

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2012

Item 1, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

1 TELECOMMUNICATION FACILITY SITING PROTOCOL TASK FORCE
1) REVISION TO THE TERMS OF REFERENCE
2) REQUEST RE: RADIO FREQUENCY ELECTROMAGNETIC FIELDS TESTING

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated February 7, 2012, be approved subject to adding Clause 3 as follows:
 - 3) That the information requested of York Region Health Services and Public Health Ontario be accompanied by additional data on electromagnetic fields as measured from other sources, both short term and long term, and their known impacts on human health, in order that the public may make an informed judgement on these matters; and
- 2) That Communication C3, memorandum from the Director of Building Facilities, dated January 26, 2012, be received.

Recommendation

The City Clerk, on behalf of the Telecommunication Facility Siting Protocol Task Force, recommends:

- 1) That the Terms of Reference be amended to increase the number of months that the Task Force was given to complete the Findings Report from five months to eight months; and
- 2) That representatives from York Region Health Services and Public Health Ontario be requested to conduct radio frequency electromagnetic fields testing at the Al Palladini Community Centre in the Spring.

Contribution to Sustainability

N/A

Economic Impact

N/A

Communication Plan

Any changes in policy or requirements resulting from consideration of this report will be communicated to the appropriate parties, as required.

Purpose

To respond to the request by the Telecommunication Facility Siting Protocol Task Force to revise the Terms of Reference and request York Region Health Services and Public Health Ontario to conduct radio frequency electromagnetic fields testing at the Al Palladini Community Centre in the Spring.

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Background – Analysis and Options

Council, at its meeting of September 27, 2011, approved the establishment of the Telecommunication Facility Siting Protocol Task Force. The mandate of the Task Force is to bring together various stakeholders to develop recommendations for siting telecommunication towers and antenna facilities in the City of Vaughan.

At the Committee of the Whole (Closed Session) of November 15, 2011, the Committee approved the Task Force's request that Council increase the members of the general public from five members to seven members. The Task Force also requested that its term be extended from five to eight months to finalize its findings.

The Task Force, at its meeting of January 12, 2012, recommended that representatives from York Region Health Services and Public Health Ontario be requested to conduct radio frequency electromagnetic fields testing at the Al Palladini Community Centre in the Spring.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the provisions of Vaughan Vision 2020, particularly:

Demonstrate Leadership and Promote Effective Governance

Regional Implications

Any field testing which is carried out in response to this request will be the responsibility of York Region staff.

Conclusion

This report is submitted on behalf of the Telecommunications Facility Siting Protocol Task Force and seeks to 1) increase the number of months that the Task Force was given to complete the Findings Report from five months to eight months; and 2) request York Region Health Services and Public Health Ontario to conduct radio frequency electromagnetic fields testing at the Al Palladini Community Centre in the Spring.

Attachments

None

Report prepared by:

R. Magnifico
Assistant City Clerk

John Britto
Assistant City Clerk

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Item 2, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

2

**SIGN VARIANCE APPLICATION
FILE NO: SV.11-041
OWNER: CORNERSTONE COMMUNITY CHURCH
LOCATION: 180 NASHVILLE ROAD, KLEINBURG
LOTS 11-14, PLAN RP-210
WARD 1**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 7, 2012:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-041, Cornerstone Community Church, be REFUSED.

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

To permit the installation of one (1) ground sign that incorporates an electronic readograph sign as shown on the attached plan.

Background - Analysis and Options

Sign Bylaw Requirements (By-Law 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.

The subject property is also located within the Heritage Conservation District of Kleinburg and subject to its design guidelines and policies.

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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

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

Conclusion

The applicant has applied for a Sign variance to permit the installation of one (1) ground sign that incorporates an electronic readograph sign into its design, as shown on the attached plan. The subject property is located within the Heritage Conservation District of Kleinburg and subject to its design guidelines and policies.

The sign as proposed by the applicant does not comply with the Kleinburg Conservation District guidelines and a application made to Heritage Vaughan for additional consideration was refused by them as not being appropriate.

Members of the Sign Variance Committee agree with the opinions of Heritage Vaughan and recommend that the Sign Variance Application be refused.

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

Attachments

1. Site Plan
2. Sketch of Proposed Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/as

(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. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

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**SIGN VARIANCE APPLICATION
FILE NO: SV.11-042
OWNER: JOHNY DRUCKMANN
LOCATION: 130 RACCO PARKWAY
BLOCK 1, PLAN 65M-3531
WARD 5**

The Committee of the Whole recommends that consideration of this matter be deferred until this site is brought into conformity with the Sign By-law and existing approvals.

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-042, Johnny Druckmann, be APPROVED and that Enforcement Services be notified of the existing non-conforming signs.

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

To permit the installation of one (1) 1.8 sqm. wall sign, as shown on the attached plans.

Background - Analysis and Options

Sign Bylaw Requirements (By-Law 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.

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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

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

Conclusion

The applicant has applied for permission to install on additional 1.8 sqm. wall sign as shown on the attached drawings. This wall sign is in addition to other existing wall signs that have been previously constructed on the building without sign permits.

Members of the Sign Variance Committee have no objections to the application however are concerned with the existing signs that have been constructed without sign permits some of which don't comply with the City's Sign By-law.

Committee members are therefore recommending approval of this application subject to the Enforcement Services Department being notified respecting the existing non-conforming wall signs that have been constructed without sign permits.

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

Attachments

1. Site Plan
2. Sketch of Sign
3. Photo of South Building Elevation.

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/as

(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

**SIGN VARIANCE APPLICATION
FILE NO: SV.11-043
OWNER: CANADIAN PACIFIC RAIL
LOCATION: 6830 RUTHERFORD ROAD
PART OF LOT 16, CONCESSION 10
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 7, 2012:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-043, Canadian Pacific Rail, be APPROVED.

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 to install two (2) Poster Panel Signs (3rd Party Billboards) on the subject property as shown on the attached drawings.

Background - Analysis and Options

Sign By-law Requirements (By-Law 203-92, as amended):

Section 15.1 A maximum of one (1) Poster Panel Sign (Billboard) may be permitted on a developed lot zoned industrial or commercial.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

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

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Conclusion

The applicant has applied to the City to construct two (2) Poster Panel Signs (3rd Party Billboard) on a lot zoned agricultural and open space. The proposed signs are in addition to three (3) other signs fronting on the south side of Major Mackenzie Drive that have been approved under Sign Variance Application SV.11-004.

The subject property is within the prescribed area of the City for Poster Panel Signs and zoned "A" (Agricultural Zone) under the City's Zoning By-law. The very large property that is being used for industrial purposes by the Canadian Pacific Railways as a intermodal railway yard. The location of the proposed 3rd party signs meets the minimum 600 meters separation between signs, as required by the City's Sign By-law.

Members of the Sign Variance Committee have no objections to the application subject to the minimum 600 meter separation requirement between signs is maintained

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

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

Attachments

1. Site Plan
2. Sign Location Details (City Zoning Map)
3. Sketch of Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/as

(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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Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

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

Conclusion

The applicant has applied for a sign variance to allow for the construction of two (2) 8.3 sqm. wall signs as shown on the attached drawings. These wall signs are associated with a new tenant for the premises and are very similar to previously existing wall signs that were approved under a prior sign variance application.

Members of the Sign variance Committee have reviewed the application and have no objections to the application as submitted. Members of the Committee are of the opinion that the intent and purpose of the Sign By-law is being maintained.

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

Attachments

1. Site Plan
2. North Building Elevation
3. West Building Elevation

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/as

(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. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

6

**SIGN VARIANCE APPLICATION
FILE NO: SV.11-046
OWNER: CELLOWAY REAL ESTATE INVESTMENT
LOCATION: 110 WINDFLOWER GATE, UNIT G4
PART OF LOT 6, CONCESSION 6
WARD 3**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Sign Variance Committee, dated February 7, 2012:

Recommendation

The Sign Variance Committee recommends:

That Sign Variance Application SV.11-046, Celloway Real Estate Investment, be APPROVED.

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

The applicant is requesting to install a 1.9 sqm. wall sign on the rear of the building as shown on the attached drawing.

Background - Analysis and Options

Sign Bylaw Requirements (By-Law 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.

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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

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

Conclusion

The applicant is proposing to install a 1.9 sqm. wall sign on the rear elevation building as shown on the attached drawing. The proposed sign was not shown on the site plan agreement that has been approved for the property.

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

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

Attachments

1. Site Plan
2. Sketch of Proposed Sign

Report prepared by:

John Studdy, Manager of Customer & Administrative Services Ext 8232

/as

(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. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

7 BLACK HISTORY MONTH CELEBRATIONS IN FEBRUARY 2012

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated February 7, 2012:

Recommendation

The Commissioner of Community Services, in consultation with the Director of Recreation and Culture, recommends:

1. That the list of activities to be held in February 2012 in the City of Vaughan to commemorate Black History Month as found within this report, be received; and,
2. That the City's activities be posted on the City's website and promoted at City facilities.

Contribution to Sustainability

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

- 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 cost to develop a display, informational material and programs and activities related to Black History Month is included in the Recreation and Culture Department's 2012 Operating Budget.

Communications Plan

The proclamation of February as Black History Month and the list of activities will be posted on the City's website, Council Calendar of Events, and promoted throughout the City and community centres and Vaughan Public Libraries.

Purpose

The purpose of this report is to present the list of activities scheduled to be held in February in the City of Vaughan in recognition of Black History Month.

Background - Analysis and Options

Black History Month is a time to honour and celebrate the achievements of Black Canadians and descent and their contribution to the social, economic, cultural and political life in Canada. It provides an opportunity to learn about and be inspired by the history, pride and strength of Black Canadians.

In February 2009, Council approved the following recommendation from the Community Equity and Diversity Committee:

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- 1) That Community Equity and Diversity Committee recommend that February 2009 be recognized as “Black History Month”; and,
- 2) That this proclamation be made on a yearly basis.

The proclamation as declared in 2009 for all subsequent years meets the City’s Proclamation policy, as in the following excerpt:

- (ii) If the event, campaign or declaration is directly related to matters over which the City has jurisdiction or the City directly sponsors the event, campaign or other matter.

The celebration of Black History Month supports the City of Vaughan’s Diversity Strategy, as approved by Council in 2010, which identifies the goal “to create opportunities for creative cultural expression and dialogue”.

List of Activities

February is Black History Month as declared by the Province of Ontario. In support of Black History Month and in partnership with the City of Vaughan, there are a number of activities planned to celebrate the history and culture of Black Canadians in the City of Vaughan. Highlights are as follows:

- **Vaughan City Hall Multipurpose Room: February 19, 2012, 4 pm**
 - The Thornhill African Caribbean Canadian Association (TACCA) and guest speaker Tim Crawford, historian, will present the first viewing of the video regarding the oldest Black loyalist settlements in Upper Canada sanctioned by the British Government entitled “The Drinking Gourd” by Selka Carruthers. This event will also feature music, followed by refreshments.
- **Maple Community Centre: Vaughan Arts Space, February 10 - 25, 2012**
 - The Vaughan African Canadian Association will present an exhibit on “CariVaughan: The History of Carnival”, an exploration of the history of Carnival and playing mass from its African spiritual and cultural origins to modern day Carnival parades as celebrated worldwide. Opening ceremony and reception will be held on February 10, 2012. Viewing of cultural exhibit will run until February 25, 2012.
- **North Thornhill Community Centre: Winterfest, February 5, 2012**
 - The Vaughan African Canadian Association (VACCA) celebrates *Winterfest* with its presentation of “CariVaughan: Ringing in the sounds of CariVaughan” on Sunday, February 5, 11:30 am – 1:30 pm.
- **York Regional Police: January 28, 2012.**
 - Music and art displays will be posted at the Safety Village on January 28, 11am – 1pm. Chief Eric Jolliffe will pay tribute to the outstanding individuals who have made significant contributions to Canada and the world at large.

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- **Schools in York Region: Black History Essay Writing Contest**
 - The Vaughan African Canadian Association (VACCA) will also be facilitating a Black History Essay Writing Contest throughout schools in York Region, highlighting this year's theme "Out of Many, One People", celebrating Jamaica's 50th Anniversary of Independence.
- **Vaughan Public Libraries**
 - Art displays, author visits and African and Caribbean story time at library locations across Vaughan. Full details are found on Vaughan Public Libraries website, www.vaughanpl.ca

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 to implement this program have been allocated and approved.

Regional Implications

N/A

Conclusion

The history of the Black Canadian community is part of the culture of our City and the celebration of Black History Month works towards reaffirming our efforts to build an inclusive society and celebration diversity in our community. The proclamation of February 2012 as "Black History Month" and the list of community activities as noted within this report will be posted on the City's website, and at community centres, Vaughan City Hall and Vaughan Public Libraries.

Report Prepared By

Mary Reali, Director of Recreation and Culture, ext 8234
Angela Palermo, Manager of Cultural Services, ext 8139
Mirella Tersigni, Community Development Coordinator, ext 8459

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Item 8, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

8 **PROCLAMATION REQUEST**
EPILEPSY AWARENESS MONTH MARCH 2012 AND MARCH 26TH AS “PURPLE DAY”

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated February 7, 2012:

Recommendation

The City Clerk recommends:

- 1) That March 2012 be proclaimed as “Epilepsy Awareness Month”; and March 26th as “Purple Day”, and
- 2) That the proclamation be posted on the City’s website and published on the City Page Online.

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” and on the City Page Online.

Purpose

To respond to the request received from the Executive Director, Epilepsy York Region, dated January 19, 2012.

Background - Analysis and Options

The correspondence received from the Executive Director, York Region 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”

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Epilepsy York Region is a registered charity who is seeking Council's support by proclaiming March as "Epilepsy Awareness Month", and March 26th, 2012 as "Purple Day", in an effort to raise awareness of this disease, increase understanding, reduce the stigma and improve the quality of life for those with epilepsy in Canada and throughout the world. Council has previously granted this proclamation.

Relationship to Vaughan Vision 2020/Strategic Plan

This report supports the strategic priorities established by Vaughan Vision 2020, in particular "Enhance and Ensure Community Safety, Health and Wellness".

Regional Implications

The proclamation will raise awareness of this neurological condition within the region.

Conclusion

Staff is recommending that March 2012 be proclaimed "Epilepsy Awareness Month" and March 26th as "Purple Day", and that the proclamation be posted on the City's website and published on the City Page Online.

Attachment

Attachment 1 – Correspondence from the Executive Director, Epilepsy York Region, dated January 19, 2012

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 9, CW Report No. 4 – Page 2

Purpose

The purpose of this report is to inform Council that the municipal services in the Maple Springs (Mackenzie Glen), Phase 2, Subdivision can now be considered for assumption by the City.

Background - Analysis and Options

The Maple Springs (Mackenzie Glen), Phase 2, Subdivision is a 341 lot residential development that includes both a park and a commercial block. The subdivision is located north of McNaughton Drive and west of Keele Street in Block 26, as shown on Attachment No.1.

The Subdivision Agreement with Artree Development Inc. was executed on June 28, 1995, and the Plans of Subdivision 65M-3065 & 65M-3066 were subsequently registered on November 20, 1995 & November 21, 1995, respectively. The construction of the roads and municipal services was substantially completed in October 1999.

Artree Development Inc. lagged in completing the remaining works in the subdivision and eventually retained Carillion Canada to facilitate the completion of all the remaining deficiencies in the subdivision. Over the last year, engineering staff has worked with Carillion to address all the outstanding deficiencies. Staff is satisfied with the extent of the works recognizing that the municipal services in this subdivision are now over 10 years old and showing signs of normal wear.

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. In addition, the grading of all lots in the subdivision was certified by the Developer's Engineering Consultant.

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.

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Conclusion

The construction of the roads and municipal services associated with the Maple Springs (Mackenzie Glen), Phase 2, Plans of Subdivision 65M-3065 & 65M-3066 have been completed in accordance with the Subdivision Agreement. Accordingly, it is appropriate that the roads and municipal services in 65M-3065 & 65M-3066 be assumed and the Municipal Services Letter of Credit be released.

Attachments

1. Location Map

Report prepared by:

Kevin Worth – Engineering Technologist - Development, ext. 8670
Frank Suppa, Manager of Development Inspection and Grading, ext. 8073

FS/kw

(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 10, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

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**ZONING BY-LAW AMENDMENT FILE Z.11.008
1350150 ONTARIO LIMITED
WARD 3**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated February 7, 2012:

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.11.008 (1350150 Ontario Limited) BE APPROVED, to rezone the subject lands shown on Attachments #1 and #2 from EM1 Prestige Employment Area Zone to C10 Corporate District Zone, together with the zoning exceptions identified in Table 1 of this report, to facilitate a multi-unit retail development as shown on Attachment #3.

Contribution to Sustainability

The Owner will be required to submit a Sustainable Development Brief at the site plan stage, to address issues including, but not limited to: LEED (Leadership in Energy and Environmental Design), TDM (Transportation Demand Management) to promote active and public modes of transportation, permeable pavers, bio-swales, drought tolerant landscaping, efficiency in energy and water consumption, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, reduction in construction waste and waste diversion, etc., where appropriate.

Economic Impact

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

Communications Plan

On May 6, 2011, a Notice of a Public Hearing was circulated to all property owners within 150 m of the subject lands, as well as, to the East Woodbridge Community Association. Notice signs were also installed on the property in accordance with City of Vaughan procedures. To date, no comments have been received by the Vaughan Development Planning Department with respect to this application.

The Committee of the Whole's recommendation to receive the Public Hearing report of May 31, 2011, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on June 7, 2011.

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Purpose

The Owner has submitted Zoning By-law Amendment File Z.11.008 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM1 Prestige Employment Area Zone to C10 Corporate District Zone, together with the site-specific exceptions identified in Table 1 of this report. The rezoning will facilitate a proposed one-storey, 3,989.78 m² multi-unit retail development with 193 parking spaces, as shown conceptually on Attachment #3.

Background - Analysis and Options

Location

The 1.389 ha subject lands are located at the northeast corner of Chrislea Road and Portage Parkway, municipality known as 167 Chrislea Road, as shown on Attachments #1 and #2. The subject lands are currently vacant and the surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Corporate Centre District" by OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #663 (Avenue Seven Land Use Futures Study). The proposed rezoning conforms to the in-force Official Plans.

The subject lands are designated "Commercial Mixed-Use" by the City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011), and is pending approval from York Region.

Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88. The Owner is proposing to rezone the subject lands to C10 Corporate District Zone to facilitate a proposed multi-unit retail development shown on Attachment #3. The Development Planning Department is satisfied that the as-of-right C10 Zone uses shown on Attachment #4 are appropriate for the site, and compatible with the surrounding employment and commercial land use context and conforms with the Official Plan.

The following site-specific exceptions to Zoning By-law 1-88 are required to implement the proposal:

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Table 1: By-law 1-88 Exceptions Proposed for the C10 Corporate District Zone			
	By-law Standard	By-law 1-88 C10 Zone Requirements	Proposed Exceptions to C10 Zone
a.	Minimum Required Parking	▪ 6.0 parking spaces per 100 m ² of GFA (Total required: 240 spaces)	▪ 4.8 parking spaces per 100 m ² of GFA (Total proposed: 193 spaces)
b.	Minimum Aisle Width (One-way as shown on Attachment #3)	▪ 6.0 m	▪ 4.78 m

The Development Planning Department can support the proposed parking reduction and reduced minimum aisle width, in accordance with the comments of the Vaughan Development /Transportation Engineering Department, which are discussed later in this report.

Development Concept Plan

The Owner has submitted a Development Concept Plan for a proposed one-storey multi-unit retail development, shown on Attachment #3. The built form, massing, design and landscaping will be reviewed in detail at the site plan stage. The Development Planning Department has advised the Owner that improvements to the streetscape and pedestrian realm, as well as, additional landscaping, TDM measures, and sustainability initiatives, will be required to be identified at the site plan stage.

As per development criteria in the City of Vaughan Official Plan 2010, although not in effect, provides guidance and the Owner is encouraged to provide a high level of landscaping treatment and pedestrian pathways within the surface parking area, as well as, to design the grading and landscaping as part of the site's overall stormwater management system.

Cultural Services Division

The Cultural Services Division has indicated that an Archaeological Assessment will be required for review at the site plan stage.

Vaughan Development/Transportation Engineering Department

The Owner submitted a Transportation Impact and Parking Assessment Study completed by Paradigm Transportation Solutions Ltd. in October 2011. The Vaughan Development /Transportation Engineering Department has reviewed the study and is satisfied with its conclusions and recommendations, including the proposed access to the site (two driveways, north and south on Chrislea Road).

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The parking study recommends a supply of 193 spaces, whereas Zoning By-law 1-88 requires 240 spaces. Justification of the parking reduction is based on the data collected from similar types of facilities located within the City of Vaughan. The parking reduction is also considered appropriate based on the preliminary findings of the City of Vaughan Draft Parking Standards, completed by IBI Group.

The overall aisle width at the north side of the building complies with the 6.0 m Zoning By-law requirement, except in the loading bay area at the north side of the building, where the aisle width is reduced to 4.78 m to accommodate trucks in the loading bay (shown on Attachment #3). The reduced aisle width at two points on the north side of the building is satisfactory, given that the north aisle is restricted to one-way traffic movements.

The Development/Transportation Engineering Department has indicated that the following plans and reports, at a minimum, will be required at the site plan stage: Stormwater Management Report, Functional Servicing Report, and Site Servicing and Grading Plans.

In addition, the Development/Transportation Engineering Department has provided further comments to the Owner with respect to pedestrian and bicycle circulation, sidewalks and pedestrian connections, bicycle parking, and Transportation Demand Management (TDM). The Owner will be required to address these comments and provide active transportation and TDM implementation measures at the site plan stage.

Ministry of Transportation (MTO)

The MTO has no objection to the proposed rezoning, and requires the following materials for review at the site plan stage: Drainage Report, Site Servicing and Grading Plans, and an Illumination Plan. The MTO requires a minimum 14.0 m setback from Highway 400 for all above and below ground structures, which is being provided. As the subject lands are located within the MTO's Permit Control Area, Ministry review and approval is required for any future development.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The subject zoning application was circulated to the Region of York for review, and they have no comments or objections to its approval. The future Site Development Application will be circulated to York Region for review and comment.

Conclusion

The Vaughan Development Planning Department has reviewed the proposed amendment to Zoning By-law 1-88 in accordance with OPA #500, OPA #663, the City of Vaughan Official Plan 2010, 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 rezoning is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support approval of Zoning By-law Amendment File Z.11.008.

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Attachments

1. Context Location Map
2. Location Map
3. Development Concept Plan
4. Proposed C10 Corporate District Zone Uses

Report prepared by:

Erika Ivanic, Planner, ext. 8485
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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2. THAT the implementing Zoning By-law include the following:
 - i) site-specific definition for a “Mixing Plant”

“Mixing Plant – for the purpose of this paragraph, means an existing building(s) or structure(s) or part of a building(s) or structure(s), where only concrete is mixed or batched, weighed and measured for mixing off-site. The following accessory uses shall be permitted, provided such uses are operated accessory to the mixing plant located on the subject lands only:

 - i) truck repair located in the existing concrete block building only (Attachments #3 and #5);
 - ii) office use;
 - iii) outside storage of sand, gravel and equipment, and machinery accessory to the mixing plant use only (Attachment #3). The outside storage of all other materials shall not be permitted.”
3. THAT Site Development File DA.11.086 (2109179 Ontario Inc.) BE APPROVED, to recognize the existing temporary portable dry batch concrete production plant, with accessory office, truck repair and outdoor storage of materials, equipment and machinery, in the manner shown on Attachment #3, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking, the final site plan and building elevations shall be approved by the Vaughan Development Planning Department;
 - b) that the applicant provide a Letter of Credit to the City of Vaughan in the amount of \$10,000 to cover the cost of any road surface repairs to King-Vaughan Road in proximity to the site entrance which are necessary due to damage from trucks entering and leaving the site. The Letter of Credit shall be released after King-Vaughan Road is reconstructed by the City; and,
 - c) that the site plan drawings be revised to require that the driveway be paved a minimum of 30 m back from King Vaughan Road, to the satisfaction of the Vaughan Development/Transportation Engineering Development.
4. THAT Vaughan Council enact the necessary by-law to amend the Comprehensive Traffic By-law 284-94 to remove the half load restriction on King-Vaughan Road from Weston Road to Jane Street during the period between May 1st and November 30th.

Contribution to Sustainability

The Zoning By-law Amendment and Site Development Applications seek permission to maintain an existing concrete batching plant use within existing structures on the site, and therefore, there are no sustainable features proposed.

Economic Impact

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

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Communications Plan

On April 16, 2010, a Notice of Public Hearing was circulated to all property owners within 1000m of the subject lands. In accordance with the City of Vaughan "Notice Signs Procedures and Protocols", the Owner installed two (2) notice signs on the property, one (1) along King-Vaughan Road and one (1) along Highway #400.

Letters from 8 residents, as well as, a petition with 14 signatures were received by the Vaughan Development Planning Department, which are discussed later in this report. The recommendation to receive the Public Hearing report of May 11, 2010, was ratified by Council on May 18, 2010.

On January 4, 2012, a notice of this Committee of the Whole meeting was sent to all individuals who appeared at the Public Hearing and to those individuals requesting notification.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to maintain the existing portable dry batch concrete production plant (mixing plant) and accessory outside storage of materials and equipment as shown on Attachment #3:

1. Zoning By-law Amendment File Z.10.002 to amend Zoning By-law 1-88, specifically the A Agricultural Zone and Section 3.24 "Prohibited Use", to maintain a portable dry batch concrete production plant (mixing plant) and accessory office, truck repair and outdoor storage of materials, equipment and machinery use for a temporary maximum period of 3 years (maximum permitted by the Planning Act) in the manner shown on Attachment #3.
2. Site Development File DA.11.086 to recognize the existing temporary portable dry batch concrete production plant (mixing plant), with accessory office, truck repair and outdoor storage of materials, equipment and machinery in the manner shown on Attachment #3.

The applicant originally submitted Official Plan Amendment File OP.10.01 to amend the "Agricultural" policies of OPA #600, as amended by the "Prestige Area – Office/Business" policies in OPA #637 (not in effect at the time in 2010) to maintain the existing dry batch concrete plant on the subject lands, as shown on Attachment #3. Official Plan Amendment 637 (OPA #637) - Highway 400 North Employment Lands) was approved by the Ontario Municipal Board on November 21, 2011, and includes temporary use policies that permit the proposed dry batch concrete use. Therefore, an Official Plan Amendment application is no longer required and the file was closed by the applicant.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2, are located at 3501 King-Vaughan Road, being on the south side of King-Vaughan Road and west side of Highway #400. The overall property is 17.91 ha in size. The existing portable dry batch concrete production plant, and accessory uses as shown on Attachments #2 and #3, are located on the developable portion of the subject lands. The site is also being used to store materials such as storage tanks, machinery, vehicles and other materials not related to the mixing plant use, which is discussed later in this report.

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Description of Use, Operation Details and Site Plan

The concrete production plant consists of an aggregate batcher, a conveyor belt and a cement silo with a cement batcher, as shown on Attachment #6. A front-end loader places stone and sand in the aggregate batcher. Portland cement from the portable silo is placed in the cement batcher and then with the addition of water, these ingredients are poured into the concrete truck. The actual mixing takes place inside the concrete truck while in transit to the requested location.

The materials to be stored on site (stone, sand, Portland cement and equipment) are used to facilitate the operation of the batching plant. The applicant has agreed that any additional outside storage on the site, such as metal scraps, old machinery and vehicles not associated with the concrete batching use shall be removed. The property is developed with one existing barn (Attachment #4), a one-storey concrete block building (Attachment #5), a portable silo (Attachment #6) that stores Portland cement, an office trailer (Attachment #7), and a one-storey abandoned house. Sand and gravel are stored in piles on the site, which are not visible from Highway #400. The existing buildings and vehicles utilized in the operations are visible from Highway #400. The surrounding land uses are shown on Attachment #2.

According to the Planning Justification report prepared by Humphries Planning Group Inc., dated May 2010, the portable dry batch concrete production utilizes 5 ready-mix concrete trucks and 1 wheel loader. The operation produces between 20 and 100 cubic metres of concrete daily. Each truck can carry up to 10 cubic metres of concrete. The production of 100 cubic metres of product requires 2 loads of gravel and 2 loads of sand. A load of portland cement is also delivered to the site every 3 days. Sand and stone are stored west of the existing barn, as shown on Attachment #3 and are not visible from Highway #400. Portland cement is stored in a portable silo, located south of the barn. The silo is visible to the north and south from Highway #400, given its height and the higher elevation of the site in relation to Highway #400. The facility operates on a seasonal basis from May to October/November of each year.

The Owner has also requested that an accessory truck repair use be maintained on the property, which is currently being operated in the block building located at the south end of the property. Six (6) trucks related to the operation are parked in front of the barn and block building (Attachment #3), unless being repaired, in which case they are located inside the block building. All trucks leaving the facility travel eastbound on King-Vaughan Road toward Jane Street, and all incoming trucks utilize Jane Street.

Access/ Driveway

Vehicular access to the subject lands is from a 7.5 m wide easement for a right-of-way over the lands to the immediate north providing access to King-Vaughan Road, which was approved through the Committee of Adjustment (Minor Variance File A45/99, and Consent Application B11/99) in favour of the subject lands.

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Support Documents

The following documents were submitted in support of the applications:

- i) Justification Report, dated May 2011, prepared by Humphries Planning Group Inc.;
- ii) Greenbelt Conformity Report, dated December 22, 2010, prepared by RiverStone Environmental Solutions Inc.;
- iii) Traffic Impact Study, dated October 2010, prepared by Sernas Transtech; and,
- iv) Particulate & Noise Report, dated July 26, 2011 and August 10, 2010, by Church & Trought Inc. Environmental and Engineering Solutions.

Comments Received Through the Public Hearing Process

Letters from residents were received by the Development Planning Department prior to and at the Public Hearing. To date, 8 letters and a petition with 14 signatures were received, with the following comments provided:

Issue	Public Comments	Response
Noise/Traffic	<ul style="list-style-type: none"> ▪ Noise pollution from the volume of industrial trucks transporting materials such as gravel or other components for cement production. ▪ Truck routes cannot be controlled for deliveries. Truck traffic can be heard starting at 4:30 A.M. 	<ul style="list-style-type: none"> ▪ A Noise Report was submitted and reviewed by the City of Vaughan and the Ministry of the Environment (MOE). The Vaughan Development/Transportation Engineering Department had no concerns with the report; the MOE concluded that a noise report is not required based on Ministry criteria and existing separation distances. ▪ There are other industrial operations in the area including a large construction company. ▪ A Traffic Impact Study was submitted in support of the applications and reviewed by the Vaughan Development/Transportation Engineering Department and found to be acceptable. The Region of York did not provide any comments on the traffic study, as this part of King-Vaughan Road is a City operated road.
Loss of Agricultural Land	<ul style="list-style-type: none"> ▪ The operation is a heavy industrial use, including outside storage of materials located in an area zoned for agricultural uses with existing farms and residents in the vicinity. 	<ul style="list-style-type: none"> ▪ OPA #637 was approved by the Ontario Municipal Board (OMB) on November 21, 2011, designating the developable portion of the property “Prestige Area-Office Business Campus” and the lands bounded by Weston Road, Jane Street, Teston Road and north of King-Vaughan Road as an Employment Area, save and except for lands located northeast of Weston Road and Teston Road, which will be for residential purposes. The temporary portable concrete batching plant and accessory uses conforms to the temporary use policies of OPA #637 as discussed later in this report.

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<p>Compliance</p>	<ul style="list-style-type: none"> ▪ The batching plant has been operating for over 3 years without a building permit or compliance with Provincial regulations; complaints to the company could not be made as there is no company signage on the site or on trucks. 	<ul style="list-style-type: none"> ▪ Vaughan Enforcement Services Department issued an Order to Comply to the Owner, who subsequently submitted the appropriate planning applications to obtain approval to maintain the use for a temporary period.
<p>Environment</p>	<ul style="list-style-type: none"> ▪ Dumping or discharge practices are adjacent to a tributary of the Humber River and adjacent to the Greenbelt; concern with vegetation and ground water contamination during the cement preparation process and truck cleaning. 	<ul style="list-style-type: none"> ▪ The applications and all supporting documentation were circulated to the Ministry of Environment, Ministry of Municipal Affairs and Housing, Ministry of Natural Resources, Ministry of Transportation, and the Toronto & Region Conservation Authority, and found to be in compliance with their standards.
<p>King-Vaughan Road</p>	<ul style="list-style-type: none"> ▪ The existing road is not safe for the weight of trucks. The width of the road is narrow, and trucks take up more than one lane. Trucks gearing up and down create noise, exhaust and dust. Concern for using King-Vaughan Road as a haul road where there is a restricted load sign. 	<ul style="list-style-type: none"> ▪ All trucks leaving the facility travel eastbound on King-Vaughan Road toward Jane Street, and all trucks arriving at the site utilize Jane Street. The Vaughan Development/Transportation Engineering Department has provided a condition of approval requiring the Owner to post a Letter of Credit for the amount of \$20,000 to cover the cost of any road surface repairs to King-Vaughan Road in proximity to the site entrance resulting from trucks entering and leaving the site. It is also recommended that the driveway be paved a minimum of 3.0 m back from the King Vaughan Road to reduce mud tracking onto road from the site. Additional information is provided further in this report, as well as, a recommendation, with respect to King-Vaughan Road and truck loads.

Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the Zoning By-law Amendment and Site Development Applications and supporting documentation, in consideration of the following land use policies:

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a) Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS includes policies that direct new growth to urban areas, which contribute to long term economic growth.

Section 1.3 “Employment Areas”, of the PPS states that within Employment Areas, Planning authorities shall promote economic development and competitiveness by (in part):

- “i) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs; and,
- ii) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future business”.

The applications meet the intent of these policies as they provide for employment uses on lands located in an area intended in the long term for employment uses (OPA #637 employment lands). The subject lands have existing structures that have been adapted for the temporary use, and the existing uses do not require the construction of new structures on the site. Furthermore, the use does not require the extension or construction of new municipal services, and therefore, makes efficient use of existing infrastructure.

Section 1.6.6 “Transportation and Infrastructure Corridors 2” of the PPS also provides for the following:

“1.6.6.1 Planning authorities shall plan for and protect corridors and rights-of-way for transportation, transit and infrastructure facilities to meet current and projected needs.

1.6.6.2 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

1.6.6.3 The preservation and reuse of abandoned corridors for purposes that maintain the corridor’s integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.6.4 When planning for corridors and rights-of-way for significant transportation and infrastructure facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.”

The applications meet the intent of the above policies as the temporary use does not require additional infrastructure and can be relocated without impact to the future long term use of the lands. The proposal does not impact upon the Province’s GTA West Corridor plan, as discussed later in this report.

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b) Region of York Official Plan

The subject lands are designated “Urban Area” (development area) and “Greenbelt” (driveway as discussed in the report) by the York Region Official Plan, as amended by Regional Official Plan Amendment #52 (ROPA #52), which permits a range of employment uses within the ROPA #52 amendment area. The lands are also identified as “Strategic Employment Lands” by the Regional Official Plan, adopted by Regional Council on November 20, 2008.

On January 13, 2009, the Ministry of Municipal Affairs and Housing (MMAH) appealed ROPA #52 to the Ontario Municipal Board (OMB), citing the plan was inconsistent with the Provincial Policy Statement and the Growth Plan, which provides for transportation corridor protection. The matter was before the OMB and was settled. Partial approval of the York Region Official Plan – 2010 for the Highway 400 North Secondary Plan (OPA #637) area was issued on November 8, 2011. The proposed temporary use conforms to the Regional Official Plan.

c) City of Vaughan Official Plan

The subject lands are designated “Prestige Area - Office/Business Campus” (developable portion) and Greenbelt Natural System Area (balance of lands) by OPA #600, as amended by OPA #637 (Highway 400 North Employment Lands) as shown on Attachment #9. OPA #637 was adopted by Vaughan Council on September 11, 2006, and was approved by the Ontario Municipal Board on November 21, 2011. OPA #637 includes policies for temporary land uses to which the proposed temporary portable concrete batching plant use conforms, as discussed below.

On November 20, 2008, the Region of York approved ROPA #52, which adds the OPA #637 planning area to the “Urban Area” in the Region of York Official Plan and redesignates the subject lands from “Agricultural Policy Area” to “Urban Area” and “Regional Greenlands System”. On January 13, 2009, the Ministry of Municipal Affairs and Housing appealed the Region’s ROPA #52.

Following mediation and negotiations between the parties, which included the City of Vaughan, Ministry of Municipal Affairs and Housing (MMAH), the Region of York and various developers/landowners in the Amendment area, a settlement was reached. On July 20, 2011, the OMB revised OPA #637 and provided an oral decision approving the Minutes of Settlement. On November 21, 2011, the formal decision approving OPA #637 was issued by the OMB.

OPA #637 includes policies to protect lands that may be required for the GTA West Corridor and potential interchange connections. The subject lands are located within the protection and study area, as shown on Attachment #10, however, the MMAH has provided clearance for the application based on the proposed use being temporary and that it will cease upon expiry of the temporary use by-law.

Notwithstanding the GTA West Corridor protection policies, OPA #637 permits temporary land uses provided they meet the following conditions:

- a) the use is consistent with the general intent of the Plan;
- b) the use is compatible with adjacent land uses;
- c) the use is temporary in nature and can be easily terminated when temporary land zoning by-law expires;
- d) the use does not require new buildings or significant structures;
- e) the use does not require significant grading of land;

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- f) sufficient servicing and transportation capacity exists for the temporary use;
- g) the long-term viability of the lands for the uses permitted in the Plan are maintained; and,
- h) the duration of use and proposed interim use are to the satisfaction of the Province.

The applications to amend Zoning By-law 1-88 and for Site Plan approval conform to the above policies as the proposed temporary dry concrete mixing plant utilizes the lands for employment uses, are compatible with surrounding land uses, are temporary in nature, do not require the extension or construction of any municipal services, can effectively utilize the existing transportation network, and maintain the long-term viability of the lands for uses permitted in OPA #637. The proposal is consistent with the temporary use policies of OPA #637.

- e) The City of Vaughan Official Plan 2010 (VOP 2010)

On September 7, 2010, City of Vaughan Council adopted the new City of Vaughan Official Plan (as modified September 27, 2011), which is pending final approval from the Region of York. VOP 2010 will incorporate OPA #637 as a Secondary Plan within Volume 2, therefore the proposed temporary use will conform to the new Official Plan.

Greenbelt Plan

A portion of the overall site is located within the boundary of the Greenbelt Plan, depicted as "Protected Countryside (Greenbelt) Boundary" on Attachment #2. The area proposed for the temporary concrete batching plant use is located outside of the boundary of the Plan, except for the new access road onto the lands, which traverses the Greenbelt lands. The Toronto and Region Conservation Authority (TRCA) has advised that they are satisfied with the location of the driveway.

The restoration plans together with the Greenbelt conformity letter prepared by RiverStone Environmental Solutions Inc. (December 22, 2010), constitute a natural heritage evaluation as required by the Greenbelt Plan for any proposed development or site alteration within 120 metres of a key natural heritage feature or key hydrologic feature. Given that the natural feature of interest in the Greenbelt Plan area is a stream channel, TRCA approval is required. The TRCA had no objection with the findings of the conformity report.

Impact to Surrounding Land Uses

According to Vaughan Enforcement Services, several properties dating back to 2002 and zoned for agricultural uses in the area have been used for outside storage, predominantly dump trucks, containers, machinery, scrap, and unplated vehicles. The majority of the trucks pertained either to a contractors yard or a business on site or located elsewhere, and the trucks were being stored at that location. These trucks would be considered a commercial use. At least 3 property Owners in the area were taken to court, plead guilty, and were fined. For the majority, the City of Vaughan achieved compliance after sending out notices. Currently, there are no files open on King-Vaughan Road with regards to illegal uses.

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The subject lands are located in the vicinity of a number of commercial and industrial operations, including a highway-access service centre, located opposite the subject lands, on the east side of Highway #400 and the Beamish Construction Facility, located on the north side of King-Vaughan Road, east of Highway #400. Given the recent approval of OPA #637 for employment uses in this area, as well as, the existing industrial uses in the area, and the studies submitted in support of the applications that have been reviewed and approved by the required Provincial Ministries and City Departments, it is not anticipated that recognizing the existing concrete batching plant on a temporary basis will impact the surrounding existing and planned land uses.

Ministry of Municipal Affairs and Housing (MMAH)

The subject lands are located within the study area of the proposed GTA West Corridor. This corridor is shown in the Growth Plan for the Greater Golden Horseshoe and is the subject of an ongoing environmental assessment. The Growth Plan and other Provincial policies direct municipalities to protect future transportation corridors.

The Province has required specific wording in ROPA #52 and OPA #637 that protects the lands that may be required for the future transportation corridor. The wording emphasizes that decisions made under the Planning Act, such as decisions respecting Official Plan Amendments, shall not predetermine the outcome of the environmental assessment process. It is imperative to plan for and protect this transportation corridor and the eventual right-of-way to meet projected transportation needs. Development must not preclude or negatively affect the use of the corridor.

Based on the temporary nature of the applications, and in the context of the corridor protection goals discussed above, the Province has no objection to the temporary zoning application for a temporary use.

The application seeks to authorize the mixing plant use for a temporary maximum period of 3 years (maximum permitted by the Planning Act), with opportunities for renewal. Renewal of the temporary use by-law will depend on future land use decisions. The Ministry of Transportation will revisit the impact of this operation as the environmental assessment progresses.

Ministry of Environment (MOE)

A Certificate of Approval (Air) was issued by the Ministry of Environment on August 17, 2011 and contains a number of conditions that place ongoing requirements to take actions, submit annual reports to the Ministry and maintain documentation. The certificate will expire five (5) years from the date of issuance.

Ministry of Transportation (MTO)

The subject lands are located outside of the Ministry of Transportation's Permit Control Area, and therefore, they have no comments.

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Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) issued a violation to the landowner for the unauthorized placement of fill and site grading and an unauthorized culvert at the driveway access, in contravention with the Conservation Authorities Act. The applicant has submitted Permit Applications under Ontario Regulation 166/06 in order to address the outstanding violations on the subject site. Efforts to remove the fill material and restore the site were approved as part of O. Reg. 166/06 Permit No. C-10806 on September 13, 2010. A subsequent Permit was issued by the TRCA on June 15, 2011 (Permit No. C-110414) for the construction of a new culvert crossing.

The subject property is located within the Regulated Area of the Humber River. However, given that no new development is proposed at this time, a Permit under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) is not required. The TRCA notes that O. Reg. 166/06 Permits (Permit Nos. C-110414 & C-10806) were previously issued for the development of a new driveway crossing and access road and the implementation of restoration works at the existing driveway crossing.

The subject property is partially within the Greenbelt Plan Area with a portion of the property within the Natural Heritage System designation. However, given that no new development is proposed on the site, the TRCA is satisfied that the integrity of the Plan Area is maintained.

In consideration of the above, the TRCA has no further concerns relating to the planning applications, and has no objections to the approval of the proposal.

Zoning

The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88, which does not permit a mixing plant use. In addition, a mixing plant is a prohibited use as per Section 3.24 (Prohibited Uses) of Zoning By-law 1-88, and therefore, an exception to the Zoning By-law 1-88 is required to permit the proposed concrete batching plant use on the subject lands, as a temporary use.

If the Zoning Amendment Application is approved, a temporary use by-law must be enacted by Vaughan Council to permit the existing concrete batching plant and accessory uses for a period of up to 3-years (maximum permitted by the Planning Act) after which, should the applicant wish to continue the use, a future Zoning By-law Amendment Application must be filed with the City and Vaughan Council will reconsider the uses, relative to the existing and planned development for surrounding area. The Owner of the subject lands proposes to renew the temporary use by-law every three years, up to a maximum period of 9 years, subject to Council approval.

The proposed use conforms to the temporary use policies of OPA #637 and with the Regional Official Plan. The application and supporting studies have been reviewed by the appropriate Provincial Ministries and City Departments. Subject to the comments in this report, the Development Planning Department can support the temporary application.

The proposed use is defined as a “mixing plant” by Zoning By-law 1-88. The following site-specific definition is recommended to implement the proposed concrete mixing plant to ensure all the details of the operation are captured and that the subject lands are used solely for the intended temporary use:

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“Mixing Plant – for the purpose of this paragraph, means an existing building(s) or structure(s) or part of a building(s) or structure(s) where only concrete is mixed or batched, weighed and measured for mixing off-site. The following accessory uses shall be permitted, provided such uses are operated accessory to the mixing plant located on the subject lands only:

- i) truck repair located in the existing concrete block building only (Attachment #5)
- ii) office use; and
- iii) outside storage of sand, gravel and equipment and machinery accessory to the mixing plant use only (Attachment #3). The outside storage of all other materials shall not be permitted.”

The following site-specific zoning exceptions are required to maintain the existing uses:

Table 1: Zoning Exceptions			
	By-law Standard	By-law 1-88, A Agricultural Zone Requirements	Proposed Exceptions to the A Agricultural Zone
a.	Use	<ul style="list-style-type: none"> ▪ A Mixing Plant is not permitted in an Agricultural Zone and is a Prohibited Use in Zoning By-law 1-88 (under Section 3.24). 	<ul style="list-style-type: none"> ▪ Permit a Mixing Plant (defined above) for a temporary maximum period of 3 years (maximum under Planning Act).
b.	Driveways	<ul style="list-style-type: none"> ▪ Constructed of hard surface, asphalt or concrete. 	<ul style="list-style-type: none"> ▪ Driveway constructed with gravel.
c.	Outside storage of materials	<ul style="list-style-type: none"> ▪ Outside storage of materials is not permitted. 	<ul style="list-style-type: none"> ▪ Permit the outside storage of gravel, sand, and machinery and equipment accessory to a mixing plant as shown on Attachment #3. No outdoor storage of other materials shall be permitted on the subject lands.

The Development Planning Department considers the above exceptions appropriate given the use is temporary in nature and will cease to exist in the future. After 3 years, the Owner will be required to submit a Zoning By-law Amendment application, if the Owner wishes to continue the use for an additional 3-year period. At that time, the application will be reviewed on its’ merits. In addition, the applications were circulated to the relevant Provincial Ministries and the Toronto Region and Conservation Authority, all of which had no objection to the applications.

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Development Planning Department Staff conducted a site visit on two separate occasions (February 16, 2011, and October 28, 2011) where it identified that there was outside storage of materials such as scrap metal, stones and boulders, PVC pipes, fuel tanks, pallets/skids, and vehicles that were not related to the concrete batching use. The Development Planning Department does not support this outside storage, which the applicant has agreed to remove. The definition of the permitted uses on the lands specifically permits only the outside storage of materials associated with the use. All other materials will be prohibited. A condition of approval is included in this respect.

Vaughan Enforcement Services Department

The Vaughan Enforcement Services Department are aware of cement trucks being stored on the property since 2004, however, there was no evidence of a batching operation at that time. In 2009, an Enforcement Officer visited the property as a result of complaints for an illegal mixing plant use and issued an Order to Comply. The property was being used to operate a cement mixing plant, store construction materials, machinery/equipment, dump trucks, trailers, large piles of gravel and fill. It was observed that there was a constant flow of activity with the loading and unloading of materials from the trucks and trailers coming in and out of the property.

The matter was taken to court on March 4, 2011, and resulted in a guilty plea by the defendant. The operation appears to have ceased, however, the equipment is still on site. The file is now closed based on the fact that Planning applications were submitted, and that the batching operation ceased immediately. A subsequent site visit was conducted on September 14, 2011, and Enforcement Services concluded that there was no activity taking place on the site.

Vaughan Development/ Transportation Engineering Department

The Vaughan Development/ Transportation Engineering Department has reviewed the applications and provides the following comments:

i) Noise Letter

The Vaughan Development/Transportation Engineering Department has reviewed the Noise Compliance Letter, prepared by Church & Trought Inc., dated July 26, 2011 which addresses the noise generated by the concrete batching plant and the associated operating activities. The findings of the report confirm that there will be no negative impact to the living environments of the existing residential uses in the vicinity of the site as a result of the operation of the batching plant. The noise assessment was conducted in accordance with MOE guidelines, therefore, Staff is satisfied with the conclusions of the report.

ii) Existing Traffic Conditions

The applicant also submitted a traffic impact study prepared by SernasTranstech and dated October 2010, which assessed the potential impacts from the expected 70 trucks per day that will be travelling along King-Vaughan Road destined to and from the site. A computer traffic model was used to analyze the existing and future traffic conditions along King-Vaughan Road together with the operations of the intersections at Weston Road and Jane Street. The analysis concluded that under a total traffic volume condition, the site access, King-Vaughan Road, and the intersections of King-Vaughan Road at Weston Road and Jane Street will operate at acceptable levels of service.

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The site has one access from King-Vaughan Road. King-Vaughan Road is a two lane hard surfaced rural road. The existing road structure was not designed to accommodate heavy truck traffic. Accordingly, a year round half load restriction is currently in place for King-Vaughan Road pursuant to Comprehensive Traffic By-law 284-94. Notwithstanding this, there are existing uses along King-Vaughan Road between Weston Road and Jane Street that generate truck and larger vehicle traffic. The current condition of the road is nearing the end of its design life. The City's Pavement Management Program identifies King-Vaughan Road as a now needs for rehabilitation.

iii) Future Traffic Conditions

The Ministry of Transportation is proposing to replace the existing King-Vaughan Road bridge structure over Highway 400 in advance of the widening of Highway 400. This bridge replacement will necessitate the re-profiling of King-Vaughan Road for a distance of about 100 metres on either side of the structure. Given the existing surface of King-Vaughan Road can be maintained for another couple of years through spot repair and patching, Staff is programming the rehabilitation of the King-Vaughan Road to occur after the completion of the bridge works. Once King-Vaughan Road is rehabilitated, the new roadway will be able to accommodate truck traffic.

Heavy truck traffic on a hard surfaced rural road can cause damage and accelerate the deterioration of the road surface, especially during the spring and fall seasons. Given the concrete batching plant is only operating during the summer months only, and there are other trucks currently using King-Vaughan Road, Staff can support the removal of the half load limit on King-Vaughan Road from Weston Road to Jane Street during the period between May 1st and November 30th.

The likelihood of truck traffic from the site causing damage to the existing road surface of King-Vaughan Road is greatest at the driveway location due to the turning movements of the heavy concrete trucks. Accordingly, Staff is recommending that, as a condition of site plan approval, the applicant asphalt pave the driveway apron and provide a \$10,000 Letter of Credit to the City of Vaughan to cover the cost of any necessary repairs or improvements to King-Vaughan Road which are necessary due to damage from trucks entering and leaving the site.

Cash-in-Lieu of Parkland Dedication

The Vaughan Real Estate Division has advised that no cash-in-lieu of parkland dedication is required as the proposal is for a temporary use.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The subject site is designated "Urban Area" by the York Region Official Plan, as amended by Regional Official Plan Amendment #52, which permits a range of employment uses. The ROPA #52 amendment area is identified as "Strategic Employment Lands" by the adopted Regional Official Plan. ROPA #52 was adopted by Regional Council on November 20, 2008. The temporary nature of this proposal does not conflict with the future planning for this area, provided that the use ceases with the expiration of the temporary use by-law.

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The Region of York has no objection to the approval of the Site Development Application, and will not provide any conditions of approval.

Conclusion

The Vaughan Development Planning Department has reviewed the Zoning By-law Amendment and Site Development Applications to permit the temporary use of a portable concrete batching plant for a maximum period of 3 years (maximum permitted by Planning Act). The applications are consistent with the PPS, the Region of York Official Plan, and the City's Official Plan, which permits temporary uses with the new OMB approved OPA #637 employment lands area. Furthermore, the relevant Provincial Ministries and the Region of York and the Toronto and Region Conservation Authority have reviewed the applications and have no objections to their approval. The proposed temporary portable concrete batching plant is an appropriate interim use for the subject lands.

Accordingly, the Development Planning Department recommends that the applications be approved, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Existing South Barn Elevations - Vacant
5. Existing Concrete Building Elevations - Vehicle Repair Shop
6. Concrete Batching Plant Silo Mixing Structure Elevations
7. Existing Office Trailer Elevations
8. GTA West Corridor Preliminary Route Planning Study Area
9. OPA #637 Land Use Plan
10. Transportation Corridor Protection Areas

Report prepared by:

Margaret Holyday, Planner, ext. 8216
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

/LG

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

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- i) self-sealing asphalt shingles;
- ii) steel insulated exterior doors with weather stripping;
- iii) low-emission premium latex paint;
- iv) energy efficient water saver fixtures; and,
- v) forced air high efficiency gas furnace.

Economic Impact

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

Communications Plan

On May 20, 2011, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. Through the notice circulation, no written comments were received by the Vaughan Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of June 14, 2011, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 28, 2011.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 to #3:

1. Zoning By-law Amendment File Z.11.012 to amend Zoning By-law 1-88, specifically Exception 9(1223) to rezone the southerly 40.75 metres of the portion of the subject lands zoned OS2 Open Space Park Zone (walkway block) to RT1 Residential Townhouse Zone (for street townhouses) as shown on Attachment #3, and to permit the site-specific zoning exceptions listed in Table 1 of this report, to facilitate the development of 62 street townhouse dwelling units within 12 blocks; and,
2. Site Development File DA.11.036 to facilitate the development of the subject lands with 62, two-storey street townhouse dwelling units (freehold) as shown on Attachments #3, and #6 to #8 inclusive, within 12 blocks (Blocks 138 to 142, Plan 65M-4104 and Blocks 2 to 9, and Part of Block 11, Plan 65M-4283) as shown on Attachment #4.

Background - Analysis and Options

Location

The 1.93 ha subject lands shown on Attachments #1 and #2 are located north of Major Mackenzie Drive, east of Weston Road, specifically on Zachary Place, in Planning Block 33 West, City of Vaughan. The subject lands consist of Blocks 138 to 142, on Registered Plan 65M-4104 and Blocks 2 to 9, and Part of Block 11 on Registered Plan 65M-4283, as shown on Attachment #4. The surrounding land uses are shown on Attachment #2. A context plan for the overall area is shown on Attachment #5.

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Official Plan

The subject lands are designated “Vellore Village Centre – Low Rise Residential” by OPA #600 as amended by OPA #650 (Vellore Village District Centre Plan), which permits the proposed street townhouse use at a permitted density range between 17 and 40 units per hectare. The proposed development yields a density of 32 units per hectare and conforms to the Official Plan.

The subject lands are designated “Low-Rise Residential” by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011) and is pending approval from the Region of York. A street townhouse use is permitted under this designation. The proposal conforms to the new City of Vaughan Official Plan.

Zoning

The subject lands are zoned RT1 Residential Townhouse Zone and OS2 Open Space Park Zone by Zoning By-law 1-88, subject to Exception 9(1223), as shown on Attachment #2. An amendment to Zoning By-law 1-88 is required to rezone the southerly 40.75 metres of the portion of the subject lands zoned OS2 Open Space Park Zone to RT1 Residential Townhouse Zone, together with the site-specific zoning exceptions identified in Table 1 of this report, to implement the proposed 62 street townhouse dwelling units as shown on Attachment #3.

Originally the lands zoned OS2 Open Space Park Zone were intended for a walkway block as shown on Attachment #2. However, given the approval of the Smart Centres commercial development to the south of the subject lands as shown on Attachment #5, it is inappropriate to have a pedestrian walkway that would lead into a future loading area located at the rear of the future commercial building. The Development Planning Department is of the opinion that the proposed rezoning of the southerly 40.75 m of the portion of the subject lands zoned OS2 Open Space Park Zone to RT1 Residential Townhouse Zone is appropriate. The Owner has proposed an additional street townhouse dwelling unit on the lands to be rezoned, which is compatible with the surrounding development. The balance of Block 11 will remain in place north of Zachary Place and provide for a walkway that will connect to the existing walkway on the lands to the north and continue though to Retreat Boulevard as shown on Attachment #4.

The Owner is also proposing the following site-specific zoning exceptions to the RT1 Residential Townhouse Zone standards to permit the proposed development:

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Table 1

	By-law Standard	By-law 1-88 Requirements Exception 9(1223) (RT1 Residential Townhouse Zone)	Proposed Exceptions to RT1 Zone of By-law 1-88, Exception 9(1223)
a.	Minimum Exterior Side Yard (Block 5, Unit 1 on Attachment #3)	3.5 m	2.95 m
b.	Maximum Number of Townhouse Units to be Constructed in a Row (Blocks 8 and 9 on Attachment #3)	6	7 <i>(Previously approved by Committee of Adjustment Minor Variance Applications A182/10 and A183/10)</i>
c.	Minimum No Encroachment Zone Porch - Block 9, Unit 7 on Attachment #3)	1.5 m	1.36 m
d.	Minimum Exterior Side Yard Setback (Block 9, Unit 7 on Attachment #3)	4.5 m	2.83 m <i>(Previously approved by Committee of Adjustment Minor Variance Application A182/10)</i>
e.	Minimum Driveway Width (Block 9, Lot 7 and Block 142, Unit 1 on Attachment #3)	3.0 m	2.95 m
f.	Minimum Exterior Side Yard (Block 142, Unit 1 on Attachment #3)	4.50 m	3.26 m

The proposed zoning exceptions for reduced exterior side yards, encroachment and reduced minimum driveway widths (Items a), c), e) and f) in Table 1) are requested to accommodate the siting of the proposed townhouse dwellings. The proposed reductions are considered minor and would result in townhouse dwelling units that are compatible with the surrounding existing townhouse development.

The proposed increase in the maximum number of townhouse units in a row and the minimum exterior side yard setback (Items b) and d) respectively in Table 1) were previously approved by the Committee of Adjustment (Minor Variance Applications A182/10 and A183/10). The Owner has proposed to include the previous Committee of Adjustment approvals in this Zoning By-law Amendment Application in order to consolidate all of the zoning exceptions required to implement the proposed development into site-specific Exception Paragraph 9(1223).

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The Development Planning Department can support the approval of Zoning By-law Amendment File Z.10.012 as the proposed rezoning and site-specific zoning exceptions would implement the residential policies of the Official Plan, facilitate a development that is consistent with the existing development, and result in a building form that is compatible with the surrounding residential area.

Site History

On November 28, 2005, Vaughan Council approved Draft Plan of Subdivision File 19T-00V03 (Lormel Developments (Weston) Inc./Ozner Corporation South) to permit the development of 98 residential units consisting of 22 single-detached dwelling units, 2 semi-detached units, 74 street townhouse units and a 0.473 ha Commercial Block. The Plan of Subdivision was registered in two phases. Phase One was Registered as Plan 65M-4188 on August 31, 2010, and consists of Blocks 138 to 142 of the subject lands. Phase Two was registered as Plan 65M-4283 and consists of Blocks 2 to 9 and Part of Block 11 of the subject lands. Servicing for the proposed development has been allocated.

Site Plan Review

The Vaughan Development Planning Department is satisfied with the proposed site plan and landscape plan (typical) shown on Attachments #3 and #6, respectively. The Development Planning Department is also satisfied with the proposed building elevations (typical) shown on Attachments #7 and #8, and will continue to work with the Owner to finalize the details. The final site plan, elevation plans and landscape plans must be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect has been included in the recommendation of this report.

The subject lands are located within Planning Block 33 West and are subject to Architectural Control. The final building elevations must be in accordance with the approved Architectural Design Guidelines for Block 33 West, to the satisfaction of the Block 33 West Control Architect (The Planning Partnership) and the Development Planning Department.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department is working with the applicant to finalize the grading and servicing plans for the proposed development. The final plans and report must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. A condition of approval to this effect is included in the recommendation of this report.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has no objections to the approval of the Zoning By-law Amendment and Site Development Applications.

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 Well-being”.

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Regional Implications

The Region of York has no objection to the approval of the Zoning By-law Amendment and Site Development Applications.

Conclusion

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.11.012 and Site Development File DA.11.036 (Ozner Corporation (South)) in accordance with OPA #600, as amended by OPA #650 (Vellore Village District Centre Plan), the new City of Vaughan Official Plan 2010, Zoning By-law 1-88, the Block 33 West Plan, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed rezoning of the southerly 40.75 m of the portion of the subject lands zoned OS2 Open Space Park Zone to RT1 Residential Townhouse Zone, together with the site-specific zoning exceptions identified in Table 1 of this report, to facilitate the development of 62 street townhouse dwelling units within 12 street townhouse blocks is appropriate and will facilitate development that is 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 in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan & Proposed Zoning
4. Registered Plans of Subdivision 65M-4283 and 65M-4104
5. Surrounding Development
6. Landscape Plan, Block 9 (Typical)
7. Elevations – North & West, Block 9 (Typical)
8. Elevations – South & East, Block 9 (Typical)

Report prepared by:

Mary Caputo, Planner, 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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Item 13, Report No. 4, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on February 21, 2012, as follows:

By approving:

That the following recommendations contained in Communication C3, memorandum from the Commissioner of Engineering and Public Works and the Director of Engineering Services, dated February 17, 2012, be approved subject to the following amendments:

That Clause 1, bullet 2 be as follows:

“to participate and to cost share in the findings of this study; and

That Clause 3 be as follows:

“That staff report back on the status or completion of the negotiations and study cost by the last Committee of the Whole meeting in June 2012”;

so as to read:

1. *That Council request the Minister of Infrastructure:*
 - *to work with the City to develop the Terms of Reference for a Request For Proposal for a joint hydrogeological study to assess causes of high groundwater elevation in the vicinity of the mutual property line between lands owned by the Ontario Infrastructure and Lands Corporation, the Ontario Hydro corridor, and homes on Anthony Lane;*
 - *to participate and to cost share in the findings of this study; and*
 - *to respond to the City's request by April 15, 2012;*
2. *That Council direct staff to follow-up with the Ministry of Infrastructure staff to attempt to negotiate the Terms of Reference and cost-sharing of such a hydrogeological study, and if successful, to solicit proposals for professional services to complete such a study;*
3. *That staff report back on the status or completion of the negotiations and study costs by the last Committee of the Whole meeting in June 2012”; and*
4. *That recommendation #1 of the February 7, 2012, Committee of the Whole meeting be deferred at this time, and that the staff continue to maintain the municipal boulevard and sidewalk fronting 110 Anthony Lane, using current practices; and*

That Communication C8 from the Commissioner of Legal and Administrative Services and City Solicitor, dated February 21, 2012, be received.

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**DRAINAGE ISSUES ON ANTHONY LANE
WARD 5**

The Committee of the Whole recommends:

- 1) That Clause 2 contained in the following report of the Commissioner of Engineering and Public Works, dated February 7, 2012, be approved;
- 2) That staff continue to explore the causes of the flooding at 102 – 110 Anthony Lane and any threats to the City's public infrastructure, up to and including, if necessary, a comprehensive hydrogeological study; and
- 3) That the following deputations be received:
 1. Ms. Sophia Dimitriadis, 106 Anthony Lane, Concord, L4K 3K8;
 2. Ms. Besie Deris, 110 Anthony Lane, Concord, L4K 3K8; and
 3. Ms. Maddalga Zucaro, 102 Anthony Lane, Concord, L4K 3K8.

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Recommendation

The Commissioner of Engineering and Public Works recommends:

1. That the City maintain the current position with respect to responsibilities for addressing drainage issues on private property resting with the owners of said properties; and
2. That City staff be directed to address the surface water condition now existing in the municipal right-of-way at the frontage of 110 Anthony Lane (Option 2, as identified within this report).

Contribution to Sustainability

Not Applicable.

Economic Impact

The costs associated with the implementation of a connection into the Foundation Drain Collector (FDC) sewer at 110 Anthony Lane will amount to approximately \$10,000. Sufficient funding is available within the draft 2012 Operating Budget.

Communications Plan

Engineering Services staff will advise affected area residents through an additional public information meeting of Council's decision on this matter.

Purpose

To explore potential drainage solutions to the affected residents on Anthony Lane.

Background - Analysis and Options

At its meeting on November 8, 2011, Council approved:

“That staff be directed to explore potential drainage solutions to this situation with the residents and that the results of staff's efforts be presented to Committee of the Whole no later than January 31, 2012.”

In 2007, staff responded to concerns from residents regarding ponding water in the rear of homes 104 to 110 Anthony Lane (see Attachment No. 1 – Location Map). At that time, it was observed that drainage swales located behind the homes on Anthony Lane experienced large areas of water ponding. This land is owned by the Province and managed by the Ontario Realty Corporation (ORC) and Hydro One. The ORC has since merged with Infrastructure Ontario to become a new Government Agency called the Ontario Infrastructure and Lands Corporation. For the purpose of this report these lands adjacent to Anthony Lane will be referred to as ORC lands.

A site review performed by staff on April 15, 2008 verified that water was pooling in the backyards of these four properties. It appeared that there was a constant source of water entering the properties, however, there were no visible signs that water was being conveyed via the ORC lands. It was further observed that water was seeping upward, from below the ground surface, into the backyards.

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Following this site review, staff corresponded with the ORC to request that they carry out drainage improvements on their property in order to potentially help alleviate the issues identified at the properties on Anthony Lane. In September 2010, ORC engaged an engineering consultant to develop a solution(s) in order to ensure proper drainage of surface water for their property. After undertaking a topographic survey of the provincially-owned property, the engineering consultant, GENIVAR, concluded that *“run-off from the provincial property is not physically able to drain surface water directly onto the adjacent residential properties on Anthony Lane”*.

In its report, the consultant recommended undertaking work to improve the drainage on the provincially-owned property by extending the length, improving the grade and widening of the existing drainage swale behind the affected properties on Anthony Lane to limit the ponding on the provincial property. As a result, the improvements have been completed to the swale as per the design developed in the ORC report. This work was completed by the ORC on December 21, 2010.

A supplementary review of this matter and site investigation was conducted on March 28, 2011 by GENIVAR, as flooding of the property located at 110 Anthony Lane had continued. The GENIVAR report concluded that there are no signs of surface water migration onto the rear yard of 110 Anthony Lane that originated from the ORC property. GENIVAR also recommended that the owners of the properties on Anthony Lane experiencing flooding have independent inspections carried out to determine the origin and source of the flooding. GENIVAR concluded that:

“it is possible, that shallow groundwater is seeping up into these properties. The observation was that the area of the ponding may be a localized low point in the rear yards and the presence of the wetland immediately west of this area indicates that water has a tendency to be retained on site. The top strata of soil can become saturated, particularly in the spring when the ground below is frozen. The backyards of these properties are located slightly hydraulically down gradient of the subject property which may provide an outlet for shallow groundwater perched on a confining layer below - essentially a spring... This would need to be confirmed through a hydrogeological assessment which was beyond the scope of this investigation”

A meeting with staff and the affected residents took place at the Dufferin Clark Community Centre on December 1, 2011. The residents identified the following issues:

- The flooding issues started within the last 6-8 years.
- Some residents are experiencing water entering their basements, permeating through the concrete basement floor.
- The issue seems to have worsened since the ORC completed their ditching work in December 2010.
- The only time of the year that water does not pond in the rear yards are during periods of low precipitation (usually over the summer months).
- Some owners have their downspouts directly connected to the underground subdrain of their home.

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Review of City Infrastructure

Staff have reviewed all municipal infrastructure within the vicinity of Anthony Lane consisting of:

- 150mm diameter PVC water main pipe
- 200mm diameter PVC sanitary sewer pipe
- 200mm diameter PVC foundation drain collector sewer pipe

and have determined that this infrastructure is operating within defined parameters. There is no storm sewer within the frontage of house nos. 60 to 124 Anthony Lane. The following assessments were completed:

- The area watermains were tested for leakage
- The ground water that currently discharges from 110 Anthony Lane via subdrain/weeping tile from the rear of the property to the front at the City curb was also tested to determine that the source does not originate from a City owned watermain
- The FDC sewers were inspected with closed caption television (CCTV) equipment to identify that the drains are functional.

As a result of these investigations, staff has determined that the City's infrastructure is not causing the ponding issues experienced at the properties on Anthony Lane.

During the investigations it was identified that, in an effort to mitigate the rear yard flooding, the owner(s) of 110 Anthony Lane installed a weeping tile pipe from the rear to the front of their property, and extended the pipe onto the municipal right-of-way by cutting through the City sidewalk and curb. The pipe discharges water causing maintenance issues on a regular basis. As a result, the discharged water freezes during sub-zero temperatures. Staff have been advised by the owner(s) of 110 Anthony Lane that this measure has not alleviated the drainage issues in their backyard. At the December 1, 2011 meeting, the residents alleged that there are also drainage issues at the properties east of 110 Anthony Lane.

As a result of the investigations carried out to date, staff have explored a number of options. The following section provides a summary of the alternatives to be considered.

Review of Alternatives

Staff have developed a short list of alternatives, evaluated them against a common set of criterion and determined a preferred alternative. The alternatives were developed and assessed on the following considerations:

1. Requirement of the Anthony Lane property owners
2. Overall impacts as a result of implementing the alternative
3. Cost to the City

The following three alternatives were developed (Refer to **Table 1** for evaluation of alternatives):

1. Maintain the existing condition.
2. Address the surface water in the municipal right-of-way fronting 110 Anthony Lane.
3. Investigate the private portion of the sewer connection along with the weeping tile system for the affected property owners.

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4. A) The City undertake a full hydrogeological study of the drainage conditions in the vicinity of 102 – 110 Anthony Lane.

- B) The City undertake all studies and repairs.

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TABLE 1: EVALUATION OF ALTERNATIVES

	Alternative Description	Impacts	Cost to the City
1	<p>Maintain the existing condition.</p> <p>As this matter is on private property, it is the responsibility of homeowners to resolve.</p>	<ol style="list-style-type: none"> 1. City has no jurisdiction on private property. 2. Continued flooding on private property and discharge of water onto City sidewalks and roadway causing operational challenges. 3. Residents would be required to engage their own consultant to investigate and carry out any necessary repairs. 	<p>Ongoing (Operational costs associated with maintaining area impacted by water discharge)</p>
2	<p>Address the surface water in the municipal right-of-way fronting 110 Anthony Lane.</p> <p>Provide a connection to drain the excess water into the FDC sewer.</p>	<ol style="list-style-type: none"> 1. Does not address the flooding issue in the rear yards. 2. Addresses the operational and maintenance concerns regarding the potential for water freezing on municipal right-of-way. 	<p>\$10k (tax levy funding)</p>
3	<p>Investigate the private portion of the sewer connection along with the weeping tile system for the affected property owners utilizing CCTV.</p> <p>Investigation requires the excavation of the existing weeping tile system at various locations along the perimeter of the affected homes to accommodate the CCTV review. This will determine the effectiveness of water conveyance around the house foundation.</p>	<ol style="list-style-type: none"> 1. Does not immediately address the flooding issue in the rear yards. 2. City would absorb cost for drainage issue investigation on private properties, a new position for the City. Could set a significant precedent 3. Requires the need to mobilize heavy vehicles onto private property as well as excavation around the perimeter of the homes is. This would increase the risk for damage to private property and may result in future claims for property damage as a result of the work. 4. May not be successful in determining the condition. Access will be very difficult since weeping tile foundation drain systems are not designed for inspection by camera. Additional excavation around the homes may be required to facilitate the CCTV inspection. It is not ideal to inspect a weeping tile system via CCTV due to the corrugated structure. 5. Significant impact to affected residents and cost to City without performing any remedial work. Any identification to replace weeping tile would require significant further excavation along the entire perimeter of the dwelling. 6. Requires negotiation of individual agreements for carrying out work on private property. 	<p>\$75k (tax levy funding)</p>

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TABLE 1: EVALUATION OF ALTERNATIVES (cont'd)

	Alternative Description	Impacts	Cost to the City
4A	<p>The City undertake a full hydrogeological study of the drainage conditions in the vicinity of 102 – 110 Anthony Lane.</p> <p>Carry out the appropriate hydrogeological studies to determine the cause of the flooding and provide the results to the affected property owners for remedial action</p>	<ol style="list-style-type: none"> 1. Does not address the operational and maintenance concerns regarding the potential for water freezing on municipal right-of-way until the recommendation(s) of the study are implemented. 2. The City will be required to retain a hydrogeologist to determine the source of groundwater on private properties, including but not limited to ORC managed land, Hydro One managed land, and Anthony Lane properties. 3. City would assume the cost responsibilities for private drainage issue investigation on private properties, a new position for the City. Could set a significant precedent. 4. Requires negotiation of individual agreements for carrying out work on private property. 	<p>\$125k (tax levy funding)</p> <p><i>(Costs dependent on extent of studies required)</i></p>
4B	<p>The City undertake all studies and repairs.</p> <p>The City will carry out the appropriate studies to determine the cause of the flooding and implement all the recommended solutions</p>	<ol style="list-style-type: none"> 1. The same as the impacts identified in alternative 4A. 	<p>exceed \$150k (tax levy funding)</p> <p><i>(Costs dependent on extent of studies and repairs required)</i></p>

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Based on the evaluation, the preferred alternative is Option 2 - to address the surface water in the municipal right-of-way fronting 110 Anthony Lane. Based on the review of the CCTV, there is capacity to accommodate some additional flow within the existing FDC sewer. Providing a connection to convey the excess water is not a standard City practice, however, this solution will aid in addressing what is now a municipal liability in the municipal right-of-way while maintaining the private homeowner's responsibilities to investigate/address the drainage issues on private property.

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 enhancing and ensuring community safety, health and wellness; priorities previously set by council. The proposed installation of a collection pipe to collect the ground water will ensure that an appropriate level of service is maintained for residents and pedestrian in the vicinity of 104 – 110 Anthony Lane.

Regional Implications

Not Applicable.

Conclusion

The recommendations resulting from the investigation of flooding of residential homes on Anthony Lane are:

1. That the City maintain the current position with respect to responsibilities for addressing drainage issues on private property resting with the owners of said properties; and
2. That City staff be directed to address the surface water condition now existing in the municipal right-of-way at the frontage of 110 Anthony Lane at an estimated cost of \$10,000.00.

Attachments

1. Location Map.

Report prepared by:

Paolo Masaro, P. Eng., Design Engineer, Ext. 8446

Vince Musacchio, P. Eng., PMP, Manager of Capital Planning and Infrastructure, Ext. 8311

VM: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 14, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

14 STAFF REVIEW OF EXTERNAL ASSISTANCE TO THE ATTAWAPISKAT FIRST NATION

The Committee of the Whole recommends:

- 1) That the following resolution submitted by Councillor Shefman, be approved:
That this Council submit to The Federation of Canadian Municipalities and The Association of Municipalities of Ontario a resolution on the subject of the "Role of Municipalities in Developing a Cooperative and Supportive Relationship with First Nations Communities";

That the resolution include the following statements:
 1. Whereas, in light of the issues raised recently by the Attawapiskat community relating to lack or poor state of infrastructure such as housing, potable water systems, community recreation facilities and other components required for a sustainable municipality in northern and remote First Nations communities, and
 2. Whereas member municipalities of this organization possess an enormous breadth of skills, knowledge and experiences in the administration and operation of all aspects of municipalities, and
 3. Whereas the status of First Nations people in this country and their unique relationship with the Federal Government is fully respected and recognized.
Therefore it is resolved;
 1. That this organization initiate a discussion with First Nations leaders to identify the types of activities that we as a (national/provincial) organization or as individual municipalities might establish to work with First Nations communities to assist those communities to advance the administration and operation of their municipalities;
 2. That, if acceptable to First Nations leadership, a municipal twinning program be established to provide for an ongoing relationship between First Nations communities and municipalities across Canada (Ontario); and
 3. That member municipalities be encouraged to work in partnership with individual First Nations communities to further the development of skills and knowledge of municipal operations in those communities; and
- 2) That the following report of the Commissioner of Engineering and Public Works, dated February 7, 2012, be received.

Recommendation

The Commissioner of Engineering and Public Works recommends:

That this report be received for information.

Contribution to Sustainability

Not Applicable.

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Economic Impact

There is no economic impact to the City of Vaughan from receipt of this report.

Communications Plan

It is proposed that a copy of this report and of Council's resolution, be forwarded to the Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

Purpose

This report responds to Council's motion dated November 29, 2011 wherein Council approved:

1. *That this matter be referred to staff for a report on how to best assist in a holistic way, including the role of the Provincial and Federal Governments, as well as Regional Government, AMO and FCM; and*
2. *That staff communicate with Chief Spence and her advisors in order to determine the forms of assistance that could be provided.*

Background - Analysis and Options

Attawapiskat First Nation Declaration of a State of Emergency:

On or about October 28, 2011 the Attawapiskat First Nation declared a state of emergency due to an ongoing housing crisis in the community located on the western shore of James Bay in Northern Ontario. A significant segment of this community continues to live in extremely poor housing conditions, described by some community members as deplorable and unsafe. The conditions include extremely congested housing and housing with no running water or sewage services.

Federal Government Responsibility and Response:

It is generally acknowledged that within Canada, housing, health and social issues in First Nations communities have been a federal jurisdictional responsibility, largely under the direction of what is now the Aboriginal Affairs and Northern Development Canada (AANDC).

The following excerpts are extracted from the mandate listed on the AANDC webpage:

“The department is responsible for two mandates, **Indian and Inuit Affairs** and **Northern Development**, which together support Canada's Aboriginal and northern peoples in the pursuit of healthy and sustainable communities and broader economic and social development objectives...”

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“The **Indian and Inuit Affairs** mandate derives from the *Indian Act* and its amendments over the years, from specific statutes enabling modern treaties, such as the *Nisga'a Final Agreement Act* or the *Labrador Inuit Land Claims Agreement Act*, and from more recently enacted statutes, among which are statutes like the *First Nations Fiscal and Statistical Management Act* and the *First Nations Jurisdiction Over Education in British Columbia Act*, designed to provide First Nations with jurisdictional powers beyond the *Indian Act*. A significant amount of the department's mandate is derived from policy decisions and program practices that have developed over the years; it is framed by judicial decisions with direct policy implications for the department; and it is structured by funding arrangements or formal agreements with First Nations and/or provincial or territorial governments.

Under Indian and Inuit Affairs, AANDC negotiates comprehensive and specific land claims and self-government agreements on behalf of the Government of Canada; oversees implementation of claim settlements; delivers provincial-type services such as education, housing, community infrastructure and social support to Status Indians on reserves; manages land; and executes other regulatory duties under the *Indian Act*.”

More specifically with respect to Health and Well-Being, the AANDC website states;

“In support of its mandate, AANDC is responsible for safe water supplies on reserves and funding a range of province-like social programs to First Nations communities, including education, early childhood development, housing, family violence prevention, help for persons with disabilities and income assistance.”

With respect to Housing and Infrastructure, the AANDC website also states:

“Aboriginal Affairs and Northern Development Canada works with First Nation governments to support affordable and adequate housing, clean drinking water and community infrastructure like roads and schools – essential to healthy, safe and prosperous communities.”

Provincial Responsibility in response to declared State of Emergency:

Provincial Government involvement in the current Attawapiskat First Nation crisis has been in conformance with Provincial responsibilities in relation to a declared State of Emergency within the province of Ontario.

Within this context, Emergency Management Ontario (EMO), in December 2011, responded by coordinating the transportation of goods and materials funded by the Province of Ontario such as composting toilets and High-efficiency wood stoves to assist in the sanitation and heating of the overcrowded housing units, and those materials funded or supplied by private relief agencies, primarily Red Cross Canada.

Red Cross Assistance:

In response to the declaration of the State of Emergency, in December 2011 Red Cross Canada engaged in a donation drive for funds for the purchase of new warm bedding and winter clothing, which was delivered to the community in late December. The funding drive was suspended in late December when sufficient funding was secured.

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Federation of Canadian Municipalities and Association of Municipalities of Ontario:

Neither the Federation of Canadian Municipalities (FCM), nor the Association of Municipalities of Ontario (AMO) have taken a position on the Attawapiskat First Nation issue to date.

Attawapiskat First Nation Position regarding Vaughan Inquiry:

Vaughan staff has been unsuccessful to date in contacting Chief Theresa Spence to discuss Vaughan's consideration of options for assistance.

Recent events have added some clarity to the situation discussed by Council in November:

In late 2011 the Federal Government pledged assistance to the Attawapiskat First Nation in the form of new modular housing units which are slated to arrive as soon as the winter roads to the community are passable. These units are intended to assist in providing heated, insulated housing to ease the currently overcrowded housing situation. In the interim, media have reported that some of the overcrowding has been eased through the accommodation of some community members at an existing community facility.

In the context of discussions between national governing jurisdictions, discussions continue between the Attawapiskat First Nation and AANDC with regards financial management of the community, with a number of statements being reported by the media throughout. The Attawapiskat First Nation appears resolved in seeking additional financial contribution from AANDC while insisting on the First Nation's rights to governance, management and administration of the First Nation.

In light of the nature of these discussions occurring between First Nations and the Government of Canada, there appears to have been little discussion between the Attawapiskat First Nation and municipal levels of government in Ontario.

Although media reporting has recently waned, the situation in Attawapiskat continues to evolve.

Relationship to Vaughan Vision 2020/Strategic Plan

This report recommends a change from the priorities previously set by Council.

Regional Implications

There are no regional implications to Council's receipt of this report.

Conclusion

The situation in the Attawapiskat First Nation continues to evolve. While the national government department responsible for housing and provision of safe drinking water has pledged new temporary modular housing units to the community, negotiations between the First Nation and the federal government regarding management of the First Nation's financial affairs continue, with the First Nation seeking increased federal funding. In the interim the Canadian Red Cross has suspended its initial response to the declaration of a State of Emergency, and Emergency Management Ontario continues to oversee any potential further assistance from the Province.

Neither the Federation of Canadian Municipalities (FCM), nor the Association of Municipalities of Ontario (AMO) have taken a position on the Attawapiskat First Nation issue to this point.

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Vaughan staff will continue to monitor communications from the FCM and AMO, and provide further report(s) to Council if any additional realistic options for municipal assistance are identified through these municipal umbrella organizations.

Attachments

N/A

Report prepared by:

Paul Jankowski, Commissioner of Engineering and Public Works Ext 8247

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Item 15, Report No. 4, of the Committee of the Whole, as amended, by the Council of the City of Vaughan on February 21, 2012, as follows:

By approving:

That the following recommendations contained in Communication C4, from Regional Councillor Di Biase, Chair of the Pierre Berton Artifacts and Memorabilia Task Force, dated February 21, 2012, be approved subject to the following amendments:

That Clauses 2 and 3 be deferred for a report at a future date;

so as to read:

- 1. *That recommendations 1, 3 and 4 contained in the following report of the City Clerk, dated February 7, 2012, be approved;***
- 2. *That recommendation 2 contained in the following report of the City Clerk, dated February 7, 2012, be deferred until the findings report is completed; and***
- 3. *That amendments to the Task Force's Terms of Reference to include under "Mandate/Objectives" the words "To promote the concept of the Discovery Centre throughout the community, the GTA, the Province and the Country", be deferred until the findings report is completed.***

**15 PIERRE BERTON ARTIFACTS AND MEMORABILIA TASK FORCE
 RECOMMENDATIONS FROM THE JANUARY 20, 2012 MEETING**

The Committee of the Whole recommends that consideration of this matter be deferred to the February 21, 2012 Council meeting.

Recommendation

The City Clerk, on behalf of the Pierre Berton Artifacts and Memorabilia Task Force, recommends:

1. That the Pierre Berton Artifacts and Memorabilia Task Force Project be added to the City of Vaughan's website; and that Berton Woodward forward information for the website;
2. That the following three (3) events be planned:
 1. Street Party – Spring;
 2. Bindertwine exhibit – Summer;
 3. Gala – Fall;
3. That a Reserve Fund be established by the City to collect public donations to go towards the construction and operation of the Pierre Berton Discovery Centre; and that tax receipts be issued by the City for donations made towards the funding of the Centre; and
4. That staff investigate sites for storage of Pierre Berton memorabilia to be given to the City by the Berton family for the Pierre Berton Discovery Centre and request Council approval for this storage area.

Contribution to Sustainability

Not applicable.

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Economic Impact

There is no economic impact.

Communications Plan

Not applicable.

Purpose

The purpose of this report is to bring forward for Council's consideration the request made by the Pierre Berton Artifacts and Memorabilia Task Force to implement various actions to facilitate the completion of the project.

Background - Analysis and Options

The Pierre Berton Artifacts and Memorabilia Task Force was established by Council with the mandate to conduct research and consultations with the objective of submitting a comprehensive documented findings report on how the established goals might be achieved. The Task Force, at its meeting of January 20, 2012 made various recommendations to assist in reaching its goals.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

n/a

Conclusion

The Pierre Berton Artifacts and Memorabilia Task Force is requesting Council to approve the above noted recommendations to aid in the completion of the project.

Attachments

None.

Report Prepared By

Adelina Bellisario, Assistant City Clerk

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Item 16, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

16

REESTABLISHMENT OF THE VAUGHAN ERUV

The Committee of the Whole recommends approval of the recommendation contained in the following resolution submitted by Mayor Bevilacqua and Councillor Shefman, dated February 7, 2012:

Member's Resolution

Submitted by Mayor Maurizio Bevilacqua and Councillor Alan Shefman

Whereas for traditional Jews, the Sabbath and other holy days are defined by a set of requirements and restrictions, including the prohibition against the carrying of objects between private domains (such as homes and apartments) and public domains (such as streets, plazas, highways etc.); and

Whereas in accordance with the Jewish religion, the laws of the Sabbath contain the Commandment "Let no man go out of his place on Sabbath Day" (Exodus 16:29), and a man's place is defined by (1) specifying certain natural or artificial boundaries, and (2) letting the use of the domain by mutual agreement; and

Whereas Eruv ('eruv' meaning to fix or join together) Districts have been established in many communities so as to permit traditional Jews, on the Sabbath and other holy days, to carry objects across what in the absence of the eruv would be considered boundaries between public and private domains, thus allowing them to carry objects to their places of worship or to visit friends and relatives, or to carry and use such objects as strollers and walkers; and

Whereas an eruv is physically defined by infrastructure (such as walls, fences, wires etc.), or topography, which demarks the extent of the Eruv District; and

Whereas in accordance with Jewish doctrine, the municipality in which an eruv is situated is required to endorse the eruv and accept nominal payment as a symbolic rental for its use; and

Whereas the sum of five (5) dollars has been provided as nominal payment; and

Whereas by the adoption by City Council on October 11, 1995 of Item 44 of Report No. 19 of the Committee of the Whole, an Eruv District bounded by Steeles Avenue, Dufferin Street, Yonge Street and Highway 7 was endorsed by the City of Vaughan; and

Whereas there is a perceived need to increase the Eruv District from time to time; and

Whereas the Eruv District in the City of Vaughan is administered by the Toronto ERUV Corporation; and

Whereas, the office of the Mayor of the City of Vaughan has been requested by the Toronto ERUV Corporation on behalf of those of the Orthodox Jewish faith to authorize the expansion of the Eruv District so that traditional Jews who reside within an Eruv District within the City of Vaughan will have the right area to "carry" on the Sabbath and other Jewish holy days in accordance with Orthodox Jewish Law; and

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Whereas, the office of the Mayor of the City of Vaughan, deems it to be in the public interest that those of its residents of the Jewish faith for whom the request has been presented be granted the rights requested, and likewise deems it to be of no detriment to the rights and general welfare of other members of public; and

Whereas, nothing in this resolution creates an obligation for the City of Vaughan to create, maintain or grant the use of infrastructure, nor to grant any approvals that may be required with respect to same, nor abrogates the rights of any person or group.

It is therefore recommended that the Council of the City of Vaughan proclaim that the Toronto ERUV Corporation may, for a term of 49 years, expand the Eruv District as it deems necessary and appropriate within the boundaries of the City of Vaughan in order to define boundaries within which traditional Jews may “carry” on the Sabbath and other holy days in accordance with Jewish doctrine.

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Item 17, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

**17 COUNCIL GOVERNANCE - REVIEW OF THE NEW COMMITTEE STRUCTURE
AND NEW PROCEDURE BY-LAW 7-2011**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated February 7, 2012, be approved;
- 2) That staff provide a further opportunity to discuss concerns raised by Members of Council with respect to the committee structure at a Committee of the Whole (Working Session) meeting; and
- 3) That staff report back on the impact of having evening Committee of the Whole meetings.

Recommendation

The City Clerk recommends:

- (1) That this report be received for information.

Contribution to Sustainability

Council's committee structure and procedural by-law clearly define the roles for Council's Committees, including Standing Committees and Ad Hoc Committees. They implement a rationalization of the roles and responsibilities of Council's committees while enhancing stakeholder participation and community involvement. Council's governance model manages a very busy workload with transparent processes, as reflected in the principles recited in the procedural by-law, particularly section 1.2 (3):

- "These principles and rules facilitate the decision making of City Council and are to be liberally interpreted so as to administer meetings in a manner which,*
- a. Is respectful of all participants.*
 - b. Balances debate with the need to make recommendations and decisions in a timely manner.*
 - c. Establishes clear outcomes.*
 - d. Provides for the hearing/consideration of input from interested parties in a pragmatic way.*
 - e. Respects the statutory regime in which the City of Vaughan operates."*

Economic Impact

There is no economic impact associated with this report.

Communications Plan

This report and the by-law governing Council's procedures are available in hard copy in the City Clerk's Office, and on the City's website in electronic form. Any changes resulting from consideration of this report will be communicated as may be required.

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Purpose

At its meeting of December 14, 2010, Council adopted a new procedural by-law (By-law No. 7-2011) which implemented a new committee structure and reporting system. At that meeting, Council directed *“That staff report to Council within a year’s time, once the City has had an opportunity to work with the new committee structure and supporting procedural by-law”*. This report provides a review of the new procedural by-law and committee structure since its implementation.

Background - Analysis and Options

Council’s procedural by-law implements the committee structure approved at the Council meeting of June 29, 2010.

The new committee structure and procedural by-law rationalized the roles and responsibilities of committees, provided greater clarity and transparency, and enhanced community and stakeholder involvement and participation. The new procedural by-law established simple principles and rules to govern the new committee structure and facilitate the decision making of Council. In developing the new model, consideration was given to:

- protecting and preserving the primacy of Council
- ensuring a full and proper discussion of items takes place prior to reports being submitted to Council;
- creating a structure that allows Members of Council and the public to attend meetings minimizing timing conflicts;
- making it clear to which committee reports should be directed;
- avoiding re-debate of issues at multiple levels of standing committees and at Council;
- finding an alternative to the numerous and narrowly focused former special purpose committees;
- avoiding the difficulty of having to create agenda items just to support regular meetings of some committees;
- structuring standing committees with sufficient scope to deal with the broader impacts of a specific subject-matter; and
- Council’s preference for a 'committee of the whole' model, which ensures a full discussion involving all Members of Council at the first instance.

Vaughan’s Current Standing Committee Structure

Vaughan’s Council/Committee structure consists of:

- a) Council;
- b) Standing Committees*, which are comprised of all Members of Council;
- c) Such statutory committees that Council is obliged to establish; and
- d) Sub-committees and Ad Hoc committees established from time to time.

*Unique to Vaughan’s committee structure is a standing committee dedicated to closed session matters. Whereas most municipalities will resolve *in camera* when an item arises in the course of a regular committee meeting, the City of Vaughan declares which items are to be discussed in closed session on a separate public agenda, and a separate closed meeting is held for that purpose. In addition to being fully compliant with the municipality’s statutory obligations on closed meetings, the process provides abundant transparency and avoids the awkward circumstance of members of the public waiting in the gallery for a closed meeting to be completed. Confidential communications are also provided on public agenda items, so that:

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- when the essence of an item is public in nature, the debate occurs at a public meeting with confidential information/advice provided through the circulation of a confidential communication (memorandum); and
- when the essence of a debate is confidential in nature and is in accordance with s. 239 of the *Municipal Act* (the closed meeting provisions), the item is placed on an agenda for the Committee of the Whole (Closed Session).

Deleted from the old structure are five special purpose committees and 29 "advisory committees".

The five special purpose committees are as follows: Audit and Operational Review Committee; Strategic Planning Committee; Budget Committee; Economic Development Committee; and the Environment Committee. Each special purpose committee consisted of fewer than all nine members of Council, but typically represented a majority of Council.

Two new standing committees were created instead:

- Priorities and Key Initiatives Committee - monitors matters relating to the City's key strategic priorities and initiatives as they are established from time to time.
- Finance and Administration Committee - considers matters pertaining to the City's finances, budget, audit function, and corporate administrative matters.

All nine Members of Council serve on each standing committee in the current structure. Prior to the adoption of the new model, there was a general consensus that the former hybrid structure of committees of the whole (all nine Members) plus five special purpose committees resulted in a governance process where some committees had too narrow a focus which tended to reinforce a "silo" approach to issues. The model also led to some confusion as it was not always clear to which committee a particular report should be directed. More concerning, the narrowly focused special purpose committees often omitted from their deliberations consideration of other competing strategic priorities and affordability concerns.

As mentioned previously 29 'advisory' committees were deleted from the new structure. The overwhelmingly large roster of such committees, coupled with the number of special purpose committees and the four committee of the whole standing committees [Committee of the Whole; Committee of the Whole (Public Hearing); Committee of the Whole (Working Session); Committee of the Whole (Closed Session)], undermined Council's governance capabilities because both Council members and staff were confronted with overpopulated meeting calendars and a string of reporting deadlines. The array of meetings and deadlines provided insufficient time for report research and preparation, or for fulsome study of agenda items prior to meetings.

The current structure, by contrast, provides administrative efficiency which enables:

- Staff to research, prepare and submit reports well in advance of committee dates (and to prepare supplementary communications to Council when asked for at a committee meeting);
- Members of Council time to review reports, ask questions, and consult with community stakeholders;
- The scheduling of special meetings of committees or Council, as may be required; and
- The scheduling of meeting times for those Ad Hoc Committees (see below) which Council deems it appropriate to establish.

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More importantly, the reduction of committees (reduced in total from 38 to 13 at the time of writing, not including statutory advisory committees and boards) supports Council in its setting of a strategic agenda for its committees, rather than corporate direction being driven in a 'bottom up' manner through the uncoordinated (and sometimes conflicting) activities of the former committees. Discussion on important topics now integrates all relevant issues, breaking down the silos which can lead to blinkered thinking or the development of unrealistic expectations.

In addition the new procedure by-law provides increased time members of the public have to consider a committee agenda prior to the meeting date. The main Committee of the Whole, Committee of the Whole (Working Session), Finance and Administration Committee and Priorities and Key Initiatives Committee agendas are available in print form at least 7 working days prior to the meeting and posted on the website at least 5 working days prior to the meeting. Under the former system the agendas of Committee of the Whole (Working Session) and the five special purpose committees were available and posted on the Friday prior to a meeting on Monday or Tuesday of the following week. The increased notice, coupled with the administration's commitment to reducing the number of addendum items on agendas, realizes an important benefit for the openness and accessibility of the political process.

Overall, significant benefits have been achieved by the adoption of the new structure. Though most evidence is anecdotal, the structure has provided an open and transparent process for the governance deliberations of Members of Council, offers a rational way to distribute agenda items across the current array of standing committees, and has focused the City's senior administrators on tasks which are important to the whole Council.

The demands of the City's deliberative process are still high, with the new structure providing more efficient and focused deliberations but not necessarily less time spent in session. For example, the following chart compares the 2011 experience under the new structure with 2009 (2010 being an election year and therefore an inappropriate comparator) for the committees most affected by the restructuring of the special purpose committees:

Year	Total Meetings	Total Hours
2009 (5 Special Purpose Committees)	33	71
2011 (2 New Standing Committees)	30	79

Ad Hoc Committees

As noted above, Ad Hoc Committees have replaced what were previously known as non-statutory advisory committees. Whereas advisory committees were automatically established at the beginning of each new term and were in place for the length of the term, Ad Hoc Committees now have a specific mandate and term. At the end of its specified term, each Ad Hoc Committee is expected to prepare recommendations to Council (referred to as a Findings Report). The following seven (7) Ad Hoc Committees have been established and have not yet completed their mandates:

- Council Member Expense Policy Task Force
- Pierre Berton Artifacts & Memorabilia Task Force
- Task Force on Advisory Committees
- Task Force on the City's Role in Festivals & Community Events
- Telecommunications Facility Siting Protocol Task Force
- Vaughan Metropolitan Centre Sub-Committee
- Yonge Street Subway Extension Task Force

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The following two (2) Ad Hoc Committees have completed their mandates and have provided recommendations to Council:

Pedestrian / Street Safety Task Force
Council Budgets Task Force

Under the former structure, Council and staff had to accommodate the demands of 29 advisory committees at times in addition to statutory and core committee responsibilities.

In keeping with Council's commitment to full transparency and an informative public record, each Ad Hoc Committee gives notice of each of its meetings through a listing on the Council Meetings Calendar and the posting of an agenda on the City's web site. Following each meeting, a report is submitted to its respective Standing Committee.

Ad Hoc Committees have only the powers granted to them in their Terms of Reference, and therefore do not undermine Council's primacy because decision-making is done through the normal process of standing committee reports to Council. When an Ad Hoc Committee requires a decision of Council, the City Clerk prepares a report on behalf of the committee and places it on the relevant standing committee agenda.

This process has allowed Council to monitor the activity of the Ad Hoc Committees and has also provided the public with the opportunity to inform themselves on the undertakings of these committees.

Modifications for Community Engagement

In addition to the committee structure changes brought in at the beginning of this term of Council, minor but beneficial changes have been made in the way members of the public and other stakeholders participate with Council on matters.

The new procedural by-law modified the process for distributing information circulated as supplemental information to committee and Council items (Communications). Communications to respective items listed on an agenda are circulated and recorded on the public record without the need for each item being held for separate discussion. This new feature improves meeting efficiency, requiring only matters that Members of Council wish to debate being called for separate discussion.

Any communications received prior to an agenda being finalized are printed and posted to the City's web site, with the agenda. Any further communications received are printed and added to the website as practicable. This new procedure gives the public and stakeholders the opportunity to be apprised of any further information submitted on a matter of interest to them on the agenda. With the future implementation of new City web site technology, public access and retrieval of information will be further improved and simplified.

The two main means of providing for in-person public and stakeholder input to Council have not changed under the new by-law. Deputations (the making of an oral statement on the record) can be made as of right on any committee item (with the exception of closed session) and can also be scheduled at meetings of the Committee of the Whole with sufficient notice to the Clerk. In addition, members of the public can sit on statutory and ad hoc (advisory) committees established by Council where there is a perceived need to do so. So far this term 84 members of the public have been appointed to City committees of this type.

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It is important to note, however, that the establishment of a formal committee is not necessarily the best way to capture input from stakeholders and members of the public. The new structure contemplates other means of engagement, such as public information sessions, town hall meetings, surveys, etc. as valuable methods of public participation which provide opportunities for broad-based community input. The upcoming Vaughan Cycling Forum is an excellent example.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council, particularly “demonstrate leadership and promote effective governance”.

Regional Implications

There are no regional implications.

Conclusion

The new Committee Structure and Procedural By-law have significantly enhanced Council's governance process by providing greater clarity and efficiency. Committee and Council deliberations now are more strategic in nature and incorporate all important considerations, and the trade-offs involved, for initiatives taken by the City.

The flexibility of the structure has allowed for the establishment of ad hoc committees from time to time, where necessary, but limits the role of such committees so that the primacy of Council is protected.

Should Council determine that the mandates of the current standing committees require modification, such modifications can be made through fine or moderate adjustments (such as by adding or removing standing committees, or by establishing sub-committees if required) so that the integrity of the current model is preserved.

Attachments

N/A

Report prepared by:

R. Magnifico
Assistant City Clerk

Sybil Fernandes
Deputy City Clerk

Jeffrey A. Abrams
City Clerk

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Purpose

The purpose of this report is to better coordinate International Business Development focused on a single value proposition – Clean Tech and coordinate all IBD activity on an annual basis. In doing so, this will produce a more strategic approach with better planning and coordination among various City departments and stakeholders.

Background – Analysis and Options

The recently adopted 10-Year Economic Development Strategy entitled “Building A Gateway To Tomorrow’s Economy” clearly articulates that Vaughan’s international business development (IBD) must bring economic benefits to Vaughan’s businesses and residents.

The key objectives for Vaughan’s international business development strategy are:

1. To support local economic development by providing local businesses with an additional tool to access new markets, achieve growth, and retain their competitive edge.
2. To support local economic development by pursuing foreign investment attraction.
3. To create or leverage opportunities arising from multicultural or ethnic partnerships.
4. To enhance Vaughan’s global image.

In addition, the strategy identifies that Clean Tech/ Green Tech are two emerging sectors of priority to the City.

There are a number of key advantages associated with Clean Tech business attraction & innovation:

- a. Vaughan has real strengths in Solar PV and Energy Efficiency, Green Building Products/Technologies, Green Transportation, Environmental Technologies (e.g. waste management, water technologies, etc.)
- b. All three countries have an impressive and a fast-growing Clean Tech industry that is expanding internationally. This is followed by growth of Clean Tech-focused Venture Capital and Tech Incubators.
- c. Vaughan, York Region, GTA and Canada collectively have a solid Clean Tech value proposition in all of the above sub-sectors that should be of interest to Israeli, Italian and Chinese firms and Clean Tech stakeholders
- d. A Clean Tech focus will enhance and build upon, rather than duplicate, recent related missions led by cities such as Markham, the City of Toronto and the Province.

What is Clean Tech?

Clean Technology is a diverse industry that spans a range of technologies. The definitions and types of technologies that comprise this sector often vary. However, the industry generally covers 13 different industries – ranging from Water and Waste Water to Agricultural and Solar, to Smart Grid and Transportation. Clean Tech represents a diverse range of products, services, and processes, all intended to:

- Provide superior performance at lower costs, while
- greatly reducing or eliminating negative ecological impact, at the same time as
- improving the productive and responsible use of natural resources.

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Current State of Clean Technology Globally and in Canada

Clean Technology is an emerging sector, demonstrating growth around the world. While many countries are sharing in this growth, California (United States), Denmark and Germany possess particular strengths across the sector. For example, there are an estimated 432,000 jobs within California's clean technology sector. In Europe, Denmark is not only developing the clean technology sector domestically, it tripled its energy efficiency exports between 1998 and 2008. Additionally, Germany was a top exporter of clean technology in 2010 and environmental technology is expected to contribute 14% of Germany's GDP by 2020. Globally, there are numerous clean technology companies, from small Research and Development (R&D) based companies to large multinational companies that are leveraging their existing strengths and entering the market. Both domestic and foreign companies are currently investing in clean technology in Ontario and the GTA, including large companies with operations in multiple jurisdictions. The GTA has already proven itself as an attractive option for clean technology investment. For example, GE Canada recently committed to investing \$40 million into a Grid IQ Innovation Centre in Markham. Similarly, foreign companies, such as Denmark's The Rockwool Group, an energy efficiency company, have invested in Ontario. Government policy and initiatives in Ontario, specifically incentives for the development of renewable energy, are also helping to facilitate the development of a clean technology cluster in the province.

Foreign Direct Investment (FDI) Opportunities for the GTA

While there are a wide range of high growth clean technology subsectors, Vaughan and the GTA have many strengths that would be considered attractive for companies focused on investing:

- Research and development expertise.
- Ontario has introduced legislation that has set targets, standards and requirements aimed at reducing the environmental impacts of energy production in the province. These have the potential to generate an increase in the demand in many of the clean technology segments, including the smart grid subsector.
- Ontario is implementing government policy and initiatives aimed at addressing climate change and environmental issues. Factors such as provincial greenhouse gas emissions targets, renewable energy growth and water-related concerns help to provide the demand for clean technologies. For example, the Green Energy Act introduced in 2009 prioritizes the importance of achieving a high level of energy efficiency and outlines the importance of the smart grid.
- Ontario offers a financial incentive (Feed-In Tariff – FIT Program) for renewable energy developers. While this support does not directly impact the smart grid, it does help to facilitate the development of a clean technology cluster. As renewable energy companies invest in opportunities within the province, such as PowerStream, other clean technology companies may recognize Ontario as an appealing location to harness related knowledge and expertise and build upon the success of renewable energy companies. Similar to other countries with renewable energy incentives, it is anticipated that over time the incentive will decrease, however the clean technology cluster will remain.
- Ontario's strong R&D expertise across a number of industries combined with highly educated workforce provides an attractive environment for developing and advancing clean technologies. Numerous organizations involved in R&D and commercialization are located in the GTA. For instance the Ontario Centres of Excellence has developed a centre of excellence focused on energy and Vaughan has more than 26 companies involved in the Solar energy sector.

Exploratory Business Mission to Israel

The proposed time-frame for this mission is Friday, June 29 to Sunday, July 8, 2012. This will coordinate with the Clean Tech 2012 Exhibition in Tel Aviv, Israel.

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Why Clean Tech 2012 in Tel Aviv?

Israel boasts the highest density of start-up companies in the world, with a total of 3,850 now operating at a rate of one for every 1,844 Israelis. The nation attracted more than \$2 billion in venture capital in 2008, as much as flowed to the U.K.'s 61 million citizens or the 145 million people living in Germany and France combined. And for that matter, some 63 Israeli companies were listed on the Nasdaq in 2009, more than from any other foreign country, including Canada, Ireland, the U.K., Singapore, China, or India. In addition, Israel's broader economy has grown faster than the average of the world's developed economies. During this decade, Israel's share of the global venture capital market did not decline, it doubled, from 15 to 30 percent.

Clean Tech 2012 in Tel Aviv is now considered the preeminent event for Clean Tech industry and investment. The geographical location of Clean Tech 2012 – in the middle of three continents - Europe, Asia, and Africa - makes it an international magnet for companies to expose their products and services to international customers and traders, and for buyers to create new commercial contacts.

Though Israel is a small country with limited natural resources, it stands out as one of the most competitive economies. The country's market economy can be characterized as advanced technology based and global-oriented. Over the past two decades Israel has become famous for its high-tech capacity, particularly in telecommunications, information technology, electronics and life science. Recently Israel has been focusing on Clean Tech. There are 320 companies in Israel that can be defined as specializing in the Clean Tech field. In the last two years, more than 300 million dollars has been invested in the Clean Tech industry. In the last two years, more than 13 investment bodies were established in the Clean Tech industry.

Italian Chamber of Commerce Trade Mission to Italy

Working with the Italian Chamber of Commerce of Ontario (ICCO) the Economic Development Department has received a proposal to coordinate a seven day business and institutional delegation to Italy (Saturday, September 22 to Saturday, September 29, 2012.) The mission would be fully focused on Green Energy, Clean Technologies and Green Industries. Of particular interest in this field are areas such as wind, water, solar energy, fuel cells, efficiency, pollution control, waste reduction, organics, indoor environmental engineering.

The cities in Italy to be included in the itinerary:

- Milan
- Turin
- Brescia, Bergamo, Varese
- Venice
- Rome

In addition to City of Vaughan Officials a business component of about 20 delegates will be coordinated. The cities that will be visited during the mission currently have no friendship or sister status with Vaughan as the Mission is fully focused on economic development.

Visits to some of the following companies/sites of interest will be scheduled:

Turin and Piedmont: Novamont (recyclable materials www.novamont.com)- Amiat (renewable energy www.amiat.it) - AES Torino (supplier of district heating in Torino and surrounding areas www.aes.torino.it) - The Turin Environmental Park (www.envipark.com) as well as the companies and government offices responsible for it - the FIAT Research Centre (www.crf.it) for alternative fuels, electric, hybrid and solar energy powertrains - The Politecnico di Torino, I3P – Innovative Companies Incubator as well as the Department of Energetics.

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Lombardy and Milan: SIEL (www.saile.it, renewable energy), Rea Green in Dalmine (www.readalmine.it) UCIMU (Association of Italian Manufacturers of Machine Tools, Robots, Automation Systems and ancillary products www.ucimu.it) and its associated companies - ApiVarese (www.api.varese.it – Association of SME of the Varese area, and its members) - CRASL the Research Centre for Environment and Sustainability in Lombardy (www.crasl.unicatt.it)

Rome and Venice: Institutional meetings, general presentation to local companies on Business opportunities in Vaughan, in association with The Chamber of Commerce of Rome and Venice, Sviluppo Lazio, Centro Estero Veneto for the internationalization of Italian Companies.

A comprehensive proposal titled The New Economy | A Business and Institutional delegation to Italy is attached (Attachment 1) which outlines a proposed itinerary, the rationale for each city selected and specific business opportunities and companies that will be visited.

China Trade Mission 2012

The Confederation of Greater Toronto Chinese Business Association (CGTCBA) is organizing a Trade Mission to China in 2012 with the goal of promoting greater economic, business and cultural ties. The proposed timeframe for the Mission is Saturday, November 24 to Wednesday, December 5, 2012, inclusive.

Attachment 2 is the China Trade Mission 2012 program. The mission covers Shanghai, Beijing and Hong Kong; however there will be opportunities for municipal delegates to visit their sister or partnership cities. Business events planned include:

- Pre-arranged business appointments
- Visits to key industrial zones
- Meetings with local economic development agencies and business associations
- Briefings on business opportunities and sectoral information
- Attendance at the featured Economic and Business Development Forum in Beijing
- Opportunities to showcase the local municipality, its products, services or expertise are available.

Participating in this mission is essential to building on Vaughan's success over the past two years with the opening of the Canadian Import Centre in Yiwu. Most recently, staff hosted Mr. Edison Luo and his associates in December 2011 and scheduled one-on-one business meetings with six different Vaughan companies that are interested in exporting their products through the Canadian Import Centre.

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, this report fulfills Vaughan Vision 2020 Goal: Plan and Manage Growth and Economic Vitality.

Regional Implications

As noted in the 10-year Economic Development Strategy economic development recognizes that geo-political borders are inconsequential to business flows, especially in a globalized economy, therefore, staff in the Economic Development Department will be working with the Regional Municipality of York, Economic Strategy Branch, Richmond Hill Economic Development and Markham Economic Development. The efforts undertaken by International Business Development across the Region can impact and strengthen the local economy.

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Conclusion

Establishing a gateway to the GTA through Vaughan, builds on the “Edge City” and gateway concepts articulated in the Economic Development Strategy. Goal One recognizes that geo-political borders are inconsequential to business and flows, especially in a globalized economy, and establishing connections to international trade flows position Vaughan as an excellent gateway to the Greater Toronto Area and the economic region.

With global concerns about environmental and energy issues continuing to escalate, companies around the world are developing innovative technologies to address these concerns. Governments are also increasing their level of funding and program support for the clean technology sector.

No single municipality in the GTA has established itself as the location for the Clean Tech sector in the GTA or the Province. In addition, keeping a single focus to all of the international business development opportunities will bring a more focused approach to these efforts while building the City’s economic base of the future.

Attachment

Attachment 1 – The New Economy – A Business and Institutional Delegation to Italy, For the development of Business opportunities in the years 2012-2015 Prepared by the Italian Chamber of Commerce.

Attachment 2 – China Trade Mission 2012 – Confederation Greater Toronto Chinese Business Association

Report prepared by:

Tim Simmonds, Director of Economic Development

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

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Item 19, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

19 AGREEMENT FOR RESIDENTIAL WASTE COLLECTION SERVICES

The Committee of the Whole recommends that the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated February 7, 2012, be approved, subject to adding Clause #4 as follows:

4. That, as part of the contemplated operational review, appropriate staff prepare a report on the cost implications of extending waste collection services to residential condominiums not currently receiving such services, and that the report be provided in advance of the 2013 budget deliberations.

Recommendation

The Commissioner of Engineering and Public Works recommends in consultation with Commissioner of Finance and City Treasurer and Commissioner of Community Services, that based on the directive of the December 13, 2011 Finance and Administration Committee meeting (Item 1, attachment 10), to have an Operational Review undertaken with respect to waste collection services:

1. Council direct staff to carry out an Operational Review on waste collection services in 2012;
2. Council authorize staff to negotiate an agreement with the current waste collection contractor, Miller Waste Systems, a Division of Miller Paving Limited, to continue waste collection services at existing levels of services, and within the budgeted funding envelope limits, for a minimum 18 month period, commencing January 1, 2013, which will serve to bridge the time frame needed to complete the Operational Review, prepare a new tender, and award a new waste collection contract;
3. Council authorize the Mayor and Clerk to execute the agreement once it has been finalized.

Contribution to Sustainability

Ensuring waste materials are diverted from landfill is key to the sustainability of the environment, and a well-designed and thought out waste collection system aids in this goal.

The City's "Greening Vaughan" waste collection and diversion program has been in place since 2005. As a result of this award winning program, the City has increased its curbside diversion rate from 17% (pre Greening Vaughan), to 69% in 2011.

Economic Impact

The cost for the current waste collection services is approximately \$105 per year, per household. Based on the current approved levels of service, each household receives 155 collections per year.

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Almost \$8.8 million is budgeted annually for waste collection services, and the breakdown of the budget is as follows:

\$ 3,861,792 for Residual Waste (garbage) collection
\$ 2,665,211 for Blue Box (recycling) collection
\$ 1,175,328 for Green Bin (organics) collection
\$ 1,011,928 for Leaf and Yard Waste collection
\$ 9,800 for Appliance collection

The current waste collection contract with Miller Waste Systems has been in place since 2005. For the first 5 years of the contract, prices were held firm. During the current 2 year extension period, costs were allowed to increase based on the C.P.I., to a maximum of 5 %.

Communications Plan

As it is not proposed that waste collection services will change during the proposed short-term agreement period, staff will continue with the existing waste management communications program. The City's Public Works Department produces an annual Waste Collection Guide and Collection Schedule that is distributed to all households that receive municipal waste collection. In addition, two newsletters are produced and distributed to each household annually. The "Greening Vaughan" website also provides additional information on the City's waste collection and diversion programs, and houses the waste lookup tool.

Purpose

The purpose of this report is to seek Council's authorization for staff to enter into an agreement with Miller Waste Systems, the City's current waste collection contractor, to continue waste collection services for a minimum 18 month period, at the existing levels of service. This will allow adequate time to conduct the recommended Operational Review, prepare a new tender, and award a new contract for waste collection services.

Background - Analysis and Options

Current Service Levels and Diversion Results

The City's "Greening Vaughan" program has proven to be extremely successful. With the combined efforts of the residents, staff, and the City's waste collection contractor, the City's curbside diversion rate has gone from 17% (pre Greening Vaughan) to 69% for 2011. The breakdown is as follows:

Source Separated Organics (30%)
Blue Box Recycling (27%)
Leaf and yard waste (11%).

The remaining diversion efforts (1%), are attributed to the Vaughan residents who use the Region's Community Environmental Centre and/or Household Hazardous Waste depots.

A significant factor in achieving such a high diversion rate is ensuring the service levels provided meet the needs of the residents. At the same time, the levels of service must be affordable, sustainable, and promote waste diversion. The existing service levels for curbside residential waste collection are as follows:

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- Weekly collection of Blue Box materials
- Weekly collection of Source Separated Organics
- Every other week collection of Residual Waste (garbage)
- Eight weeks of weekly Leaf and Yard waste materials collection in the Spring and Fall, and every other week collection of Leaf and Yard waste materials during the summer
- Two weeks of Christmas tree collection be provided annually
- Bulky items be collected the same day as Residual Waste (garbage)
- 3 item limit for residual waste, with paid tags required for each additional item

Not including Christmas tree collections, or appliance collections, which must be scheduled by the residents, each household receives 155 collections per year.

Program Review

On December 13, 2011, Finance and Administration Committee (Item 1, attachment 10), received the staff report on the 2011 Program Review, which recommended in part, an Operational Review be undertaken with respect to waste collection.

The Operational Review will focus on process effectiveness and efficiency, and assess the delivery of service, resource requirements, and potential efficiency opportunities e.g. outsourcing and alternate service delivery models.

Notwithstanding that Public Works contracts out all residential waste collections, an Operational Review will also provide an opportunity to:

- review existing service levels for residential waste collection
- review the costs and implications of the current manual collection system for residential waste collection vs. moving to an automated or semi-automated (cart) based collection system
- review the current divisions of staff responsibility for collection of waste within the city's municipal buildings, public spaces, and parks, and assess opportunities for increased efficiencies.

Operational Review and Impact on Contract Timing

The current waste collection contract started January 1, 2006, and was timed to coincide with the launch of the City's "Greening Vaughan" program. The contract is for a fixed 5 year term, with an optional 2 year extension period. The optional extension period ends December 31, 2012. There are no additional extension periods in the existing contract. As such, Council approval is required to authorize staff to enter into an agreement with Miller Waste Systems to provide ongoing waste collection services while the Operational Review is being undertaken.

For waste collection contracts, an 8-12 month minimum lead time is typically required. This allows time for the contractor to order and obtain sufficient vehicles to provide the service, and potentially hire and train new staff. Depending on the chassis or body manufacturer's backlog, obtaining such collection equipment can, at times, exceed 12 months.

Should the method of collection change as a result of the Operational Review, i.e. going to a cart-based automated or semi-automated collection system, at least 18 - 24 months would be required in order to develop and provide a proper education and promotion program to the residents, and allow for the necessary vehicles and collection carts to be obtained.

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The Operational Review will be undertaken under the general direction of the City Manager's office, and will fall under the newly approved Continuous Improvement division in 2012. The Operational Review of waste collection services will not be completed in time to allow Public Works staff sufficient time to respond to the outcomes of the review, prepare a tender document, and award a new contract, and have a contractor ready to start prior to January 1, 2013.

Given the above, it is recommended that staff be authorized to negotiate an agreement with Miller Waste Systems to continue waste collection services at existing levels of services, and within the budgeted funding envelope limits, for a minimum 18 month period, commencing January 1, 2013. This will allow sufficient time to conduct the Operational Review, prepare a new waste collection tender that will respond to the recommendations coming forth from the Operational Review, and award a new contract.

Relationship to Vaughan Vision 2020/Strategic Plan

The collection of waste and recyclables is one of the most visible services that the City provides to its residents. The City's efforts in promoting waste reduction are also key in ensuring the vision of environmental sustainability is maintained.

The recommendations contained in this report are consistent with the priorities previously set by Council, and tie into the following Vaughan Vision 20/20 Goals and Objectives:

Goal: Service Excellence
Objective: Demonstrate Excellence in Service Delivery
Objective: Lead and Promote Environmental Sustainability

Goal: Organizational Excellence
Objective: Ensure a High Performing Organization

Regional Implications

There are no regional impacts associated with the extension of the City's waste collection contract.

Conclusion

In order to accommodate the Operational Review of the City's residential waste collection services, and to respond to the recommendations that will be generated from such a review, it is recommended that staff be authorized to negotiate an agreement with the current waste collection contractor, Miller Waste Systems, a Division of Miller Paving Limited, to continue waste collection services at existing levels of services, and within the budgeted funding envelope limits, for a minimum 18 month period, commencing January 1, 2013.

Attachments

N/A

Report prepared by:

Caroline Kirkpatrick, Manager of Solid Waste, ext. 6309
Brian T. Anthony, Director of Public Works, ext. 6116

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Item 20, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

20

ONTARIO MUNICIPAL INTERNSHIP PROGRAM

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Manager, dated February 7, 2012:

Recommendation

The City Manager recommends:

1. That the City's application to the 2012-2013 Ontario Municipal Internship Program be endorsed; and,
2. That Council ratify the action taken at the February 7, 2012 Committee of Whole meeting.

Contribution to Sustainability

N/A

Economic Impact

Approximately \$25,000 which is currently included in the 2012 operating budget.

Communications Plan

N/A

Purpose

As a growing municipality with a large number of exciting and challenging opportunities, Vaughan can provide an intern with a wide variety of experiences and learning opportunities.

Municipal staff are active participants in AMCTO and can assist the intern with information in this regard.

Background - Analysis and Options

The Ontario Municipal Internship Program was developed by AMCTO (The Association of Municipal Managers, Clerks and Treasurers of Ontario) in partnership with the Ontario Ministry of Municipal Affairs & Housing (MAH) in order to address the critical need to attract and train the next generation of municipal leaders.

The program provides funding to selected Ontario municipalities in support of their hiring and training of an intern for a 12-month term. During the program year, the interns gain hands-on experience in the key functions involved in managing a municipality. The Host Municipality will designate either the City Manager or a senior member of the Management Team to supervise and mentor the intern during the course of the placement. The program also provides orientation and networking sessions for participants, as well as professional development opportunities provided through MAH and AMCTO. Participants will spend one month of their placement at a MAH Municipal Services Office in order to grasp the complexities of the relationship between the provincial government and local governments.

.../2

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The Municipal Internship Program is designed to expose each intern to a variety of key municipal business area through work assignments proposed by the municipality based on a structured Program curriculum. The intern will be assigned as a member of a number of different project teams.

The program will provide up to 50% (approximately \$20,000) toward the funding of intern salaries to each Ontario Municipality that has been selected to act as a host to a program intern for one year. Further details are provided in Attachment 1 – Ontario Municipal Internship Program Host Municipality Application Guidelines.

The application deadline for municipalities was February 1, 2012. The City of Vaughan has submitted an application.

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 program supports the City's Mission, Vision and Values as well as its goals by providing learning opportunities to young professionals. In addition, the program will contribute to the growth of qualified professionals in the municipal sector.

Attachments

1. Ontario Municipal Internship Program Host Municipality Application Guidelines.

Report prepared by:

Anita Micoli-Falcone
Administrative & Project Assistant
Office of the City Manger

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

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Item 21, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

**21 DEPUTATION – MS. LAUREEN D'ALESSANDRO WITH RESPECT TO CHANGING
EXISTING BY-LAWS IN REGARDS TO THE ABUSE AND EXPLOITATION
OF WILD AND EXOTIC ANIMALS**

The Committee of the Whole recommends that the deputation of Ms. Lauren D'Alessandro, 20 Mapes Avenue, Woodbridge, L4L 8S4 and Communications C1, dated January 11, 2012 and C4, be received and referred to staff for a report on the process and implications of enacting a bullhook, whip and electric prod ban in the City of Vaughan and report back to a Committee of the Whole meeting in the near future.

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Item 22, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

**22 DEPUTATION – MR. TONY GENCO ON BEHALF OF MR. MARC NANTHAKUMAR
 WITH RESPECT TO CHANGING EXISTING
 BY-LAWS IN REGARDS TO CHARITABLE ORGANIZATIONS**

The Committee of the Whole recommends that the deputation of Mr. Tony Genco, 7900 Keele Street, Suite #1, Vaughan, L4K 2A3 and Communications C2, and C5, on behalf of DYN Exports, be received and referred to staff for a report.

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Item 23, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

23

OTHER ITEMS CONSIDERED BY THE COMMITTEE

23.1 CONSIDERATION OF AD HOC COMMITTEE REPORTS

The Committee of the Whole recommends:

That the following Ad Hoc Committee reports be received:

- 1. Telecommunication Facility Siting Protocol Force meeting of January 12, 2012 (Report No. 1).**
- 2. Heritage Vaughan meeting of January 18, 2012 (Report No. 1).**
- 3. Pierre Berton Artifacts and Memorabilia Task Force meeting of January 20, 2012 (Report No. 1).**

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Item 24, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

24

NEW BUSINESS – ELECTRIC SIGNS IN HERITAGE AREAS

The Committee of the Whole recommends that staff provide a report regarding electric signs in heritage areas.

The foregoing matter was brought to the attention of the Committee by Regional Councillor Schulte.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2012

Item 25, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

25

NEW BUSINESS – SECONDARY SUITES

Regional Councillor Schulte requested that staff provide an update on the status of Secondary Suites.

The foregoing matter was brought to the attention of the Committee by Regional Councillor Schulte.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2012

Item 26, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

**26 COMMITTEE OF THE WHOLE (CLOSED SESSION) RESOLUTION
FEBRUARY 7, 2012**

The Committee of the Whole passed the following resolution to resolve into closed session for the purpose of discussing the following:

1. **APPOINTMENT OF HEARINGS OFFICERS**
(personal matters about an identifiable individual)
2. **CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE), LOCAL 905, PART-TIME UNIT**
(labour relations)
3. **BLOCK 47 – SKANDATUT SITE
LEGAL ADVICE SUBJECT TO
SOLICITOR/CLIENT PRIVILEGE – WARD 3**
(solicitor/client privilege)