



**CITY OF VAUGHAN  
COUNCIL MINUTES  
JUNE 28, 2016**

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**CITY OF VAUGHAN**

**COUNCIL MEETING**

**TUESDAY, JUNE 28, 2016**

**MINUTES**

**1:00 P.M.**

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:03 p.m.

The following members were present:

Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Michael Di Biase  
Regional Councillor Gino Rosati  
Regional Councillor Mario Ferri  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

**103. CONFIRMATION OF AGENDA**

MOVED by Regional Councillor Di Biase  
seconded by Regional Councillor Ferri

THAT the agenda be confirmed.

MOVED by Councillor DeFrancesca  
seconded by Councillor Iafrate

That the following addendums be added to the agenda:

1. REQUEST FOR NOISE EXEMPTION  
METROLINX REGIONAL EXPRESS RAIL – BARRIE RAIL CORRIDOR EXPANSION  
WARDS 1 & 4

Report of the Director of By-law & Compliance, Licensing & Permit Services with respect to the above.

2. RESOLUTIONS OF THE DIRECTORS AND SHAREHOLDERS OF  
VAUGHAN HOLDINGS INC.

Report of the City Clerk with respect to the above.

3. ZONING BY-LAW AMENDMENT FILE Z.14.026  
SITE DEVELOPMENT FILE DA.15.056  
FCF OLD MARKET LANE 2013 INC.  
WARD 2- VICINITY OF WOODBRIDGE AVENUE AND WALLACE STREET

Report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning with respect to the above.

4. BY-LAW NUMBER 120-2016  
(Related to Item 27, Committee of the Whole Report No. 27)

5. NON UNION COMPENSATION REVIEW UPDATE

Report to be provided at the meeting.

CARRIED UNANIMOUSLY

Upon the question of the main motion:

CARRIED AS AMENDED

**104. DISCLOSURE OF INTEREST**

Regional Councillor Di Biase declared an interest with respect to Item 28, Committee of the Whole, Report No. 27, METROLINX REGIONAL EXPRESS RAIL - BARRIE RAIL CORRIDOR EXPANSION UPDATE, CITY-WIDE, as Communication C10 contains information related to Block 27, and his children own land in Block 27 given to them by their maternal Grandfather.

Councillor Carella declared an interest with respect to Item 16, Report No. 27, Committee of the Whole, HIGHWAY 427 EXPANSION PROJECT UPDATE, WARD 2 - WEST VAUGHAN EMPLOYMENT AREA, as he is an officer of a not-for-profit corporation that owns lands immediately south of the extension of McGillivray Road which is the subject of this matter.

**105. ADOPTION OR CORRECTION OF MINUTES**

MOVED by Councillor Shefman  
seconded by Regional Councillor Rosati

THAT the minutes of the meeting of June 7, 2016 be adopted as presented.

CARRIED

**106. COMMUNICATIONS**

MOVED by Councillor Yeung Racco  
seconded by Councillor Shefman

THAT Communications C1 to C12 inclusive be received and referred to their respective items on the agenda.

CARRIED

**107. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

The following items were identified for separate discussion:

Referred Item

Item 1

Special Finance, Administration and Audit Committee Report No. 8

Item 6

Committee of the Whole Report No. 27

Items 3, 4, 9, 11, 12, 16, 28, 29 and 48

Committee of the Whole (Public Hearing) Report No. 28

Items 2 and 3

Special Committee of the Whole (Closed Session) Report No. 29

Items 1 and 3

Addendum Items

Items 1, 2, 3 and 5

MOVED by Regional Councillor Di Biase  
seconded by Councillor Yeung Racco

THAT Items 1 to 6 of the Special Finance, Administration and Audit Committee Report No. 8, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 53 of the Committee of the Whole Report No. 27, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Committee of the Whole (Public Hearing) Report No. 28, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Items 1 to 4 of the Special Committee of the Whole (Closed Session) Report No. 29, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted.

CARRIED

**108. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE REPORT NO. 27**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 11      ZONING BY-LAW AMENDMENT FILE Z.15.018  
DRAFT PLAN OF SUBDIVISION FILE 19T-15V004  
TORONTO WALDORF SCHOOL  
WARD 4 - VICINITY OF RUTHERFORD ROAD AND BATHURST STREET

MOVED by Regional Councillor Di Biase  
seconded by Councillor Yeung Racco

THAT Item 11, Committee of the Whole Report No. 27 be adopted and amended, as follows:

By approving that the recommendation contained in the report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated June 21, 2016, be approved subject to the following in accordance with Communication C3, from the Deputy City Manager, Planning & Growth Management, dated June 23, 2016:

1. THAT Recommendation #1 in the report by the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning dated June 21, 2016, Item #11 of Report # 27, be amended by adding the following additional wording:

“and include a maximum building height of 11.5 m for Lots 1 to 21, and 10 m for Lots 22 to 40 respectively.”

2. THAT the attached Zoning By-law replace the By-law included in Vaughan Council's agenda regarding Zoning Amendment File Z.15.018.

CARRIED

ITEM - 9      ZONING BY-LAW AMENDMENT FILE Z.15.016  
DRAFT PLAN OF SUBDIVISION FILE 19T-15V003  
CACHET SUMMERHILL DEVELOPMENTS INC.  
WARD 4 - VICINITY OF RUTHERFORD ROAD AND BATHURST STREET

MOVED by Councillor Yeung Racco  
seconded by Regional Councillor Di Biase

THAT Item 9, Committee of the Whole Report No. 27 be adopted and amended, as follows:

By approving the following:

1. Whereas the technical report for the Cachet Summerhill Developments Inc. (Files Z.15.016 & 19T-15V003) includes a recommendation to permit a maximum building height of 11.5 m for all lots within the proposed Draft Plan of Subdivision shown on Attachment #4 of the technical report;

It is recommended that a reduced building height of 9.5 m be permitted for Lot 1, to respond to the comments received from the adjacent property owner; and

That the implementing Zoning By-law be amended to include a revised building height of 9.5 m for Lot 1.

CARRIED

**109. ZONING BY-LAW AMENDMENT FILE Z.13.012  
SITE DEVELOPMENT FILE DA.15.057  
CAMELOT ON 7 INC.  
WARD 2 – VICINITY OF REGIONAL ROAD 7 AND ISLINGTON AVENUE  
(Referred)**

MOVED by Councillor Carella  
seconded by Regional Councillor Di Biase

That the following be approved in accordance with Communication C2 from the Deputy City

## COUNCIL MEETING MINUTES – JUNE 28, 2016

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Manager, Planning & Growth Management, dated June 23, 2016:

1. That this matter be deferred to the Council meeting of September 20, 2016 to allow for continued review and analysis of transportation related items by the Region of York as identified in the Communication dated May 16, 2016, from the Deputy City Manager, Planning and Growth Management.

CARRIED

### Recommendation from the Council meeting of May 17, 2016

Council, at its meeting of May 17, 2016, adopted the following recommendation (Referred Item No. 1):

By approving the following in accordance with Communication C7, memorandum from the Deputy City Manager, Planning & Growth Management, dated May 16, 2016:

That this matter be deferred to the Council meeting of June 28, 2016 to allow for continued review and analysis of transportation related items by the Region of York as identified in the Communication dated May 16, 2016, from the Deputy City Manager, Planning and Growth Management.

Council, at its meeting of April 19, 2016, adopted the following recommendation (Item 12, Report No. 18):

By approving that consideration of this matter be deferred to the Council meeting of May 17, 2016 to allow for continued discussions, as recommended at the Committee of the Whole meeting of April 5, 2016.

### Recommendation of the Committee of the Whole meeting of April 5, 2016:

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to Council in order to allow for:
  1. the Region of York to re-examine off-site traffic issues relating to the access to/egress from this site, as outlined in Communication C6, submitted by Councillor Carella; and
  2. a community meeting to inform the local residents of the revised development proposal for this site; and
- 2) That the following deputations and Communication be received:
  1. Mr. Kurt Franklin, Weston Consulting Group, Millway Avenue, Vaughan, on behalf of the applicant;
  2. Ms. Mary Mauti, Forest Circle, Woodbridge, and Communication C5, submitted at the meeting;
  3. Mr. Guido Masutti, Riverview Avenue, Woodbridge; and
  4. Ms. Elisa Testa, Bruce Street, Woodbridge, representing the York Region District School Board.
- 3) That the coloured elevation drawings submitted by the applicant be received.

Report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated April 5, 2016.

**Recommendation**

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.13.012 (Camelot on 7 Inc.) BE APPROVED, to amend Zoning By-law 1-88 on the subject lands shown on Attachments #2 and #3, specifically to rezone the subject lands from R1 Residential Zone to RA3 Apartment Residential Zone in the manner shown on Attachment #3, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report;
2. THAT prior to the enactment of the implementing Zoning By-law the Owner shall provide an updated Community Plan to the satisfaction of the Development Planning Department that shall be displayed within the Sales Office for the mixed-use apartment building;
3. THAT Site Development File DA.15.057 (Camelot on 7 Inc.) BE APPROVED, to permit the development of the subject lands shown on Attachments #2 and #3 with a tiered 7-storey mixed-use residential building consisting of 119 residential units, 609 m<sup>2</sup> of ground floor commercial uses, and 171 parking spaces located within 2 levels of underground parking as shown on Attachments #4 to #7 inclusive, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Agreement:
    - i) the Vaughan Development Planning Department shall approve the final site plan, building elevations, landscape plan and landscape cost estimate;
    - ii) the Vaughan Development Engineering and Infrastructure Planning Services Department shall approve the final site grading and servicing plans, stormwater management report, and functional servicing report;
    - iii) the Owner shall satisfy all requirements of the York Region Community Planning and Development Services Department; and
    - iv) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
4. THAT Site Development File DA.15.057 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 119 residential units (261 persons equivalent); and
5. THAT the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy.

**Contribution to Sustainability**

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- bicycle parking to promote an alternative mode of transportation
- the use of building materials with a high recycled content
- a three-stream waste management system
- the use of Low E-glazing
- drought tolerant native landscape species
- energy efficient lighting
- low-albedo roofing material

### **Economic Impact**

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

### **Communications Plan**

On October 11, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the Vaughanwood Ratepayers' Association and Woodbridge Core Ratepayers' Association, the latter which is no longer active. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocol.

On November 5, 2013, a Public Hearing was held for Zoning By-law Amendment File Z.13.012. At the Public Hearing, deputations and/or written submissions were received from the following individuals:

- Mr. Guido Masutti, Riverview Avenue, Woodbridge;
- Ms. Mary Mauti, Forest Circle Court, Woodbridge;
- Ms. Clara Astolfo, Vaughanwood Ratepayers' Association, Francis Street, Woodbridge;
- Ms. Elisa Testa, Bruce Street, Woodbridge;
- Mr. Donald Morrison, Wigwoss Drive, Woodbridge;
- Ms. Sandra Morrison, Wigwoss Drive, Woodbridge;
- Ms. Teresa Marando, Forest Circle Court, Woodbridge;
- Mr. Flavio Comberlato, Forest Circle Court, Woodbridge;
- Mr. Hesam Ahmad, Forest Circle Court, Woodbridge;
- Ms. Emily Prangle, Forest Circle Court, Woodbridge;
- Ms. Gurbinder Kaur Singh, Forest Circle Court, Woodbridge;
- Mr. Massimo Giannetti, Forest Circle Court, Woodbridge;
- Mr. Larry Berenz, Bruce Street, Woodbridge;
- Mr. Oliver Dawson, Monsheen Drive, Vaughan;
- Mr. Salvatore Marando, Forest Circle Court, Woodbridge;
- Mr. Peter Vona, Forest Circle Court, Vaughan;
- Mr. Frank Mills, Park Lawn Corporation, Linelle Street, Toronto;
- Mr. Francis Dawson, Monsheen Drive, Vaughan;
- Ms. Elena D'Alessio, Wigwoss Drive, Vaughan;
- Ms. Adriana Furlan, Forest Circle, Woodbridge;
- Ms. Erminia Lombardi, and on behalf of Mr. James Coburn, Ms. Diana Lombardi and Ms. Lucia Lombardi, Bruce Street, Woodbridge;
- Mr. Alberto Milan, Forest Circle Court, Woodbridge; and,
- Ms. Susan Morgan, Forest Circle Court, Woodbridge.

The following is a summary of the comments received and concerns raised at the Public Hearing on November 5, 2013:



- i) The proposed building height, density and overall size of the development is excessive: The Owner has revised their proposal and reduced the proposed building height from 10-storeys to 7-storeys and reduced the Floor Space Index (FSI) from 3.6 to 2.5 times the area of the lot. The reduced building height and FSI have reduced the overall massing and size of the proposed mixed-use residential building and the overall impact on the surrounding development and is in keeping with similar development on Regional Road 7. The proposed development conforms with the height and density provisions in Vaughan Official Plan 2010 (VOP 2010). This issue is further discussed in the Official Plan and Site Plan sections of this report.
- ii) The safety of the proposed access driveway onto Regional Road 7: Regional Road 7 is under the jurisdiction of York Region. The Region has no objection to access being granted onto Regional Road 7 for this development. York Region has identified that Regional Road 7 is a Regional Rapid Transit Corridor and has a planned 45 m right-of-way and that the proposed driveway access onto Regional Road 7 will be restricted in the long term to a right-in, right-out access.
- iii) Privacy for neighbouring residents: The Owner originally proposed a 10-storey mixed-use residential building and has reduced the proposed building height to 7-storeys to address the concerns of the public. The proposed mixed-use residential building is setback approximately 19.2 m from the existing residential development to the north of the subject lands and maintains a 45 degree angular plane from the northern property line, as shown on Attachment #6, thereby, minimizing the impact to the properties to the north. The Owner is proposing landscape screening along the north and east property lines, to further mitigate any impact onto the existing development to the north.
- iv) Increased traffic: Traffic issues are addressed in the Vaughan Development Engineering and Infrastructure Planning Department section of this report.
- v) Protection of the Mature Trees: The Owner is proposing to replace various mature trees on the subject lands. The Owner has proposed an enhanced landscape treatment along Regional Road 7 and along the northerly and easterly property lines. This issue is further discussed in the Site Plan section of this report.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 5, 2013, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 19, 2013.

In addition, Council ratified that “Staff also report on the possibility of an Interim Control By-law for the area”. Development Planning staff consulted with the York Region Community Planning and Development Services Department and have concluded that an Interim Control By-law is not necessary for this section of Regional Road 7 from Pine Valley Drive to Islington Avenue as this area is located within a transit corridor and can support “Mid-Rise Mixed-use” development through the review of individual site plan applications. The review of access driveway locations and traffic will be considered on a site by site basis and will depend on the individual development being proposed. In addition, should an Interim Control By-law be passed it would freeze all development rights within the study area for a period of one year, with the possible extension of another year, for a total of two years. Development Planning staff do not encourage that development rights be put on hold for the area because it is located along a planned York Region transit corridor wherein compact urban development is accommodated for and would achieve the vision and goals of VOP 2010. Further, if Council were to enact an Interim Control By-law and upon its expiry of 2 years, the area subject to the Interim Control By-law would not be subject to further study for a period of 3 years. The City of Vaughan will be conducting a Municipal Comprehensive Review of VOP 2010 and may further review this section of Regional Road 7 at that time.

On March 16, 2016, the Vaughan Development Planning Department mailed a courtesy notice of this Committee of the Whole meeting to all individuals that either made a deputation at the Public Hearing, submitted correspondence in regard to the applications or requested a notice of a future meeting

regarding these applications.

### **Purpose**

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3, to facilitate the development of the subject lands with a tiered 7-storey mixed-use residential building consisting of 119 residential units, 609 m<sup>2</sup> of ground floor commercial uses and 171 parking spaces within 2 levels of underground parking, as shown on Attachments # 3 to #7:

1. Zoning By-law Amendment File Z.13.012, to amend Zoning By-law 1-88, specifically to rezone the subject lands from R1 Residential Zone to RA3 Apartment Residential Zone in the manner shown on Attachment #3, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report.
2. Site Development File DA.15.057 to permit the development of the subject lands with a tiered 7-storey mixed-use residential and commercial building as shown on Attachments #3 to #7.

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

#### *Synopsis:*

*The Owner is proposing to develop the subject lands with a tiered 7-storey mixed-use building consisting of 119 residential units, 609 m<sup>2</sup> ground floor commercial uses and 171 parking spaces within 2 levels of underground parking as shown on Attachments #3 to #7, inclusive. The Vaughan Development Planning Department supports the Zoning By-law Amendment and Site Development Applications as they will facilitate a development that conforms to the Vaughan Official Plan 2010, is compatible with the surrounding uses and represents good planning.*

#### Location

The subject lands shown on Attachments #2 and #3, are located on the north side of Regional Road 7, east of Islington Avenue, and are municipally known as 4902 and 4908 Regional Road 7. The surrounding land uses are shown on Attachment #2.

#### Land Use Policies/Planning Considerations

#### Official Plan

The subject lands are designated “Mid-Rise Mixed-Use” by City of Vaughan Official Plan 2010 (VOP 2010). This designation permits a mix of residential, retail, community and institutional uses and a maximum building height of 7-storeys and a FSI of 2.5 times the area of the lot, on the subject lands.

The subject lands were previously subject to a VOP 2010 site-specific appeal related to the permitted height and density on the subject lands. On November 26, 2015, the Ontario Municipal Board Order modified Schedule 13 of VOP 2010 to increase the maximum permitted building height and FSI from 6-storeys to 7-storeys and from 2 to 2.5 FSI, respectively.

The “Mid-Rise Mixed-Use” designation requires that the ground floor frontage of a building facing an arterial street (e.g. Regional Road 7) shall predominantly consist of retail uses or other active uses to animate the street. The proposal includes 609 m<sup>2</sup> of ground floor commercial uses facing Regional Road 7.

The “Mid-Rise Buildings” criteria of VOP 2010 requires that buildings over 6-storeys shall be designed with a pedestrian-scaled podium, generally between 3 to 6 storeys in height and taller building elements shall be generally setback from the podium a minimum of three metres along the public street frontage. In addition, the criteria requires that “Mid-Rise Buildings” be setback a minimum of 7.5 m and shall be contained within a 45 degree angular plane measured from the property line

abutting those house form buildings to the north. The proposed building is 6 storeys adjacent to Regional Road 7 and tiers back at the 7<sup>th</sup> storey element by 7.8 m. The mechanical penthouse is not counted as a storey. The proposed building has a rear yard setback of 19.2 m and is contained within the 45 degree angular plane from the rear lot line.

The application to rezone the subject lands to RA3 Apartment Residential Zone as shown on Attachment #3, together with site-specific zoning exceptions identified in Table 1 to facilitate the proposed development will implement VOP 2010, and therefore, conforms to the Official Plan.

### Zoning

The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88. An amendment to Zoning By-law 1-88 is required to rezone the subject lands from R1 Residential Zone to RA3 Apartment Residential Zone, in the manner shown on Attachment #3, and to permit the following site-specific zoning exceptions:

Table 1:

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, RA3 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone</b>
a.	Permitted Uses in a RA3 Apartment Residential Zone	<ul style="list-style-type: none"> <li>Apartment Dwelling;</li> <li>Day Nursery;</li> <li>Home Occupation;</li> <li>Private Home Day Care;</li> <li>Private Home Tutoring.</li> </ul>	<p>Permit the following additional uses:</p> <ul style="list-style-type: none"> <li>Business or Professional Office with a maximum of 609 m<sup>2</sup> of GFA on the ground floor fronting onto Regional Road 7 only</li> <li>A “Gas Regulator Station” in the front yard.</li> </ul>
b.	Minimum Parking Requirements	<p>119 units @ 1.5 spaces/unit = 179 spaces</p> <p>+ 119 units @ 0.25 visitor spaces/unit = 30 spaces</p> <p>+ 609 m<sup>2</sup> Commercial GFA @ 6 spaces/100 m<sup>2</sup> = 37 spaces</p> <p>Total Parking Required = 246 spaces</p>	<p>119 units @ 1.12 spaces/unit = 134 spaces</p> <p>+ 119 units @ 0.2 visitor spaces/unit = 24 spaces</p> <p>+ 609 m<sup>2</sup> Commercial GFA @ 2.1 spaces/100 m<sup>2</sup> = 13 spaces</p> <p>Total Parking Proposed = 171 spaces</p>
c.	Minimum Long Term and Short Term Bicycle Parking	Minimum Bicycle Parking applies to the Vaughan Metropolitan Centre only	<p>Apply the following Bicycle Parking requirements on the subject lands:</p> <p><u>Residential Uses</u> Long Term:</p>

	By-law Standard	Zoning By-law 1-88, RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone
			<p>119 units @ 0.5 spaces/unit = 60 spaces + Short Term: 119 units @ 0.2 spaces/unit = 24 spaces</p> <p>Total Residential Bicycle spaces = 84 spaces</p> <p><u>Commercial Uses</u> Long Term 609 m<sup>2</sup> @ 0.1 spaces/ 100 m<sup>2</sup> = 1 space + Short Term 609 m<sup>2</sup> @ 0.1 spaces/ 100 m<sup>2</sup> = 1 space Or 6 spaces whichever is greater</p> <p>Total Commercial Bicycle spaces = 7 spaces</p> <p>Total Bicycle spaces proposed = 91 spaces</p>
d.	Minimum Front Yard Setback (Regional Road 7)	7.5 m	<p>0 m (Stairs, Walkway and Canopy)</p> <p>1.5 m (2<sup>nd</sup> Floor Terrace)</p> <p>4.5 m (6<sup>th</sup> Floor Terrace)</p>
e.	Minimum Interior Side Yard (East Side)	14.3 m	<p>0 m (Stairs and Walkway)</p> <p>4.5 m (6<sup>th</sup> Floor Terrace)</p>
f.	Minimum Interior Side Yard (West Side)	14.3 m	<p>3.5 m (6<sup>th</sup> Floor Terrace)</p>
g.	Minimum Front Yard Setback to	1.8 m	0 m

	By-law Standard	Zoning By-law 1-88, RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone
	Underground Parking Structure		
h.	Minimum Setback of Retaining Wall (southeast corner)	1.8 m	0 m
i.	Minimum Amenity Area	3,570 m <sup>2</sup>	1,542 m <sup>2</sup>
j.	Minimum Lot Area per Unit	67 m <sup>2</sup>	33.2 m <sup>2</sup>

The Vaughan Development Planning Department can support the proposed site-specific zoning exceptions to the RA3 Apartment Residential Zone for the following reasons:

a) Commercial Uses

The proposed at grade Business or Professional Office use will provide an active use located at grade and fronting onto Regional Road 7 to animate the public frontage and provide an opportunity for users to utilize transit services.

b) Parking and Bicycle Requirements

The Owner submitted a Transportation Study and TDM Plan Parking Study dated January 2015, prepared by Paradigm Transportation Solutions Limited. The Vaughan Development/ Engineering and Infrastructure Planning (DEIP) Department has reviewed the parking study and has no objection to the proposed parking supply and the inclusion of a minimum bicycle parking requirement for the proposed development. This matter is further discussed in the Development Engineering and Infrastructure Planning Department section of this report.

c) Minimum Lot Area and Amenity Area/Unit

The proposed amenity space corresponds to the overall massing of the building in relation to the size of the subject lands, which is supported by VOP 2010 regarding intensification, and therefore, can be supported by the Vaughan Development Planning Department. Similarly, reducing the minimum lot area per unit encourages compact urban development on efficient-sized parcels of land being 0.39 ha, which can also be supported.

d) Building Setbacks

The proposed building setbacks will facilitate a development with a strong urban edge and attractive public realm, encourage pedestrian use and activates the streetscape of the planned Regional Rapidway Corridor along Regional Road 7.

Site Design

The Owner has submitted Site Development File DA.15.057 to facilitate the development of a tiered 7-storey mixed-use building consisting of a total of 119 residential apartment units and 609 m<sup>2</sup> of at

grade commercial uses. The development includes 171 parking spaces comprised of 134 residential parking spaces, 24 visitor parking spaces, and 13 commercial spaces, located in two levels of underground parking. Long term and short term bicycle parking spaces are proposed including 84 residential use spaces and 7 office use spaces. The proposed 1,554 m<sup>2</sup> amenity area includes a common patio area, rear landscaped area and common green amenity space, as shown on Attachment #3.

The development will gain access from Regional Road 7. The access will be restricted to a right-in, right-out access once the Regional Road 7 Rapidway has been constructed. Construction timing for this section of Regional Road 7 will be determined at a later date by York Region once funding is established. The proposed development incorporates elements of pedestrian connectivity, including but not limited to providing enhanced entrances and minimal setback to Regional Road 7, which provides a prominent and visible street presence. The entrance to the commercial space is located along the Regional Road 7 frontage and provides for a more interactive pedestrian presence within this area.

The proposed building elevations are shown on Attachments #5 to #7 and consist primarily of light grey precast paneling, dark grey brick veneer, black granite stone veneer and clear and spandrel glazing. The commercial entrance along the ground floor utilizes clear glazing.

The landscape plan shown on Attachment #4 consists of a mix of deciduous and coniferous trees, shrubs and grasses located within the rear and common amenity areas of the development. The Owner is proposing a landscape treatment along the east and west sides of the building. The Owner is also proposing an enhanced landscape treatment along the Regional Road 7 frontage and within the proposed Regional right-of-way. The proposed landscaping treatment within the Regional right-of-way will be maintained by the Region of York as confirmed by the York Region Community Planning and Development Services Department.

Future snow removal and clearing, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Condominium Corporation.

The Development Planning Department requires the Owner to submit an updated Community Plan for the area prior to the enactment of the implementing Zoning By-law to the satisfaction of the Development Planning Department. The Community Plan shall be displayed in the sales office for the mixed-use apartment building. A condition to this effect is included in the recommendation of this report.

The Vaughan Development Planning Department is satisfied with the proposed development as shown on Attachments #3 to #7 inclusive, subject to the finalization of the site plan, building elevations and landscape plans. A condition to this effect is included in the recommendation of this report.

#### Vaughan Design Review Panel

The original development concept was considered by the Vaughan Design Review Panel (DRP) on May 30, 2013. Since that time, the Owner revised the development to reduce the proposed building height, density and number of units to address concerns raised by the DRP, City Staff and residents. The revised development proposal was further considered by the DRP on October 29, 2015, of which the following comments and suggestions (in part) were provided by the DRP for consideration:

1. The DRP recognized that the project is situated on a challenging site and that the proposal does show improvement from the first submission.
2. The emphasis on the potential for the proposed ground floor office space to be redesigned to allow for a future change of use to other commercial uses, therefore, the DRP requested that the front elevation be enhanced for a more active and pedestrian friendly façade.

3. The west elevation, facing the cemetery and community centre, is a highly visible façade. The elevations should be revised to present a more dignified architecture.
4. It was requested that more replacement trees be provided and more intensive landscape investment along Regional Road 7.
5. The residential lobby should be brought to the southwest corner of the building. The residential entrance should address and have prominence on Regional Road 7

The Owner has revised the application to respond to the issues and concerns raised by the DRP. The changes include the relocation of the residential entrance to the front façade, a revised west elevation, a more prominent commercial frontage along Regional Road 7, and a revised landscape treatment along Regional Road 7.

Vaughan Development Engineering and Infrastructure Planning Department

The Vaughan Development Engineering and Infrastructure Planning Department (DEIP) has provided the following comments:

a) Sewage and Water Allocation

On May 19, 2015, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Accordingly, servicing capacity for the proposed development is available and unrestricted, and a recommendation to allocate servicing capacity for a total of 119 residential units (261 persons equivalent) is provided in this report.

b) Parking Study

The Vaughan DEIP Department has reviewed the Parking Study submitted in support of the applications, dated January 2015, and is satisfied with the overall parking supply of 171.

c) Traffic Study

The DEIP Department has reviewed the Traffic Study, and concur with the findings and recommendations of the study.

d) Bicycle Parking

The Owner is proposing 91 bicycle parking spaces. There will be 60 long term and 24 short term residential bicycle parking spaces and 1 long term and 6 short term commercial bicycle parking spaces, which is satisfactory to the DEIP Department.

The Vaughan DEIP Department has no objection to the approval of the Zoning By-law Amendment and Site Plan applications. The Vaughan DEIP Department must approve the final site grading and servicing plan and stormwater management report, submitted in support of the applications. A condition to this effect is included in the recommendation of this report.

Vaughan Environmental Services Department

The Owner must satisfy the Waste Management Division's requirements. A condition to this effect is included in the recommendation of this report. Garbage and recycling pick-up will be privately administered, and shall be the responsibility of the Condominium Corporation.

Vaughan Legal Services Department, Real Estate Division

The Legal Services Department, Real Estate Division, has advised that the Owner by way of certified cheque, shall pay cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is

higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy. A condition to this effect is included in the recommendation of this report.

**Toronto and Region Conservation Authority**

The Toronto and Region Conservation Authority (TRCA) has advised that they have no objections to the approval of Zoning By-law Amendment File Z.13.012 and Site Development File DA.15.057. The Owner must satisfy all requirements and successfully obtain a TRCA Permit under Ontario Regulation 166/06, prior to the issuance of a municipal Building Permit. A condition to this effect is included in the recommendation of this report.

**School Boards**

The York Region District School Board and York Region Catholic District School Board have no objection to the approval of these applications.

**Canada Post**

Canada Post has advised that the Owner must supply, install and maintain a centralized mailbox facility to Canada Post's specifications.

**Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This report supports the following priorities set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Continue to develop transit, cycling and pedestrian options to get around the City
- Re-establish the urban tree canopy
- Continue to ensure the safety and well-being of citizens
- Attract investment and create jobs
- Continue to cultivate an environmentally sustainable City

**Regional Implications**

York Region has no objection to the approval of the Zoning By-law Amendment and Site Development applications. The subject lands are designated "Urban Area" in the Region's Official Plan. The subject lands are located on Regional Road 7, which is a Regional Rapid Transit corridor (Regional Rapidway). Once the Regional Rapidway is constructed, access to the site from Regional Road 7 will be restricted to right-in, right-out movements only. The Rapidway construction timing for this section of Regional Road 7 will be established once funding is in place. The Owner will be required to fulfill all requirements of the York Region Community Planning and Development Services Department, including the execution of a Regional Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

**Conclusion**

Zoning By-law Amendment File Z.13.012 and Site Development File DA.15.057 have been reviewed in accordance with Vaughan Official Plan 2010, Zoning By-law 1-88, comments from City departments and external public agencies, and the area context. The proposed rezoning of the subject lands together with the site-specific exceptions to the RA3 Apartment Residential Zone identified in Table 1 of this report, and the Site Development application to facilitate a proposed 7-storey mixed-use residential and commercial building conforms to Vaughan Official Plan 2010 (VOP 2010), and facilitates a development that is compatible with the existing and planned uses in the surrounding area. On this basis, the Vaughan Development Planning Department can support the applications, subject to the recommendations in this report.

**Attachments**



1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. North & South Elevations
6. East & West Elevations
7. Rendered Perspective
8. Communication C5 from the Committee of the Whole meeting of April 5, 2016.
9. Communication C6 from the Committee of the Whole meeting of April 5, 2016.
10. Communication C7 from the Council meeting of May 17, 2016.

**Report prepared by:**

Mary Caputo, Senior Planner, ext. 8215

(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.)

**110. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**SPECIAL FINANCE, ADMINISTRATION AND AUDIT COMMITTEE REPORT NO. 8**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 6      NORTH MAPLE REGIONAL PARK  
                    PHASE 1 PROCUREMENT PLAN, BUDGET AMENDMENT AND  
                    CONSOLIDATION  
                    WARD 1

MOVED by Regional Councillor Ferri  
seconded by Councillor DeFrancesca

THAT Item 6, Special Finance, Administration and Audit Committee Report No. 8 be adopted and amended, as follows:

By approving Option 3, as outlined in Communication C9, from the Deputy City Manager, Planning & Growth Management, dated June 27, 2016, at a cost of up to \$300 per square foot.

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

NAYS

Councillor Shefman  
Councillor Yeung Racco  
Regional Councillor Rosati  
Regional Councillor Di Biase  
Mayor Bevilacqua  
Regional Councillor Ferri  
Councillor DeFrancesca  
Councillor Carella  
Councillor Iafrate

**COMMITTEE OF THE WHOLE REPORT NO. 27**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 3            SITE DEVELOPMENT FILE DA.14.090  
PRIMA VISTA ESTATES INC.  
WARD 3 - VICINITY OF TESTON ROAD AND PINE VALLEY DRIVE

MOVED by Councillor DeFrancesca  
seconded by Regional Councillor Di Biase

THAT Item 3, Committee of the Whole Report No. 27 be adopted and amended, as follows:

By approving that consideration of this matter be deferred until such time as the site plan application comes forward for the property;

By receiving Communication C12, from the Deputy City Manager, Planning & Growth Management, dated June 27, 2016; and

By receiving the coloured elevation drawings submitted by the applicant.

CARRIED

ITEM - 4            SITE DEVELOPMENT FILE DA.16.017  
ZONING BY-LAW AMENDMENT FILE Z.16.017  
THE REGIONAL MUNICIPALITY OF YORK  
C/O YORK REGION RAPID TRANSIT CORPORATION  
WARD 4 - VICINITY OF APPLE MILL ROAD AND MILLWAY AVENUE

MOVED by Councillor Yeung Racco  
seconded by Regional Councillor Ferri

THAT Item 4, Committee of the Whole Report No. 27 be adopted and amended, as follows:

By approving the following:

- 1) That the recommendation contained in the report of the Deputy City Manager, Planning and Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated June 21, 2016, be approved subject to the following in accordance with Communication C6, from the Deputy City Manager, Planning and Growth Management, dated June 24, 2016:
  1. THAT Recommendation #1a) iii) in the report by the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning dated June 21, 2016, Item #4 of Report 27, be deleted and replaced with the following:

“iii) the Owner shall obtain the necessary rights, or make the appropriate arrangements and or enter into the required agreement(s) to facilitate the required exception to Zoning By-law 1-88, as identified in Table 1 of this report, with regard to obtaining a secondary access to Portage Parkway over the lands to the northwest, to the satisfaction of the City;
  2. THAT the third paragraph of the Zoning section in the report by the Deputy City Manager, Planning & Growth Management, Director of Development

Planning, and Senior Manager of Development Planning dated June 21, 2016, Item #4 of Report 27, be deleted and replaced with the following:

“Should Vaughan Council approve the subject applications, the Owner shall obtain the necessary rights, or make the appropriate arrangements and or enter into the required agreement(s) to facilitate the required exception to Zoning By-law 1-88, as identified in Table 1 of this report, with regard to obtaining a secondary access to Portage Parkway over the lands to the northwest, to the satisfaction of the City. A condition to this effect is included in the recommendation of this report.”

3. THAT Attachment #3 in the report by the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning dated June 21, 2016, Item #4 of Report 27, be replaced with the Revised Attachment #3 (Context Site Plan), attached hereto, thereby showing the location of the secondary access to Portage Parkway.

CARRIED

ITEM - 12      ZONING BY-LAW AMENDMENT FILE Z.15.026  
DRAFT PLAN OF SUBDIVISION FILE 19T-15V008  
DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS)  
FILE 19CDM-15V004  
SITE DEVELOPMENT FILE DA.15.055  
MADISON LEGACY LIMITED  
WARD 4 - VICINITY OF BATHURST STREET AND LEBOVIC CAMPUS  
DRIVE

MOVED by Councillor Yeung Racco  
seconded by Regional Councillor Rosati

THAT Item 12, Committee of the Whole Report No. 27 be adopted and amended, as follows:

By approving the following in accordance with Communication C7, from the Deputy City Manager, Planning & Growth Management, the Deputy City Manager of Public Works and the Director of Development Engineering and Infrastructure Planning, dated June 24, 2016:

1. That the limits for the planned temporary road closure of Lebovic Campus Drive be extended to Ilan Ramon Boulevard to facilitate the construction of the municipal services associated with the Madison Legacy Limited Subdivision, 19T-15V008, subject to the necessary agreements and permits being in place to the satisfaction of the City.

CARRIED

ITEM - 16      HIGHWAY 427 EXPANSION PROJECT UPDATE  
WARD 2 - WEST VAUGHAN EMPLOYMENT AREA

MOVED by Councillor Iafrate  
seconded by Regional Councillor Ferri

THAT Item 16, Committee of the Whole Report No. 27 be adopted without amendment.

CARRIED

Having previously declared an interest Councillor Carella did not take part in the discussion or vote on the foregoing matter.

**ITEM - 28      METROLINX REGIONAL EXPRESS RAIL - BARRIE RAIL CORRIDOR  
EXPANSION UPDATE CITY-WIDE**

MOVED by Councillor Yeung Racco  
seconded by Councillor Iafrate

THAT Item 28, Committee of the Whole Report No. 27 be adopted and amended, as follows:

By approving the following in accordance with Communication C10, from the Deputy City Manager, Planning & Growth Management, dated June 27, 2016:

1.      THAT Council formally request that Metrolinx and the Region of York support efforts to improve the strategic, economic, financial and operations case for the Highway 7 – Concord station through the Concord GO Centre Mobility Hub and Transportation studies, in support of the later inclusion of the Highway 7 – Concord station in the GO RER 10 Year program or in a subsequent implementation phase;
2.      THAT Council formally request that Metrolinx and the Region of York support efforts to advance the implementation of Kirby station;
3.      THAT Metrolinx be requested to implement a comprehensive communication plan for RER Implementation in consultation with City staff which may include public meetings;
4.      THAT Council formally request that Metrolinx and the Region of York work with City Staff to identify immediate short term Station Parking and Access solutions at the Rutherford and Maple GO stations to address current parking and station access pressure; and
5.      THAT Metrolinx and the Region be requested to include consideration for additional grade separation crossings on Vaughan roads, specifically, McNaughton, Rivermede and Kirby Road, as part of RER implementation.

CARRIED

Having previously declared an interest Regional Councillor Di Biase did not take part in the discussion or vote on the foregoing matter.

**ITEM - 29      SITE DEVELOPMENT FILE DA.16.049  
TORONTO YORK SPADINA SUBWAY EXTENSION (TYSSE)  
PIONEER VILLAGE STATION (PHASE II) - FORMERLY STEELES WEST  
STATION  
THE REGIONAL MUNICIPALITY OF YORK AND INFRASTRUCTURE  
ONTARIO  
C/O THE TORONTO TRANSIT COMMISSION  
WARD 4 - VICINITY OF JANE STREET AND STEELES AVENUE WEST**

MOVED by Councillor Yeung Racco  
seconded by Councillor Shefman

THAT Item 29, Committee of the Whole Report No. 27 be adopted and amended, as follows:

By approving the following in accordance with Communication C4, from the Deputy City

Manager, Planning & Growth Management, dated June 24, 2016:

1. THAT Recommendation #1 in the report by the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning dated June 21, 2016, Item #29 of Report 27, as amended by Communication No. C7 be approved.
2. THAT Recommendation #2 in the report by the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning dated June 21, 2016, Item #29 of Report 27, be deleted and replaced with the following:
  - “2. THAT staff report back to Vaughan Council pending further consultation with City departments, York Region, the Toronto Transit Commission and the Toronto and Region Conservation Authority on the naming of Street “C”.
3. THAT the Street Name section in the report by the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning dated June 21, 2016, Item #29 of Report 27, be deleted.

CARRIED

ITEM - 48      EXTENDED RECRUITMENT FOR  
APPOINTMENT OF CITIZEN REPRESENTATIVES FROM WARDS 1, 2  
AND 4  
TO THE CANADA 150 CELEBRATION TASK FORCE

MOVED by Councillor DeFrancesca  
seconded by Councillor Yeung Racco

THAT Item 48, Committee of the Whole Report No. 27 be adopted and amended, as follows,  
and the confidential Committee of the Whole recommendations made public:

By receiving Confidential Communication C5, from the City Clerk, dated June 24, 2016.

CARRIED

#### **COMMITTEE OF THE WHOLE (PUBLIC HEARING) REPORT NO. 28**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 2      OFFICIAL PLAN AMENDMENT FILE OP.16.001  
ZONING BY-LAW AMENDMENT FILE Z.16.001  
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V002  
2464879 ONTARIO INC. (CITY PARK HOMES)  
WARD 5 - VICINITY OF DUFFERIN STREET AND CENTRE STREET

MOVED by Councillor DeFrancesca  
seconded by Regional Councillor Di Biase

THAT Item 2, Committee of the Whole (Public Hearing) Report No. 28 be adopted and  
amended, as follows:

By approving that recommendation 1) of the Committee of the Whole (Public Hearing)

## COUNCIL MEETING MINUTES – JUNE 28, 2016

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meeting of June 21, 2016, be replaced with the following amended recommendation:

- 1) That recommendation 1. contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated June 21, 2016, be approved; and

By receiving Communication C1, from Mr. J. Greco, Concord Food Centre, Centre Street, Thornhill, dated June 23, 2016.

### AMENDMENT

Moved by Councillor Yeung Racco  
seconded by Councillor Shefman

THAT Item 2, Committee of the Whole (Public Hearing) Report No. 28 be further amended, as follows:

By approving that staff bring back an interim report for the northeast corner of the secondary plan to the Committee of the Whole meeting of December 6, 2016.

### FAILED TO CARRY UPON A RECORDED VOTE

#### YEAS

Councillor Shefman  
Councillor Yeung Racco  
Mayor Bevilacqua  
Councillor Iafrate

#### NAYS

Regional Councillor Rosati  
Regional Councillor Di Biase  
Regional Councillor Ferri  
Councillor DeFrancesca  
Councillor Carella

### Voting upon the main motion:

### CARRIED UPON A RECORDED VOTE

#### YEAS

Regional Councillor Rosati  
Regional Councillor Di Biase  
Regional Councillor Ferri  
Councillor DeFrancesca  
Councillor Carella

#### NAYS

Councillor Shefman  
Councillor Yeung Racco  
Mayor Bevilacqua  
Councillor Iafrate

### Addendum Items

111. **ZONING BY-LAW AMENDMENT FILE Z.14.026**  
**SITE DEVELOPMENT FILE DA.15.056**  
**FCF OLD MARKET LANE 2013 INC.**  
**WARD 2- VICINITY OF WOODBRIDGE AVENUE AND WALLACE STREET**  
(Addendum No. 3)

MOVED by Regional Councillor Rosati  
seconded by Councillor Iafrate

That the following be approved in accordance with Communication C8 from the City Solicitor, dated June 24, 2016:

1. That this matter be deferred to the Committee of the Whole meeting of September 7, 2016 to allow for continued review, analysis, and consultation with respect to the Technical Memorandum prepared by MTBA Associates Inc. and Letourneau Heritage Consulting Inc. regarding a design mitigation review of the proposed development and the conservation of the heritage resources.

CARRIED

MOVED by Councillor Carella  
seconded by Regional Councillor Ferri

That this matter be reconsidered.

CARRIED UPON A 2/3 VOTE

MOVED by Regional Councillor Rosati  
seconded by Councillor Iafrate

That the following be approved in accordance with Communication C8 from the City Solicitor, dated June 24, 2016:

1. That this matter be deferred to the Committee of the Whole meeting of September 7, 2016 to allow for continued review, analysis, and consultation with respect to the Technical Memorandum prepared by MTBA Associates Inc. and Letourneau Heritage Consulting Inc. regarding a design mitigation review of the proposed development and the conservation of the heritage resources.

CARRIED

**Recommendation**

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.14.026 (FCF Old Market Lane 2013 Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone and C1 Restricted Commercial Zone as shown on Attachment #2 to RA2(H) Apartment Residential Zone with the Holding Symbol "(H)" to facilitate a mixed-use apartment building with a total of 119 residential units, 705 m<sup>2</sup> of ground related commercial uses and the restoration, retention and relocation of portions of 2 existing heritage buildings as shown on Attachments #3 to #8, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT the implementing Zoning By-law shall include a provision that the Holding Symbol "(H)" shall not be removed from the subject lands until the following condition is addressed to the satisfaction of the City of Vaughan:
  - a) The Owner shall carry out the Environmental Site Assessment (ESA) clearance to completion, up to and including the satisfactory registration of a Record of Site Condition (RSC) for the subject lands, the proof of which requires two (2) documents: a hard copy of the RSC signed by a Qualified Person; and an Acknowledgement Letter from the Ministry of the Environment and Climate Change confirming the filing of the RSC on the Environmental Site Registry. The ESA clearance shall also include submission of all ESA reports relied upon for the filing of the RSC.

3. THAT the implementing Zoning By-law shall include provisions respecting density bonusing, including but not limited to, the conservation and restoration of the Thomas Frazier Wallace House and the Dr. Peter McLean House, the Privately Owned Public Space, Streetscape Improvements along Woodbridge Avenue and Wallace Street and \$100,000.00 cash contribution for community benefits and enhanced streetscaping on Woodbridge Avenue that will be implemented through an executed Density Bonusing Agreement between the Owner and the City of Vaughan, prior to the issuance of a Building Permit, in accordance with Section 37 of the *Planning Act R.S.O. 1990* to the satisfaction of the Deputy City Manager, Planning & Growth Management.
4. THAT the implementing Zoning By-law shall not be enacted and the Site Development Agreement shall not be executed until the Ontario Municipal Board issues a final Order regarding the site-specific VOP 2010 appeal on the subject lands and that the implementing Zoning By-law and Site Development drawings shall conform to the OMB's decision.
5. THAT prior to the enactment of the implementing Zoning By-law the Owner shall provide an updated Community Plan to the satisfaction of the Development Planning Department that shall be displayed within the Sales Office for the mixed-use apartment building.
6. THAT Site Development File DA.15.056 (FCF Old Market Lane 2013 Inc.) BE APPROVED, to permit the development of the subject lands shown on Attachments #1 and #2 with a mixed-use apartment building comprised of a total of 119 residential units and 705 m<sup>2</sup> of ground related commercial uses and the retention, restoration and relocation of portions of 2 existing heritage dwellings, as shown on Attachments #3 to #8, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Agreement:
    - i) the Vaughan Development Planning Department shall approve the final site plan, building elevations, commercial signage, landscape plan and landscape cost estimate including the cost of the Privately Owned Public Space (POPS);
    - ii) the Vaughan Development Planning Department shall approve the programming and design of the Privately Owned Public Space;
    - iii) the Owner shall revise the design of the proposed building connections between the relocated heritage dwellings and the main building to a more suitable and appropriate design that complements the heritage architecture to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division; and,
    - iv) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site grading and servicing plans, stormwater management report, functional servicing report, traffic study and Environmental Noise Assessment;
  - b) the implementing Site Plan Agreement shall include the following clauses:
    - i) The Owner shall satisfy all requirements with respect to noise attenuation and ensure it is in accordance with the noise features recommended by the revised Report entitled "Noise Feasibility Study 177-197 Woodbridge Avenue, Vaughan, Ontario" prepared by HGC Engineering dated October 22, 2015;
    - ii) The following warning clauses shall be registered on title and be included in all Offers of Purchase and Sale for each residential unit:



- “Purchase/tenants are advised that noise levels due to increasing road traffic on Woodbridge Avenue and rail traffic on the Canadian Pacific Railway (CPR) Mac Tier Subdivision may on occasions interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality’s and the Ministry of the Environment’s noise criteria.”
  - “This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality’s and the Ministry of the Environment and Climate Change’s noise criteria.”
  - “Purchasers or tenants are advised that Canadian Pacific Railway Company (CPR) or its assigns or successors in interest has or have an operating right-of-way including the possibility that the Railway may expand its operations, which expansion may affect the living environment of residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating for complaints measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from uses of its facilities and/or operations on, over or under the aforesaid right-of-ways.”
  - “Purchasers or tenants are advised that due to the proximity of the adjacent commercial/retail facilities, sound levels from the facilities may at times be audible.”
  - “Purchasers or tenants are advised that the Privately Owned Public Open Space is a permanent easement and the responsibility of the future Condominium Corporation. A clause will be included in the Condominium Agreement and Condominium Corporation Declaration.”
- iii) That prior to the issuance of a Building Permit, the Owner shall implement a Transportation Demand Management (TDM) Program to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department and in coordination with York Region, and provide a Letter(s) of Credit to secure the TDM requirements;
- iv) That prior to the issuance of a Building Permit, the Owner shall enter into a Heritage Easement Agreement with the City of Vaughan for the two relocated heritage buildings;
- v) That prior to the issuance of a Building Permit, the Owner shall enter into an Access Easement Agreement with the City of Vaughan for the Privately Owned Public Space (POPS);
- vi) The Owner shall provide a Letter of Credit in the amount calculated at \$125 dollars per square foot for each of the heritage buildings municipally known as 185 and 197 Woodbridge Avenue. Prior to the release of the Letter of Credit, the Owner shall complete the following to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division:
- the proposed work to relocate, maintain and restore portions of the heritage buildings in accordance with the Conservation Plan and the approved Heritage Permit to the satisfaction of the Vaughan

Development Planning Department, Urban Design and Cultural Heritage Division;

- Connect each heritage building to municipal services;
- Verify that the heritage buildings meet the basic standards of occupancy as confirmed by the Chief Building Official;
- Submit final as-built photographs of the exterior and interiors of the heritage buildings on the subject property.

7. *THAT Site Development File DA.15.056 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 119 residential units (261 persons equivalent).*
8. *THAT the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher, in accordance with the Planning Act R.S.O. 1990 and the City's "Cash-in-Lieu Policy".*

### **Contribution to Sustainability**

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- bicycle parking to promote an alternative mode of transportation
- rain water harvesting for irrigation
- the use of building materials with a high recycled content
- a three-stream waste management system
- the use of Low E-glazing on all windows
- drought tolerant native landscape species
- energy efficient lighting
- low-albedo roofing material

### **Economic Impact**

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

### **Communications Plan**

On November 7, 2014, a Notice of Public Hearing for the December 2, 2014, meeting was circulated to all property owners located within the expanded notification area (exceeding the minimum required 150 m) as shown on Attachment #1, to the Village of Woodbridge Ratepayers Association and to the West Woodbridge Homeowners Association. The Notice of Public Hearing was also posted on the

## COUNCIL MEETING MINUTES – JUNE 28, 2016

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City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol.

The recommendation of the Committee of the Whole to receive the Public Hearing report of December 2, 2014, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on December 9, 2014, and included a resolution that a community meeting be organized by the local Ward Councillor with Regional Councillors, the applicant, a selection of ratepayers who spoke at the December 2, 2014, Public Hearing and appropriate City Staff to address the issues raised at the Public Hearing. Deputations, a written submission, and a petition were received from the following individuals:

- Ms. Bettina Palmieri, William Street, Woodbridge
- Ms. Leslie Ann Coles, Wallace Street, Woodbridge
- Mr. Henry Weilenmann, Wallace Street, Woodbridge
- Ms. Liana Vohaitis, Norton Place, Woodbridge
- Ms. Gina Pietrangelo, James Street, Woodbridge
- Ms. Tricia Santaguida, Woodbridge Avenue, Woodbridge
- Ms. Joanna Farrugia, Old Firehall Lane, Woodbridge
- Ms. Sophie Cogliano, Wallace Street, Woodbridge
- Mr. Enzo Iannarelli, Kipling Avenue, Woodbridge
- Mr. Louis De Bellis, Woodbridge Avenue, Woodbridge
- Ms. Pina Sacco, Amos Maynard Circle, Woodbridge
- Mr. Edward Uchimar, James Street, Woodbridge
- Ms. Maria Verna, President, Village of Woodbridge Ratepayers' Association, Woodbridge Avenue, Woodbridge
- Ms. Maria D'Agostino, Old Firehall Lane, Woodbridge, representing the York Region Condominium Corporation 848
- Ms. Josie Fedele, Albany Drive, Woodbridge, representing the West Woodbridge Homeowners Association Inc.
- Mr. Jamie Maynard, William Street, Woodbridge
- Ms. Linda Mae Maxey, Cheltenham Avenue, Woodbridge
- Ms. Deb Schulte, Mira Vista Place, Woodbridge
- Mr. Clarke Wallace, Clarence Street, Woodbridge
- Ms. Elisa Tortola, Woodbridge Avenue, Woodbridge;
- Mr. Jeff Semper, Wallace Street
- Ms. Sarah E. Prospero, Clarence Street, Woodbridge
- Derek and Antoinette Steede, Fairground Lane, Woodbridge
- Ms. Mary Cicchirillo, Woodbridge
- Mr. Yan de Thieulloy, James Street, Woodbridge
- Mr. Steve Woodhall, Fairground Lane, Woodbridge
- Ms. Heather Semper, Wallace Street, Woodbridge
- Mr. William E. Wallis, Woodbridge
- Mrs. Elizabeth Langenberger and Mace Blundell, Park Drive, Woodbridge
- Ms. Rita Cacciola, Woodbridge
- Ms. Martha Bell, Woodbridge
- Mr. David Gilfillan, Park Drive, Woodbridge
- Ms. Doreen Smith, Wallace Street, Woodbridge

On February 11, 18, 26, April 7, and December 9, 2015, community meetings were held at 7:00 p.m. at the Woodbridge Library, wherein local residents, the Woodbridge Ratepayers' Association, City staff and the Local Councillor were in attendance and issues and concerns were identified. The following issues and responses related to the development proposal are identified below with additional information provided throughout this report:

- i) Building height and density: The Owner has made the following changes to the original proposal to respond to the building height concerns discussed at the community meetings:

- the building height has been reduced from 3 to 8-storeys to 2 to 7-storeys to reduce the building mass;
- the height and size of the mechanical penthouse has been minimized to reduce the overall height and mass of the proposed building; and
- the proposed density has been reduced from 417 units per hectare (uph) and 3.28 FSI (Floor Space Index) to 346 uph and 3.0 FSI, which results in a reduction of 15 units.

The Vaughan Development Planning Department is of the opinion that the revisions to the building height, massing, and density results in a development that is compatible with other similar residential apartment buildings such as 53, 83 and 131 Woodbridge Avenue and will encourage a more compact built form and an urban streetscape.

- ii) Architecture is not in keeping with the old Woodbridge character: The Owner has revised the development proposal to reflect and complement the existing “Old Woodbridge Character” of Woodbridge Avenue. Originally a 3-storey podium was proposed at the southwest corner of Woodbridge Avenue and Wallace Street, which has been reduced to a 2-storey podium to respect the existing heritage buildings on site and the existing commercial buildings located east of the subject lands. The ground floor commercial podium, as shown on Attachments #5 to #8, is designed to incorporate large window storefront openings, which is a characteristic of existing commercial buildings in the Woodbridge Heritage Conservation District (HCD). The colour and type of building materials has been revised to reflect similar building materials prevalent in the Woodbridge HCD and chosen to complement the existing heritage buildings located on the site. The Owner proposes to retain, relocate and restore portions of the existing heritage buildings on the site (the Thomas Frazer Wallace House - 185 Woodbridge Avenue and the Dr. Peter McLean House - 197 Woodbridge Avenue). Conformity with the Woodbridge HCD Guidelines is further discussed in the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division section of this report.
- iii) Traffic on Woodbridge Avenue: Traffic issues are addressed in the Vaughan Development Engineering and Infrastructure Planning (DEIP) Department section of this report. The DEIP Department is satisfied that the proposed development will not have a significant impact on traffic.
- iv) Existing mature trees: The Owner has submitted an Arborist report prepared by Bruce Tree Expert Company Ltd. Due to the significant existing grade changes from the north to south and east to west, and the nature of the development proposed for this site, the report states that a large percentage of trees inventoried will have to be removed including all the trees on the interior of the site. The proposed landscape plan shown on Attachment #4 includes on-site landscaping, a Privately Owned Public Space (POPS), and trees within the boulevard area (specifically Karpick and Freeman Maples) along Woodbridge Avenue to enhance the greenscape on the site and along Woodbridge Avenue.
- v) Impact on the surrounding townhouse development: As noted previously, the proposed building height has been reduced to minimize the impacts on the surrounding development. The proposed south side setback to the main building is 7.2 m at the southwest side of the building and 5.7 m at the southeast side of the building as shown on Attachment #3. The modifications made to the proposed development will reduce the impact on the surrounding existing development and is in keeping with other similar apartment building developments located in the Woodbridge Core Area.
- vi) Appropriate outdoor amenity areas: The Owner has revised the proposed building design to include terraces with private amenity areas located on the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 7<sup>th</sup> floors. Also, as a result of comments received at the community meetings, the Owner has incorporated a Privately Owned Public Space (POPS) located between the relocated heritage buildings, as

shown on Attachments #3, #4 and #8. The POPS creates an active green space on Woodbridge Avenue and will animate the street, encourage the use of the heritage buildings and proposed commercial uses.

- vii) Shadowing Impact on north side of Woodbridge Avenue: The Sun/Shadow Study prepared by Bousfield Inc., indicates that the March/September shadow impact is limited in the morning hours to 9:18 am and are almost entirely off the sidewalk by 10:18 a.m., which exceeds the usual performance evaluations of four or five hours of sunlight per day. The original proposal produced a larger shadow on the existing townhouse development to the north for most of the morning hours and retreats from the sidewalk by 1:18 pm, thereby reducing the number of hours of sunlight each day. The Sun/Shadow Study has been reviewed and approved by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.
- viii) The proposed commercial uses will impact existing on-street parking: The proposed development includes sufficient commercial and visitor parking in the underground parking garage. The Vaughan Development Engineering and Infrastructure Planning Department has reviewed the parking study submitted in support of the applications and has no objections to the proposed parking supply, which includes 16 underground parking spaces for the proposed commercial uses. Vaughan Official Plan 2010 promotes a non-auto modal split to encourage more sustainable travel. The total number of parking spaces is consistent with the parking standards contained within the City's Draft Parking Standards study completed by the IBI Group. Parking supply is further discussed in the Vaughan Development Engineering and Infrastructure Planning Department section of this report.

On October 20, 2015, Vaughan Council adopted a recommendation that the technical report be brought forward to a future Committee of the Whole meeting to be held in the evening, to afford local residents a better opportunity to comment on the proposal and recommendation. On February 18, 2016, the Vaughan Development Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of these applications.

### **Purpose**

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of a 2 to 7-storey mixed-use building with a total of 119 residential units (including 2 units in the Dr. Peter McLean House) and 705 m<sup>2</sup> of ground floor commercial uses distributed between the Thomas Frazer Wallace House (177 m<sup>2</sup>) and the proposed building (528 m<sup>2</sup>) and the retention and restoration of 2 existing heritage buildings as shown on Attachments #3 to #8:

- Zoning By-law Amendment File Z.14.026, to amend Zoning By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone and C1 Restricted Commercial Zone to RA2(H) Apartment Residential Zone with the addition of the Holding Symbol "(H)" and to permit the site-specific zoning exceptions identified in Table 1 of this report required to implement the proposed development shown on Attachments #3 to #8.
- Site Development File DA.15.056, to permit the development of the subject lands with a mixed-use residential and commercial building with a total of 119 residential units, 705 m<sup>2</sup> of ground floor commercial uses and the restoration and retention of 2 existing heritage buildings, as shown on Attachments #3 to #8.

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

#### *Synopsis:*

*The Owner is proposing to develop the subject lands with a terraced 2 to 7-storey mixed-use building with a total of 119 residential units, 705 m<sup>2</sup> of ground related commercial uses and the retention,*

*relocation and restoration of portions of the 2 existing heritage buildings, as shown on Attachments #3 to #8. The Vaughan Development Planning Department supports the Zoning By-law Amendment and the Site Development Applications as they will facilitate a development that is compatible with the surrounding land uses and represents good planning.*

### Background

On March 1, 2016, Special Committee of the Whole considered Item #1, Report #13 (Zoning By-law Amendment File Z.14.026 and Site Development File DA.15.056 - FCF Old Market Lane 2013 Inc.). The Special Committee of the Whole recommended that:

- i) consideration of the matter be deferred to the Council meeting of March 22, 2016;
- ii) the various deputations and communications be received; and
- iii) the coloured elevation drawings submitted by the applicant be received.

Council on March 22, 2016, adopted, as amended, the recommendation of the March 1, 2016 Special Committee of the Whole and resolved the following:

- i) the matter be deferred to a Council meeting no later than June 2016; and
- ii) staff be directed to retain a heritage consultant to assist with discussion of possible improvements to the building interface with the heritage buildings and to review all site plan and zoning matters.

Council through Closed Session on March 22, 2016 also recommended that legal advice be received. Legal advice respecting the subject applications is being provided to Council at its meeting of June 28, 2016 independently from this report.

### Location

The 0.35 ha subject lands are located on the southwest corner of Woodbridge Avenue and Wallace Street. The lands are comprised of three parcels of land, municipally known as 177, 185 and 197 Woodbridge Avenue, City of Vaughan, shown as subject lands on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

The subject lands are currently developed with three buildings including: 177 Woodbridge Avenue which is a 1-storey brick commercial building currently used as a sales centre for a residential development in the area and is proposed to be demolished; 185 Woodbridge Avenue is a 2-storey wood clad Victorian Gothic Revival House, known as the Thomas Frazer Wallace House (Building "A"); and, 197 Woodbridge Avenue, is a 2-storey brick Queen Anne Revival house known as the Dr. Peter McLean House (Building "B"). The Thomas Frazer Wallace House and the Dr. Peter McLean House are listed on the City's heritage inventory and portions of each building will be relocated, restored and incorporated within the proposed developed. The Owner is proposing commercial uses in the Thomas Frazer Wallace House and 2 residential units (included in the total 119 units) in the Dr. Peter McLean House.

### Vaughan Official Plan (VOP) 2010

The subject lands are designated "Low-Rise Mixed-Use" by the City of Vaughan Official Plan 2010 (VOP 2010), specifically Volume 2, the Woodbridge Core Area Secondary Plan. The "Low-Rise Mixed-Use" designation permits multi-unit mixed-use buildings with a maximum building height of 4-storeys and a maximum density of 1.0 FSI (Floor Space Index). The proposed development with a density of 3.0 FSI and maximum building height of 7-storeys currently does not conform to VOP 2010. On July 2, 2014, the Owner appealed VOP 2010 as it applies to the subject lands to the Ontario Municipal Board (identified as Appeal #140 in the City of Vaughan List of VOP 2010 Appellants).

On January 19, 2016, Vaughan Council endorsed a settlement proposal for the site-specific VOP 2010 appeal, which included the modification to the “Woodbridge Core Secondary Plan”, Volume 2 of VOP 2010 to redesignate the subject lands to “Mid-Rise Mixed-Use” with a maximum building height of 7-storeys and FSI of 3.0. The approval of these modifications will be sought at a Pre-Hearing Conference of the OMB relating to VOP 2010, which is scheduled for March 23, 2016.

The application to rezone the subject lands to RA3 Apartment Residential Zone as shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 of this report to facilitate the proposed development will implement the Vaughan Council endorsed modification to VOP 2010, and therefore, would conform to the Official Plan. However, prior to the enactment of the implementing Zoning By-law and the execution of a Site Plan Agreement, the Ontario Municipal Board must issue its Decision Order regarding the Vaughan Council endorsed modification to VOP 2010. A condition to this effect is included in the recommendation of this report.

### Zoning

The subject lands are zoned R2 Residential Zone and C1 Restricted Commercial Zone by Zoning By-law 1-88, which does not permit the proposed mixed-use building. To facilitate the proposed development, an amendment to Zoning By-law 1-88 is required to rezone the subject lands to RA2(H) Apartment Residential Zone, subject to a Holding Symbol “(H)”, together with the following site-specific zoning exceptions:

Table 1:

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, RA2 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA2 Apartment Residential Zone Requirements</b>
a.	Definition of a Lot	“Lot” - Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the <i>Planning Act, R.S.O. 1990</i> would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.	“Lot” - For the purposes of zoning, the subject lands shall be deemed to be one lot regardless of the number of buildings or structures erected on the lands and regardless of any conveyances, easements, or plan(s) of condominium.
b.	Permitted Uses	<ul style="list-style-type: none"> <li>Apartment Dwelling</li> <li>Day Nursery</li> </ul>	Permit the following uses: <ul style="list-style-type: none"> <li>A 7-storey Residential Apartment Building</li> <li>2 residential units within Building “B” (Dr. Peter McLean House)</li> <li>A maximum of 705m<sup>2</sup> (combined gross floor area) of the following commercial uses on the ground floor of the Residential Apartment Building and Building “A”</li> </ul>

	By-law Standard	Zoning By-law 1-88, RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone Requirements
			<p>(Thomas Frazer Wallace House):</p> <ul style="list-style-type: none"> <li>- Bank or Financial Institution</li> <li>- Dry Cleaning Depot</li> <li>- Eating Establishment</li> <li>- Eating Establishment, Convenience</li> <li>- Eating Establishment, Take-out</li> <li>- Business or Professional Office</li> <li>- Personal Service Shop</li> <li>- Pharmacy</li> <li>- Retail Store</li> <li>- Retail Store, Convenience</li> </ul>
c.	Minimum Lot Area Per Unit	80 m <sup>2</sup>	The minimum lot area per unit shall not apply
d.	Minimum Front Yard Setback (Wallace Avenue)	7.5 m	<ul style="list-style-type: none"> <li>• 2.2 m (to the Main Building)</li> <li>• 0 m (to the parking structure below grade)</li> </ul>
e.	Minimum Rear Yard Setback (West)	7.5 m	<ul style="list-style-type: none"> <li>• 5 m (Main Building)</li> <li>• 0 m (Terrace Building, portion of the Underground Parking Garage located above ground)</li> <li>• 2 m (Building "B")</li> <li>• 0 m (Parking Structure)</li> </ul>
f.	Minimum Interior (South) Side Yard Setback	11.3 m	<ul style="list-style-type: none"> <li>• 5.7 m (Main Building)</li> <li>• 0 m (Terrace Building, portion of the underground parking located above ground)</li> <li>• 0 m (Parking Structure)</li> </ul>
g.	Minimum Exterior Side Yard Setback (Woodbridge Avenue)	7.5 m	<ul style="list-style-type: none"> <li>• 3.7 m (Main Building - Easterly portion as shown on Attachment #3)</li> <li>• 0 m (Buildings "A" and "B")</li> <li>• 0 m (Parking Structure)</li> </ul>



	By-law Standard	Zoning By-law 1-88, RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone Requirements
h.	Permitted Yard Encroachments and Restrictions	No encroachment is permitted in an interior side yard shall be closer than 1.2 m to a lot line except eaves and gutters	No encroachment is permitted in an interior side yard <u>or rear yard</u> shall be closer than 1.2 m to a lot line except eaves, gutters, <u>and air shafts</u>
i.	Minimum Amenity Area/Per Unit	<p>One Bedroom - 70 units @ <math>20 \text{ m}^2/\text{unit} = 1,400 \text{ m}^2</math></p> <p>+ Two Bedroom - 49 units @ <math>55 \text{ m}^2/\text{unit} = 2,695 \text{ m}^2</math></p> <p>Total Required Amenity Area = <math>4,095 \text{ m}^2</math></p>	<p>Provide amenity area at a rate of <math>23.55 \text{ m}^2</math> for any unit type (119 units x <math>23.55 \text{ m}^2</math>)</p> <p>Total amenity area proposed = <math>2,802 \text{ m}^2</math></p>
j.	Minimum Parking Requirements	<p>119 units @ 1.5 spaces/unit = 179 spaces</p> <p>+ 119 units @ 0.25 visitor spaces/unit = 30 spaces</p> <p>+ 705 <math>\text{m}^2</math> of retail Gross Floor Area (GFA) @ 6 spaces/100 <math>\text{m}^2</math> = 43 spaces</p> <p>Total Parking Required = 252 spaces</p>	<p>71 One Bedroom units @ 0.8 spaces/unit = 57 spaces</p> <p>+ 48 Two Bedroom units @ 1 space/unit = 48 spaces</p> <p>119 units @ 0.2 visitor spaces/unit = 24 spaces</p> <p>+ 705 <math>\text{m}^2</math> of commercial GFA @ 3 spaces/ 100 <math>\text{m}^2</math> of GFA = 22 spaces</p> <p>Total Parking Proposed = 151 spaces</p>
k.	Loading Spaces	Loading and unloading shall not be located between a building and a street.	Shall not apply
l.	Minimum Loading Space Width	6 m	4.5 m

	By-law Standard	Zoning By-law 1-88, RA2 Apartment Residential Zone Requirements	Proposed Exceptions to the RA2 Apartment Residential Zone Requirements
m.	Parking Areas for Multiple Family Dwellings	<p>i) A strip of land not less than three (3) metres in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways across the said strip.</p> <p>ii) An outdoor parking area shall be screened from the street and any adjacent premises. Screening shall consist of either a landscaped earthen berm, or an evergreen hedgerow, and shall have a minimum height of 1.2 metres. This shall not prevent the provision of access driveways through the said screening.</p>	<p>i) Shall not apply</p> <p>ii) Shall not apply</p>
n.	Setback to a Retaining Wall	The maximum height of any retaining wall constructed on a property line between two (2) residential lots shall be one (1) metre. Height shall be measured from the finished ground level to the highest point of the wall. A retaining wall which exceeds one (1) metre in height must be set back from the nearest property line a distance equal to its height. If the height of the wall on one side is different than the height on the other side, for the purposes of this paragraph the height of the wall shall be the greater of the two.	Shall not apply

The Vaughan Development Planning Department can support the proposed site-specific zoning exceptions to the RA2(H) Zone for the following reasons:

a) Definition of a Lot

The proposal to amend the definition of a “Lot” is required to ensure that for zoning purposes, the subject lands are deemed to be one lot. Presently, the development consists of 3 parcels and the proposed mixed-use development will consist of one future condominium corporation, and therefore, it is appropriate to ensure that the access driveways will be shared and that any approved zoning exceptions established through this application apply to the entire property, regardless of any future conveyances, easements, or Plan of Condominium. This will prevent future technical zoning

amendments.

b) Commercial Uses

The proposed Convenience Retail Store and Retail Store uses will provide retail opportunities within walking distance for future residents, thereby reducing the need to use a private automobile and encouraging pedestrian activity on the street.

c) Minimum Lot Area and Amenity Area/Unit

The Owner is proposing that the minimum lot area per unit not apply to the subject lands and a reduction to the required amenity area per unit for the development. The reduced amenity space per unit corresponds to the proposed site density, which is supported by Provincial policies and Regional Official Plan policies regarding intensification and the Vaughan Council endorsed appeal of VOP 2010. Similarly, eliminating the minimum lot area per unit encourages compact urban development on the subject lands.

d) Building Setbacks

The proposed building setbacks will facilitate a development with a strong urban edge and attractive public realm similar to other developments located on Woodbridge Avenue.

e) Permitted Yard Encroachments, Loading Space Requirements and Parking Areas for Multiple Family Dwellings

The yard encroachments, loading space and parking area requirements of Zoning By-law 1-88 are proposed to be amended to accommodate the underground parking structure for the development. The underground parking of vehicles results in no visible above ground at-grade parking on the subject lands.

f) Parking Requirements

The Owner submitted a Traffic/Parking Study dated June 2015, prepared by Cole Engineering in support of the applications. The Vaughan Development Engineering and Infrastructure Planning Department has reviewed the parking study and has no objection to the proposed parking supply (151 spaces) for the development.

Holding Symbol “(H)”

Should Vaughan Council approve the subject applications, the implementing Zoning By-law will maintain the Holding Symbol “(H)” on the subject lands until a Record of Site Condition (RSC) has been completed and filed and an Acknowledgment letter from the Ministry of the Environment and Climate Change is received confirming the filing of the RSC on the Environmental Site Registry. A condition to this effect is included in the recommendation of this report.

Density Bonusing

As part of the Vaughan Council endorsed settlement of the VOP 2010 appeal, the Owner has agreed to provide the following community benefits to be secured by a Section 37 Density Bonusing Agreement prior to the issuance of a Building Permit:

- The relocation, conservation and restoration of portions of the Thomas Frazier Wallace House and the Dr. Peter McLean House;
- Heritage easements for the Thomas Frazier Wallace House and the Dr. Peter McLean House;
- Public access and the future maintenance of the privately owned public space on the site (POPS);
- Streetscape improvements along Woodbridge Avenue and Wallace Street adjacent to the development site; and,

- A cash contribution of \$100,000 payable prior to the enactment of the Zoning By-law Amendment, to be used by the City for streetscape improvements along Woodbridge Avenue based on the Woodbridge Heritage District Streetscape Plan currently being undertaken by the City.

A condition to this effect is included in the recommendation of this report.

#### Site Design

The Owner has submitted Site Development File DA.15.056 to permit the proposed development as shown on Attachments #3 to #8. Portions of the existing heritage buildings, the Thomas Frazier Wallace House (Building “A”) and the Dr. Peter McLean House (Building “B”) will be relocated on the subject lands and moved forward towards Woodbridge Avenue and connected to the proposed mixed-use residential building. A total of 705 m<sup>2</sup> of at-grade commercial uses are proposed and will be distributed between the Thomas Frazier Wallace House (Building “A”), and the ground floor of the proposed main building. The Dr. Peter McLean House will facilitate 2 residential dwelling units. A Privately Owned Public Space (POPS) is proposed along Woodbridge Avenue, in between the two heritage buildings, as shown on Attachments #3 and #8.

Access to the site is provided from Wallace Street by a driveway located on the southeast corner of the subject lands. Private amenity areas are located on the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 7<sup>th</sup> floors of the building. The proposed building materials were revised from dark brown brick to red and cream coloured brick. The proposed building materials complement the existing heritage buildings on the site and allow for the buildings to act as separate building elements along the street. The use of different building materials, glass and dark and light brick promotes and illustrates different active uses on the site, such as commercial and residential. The proposed 5 to 7-storey glass podium has been revised to include inset balconies.

Future snow removal and clearing, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Condominium Corporation.

The Development Planning Department requires the Owner to submit an updated Community Plan for the area prior to the enactment of the implementing Zoning By-law to the satisfaction of the Development Planning Department. The Community Plan shall be displayed in the sales office for the mixed-use apartment building. A condition to this effect is included in the recommendation of this report.

#### Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

##### a) Urban Design

The Vaughan Development Planning Department, Urban Design and Cultural Heritage Division has advised that further discussion is required to determine the programming and design of the Privately Owned Public Space (POPS), including the relationship to adjacent uses and the street, eyes on the space for public safety, and the design components therein, prior to the execution of the Site Plan Agreement. A condition in this regard is included in the recommendation of this report.

The development frontage (right-of-way and private setbacks) along Woodbridge Avenue and Wallace Street must be coordinated with the new streetscape design for the Woodbridge Core, including components such as paving, planting, furnishings, lighting and tree planting details.

The architectural treatment of the connecting architecture between the heritage dwellings and mixed-use residential building requires refinement. A condition to this effect is included in the recommendation of this report.

It is further requested that minor revisions to the building elevations of the first four levels of the mixed-use residential building be made to further relate to the districts' heritage character. Final building elevations must be to the satisfaction of the Vaughan Development Planning

Department. A condition to this effect is included in the recommendation of this report.

b) Cultural Heritage and Heritage Vaughan

The proposed development was considered at the October 21, 2015, Heritage Vaughan Committee meeting at which time the Committee recommended that the Owner meet with the community to find an acceptable approach to the development. On December 9, 2015, the Local Councillor, the Applicant, and Urban Design and Cultural Heritage Staff met with the local residents at 7:00 p.m. at the Woodbridge Library to discuss the proposal. The Applicant discussed the proposed revisions and improvements to the building, the heritage buildings and the inclusion of the Privately Owned Public Space (POPS) and its benefits to the community.

The Vaughan Development Planning Department, Urban Design and Cultural Heritage Department requires that the following provisions be included in the Site Plan Agreement:

- 1) That prior to the issuance of a Building Permit, the Owner shall enter into a Heritage Easement Agreement with the City of Vaughan for the two relocated heritage buildings.
- 2) That prior to the issuance of a Building Permit, the Owner shall enter into an Access Easement Agreement with the City of Vaughan for the Privately Owned Public Space (POPS).
- 3) That prior to the issuance of a Building Permit, the Owner shall provide a Letter of Credit in the amount calculated at \$125 dollars per square foot for each of the heritage buildings municipally known as 185 and 197 Woodbridge Avenue, and that:
  - a) Prior to the release of the Letter of Credit, the Owner shall:
    - Complete the proposed relocation and restoration work to the heritage buildings and connection to the proposed mixed-use residential buildings in accordance with the Conservation Plan and the approved Heritage Permit to the satisfaction of the Vaughan Development Planning Department;
    - Connect each Heritage Building to municipal services;
    - Verify that the buildings meet the basic standards of occupancy as confirmed by the Chief Building Official;
    - Submit final as-built photographs of the exterior and interiors of the heritage buildings on the subject lands.

Vaughan Development Engineering and Infrastructure Planning Department

The Vaughan Development Engineering and Infrastructure Planning (DEIP) Department has provided the following comments:

a) Municipal Servicing

A Functional Servicing & Stormwater Management Report (FSR) prepared by Cole Engineering, dated July 10, 2015, was submitted in support of the applications. The DEIP Department has reviewed the report and the plans and offer the following comments:

i) Water Servicing

Water supply for the development is proposed to be serviced from a 150 mm domestic water service connection to the existing 300 mm diameter watermain on the south side of Woodbridge Avenue.

ii) Sanitary Servicing

A direct connection to the existing 200 mm diameter sanitary sewer located on Wallace Street, which ultimately drains south towards Regional Road 7 and into the Regional Trunk Sewer is proposed to service the subject lands.

iii) Storm Drainage

A direct connection to the existing 600 mm diameter storm sewer located on Woodbridge Avenue is proposed to service the subject lands.

iv) Sewage and Water Allocation

On May 19, 2015, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Accordingly, servicing capacity for the proposed development is available and unrestricted. A servicing allocation resolution is included in the recommendation of this report.

b) Noise

The DEIP Department has reviewed the revised Noise Feasibility Study submitted by HGC Engineering dated October 22, 2015, and provides the following conditions:

- i) The Owner shall satisfy all requirements with respect to noise attenuation and ensure it is in accordance with the noise features recommended by the revised Report entitled "Noise Feasibility Study 177-197 Woodbridge Avenue, Vaughan, Ontario" prepared by HGC Engineering dated October 22, 2015.
- ii) The following warning clauses shall be registered on title and be included in Offers of Purchase and Sale for units:
  - "Purchase/tenants are advised that noise levels due to increasing road traffic on Woodbridge Avenue and rail traffic on the Canadian Pacific Railway (CPR) Mac Tier Subdivision may on occasions interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality's and the Ministry of the Environment and Climate Change's noise criteria."
  - "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment's noise criteria."
  - "Purchasers or tenants are advised that Canadian Pacific Railway Company (CPR) or its assigns or successors in interest has or have an operating right-of-way including the possibility that the Railway may expand its operations, which expansion may affect the living environment of residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating for complaints measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from uses of its facilities and/or operations on, over or under the aforesaid right-of-ways."
  - "Purchasers or tenants are advised that due to the proximity of the adjacent commercial/retail facilities sound levels from the facilities may at times be audible."

c) Environmental Site Assessment

A Record of Site Condition (RSC) filed on the Ministry of the Environment and Climate Change (MOECC) Environmental Registry will be required for the lands given the proposed change in land use. The Owner is required to submit the RSC and any updated ESA reports relied upon for filing of the RSC to the DEIP Department for their review and satisfaction, prior to the issuance of a Building Permit.

d) Parking Study

The DEIP Department has reviewed the Parking Study submitted in support of the applications, dated June 2015, prepared by Cole Engineering, and have no objection to the proposed parking supply of 151 spaces for the development.

The City of Vaughan recently approved the development applications for 86 Woodbridge Avenue and 112-116 Woodbridge Avenue with reduced parking rates. The surveys completed for the above-mentioned sites support the minimum parking rates recommended by the IBI Group in its draft report titled '*Review of Parking Standards Contained within the City of Vaughan's Comprehensive Zoning By-law*'. The two above-mentioned approved sites are in the general area of the lands subject to these planning applications. The DEIP Department is satisfied and accepts the proposed reduced parking rates.

e) Traffic Study

The City's Traffic Section of the Transportation Services and Parks and Forestry Operations Department reviewed the Traffic Study, and concurs with the findings and recommendations to improve traffic in the study area. The Department also suggests the following recommended improvements to be included in the study:

- A Functional Design that shows the proposed pavement modifications from a single shared all-way lane to one exclusive right-turning lane and one shared through-left lane at Woodbridge Avenue/Clarence Street;
- A cost estimate for the proposed modifications, including the optimization of signal timing to accommodate increased turning movements off Islington Avenue and the addition of 10 seconds to the green time for the north-south movements along Woodbridge Avenue/Clarence Street;
- A cost-sharing arrangement for proposed physical modifications at Woodbridge Avenue and Clarence Street.

The Traffic Study must be revised to include the recommended improvements and shall be to the satisfaction of the DEIP Department. A condition to this effect is included in the recommendation of this report.

f) Bicycle Parking

The Owner is proposing 114 bicycle parking spaces including 64 spaces for unit owners and 50 visitor/commercial spaces, which is satisfactory to the DEIP Department.

g) Transportation Demand Management (TDM) Plan

This development is subject to York Region's 2012 Development Charges (DC) By-law, which will fund 'soft' TDM measures for residential developments (e.g. transit incentives, marketing and monitoring). York Region's Development Charges will provide approximately \$225/unit or \$26,550 for soft TDM measures for this development. However, the Owner is responsible for funding and implementing 'hard' TDM measures (e.g. bicycle parking and other physical measures), and the unbundling of residential units and parking spaces. In addition to the proposed TDM measures, the Owner should consider the following:

- Unbundled resident parking (parking spaces not included in price of residential unit)
- Provide a complimentary PRESTO fare card with a pre-loaded value for purchasers of each new unit for the first 1-2 years of occupancy, or other incentives (e.g. minimum dollar value per card)
- Provide materials and services to encourage transit use (e.g. contribution towards a new bus shelter)
- Provide an exclusive bicycle share program for residents
- Subsidize CAN-BIKE cycling skills development courses offered by the City
- Provide a car sharing vehicle(s) as an alternative to direct car ownership (i.e. a short-term, third-party, pay-per-use service that offers an alternative to direct car ownership, and is supportive of unbundled resident parking)
- Promote a Smart Commute Carpool Zone and their Emergency Ride Home service
- Host regular sustainable transportation exhibits to distribute material, information, promote awareness, and answer questions
- Coordinate an 'Individualized Marketing' program for the community (also known as 'Personal Travel Planning') to encourage residents to make more sustainable transportation choices. This can be achieved through a combination of print and online resources, outreach and community events, and incentives (e.g. map/leaflet order forms, website, interactive web map, one-to-one contact and advice with residents, promotional events, group walks and bike rides, free transit passes, etc.)

The City of Vaughan will be implementing the 'soft' TDM measures recommended in the TDM Plan for this development. The City's Site Plan Agreement will contain a condition regarding the TDM Plan, which will require a commitment from the Owner to work with the City of Vaughan, in coordination with York Region on implementation and monitoring of the TDM Plan. A condition to this effect is included in the recommendation of this report.

The DEIP Department has no objection to the approval of the Zoning By-law Amendment and Site Development applications.

Vaughan Environmental Services Department

The Vaughan Environmental Services Department is satisfied with the proposal, which meets Waste Management's requirements. Garbage and recycling pick-up will be privately administered, and shall be the responsibility of the Condominium Corporation.

Vaughan Legal Services Department, Real Estate Division

The Legal Services Department, Real Estate Division, has advised that the Owner must pay by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building permit, or a fixed unit rate per unit, whichever is higher, in accordance with the Planning Act R.S.O 1990 and the City's Cash-in-Lieu Policy.

School Boards

The York Region District School Board and York Region Catholic District School Board have no objection to the approval of these applications.

Canada Post

Canada Post has advised that the Owner must supply, install and maintain a centralized mailbox facility in the building to Canada Post's specifications.

**Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This report supports the following priorities set forth in Term of Council Service Excellence Strategy Map (2014-2018):



- Continue to develop transit, cycling and pedestrian options to get around the City
- Re-establish the urban tree canopy
- Continue to ensure the safety and well-being of citizens
- Attract investment and create jobs
- Continue to cultivate and environmentally sustainable City

**Regional Implications**

The subject lands are located at the southwest corner of Woodbridge Avenue and Wallace Street, which are not Regional roads, and therefore, there are no Regional transportation implications. As noted earlier, the Region will fund TDM measures for this development through Regional DC's. York Region has no objection to the approval of the Zoning By-law Amendment and Site Development applications.

**Conclusion**

Zoning By-law Amendment File Z.14.026 and Site Development File DA.14.056 have been reviewed in accordance with the York Region Official Plan, Vaughan Council's endorsed settlement appeal of VOP 2010, Zoning By-law 1-88, comments from City departments and external public agencies, and the area context.

The Vaughan Development Planning Department is satisfied that the proposed rezoning of the subject lands including the site-specific zoning exceptions to the RA2(H) Apartment Residential Zone identified in Table 1 of this report, implement the Vaughan Council endorsed settlement of the Owner's appeal of VOP 2010, and are appropriate and will facilitate a development that is compatible with the surrounding land uses in the area of the subject lands. Accordingly, the Vaughan Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development applications, subject to the recommendations in this report including a condition that the implementing Zoning By-law not be enacted and the Site Plan Agreement not be executed until the Ontario Municipal Board issues its` Decision Order regarding the settlement of VOP 2010.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. North and South Building Elevations
6. East and West Building Elevations
7. Rendering (South West View from Woodbridge Avenue and Wallace Street)
8. Privately Owned Public Space Rendering

**Report prepared by:**

Mary Caputo, Senior Planner- OMB, ext. 8215

/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.)

**112. REQUEST FOR NOISE EXEMPTION  
METROLINX REGIONAL EXPRESS RAIL – BARRIE RAIL CORRIDOR EXPANSION  
WARDS 1 & 4  
(Addendum No. 1)**

MOVED by Councillor Iafrate  
seconded by Regional Councillor Ferri

- 1) That the recommendation contained in the following report of the Director of By-law & Compliance, Licensing & Permit Services, dated June 28, 2016, be approved; and
- 2) That temporary noise barriers be erected where feasible to mitigate noise on abutting lands.

CARRIED

**Recommendation**

The Director of By-law & Compliance, Licensing & Permit Services, in consultation with the Deputy City Manager, Community Services, recommends:

1. That Metrolinx, be granted a noise exemption for the period of July 4, 2016 through December 31, 2016, in accordance with the City's Noise By-law 96-2006, for the purposes of construction activities located at both the Maple GO and Rutherford GO Stations associated with the Regional Express Rail (RER) initiative.
2. That this request for extension be granted with the following conditions:
  - a) That construction communication notices be sent to surrounding residents and business owners within a 60 metre radius, in keeping with City standards, advising them of the impending work;
  - b) That the construction communication notices to residents and business owners include contact information for Metrolinx;
  - c) That the Applicant take measures to minimize any unnecessary noise, including but not limited to idling of construction vehicles and/or equipment, revving of engines, use of airbrakes, banging of tailgates and to maintain equipment in good working order (including muffling devices) to minimize noise impacts;
  - d) Select travel routes that will assist in avoiding noise sensitive areas where possible;
  - e) That no construction takes place on Statutory Holidays.

**Contribution to Sustainability**

This noise exemption request will support the Regional Express Rail (RER) initiative, contributing to accessible and frequent local transit service associated with GO Transit routes, supporting compact urban form and offering alternative modes of transportation and is consistent with the City's Community Sustainability and Environmental Master Plan – Green Directions, which identified the goal of ensuring the City is easy to get around and has a low environmental impact.

**Economic Impact**

Adoption of this report has no adverse economic impact for the City.

**Communications Plan**

The Applicant has provided public notice in June 2016 of the impending construction activities (Attachment No. 1). The Applicant has been instructed by the City to provide additional notification of

the commencement of construction in local Vaughan newspapers and in letter form to surrounding residents and businesses in and around both locations (Maple GO and Rutherford GO Stations) within a 60 metre radius that may be affected by the construction activities of this project.

**Purpose**

This report is to request Council approval of a request from Metrolinx for a noise exemption to By-law 96-2006.

**Background - Analysis and Options**

The City of Vaughan Noise By-law 96-2006 delegates authority to grant noise exemptions for construction purposes up to eleven days to the Department Head/Director of By-law & Compliance, Licensing & Permit Services.

Metrolinx has written to City of Vaughan By-law & Compliance, Licensing & Permit Services, (Attachment No. 2) requesting an exemption to the City's Noise By-law for the purposes of construction in connection with RER (which will provide a two-way, all-day (TWAD) service of its rail corridors, a key objective for GO Transit as identified in "The Big Move" and "GO 2020".

The project scope entails the installation of two tunnels at each location, track upgrades (removal and re-installation), island platform construction and associated infrastructure, such as tunnels, snowmelt systems, elevators, stairs, platform shelters mini platforms, canopies, etc.

Construction work associated with the tunnel installations include, but is not limited to:

- Installation of approximately 70 Caissons (after hours, only when required between August 1, 2016 to September 5, 2016).
- Installation of precast concrete tunnel segments (continual work over four weekends in September 2016, between 7:30 pm Friday through to 5:30am Monday);

Construction work activities that will occur outside of the Noise By-law restrictions will include the use of caisson rigs (large scale drilling equipment), backhoes with hoe rams, dump trucks, loaders, cranes, heavy duty pumps, concrete trucks, vibratory rollers and plate packers, tower lights, generators, welding machines, cutting torches and propane torches.

**Noise Mitigation**

The Applicant has provided a Noise and Vibration Impact Assessment document provided by Valcoustics Canada Limited, which includes cataloguing of areas that may be impacted by construction noise (Attachment No. 4).

The Applicant will be required to minimize idling of construction vehicles, avoid revving of engines, banging of tailgates and use of airbrakes, as well as be required to maintain equipment in good working order (including the use of muffling devices) to minimize noise impacts and to select travel routes to avoid noise sensitive areas where possible.

**Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This noise exemption is directly related to the Term of Council Priority and Service Excellence Strategy Map by:

- 1) Continuing to develop transit options to get around the City;
- 2) Improve municipal road network;
- 3) Invest, renew and manage infrastructure and assets;
- 4) Catalogue of impacted areas.

**Regional Implications**

The proposed work is being carried out by Metrolinx and its agents and contractors.

**Conclusion**

This request for noise exemption is necessary municipal work in connection with the RER initiative. The request exceeds the delegated authority of the Director of By-law & Compliance, Licensing & Permit Services; therefore, Council authorization for the exemption to the By-law is required to permit Metrolinx to proceed as planned.

**Attachments**

1. Metrolinx – Notice to Residents & Businesses
2. Letter of Intent
3. Project Maps
4. Catalogue of Impacted Areas

**Report prepared by:**

Janice Heron,  
Office Coordinator, By-law & Compliance, Licensing & Permit Services

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

**113. RESOLUTION TO RESOLVE INTO CLOSED SESSION**

MOVED by Councillor DeFrancesca  
seconded by Regional Councillor Ferri

That Council resolve into Closed Session for the purpose of discussing the following matters:

1. CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE), LOCAL 905,  
VAUGHAN UNIT, FULL TIME CLERICAL & TECHNICAL AND HOURLY  
RATED COLLECTIVE AGREEMENTS UPDATE  
Committee of the Whole (Closed Session) Report No 29, Item 1  
(labour relations or employee negotiations)
2. PROPERTY MATTER  
CITY LANDS  
10401 DUFFERIN STREET  
WARD 4  
Committee of the Whole (Closed Session) Report No 29, Item 3  
(acquisition or disposition of land)
3. NON-UNION COMPENSATION REVIEW UPDATE  
(Addendum No. 5)  
(labour relations or employee negotiations)

CARRIED

Council recessed at 3:20 p.m.

MOVED by Regional Councillor Ferri  
seconded by Councillor Shefman

THAT Council reconvene at 4:45 p.m.

CARRIED

Council reconvened at 4:45 p.m. with all members present.

**114. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE (PUBLIC HEARING) REPORT NO. 28**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 3      ZONING BY-LAW AMENDMENT FILE Z.16.016  
DUFFERIN VISTAS LTD.  
WARD 4 - VICINITY OF DUFFERIN STREET AND MAURIER BOULEVARD

MOVED by Councillor Yeung Racco  
seconded by Councillor Shefman

THAT Item 3, Special Committee of the Whole (Public Hearing) Report No. 28 be adopted without amendment.

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

NAYS

Councillor Shefman  
Councillor Yeung Racco  
Regional Councillor Rosati  
Regional Councillor Di Biase  
Mayor Bevilacqua  
Regional Councillor Ferri  
Councillor DeFrancesca  
Councillor Carella  
Councillor Iafrate

**SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 29**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 1      CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE), LOCAL 905,  
VAUGHAN UNIT, FULL TIME CLERICAL & TECHNICAL AND HOURLY  
RATED COLLECTIVE AGREEMENTS UPDATE

MOVED by Regional Councillor Di Biase  
seconded by Regional Councillor Ferri

THAT Item 1, Special Committee of the Whole (Closed Session) Report No. 29 be adopted and amended, as follows, and the confidential recommendations made public:

By approving the following:

1. That Council ratify the settlement achieved with the CUPE Local 905 Clerical and Technical Hourly Bargaining Committee, and direct the Chief Human Resources Officer and appropriate City staff to take the necessary steps to give effect thereto upon ratification by the Union; and
2. That the outcome of this settlement remain confidential until the membership of CUPE Local 905 has conducted its ratification vote to approve the tentative

settlement; and

By approving the confidential recommendation of the Council (Closed Session) meeting of June 28, 2016.

CARRIED

ITEM - 3      PROPERTY MATTER  
                    CITY LANDS  
                    10401 DUFFERIN STREET  
                    WARD 4

MOVED by Councillor Iafrate  
seconded by Councillor Yeung Racco

THAT Item 3, Special Committee of the Whole (Closed Session) Report No. 29 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of June 28, 2016.

CARRIED UNANIMOUSLY UPON A RECORDED VOTE

YEAS

NAYS

Councillor Shefman  
Councillor Yeung Racco  
Regional Councillor Rosati  
Regional Councillor Di Biase  
Mayor Bevilacqua  
Regional Councillor Ferri  
Councillor DeFrancesca  
Councillor Carella  
Councillor Iafrate

#### Addendum Items

**115.    NON UNION COMPENSATION REVIEW UPDATE**  
(Addendum No. 5)

MOVED by Regional Councillor Ferri  
seconded by Regional Councillor Di Biase

- 1)      That the following be approved:
  1.      That the Non-Union Employee Salary Schedules be amended to implement economic adjustments which reflect the recently negotiated wage adjustments with CUPE Local 905 for 2016, 2017, 2018, and 2019;
  2.      That these economic adjustments be made, effective January 1, 2016 for all affected employees in the employ of the City of Vaughan as at June 28, 2016; and that the necessary By-Laws and wage schedules be amended as required;
  3.      That the recommendations proposed by Mercer Consulting with regard to updating the non-union benefit packages be approved and the appropriate By-Laws and or policies be amended; and

- 2) That the confidential recommendation of the Council (Closed Session) meeting of June 28, 2016, be approved.

CARRIED

*\* Councillor lafrate declared an interest in this matter at the Committee of the Whole meeting of September 7, 2016 and at the Council meeting of September 20, 2016, these being the earliest opportunity to do so upon determining an interest in this matter, as her spouse's benefits fall under the retiree benefits mentioned in the report.*

**116. RESOLUTIONS OF THE DIRECTORS AND SHAREHOLDERS OF VAUGHAN HOLDINGS INC.**  
(Addendum No. 2)

MOVED by Councillor lafrate  
seconded by Councillor Shefman

- 1) That the recommendation contained in the following report of the City Clerk, dated June 28, 2016, be approved;
- 2) That Council, acting as Shareholder of Vaughan Holdings Inc., adopt the resolutions to confirm various matters in the corporate proceedings of the Board of Vaughan Holdings Inc. as set out in Attachment No. 1; and
- 3) That Communication C13 from the Secretary, Vaughan Holdings Inc., dated June 28, 2016, be received.

CARRIED

**Recommendation**

The City Clerk recommends:

1. THAT Council recess for the purposes of convening a meeting of Vaughan Holdings Inc.;
2. THAT Council consider the shareholder resolutions arising out of the Vaughan Holdings Inc. meeting of June 28, 2016.

**Contribution to Sustainability**

Not applicable

**Economic Impact**

There is no economic impact associated with this report.

**Communications Plan**

Following adoption of the resolutions arising out of the Vaughan Holdings Inc. meeting of June 28, 2016, the City's External Auditors will be advised that the corporate records of VHI have been brought up to date.

**Purpose**

The purpose of this report is to bring forward for Council's consideration various Directors' resolutions from the Vaughan Holdings Inc. ("VHI") meeting of June 28, 2016 meeting for Council approval. As the sole Shareholder of VHI, Council is required to approved these resolutions.

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*\* Amended at the Council meeting of September 20, 2016, under Minute No. 122*

**Background – Analysis and Options**

A meeting of the Board of Directors of VHI is scheduled for June 28, 2016 to consider a report recommending adoption of several housekeeping resolutions. These resolutions are being brought forward as part of the due diligence exercise in preparation for the PowerStream merger, and in response to a notation from the City's External Auditors regarding technical omissions in the VHI corporate share register and share subscription paperwork.

In order to consider the recommendations of VHI in a timely manner, it is recommended that in lieu of adjourning the Council meeting, Council recess to allow the VHI meeting to occur and reconvene after the conclusion of VHI to sit as Shareholder to consider and adopt the shareholder resolutions.

**Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

By reinforcing sound governance practices, this report supports the following Term of Council Priority set forth in Term of Council Service Excellence Strategy Map (2014-2018):

- Continue to advance a culture of excellence in governance

**Regional Implications**

Not applicable

**Conclusion**

Staff is recommending that Council recess for the purposes of convening a meeting of VHI and that following the VHI meeting, Council consider the necessary shareholder resolutions arising out of the VHI meeting of June 28, 2016.

**Attachments**

None

**Report prepared by:**

Barbara A. McEwan, Deputy City Clerk, x 8628

**117. BY-LAWS**

MOVED by Regional Councillor Ferri  
seconded by Councillor Carella

THAT the following by-laws be enacted, subject to By-laws 116-2016 and 117-2016 being enacted as amended:

- |                        |                                                                                                                                                                                                                                                                                                                                        |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| By-Law Number 087-2016 | A By-law to enact rules and regulations for the installation and connection of private sewers to sewage works, and the discharge of sewage, storm water and land drainage within the serviced area of The Corporation of the City of Vaughan. (Council, June 7, 2016, Item 7, Committee of the Whole (Working Session), Report No. 26) |
| By-Law Number 088-2016 | A By-law to amend the Consolidated Traffic By-law 284-94 as amended, to govern and control traffic in the City of Vaughan. (Ilan Ramon Boulevard, Yarden Drive/Gamla Road). (Council, June 7, 2016, Item 9, Committee of the Whole, Report No. 24)                                                                                     |
| By-Law Number 089-2016 | A By-law to amend the Consolidated Traffic By-law 284-94 as amended, to govern and control traffic in the City of Vaughan. (Pine Valley Drive, Langstaff, Intersite Place) (Council, June 7, 2016, Item 12, Committee of the Whole, Report No. 24)                                                                                     |



## COUNCIL MEETING MINUTES – JUNE 28, 2016

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By-Law Number 090-2016	A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Southdown Avenue, Shale Crescent, Aegis Drive) (Council, June 7, 2016, Item 24, Committee of the Whole, Report No. 24)
By-Law Number 091-2016	A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Dufferin Hill Drive, Benjamin Hood Crescent/Marathon Avenue) (Council, May 17, 2016, Item 6, Committee of the Whole, Report No. 21)
By-Law Number 092-2016	A By-law to amend the Consolidated Traffic By-law 284-94 as amended, to govern and control traffic in the City of Vaughan. (Johnswood Crescent) (Item 24, Committee of the Whole, Report No. 27)
By-Law Number 093-2016	A By-law to amend the Consolidated Traffic By-law 284-94, as amended, to govern and control traffic in the City of Vaughan. (Johnswood Crescent, Avocet Drive, Wheatfield Drive) (Item 36, Committee of the Whole, Report No. 27)
By-Law Number 094-2016	A By-law to authorize the sale of a parcel of City lands. (28 Ashbridge Circle, Plan 65R-12130, 2410658 Ontario Ltd.) (Council, June 7, 2016, Item 2, Committee of the Whole (Closed Session), Report No. 23)
By-Law Number 095-2016	A By-law to exempt parts of Plan 65M-4480 from the provisions of Part Lot Control. (PLC.16.004, Teefy Developments Limited, located south of Rutherford Road on the west side of Bathurst Street, 9130 Bathurst Street, in Planning Block 10, being Blocks 1 on Registered Plan 65M-4480 in Part of Lot 15, Concession 2) (Delegation By-law 195-2015)
By-Law Number 096-2016	A By-law to exempt parts of Plan 65M-4489 from the provisions of Part Lot Control. (PLC.16.006, 19T-10V004, Paradise Homes Kleinburg Inc., located north of Major Mackenzie Drive and east of Huntington Road, specifically Lots 1 to 6 inclusive, 16 to 22 inclusive, 70 to 128 inclusive, 138 to 142 inclusive, and 152 to 157 inclusive on Registered Plan 65M-4489, in Part of Lots 21 to 23, Concession 9) (Delegation By-law 195-2015)
By-Law Number 097-2016	A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 142-2015. (Z.06.079, DA.14.081, Market Lane Holdings Limited, located on the north side of Woodbridge Avenue west of Clarence Street, being Part of Lot 7 and municipally known as 112, 116, 124 and 140 Woodbridge Avenue) (Administrative Correction) (Council, June 23, 2016, Item 24, Committee of the Whole, Report No. 26)
By-Law Number 098-2016	A By-law to amend City of Vaughan By-law 1-88.( Z.15.020, VGI Properties Limited, located on the east side of Weston Road, west of Jevlan Drive and north of Highway #7, municipally known as 140 Jevlan Drive, in Lot 8, Concession 5) (Council, April 19, 2016, Item 13, Committee of the Whole, Report No. 18)

## COUNCIL MEETING MINUTES – JUNE 28, 2016

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By-Law Number 099-2016	A By-law to amend City of Vaughan By-law 1-88. (Z.13.025, DA.13.062, Vahe & Vicky Ghazarian, located on the east side of Islington Avenue, south of Nashville Road, municipally known as 10503 Islington Avenue, being Lot C on Registered Plan R 275, in Lot 24, Concession 8) (Council, May 17, 2016, Item 8, Committee of the Whole, Report No. 21)
By-Law Number 100-2016	A By-law to amend City of Vaughan By-law 1-88. (Z.15.026, 19T-15V008, 19CDM-15V004, DA.15.055, Madison Legacy Limited, located on the southwest corner of Ilan Ramon Boulevard and Lebovic Campus Drive, being Part of Lot 17, Concession 2) (Item 12, Committee of the Whole, Report No. 27)
By-Law Number 101-2016	A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 80-98. (Z.16.017, DA.16.017, The Regional Municipality of York C/o York Region Transit Corporation, located at the north-west corner of Apple Mill Road and Millway Avenue, being Parts 79, 82, 83, 89, 92 and 96 on Reference Plan 65R-34128, in Part Lot 6, Concession 5) (Lifting “H” Symbol) (Item 4, Committee of the Whole, Report No. 27)
By-Law Number 102-2016	A By-law to assume Municipal Services in 250 Clarence Street. (Faiyaz Khandwala dated October 5, 2011) (Item 17, Committee of the Whole, Report No. 27)
By-Law Number 103-2016	A By-law to assume Municipal Services in Huntington Road Sanitary Trunk Sewer (Trade Valley Drive to Major Mackenzie Drive) (Huntington Landowners Trustee Inc. dated April 11, 2012) (Item 20, Committee of the Whole, Report No. 27)
By-Law Number 104-2016	A By-law to authorize the temporary sequential closing of certain highways in the City of Vaughan. (Vellore Park Avenue, Retreat Boulevard) (Item 25, Committee of the Whole, Report No. 27)
By-Law Number 105-2016	A By-law to permit the establishment of a Voluntary Lobbyist Registry. (Council, June 7, 2016, Item 9, Committee of the Whole (Working Session), Report No. 26)
By-Law Number 106-2016	A By-law to dedicate certain lands as part of the public highway. (Beverly Glen Boulevard at Bathurst Street, North Park Road at Bathurst Street, 7890 Bathurst Street, 1541677 Ontario Limited, DA.12.057, 19CDM-15V001, 65R-36312) (Delegation By-law 195-2015)
By-Law Number 107-2016	A By-law to dedicate certain land as part of the public highway. (Traverse Drive, Huntington-Fifty Investment Ltd., Woodbridge Farmers Development, (Block 58), 65R-35998) (Delegation By-law 195-2015)
By-Law Number 108-2016	A By-law to dedicate certain land as part of the public highway. (Nativio Street, 694917 Ontario Ltd., 19T-05V01, 694917 Ontario Ltd. Industrial Subdivision, (Block 58), 65R-36110) (Delegation By-law 195-2015)
By-Law Number 109-2016	A By-law to amend Heritage Delegation By-law 193-2015. (Council June 29, 2010, Item 11, Committee of the Whole, Report No. 31 and Council, September 30, 2015, Item 1, Committee of the Whole (Working Session), Report No. 34)

## COUNCIL MEETING MINUTES – JUNE 28, 2016

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By-Law Number 110-2016	A By-law to exempt parts of Plan 65M-4477 from the provisions of Part Lot Control. (PLC.16.003, Countrywide Homes (Thornhill Estates) Inc., located south of McNaughton Road East, west of Troon Avenue being Blocks 3-5 inclusive on Registered Plan 65M-4477, in Part of Lot 21, Concession 3) (Delegation By-law 195-2015)
By-Law Number 111-2016	A By-law to exempt parts of Plan 65M-4489 from the provisions of Part Lot Control. (PLC.16.004, Arista Homes (Kleinburg) Inc., located north of Major Mackenzie Drive and east of Huntington Road, specifically Lots 7 to 15 inclusive, 37 to 65 inclusive, 129 to 137 inclusive, 143 to 151 inclusive, 199 to 203 inclusive, 212 to 225 inclusive, and 232 to 236 inclusive on Registered Plan 65M-4489, in Part of Lots 21 to 23, Concession 9) (Delegation By-law 195-2015)
By-Law Number 112-2016	A By-law to amend City of Vaughan By-law 1-88 as amended by By-laws 80-98 and 088-2013. (Z.16.020, OP.12.014, 19T-12V007, DA.12.085, Z.12.034, DA.14.022, Penguin – Calloway (Vaughan) Inc., located between Apple Mill Road and New Park Place, west of the realigned Millway Avenue, Lot 6, Concession 5) (Lifting “H” Symbol) (Council, June 25, 2013, Item 49, Committee of the Whole, Report No. 32)
By-Law Number 113-2016	A By-law to amend City of Vaughan By-law 1-88. (File:15.101, boundary for Vaughan Metropolitan Centre Parking Area, located within the Vaughan Metropolitan Centre (VMC), bound by Portage Road to the north, Highway #407 to the south, Highway #400 to the west, and the most eastern boundary being Creditstone Road, in Ward 4)(Administrative Correction) (Council, December 10, 2013, Item 42, Committee of the Whole, Report No. 52)
By-Law Number 114-2016	A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 109-2014. (Z.14.066, Z.13.009, 19T-13V004, 19T-13V005, Quadrant Holdings Inc., located north of Rutherford Road, on the east and west sides of Thomas Cook Avenue, in Part of Lot 17, Concession 2) (Lifting “H” Symbol) (Council, June 24, 2014, Item 53, Committee of the Whole, Report No. 30)
By-Law Number 115-2016	A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 335-2003. (Z.14.006, 19T-97V15, Z.97.062, Z.04.042, Artibus Development Corporation, located on the west side of Weston Road, south of Major Mackenzie Drive, being in Part of Lot 20, Concession 6)(rezoning and Lifting “H” Symbol) (Council, March 22, 2016, Item 13, Committee of the Whole, Report No. 12)
By-Law Number 116-2016	A By-law to amend City of Vaughan By-law 1-88. (Z.15.018, 19T-15V004, Toronto Waldorf School, located west of Bathurst Street and south of Rutherford Road, specifically north of the termination of Bathurst Glen Drive, municipally known as 9100 Bathurst Street, in Part of Lot 15, Concession 2) (Item 11, Committee of the Whole, Report No. 27)
By-Law Number 117-2016	A By-law to amend City of Vaughan By-law 1-88. (Z.15.016, 19T-15V003, Cachet Summerhill Developments Inc., located southwest of Bathurst Street and Rutherford Road, specifically south of the terminus of Hesperus Road, being Part of Lot 15, Concession 2) (Item 9, Committee of the Whole, Report No. 27)

## COUNCIL MEETING MINUTES – JUNE 28, 2016

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By-Law Number 118-2016	A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 107-2014. (Z.16.014, DA.15.094, Eagle Rock Ridge (ARH) Homes Ltd., located at the southwest corner of McNaughton Road East and Troon Avenue, Blocks 19 and 20 on Registered Plan 65M-4477, in Part of Lot 21, Concession 3) (Lifting "H" Symbol) (Item 19, Committee of the Whole, Report No. 27)
By-Law Number 119-2016	A By-law to exempt parts of Plan 65M-4477 from the provisions of Part Lot Control. (PLC.16.003, Zentil Ridge (ARCH) Homes Ltd., located south of McNaughton Road East, west of Troon Avenue and north of Hill Street, being Blocks 1, 2, 6-10 inclusive and 21-33 inclusive on Registered Plan 65M-4477, in Part of Lot 21, Concession 3) (Delegation By-law 195-2015)
By-Law Number 120-2016	A By-law to authorize the sale of City lands described as Part of Lot 6, Concession 5 described as Parts 58 and 59, Plan 65R-33051 and Part of Part 61, Plan 65R-34128 located at original Applemill Road and Millway Avenue and to authorize an agreement between the Corporation of the City of Vaughan and Penguin-Calloway (Vaughan) Inc. (Item 27, Committee of the Whole, Report No. 27) (Addendum No. 4)

CARRIED

### 118. **CONFIRMING BY-LAW**

MOVED by Councillor Yeung Racco  
seconded by Regional Councillor Rosati

THAT By-law Number 121-2016, being a by-law to confirm the proceedings of Council at its meeting on June 28, 2016, be enacted.

CARRIED

### 119. **ADJOURNMENT**

MOVED by Regional Councillor Ferri  
seconded by Councillor Carella

THAT the meeting adjourn at 4:55 p.m.

CARRIED

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk