

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 7, Report No. 32, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on September 26, 2017, as follows:

By approving that the following be added to the end of recommendation 2. contained in the report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and the Senior Manager of Development Planning, dated September 19, 2017:

“and that if a peer review be deemed necessary by staff, that it be commissioned by staff at the applicant’s expense”; and

By receiving the following Communications:

- C4 Mr. Robert A. Kenedy, MacKenzie Ridge Ratepayers Association, dated September 25, 2017;***
- C5 Concord West Ratepayers Association, dated September 25, 2017;***
- C7 Mr. Leo Verrilli, dated September 25, 2017;***
- C8 Mr. Joe Collura, dated September 26, 2017; and***
- C9 Mr. Gordon Bannister, Boyd Valley Estates Ratepayers Association, dated September 26, 2017.***

**7 OFFICIAL PLAN AMENDMENT FILE OP.17.005
ZONING BY-LAW AMENDMENT FILE Z.17.013
VALLEY MAJOR DEVELOPMENTS LTD.
WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND PINE VALLEY DRIVE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated September 19, 2017, be approved;**
- 2) That planning staff be authorized to attend community meetings with respect to this matter;**
- 3) That the following deputations and Communications, be received:**
 - 1. Mr. Michael Testaguzza, Humphries Planning Group, representing the applicant;**
 - 2. Mr. Tim Sorochinsky, Millwood-Woodend Ratepayers Association, Millwood Parkway, Woodbridge, and Communication C13, dated September 19, 2017;**
 - 3. Ms. Elizabeth Bottos, Charmaine Road, Woodbridge, and Communication C11, dated September 19, 2017;**
 - 4. Mr. Frank Piccin, Charmaine Road, Woodbridge;**
 - 5. Mr. Richard Rodaro, Woodend Place, Woodbridge, and Communication C14, dated September 19, 2017;**
 - 6. Mr. Pino Cascarella, Islington Avenue, Woodbridge; and**
 - 7. Mr. Matthew Borgio, Avdell Avenue, Vaughan;**
- 4) That the following Communications be received:**
 - C1 Ms. Cristina Aiello, dated June 12, 2017;**
 - C2 Mr. Julian Fantino, dated September 15, 2017;**
 - C3 Mr. Joe Collura, Via Borghese, Woodbridge, dated September 19, 2017; and**
 - C15 Mr. Joe Collura, Via Borghese, Woodbridge.**

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Recommendation

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

1. THAT the Public Hearing report for Files OP.17.005 and Z.17.013 (Valley Major Developments Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.
2. THAT Vaughan Council deem Official Plan Amendment File OP.17.005 and Zoning By-law Amendment File Z.17.013 (Valley Major Developments Ltd.) to satisfy the study requirements identified by Site Specific Policy 13.15 – South East Corner of Major Mackenzie Drive and Pine Valley Drive of Vaughan Official Plan 2010, Volume 2, as it relates to land use, urban design, environmental and heritage potential and its location in the community; and on this basis, that Staff be directed to proceed with the review of Official Plan Amendment File OP.17.005 and Zoning By-law Amendment File Z.17.013 (Valley Major Developments Ltd.).

Contribution to Sustainability

The contribution to sustainability such as site and building design initiatives will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of Public Hearing was circulated: August 25, 2017.

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs installed on the property in accordance with the City's Notice Sign Procedures and Protocols.

- b) Circulation Area: to all property owners within 150 m of the subject lands and to the expanded notification area shown on Attachment #2, as well as to the Millwood Woodend Ratepayers Association and the Greater Woodbridge Ratepayers Association.

- c) Comments Received:

- i) C. Aiello (Pine Valley Drive), submitted correspondence dated June 12, 2017, expressing concern with the proposed density of the subject development and the potential for increased traffic and congestion on Pine Valley Drive. The resident is requesting that the City look at traffic relief measures, such as right-turn lanes from Pine Valley Drive to Rutherford Road and Major Mackenzie Drive, to alleviate congestion in the area.

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

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Purpose

To receive comments from the public and the Committee of the Whole on the following applications for the subject lands shown on Attachments #1 and #2, regarding a proposal for the development of 100, 3-storey, freehold townhouse units within 16 blocks, on a private common element condominium road, as shown on Attachments #3 to #6:

1. Official Plan Amendment File OP.17.005, specifically to:
 - a) amend the “Estate Residential” and “Stream Corridor” policies of OPA #600 (in-effect) to facilitate the proposed development; and
 - b) amend the policies of Vaughan Official Plan 2010 (Council approved and subject to Ontario Municipal Board approval) as it relates to the “Low-Rise Residential” designation of the lands, as follows:
 - i) Volume 1, specifically Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2, respecting the compatibility criteria for new development within “Community Areas” and permitted building types and development criteria for townhouses; and
 - ii) Volume 2, specifically Site-Specific Policy 13.15 - South East Corner of Major Mackenzie Drive and Pine Valley Drive respecting the general policies for these lands, by deleting Site Specific Policy 13.15 in its entirety, and substituting thereof the following:

“Notwithstanding Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2 of Vaughan Official Plan 2010, Volume 1, respecting the compatibility criteria for new development within Community Areas, and permitted building types and development criteria for townhouses, the subject lands located at 4433, 4455 and 4477 Major Mackenzie Drive shall be permitted to be developed with the following:

 - a) a maximum of 100 townhouse units;
 - b) a maximum of 8 attached residential units in each townhouse block; and
 - c) a maximum building height of 3-storeys.”
2. Zoning By-law Amendment File Z.17.013 to rezone the subject lands from RR Rural Residential Zone to RVM2 Residential Urban Village Multiple Family Zone Two and OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standard	RVM2 Residential Urban Village Multiple Dwelling Zone Two Requirements	Proposed Exceptions to the RVM2 Residential Urban Village Multiple Dwelling Zone Two Requirements
a.	Permitted Uses	<ul style="list-style-type: none">- Apartment Dwelling- Multiple Family Dwelling- Block Townhouse Dwelling	Freehold Townhouse Dwelling Units on a Private Common Element Condominium Road

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b.	Definition of “Lot”	Means a parcel of land fronting on a public street.	Means notwithstanding any further division of the subject lands, the portion of the subject lands zoned RVM2 shall be deemed to be one lot.
c.	Definition of “Lot Line, Front”	Means the street line, provided that in the case of a corner lot, the shorter street line is deemed to be the front lot line.	Means a Parcel of Tied Land (POTL) line abutting a private common element condominium road.
d.	Definition of “Parking Space”	Means a rectangular area measuring 2.7 m by 6.0 m.	Means a rectangular area measuring 2.7 m by 5.9 m.
e.	Lot Frontage (All Blocks)	30 m	25 m
f.	Exterior Side Yard Setback (Block 16)	3 m	1.5 m
g.	Building Height (All Blocks)	11 m	13 m
h.	Visitor Parking Requirement	0.25 spaces / unit = 25 parking spaces	0.2 spaces / unit = 20 parking spaces
i.	Minimum Landscape Strip Width Around Outdoor Parking Areas	3 m	0 m
j.	Minimum Landscaped Berm/ Hedge Height Around Outdoor Parking Areas	1.2 m	0 m

Additional zoning exceptions may be identified through the detailed review of the applications and will be considered in a technical report to a future Committee of the Whole meeting.

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Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ The subject lands are located at the southeast corner of Major Mackenzie Drive and Pine Valley Drive, shown as “Subject Lands” on Attachments #1 and #2, and are municipally known as 4433, 4455 and 4477 Major Mackenzie Drive.
Official Plan Designation	<p><u>OPA #600 (Vellore Urban Village 1)</u></p> <ul style="list-style-type: none">▪ The subject lands are designated “Estate Residential” and “Stream Corridor” by in-effect OPA #600 (Vellore Urban Village 1). The “Estate Residential” designation permits detached dwellings on large lots. The proposed townhouse development does not conform with OPA #600, therefore an Official Plan Amendment is required.▪ The former Owner of 4455 and 4477 Major Mackenzie Drive appealed Vaughan Official Plan 2010 (VOP 2010), Volume 1, relating to the “Low-Rise Residential” designation, natural heritage, and transportation policies as they relate to these lands (identified as Appeal #65 in the City of Vaughan List of VOP 2010 Appellants). The VOP 2010 appeal has been carried forward by the current Owner (Valley Major Developments Ltd.).▪ If the development applications are approved, the Owner of the subject lands will be required to resolve their OMB appeal to VOP 2010 as it pertains to 4455 and 4477 Major Mackenzie Drive to the satisfaction of the City Solicitor and Deputy City Manager, Planning and Growth Management, in order to bring VOP 2010 into effect on the subject lands.▪ In recognition of the potential redevelopment of the southeast quadrant of Major Mackenzie Drive and Pine Valley Drive, Vaughan Council on March 20, 2012, directed Staff to report back with proposed criteria, including study requirements, to inform future development and infrastructure proposals near the Pine Valley Drive and Major Mackenzie Drive intersection. On April 17, 2012, Vaughan Council adopted Site Specific Policy 13.15 – South East Corner of Major Mackenzie Drive and Pine Valley Drive as part of VOP 2010, Volume 2. Policy 13.15.1.2 specifically states “in consideration of a development application in the southeast quadrant of the Major Mackenzie Drive and Pine Valley Drive intersection, or for any other reason, Council may initiate a study of all or part of the lands identified on Map 13.15.A in respect of its land use, urban design, environmental and heritage potential and its location in the community”.▪ As the entirety of the subject lands are subject to Section 13.15 of VOP 2010, Volume 2, and that Section 13.15 has not yet been approved by the OMB, OPA #600 is the in-effect Official Plan for the entirety of the subject lands.

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	<p><u>Vaughan Official Plan 2010</u></p> <ul style="list-style-type: none"> ▪ The subject lands are designated “Low-Rise Residential” and “Natural Areas” by VOP 2010, and are located within a “Community Area” and “Natural Areas and Countryside” by Schedule 1 - Urban Structure. ▪ The “Low-Rise Residential” designation and Section 9.2.3.2 of VOP 2010 permits townhouses no greater than 3-storeys in height, situated on a single parcel and part of a row of at least three but no greater than six attached residential units. ▪ Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 direct that new development in Community Areas be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. Additionally, new development within established areas shall pay particular attention to local lot patterns, sizes and configuration, surrounding heights and setbacks, building types of nearby residential properties, and local street patterns. Based on the criteria for new development within established neighbourhoods, the proposed development does not conform to VOP 2010, as there are no existing townhouses constructed in the immediate area. ▪ The rear portion of the subject lands contain part of a Core Feature as identified on Schedule 2 – Natural Heritage Network of VOP 2010. Schedule 3 – Environmentally Sensitive Areas (ESA) and Areas of Natural and Scientific Interest (ANSI) of VOP 2010, Volume 1 further identifies this feature as the Kleinburg Woods, a Provincial ANSI. The proposed development must conform to the Core Feature policies of VOP 2010. The Owner is required to demonstrate that the proposed development will not result in a negative impact on the Core Feature or its functions. In accordance with Section 3.2.3.4 of VOP 2010, the Owner is proposing a 10 m minimum vegetation protection zone from the Core Feature. <p>The subject lands are located adjacent to a “Regional Transit Priority Network” as identified by Schedule 10 – Major Transit Network of VOP 2010. The proposed development will be reviewed in consideration of the long-term transportation and transit network objectives of York Region and the City.</p>
Zoning	<ul style="list-style-type: none"> ▪ The subject lands are zoned RR Rural Residential Zone, by Zoning By-law 1-88, which permits a single detached dwelling on a lot having a minimum frontage of 45 m and a minimum lot area of 4,000 m². ▪ The RR Zone does not permit the proposed townhouse development. An amendment to Zoning By-law 1-88 is required to facilitate the development proposal shown on Attachments #3 to #6.

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Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.
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Preliminary Review

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

MATTERS TO BE REVIEWED		COMMENT(S)
a.	Conformity with Provincial Policy, Regional and City Official Plans	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the applicable Provincial policies, York Region Official Plan, as well as OPA #600 (in-effect) and Vaughan Official Plan 2010 (VOP 2010) policies. The proposed development will be reviewed in consideration of Sections 9.1.2.2 and 9.1.2.3 (Urban Design and Built Form) of VOP 2010, respecting the compatibility criteria for new development within existing Community Areas and Section 9.2.3.2 (Townhouses) respecting building type and development criteria for townhouses. The proposed development will be reviewed for conformity with Chapter 3 – Environment of VOP 2010, including but not limited to Section 3.2 (Vaughan's Natural Heritage Network), Section 3.2.3.4 (Core Features), Section 3.3.3 (Woodlands), and Section 3.3.6 (Environmentally Significant Areas and Areas of Natural and Scientific Interest).
b.	Site Specific Policy 13.15 - South East Corner of Major Mackenzie Drive and Pine Valley Drive	<ul style="list-style-type: none"> The proposed development will be reviewed in consideration of Section 13.15, of VOP 2010, Volume 2, which is Council approved, but pending approval by the OMB. Section 13.15 is a Council directed policy that states in part "in consideration of a development application identified on Map 13.15.A Council may initiate a study of all or part of the lands". Section 13.15 states that the subject study shall establish the appropriate development form and be prepared in accordance with the terms of reference satisfactory to Council and may include, but not be limited to, the examination of: <ul style="list-style-type: none"> a) land use and density; b) urban design, including building height, massing, architecture and streetscaping and visual impact assessment; c) traffic impact; d) heritage; e) an Environmental Impact Study consistent with the requirements of Policy 3.9.2 focusing on the features and functions of Marigold Creek;

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		<p>f) potential impacts on nearby sensitive uses; and</p> <p>g) the appropriate integration of new infrastructure into the area.</p> <ul style="list-style-type: none"> Since Council has the ability to initiate a study on all or parts of these lands in consideration of a development application, and the study area is constrained to the south by an existing 6-storey residential building, to the east by an environmental feature, and to the north and west by municipal roads (shown on Attachment #2). On this basis, it is Staff's recommendation that the subject Official Plan and Zoning By-law Amendment applications (Files OP.17.005 and Z.17.013 – Valley Major Developments Ltd.) and the documents submitted in support of the applications be considered the study contemplated by Section 13.15. The subject lands represent the only undeveloped lands within the study area, and the reports and studies submitted in support of the subject development applications meet the requirements of the site-specific policy. If the proposed development is approved, Section 13.15 will require approval by the OMB to bring VOP 2010 into effect on the subject lands (in concert with the resolution of Appeal #65), in order to allow an Official Plan Amendment to VOP 2010.
c.	Community Area Policy Review for Low-Rise Residential Designations	<ul style="list-style-type: none"> In recognition of the increased development pressure in large lot neighbourhoods, the City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines ("Guidelines") for Infill Development in Established Low-Rise Residential Neighbourhoods and the Community Area Policy Review for Low-Rise Residential Designations Study ("Study"). The Guidelines were approved by Council on October 19, 2016, and serve to help clarify and implement the existing official plan policies related to compatibility. The Study was approved by Council on April 19, 2017, and a future Official Plan Amendment to implement the Study recommendations will be forwarded to Vaughan Council for adoption at a future date. The Guidelines and Study identify the subject lands as being part of an established large lot neighbourhood. The proposed development will be reviewed with regard to the Study, and in consideration of the Guidelines as they serve to help integrate new development into established neighbourhoods.
d.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> The appropriateness of the proposed rezoning of the subject lands to RVM2 Residential Urban Village Multiple Family Zone Two with site-specific zoning exceptions and OS5 Open Space Environmental Protection Zone to facilitate the residential development shown on Attachments #3 to #6 will be reviewed in consideration of the existing and planned surrounding land uses.

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		<ul style="list-style-type: none"> Consideration will be given to the use of the RT1 Residential Townhouse Zone standards instead of the RVM2 Residential Urban Village Multiple Family Zone Two, which has been applied to similar private common element condominium townhouse developments in the City.
e.	Future Development Applications	<ul style="list-style-type: none"> If approved, a Site Development Application, Draft Plan of Condominium (Common Element) Application, and Part Lot Control Application will be required to implement the proposed development. All issues identified through the review of the Site Development Application, including but not limited to site organization, built form and design, the configuration and width of the private road network, pedestrian accessibility, future trail connections, and environmental sustainability will be addressed concurrently with the subject Official Plan Amendment and Zoning By-law Amendment applications in a comprehensive technical report to a future Committee of the Whole meeting. All issues identified through the Draft Plan of Condominium (Common Element) Application, including consistency with the approved site plan and the identification of all common elements will be addressed in a comprehensive technical report to a future Committee of the Whole meeting, should the Official Plan Amendment and Zoning By-law Amendment applications be approved.
f.	Sustainable Development	<ul style="list-style-type: none"> If the subject applications are approved, opportunities for suitable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, and reduction in pavement to address the “heat island” effect, etc., will be reviewed and implemented through the site plan approval process.
g.	Studies and Reports	<ul style="list-style-type: none"> The Owner has submitted the following reports and studies in support of the proposed development, which must be reviewed and approved to the satisfaction of the City or respective public approval authority: <ul style="list-style-type: none"> Planning Justification Report Urban Design and Sustainability Brief Tree Inventory and Preservation Plan Archaeological Assessment Phase I and II Environmental Site Assessment (ESA) Functional Servicing and Stormwater Management Report

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		<ul style="list-style-type: none"> - Geotechnical Report - Environmental Impact Study - Hydrogeological Assessment - Traffic Impact Study - Parking Study <ul style="list-style-type: none"> ▪ Additional reports may be required as part of the development application review process.
h.	Parkland Dedication	<ul style="list-style-type: none"> ▪ Should the applications be approved, the Owner will be required to provide parkland dedication or cash-in-lieu of parkland in accordance with the City's Cash-in-Lieu of Parkland Policy and the <i>Planning Act</i>, prior to the issuance of a Building Permit. ▪ The Parks Development Department has advised that the City is seeking a future connection from the subject lands to Woodend Place, and that the southern woodlot would assist in providing access for future residents. The City will be reviewing the feasibility of a 3 m wide multi-use pathway, along with a 1.5m sidewalk clearance on either side of the pathway, as part of the subject development proposal.
i.	Tree Preservation	<ul style="list-style-type: none"> ▪ The majority of the existing trees (outside the 10 m minimum vegetation protection zone and the Core Feature) on the subject lands are proposed to be removed to accommodate the residential development. The Tree Inventory and Preservation Plan submitted in support of these applications has been circulated to the Development Planning Department, Urban Design and Cultural Heritage Division, the Policy Planning and Environmental Sustainability (PPES) Department and the Transportation Services, Parks and Forestry Operations Department for review. The Owner will be required to implement the appropriate tree protection measures to the satisfaction of the City. Should it be determined that some/all of the trees must be preserved, it may result in a loss in the number of units on the site, alternatively if the City approves the removal of any trees, then appropriate compensation in accordance with the City's Replacement Tree Requirements will be required.
j.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> ▪ The subject lands are located within the TRCA's regulated area and contain part of Marigold Creek as well as the Kleinburg Woods, a Provincial ANSI. The Owner will be required to satisfy all requirements of the TRCA, and dedicate any open space/valley land and associated environmental buffers to the TRCA or the City of Vaughan, free of all costs and encumbrances. ▪ The appropriate zone category for these lands, either OS1 Open Space Conservation Zone or the proposed OS5 Open Space Environmental Protection Zone, will be confirmed in the technical report, should the applications be approved.

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k.	Water and Servicing Allocation	<ul style="list-style-type: none">▪ If the applications are approved, the availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council. Should servicing capacity not be available, the use of the Holding Symbol “(H)” will be placed on the subject lands, which will be removed once servicing capacity is identified and allocated to the subject lands by Vaughan Council.
l.	Road Widening	<ul style="list-style-type: none">▪ The Owner will be required to dedicate the necessary road widening(s) along Major Mackenzie Drive and/or Pine Valley Drive to York Region, as shown on Attachment #3, and satisfy any other requirements of York Region.

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

The applicability of the applications to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

The Owner has requested York Region to exempt Official Plan Amendment File OP.17.005 from approval by Regional Council. Should York Region grant the requested exemption and should Vaughan Council approve Official Plan Amendment File OP.17.005, the Regional exemption would enable the implementing Official Plan Amendment to come into effect following its adoption by Vaughan Council and the expiration of the required appeal period.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Rezoning & Conceptual Site Plan
4. Landscape Plan
5. Conceptual Elevations of Proposed Townhouses with Rear Access Garages
6. Conceptual Elevations of Proposed Townhouses with Front Integral Garages

Report prepared by:

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Carmela Marrelli, Senior Planner, ext. 8791

(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.