committee of the Whole in six months on the impacts of the closure. The interim report was considered by Council at its meeting of May 26, 2008. Council directed that staff continue the review of the traffic impact and provide a final report to Committee of the Whole in October, 2008.

At its meeting of November 24, 2008, Council approved that the Region of York implement a right in/right out centre median on Dufferin Street at King High Drive and that the existing barriers on King High Drive be removed. The Region of York considered the recommendation from Vaughan Council regarding the implementation of the centre median. By letter dated December 24, 2008, Regional staff advised that the design of the median must be to Regional requirements and that all costs related to the design and construction of the centre median island will be the responsibility of the City of Vaughan. The original centre median design was to be constructed as a raised concrete platform and was expected to cost approximately \$70,000.

The Region of York is reconstructing and widening Dufferin Street south of Centre Street to include HOV lanes, bicycle lanes and landscaped centre medians. The Region has also advised that they will be resurfacing Dufferin Street north to the 407/ETR interchange and plan to include HOV and bicycle lanes along this road section. Discussions with the Region have provided the opportunity to enhance the median design similar to those south of Centre Street and the total cost will be split 50/50 based on their Municipal Streetscape Partnership Program should Council wish to construct a landscaped median at King High Drive.

Centre Median

Engineering Services staff have had meetings with Region of York staff on the timing, construction, maintenance and enhancement of the median to be constructed. The Region of York will construct the median with the landscaping design used for those medians located on Dufferin Street south of Centre Street. Engineering Services staff will submit a Municipal Streetscape Partnership Policy Application form to the Region of York for the enhancement of the centre median. The Region indicated that the estimated time of completion for the work is the end of August 2009. The Region will build the median with the provision of an underground irrigation system from a water service connection as determined by City staff. The Region advised that the landscaped medians in the section of Dufferin Street being widened south of Centre Street are being equipped with an irrigation system. The provision for a future irrigation system at Dufferin/King High will limit any delays with the construction of the median. City staff can complete the design and installation of an irrigation system at a later date.

The additional source of funding for this work would be taxation. The project will be included in the 2010 Capital Budget submission for consideration during the budget deliberations. Source of funding is Municipal Roads and Infrastructure Grant from the Province of Ontario.

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Questionnaire – Proposed Median

Engineering Services staff met with Region of York staff in December 2008 with respect to the design of the centre median to be constructed on Dufferin Street at King High Drive. From that meeting, the Region requested that City staff receive feedback from the affected property owners at the intersection, on the construction of the proposed centre median. Engineering Services staff sent out a letter and questionnaire on February 12, 2009 to the owners of the 3 properties on the east side of Dufferin Street at King High Drive and to the owners of the 2 parcels of vacant land on the west side of Dufferin Street south of the Patricia Kemp Community Centre. Engineering Services staff received 1 reply to the questionnaire from one of the property owners on the west side of Dufferin Street indicating they wanted full access at King High Drive. However, there is a signalized intersection at Beverly Glen Boulevard to the north which would be the appropriate location for any full access. City staff are dealing with this issue pursuant to Council's direction regarding the Patricia Kemp Community Centre. There are no submitted development applications with the City for the 2 parcels of vacant land on the west side of Dufferin Street.

Refer to Attachment No. 2 for the letter, questionnaire and proposed centre median.

Dufferin Street and Centre Street

Region of York staff have sent to the Ministry of Transportation revised traffic signal drawings regarding the implementation of the southbound protected/permissive operation at the intersection. Upon preparing this report, the Region of York has not received approval notification from the Ministry of Transportation. Engineering Services staff have been advised that once the approval has been received from the Ministry of Transportation, York Region staff will expedite the required modifications at the intersection.

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

The Region of York has been part of the process on the various alternatives which have been documented in this report and others. The various alternatives affect traffic movements at the intersection of King High Drive and Dufferin Street.

The Ministry of Transportation has advised that in order for the implementation of the southbound protected/permissive operation at the Dufferin/Centre Street intersection, improvements would be required and revised drawings have been submitted by the Region to reflect those changes for MTO approval.

Conclusion

Should Council concur with this proposed additional funding request, this action would be considered as an amendment to the 2009 Capital Budget. Pursuant to the Municipal Act Section 291 (1) before amending a budget, a municipality shall give notice of its intention to amend the budget at a Council Meeting. That the inclusion of the matter on a Public Committee or Council agenda with respect to the funding request for this capital project identified as King High Drive-Centre Median Construction is deemed to be sufficient notice pursuant to Section 2 (1) (c) of By-law 394-2002.

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Engineering Services staff will continue to work with York Region staff on the design and construction of the proposed centre median on Dufferin Street at King High Drive this summer.

Attachments

1. Location Map
2. Letter, Questionnaire and Proposed Centre Median

Report prepared by:

Mike Dokman, Supervisor, Traffic Engineering, ext. 3118

(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 30, 2009

Item 26, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

26

**SCHOOL CROSSING GUARD
ANNUAL LOCATION REVIEW
WARDS 1, 2, 3, 4, AND 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, the Commissioner of Legal and Administrative Services, City Solicitor, the Director of Human Resources and the Director of Engineering Services, dated June 23, 2009:

Recommendation

The Commissioner of Engineering and Public Works, the Commissioner of Legal and Administrative Services, City Solicitor, the Director of Human Resources and the Director of Engineering Services recommend:

That the report be received for information.

Contribution to Sustainability

The implementation of crossing guards assists children to cross a City roadway in a safe manner and minimize potential vehicle/pedestrian conflicts. The City's crossing guard program assists staff to ensure the most appropriate location is utilized and the guard is at a location where needed.

Economic Impact

The cost to maintain crossing guards, the crossing guard signs and markings at all school crossings will be incorporated in future year Operating Budgets.

Communications Plan

The extract related to this report will be provided to both the York Region District School Board and the York Region Catholic School Board.

Purpose

To provide the results of the recent review of crossing guard locations in accordance with City Policy. The 25 locations that were reviewed were randomly chosen.

Background - Analysis and Options

At its meeting on June 27, 2005 Council approved:

"That an annual program be established to conduct a review of 25 pre-selected school crossing guard locations in the field to determine the appropriateness of the crossing location for the subsequent school year."

The current annualized cost of one crossing guard is \$11,615. There are presently 92 guards approved within the budget complement for the School Crossing Guards Program in 2009.

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Engineering Services and Human Resources staff met with the York Region District School Board in November 2008 to discuss various concerns regarding school crossing guards and to inform them of the planned 25 guard locations to be studied for this report. York Region Catholic School Board did not attend this meeting.

During the meeting, staff was advised that the Kleinburg Public School will be re-opened in September 2009. There is a crossing guard located in front of the school.

Engineering Services staff have undertaken reviews of the school crossing guard locations that may potentially be relocated/eliminated and/or the opportunity to cross more than one leg of an intersection. Schools were surveyed during the morning and afternoon arrival/departure times. Where possible, crossing studies were undertaken during normal weather conditions (i.e., surveys were not undertaken during heavy rain and snowfall days). The studies were conducted between March 23, 2009 and May 26, 2009. In addition, staff attempted to survey schools on Tuesdays, Wednesdays or Thursdays, and accounted for specific holidays.

During the investigations, staff observed and recorded the following details:

- Number of students using the crossing;
- Vehicular operations including parent drop off/pick-up activities;
- Crossing guard activities; and
- Type of traffic control, where applicable.

Of the 25 school crossing guard locations reviewed in the City of Vaughan, 4 are at signalized intersections, 16 are at intersections under an all-way stop control, 1 is at a traffic circle, 1 is in front of the school, 1 is at a walkway and 2 are at an intersection with only the side street under stop control. Staff conducted a pedestrian study at each guard location and the results are summarized in a table in Attachment No. 1. As part of the review, staff requested from the respective School Board, the number of registered children that may use that particular crossing location. This information is also provided in the table.

Review of the 25 Pre-Selected Crossing Guard Locations

A brief summary is provided from the pedestrian studies:

1. There were no problems with the use of the guard and/or vehicle/pedestrian conflicts noted; however, there were concerns noted regarding traffic congestion and parking near the schools and/or the guard locations. The locations have been reported to Enforcement Services staff
2. As shown in the accompanying table (Attachment No. 1) and listed below are the schools where the number of counted children do not fulfill the minimum number of 50 children during the school time periods.
 - Blessed Trinity Catholic School
 - Elder Mills Public School
 - Holy Family Catholic School
 - Maple Creek Public School
 - Netivot Hebrew School/Leo Baeck
 - St Andrews Catholic School
 - St Clements Separate School
 - St Emily Catholic School
 - St Padre Pio Catholic School
 - St Peter's Separate School

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- St Veronica Catholic School
- Teston Village Public School
- Thornhill Woods Public School
- Thornhill Public School
- Westminster Public School

Listed below are the schools where the number of counted children did not fulfill the minimum number of 50 children during the school time periods based on the 2008 review.

- Associated Hebrew School
- Immaculate Conception School
- Our Lady of Peace
- San Marco Separate School (2 locations)
- St Catherine of Sienna
- St Clare Catholic School
- St Clements Separate School
- St Margaret Mary
- Vellore Woods Public School

Engineering Services staff contacted the principals of each of the above mentioned schools to receive comments regarding their guard location. The comments that were received, all advised that they are satisfied with the guard location and that from their perspective no changes/removals and/or relocations are required.

New Schools Fall 2009

There are no new schools planned to be opened this Fall for either school board.

School Crossing Guard Committee

This report indicates 16 locations in 2009 and 9 locations in 2008 that do not fulfill the minimum requirement of 50 children during the school time periods. These locations will be forwarded to the School Crossing Guard Committee for review in the fall. The Committee shall bring forward recommendations to Council as to what steps should be taken with regard to these schools where the minimum number of children are not met.

Relationship to Vaughan Vision 2020/Strategic Plan

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

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

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

Regional Implications

Not Applicable.

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Conclusion

Staff undertook a review of 25 crossing guard locations between the weeks of March 23, 2009 and May 26, 2009. Engineering Services staff was informed by both School Boards that there are no new schools planned to be opened for September 2009.

Any recommendations with respect to the locations currently not meeting warrant will be forwarded by the School Crossing Guard Committee.

Attachments

1. 2009 Crossing Guard Review

Report prepared by:

Mike Dokman, Supervisor, Traffic Engineering, Ext. 3118

(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 27, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

27 AWARD OF TENDER – T09-196 FOR MAINTENANCE OF TRAFFIC CONTROL DEVICES

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 23, 2009:

Recommendation

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

1. Tender T09-196 be awarded to Guild Electric Limited of Toronto, Ontario, commencing July 1st, 2009 to October 31st, 2012 with an option to renew this contract for two 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 2013 and 2014; and;
2. That the Mayor and Clerk be authorized to sign the necessary documents.

Contribution to Sustainability

The maintenance and repairs to the City's traffic control signals and other traffic control devices is essential to sustain this infrastructure in a safe condition and mitigate the City's liability.

Economic Impact

The lowest bid price, submitted by Guild Electric Limited, was \$160,648.58, including all applicable taxes. The unit prices will remain firm for the first 3 years, with CPI adjustments being made in the optional years, with a maximum ceiling of 5% on the CPI increases.

Sufficient funds for this work have been approved in the Operating Budget.

Communications Plan

None required.

Purpose

The purpose of this report is to award tender T09-196 for the maintenance of traffic control devices.

Background - Analysis and Options

The tender was advertised in Vaughan Today (City Page) the Electronic Tendering Network (ETN) and the Ontario Public Buyers' Association (OPBA) on May 26, 2009 and closed on June 9, 2009. A total of 5 documents were picked up from the Purchasing Services Department, with a total of 4 bid submissions.

The City maintains its traffic control signals and other such traffic control devices as may become defective or damaged through contracted forces. The scope of work performed under Part 1 of this contract includes routine maintenance activities such as:

- cleaning of signals lenses and reflectors
- re-lamping
- conflict monitor checks

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- inspection and cleaning of controller cabinet
- Opticom testing and cleaning
- providing locate services

Part 2 of the contract, provides the repair of defective or damaged traffic control signals and related electrical devices, on a 24 hour a day, 7 days a week, basis, including repairs to vehicle loop detectors and/or loop detector feeders. Bid prices did not include materials and police supervision, as these items are billed to the City separately, with a maximum mark-up fee of 10% being permitted on the materials. There is no mark-up allowed for York Region Police costs.

The following are results of the tender opening:

| BID RESULTS FOR T09-196 MAINTENANCE OF TRAFFIC CONTROL DEVICES PART 1, MAINTENANCE & LOCATES PART 2, REPAIR OF DEFECTIVE OR DAMAGED TRAFFIC CONTROL SIGNALS | | | |
|--|---|----------------------------|-------------------------------|
| Bid Rating | Contractor | Total Before G.S.T. | Total Including G.S.T. |
| 1. | Guild Electric Limited., Toronto, ON | \$152,998.65 | \$160,648.58 |
| 2. | Fellmore Electrical Contractors, Concord, ON | \$162,800.56 | *\$170,940.59 |
| 3. | Beacon Utility Contractors, Woodbridge, Ontario | \$167,161.50 | \$175,519.58 |
| 4. | Stacey Electric Company Ltd. | \$173,850.34 | \$182,542.86 |

* Staff have checked the bids for mathematical errors, and as noted by the asterisk, the corrected totals for Fellmore Electrical Contractors is \$170,940.59.

Guild Electric has been performing traffic signal maintenance for the City for the past three years. They have also performed similar work for the City of Brampton and City of Mississauga with good results.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council, specifically the Vaughan Vision Objective A-1 “Pursue Excellence in Service Delivery”, as well as Objective C-3 “Maintain Assets & Infrastructure Integrity”.

Regional Implications

The City’s contract does not impact the Region’s operations, as they are responsible for maintaining and repairing their own traffic control signals.

Conclusion

Based on bid prices submitted, it is recommended that Tender T09-196 for Maintenance of Traffic Control Devices be awarded to Guild Electric Limited. Sufficient funds have been allocated in the Operating Budget to perform this work.

Attachments

N/A

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Report prepared by:

Tina Di Biase, Technical Co-ordinator
Brian T. Anthony, Director of Public Works

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Item 28, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

28

**COMPLIANCE AUDIT COMMITTEE FOR THE 2010
GENERAL MUNICIPAL ELECTION**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated June 23, 2009:

Recommendation

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

1. That a three-member Compliance Audit Committee be established and that all of Council's powers and functions under subsections 81(3), (4), (7), (10) and (11) of the *Municipal Elections Act, 1996*, with respect to compliance audit applications, be delegated to the Committee;
2. That the Terms of Reference for the Compliance Audit Committee set out at Appendix 'A' be approved;
3. That the City Clerk solicit interest from the professional bodies governing or representing auditors, accountants, lawyers, engineers and such other professions that impose professional standards on their members, breach of which can lead to discipline, seeking interest from individuals to become candidates for appointment to the Compliance Audit Committee;
4. That selection for membership on the Compliance Audit Committee include an evaluation of:
 - a. The individual's knowledge of the campaign financing rules of the *Municipal Elections Act, 1996*;
 - b. Proven analytical and decision-making skills;
 - c. Experience working on a committee, task force, disciplinary committee, or a similar body;
 - d. Availability and willingness to attend meetings; and
 - e. Excellent oral and written communications skills;
5. That persons who have participated as candidates in City of Vaughan elections, or who have conducted audits or provided financial advice in respect of such campaigns, be disqualified from participation on the committee;
6. That the City Clerk, the Commissioner of Legal and Administrative Services / City Solicitor, and the Integrity Commissioner form a selection committee for the purpose of recommending to Council a short list of candidates for appointment to the committee; and
7. That the necessary By-law be enacted to give effect to the foregoing.

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Contribution to Sustainability

The Compliance Audit Committee will have no significant impact on the sustainability of the physical environment in the City of Vaughan.

Economic Impact

It is proposed that Members of the Compliance Audit Committee be paid a per diem of \$400, funded from the Election Reserve, with the first meetings of the Committee taking place in 2011, if necessary.

Communications Plan

A call for candidates will be distributed to professional bodies and associations. In addition, an advertisement seeking applicants will be placed in local media and on the City's web site.

The Compliance Audit Committee will submit its decisions to the City Clerk for posting on the City of Vaughan Web Site.

Purpose

The purpose of this report is to facilitate the establishment of a Compliance Audit Committee and to delegate to such Committee Council's powers and functions respecting compliance audit applications which may be made in relation to the 2010 general municipal election.

Background - Analysis and Options

Under the provisions of the *Municipal Elections Act, 1996* (the *Act*), an eligible elector who believes on reasonable grounds that a candidate has contravened a provision of the *Act* relating to election campaign finances, may apply for a compliance audit of the candidate's election campaign finances. The application must be made to the City Clerk in writing, include the reasons for the application and be made within 90 days after the filing date for the financial statements.

The Act was amended in November 2002 to provides that a municipal council can deal with compliance audit applications itself or establish a compliance audit committee with the sole responsibility of deciding whether compliance audit applications ought to be granted or rejected, or to exercise the following bundle of powers and functions:

- (a) consider a compliance audit application received from an elector and decide whether it should be granted or rejected;
- (b) if the application is granted, appoint an auditor;
- (c) receive the auditor's report;
- (d) consider the auditor's report and decide whether legal proceedings should be commenced; and
- (e) recover the costs of conducting the audit from the applicant if there were no apparent contraventions and if there appears to be no reasonable grounds for having made the application.

This committee cannot include Council Members or City staff and must be established prior to voting day (November 8, 2010).

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Compliance Audit Committee Composition

Compliance audit committee members must possess an in-depth knowledge of the campaign financing rules of the Act. If not, they will not be in a position to reach an independent decision on the merits of the application and may look to City staff for guidance. This would put staff in a conflict situation, particularly if the application concerned a Member of Council.

As the committee will operate as a quasi-judicial committee, prior experience on a committee, task force or tribunal would also be an asset from a meeting management perspective. Ideally, the committee's composition would include auditors, accountants, lawyers, and other individuals with knowledge of the campaign financing rules of the Act.

A targeted recruitment strategy is being proposed in order to solicit interest from suitable candidates. Upon approval of this report, the City Clerk will contact professional bodies governing or representing auditors, accountants, lawyers, engineers and such other professions that impose professional standards on their members, breach of which can lead to discipline, to seek interest from individuals to become candidates for appointment to the Compliance Audit Committee.

A decision on a compliance audit application must be made within 30 days of the receipt of the application. Given all the logistics that must be completed within this 30 day period, such as notifying and scheduling the committee members, providing adequate notice to the parties and the public, having the decision prepared and circulated to all committee members for review and signature, staff are recommending that Council appoint three individuals to the committee. A limited committee membership will ensure that the process can be completed in the 30 days. The format closely follows the established structure of the City of Toronto Compliance Audit Committee.

To avoid a conflict of interest, care must be taken that any auditors or accountants appointed to the compliance audit committee do not audit or prepare the financial statements of any candidate running for office on City Council. Accordingly, it is staff's recommendation that any auditor or accountant appointed to the committee would have to agree in writing to not undertake the audits or preparation of the financial statements of any candidates seeking election to City Council. Failure to adhere to this requirement would result in the individual being removed from the committee. Applicants who have participated as candidates in City of Vaughan elections, or who have held roles on the campaigns for any such candidates which involved the giving of financial advice, will not be eligible for participation on the committee.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council, particularly with respect to the promotion of effective governance.

Regional Implications

N/A

Conclusion

Should Council wish to delegate its compliance audit authority and responsibility under section 81 of the Act to a compliance audit committee, the membership of the committee must be established before voting day, November 8, 2010. This report is being submitted at this time with the intention that recruitment can begin and appointments be made prior to the campaign period commencing.

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In order to develop a list of qualified applicants, a selection committee comprised of the City Clerk, the Commissioner of Legal and Administrative Services and City Solicitor and the Integrity Commissioner will solicit interest from persons such as auditors, accountants, lawyers, engineers and the members of other professional bodies and associations. In-depth knowledge of election financial reporting mechanisms will be a key qualification. A short list of recommended individuals will be submitted for Council's consideration through the Committee of the Whole (Closed Session).

The delegations set out in this report comply with the City's Policy on the Delegation of Powers and duties.

Attachments

Appendix 'A' – Terms of Reference

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.)

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Item 29, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

29

**AWARD OF RFP09-166
PROVISION OF LEASE, DELIVERY, INSTALLATION AND SERVICES
OF TWO (2) NEW BLACK & WHITE PRODUCTION PRINTING EQUIPMENT
AND ONE (1) NEW BLACK & WHITE HIGH VOLUME NETWORK COPIER**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated June 23, 2009, be approved; and
- 2) That the following recommendation be approved in accordance with the additional report from the City Clerk, dated June 23, 2009:
 - “1) That Part A Category (Equipment #1 and Equipment #2 for Mailroom production) be awarded to Xerox Canada Inc., Toronto, Ontario, for a total 36 months lease cost of \$91,893.60 for Nuvera 100EA (Equipment #1) and \$72,165.60 for Nuvera 100EA (Equipment #2), excluding taxes;
 - 2) That Part B Category (Equipment #3 for Clerk’s Office) be awarded to Xerox Canada Inc., Toronto, Ontario, for a total 36 months lease cost of \$30,214.08 for 4112CP, excluding taxes;
 - 3) That staff be authorized to undertake vendor negotiations to refine the details of the agreements; and
 - 4) That the Mayor and Clerk be authorized to sign the appropriate documents.”

Recommendation

The City Clerk, in consultation with the Director of Purchasing Services, recommends:

1. That RFP09-166 for the provision of lease, delivery, installation and services for two (2) new black & white production printing equipment and one (1) new black & white high volume network copier be brought forward to the Council meeting of June 30, 2009 for award.

Contribution to Sustainability

Not applicable

Economic Impact

There is no requirement for new funding associated with this report as lease costs have been budgeted annually. Additional information on actual lease costs arising from the RFP will be set out in the additional information report to accompany this item.

Communications Plan

The RFP was advertised in the Vaughan Citizen (City Page), the Electronic Tendering Network (ETN) and the Ontario Public Buyers’ Association (OPBA) websites.

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

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Purpose

To advise Council that staff will be bringing forward a recommendation to the Council meeting of June 30, 2009 to award RFP09-166 for the provision of lease, delivery, installation and services for new production printing equipment.

Background - Analysis and Options

The Clerk's Office is currently leasing two Xerox photocopiers in the Mailroom/Print Shop which are used for all corporate copying. The leases for the two pieces of equipment expire in August 2009. In addition, the Xerox photocopier in the Clerk's department administration office that was to expire at the end of June 2009 has been extended for three months (the minimum extension Purchasing Services was able to negotiate) in order that the Request for Proposal could include all three (3) pieces of equipment. In anticipation of the move to the new City Hall and in order to meet the colour copying requirements of the user departments, the RFP document included an option for a colour production printing unit. The categories listed in the RFP document are as follows:

1) Part A Category – Equipment #1 and Equipment #2 for Mailroom Production

It is necessary to have two high volume/high speed production photocopiers in the Mailroom/Print Shop in order to meet the printing requirements of the corporation, including meeting the timelines with respect to printing and distribution of Committee and Council agendas. Further, with colour coding of agendas, particularly Council agendas, there is a requirement for one of the machines to have eight (8) trays as opposed to the standard four (4) trays. This allows for colour paper collation and insertion to be done with speed and efficiency.

2) Part B Category – Equipment #3 for Clerk's Office

Due to the nature of the business operations of the Clerk's Office, specifically Secretariat Services and Committee of Adjustment, a high volume network copier is required to allow for printing that cannot be accommodated by the Mailroom/Print Shop due to tight deadlines, printing that is often done after normal business hours and printing of confidential information. This photocopier also serves as a back-up to the Mailroom/Print Shop equipment.

3) Part C Category – Colour Production Unit

The RFP document included an option for proponents to submit separate lease pricing on a colour production unit in their proposal, subject to space availability at the new City Hall and funding.

RFP Issuance

The RFP (RFP09-166) was advertised in the Vaughan Citizen (City Page), ETN, and OPBA websites on May 7, 2009 with a closing date of May 28, 2009. Seven (7) proponents picked up the RFP documents from Purchasing Services Department. Two addendums were issued to clarify queries and questions

RFP Proposal Submissions

The following six proponents submitted proposals:

1. Ricoh Canada Inc. Toronto, Ontario
2. Sharp Electronics of Canada Mississauga, Ontario
3. Konica Minolta Business Solutions Mississauga, Ontario
4. Cannon Canada Inc., Business Solutions Division Mississauga, Ontario
5. Xerox Canada Ltd. Toronto, Ontario
6. Pitney Bowes of Canada Ltd. Mississauga, Ontario

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Evaluation Criteria

The RFP document included the following evaluation criteria and weighting system to be used in the proponent selection:

Experience, Company background and Product Information 40 points

- Proponent experience in performing similar contracts
- Product information / specifications
- Service level standards
- Implementation Plan (delivery/installation/training)

Financial 40 points

- Cost of proposed products
- Per copy impression rate
- Value added service

Vendor Services 15 points

- Customer services
- Proponent procedure to resolve service/mechanical issues and reporting
- Information obtained through references

Proposal Submission 5 points

- Completeness of the proposal
- Organization and clarity of presentation

A demonstration of the equipment, if required, by the proponents that made the short list was included in the RFP with a weighting of 25 points.

Relationship to Vaughan Vision 2020/Strategic Plan

This RFP award is consistent with Vaughan Vision 2020, particularly Service Excellence – Pursue Excellence in Service Delivery and Management Excellence – Enhance Productivity, Cost Effectiveness and Innovation.

Regional Implications

N/A

Conclusion

Staff will have an additional information report with a recommendation to award RFP09-166 for the Council meeting on June 30th as at the time of writing this report the Evaluation Committee is still in the process of evaluating the six proposals that were submitted.

Attachments

N/A

Report prepared by:

Sybil Fernandes, Deputy City Clerk and Manager of Administrative Services

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Item 30, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

30 REQUEST FOR NOISE EXEMPTION – HIGHWAY 7 – WARD 4

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal and Administrative Services and City Solicitor and the Director of Enforcement Services, dated June 23, 2009:

Recommendation

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

1. That the request for a Noise Exemption be granted to York Region for road work on Highway #7, between Jane Street and Bowes Road until August 31, 2009.

Contribution to Sustainability

N/A

Economic Impact

N/A

Purpose

This report is to provide information related to a request for a long term noise exemption to By-law 96-2006.

Background - Analysis and Options

The City of Vaughan passed a new Noise Control By-law (96-2006) in April 2006. The Noise Control By-law delegated authority to grant noise exemptions for construction purposes up to eleven days, to the Department Head of Enforcement Services.

York Region has requested an exemption to the Noise Bylaw for a length of time that exceeds the delegated authority

The information for Contract 08-161 for Highway 7 resurfacing is as follows:

Contract Location - Highway 7 from east of Creditstone Road to 50 metres east of Bowes Road. The work zone between Creditstone Road and Keele Street is adjacent to industrial/commercial uses, while the section east of Keele Street to east of Bowes Road has industrial commercial use on the north side and residential properties on the south side.

Scope of work includes repair of damaged catch basins, curb and gutter, partial depth removal of existing asphalt and placing new hot mix asphalt paving.

The Region is requesting permission to conduct the work on Monday to Friday nights, from 10pm to 6am. The Average Annual Daily Traffic (AADT) on Highway 7 is 53,000 vehicles, of which 9,000 (14%) are commercial vehicles and heavy trucks. Traffic flows do not drop until almost 10pm.

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The contractor anticipates completing this work in 20 working days. The work in the section adjacent to the residential area will be undertaken over 6 nights. Due to the nature of the operation, this work will not be undertaken on six consecutive nights.

The Region has provided the following rationale for working after hours:

1. Avoid wide spread traffic woes.
2. Lengthen the duration of construction.
3. Inefficient construction operations.
4. Potentially endanger the safety of construction workers and traveling public.

The Region has advised that these homes will receive notification of the project and the scope of the work one to two weeks prior to the work commencing. The Region has also indicated that the Concord West Ratepayers Association has made inquiries about when this work is to commence.

The noise impact to the residents on the south side of Highway 7, east of Keele Street will be significant. There are 25 residences that either front directly onto Highway 7, or have backyards very close to Highway 7 from residences on Hillside Drive.

Relationship to Vaughan Vision 2007

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

The necessary resources have been allocated and assigned.

Conclusion

This request for a Noise Exemption under the Noise Control By-law, 96-2006, exceeds the delegated authority. Council authority is required to permit this construction project to proceed as planned.

Attachments

N/A

Report prepared by:

Tony Thompson
Director, Enforcement Services

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Item 31, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

31 FENCE HEIGHT EXEMPTION – 27 GOODMAN CRESCENT – WARD 1

The Committee of the Whole recommends:

- 1) That a decision on this matter be deferred to the Council meeting of September 21, 2009 to provide an opportunity for the applicant to obtain support from abutting property owners;
- 2) That the memorandum of the Director of Enforcement Services, dated June 15, 2009, be received; and
- 3) That the following written submissions be received:
 - a) Paolo and Susie Santoriello, 12 Malaren Road, Vaughan, L6A 1E5, dated June 15, 2009; and
 - b) Mr. Giuseppe Agrippa, 27 Goodman Crescent, Vaughan, L6A 1E8, dated June 22, 2009.

Recommendation

The Director of Enforcement Services recommends:

1. That the fence height exemption application for 27 Goodman Crescent be approved.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

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

Purpose

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

Background - Analysis and Options

The property owner of 27 Goodman Crescent has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The Applicant is making application for a proposed horizontal wooden fence of 8 feet in height in order to provide for a feeling of privacy around an existing pool.

The rear and side yard fences are proposed to be 8 feet high.

There will be one gate on each side of the property that will also not exceed 8 feet.

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

The area was inspected by Enforcement staff and there are no rear yard fences similar in height to the Applicant's. The majority of fences in this area are chain link.

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

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

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

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

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

N/A

Conclusion

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

Attachments

1. Map of Area
2. Site Plan
3. Fence Plan
4. Photos

Report prepared by:

Janice Heron

(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. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

32 FENCE HEIGHT EXEMPTION – 97 CAPNER COURT – WARD 1

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Enforcement Services, dated June 23, 2009:

Recommendation

The Director of Enforcement Services recommends:

2. That the fence height exemption application for 97 Capner Court be approved.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

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

Purpose

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

Background - Analysis and Options

The property owner of 97 Capner Court has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The Applicant is making application to add 18 inches of lattice to an existing 6 foot exterior and rear yard fence, making the total height 7 feet 6 inches in order to provide additional privacy.

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

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

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

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

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

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

Relationship to Vaughan Vision 2020/Strategic Plan

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

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Regional Implications

N/A

Conclusion

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

Attachments

- 1) Map of Area
- 2) Site Plan

Report prepared by:

Janice Heron

(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. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

33 FENCE HEIGHT EXEMPTION – 26 FOREST HEIGHTS BLVD. – WARD 1

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director of Enforcement Services, dated June 23, 2009:

Recommendation

The Director of Enforcement Services recommends:

1. That the fence height exemption application for 26 Forest Heights Blvd. be approved.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

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

Purpose

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

Background - Analysis and Options

The property owner of 26 Forest Heights Blvd. has applied for a fence height exemption as provided for in the City of Vaughan Fence By-law 80-90.

The Applicant is making application for a proposed front yard wrought iron fence 4 feet in height along the sides with two swinging wrought iron gates 5 feet 4 inches high attached to 2 masonry columns measuring 5 feet 6 inches in height.

The By-law permits a front yard fence height of 4 feet in rear yards.

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

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

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

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

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

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Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

N/A

Conclusion

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

Attachments

- 1) Map of Area
- 2) Site Plan
- 3) Fence Plan

Report prepared by:

Janice Heron

(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 30, 2009

Item 34, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

34

SIGN BY-LAW AMENDMENTS

The Committee of the Whole recommends:

- 1) That 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 23, 2009, be approved subject to replacing “except” with “exempt” in Clause 5. (h) 1. of the attached By-law;
- 2) That any revisions to Section 4.1(1)(h) of the Sign By-law regarding provisions for charitable non-profit organizations, be deferred until proper consultation takes place with the charitable non-profit organizations across the City in order to obtain input on the changes being proposed;
- 3) That the Director of Enforcement Services be requested to notify all registered sports organizations with CSO status and all charitable organizations of the Sign By-law amendments; and
- 4) That the deputation of Mr. Ian Duffy, Magnet Signs, 1404 Wallace Road, Oakville, L6L 2Y2, be received.

Recommendation

The Commissioner of Legal and Administrative Services & City Solicitor and the Director of Enforcement Services recommend that a by-law be enacted to further amend Sign By-law 203-92, as amended (the “Sign By-law”), substantially in the form attached hereto.

Contribution to Sustainability

The proposed amendments should assist in reducing the proliferation of mobile signs.

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 proposed amendments to the Sign By-law.

Background - Analysis and Options

On June 23, 2008, Council directed Staff to amend to the Sign By-law to reflect the new fine system authorized by the *Municipal Act, 2001*, and to prohibit signs erected on vehicles. Sections 1 and 6 respectively of the attached draft by-law will effectuate these changes.

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On April 14, 2009, Council directed Staff to amend the Sign By-law by:

- (i) Aligning the time for posting election signs with the issuance of the writ for federal and provincial elections, and with the close of nominations for municipal elections;
- (ii) Making the election sign deposit a non-refundable fee;
- (iii) Deleting the confiscation fee for election signs;
- (iv) Allowing a second mobile sign on a lot where there are two lot frontages, provided that no sign faces a residential property;
- (v) Modifying the mobile sign permit time from 15 and 30 days to 21 days for all permits, and adjusting the moratorium to 21 days on and 21 days off;
- (vi) Increasing control over not for profit signs; and
- (vii) Requiring sign companies to obtain written authorization from the advertising business owner.

Sections 2 to 5 and 7 to 10 of the attached draft by-law will effectuate these changes.

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

Further to Council direction, staff provided public notice pursuant to Notice By-law 394-2002 so as to provide opportunity for public comment regarding proposed amendments to the Sign By-law. The attached draft by-law will amend the mobile sign and election sign provisions of the Sign By-law.

Attachments

1. Draft Sign 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 35, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

35 FEE AND CHARGES BY-LAW AMENDMENTS FOR 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 23, 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 Fees and Charges By-law 396-2002, as amended (the "Fees and Charges By-law"), substantially in the form attached hereto.

Contribution to Sustainability

N/A

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 fees and charges for the administrative penalties system.

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 Fees and Charges By-law amendments pursuant to Notice By-law 394-2002. The attached By-law will amend the Fees and Charges By-law to create fees for failing to attend before a Screening Officer and Hearings Officer, and for late payment of an administrative penalty.

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

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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 fees and charges for the administrative penalty system. The attached by-law will amend the Fees and Charges By-law to create such fees for failing to attend before a Screening Officer and Hearings Officer, and for late payment of an administrative penalty.

Attachments

1. Draft Fees and Charges 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 36, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

36

**SITE DEVELOPMENT FILE DA.09.023
LINVEST (BATHURST MACKENZIE) LIMITED
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, June 23, 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.09.023 (Linvest (Bathurst Mackenzie) Limited) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department; and,
 - ii) the final site servicing and grading plan shall be approved by the Vaughan Engineering Department.

Contribution to Sustainability

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

- i) Low-E argon, double paned windows and patio doors;
- ii) R32 sprayed foam insulation;
- iii) R40 blown-in-place attic insulation;
- iv) dual-purpose heating system with an energy-efficient (ESM) motor;
- v) heat recovery ventilator (HRV);
- vi) sealed heat duct supply trunks; and,
- vii) compact florescent lights (CFL).

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 62, two-storey street townhouse units within 12 townhouse blocks (Blocks 159 to 170 on Plan 65M-4110) as shown on Attachment #3.

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Background - Analysis and Options

Location

The subject lands are located south of Major Mackenzie Drive, west of Bathurst Street, specifically on Southdown Avenue (Blocks 162, 163, 167 and 168), Elihof Drive (Blocks 159-161 inclusive, and Blocks 164-166 inclusive) and Shale Crescent (Blocks 169 and 170) in Part of Lots 19 and 20, Concession 2, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

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

The subject lands are zoned RT1 Residential Townhouse Zone by By-law 1-88, subject to Exception 9(1231). The proposed residential street townhouse development complies with By-law 1-88.

Site History

On December 6, 2004, Vaughan Council approved Draft Plan of Subdivision File 19T-00V09 (Linvest (Bathurst Mackenzie) Limited) to permit the development of 666 residential units consisting of 370 single detached dwelling units and 296 street townhouse units. The above-noted Plan of Subdivision was registered as Plan 65M-4110 on December 19, 2008, and facilitates the subject 12 blocks for 62 street townhouse dwelling units.

Site Plan Review

A typical site plan layout, building elevations and landscape plan for Block 163 are shown on Attachments #4, #5 and #6, respectively. The subject lands are subject to Architectural Control. The site plan and elevation plans have been stamped approved by the Block 11 Control Architect, being John G. Williams Limited, Architect.

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscape plan as shown on Attachments #3 to #6 inclusive, and will continue to work with the applicant to finalize the details.

Servicing

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

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

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

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Conclusion

Site Development File DA.09.023 has been reviewed by the Development Planning Department in accordance with OPA #600, By-law 1-88, the comments from City Departments, and the area context. The Development Planning Department is satisfied that the proposed development of 62 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.

Attachments

1. Context Location Map
2. Location Map
3. Overall Site Plan
4. Typical Site Plan - Block 163
5. Typical Elevations - Block 163
6. Typical Landscape Plan - Block 163

Report prepared by:

Mary Serino, Planner 1, ext. 8215
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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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 37, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

37

**SITE DEVELOPMENT FILE DA.09.035
FIRST VAUGHAN 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 23, 2009, be approved;**
- 2) That the deputation of Mr. Jeff Boyd, Lowe's Companies Canada, 5160 Yonge Street, Suite 200, North York, M2N 6L9, be received; and**
- 3) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.035 (First Vaughan Investments Limited) BE APPROVED, subject to the following conditions:
 - b) that prior to the execution of the Site Plan 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, parking and on-site vehicular circulation shall be approved by the Vaughan Engineering Department; and,
 - iii) the variances for the reduction in the minimum required number of parking spaces and the increase in the percentage of the maximum permitted outdoor display area shall be approved by the Vaughan Committee of Adjustment, and shall be final and binding.

Contribution to Sustainability

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

- i) site selection: reuse of an existing building with minimal demolition and reconstruction, which minimizes construction waste;
- ii) water and energy efficiency: low flush volume fixtures will be used throughout the building, which will reduce water use by 30%;
- iii) ozone protection: all air conditioning and refrigeration systems will employ CFC-free refrigerants; and,
- iv) in store environmental programs: battery recycling program, collection and proper disposal of used paint cans, recycling program for consumers' used plastic bags, and the collection and recycling of used appliances.

Economic Impact

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

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Communications Plan

N/A

Purpose

To permit a 1,021m² addition to the existing retail warehouse building (former Sam’s Club) and revisions to the building elevations, to facilitate a Lowe’s retail warehouse use with an accessory garden centre and outdoor display areas, as shown on Attachment #3. The revisions to the existing retail warehouse building are discussed in the Site Plan Review section of this report.

Background - Analysis and Options

Location

The subject lands are located at the southwest corner of Portage Parkway and Edgeley Boulevard, 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 “Corporate Centre District” by OPA #500, the City’s Corporate Centre Plan. The proposed retail warehouse use conforms to the Official Plan.

The subject lands are zoned C10 Corporate District Zone by By-law 1-88, and subject to Exception 9(959). The proposed retail warehouse use and addition to the existing building comply with By-law 1-88, however, in order to implement the proposed site plan, the following variances to By-law 1-88 are required:

| | <u>By-law Requirement</u> | <u>Provided</u> |
|--|---------------------------|-----------------------|
| Minimum Parking Spaces | 869 | 594 |
| Maximum Percentage of Outdoor Display Area | 5% of building GFA | 10.9% of building GFA |

The Owner is proposing a total of 594 parking spaces, whereas By-law 1-88 requires 869 spaces (Lowe’s plus existing multi-unit commercial building), resulting in deficiency of 275 parking spaces. The Owner has submitted a parking study prepared by Dillon Consulting in support of the proposed reduction to the number of required parking spaces. The Vaughan Engineering Department supports their analysis and conclusions and has approved the parking study. Accordingly, the proposed reduction in parking can be supported by the Development Planning Department. The Development Planning Department has no objection to the increase in the percentage of outdoor display area from 5% (current maximum permitted year round) to 10.9%, as these areas as shown on Attachment #3, will be devoted to the sale of seasonal merchandise (ie. garden sheds, propane tanks, barbeques, and lawnmowers) and will be used for a limited time during the year.

The Owner will be required to obtain approval for the above-noted variances from the Vaughan Committee of Adjustment, which shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking.

Site Plan Review

The proposed site plan (Attachment #3) shows the existing retail warehouse building (former Sam’s Club) in the northwest corner of the site. The applicant is proposing a 1,021m² building addition along the east elevation and a 2,635m² garden centre along the south elevation, which will be partially covered. Outdoor display areas for seasonal merchandise will be provided on the

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walkway along the east elevation (a 1.5m wide pedestrian walkway will also be provided) and in the parking lot as shown on Attachment #3. These areas will be devoted to the sale of garden sheds, propane tanks, barbeques and lawnmowers.

The proposed building elevations shown on Attachment #4, will include corporate signage on the east, west and south elevations. The former entry will be relocated from the southeast corner of the building to the east elevation and will provide the main entry into the Lowe's, the internal eating establishment (ie. Subway), and the garden centre.

In order to facilitate the development of the proposed garden centre and the re-configuration of the parking aisles and spaces, some of the existing planting in the parking islands, which are marked with an "X", will be removed and replaced with additional planting elsewhere on the site, as shown on Attachment #5.

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 will be approved to the satisfaction of the Development Planning Department.

Servicing

The applicant has submitted a site servicing and grading plan along with a stormwater management report, which will be approved to the satisfaction of the Vaughan Engineering Department.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York Transportation Services Department has been circulated the application for their consideration.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #500, By-law 1-88, and the area context. The Vaughan Development Planning Department is satisfied that the proposed development for a 1,021m² addition to the existing building, along with revisions to the building elevations, to facilitate a Lowe's retail warehouse with an accessory garden centre and outdoor display areas is appropriate and compatible with the existing and permitted uses in the Vaughan Corporate Centre. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report.

Attachments

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

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Report prepared by:

Christina Napoli, Planner, ext. 8483

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 38, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

38

**SITE DEVELOPMENT FILE DA.09.030
NINE-TEN WEST LIMITED
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 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.09.030 (Nine-Ten West Limited) BE APPROVED, subject to the following conditions:
 - c) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations, landscape plan and landscaping details plan shall be approved by the Vaughan Development Planning Department; and,
 - ii) the final site servicing and grading plan shall be approved by the Vaughan Engineering Department.

Contribution to Sustainability

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

- i) low "E" Argon windows;
- ii) R40 spray foam insulation in garage ceilings and all habitable areas above the porch;
- iii) used recycled aggregates for the driveway sub-base;
- iv) dual flush toilet;
- v) garage doors made from 90% recycled material;
- vi) water efficient faucets;
- vii) engineered sub-floor system;
- viii) use of compact fluorescent bulbs on 90% of lighting fixtures; and,
- ix) high efficiency furnace.

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 the subject lands shown on Attachments #1 and #2 with 26, two-storey street townhouse dwelling units within 5 townhouse blocks (Blocks 199, 200, 204, 205 and 208 on Plan 65M-4004), as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands are located on the north side of Rutherford Road, east of Dufferin Street, specifically on Wolf Creek Crescent (Blocks 199, 200 and 208) and White Spruce Crescent (Blocks 204 and 205), in Part of Lot 16, Concession 2, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

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

The subject lands are zoned RT1 Residential Townhouse Zone by By-law 1-88. The proposed site development complies with By-law 1-88.

Site History

On June 28, 2004, Vaughan Council approved Draft Plan of Subdivision File 19T-95066 (Nine-Ten West Limited) to permit the development of 342 residential units consisting of 231 single detached residential dwelling units, 68 semi-detached residential units and 43 street townhouse units. The above-noted Plan of Subdivision was registered as Plan 65M-4004 on July 25, 2007, and facilitates the subject 5 townhouse blocks for 26 street townhouse dwelling units.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations, and landscape plan, as shown on Attachments #4 to #6 inclusive, and will continue working with the Applicant to finalize the details. A typical site plan layout, building elevations and landscape plan for Block 208 are shown on Attachments #4, #5 and #6.

Servicing

The Applicant has submitted a site servicing and grading plan for review and approval by the Vaughan Engineering Department.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

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

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Conclusion

Site Development File DA.09.030 (Nine-Ten West Limited) has been reviewed by the Development Planning Department in accordance with OPA #600, By-law 1-88, the comments from City Departments, and the area context. The Development Planning Department is generally satisfied that the proposed development for 26 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.

Attachments

1. Context Location Map
2. Location Map
3. Overall Site Plan
4. Typical Site Plan – Block 208
5. Typical Elevation Plan – Block 208
6. Typical Landscape Plan – Block 208

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
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 30, 2009

Item 39, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

39

**SITE DEVELOPMENT FILE DA.08.070
VINCE CARLINI
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT the site plan and building elevations shown on Attachments #3, #4, #5 and #6 for Site Development File DA.08.070 (Vince Carlini) BE APPROVED, to facilitate development of the site in accordance with Heritage Permit HP.2008.023.01, including the proposed changes to the garage door, to the satisfaction of the Vaughan Development Planning Department, in consultation with the Vaughan Cultural Services Division.
2. THAT the required variance shall be approved by the Vaughan Committee of Adjustment, and shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking.

Contribution to Sustainability

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

- i) spray foam all window and door openings;
- ii) spray foam insulation in garage;
- iii) insulated concrete in the basement;
- iv) tankless hot water system;
- v) low-E windows and doors; and,
- vi) high efficient furnace and air conditioning.

Economic Impact

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

Communications Plan

N/A

Purpose

For the Committee of the Whole to consider the site plan and building elevations (Attachments #3, #4, #5 and #6) for Site Development File DA.08.070 on the subject lands shown on Attachments #1 and #2, to facilitate the development of a 2-storey, 418.8 m² single-detached residential dwelling unit, within the Kleinburg-Nashville Heritage Conservation District.

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Background - Analysis and Options

Heritage Conservation District

On January 29, 2007, Vaughan Council approved the recommendation to require Site Plan Control for new single detached residential dwelling units on lands that are located within the Kleinburg-Nashville Heritage Conservation District and that are not within a plan of subdivision, in order to implement the requirements of the *"Kleinburg-Nashville Heritage Conservation District Study and Plan"* with respect to preserving and enhancing the heritage character of the Kleinburg-Nashville Community, with particular regard to the building elevations for detached dwelling units.

Location

The 0.09 ha subject lands are located north of Nashville Road, east of Islington Ave, and municipally known as 15 John Street, in Part of Lot 24, Concession 8, City of Vaughan, as shown on Attachments #1 and #2.

Official Plan and Zoning

The subject lands are designated "Kleinburg Core Area" by OPA #601 (Kleinburg-Nashville Community Plan), and zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(41), which permits a single-detached dwelling. The proposal conforms to the Official Plan.

With respect to the zoning, the applicant must obtain approval of a variance from the Vaughan Committee of Adjustment for the encroachment of the dwelling into the westerly interior side yard. The applicant is proposing an interior side yard of 0.6 m, whereas By-law 1-88 requires a minimum 1.5 m interior side yard. The 0.6 m interior side yard occurs for approximately half the depth of the proposed one-storey garage, and accordingly, the Development Planning Department has no objections to the proposed variance. The variance must be in full force and effect, prior to the execution of the Site Plan Letter of Undertaking.

Site Plan Review/Heritage Vaughan Committee

The Vaughan Cultural Services Division reviewed a site plan and elevations for the detached dwelling unit with respect to Heritage Clearance Approval and Heritage Permit HP-2008.023 and approved the application on October 29, 2008. However, since then the applicant made significant revisions to the original design approved by Heritage Vaughan, which are summarized as follows:

- i) front elevation: the garage doors were changed from two single bay doors to one large garage door;
- ii) a larger garage is proposed which is not reflected in the elevations;
- iii) rear elevation: a chimney was added, the windows slightly relocated, and the proposed deck was made larger and extended further into the rear yard;
- iv) the lot coverage was increased from 28.03% to 28.37%; and,
- v) the building height was increased from 8.58 m to 8.68 m.

Given these changes, the Cultural Services Division recommended that the revised site plan and building elevations be reconsidered by Heritage Vaughan. On May 20, 2009, Heritage Vaughan considered and approved the revised site plan as shown on Attachment #3, and the elevations shown on Attachments #4, #5 and #6, and adopted the following recommendation:

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“That Heritage Vaughan recommends approval of the submitted application for revised Heritage Permit HP.2008.023.01 as per the revised drawings presented and with the substitution of the garage door concept sketch of May 6, 2009 showing options for the material to be used in the garage door head.”

The Development Planning Department is satisfied that the proposed site plan and building elevations, as shown on Attachments #3, #4, #5 and #6, are consistent with the requirements of the Kleinburg-Nashville Heritage Conservation District Study and Plan. The final garage door must reflect the concept sketch approved by Heritage Vaughan on May 6, 2009 (Attachment #7) to the satisfaction of the Development Planning Department in consultation with the Cultural Services Division.

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

N/A

Conclusion

The Development Planning Department is satisfied with the proposed site plan and elevations for the single detached residential dwelling in the Kleinburg-Nashville Heritage Conservation District, and can support the approval of the Site Development Application, in accordance with the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Front (West) Elevation
5. Side (North & South) Elevation
6. Rear (East) Elevation
7. Approved Concept Sketch of Revised Garage by Heritage Vaughan

Report prepared by:

Mary Serino, Planner 1, ext. 8215
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 30, 2009

Item 40, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

40

**STREET NAME APPROVAL
DRAFT PLAN OF SUBDIVISION FILES 19T-97V15 & 19T-04V01
ARTIBUS DEVELOPMENT CORPORATION PHASE III AND 1307180 ONTARIO INC.
WARD 3**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

THAT the following street names for Draft Plan of Subdivision File 19T-97V15 (Artibus Development Corporation Phase III) and Draft Plan of Subdivision File 19T-04V01 (1307180 Ontario Inc.) as shown on Attachment #3, BE APPROVED:

| <u>STREET</u> | <u>APPROVED NAME</u> | <u>PROPOSED NAME</u> |
|---------------|----------------------|----------------------|
| Street 'A' | Noce Way | Selvapiano Crescent |
| Street 'B' | Harley Drive | Noce Way |

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

N/A

Background

The subject lands shown on Attachments #1 and #2 are located south of Major Mackenzie Drive, on the east side of Pine Valley Drive, in Lot 19, Concession 6, City of Vaughan.

The applicant has submitted a new street name for approval for Street 'A' (Selvapiano Crescent) and is requesting that a previously approved street name be reassigned to Street 'B' (Noce Way), as shown on Attachment #3.

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

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

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

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Conclusion

The Development Planning Department has no objection with the proposed street names for Draft Plan of Subdivision 19T-97V15 and Draft Plan of Subdivision File 19T-04V01.

Attachments

1. Context Location Map
2. Location Map
3. Plans of Subdivision 19T-97V15 and 19T-04V01

Report prepared by:

Jack McAllister, Senior GIS Technician, ext. 8209
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8635

/CM

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

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Background – Analysis and Options

The Steeles Avenue Corridor Urban Design Streetscape Master Plan Study area is bounded by Steeles Avenue to the south, Jane to the west, Keele Street to the east, and the Hydro Corridor (parallel to Steeles Avenue) to the north as shown on Attachment #2.

On February 29, 2008, Council approved Official Plan Amendment, OPA 620, The Steeles Corridor – Jane Street to Keele Street Plan, with a general intent that the plan becomes the focus for higher order transit improvements and high-density land uses within the study area.

OPA 620 has been planned to transform the area to a major transit and urban centre with a compact physical form that is sustainable, accessible, pedestrian oriented and cyclist friendly with respect to human scale. Considering the close proximity to York University and the availability of high order transit, a mixed-use urban form should provide opportunities for more intense commercial uses, educational facilities and office spaces along with high-density residential forms of development.

Development throughout the Steeles Avenue Corridor, OPA 620 area will be characterized by high quality urban design. The area has been identified by The Region of York Transportation Master Plan as a “Gateway” to the Region’s and the City of Vaughan’s transit network therefore, its visual attractiveness and image of the area is of prime importance. The Steeles Avenue Corridor Urban Design Streetscape Master Plan Study will create a comprehensive public realm for this area that will provide an attractive urban framework to promote private sector investment.

Urban Design - Detailed Streetscape Master Plan

The Steeles Avenue Corridor Urban Design Streetscape Master Plan Study will prescribe the layout and detailed design of the public and private streetscape spaces, pedestrian and bicycle connections, public amenities and open spaces, provide criteria for building locations, forms, heights and massing in relation to the public realm. The plan will prescribe detailed information that will specifically address the following objectives:

- a) Promote a high quality design within the area including streetscapes, open spaces, public parks, and private buildings and amenities in order to create a comfortable, sustainable and memorable urban centre;
- b) Establish a strong and high-quality “Gateway” and Urban Center image by enhancing the character of the built environment including building design quality, construction detail, landscaping, lighting, signage, and streetscape;
- c) Commence environmental sustainability by encouraging localized and integrated stormwater management strategies, native and drought resistant planting, heat island reduction, renewable energy usage, energy efficiency, district energy heating and cooling systems, as well as Black Creek Valley system protection and watershed management;
- d) Facilitate comfortable and safe pedestrian and cyclist access to the subway station and its components;
- e) Provide for a transitional of urban form, massing and uses to ensure all developments adjacent to the study area are physically compatible and complementary;
- f) Provide a balanced street network and layout that is convenient, comfortable and safe for pedestrians, cyclists, public transit users, and personal vehicle travelers;

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- g) Ensure the retail commercial development is planned to support a street-related, pedestrian-oriented and transit-supportive development;
- h) Utilize urban uses and environment to complement and reinforce academic function, bond with York University's campus environment, and provide direct connection to the university.
- i) Develop consistent, attractive streetscapes through attention to the design of the public realm, built form, the relationship between buildings, streetscapes and other public spaces based on the following principles:
 - i. High-density developments should be designed to establish a comfortable, human-scale environment for pedestrians;
 - ii. Pedestrian travel throughout the study area should be encouraged by establishing a grid network of streets, creation of a comfortable, safe and attractive walking environment, and connectivity to parks, open space areas and land uses;
 - iii. A consistent level of streetscape design, lighting, planting, signage, street furniture and other amenities should be provided;
 - iv. All public and private outdoor spaces, including walkways, building entries and parking areas, should be designed in a manner which is safe, secure, and subject to natural surveillance;
 - v. A strong relationship between buildings and the street should be created by establishing appropriate building setbacks, lane widths, parking and turning radii, as well as orienting main entrances to public sidewalks;
 - vi. Service and parking facilities should be located on the site with minimum exposure to the pedestrian network to enhance the attractiveness of the public realm.

Funding

The Steeles Avenue Corridor Urban Design Streetscape Master Plan Study is a growth related management study and therefore, is to be funded from 10% taxation and 90% from City Wide Development Charges. Development Planning Department Staff has included the Steeles Avenue Corridor Urban Design Streetscape Master Plan Study in the approved 2009 Capital Budget with a budget of \$180,000.00.

Study Time Schedule

The Steeles Avenue Corridor Urban Design Streetscape Master Plan Study will commence with Council's approval of the Study Terms of Reference shown on Attachment #1, and it is expected to require approximately 15 months to complete, with an anticipated completion date of fall 2010.

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".

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Regional Implications

The Region of York will be requested to participate in the Steeles Avenue Corridor Urban Design Streetscape Master Plan Study.

Conclusion

The Terms of Reference for the Steeles Avenue Corridor Urban Design Streetscape Master Plan Study provides the basis for carrying out the development of urban design guidelines, and the

preparation of a detailed streetscape master plan based on the urban design objectives of the Steeles Corridor-Jane Street to Keele Street Plan, OPA 620. The guidelines and detailed master plan should be considered as the final piece that will guide future development in the study area, and encourage its evolution into a strong transit oriented Urban Centre by enhancing the character of the built environment including building design and massing, streetscapes and pedestrian realm.

Should Council concur with the Terms of Reference, the recommendation should be approved to enable staff to proceed with the consultant selection prior to Fall 2009.

Attachments

1. Terms of Reference
2. Study Area Location Map

Report prepared by:

Farhad Jalilli, Urban Designer, ext. 8017
Rob Bayley, Senior Urban Designer, ext. 8254

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 42, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

42

**SITE DEVELOPMENT FILE DA.09.040
QUEENSGATE HOMES (VAUGHAN) INC.
WARD 1**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 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.09.040 (Queensgate Homes (Vaughan) Inc.) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department; and,
 - ii) the final site grading, servicing, and storm water management plans shall be approved by the Vaughan Engineering Department.

Contribution to Sustainability

The applicant has advised that the design of the townhouse blocks will incorporate the following sustainable features within the building and site design:

- i) maintenance free vinyl casement windows with low-E glazing and argon filled glass;
- ii) paved driveways to use recycled concrete products for the base;
- iii) high efficiency, high velocity air type handling system with boiler type heating system (three-storey models);
- iv) low flow aerators on all faucets and shower heads;
- v) low flow toilets with insulated tanks;
- vi) R40 ceiling insulation with R20 wall insulation;
- vii) all construction waste lumber to be separated and taken to a recycling depot; and,
- viii) all construction waste sheet metal to be taken to a recycling depot.

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 the subject lands shown on Attachments #1 and #2, with 12, three-storey street townhouse dwelling units within 3 townhouse blocks (Blocks 60, 61 and 62 on Registered Plan 65M-4057), as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands are located west of Bathurst Street, north of Rutherford Road, specifically on Millhouse Court (Blocks 60 - 62 inclusive) within Planning Block 11, Ward 1, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are located within OPA #600 and are designated "Low Density Residential". However, the Block 11 Plan approved by Council on November 25, 2002, designated the subject lands and surrounding lands as "Medium Density Residential". The Medium Density Residential policies within OPA #600 permit street townhouses. The proposed residential street townhouse development conforms to the Official Plan.

The property is zoned RT1 Residential Townhouse Zone by By-law 1-88, subject to Exception 9(1217), which permits the proposed street townhouse use. The Building Standards Department is reviewing the proposed townhouse development for compliance with By-law 1-88. Should variances be identified from the RT1 standards of By-law 1-88, the applicant can either amend their proposal to comply, or alternatively, seek approval from the Committee of Adjustment for a minor variance, which shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking.

Site History

On May 24, 2007, Vaughan Council approved Draft Plan of Subdivision File 19T-95062 (Woodvalley Developments) to permit the development of 408 residential units consisting of 197 singles and 211 street townhouse dwellings. The above-noted Plan of Subdivision was registered in phases. The subject lands are within Phase 2 which was Registered as Plan 65M-4057 on May 20, 2008, and facilitates the subject 3 blocks for 12 street townhouse dwelling units.

Site Plan Review

A typical site plan layout and building elevations for Block 60, and landscape plan for Blocks 60 – 62 inclusive, are shown on Attachments #4, #5 and #6, respectively.

The subject lands are within Planning Block 11 and are subject to Architectural Control. The Block 11 Control Architect has reviewed and approved the site plan and elevation plans. The Development Planning Department is generally satisfied with the proposed plans as shown on Attachments #3 - #5 inclusive.

The Vaughan Engineering Department must approve the final site grading, site servicing and storm water management plans for the proposed development. These approvals are required prior to the execution of the Site Plan Letter of Undertaking.

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".

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Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed Site Development File DA.09.040 in accordance with the policies of OPA #600, By-law 1-88, the comments from City Departments, and the area context. The Development Planning Department is satisfied that the proposed development of 12, three-storey street townhouse dwelling units is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

1. Context Location Map
2. Location Map
3. Overall Site Plan – Blocks 60, 61 and 62
4. Typical Site Plan – Block 60
5. Typical Elevation Plan – Block 60
6. Landscape Plan

Report prepared by:

Laura Janotta, Planner, ext. 8645
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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In 2003 - 2004, the City of Vaughan initiated and completed The Thornhill Centre Street Study, in recognition of the changing Provincial, Regional and Municipal policy environment, the land use context, and continuing pressure for further development. Two Official Plan Amendments, OPA 671 and OPA 672, were the outcome of this Study to update the policy framework for Centre Street. The purpose of the Amendments is to guide development consistent with the recommendations of the study, including policy provisions addressing land use, urban design and streetscaping.

In July 2005, OPA 671 and OPA 672 came into force for the Centre Street Corridor that recommends detailed Urban Design Guidelines and a Master Plan to be prepared to ensure that development applications are in keeping with the vision of the urban design policies established in the Thornhill Centre Street Study. The Urban Design Guidelines should be prepared to address, but not be limited, to the following: Built Form Guidelines, Public Realm Guidelines, Site Access, Parking, Service and Utility Locations, and Attributes.

Urban Design – Detailed Streetscape Master Plan

The Urban Design Streetscape Master Plan will prescribe the layout and detailed design of the public and private streetscape spaces, pedestrian and bicycle connections, public amenities and open spaces, as well as, provide criteria for building locations, forms, heights and massing in relation to the public realm. The plan will prescribe detailed information that will specifically address the following objectives:

- a) Create a strong community image by enhancing the character of the built environment including building design and massing, signage, planting and streetscapes;
- b) Ensure that neighbouring developments within the Centre Street Corridor and adjoining it are physically compatible and complementary;
- c) Create a pedestrian-friendly environment in relation to the layout of streets, configuration of lots, and siting of buildings and entrances;
- d) Ensure that the commercial development is planned to support a street-related, pedestrian-oriented and transit-supportive development;
- e) Develop attractive streetscapes through attention to the design of the public realm, built form, and the relationship between buildings, streetscapes and other public spaces based on the following principles:
 - i. Development in the Centre Street Corridor should be designed to establish a comfortable, human-scale environment for pedestrians;
 - ii. Encourage pedestrian travel throughout the Centre Street Corridor community by establishing the creation of a comfortable, safe and attractive walking environment, and connectivity to public space areas, transit and commercial uses;
 - iii. Provide a consistent level of streetscape design, lighting, planting, signage, street furniture and other amenities;
 - iv. Ensure that all public and private spaces are designed in a manner which is safe, secure, and subject to informal surveillance, including walkways, building entries and parking areas;

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- v. Establish a strong relationship between buildings and the street by minimizing setbacks and orienting main entrances to public sidewalks;
- vi. Design service and parking facilities to complement the pedestrian system network and enhance the attractiveness of the public realm.

Funding

The Centre Street Corridor Urban Design Streetscape Master Plan Study is a growth related management study and therefore, is to be funded from 10% taxation and 90% from City Wide Development Charges. Development Planning Department Staff has included the Centre Street Corridor Urban Design Streetscape Master Plan Study in the approved 2009 Capital Budget (Project # DP-9012-09) with a budget of \$100,000.00.

Study Time Schedule

The Centre Street Corridor Urban Design Streetscape Master Plan Study will commence with Council's approval of the Study Terms of Reference, shown on Attachment #1, and it is expected to require approximately 14 months to complete, with an anticipated completion date of Fall 2010.

Selection of Consultant

The Consultant Team will be chosen primarily based upon their demonstrated expertise in urban design, landscape architecture, engineering, and public consultation and facilitation.

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".

Conclusion

The Terms of Reference for the Centre Street Corridor Urban Design Streetscape Master Plan Study provides the basis for carrying out the development of urban design guidelines, and the preparation of a detailed streetscape master plan based on the urban design objectives of the Thornhill Centre Street Study and OPA 671 and OPA 672. The guidelines and detailed master plan should be considered as the final piece that will guide future development in the Centre Street Corridor, and encourage its evolution into a strong community image by enhancing the character of the built environment including building design and massing, streetscapes and pedestrian realm.

Should Council concur with the Terms of Reference, the recommendation should be approved to enable staff to proceed with the consultant selection prior to Fall 2009.

Attachments

1. Terms of Reference
2. Study Area Location Map

Report prepared by:

Moira Wilson, Urban Designer, ext. 8017
Rob Bayley, Senior Urban Designer, ext. 8254

/CM

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 44, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

44

**OFFICIAL PLAN AMENDMENT FILE OP.08.018
CITY OF VAUGHAN CORPORATE CENTRE
WARDS 3 AND 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. That Official Plan Amendment File: OP.08.018 (City of Vaughan Corporate Centre) BE APPROVED, to amend OPA #500, as amended by OPA # 663, by redesignating the subject lands, shown on Attachment #2 from "Corporate Centre District" to "Corporate Centre Corridor".

Contribution to Sustainability

The implementation of this Official Plan Amendment will assist in the further development of an area envisaged as Vaughan's downtown. The currently ongoing Focused Area Study for the Vaughan Corporate Centre (VCC) will result in a development framework that guides pedestrian friendly, transit-supportive, environmentally sustainable, medium to high density, mixed-use development in the VCC.

Economic Impact

There is no significant economic impact associated with this report.

Communications Plan

On January 16, 2009, a Notice of Public Meeting was circulated to all property owners within the Vaughan Corporate Centre as Shown on Attachment 1 and within 120m of the Vaughan Corporate Centre. The notice of Public Hearing was also posted in the Vaughan Citizen and the Vaughan Liberal on January 18, 2009 and Vaughan Today on January 23, 2009. As of April 9, 2009, one comment by letter on behalf of a landowner at 7895 Jane Street (Berkley Developments (Jane)) has been received, indicating that they support the redesignation from "Corporate Centre District" to "Corporate Centre Corridor" and would prefer that the extension of the "Corporate Centre Corridor" designation to include all of their lands.

The recommendation of the Committee of the Whole to receive the Public Hearing report of February 10, 2009, and forward a comprehensive report to a future Committee of the Whole Meeting was ratified by Council on February 24, 2009.

Purpose

To amend Official Plan Amendment No.500, as amended by OPA No. 663, by extending the "Corporate Centre Corridor" designation north on Jane Street to Portage Parkway, east of Millway Avenue, in the Vaughan Corporate Centre as shown on Attachment 2. This would have the effect of redesignating these lands from "Corporate Centre District" to "Corporate Centre Corridor."

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Background - Analysis and Options

Location

The subject lands are located on the east and west side of Jane Street, east of Millway Avenue and south of Portage Parkway, on Lots 6 and 7, Concession 4 and 5, City of Vaughan, as shown on Attachment #2.

On December 8, 2008, Vaughan Council adopted, Item 26, Report No.61, of the Committee of the Whole, was adopted, as amended by as follows:

- “1. That Staff be directed to prepare a City initiated Official Plan Amendment to amend OPA No. 500, as amended by OPA No. 663. to extend the “Corporate Centre Corridor” designation north of Jane Street to Portage Parkway, east of Millway Avenue, in the Vaughan Corporate Centre, and hold a Public Hearing on the matter.
2. That Staff bring forward a City initiated zoning amendment respecting the establishment of a 5 storey (16.5m) minimum building height limit in the areas designated “Corporate Centre Corridor” and “Corporate Centre Node” in the Vaughan Corporate Centre to the same Public Hearing meeting.
3. That a by-law be brought forward to amend the Site Plan Control By-law 228-2005, as amended, to include all types of buildings in the Vaughan Corporate Centre Area under Site Plan Control.
4. That Staff be directed to bring a report to the Committee of the Whole, Working Session, by June 2009 on the establishment of a pilot Design Review Panel to provide design advice on developments in the Vaughan Corporate Centre and potentially for other developments in the City.”

The resolution was further amended by Council, *“By approving that a copy of this report be forwarded to the Region of York.”*

On February 24, 2009, Item 5, Report No.8, of the Committee of the Whole (Public Hearing) was adopted without amendment by the Council of the City of Vaughan.

History

On May 12, 2008, Vaughan Council approved the Terms of Reference for the Vaughan Corporate Centre Focused Area Review. The focus of the project will be the areas designated “Corporate Centre Node” (the future downtown) and lands designated “Corporate Centre District” in the Vaughan Corporate Centre Secondary Plan Area of Official Plan Amendment No.500, as amended by OPA No. 663 (Attachment #2).

The current VCC Secondary Plan has not been comprehensively reviewed since its approval in March 1998. Since that time, there have been a number of planning-related initiatives and events that have occurred over the past 10 years that affect the Corporate Centre Plan.

The March 23, 2006 announcement of provincial funding for the Spadina Subway extension to the VCC has set the stage for intensified development and changed the planning context within the VCC. There is a need to revisit and update the policies guiding future development. Therefore, the VCC Focused Area Review is underway to generate an updated policy framework. While this work is underway Council is concerned that developments may be inconsistent with the vision for the VCC.

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Vaughan Corporate Centre Area

The Corporate Centre has an important function in the urban structure established by both the City of Vaughan and Region of York Official Plans. York Region's Official Plan identifies the Vaughan Corporate Centre as one of four primary centres in the Region and the only Regional Centre in the City of Vaughan. Regional Centres are intended to have the highest concentration of uses in the Region and will be the focus of business, government, entertainment and culture with complementary medium and high density development. Furthermore the VCC is an Urban Growth Centre in the Provincial Growth Plan "Places to Grow".

The Secondary Plan covers an area of approximately 400 hectares (Attachment #1) and at the time it was developed, consisted of three main designations for development, as follows:

The "Corporate Centre Node" straddles both sides of Regional Road 7, between Highway 400 and (just west of) Creditstone Road and consists of approximately 50 ha. The Node is to be recognized as a higher order transit hub and its function as the City's future "downtown". When the Secondary Plan was being developed, the Node was seen as having the potential to accommodate between 5.5 and 6.0 million square feet (510,950 sq. m to 557,400 sq. m) of development and a wide range of commercial and residential uses. The Plan calls for a compact urban form of development based on 100m x 100 m development blocks. The Node is surrounded by a planned ring road that is intended to divert traffic from Regional Road 7, allowing it to become a more pedestrian and transit supportive urban street.

The "Corporate Centre District" surrounds the Node and includes lands east and west of Highway 400, and north and south of Regional Road 7 (outside the Node). The District is intended to provide opportunities for land uses requiring visual exposure, good vehicular access and large development sites. Unlike the Node, residential uses are not permitted but larger retail facilities are allowed along with employment uses.

The "Corporate Centre Corridor" designation was recently added to the Secondary Plan by OPA No. 663. This designation applies to lands located on both sides of Regional Road 7, east and west of the Node and on both sides of Jane Street, south of Regional Road 7. The Corridor designation permits similar uses to the Node with the addition of employment uses and contains a number of development and urban design policies in support of transit ridership. OPA No. 500 (the Vaughan Corporate Centre Plan) as modified by OPA No. 663 enables more intensive development to occur at preferred locations within the VCC in support of transit ridership. It does this by providing development policies and a new "Corporate Centre Corridor" designation that allows increased intensification and density.

The City's vision for the Vaughan Corporate Centre is that this area will be the future "downtown" for Vaughan. It is intended to be developed with a high density, pedestrian friendly, mix of uses in a compact urban form, and will be the focus of business, government, entertainment and culture. The Vaughan Corporate Centre is also to be connected to higher order transit facilities such as the extension of the Spadina Subway from York University and the VIVA rapid busway along Regional Road 7 and Jane Street. These transit initiatives provide an opportunity to extend the "Corporate Centre Corridor" designation in an effort to provide for transit supportive development.

Provincial Policy Statement

The new Provincial Policy Statement (PPS) was approved in 2005. In planning for future development of the VCC, a number of PPS policies are relevant, including those which support efficient land use, a range and mix of housing densities and intensification and public transit. The PPS recognizes that the official plan is the most important vehicle for implementing the Policy Statement. Decisions of Council of a municipality in respect of exercising authority on planning related matters shall be consistent with the PPS.

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The PPS sets out the overall direction on matters of provincial interest related to land use planning and development, and includes policies that encourage the focus of new growth in urban areas. The PPS promotes, efficient cost effective development, and land use patterns that are based on densities which;

- i) efficiently use land, resources, infrastructure, and public service facilities; and
- ii) avoid the need for unnecessary and/or uneconomical expansion of infrastructure.

The PPS promotes a full range of housing types and densities to meet projected demographics and market requirements for current and future residences by ensuring all forms of residential intensification to create a supply of housing. The proposed redesignation from “Corporate Centre District” to “Corporate Centre Corridor” would allow these lands to be used for residential purposes among others uses. The proposal would meet the intent of the PPS with respect to efficient use of land and infrastructure and providing a range of housing types.

The Growth Plan

Approved in 2006, the Provincial “Growth Plan for the Greater Golden Horseshoe” establishes a policy framework for compact urban growth; sets intensification targets, directs growth to existing urban areas and transit corridors; limits Greenfield development; and promotes compact, transit-supportive development patterns. The VCC is identified in the Growth Plan as an “Urban Growth Centre” and is subject to its policies. As noted previously the VCC is to be connected to higher order transit facilities such as the Spadina Subway and the VIVA rapid busway along Regional Road 7 and Jane Street. These transit initiatives serve as an opportunity and a basis for the extension of the “Corporate Centre Corridor” designation further north on the east and west side of Jane Street to take advantage of the “Urban Growth Centre” designation outlined by the province and the opportunities that would be provided by the extension of the Spadina Subway from York University to the Vaughan Corporate Centre.

Region of York Official Plan

The Region of York’s Official Plan (2004) identifies the VCC as one of four “Regional Centres” that are intended to become the focus for business, government, entertainment and culture within the Region with complementary medium and high density residential development. Regional Road 7 is also identified as a “Regional Corridor” which is expected to develop with higher density land uses that will support planned transit. Regional Road 7 is viewed as having great potential for intensive mixed-use development supported by frequent and efficient rapid transit service. In the long-term, Regional Road 7 is envisioned to transition from a “highway” to a multi-purpose transit-supportive urban street.

Regional Official Plan Amendment 43 (ROPA 43) was approved in 2005 to implement the findings of the Region’s Centres and Corridors Study. ROPA 43 is the land use component of the Regional Centres and Corridors Strategy. The strategy includes financial policies and tools, infrastructure investment programs, and other programs to promote the intended vision. ROPA 43 provides a policy framework and support for higher-order transit and land use in Regional Centres such as the VCC.

Relevant City of Vaughan Official Plans and Initiatives

Official Plan

The subject lands are currently designated “Corporate Centre District” by Official Plan Amendment No. 500, as amended by Official Plan Amendment 663.

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Zoning

The subject lands on the west side of Jane Street are Zoned C10(H) Corporate District Zone with the Holding Symbol (H) by By-law 1-88, subject to Exception 9(959). Lands on the east side of Jane Street (7895 Jane Street- Berkley Developments (Jane) Inc., File: Z.08.012) are zoned A Agricultural Zone.

Amendments to the Corporate Centre Plan

Since the adoption of the Corporate Centre Plan, additional policies have been implemented that further develop and support certain aspects of the Secondary Plan, as follows:

Official Plan Amendment No. 528 (Corporate Centre Transportation Plan Update)

In July 2001 OPA 528 was approved by the Ontario Municipal Board. The Amendment identified and incorporated into OPA 500, road network improvements and supporting policies. The "Vaughan Corporate Centre Node – Transportation/Transit Planning and Functional Design Study" (File:15.66.4) formed the basis for the Amendment to OPA 500. Examples of improvements to the road network included a two-way bridge link between Portage Parkway on the east side of Highway 400 to Chrislea Road on the west side of Highway 400, the extension of Barnes Court to Regional Road 7 and connections between Highway 400 and the planned ring road (known as Links 4 and 5). Road network improvement policies included: providing flexibility to the development of the road network within the ring road; the reconstruction of Regional Road 7 within the Node; the identification, timing and implementation of priority improvements to the road network, and; implementation of traffic control/design features at the east and west entrances to the Node along Regional Road 7.

Official Plan Amendment No. 529 (Higher Order Transit and Corporate Centre Redevelopment)

In July 2001, OPA 529 was approved by the Ontario Municipal Board. The Amendment defined a right-of-way for the use of higher order transit vehicles north of Steeles Avenue connecting the Corporate Centre to the Toronto Transit Commission's planned Yonge-Spadina Subway Station near York University. The Plan also provided land use policies which support the extension of the future rapid transit service to the VCC. The Amendment was based on the recommendations of the "City of Vaughan Higher Order Transit Corridor Protection Study – York University to the Vaughan Corporate Centre" (File:15.66.5).

Policies in OPA 529 recognize that the facilities associated with public transit, such as stations, bus terminals, commuter parking, passenger pick-up/drop offs, pedestrian entrances, and vent shafts, are essential to system operations and that it may be necessary to acquire lands outside the defined limits of the public transit right-of-way. Clause e) in Section 4.2.3 "Transit" of OPA 500, as amended by OPA 529, provides policy to enable Vaughan to conduct a study or studies to establish the appropriate mechanisms to ensure that these facilities can be provided in a timely and economical fashion. Study objectives include:

- that the development potential around stations and terminal sites may be achieved; assessed the impact on public and private interests of acquiring the required land and constructing the facility, and;
- protect to the extent possible, for surface transit facilities.

Official Plan Amendment No. 663 (Highway 7 Land Use Futures Study)

In June 2007, Vaughan Council adopted a series of Official Plan Amendments for lands along the entire length of Regional Road 7 in Vaughan. The Amendments were based on the recommendations of the "Highway 7 Land Use Futures Study", which was a comprehensive

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evaluation of planning and development opportunities along Regional Road 7, from Brampton on the west and Richmond Hill on the east. The study also considered the previous work done on the Jane/7 Employment Area Redevelopment Study. OPA 663 amends the Corporate Centre Plan (OPA 500) and was approved by the Region of York on July 17, 2008.

This recent Amendment enables more intensive development to occur at preferred locations within the VCC in support of transit ridership. It does this by providing development policies and a new “Corporate Centre Corridor” designation that allows increased intensification/density and includes Community Improvement Plan policies to allow Vaughan to implement financial incentive packages. The Amendment also provides for additional urban design policies requiring street-related development to help create an attractive and comfortable environment for pedestrians.

The proposed extension of the “Corporate Centre Corridor” designation further north on Jane Street to the terminus of the current VCC boundaries (See Attachment 2) will further support transit ridership and more intensive development to take advantage of the extension of the Spadina Subway to this area.

Currently the VCC Focused Area Review is underway for the whole of the Corporate Centre and this review will explore and further develop policies as well as built form, streetscape and open space guidelines in order to ensure that the vision for the Corporate Centre is achieved.

Toronto and Region Conservation Authority (TRCA)

The TRCA in its letter of January 27, 2009, advises that TRCA staff and Development Planning staff have been involved in the processing of a site-specific application for the lands located at the southeast quadrant of Jane Street and Portage Parkway, known municipally as 7895 Jane Street (Berkley Developments (Jane) Inc. – File Z.08.012). The TRCA indicates that in their last correspondence of June 24, 2008, they were still awaiting the submission of materials in order to complete their review. They indicated that the approval of the site-specific rezoning was considered premature at that time. No further review has been undertaken since that time. As such, the delineation of the development limit and appropriate buffers of the site has not been finalized.

TRCA notes that the lands at the southeast quadrant of Jane Street and Portage Parkway are partially located within a Regulated Area of the Humber River Watershed, and more specifically, is located within the Engineered Floodplain. TRCA recommends that the redesignation and rezoning of the lands known municipally as 7895 Jane Street be deferred until such time as TRCA has completed their review.

York Region Planning and Development Services Department

The application was circulated to the Region of York for review and comment. York Region Planning and Development Services Department, by letter dated January 26, 2009, advises that the application was considered by the Regional Development Review Committee comprising of staff from Regional Departments. Based on their review, the proposed OPA appears to be a routine matter of local significance and does not adversely impact Regional interests, as set out in Regional Official Plan policy (Section 7.2.7). Pursuant to Council authorization in By-law A-0265-1999-017 the application is hereby exempted from approval by Regional Planning Committee and Council. This allows the Amendment to come into effect following the adoption by the City of Vaughan and the expiration of the required appeal period.

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.

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Regional Implications

The Official Plan resulting from this study will conform to Regional and Provincial Policy requirements. The Region has also exempted the official plan amendment application from approval by Regional Planning Committee. This allows the Amendment to come into effect following the adoption by the City of Vaughan and the expiration of the required appeal period.

Conclusion

The proposed redesignation from “Corporate Centre District” to “Corporate Centre Corridor” would appear to be an appropriate evolution of land use designation as the lands are in close proximity to the terminus of the proposed TTC Spadina Subway Extension in the Vaughan Corporate Centre (approximately 10 minute walk to station). The redesignation would enhance the development potential around the station site. The proposed redesignation is consistent with the lands immediately to the south on both sides of Jane Street which are also designated “Corporate Centre Corridor”. Accordingly, the redesignation would extend the limits of the Corporate Centre Corridor designation to the northern terminus of the Vaughan Corporate Centre boundaries.

The redesignation is deemed to be consistent with the Provincial Policy Statement, particularly, with respect to efficient use of land, resources, infrastructure and public services. Furthermore the “Corporate Centre Corridor” designation would also allow for a range of housing types, such as, medium and high density residential uses, as well as, office commercial uses, hotels, institutional and cultural uses, retail uses, and financial institution uses.

The proposed redesignation would be consistent with the Provincial “Growth Plan for the Golden Horseshoe”, as the VCC is identified in the Growth Plan as an “Urban Growth Centre”. The extension of the “Corporate Centre Corridor” designation would further strengthen the VCC identification as an “Urban Growth Centre” by providing for uses that would be consistent with a growth centre.

The Region of York Official Plan identified the VCC as one of four “Regional Centres” that are intended to become the focus of business, government, entertainment and culture within the Region, with complementary medium and high density development. The expansion of the “Corporate Centre Corridor” designation to the northern limits of the VCC boundary along the east and west side of Jane Street would be consistent with the Region’s “Regional Centres and Corridors” designations and would enhance the development potential around station and terminal sites. The Region has also advised that the proposed official plan amendment is of local significance and does not adversely impact Regional interests, and has exempted it from approval by Regional Planning Committee.

The Policy Planning Department is satisfied that the redesignation of the subject lands shown on Attachment 2., from “Corporate Centre District” to “Corporate Centre Corridor” is an appropriate extension of the Corporate Centre Corridor” designation as it is compatible in the context of the surrounding planned and existing uses.

Attachments

1. Vaughan Corporate Centre Location Map
2. Location Map Subject Lands
3. Schedule “A” – Land Use Plan OPA #663

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Report prepared by:

Arto Tikiryan, Senior Planner, ext. 8212

Wayne McEachern, Manager of Policy Planning. ext. 8026

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

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Item 45, Report No. 35, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 30, 2009, as follows:

By approving the following in accordance with the memorandum from the Commissioner of Planning, dated June 24, 2009:

“That Exhibit 1A (Attachment 1 – April/09) should be replaced by Exhibit 1B (Attachment 1 – June/09) and that Exhibit 2A (Attachment 2 – March 17/09) be replaced by Exhibit 2B (Attachment 2 – June/09)”

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**ZONING BY-LAW AMENDMENT FILE Z.08.073
CITY OF VAUGHAN CORPORATE CENTRE
WARDS 3 AND 4**

The Committee of the Whole recommends that the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved, and be forwarded to the Vaughan Corporate Centre Advisory Committee for information purposes.

Recommendation

The Commissioner of Planning recommends:

- 1) THAT Zoning By-law Amendment File Z.08.073 (City of Vaughan) BE APPROVED, to control building height for lands designated “Corporate Centre Node”, Corporate Centre District” and Corporate Centre Corridor shown as “Subject Lands” on Attachment 1, as follows:
 - i) For lands designated “Corporate Centre District” the minimum building height shall be 16.5 metres.
 - ii) For lands designated “Corporate Centre Node” the minimum building height shall be 16.5 metres and restricted to a maximum height of 25 metres except for development blocks identified on Schedule “B” to OPA #500, as “Gateway Sites”, which have no maximum height limit, and shown as Landmark Locations on Schedule “A2”, of By-law 1-88.
 - iii) For lands designated “Corporate Centre Corridor” the minimum building height shall be 16.5 metres and shall not exceed 25.0 metres.
 - iv) Existing buildings as of the date of passing of this by-law, within the area shown as “Subject Lands” on Attachment 1 shall be considered to comply with the minimum building height by-law height provisions
 - v) The minimum building height by-law shall apply to lands zoned EM1 Prestige Employment Area Zone, EM2 General Employment Area Zone, C1 Restricted Commercial Zone, C2 General Commercial Zone, C5 Community Commercial Zone, C6 Highway Commercial Zone, C7 Service Commercial Zone, C8 Office Commercial Zone, C9 Corporate Centre Zone, C10 Corporate District Zone.
 - vi) New development equal to 10% of the gross floor area of existing buildings on a site, as of the date of the passing of the by-law, shall be exempted from the proposed minimum building height by-law.

Contribution to Sustainability

The implementation of this By-law amendment will assist in discouraging 1-2 storey, car-oriented

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development in an area envisaged as Vaughan's downtown. The currently ongoing Focused Area Review for the Vaughan Corporate Centre (VCC) will result in a development framework that guides pedestrian friendly, transit-supportive, environmentally sustainable, medium to high density, mixed-use development in the VCC.

Economic Impact

There is no significant economic impact to the City associated with this report.

Communication Plan

On January 16, 2009, a Notice of Public Hearing for February 10, 2009, was circulated to all property owners within the Vaughan Corporate Centre as Shown on Attachment 1 and within 120m of the Vaughan Corporate Centre. The notice of Public Hearing was also posted in the Vaughan Citizen and the Vaughan Liberal on January 18, 2009 and Vaughan Today on January 23, 2009.

Purpose

The City of Vaughan has initiated an amendment to By-law 1-88, to establish a minimum building height limit of 16.5m (no buildings less than 16.5 m in height) until such time as the Vaughan Corporate Centre Focused Area Review is finalized. The By-law would apply to lands zoned for Commercial or Employment Area Zone (Industrial) uses within the "Corporate Centre Corridor", "Corporate Centre Node" and a small portion of lands designated "Corporate Centre District" designations in the Vaughan Corporate Centre, as shown on Attachment 1. The Focused Area Review will develop revised Official Plan policies and revised Zoning standards for the Vaughan Corporate Centre lands.

Background – Analysis and Options

On December 8, 2008, Item 26, Report No.61, of the Committee of the Whole, was adopted, as amended, by Vaughan Council as follows:

- “1. That Staff be directed to prepare a City initiated Official Plan Amendment to amend OPA No. 500, as amended by OPA No. 663. to extend the "Corporate Centre Corridor" designation north of Jane Street to Portage Parkway, east of Millway Avenue, in the Vaughan Corporate Centre, and hold a Public Hearing on the matter.
2. That Staff bring forward a City initiated zoning amendment respecting the establishment of a 5 storey (16.5m) minimum building height limit in the areas designated "Corporate Centre Corridor" and "Corporate Centre Node" in the Vaughan Corporate Centre to the same Public Hearing meeting.
3. That a by-law be brought forward to amend the Site Plan Control By-law 228-2005, as amended, to include all types of buildings in the Vaughan Corporate Centre Area under Site Plan Control.
4. That Staff be directed to bring a report to the Committee of the Whole, Working Session, by June 2009 on the establishment of a pilot Design Review Panel to provide design advice on developments in the Vaughan Corporate Centre and potentially for other developments in the City.”

The resolution was further amended by Council "By approving that a copy of this report be forwarded to the Region of York."

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In light of Council's resolution staff is bringing forward this report for Council's consideration.

History

On May 12, 2008, Vaughan Council approved the Terms of Reference for the Vaughan Corporate Centre (VCC). The focus of the project will be the areas designated "Corporate Centre Node" (the future downtown), "Corporate Centre District" and lands designated "Corporate Centre Corridor" in the Vaughan Corporate Centre Secondary Plan Area of Official Plan Amendment No. 500, as amended by OPA No. 663 (Attachment #2).

The current VCC Secondary Plan has not been comprehensively reviewed since its approval in March 1998. Since that time, there have been a number of planning-related initiatives and events that have occurred over the past 10 years that affect the Corporate Centre Plan.

The March 23, 2006 announcement of provincial funding for the Spadina Subway extension to the VCC has set the stage for intensified development and changed the planning context within the VCC. There is a need to revisit and update the policies guiding future development. Therefore, the VCC Focused Area Study is underway to generate an updated policy framework. While this work is underway Council is concerned that development proposals that may come forward which are inconsistent with the vision for the Vaughan "Corporate Centre Node" and "Corporate Centre District" areas.

Vaughan Corporate Centre Area

The Corporate Centre has an important function in the urban structure established by both the City of Vaughan and Region of York Official Plans. York Region's Official Plan identifies the Vaughan Corporate Centre as one of four primary "Regional Centres" in the Region and the only Regional Centre in the City of Vaughan. Regional Centres are intended to have the highest concentration of uses in the Region and will be the focus of business, government, entertainment and culture with complementary medium and high density development.

The Secondary Plan Area covers an area of approximately 400 hectares (Attachment #1) and consisted of three designations.

The "Corporate Centre Node" straddles both sides of Regional Road 7 between Highway 400 and (just west of) Creditstone Road and consists of approximately 50 ha. The Node is to be recognized as a higher order transit hub and its function as the City's future "downtown". The Node is surrounded by a planned ring road that is intended to divert traffic from Regional Road 7, allowing it to become a more pedestrian and transit-supportive urban street.

The "Corporate Centre District" surrounds the Node and includes lands east and west of Highway 400, and north and south of Regional Road 7 (outside the Node). The District is intended to provide opportunities for land uses requiring visual exposure, good vehicular access and large development sites. Unlike the Node, residential uses are not permitted but larger retail facilities are allowed along with employment uses. The "Corporate Centre Corridor" designation was recently added to the Secondary Plan by OPA No. 663 (July 17, 2008). This designation applies to lands located on both sides of Regional Road 7, east and west of the Node and on both sides of Jane Street, south of Regional Road 7. The Corridor designation permits similar uses to the Node with the addition of employment uses and contains development and urban design policies in support of transit ridership.

Minimum Building Height By-law

The City's vision for the Vaughan Corporate Centre, and in particular, the Node, is that this area

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will be the future downtown for Vaughan. It is intended to be developed with higher density, pedestrian friendly, mix of uses in a more compact urban form, which is intended to have the highest concentration of uses and will be the focus of business, government, entertainment and culture with complementary medium and high density development. The Vaughan Corporate Centre is also to be connected to higher order transit facilities such as the extension of the Spadina Subway from York University and downtown Toronto and the York Region Transit "Highway 7 Transitway".

Currently, the area comprises industrial and commercial users that range from hotels to big box developments, entertainment facilities and vacant lands. This is the case both within the Corporate Centre and the Corporate Centre Node areas from Creditstone Road to west of Weston Road. An older industrial area located between Jane Street and the CN Rail Yard and between Regional Road 7 and Highway 407 consists of first generation employment uses that were developed in the 1960's and comprise a range of industrial users. Most of the development ranges in height from 1 to 2 storeys except for a few office buildings along Regional Road 7 which are greater than 6 storeys. It is the intent of the VCC Focused Area Review to explore and further develop policies addressing height, density, built form, streetscape, open space and sustainable measures in order to ensure that the vision for the Centre is achieved.

Council has raised concern respecting the continued development of single or two storey buildings within the Vaughan Corporate Centre which are not consistent with the objective of medium and high density mixed use, transit-supportive development. It is appropriate to prevent any additional development approvals which could be inconsistent with this objective. Furthermore, development in this area needs to be of a scale and type to support the multi-million dollar investment in the extension of the Spadina Subway to the future "Avenue Seven".

In order to effect control over development applications, a minimum building height by-law is being proposed. The minimum building height requirement (16.5 m or 5 storeys) would be applicable to lands zoned for Commercial or Employment Area Zone (Industrial) uses, designated "Corporate Centre Node", "Corporate Centre Corridor", and a small portion of "Corporate Centre District", shown on Attachment 1. This would effectively prevent buildings/structures below 16.5 m in height from being constructed. The enactment of a minimum height requirement does not mean that there will be no limit on building heights. Maximum building heights will be looked at through the technical review and the Focused Area Review.

Official Plan

The subject lands are designated "Corporate Centre Node", "Corporate Centre Corridor" and "Corporate Centre District" by OPA #500, as amended by OPA #663.

OPA #500, as amended, by OPA #663, has established maximum height limits within the "Corporate Centre District" and the "Corporate Centre Node" designations. The height limit in the "Corporate Centre District" is a maximum of 16.5 m, however, that height limit may exceed 16.5 m for theatre uses and office uses. The "Corporate Centre Node" designation restricts maximum heights to 25 m, except for development blocks identified on Schedule "B" to OPA #500 as "Gateway Sites", which have no maximum height limit. No height limit has been established in the "Corporate Centre Corridor" designation by OPA # 663. However, in the preamble to the OPA respecting the context and the "Avenue Seven Vision" the "Hierarchy of Centres", Table 1 contemplates maximum heights of 26.0 m or 8 storeys abutting non-residential uses and a maximum 12.0 m or 4 storeys abutting low density residential. These height maximums serve as the basis for the maximum and minimum height limit ranges in the minimum building height limit by-law proposed for the subject lands.

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Zoning

The subject lands comprise a variety of zoning categories and are zoned EM1 Prestige Employment Area Zone, EM2 General Employment Area Zone, C1 Restricted Commercial Zone, C2 General Commercial Zone, C5 Community Commercial Zone, C6 Highway Commercial Zone, C7 Service Commercial Zone, C8 Office Commercial Zone, C9 Corporate Centre Zone, C10 Corporate District Zone, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, A Agricultural Zone.

By-law 1-88 applies the following maximum building height restrictions:

Chart 1 By-law 1-88 Height Restrictions

By-law 1-88 on Schedules “A” and “A2” (Zone Requirement Table) has specific height limits for the various Zone categories within the Corporate Centre Area as follows:

| Zone Category | Maximum Building Height |
|---|---|
| EM1 Prestige Employment Area Zone | 15 m ¹³ |
| EM2 General Employment Area Zone | 15 m ¹³ |
| EM3 Retail Warehouse Employment Area Zone | 15 m ¹³ |
| | |
| C1 Restricted Commercial Zone | 11 m |
| C2 General Commercial Zone | 11 m |
| C5 Community Commercial Zone | 11 m ⁷ |
| C6 Highway Commercial Zone | 11 m ⁷ |
| C7 Service Commercial Zone | 11 m ⁷ |
| C8 Office Commercial Zone | 11 m ⁷ |
| C9 Corporate Centre Zone | Unlimited Height in Landmark Locations 25 m in all other locations |
| C10 Corporate District Zone | 15m |

Note 13: A building may exceed 15 metres provided the minimum interior side yard is increased by 0.3 metres for every 0.6 metres of additional building height in excess of 15 metres.

Note 7: A building may exceed 11 metres provided the minimum interior side yard is increased by 0.3 metres for every 0.6 metres of additional building height in excess of 11 metres.

| | |
|----------------------------------|------|
| OS1 Open Space Conservation Zone | 11 m |
| OS2 Open Space Park Zone | 11 m |
| A Agricultural Zone | 11 m |

Height Exceptions

There are also a number of properties with site specific height Exceptions to By-law 1-88, the following exceptions relate to building height:

Exception 9(487) restricts building height for lands zoned C5 Community Commercial Zone to a maximum of 12.0 metres in height. This height may be increased to 45 metres provided certain provisions are met.

Exception 9(875) restricts building heights for lands zoned C8 Office Commercial Zone as follows:

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Building “A” - 20.5 metres
Building “B” - 8.5 metres
Building “C” –17.0 metres

Exception 9(957) restricts height limit for a place of entertainment and office building in the C10 Corporate District Zone to 35m and 25m respectively.

Exception 9(959) restricts the minimum building height in a C9 Corporate Centre Zone to 8 metres.

Exception 9(989) restricts maximum building height for a place of entertainment in the C10 Corporate District Zone to 35 metres.

Exception 9(1248) Schedule “E-1376-A” outlines building envelopes with building heights greater than 17 metres and less than 17 metres. These lands are located at 2900 Regional Road 7, (Royal Empress Gardens Ltd., Files; Z.06.051 and 19T-00V21 (Revised)) are proposed to be exempted from the minimum building height by-law as they were recently approved by the Ontario Municipal Board, and should not be subject to the minimum building height by-law, as further discussed below.

Lands to Be Exempted from Minimum Height By-law

Recently lands located at 2900 Highway No.7 (See Attachment 1), (Draft Plan of Subdivision File 19T -00V21 (Revised) and File: Z.06.051 (Royal Empress Gardens Ltd.)), were approved by the Ontario Municipal Board on September 4, 2008. The OMB approval had the effect of rezoning the subject lands from C9(H) Corporate Centre Zone with the addition of the Holding Symbol (H) and OS2 Open Space Park Zone to C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the addition of the Holding Symbol (H) and OS2 Open Space Park Zone with site specific exceptions to facilitate the development of a mixed use high density residential/commercial development comprising five residential apartment buildings having a total of 1,935 residential apartment units and permit a maximum of 4,028m² of commercial area. As the proposed development has been recently approved by the O.M.B., and contemplates development height in excess of the 16.5m minimum building height being proposed by the City, the subject lands should be excluded from the provisions of the proposed minimum building height by-law.

Lands on the east side of Jane Street, south of Portage Parkway, municipally known as 7895 Jane Street (See Attachment 1), (File: Z.08.012 - Berkley Developments (Jane) Inc.), a proposed 7 storey office building with ground floor retail, are partially located within lands that are currently designated “Corporate Centre District” (OPA #500) and “Prestige Area” within OPA #450, however, the OPA #500 portion is intended to be designated “Corporate Centre Corridor” by the City of Vaughan (File: OP.08.018). As these lands are partially located within the Vaughan Corporate Centre OPA # 500 and partially within OPA #450, the applicant has indicated that they would like all of their lands designated to “Corporate Centre Corridor” both within OPA #500 and within OPA # 450. These lands are currently zoned A Agricultural Zone.

Additional lands which should be exempted from the provisions of the minimum building height by-law are those lands that area zoned A Agricultural, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone.

Proposed Minimum Building Heights

OPA #500, as amended by OPA #663, has specific policies respecting building heights for the “Corporate Centre District”, and the “Corporate Centre Node” and refers to a maximum height in

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the “Corporate Centre Corridor”. The proposed Minimum Building Height By-law must be in conformity with the current Official Plan policies, as outlined in the Official Plan section of this report. Accordingly the following building height standards are being proposed for the lands shown as Subject Lands on Attachment 1.

There is currently a parcel of land designated “Corporate Centre District” on the east side of Millway Avenue, south of Portage Parkway, on the west side of Jane Street, which is intended to be redesignated to “Corporate Centre Corridor” (File: OP.08.018, City of Vaughan). This proposed redesignation is supported and is deemed to be an appropriate extension of “Corporate Centre Corridor” designated lands to the south, which is consistent with the Regional Centres and Corridor Strategy. In the meantime, however, these lands are designated “Corporate Centre District” which restricts maximum building height to 16.5 metres. The proposed minimum building height by-law would restrict building heights to a minimum of 16.5 metres, accordingly, the minimum building height and the maximum building height would be 16.5 m. In light of the foregoing it would be appropriate to have a minimum building height of 16.5 metres.

For lands designated “Corporate Centre Node” the minimum building height will be 16.5 metres and the maximum building height will be 25 metres, except for development blocks identified on Schedule “B” to OPA #500, as “Gateway Sites”, which have no maximum height limit, and shown as Landmark Locations on Schedule “A2”, of By-law 1-88.

For lands designated “Corporate Centre Corridor” the minimum building height will be 16.5 metres and shall not exceed 25.0 metres.

In order to eliminate any confusion respecting existing buildings being considered legal non-conforming, the new building height by-law will contain a clause which shall recognize all existing buildings to be in conformity with the new minimum height by-law.

Comments Raised by Area Residents

Through the Public Hearing of February 10, 2009 the Policy Planning Department received a number of responses in opposition to the from residents adjacent to the Vaughan Corporate Centre, and VCC landowners and/or their representatives. The concerns raised are summarized as follows:

- a) Lived in Woodbridge over 30 years because of residential feel of area. The buildings have been limited to low level, therefore have avoided skyscrapers that exist in the big city.
- b) The reasons we moved to Woodbridge is that it is a low density area and have avoided high rise development.
- c) Woodbridge does not need to allow buildings to be higher than current maximum storey level in the proposed area, which is already congested.
- d) Don't want the community to look like other areas within Vaughan that have allowed skyscrapers to be built and to feel like the big city.
- e) We pride ourselves on the residential nature of our community. Do not destroy that by allowing these tall buildings to be permitted adding more stress to the area.
- f) The area is already congested by traffic and to allow buildings higher than 5 storeys will add more stress/pressure to an already congested area.

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- g) Oppose proposal because the area will be under construction for many years, creating immediate pollution and long term pollution from cars and carbon emissions.
- h) Oppose building of structures higher than 5 storeys. Do not believe Woodbridge has the continued infrastructure to support these developments.

Response to Comments

In response to the above noted concerns it should be noted that the current Official Plan already permits certain areas to have structures exceed the 16.5 metre height limit. For example, OPA #500, as amended by OPA #663, already permits buildings heights that range from 16.5 m to 25m, and unlimited height at “Gateway locations within the “Corporate Centre Node”.

No height limit has been established in the “Corporate Centre Corridor” designation by OPA # 663, however, in the preamble to the OPA respecting the context and the “Avenue Seven Vision” the “Hierarchy of Centres”, Table 1 contemplates maximum heights of 26.0 m or 8 storeys abutting non-residential uses and a maximum 12.0 m or 4 storeys abutting low density residential. These height maximums will serve as the basis for the maximum and minimum height limit ranges.

The current Zoning By-law provisions permit buildings ranging in height from 11m to 15m and from 25 m to unlimited height for the C9 Corporate Centre Zone, as outlined in the By-law 1-88 Height Restrictions, Chart 1 of this report.

OPA #500, as amended by OPA #663, currently permits a range of mixed use commercial/residential high density development. The uses that residents have raised concern about are already permitted in the “Corporate Centre Node” and within the “Corporate Centre Corridor” designations. However, these designations generally do not abut the surrounding residential communities and are confined to the Regional Road 7 corridor or the Jane Street corridor.

Comments Received by VCC Landowners

Additional comments have been received from a number of consultants representing various area landowners. These comments relate to the following areas of concern:

1. Comments from I.B.I Group respecting lands on behalf of Tormont Industries owner of the lands at 3131 Highway 7 West (southwest corner of Jane Street and Highway 7) indicate that their client would have no objection to the proposed By-law Amendment subject to including a provision in the By-law that would permit the expansion of existing buildings under 5 storeys to a maximum of 10% of the total site GFA. It is their opinion that this provision would allow Tormont Industries appropriate flexibility to make ongoing investments to their facility, so they can continue to serve the evolving needs of their customers.
2. Comments from I.B.I Group respecting lands on behalf of 2748355 Canada Inc., owners of the “Interchange” lands located in the southeast quadrant of Highway 400 and Highway 7 within the Vaughan Corporate Centre indicate that they would have no objection to the proposed By-law Amendment subject to the following provisions:
 - Include a provision within the By-law that will permit the expansion of the existing buildings under 5 storeys to a maximum of 10% of the total site GFA;
 - A modification of the proposed Amendment areas to impact only those areas designated “Corporate Node” by the Official Plan;
 - Clarification in the By-law stating that in cases in which a portion of a parcel of land is impacted by the new provisions, the height restriction relates only to that portion covered by the By-law and not the entire parcel of land.

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It is their opinion that this approach would satisfy the City's desire to control undesirable applications without unduly impacting their client's ability to respond to market conditions and provide for their existing and future tenants.

3. Comments from Zelinka Priamo Ltd. representing Riotrin Properties (Vaughan) Inc. (Vaughan Colossus Centre) at the southwest quadrant of Highway No. 400 and Regional Road 7 have noted that interim intensification activities on the Colosus lands will be compromised by the proposed By-law and would have an impact on the potential for an additional building pad and or redevelopment of buildings of less than the proposed 16.5 m minimum height within the proposed minimum building height area. They suggest that these developments within the Colossus lands could occur through minor variance process, with support anticipated from Staff.

Riotrin Properties (Vaughan) Inc. states that "In accepting the minor variance approach for interim one storey development and prior to making a final determination on Riotrin' position regarding the said by-law, we would appreciate some indication of specific support for at least one, one storey 10,000 sq. ft. building in one of the approximate locations shown on the attached plan."

Response to Comments

1. The Minimum Building Height By-law will include a provision that will allow development equal to 10% of the gross floor area of existing buildings on the site, as of the date of the passing of the by-law, which shall be exempted from the proposed minimum building height by-law.
2. With respect to 2748355 Canada Inc. recommendation that the By-law only apply to the lands designated "Corporate Node", the proposed Minimum Building Height By-law will generally apply to lands designated "Corporate Centre Node" and "Corporate Centre Corridor" and a small portion of lands designated "Corporate Centre District" at the southwest corner of Portage Parkway and Jane Street.

In addition clarification will be provided in the proposed By-law that in cases in which a parcel of land is affected by the new provisions, the height restriction will relate only to that portion covered by the By-law and not the entire parcel of land.

3. The 10% gross floor area exemption provision as outlined in 1, above should satisfy Riotrin's development concern. Furthermore it should be noted that only a small portion of the Colossus lands (northwest corner of their lands located at Regional Road 7 and Famous Avenue, east and west sides) would be subject to the provisions of the minimum building height by-law. As to City support for minor variance applications that may be submitted, any such applications must be reviewed on their own merits under the formal minor variance process and appropriate recommendations would be made accordingly.

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

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Conclusion

The intent of OPA #500 as amended by OPA #663 is to encourage high density, higher order transit supportive development (TTC Spadina Subway Extension). The Provincial Growth Plan for the Golden Horseshoe has designated the VCC as an “Urban Growth Centre”.

The Region of York Official Plan identifies the VCC as one of four “Regional Centres” that are intended to become the focus for business, government, entertainment and culture with complementary high density residential development. Furthermore Regional Road 7 is also identified as a “Regional Corridor” which is expected to develop with higher order transit facilities such as the Spadina Subway and the VIVA rapid bus ways along Regional Road 7 and Jane Street. These transit initiatives serve as an opportunity and a basis for encouraging high density land uses that will support planned transit.

To ensure that these lands are not encumbered by low density, small scale buildings, it is deemed appropriate and consistent with the policies of OPA #500, as amended by OPA #663, and supported by Provincial and Regional Policies to restrict the minimum building height to 16.5 metres until such time as the VCC Focused Review is finalized and revised Official Plan policies and Zoning By-laws are established for the VCC. The Policy Planning Department is satisfied that the enactment of a minimum building height by-law restricting minimum building height for lands designated “Corporate Centre Node”, “Corporate Centre Corridor” and a small portion of lands designated “Corporate Centre District” on the west side of Jane Street east of Millway Avenue and south of Portage Parkway, as shown on Attachment 2, is appropriate.

On this basis the Policy Planning Department can support the approval of the Zoning By-law Amendment, in accordance with the recommendations of this report.

Attachments

1. Location Map - Vaughan Corporate Centre Plan Review
2. Existing Zoning Within The Vaughan Corporate Centre
3. Schedule “A” to Official Plan Amendment No. 663

Report Prepared by:

Wayne McEachern, Manager of Policy Planning. ext. 8026

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

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Item 46, Report No. 35, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on June 30, 2009, was dealt by approving:

That this matter be deferred to the Committee of the Whole meeting of September 8, 2009; and

That the memorandum from the Commissioner of Engineering and Public Works, dated June 29, 2009, be received.

**46 REMOVAL OF TEMPORARY CURBING AT 7365, 7371 AND 7373 MARTIN GROVE ROAD
WARD 2**

The Committee of the Whole recommends that a decision on this matter be deferred to the Council meeting of June 30, 2009, and that staff provide appropriate drawings and any other necessary information requested by Members of Council.

Recommendation

Councillor Tony Carella recommends

1. That the letter from Andrejs Management Inc., on behalf of the board of directors of York Region Condominium Corporation No. 911, be received, and
2. That the temporary curbing installed along the north side of the laneway between Vaughan Grove Park and Villa Amica, which provides access to 7365, 7371 and 7373 Martin Grove Road, be moved approximately 5 m to the north of its present position.

Contribution to Sustainability

Temporary curbing can be used flexibly, as in this case, meaning the cost of permanent curbing can be avoided.

Economic Impact

Nil

Communication Plan

Not required

Purpose

To address the issue of impeded access caused by the narrowed driveway, a function of the current placement of the temporary curbing at this site.

Background – Analysis and Options

While the placement of curbing at this site was intended to end the parking of vehicle along the north side of the subject roadway, the intent has not been achieved, given the absence of on-going enforcement. When such parking occurs, access to the sites served by the roadway is reduced---a matter of concern to the seniors who form the bulk of the residents at both Villa Amica and Villa Giardino. Moving the temporary curbing will admittedly result in parking along the north side of the roadway, but that is occurring in any event; thus, even with such parking, the roadway will be of sufficient width once again to accommodate the widest of emergency vehicles.

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Relationship to Vaughan Vision 2020:

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

Regional Implications:

None

Attachment:

Letter of Maureen O'Brien, Property Manager, Andrejs Management Inc.

Conclusion:

The request is a reasonable one, given the issue raised by the correspondent.

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 47, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

47

**SIGN VARIANCE APPLICATION
FILE NO: SV.09-008
OWNER: RAY GOHREN – THE MILESTONE GROUP
LOCATION: 2300 STEELES AVENUE WEST, LOT 1, CONCESSION 4
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated June 23, 2009:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.09-008, Ray Gohren – The Milestone Group, be APPROVED in accordance with the revised plans submitted.

Contribution to Sustainability

N/A

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 a wall sign be permitted on north and south building elevations as shown on the attached plans.

Background - Analysis and Options

Bylaw Requirements (203-92, as amended):

- 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.

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Regional Implications

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

Conclusion

The applicant is proposing to install a wall sign (64" x 128") 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 being proposed for the west elevation being relocated to the south elevation, as shown on the revised plans that are attached to this report.

Further, 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 is required.

Attachments

1. Site Plan
2. Building Elevations showing the proposed Signs

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/pa

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

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48

**AMENDMENT TO PLANNING APPLICATION FEES BY-LAW
CITY OF VAUGHAN - FILE 12.13
WARDS 1- 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT a "Minor" Official Plan Amendment base fee of \$9,475.00 with an applicable surcharge of \$2,845.00 (if the application is approved) be incorporated into the Planning Application Fees By-law.
2. THAT the Planning Application Fees By-law include the following notes to define a "minor" and "major" Official Plan Amendment application:

Minor Amendment

A "Minor" Official Plan amendment is an Official Plan amendment that:

- i) proposes a small-scale/minor exception to a specific Official Plan standard (i.e. minor changes to the number of permitted units; building height; gross floor area; or to add a site-specific use limited in scale);
- ii) proposes a minor change to a specific policy that is limited in scope and typically related to one property;
- iii) maintains the intent and purpose of the Official Plan; and,
- iv) shall have limited impact or policy implications beyond the subject lands.

Major Amendment

A "Major" Official Plan amendment is an Official Plan amendment that:

- i) proposes a redesignation or change in land use for a property(ies);
 - ii) requires many changes to the policies and schedules of the Official Plan;
 - iii) is more significant in scale and scope than a minor Official Plan amendment, and which may have greater impact or policy implications beyond the subject lands. Applications relating to more than one property would normally be in this category;
 - iv) a site-specific application representing a large scale development/redevelopment or a change in use. An application involving significant changes to the text or policies of the Official Plan would also fall in this category; and,
 - v) an Official Plan amendment within a Heritage Conservation District.
3. THAT an amending Planning Application Fees By-law be brought forward to the Council Meeting of June 30, 2009, for enactment to reflect the revised "minor" and "major" Official Plan amendment fees outlined in this report dated June 23, 2009.

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4. THAT the Planning Application Fees By-law include a fee in the amount of \$3,321.00 for the recirculation of an Official Plan Amendment, Zoning By-law Amendment, Site Development or Draft Plan of Subdivision Application resulting from a substantial change to an application proposal initiated by the applicant, prior to consideration by the Committee of the Whole.
5. THAT the Site Development Application fee structure be clarified in the Planning Application Fees By-law to require full application fees when a substantial change to an approved application proposal is initiated by the applicant after the Site Development Application has been considered by the Committee of the Whole.

Contribution to Sustainability

N/A

Economic Impact

There are no requirements for new funding associated with this report. The proposed Official Plan Amendment application fees and recirculation fees for substantially amended development proposals for Official Plan and Zoning By-law Amendment, Site Development and Draft Plan of Subdivision applications are intended to assist in receiving fuller cost recovery.

Communications Plan

N/A

Purpose

To amend the Vaughan Development Planning Department's Planning Application Fees By-law:

- a) to introduce separate fees for "major" and "minor" Official Plan Amendment Applications; and,
- b) to introduce recirculation fees for substantially amended development proposals initiated by the applicant both prior to and/or after the Committee of the Whole's consideration of an Official Plan and Zoning By-law Amendment, Site Development and Draft Plan of Subdivision applications.

Background – Analysis and Options

On February 9, 2009, the Budget Committee considered a report that included the following recommendation (in part) from the Commissioner of Planning and the Commissioner of Legal and Administrative Services respecting recommended changes to the Vaughan Development Planning Department's Planning Application Fees By-law and the Committee of Adjustment Fee By-law:

- "1. THAT an amending Planning Application Fees By-law and an amending Committee of Adjustment Fees By-law be brought forward to the Council meeting of February 24, 2009, for enactment to reflect the revised fees outlined in this report, dated February 9, 2009."

Upon consideration of the report, the Budget Committee adopted the following motion:

- "1) That the recommendation contained in the following report of the Commissioner of Planning and the Commissioner of Legal & Administrative Services, dated February 9, 2009, be approved; and

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- 2) That staff provide a report on alternative methods to deal with fees for minor amendments.”

The recommendation of the Budget Committee was adopted by Vaughan Council on February 24, 2009.

The Budget Committee had a concern that the recommended Official Plan Amendment Application fee of \$20,233.00 base fee + \$5,104.00 surcharge fee was excessive for minor amendments to the Official Plan.

Surrounding Municipalities

The Development Planning Department has undertaken a municipal comparison by reviewing the Official Plan amendment fee structure for the following municipalities with respect to a separate fee for “minor” and “major” amendments:

| OFFICIAL PLAN AMENDMENT APPLICATION FEES | | | | | |
|---|--------------------------------|--------------------------------------|--------------------------------------|------------------------------|---|
| | Official Plan Amendment | Major Official Plan Amendment | Minor Official Plan Amendment | If Approved Surcharge | Notes |
| Toronto | \$13,703.06 | N/A | N/A | N/A | |
| Richmond Hill | \$15,326.00 | N/A | N/A | \$27,425.00 | |
| Markham | N/A | \$24,270.00 | \$9,130.00 | N/A | |
| Stouffville | \$5,240.00 | N/A | N/A | \$1,320.00 | |
| Aurora | N/A | \$2,550.00 | \$1,950.00 | N/A | Plus: Processing fee \$4250.00: Notifications Fee \$450.00 |
| Newmarket | \$18,718.36 | N/A | N/A | N/A | |
| King City | \$3,500.00 | N/A | N/A | N/A | |
| East Gwillimbury | \$5,500.00 | N/A | N/A | N/A | |
| Georgina | \$1,800.00 | N/A | N/A | \$1,200.00 | |
| Barrie | \$6,000.00 | N/A | N/A | N/A | |
| Brampton | \$5,258.00 | N/A | N/A | N/A | |
| Mississauga | \$7,800.00 | N/A | N/A | N/A | Official Plan Amendment fee approved and scheduled to increase on September 1, 2009 to \$13,120.00 |
| Caledon | N/A | \$10,500.00 * | \$5,400.00 | \$5,000.00 | |
| Oakville | \$8,225.00 | N/A | N/A | N/A | |
| Burlington | N/A | \$11,025.00 | \$8,270.00 | N/A | |
| Hamilton | \$5,130.00 | N/A | N/A | \$3,555.00 | |
| Oshawa | \$8,240.00 | N/A | N/A | N/A | |
| Pickering | \$8,000.00 | N/A | N/A | N/A | |
| Whitby | \$8,000.00 | N/A | N/A | \$1,500.00 | |

Only the municipalities of Markham, Aurora, Burlington and Caledon have separate fees for “minor” and “major” official plan amendments. All the other municipalities utilize one Official Plan

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Amendment Application fee regardless of the scope of the amendment. For those municipalities that utilize a “minor” and “major” Official Plan amendment fee structure, the following chart summarizes how each type of application is defined:

| Minor Amendment | Major Amendment |
|---|---|
| Towns of Markham and Aurora | |
| <p>An application for minor, site specific and small scale amendment or exception to Official Plan policies and designations, having limited impact or policy implications beyond the subject lands.</p> | <p>An application to amend the Official Plan that is more significant in scale and scope than a minor Official Plan Amendment, and which may have greater impact or policy implications beyond the subject lands. Applications relating to more than one property would normally be in this category. A site-specific application could also fall in this category, if considered to represent large scale redevelopment or significant change in use. An application involving significant changes to the text or policies of the Official Plan would also fall in this category.</p> |
| City of Burlington | |
| <p>A “Minor” Official Plan Amendment Application is defined as an application that proposes a change to a policy of the Official Plan.</p> | <p>A “Major” Official Plan Amendment is defined as an application that proposes a change in a designation or a shift away from the intent of the Official Plan.</p> |
| Town of Caledon | |
| <p>The Director of Planning and Development will determine whether an Official Plan Amendment is Minor or Major based on the scale of the development and the nature of the requested change to the Official Plan.</p> | |

Minor versus Major Amendment

Criteria must be established to identify the difference between a “minor” and “major” Official Plan Amendment in order to apply the appropriate Planning Application fee. Official Plan Amendment Applications should only be considered “minor” when the impact resulting from the proposed amendment is minor in nature, site-specific, and will not have policy implications beyond the subject lands. Minor amendments should be limited to minor changes to a specific standard (i.e. unit count), the addition of a use to a property, or minor changes to the policies and schedules of the Official Plan. All other Official Plan Amendment applications should be considered to be “major”.

The Development Planning Department recommends that the following criteria be added as notes to the Planning Application Fees By-law to define when an Official Plan Amendment proposal is “minor” or “major”:

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Minor Amendment

- i) proposes a small-scale/minor exception to a specific Official Plan standard (i.e. minor changes to the number of permitted units; building height; gross floor area; or to add a site-specific use limited in scale);
- ii) proposes a minor change to a specific policy that is limited in scope and typically related to one property;
- iii) maintains the intent and purpose of the Official Plan; and,
- iv) shall have limited impact or policy implications beyond the subject lands.

Major Amendment

- i) any Official Plan amendment proposing a redesignation or change in land use for a property;
- ii) any amendment requiring many changes to the policies and schedules of the Official Plan;
- iii) an amendment that is more significant in scale and scope than a minor Official Plan Amendment, and which may have greater impact or policy implications beyond the subject lands. Applications relating to more than one property would normally be in this category;
- iv) a site-specific application proposing a large scale development/ redevelopment or a change in use. An application involving significant changes to the text or policies of the Official Plan would also fall in this category; and,
- v) an Official Plan amendment within a Heritage Conservation District.

These criteria provide direction with respect to the differences between a “minor” and “major” amendment. It is acknowledged that there may be limited situations where some interpretation may be required. However, the intent is to ensure that only those amendments that are minor in nature proceed under the “minor” amendment category. It is expected that the majority of Official Plan amendment applications will continue to be processed as “major” amendments.

Proposed Minor Official Plan Amendment Fee

Introducing a minor Official Plan Amendment Fee as recommended by Council can be implemented, however it is recommended that a minor amendment fee only be utilized when an Official Plan Amendment Application is truly deemed to be “minor”. Often, even the simplest Official Plan Amendment application can utilize considerable staff time and resources, particularly if the decision respecting the application is appealed to the Ontario Municipal Board.

The base fee for all Official Plan Amendment Applications under the current Tariff of Fees By-law 135-2007 for Planning Applications is \$9,475.00 with an applicable surcharge of \$2,845.00 should the application be approved. The Development Planning Department recommends that the current base fee and surcharge fee be maintained for “minor” amendments to the Official Plan. This fee is established, and is slightly less than 50% of the proposed “major” fee of \$20,233.00 base fee + \$5,104.00 surcharge fee as proposed in the report, which was considered and approved by Council on February 24, 2009.

Other Amendments for Consideration

Proposed Recirculation Fee for Planning Applications

The Development Planning Department is proposing a recirculation fee for Official Plan and Zoning By-law Amendment, and Site Development Applications of \$3,321.00 to be applied when an applicant initiates a substantial change to an application proposal that requires a full recirculation, prior to consideration by the Committee of the Whole. This fee is consistent with the

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existing fee for a revision to an approved Draft Plan of Subdivision Application requiring a recirculation. This fee will not apply when the applicant is changing a plan to respond to City or external agency comments during the normal course of processing an application. This fee will cover the resources required to prepare the revised application for recirculation and review. For example, if an applicant originally submitted an Official Plan Amendment Application for a 5 storey residential apartment condominium building and subsequently amended the application to a 10-storey building with a new design, this application would require a full recirculation to all commenting Departments and agencies, and therefore, the fee would apply. If an applicant has filed more than one application (ie. Official Plan and Zoning Amendment), the fee will only be applied one time for the joint proposal for each amendment to the application.

Clarification to the Site Development Application Fees

There have been instances where a Site Development Application has been submitted to the Development Planning Department and a full review has been undertaken and a report prepared for and considered by the Committee of the Whole, however, prior to the execution of the Letter of Undertaking, the applicant has substantially changed their proposal from the approved application proposal, and there is no mechanism in the Tariff of Fees for Planning Applications By-law to collect fees to cover the full recirculation, review and reporting of the revisions to Council.

The Development Planning Department is recommending adding a note to the Site Development Application section of the Tariff of Fee for Planning Applications to clarify that once a Site Development Application has been considered by the Committee of the Whole, whether or not a Letter of Undertaking has been executed, that any revisions/changes to the application as initiated by the applicant that substantially alters an approved proposal and requires a full recirculation, review and reporting to Council will constitute a new application, and will be subject to the full Site Development Application fee amounts as prescribed.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set out in Vaughan Vision 2020, particularly “Ensure Financial Sustainability”.

Regional Implications

N/A

Conclusions

In accordance with the resolution of the Budget Committee on February 9, 2009, as adopted by Council on February 24, 2009, the Development Planning Department has reviewed the request to adopt a “minor” and “major” fee structure for applications to amend the Official Plan. The Development Planning Department has reviewed the fee structure for Official Plan Amendment Applications of the surrounding municipalities, and in particular those municipalities that utilize “minor” and “major” amendments, and developed criteria to determine which applications fall into each category. In addition, the appropriate fees for each type of application have been recommended.

The Development Planning Department is also recommending the introduction of recirculation fees for substantially amended development proposals initiated by the applicant both prior to and/or after the Committee of the Wholes consideration of an Official Plan and Zoning By-law Amendment, Site Development and Draft Plan of Subdivision applications.

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Should the Committee concur, the implementing Planning Application Fees By-law can be forwarded to the Council Meeting of June 30, 2009, which will also incorporate the Planning Application fee changes approved by Vaughan Council on February 24, 2009, and which will replace the current fees by-law.

Attachment

N/A

Report Prepared by:

Mauro Peverini, Manager of Development Planning, ext 8407

/LG

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49

**SITE DEVELOPMENT FILE DA.08.097
BETH CHABAD ISRAELI COMMUNITY CENTRE
WARD 5**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 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.08.097 (Beth Chabad Israeli Community Centre) BE APPROVED, to permit the development of a two-storey synagogue and community centre, subject to the following condition:
 - a) that prior to the execution of the Site Plan Letter of Undertaking, the Owner shall satisfy all requirements of the Vaughan Development Planning and Engineering Departments.

Contribution to Sustainability

The proposed development will incorporate a variety of modern technologies into the building and site design to achieve a higher environmental standard while reducing overall energy use. The insulation in the walls and roof have been upgraded to R30 and R40, respectively, where a standard of R20 is typically used. The applicants are proposing an upgraded mechanical system that uses water to heat and cool the building. The interior building finishes include the use of low voltage light fixtures and low volatile organic compound (VOC) carpets and paints. Sheltered bicycle racks have been provided outside the building to encourage alternative forms of transportation. The building also utilizes underground parking and a roof top garden and daycare play area reducing the total land required for the proposed development, and produces a development with an enhanced urban and pedestrian focus.

Economic Impact

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

Communications Plan

N/A

Purpose

To permit the development of a two-storey synagogue and community centre with one level of underground parking as shown on Attachments #3, #5 and #6.

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Background - Analysis and Options

Location

The 0.2 ha subject lands are located at the southwest corner of Bathurst Street and North Park Road, as shown on Attachments #1 and #2.

Official Plan and Zoning

The subject lands are designated “Town Centre Commercial” by OPA #210 (Thornhill Community Plan). The proposed use and site development conforms to the Official Plan.

The subject lands are zoned A Agricultural Zone by By-law 1-88. The proposed development was subject to a Minor Variance Application (A405/07) for variances to the Zoning By-law to facilitate the proposed development. The application was considered by the Vaughan Committee of Adjustment on February 14, 2008, and the following variances were approved:

| | By-law Standard | By-law 1-88 Requirement | Proposed |
|---|---|--------------------------------|-----------------|
| 1 | minimum front yard setback (Bathurst) | 15m | 0.6m |
| 2 | minimum interior side yard setback (south side) | 15m | 6m |
| 3 | minimum exterior side yard setback (north side) | 15m | 0.6m |
| 4 | minimum landscape strip width (Bathurst) | 6m | 0.6m |
| 5 | maximum lot coverage | 20% | 53% |
| 6 | maximum building height | 11m | 13m |
| 7 | minimum on-site parking | 221 spaces | 50 spaces |

The applicant provided a parking reduction justification report prepared by iTRANS Consulting in support of the reduction. The Vaughan Engineering Department found the report to be acceptable and had no objections to the reduction in parking. Furthermore, the Development Planning Department had no objections to the variances for minimum front, interior and exterior side yard setbacks, minimum front yard landscaping, and the maximum building height and lot coverage proposed by the applicant. These variances would allow for a development that is urban in nature and pedestrian focused, being located close to the street, in a prominent location in the Thornhill Town Centre.

In addition to the above-noted approved variances, the proposed synagogue and community centre development complies with all requirements of Zoning By-law 1-88.

Site Plan Review

The Vaughan Development Planning Department is satisfied with the proposed site plan, landscape plan, and building elevations as shown on Attachment #3, #4, #5 and #6, respectively. The final plans and signage details must be approved to the satisfaction of the Development Planning Department.

The Vaughan Engineering Department is generally satisfied with the servicing, grading and storm water management plans. The final plans and report must be approved to the satisfaction of the Engineering Department.

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”.

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Regional Implications

The site abuts Bathurst Street, which is under the jurisdiction of the Region of York. The Region of York Transportation Services Department has no objections in principle to the proposed development. The Owner will be required to enter into a Regional Site Plan Agreement.

Conclusion

Site Development File DA.08.097 has been reviewed in accordance with OPA #210 (Thornhill Community Plan), By-law 1-88, the comments from City Departments, the Region of York, and the area context. The Development Planning Department is satisfied that the proposed development of a two-storey synagogue and community centre, as shown on Attachments #3, #5 and #6 is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

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

Report prepared by:

Ryan Mino, Planner, ext. 8213
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 50, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

50 **SITE DEVELOPMENT FILE DA.08.060**
THE REGION OF YORK
WARD 1

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved, subject to an architectural design review by staff, the Architect, the Region of York and the Ward 1 Sub Committee;**
- 2) That the deputation of Mr. Jan Ravens, Allen & Sherriff Architects Inc., on behalf of the applicant, be received; and**
- 3) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.08.060 (The Region of York) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Applicant shall satisfy all requirements of the Vaughan Development Planning Department, Engineering Department and PowerStream Inc.; and,
 - ii) the Applicant shall provide exterior brick and colour samples to the satisfaction of the Vaughan Development Planning Department; and,
 - b) that the Site Plan Letter of Undertaking include the following provisions:
 - i) "For residential development, the Applicant shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher in accordance with the Planning Act and Vaughan's Cash-in-lieu Policy."
 - ii) "The Environmental Site Assessment (ESA) clearance process shall be completed prior to the issuance of any Building Permit, to the satisfaction of the Vaughan Engineering Department."
2. THAT the following resolution be adopted allocating sewage and water servicing capacity to the subject lands:

"IT IS HEREBY RESOLVED THAT Site Development File DA.08.060 (The Region of York) is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 53 units, subject to the execution of a Site Plan Letter of Undertaking to the satisfaction of the City of Vaughan."

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Contribution to Sustainability

The applicant has advised that the following sustainable features, but not limited to, will be provided within the site and building design to attain a minimum LEED Silver Certification:

- i) landscaped areas are designed with drought resistant vegetation, drip irrigation, and cistern water for irrigation to eliminate the cost of an irrigation system and to reduce the annual cost of water and site maintenance;
- ii) use of dual-flush toilets, ultra-low flow faucets, ultra-low flow showerheads, and automatic controls on faucets to reduce the annual water cost and demand on municipal water and wastewater treatment facilities;
- iii) location has nearby access to public transportation, e.g. bus lines and commuter rail (GO Transit), which reduces automobile use and traffic congestion, while expanding commuting options;
- iv) reduced development footprint to provide open space, which improves occupant satisfaction by offering outdoor amenity space;
- v) install low e-argon windows in thermally improved frames to reduce annual energy costs and emissions of greenhouse gases – capital cost savings are also available by downsizing equipment through design optimization;
- vi) specify HCF refrigerants in all HVAC equipment to eliminate the use of ozone-depleting chemicals;
- vii) designate a recycling area in the building to allow for easy recycling of materials and support the municipal recycling program;
- viii) implement a Waste Management Plan to divert a minimum of 75% of construction waste from the landfill;
- ix) use recycled drywall, mineral wool insulation, steel, carpet, flyash in concrete, etc., to create demands for recycled materials;
- x) use low VOC paints and green label carpets and rugs to reduce emission of indoor air pollutants to improve occupant health; and,
- xi) ensure operable windows, sliding glass and other doors leading to exterior balconies and lighting controls to give occupants control over their environment.

Economic Impact

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

Communications Plan

N/A

Purpose

To permit the development of a 4 storey non-profit senior's apartment building consisting of 84 residential units with a gross floor area of 7630 m² on municipal lands located immediately south of the City of Vaughan municipal offices that are currently under construction, as shown on Attachment #2.

Background - Analysis and Options

Location

The 0.85 ha subject lands are located on the south side of Major Mackenzie Drive, east of Keele Street, on the municipal lands where the City of Vaughan's new municipal offices are currently under construction, in Part of Lot 20, Concession 3, City of Vaughan, as shown on Attachments #1, #2 and #3.

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Official Plan and Zoning

The subject lands are designated "Institutional" by OPA #350 (Maple Community Plan). The proposed non-profit senior's apartment building conforms to the Official Plan.

The subject lands are zoned VCC Vaughan Civic Centre Zone by By-law 1-88, subject to Exception 9(1242). The proposed site development complies with By-law 1-88.

Maple Streetscape/Heritage Vaughan

The development proposal is outside of the Maple Streetscape Area and is therefore not subject to the Maple Streetscape Urban Design Guidelines. The subject lands are not within the Maple Heritage Conservation District Plan and therefore is not subject to Heritage Vaughan approval.

Memorandum of Understanding

Vaughan Non-Profit Housing Corporation (VNP) is a non-profit housing corporation that currently operates a 31 unit, non-profit senior's housing project known as Maple Manor, situated on the Vaughan Civic Centre Campus site, as shown on Attachment #2. Vaughan has agreed to allow the Region to acquire the subject lands, located on the Vaughan Civic Centre campus site, and to develop, construct and operate thereon a new non-profit housing project. This will facilitate the eventual relocation of the existing Maple Manor to this location.

The proposed non-profit housing project is a cooperative venture between the Regional Municipality of York and the City of Vaughan. The Region would lease the subject lands from the City of Vaughan for 99 years, and operate the non-profit housing facility, subject to the terms of the Memorandum of Understanding (MOU) between the Regional Municipality of York and the City of Vaughan. The MOU was executed and approved by Vaughan Council on June 11, 2007 through By-law 186-2007. The Region agrees to develop, construct, own and operate the non-profit housing project.

The MOU outlines the roles and responsibilities between the Region and Vaughan, which provides Vaughan with the opportunity to review and provide input into the architectural and site planning of the project pursuant to Vaughan's Site Plan Control By-law. Furthermore, the design and architectural expression of the development proposal is subject to the Vaughan Civic Centre Campus architectural control guidelines.

Committee of the Whole (Working Session)

On September 23, 2008, the Committee of the Whole (Working Session) recommended approval of the report of the Commissioner of Community Services respecting the design of the non-profit housing project on the Vaughan Civic Centre Campus, and received the presentation by York Region and their Architect. The items that were discussed at the Committee of the Whole (Working Session) were addressed in the following manner:

1. Massing: There were discussions regarding the possibility of terracing the proposed building to minimize the visual impact on the existing homes to the south. The applicant noted that the proposed minimum 40 m setback to the existing homes and the proposed stormwater management pond as shown on Attachment #3, would provide a substantial physical separation distance and an open space buffer with the proposed development. The Committee understood that the Memorandum of Understanding between the Region and City agreed to a total of 84 units and that any terracing would require additional storeys to the proposed building, which would exceed the maximum 4 storey height restriction in the site-specific Zoning Exception 9(1242) to By-law 1-88.

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2. Additional Landscaping: Due to the concern at the Working Session meeting respecting the location of the garbage room and the views from the units along the north building elevations, the applicant has provided an additional landscaped amenity area that replaced 3 parking spaces near the garbage room area, as shown on Attachment #5. The landscaped area would not affect the movement of vehicles for garbage pick-up or the fire route. The displaced 3 parking spaces have been relocated along the east building elevation where they would not conflict with any views from the units.
3. Building Elevations: In response to the Committee's comments that the proposed building elevations required improvements, the applicant expressed that the fenestration of the proposed development is described as a "quiet" elevation that does not compete with the Civic Centre elevation that is currently under construction. Upon further review, at the same meeting, the Committee had no objections to the building elevations. Subsequently, the report by the Commissioner of Community Services was adopted without amendment by Vaughan Council on October 27, 2008.

Site Plan Review

The development proposal, as shown on Attachment #4, integrates high quality architecture consisting of materials compatible with the new Civic Centre currently under construction. The proposed site layout takes into consideration: view lines in relation to the new Civic Centre; separation distances between the development proposal and the existing residences to the south; parking; servicing; landscape design; open space relationships; and, pedestrian connectivity within the site and the surrounding area. The scale of the building minimizes visual competition with the new Civic Centre. The long axis of the proposed building is oriented east-west to take advantage of passive solar energy. The Development Planning Department is satisfied with the proposed site plan, landscaping plan and building elevations, as shown on Attachments #4, #5, and #6. The Development Planning Department has requested exterior brick and colour samples to be submitted for review and approval, prior to the execution of the Site Plan Letter of Undertaking.

Vaughan Engineering Department

i) Environmental Site Assessment

The Engineering Department has reviewed the Phase 1 Environmental Site Assessment (ESA), and a Phase II ESA, that was conducted in 2004, with parameters that are currently outdated. The Engineering Department requires an updated Phase II ESA to be conducted. A possible Phase III (Remediation) ESA may be required thereafter, which would necessitate the need for a Record of Site Condition (RSC) with the Environmental Site Registry (ESR) of the Ministry of Environment (MOE), constituting a complete ESA clearance process. The subject lands are currently occupied by fill resulting from the construction of the new Vaughan Civic Centre. The existence of the fill is hindering the completion of an updated Phase II ESA. The Engineering Department has acknowledged this unique circumstance and has made an exemption that the ESA clearance process described above be completed prior to the issuance of any building permit. A condition to this effect will be included in the Site Plan Letter of Undertaking as noted in the recommendation section of this report.

ii) Servicing

In a letter dated April 2, 2007, by York Region regarding "Retirement Home Type Facilities-Servicing Allocation Requirements", allocation of servicing capacity is required for developments that contain units/rooms with kitchen facilities. In the March 31, 2009 "Servicing Capacity Allocation Strategy- Annual Update" report to Vaughan Committee of the Whole, the development proposal was identified in the "Attachment No. 4, Reservation Schedule" and reserved for 54

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units, whereas only 53 units are required. The subject lands are currently allocated for sewage and water capacity for the existing 31-unit Maple Manor non-profit housing located on the Vaughan Civic Centre Campus, as shown on Attachment #2. Should Council concur, the recommendation of this report allocates an additional 53 units for sewage and water servicing capacity to the subject lands in order to facilitate the development of this 84 unit non-profit housing project.

The Vaughan Engineering Department is satisfied with the servicing, grading and storm water management plans.

Hydro

The applicant will be required to satisfy all hydro requirements to the satisfaction of Power Stream Inc.

Architectural Control

Architectural Control review has been provided by Kuwabara Payne McKenna Blumberg Architects (KPMB), the architects of the Vaughan Civic Centre Campus. KPMB is generally satisfied with the proposed development.

Parking Supply

The applicant is providing for a total of 84 parking spaces for the proposed development, calculated at the ratio of 1 parking space per unit. The Memorandum of Understanding allows for the exclusive use of 64 surface parking spaces for the non-profit housing development with an additional 20 non-exclusive, off-site surface parking spaces on the City of Vaughan Civic Centre Campus located immediately adjacent to the east of the subject lands, as shown on Attachment #4. Throughout the term of the ground lease, the off-site parking spaces shall be made available by Vaughan to the Region and its tenants, agents and invitees at no cost.

Access

Access onto the subject lands will be through the Vaughan Civic Centre Campus with direct access to Major Mackenzie Drive. Vaughan will be required to provide the Region with access to the site to enable the Region to commence the construction of the proposed building.

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, through the Memorandum of Understanding between the City and the Region, agrees to develop, construct, own and operate the 84 residential unit non-profit housing facility on the subject lands.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #350 (Maple Community Plan), By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development for an 84 unit non-profit housing development is appropriate and

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compatible with the existing and permitted uses in the surrounding area, and the new civic centre building. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

1. Context Location Map
2. Location Map
3. Context Site Plan
4. Site Plan
5. Landscape Plan
6. Elevation Plan

Report prepared by:

Stephen Lue, Planner, ext. 8210
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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Item 51, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

51

**FATHER ERMANNNO CRESCENT
PROPOSED TRAFFIC CALMING PLAN
WARD 3**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated June 23, 2009:

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That traffic calming measures not be installed on Father Ermanno Crescent;
2. That York Regional Police be contacted to enforce the late night activities at Belair Way Park; and
3. That Enforcement Services' Enforcement Unit continue frequent patrol at this location over the summer months and attempt to establish joint initiatives with York Regional Police.

Contribution to Sustainability

Not Applicable.

Economic Impact

There is no impact to the 2009 Capital Budget.

Communications Plan

Engineering Services staff will contact the residents of Council's final decision on this matter.

Purpose

To report on the feasibility to install traffic calming measures on Father Ermanno Crescent.

Background - Analysis and Options

At its meeting on May 26, 2008, Council directed:

- “1. That staff investigate and determine other possible traffic calming measures such as curb bumps-out, chicanes, and painted road narrowings that can be installed on both the north and south legs of Father Ermanno Crescent; and
2. That the cost to implement would be determined at a later date pending on the type and number of possible measures proposed;”

Father Ermanno Crescent is a local roadway with a 17.0 metre right-of-way and 8.5 metre pavement travel width. The street runs east-west from Fiori Drive to Fiori Drive as a crescent design. The existing speed limit on Father Ermanno Crescent is 50 km/h. Chancellor Square Plaza is located on the south/east corner of the south intersection of Fiori Drive and Father Ermanno Crescent. Refer to Attachment No. 1 for the area road network.

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Public Participation

A public meeting was held on Monday, April 20, 2007 regarding traffic issues on Father Ermanno Crescent. The meeting was attended by York Regional Police, City of Vaughan Enforcement Services Department, Property Manager for the Chancellor Square Plaza, and the local Councillor. Approximately 60 families expressed their outrage and frustration with: illegal parking, double parking; frequent pickup and drop offs; poor sight visibility when travelling along their street; and extreme speeding and racing on the straight roadway sections.

Speed studies

Engineering Services staff collected speed and volume data at selected locations on Father Ermanno Crescent. All studies were conducted on a 24-hour basis from November 12, 2007 to November 16, 2007. The results of the studies are shown in the table below.

| Location | Direction | 24-hour volume | Average Speed | Highest Speed |
|--|------------------|----------------|----------------|----------------|
| Father Ermanno Crescent (north section) | Eastbound | 100 | 35 km/h | 86 km/h |
| | Westbound | 110 | 33 km/h | 85 km/h |
| Father Ermanno Crescent (south section) | Eastbound | 137 | 35 km/h | 85 km/h |
| | Westbound | 124 | 33 km/h | 84 km/h |

The recorded average speeds on Father Ermanno Crescent range between 33 km/h and 35 km/h. The vehicle volume on Father Ermanno Crescent is very low as it would appear to be mainly residential.

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

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

The existing speed limit is 50 km/h and Father Ermanno Crescent is not an emergency response route. However, the collected average speeds on both north and south sections do not exceed the existing speed limit by 10 km/h. The results of these studies indicate an acceptable level of motorist compliance to the existing limit. Based on the studies, staff does not recommend the installation of a speed humps on Father Ermanno Crescent. The daily traffic volume on the north and south sections of the roadway is very low. Father Ermanno Crescent accommodates residential traffic into this subdivision.

The collected traffic data does not warrant the installation of traffic calming measures on the roadway. Through discussion with Enforcement Services staff the main concern is the late night activities associated with Belair Way Park. Specifically, this area is used by young adults travelling along the walkway through the park between Father Ermanno Crescent and Belair Way.

Relationship to Vaughan Vision 2020

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

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

Regional Implications

Not Applicable.

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Conclusion

Based on the staff review, it is recommended that no further action is warranted based on the results of the traffic studies.

Attachments

1. Location Map

Report prepared by:

Peter Trinh, Senior Traffic Technologist, 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 52, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

52

**ZONING BY-LAW AMENDMENT FILE Z.06.027
SALVATORE LUCIA
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.027 (Salvatore Lucia) BE APPROVED, specifically to amend Zoning By-law 1-88 to permit a new one-storey residential dwelling comprising a total gross floor area of 129.59 m² on the subject lands shown on Attachment #2, within the OS1 Open Space Conservation Zone, and to provide the following additional site specific exceptions:

| By-law Standard | By-law 1-88 Requirements | Proposed Exceptions to OS1 Zone |
|---------------------------------|---|--|
| a) a minimum interior side yard | 15 m (no standard for residential) | 1.56 m (west) 3.00 m (east) |
| b) minimum front yard setback | 15 m (no standard for residential) | 7.3 m (south) |

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

On March 27, 2009, a Notice of Public Meeting was circulated to all property owners within 150m of the subject lands and to the Kleinburg and Area Ratepayers Association. As of June 10, 2009, no written comments have been received by the Development Planning Department, and there were no concerns expressed by the public at the Public Meeting on April 20, 2009.

Purpose

The Owner has submitted an application (File Z.06.027) to amend Zoning By-law 1-88 on the subject lands shown on Attachment #2, to permit a new residential dwelling in the OS1 Open Space Conservation Zone, as shown on Attachments #3 and #4. The application would facilitate the construction of a new one-storey single family dwelling, with a gross floor area of 129.59 m².

.../2

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Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located south of Major Mackenzie Drive, west of Regional Road 27, municipally known as 42 Broda Drive, being Lot 6, on Registered Plan 4005, in Part of Lot 9, Concession 8, City of Vaughan. The surrounding land uses are shown on Attachment #2.

The Zoning By-law Amendment application originally proposed a 56m² addition to the existing 88.91 m² dwelling on the subject lands. This application was considered at a Public Meeting on September 5, 2006. There were no comments received. Upon review of the application, the Toronto and Region Conservation Authority (TRCA) recommended that a new dwelling that does not increase the total gross floor area of the existing dwelling by more than 50% be constructed on the property. The Owner subsequently revised their Zoning By-law Amendment application to reflect the TRCA's recommendation, which is the subject of this report. The revised application was circulated for comment, and proceeded to a Public Meeting on April 20, 2009. There were no comments received and no concerns expressed by the public at this meeting.

Official Plan

The subject lands are designated "Valley and Stream Corridor" by OPA #601 (Kleinburg Nashville Community Plan). The "Valley and Stream Corridor" designation does not permit the development of buildings or structures, however, the existing residential use is deemed to be a legal non-conforming use. The legal non-conforming use policies of OPA #601 permit the extension or enlargement of any land, building or structure used for a purpose prohibited by the By-law and/or which does not conform to OPA #601 provided that: such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed; and, that the extension or enlargement of the non-conforming use will not adversely affect the welfare of the community in which it is located.

Currently the subject lands are developed with a one storey 88.91 m² single-detached dwelling. The owner proposes to demolish and reconstruct a 129.59 m² one-storey single-detached dwelling with an attached garage. The development would also replace the existing septic system on the property with a new one. The new residence, garage and septic system would be constructed in the approximate location of the existing structures. The new single-family dwelling will remain in the area of lowest flood risk on the property and will be flood-proofed to the level of the Regulatory Flood. Sediment and erosion control measures would be installed and maintained throughout construction to prevent any sediment from entering adjacent developments and natural features. The proposed re-development conforms to the Official Plan.

Zoning

The subject lands are zoned OS1 Open Space Conservation Zone by By-law 1-88. The proposed residential detached dwelling is not permitted within the OS1 Open Space Conservation Zone, therefore a zoning by-law amendment is required. In addition, the following site specific exceptions are required to permit the proposed single-detached dwelling on the subject lands:

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| By-law Standard | By-law 1-88 Requirements | Proposed Exceptions to OS1 Zone |
|--------------------------------------|---|--|
| a) a minimum interior side yard | 15 m (no standard for residential) | 1.56 m (west yard) 3.00 m (east yard) |
| b) minimum front yard setback | 15 m (no standard for residential) | 7.3 m (south) |

The reduction in the front yard setback and interior side yard setbacks are required to accommodate the new single-detached dwelling. The OS1 Open Space Conservations Zone lands have a minimum zone requirement of 15 m from all yards for permitted OS1 uses, however, there are no standards for residential uses, which are not permitted. The new dwelling will be generally in the same location as the existing dwelling. The front yard setback is to accommodate the encroachment of the front covered porch. The side yard setbacks are to accommodate the attached garage on the east side of the subject lands and the dwelling on the west side of the subject lands. The Development Planning Department can support these zoning exceptions which do not have significant impact on the surrounding residential development on Broda Drive.

Vaughan Engineering Department

The Engineering Department has reviewed the Zoning By-law Amendment Application and has no objection to the proposal.

Toronto and Region Conservation Authority (TRCA)

The subject property is located within an area regulated by the TRCA due to its location within the Humber River Valley Corridor and the Regional Storm Flood Plain. The TRCA has reviewed the revised application for the new single-detached dwelling and has advised that they have no objection. The owner is required to obtain revised Permits from the TRCA to facilitate the construction of the new 129.59 m² dwelling to the satisfaction of the TRCA.

Planning Considerations

The proposed zoning by-law amendment would facilitate the construction of a new one-storey residential dwelling, front covered porch, rear porch and a tandem garage as shown on Attachments #3 and #4. The area of the proposed residential dwelling is 129.59 m².

The Development Planning Department considers the reduced interior side yard setbacks from 15m to 3.0 m (east) and 1.56 m (west) and front yard setback from 15 m to 7.3 m to be appropriate for the residential context applicable to Broda Drive, and have no concerns with the proposed zoning exceptions.

Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment Application, as the new residential dwelling will be consistent and compatible with the existing surrounding development.

Relationship to Vaughan Vision 2020/Strategic Plan

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

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Regional Implications

There are no Regional issues associated with this application.

Conclusion

The proposed Zoning By-Law Amendment application has been reviewed in accordance with the policies in OPA #601, the requirements of By-law 1-88, the comments received from City Departments and the Toronto and Region Conservation Authority, and the area context. The Development Planning Department is satisfied that the proposal to permit a new one-storey residential dwelling within the OS1 Open Space Conservation Zone, conforms with the policies of the Official Plan and is compatible and appropriate with the surrounding developments. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location Map
3. Overall Site Plan
4. Site Plan (Enlarged)

Report prepared by:

Mary Serino, Planner 1, ext. 8215
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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53

**ZONING BY-LAW AMENDMENT FILE Z.08.075
7700 KEELE STREET LIMITED
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.075 (7700 Keele Street Limited) BE APPROVED, to permit the following additional uses and zoning exceptions to the EM1 Prestige Employment Area Zone, on the subject lands shown on Attachment #2, in the existing building shown on Attachment #3:
 - i) -Eating Establishment, Convenience;
-Eating Establishment;
-Retail Store;
-Pharmacy;
-LCBO Outlet;
-Business and Professional Offices;
-Supermarket; and,
-Brewers Retail.
 - ii) a minimum of 532 parking spaces.

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

Public Meeting

On March 6, 2009, a Notice of a Public Meeting was circulated to all property owners within 150m of the subject lands, and to the Concord West Ratepayers' Association. A letter of objection was received by the Concord West Ratepayers' Association concerning the number of permitted eating establishments and their potential to generate increased traffic. The Ratepayers' concerns were addressed by the applicant through a traffic study prepared by Mark Engineering, which concluded that the Regional Road 7 and Keele Street intersection can accommodate the proposed development traffic. The Vaughan Engineering Department supported these conclusions and approved the traffic analysis. The Ratepayers' have indicated in writing that they have no further objections to the proposed zoning by-law amendment.

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On June 8, 2009, the Development Planning Department provided notice by email or telephone to those who requested notification of the subject Committee of the Whole meeting as follows: Sandra Marki, Aird & Berlis LLP (181 Bay Street, Suite 1800, Toronto); Katherine Krizsan, Zelinka Priamo Ltd. (5399 Eglinton Avenue West, Suite 202, Toronto) and Cathy Ferlisi, President, Concord West Ratepayers Association (7777 Keele Street, Vaughan).

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically the EM1 Prestige Employment Area Zone in By-law 1-88, to permit additional uses and zoning exceptions noted above in the recommendation section of this report, on the subject lands shown on Attachment #2, in the existing building shown on Attachment #3.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2, are located southwest of Regional Road 7 and Keele Street, known municipally as 7700 Keele Street, being Parts 1-7 inclusive on Plan 65R-115898, in Part of Lots 5 and 6, Concession 4 and Part of the Road Allowance between Lots 5 and 6, Concession 4, City of Vaughan, Ward 4. The surrounding land uses are shown on Attachment #2.

The property is developed with a multi-unit industrial building and served by a full movement access onto Keele Street at the southeast corner of the property, as shown on Attachment #3. On May 29, 2006, Council approved Site Plan File DA.05.039 to permit upgrades and revisions to the building elevations facing Keele Street and Regional Road 7.

Official Plan and Zoning

The subject lands are designated as “Prestige Areas Centre and Avenue 7 Corridor” and as a “Transit Stop” by OPA #660 (Avenue 7 Plan), which permits retail, institutional, office, business and civic uses on the subject lands. OPA #660 also recognizes existing uses under a previously approved Official Plan Amendment. The lands are also subject to the “Prestige Area” policies under OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses with no outside storage. The proposed additional commercial/retail uses on the subject lands conforms to the Official Plan.

The lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88, which does not permit the proposed commercial/retail uses on the subject lands. Therefore, an amendment to By-law 1-88 is required to permit the following additional uses: Eating Establishment, Convenience; Eating Establishment; Retail Store; Pharmacy; LCBO Outlets; Business and Professional Offices; Supermarket; and, Brewers Retail. An exception for parking is also required to permit a minimum of 532 parking spaces, whereas By-law 1-88 requires 1308 spaces, resulting in a deficiency of 776 parking spaces. The Owner has submitted a parking study prepared by Mark Engineering in support of the proposed reduction to the number of required parking spaces. The Vaughan Engineering Department supports their analysis and conclusions, and has approved the parking study. Accordingly, the proposed reduction in parking can be supported by the Development Planning Department. The Development Planning Department has no objection to the addition of the proposed commercial/retail uses listed above, as these uses conform with and implement the land use permissions of the City’s Avenue 7 Plan (OPA #660).

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”.

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Regional Implications

The Region of York Transportation Services Department has been circulated the application for their consideration and has no objection to the proposed zoning by-law amendment application.

Conclusion

The Zoning By-law Amendment application has been reviewed in accordance with the policies in OPA #660, OPA #450, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed addition of the commercial/retail uses listed in the recommendation section of this report would implement the Official Plan. Accordingly, 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-Existing Site Development

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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**ZONING BY-LAW AMENDMENT FILE Z.09.018
SITE DEVELOPMENT FILE DA.08.056
FLORO ESTATES INC.**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved; and**
- 2) **That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.018 (Floro Estates Inc.) BE APPROVED, to remove the Holding Symbol "H" from the subject lands, currently zoned C3(H) Local Commercial Zone as shown on Attachment #2, to facilitate the development of a gas bar and convenience store (282.18m²) with an associated drive-through.
2. THAT Site Development File DA.08.056 (Floro Estates Inc.) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations, landscaping plan and signage 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;
 - 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 Vaughan Committee of Adjustment and shall be final and binding.
3. THAT the Site Plan Letter of Undertaking include the following condition:
 - a) any underground or above-ground storage tanks shall be equipped with an approved Ontario Ministry of Environment secondary containment device.

Contribution to Sustainability

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

- i) low flow toilets;
- ii) bicycle racks;
- iii) the outdoor lighting will be designed to reduce light pollution for safety and comfort; and,
- iv) the refuse enclosure includes recycling.

Economic Impact

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

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Communications Plan

N/A

Purpose

The Owner has submitted the following:

1. A Zoning By-law Amendment Application (File Z.09.018) to remove the “H” Holding provision on the subject lands zoned C3(H) Local Commercial Zone on Attachment #2, to facilitate the development of a commercial development comprised of a gas bar and convenience store (282.18m²) with an associated drive-through; and,
2. A Site Development Application (File DA.08.056) for the development of the subject lands shown on Attachments #1 and #2, to permit a gas bar and convenience store (282.18m²) with an associated drive-through, as shown on Attachment #3.

Background - Analysis and Options

Location

The 0.49 ha subject lands are located at the southwest corner of Major Mackenzie Drive, and Peter Rupert Avenue, in Part of Lot 20, Concession 3, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600 as amended by site-specific OPA #647 (Honeyvale Glade Estates Inc.), and "Area of High Aquifer Vulnerability" by OPA #604 (Oak Ridges Moraine Conformity Plan). The proposed site development conforms to the Official Plan.

The subject lands are zoned C3(H) Local Commercial Zone by By-law 1-88, subject to Exception 9(1235). The “H” Holding provision can be removed with the approval of the site plan application by Council. The Building Standards Department has advised of the following zoning variances:

| STANDARD | BY-LAW 1-88 REQUIREMENT | PROPOSED |
|--|-------------------------|------------------|
| Minimum Number of Parking Spaces | 16 spaces | 15 spaces |
| Maximum Driveway Width (2 accesses) | 7.5 m | 9.0 m |
| Maximum Height of a Canopy from Grade | 4.2 m | 4.5 m |

The reduction in the minimum required parking from 16 spaces to 15 spaces is supportable. The proposed 9.0m driveway width for the 2 accesses is appropriate, as the Vaughan Engineering Department has requested the increased driveway width in order to accommodate a turning radius for larger vehicles. The proposed maximum canopy height of 4.5m is appropriate as it is marginally greater than the permitted 4.2m height limit.

The Development Planning Department is of the opinion that the above noted zoning variances are minor in nature and acceptable. 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

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variances, to the satisfaction of the Development Planning 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. A condition to this effect is included in the recommendation section of this report.

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 to #7 inclusive and will continue to work with the applicant to address any concerns.

The Vaughan Engineering Department is generally satisfied with the servicing, grading and storm water management plans.

The site-specific zoning for the property recognizes that the subject lands are located within an “area of high aquifer vulnerability”, and therefore, the Development Planning Department will include the following condition in the City’s Site Plan Letter of Undertaking, which will be consistent with the zoning provisions in By-law 1-88:

- i) any underground or above-ground storage tanks shall be equipped with an approved Ontario Ministry of Environment secondary containment device

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 abut Major Mackenzie Drive, which is a Regional Road, and therefore all requirements of the Region of York Transportation Services Department must be satisfied prior to the issuance of a building permit.

Conclusion

Site Development File DA.08.056 has been reviewed by the Development Planning Department in accordance with the applicable policies of OPA’s #600, #604 and #647, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department can support the proposed site development application, which is considered appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can also recommend the approval of the Zoning By-law Amendment application to remove the Holding “H” provision on the subject lands. The required variances to facilitate the development must be approved by the Committee of Adjustment, and shall be final and binding prior to the execution of the Letter of Undertaking, or alternatively, the applicant may revise their site plan drawings to comply.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Elevation Plan – East and West
5. Elevation Plan – North and South
6. Elevation Plan – Canopy
7. Landscape Plan

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Report prepared by:

Morgan Jones, Planner 1, ext. 8216

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 55, Report No. 35, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 30, 2009, as follows:

By receiving the written submission from Reverend Jim Keenan, New Hope United Church, 9225 Jane Street, Suite 1416, Concord, L6A 0J7, dated June 23, 2009.

55 CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Accountability and Transparency Committee, dated June 23, 2009, be approved, in principle;
- 2) That the final decision on this matter be deferred to the Council meeting of September 21, 2009, to provide further opportunity for public input; and
- 3) That the following deputations be received:
 - a) Reverend Jim Keenan, New Hope United Church, 9225 Jane Street, Suite 1416, Concord, L6A 0J7; and
 - b) Ms. Marilyn lafrate, 55 Marwood Place, Maple, L6A 1C5.

Recommendation

The Accountability and Transparency Committee, in consultation with the Integrity Commissioner, recommends:

1. That the attached Code of Ethical Conduct for Members of Council approved in principle by the Accountability & Transparency Committee on June 1, 2009, and posted to the City's Website for Public Information, be adopted.

Contribution to Sustainability

Not applicable.

Economic Impact

Not applicable.

Communications Plan

The Code of Ethical Conduct for Members of Council will be posted to the City's Website.

Purpose

The purpose of this report is to provide an updated Code of Ethical Conduct for Members of Council.

Background - Analysis and Options

- Council at its meeting of April 23, 2007 approved the position of an independent part-time Integrity Commissioner, and directed that an Accountability and Transparency Committee be established.

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- Council at its meeting of November 26, 2007, recommended the appointment of Mr. Bill Fitzgerald and Ms. Joy Lerman to the Committee as the two (2) representatives from the public.
- Council at its meeting of April 14, 2008 appointed Mr. William (Bill) Weissglas as Vaughan's Integrity Commissioner.
- Council at its meeting of June 23, 2008 adopted the Complaint Protocol for Council Code of Conduct.
- On November 21, 2008, William (Bill) Weissglas tendered his resignation as Integrity Commissioner.
- Council at its meeting of February 24, 2009 appointed Ms. Suzanne Craig as Vaughan's Integrity Commissioner, effective April 6, 2009.

The Accountability and Transparency Committee was tasked, in conjunction with the Integrity Commissioner, to review and recommend revisions to the City of Vaughan's existing Code of Ethics and Conduct for Members of Council. The existing Code, Policy 01.06 dates back to 1996. The attached Code of Ethical Conduct for Members of Council is the result of lengthy consideration and deliberations, in consultation with both the former and current Integrity Commissioners, who reviewed numerous Codes of Conduct from other jurisdictions. The result is a comprehensive Code of Ethical Conduct which establishes a series of 21 rules that will guide Members of Council, each rule supported by commentary which may be supplemented by examples, to ensure a consistent understanding.

The Code of Ethical Conduct reflects an acknowledgement that ethics and integrity are at the core of public confidence in government and in the political process. In adopting this Code of Ethical Conduct, Council is recognizing that as leaders of the community, they are held to higher standards of behaviour and conduct, and that their conduct must reflect the highest ethical ideals so that it can bear the closest public scrutiny.

The Code of Ethical Conduct provides clear guidance regarding conflicts of interest, gifts and benefits, the handling of confidential information, use of City property and resources, election campaign work, improper use of influence and employment of family members among other matters, as well as provisions to enforce compliance with the Code.

Relationship to Vaughan Vision 2020

The high ethical ideals embodied in the Code of Ethical Conduct reflect the City's values identified in the Vaughan Vision 2020.

Regional Implications

None

Conclusion

The attached Code of Ethical Conduct for Members of Council should be adopted by Council.

Attachments

1. Code of Ethical Conduct for Members of Council

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Report prepared by:

Janice Atwood-Petkovski
Commissioner of Legal and Administrative Services and City 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 56, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

56

**DONGARA PELLET PLANT LP
REQUEST FOR SPECIAL AREA
DEVELOPMENT CHARGE
FRONT-ENDING AGREEMENT
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager & Commissioner of Finance and Corporate Services, the Director of Reserves & Investments and the Director of Legal Services, dated June 23, 2009:

Recommendation

The Deputy City Manager & Commissioner of Finance and Corporate Services, the Director of Reserves & Investments and the Director of Legal Services recommend that a by-law be enacted to authorize the execution of a Development Charge Front-Ending Agreement with Dongara Pellet Plant LP.

Contribution to Sustainability

N/A

Economic Impact

A front-ending agreement is the formal authority for the City of Vaughan to reimburse the “front-ender” for their costs to construct infrastructure. The *Development Charges Act* provides for an administrative fee to cover the City’s cost of administering the agreement.

Communications Plan

Dongara’s lawyer will be advised of Council’s action. The Development Charges Act requires notice to be given to owners in the benefitting area after an agreement is executed.

Purpose

The purpose of this report is to seek authorization to enter into a Development Charge Front-Ending Agreement with Dongara Pellet Plant LP.

Background - Analysis and Options

Special Area DC Front-Ending Agreement Request

The Dongara Pellet Plant is located at the north east corner of Highway 27 and Highway 407, on land owned by the City of Vaughan, and leased to the Dongara Pellet Plant for twenty (20) years with two optional five (5) year extensions. At the time the site was developed, Dongara constructed the Highway 27 South Servicing works which included a sanitary sewer, watermain, Highway 27 intersection works and associated sediment and erosion control, benefitting an area larger than their developed area. The service area is shown on Attachment #1. These works subsequently formed the basis for Special Service Area Development Charge By-law 239-2008, enacted on September 22, 2008. Dongara Pellet Plant has requested the City execute a Development Charge Front-Ending Agreement for the Highway 27 South Servicing works to provide for repayment to Dongara of the benefitting owners’ portion of the works.

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Section 44 of the *Development Charges Act* provides:

“A municipality in which a development charge by-law is in force may enter into an agreement, called a front-ending agreement, that,

(a) applies with respect to work, done before or after the agreement is entered into...”

This allows the cost to be reimbursed to the front-ending developer by the benefitting landowners. The front-ending agreement may also include the costs to the municipality of administering the agreement.

The Act provides mandatory contents of a front-ending agreement. There is mandatory notice requirement only after the agreement is executed of either: written notice to landowners in the benefitting area or public advertisement. In this case there are only 2 other benefitting owners who may file an objection to the Ontario Municipal Board.

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

None

Conclusion

Dongara’s solicitor has forwarded a draft agreement which contains the provisions required by the *Development Charges Act*. Staff are reviewing the draft agreement. It is in order for Council to enact a bylaw to authorize execution.

Attachments

Attachment #1-Service Area

Report prepared by:

Heather Wilson

(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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4. THAT the subdivision agreement shall contain a provision requiring the Owner to pay Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Contribution to Sustainability

The applicant has advised that the following sustainable features, but not limited to, will be included within the subdivision design to create a healthy community:

- i) preservation of existing trees to the greatest extent possible;
- ii) planting of native species within the buffer area; and,
- iii) energy efficient street lighting in accordance with Vaughan Engineering protocol.

Economic Impact

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

Communications Plan

On September 12, 2008, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands, and to Mrs. Franca Stirpe and the Friends of the Village Group. Several residents within the area expressed concern with respect to technical matters of the proposal at the October 6, 2008 Public Hearing and through correspondence provided to the Development Planning Department. The residents concerns will be discussed in greater detail later in this report. The recommendation of the Committee of the Whole to receive the Public Hearing Report of October 6, 2008, and to forward a comprehensive report to a future Committee of the Whole Meeting was ratified by Council on October 27, 2008.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3:

1. An application to amend the Zoning By-law (File Z.08.049), specifically to rezone the subject lands from A Agricultural Zone to R1 Residential Zone (minimum 18 m frontages) with the following zoning exceptions to implement the proposed residential draft plan of subdivision, as shown on Attachments #4 and #5:

| <u>Zoning Requirement</u> | <u>By-law 1-88</u> | <u>Proposed</u> |
|------------------------------------|--------------------|-----------------|
| Minimum Front Yard Setback | 7.5m | 6.0m |
| Minimum Interior Side Yard Setback | 1.5m | 1.2m |
| Maximum Lot Coverage | 35% | 40% |

The landscaped buffer (Block 39) adjacent to Islington Avenue will be rezoned from A Agricultural Zone to OS1 Open Space Conservation Zone, and conveyed to the City.

2. A Draft Plan of Subdivision Application (File 19T-08V07) to facilitate a residential plan of subdivision as shown on Attachment #4, consisting of the following:

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Background - Analysis and Options

The subject lands shown on Attachments #2 and #3 are located on the west side of Islington Avenue, north of Langstaff Road, municipally known as 8700 Islington Avenue, in Part of Lot 12, Concession 7, City of Vaughan. The Reeves Florist and Nursery currently operates on the subject lands (since 1969). The surrounding land uses are shown on Attachment #3.

Official Plan

The subject lands are designated “Low Density Residential” with a small portion designated “General Commercial” by OPA #240 (Woodbridge Community Plan). The Agricultural Zone permits the existing retail nursery use on the subject lands. Also, the site-specific zoning exception permits the retail sale of frozen yogurt products. However, as the sale of this product does not exist at the Reeves site, the “Low Density Residential” designation would apply to the entire property, and the proposed residential subdivision would conform to the Official Plan.

The “Low Density Residential” designation permits the proposed detached dwelling units at a maximum gross density of 8.6 units/ha. Based on the property size of 3.978 ha, a total of 34 units would be permitted, and are proposed. The proposed draft plan of subdivision conforms to the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, subject to Exception 9(169). To facilitate the proposed draft plan of subdivision as shown on Attachment #4, a zoning by-law amendment is required to rezone the property from A Agricultural Zone to R1 Residential Zone and the landscape buffer block abutting Islington Avenue to OS1 Open Space Conservation Zone, as shown on Attachment #5.

The following site-specific zoning exceptions are required to facilitate the proposed draft plan of subdivision:

- a) a minimum front yard setback of 6.0 m, whereas 7.5 m is required;
- b) a maximum lot coverage of 40%, whereas 35% is permitted; and,
- c) a minimum interior side yard setback of 1.2 m, whereas 1.5 m is required.

The proposed exceptions will contribute to creating a development that is consistent with good urban design principles. The subdivision design has been prepared with an underlying “eyes on the street” design principle of Crime Prevention Through Environmental Design (CPTED) for safety and security. In addition, the proposed setbacks will maximize the rear yards and provide for additional private space on each lot. Furthermore, one of the principles of the subdivision design was to maximize the preservation of existing and mature trees to the greatest extent possible.

The Development Planning Department has no objections to the above-noted exceptions to By-law 1-88, which will facilitate an appropriate subdivision design.

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Subdivision Design

The proposed draft plan of subdivision shown on Attachment #4 is comprised of 34 lots for single family dwelling units, which is both consistent with and provides an extension of the existing community to the west, as shown on Attachment #4. The proposal would extend Charmaine Road into a crescent pattern with proposed lots frontages of 18.3m-28.4m. The proposed road allowance has a width of 20.0m.

Residents Concerns

Although the residents are generally in support of the proposed land use, some of the residents in the area have expressed the following concerns with respect to the applications:

- i) orientation of the corner lots;
- ii) preservation of trees;
- iii) traffic;
- iv) safety;
- v) construction access;
- vi) location of mail delivery boxes; and
- vii) lack of sidewalks.

The applicant has attempted to discuss the proposal with surrounding residents throughout the development approvals process. The Development Planning Department understands that the applicant has met with the Local Councillor and the residents on at least three occasions being September 24, 2008, September 30, 2008 and February 9, 2009. The draft plan has been revised since the October 6, 2008 Public Hearing and better addresses some of the above concerns of the residents.

- i) and ii) Orientation of corner lots and preservation of trees

Lots 1 and 2 as shown on Attachments #4 and #5 have been re-oriented in a north/south direction (previously was east/west) and are consistent with the lotting fabric on the west side of Charmaine Road. Lots 20 and 21 remain as originally proposed, but, are consistent with the abutting lotting fabric to the south (along east side of Charmaine Road). Maintaining proposed Lots 20 and 21 as shown also allows greater flexibility in preserving existing trees. The applicant has submitted a preliminary Tree Preservation Plan which the Development Planning Department finds to be acceptable. Formal approval of the Tree Study will occur as conditions of subdivision approval are cleared, prior to the registration of the subdivision plan.

- iii) and iv) Traffic and Safety

The Owner has also submitted a Traffic Impact Study which was reviewed and is acceptable to the Vaughan Engineering Department. Formal review and approval of any traffic stops at the Charmaine Road intersections will occur at the detailed design stage during the subdivision registration process. The revised draft plan also shows an increased right-of-way width of 20 m for the proposed road, whereas it was originally proposed as 17.5m at the Public Hearing.

- v) Construction access

The Region of York has included conditions of draft approval (as provided on Attachment #1) with respect to construction access from Islington Avenue and minimizing access onto Kiloran Avenue as follows:

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“The Owner shall agree, that construction access for the purposes of site demolition, site servicing and grading, construction of the subdivision roads and utilities, basement excavation, construction of foundations and footings, shall be via the existing site access to Islington Avenue. Upon completion of this work the existing Islington Avenue access to the lands shall be closed and the Islington Avenue right-of-way restored to match the adjacent conditions.”

“The Owner shall agree that construction access for the purposes of home construction within the plan of subdivision shall be via Kiloran Avenue and Charmaine Road. Construction access for this purpose will not be permitted from Islington Avenue, except for the purpose and timeframe noted in the condition above.”

vi) Location of mail delivery boxes

Canada Post has no objection to the approval of the draft plan of subdivision, subject to the conditions provided on Attachment #1. This condition includes a clause requiring the Owner to consult with Canada Post to determine the most suitable location for the community mail delivery boxes.

vii) Lack of sidewalks

The City’s Sidewalk Policy does not require sidewalks within a subdivision of less than 40 units. On February 24, 2009, Vaughan Council adopted the following resolution put forward by the applicant respecting the proposed plan of subdivision:

“Recognizing that our proposal complies with the current City standard regarding the provision of sidewalks, and in the interest of advancing this project, we feel that the decision to install or not install a sidewalk should realistically be left to the future residents of the new homes to be built within the proposed development. In this context, we would be prepared to post with the City, a Letter of Credit for the value of the sidewalk construction, for a period of five (5) years from the date of registration of the plan of subdivision.”

The Owner is amenable to the above referenced resolution and further notes that the increased right-of-way (i.e. 20.0m) will contribute to greater consistency with the surrounding community.

Energy Star

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

Vaughan Engineering Department

The Vaughan Engineering Department provides the following comments:

a) Environmental Site Assessment

The Owner has submitted a Phase I and II Environmental Site Assessment report which the City has reviewed and found to be acceptable. Prior to the final registration of the plan of subdivision, or prior to the demolition of any structure, whichever comes first, a Designated Substance Survey (DSS) Report is to be submitted to the Development/Transportation Engineering Department for review and approval.

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b) Sewage and Water Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on April 14, 2009, formal allocation of Servicing Capacity is required for this development. The subdivision application is listed on the Reservation Schedule, and provides a reservation of servicing capacity for a total of 34 units. A formal allocation resolution is included in the recommendation of this report.

c) Water Supply

The draft plan is located within the service area of Pressure District 5 of the York Region Water Supply System. The Plan is located within City of Vaughan Pressure District 5. A watermain loop for fire protection and water quality assurance shall be provided. Connections shall be to the existing 200mm diameter watermain on Charmaine Road at the north and south ends of Street "A". An existing 200mm diameter stub will be utilized at the north end of Street "A" and an existing 150mm diameter stub will be upgraded to 200mm at the south end of Street "A".

d) Storm Drainage

The majority of stormwater will be conveyed from the proposed development to the existing 1050mm and 1200mm diameter storm sewers on Charmaine Road at the north and south ends of Street "A", respectively. An existing 375mm diameter sewer will be utilized at the north end of Street "A" and an existing 600mm diameter sewer will be utilized at the south end of Street "A". Approximately 0.86ha of rear yard drainage from the lots that back onto Islington Avenue and the south property line will continue to drain to two existing culverts that are located within the proposed landscape buffer along Islington Avenue. These culverts outlet on the east side of Islington Avenue and will be connected to proposed rear lot catchbasins within the development.

Prior to final approval of the plan, the Owner shall provide a storm water management report for the review and approval of the City.

e) Sanitary Servicing

The draft plan can be serviced by connecting to the existing 250mm diameter sanitary sewer on Charmaine Road at the north and south ends of Street "A". An existing 250mm diameter sewer will be utilized at the south end of Street "A" and a new 250mm diameter sewer will be added at the north end of Street "A".

f) Noise Attenuation

Due to the proximity of the proposed draft plan of subdivision to Islington Avenue, the Owner is required to submit a noise report for review and approval by the City as part of the detailed engineering submission. Despite the preliminary recommendations in the noise report, the City requires all dwelling units that abut or face an arterial road such as Islington Avenue to be constructed with mandatory central air-conditioning.

g) Streetlighting

The streetlighting design shall meet the City criteria within the proposed draft plan of subdivision.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objection to the approval of this draft plan of subdivision, subject to the conditions of approval on Attachment #1.

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Vaughan Parks Development Department

The Vaughan Parks Development Department has no objections to the approval of the subject applications. The applicant is to provide cash-in-lieu of parkland dedication in accordance with the requirements of the Planning Act. Open space and stormwater pond areas shall not form part of the cash-in-lieu of parkland dedication calculation.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposed draft plan of subdivision and related zoning application and supports the approval of the applications, subject to the conditions of subdivision approval provided on Attachment #1. The TRCA notes that it appears that Lots 14 and 15 are situated within the TRCA's Regulated area. Accordingly, any submission related to the placing of fill and/or site grading will require approvals from the TRCA under Ontario Regulation 166/06.

Canada Post

Canada Post has no objection to the approval of the draft plan of subdivision and zoning application, subject to the conditions provided on Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York has no objection to the approval of the draft plan, provided water and sewer servicing capacity has been allocated, and subject to the conditions outlined on Attachment #1.

Conclusion

The Development Planning Department has reviewed the Draft Plan of Subdivision and Zoning By-law Amendment Applications to permit a 34 lot subdivision. The proposal conforms with the policies of the Official Plan and is consistent with the existing land use in the surrounding area. The proposed zoning categories and exceptions to By-law 1-88 are considered to be appropriate. Accordingly, the Development Planning Department recommends that the applications be approved, subject to the conditions provided in Attachment #1.

Attachments

1. Conditions of Draft Plan Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision 19T-08V07
5. Proposed Zoning

Report prepared by:

Clement Messere, Planner, ext. 8409
Carmela Marrelli, Senior Planner, ext. 8791

/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 30, 2009

Item 58, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

58

**WOODLOT ACQUISITION
FRONT ENDING AGREEMENT
REQUEST FOR AMENDMENT**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, Commissioner of Finance & Corporate Services, Director of Legal Services and Director of Reserves & Investments, dated June 23, 2009:

Recommendation

The Deputy City Manager, Commissioner of Finance & Corporate Services, Director of Legal Services and Director of Reserves & Investments recommend that a By-law be enacted to authorize the execution of an Amended Woodlot Acquisition Front-ending Agreement in accordance with this report.

Contribution to Sustainability

The City emphasizes preservation of important environmental assets and recognizes that terrestrial resources contribute benefits to the urban environment, including aesthetics, health, biodiversity, education, research, and recreational values. These woodlots are designated woodlots and are of environmental significance.

Economic Impact

The Woodlot Acquisition Development Charge was established to fund the acquisition of designated woodlots at no cost to the municipality. The acquisition will be funded from the WADC once funds are collected.

Communications Plan

Notice provisions of the *Development Charges Act* require that notice be given to owners in the benefitting area. Staff will be consulting with remaining woodlot owners. After an agreement is required such notice will be by public advertisement.

Purpose

The purpose of this report is to seek Council authorization to amend the Woodlot Front Ending Agreement, pursuant to the request of the Block 12 Landowners Group.

Background - Analysis and Options

As part of OPA 400, the City commenced a sustainable initiative to preserve the City's tableland woodlots.

OPA 400 contemplated the collection of the Woodlot Acquisition Development Charge (WADC) for the purpose of acquiring defined "Woodlots" over an extensive geographic area. It established the WADC rate, the price per acre of Woodlot acquired, the Woodlots to be acquired and time of acquisition.

The City enacted Special Service Area Development Charge By-law 245-98 to collect WADC's. As the *Development Charges Act*, was amended and WADC's were no longer allowed, the By-law was only in force until September 1, 1999.

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As the By-law was to expire, the matter of the acquisition of Woodlots and the imposition of Woodlot development charges has been under the contractual regime provided by the master front-end agreement. The initial front-end agreement was executed with Comdel Developments Inc., under date of June 1, 1999.

OPA 600 continued the policy intention to encourage and pay for the acquisition of Woodlots by the public sector. The master front-end agreement was drafted to reflect the policies of OPA 400 and these are continued in OPA 600.

The way to extend the application of the City's Woodlot acquisition programme to the new urban area defined in OPA 600, is to amend the master front-end agreement in accordance with OPA 600 to extend the benefitting area. Such an agreement would be required to follow the procedural requirements of the *Development Charges Act* respecting front-end agreements.

A Front-ending Agreement is the device that all landowners with identified Woodlots requiring a plan of subdivision approval or consent within the new communities were/are required to enter into, to conform to Official Plan Amendment 400 and OPA 600. Upon its initial negotiation and acceptance in 1999, this Agreement was promulgated with notice as required by the *Development Charges Act*, as amended. While the Agreement was put in place during the life of By-law 245-98, its greater value in terms of implementing the Woodlot Acquisition Policy of Official Plan Amendment 400 and OPA 600 was in its area wide applicability over a longer term.

The requirement to pay a WADC after the expiry of By-law 245-98 arose upon the execution by one owner and the establishment of the "standard form" as a front-end agreement applicable to the entire geographic area of the new communities.

The Agreement provides that a landowner conveying a Woodlot at registration of a plan of subdivision credit against the WADC for the units within the plan of subdivision containing the Woodlot. As well, such landowner with a shortfall owing after the application of the credit will be paid from any WADC funds in the WADC account arising from the Block in which the subject lands are located in the priority that the owner's compensation entitlement is to other Woodlot acquisition compensation amounts owing within the said Block based on the date of registration. Finally, the landowner may look to any surplus funds in the WADC account from all Blocks in addition to the Block in which the subject lands are located in priority of registration. The WADC account has funds available as WADC's are collected from all developers including those with plans having no woodlots.

By-law 245-98 contained the Schedule, attached as Attachment #1, identifying the areas required to pay WADC's and the woodlots designated by OPA 400. Woodlots were not shown in 1998 in Block 12, as Block 12 was designated "Future Policy Area" by OPA 400.

OPA 600 was approved in June 2001, and included in the Terrestrial (Woodland) Resources Protection Policies that the Plan provided for acquisition of designated Woodlots... in Carrville – Urban Village 2, which included Block 12. Block 12 was designated "Low Densities", "Low Densities Special Policy Area", "Greenway System", "Neighbourhood Commercial Centre", and other designations along with "Tableland Woodlots". Block 12 contains tableland woodlots comprising 11.8 acres.

Woodlot Acquisition through the WADC and front-ending agreement has been very successful. The City has acquired the majority of the designated woodlots shown on Attachment 1. There was a 17 acre woodlot in Block 11 owned by the MacMillan family which was conveyed to the Nature Conservancy of Canada in 2004. Accordingly, this woodlot will not be acquired by the City and can be removed from the calculation of woodlots to be paid for from the WADC.

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The boundaries of the designated woodlots were more clearly delineated through the subdivision approval process for the various blocks. The estimated number of lots contributing WADC's was also more clearly determined through the subdivision approval process.

Block 12 was included in By-law 245-98 to pay WADC's. Given that the Block was included in the Terrestrial (Woodlands) Resources Protection provisions of OPA 600, the Block 12 Developers Group has requested the front-ending agreement be amended to include Block 12 woodlots in the benefitting area. Staff and the Block 12 Developers Group will be consulting with the remaining woodlot owners in the benefitting area in the preparation of the amending agreement.

City staff have revisited development forecasts and anticipate that there will be sufficient funds collected to acquire all the designated woodlot including the proposed woodlots identified in Block 12.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

N/A

Conclusion

The City's innovative woodlot acquisition strategy, along with cooperation of the development community, has resulted in the preservation of many acres of table land woodlots to be enjoyed by present and future residents. This recommendation seeks to enact a by-law to authorize the execution of an Amended Woodlot Acquisition Front-ending Agreement.

Attachments

Attachment 1 – Benefitting Area & Woodlots

Report prepared by:

Heather A. Wilson
Ferruccio Castellarin

(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 30, 2009

Item 59, Report No. 35, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 30, 2009, as follows:

By approving that the Vaughan Corporate Centre be named "Vaughan Metropolitan Centre".

59

VAUGHAN CORPORATE CENTRE NAMING CONTEST

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Vaughan Corporate Centre Advisory Committee, dated June 23, 2009:

Recommendation

The Vaughan Corporate Centre Advisory Committee recommends:

1. That Council consider and provide direction on the following two names for the Vaughan Corporate Centre:
 - a) Vaughan Metropolitan Centre
 - b) Vaughan Metro Centre
2. That upon Council's approval on the matter, the preferred name be brought forward to the Official Plan Review Committee; and
3. That this report be received.

Contribution to Sustainability

Not Applicable

Economic Impact

At this time, there is no economic impact. However, the Vaughan Corporate Centre Advisory Committee will be coming forward in the future with Terms of Reference for the development of a marketing plan and branding for the Vaughan Corporate Centre, emerging from the new name.

Communications Plan

Not at this time.

Purpose

The purpose of this report is to present the Vaughan Corporate Centre Advisory Committee's recommendation regarding the preferred name for the Vaughan Corporate Centre and to seek input and discussion at Council.

Background – Analysis and Options

The Vaughan Corporate Centre has evolved from its original conception as a "Corporate or Business" downtown. Through the City's focused area study, the Vaughan Corporate Centre is now perceived to be a significant residential precinct with a mix of uses including retail, entertainment, office/commercial, open spaces and parkland. Given its changing character, it was felt that the Vaughan Corporate Centre should have a new name which reflects this vision.

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At the December 16, 2008 meeting of the Vaughan Corporate Centre Advisory Committee, the Director of Corporate Communications distributed draft Terms of Reference and Communications Strategy for a “Downtown Vaughan” Naming Project. A project team was established with Councillor Racco as the Chair.

On February 25, 2009, the City of Vaughan publicly launched its Vaughan Corporate Centre Naming Contest at the Hilton Garden Inn / Toscana Banquet Centre, along with the unveiling of two large subway banner signs on the north side of Regional Road 7, west of Millway Avenue. The duration of the contest was February 25 to April 30th, 2009. Contest rules and regulations have been attached, see Attachment 1.

In addition to website posting, the team undertook to have print media placements, and television coverage. Ads were placed in the weekly City Page on eight occasions. Whatever Magazine donated free ad space in one issue. And the Contest was pitched at various City events and open houses. Posters and ballot boxes were sent to Community Centres, libraries, Civic Centre and the JOC.

Entries were primarily submitted via the website and printed ballots. At contest closing, the City received 1,569 entries.

A subcommittee to review the submissions was formed and met on May 15th, 2009. The subcommittee included representation from Bentall Real Estate, SmartCentres, TACC Construction and was chaired by Councillor Racco. The subcommittee reviewed the entries on the following criteria:

1. Originality
2. Marketability
3. Suggestion of vision, inclusiveness, dynamicism, liveliness
4. Preference for names which suggest the evolution of a people place

Names to be avoided included those that reference particular individual or ethnic groups and those that were considered to be derogatory or negative.

Five names were selected from the 1,569 entries:

1. Vaughan Metro Centre
2. Vaughan Mosaic Centre
3. Vaughan Nexus (definition of nexus: a connection, bond, a connected group or network)
4. Vaughan Gateway
5. Central Vaughan

The five names selected above were deliberated by the Vaughan Corporate Centre Advisory Committee at its meeting on June 18, 2009. Members of the committee identified the name “Vaughan Metro Centre”, as well as the name “Vaughan Metropolitan Centre” to be put forward to Council for consideration.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

Once the selection of the name has been finalized and approved by Council, the City Clerk will be requested to send the new name to Regional Council.

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Conclusions

The City's Naming Contest was an exercise in engaging residents, businesses and the public in rethinking and renaming the downtown. It was an open and inclusive exercise which garnered good participation.

As per the rules of the Contest, the City was expected to select a winning name in May/June 2009. Due to an overwhelming response and timing for the Vaughan Corporate Centre meeting schedule, it is anticipated that the winner announcement will occur in early Fall. The City has issued and posted a news release on the change of timing.

Attachments

1. Name the City Centre Contest Rules and Regulations

Report prepared by:

Shirley Kam, Manager of Economic Development
Michael DeAngelis, City Manager

(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 60, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

60

**SITE DEVELOPMENT FILE DA.09.043
ONTARIO SOCCER ASSOCIATION
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT the building elevations for a seasonal air supported structure (indoor soccer) as shown on Attachment #5 for Site Development File DA.09.043 (Ontario Soccer Association), BE APPROVED, subject to the following conditions:
 - i) the applicant enter into a Site Plan Letter of Undertaking to include the building elevations for the seasonal air supported structure (indoor soccer); and,
 - iii) the minor variance for a reduced setback between the seasonal air supported structure (indoor soccer) and the nearest Residential Zone to the northeast shall be approved by the Vaughan Committee of Adjustment, and shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking.

Contributions to Sustainability

N/A

Economic Impact

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

Communications Plan

N/A

Purpose

For the Committee of the Whole to consider the building elevations (Attachment #5) for Site Development Application DA.09.043 on the subject lands shown on Attachments #1 and #2, to facilitate the development of a dome which is to cover approximately the northerly 1/3 of an existing turf soccer field operated by the Ontario Soccer Association within the City's Vaughan Grove Sports Park, as shown on Attachments #4 and #5.

Background - Analysis and Options

Location

The location of the proposed dome is shown on Attachments #1 and #2, within the City's Vaughan Grove Sports Park, east of Martin Grove Road and south of Regional Road #7 (7601 Martin Grove Road), in Lot 3, Concession 8, City of Vaughan. The Ontario Soccer Association currently leases lands from the City of Vaughan for indoor and outdoor soccer fields at this location.

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Official Plan/Zoning By-law

The subject lands are designated “Public Use Area - Public Open Space and Buffer Area” by the Province’s Parkway Belt West Plan, which permits recreational uses. The proposed dome conforms to the Official Plan.

The subject lands are zoned PB1 Parkway Belt Open Space Zone. The proposed development of a semi-permanent dome complies with By-law 1-88, except for the following:

| | <u>By-law Requirement</u> | <u>Approximate Distance</u> |
|---|---------------------------|-----------------------------|
| Maximum Setback from a Residential Zone (northeast) | 350 m | 268 m |

The proposed dome use is considered to be an “All Season Sports Facility”, which shall not be located closer than 350 metres to a Residential Zone, whereas the setback to the nearest residential zone is approximately 268 m to the northeast as shown on Attachment #2. The precise distance will be verified through the Minor Variance Application. The Development Planning Department has no objection to the distance separation between the dome and the northeasterly residential as the valleylands located in between is heavily treed, and the dome would not be visible to the residents. 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.

Building Design

The proposed elevation plan (Attachment #5) shows a semi-permanent air supported dome structure that will be constructed to a height of 12 m, a length of 72 m and a width of 35 m. The proposed dome will be covered with Tedlar material which is a Polyester based white opaque material, which does not let light pass through the material. The material will remain white with no markings or signage. The main entrance of the dome is proposed on the north elevation. There are four exit doors proposed, two on the north elevation and two on the south elevation.

The proposed dome will cover the northerly 1/3 of an existing turf soccer field, and sited in an east/west direction. The dome is a semi-permanent structure and will only be used on a seasonal basis. The dome will be constructed in November and then disassembled in April. The existing artificial turf field will remain uncovered in the spring and summer months from April to November.

The Development Planning Department is generally satisfied with the proposed dome elevations and will continue to work with the Owner to finalize the details shown on Attachment #5. The applicant will be required to enter into a Site Plan Letter of Undertaking to include the building elevations for the seasonal air supported structure (indoor soccer).

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

N/A

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Conclusion

The Development Planning Department is satisfied with the proposed elevations for the semi-permanent air supported dome structure to be partially sited over an existing soccer field within the Vaughan Grove Sports Park.

Attachments

1. Context Map
2. Location Map
3. Overall Site Plan
4. Layout Site Plan
5. Elevation Plan

Report prepared by:

Mary Serino, Planner, ext. 8215
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 30, 2009

Item 61, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**ZONING BY-LAW AMENDMENT FILE Z.08.038
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
C/O ONTARIO REALTY CORPORATION
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.038 (Her Majesty the Queen in Right of Ontario c/o Ontario Realty Corporation) BE APPROVED, to amend By-law 1-88, specifically to permit a vehicle parking area associated with an existing auto repair shop located at 106 Regina Road, and to permit a contractor's yard for the outside storage of landscaping material and equipment associated with an existing landscaping company located at 111 Regina Road, both within the hydro corridor on lands zoned PB2 Parkway Belt Complementary Use Zone, as shown on Attachment #3.
2. THAT the parking area to be located within the hydro corridor and associated with the existing auto repair shop at 106 Regina Road, shall permit parking for operational vehicles and overflow parking, but shall not include the parking of wrecked vehicles and trailers, and shall not comprise a tow compound for vehicles.
3. THAT the implementing zoning by-law shall be enacted upon:
 - a) the final servicing requirements approved to the satisfaction of the Vaughan Engineering and Public Works Departments;
 - b) the final landscape plan and cost estimate being approved to the satisfaction of the Vaughan Development Planning Department; and,
 - c) the Owner submitting a Letter of Credit and inspection fee for the proposed landscape works, to the satisfaction of the Vaughan Development Planning Department.

Contribution to Sustainability

The proposed zoning amendment will allow two adjacent businesses to make use of a vacant hydro corridor that is currently underutilized. The development of the subject lands for future employment uses will also encourage a more sustainable approach to development by intensifying the land to make better use of municipal and regional services such as roads, water and sewage.

Economic Impact

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

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Communications Plan

On September 12, 2008, a Notice of Public Meeting was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowner's Association. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing on October 6, 2008, to receive the Public Hearing report and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on October 27, 2008.

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically By-law 1-88, on the subject lands shown on Attachments #1 and #2, to permit a vehicle parking area associated with an existing auto repair shop located at 106 Regina Road, and to permit a contractor's yard for the outside storage of landscaping material and equipment associated with an existing landscaping company located at 111 Regina Road, within the hydro corridor on lands zoned PB2 Parkway Belt Complementary Use Zone, as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located south of Regional Road #7, and west of Martin Grove Road, more specifically on the east and west sides of Regina Road, being Parts 1 and 3 on Reference Plan 65R-12145, in Part of Lot 4, Concession 8, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan), which permits a wide range of employment uses. The lands were removed from the Parkway Belt West Plan in 1985 by PBWP Amendment #9. The proposed Zoning By-law Amendment conforms to the policies of the Official Plan.

Zoning

The subject lands are zoned PB2 Parkway Belt Complementary Use Zone by By-law 1-88. The proposal to permit a vehicle parking area and a contractor's yard for the outside storage of landscaping material and equipment (to serve the needs of adjacent employment uses) are not permitted in the PB2 Zone, and therefore, an amendment to By-law 1-88 is required.

Planning Considerations

The proposal to rezone the subject lands would allow two existing businesses in two multi-unit condominium buildings on both the west and east sides of Regina Road, north of the subject properties to utilize lands that are currently used by Hydro One as a hydro corridor. The lands are under the ownership of the Ministry of Public Infrastructure and Renewal (PIR) and coordinated through the Ontario Realty Corporation (ORC). ORC has granted a 5 year license to both business owners to utilize the subject lands for their current operations. ORC has no objection to the proposed development as the proposal to use the lands for vehicle parking and storage of landscaping materials will not interfere with the principle use of the land as a hydro transmission corridor.

The proposal to utilize the subject lands for a parking area and a contractors yard (storage of landscaping materials) is compatible with the surrounding employment uses adjacent to the site. Furthermore, the proposed development is consistent with the policies within the *Provincial Policy*

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Statement (2005) and the Places to Grow Plan, which encourages an appropriate mix of employment uses to serve the needs of existing and future businesses. Both yards will be enclosed with a 1.8 m high chain link fence with gate openings onto Regina Road. Both enclosures will be surfaced with gravel and include perimeter landscaping to screen the respective yards from the view of the adjacent road and employment uses.

In order to ensure that the parking area to be located within hydro corridor and associated with the existing auto repair shop at 106 Regina Road is not used to store wrecked vehicles, the implementing zoning will include provisions that will only permit parking for operational vehicles and overflow parking, but shall not include the parking of wrecked vehicles and trailers, and shall not comprise a tow compound for vehicles.

There are no proposed structures as a result of the proposed development, and therefore the proposed uses are not subject to a Site Development Application. As such, the Development Planning Department has requested the submission of a landscape plan, a landscape cost estimate and inspection fee, to ensure that the outside storage areas are appropriately screened from adjacent uses and the public road. The final details must be approved to the satisfaction of the Development Planning Department, prior to the implementing zoning by-law being enacted.

Furthermore, the development proposes sewer connections within the site to provide adequate drainage of the lands into the existing municipal sewers on Regina Road. The Ontario Realty Corporation did not support the request from the Vaughan Engineering Department to require a Servicing Agreement registered on title for the proposed servicing connections. As an alternative, the Owner will be required to obtain a permit from the Vaughan Public Works Department for the required servicing connections to the existing municipal sewers and road works, prior to the implementing zoning by-law being enacted.

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

There are no Regional issues associated with this application.

Conclusion

The proposed Zoning By-law Amendment application has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management Plan), the *Provincial Policy Statement (2005)*, the Places to Grow Plan, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposal to permit a vehicle parking area associated with an existing auto repair shop located at 106 Regina Road, and to permit a contractor’s yard for the outside storage of landscaping material and equipment associated with an existing landscaping company located at 111 Regina Road, both within the hydro corridor on lands zoned PB2 Parkway Belt Complementary Use Zone, as shown on Attachment #3, is appropriate and compatible with the existing and permitted uses in the surrounding area, subject to the recommendations in this report. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment application.

Attachments

1. Context Map
2. Location Map
3. Development Concept

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Report prepared by:

Ryan Mino, Planner, ext. 8213
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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Item 62, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

62

**ZONING BY-LAW AMENDMENT FILE Z.08.002
SITE DEVELOPMENT FILE DA.09.001
P. GABRIELE & SONS LIMITED
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.002 (P. Gabriele & Sons Limited) BE APPROVED, to remove the Holding Symbol "H" on Blocks 5, 6, and 15, currently zoned RVM1(A)(H) Residential Urban Village Multiple Residential Zone One, as shown on Attachment #2, to facilitate the development of the blocks for a total of 11 street townhouse units.
2. THAT Site Development File DA.09.001 (P. Gabriele & Sons Limited) BE APPROVED, for Phase 1 only, being Blocks 2-9 inclusive and Blocks 12-15 inclusive, to permit a total of 58 street townhouse units, 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 approved Plan of Subdivision File 19T-03V10 (P. Gabriele & Sons Limited) shall be registered;
 - ii) the final site plan, building plans and landscape plan shall be approved to the satisfaction of the Vaughan Development Planning Department;
 - iii) the final site grading, servicing and stormwater management plans shall be approved to the satisfaction of the Vaughan Engineering Department; and,
 - b) that prior to the transfer of title for the proposed 58 street townhouse units, specifically within Blocks 2-9 inclusive and Blocks 12-15 inclusive:
 - i) a 2.0 m high berm and 2.5 m high acoustic fence shall be constructed along the east property boundary and shall remain on these lands until such time as the Ministry of Transportation (MTO) lands to the east are developed.

Contribution to Sustainability

The following sustainable features will be incorporated into the design of the townhouse community:

- i) low-E glass - a film applied to all exterior windows (including basement windows) to reduce heat loss in winter and reduce heat gain in the summer;

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- ii) argon glass filled windows – to reduce convection heat loss;
- iii) tankless hot water heaters –to increase energy savings and reduce Co² and NOx emissions;
- iv) garage door panels which are LEED approved;
- v) foam insulation applied to the garage and exterior overhang (Higher R value);
- vi) construction using wood panelized wall and floor systems which create approximately 70% less wood waste;
- vii) proper separation and sorting of recyclable construction material and garbage for disposal;
- viii) exterior recyclable base wood trim;
- ix) standard kitchen cabinets made with recyclable base material;
- x) interior finished trim made with recyclable base material;
- xi) low flow toilets and shower heads; and,
- xii) engineered lots – all site soil was recaptured (no exporting or importing of fill material).

Economic Impact

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

Communications Plan

N/A

Purpose

The applicant has submitted the following development applications:

A Zoning By-law Amendment Application (File Z.08.002) to remove the Holding Symbol “H” on Blocks 5, 6, and 15, currently zoned RVMA(A)(H) Residential Urban Village Multiple Zone One, as shown on Attachment #2, to facilitate the development of the blocks for a total of 11 street townhouse units.

A Site Development Application (File DA.09.001) to permit the development of the Phase 1 lands within the overall site plan as shown on Attachment #3, with 58, two-storey street townhouse dwelling units within 12 townhouse blocks, specifically, Blocks 2-9 inclusive and Blocks 12-15 inclusive.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2, are located west of Weston Road and south of Major Mackenzie Drive, within Planning Block 39, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated “Vellore Village Centre – Low Rise Residential” by OPA #600, as amended by OPA #650 (Vellore Village District Centre Plan). The proposed street townhouse development conforms to the Official Plan.

The subject lands are zoned RVM1(A) Residential Urban Village Multiple Zone One both with and without the Holding Symbol “(H)” by By-law 1-88, subject to Exception 9(1267), as shown on Attachment #2. The RVM1 (A) Zone permits street townhouse units. The Holding Symbol “(H)” was placed on the lands shown as Blocks 5, 6 and 15 on the proposed site plan (Attachment #3),

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by By-law 242-2006, which was passed by Council on June 26, 2006. The purpose of the Holding provision was to ensure the coordination of this residential development with the future development of the Ministry of Transportation (MTO) lands to the east.

The design of the P.Gabriele Subdivision 19T-03V10 and proposed P.Gabriele site plan have provided for coordination of the future development of the MTO lands. The MTO lands are currently used as a works yard which may continue to operate indefinitely. To accommodate coordinated future residential development of the MTO lands, the east-west roads (Coranto Way and Muscadel Road) through the P. Gabriele site, will provide future road access into the MTO lands. These roads terminate in temporary hammerheads on the P. Gabriele property and a temporary 2.5m high berm and 2.5m high acoustic fencing are provided on the easterly property line of the subject lands, until such time as the MTO lands are developed.

The condition for the removal of the Holding Symbol “(H)” as it applies to Blocks 5, 6 and 15 regarding the coordination of development between the P. Gabriele and MTO lands has been addressed. The Development Planning Department is satisfied with the interface between the proposed townhouse development and the MTO lands and the Holding Symbol “(H)” can be removed, which will facilitate the proposed townhouse development on Blocks 5, 6 and 15.

Site Plan Review

The subject lands are located within the P. Gabriele & Sons Limited Plan of Subdivision, which was draft approved on January 28, 2005, for a total of 78 street townhouse dwelling units within 15 blocks (shown as Phases I and II on Attachment #3). Final registration of the subdivision plan is pending the resolution of outstanding cost-sharing and land acquisition matters between the applicant and the adjacent landowner to the west (Terwol Developments Ltd.). Should Council approve this Phase 1 Site Plan application, a condition is included in the recommendation of this report, requiring final registration of the subdivision (19T-03V10), prior to execution of the Site Plan Letter of Undertaking.

The Site Development Application as submitted by P. Gabriele included all of the lands (Blocks 1 to 15 inclusive) shown on Attachment #3. However, this application included additional lands, being Blocks 61, 62 and 63 within the Terwol Developments Ltd. Plan of Subdivision 19T-03V03, which are owned by the adjacent landowner to the west. Since P. Gabriele does not currently have title to these lands, and requires the Terwol lands to complete his townhouse blocks, such lands have been identified as Phase 2 on the Overall Site Plan shown on Attachment #3. The subject Site Development application has been reviewed only for the lands identified as Phase 1. Site Plan approval for the Phase 2 lands will require Council's consideration of a separate Site Development Application in the future.

The majority of the proposed Phase 1 street townhouse blocks shown on Attachment #3, are under construction. The City issued Stop Work Orders against the builder for building without Permits on December 23, 2008. The townhouse units located within Phase 2, have not been constructed.

An application to lift Part Lot Control to create the individual townhouse units and to create maintenance easements will require Council's approval following the registration of Plan of Subdivision 19T-03V10 (P. Gabriele & Sons Limited).

The townhouse dwellings are subject to Architectural Control. The Control Architect has approved the elevation plans for all the townhouse units. A typical townhouse elevation for Block 4, and an overall landscape plan are shown on Attachments #4 and #5, respectively. The Development Planning Department is satisfied that the proposed plans are satisfactory. The final landscape cost estimate must be approved by the Development Planning Department. The Vaughan Engineering Department is satisfied with the engineering plans for the subject Site

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Development Application, provided the P. Gabriele & Sons Limited Plan of Subdivision 19T-03V10 is registered. A condition has been included in the recommendation of this report, to require final subdivision registration, prior to the execution of the Site Plan Letter of Undertaking.

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

N/A

Conclusion

The Development Planning Department has reviewed the Site Plan Application for Phase 1 development in accordance with the policies of OPA #600, OPA #650, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied with the proposed development of the Phase 1 lands within the Overall Site Plan as shown on Attachment #3, for 58 two-storey street townhouse dwelling units within 12 townhouse blocks, specifically, Blocks 2-9 inclusive, and Blocks 12-15 inclusive.

The remaining 17 townhouse units located on Blocks 1, 10 and 11, in Phase 2 as shown on the Overall Site Plan on Attachment #3, will require Council’s consideration of a separate site plan application in the future.

Accordingly, the Development Planning Department can support the approval of Site Development File DA.09.001 for the development of 58 townhouse units (Phase One) on Blocks 2–9 inclusive and Blocks 12-15 inclusive, subject to the conditions identified in the recommendation of this report. On this basis, the Holding provision can be removed from Blocks 5, 6 and 15, with the approval of the related Zoning By-law Amendment Application Z.08.002.

Attachments

1. Contextual Location Map
2. Location Map
3. Overall Site Plan
4. Typical Elevations – Block 4
5. Overall Landscape Plan

Report prepared by:

Laura Janotta, Planner, ext. 8645
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 63, Report No. 35, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 30, 2009, as follows:

By receiving the written submission from Mr. Barry A. Horosko, Bratty and Partners, 7501 Keele Street, Suite 200, Vaughan, L4K 1Y2, dated June 30, 2009.

63

**ZONING BY-LAW AMENDMENT FILE Z.05.010
AHMADIYYA MUSLIM JAMA'AT CANADA INC.
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved;
- 2) That the cost sharing agreement be executed at the Site Plan stage;
- 3) That the following deputations be received:
 - a) Mr. Barry Horosko, Bratty and Partners, LLP, Barristers and Solicitors, 7501 Keele Street, Suite 200, Vaughan, L4K 1Y2, on behalf of the Block 33 East Landowners Group; and
 - b) Mr. Alan Young, Senior Associate, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, on behalf of the applicant;
- 4) That the written submission of Mr. Ronald K. Webb, Q.C., Davis Webb LLP, Barristers and Solicitors, 24 Queen Street East, Suite 800, Brampton, L6V 1A3, dated June 23, 2009, be received; and
- 5) That the coloured landscape drawings submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.010 (Ahmadiyya Muslim Jama'at Canada Inc. - formerly named Ahmadiyya Movement in Islam Ontario Inc.) BE APPROVED, specifically to amend By-law 1-88, for the subject lands shown on Attachments #1 and #2, to permit the Mosque Campus shown on Attachments #3a and #3b, as follows:
 - a) that the Holding Symbol "H" be placed on a portion of the subject lands currently zoned "A" Agricultural Zone and identified as "future development areas" on Attachments #3a and #3b; however, this shall not prevent the placement of portable (offices and classrooms pending the construction of new facilities) on such lands where the Holding provision is in effect, provided the locations, screening and numbers of portables and associated parking are reviewed through the submission of a Site Plan Application to be approved by the City;
 - b) permit a one floor basement expansion with a gross floor area of 1,742.24 m² to the existing 1-storey (9 m) high, 883.56 m² Mosque (Building L - Mosque);
 - c) permit a 4,510.16 m² GFA, 2-storey (9 m) high building for technology, communications and educational activities, including communications production

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- for Muslim Television Ahmadiyya (MTA), and lecture and meeting halls, with an expected maximum occupancy capacity of 100 people, as an additional permitted use (Building A - Technology and Communications Centre);
- d) permit a 25.77 m² GFA, 1-storey, security building, as an additional permitted use (Building B - Security);
 - e) permit a 2,504.56 m² GFA, 2-storey (9 m) high building for a guest residence compound for visiting dignitaries, as an additional permitted use (Building C - Guest Residence);
 - f) permit 4 buildings for block townhouse dwellings, which are not to exceed a maximum of 24 units, with each block comprised of up to a maximum of 6 units and having a gross floor area of 1,106.14 m², and being 2-storeys (10 m) high for the residential accommodations of staff and volunteers, and owned by Ahmadiyya Muslim Jama'at Canada Inc., as an additional permitted use (Buildings D, E, F and G - Block Townhouse Dwellings);
 - g) permit a 2,346.34 m² GFA, 1-storey (8.5 m) high building for a hospitality hall for entertaining a large assembly of people including a community dining hall, kitchen and food preparation area, and office, with an expected maximum occupancy capacity of 500 people for use by the Ahmadiyya Muslim community and not for commercial use as a banquet hall or for use by other users, as an additional permitted use (Building H - Hospitality Hall);
 - h) permit a 8,404.29 m² GFA, 3-storey (11 m) high building, with a one floor basement having a gross floor area of 2,801.43 m², for a multi purpose facility comprised of two (2) multi-purpose halls/auditoriums for social and recreational functions, with an expected maximum occupancy capacity of 1,500 people, and offices, with an expected maximum occupancy capacity of 50 people, as an additional permitted use (Building J - Community Hall and Offices);
 - i) permit a 1,540.38 m² GFA, 2-storey (9 m) high building, with a one floor basement with a gross floor area of 770.19 m², for a library, specializing in the Muslim faith, which will be open to both the Ahmadiyya Muslim community and the general community, as an additional permitted use (Building K - Library);
 - j) permit a 7,026.12 m² GFA, 4-storey (15 m) high building for a staff and seniors residence, with up to a maximum of 80 self-contained apartment units, as an additional permitted use (Building N - Staff and Seniors Apartment Residence);
 - k) permit a minimum of 1,020 parking spaces provided the property remains as one land holding shown as the subject lands on Attachments #3a and #3b, whereas 1542 parking spaces are required;
 - l) permit a minimum front yard (east) setback of 14 m, whereas 15 m is required;
 - m) permit a minimum interior side yard (south) setback of 13 m, whereas 15 m is required;
 - n) permit a minimum interior side yard (north) setback of 8 m for the 4-storey high Building N - Staff and Seniors Apartment Residence, whereas 15 m is required;
 - o) require a minimum setback to the Highway #400 property line above and below grade of 14 m;

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- p) permit a building height to not exceed a maximum of 15 m for the 4-storey high building for a staff and seniors residence with no nursing or medical facility uses (Building N - Staff and Seniors Apartment Residence), whereas 11 m is required;
 - q) permit loading and unloading to take place any where on the lot except between a building and Highway #400, and a building and Jane Street;
 - r) permit a minimum 2 m wide landscaping strip abutting the north lot line between the west lot line of Fazia Mahdi Park and the west side of Mosque Gate for an Institutional Use abutting a Residential Zone or Open Space Zone, whereas 2.4m is required;
 - s) permit a minimum 1.5 m wide landscaping strip abutting the south lot line to the west of the existing office (Building M) for an Institutional Use abutting a Residential Zone or Open Space Zone, whereas 2.4 m is required;
 - t) include a definition for “Hospitality Hall” for the purposes of the subject lands, which shall mean a building that is used to prepare and/or provide food and drink for consumption within or outside the building for functions associated with the Place of Worship, on the same lot, and shall not be for commercial purposes;
 - u) include a definition for “Community Hall and Offices” for the purposes of the subject lands, which shall mean a building with multi-purpose halls/auditoriums that is used for functions associated with the Place of Worship, on the same lot, and shall not be for commercial purposes; and,
 - v) that a maximum of 7 portables (offices and classrooms pending the construction of new facilities) shall be permitted on the property zoned “A” Agricultural Zone or A(H) Agricultural Zone, provided the locations, landscape screening, and associated parking are reviewed through the submission of a Site Plan Application to be approved by the City.
2. THAT the Holding Symbol “(H)” shall not be removed from the subject lands until such time that the following conditions are satisfied for the subject lands or portion of the subject lands (Phase) thereof:
- a) the water supply and sewage servicing capacity has been identified and allocated to the subject lands or portion of the subject lands (Phase) thereof by the City;
 - b) the approval of a site plan for the subject lands or portion of the subject lands (Phase) thereof, respecting stormwater management, water balance and water infiltration with the development of the subject lands, in consultation with the Toronto and Region Conservation Authority, to the satisfaction of the City; and,
 - c) the City is provided with written clearance from the Trustee for the Block 33 East Landowners Group that the Owner of the subject lands shown on Attachments #1 and #2, has entered into and signed the Block 33 East Cost Sharing Agreement.
3. THAT the Master Plan shown on Attachments #3a and #3b, BE APPROVED, as a guide for the future development of the subject lands shown on Attachment #2, with specific development standards being defined and implemented through the Site Plan approvals

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process for the subject lands or portion of the subject lands (Phase) thereof, and that an updated version of the Master Plan be submitted to the City for further approval, should there be modifications to the Master Plan.

4. Prior to the approval of a Site Plan Application, the Owner shall submit a Phase 1 Environmental Site Assessment for review and approval by the Vaughan Engineering Department and a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.

Contribution to Sustainability

The sustainable features for the development of the subject lands shown on Attachments #3a and #3b will be determined at the Site Development stage for the subject lands or portion of the subject lands (Phase) thereof.

Economic Impact

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

Communications Plan

On March 24, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Columbus Trail Resident's Association. To date, three letters have been received with the following comments:

- i) April 14, 2005, April 8, 2008 and November 14, 2008, being correspondence from Bratty and Partners, representing the Block 33 East Landowners Group, indicating that the applicant is required to enter into and sign the Block 33 East Cost Sharing Agreement for the front-end financing and provision of community services and facilities by the Block 33 East Landowners Group. This concern will be addressed with the placing of the Holding Symbol "(H)" on the subject lands which cannot be removed until the City is provided with written clearance from the Trustee for the Block 33 East Landowners Group that the Owner of the subject lands shown on Attachment #2 has entered into and signed the Block 33 East Cost Sharing Agreement. Another concern that was raised related to the traffic generation from the proposed development, and that a Site Development application is required to review the proposal. Development of the subject lands or part thereof, will require future Site Plan approval.

Purpose

The Owner has submitted a Zoning By-law Amendment Application (File Z.05.010), specifically to amend By-law 1-88, for the subject lands shown on Attachment #2, to permit the Mosque Campus shown on Attachments #3a and #3b.

Mosque Master Plan

As part of the Zoning By-law Amendment application, the Owner submitted a proposed Master Plan, which is to provide a guide for the future development of the subject lands shown on Attachments #3a and #3b, comprised of the following thirteen (13) buildings:

- i) Building L - Mosque (Existing);
- ii) Building M - Office (Existing);

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- iii) Building A - Technology and Communications Centre;
- iv) Building B - Security;
- v) Building C - Guest Residence;
- vi) Buildings D, E, F and G - 4 Block Townhouse Dwellings with 6 units each for 24 units;
- vii) Building H - Hospitality Hall
- viii) Building J - Community Hall and Offices;
- ix) Building K - Library; and,
- x) Building N - Staff and Seniors Apartment Residence for 80 units;

The primary access for the subject lands is from Jane Street. Secondary accesses to the site are from the north portion of the subject lands via Mosque Gate to access Building L – Mosque, and Ahmadiyya Avenue to access the west portion of the subject lands. The proposal is providing an internal ring-driveway system around the predominant uses, located in the central portion of the site being, Building L - Mosque, Building J - Community Hall and Offices and Building K – Library, with primary access from Jane Street and Mosque Gate.

There are two existing pedestrian pathway connections from the north and three existing pedestrian connections from the south into the subject lands. Additional internal pedestrian connections will be provided to connect the predominant uses, Building L - Mosque, Building J - Community Hall and Offices, and Building K - Library to Building H - Hospitality Hall.

The Mosque Campus is to be built out over a period of time. There may be modifications to the location of the proposed buildings and land uses, which will be finalized at the Site Plan review stage as the subject lands or portion of the subject lands (Phase) thereof are developed. The Owner shall submit updates of the Master Plan if there are any revisions to buildings that are being built or that are built.

Supporting Documents

The Owner, in support of the application to amend the Zoning By-law, has submitted the following documents:

- i) Planning letters by Weston Consulting Group Inc., dated March 27, 2007, August 8, 2008, and May 13, 2009;
- ii) *Functional Servicing Report for Ahmadiyya Muslim Jama'at Canada Inc. (formerly named Ahmadiyya Mosque)*, City of Vaughan, by A. M. Candaras Associates Inc., dated March 22, 2007 and May 2008;
- iii) *Ahmadiyya Muslim Mosque Master Plan - Traffic Study*, by Paradigm Transportation Solutions Ltd., dated February 2005 and November 2006;
- iv) *Phase 1 Environmental Site Assessment, Part of Lot 25, Concession 5, 10610 Jane Street, Vaughan, Ontario*, by Shaheen & Peaker Limited, dated June 14, 2006 and revised to September 19, 2006;
- v) *Environmental Noise Analysis - Ahmadiyya Islam Movement Centre*, by Valcoustics Canada Ltd., dated January 10, 2007; and,
- vi) *Urban Design Guidelines - Ahmadiyya Muslim Community Mosque*, by Terraplan Landscape Architects, dated April 20, 2007, July 2, 2008 and February 4, 2009.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2, are located south of Teston Road, on the west side of Jane Street, in Part of Lot 25, Concession 5, City of Vaughan.

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Land Use

The subject lands are currently developed with an existing 1-storey (9 m) high, 883.56 m² Mosque (Building L - Mosque) and an existing 2-storey high, 505.38 m² office (Building M - Office). The Highway #400 right-of-way is to the west limits of the subject lands. The surrounding land uses are shown on Attachment #2.

The subject lands are within the Block 33 East Plan. The Owner of the subject lands was not a participant in the Block 33 East Block Plan process, and will be required to enter into a cost-sharing agreement to reimburse the Block 33 East Landowners Group for front-ending the costs and providing the services and facilities in Block 33 East, which has been included as a recommendation in this report.

In February 1989, the site development plan to permit the Mosque was approved. The 2-storey dwelling for the priest's residence and administrative office purposes already existed at that time.

Official Plan

The subject lands are designated "Low Density Residential" by OPA #600. The "Low Density Residential" designation permits "Institutional Uses", which includes uses such as: private schools, religious institutions, community centres and libraries. The Official Plan permits "Places of Worship", specifically large-scale places of worship within residential areas, provided the use is located on an arterial road, without requiring an amendment to the Official Plan. The proposed uses shown on Attachments #3a and #3b, for the Mosque Campus, which are associated with the place of worship, and have frontage onto Jane Street, which is an arterial road, conform to the Official Plan.

Zoning

The subject lands shown on Attachment #1 are currently zoned A Agricultural Zone and OS2 Open Space Park Zone by By-law 1-88. The A Agricultural Zone does not permit the additional uses for the proposed Mosque Campus. To facilitate the proposed Mosque Campus, as shown on Attachments #3a and #3b, an amendment to By-law 1-88 is required to rezone and provide exceptions for the subject lands.

a) Proposed Uses and Exceptions

The proposed Mosque Campus will be developed in accordance with the following standards:

- i) that the Holding Symbol "H" be placed on a portion of the subject lands currently zoned "A" Agricultural Zone and identified as "future development area" on Attachments #3a and #3b; however, this shall not prevent the placement of portables (offices and classrooms pending the construction of new facilities) on such lands where the Holding provision is in effect, provided the locations, landscape screening and numbers of portables and associated parking are reviewed through the submission of a Site Plan Application to be approved by the City;
- ii) permit a one floor basement expansion with a gross floor area of 1,742.24 m² to the existing 1-storey (9 m) high, 883.56 m² Mosque (Building L-Mosque);
- iii) permit a 4,510.16 m² GFA, 2-storey (9 m) high building for technology, communications and educational activities, including communications production for Muslim Television Ahmadiyya (MTA), and lecture and meeting halls with an expected maximum occupancy capacity of 100 people, as an additional permitted use (Building A - Technology and Communications Centre);

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- iv) permit a 25.77 m² GFA, 1-storey, security building, as an additional permitted use (Building B - Security);
- v) permit a 2,504.56 m² GFA, 2-storey (9 m) high building for a guest residence compound for visiting dignitaries, as an additional permitted use (Building C - Guest Residence);
- vi) permit 4 buildings for block townhouse dwellings, which are not to exceed a maximum of 24 units, with each block comprised of up to a maximum of 6 units and having a gross floor area of 1,106.14 m², and being 2-storeys (10 m) high for the residential accommodations of staff and volunteers, and owned by Ahmadiyya Muslim Jama'at Canada Inc., as an additional permitted use (Buildings D, E, F and G - Block Townhouse Dwellings);
- vii) permit a 2,346.34 m² GFA, 1-storey (8.5 m) high building for a hospitality hall for entertaining a large assembly of people including a community dining hall, kitchen and food preparation area, and office, with an expected maximum occupancy capacity of 500 people for use by the Ahmadiyya Muslim community and not for commercial use as a banquet hall or for use by other users, as an additional permitted use (Building H - Hospitality Hall);
- viii) permit a 8,404.29 m² GFA, 3-storey (11 m) high building, with a one floor basement having a gross floor area of 2,801.43 m², for a multi purpose facility comprised of two (2) multi-purpose halls/auditoriums for social and recreational functions, with an expected maximum occupancy capacity of 1,500 people, and offices with an expected maximum occupancy capacity of 50 people, as an additional permitted use (Building J - Community Hall and Offices);
- ix) permit a 1,540.38 m² GFA, 2-storey (9 m) high building, with a one floor basement with a gross floor area of 770.19 m², for a library, specializing in the Muslim faith, which will be open to both the Ahmadiyya Muslim community and the general community, as an additional permitted use (Building K - Library);
- x) permit a 7,026.12 m² GFA, 4-storey (15 m) high building for a staff and seniors residence, with up to a maximum of 80 self-contained apartment units, as an additional permitted use (Building N - Staff and Seniors Apartment Residence);
- xi) include a definition for "Hospitality Hall" for the purposes of the By-law for the subject lands, which means a building that is used to prepare and/or provide food and drink for consumption within or outside the building for functions associated with the Place of Worship, on the same lot, and shall not be for commercial purposes;
- xii) include a definition for "Community Hall and Offices" for the purposes of the subject lands, which shall mean a building with multi-purpose halls/auditoriums that is used for functions associated with the Place of Worship, on the same lot, and shall not be for commercial purposes; and,
- xiii) that a maximum of 7 portables (offices and classrooms pending the construction of new facilities) shall be permitted on the property zoned "A" Agricultural Zone or A(H) Agricultural Zone, provided the locations, landscape screening, and associated parking are reviewed through the submission of a Site Plan Application to be approved by the City.

The following zoning exceptions to the A Agricultural Zone of By-law 1-88 are required to facilitate the proposal:

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| Standard | By-law 1-88 A Agricultural Zone Requirements | Exceptions to the A Agricultural Zone |
|---|--|---|
| Minimum Front Yard Setback (Jane Street) | 15.0 m | 14.0 m |
| Minimum Interior Side (South) Yard Setback | 15.0 m | 13.0 m |
| Minimum Interior Side (North) Yard Setback (Building N - Staff and Seniors' Apartment Residence) | 15.0 m | 8.0 m |
| Minimum Setback to the Highway #400 Property Line Above and Below Grade | MTO Standard | 14.0 m |
| Maximum Building Height (Building N - Staff and Seniors' Apartment Residence) | 11 m | 15 m |
| No Loading and Unloading Between a Building and a Street | As described | To permit Loading and Unloading anywhere on the lot, except between a Building and Highway #400, and a Building and Jane Street |
| Minimum Landscaping Strip for an Institutional Use abutting a Residential Zone or Open Space Zone (South Lot Line) (Building M - Office) | 2.4 m | 1.5 m |
| Minimum Landscaping Strip for an Institutional Use abutting a Residential Zone or Open Space Zone (North Lot Line) (West of Mosque Gate) | 2.4 m | 2.0 m |
| Parking Spaces | 1,542 parking spaces (The parking calculation based on using the comparable parking standards in By-law 1-88 for the proposed uses.) | 1,020 parking spaces (Parking space calculation based on a combination of a number of parking spaces per gross floor area, and shared parking.) |

The A Agricultural Zone permits uses such as a place of worship, community centre, public library and an institution owned and operated by a religious, educational or charitable institution supported in whole or in part by public funds, but not including an Institutional Care Facility (e.g. group home). The subject lands, which are used as a place of worship are owned by Ahmadiyya Muslim Jama'at Canada Inc., which is a registered charity as verified through Charities Directorate, Canada Revenue Agency. Accordingly, the proposal, for additional uses in support of the place of worship is appropriate for the A Agricultural Zone.

The large gatherings of people, as part of the Mosque Community practices, have previously occurred on the subject lands, and have included the temporary installation of tents for these large events. The Owner is now providing permanent structures such as Building H - Hospitality

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Hall for entertaining a large assembly of people, which will include a community dining hall, kitchen and food preparation area, and Building J - Community Hall and Offices for social and recreational functions, both of which shall not be used for commercial purposes, as shown on Attachments #3a and #3b. These uses, including the new uses in Building A - Technology and Communications for technology, communications and education activities and Building N - Staff and Seniors Apartment Residence for the staff and volunteers of the Mosque community are to be used as part of the supporting uses to the existing Mosque functions.

The proposed exceptions to the A Agricultural Zone are for the most part minor deviations from the By-law standards. The reductions to the yard setbacks are either minor or for a portion of the subject lands. The reduction to the required interior (north) yard setback for Building N - Staff and Seniors Apartment Residence from 15 m to 8 m, which is the largest exception requested to the interior side yard requirement, can be mitigated with landscaping. Further, the reduction to the required interior side (south) yard setback along the south lot line is mainly for the proposed 2-storey block townhouse dwelling units for the Mosque staff and volunteers. An acoustic fence, and Navy Court and Boom Road, both local roads, separate the proposed subject lands from the residential subdivision to the south, resulting in minimal impact to the existing residential subdivision. The increase to the maximum allowable height from 11 m to 15 m for Building N - Staff and Seniors Apartment Residence, is appropriate as the use is surrounded by landscaping and Ahmadiyya Avenue (a local road to the north being the existing driveway), a landscaped area and parking area to the south, and Jane Street being an arterial road to the east, which will have minimal impact on the existing residential area. The Development Planning Department is satisfied that the requested additional uses and exceptions to the A Agricultural Zone are appropriate for the development of the subject lands.

The proposal to permit temporary accessory portables (could be 6 or 7) for offices and classrooms pending the construction of new facilities shown on the Master Plan, on both lands zoned "A" Agricultural Zone or with the Holding provision, is satisfactory to the Development Planning Department, as the structures will be removed as new buildings are site plan approved and constructed. The locations, landscaped screening and associated parking will be subject to site plan approval by the City, to determine the appropriateness of the portables.

b) Parking

The By-law requires a minimum of 1,542 parking spaces, which includes 16 handicapped parking spaces. The required parking was based on the application of comparable uses in the By-law, such as 6 parking spaces per 100 m² of gross floor area for a technical school, which would be used to determine the required parking for Building "A" - Technology and Communications Centre. The various functions of the buildings on subject lands result in some facilities not being used at the same time to allow for shared-parking to support the reduction of required parking for the site. In particular, Building L - Mosque is in use only for prayer on Friday afternoons, when the demand for parking is greatest for this facility. Building J - Community Hall and Offices, is not in use during Friday afternoon prayer, but is in use during weekday evenings and weekends. Therefore, the sharing of parking is possible for the uses of Building L - Mosque and Building J - Community Hall and Offices. The application of shared parking is also possible between other functions on the subject lands.

The subject lands are to be developed over a period of time. To ensure that there is sufficient parking as each building is built-out, the required parking spaces based on the gross floor area for a buildings use or number of residential units has been determined to be a minimum of 1,020 parking spaces, required for the site.

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Ahmadiyya Muslim Mosque Master Plan - Parking Study, by Paradigm Transportation Solutions Ltd., dated November 2006, was prepared for the subject lands, and the following conclusions and recommendations of the parking report supported the reduction and sharing of parking (in part):

“However, many of the activities on the site are very unique and are not addressed in the City By-law. Further, the activities on the site are very integrated and the peak parking demands for each component do not occur simultaneously. The primary example is that community social and recreational facilities on the site will not be used during the Friday afternoon prayer service at the Mosque.”

“A more specific assessment of the parking needs of each component on the site was carried out based on the planned activities at each component. This assessment also recognized the different parking demand at different time periods. Based on this assessment, the peak parking demand on the site will be about 1,020 parking spaces. As noted in the study, this estimate is generally conservative and is expected to fully accommodate the parking needs of the development.”

The Development/Transportation Engineering Department reviewed the *Ahmadiyya Muslim Mosque Master Plan - Parking Study*, by Paradigm Transportation Solutions Ltd., dated November 2006, and advises that the parking supply figures appear to be based on supporting analysis provided in the report and therefore, they agree with the conclusions and can support the proposed 1,020 parking spaces. The Development Planning Department is satisfied that due to the sharing of uses and the provision of parking spaces as facilities are built out to ensure sufficient parking on site, the reduction of the parking can be supported for the subject lands.

c) Holding Symbol/Phasing

The Holding Symbol “(H)” will be placed on the subject lands to address the Toronto and Region Conservation Authority (TRCA) issues concerning stormwater management, water balance and water infiltration with the development of the subject lands. Also, the water supply and sewage servicing capacity will need to be identified and allocated to the subject lands or portion of the subject lands (Phase) thereof by the City. Furthermore, as discussed earlier in this report, the City is to be provided with written clearance from the Trustee for the Block 33 East Landowners Group that the Owner of the subject lands has entered into and signed the Block 33 East Cost Sharing Agreement. When these requirements are addressed, the Holding Symbol “(H)” can be removed from the subject lands or portion of the subject lands. A recommendation to this effect is included in this report.

Urban Design/Landscaping

The Development Planning Department has reviewed the *Urban Design Guidelines - Ahmadiyya Muslim Community Mosque*, by Terraplan Landscape Architects, dated April 20, 2007, July 2, 2008 and February 4, 2009. The *Urban Design Guidelines* indicate that the proposal will be in keeping with the *Landscape Master Plan for Block 33 East*, by MBTW, dated 1998, and the Block 33 East Plan. The proposal incorporates pedestrian linkages between the existing and proposed buildings and the surrounding lands. As the proposal is to build out over a period of time, the final design details will be determined at the Site Plan stage. The Development Planning Department is satisfied with the proposal and that the detailed landscaping and elevation design requirements can be addressed at the Site Plan stage.

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Site Plan Approval

The subject lands are to be developed in Phases by Site Plan Approval. At the Site Plan stage, the details such as sustainability, landscaping, elevations, stormwater management and servicing allocation shall be determined. The Site Plan process will require approvals from the Ministry of Transportation, Toronto and Region Conservation Authority, the Region of York, and the City.

Development/Transportation Engineering Department

The Development/Transportation Engineering Department has no objections to the proposal and provides the following comments:

a) Environmental Site Assessment (ESA)

As part of the Site Plan process and prior to the approval of any Site Plan Application on the subject lands or any portion thereof, a Phase 1 Environmental Site Assessment (ESA) is required to be submitted for approval by the City. The City will require documented proof of the registration of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person. A recommendation of approval is included in this report.

b) Development/Transportation

At the Site Plan stage, the site grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports shall be submitted for approval to the satisfaction of the Engineering Department. The proposal is within the Ministry of Transportation (MTO) controlled-access highway right-of-way, and therefore, will require a permit from MTO for the use and signage at the Site Plan stage.

c) Water Supply and Sanitary Services

Water supply and sewage servicing capacity is to be confirmed by the Region and City. Formal allocation of water supply and sewage servicing capacity will be required by Council, in approval of the Site Plan for the subject lands or portion of the subject lands (Phase) thereof.

Real Estate Department

The Real Estate Department has advised that the Owner shall be required to dedicate and/or pay cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner is of the opinion that, the subject lands which are an institution owned and operated by a religious, educational or charitable institution supported in whole or in part by public funds, in accordance with the A Agricultural Zone provisions of By-law 1-88, should be exempt from the dedication and/or payment of cash-in-lieu of the dedication of parkland. The Real Estate Department shall determine the disposition of the dedication and/or payment of cash-in-lieu of the dedication of parkland, as part of the Site Plan process.

The Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the *Functional Servicing Report for Ahmadiyya Muslim Jama'at Canada Inc. (previously named Ahmadiyya Mosque)*, City of Vaughan, by A. M. Candaras Associates Inc., dated March 22, 2007 and May 2008, and advised that there are concerns respecting:

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- i) the hydrologic model used to confirm the storage volumes to be maintained on-site, which has to be rerun using the TRCA hydrologic model to confirm the storage volumes to be maintained on-site, and to confirm that the existing stormwater management ponds in Block 33 East will function as designed and maintain the required level of water quality control to accommodate the proposed development; and,
- ii) the water balance analysis, using pre-development, post-development without mitigation, and post-development mitigation measures is required, including maintaining the pre-development infiltration rate.

In order to address these issues, the Holding Symbol "(H)" will be applied to the subject lands for the new development areas. The detailed analysis as required by TRCA will be undertaken by the Owner and submitted as part of the Site Plan process for the subject lands.

York Region (Public) District School Board

The York Region (Public) District School Board, which owns the abutting Teston Village Public Elementary School to the south, has no objection to the proposal provided safe walkways are incorporated into the development connecting the school site to the lands to the north. These details are to be finalized at the Site Plan stage.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York has no objections to the proposed development, and requires that the site plan, grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports be submitted and be approved to the satisfaction of the Region of York, through the site plan process. The Applicant will be required to enter into a Regional Site Plan Agreement.

Conclusion

Zoning By-law Amendment File Z.05.010 (Ahmadiyya Muslim Jama'at Canada Inc.) has been reviewed in accordance with the policies of OPA #600, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed Mosque Campus consisting of Building L - Mosque (existing) and Building M - Office (existing) along with the proposed Building A - Technology and Communications Centre, Building B - Security, Building C - Guest Residence, Buildings D, E, F and G - 4 buildings for Block Townhouse Dwellings with 6 units each for 24 units, Building H - Hospitality Hall, Building J - Community Hall and Offices, Building K - Library, and Building N - Staff and Seniors Apartment Residence for 80 units as shown on Attachments #3a and #3b, are appropriate and compatible with the existing and permitted uses in the surrounding area.

The Owner has submitted a Master Plan shown on Attachments #3a and #3b, together with *Urban Design Guidelines - Ahmadiyya Muslim Community Mosque*, by Terraplan Landscape Architects, which will be used to guide the future development of the Mosque Campus, as the subject lands are to be developed by Site Plan approval. The Development Planning Department is satisfied that the proposal can be developed in a manner that is appropriate and compatible with the existing community.

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The Development Planning Department can support the approval of the Zoning By-law Amendment Application and the Master Plan shown on Attachments #3a and #3b, subject to the recommendations in this report.

Attachments

1. Contextual Location Map
2. Location Map
- 3a. Mosque Master Plan - West
- 3b. Mosque Master Plan - East

Report prepared by:

Judy Jeffers, Planner, ext. 8645
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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Item 64, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

**64 ALLWAY STOP CONTROL AT BEVERLEY GLEN BOULEVARD AND WORTH BOULEVARD
– WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Yeung Racco, dated June 23, 2009:

Recommendation

Councillor Sandra Yeung Racco recommends:

1. That an allway stop control be installed at the intersection of Beverley Glen Boulevard and Worth Boulevard.

Contribution to Sustainability

N/A

Economic Impact

The cost to install the stop signs is provided for in current Operating Budgets. The ongoing costs to maintain the signs would be an impact to future Operating Budgets.

Communications Plan

N/A

Purpose

To control traffic issues at the intersection of Beverley Glen Boulevard and Worth Boulevard.

Background - Analysis and Options

Residents, as well as the principal of Wilshire Elementary School, contacted our office regarding traffic concerns at the intersection of Beverley Glen Boulevard and Worth Boulevard. Traffic Engineering staff went out and did a traffic study, which determined that an allway stop is warranted at this intersection.

Relationship to Vaughan Vision 2007

A-2 Promote Community Safety, Health & Wellness

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

Regional Implications

None

Conclusion

In response to concerns outlined by area residents, and as per the traffic study completed by Staff, it is recommended that an allway stop control be placed at the intersection of Beverley Glen Boulevard and Worth Boulevard.

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Attachments

1. Traffic Study completed for Beverley Glen Boulevard and Worth Boulevard

Report prepared by:

Cindy Furfaro-Benning, Council 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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particularly along the more dangerous portion of the roadway, the curve in the vicinity of Alpha Court and Harvester Crescent. The appropriateness of a traffic calming measure such as a raised crosswalk can be better determined once costs are determined.

Relationship to Vaughan Vision 2020:

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

Regional Implications:

None

Attachment:

Petition signed by approximately 65 residents of Crofters Road, Delia Place, Harvester Crescent, Kirkhill Place, and other streets in the general area.

Conclusion:

It is appropriate to support the petitioners' request for the placement of traffic control measures along a curved portion of this collector road, and for the referral of their request for a raised crosswalk in the vicinity of Our Lady of Fatima School and Crofters Park to the Budget Committee, for consideration as part of the 2010 budgetary process.

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 66, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

66

STAFF ATTENDANCE AT A COMMUNITY MEETING

The Committee of the Whole recommends approval of the recommendation contained in the following report of Councillor Di Vona, dated June 23, 2009:

Recommendation

Councillor Bernie DiVona recommends:

That staff from the Planning and Engineering Departments be directed to attend a community meeting with the Ratepayer's Association and the applicant dealing with the development application located at the southwest quadrant of Major Mackenzie Drive and Highway #400, south of the Go Transit Commuter Parking Lot.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communications Plan

Notice of meeting will be sent via e-mail or regular mail.

Purpose

To provide information to the Vellore Woods Ratepayers' Association.

Background - Analysis and Options

On December 1, 2008, Council (Public Meeting) considered applications (Files: OP.08.016 and Z.08.062 – 1678573 Ontario Limited) to develop the subject lands for high density residential development. A number of residents appeared at the Public Meeting expressing their concerns about the proposed development. Council at that meeting directed that the applicant meet with the community to engage in further dialogue respecting the applications. The Ratepayer Association has agreed to meet with the applicant to discuss the applications. It would be beneficial to the meeting proceeding if from the Development Planning and Engineering Departments be available to provide information as may be required to facilitate the meeting.

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

The presence of appropriate staff will allow for a more authoritatively-informed meeting.

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Attachments

None

Report prepared by:

Councillor Bernie DiVona, ext. 8339

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Item 67, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

67

DEVELOPMENT CHARGES ACT

The Committee of the Whole recommends approval of the recommendation contained in the following report of Regional Councillor Rosati, dated June 23, 2009:

Recommendation

Regional Councillor Gino Rosati recommends that the following Resolution be adopted:

WHEREAS Health care is a provincial responsibility; and

WHEREAS Growth places an additional demand on local healthcare; and

WHEREAS The "local share" is a significant additional cost to the property taxpayer; and

THEREFORE BE IT RESOLVED

1. That the Provincial Government amend the Development Charges Act to permit the collection of development charges to fund the "local share" component of hospital funding;
2. That this resolution be circulated to the following;

York Region Council
Durham Council
Peel Council
Halton Council
Minister of Finance (Ontario)
Minister of Health
Minister of Municipal Affairs
MPP Greg Sorbara
MPP Peter Sherman
York Region MP's
City of Toronto Council
Leader of the Opposition
Leader of the NDP
Premier of Ontario
Associations of Municipalities of Ontario

Contribution to Sustainability

To ensure financial sustainability towards hospital projects.

Economic Impact

None at this time but should this recommendation be approved it would provide significant financial benefit to the City as well as to all taxpayers.

Communications Plan

As outlined above.

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Purpose

To amend the Development Charges Act to permit the collection of funds through Development Charges in part or in full, to be directed to the community component toward funding for a hospital.

Background - Analysis and Options

In 1998 amendments to the Development Charges Legislation specifically excluded growth related Hospital Projects from Development Charges. Given that Health Care is a provincial responsibility, at the very least the Provincial Government should allow collection of Development Charges to cover the local share of hospital funding. We recognize that the need for a new hospital is a direct result of new growth in the area. Local property taxes pay in part towards other provincial responsibilities such as Education and Social Services. This is one more burden that places tremendous hardship on the local property taxpayer. This would clearly sustain the affordability of a Hospital in Vaughan in favor of all residents.

Relationship to Vaughan Vision 2020/Strategic Plan

In relation to the Vaughan Vision 2020/Strategic Plan, this recommendation will ensure Financial Sustainability and it will enhance and ensure Community Health and Wellness.

Regional Implications

This proposal if approved would provide some relief on the regional taxes used to make up the local share of hospital funding.

Conclusion

This recommendation would provide significant financial relief to the City and its taxpayers.

Attachments

NIL

Report prepared by:

Regional Councillor Gino Rosati

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Item 68, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

68

VAUGHAN YOUTH VOTE PROGRAM

The Committee of the Whole recommends that the following report of Regional Councillor Ferri, dated June 23, 2009, be approved, and referred to the Council School Board Liaison Committee for review and a report to Committee of the Whole.

Recommendation

Regional Councillor Mario Ferri recommends that the following report be received for information.

Contribution to Sustainability

N/A

Economic Impact

Funds to support this program would be sought through external funding sources thus having no economic impact on City funds.

Communications Plan

Appropriate press releases will be distributed upon approval and execution of the Program.

Purpose

The purpose of this recommendation is to provide Members of Council with a progress report on the Youth Vote Program designed to engage the student population, promote interest in the civic process and combat the disenfranchisement felt by young people.

A full report will be submitted for Council review and approval in the fall of 2009.

Background - Analysis and Options

A Youth Vote Strategy Task Force was established two years ago and involved youth members and representatives from both School Boards, who have spent countless hours on the design and development of this project. Both Boards have expressed a high interest in this Program. They will continue to work with us over the course of the next semester to finalize the report for Council and Board consideration. First draft of the report is enclosed for your review and comment.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council dealing with promoting youth engagement in local civic governance.

Regional Implications

None.

Conclusion

The enclosed Youth Vote Strategic Plan provides a preliminary report that identifies a way of engaging young people more effectively in the process of civic engagement. A full report will be forthcoming in the fall of 2009 for Council review and approval.

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Attachments

1. Youth Vote Strategic Plan
2. Funding Source Memorandum
3. Lesson Plans 1-4 (York Catholic District School Board)
4. Lesson Plans (York Regional District School Board)

Report prepared by:

Regional Councillor Mario Ferri

(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 69, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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2008 ANNUAL INVESTMENT REPORT

The Committee of the Whole recommends that 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 23, 2009, be approved, and that staff prepare a news release to announce the City's investment portfolio activities for 2008.

Recommendation

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

That this report be received for information.

Contribution to Sustainability

Not applicable.

Economic Impact

Investment income generated from the investment portfolio in 2008 amounted to \$22.9 million. Investment earnings are distributed to the City's reserve funds and operating budget reducing the need for tax revenues.

Purpose

To report to Council on the City's investment portfolio activities during the year 2008, as required by Ontario Regulation 438/97 (as amended) of the *Municipal Act* and the City's Investment Policy.

Background - Analysis and Options

The Municipal Act is the governing legislation for the investment of municipal funds. Ontario Regulation 438/97, as amended by O. Regulation 399/02 outlines the criteria for eligible investments. The City's investment policy approved by Council in October 2004 conforms to this legislation and acts as the governing guideline in managing the City's investment portfolio.

The reporting requirements in the City's investment policy and the Municipal Act require the Treasurer or his designate to submit an investment report to Council at least annually, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last year. The report submitted to Council each year must contain the following:

- a) Listing of individual securities held at the end of the reporting period;
- b) Listing of all investments by maturity date;
- c) Realized and unrealized gains or losses resulting from investments that were not held until maturity
- d) Average weighted yield to maturity of portfolio on investments compared to applicable benchmarks;
- e) Percentage of the total portfolio which each type of investment represents and;
- f) A statement about the performance of the investment portfolio during the period covered by the report.

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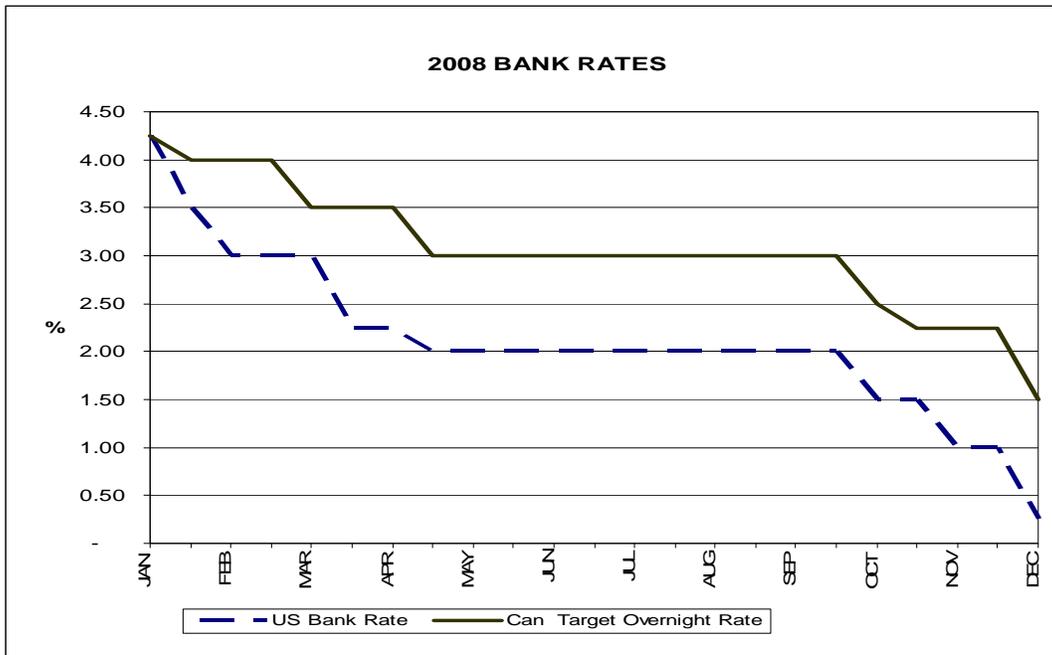
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The Reserves & Investment Department manages the investment portfolio for the City with a maturity value of approximately \$517.7 million at December 31, 2008 (\$505 million 2007), (Attachment 1). These funds represent the funding requirements for day to day operations of the Corporation and represent investments funds held in the reserves, reserve funds, working capital and other funds of the organization. The credit quality of all investments were in compliance with the City's Investment Policy and the Ontario Regulation 438/97 (as amended) of the *Municipal Act*.

The financial credit crisis which began in 2007 persisted in 2008 creating global economic and financial market instability. Governments around the world in an effort to unfreeze credit markets and in an attempt to prevent a global recession injected monetary and fiscal stimulus .

During the first half of 2008 the U.S. Federal Reserve cut the overnight lending rate by 2.25% while the Bank of Canada cut by 1.25% before pausing in June as inflationary pressures emerged from higher food and energy prices.

In the second half of 2008 the global financial crisis intensified creating the worst financial crisis in decades. The severely strained financial markets continued to deteriorate. The loss of confidence in the markets caused investors to shift to government bonds and treasury bills in order to preserve capital. The 90 day T-bill yielded 3.78% in January and dropped to .83% by year-end. By fall it was clear that the credit crisis had impacted major countries. In early October 2008 policy makers around the world came together implementing the first ever globally coordinated emergency interest rate cut with the Bank of Canada cutting 50 basis points and an additional 25 basis points later in the same month. During the year the U.S. Federal Reserve drastically reduced rates by 425 basis points from 4.25% to 0 (0-.25%) and the Bank of Canada reduced rates by 275 basis points to 1.5%,



During 2008 the investment portfolio generated investment income in the amount of \$22.9 million (\$25.9 million in 2007) averaging a rate of return of 3.82% outperforming the 90 day T-bill rate of 2.34% by 1.48% while underperforming the ONE Fund which returned 4.00% by -.18%. The One Fund, a benchmark used by the City, is a pooled investment fund sponsored by AMO and MFOA

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for Ontario municipalities. Three bonds were sold generating a capital gains of \$13,104. The City's primary focus during the financial crisis was to purchase low risk and quality investments. As a result, there has not been any loss in value to the City's investment portfolio.

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 2008 the City's investment portfolio performed well given the global economic and financial markets. Increased investment income revenue contributes to reserves and reduces the need for tax revenues. Credit quality of investments were in compliance with the City's Investment Policy approved by Council October 25, 2004 and the Ontario Regulation 438/97 (as amended) of the *Municipal Act*.

Attachments

Attachment 1 – Listing of Securities Held As At December 31, 2008

Attachment 2 – Listing of All Securities by Maturity Date

Attachment 3 – Investments Held by Institution

Report prepared by:

Ferruccio Castellarin CGA Ext 8271
Director of Reserves & Investments

(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 70, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**ZONING BY-LAW AMENDMENT FILE Z.08.040
SITE DEVELOPMENT FILE DA.08.057
K & K HOLDINGS LTD.
WARD 1**

The Committee of the Whole recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved; and**
- 2) **That the coloured elevation drawings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.040 (K & K Holdings Ltd.) BE APPROVED, to amend the A Agricultural Zone standards in site-specific Exception 9(1240) of By-law 1-88, for the lands shown on Attachment #2, to permit the following:
 - a) a Motor Vehicle Sales Establishment as a permitted use on Parcel "A" of the subject lands with a minimum lot area of 1.35 ha in order to facilitate the development of a 3,050 m² establishment restricted to the sales and service of farm/heavy equipment/trucks;
 - b) a minimum lot area of 1.0 ha devoted to a future place of worship use on Parcel "B" of the subject lands;
 - c) a minimum lot area of 3.11 ha for Parcel "C" of the subject lands devoted to agricultural uses; and,
 - d) a minimum lot frontage of 60 m for Parcel "B".
2. THAT Site Development File DA.08.057 (K & K Holdings Ltd.) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department and PowerStream Inc.;
 - ii) the Owner shall satisfy all requirements of the Vaughan Engineering Department, including infrastructure improvements in the near future and the recommendations of Transportation Engineering, including the future overpass and the implications on the entire subject lands owned by the applicant;
 - iii) the Owner shall provide exterior metal wall panel, brick and colour samples to the satisfaction of the Vaughan Development Planning Department; and,

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- iv) the final elevation plans shall include brick masonry and stone into the design of the front façade to the satisfaction of the Vaughan Development Planning Department;
 - b) that the Site Plan Letter of Undertaking include the following provisions:
 - iii) “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”; and,
 - iv) “Prior to any conveyance of land, or issuance of a Building Permit, whichever comes first, documented proof of the satisfactory registration of the Record of Site Condition signed by a qualified person and the Acknowledgment from the Ministry of Environment shall be provided to the satisfaction of the Vaughan Engineering Department”.
3. Prior to the issuance of a Building Permit, the Owner shall provide plumbing drawings showing that the building drainage and oil/grease interceptors are properly connected to the sanitary drainage system, to the satisfaction of the Vaughan Building Standards Department.

Contribution to 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) recycled concrete products where appropriate;
 - 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 and energy efficient fans; and,
 - vi) energy efficient HVAC system.
- b) Stormwater Management:
 - i) water efficient low-flush toilets and urinals; and,
 - ii) design includes stormceptor (oil/grease separator) prior to discharge of the storm sewer effluent from the site which provides proper quality control of stormwater runoff as per MOE Guidelines.
- c) Building Envelope:
 - i) higher level R-Value windows with solar film and greater air tightness to minimize air leakage.

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- d) Site Conditions:
 - i) the storage and collection of recyclables with a specific area dedicated to the storage of recyclable material within the building

Economic Impact

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

Communications Plan

On October 10, 2008, a Notice of Public Meeting was circulated to all property owners within 120m of the subject lands. No comments were received from the notice circulation. The Public Meeting was held on November 3, 2008 and considered the zoning by-law amendment pertaining to the additional use of a Motor Vehicle Sales Establishment in the A Agricultural Zone. The recommendation to receive the report and for a technical report to be forwarded to a future Committee of the Whole meeting was ratified by Council on November 10, 2008.

Purpose

The Owner has submitted the following applications:

1. A Zoning By-law Amendment Application (File Z.08.040) to amend the A Agricultural Zone standards in site-specific Exception 9(1240) of By-law 1-88, on the subject lands shown on Attachment #2, to permit the following:
 - a) a Motor Vehicle Sales Establishment as a permitted use on Parcel "A" of the subject lands with a minimum lot area of 1.35 ha in order to facilitate the development of a 3,050 m² establishment for the sales and service of farm/heavy equipment/trucks;
 - b) a minimum 1.0 ha lot area devoted to a future place of worship use on Parcel "B" of the subject lands;
 - c) a minimum lot area of 3.11 ha on Parcel "C" of the subject lands devoted to agricultural uses; and,
 - d) a minimum lot frontage of 60 m for Parcel "B".
2. A Site Development Application (File DA.08.057) to permit a one storey, 3050 m² establishment for the sales and service of farm/heavy equipment/trucks, with a two storey ancillary office use and 129 parking spaces, as shown on Attachment #3.

Background - Analysis and Options

Location

The vacant 1.35 ha Parcel "A" of the subject lands, which is part of an overall 6.8 ha site shown on Attachment #2, is located on the west side of Keele Street and on the north side of Kirby Road, in Part of Lot 31, Concession 4, City of Vaughan. Parcel "A" of the subject lands, which is the subject of the site plan application, has frontage of approximately 80 m on Kirby Road. The surrounding land uses are shown on Attachment #2.

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Official Plan

The subject lands are designated “Agriculture Area” in OPA #600 and are further identified as “Special Policy Area”, subject to development opportunities for appropriate long term uses within the surrounding area not being undermined by the proposed development.

Within the “Agriculture Area” policies of OPA #600, agricultural and farm-related uses directly related to agriculture are permitted. The proposed farm/heavy equipment/truck sales and service centre will serve the surrounding agricultural area through the sales and service of farm-related heavy equipment and trucks. The proposed use and development of the site conforms with the requirements of the “Agriculture Area” policies of the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone By-law 1-88, and subject to Exception 9(1240). The actual overall Agricultural landholding is 5.46 ha, whereas the site-specific by-law requires a minimum lot area of 5.25 ha. The Owner is requesting the following exceptions to implement the proposed development for the site:

| | A Agricultural Zone Standards under By-law 1-88 and Exception 9(1240) | Proposed Changes to the A Agricultural Zone Standards of By-law 1-88 |
|--|--|--|
| Motor Vehicle Sales Establishment Use on Parcel “A” | Not Permitted | Permit as an Additional Use |
| Minimum Lot Area for Parcel “A” (Motor Vehicle Sales Establishment) | 5.25ha | 1.35 ha |
| Minimum Lot Area for Parcel “B” (Future Place of Worship) | 5.25 ha | 1.0 ha |
| Minimum Lot Area for Parcel “C” (Remaining Agricultural Lands) | 5.25 ha | 3.11 ha |
| Minimum Lot Frontage for Parcel “B” (Future Place of Worship) | 100 m | 60 m |

The development of the subject lands is expected to occur in the following two phases:

- i) the first phase being the development of the proposed farm/heavy equipment/truck sales and service centre on Parcel “A”; and,
- ii) the second phase being the future development of the place of worship with the balance of the lands used for agricultural purposes on Parcels “B” and “C”, respectively.

The farm/heavy equipment/truck sales and service centre use is consistent with the policies of the Official Plan as it is farm-related and will service the surrounding agricultural community. Site-specific Exception 9(1240) permits a minimum lot area of 5.25 ha in the agricultural zone for the subject lands. The Owner requires reductions in the lot area for Parcels “A”, “B” and “C” and a reduction in the minimum lot frontage for Parcel “B” in order to facilitate the future severances on the subject lands. The requested exceptions are considered appropriate for the development of the property.

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Site Plan

The 1.35 ha Parcel “A” is part of an overall 5.46 ha site shown on Attachment #2. The Owner intends to sever the subject lands in a future severance application with the Vaughan Committee of Adjustment. The proposed farm/heavy equipment/truck sales building is situated in the middle of the future severed lot (Parcel “A”) on Attachment #3, with 79 parking spaces located along Kirby Road. The main building entrance to the ancillary office use is located along Kirby Road. The loading doors for truck and heavy equipment are located away from Kirby Road, along the west, north and east elevations.

The parking requirements for the lands identified as Parcel “A” on Attachment #2 and as shown on Attachment #3 is provided below:

| By-law 1-88 Parking Requirement Standard | Parcel “A” Required Parking | Parcel “A” Proposed Parking |
|---|------------------------------------|------------------------------------|
| Motor Vehicle Sales Establishment Use (3 spaces per 100 m² GFA @ 3,050 m²) | 92 spaces | 129 spaces |

The Owner proposes 50 larger size parking spaces at the rear of the building that are 3.6m by 12.0m in size, which exceeds the minimum 2.7m by 6.0m standard parking space size. The rear parking spaces would have a dual purpose of accommodating both vehicle and truck parking. The proposed Motor Vehicle Sales Establishment has a surplus of 37 parking spaces.

The Development Planning Department is generally satisfied with the proposed landscaping of the subject lands. Given the nature of the proposed use with respect to the maneuvering of large farm and truck vehicles in the rear parking area, the Development Planning Department has negotiated additional landscape treatment in front of the building and within the front parking area, which is enhanced with interlocking brick. The front parking area has been broken up with landscaped islands and planted with 60mm caliper trees.

The Development Planning Department is satisfied with the proposed site plan and landscape plan, as shown on Attachments #3 and #4, subject to the recommendations of this report.

The Development Planning Department has reviewed the proposed building elevations as shown on Attachment #5 and has no objection, except for the front façade. The Development Planning Department requires the front façade to be upgraded with the incorporation of brick masonry and stone in a manner similar to the elevations to the existing service centre at the northwest corner of Keele Street and Kirby Road. The Owner is willing to work with the Development Planning Department to finalize the material selections. A condition of approval that the building elevations be to the satisfaction of the Development Planning Department has been included in the recommendation section of this report.

Severances

The Owner proposes to sever Parcel “A” from the overall lands to facilitate the proposed Motor Vehicle Sales Establishment use, which would result in a lot area of 1.35 ha, whereas the By-law Exception 9(1240) requires a minimum lot area of 5.25 ha.

The severance of Parcel “B” to facilitate the future place of worship would generate a lot frontage of approximately 60 m along Kirby Road, whereas 100 m lot frontage is the minimum requirement under By-law 1-88. The future severance as shown on Attachment #2, would result in lot areas of 1.0 ha for Parcel “B” and 3.11 ha for Parcel “C”, as noted in the zoning section of this report, whereas By-law Exception 9(1240) requires a minimum lot area of 5.25 ha.

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Access

The primary vehicular access to Parcel "A" will be by way of an entrance off Kirby Road. A secondary vehicular entry is proposed along the future east property line upon the severance of Parcel "B" from the overall lands, as shown on Attachment #2, and the development of the Place of Worship. The Owner has advised the Development Planning Department that the severance of Parcel "B" would include an approximately 23 m wide driveway and landscaped area for a private condominium common element road. The Owner intends to maintain the driveway as a private road. The Vaughan Engineering Department has advised that the City will have no interest to assume the road in the future. The future Place of Worship will allow access by the Owners of the Motor Vehicle Sales Establishment by way of a mutual access easement. This would allow the use of the secondary access entry to Parcel "A", when the future Place of Worship is developed.

Vaughan Engineering Department

The Vaughan Engineering Department has provided their review of the servicing, grading and stormwater management plans and comments that prior to any conveyance of land, or issuance of a building permit, whichever comes first, documented proof of the satisfactory registration of the Record of Site Condition signed by a qualified person and the Acknowledgment from the Ministry of Environment be provided to the satisfaction of the Vaughan Engineering Department. A condition of approval to this effect has been included in the recommendation section of this report.

In response to Council's concerns at the November 3, 2008 Public Meeting respecting provisions to contain potential on-site oil spills, the Owner has assured in a memorandum dated May 22, 2009 that the site design includes provisions for a stormceptor (oil/grit separator) prior to any discharge of the storm sewer effluent from the site, in accordance with the proper quality control of stormwater runoff as per the Ministry of Environment guidelines, of which a condition to this affect is included in the recommendation of this report.

The Vaughan Engineering Department requires the Owner to convey part of the subject lands along the Kirby Road right-of-way (524.37 m²) to the City for a future required Kirby Road overpass, as shown on Attachment #3. The widening would accommodate a future bridge over the Canadian National Railway right-of-way (GO Transit).

All requirements, including but not limited to, the final servicing, grading and stormwater management plans must be approved to the satisfaction of the Vaughan Engineering Department.

GO Transit

GO Transit is generally satisfied with the development proposal and has recommended an engineered retaining wall feature with an incorporated crash barrier function along the entire west property line of Parcel "A", in conjunction with the minimum 15 m building setback for derailment protection. The Owner currently proposes a minimum 17 m building setback from the railway right-of-way. The applicant will continue to work with GO Transit on the final design for the retaining wall. The final design of the retaining wall will be approved through the Building Permit process, to the satisfaction of the Vaughan Building Standards and Engineering Departments.

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".

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Regional Implications

N/A

Regional Implications

The subject lands are designated “Rural Policy Area” within the Region of York Official Plan. Within the rural policy area, farm-related uses are permitted if they are consistent with the policies of the municipal official plan. The proposed development meets the objectives of the Region’s Official Plan.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.08.040 and Site Development File DA.08.057 in accordance with the Regional Official Plan, the City of Vaughan Official Plan and Zoning By-law, and the comments from City Departments and external public agencies. The Development Planning Department is satisfied that the proposed development is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development Applications, subject to the recommendations of this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan - Parcel “A”
4. Landscape Plan - Parcel “A”
5. Building Elevations - Parcel “A”

Report prepared by:

Stephen Lue, Planner, ext. 8210
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 30, 2009

Item 71, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**OFFICIAL PLAN AMENDMENT FILE OP.08.011
ZONING BY-LAW AMENDMENT FILE Z.08.046
SITE DEVELOPMENT FILE DA.09.024
YORK MAJOR HOLDINGS INC.
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.08.011 (York Major Holdings Inc.) BE APPROVED to redesignate the subject lands from “Open Space” and “North Maple Residential Area – Executive Residential” to a site-specific official plan designation of “North Maple Residential Area – Assisted Accommodation” (tableland) and “Open Space” (i.e. the lands to be rezoned RA3 and OS5, respectively, as shown on Attachment #3, to implement the respective Official Plan designations).
2. THAT Zoning By-law Amendment File Z.08.046 (York Major Holdings Inc.) BE APPROVED, to rezone the subject lands from OS5 Open Space Environmental Protection Zone and A Agricultural Zone to RA3 Apartment Residential Zone (tableland) and OS5 Open Space Environmental Protection Zone (valleylands) in the manner shown on Attachment #3, to facilitate the development of the tablelands shown on Attachments #1 and #2 for a 6-storey, 137-unit, 12,588 m² senior’s residential apartment building that will cater to an adult lifestyle residential community, with the following exceptions:

| By-law 1-88 Standard | By-law 1-88 Requirements of the RA3 Zone | Proposed Exceptions to the RA3 Zone |
|---|---|--|
| Minimum Rear Yard Setback | 7.5 m to the OS5 Zone Line | 1.7 m to the OS5 Zone Line |
| Minimum Exterior Side Yard Setback | 7.5 m along Dufferin Street | 5.0 m along Dufferin Street |
| Minimum Landscape Strip Width Along a Street | 6.0 m along Dufferin Street | 5.0 m along Dufferin Street |
| Minimum Required Parking | 241 (206 spaces plus 35 visitor spaces) | 72 (49 spaces plus 23 visitor spaces) |
| Minimum Required Handicap Parking | 3 | 2 |
| Minimum Required Amenity Area | 3,155 m² | 2,693 m² |

3. THAT Site Development File DA.09.024 (York Major Holdings Inc.) BE APPROVED, subject to the following conditions:

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- a) that prior to the execution of the Site Plan Letter of Undertaking:
- i) the final site plan, building elevations, and the brick and colour samples shall be approved to the satisfaction of the Vaughan Development Planning Department;
 - ii) the final landscape plan and cost estimate, edge management landscape plan, existing vegetation assessment and tree preservation plan, and restoration planting plan shall be approved to the satisfaction of the Vaughan Development Planning Department, in consultation with the Toronto and Region Conservation Authority (TRCA);
 - iii) the final site servicing and grading plan, stormwater management report, and Erosion and Sediment Control Plan shall be approved to the satisfaction of the Vaughan Engineering Department, in consultation with the Toronto and Region Conservation Authority;
 - iv) the final external lighting plan shall be approved to the satisfaction of the Vaughan Engineering Department and the Vaughan Development Planning Department;
 - v) the Owner shall certify, to the satisfaction of the Vaughan Engineering Department, that the debris identified in the Phase 1 Environmental Site Assessment Report, and any above ground or underground storage tanks have been properly removed and disposed off-site;
 - vi) the Owner shall ensure that the monitoring wells are decommissioned in accordance with Ontario Regulation 903 and copies of the completed Water Well Records confirming that the work has been carried out are submitted to the City to the satisfaction of the Vaughan Engineering Department;
 - vii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority, in particular, the following:
 - the lands below the top-of-bank and the buffer shall be appropriately designated and zoned to an environmental category and conveyed or dedicated into public ownership (to the City or to TRCA) in order to ensure their long term protection;
 - a 10 m buffer is required from the valley system in order to maintain the slope stability of the development site;
 - an Oak Ridges Moraine Conformity Report addendum is required to be submitted and reviewed quantifying the amount of water discharging overland towards the valley and that the amount of discharge will not cause future erosion hazards;
 - a geotechnical addendum is required to be submitted and reviewed regarding details of the retaining wall design and its impacts to the adjacent valley corridor and issues relating to access to the retaining wall for maintenance purposes;
 - an updated Environmental Impact Assessment Report shall be required to include tree surveys within a minimum of 20 m of the top-of-bank line; and,
 - the Owner is required to submit and obtain approval from the TRCA, a Permit under Ontario Regulation 166/06, prior to the issuance of any Building Permit;

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- viii) the Owner shall satisfy all requirements of the Region of York Transportation Services Department;
- ix) the implementing Official Plan Amendment and Zoning By-law shall be in full force and effect;
- b) that the Site Plan Letter of Undertaking include the following provisions:
 - i) “The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 hectare per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City’s Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment”; and,
 - ii) “Prior to the issuance of a Building Permit, the Owner shall convey sufficient property to the Region of York, free of costs and encumbrances, along the entire frontage of Teston Road and Dufferin Street for road widenings and a daylighting triangle, to the satisfaction of the Region of York.

Contribution to Sustainability

The applicant has advised that the following sustainable features, but not limited to, will be provided within the site and building design:

- a) Mechanical and Electrical:
 - i) include medium efficiency boilers into the building design, which have an efficiency of 85% compared to ordinary boilers that have an 82% rating;
 - ii) include a heat pump system that saves energy during a Fall/Spring operation as the water temperature balances independently, thus boilers and the cooling tower are seldom in operation;
 - iii) variable speed booster pumps have a controller that will vary their speed – the changing speed of the pump is based on the demand of the water throughout the building;
 - iv) variable speed drive on the cooling tower will be based on the cooling load demand of the building;
 - v) energy efficient fixtures in suites and public area will reduce energy consumption;
 - vi) carbon monoxide detectors in the garage level will be installed to only run the exhaust fans when the carbon dioxide levels are above normal; and,
 - vii) occupancy sensors for light control in pool and garage will be installed to turn off all non-emergency lighting when no one is present or there is sufficient daylight.
- b) Interior Design:
 - i) low floor toilets will be installed that are touchless and with traditional water-conserving flushometers combined with bowls that optimizes water efficiency – flushometers with wave or touchless technologies offer additional water savings by eliminating false activation;
 - ii) low flow faucets offer a 45% water savings over less efficient faucets; and,

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- iii) natural stone tile, slabs, tile and glass tile usage is a sustainable and green product as there are no toxins or harmful environmental methods to its production.

c) Stormwater Management:

- i) post development drainage patterns have been designed to closely maintain, wherever possible, the pre-development overland drainage pattern;
- ii) in consideration of the property's low pre-development stormwater release rate due to the existing pervious ground cover, the development intends to utilize an underground stormwater storage system to attenuate the increased site runoff, ensuring that post-development release rates do not exceed pre-development conditions. In addition, the granular base and large footprint of the underground storage system is designed to promote infiltration of captured rain water back into the ground. The infiltrated water is a combination of clean roof run-off and site drainage collected and cleaned through a proposed Oil/Grit separator;
- iii) in addition to the proposed underground stormwater storage system, the site proposes a large underground cistern to collect and store only clean rainwater from the proposed building rooftop. The collected water will be used for site irrigation, thereby further promoting the capability to infiltrate water back into the ground over an extended duration;
- iv) in an effort to avoid increased overland drainage directed over the valley banks in the post-development condition, a proposed swale and ditch inlet catchbasin (DICB) is designed along the valley top-of-bank to prevent the potential for point source erosion. The swale and DICB are designed to retain the 100-year storm; and,
- v) once captured stormwater is properly attenuated within the underground storage system, flows shall outlet and be directed to a 15m long exfiltration pipe situated at ground level a few metres down the existing valley bank and surrounded by porous granulars. The purpose of the exfiltration pipe is to provide a "sheet flow" discharge effect, thereby minimizing the erosion potential.

d) Landscaping:

- i) trees and shrubs are native species and drought resistant. The manicured lawn area is minimized and native grasses are encouraged. Permeable pavers are introduced to reduce surface water run-off;
- ii) through input and comment from the Toronto and Region Conservation Authority ecology staff, a restoration and enhancement planting intend to provide the following benefits:

A dense planting of native trees and shrubs of a diverse mix is proposed along the 10m buffer corridor. The plantings will replace any tree loss from the existing site. The Owner is committed to an "Invasive Management Program" whereby a large amount of non-native, invasive plants will be removed. For some of the more aggressive species of ground cover that are found along the southern valley wall, a two to three year plan of reassessment and removal will occur to limit the re-establishment of these invasive species, which will greatly enhance the overall function of the valley in the coming years.

The Owner has advised that there will be some components of a green roof within this development proposal. The second level roof-top terrace provides for a landscaped "green" component.

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Economic Impact

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

Communications Plan

On September 12, 2008, a Notice of Public Meeting in consideration of the Official Plan and Zoning By-law Amendment Applications was circulated to all property owners within 120 m of the subject lands. The Public Meeting was held on October 6, 2008. Two deputations by the following parties were considered by the Committee:

- a) Mr. Len Gigliotti, 15 Sir Giancarlo Court; and,
- b) Mr. Dino Ciaramella, 1600 Teston Road.

No other members of the public attended the Public Meeting. Mr. Gigliotti identified the following concerns:

- a) not receiving a mailed notification of the Public Meeting;
- b) the future Teston Road extension; and,
- c) the impact on the existing trees on the property.

With respect to the notification of the Public Meeting, the Development Planning Department has confirmed that the residents of 15 Sir Giancarlo Court are located approximately 450 m from the subject lands. The Planning Act requires notification of property owners within 120 m of the development proposal. Mr. Gigliotti was not part of the notification list as a result. Mr. Gigliotti, however, did mention at the Public Meeting that he was aware of the development proposal by the notification sign on the subject lands.

At the Public Meeting, the Owner's Agent provided the responses to the remainder of Mr. Gigliotti's concerns. With respect to the future Teston Road extension, the York Region Official Plan contains policies that indicate Teston Road will be a 36 m right-of-way. The development impact on the existing trees is determined through the Toronto and Region Conservation Authority, which will be discussed later in this report.

The Committee of the Whole members also noted issues with on-site parking and the number of visitor parking spaces. The conceptual site plan had showed 5 at-grade visitor parking spaces, which the Committee argued was insufficient for the development proposal. As a result, 15 at-grade parking spaces have been provided, which will be discussed later in this report.

The recommendation of the Committee of the Whole to receive the Public Meeting report of October 6, 2008 was ratified by Council on October 27, 2008. As of June 9, 2009, no additional comments have been received by the Development Planning Department.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. An Official Plan Amendment Application (File OP.08.011) to redesignate the subject lands from 'Open Space' and "North Maple Residential Area – Executive Residential" by OPA #332 as amended by OPA #535, to a site-specific official plan designation of "North Maple Residential Area – Assisted Accommodation"(tablelands) and "Open Space" (ie. the lands to be rezoned RA3 and OS5 respectively, as shown on Attachment #3, to implement the respective Official Plan designations).

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2. A Zoning By-law Amendment Application (File Z.08.046), to amend By-law 1-88, specifically to rezone the subject lands from OS5 Open Space Environmental Protection Zone and A Agricultural Zone to RA3 Apartment Residential Zone and OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #3, with the following exceptions:

| By-law 1-88 Standard | By-law 1-88 Requirements of the RA3 Zone | Proposed Exceptions to the RA3 Zone |
|---|---|--|
| Minimum Rear Yard Setback | 7.5 m to the OS5 Zone Line | 1.7 m to the OS5 Zone Line |
| Minimum Exterior Side Yard Setback | 7.5 m long Dufferin Street | 5.0 m along Dufferin Street |
| Minimum Landscape Strip Width Along a Street | 6.0 m along Dufferin Street | 5.0 m along Dufferin Street |
| Minimum Required Parking | 241 (206 spaces plus 35 visitor spaces) | 72 (49 spaces plus 23 visitor spaces) |
| Minimum Required Handicap Parking | 3 | 2 |
| Minimum Required Amenity Area | 3,155 m² | 2,693 m² |

3. A Site Development Application (File DA.09.024) to facilitate the development of the subject lands with a 6-storey, 137-unit, 12,588 m² residential apartment building shown on Attachment #3, that will cater to an adult lifestyle residential community.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located on the southwest corner of Dufferin Street and Teston Road, in Part of Lot 25, Concession 3, City of Vaughan. The subject lands are currently vacant and have an area of 0.74 ha. The surrounding land uses are shown on Attachment #2.

- a) “Richview Manor”

The Owner intends to market the development proposal as “Richview Manor”, an establishment designed and developed as an assisted accommodation facility which provides dignified and gracious living for people 55 years and older in a “five-star hotel” setting. Staff, services and amenities will be accessible by each resident. Meals will be served daily in the common dining room and prepared in a communal / commercial kitchen. The units provides for living space, bedrooms, sanitary facilities and limited conveniences such as coffee makers, fridges and microwave ovens. Housekeeping, security, specialized healthcare monitoring, centralized laundry area, and planned excursions are all part of the adult lifestyle of the proposed development.

Provincial Policy Statement (PPS)

The PPS provides broad based policy direction on matters of Provincial interest related to land use planning and development. The policies that apply to the proposed development of the subject lands include those intended to ensure the development of healthy, livable and safe communities by promoting efficient developments and land use patterns over the long term;

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accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs; and avoid development and land use patterns which may cause environmental or public health and safety concerns and that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas. The PPS also promotes cost-effective development standards to minimize land consumption and servicing costs, improves accessibility for persons with disabilities and the elderly by preventing land use barriers which restrict their full participation in society, and ensure necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The PPS also supports intensification in designated growth areas to accommodate an appropriate range and mix of employment opportunities and housing. The development of the subject lands will provide additional accommodation choices while utilizing the existing municipal infrastructure efficiently through compact form and densities, and would ensure the surrounding environmental features are protected and enhanced. As a result, the proposed development conforms to the PPS policies.

Places to Grow

Places to Grow (“the Province’s Growth Plan”) sets out policies applicable to the Greater Golden Horseshoe. The policies of the Growth Plan encourages compact built forms, transit supportive communities, diverse land uses, a range and mix of employment and housing types, and directed growth to settlement areas that offer municipal water and wastewater systems.

The proposed development, which is supported by municipal water and wastewater systems, would provide an alternative housing from in a facility that accommodates an aging population. The proposal maximizes the use of land with the development of a 6 storey, 137 unit residential building and will contribute employment opportunities to the local economy. As a result, the proposed development achieves the goals of the Growth Plan.

Region of York Official Plan

The subject lands are designated “Urban Area” in the Region of York Official Plan. The Plan encourages urban areas to permit a broad range of housing types within efficient and mixed use compact communities at an overall transit-supportive density. The proposed development provides an additional housing choice to the local area that is compact and efficient. The Plan further encourages pedestrian scales, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The proposed development and the associated amenity enhances the streetscape and the proposed courtyard pays homage to the valley system to the south while providing buffers for protection. The proposed development is consistent with the Regional Official Plan policies.

City of Vaughan Official Plan

The subject lands are designated “North Maple Residential Area – Executive Residential” and “Open Space” by OPA #332, as amended by OPA #535 and further designated as “Settlement Area” and “Natural Core Area” by OPA #604 (Oak Ridges Moraine Conformity Plan). The proposal for an apartment development does not conform to the Official Plan, which currently permits single detached dwellings.

The Owner has submitted an Official Plan Amendment (File OP.08.011) to redesignate the subject lands from “North Maple Residential Area – Executive Residential” to a site-specific official plan designation of “North Maple Residential Area – Assisted Accommodation” in order to provide housing opportunities to accommodate the development of an adult lifestyle residential community. The definition of the new designation of “North Maple Residential Area – Assisted Accommodation” is proposed as follows:

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“The Assisted Accommodation designation shall be developed as a self-contained facility designed to provide rooms or suites for citizens who require assistance with day to day living and which contain sanitary convenience, but no cooking facilities. The facility includes provision of services and amenities including dining rooms, a communal kitchen, laundry, recreational and nursing care facilities.”

The Owner proposes a 6-storey, 137-unit, 12,588 m² residential apartment building for an adult lifestyle residential community. In light of the Provincial and Regional policies encouraging intensification and providing a mix of housing types in the community, the official plan re-designation can be supported.

Oak Ridges Moraine Plan

OPA #604 (Oak Ridges Moraine Conformity Plan) brought Vaughan's Official Plan into conformity with the Oak Ridges Moraine Conservation Plan (ORMCP), which was adopted by Vaughan Council on June 23, 2003 and approved by the Minister of Municipal Affairs and Housing on October 21, 2004.

As noted above, the property is located in the “Settlement Area” and “Natural Core Area” of the Oak Ridges Moraine Conservation Plan by OPA #604, which amended OPA #535 and OPA #332. Though a boundary discrepancy was indentified during the earlier review of the development applications between the delineation of the Settlement Area and the Natural Core Area of the ORMCP, Section 10(2) of the ORMCP allows for adjustments to the boundaries between the Settlement Area and the Natural Core Area, which is defined by the Area of Natural and Scientific Interest (ANSI), without amendment to the ORMCP, as follows:

“When official plans and zoning by-laws are amended in accordance with Section 9 and 10 of the Act [Provincial Oak Ridges Moraine Act] to bring them into conformity with the ORMCP, the boundaries of the Natural Core Areas, Natural Linkage Areas, Countryside Areas, Rural Settlements and Settlement Areas may be further defined, in a manner that is consistent with the referred land use designation map, but with greater precision than the map can show.”

Furthermore, the Ministry of Natural Resources (MNR) assessed the subject lands and has aligned the ANSI boundary with the valley top-of-bank. As a result, the Owner, the MNR, the Toronto and Region Conservation Authority (TRCA), and the City concur that through Section 10(2) of the ORMCP, and the assessed realignment of the top-of-bank by the MNR, the entire property is deemed to be solely within the “Settlement Area” of the Oak Ridges Moraine Plan.

The Greenbelt Plan

The Provincial Greenbelt Plan was established under Section 3 of the Greenbelt Act, 2005. The Greenbelt Area is defined by Ontario Regulation 59/05 and includes the Niagara Escarpment Plan Area, the Oak Ridges Moraine Area, the Parkway Belt West Plan Area, and lands designated as Protected Countryside.

The Greenbelt Plan encourages the development of a system of publicly assessable parkland, open space and trails where people can pursue various recreational activities. The City of Vaughan was gifted the adjacent Don River Valleylands to the west of the subject lands. These valleylands form part of a linked open space system which will be connected to the former Keele Valley Landfill Site currently owned by the City of Toronto and to other lands in the area owned by the City of Vaughan. Vaughan's “Pedestrian and Bicycle Master Plan Study” identifies a series of pedestrian and bicycle trails in the area surrounding the subject lands, which is consistent with the Greenbelt Plan.

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Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has reviewed the applications and has no objection in principle with the Official Plan and Zoning By-law Amendment Files OP.08.011 and Z.08.046. Respecting Site Development File DA.09.024, the TRCA requires the following conditions to be addressed, prior to the execution of the Site Plan Letter of Undertaking:

- a) the lands below the top-of-bank and the buffer shall be appropriately designated and zoned into an environmental category and conveyed or dedicated into public ownership (to the City or to TRCA) in order to ensure their long term protection;
- b) a 10 m buffer is required from the valley system in order to maintain the slope stability of the development site;
- c) all roof runoff shall be retained on the development site. Retention measures shall be required to separate the clean runoff from the parking lot runoff;
- d) provide details of the cistern, including invert elevations, dimensions and provide storage volumes as well as details of the underground storage, including invert elevations and layout of inlet and outlet pipes – a calculation of the pre-development and post-development water balance is required;
- e) the Owner shall provide an Erosion and Sediment Control Plan to illustrate erosion prevention and sediment control measures;
- f) the Owner shall provide a restoration planting plan for review to the satisfaction of the TRCA; and,
- g) the Owner is required to submit and obtain approval from the TRCA, a Permit under Ontario Regulation 166/06.

Furthermore, the TRCA notes that the proposed retaining wall adjacent to the buffer area may be cause for concern given the impacts to the adjacent valley corridor and issues relating to the future maintenance and access to the retaining wall, which the Owner has been made aware in a letter dated May 25, 2009 by the TRCA. The final site plan, landscape plan, edge management landscape plan, existing vegetation assessment and tree preservation plan, restoration planting plan, and grading and site servicing plan, shall be required to be reviewed to the satisfaction of the TRCA. Conditions of approval on these matters have been included in the recommendation section of this report.

Zoning

The subject lands are zoned A Agricultural Zone and OS5 Open Space Protection Zone by By-law 1-88. The current agricultural zoning does not permit the residential development proposal. The Owner has submitted a Zoning By-law Amendment Application (File Z.08.046) to rezone the subject lands from A Agricultural Zone to RA3 Apartment Residential Zone (tableland) and OS5 Environmental Protection Zone (valleylands) in the manner shown on Attachment #3, to permit the adult lifestyle assisted accommodation apartment building on the tablelands with the following exceptions:

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| By-law 1-88 Standard | By-law 1-88 Requirements of the RA3 Zone | Proposed Exceptions to the RA3 Zone |
|---|---|--|
| Minimum Rear Yard Setback | 7.5 m to the OS5 Zone Line | 1.7 m to the OS5 Zone Line |
| Minimum Exterior Side Yard Setback | 7.5 m along Dufferin Street | 5.0 m along Dufferin Street |
| Minimum Landscape Strip Width Along a Street | 6.0 m along Dufferin Street | 5.0 m along Dufferin Street |
| Minimum Required Parking | 241 (206 spaces plus 35 visitor spaces) | 72 (49 spaces plus 23 visitor spaces) |
| Minimum Required Handicap Parking | 3 | 2 |
| Minimum Required Amenity Area | 3,155 m² | 2,693 m² |

The Owner is requesting a reduction of the rear yard setback from 7.5 m to 1.7 m at the southwest corner of the southerly-end of the building resulting from the constraint of the triangular shaped lot. The building does not infringe into the required 10 m buffer area. The Owner also is requesting a reduction of the exterior side yard setback from 7.5 m to 5.0 m along Dufferin Street. By-law 1-88 currently requires a minimum 6.0 m landscape strip along a street line. 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.

The reduced number of handicap parking spaces from 3 to 2 can be supported as the residences of the facility would have access to private transit. The Owner proposes a total of 72 parking spaces broken down as follows based on the parking ratio of 0.53 parking spaces per unit:

| | Surface | Underground | TOTAL |
|------------------|----------------|--------------------|--------------|
| Visitor | 8 | 15 | 23 |
| Staff | 7 | 13 | 20 |
| Residents | 0 | 29 | 29 |
| TOTAL | 15 | 57 | 72 |

By-law 1-88 requires 206 spaces for the residents, based on 1.5 spaces per unit, and 35 spaces for visitors, based on 0.25 spaces per unit, for a total of 241 required spaces. The Owner has submitted a parking study by Stantec Consulting Ltd. on June 12, 2009. Due to the low vehicle ownership characteristics for the residents of the facility, shuttle bus services being provided for the residents of the building, and the wide variety of services available to the residents in-house, the expected parking supply/demand would support the proposed residential parking standard of 0.53 spaces per unit. The parking study cited four other similar development examples in Vaughan with an average parking ratio of 0.45 spaces per unit, which is lower than the proposed 0.53 spaces per unit. The Vaughan Engineering Department has reviewed the parking study and concurs with the findings of the report.

The proposed development includes the following amenities:

- a) a swimming pool;
- b) roof- top and ground floor amenities;
- c) a centralized courtyard;

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- d) an internal trail system; and,
- e) party rooms.

The Development Planning Department can support the reduction of the amenity area from 3,155m² to 2,693 m², which is equivalent to a 14% reduction of the required minimum amenity area, as the provided amenities are appropriate for the development proposal.

The Development Planning Department can support the above zoning by-law exceptions due to the constraint posed by the lot configuration, the creation of a better building-street interface, and the nature of the proposed facility.

Site Plan and Landscape Plan

The proposed site plan and landscape plan are shown on Attachments #3 and #4. The triangular constraint of the subject property allows the opportunity for the Owner to configure the proposed building to take full advantage of the views of the open space area to the south, while addressing the south west corner of Teston Road and Dufferin Street with street treatments that include a landscaped feature wall and a landscaped area that will screen the 7 on-grade parking spaces servicing the building's lobby entry. Additional enhancements in the vicinity of the intersection are noted below.

The landscape plan consists of a mix of coniferous and deciduous trees, ground plantings, and hard landscaping throughout the property. The landscaped courtyard and the walking trail and trellis feature, along with the ground level pool deck and second level terraces are amenity features that are proposed for the benefit of the residents of the proposed development.

The Development Planning Department has reviewed the landscape plans in detail and recommends that the landscaped area along the Teston Road right-of-way be designed and treated as a street-oriented amenity area. The corner feature at Dufferin Street and Teston Road requires enhancement with additional landscape plantings to screen all of the on-grade parking spaces. Pedestrian connections should be provided from the building to future sidewalks in the public right-of-way of both Dufferin Street and Teston Road. Furthermore, the Development Planning Department will require the Owner to provide an Edge Management Landscape Plan and an Existing Vegetation Assessment and Tree Preservation Plan, by a qualified arborist, for review and approval. The final landscape plan, restoration planting plan, edge management landscape plan, existing vegetation assessment and tree preservation plan, and landscape cost estimate must be approved by the Development Planning Department. A condition on these matters has been included in the recommendation section of this report.

Site Circulation and Access

Access to the property is proposed to be by way of a signalized intersection at Dufferin Street and Teston Road, from two points of ingress and egress off Teston Road. The main entrance located at the easterly access, serves an internal driveway leading to the underground parking ramp and to 7 at grade parking spaces. The separation of the driveway and the main entrance pick-up and drop-off area by an internal circle eliminates the provision for emergency and mobility access vehicles from backing up and thereby conflicting with other internal traffic near the main entrance. As a result, the design accommodates a safe turning maneuver for mobility vans and buses in addition to regular vehicular traffic using the facility.

A separate parking and maneuvering area is proposed to accommodate 8 on-grade parking spaces, and an area for delivery trucks at the west end of the subject lands through the westerly access driveway on Teston Road. A total of 15 at-grade parking spaces are provided on the subject lands. The final design of the two accesses must be to the satisfaction of the Region of York Transportation Services Department.

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Building Elevations

The proposed building elevations are shown on Attachments #5, #6, and #7. The building elevations include brick masonry walls, stone masonry accents, shingled roofs, and balconies with prefinished metal railing with tempered glass guards. The Owner will be required to provide a brick and colour sample to the satisfaction of the Development Planning Department. Furthermore, the Development Planning Department has reviewed the elevation drawings and recommends additional improvements to the building elevations fronting Teston Road and Dufferin Street to be detailed as “front” elevations. The Owner has been notified of this requirement and a condition has been included in the recommendation section of this report.

Vaughan Engineering

The Owner has submitted servicing, grading and stormwater management plans, which must be approved to the satisfaction of the Vaughan Engineering Department.

i) Environmental Site Assessment (ESA)

The Vaughan Engineering Department has reviewed the Phase 1 Environmental Site Assessment and concurs with the findings of the report, subject to the following, which are included as conditions in the recommendation section of this report:

- a) the Owner shall certify, to the satisfaction of the Vaughan Engineering Department, that the debris identified in the Phase 1 Environmental Site Assessment report, and any above ground or underground storage tanks have been properly removed and disposed off-site; and,
- b) the Owner shall ensure that the monitoring wells are decommissioned in accordance with Ontario Regulation 903 and copies of the completed Water Well Records confirming that the work has been carried out are submitted to the City to the satisfaction of the Vaughan Engineering Department;

ii) Servicing

In a letter dated April 2, 2007 from the Region of York regarding “Retirement Home Type Facilities – Servicing Allocation Requirements,” the allocation of servicing capacity is not required for retirement home type facilities where:

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

The proposed development meets the above criteria and is exempt from the individual assignment of allocation as they fall under the “non-residential” category for the purpose of servicing capacity.

A functional servicing report/brief has been reviewed and the Vaughan Engineering Department concurs with the findings of the said report. The final site servicing and grading plans shall be approved to the satisfaction of the Vaughan Engineering Department.

Garbage/recycling and snow removal will be by private pick-up.

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iii) Stormwater Management Report

The stormwater management report must be to the satisfaction of the Vaughan Engineering Department. A condition on this matter has been included in the Recommendations section of this report.

Archaeological Assessment

In the letter dated May 25, 2009, the Ministry of Culture provided their clearance indicating that they concur with the findings of the Stage 1 and 2 Archaeological Assessment on the property. There are no further concerns for alterations to the archaeological sites for the area that has undergone archaeological assessment, as noted in the Stage 1 and 2 Report.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York has reviewed the Official Plan Amendment Application and provided the following comments:

- a) the Owner shall convey the following lands, along the entire frontages of the site adjacent to both Dufferin Street and Teston Road to the Regional Municipality of York, free of costs and encumbrances:
 - i) sufficient property to provide an 18.0 m setback from the centreline of construction; and,
 - ii) sufficient property to provide a 15.0 m by 15.0m daylighting triangle at the southwest corner of Dufferin Street and Teston Road.

The site plan shown on Attachment #3 reflects the Region’s requirements noted above. The Site Plan must be approved to the satisfaction of the Region of York Transportation Services Department as the site is adjacent to Dufferin Street and Teston Road, both being Regional roads. The Owner is required to comply with all Regional requirements.

Conclusion

The Official Plan and Zoning By-law Amendment and Site Development Applications have been reviewed in accordance with the Provincial Policy Statement, Places to Grow, York Region Official Plan, OPA #332, as amended by OPA #535 and OPA #604 (Oak Ridges Moraine Conformity Plan), By-law 1-88, the comments from City Departments and external agencies, and the area context. The Development Planning Department is satisfied that the proposed development for a 6 storey, 12,558 m² gross floor area residential apartment building consisting of 137 units catered to an adult lifestyle community is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of Official Plan Amendment File OP.08.011, Zoning By-law Amendment File Z.08.046, and Site Development File DA.09.024, subject to the conditions and recommendations of this report.

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Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. East and North Elevations (from Dufferin Street)
6. North Elevation (from Teston Road)
7. South and West Elevations (from Courtyard)

Report prepared by:

Stephen Lue, Planner, ext. 8210
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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Item 72, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**OFFICIAL PLAN AMENDMENT FILE OP.08.005
ZONING BY-LAW AMENDMENT FILE Z.08.022
1483969 ONTARIO LIMITED C/O FRANCO PALLADINI
WARD 3**

The Committee of the Whole recommends that no action be taken on this matter and it be adjourned “sine die”, in accordance with the written submission of Mr. Peter J. Weston, Principal, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated June 23, 2009, representing the applicant.

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.08.005 (1483969 Ontario Limited C/O Franco Palladini), specifically to amend OPA #663 (The Highway 7 Land Use Futures Study), to permit a maximum density/Floor Space Index (FSI) of 5.0 and a maximum building height of 114m, on the subject lands shown on Attachments #1 and #2, to facilitate the development of the concept plans shown on Attachments #6 - #9, NOT BE APPROVED as submitted.
2. THAT alternatively, Official Plan Amendment File OP.08.005 (1483969 Ontario Limited C/O Franco Palladini), BE APPROVED, specifically to amend OPA #663 (The Highway 7 Land Use Futures Study), to include the following policies for the subject lands shown on Attachment #1:
 - a) To permit an increased in FSI above the permitted maximum FSI of 2.5 and maximum building height of 25 m without further amendment to the Official Plan, on the basis that such increases shall be consistent with the hierarchy of development envisioned along Regional Road 7 through the Official Plan, provided it can be demonstrated that the said increases are appropriate, which shall be assessed on the following criteria, to the satisfaction of the City and/or external agency(ies):
 - i) the submission of a rezoning application and a complete Site Development Application including a site plan, building elevations and landscape plans, pedestrian wind impact study, urban design brief, context plan, landscape master plan, pedestrian network plan; opportunities for sustainable building and site design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), and any other information or report deemed necessary;
 - ii) an analysis and evaluation of any increase in FSI in the context of a planning justification report considering City, Regional and Provincial land use policies;
 - iii) storm water management report, sanitary/water servicing plans, lot grading plan, and a functional servicing report to determine the availability of water and sanitary sewage servicing capacity;

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- iv) transportation and traffic impact study, parking study, noise study, and market impact study;
 - v) any increase in FSI and building height proposed prior to the adoption of the official plan to implement the findings of the Vaughan Corporate Centre Focus Area Review shall be submitted to the Official Plan Review Committee for review and comment and shall have regard for draft policies, and the findings of preliminary reports concerning the focused area study for the VCC; and,
- b) Council may consider increases in FSI and building height, subject to Section 37 of the *Planning Act*, in return for community benefits, including but not limited to: public squares; public art; other non-profit art; cultural, community or institutional facilities; parkland dedication and/or cash-in-lieu of parkland for park improvements; streetscape improvements on public lands; local improvement to transit facilities, including rapid and surface transit and surface and subsurface pedestrian connections to transit facilities; land for other municipal purposes; and, other local improvements identified through Community Improvement Plans, Secondary Plans, or other implementation plans or studies.

This provision shall not be interpreted to imply that the increased density and building height are unlimited. Any consideration of increased density and building height shall be consistent with the hierarchy of density and height established by the governing City, Regional and Provincial policies in place at the time of consideration of any proposed development.

3. THAT Zoning By-law Amendment File Z.08.022 (1483969 Ontario Limited C/O of Franco Palladini) BE APPROVED, to rezone the subject lands shown on Attachments #1 and #2 from C2 General Commercial Zone to C9(H) Corporate Centre Zone with the addition of the Holding Symbol “(H)”, subject to the inclusion of the following zoning exceptions:
- a) to permit a maximum density/floor space index (FSI) of 2.5, thereby exempting the subject lands from the maximum residential density of 67m² per unit required in the C9(H) Corporate Centre Zone; and,
 - b) the “(H)” Holding Symbol may be removed in whole or in part at such time when a Site Development Application is approved by Council pursuant to Section 41 of the Planning Act, and upon water and sanitary servicing capacity being identified and allocated by Council.
4. THAT prior to the adoption and enactment of an implementing Official Plan and/or Zoning By-law Amendment respectively, the Phase I Environmental Site Assessment shall be approved to the satisfaction of the Vaughan Engineering Department.

Contribution to Sustainability

N/A

Economic Impact

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

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Communications Plan

On May 9, 2008, a Notice of Public Meeting was circulated to all property owners within 120m of the subject lands. Additional polling was undertaken beyond the statutory 120m required by the Planning Act, to capture the residential properties located southwest of Blue Willow Drive and Weston Road, which is a distance of approximately 600m from the property, as shown on Attachment #2. The recommendation to receive the Public Meeting report of June 3, 2008, was ratified by Council on June 11, 2008.

Public Comments

The Development Planning Department has received 5 letters and 1 email expressing concerns respecting the applications, which are summarized as follows:

- i) the proposal will further congest the Weston Road and Regional Road 7 area with additional people and traffic;
- ii) the proposal will add approximately 1500-2000 additional cars, which will increase the levels of carbon emissions and pollution;
- iii) the proposal is inconsistent with the surrounding single and semi detached residential community;
- iv) the proposed visitor parking is not sufficient and therefore, neighbouring commercial parking areas may be used;
- v) The Home Depot (140 Northview Boulevard) is concerned with the proposed density and potential complaints from future residents regarding noise related to Home Depot's existing and permitted loading and unloading operations, lack of surface visitor parking resulting in parking on Home Depot's lands, and traffic; and,
- vi) The 400 and 7 Power Centre, Calloway Real Estate (57 and 101 Northview Boulevard) have advised that the applicant appears to be proposing access from the private driveway on their property without discussion.

On June 16, 2009, a Notice for this Committee of the Whole Meeting was sent to all those individuals on record requesting notice or having appeared at the Public Meeting on June 3, 2008.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. An Official Plan Amendment Application (File OP.08.005), specifically to amend the "Corporate Centre District" policies of OPA #500 (Corporate Centre Plan), as amended by OPA #663 (The Highway 7 futures Land Use Study), to:
 - i) increase the maximum permitted Floor Space Index (FSI) from 2.5 to 5.0; and,
 - ii) increase the maximum building height from 25m to 114m.
2. A Zoning By-law Amendment Application (File Z.08.022) to amend By-law 1-88, to rezone the subject lands from C2 General Commercial Zone to C9 Corporate Centre Zone and to permit the necessary zoning exceptions required to implement the concept plan shown on Attachment #5.

The applications would facilitate the development of the property with three high density residential condominium buildings, as shown on Attachment #5, including: Tower A (28-storeys), Tower B (32-storeys), and Tower C (24-storeys), totaling 1050 residential units, ground and .../4

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second floor commercial and office uses, surface and underground parking, and a landscaped podium with an outdoor garden and water features are also proposed, as shown on Attachments #5 to #9 inclusive.

Background - Analysis and Options

The subject lands shown on Attachment #2 are located on the northeast corner of Regional Road 7 and Weston Road, municipally known as 7777 Weston Road, in Part of Lot 6, Concession 5, City of Vaughan.

Land Use Policies/Planning Considerations

The subject lands are designated "Corporate Centre Corridor" by OPA #500 (Corporate Centre Plan) as amended by OPA #663 (The Highway 7 Futures Land Use Study) and are zoned C2 General Commercial Zone by By-law 1-88, subject to Exception 9(246). The proposed high density residential development does not conform to the Official Plan and Zoning By-law, and therefore, amendments are required. The surrounding land uses are shown on Attachment #2.

The Development Planning Department has reviewed a Planning Justification Report prepared by Weston Consulting Inc., and the Official Plan Amendment application to permit a maximum density/Floor Space Index (FSI) of 5.0 and a maximum building height of 114m, on the subject lands, in light of the following land use policies:

a) Provincial Policy Statement (PPS) and Places to Grow

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The following policies of the PPS manage and direct land use to achieve efficient development and land use patterns within settlement areas:

- i) Section 1.1.3.2 (in part): Land use patterns within settlement areas shall be based on:
 - a) densities and a mix of land uses which:
 - 1) efficiently use land and resources;
 - 2) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion; and,
 - b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.
- ii) Section 1.1.3.3: Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- iii) Section 1.1.3.5: Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

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- iv) Section 1.4.3 (in part): Planning authorities shall provide an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:
 - b) permitting and facilitating:
 - 1. all forms of housing required to meet the social, health, and well-being requirements of current and future residents, including special needs requirements; and,
 - 2. all forms of residential intensification and redevelopment in accordance with policy 1.1.3.3.
- v) Section 1.6.1: Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost effective manner to accommodate projected needs. Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs.
- vi) Section 1.6.5.4: A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.

In addition to the policies of the PPS, the Province's *Places to Grow: The Growth Plan for the Greater Golden Horseshoe (GGH)*, which outlines the framework for implementing the Provincial vision for building stronger, prosperous communities by better managing growth to 2031 contains the PPS policies noted above and identifies the Vaughan Corporate Centre as an Urban Growth Centre and states the following:

- i) Section 2.2.3 6 (in part): All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target. This strategy and policies will:
 - e) recognize urban growth centres, intensification corridors and major transit station areas as a key focus for development to accommodate intensification; and,
 - g) identify the appropriate type and scale of development in intensification areas.

The Corporate Centre Plan (OPA #500) as amended by the Highway 7 Land Use Futures Study Plan (OPA #663) identify and include policies that promote intensification. The Official Plan permits high-density residential development in both the Corporate Centre Node and Corporate Centre Corridor designations. These permissions take into account the existing commercial building stock and the planned provincial infrastructure for the Vaughan Corporate Centre's future subway station, located between Edgeley Boulevard and Jane Street, north of Regional Road 7, and will accommodate projected residential and employment needs. Within this context, the Official Plan establishes a minimum development density/intensification target of 0.75 FSI to a maximum of 2.5 FSI for lands designated Corporate Centre Corridor and a maximum building height of 25m for lands designated Corporate Centre Node.

Subject to the comments and recommendation in this report, the applications have regard for the PPS and are consistent with the *Places to Grow Plan* in that they would promote the

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intensification of the subject lands on a Regional Corridor where significant infrastructure in the form of public transit and road improvements are planned. However, in the context of the City's Official Plan policies, the proposal is inconsistent with the established scale of development identified by OPA #663 for the lands designated Corporate Centre Corridor. Local official plans are considered the most important vehicle for implementing and identifying the appropriate scale of development in intensification areas. A discussion of the appropriate density for the subject lands that the Development Planning Department can support is outlined in the next section of the report.

b) City Official Plan Amendment OPA #663 and the City's Focus Area Study: Vaughan Corporate Centre

On April 23, 2008, the date the applications were received, the lands were designated "Corporate Centre District" by OPA #500 (Corporate Centre Plan), which did not permit residential uses, however, permitted a wide range of non-residential uses including, but not limited to, retail, commercial, civic, office and prestige industrial uses, and therefore, an application to amend the Official Plan was required at that time to facilitate the proposed development.

On August 1, 2008, the Regional Municipality of York approved the City's OPA #663 (The Highway 7 Land Use Future Study), which re-designated the property to "Corporate Centre Corridor" with a "Transit Stop Centre" overlay, which permits high density residential uses and establishes a maximum density of 2.5 FSI on the lands. Therefore, an amendment to the official plan is no longer required with respect to the proposed residential use, however, remains necessary for the proposed FSI of 5.0 and building height of 114m.

Development within the area designated "Corporate Centre Corridor" must be compatible with development on adjacent lands designated "Corporate Centre Node" and "Corporate Centre District" (OPA #663, subsection 3.4.1.d). The property is located adjacent to lands designated "Corporate Centre District" to the north; lands designated Corporate Centre Corridor to the east and west; and, the lands identified as the Corporate Centre Node are located further east, beyond Highway #400, as shown on Attachment #3. The Corporate Centre District designation does not permit residential uses and establishes a maximum net density of 0.6 floor space index and a maximum building height of 15m for all uses except office buildings and theatres. The Corporate Centre Node designation permits residential uses and establishes a maximum building height of 25m, except for development located on "Gateway Sites", shown on Attachment #4, where the maximum permitted building height is unrestricted.

The proposal to permit a maximum density/FSI of 5.0 and a maximum building height of 114m is inconsistent with the objectives and development policies of OPA #663, which establishes a maximum FSI of 2.5 for the subject lands. The proposal is incompatible with the as-of-right permissions for the adjacent lands, exceeding the maximum FSI of 0.6 and the maximum building height of 15m, permitted in the adjacent Corporate Centre District designation to the north. Furthermore, the property is not identified as a "Gateway Site" by the official plan and therefore, the building height is restricted on the lands. The Corporate Centre Node has been identified as the focus area for high order land uses in the City of Vaughan by OPA #500.

The City is currently undertaking a focused area study of the Vaughan Corporate Centre (VCC) and has commissioned Urban Strategies Inc. to re-examine the current official plan policies governing the VCC; namely, OPA #500 and OPA #663. The Official Plan Review Committee and the City's consultants through the VCC focus review may potentially recommend modifications to the policies that currently apply to the subject lands. The VCC focus review is expected to be completed by the end of 2009. Any increase in density and building height proposed prior to the completion of the Vaughan Corporate Centre Focus Area Review shall be contemplated by the Official Plan Review Committee. Should it be determined through the review that additional

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density and height permissions are warranted on the subject lands, these permissions will be permitted without further amendment to the official plan, but will be subject to a zoning by-law amendment application. Otherwise, the implementing Official Plan Amendment will include site-specific policies for the lands to permit increased density and height, as noted in the recommendation section of this report. If approved, the appropriate uses and development standards will be implemented by way of an approved site development application and a site-specific zoning by-law.

c) Region of York, Ministry of Transportation and Vaughan Engineering: Traffic Impact Study

The Official Plan Amendment Application (File OP.08.005) was considered at the Regional Municipality of York's Development Review Committee on May 29, 2008. While the Regional Planning Department is generally supportive of intensification along Regional corridors, it was concluded at the meeting, that further consideration of traffic, site circulation and access was required for the proposed development.

The applicant has submitted a Traffic Impact Study in support of the proposed development prepared by Cole Engineering, which was circulated to the York Region Transportation Services Branch, the Ministry of Transportation and the Vaughan Engineering Department for review and comment. The study proposes a signalized intersection at Weston Road and Northview Boulevard and recommends that two access points are necessary to serve the proposed development including, a full movement access onto Northview Boulevard and a right-in/left-out access onto the abutting private road to the east, as shown on Attachment #7. The Region has advised that the Regional Road 7 and Weston Road intersection is at capacity and operating at a Level "F", therefore any additional traffic volume must be re-routed away from the intersection.

The study also recommends the removal of the existing centre median on Weston Road to facilitate a traffic signal at Weston Road and Northview Boulevard, as shown on Attachment #7. This recommendation is not supported by the Region and it is recommended that the current right-in/right-out movements at Northview Boulevard be maintained. Traffic analysis and observations by the Region confirm that the existing southbound Weston Road left turn and through queues to Regional Road 7 extend into and beyond the proposed intersection at Northview Boulevard. The proposed signalized intersection would cut into the existing southbound dual left turn lanes on Weston Road thereby reducing the available storage for left turning vehicles. Currently, it is not uncommon for southbound left turning vehicles to wait up to three cycles of lights at Weston Road and Regional Road 7 before being able to perform the left turn movement.

The proposed high density residential development together with current Regional Road 7 operational and capacity constraints raises concerns regarding the proposed site access for the Ministry of Transportation (MTO). The MTO has advised that the existing right-in access to the adjacent easterly property (which the applicant has access) from Regional Road 7 was allowed by the Ministry only to serve the existing commercial site traffic. The proposed residential uses may adversely impact the existing Highway #400 off-ramp immediately east of the subject lands, and the future residential traffic queue will begin to block the North-West off-ramp, therefore, the Ministry may close and remove the existing right-in access.

The study recommends that dedicated retail parking areas are not required for the proposed development as the proposed retail uses (3,462m²) can be considered ancillary to the proposed residential and office uses and are not expected to attract visitors. The study also recommends that the City's By-law 1-88 parking space requirement for apartment dwelling units be reduced from 1.5 spaces/unit to 1 space/unit. The Vaughan Engineering Department does not support either recommendation.

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Given the concerns raised by the Region, MTO and the Vaughan Engineering Department, the proposed FSI of 5.0 for residential, retail and office uses along with the proposed building height of 114m cannot be supported by the Development Planning Department at this time.

Zoning

The subject lands are currently zoned C2 General Commercial Zone by By-law 1-88, subject to Exception 9(246), which permits an automotive sales establishment. An amendment to By-law 1-88 is required to rezone the property to C9(H) Corporate Centre Zone with the addition of the Holding Symbol "(H)", to facilitate the development of the site for residential uses along with the full range of retail, office, and commercial uses permitted as-of-right by the C9 Zone. The proposed C9 Zone will implement the Corporate Centre Corridor policies of the Official Plan (OPA #663).

The C9 Zone permits a maximum residential density of 67m² per dwelling unit which is calculated on the basis of residential gross floor area only. However, the Official Plan (OPA #663) establishes a maximum net density of 2.5 FSI, which is calculated to include the total gross floor area of all permitted uses (i.e. residential, office, retail, etc.), exclusive of major distributor roads, City streets, valleys, woodlots, parks, open spaces (including stormwater management ponds) hydro easements, existing development, parks or schools. The Development Planning Department recommends that the implementing zoning by-law exempt the subject lands from the density requirement of By-law 1-88 to implement the 2.5 FSI development standard established by the official plan.

The Vaughan Policy Planning Department has conducted a review of the permitted building heights in the Vaughan Corporate Centre (VCC) (File Z.08.073). The purpose of the review is to establish a minimum building height limit for lands located within the VCC until such time as the VCC Focused Area Review is finalized. The Policy Planning Department will bring forward a recommendation to the Committee of the Whole on June 23, 2009, to permit a minimum building height of 16.5m to a maximum of 25m in the VCC, which includes the subject lands. Should Council concur with this recommendation, an implementing zoning by-law will be enacted at the Council Meeting on June 30, 2008, and the recommendation contained in this report to permit a maximum building height of 25m for the subject lands will be consistent. The Focused Area Study will develop revised official plan policies and development standards for the VCC lands, which will be implemented through a future official plan and zoning by-law amendment.

Proposed Official Plan Amendment Policies

The subject lands are designated "Corporate Centre Corridor" by OPA #500 (Corporate Centre Plan) as amended by OPA #663 and are zoned C2 General Commercial Zone by By-law 1-88, and subject to Exception 9(246). The Development Planning Department can support a maximum FSI of 2.5 and a maximum building height of 25m, which are the as-of-right permissions, granted by the governing official plan and the implementing Zoning By-law, respectively. As discussed earlier, the property will be rezoned to C9(H) Corporate Centre Zone.

The Development Planning Department recommends that additional density and building height only be considered without further amendment to the official plan, in the context of the following specific framework:

- i) the submission of a complete Site Development Application including a site plan, building elevations and landscape plans, pedestrian wind impact study, urban design brief, context plan, landscape master plan, pedestrian network plan; opportunities for sustainable building and site design, including CEPTD (Crime Prevention Through Environmental Design), and LEEDS (Leadership in Energy and Environmental Design);

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- ii) an analysis and evaluation of any increased density in the context of a planning justification report considering City, Regional and Provincial land use policies;
- iii) storm water management report, sanitary/water servicing plans, lot grading plan, and a functional servicing report to determine the availability of water and sanitary sewage servicing capacity;
- iv) transportation and traffic impact study, parking study, noise study, and a market study; and,
- v) Council may consider increases in density and building height, subject to Section 37 of the *Planning Act*, in return for community benefits, including but not limited to: public squares; public art; other non-profit art; cultural, community or institutional facilities; parkland dedication and/or cash-in-lieu of parkland for park improvements; streetscape improvements on public lands; local improvements to transit facilities, including rapid and surface transit and surface and subsurface pedestrian connections to transit facilities; land for other municipal purposes; and, other local improvements identified through Community Improvement Plans, Secondary Plans, or other implementation plans or studies.

The City will assess the request for additional density and building height based on these criteria, which shall be approved to the satisfaction of the City and/or external agency(ies) prior to the increased density and height being permitted. If approved, these policies shall not be interpreted to imply that the increased density and height are unlimited. If the increases are warranted and granted by Council, they shall respect the hierarchy of density and height established by the governing City, Regional and Provincial policies in place at the time of consideration of the development.

Site Plan Control and the Holding Symbol “(H)”

The Development Planning Department recommends that, if approved, the subject lands be zoned with the addition of the Holding Symbol “(H)” in order to facilitate a comprehensive review of a development proposal for the site. The site will be zoned C9(H) Corporate Centre Zone.

In addition, in accordance with the City’s Servicing Capacity Distribution Protocol as adopted by Council on March 31, 2008, servicing allocation capacity for the proposed development has not been reserved or assigned potential future capacity at this time. Therefore, servicing capacity is unavailable to support the proposed residential development. The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for the applications will be revisited at this time based on the status of the subject development application. A Functional Servicing Report must be submitted for review and approval in support of the development applications, to demonstrate that the proposed development can be serviced in accordance with all City of Vaughan Engineering Department Design Standards and Criteria.

The Holding Symbol may be removed in whole or in part when a site plan is approved by Vaughan Council pursuant to Section 41 of the Planning Act, and upon water and sanitary servicing capacity being identified and allocated by Council. A Zoning By-law Amendment application would be required to lift the Holding Symbol “(H)” from the subject lands and to permit any additional zoning exceptions that may be required to implement any approved site plan.

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”.

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Regional Implications

The Region of York has reviewed the Official Plan and Zoning By-law Amendment Applications along with the supporting studies and reports. The Regional implications have been included in the Land Use Policies/Planning Considerations' section of this report.

Conclusion

The Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment Applications to permit high density residential uses, a maximum density of 5.0 FSI (Floor Space Index) and a maximum building height of 114m in accordance with the applicable policies of the Province, Region of York, the City's Official Plan, the requirements of the Zoning By-law, and the area land use context. These applications are considered to be inconsistent with the City's Official Plan and Zoning By-law, would result in traffic concerns as identified by the Region of York and the Ministry of Transportation, and may result in development that is not consistent with the existing VCC or results of the Vaughan Corporate Centre Focused Area Study.

The Development Planning Department can support a maximum FSI of 2.5 and a maximum building height of 25m, which are as-of-right permissions granted by the governing official plan (OPA #663) and the implementing C9(H) Zone, respectively. The Development Planning Department has proposed a framework for the consideration of additional density and building height to be included in the Official Plan without further amendment to the plan, based on a number of criteria including but not limited to, the submission of a complete Site Development Application, a Planning Justification Report, Traffic Study and bonusing in exchange for community benefits, which shall be reviewed to satisfaction of the City and/or appropriate external agencies.

The Development Planning Department can support the Zoning By-law Amendment Application to rezone the property from C2 General Commercial Zone to C9 Corporate Centre Zone in accordance with the requirements of By-law 1-88 and with a permitted FSI of 2.5 as permitted by the current Official Plan. The Development Planning Department is also recommending that the lands be zoned with the Holding Symbol "(H)", which shall be removed (in whole or in part) upon approval of a Site Development Application and the identification of servicing capacity by Council. The Development Planning Department can support the endorsement of the applications to amend the Official Plan and Zoning By-law, subject to the recommendations and the conditions of approval set out in this report.

Attachments

1. Context Location Map
2. Location Map
3. OPA #663-Land Use Plan
4. OPA #500-Transportation Plan
5. Applicant Proposed Concept Site Plan
6. Applicant Proposed Concept Podium Level Plan
7. Applicant Proposed Concept Street Level Plan
8. Applicant Proposed Concept Underground Plan
9. Applicant Proposed Concept Elevations

Report prepared by:

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

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(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 73, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**ZONING BY-LAW AMENDMENT FILE Z.09.010
TONLU HOLDINGS LTD.
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.010 (Tonlu Holdings Ltd.) BE APPROVED, to amend the R1 Residential Zone respecting site-specific Exception 9(821) of By-law 1-88, to permit a children's day nursery as an additional use within the existing building, and two (2) associated outdoor play areas and 11 parking spaces, and to recognize the location of the existing buildings within two (2) building envelopes with the following setbacks and landscape buffers:

| Standards | Requirements of Exception 9(821) | Proposed Exceptions |
|---|---|---|
| Minimum Front Yard Setback (Major Mackenzie Drive) | 5.0 m | 2.8 m |
| Minimum Interior Side Yard Setback (East Property Line) | 5.0 m | 2.0 m |
| Landscape Buffer Strip Width (along Major Mackenzie Drive) | 5.0 m | 2.8 m |
| Minimum Landscape Buffer Strip Width (Along East Property Line), where an institutional use abuts a residential use | 2.4 m | 2.0 m (adjacent to garage) 3.0 m (south of garage) |

2. THAT the Owner submit a Site Development Application to the Vaughan Development Planning Department for consideration by Vaughan Council respecting, but not limited to, the following:
 - a) the reconfiguration of the parking area;
 - b) the location of the associated outdoor play areas;
 - c) additional landscaping;
 - d) new fencing, signage, and any elements to be incorporated from the Maple Streetscape Guidelines;
 - e) the comments by the Heritage Vaughan Committee, the Maple Streetscape Community Advisory Committee, Vaughan Engineering Department and the Region of York Transportation Services Department; and,
 - f) all the issues that were addressed and agreed to be undertaken by the Owner at the Ward 1 Subcommittee Meeting on May 13, 2009, including:
 - i) restrict all pedestrian access to and from Mathewson Street by replacing the existing wood picket fence and gate, with a 1.8 m high black wrought iron fence (completely enclosed);

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- ii) the parking area adjacent to Mathewson Street (6 spaces total) will be restricted to employee parking only. Employees would gain access into the day nursery from the existing 3-car garage access door by key only ; and,
- iii) the Owner redesign the main parking area to allow for a turning circle with a kiss and ride drop-off area as shown on Attachment #3. The day nursery operator would commit a staff member to receive the children every morning.

Contribution to Sustainability

The contribution to sustainability will be determined through the site plan process.

Economic Impact

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

Communications Plan

On March 27, 2009, a Notice of Public Meeting was circulated to all property owners within 150 m of the subject lands. The Public Meeting was held on April 20, 2009 and considered amendments to the site-specific R1 Residential Zone provisions of Exception 9(821) to By-law 1-88, to permit a day nursery as an additional use within the existing building with two (2) associated outdoor play areas, and to recognize the location of the existing buildings within a building envelope.

Comments were received from the area residents and people in attendance at the April 20, 2009 Public Meeting. In particular, the following deputations were received:

- i) Ms. Angela Edwards, 41 Mathewson Street;
- ii) Mr. Vince Andriano, 4040 Steeles Avenue; and
- iii) Mr. Steve Piccotti, 9 Mathewson Street.

The following concerns were identified at the Public Meeting:

- i) the traffic impact by the proposed day nursery use will add pressure to Major Mackenzie Drive, which would have negative effects on road safety;
- ii) concern that the on-site parking spaces may not be sufficient;
- iii) access to and from Mathewson Street would generate additional unwanted vehicular and pedestrian traffic;
- iv) concern how pick-up and drop-off would be carried out on site; and,
- v) concern with the potential of additional on-street parking on Mathewson Street.

The recommendation of the Committee of the Whole on April 20, 2009, to receive the Public Meeting report and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on May 5, 2009.

Ward 1 Subcommittee Meeting

In order to resolve the issues, the Local Councillor (Ward 1) along with the Owner, met with the area residents on May 13, 2009, at a Ward 1 Subcommittee meeting. The following residents were in attendance:

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- a) Rosalba Lofranco, 32 Doe Trail;
- b) Antonetta Borges, 54 Mathewson Street;
- c) Kathy Volpe, 45 Mathewson Street;
- d) Angela Edwards, 41 Mathewson Street;
- e) Mima Casola, 97 Mathewson Street;
- f) Robert Khoubian, 54 Carmel Street.
- g) Frank Partipico, 4 Sonny Court;
- h) Steve Piccotti, 9 Mathewson Street;
- i) Antoniette-Oreste Ferrone, 86 Mathewson Street;
- j) Tony Pagan, 30 Alfred Street; and,
- k) Franca and Joseph Filosa, Mathewson Street.

At the meeting, the Owner and the day nursery operator made a presentation on the development proposal. The Development Planning Department was present for the purpose of gathering information. The local residents raised concerns that the proposed day nursery would disrupt the surrounding community and contribute to significant additional traffic in the existing residential neighbourhood. A representative of the local community offered a residents' petition that strongly disagreed with the zoning by-law amendment application based on the following issues:

- i) the inevitable increase in traffic volumes on a residential street (Mathewson Street);
- ii) safety and protection of all residents and their respective properties;
- iii) the perceived decrease in value of the surrounding properties; and,
- iv) the increase in traffic volumes on Major Mackenzie Drive that would result in safety concerns for the community.

Community Resolution

The concerns of those local residents who attended the meeting were discussed and all parties agreed to the following compromises, that have been included in the recommendation section of this report for the Owner to undertake in a future site development application:

- i) the Owner would close off all pedestrian access to and from Mathewson Street and restrict access to only parking for employees (maximum 6 employees in total) – the employees would gain access into the day nursery from the existing 3-car garage access door by key only;
- ii) the Owner would provide a 1.8m high black wrought iron fence along the west side of the north driveway off Mathewson Street to deter trespassing and infiltration to and from existing neighbourhood; and,
- iii) the Owner would redesign the parking area to allow for a turning circle with a kiss and ride drop-off area – the day nursery operator would commit a staff member to receive the children in the morning.

Purpose

The Owner has submitted a Zoning By-law Amendment File Z.09.010 (Tonlu Holdings Ltd.) for the subject lands, shown on Attachment #2, to amend the R1 Residential Zone in particular the site-specific Exception 9(821) of By-law 1-88 to permit a day nursery as an additional use within the existing building with two (2) associated outdoor play areas and 8 parking spaces, as shown on Attachment #3, and to recognize the location of the existing buildings within two (2) building envelopes as shown on Attachment #4, with the following setbacks and landscape buffers:

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| Standards | Requirements of Exception 9(821) | Proposed Exceptions |
|---|---|---|
| Minimum Front Yard Setback (Major Mackenzie Drive) | 5.0 m | 2.8 m |
| Minimum Interior Side Yard Setback (East Property Line) | 5.0 m | 2.0 m |
| Landscape Buffer Strip Width (along Major Mackenzie Drive) | 5.0 m | 2.8 m |
| Minimum Landscape Buffer Strip Width (Along East Property Line), where an institutional use abuts a residential use | 2.4 m | 2.0 m (adjacent to garage) 3.0 m (south of garage) |

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located on the north side of Major Mackenzie Drive, between McNaughton Road and Killian Road in Part of Lot 21, Concession 4, municipally known as 2600 Major Mackenzie Drive, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated “Low Density Residential” by OPA #350 (Maple Community Plan). OPA #350 permits day nursery uses throughout the community. The proposed day nursery use is permitted by the Official Plan.

Zoning

The subject lands are zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(821). The proposed day nursery use is not permitted on the property, and therefore, a By-law amendment is required for the following, as shown on Attachments #3 and #4:

- a) to permit a day nursery use, and the two (2) associated outdoor play areas, as an additional use on the subject lands;
- b) to recognize the location of the existing buildings within two (2) building envelopes; and,
- c) require a minimum of 11 parking spaces on the property, of which 3 parking spaces are tandem.

The Development Planning Department supports the proposed day nursery use and garage within the two (2) building envelopes identified on Attachment #4. The day nursery use will provide an additional service to the residents of the Maple Community. The applicant intends to maintain the existing exterior conditions of the currently vacant designated historical building; however, the Maple Streetscape Committee and Cultural Services (Heritage Vaughan) review on changes to any elements or requirements to provide elements on the property will be required at the future site development review stage. Issues respecting parking and traffic are discussed below.

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Parking and Traffic

The Owner is providing a total of 11 parking spaces on the property, as shown on Attachment #3, which includes 5 spaces accessed from Major Mackenzie Drive (main parking area) and 6 spaces (staff parking only) accessed from Mathewson Street of which 3 are tandem parking spaces located within the separate garage building.

The Owner has submitted a parking study by Mark Engineering, dated March 20, 2009, that concluded there is sufficient parking room within and in front (north) of the existing garage to serve the staff parking demands. The study also concludes that the 5 parking spaces accessed from Major Mackenzie Drive is sufficient for the use and that there is sufficient room on the north end of the parking area for vehicles to turn around should parking become unavailable.

The Owner subsequently provided a parking and traffic study addendum report by Mark Engineering, dated May 27, 2009, which concluded that the potential conflicts between vehicles parking and unparking from the parking area off Major Mackenzie Drive and the queue of vehicles waiting to leave the site onto Major Mackenzie Drive will be few in number and relatively minor.

The Vaughan Engineering Department has reviewed the reports by Mark Engineering and concurs with the findings respecting the parking demand by the day nursery use. Respecting the traffic impact study, the Vaughan Engineering Department deferred their comments to the Region of York Transportation Services Department as Major Mackenzie Drive is a Regional right-of-way.

Region of York Transportation Services

The Region of York was provided the following reports by Mark Engineering:

- 1) Parking and Circulation Study, dated March 20, 2009;
- 2) Parking and Circulation Study Addendum, dated May 27, 2009; and,
- 3) Traffic Impact Brief, dated June 12, 2009.

The Traffic Impact Brief was requested by the Region for the purposes of providing additional details on the traffic and trip generation of the proposed use. The brief compared the trip generation for a day nursery use, which is currently not permitted on the subject lands, with that of a private school use, which is currently permitted on the property in the R1 Residential Zone. The conclusion of the brief is that the trip generation rate for a day nursery use is the same or less than the trip generation for a private school use. The Region concurs with the conclusions of the June 12, 2009 Traffic Impact Brief and in a correspondence to the Development Planning Department on June 17, 2009, advised that the Region has no objections to the proposed day nursery use on the property, given that a similar private school use is currently permitted in the existing R1 Residential Zone.

Landscaping

The Development Planning Department has reviewed the conceptual site plan on Attachment #3 for the proposed day nursery and conducted a site visit on May 11, 2009, and is concerned that there are no visual or noise buffering between the existing residence to the east (86 Mathewson Street) and outdoor play area #2. Though the Owner proposes a minimum 2.0 m wide landscape buffer between the institutional use and the residential use along the east property line, the existing grade differential between the two properties, with the subject lands being a approximately 0.6 m higher, would warrant a minimum 3.0 m wide buffer along the east property line abutting the outdoor play area #2, and a minimum 1.8 m high fence, of a material that will provide acoustic and visual screening, along the entire east property line of the subject lands. The Owner has been notified of this requirement and in a memorandum dated June 17, 2009, the

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Owner expressed interest to work with the Development Planning Department on the matters of providing additional landscaping and fence details that will facilitate the future site development review.

The Development Planning Department will require the Owner to provide shading for the outdoor play areas with the addition of a mix of medium to large deciduous and coniferous trees. The choice of vegetation for the buffer along the east property line will be reviewed at the site development stage and will incorporate plant species that would act both as noise and screening buffers, to the satisfaction of the Development Planning Department. Furthermore, the Owner will be required to substitute the proposed chain link fence surrounding the outdoor play areas with another material to be determined at the future site development review stage.

Vaughan Cultural Services/Heritage Vaughan/Maple Streetscape

The Vaughan Cultural Services Division has no objection to the zoning application. Cultural Services has advised the Development Planning Department that the existing structure is designated under Part IV of the Ontario Heritage Act and Heritage Permit approval will be required for any changes to the building and property, including signage, fencing and landscaping. The Heritage Permit may be applied for after the Owner submits a site development application. Cultural Services further advises that chain link fences around the proposed outdoor play areas are not considered appropriate for this property and that they will work with the applicant to determine a more appropriate fencing material at the future site development stage. Any requirements of the Maple Streetscape Guidelines will also need to be addressed in the Site Plan submission for consideration by the Maple Streetscape Community Advisory Committee.

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 reviewed the zoning by-law amendment application and has no objection to the proposed day nursery as an additional use on the subject lands. The future site development application will be circulated to the Region of York for comments and the Owner will be required to comply with all Regional requirements.

Conclusion

The Development Planning Department has reviewed the proposed Zoning By-law Amendment Application in accordance with OPA #350 (Maple Community Plan), By-law 1-88, the comments from City Departments and external public agencies, the local residents, and the area context. The Development Planning Department is satisfied that the proposed development to permit a day nursery as an additional use within the existing “Jacob Rupert House”, with two associated outdoor play areas, and 11 parking spaces is compatible with the existing and permitted uses in the surrounding area. The details to implement the proposal with respect to parking, landscaping, fencing, signage, among other matters, will be addressed through a separate Site Plan application, which the applicant must submit. The Development Planning Department can support the approval of the Zoning By-law Amendment Application, subject to the recommendations in this report.

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Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Proposed Building Envelopes

Report prepared by:

Stephen Lue, Planner, ext. 8210
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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Item 74, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**ZONING BY-LAW AMENDMENT FILE Z.08.065
VENTANA HOMES INC.
WARD 1**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 2009, be approved, subject to the following:
 1. That recommendation 1. b) be deleted and replaced with the following:

“1. b) permit a minimum front yard setback to the house of 4.5 m and to the garage of 6.0m, whereas the By-law requires a minimum front yard setback of 7.5m”; and
 2. That recommendation 2. b) be amended by revising the end of the sentence to read:

“and that staff review and make recommendations to provide for the requirement for the developer to connect the existing drainage systems of lots immediately abutting to the north in order to resolve the drainage issues on the abutting lots to the drainage system for the proposed lots, and that appropriate easements be provided;” and
- 2) That the following deputations be received:
 - a) Mr. Billy Tung, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Vaughan, L4L 3P3, on behalf of the applicant;
 - b) Mr. Marino Primozic, 17 Mapledown Way, Maple, L6A 4A8; and
 - c) Mr. George Karakokkinos, Nuland Management Inc.

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.065 (Ventana Homes Inc.) BE APPROVED, to amend the R1 Residential Zone standards in site-specific Exception 9(1306) of By-law 1-88, to permit the following zoning exceptions to implement the approved Plan of Subdivision File 19T-03V11 (Ventana Homes Inc.) for 83 lots for single detached dwellings (Attachment #3), as follows:
 - a) permit a maximum building height of 11.0 m, whereas the By-law requires a maximum building height of 9.5 m;
 - b) permit a minimum front yard setback to the house and garage of 6.0 m, whereas the By-law requires a minimum front yard setback of 7.5 m; and,
 - c) to permit the following:

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- i) a maximum lot coverage of 40% on all the lots within the approved Plan of Subdivision (File 19T-03V11, Ventana Homes Inc.), shown on Attachment #3, should the Owner not design and implement the negotiated environmental sustainability features in the said approved Plan of Subdivision, to the satisfaction of the Development Planning Department;

or,

- ii) maximum lot coverages as prescribed Table 1, provided that the Owner design and implement the negotiated environmental sustainability features in the approved Plan of Subdivision (File 19T-03V11, Ventana Homes Inc.), to the satisfaction of the Vaughan Development Planning Department:

Table #1: Proposed Lot Coverage

| Lot Number as Noted on the Approved Plan of Subdivision File 19T-03V11, as shown on Attachment #3 | By-law 1-88 R1 Residential Zone Maximum Lot Coverage Requirement | Proposed New Maximum Lot Coverage in the R1 Residential Zone |
|--|---|---|
| Lots 2, 34, 41, 66, 67 | 35% | 36% |
| Lots 32, 33, 39, 68 | 35% | 37% |
| Lots 9, 10, 24, 65 | 35% | 38% |
| Lots 8,30, 40 | 35% | 39% |
| Lots 31, 54, 57, 58, 70-79 | 35% | 40% |
| Lots 23, 26, 28 | 35% | 41% |
| Lots 44, 49 | 35% | 42% |
| Lots 7, 27, 48, 59 | 35% | 43% |
| Lots 5, 6 | 35% | 44% |
| Lots 12, 42, 43, 47 | 35% | 45% |
| Lots 13, 64 | 35% | 46% |
| Lots 4, 50 | 35% | 47% |
| Lot 11 | 35% | 48% |
| Lots 16 – 20, 25, 51-53 | 35% | 51% |
| Lots 29, 60-63 | 35% | 52% |
| Lot 3 | 35% | 53% |

2. THAT the subdivision agreement for the Plan of Subdivision include the following provisions:

- a) “The Owner shall design and implement the following environmental sustainability features in the approved Plan of Subdivision (File 19T-03V11) to the satisfaction of the Vaughan Development Planning Department:

- i) rainwater harvesting (Rain Barrels) shall be utilized by all the homes;
- ii) install permeable pavers for driveways, for a minimum 50% of the housing units to the discretion of the Owner, with the lots to be confirmed in the subdivision agreement;

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- iii) provide trees with a minimum caliper of 150mm in diameter with a minimum height of 5 m in the rear yards of Lots 69 to 81 inclusive for additional buffering;
 - iv) provide water balancing infiltration trenches;
 - v) provide habitat restoration through the use of native drought resistant plant materials (Xeriscapes) in the buffer areas along the top-of-bank and within the stormwater management pond;
 - vi) provide pre-engineered wiring within the homes for future solar panel installation by the individual homeowner at a later date;
 - vii) provide 2-stage high efficiency furnaces for energy efficiency heating; and,
 - viii) the purchase and sale agreement for all lots shall include a clause that reads “Should the purchaser install a swimming pool, any external heating system of the swimming pool shall be solar energy only”; and,
 - ix) provide energy efficient street lighting to the satisfaction of the Vaughan Engineering Department.”
- b) “THAT prior to the registration of the subdivision plan, the Owner shall address the existing drainage issues along the north property line abutting the lands to the north, to the satisfaction of the Vaughan Engineering Department.”
3. THAT the Vaughan Engineering Department shall not finalize the subdivision agreement for the said approved Plan of Subdivision until such time as the conditions respecting the environmental sustainability features and drainage resolution along the north property line as noted above are included in the subdivision agreement.

Contribution to Sustainability

The applicant has advised that the following sustainable features, but not limited to, will be designed and implemented within the subdivision design to create a healthy community:

- a) rain water harvesting (rain barrels), which shall be used by all the homes;
- b) installation of permeable pavers for driveways, for a minimum 50% of the housing units to the discretion of the Owner, with the lots to be confirmed in subdivision agreement;
- c) provide trees with a minimum caliper 150 mm in diameter with a minimum height of 5 m in the rear yards of Lots 69 to 81 inclusive for additional buffering;
- d) provide water balancing infiltration trenches;
- e) provide habitat restoration through the use of native drought resistant plant materials (Xeriscapes) in the buffer areas along the top-of-bank and within the stormwater management pond;
- f) provide pre-engineered wiring within the homes for future solar panel installation by the individual homeowner at a later date;
- g) provide 2-stage high efficiency furnaces for energy efficiency heating; and,
- h) provide energy efficient street lighting throughout the subdivision.

Economic Impact

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

Communications Plan

On November 7, 2008, a Notice of Public Meeting was circulated to all property owners within 120 m of the subject lands. The Public Meeting was held on December 1, 2008, proposing the following changes to the R1 Residential Zone standards:

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- a) a maximum building height of 11.0 m, whereas the By-law requires a maximum of 9.5m;
- b) a minimum front yard setback to the house and to the garage of 4.5 m and 6.0 m, respectively, whereas the By-law requires a minimum of 7.5 m;
- c) a minimum interior side yard setback of 1.2m, whereas the By-law requires a minimum of 1.5m; and,
- d) to permit no maximum lot coverage requirements.

Comments were received from the area residents and people in attendance at the Public Meeting, in particular, the following:

- iv) Mr. Kam Harbauer, 795 Woodland Acres;
- v) Ms. Emily Fusco, 25 Mapledown Way;
- vi) a written petition strongly objecting to the proposed changes to the R1 Residential Zone standards signed by the homeowners of the Northdale Community (the residents of the existing subdivision to the north of the subject lands); and,
- vii) a written submission by Mr. Angelo Caranci, 11,000 Dufferin Street.

The following concerns were identified in Mr. Caranci's letter:

- vi) the negative impact of the proposed zone standard changes on the usability and enjoyment of the said property located at 11,000 Dufferin Street;
- vii) the increased height would restrict the view and sunlight onto the said property; and,
- viii) the elimination of the lot coverage requirement would allow the entire buildable areas on the lots to be covered.

The overall consensus at the December 1, 2008 Public Meeting by the deputants was that the Owner should maintain the approved R1 Residential Zone standards in the subdivision. Furthermore, the Owner was directed by the Committee to meet with the local residents of the Northdale Community. The Committee also noted that "no coverage" is not appropriate for the subdivision and that for "estate residential" lots, the minimum 7.5 m front yard setback should be maintained.

The recommendation of the Committee of the Whole on December 1, 2008, to receive the Public Meeting report and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on December 8, 2008.

Community Meeting

In response to the Committee's suggestion, the Owner met with the local residents on April 30, 2009. The Development Planning Department attended the meeting for information gathering purposes. The following individuals attended the community meeting:

- a) Pat and Emily Fusco, 25 Mapledown Way;
- b) Marino Primožic, 17 Mapledown Way;
- c) Marilyn lafrate, on behalf of 55 Marwood Place;
- d) Henry Greenberg, 185 Hunterwood Chase; and,
- e) Frank Cordovado, 41 Mapledown Way.

At the community meeting, the Owner made a presentation on the proposed changes to the zone standards of the approved plan of subdivision, and indicated the following:

- i) the requested zoning by-law amendment to permit a maximum building height from 9.5 m to 11.0 m remain – the reason was that the architecture of the proposed dwellings would warrant a higher pitched roof in order to maintain an appropriate scale and level of aesthetics for the proposed homes;

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- ii) the reduced interior side yard setbacks from 1.5 m to 1.2 m that was originally requested was no longer required;
- iii) the reduced front yard setbacks to the house and to the garage from 7.5 m to 4.5 m and 6.0 m, respectively, be required for some of the lots pending the design of the home; and,
- iv) the breakdown of the lot coverage by lots, as identified on Chart #1 in the Recommendation Section of this report.

The Owner identified that Lots 1, 14, 15, 21, 22, 35 – 38 inclusive, 45, 46, 55, 56, 69, 80, and 81, for a total of 16 lots, complies with the current maximum lot coverage of 35% under By-law 1-88.

Community Resolution

The concerns of those local residents who attended the community meeting were discussed and the following consensus was made:

a) Building Height:

The Owner explained to the local residents that the increased maximum building height from 9.5 m to 11.0 m was necessary as the proposed homes are larger and would require a larger pitched roof that is in keeping with the scale and mass of the building design.

The majority of the local residents who attended the community meeting currently reside on the southern limits of the Northdale Community. Their concern was that the increased height would block sunlight on their properties. The Owner explained that the separation distances between the existing homes and the proposed homes would not warrant any concerns of blocked sunlight. The minimum proposed setback from the proposed homes to the shared property line with the existing residences to the north is approximately 11.0 m. The Owner noted that the current minimum rear setback in the R1 Residential Zone is 7.5 m, which the proposed homes on the subject lands already exceed. The local residents concurred that the building height would not be cause for concern.

b) Front Yard Setback:

The Owner explained that the decrease in the minimum front yard setback from 7.5 m to 6.0 m to the garage and 4.5 m to the home would apply to Lots 2 to 68, inclusive, as shown on Attachment #3. The local residents were concerned that the reduced garage setback of 6.0 m to allow for the parking of one car on the driveway would generate more cars being parked on the road, particularly on Hunterwood Chase. The Owner assured the local residents that the proposed homes along Hunterwood Chase have garages that can accommodate three cars in the garage and an additional three cars on the driveway. The local residents concurred with the Owner that on-street parking along Hunterwood Chase would not be a concern as the proposed homes can accommodate sufficient off-street parking.

c) Lot Coverage:

The Owner, as directed by the Development Planning Department, undertook the exercise of siting the proposed homes on the lots, to generate maximum lot coverage information on the individual lots (Attachment #4), to which the local residents had no objection. The Owner's constraints for the exercise were the following:

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- a) factoring the lot coverage on those lots that have already been sold; and,
- b) that the proposed maximum lot coverages are the result of some of the lots having unique configurations.

The Owner advised that the current purchasers of the homes provided their consent on the zoning changes affecting their homes. The Owner had provided written proof of the amending purchase and sale agreements.

Purpose

The Owner has submitted a Zoning By-law Amendment File Z.08.065 (Ventana Homes Inc.) to amend the R1 Residential Zone standards in site-specific Exception 9(1306) of By-law 1-88 to facilitate the development of the subject lands shown on Attachment #2 for 83 residential units in an approved Plan of Subdivision (File 19T-03V11, Ventana Homes Inc.) shown on Attachment #3, as follows:

- a) to permit a maximum building height of 11.0 m, whereas the By-law requires a maximum of 9.5 m;
- b) to permit a minimum front yard setback to the house and to the garage of 4.5 m and 6.0 m, respectively, whereas the By-law requires 7.5 m; and,
- c) to permit the maximum lot coverage shown on Chart #1 in the Recommendation section of this report.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located on the west side of Dufferin Street, north of Teston Road, municipally known as 10980, 10960 and 10944 Dufferin Street, in Part of Lots 26 and 27, Concession 3, City of Vaughan. The subject lands are comprised of approximately 14.857 ha of developable land. The surrounding land uses are shown on Attachment #2.

On June 3, 2008, the Committee of the Whole approved Zoning By-law Amendment File Z.03.058 and Draft Plan of Subdivision File 19T-03V11 (Ventana Homes Inc.) comprised of 81 residential lots and 2 residential blocks, shown on Attachment #2, with 18.3 m to 22.6 m frontages and lot areas of 567 m² to 904 m². The approved Zoning By-law (By-law 171-2008) rezoned the developable tablelands from A Agricultural Zone to R1 Residential Zone and OS2 Open Space Park Zone, as shown on Attachment #5.

On October 30, 2008, the Owner submitted a Zoning By-law Amendment Application to provide additional zoning exceptions respecting building height, front yard setback, and lot coverage (Attachment #4). The natural features on the subject lands, including the delineation of the top-of-bank, the identified significant vegetation, and the ecological buffer remains unchanged.

Official Plan

The subject lands are designated “Executive Residential” within the “North Maple Residential Area” and “Open Space” by OPA #332, as amended by OPA #535 (Maple Valley Plan), and further amended by OPA #681. The development proposal complies with the Official Plan.

Zoning By-law

The subject lands are zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(1306). The proposed amendments to the R1 Residential Zone standards are as follows:

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- a) to permit a maximum lot coverage shown on Chart #1 in the Recommendation section of this report;
- b) to permit a maximum building height of 11.0 m, whereas the By-law requires a maximum building height of 9.5 m; and,
- c) to permit a minimum front yard setback to the house and to the garage of 4.5 m and 6.0 m, respectively, whereas the By-law requires a minimum front yard setback of 7.5 m.

a) Lot Coverage:

The subject lands are situated within the Oak Ridges Moraine. The increased proposed maximum lot coverage would impact on the extent of impervious surfacing on the lands. The Development Planning Department is prepared to approve a maximum lot coverage of 40% (from permitted 35%) on all the lots within the approved Plan of Subdivision (File 19T-03V11, Ventana Homes Inc.) shown on Attachment #3, however, through discussions with the Vaughan Development Planning Department and the Vaughan Engineering Department, the Owner has agreed to provide the following additional environmental sustainability features, which would ensure infiltration on the site is maintained and enhanced:

- i) rainwater harvesting (Rain Barrels) shall be utilized by all the homes;
- ii) install permeable pavers for driveways, for a minimum 50% of the housing units to the discretion of the Owner, with the lots to be confirmed in the subdivision agreement;
- iii) provide trees with a minimum caliper of 150 mm in diameter with a minimum height of 5 m in the rear yards of Lots 69 to 81 inclusive for additional buffering;
- iv) provide water balancing infiltration trenches;
- v) provide habitat restoration through the use of native drought resistant plant materials (Xeriscapes) in the buffer areas along the top-of-bank and within the stormwater management pond;
- vi) provide pre-engineered wiring within the homes for future solar panel installation by the individual homeowner at a later date;
- vii) provide 2-stage high efficiency furnaces for energy efficiency heating;
- viii) the purchase and sale agreement for all lots shall include a clause that reads "Should the purchaser install a swimming pool, the swimming pool shall be heated by solar panel only"; and,
- ix) the Owner shall provide energy efficient street lighting to the satisfaction of the Vaughan Engineering Department.

These features, which are similar with the measures noted in the Toronto and Region Conservation Authority's "Low Impact Development Stormwater Management Manual", will be required to be implemented by the Owner and the home purchasers and represent the environmental initiatives that are above the current standards of subdivision design. The Owner advises that the requested increased lot coverage accommodates the building designs that fit within the proposed building setback requirements of the R1 Residential Zone, save the front yard setbacks, which will be discussed later in this report.

Should the Committee concur, the implementing subdivision agreement for the approved Draft Plan of Subdivision 19T-03V11 (Ventana Homes Inc.) will be amended with the condition that the Owner implements additional environmental features into the subdivision design. A condition on this matter has been included in the recommendation section of this report.

b) Building Height:

The Owner has requested an increase in building height from 9.5 m to 11.0 m as the architecture and the size of the proposed dwellings would warrant a higher pitched roof in order to maintain an

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appropriate scale and level of aesthetics for the proposed homes. The Development Planning Department has no objections to the increased building height, as it is suitable for the development and compatible with the existing residences to the north, given the separation distances.

c) Front Yard Setback:

The Development Planning Department has reviewed the requested front yard setback amendment from the required 7.5 m minimum in accordance with By-law 1-88 to a minimum 4.5m to the house and a minimum 6.0 m to the garage. The Owner has indicated that this by-law provision would affect only Lots 2 to 68, inclusive, on the approved plan of subdivision as shown on Attachment #3. Development Planning Staff have reviewed this matter and can support a reduction of the front yard setback of both the house and garage to 6 m. The proposed 4.5 m setback to the house is considered to be too close to the street and would be out of character with the 7.5 m setback for the existing homes to the north and 7.5 m setback that will be provided for the future homes to be developed in the subdivision to the south. A minimum 6 m front yard setback to both the house and garage will be identified in the recommendation of this report.

Toronto and Region Conservation Authority

The subject lands are partially located within the Toronto and Region Conservation Authority's (TRCA) Regulated Area under Ontario Regulation 166/06 (Development, Interface and Wetlands and Alterations to Shorelines and Watercourses). The said Ontario Regulation requires the Owner to obtain Permits from the TRCA for site grading on the property as well as for construction of the stormwater management facility, which have been received by TRCA and are currently under review. The TRCA requires the Owner to provide details of the water infiltration measures proposed for the subdivision as part of the associated Ontario Regulation 166/06 Permit application. The TRCA will require that a satisfactory water balance be provided prior to the release of the TRCA Permit.

The TRCA has reviewed the proposed zoning by-law amendment application and has indicated in a letter dated June 10, 2009, that they have no objection to the application.

Vaughan Engineering

Through discussions with the Owner during the review of this Zoning By-law Amendment application, the Vaughan Engineering and Development Planning Departments were made aware of the existing drainage conditions along the north property line of the subject lands abutting the lands to the north (Northdale Community). The existing conditions include standing water around the existing soak-a-way catchbasins after a significant rain event; the Vaughan Engineering Department advises that this situation is expected until the rainwater is able to infiltrate into the surrounding soils.

The Vaughan Engineering Department endeavours to work with the Owner of the subject lands to resolve the existing shared drainage conditions with the properties along the north prior to the registration of the subdivision plan for the approved Draft Plan of Subdivision 19T-03V11 (Ventana Homes Inc.). A condition on this matter has been included in the recommendation of this report.

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".

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Regional Implications

The Region of York Transportation Services Department advised in a memorandum dated December 2, 2008, that they have no objection to the approval of the zoning by-law amendment application.

Conclusion

The Development Planning Department has reviewed the proposed Zoning By-law Amendment File Z.08.065 in accordance with the Official Plan policies, By-law 1-88, and the comments from City Departments, external public agencies and the local residents, and the surrounding area context. The Development Planning Department is satisfied that the proposed amendment to the R1 Residential Zone standards in site-specific Exception 9(1306) of By-law 1-88 respecting building height of 11 m and front yard setback of 6 m is appropriate and compatible with the surrounding area. Respecting lot coverage, the Development Planning Department is prepared to support a maximum 40% lot coverage on the subject lands. However, the Owner has agreed to implement and incorporate additional environmental features into the approved Draft Plan of Subdivision File 19T-03V11 (Ventana Homes Inc.), in which case the Development Planning Department can support the maximum lot coverages as summarized in Table #1 in the Recommendation section, and subject to the conditions and recommendations of this report.

Attachments

1. Context Location Map
2. Location Map
3. Approved Plan of Subdivision 19T-03V11
4. Proposed Zoning (Maximum Lot Coverage)
5. Approved Zone Schedule - By-law 171-2008

Report prepared by:

Stephen Lue, Planner, ext. 8210
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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Item 75, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**SITE DEVELOPMENT FILE DA.09.038
1504546 ONTARIO LIMITED
WARD 2**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 23, 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.09.038 (1504546 Ontario Limited) BE APPROVED, to permit a 7-storey apartment building comprised of 88 residential units, 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 modified site-specific Official Plan Amendment #691 must be approved by the Ministry of Municipal Affairs and Housing, the Ministry of Natural Resources, and the Region of York, and shall be in full force and effect;
 - ii) the final site plan, building elevations, and landscaping plan and cost estimate shall be approved by the Vaughan Development Planning Department;
 - iii) the final site grading, servicing and stormwater management plans, functional servicing report, and noise report shall be approved by the Vaughan Engineering Department;
 - iv) all requirements of the Toronto and Region Conservation Authority (TRCA) shall be satisfied; and,
 - v) if required, a 3 m road widening along Woodbridge Avenue is to be provided to the satisfaction of the Vaughan Engineering Department; however, this road widening shall not be required upon adoption of OPA #695 (Kipling Avenue Corridor Plan), which does not require the road widening;
 - b) that the Site Plan Letter of Undertaking include the following provisions:
 - i) the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of parkland dedication equivalent to a fixed unit rate, prior to the issuance of a Building Permit in accordance with the Planning Act and City's Cash-in-Lieu Policy, to the satisfaction of the Vaughan Legal Department, Real Estate Division;

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- ii) snow removal, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Condominium Corporation;
 - iii) the Owner shall include the appropriate warning clauses in all offers of purchase or lease and in the Condominium Declaration respecting noise, potential flooding, and construction costs associated with the shared access, and maintenance and repair costs to be borne by the Owner/Condominium Corporation associated with the existing sanitary pipe located underneath the building (ie. maintenance and construction);
 - iv) the Owner/Condominium Corporation shall ensure that the building include provisions for an internal garbage storage area, tri-sorters, proper access route and loading areas in accordance with the requirements of the City's Waste Collection Design Standards Policy, to the satisfaction of the Vaughan Public Works Department;
 - v) an easement in favour of the City shall be conveyed to allow the City access to the underground garage for the purpose of maintaining and repairing of an existing sanitary pipe located underneath the residential building which the maintenance and repair costs shall not be borne by the City;
 - vi) prior to the issuance of a Building Permit, the Owner shall submit Remedial Action Plan (RAP) to address the contaminated soil mass to the satisfaction of the Vaughan Engineering Department; and,
 - vii) prior to the issuance of a Building Permit, the Owner shall ensure that a Record of Site Condition (RSC) shall be registered and acknowledged by an Officer of the Provincial Ministry of Environment, to the satisfaction of the Vaughan Engineering Department.
2. THAT Council adopt the following resolution with respect to the allocation of sewage and water servicing capacity:
- "IT IS HERBY RESOLVED THAT development application DA.09.038 is allocated sewage capacity from the York Sewage Servicing System and water supply capacity from the York Water Supply System for a total of 86 residential units from Council's discretionary servicing capacity reserve, subject to the execution of a Site Plan Letter of Undertaking, to the satisfaction of the City".
3. THAT the Owner shall be responsible to enter into a cost sharing agreement for the necessary maintenance costs associated with the new proposed driveway access, which shall be entered into by the owner(s) benefitting from the new proposed driveway access.

Contribution to Sustainability

The applicant has indicated that the building will include sustainable site and building development features, such as permeable paving, and materials and methods of construction to reduce heat gain/loss.

Economic Impact

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

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Communications Plan

N/A

Purpose

To permit the development of the 0.306 ha property shown on Attachments #1 and #2, for a 7-storey apartment building, comprised of 88 residential units and 121 parking spaces as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2, are located on the south side of Woodbridge Avenue, west of Islington Avenue, being Part of Parcel A on Registered Plan 449, in Part of Lot 7, Concession 7, and municipally known as 75 and 83 Woodbridge Avenue, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The property is designated "High Density Residential" by OPA #440 (Woodbridge Core Plan) and subject to site-specific OPA #691, which was adopted by Council on June 23, 2008. The lands are zoned RA2(H) Apartment Residential Zone with the Holding Symbol "(H)" by By-law 38-2009, which was enacted by Council on February 24, 2009. The lands are also designated "Special Policy Area" (SPA) by OPA #440. OPA #691 provides site-specific policies to facilitate the proposed development within a SPA, and requires the approval of both the Minister of Municipal Affairs (MMAH) and the Minister of Natural Resources (MNR). On July 7, 2008, OPA #691 was forwarded to the Region of York through the "One Window" review process, and it was subsequently circulated to the Ministry of Municipal Affairs on July 9, 2008. The Ministries have reviewed OPA #691, By-law 38-2009 and the supporting material and on March 26, 2009 requested modifications to both documents. The modifications were reviewed by the Development Planning Department and were approved by Vaughan Council on May 5, 2009. The modified OPA #691 was forwarded to the Ministries for approval and the modified implementing Zoning By-law was forwarded to the Ministries for their review on May 14, 2009. To date, both the modified OPA #691 and the Zoning By-law are awaiting approval from the MNR, MMAH, and the Region of York.

The proposed use and development of the site conforms to OPA #691 as modified, and will comply with the modified Zoning By-law, to be enacted on June 30, 2009, which includes the additional exceptions required to be in conformity with the recent modifications to the Official Plan to facilitate the proposed development.

Site Plan Review

The site plan and building elevations shown on Attachments #3, #5, and #6 proposes one apartment building with 4-storeys along Woodbridge Avenue, tiering back on all sides to a maximum building height of 7-storeys. The building footprint occupies most of the lot with the exception of the rear 6.8 m, where a landscaped amenity area/feature is proposed. Vehicular access to the proposed development will be achieved through an existing driveway to the east of the subject lands that is partly owned by the City of Vaughan and zoned OS2 Open Space Park Zone, as shown on Attachment #3. The existing driveway currently serves the residential condominium development to the east (Piazza) by way of an easement. Modifications to this driveway are required in order to facilitate the proposed development, as the new driveway design includes a portion of the subject lands. Any construction costs that will be incurred by the

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Owner, and the annual maintenance costs associated with the driveway would be incurred by both the existing residential development and the proposed development, as both developments would utilize the driveway. A condition to this effect is included in the recommendation section of this report. The adjacent OS2 lands to the east also contain an existing sidewalk that provides for pedestrian access to Nort Johnson Park from Woodbridge Avenue.

The development proposes a total of 121 parking spaces consisting of 57 spaces in the underground level, 31 spaces at ground level (located within the building), and 33 spaces at a mezzanine level. By-law 1-88 requires a minimum of 154 parking spaces to be provided. A Parking Traffic Impact Report prepared by Paradigm Transportation Solutions Ltd. (dated June, 2008) was submitted in support of the proposed parking, and was approved by the City Engineering Department. The implementing modified Zoning By-law will include the parking exception.

The proposed building elevations are shown on Attachments #5 and #6. The building itself is rectangular in shape, with a footprint that occupies the majority of the lot. A combination of wall cladding material is proposed which includes stone veneer, precast concrete and stucco as the main elements. The use of brick veneer and glazing also provide visual breaks in the facades of each elevation. The east and west elevations are similar in appearance, as both are long and continuous with minimal architectural detail. Additional work to these elevations is necessary, and to ensure that the ground and mezzanine parking levels are properly screened from view of the adjacent properties, to the satisfaction of the Vaughan Development Planning Department in consultation with the Vaughan Cultural Services Division.

The south elevation faces the Humber River open space area, and is impacted by the sharp southerly downward slope toward the rear of the site giving the appearance of a taller building, and resulting in a south elevation that is hard and imposing, with an exposed basement garage wall area. The final landscape plan must incorporate a treatment that would soften the expansive appearance of this elevation as noted in the landscaping section of this report. The north elevation functions as the main entrance to the building.

The Development Planning Department provides the following additional comments:

“The site is in a close proximity to the Humber River valleys sensitive natural environment. To preserve the natural heritage of the area, it is necessary to include green development strategies such as: surface water, soil and air pollution control methods during the construction, as well as, storm water control design features such as green or landscaped roofs, permeable paving systems, natural and indigenous landscaping, etc.

1. Provide accurate north-south cross-sections from the east and west ends of the building, showing the relation between the proposed building, Woodbridge Avenue and the Humber River valley lands. Note: the cross-section should show accurate survey data and building elevation reference numbers and points.
2. All provided floor plans should include floor elevations referenced to nearest benchmark on Woodbridge Avenue.
3. Ensure the proposed front patio at floor level does not exceed 900 millimetres (0.9 metres) above the adjacent Woodbridge Avenue sidewalks along the building frontage.
4. Provide planters with minimum internal width of one metre along all proposed open pedestrian passageways and parking openings to the outside.

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5. Develop a roof-garden (landscaped roof) design for all proposed balconies, terraces and roofs.
6. Due to our experiences and evidence of past projects in the City of Vaughan, EIFS panels are showing a high degree of vulnerability to our climate and to any physical impact. Therefore, the applicant should revise EIFS panels to a more reliable and durable substitute.
7. Provide decorative screening along all proposed open pedestrian passageways and parking openings facing neighbouring properties.
8. The south elevation should be updated to reflect the proposed elevation detail on the landscape drawings.
9. All utility and hydro boxes should be shown on the Site Plan and Landscape Plan.
10. Provide bicycle indoor racks and outdoor rings.
11. Propose 2-stream waste and recycling receptacles close to the buildings major entrances.”

The Development Planning Department is generally satisfied with the proposed site plan, however, will continue to work with the applicant to finalize the building elevations and landscape plans. The final site plan and elevation plans including the proposed building materials and colours, must be approved to the satisfaction of the Development Planning Department.

Landscape Plan

The proposed building footprint occupies most of the lot and therefore, the majority of landscaping is provided for in a 231 m² area at the rear of the site abutting the Humber River open space as shown on Attachment #4. An array of deciduous and coniferous trees and shrubs, as well as landscape furniture and features are proposed for this space, as it represents the main outdoor amenity area for the development. The use of Greenscreen Panels on the building face is proposed in an attempt to soften-up the expanse of the exposed garage wall along the south elevation. Additional plantings are also proposed adjacent to Woodbridge Avenue in the form of street planters, together with unit pavers and garbage receptacles unique to the Woodbridge Core. The final landscape plan, including detail drawings and a landscape cost estimate must be approved to the satisfaction of the Vaughan Development Planning Department.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division advises that the subject lands are located within the Woodbridge Heritage Conservation District (HCD), which was recently given final approval by Council through the enactment of By-laws 101-2009 and 102-2009, but is not in full force and effect. The design, height, shape and massing of the proposed building should have regard for the HCD plan.

The applicant will need to work with the Cultural Services Division and the Development Planning Department to address details of the building within a HCD setting of the Woodbridge Core.

Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

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i) Servicing

In accordance with the City's Servicing Capacity Allocation Strategy, servicing allocation is not available for the proposed development. Currently, Council has 300 residential units in reserve for distribution to development applications at Council's discretion for the period between April 2009 and April 2010 without restrictions or triggers. Council may at its discretion choose to allocate capacity to this development in conjunction with Site Plan approval as set out in the recommendation section of this report.

Council has adopted the site-specific Official Plan Amendment #691, and enacted the implementing Zoning By-law for the subject lands, permitting a maximum of 88 residential units. Allocation and capacity for only 86 units is required as the two existing units (75 and 83 Woodbridge Avenue) have existing servicing capacity and have been deducted from the required 88 residential units.

The Vaughan Engineering Department also requires the submission of a final Functional Servicing Report that addresses all of the outstanding concerns in their memorandum dated January 18, 2008 and have included additional conditions of approval in the recommendation section of this report.

ii) Transportation

The Vaughan Engineering Department notes that the Official Plan designates Woodbridge Avenue as a 26 m right-of-way and therefore, requires a 3.0m road widening to the satisfaction of the Engineering Department. However, the draft Kipling Avenue Corridor Study (OPA #695) recommends that Woodbridge Avenue between Kipling Avenue and Islington Avenue should maintain a 20 m right-of-way because of the location of the existing heritage buildings. Once OPA #695 is adopted by Council, which is expected to be on June 30, 2009, the 3.0 m road widening will not be required.

An existing easement for the maintenance of a sanitary trunk sewer in favour of the City, currently runs approximately in the centre of the site in a north/south direction. If the sanitary trunk cannot be relocated, the applicant proposes to encase the sanitary sewer and construct the building over it to the satisfaction of the Vaughan Engineering Department. The proper easement over the underground parking garage, in favour of the City must be granted for maintenance and repair purposes, and all associated costs and liability shall be the responsibility of the Owner/Condominium Corporation, which will be reflected in the Site Plan Letter of Undertaking and future Condominium Agreement and Condominium Declaration.

iii) Environmental

The Vaughan Engineering Department has reviewed the Phase 1 Environmental Site Assessment for these lands and has found it to be acceptable. However, prior to the issuance of a Building Permit, a Remedial Action Plan (RAP) must be submitted by the applicant delineating and barricading the area with the contaminated soil to the satisfaction of the Vaughan Engineering Department.

Prior to issuance of a Building Permit, the Owner is required to remediate the petroleum impacted soil and associated samplings and chemical analysis for the site and provide documented proof that a Record of Site Condition (RSC) has been registered with the Environmental Site Registry of the Ministry of Environment. A condition to this effect is included in the recommendation section of this report.

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

Parkland Dedication

The Owner shall pay to Vaughan by way of certified cheque cash-in-lieu of parkland dedication equivalent to 5% of the value of the subject lands or a fixed unit rate, whichever is higher, prior to the issuance of a Building Permit in accordance with the Planning Act and City's Cash-in-lieu Policy.

Waste Collection

The City approved a Waste Collection Design Standards Policy for recycling in new residential apartment and condominium buildings. The applicant is to ensure that the design of the building includes provisions for internal garbage storage area, tri-sorters, proposed access route and loading areas in accordance with the approved City policy.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) which is the lead agency regarding flood plain management, has reviewed the construction plans and technical reports provided to date, and are generally satisfied that the development can proceed without producing adverse flooding effects on neighbouring properties. On June 12, 2009, the TRCA's Executive Committee advised that the wording in the modified Official Plan Amendment and Zoning By-law Amendment dealing with technical flood proofing elements meet the established TRCA and Provincial technical requirement. In addition the TRCA advises that it has no objection to the City of Vaughan enacting the amended draft Zoning By-law for the proposed development, subject to the condition identified by the TRCA and the Provincial Ministries. The final site development plans must be approved by the TRCA.

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 and Provincial Implications

The Region of York, the Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Natural Resources (MNR), are currently reviewing a modified OPA #691 and modified Zoning By-law. Prior to the execution of the Site Plan Letter of Undertaking, both the Provincial Ministries and the Region of York must approve OPA #691.

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.09.38 in accordance with a modified site-specific OPA #691, and modified Zoning By-law 38-2009, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is generally satisfied with the proposed development, and will continue to work with the applicant to address the development details to ensure that the development is appropriate and compatible with existing and permitted uses in the surrounding area with respect to built form and design. Accordingly, the Development Planning Department can support the approval of the Site Development application, subject to the conditions in the recommendation of this report.

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Attachments

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

Report prepared by:

Eugene Fera, Planner, ext. 8064

Carmela Marelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

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(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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Recommendation

The Commissioner of Planning recommends:

THAT Official Plan Amendment File OP.07.006 (Major Weston Centres Limited) and Zoning By-law Amendment File Z.07.040 (Major Weston Centres Limited) BE APPROVED, to permit the retail commercial development proposed on Attachment #3, as follows:

1. THAT Official Plan Amendment File OP.07.006 (Major Weston Centres Limited) BE APPROVED, specifically to amend Official Plan Amendment (OPA) #600 and OPA #650 (Vellore Village District Centre Plan) for the subject lands shown on Attachment #4, to permit a retail commercial development, which includes a Walmart retail store, while maintaining the permitted residential uses on the subject lands shown, as follows:
 - a) redesignate Part “A” from “Low Density Residential” in OPA #600 to “District Centre Commercial” and include the permitted residential uses from the “Low Density Residential” designation;
 - b) redesignate Part “B” from “Medium Density Residential/Commercial” in OPA #600 to “District Centre Commercial” and include the permitted residential uses from the “Medium Density Residential/Commercial” designation;
 - c) redesignate Part “C” from “Medium Density Residential/Commercial” in OPA #600 to “District Centre Commercial” and include the “Urban Square” and the permitted residential uses from the “Medium Density Residential/Commercial” designation;
 - d) redesignate Part “D” from “Low-Rise Residential” in OPA #650 to “District Centre Commercial” and include the permitted residential uses from the “Low-Rise Residential” and “9 m Pedestrian Walkway” designations;
 - e) redesignate Part “E” from “Low-Rise Residential” in OPA #650 to “District Centre Commercial” and include the permitted residential uses from the “Low-Rise Residential” and “9 m Pedestrian Walkway” designations;
 - f) redesignate Part “F” from “Village Core” in OPA #650 to “District Centre Commercial” and include the permitted residential uses from the “Village Core”, “Village Square” and “Mainstreet Retail” designations;
 - g) maintain Part “G” as “Village Core” in OPA #650 and include an “Urban Square”;
 - h) maintain Part “H” as “Village Core” in OPA #650 and include a “Village Core Promenade”;
 - i) maintain Part “I” as “Village Core” in OPA #650 and include a “Pedestrian Only Promenade”;
 - j) maintain Part “J” as “Low Density Residential” in OPA #600 and include an “Elementary School” use to complete the elementary school block to the north; and,

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- k) maintain Part “K” as “Low Density Residential” in OPA #600 and include a “Neighbourhood Park” use for the completion of the neighbourhood park block to the northeast of the subject lands.
- 2 THAT the implementing Official Plan Amendment include but not be limited to the following provisions:
- a) require a landscaped “Urban Square” that is a gateway to connect to the “Pedestrian Only Promenade” within the “Village Core Promenade” at the southwest quadrant of the subject lands within the “Village Core” designation, and an “Urban Square” at the southeast quadrant of the subject lands within the “District Centre Commercial” designation;
 - b) require that buildings (Building “H” and the northwest portion of Building “N”) be a minimum height of 2 storeys (9.5 m) up to a maximum height of 4 storeys along the “Pedestrian Only Promenade”, where the main entrance of the buildings along the “Pedestrian Only Promenade” are the elevations (walls) facing the “Pedestrian Only Promenade”;
 - c) establish a “Pedestrian Only Promenade” within the “Village Core Promenade” to encourage pedestrian activity;
 - d) require that buildings (Building “X” and Building “W”) be a minimum height of 2 storeys (9.5 m) up to a maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard surrounding a landscaped “Urban Square” gateway into the commercial development;
 - e) require that buildings be close to the street, and screen the surface parking from the street with landscaping;
 - f) enhance the architectural design treatments for the buildings, particularly at the lower levels of the building, with the main entrances facing the “Village Core Promenade”, Major Mackenzie Drive and Weston Road, and to include articulated facades, overhead canopies and a variation in window trim;
 - g) require landscaping, street furniture and lighting, with emphasis on the “Urban Squares” and “Village Core Promenade”;
 - h) require enhanced building elevations for buildings sited along Major Mackenzie Drive and Weston Road, and that a minimum of 50% of the main entrances to these buildings must be visible from these roads and face the street directly or along a side facade;
 - i) permissions for a regulated health professional, bank and financial institution, and an automotive service and repair shop within Building “A” (Walmart retail store);
 - j) prohibition of drive-through facilities;
 - k) policies to provide for pedestrian and bicycle trails wherever a greenway system traverses a commercial centre;

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- l) the preparation of Urban Design and Architectural Design Guidelines, prior to the approval of a Site Development application, to the satisfaction of the City, and to address the following:
 - i) commercial policies that shall require development policies to be in accordance with a comprehensive design scheme to be approved by the City, laying out the general orientation and configuration of major buildings and structures, and parking areas, together with access points, traffic circulation, pedestrian circulation, landscaping and buffering;
 - ii) detailed design guidelines respecting the proposed pedestrian promenade include building design guidelines, primary building entrance materials, streetscaping, signage, lighting, street furniture, and lay-by parking within the vehicular access portion of the Village Core Promenade;
 - iii) detailed design guidelines respecting the location and design of partial or outdoor storage and merchandise display areas;
 - iv) building setbacks, minimum and maximum heights, compatible lighting, visual screening, landscaping, planting and/or fencing between commercial and residential areas;
 - m) require that sustainable community objectives be implemented through neighbourhood designs that supports cycling and walking, ensures neighbourhood connectivity to the broader community, and provides transit opportunities, water and energy efficiencies, energy alternatives and green building design and site development; and,
 - n) require that prior to the approval of any Draft Plan of Subdivision or Site Development Application, the Owner shall submit a Phase 1 Environmental Site Assessment (ESA), and if required, Phase II ESA Report and the Remedial Action Plan for the lands within the Site Plan for review and approval by the City of Vaughan, and a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.
3. THAT Zoning By-law Amendment File Z.07.040 (Major Weston Centres Limited) BE APPROVED, subject to the Owner resolving the outstanding issues with respect to the appropriate integration of the subject lands with the adjacent lands in the Block 33 West Plan, to the satisfaction of the City, specifically to amend By-law 1-88, for the subject lands shown on Attachment #3, to permit a retail commercial development limited to a maximum gross floor area of 49,160 m², which includes a Wal-mart retail store shown on Attachment #5, as follows:
- a) rezone Part “1” from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol “(H)” to facilitate a retail commercial development with a gross floor area ranging between 15,000 m² to 17,000 m², which includes:
 - i) specific provisions to provide an “Urban Square” and “Pedestrian Only Promenade”;

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- ii) standards for buildings to be a minimum height of 2-storeys, (Building “H” and the north-west portion of Building “N”), where the elevation of the buildings face the “Pedestrian Only Promenade” and contains the primary entrance;
 - iii) specific building setbacks, parking and loading/unloading requirements; and,
 - iv) prohibition of drive-through facilities;
 - b) rezone Part “2” from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol “(H)” to facilitate a retail commercial development with a gross floor area ranging between 32,160 m² to 34,160 m², which includes specific provisions to provide a Retail Store limited to a maximum gross floor area of 17,425 m², which includes:
 - i) permitted uses as regulated health professionals, bank and financial institutions, and automotive service and repair shop, department store, office and stationary supplies, clinic, pharmacy, print shop, and public parking lot/parking garage uses within the retail store;
 - ii) standards for buildings to be a minimum height of 2-storeys (Buildings “X” and “W”), where the elevation of the buildings faces Major Mackenzie Drive and Cityview Boulevard and contains the primary entrance; and,
 - iii) specific building setbacks, parking and loading/unloading requirements;
 - iv) prohibition of drive-through facilities; and,
 - v) adding the definition for a department store, which includes food, wine, garden centre, restaurants that include a take-out component, and children’s amusement facilities, limited to within the retail store;
 - c) require that a minimum of 50% of the main entrances to these buildings must be visible from Major Mackenzie Drive and Weston Road; and face the street directly or along side facade;
 - d) rezone Part “3” from A Agricultural Zone to RD3 Residential Detached Zone Three to facilitate an elementary school block to develop with the elementary school block to the north;
 - e) rezone Part “4” from A Agricultural Zone to OS2 Open Space Park Zone to facilitate a future neighbourhood park to develop with the park block to the north; and,
 - f) include any necessary zoning exceptions required to implement the Site Plan Concept shown on Attachment #3.
4. THAT the Holding Symbol “(H)” shall not be removed from the subject lands until such time that the following conditions are addressed for the subject lands or portion of the subject lands (Phase) thereof, to the satisfaction of the City:
- a) the approval of a site plan for the subject lands or portion of the subject lands (Phase) thereof;

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- b) the determination of the future land uses, including the disposition of the road network respecting the southerly extension of Zachary Place and the disposition of the north/south traversing 9 m pedestrian walkway, and transition between the zoned residential land for Plan of Subdivision 19T-00V03 (Lormel Developments [Weston] Inc. and Ozner Corporation [South]) shown on Attachment #2 and the retail commercial uses proposed for the subject lands;
 - c) the determination of the future land uses, including the transition between the zoned residential land for Plan of Subdivision 19T-03V08 (Argento Developments Inc.) shown on Attachment #2 and the retail commercial uses proposed for the subject lands; and,
 - d) the provision of agreements/land transfer for the elementary school block and neighbourhood park block lands on the subject lands shown on Attachment #3.
5. THAT the Owner is encouraged to contribute their proportionate share towards the provision of major community and infrastructure facilities such as schools, parks, greenways, roads and road improvements, external services and stormwater management facilities. Property owners will be required to enter into one or more agreements as a condition of development approval, providing for the equitable distribution of the costs of the land and community facilities. The Trustee for Block 33 West shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 33 West Developers' Group Agreement.
 6. THAT the Owner shall provide the City with an updated Block Plan for Block 33 West showing the associated land uses and statistics for approval by Vaughan Council.
 7. THAT prior to the implementing Official Plan Amendment for File OP.07.006 (Major Weston Centres Limited) and/or the implementing Zoning By-law Amendment for File Z.07.040 (Major Weston Centres Limited) being adopted and/or enacted, respectively, by Vaughan Council, the outstanding issues indicated in Recommendations #4 and #6 above shall be addressed to the satisfaction of the City.

Contribution to Sustainability

The sustainable features for the development of the subject lands shown on Attachment #3 will be determined at the Site Development Stage for the subject lands or portion of the subject lands (Phase) thereof.

Economic Impact

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

Communications Plan

On December 19, 2008, a Notice of Public Meeting was circulated to all property owners within 120m of the subject lands; and to the lands bounded by Canada Drive and Stanton Avenue to the

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north, Ashberry Boulevard and Davos Road to the south, Fossil Hill Road to the west, and Highway #400 and Vellore Woods Boulevard to the east; and to the Millwood Woodend Ratepayers' Association and Vellore Woods Ratepayers' Association. The Public Meeting was held on January 13, 2009, and the recommendation to receive the Public Meeting report, and to address the school and park block matter with the Block 33 West Landowners Group, was ratified by Council on February 3, 2009.

A Notice for the June 23, 2009 Committee of the Whole Meeting was hand delivered and e-mailed to interested individuals on June 19, 2009.

Outstanding Issues

As of June 22, 2009, several written comments have been received with the following comments:

- i) May 15, 2007 and June 16, 2009 correspondence from Bratty and Partners, LLP Barristers and Solicitors, and January 13, 2009 correspondence from Weston Consulting Group Inc. all on behalf of the Block 33 West Landowners Group respecting the Owner entering into the Block 33 West Landowners Cost Sharing Agreement, as well as, any other agreement with the City and/or York Region concerning the servicing infrastructure that has been provided, constructed and/or financed by the Block 33 West Landowners Group, and the determination of land uses in Plan of Subdivision 19T-00V03 (Lormel Developments [Weston] Inc. and Ozner Corporation [South]) and Plan of Subdivision 19T-03V08 (Argento Developments Inc.). Recommendations have been included in this report requiring the Owner to address these issues.
- ii) Correspondence from residents outlining issues related to the proximity of a large scale commercial development to residential uses, increased traffic, visual aesthetics and decreased public open space/walkways. Recommendations have been included in this report requiring provisions to be included in the implementing Official Plan and Zoning By-law amendments for an "Urban Square" and "Pedestrian Only Promenade" to function as pedestrian open space areas, as well as provide architecturally enhanced buildings, which shall be required at the Site Plan stage.
- iii) June 21, 2009 correspondence from the Millwood Woodend Ratepayers Association's respecting the Association's support for the proposal being contingent on resolving the outstanding issues with the adjacent landowners and the Block 33 West Landowners Group, addressing site plan issues associated with the placement and height of buildings and enhanced architectural details, and reasonable development of the lands beyond the Wal-mart retail store. Recommendations have been included in this report requiring the Owner to address the outstanding issues with the landowners and the Block 33 West Landowners Group. The site plan issues will be addressed at the Site Plan stage, along with the phasing of the development of the lands.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. An Official Plan Amendment Application (File OP.07.006) to redesignate the subject lands shown on Attachment #4 from "Low Density Residential" and "Medium Density Residential/Commercial" designations in OPA #600, and "Village Core" and "Low-Rise Residential" designations in OPA #650 (Vellore Village District Centre Plan) to a "District

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Centre Commercial” designation to permit a retail commercial development, and to modify the policies in the “Village Core” designation to include policies to provide for a “Pedestrian Only Promenade” and an “Urban Square” to create a pedestrian-oriented environment.

2. A Zoning By-law Amendment Application (File Z.07.040) to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #5 from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol “(H)” to permit a retail commercial development limited to a maximum gross floor area of 49,160 m².

Both the Official Plan Amendment and Zoning By-law Amendment applications are to implement the following requirements in order to achieve a pedestrian-oriented development, with high quality designed streetscapes and street-related buildings:

- i) to specifically permit commercial uses (i.e., personal service shops, business and professional offices, retail stores, including department store formats, supermarkets, pharmacies, eating establishments and places of entertainment), institutional, civic and community uses, including libraries, theatres, day care, day nursery and government services, and places of worship;
- ii) to permit a maximum gross floor area of 49,160 m² for the subject lands with the Walmart retail building limited to a maximum gross floor area of 17,425 m²;
- iii) to provide an “Urban Square” that connects to the “Pedestrian Only Promenade” within the “Village Core Promenade” at the southwest quadrant of the subject lands within the “Village Core” designation, and an “Urban Square” at the southeast quadrant of the subject lands within the “District Centre Commercial” designation, as shown on Attachment #4;
- iv) to provide buildings (i.e., Building “H” and the northwest portion of Building “N”) with a minimum height of 2 storeys (9.5 m) up to maximum height of 4 storeys along the “Pedestrian Only Promenade”, and where the main entrance of the buildings along the “Pedestrian Only Promenade” are the elevations (walls) facing the “Pedestrian Only Promenade”;
- v) to provide buildings (i.e., Buildings “X” and “W”) with a minimum height of 2 storeys (9.5m) up to a maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard;
- vi) to provide for the primary building elevations to face the “Village Core Promenade”;
- vii) to provide for the primary elevations for buildings along Major Mackenzie Drive and Weston Road to front onto Major Mackenzie Drive and Weston Road with a minimum of 50% of the main entrances in the elevations of these buildings, to be visible from Major Mackenzie Drive and Weston Road; and,
- viii) to provide building setbacks to have buildings no further than 10 m from the curb of the “Village Core Promenade”, policies to achieve pedestrian connections throughout the site, and urban design criteria to have buildings with architectural details and distinct appearances.

Supporting Documents

The following supporting reports were submitted for the applications:

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- i) *Vellore Village District Centre North Land Use Study*, dated October 2008 by Bousfields Inc. and Weston Consulting Group Inc.;
- ii) *Planning Rationale - Weston Road/Major Mackenzie Drive*, dated October 2008 by Bousfields Inc.;
- iii) *Vaughan North West Centre Urban Design Guidelines*, dated October 8, 2008 by Turner Fleischer Architects Inc. and Terraplan Landscape Architects;
- iv) *Retail Market Analysis and Impact Study Weston Road and Major Mackenzie Drive Vellore Village District Centre*, dated September 10, 2007 by UrbanMetrics Inc.;
- v) *Functional Servicing and Stormwater Management Report - Commercial Development Major Weston Centres Limited*, dated September 2008 by Sernas Associates;
- vi) *Stormwater Management Report Phase 1 - Commercial Development Major Weston Centres Limited*, dated October 2008 by Sernas Associates; and,
- vii) *Major Weston Centres Ltd. Weston - Major Mackenzie Retail Traffic Study*, dated September 2007 by Itrans Consulting Inc., and *Major Weston Centres Ltd. Weston - Major Mackenzie Updated Traffic Study*, dated November 2008 by Itrans Consulting Inc.

The Owner has also submitted a related Site Development Application (File DA.08.088), which will be considered in a future report to the Committee of the Whole. The development statistics for the overall proposal shown on Attachment #3, are as follows:

Site Details

Commercial Site Area = 18.693 ha
Proposed Vellore Park Avenue Road = 0.862 ha
School & Park Area = 0.659 ha

Total Site Area = 20.214 ha
Total Gross Floor Area (GFA) = 49,157.94 m²
Total Parking Provided = 1,977 Spaces

Wal-Mart Retail Store:
Building Gross Floor Area = 17,420.515 m² of the total Site GFA
Parking Provided = 613 Spaces of the total Site Parking

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located at the north-east corner of Weston Road, and Major Mackenzie Drive, in Part of Lot 21, Concession 5, City of Vaughan. The subject lands have an area of 20.214 ha, with 300 m of frontage along Weston Road and 493.37m of frontage along Major Mackenzie Drive.

The subject lands are designated "Low Density Residential" and "Medium Density Residential/Commercial" by OPA #600 as shown on Attachment #6, and "Low-Rise Residential", "Village Core" and "Village Square" by OPA #650 (Vellore Village District Centre Plan) as shown on Attachment #7. The subject lands are zoned A Agricultural Zone by By-law 1-88, as shown on Attachment #2, which permits agricultural uses. The eastern portion of the subject lands are within the approved Block 33 West Plan (Attachment #8). The subject lands currently consist of agricultural lands. The surrounding land uses are shown on Attachment #2.

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The subject lands are related to Official Plan Amendment File OP.08.010 and Zoning By-law Amendment File Z.08.039 (Cicchino Holdings Ltd.) for the north-west corner of Major Mackenzie Drive and Weston Road, as shown on Attachment #2, with respect to the private landowners Vellore Village District Centre North Land Use Study dated October 2008 by Bousfields Inc. and Weston Consulting Group Inc., which was prepared in support of both the Major Weston Centres Ltd. and Cicchino Holdings Ltd. proposals.

Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment applications to redesignate and rezone the subject lands shown on Attachment #2, in light of the following land use policies respecting the proposal:

a) Provincial Policy Statement and Places To Grow

In light of the *Provincial Policy Statement (PPS)*, which identifies the subject lands as being within a Settlement Area, the Development Planning Department has determined that the proposal will meet the objectives of providing for a range of land uses in a manner that promotes efficient land use and development patterns to support a livable and healthy community.

The “Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns” Policy 1.1 of the PPS supports the efficient development of land and land uses as follows (in part):

“1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet the long-term needs;.”

The “Long-Term Economic Prosperity” Policy 1.7.1 of the PPS further supports the proposal, as follows:

“1.7.1. Long-term economic prosperity should be supported by:

- b) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

In conjunction with the PPS, the Province’s *Growth Plan for the Greater Golden Horseshoe* (Places to Grow) also includes policies to support the development of the proposal, as indicated in the following policies, specifically the “Designated Greenfield Area” Policy 2.2.7 in accordance with the following:

“2.2.7.1 New development taking place in designated Greenfield areas will be planned, designated, zoned and designated in a manner that -

- a) contributes to creating complete communities;
- b) creates street configurations, densities and an urban form that supports walking, cycling, and the early integration and sustained viability of transit services;

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- c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods;
- d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.”

The proposal to redesignate the subject lands to “District Centre Commercial” and to modify the “Village Core” designation policies, as well as, provide specific policies to permit a retail commercial development that is geared to develop a people-oriented development with the “Urban Square” and “Pedestrian Only Promenade” is in keeping with the intent of the PPS and Places to Grow policies discussed in this report. As the proposal also maintains the permitted uses within the “Low Density Residential” and “Medium Density Residential/Commercial” designations in OPA #600, and “Village Core” and “Low-Rise Residential” designations in OPA #650, the opportunity exists for future integration of residential and mixed-use residential-commercial uses with the large-scale retail uses. Further, institutional uses, elementary schools, along with parks, and pedestrian and bicycling pathways are being proposed. This proposal provides development that is in accordance with the managed growth and economic policies in the PPS and Places to Grow.

b) Region of York Official Plan

The Region of York has reviewed the proposal and advises that the subject lands are designated “Urban Area” by the Regional Official Plan, which permits a range of residential, commercial, industrial and institutional uses. Major Mackenzie Drive and Weston Road are recognized as “Local Corridors” in the Regional Official Plan, which have the potential for more intensive and mixed-use development that can be supported by public transit. As the subject lands are related to the Cicchino Holdings Ltd. proposal for mixed-use residential-commercial uses, the combined proposals for 1283 residents and 864 jobs at a density of 55 units per hectare and 37 jobs per hectare meets the *Growth Plan for the Greater Golden Horseshoe* (Places to Grow) density target of 50 residents and jobs combined per hectare.

The Region further provides that the combined retail commercial area for the subject lands at 49,157.94 m² and Cicchino Holdings Ltd. at 2,635.02 m² provides for a retail use in excess of 30,000 m² (gross leasable). As such, the Region’s Official Plan requires a Region-wide impact analysis to address the following:

- “i) transportation requirements;
- ii) the impact on existing and future retail facilities;
- iii) transit access to facilities; and,
- iv) the manner in which the proposal is supportive of the centre and corridor policies of this Plan.”

The Owner submitted, *Retail Market Analysis and Impact Study Weston Road and Major Mackenzie Drive Vellore Village District Centre*, dated September 10, 2007 by UrbanMetrics Inc. However, the two transportation reports to support the proposal, *Major Weston Centres Ltd. Weston - Major Mackenzie Retail Traffic Study*, dated September 2007 by Itrans Consulting Inc., and *Major Weston Centres Ltd. Weston - Major Mackenzie Updated Traffic Study*, dated November 2008 by Itrans Consulting Inc., need to be up-dated to address a number of items, including, but not limited to, protecting for a 45 m right-of-way along Major Mackenzie Drive, and requiring that all buildings be setback 22 m from the centre-line of the right-of-way.

The Region supports intensification along Local Corridors, subject to the transportation reports

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being updated to address the Region's issues. Given that the proposal is a large-scale retail application having a Regional impact, the Region will be the approval authority for the amendment to the Official Plan.

c) Vaughan Official Plan (OPA #600)/Vellore Village District Centre Plan (OPA #650)

The subject lands are designated "Low Density Residential" and "Medium Density Residential/Commercial" by OPA #600 as shown on Attachment #6, and "Low-Rise Residential", "Village Core" and "Village Square" by OPA #650 (Vellore Village District Centre Plan) as shown on Attachment #7.

The City of Vaughan's overall vision for the Vellore Village District Centre is to create a compact mixed-use development comprised of commercial, residential, park and institutional uses in a human-scaled urban form that facilitates pedestrian and transit access in the community. Development of a pedestrian-oriented District Centre is OPA #650's primary goal for the area, which would be achieved by the implementation of design principles that include:

- i) shaping an identity for the community by the formation of visually significant buildings, mass and functions, as well as compact urban form;
- ii) establishing a grid road pattern to take pressure off the Weston Road and Major Mackenzie Drive intersection, encourage pedestrian activities, and provide identifiable and supportable urban structure;
- iii) promoting a main street, human-scale, and compact urban form and streetscape that includes various comfortable pedestrian environments such as, urban squares and parks. The urban form should provide a measured transition of density and land use from the village core to surrounding residential neighbourhoods;
- iv) providing support for transit by proposing a mix of higher order residential and commercial forms of development within a street network grid; and,
- v) encouraging a wide variety of land uses by provision of incremental growth over time in keeping with the needs of the market and the residents of Vellore community.

The policies that are proposed for the implementing Official Plan will include, but not be limited to, the following, as shown on Attachment #4:

- a) providing a landscaped "Urban Square" that is a gateway to connect to the "Pedestrian Only Promenade" within the "Village Core Promenade" at the southwest quadrant of the subject lands within the "Village Core" designation, and an "Urban Square" at the southeast quadrant of the subject lands within the "District Centre Commercial" designation;
- b) providing buildings with a minimum height of 2 storeys (9.5 m) up to maximum height of 4 storeys along the "Pedestrian Only Promenade"; where the main entrance of the buildings along the "Pedestrian Only Promenade" are the elevations (walls) facing the "Pedestrian Only Promenade";
- c) establishing a "Pedestrian Only Promenade" within the "Village Core Promenade" to encourage pedestrian activity;
- d) providing buildings with a minimum height of 2 storeys (9.5 m) up to maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard surrounding a landscaped "Urban Square" gateway into the commercial development;

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- e) providing for buildings to be close to the street, and screening the surface parking from the street with landscaping;
- f) enhancing the architectural design treatments for the buildings, particularly at the lower levels of the building, with main entrances facing the “Village Core Promenade”, Major Mackenzie Drive and Weston Road, articulated facades, overhead canopies and variation in window trim;
- g) providing landscaping, street furniture and lighting, with emphasis on the “Urban Squares” and “Village Core Promenade”.

The residential uses permitted through the “Low Density Residential” and “Medium Density Residential/Commercial” designations by OPA #600, and, “Low-Rise Residential” and “Village Core” designations by OPA #650 shall remain, and will allow the opportunity for future residential and mixed-use residential-commercial uses on the subject lands or a portion thereof. This proposal to amend the Official Plan to allow for retail commercial uses, along with the existing residential and mixed-use residential-commercial uses, provides a wider range of land uses, within a designated urban area, and is in accordance with the policies of the PPS and Places To Grow.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, as shown on Attachment #2. The A Agricultural Zone does not permit the proposed retail commercial development. To facilitate the proposed development, as shown on Attachment #3, an amendment to By-law 1-88 is required to rezone and provide exceptions for the subject lands.

a) Proposed Uses and Exceptions

The proposed retail commercial development will be developed in accordance with the C5 Community Commercial Zone, with the following exceptions, but not limited to, which are subject to modification, due to the resolution of issues associated with the surrounding Block 33 West land uses:

- i) adding department store, office and stationary supply store, clinic, pharmacy, print shop, and public parking lot/parking garage uses to the permitted commercial uses in the C5 Community Commercial Zone;
- ii) adding the definition for department store, which includes food, wine, garden centre, restaurants that include a take-out component, children’s amusement facility, and automobile service and repair uses, and limiting the location of this use to the area identified as “Retail Store” on Attachment #5;
- iii) permitting a maximum gross floor area of 49,160 m² for the subject lands with the Walmart retail building limited to a maximum gross floor area of 17,425 m²;
- iv) to provide an “Urban Square” that connects to the “Pedestrian Only Promenade” within the “Village Core Promenade” at the southwest quadrant of the subject lands within the “Village Core” designation, and an “Urban Square” at the southeast quadrant of the subject lands within the “District Centre Commercial” designation;
- v) to provide buildings (i.e., Building “H” and the north-west portion of Building “N”) with a

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minimum height of 2 storeys (9.5 m) up to a maximum height of 4 storeys along the “Pedestrian Only Promenade”, and where the main entrance of the buildings along the “Pedestrian Only Promenade” are the elevations (walls) facing the “Pedestrian Only Promenade”; and,

- vi) to provide buildings (i.e., Buildings “X” and “W”) with a minimum height of 2 storeys (9.5m) up to maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard.

The following zoning exceptions to the C5 Community Commercial Zone of By-law 1-88 are required to facilitate the proposal, but are not limited to:

| Standard | By-law 1-88 C5 Community Commercial Zone Requirements | Exceptions to the C5 Community Commercial Zone |
|---|---|--|
| Maximum Lot Area | 2.50 ha | 20 - 22 ha |
| Minimum Front Yard Setback (Deeming Major Mackenzie Drive to be the Front Lot Line) | 15 m | 3.0 m |
| Minimum Exterior Yard Setback | 15.0 m | 3.0 m |
| Minimum Building Height (Buildings “H”, “N”, “W” and “X”) | New Standard | 9.5 m (2 Storeys) |
| No Loading and Unloading Between a Building and a Street | As Described | Loading and Unloading Between a Building and Vellore Park Avenue for the “Retail Store” identified on Attachment #5 |
| Loading Spaces | Minimum 4 Loading Spaces (Subject to Change) | To Be Confirmed through Site Plan Process |
| Parking Spaces (49,160 m² Gross Floor Area [GFA]) | 2,950 parking spaces (Subject to Change depending on the number of Eating Establishment Uses proposed at Site Plan stage; 6 Parking Spaces/100 m² of GFA) | 1,977 parking spaces (4 Parking Spaces/100 m² of GFA) |

The C5 Community Commercial Zone permits a wide range of commercial uses. The Owner had requested drive-through, automobile rental and service and repair, gas bar, and car wash uses. Based on the intent to create a pedestrian-oriented environment, these uses are not considered to be appropriate, and cannot be supported. However, it is common for a Walmart to include an automobile service and repair shop within their store. On this basis, the proposed automobile service and repair shop use will be supported, provided this use is contained within the Walmart retail store. It is noted that the abutting property at the northwest corner of Major Mackenzie Drive and Vellore Park Avenue is zoned C5(H) Community Commercial Zone with the Holding Symbol “(H)” and permits a gas bar and car wash uses.

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Concerning the reduction in parking, the iTrans Consulting Traffic/Parking report supports a minimum of 1,977 parking spaces for the development on the basis of 4 spaces/100m² GFA. This is consistent with the City's draft Parking Study for commercial in the District Centre of between 3.0 to 4.5 spaces/m² GFA.

The proposed additional uses and exceptions to the zoning standards are supportable due to a proposal that is designed to achieve a high degree of street-related pedestrian oriented buildings and an urban gathering space with a landscaped "Urban Square" that serves as a gateway to connect to the "Pedestrian Only Promenade" within the "Village Core Promenade", together with enhanced architecturally designed buildings. The proposal will be implemented through the Site Plan process.

b) Holding Symbol "(H)"

The subject lands will be zoned with the Holding Symbol "(H)", which shall not be removed until such time that the following conditions are addressed for the subject lands or portion of the subject lands (Phase) thereof, to the satisfaction of the City:

- i) the approval of a site plan for the subject lands or portion of the subject lands (Phase) thereof;
- ii) the determination of the future land uses, including the disposition of the road network respecting the southerly extension of Zachary Place and the disposition of the north/south traversing 9 m pedestrian walkway, and transition between the zoned RT1 Residential Townhouse Zone and RT1(H) Residential Townhouse Zone with Holding Symbol "(H)" for residential uses within Plan of Subdivision 19T-00V03 (Lormel Developments [Weston] Inc. and Ozner Corporation [South]) shown on Attachment #2, and the retail commercial uses proposed for the subject lands;
- iii) the determination of the future land uses, including the transition between the zoned RT1 Residential Townhouse Zone for residential uses within Plan of Subdivision 19T-03V08 (Argento Developments Inc.) shown on Attachment #2, and the retail commercial uses proposed for the subject lands; and,
- iv) the provision of agreements/land transfer for the elementary school block and neighbourhood park block on the subject lands shown on Attachment #3.

The Lormel lands to the northwest will likely require additional Planning Act applications and a new road pattern on their property as a result of the Smart Centres land use proposal. The Lormel property is currently identified for residential and local commercial uses in the Block 33 West Plan, which is reflected in the approved zoning for the site and the approved draft plan of subdivision. A revised subdivision plan to show Zachary Place terminating in a cul-de-sac and extending the commercial along the entire length of the Weston Road frontage may be pursued by Lormel to facilitate a more compatible land use interface between the two sites.

The Argento lands to the northeast will likely require additional Planning Act applications as a result of the Smart Centres land use proposal. The small size and irregular shape of the Argento lands is not conducive for residential development. This property may be purchased by Smart Centres to be incorporated into their commercial proposal for landscaping and parking purposes.

Modifications may be required to existing agreements such as the Spine (Infrastructure) Agreement or Subdivision Agreement to address the Lormel and Argento properties.

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The Owner has indicated that they have contacted both Lormel and Argento to address the above issues as indicated in written correspondence provided in Appendices “A” to “E” inclusive. The Owner will be required to resolve the outstanding issues with respect to the appropriate interface of the subject lands with the adjacent lands in the Block 33 West Plan, to the satisfaction of the City. The implementing Official Plan and Zoning By-law Amendments may be deferred pending the resolution of the outstanding issues, to the satisfaction of the City.

Site Plan Approval

The subject lands are to be developed in Phases by Site Plan approval. At the Site Plan stage, details such as sustainability, landscaping, building elevations, stormwater management and servicing will be determined. The Site Plan process will require approvals from the Ministry of Transportation, Toronto and Region Conservation Authority, Region of York, and the City.

Vaughan Engineering Department

The Vaughan Engineering Department has no objections to the proposal and provides the following comments:

a) Environmental Site Assessment (ESA)

As part of the future Site Plan process and prior to the approval of any Site Plan Application on the subject lands or any portion thereof, a Phase 1 Environmental Site Assessment (ESA) is required to be submitted for approval by the City. The City will require documented proof of the registration of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person.

b) Development/Transportation

At the Site Plan stage, the site grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports must be submitted for approval to the satisfaction of the Vaughan Engineering Department. The proposal is within the Ministry of Transportation’s (MTO) controlled-access highway right-of-way, and therefore, will require a permit from MTO for the use and signage at the Site Plan stage.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner will be required to dedicate and/or pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City’s approved “Cash-in-Lieu of Parkland Policy”. This will be addressed as a condition of Site Plan approval.

School Boards

The York Region District (Public) School Board has reviewed the proposal and advises that the 0.548 ha of land at the north end of the subject lands identified as a “Proposed School” on Attachment #5, is required for an elementary school site, which is to be developed in conjunction with the lands to the north. The York Catholic District School Board and Conseil Scolaire de District Catholique Centre-Sud have no objection to the proposal.

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Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposal, including the *Functional Servicing and Stormwater Management Report - Commercial Development Major Weston Centres Limited*, dated September 2008 by Sernas Associates, and advises that the TRCA concerns including, but not limited to, stormwater management, water balance and infiltration, and erosion and sediment control be addressed at the Site Plan stage.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York has no objections to the proposed development provided the Regional concerns identified earlier are addressed. The Region will provide detailed comments at the Site Plan stage respecting road requirements, transit and vehicular access, and requires that the site plan, grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports be submitted for approval to the satisfaction of the Region. The Owner will be required to enter into a Regional Site Plan Agreement.

Conclusion

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

1. An Official Plan Amendment Application (File OP.07.006) to redesignate the subject lands shown on Attachment #4 from “Low Density Residential” and “Medium Density Residential/Commercial” in OPA #600, and “Village Core” and “Low-Rise Residential” in OPA #650 (Vellore Village District Centre Plan) to “District Centre Commercial” to permit a retail commercial development, and to modify the policies in the “Village Core” designation to provide a “Pedestrian Only Promenade” and an “Urban Square” to create a pedestrian-oriented environment.
2. A Zoning By-law Amendment Application (File Z.07.040) to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #5 from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol “(H)” to permit a retail commercial development limited to a maximum gross floor area of 49,160 m².

The Official Plan and Zoning By-law Amendment applications propose to implement a pedestrian-oriented development with high quality designed streetscapes and street-related buildings. The Official Plan and Zoning By-law will be amended to include policies and requirements to facilitate an urban square at the northeast corner of Major Mackenzie Drive and Weston Road, which leads to a pedestrian-only promenade and a pedestrian/vehicular promenade located further east that will include lay-by parking spaces. Minimum 2 storey building heights will be strategically placed within the pedestrian-only promenade, which must include storefront entrances facing the promenade. An urban square will also be located at the northwest corner of Major Mackenzie Drive and Cityview Boulevard, which will be flanked on both sides by minimum 2 storey buildings. Also, enhanced building elevations for buildings facing Major Mackenzie Drive and Weston Road will require a minimum of 50% of the main entrances to these buildings to be visible from these roads and face the street directly or along a side facade.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 76, CW Report No. 35 – Page 18

The Development Planning Department is satisfied that the proposed retail commercial development as shown on Attachment #3, is appropriate and compatible with the existing and permitted uses in the surrounding area and can be developed in a manner that is appropriate and compatible with the existing community, provided the outstanding issues associated with the Block 33 West land uses are addressed. The Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment applications, subject to the recommendations in this report.

Attachments

1. Context Location Map
 2. Location Map
 3. Site Plan Concept
 4. Land Use Schedule
 5. Zoning Schedule
 6. OPA #600 - Schedule "B", Vellore Urban Village 1
 7. OPA #650 - Vellore Village District Centre Plan
 8. Block 33 West Community Plan
- Appendix "A" - June 17, 2009 Correspondence from Davies Howe Partners
Appendix "B" - June 18, 2009 Correspondence from Davies Howe Partners
Appendix "C" - June 18, 2009 Correspondence from Bousfields Inc.
Appendix "D" - June 18, 2009 Correspondence from SmartCentres
Appendix "E" - June 18, 2009 E-mail Correspondence from SmartCentres

Report prepared by:

Judy Jeffers, Planner, ext. 8645
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 30, 2009

Item 77, Report No. 35, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 30, 2009, as follows:

By approving the following in accordance with memorandum from the Chair, Sign Variance Committee, dated June 26, 2009:

“That a minor variance to the City’s Sign By-law 203-92 be approved authorizing the erection of a ground sign as shown on the attached plans, provided that any conditions or comments imposed by the Ministry of Transportation are incorporated into the final approval of the sign and the Sign Permit.”

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**NEW BUSINESS – MIELE SIGN VARIANCE APPLICATION
161 FOUR VALLEY DRIVE – WARD 4**

The Committee of the Whole recommend that staff provide a report on the sign variance application for Miele Inc., 161 Four Valley Drive, for the Council meeting of June 30, 2009.

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 78, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

**78 CEREMONIAL PRESENTATION – MS. LUCY DiPIETRO ON BEHALF OF
THE AMICI MUSEUM AND ITALIAN CANADIAN INTERPRETIVE CENTRE**

Ms. Lucy DiPietro presented the City of Vaughan with an award of recognition on behalf of the AMICI Museum and Italian Canadian Interpretive Centre, 10190 Keele Street, Vaughan, L6A 1R7.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 30, 2009

Item 79, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 30, 2009.

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**CEREMONIAL PRESENTATION – MR. JOHN SCAINI
ON BEHALF OF THE PARKINSON’S SOCIETY OF CANADA**

Mr. John Scaini presented the Mayor and Members of Council with a gift of appreciation on behalf of the Parkinson’s Society of Canada for the support provided over the past five years.