

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017**

Item 34, Report No. 26, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 27, 2017.

**34                    MULTI-PARTY WATER AND WASTEWATER SERVICING AGREEMENT  
                         SITE DEVELOPMENT FILE DA.12.042 SMITH FARMS HOLDINGS INC.,  
SITE DEVELOPMENT FILE DA.16.044 / DRAFT PLAN OF SUBDIVISION FILE 19T-16V005  
                         WOODBRIDGE PARK LIMITED,  
                         SITE DEVELOPMENT FILE DA.16.029 (407 ETR)  
                         WARD 2 – STEELES AVENUE WEST CORRIDOR**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, the Deputy City Manager, Public Works, the Director, Financial Planning & Development Finance and Deputy City Treasurer, and the Director of Development Engineering & Infrastructure Planning, dated June 20, 2017:

**Recommendation**

The Deputy City Manager, Planning & Growth Management, the Deputy City Manager, Public Works, the Director, Financial Planning & Development Finance and Deputy City Treasurer, and the Director of Development Engineering & Infrastructure Planning, in consultation with the Director of Environmental Services and the Director of Financial Services and Deputy City Treasurer, recommend:

1. THAT the water component of the City-wide Engineering Development Charge collected from Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR), as determined by the Director, Financial Planning & Development Finance and Deputy City Treasurer, be transferred to York Region for distribution to the City of Toronto for the provision of municipal services to the subject site developments;
2. THAT the necessary by-law be enacted authorizing the Mayor and Clerk to execute the necessary multi-party agreements between York Region, the City of Toronto, the City of Vaughan and the respective landowners, to provide for the necessary water, wastewater and storm drainage servicing of the sites that are subject to Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) from the municipal services in the City of Toronto with consideration for the key principles set out in this report; and
3. THAT the City Clerk circulate a copy of this report to York Region and the City of Toronto.

**Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment:

- Objective 2.1: to achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy – 2031, by ensuring that the strategy is subject to periodic reviews and renewal

Goal 4: To create a vibrant community where citizens, business and visitors thrive:

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st Century.

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#### **Economic Impact**

The water component of the City-wide Engineering Development Charge to be collected from the Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) is currently estimated at \$176,000. The final amount will be determined at time of building permit issuance. The City will direct the Development Charge funds to York Region, which will then forward them to the City of Toronto.

The agreements are anticipated to include appropriate provisions regarding water and wastewater billing mechanisms to ensure adequate cost recovery for the City of Vaughan.

#### **Communications Plan**

A copy of this report will be forwarded to York Region and the City of Toronto.

#### **Purpose**

The purpose of this report is to seek Council approval to transfer the water component of the City-wide Engineering Development Charge collected from Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) to the City of Toronto through York Region, and to obtain Council authority to execute the necessary multi-party agreements for the provision of municipal services for the subject sites from the City of Toronto.

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

In December 2015 and October 2016, Vaughan Council approved Official Plan and Zoning By-law Amendment (Files OP.14.003 and Z.14.024) and Site Development (File DA.12.042) applications respectively, allowing the proposed development of the Woodbridge Park and Smith Farm sites. The subject lands are located on the north side of Steeles Avenue West between Regional Road 27 and Kipling Avenue. Neither the City of Vaughan nor York Region has existing or planned municipal services on Steeles Avenue to service the subject lands. However, the City of Toronto currently owns watermains, storm and sanitary sewers along the frontage of the subject lands. The landowners have requested York Region to execute multi-party servicing agreements with the City of Toronto to facilitate the servicing of the subject developments. City of Toronto staff have agreed in principle to provide servicing to these properties, subject to their Council approval and the necessary agreements being in place.

In approving these Development Applications, Vaughan Council authorized the Mayor and Clerk to execute the necessary agreements between York Region, the City of Toronto and the City of Vaughan to provide servicing connections to the subject sites. With these approvals, it was implied that the respective landowners would also execute the necessary agreement(s).

The proposed development of the 407 ETR site (File DA.16.029) is being processed under delegated authority to the Deputy City Manager, Planning & Growth Management. The 407 ETR site is also located on the north side of Steeles Avenue and requires services from the City of Toronto. As such, staff is requesting that the necessary authority be granted by Vaughan Council to execute the necessary cross-boundary servicing agreement similar to the other noted developments.

On February 21, 2017, Vaughan Council authorized staff to request York Region, in conjunction with City of Vaughan and the City of Toronto, to enter into a multi-party cross-boundary servicing agreement for each of the three sites being Smith Farms Holdings Inc, Woodbridge Park Limited

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### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017**

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and 407 ETR to allow servicing of the respective development sites from the City of Toronto servicing scheme. A copy of the relevant extract from the Council Meeting Minutes is included as Attachment 1 to this report.

#### **The key principles of cross-boundary servicing agreement have been established**

A number of meetings have taken place between staff from York Region, City of Toronto and Vaughan to establish the key principles of the cross-boundary servicing agreements, which include:

- a) The City of Toronto will own, operate and maintain the watermain and sewers under the requirements of the Safe Drinking Water Act and all other applicable legislation;
- b) The City of Toronto will be responsible for conducting all necessary investigation of any water quality complaints and/or any other complaints or customer requests related to the water, wastewater and stormwater services;
- c) The City of Vaughan shall not be responsible for any future costs associated with inspection, replacement and rehabilitation of the services;
- d) The landowners shall be responsible for paying all City of Vaughan Development Charges in accordance with all applicable City of Vaughan DC Bylaws;
- e) The City of Vaughan shall transfer the value of the water component of the City's Development Charges collected on each development to the City of Toronto via York Region; and
- f) The City of Toronto shall bill each landowner directly for water consumption and the cost associated with collecting and treating the wastewater and storm drainage from each site. Alternatively, the City of Toronto could make arrangements to invoice York Region for the monthly water consumption from each property. York Region would in turn invoice the City of Vaughan who would then bill the respective landowner. The landowners, and all future owners/tenants of the properties, would have to agree to pay the City of Toronto retail water and wastewater rates plus the applicable administrative surcharge from both York Region and City of Vaughan.

Recommendations 1 and 2 of this report provide for the implementation of the above.

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

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

- Invest, renew and manage infrastructure and assets;
- Attract investment and create jobs; and
- Continue to cultivate an environmentally sustainable City

#### **Regional Implications**

City staff will work with York Region staff and City of Toronto staff to finalize the Multi-party agreements that would allow servicing for the subject development sites.

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**Conclusion**

The provisions of municipal services to the proposed site developments DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) located on the north side of Steeles Avenue will be provided by connections to the municipal services in the City of Toronto. To facilitate this cross-boundary servicing scheme, multi-party agreements must be executed and the water component of the City-wide Engineering Development Charge collected in connection with the development of the above sites is to be transferred to the City of Toronto.

**Attachment**

1. Special Committee of the Whole Report Item 2, Report No. 8 - February 21, 2017

**Report prepared by:**

Bill Kiru, Senior Manager of Development Planning, Ext. 8633  
Terry Liuni, Manager, Development Finance, Ext. 8354  
Michael Frieri, Manager of Engineering Planning and Studies, Ext. 8729  
Sean Skinkle, Finance Manager, Ext. 8486

(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.)

**MULTI-PARTY WATER AND WASTEWATER SERVICING AGREEMENT  
SITE DEVELOPMENT FILE DA.12.042 SMITH FARMS HOLDINGS INC.,  
SITE DEVELOPMENT FILE DA.16.044 / DRAFT PLAN OF SUBDIVISION FILE 19T-16V005  
WOODBIDGE PARK LIMITED,  
SITE DEVELOPMENT FILE DA.16.029 (407 ETR)  
WARD 2 – STEELES AVENUE WEST CORRIDOR**

**Recommendation**

The Deputy City Manager, Planning & Growth Management, the Deputy City Manager, Public Works, the Director, Financial Planning & Development Finance and Deputy City Treasurer, and the Director of Development Engineering & Infrastructure Planning, in consultation with the Director of Environmental Services and the Director of Financial Services and Deputy City Treasurer, recommend:

1. THAT the water component of the City-wide Engineering Development Charge collected from Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR), as determined by the Director, Financial Planning & Development Finance and Deputy City Treasurer, be transferred to York Region for distribution to the City of Toronto for the provision of municipal services to the subject site developments;
2. THAT the necessary by-law be enacted authorizing the Mayor and Clerk to execute the necessary multi-party agreements between York Region, the City of Toronto, the City of Vaughan and the respective landowners, to provide for the necessary water, wastewater and storm drainage servicing of the sites that are subject to Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) from the municipal services in the City of Toronto with consideration for the key principles set out in this report; and
3. THAT the City Clerk circulate a copy of this report to York Region and the City of Toronto.

**Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment:

- Objective 2.1: to achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy – 2031, by ensuring that the strategy is subject to periodic reviews and renewal

Goal 4: To create a vibrant community where citizens, business and visitors thrive:

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st Century.

**Economic Impact**

The water component of the City-wide Engineering Development Charge to be collected from the Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) is currently estimated at \$176,000. The final amount will be determined at time of building permit issuance. The City will direct the Development Charge funds to York Region, which will then forward them to the City of Toronto.

The agreements are anticipated to include appropriate provisions regarding water and wastewater billing mechanisms to ensure adequate cost recovery for the City of Vaughan.

### **Communications Plan**

A copy of this report will be forwarded to York Region and the City of Toronto.

### **Purpose**

The purpose of this report is to seek Council approval to transfer the water component of the City-wide Engineering Development Charge collected from Development Applications DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) to the City of Toronto through York Region, and to obtain Council authority to execute the necessary multi-party agreements for the provision of municipal services for the subject sites from the City of Toronto.

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

In December 2015 and October 2016, Vaughan Council approved Official Plan and Zoning By-law Amendment (Files OP.14.003 and Z.14.024) and Site Development (File DA.12.042) applications respectively, allowing the proposed development of the Woodbridge Park and Smith Farm sites. The subject lands are located on the north side of Steeles Avenue West between Regional Road 27 and Kipling Avenue. Neither the City of Vaughan nor York Region has existing or planned municipal services on Steeles Avenue to service the subject lands. However, the City of Toronto currently owns watermains, storm and sanitary sewers along the frontage of the subject lands. The landowners have requested York Region to execute multi-party servicing agreements with the City of Toronto to facilitate the servicing of the subject developments. City of Toronto staff have agreed in principle to provide servicing to these properties, subject to their Council approval and the necessary agreements being in place.

In approving these Development Applications, Vaughan Council authorized the Mayor and Clerk to execute the necessary agreements between York Region, the City of Toronto and the City of Vaughan to provide servicing connections to the subject sites. With these approvals, it was implied that the respective landowners would also execute the necessary agreement(s).

The proposed development of the 407 ETR site (File DA.16.029) is being processed under delegated authority to the Deputy City Manager, Planning & Growth Management. The 407 ETR site is also located on the north side of Steeles Avenue and requires services from the City of Toronto. As such, staff is requesting that the necessary authority be granted by Vaughan Council to execute the necessary cross-boundary servicing agreement similar to the other noted developments.

On February 21, 2017, Vaughan Council authorized staff to request York Region, in conjunction with City of Vaughan and the City of Toronto, to enter into a multi-party cross-boundary servicing agreement for each of the three sites being Smith Farms Holdings Inc, Woodbridge Park Limited and 407 ETR to allow servicing of the respective development sites from the City of Toronto servicing scheme. A copy of the relevant extract from the Council Meeting Minutes is included as Attachment 1 to this report.

### **The key principles of cross-boundary servicing agreement have been established**

A number of meetings have taken place between staff from York Region, City of Toronto and Vaughan to establish the key principles of the cross-boundary servicing agreements, which include:

- a) The City of Toronto will own, operate and maintain the watermains and sewers under the requirements of the Safe Drinking Water Act and all other applicable legislation;

- b) The City of Toronto will be responsible for conducting all necessary investigation of any water quality complaints and/or any other complaints or customer requests related to the water, wastewater and stormwater services;
- c) The City of Vaughan shall not be responsible for any future costs associated with inspection, replacement and rehabilitation of the services;
- d) The landowners shall be responsible for paying all City of Vaughan Development Charges in accordance with all applicable City of Vaughan DC Bylaws;
- e) The City of Vaughan shall transfer the value of the water component of the City's Development Charges collected on each development to the City of Toronto via York Region; and
- f) The City of Toronto shall bill each landowner directly for water consumption and the cost associated with collecting and treating the wastewater and storm drainage from each site. Alternatively, the City of Toronto could make arrangements to invoice York Region for the monthly water consumption from each property. York Region would in turn invoice the City of Vaughan who would then bill the respective landowner. The landowners, and all future owners/tenants of the properties, would have to agree to pay the City of Toronto retail water and wastewater rates plus the applicable administrative surcharge from both York Region and City of Vaughan.

Recommendations 1 and 2 of this report provide for the implementation of the above.

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

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

- Invest, renew and manage infrastructure and assets;
- Attract investment and create jobs; and
- Continue to cultivate an environmentally sustainable City

#### **Regional Implications**

City staff will work with York Region staff and City of Toronto staff to finalize the Multi-party agreements that would allow servicing for the subject development sites.

#### **Conclusion**

The provisions of municipal services to the proposed site developments DA.12.042 (Smith Farms Holdings Inc.), DA.16.044 (Woodbridge Park Ltd), and DA.16.029 (407 ETR) located on the north side of Steeles Avenue will be provided by connections to the municipal services in the City of Toronto. To facilitate this cross-boundary servicing scheme, multi-party agreements must be executed and the water component of the City-wide Engineering Development Charge collected in connection with the development of the above sites is to be transferred to the City of Toronto.

#### **Attachment**

1. Special Committee of the Whole Report Item 2, Report No. 8 - February 21, 2017

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Terry Liuni, Manager, Development Finance, Ext. 8354  
Michael Frieri, Manager of Engineering Planning and Studies, Ext. 8729  
Sean Skinkle, Finance Manager, Ext. 8486

Respectfully submitted,

JOHN MACKENZIE  
Deputy City Manager,  
Planning & Growth Management

STEPHEN COLLINS  
Deputy City Manager, Public Works

LLOYD NORONHA  
Director, Financial Planning & Development  
Finance and Deputy City Treasurer

ANDREW PEARCE  
Director, Development Engineering  
and Infrastructure Planning



## CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017**

Item 2 Report No. 8, of the Special Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2017.

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**TRI-PARTY SERVICING AGREEMENT  
SITE DEVELOPMENT FILE DA.12.042  
SMITH FARM PROPERTY HOLDINGS INC.  
SITE DEVELOPMENT FILE DA.16.044 / DRAFT PLAN OF SUBDIVISION FILE 19T-16V005  
WOODBIDGE PARK LIMITED  
SITE DEVELOPMENT FILE DA.16.029  
407 ETR  
WARDS 2, 3, 4 AND 5 - STEELES AVENUE WEST CORRIDOR**

The Special Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Interim Director of Development Planning, and Senior Manager of Development Planning, dated February 21, 2017:

**Recommendation**

The Deputy City Manager, Planning & Growth Management, Interim Director of Development Planning, and Senior Manager of Development Planning in consultation with the Director of Development Engineering and Infrastructure Planning recommend:

1. THAT City of Vaughan Council formally request York Region, in conjunction with the City of Vaughan and the City of Toronto, to enter into a Tri-Party Servicing Agreement for each of the three (3) sites being Smith Farm Property Holdings Inc., 407 ETR, and Woodbridge Park Limited in order to allow servicing of the respective development sites that are located along the Steeles Avenue West corridor.
2. THAT City of Vaughan Council resolve that York Region and the City of Toronto be advised that the City of Vaughan consents to the initiation of additional Tri-Party Servicing Agreements, subject to a request from the Deputy City Manager of Planning and Growth Management, as may be required for future developments on other lands located in the City of Vaughan that are reliant on servicing from the City of Toronto.

**Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy - 2031, and by ensuring that the strategy is subject to periodic review and renewal

Goal 4: To create a vibrant community where citizens, business and visitors thrive

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st Century

**Economic Impact**

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

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#### Communications Plan

N/A

#### Purpose

The purpose of this report is to seek City of Vaughan Council's formal request to York Region, in conjunction with the City of Toronto, to enter into a Tri-Party Servicing Agreement with Smith Farm Property Holdings Inc., 407 ETR, and Woodbridge Park Limited in order to allow servicing of the respective development sites that are located along the Steeles Avenue West corridor. This report also includes a request to initiate future Tri-Party Servicing Agreements, as may be required, for future developments on other lands located in the City of Vaughan that are reliant on servicing from the City of Toronto.

#### Background - Analysis and Options

##### *Synopsis:*

*A formal request to York Region, in conjunction with the City of Vaughan and the City of Toronto, is required to enter into a Tri-Party Servicing Agreement with Smith Farm Property Holdings Inc., 407 ETR, and Woodbridge Park Limited in order to allow servicing of the respective development sites that are located along the Steeles Avenue West corridor. Additionally, the report seeks York Region to initiate additional Tri-Party Servicing Agreements, as may be required, for future developments for other lands located in the City of Vaughan that rely on servicing from the City of Toronto subject to a request from the Deputy City Manager of Planning and Growth Management.*

#### Location

The lands subject to the Tri-Party Agreements, shown on Attachment #1, are generally located on the north side of Steeles Avenue West, east of Regional Road 27, and west of Kipling Avenue.

#### York Region Request for a Council Resolution

York Region is in receipt of requests from landowners to execute Tri-Party Servicing Agreements with the City of Toronto to facilitate development. In order to align our schedules and to facilitate timely development of these projects, staff have brought forward this report.

York Region has requested a formal resolution from Vaughan Council to enter into a Tri-Party Servicing Agreement for each of the three (3) development proposals.

#### Site Development Applications Requiring a Tri-Party Agreement

On October 19, 2016, Vaughan Council ratified the decision of the Committee of the Whole approving Site Development File DA.12.042 (Smith Farm Property Holdings Inc.) to permit the development of a 20,855.73 m<sup>2</sup> employment building.

On December 13, 2016, Vaughan Council ratified the decision of the Committee of the Whole approving Site Development File DA. 16.044 and Draft Plan of Subdivision File 19T-16V005 (Woodbridge Park Limited) to permit a residential development comprised of 249 townhouse units, 26 rental apartment units and 868 m<sup>2</sup> of at-grade commercial uses.

Site Development Application File DA.16.029 (407 ETR) will facilitate an expansion of the existing 407 ETR site with a new 2,565 m<sup>2</sup> maintenance building, 3,067 m<sup>2</sup> covered enclosure to accommodate plough trucks, and the addition of 103 new parking spaces. The application, which was filed in March 2016, has been in review with the Ministry of Transportation, City of Toronto,

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#### **Item 2, SP CW Report No. 8 – Page 3**

Toronto and Region Conservation Authority, York Region, and various Departments in the City of Vaughan. Development Planning Department staff will provide final approval of the plans and will administer the required implementing agreement(s) in accordance with By-law 123-2013 (Site Plan Control By-law) which delegates approval authority to staff in certain instances.

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

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

- Invest, renew and manage infrastructure and assets
- Attract investment and create jobs
- Continue to cultivate an environmentally sustainable City

#### **Regional Implications**

York Region has been working diligently with the City of Toronto, the various landowners, and the City of Vaughan in trying to finalize a Tri-Party Servicing Agreement that would allow for servicing of the respective development sites that are located along the Steeles Avenue West corridor. York Region has also advised the Vaughan Development Planning Department that it requires a formal resolution from Vaughan Council to enter into a Tri-Party Servicing Agreement for each of the three (3) development proposals.

#### **Conclusion**

York Region has requested a resolution from Vaughan Council to enter into a Tri-Party Servicing Agreement for each of the three (3) development sites that is required in order to allow the development sites to proceed to final approval, thereby creating shared economic benefits and housing for both the City of Vaughan and York Region. Should Vaughan Council approve the recommendations of this report, the Tri-Party Servicing Agreements necessary to facilitate the three affected development proposals can be initiated, which would allow the City of Vaughan to be in a position to issue Building Permits for Spring 2017. Vaughan Development Planning staff are also recommending that Vaughan Council adopt the recommendation to advise York Region to initiate additional Tri-Party Servicing Agreements, as may be required, subject to a receipt of a request from the Deputy City Manager of Planning and Growth Management, for future developments for other lands located in the City of Vaughan that rely on servicing from the City of Toronto.

#### **Attachments**

1. Location Map

#### **Report prepared by:**

Bill Kiru, Senior Manager of Development Planning, ext. 8633

(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.)

