

COMMITTEE OF THE WHOLE (2) – SEPTEMBER 24, 2019

COMMUNICATIONS

Distributed September 24, 2019

Item

C1. Memorandum from the Interim City Manager, dated September 23, 2019.

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Distributed September 24, 2019 (at the meeting)

C2. Mr. Don Given, dated September 24, 2019.

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Please note there may be further Communications.



memorandum

C /
COMMUNICATION

CW (2) - Sept 24 / 19

ITEM - 13

DATE: SEPTEMBER 23, 2019
TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL
FROM: TIM SIMMONDS, INTERIM CITY MANAGER
RE: ITEM NO. 13, COMMITTEE OF THE WHOLE (2) - SEPTEMBER 24, 2019

APPROVAL OF TERMS OF REFERENCE AND APPOINTMENT OF CITIZEN MEMBERS TO TASK FORCES

Purpose

To recommend for Council consideration the following administrative amendments to Attachment 1 - Amended Terms of Reference for the Effective Governance and Oversight Task Force (page 226).

Recommendation

For Committee to consider adopting the revised Terms of Reference as noted in Attachment 1 - Amended Terms of Reference for the Effective Governance and Oversight Task Force.

Respectfully Submitted,

Tim Simmonds
Interim City Manager

Attachment 1: Amended Terms of Reference Governance and Oversight Task Force

Amended Terms of Reference for the Effective Governance and Oversight Task Force

The following amendment is provided to the Terms of Reference for the Effective Governance and Oversight Task Force. This amendment provides clarification and a more focused mandate and objectives for the task force.

MANDATE:

The City of Vaughan Effective Governance and Oversight Task Force has an overall mandate to make recommendations that ensure the City is at the forefront of accountability, transparency and regulatory governance. This includes exploring how the City of Vaughan can further enhance its governance framework; improving City Council's decision-making processes and procedures; and clarifying roles and responsibilities.

OBJECTIVES:

The Task Force will:

1. Serve as a forum of discussion for residents, businesses, stakeholders, academia and governance thought leaders regarding governance in the municipal sector.
2. Discuss ways to improve City Council's core decision-making processes and procedures.
3. Examine how Council can best discharge its fiduciary duty to the citizenry.
4. Define the roles and relationships between Council and the Administration and clarify the roles of oversight vs. operations.
5. Align the work of the task force members with the Council-approved priorities identified in the 2018-2022 Term of Council Service Excellence Strategic Plan.

The Task Force shall develop recommendations on the following key objectives:

1. Identify areas of opportunities related to corporate governance and accountability and recommend possible solutions including exploring the concept of:
 - a. efficient, effective and transparent decision-making;
 - b. Council report management, processing and timing;
 - c. dissemination and timing of information between Members of Council and City Staff;
 - d. enhancing the partnership and consultation between Members of Council, Staff and Stakeholders;
 - e. the Corporations governance structure.
2. Identify opportunities to leverage partnerships and opportunities with relevant parties, including York Region, other local municipalities, other levels of government and the non-profit sector, and academia, to:
 - a. achieve objectives of the Effective Governance & Oversight Task Force;

- b. contribute to areas of common interest aligned with the results identified in the City's Satisfaction Survey, Staff Engagement Survey, Internal Audit Governance and Accountability Report, Anonymous Reporting System results, and the 2018-2022 Term of Council Service Excellence Strategic Plan.
3. Identify and make recommendations related to gaps in the Corporations governance structure.
4. Develop a fulsome exposition of the separation and distribution of municipal decision-making powers, including those defined in legislation or regulation.

TERM:

The Effective Governance & Oversight Task Force shall submit its findings and recommendations for review no later than April 2021.

MEMBERSHIP:

1. The Task Force membership shall be composed of the following:
 - a. A maximum of two (2) Council members
 - b. A maximum of nine (9) individuals that have expertise in public administration, along with representation, post-secondary and civic leadership sectors.
 - c. The Mayor will serve as an ex-officio member of the Task Force.
2. Members are to be appointed by Council. Any changes to the membership will require Council approval.

MEETING PROCEDURES:

The proceedings of the Task Force are to be governed by the City's Procedural By-law.

AGENDAS AND REPORTING:

1. Agendas shall be prepared by the City Clerk's Office in consultation with the Task Force Chair.
2. Agendas shall be posted on the City's web site one week prior to the scheduled date of meeting, or as soon as practicable.
3. After each meeting of the Task Force, the City Clerk shall submit a report in the City's committee report format to the Committee of the Whole.

4. Following conclusion of the mandate of the Task Force, a report of recommendations will be brought to Council for further consideration.

MEETINGS:

1. Meeting dates will be determined at the first meeting of the Task Force. The Task Force may meet on the schedule determined, or at the call of the Chair.
2. Meetings will be held every other month or as needed throughout the course of the Task force term, except for July and August where no meetings will be scheduled.
3. The Chair of the Task Force may call special meetings.
4. All regular meetings will be held at Vaughan City Hall located at 2141 Major Mackenzie Drive, Vaughan.
5. Meetings are to be open to the public in accordance with the Municipal Act, 2001.

NOTICE OF MEETINGS:

Meetings will be noted on the Schedule of Meetings calendar posted on the City's website.

QUORUM:

1. A majority of members, including the Chair, shall constitute quorum.
2. Ex-officio members will not be counted for the purpose of calculating the total number of persons appointed to the task Force but will be counted as a member present when in attendance.

STAFF RESOURCES:

The role of staff is to act as a resource to the Task Force, but not to be members of the Task Force, or to deliberate or draft the findings of the Task Force. The following staff will provide advisory and technical support specific to the mandate and objectives of the Task Force:

1. The Office of the City Clerk will assign one staff person responsible for agenda and report production and distribution, the providing of procedural advice, the recording of proceedings of the Task Force and distribution of reports.
2. Corporate and Strategic Communications will assign one staff person to provide communications advisory services, prepare information, communications and assist in the development of the Task Force report.
3. An additional two (2) staff with subject matter expertise will be assigned to support the work of the Task Force.

4. The Task Force can be provided with additional administrative and/or technical support at the discretion of the appropriate administrative portfolio(s) or department(s).

AUTHORITY:

The Task Force may not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council. Any request for expenditures determined by the Task Force for the sole purpose of conducting the business or work of the Task Force shall be forwarded to Council for consideration and approval.

The Task Force may not direct staff to undertake activities without authority from Council.

AMENDMENT / EXPANSION OF TERMS OF REFERENCE:

Only Council can approve any amendment and/or expansion of the Terms of Reference.



Don Given
905 513 0170 x109
DGiven@mgp.ca

September 24, 2019

MGP File: 11-2003

Mayor and Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via email: clerks@vaughan.ca

Dear Mayor Bevilacqua and Members of Council:

**RE: City of Vaughan Committee of the Whole – September 24, 2019
Item 16: New Community Area – Block 41 Secondary Plan Study File 26.4.2
Comments from Block 41 Landowners Group**

Malone Given Parsons Ltd. (MGP) is the Planning Consultant for the Block 41 Landowners Group (“LOG”), who own approximately 232 gross hectares of land within the Block 41 Secondary Plan area.

On behalf of the LOG, we have reviewed the Committee of the Whole Report dated September 24, 2019 and the attached Final Draft Block 41 Secondary Plan, and are supportive of moving the Secondary Plan forward. We wish to thank Staff and Council for their efforts in bringing the Secondary Plan to fruition.

Since the Public Hearing in April 2019, the LOG has met with City staff to discuss our comments on the Draft Secondary Plan. The LOG continues to have some minor comments and policy clarifications on the draft Secondary Plan policies which are outlined in the attached table.

The LOG’s comments generally relate to the noise policies (Section 3.10), the location of stormwater management ponds (Sections 5.5.4 and 8.2), and the Natural Heritage Network (Section 5.0). In addition, there are still some natural heritage mapping discrepancies which we raised with City staff at our last meeting and require confirmation. We are confident that these can be addressed prior to Council’s approval of the Final Draft Secondary Plan.

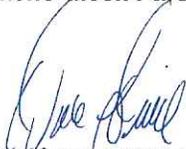
Lastly, we note that the Final Draft Secondary Plan contains Appendix II- Gross Density Calculation which provides high-level expectations for the number of people, jobs, housing mix and density for the Block 41 Lands. The policies of the Final Draft Secondary Plan note that Appendix II is attached only for information purposes and is non-operative and non-binding. It should be noted that the LOG contemplates a housing mix, density and population that differs from Appendix II while still achieving the minimum density target of 20 units per hectare and 70 people and jobs per hectare. The LOG vision for the Block 41 community will be further developed as part of the upcoming Block Plan and Master Environmental Servicing Plan process.

The LOG's comments on the Final Draft Block 41 Secondary Plan are contained in the attached table. We would like to request a meeting with Staff to address our minor comments and policy clarifications to finalize the Secondary Plan for Council's approval in the coming week.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,

Malone Given Parsons Ltd.



Don Given, MCIP, RPP

President

DGiven@mgp.ca

Att 1 Block 41 Landowners Group –Secondary Plan Comments

cc: Block 41 Landowners Group
Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management
Bill Kiru, City of Vaughan
Armine Hassakourians, City of Vaughan

Subject: Block 41 Landowners Group – Secondary Plan Comments
Date: September 24, 2019
MGP File: 11-2003

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	Comments
3.10 Policies for TransCanada Pipelines Limited 3.10.5	Additional development or enhancements to TCPL's natural gas pipelines and compressor station, beyond what is existing or approved, shall recognize existing and future land uses that are approved as part of this Secondary Plan, once the residential and sensitive land uses as defined by the NPC-300 Guideline within the Block 41 Secondary Plan area have been zoned. Once the zoning of the Block 41 community is approved, those operations <u>additional developments or enhancements</u> shall be made to be compatible with the future development of the Block 41 Community <u>as allowed per the approved zoning</u> . Prior to the zoning of the lands within the Block 41 Secondary Plan area, an acoustical assessment incorporating any <u>planned and</u> predictable modifications to the compressor station shall be required as part of the Zoning By-law Amendment application approval process.
Definition of Sensitive Land Uses/Points of Reception 3.10.7	Other Sensitive Land Uses and Points of Reception may be impacted by other activities or infrastructure within the Secondary Plan Area that <u>are not</u> related to the TCPL's operations, and located outside of the Noise Influence Area identified on Schedule G. Those other Sensitive Land Uses and Points of Reception as defined by the NPC-300 Guidelines shall be subject to the provisions of Section 9.2 of VOP 2010, in addition to the policies of this Secondary Plan.
The Noise Influence Area 3.10.8	The lands within the Noise Influence Area identified on Schedule G may be designated by the City as Class 4, pursuant to the Provincial NPC-300 Guideline document. Designating the lands within the Noise Influence Area as Class 4 represents the lands that may be subject to noise levels above 45dBA Leq 1 hour at the building facades during the night and 50dBA Leq 1 hour at building facades during the daytime. The designation of the lands as Class 4 is at the sole discretion of the City of Vaughan. <u>Sensitive Land Uses and Points of Reception within The</u> the Noise Influence Area shall <u>necessitate the</u> require Noise Feasibility Studies <u>and which outline</u> potential <u>noise</u> mitigation strategies.
3.10.9	Where a Class 4 designation has been granted, the development shall strive to achieve the <u>sound levels limits</u> as close to the Class 1 limits as outlined in Provincial NPC-300 Guideline as feasible for residential and/or other sensitive land uses. The City of Vaughan, at its sole discretion, will determine if the proposed mitigation is appropriate and feasible.

3.10.12	The City will ensure, through the Implementing Zoning By-law, Conditions of Draft Plan Approval, Site Plan Agreement, and/or any other legally binding agreement acceptable to the City, that potential adverse noise impacts due to low frequency sound shall include appropriate construction techniques and/or building materials that will mitigate potential adverse noise impacts due to low frequency sound to an interior sound level of 30 dBA, or less in habitable spaces as defined by the Provincial NPC-300 Guideline. As a minimum, the dwellings should be constructed of brick veneer or masonry exterior wall construction (minimum STC 54) and be provided with central air conditioning.
3.10.13	Physical noise mitigation measures (e.g. sound barriers), for residential and/or sensitive land uses adjacent to the compressor station, in addition to the requirements outlined in Section 3.10.12 shall can be required used, the height of which shall be determined by the Noise Feasibility Study to the satisfaction of the City.
3.10.14	With respect to the potential adverse noise impacts on lands within the Noise Influence Area identified on Schedule G, the following noise thresholds apply: <ol style="list-style-type: none"> 1. In addition to the central air conditioning and brick veneer or masonry exterior wall construction (minimum STC 54), the indoor noise threshold for all defined Sensitive Land Uses shall not exceed 30 dBA in habitable spaces as defined by the Provincial NPC-300 Guideline; and 2. For any outdoor living area defined as a Point of Reception, the outdoor noise threshold shall not exceed 55 dBA, during the day and evening hours.
Implementation 3.10.16	Where required, Noise Feasibility Study Studies are to specify how compatibility will be achieved between TCPL's compressor station (existing and approved) and the proposed development and may include measures aimed at minimizing impacts, or prohibiting certain types of development in proximity to TCPL's compressor station (existing and approved) to ensure compatibility. The maintenance of any mitigation measures to be implemented shall be secured by agreements between the City of Vaughan and developers or between the developers and TCPL if the mitigation is to be installed on or within the compressor station property.
3.10.17	Further, any required Noise Feasibility Study shall be prepared to the satisfaction of the City in consultation with TCPL, and shall recommend appropriate measures to mitigate to meet the Provincial NPC-300 Guideline sound level limits from noise, and implement shall include the mitigation outlined in Section 3.10.12 and 3.10.14 of this Secondary Plan to address Low Frequency Noise, for noise sources that are identified prior to the approval of an Implementing Zoning By-law. The sound level limits are those provided in the Provincial NPC-300 Guideline document and include the mitigation described in Policies 3.10.12 to 3.10.14 above.
3.10.19	For all development proposals within 200 metres the Noise Influence Area shown on Schedule F of the TCPL lands, the City shall require the applicant to pre-consult with TCPL. For crossings of the TCPL right-of-way, applicants shall consult with TCPL as soon as possible through the Third-party Crossings Tool.

<p>3.10.21</p>	<p>All further planning approvals within the Noise Influence Area identified on Schedule G shall be:</p> <ol style="list-style-type: none"> 1. Based on an Acoustic Model, which may be provided by TCPL at the time of preparation of the noise reports, including the associated assumptions used within the model. If an acoustic model is not available through TCPL, input regarding the noise sources, sound level information regarding the equipment, mitigation measures that may have been implemented within the compressor station lands shall<u>may</u> be provided by TCPL to be used in the development of an acoustic model to the satisfaction of the City, in consultation with TCPL; 2. Required to prepare a Noise Feasibility Study and/or Acoustic Performance Report, utilizing the accepted Acoustic Model (updated as noted above), to be carried out by a Professional Engineer, to the satisfaction of the City, in consultation with TCPL; 3. Subject to the implementation of any noise mitigation requirements or techniques, as identified in a Noise Feasibility Analysis Study that has been accepted by the City. These noise mitigation requirements or techniques shall be secured through the Implementing Zoning By-law, Conditions of Draft Plan Approval, Site Plan Agreement, and/or any other legally binding agreement acceptable to the City; and
<p>Stormwater Management Symbol 4.9.1</p>	<p><i>COMMENTS: Reference should be made to Policy 5.5.4, renumbered from Policy 5.6.4</i></p>
<p>The Natural Heritage Network 5.0</p>	<p><i>COMMENTS: In several areas the term "Core Features and their associated VPZ's" is used. As per Section 3.2 of the City of Vaughan Official Plan, 2010, we understand that the definition of Core Features includes the VPZ. As such the use of the term "Core Features and their associated VPZ's" is redundant.</i></p>
<p>5.1.4</p>	<p>The biodiversity, ecological function, and connectivity of the NHN shall be protected, maintained, restored or, where possible, improved for the long-term, recognizing linkages between and among Core Features and areas, surface water features, and ground water features.</p> <p><i>COMMENTS: It is not clear what Core Features and Areas refers to.</i></p>
<p>Stormwater Management 8.2.2</p>	<p><i>COMMENTS: The Landowners previously suggested modifications to Section 2.1.2, item 4 Bullet 5 related to the protection of groundwater resources. This revision was made however we note that Policy 8.2.2 also includes wording that was revised in Section 2.1.2. As such, we are suggesting that Section 8.2.2 be modified as follows for consistency with Policy 2.1.2:</i></p> <p>Development in the Block 41 Secondary Plan area is required to incorporate "Low Impact Development" best practices and green infrastructure, wherever feasible and practical to minimize runoff, reduce water pollution, and</p>

	<p>protect groundwater resources quality and maintain pre-development groundwater levels as measures in addition to more traditional stormwater management systems and facilities. These measures may include but are not limited to, porous pavements, bioretention basins, enhanced swales, at-source infiltration, greywater re-use, green roofs, rain gardens, and alternative filtration systems such as treatment trains and water conservation measures, subject to the satisfaction of the City.</p>
<p>8.2.3</p>	<p><i>COMMENTS: Policy 8.2.3 is recommended to be deleted. The language in Policy 8.2.3 conflicts with Policies 4.9.1 and 5.5.4. Further, it is redundant as Policy 4.9.1 provides general direction for stormwater management facilities and Policy 5.5.4 provides direction for those facilities within the Greenbelt Plan.</i></p>