

**CITY OF VAUGHAN
COMMITTEE OF THE WHOLE (1)
AGENDA**

This is an Electronic Meeting. The Council Chamber will not be open to the public. Public comments can be submitted by email to clerks@vaughan.ca. If you wish to speak to an item listed on the Agenda, please pre-register by contacting Access Vaughan at 905-832-2281 or clerks@vaughan.ca by noon on the last business day before the meeting.

Tuesday, March 2, 2021

1:00 p.m.

Council Chamber

2nd Floor, Vaughan City Hall

2141 Major Mackenzie Drive

Vaughan, Ontario

Pages

- 1. CONFIRMATION OF AGENDA**
- 2. DISCLOSURE OF INTEREST**
- 3. COMMUNICATIONS**
- 4. CEREMONIAL PRESENTATIONS**
 1. Economic and Cultural Development has received recognition from the Economic Developers Council of Ontario's Awards of Excellence program.
- 5. PRESENTATIONS**
 1. Jean Paul Dalle seeking Council consideration/authorization for the addition of retail cannabis to the municipality of Vaughan.

2. Irene Ford asking Vaughan Council to reverse endorsement of the proposed GTA West Corridor/Highway 413.
3. Elliot Aronshtam with respect to Coyote infestation all around the Vaughan community.

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ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE
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AND VIDEO BROADCAST

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Committee of the Whole (1) Report

DATE: Tuesday, March 2, 2021

WARD(S): 1

TITLE: 9773 KEELE DEVELOPMENTS INC.

OFFICIAL PLAN AMENDMENT FILE OP.17.001

ZONING BY-LAW AMENDMENT FILE Z.17.002

DRAFT PLAN OF SUBDIVISION FILE 19T-17V001

SITE DEVELOPMENT FILE DA.18.073

9773 KEELE STREET

VICINITY OF KEELE STREET AND BARRHILL ROAD

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development application for the subject lands shown on Attachment 3. The Owner proposes to: amend the compatibility criteria of Vaughan Official Plan 2010; rezone the subject lands from “R1 Residential Zone” to “RT1 Residential Townhouse Zone”; create a block on a registered plan of subdivision; permit the development of 11, 3-storey townhouse units accessed by a private common element condominium road; and relocate the George Keffer House heritage dwelling on the subject lands, as shown on Attachments 4 to 9.

Report Highlights

- The Owner proposes to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit a residential development consisting of 11, 3-storey townhouse units accessed by a private common element condominium road and the relocation of the George Keffer House heritage dwelling

Report Highlights Continued

- Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications are required to implement the proposed development
- The Development Planning Department supports the approval of the Applications, as they are consistent with the Provincial Policy Statement 2020, conforms to a Place to Grow: the Growth Plan for the Greater Golden Horseshoe 2019, the York Region Official Plan 2010, and the “Community Area” policies of Vaughan Official Plan 2010

Recommendations

1. THAT Official Plan Amendment File OP.17.001 (9773 Keele Developments Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, for the Subject Lands shown on Attachment 3, specifically Sections 9.1.2.2 and 9.1.2.3 respecting new development within an established “Community Area”.
2. THAT Zoning By-law Amendment File Z.17.002 (9773 Keele Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands from “R1 Residential Zone” to “RT1 Residential Townhouse Zone” in the manner shown on Attachment 4, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
4. THAT Draft Plan of Subdivision File 19T-17V001 (9773 Keele Developments Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS included in Attachment 1, to create one residential development block (Block 1) and one block to be conveyed to York Region for road widening and sight triangle purposes (Block 2) with 0.3 m reserves (Blocks 3 and 4), as shown on Attachment 4.
5. THAT Site Development File DA.18.073 (9773 Keele Developments Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS and warning clauses included in Attachment 2, to the satisfaction of the Development Planning Department, to permit the development of 11, 3-storey townhouse units and the relocation of the George Keffer House heritage dwelling, as shown on Attachments 5 to 9.

6. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.18.073 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for 12 residential units (37 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”

Background

The subject lands (the ‘Subject Lands’) are 0.33 ha in size and are located on the east side of Keele Street, south of Barrhill Road, and are municipally known as 9773 Keele Street, as shown on Attachment 3. A single detached dwelling occupies the Subject Lands and is known as the George Keffer House heritage dwelling (‘George Keffer House’) and is proposed to be relocated closer to Keele Street.

The Subject Lands are intended to provide access and servicing for the adjacent lands to the north, known municipally as 9785 and 9797 Keele Street (Laurier Harbour (Keele) Inc.), as shown on Attachment 10. The development of the lands to the north of the Subject Lands was previously endorsed by Council on November 19, 2019 and approved by the Local Planning Appeal Tribunal (LPAT) on January 30, 2020 (File PL170643) to permit a residential development consisting of eight semi-detached dwelling units and eight townhouse dwelling units accessed by a private common element condominium road.

The lands located at 9785 and 9797 Keele Street were zoned “RT1(H) Residential Townhouse Zone” with a “Holding Symbol” to ensure appropriate access and servicing were provided and coordinated with the Subject Lands. In addition, the Vaughan Committee of Adjustment, on February 27, 2020, approved Consent File B001/20 to permit easements for access and servicing from the Subject Lands subject to conditions. These conditions of approval must be fulfilled prior to the execution of the Site Plan Agreement for the Subject Lands. A condition to this effect is included in Attachment 2 of this report.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol

The City on November 10, 2017 circulated a Notice of Public Meeting (the ‘Notice’) for the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications to all property owners within 150 m of the Subject Lands. A copy of the

Notice was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on January 30, 2018, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of January 23, 2018, and to forward a comprehensive technical report to a future Committee of the Whole meeting. Vaughan Council also directed a community meeting be held with the Local and Regional Councillor, the applicant, members of the community and appropriate staff. A community meeting was held on March 20, 2018 at the City of Vaughan municipal offices. Deputations were made by the following individuals at the Public Meeting and written comments were received by the Development Planning Department:

Deputations

- Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive
- Jana Manolakos, Keele Street, Maple
- Richard Lorello, Treelawn Boulevard, Kleinburg

Written Submissions

- William Manolakos, Keele Street, dated March 5, 2017
- J.Sirianni, email dated March 30, 2017

The following is a summary of the comments presented at the Public Meeting and provided in the written correspondence received to date. The comments have been organized by theme and a response is provided below:

Traffic

The proposed development will increase density and traffic in the area.

Response

The Owner has submitted a Traffic Operations Assessment prepared by LEA Consulting Ltd. dated June 6, 2018. York Region has reviewed the proposed development and submission materials and has no objections to the development subject to the Owner satisfying draft plan of subdivision conditions.

Compatibility of the proposed development to the surrounding area and non-conformity to Vaughan Official Plan and townhouse guideline requirements

The proposed development does not meet the compatibility criteria of Vaughan Official Plan 2010 (VOP 2010), specifically policies related to established neighbourhoods, infill and townhouse development.

Response

The Owner has submitted an application seeking Council's approval to amend Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 to permit the proposed development.

In addition, Section 9.1.2.4 of VOP 2010 allows for limited intensification. The Owner has revised proposal by reducing the total number of dwelling units from reducing the total number of dwelling units from 12 to 11 townhouse units and the number of units in a row from 7 to 6, in conformity with development criteria that apply to townhouses (Section 9.2.3.2 of VOP 2010).

The "Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods" state the following:

"Townhouse developments on arterial streets may have a greater density and mass than existing development in the surrounding established residential area but should have a relationship to the street and adjacent properties that is consistent with the prevailing pattern of building orientation, setbacks and landscaping".

Additional detail on the townhouse guidelines analysis is provided further in the report below.

The Development Planning Department on February 19, 2021 mailed and emailed a non-statutory courtesy notice of this Committee of the Whole meeting. This notice was sent to all individuals who made a deputation at the Committee of the Whole or submitted written correspondence to the City regarding the applications, and to those individuals who attended the March 20, 2018 community meeting.

Previous Reports/Authority

Previous reports related to this development proposal can be accessed at the following links:

[9773 Keele Developments Inc. January 23, 2018 Public Hearing Report](#)

[9773 Keele Developments Inc. January 20, 2021 Heritage Vaughan Report](#)

[Laurier Harbour \(Keele\) Inc. November 19, 2019 Committee of the Whole Report](#)

Analysis and Options

Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications have been submitted to permit the proposed development

9773 Keele Developments Inc. (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands to permit the development of 11, 3-storey townhouse units accessed by a private common element condominium road and the relocation of the George Keffer House, as shown on Attachments 5 to 9 (the 'Development'):

1. Official Plan Amendment File OP.17.001 to amend VOP 2010, Volume 1, for the Subject Lands shown on Attachment 3, specifically Sections 9.1.2.2 and 9.1.2.3 respecting new development within an established "Community Area".
2. Zoning By-law Amendment File Z.17.002 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "R1 Residential Zone" to "RT1 Residential Townhouse Zone", together with the site-specific zoning exceptions identified in Table 1 of this report.
3. Draft Plan of Subdivision File 19T-17V001 to permit one residential development block (Block 1) and one block to be conveyed to York Region for road widening and site triangle purposes (Block 2) with a 0.3 m reserve (Blocks 3 and 4), as shown on Attachment 4.
4. Site Development File DA.18.073 to permit the Development shown on Attachments 5 to 9.

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes the importance of the local context and character. Policies are outcome oriented, and some policies provide flexibility in their implementation provided Provincial interests are upheld. The *Planning Act* requires that Council's planning decisions be consistent with the PPS.

The Development is consistent with the PPS, specifically the following:

- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land
- Section 1.1.3.4 - appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety
- Section 1.4.3 - planning authorities shall provide for an appropriate range and mix of housing types, directed to appropriate levels of infrastructure and public service facilities
- Section 1.6.6 - promoting intensification and redevelopment within settlement areas to optimize the use of services on existing municipal sewage services and municipal water services should be promoted, wherever feasible
- Section 1.7.1 - encouraging a sense of place, by promoting well-designed built form, cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes
- Section 2.6.1 - significant built heritage resources and significant cultural heritage landscapes shall be conserved

The Subject Lands are located within a Settlement Area as defined by the PPS, and within the Urban Boundary on Schedule 1 “Urban Structure” of VOP 2010. The Development will contribute to providing growth within a defined Settlement Area with appropriate development standards promoting a compact building form.

The Development will contribute to providing a range of housing types through a low-rise housing form within the area, while conserving the existing George Keffer House. The Development will utilize existing municipal water and sanitary servicing connections located on Keele Street.

The Heritage Vaughan Committee (‘HVC’) Development recommended approval of the Development on January 20, 2021, and the design of the townhouses is in accordance with the Maple Heritage Conservation District (‘MHCD’) Plan. Vaughan Council on January 26, 2021, ratified HVC’s recommendation. The Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended

The Growth Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (‘Growth Plan’) as amended is intended to guide decision making on the development of land by encouraging a compact built-form, transit supportive communities, diverse land uses, and a range of mix of housing types. The Growth Plan

encourages the concentration of population and employment growth within the settlement areas and promotes the development of complete communities offering a mix of housing types, access to local amenities and connections to municipal water and wastewater systems.

The Development is consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at a density supportive of the Growth Plan objectives, specifically:

- Section 2.2.1.2.a) - directing growth to settlement areas that have existing or planned municipal water and wastewater systems
- Section 2.2.1.4.c) - provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes
- Section 2.2.6.3 - that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes
- Section 4.2.7 - implementing the goals and objectives of the municipal cultural heritage plan, and the conservation of cultural heritage resources

The Development is located within a Settlement Area, as defined by the Growth Plan, and will utilize existing municipal water and sanitary servicing connections located on Keele Street. The Development provides for a mix of housing types and will assist in accommodating the needs of all household sizes.

The HVC on January 20, 2021, recommended approval of the Development. Vaughan Council on January 26, 2021, ratified HVC's recommendation. The existing heritage dwelling having Victorian vernacular design elements will be preserved in accordance with the MHCD Plan. The Development conforms to the Growth Plan.

The Development conforms to York Regional Official Plan 2010

The York Region Official Plan 2010 ('YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1, "Regional Structure" of the YROP. The "Urban Area" designation permits a range of residential, commercial, industrial, and institutional uses, subject to additional policy criteria. Section 5.0 of the YROP states that "intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region." Section 5.3.3 of the YROP identifies "local infill" as a municipal intensification strategy to meet York Regional intensification targets to 2031.

Keele Street is identified as a “Regional Transit Priority Network” on Map 11 “Transit Network” of the YROP. Section 7.2.24 of the YROP identifies the potential for the construction of high occupancy vehicle lanes, dedicated transit lanes, with transit signal priority and other transit priority measures within a Regional Transit Priority Network. In addition, Section 7.2.53 of the YROP restricts access adjacent to Regional roads to maximize the efficiency of the Regional street system through techniques such as suitable local street access, shared driveways on Regional roads and interconnected properties.

The Development includes modest intensification in the form of 11 townhouse dwellings and the relocation of the existing George Keffer House, all considered to be “local infill” in accordance with Section 5 of YROP. The Development is transit supportive given the proximity of York Region Transit (‘YRT’) (Route 107) along Keele Street. Access to the Development will be shared by a driveway on the Subject Lands with the lands to the north, as shown on Attachments 5 and 10, and will function as one interconnected development in accordance with Section 7.2.53 of YROP. The Development conforms to the YROP.

York Region, on September 29, 2017, identified Official Plan Amendment File OP.17.001 is a routine matter of local significance and it has been exempted from approval by York Region Council. This allows the implementing Official Plan Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period, should the Applications be approved.

An Amendment to VOP 2010 is required to permit the Development

The Subject Lands are located within a “Community Area” and are in proximity to a “Local Centre” on Schedule 1 “Urban Structure” of VOP 2010. Community Areas consist of predominately low-rise housing forms with limited intensification. Keele Street is identified as a “Regional Transit Priority Network” on Schedule 10 “Major Transit Network” of VOP 2010.

Section 2.2.3 of VOP 2010 identifies the following policies (in part) for new development in “Community Areas”:

- That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of VOP 2010. The proposed development must be sensitive to and compatible with the character, form, and planned function of the surrounding context. (Section 2.2.3.3)
- Community Areas will provide most of the City’s low-rise housing stock and will function as complete communities (Section 2.2.3.1)

- New development in Community Areas that reinforces the existing scale, height, massing, lot pattern, building type character, form, and planned function of the immediate local area is permitted (Section 2.2.3.2)

The Subject Lands are designated “Low-Rise Residential” on Schedule 13 “Land Use” of VOP 2010. Townhouse dwelling units up to three (3) storeys in height are permitted in the “Low-Rise Residential” designation, subject to the compatibility criteria identified in Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 and the development criteria identified in Section 9.2.3.2 of VOP 2010.

Section 9.1.2.2 of VOP 2010 states:

“That in Community Areas with established development, new development be designed to respect and reinforce the existing physical character and uses of the surrounding area, paying particular attention to the following elements:

- a. the local pattern of lots, streets, and blocks;
- b. the size and configuration of lots;
- c. the building type of nearby residential properties;
- d. the heights and scale of nearby residential properties
- e. the setback of buildings from the street;
- f. the pattern of rear and side-yard setbacks;
- g. conservation and enhancement of heritage buildings, heritage districts and cultural heritage landscapes; and
- h. the above elements are not meant to discourage the incorporation of features that can increase energy efficiency (e.g. solar configuration, solar panels) or environmental sustainability (e.g. natural lands, rain barrels).”

Section 9.1.2.3 of VOP 2010 states (in part):

“Within the Community Areas there are a number of older, established residential neighbourhoods that are characterized by large lots and/or by their historical, architectural or landscape value. They are also characterized by their substantial rear, front and side yards, and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes. Often, these areas are at or near the core of the founding communities of Thornhill, Concord, Kleinburg, Maple and Woodbridge; and may also be part of the respective Heritage Conservation Districts.

In order to maintain the character of these areas the following policies shall apply to all developments within these areas:

- a. Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjacent nearby and facing lots;
- b. Lot area: The area of new lots should be consistent with the size of adjacent and nearby lots;
- c. Lot configuration: New lots should respect the existing lotting fabric;
- d. Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;
- e. Rear yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;
- f. Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for these community areas; and
- g. Lot coverage: In order to maintain the low density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area and as provided for in the zoning by-law is required to regulate the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law.”

Section 9.2.3.2 of VOP 2010 in part states:

- “b. In Established Community Areas, the scale, massing, setback, and orientation of new Townhouses will respect and reinforce the scale, massing, setback and orientation of other built and approved development in the surrounding area.”

The Owner has submitted Official Plan Amendment File OP.17.001 to amend the compatibility criteria in Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 to permit the Development. The Development Planning Department has reviewed the proposed amendment to VOP 2010 as follows:

Area Context and Previous Development Approvals

The Subject Lands are located in proximity to predominately low-rise residential and commercial land uses. The lands located approximately 175 m north of Barrhill Road fronting onto Keele Street are located within a “Local Centre”, as identified on Schedule 1 “Urban Structure” of VOP 2010 and consist of a variety of land uses including multi-unit commercial plazas and multi-unit residential dwellings, including low-rise buildings and fourplexes. The lands located south of the Subject Lands consist primarily of single detached dwellings that front onto Keele Street.

The area of the Maple Village within approximately 250 m of the Subject Lands has experienced infill residential developments consisting of semi-detached dwellings, townhouse dwellings and low-rise mixed-use buildings. This includes the following approved and built development applications:

- Eight semi-detached dwelling units (3-storeys with a maximum building height of 9.5 m) and eight townhouse units at the abutting site to the north at 9785 and 9797 Keele Street (Laurier Harbour (Keele) Inc.)
- Four semi-detached dwelling units at the southwest corner of Keele Street and Merino Road (Centreville Homes (Merino) Inc.)
- Four semi-detached dwelling units at 9850 Keele Street (Nancy DiManno)
- Eleven 3-storey townhouse units, four 3-storey semi-detached units and converted heritage dwelling (William Bailey Residence) into a mixed-use building at 9869, 9881 and 9891 Keele Street (Empire Pace (Maple) Ltd.)

The Development represents a built form that is similar to the modest intensification including semi-detached, townhouse and low-rise buildings that has occurred on Keele Street between Major Mackenzie Drive and Rutherford Road.

Lot Configuration and Building Height

The Development shown on Attachments 5 to 9 consists of the relocation of the George Keffer House abutting Keele Street with two (2) blocks of townhouses situated behind the heritage dwelling containing a total of 11 townhouse dwelling units. There are no proposed alterations to the George Keffer House affecting its current massing, height or proportions, and a garage addition sympathetic to the style of the house will be added.

The George Keffer House has a height of 6.6 m and the proposed three-storey townhouse units would measure 10.7 m to the peak. The flankage elevation will have minimal impact on the Keele Street streetscape as it located in the rear of the preserved George Keffer House. Cultural Heritage Staff is satisfied the new construction is in keeping with the requirements of the Maple Heritage Conservation District ('MHCD').

Building Setbacks

The proposed front yard building setback to the relocated George Keffer House is 1.45m, and when combined with the proposed 6.33 m wide road widening of Keele Street, will provide a built form while respecting existing street views along Keele Street. The proposed front yard building setback to the relocated George Keffer House is 1.45m, and when combined with the proposed 6.33 m wide road widening of Keele Street, will provide a built form while respecting existing street views along Keele Street.

The proposed front yard setback is also consistent with the setback that is proposed for the Council endorsed and LPAT approved semi-detached and townhouse units to the north at 9785 and 9797 Keele Street.

Buildings B and C will be located behind the George Keffer House and with front yard setbacks ranging from 6 m to 8.19 m to accommodate 1 parking spot on the driveway and 1 parking spot within the garage. A rear yard amenity area is provided with rear yard setbacks ranging from 7 m to 8.92 m.

The Development was recommended for approval by the Heritage Vaughan Committee

The Subject Lands are located within the “Residential Village Area” of the MHCD Plan and are protected under Part V of the *Ontario Heritage Act*. The Subject Lands are identified as a contributing property and contains the George Keffer House. The Owner seeks to maintain the existing heritage structure with some modifications to retain the core heritage attributes identified in the MHCD Plan Inventory, and to create a greater visual presence for the “main house” from the public realm and provide greater prominence on the Subject Lands.

The transition from the existing George Keffer House fronting onto Keele Street to townhouse dwelling units fronting onto a private road provides an appropriate built form transition from Keele Street and establishes an appropriate progression of density that maintains the built form streetscape of Keele Street.

The HVC considered the Development and recommended it for approval on January 20, 2021. The recommendations of the HVC were considered by Vaughan Council on January 26, 2021 and the recommendations were ratified.

A Conservation Plan is required for the George Keffer House in order to assess the interior of the dwelling and determine the cost of relocation and restoration. The Owner will be required to submit a Letter of Credit calculating the cost of relocation and restoration prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 2.

Summary of Planning Policy

The Development represents a limited form of intensification in accordance with Section 2.2.3.3 of VOP 2010 and is appropriate given the Subject Lands proximity to a “Local Centre” and its area context with previous development approvals. The Development includes a compact built form, maximizes the usability of the lot, provides a consistent massing on Keele Street, and preserves the existing George Keffer House and

townhouse dwellings in the rear. The proposed rear yard setbacks for the townhouses abutting the existing detached dwellings to the east have a 7.5 m rear yard complying with the requirements of Zoning By-law 1-88. The Development provides an appropriate transition and progression of density to the proposed townhouse dwelling units located interior to the Subject Lands.

The Subject Lands are located along a “Regional Transit Priority Network”, which envisions the potential for construction of high occupancy vehicle lanes, dedicated transit lanes, and other transit priority measures. The Development will utilize a shared access with 9785 and 9797 Keele Street in accordance with the YROP. The Subject Lands are located within walking distance of the Maple Village Commercial Core and has direct access to existing transit stops at the Keele Street and Barrhill Road intersection.

In consideration of the applicable Provincial policies and Regional and City Official Plan policies outlined in this report, the Owner has demonstrated the Development provides an appropriate low-rise residential built form that is compatible, but not identical, with the surrounding community. The Development Planning Department is of the opinion that the Development is consistent with the policies of the PPS and conforms to the Growth Plan and the YROP and maintains the intent of VOP 2010 and the MHCD Plan.

The VOP 2010 amendments resulting from the “Community Area Policy Review for Low-Rise Residential Designations” within Established Large-Lot Neighbourhoods does not apply

The Subject Lands are identified as a “Established Large-Lot Neighbourhood” in accordance with the “Community Area Policy Review for Low Rise Residential Designations” (Official Plan Amendment 15 (‘OPA 15’) of VOP 2010) and Schedule 1B of VOP 2010. “Established Large-Lot Neighbourhoods” are characterized by large lots with minimum lot frontages of 21 m to 30 m.

Vaughan Council, on October 19, 2016, approved the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the ‘Guidelines’), clarifying VOP 2010 policy that applies to low-rise neighbourhoods. The Guidelines apply to the Subject Lands. Vaughan Council, on April 19, 2017, approved the Study recommendations and approved OPA 15 on September 27, 2018. York Region, on May 8, 2019, issued a Notice of Decision for OPA 15. On May 28, 2019, OPA 15 came into effect.

The Applications were deemed complete on February 21, 2017. Development applications are assessed and reviewed based on the existing policy framework at the

time of a “complete” application. Site Development File DA.18.073 was submitted September 5, 2018, also pre-dating the approval of OPA 15. Therefore, the Applications are not subject to OPA 15 . However, the Development is subject to the following sections of the Guidelines:

- Section 4.2 - development should reflect established streetscape character
- Sections 4.7 and 5.3 - front entrances should be prominent and well detailed
- Section 4.10 - building finishes should be consistent with material used in immediate area
- Section 5.7- townhouse unit flanking the street should include windows and details consistent with the front elevation
- Section 5.8 - height and massing of townhouses compatible with adjacent neighbourhood. Townhouse blocks shall not contain more than 6 units
- Section 5.9 – separation between townhouse block should be generally 6 m
- Section 5.11 - each townhouse should have a private backyard fenced or screened with landscaping
- Section 5.14 - the architecture and materials of new townhouses should respect and complement the character of the surrounding residential area
- Section 5.27 - visitor parking should be located close to the site entrances
- Section 5.34 - drainage should have no adverse impacts on the adjacent properties or public realm

Overall, the Development is consistent with the above noted sections of the Guidelines. More specifically, it includes the preservation and relocation of the existing heritage dwelling fronting Keele Street. The townhouses being proposed are located behind the George Keffer House.

The flanking unit contains an architectural detail that is visible from Keele Street with front entrances that incorporate a porch. Building materials for the Development include red and dark red brick with beige brick trim, charcoal coloured shingles, and wood in keeping with the acceptable materials found in the MHCD Plan.

Each townhouse dwelling includes a private fenced backyard. A centralized visitor parking area is easily accessible for residents and is located on the north side of the Subject Lands.

Stormwater runoff will drain through an internal network shared with 9785 and 9797 Keele Street into two proposed underground stormwater storage systems.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned “R1 Residential Zone” by Zoning By-law 1-88, as shown on Attachment 3, permitting detached dwellings. The Owner is proposing to amend Zoning By-law 1-88 to rezone the Subject Lands to “RT1 Residential Townhouse Zone” together with the following site-specific zoning exceptions to the RT1 Zone standards:

Table 1:

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition of a “Lot”	Means a parcel of land fronting on a public street	Means a parcel of land fronting on a public street or private road
b.	Definition of “Street Townhouse”	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street	Means townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public or private street
c.	Definition of “Street Line”	Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street	Means the dividing line between a lot and a street or a private road, or the dividing line between a lot and a reserve abutting a street or a private road
d.	Definition of “Street”	Means a street or a highway under the jurisdiction of the City	Means a street or private road owned and maintained by a future Condominium Corporation
e.	Permitted Uses	Street townhouse Dwelling	- Street townhouse dwelling - Detached dwelling

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
f.	Frontage on a Public Street	A lot must front onto a public street	Permit a lot to front onto a private road
g.	Minimum Lot Frontage	6 m / unit	5.7 m / unit for Building B (Attachment 5)
h.	Minimum Lot Area	162 m ²	135 m ² for Buildings B and C
i.	Minimum Lot Depth	27 m	20 m (Unit B5) 22 m (Building C)
j.	Minimum Front Yard Setback	4.5 m	2 m for Unit B5 (Attachment 5)
k.	Minimum Rear Yard Setback	7.5 m	7.46 m for Building A 7 m for Building B (Attachment 5)
l.	Minimum Exterior Yard Setback	4.5 m	1.45 m for Building A 0.7 m for Unit B5 (Attachment 5)
m.	Minimum Interior Yard Setback	1.2 m	0.7 m for Building A and Unit B1, Building B (Attachment 5)
n.	Maximum Encroachment	1.8 m stair encroachment in the rear yard	2.8 m for Unit B5, Building B (deck and stairs)

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
o.	Minimum No Encroachment Zone	A 1.5 m no encroachment zone in the exterior yard	1.45 m to the main wall (Building A) 0.5 m for Unit B5
p.	Maximum Driveway Width	No requirement for driveway width for lots less than 6 m	3.6 m driveway width for a lot with a frontage of 5.7 m and 6 m (Buildings B and C)

The Development Planning Department supports the rezoning of the Subject Lands to “RT1 Residential Townhouse Zone” and the site-specific zoning exceptions identified in Table 1, as the rezoning and proposed development standards facilitates local infill that is consistent with other similar developments and compatible with the surrounding area and consistent with the policies of the PPS, Growth Plan and YROP, maintains the intent of VOP 2010 and in accordance with the MHCD Plan.

The Planning Act enables a municipality to pass a resolution to permit the Owner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect

Section 45(1.3) of the Planning Act restricts an Owner from applying for a Minor Variance application(s) to the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the Planning Act also enables Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium.

The Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s) to address refinements to the Development that may arise through the final design and construction process. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department has no objection to the Development, subject to the conditions in Attachments 1 and 2

The proposed Development shown on Attachments 5 to 9 includes the adaptive reuse of the George Keffer House as a heritage asset, complemented by 11 townhouse units accessed by a private common element condominium road.

The proposed site plan includes a shared access for the property to the north. A proposed pedestrian walkway connects the development to the sidewalk on Keele Street.

Two (2) parking spaces are provided for each townhouse unit and a new garage for the George Keffer House. One space in the garage and the other space on the driveway leading to the garage, in accordance with Zoning By-law 1-88.

Four (4) visitor parking spaces are proposed, including one (1) barrier-free space. Zoning By-law 1-88 requires 0.25 visitor parking spaces for each townhouse dwelling unit, or 3 parking visitor spaces in this case. The detached dwelling unit does not require a visitor parking space. The proposed 4 visitor parking spaces exceed the requirement of Zoning By-law 1-88.

Landscape Plan

The landscape plan shown Attachment 6 consists of a mix of deciduous and coniferous trees, shrubs, and perennials. An internal concrete walkway is proposed for the pedestrian connection from Keele Street to the townhouses.

Three (3) deciduous trees are proposed along the Keele Street frontage, and subject to approval by York Region. Nine (9) existing trees are located within the Keele Street right-of-way and shall be retained.

The Subject lands are located within the Maple Streetscape and Urban Design Guidelines ('MSUDG') Study Area. According to the MSUDG, the Keele Street frontage of the Development shall be designed to include the replacement of the existing single row of red unit pavers on each side of the concrete and the existing bench. The final site plan and landscape plan for the Development must be designed in accordance with the MSUDG and are subject to approval by York Region. The Site Plan Agreement will also include a clause requiring the Owner to provide a one-time payment of \$1,200.00 to the City of Vaughan for the long-term maintenance of the enhanced landscape features within the Keele Street right-of-way by the City to the satisfaction of the Development Planning Department. A clause will be included in the Site Plan Agreement to this effect.

Building Elevations and Height

The building elevations shown on Attachments 7 to 9 consist of the relocated George Keefer House and the eleven (11) three-storey townhouse dwellings. The building heights for the Development include the George Keefer House measuring 6.6 m to mid-point of the roof and the townhouses located behind the George Keefer measuring 10.7m from the mid-point of the roof to the peak of the roof.

Building materials include red and dark red coloured brick with beige accent brick, charcoal coloured shingles and wood in keeping with the acceptable material list of the MHCD Plan guidelines.

Prior to the execution of the Site Plan Agreement, the final site plan, building elevations, landscape plan and landscape cost estimate for the Development must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

A Tree Protection Agreement is required

The Owner submitted an Arborist Report and Tree Preservation Plan prepared by The Tree Specialists Inc. dated November 16, 2016 and revised March 25, 2020. The Arborist Report identify 8 mature trees abutting Keele Street within York Region's right-of-way that will be preserved and protected during construction. Based on the City's Replacement Tree Requirements under the City's Tree Protection Protocol, the Arborist Report has confirmed 51 replacement trees are required on the Subject Lands. Eight (8) new trees are proposed in the landscape plan, requiring a cash-in-lieu contribution for the remaining 43 trees at \$550.00 per tree for a total of \$23,650.00.

The Owner shall enter into a Tree Protection Agreement with the City prior to finalizing the Site Plan Agreement in accordance with the City's Tree Protection By-law 052-2018. The Owner shall not remove any trees without written approval by the City. A condition to this effect is included in Attachment 2 of this report.

The Development Planning Department has no objection to the Draft Plan of Subdivision, subject to Conditions of Approval

The proposed Draft Plan of Subdivision ('Draft Plan') shown on Attachment 4 is for the purpose of creating one residential development block (Block 1) to implement the Development, and one block to be conveyed to York Region for road widening and sight triangle purposes (Block 2) with 0.3 m reserves (Blocks 3 and 4). Prior to the execution of the Site Plan Agreement, the Owner shall satisfy all conditions of Draft Plan of Subdivision Approval contained in Attachment 1 and the final Draft Plan shall be

registered on title. A condition to this effect is included in the Recommendations of this report.

Draft Plan of Condominium and Part Lot Control Applications are required to implement the Development

Should the Applications be approved, a Draft Plan of Condominium application is required to establish the proposed condominium tenure and common elements of the Development, and to secure appropriate conditions of Draft Plan of Condominium approval. A Part Lot Control Application will also be required to create individual lots tied to the common element condominium (Parcels of Tied Land - 'POTLs') for future ownership.

The Development Engineering Department has no objection to the Development, subject to conditions

The Development Engineering ('DE') Department has provided the following comments:

a) Road Network

Access is proposed via Keele Street through a shared mutual access with the abutting property to the north at 9785 and 9797 Keele Street. The proposed access aligns with Merino Road and the shared access road will connect to Keele Street, forming the fourth leg of the intersection. The Subject Lands are subject to the future Keele Street road widening and York Region approval.

b) Municipal Services

The Owner has submitted a Functional Servicing & Stormwater Management Report ('Servicing Report') prepared by C.F. Crozier and Associates Inc. dated November 13, 2020. The Servicing Report identifies the proposed shared water, sanitary, and stormwater servicing scheme for the Development and the adjacent development located at 9785 and 9797 Keele Street. The shared servicing between the two properties will ultimately connect to the existing municipal and Regional services on Keele Street.

i) Water Servicing

The Subject Lands are proposed to be serviced by an existing watermain located on Keele Street. An internal watermain is proposed to extend through a shared servicing easement area (B001/20) with the adjacent site located at 9785 and 9797 Keele Street.

The water service connection will be a fully looped water service with each unit having an individual domestic water service and water meter. A fire hydrant is proposed on the site for protection and watermain flushing.

ii) Sanitary Sewer Network

A sanitary sewer service connection for the Subject Lands is proposed to connect to the existing manhole and sanitary sewer on Keele Street. The proposed service connection will also connect the existing manhole to a proposed control manhole at the west property line. The proposed sanitary sewer will extend through the Subject Lands, with sewer connections to each townhouse unit and detached dwelling.

The proposed sanitary service connection is acceptable for both the Subject Lands and the lands to the north (9785 and 9797 Keele Street). The conditions of approval for Committee of Adjustment B001/20 include a mutual connection with the abutting development, a service easement (registered on title) and a mutual servicing agreement between the landowners of the two developments prior to the issuance of site plan approval and/or the issuance of any servicing permits. A condition to this effect is included in Attachment 2.

Based on the proposal the Owner will be required to:

- a) Provide the Ministry of the Environment, Conservation and Parks (MECP) approvals for the wastewater works, as the sewage systems will be servicing more than one property; or provide written confirmation from the MECP that the requirement for an Environmental Certificate of Approval ('ECA') application can be waived.
- b) The City's Focus Area Core Servicing Strategy (December 2017) and draft Interim Servicing Study ('ISS') (April 2020) identify surcharging in several segments of the existing sanitary sewer on Keele Street, upstream and downstream of the proposed development. Surcharging is not permitted per the City's design criteria, however, based on the conclusions of the City's ISS and associated flow monitoring data, the development proposal may be adequately serviced in the interim with minimal surcharging to the City's existing Keele Street sanitary sewer. It is anticipated that local infrastructure improvements will be required in the future,

therefore a financial contribution in the amount of \$16,100 is required. A condition to this effect is included in Attachment 2.

iii. Storm Sewer Network

The runoff from the Subject Lands generally flows overland from north-east to south-west and discharges into the storm sewer system on Keele Street. The pre-development condition of the Subject Lands considers the Subject Lands to be one drainage catchment area, with its outlet being the storm sewer system on Keele Street.

iv. Noise Feasibility Study

An Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated December 2016 was submitted in support of the Applications and the DE Department has no further comments, however an updated noise study is required including warning clauses for the future occupants of the Subject Lands and shall be included in the site plan agreement. The warning clauses must also be included in all Offers of Purchase and Sale or Lease for all lots/units and to the satisfaction of the City. A clause and the preliminary warning clauses are included in Attachment 2.

The City will require an updated Noise Feasibility Study with site specific warning clauses and the detailed design of any noise attenuation features prior to the issuance of site plan approval.

v. Environmental Site Assessment

The DE Department has no objection to the Phase Two ESA by DS Consultants Ltd. dated February 5, 2018 and Reliance Letter by DS Consultants Ltd. dated October 2, 2019 submitted in support of the Applications.

Sewage and Water Allocation is available for the Development

On December 15, 2020, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy.

Accordingly, servicing capacity for this Development is available and unrestricted. An allocation resolution is included in the Recommendations of this report.

The Development Planning Department has no archaeological concerns, subject to standard conditions

The following standard clauses shall be included in the Site Plan Agreement for the Subject Lands, as noted in the Recommendations of this report:

- i) Should archaeological resources be found on the Subject Lands during construction activities, all work must cease, and both the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.
- ii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
- iii) In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required and conditions of approval may apply.

The Toronto and Region Conservation Authority has no objection to the Application

The Subject Lands are located outside of the Toronto and Region Conservation Authority's ('TRCA') regulated area; however, the Subject Lands are located within a Source Water Protection Area ('WHPA-Q2') and requires water balance to meet pre-to post infiltration rates. The Functional Servicing and Stormwater Management Report, prepared by Crozier and Associates, dated December 2019, and Hydrogeological Investigation, prepared by DS Consultants Ltd, dated June 18, 2018 each included water balance assessment information. TRCA staff have reviewed this component of the report and are satisfied with the analysis and mitigation strategy proposed. The Development meets the intent of the Source Protection Plan. A condition to this effect is included in Attachment 2.

Cash-in-Lieu of the dedication of parkland is required

The Owner is required to pay to the City by way of certified cheque, cash-in-lieu of the dedication of the parkland equivalent to 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu of Parkland Dedication Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the

Planning Act, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. Standard conditions to this effect are included in Attachment 2 of this report.

Development Charges are Applicable to the Development

The Financial Planning and Development Finance Department requires the Owner to satisfy all conditions, financial or otherwise, regarding matters the City may consider necessary, including paying all applicable development charges in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws.

The Environmental Services Department, Solid Waste Management Division has no objection to the Development

The Owner is proposing private waste collection to service the Development. The Development maybe eligible for future municipal waste collection subject to an onsite inspection by the Environmental Services Department, Solid Waste Management Division, and the execution of a servicing agreement with the City. The Owner will be required to satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the Attachment 2 of this report.

Canada Post has no objection to the Development, subject to Conditions of Approval

Canada Post Corporation has no objection to the Applications, subject to their conditions of approval included in Attachment 1.

The School Boards have no objection to the Development

The York Region District School Board and York District Catholic School Board have advised that they have no objection to or any conditions of approval for the Development. No comments were received from the Conseil Scolaire de District Catholique Centre Sud.

The various utilities have no objection to the Development, subject to Conditions of Approval

Alectra Utilities Corporation, Enbridge, Bell Canada and Rogers have no objection to the Development subject to the Draft Plan of Subdivision conditions identified in Attachment 1.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has no objection to the Development subject to their conditions of approval included in Attachment 1. York Region on September 29, 2017, exempted Official Plan Amendment File OP.17.001 (9773 Keele Developments Inc.) from Regional approval on the basis this Development does not adversely affect Regional planning policies or interests and is of local significance.

The Owner is required to satisfy all requirements of York Region prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 1.

Conclusion

The Development Planning Department has reviewed the Applications in consideration of the PPS, Growth Plan, YROP and VOP 2010 policies, the comments received from City Departments, external public agencies, the public, and the surrounding area context. The Development Planning Department is of the opinion that the Applications are consistent with the PPS, conforms to the Growth Plan and conforms to the YROP. The Applications maintain the intent of the “Community Area” policies of VOP 2010 and provide a development that is appropriate, but not identical to, the surrounding residential community. The Development Planning Department recommends the Applications be approved, subject to the Recommendations in this report and conditions of approval in Attachments 1 and 2.

For more information, please contact: Margaret Holyday, Senior Planner, Development Planning Department, extension 8216.

Attachments

1. Conditions of Draft Plan of Subdivision Approval
2. Conditions of Site Plan Approval
3. Location and Context Map
4. Proposed Zoning and Draft Plan of Subdivision File 19T-17V001
5. Site Plan
6. Landscape Plan
7. Building Elevations - Building A (George Keffer House)
8. Building Elevations - Building B
9. Building Elevations - Building C
10. Context Plan (9773, 9785 & 9797 Keele Street)

Prepared by

Margaret Holyday, Senior Planner, extension 8216

Nancy Tuckett, Senior Manager of Development Planning, extension 8529

Bill Kiru, Acting Director of Development Planning, extension 8633

Approved by

A handwritten signature in black ink, appearing to read "Mauro Peverini".

Mauro Peverini, Acting Chief Planning Official

Reviewed by

A handwritten signature in black ink, appearing to read "Jim Harnum".

Jim Harnum, City Manager

ATTACHMENT NO. 1

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

CONDITIONS OF DRAFT APPROVAL DRAFT PLAN OF SUBDIVISION FILE 19T-17V001 ('THE PLAN') 9773 KEELE DEVELOPMENTS INC. ('THE OWNER') PART OF LOT 19, CONCESSION 3, CITY OF VAUGHAN

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-17V001 ('THE PLAN'), ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out in Attachment No. 1a).
2. The Conditions of Approval of York Region as set out in Attachment No. 1b) and dated April 2, 2020
3. The Conditions of Approval of Alectra Utilities Corporation as set out in Attachment No. 1c) and dated February 24, 2017.
4. The Conditions of Approval of Enbridge Gas Inc. as set out in Attachment No. 1d) and dated February 24, 2017.
5. The Conditions of Approval of Bell Canada as set out in Attachment No. 1e) and dated November 12, 2018.
6. The Conditions of Approval of Canada Post as set out in Attachment No. 1f) and dated April 5, 2017.

Clearances

1. The City shall advise that the Conditions in Attachment No. 1a) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
2. York Region shall advise that the Conditions in Attachment No. 1b) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
3. Alectra Utilities shall advise that the Conditions in Attachment No. 1c) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

4. Enbridge Canada shall advise that the Conditions in Attachment No. 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
5. Bell Canada shall advise that the Conditions in Attachment No. 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
6. Canada Post shall advise that the Conditions in Attachment No. 1f) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT NO. 1a)

**CONDITIONS OF DRAFT APPROVAL
DRAFT PLAN OF SUBDIVISION FILE 19T-17V001 (THE 'PLAN')
9773 KEELE DEVELOPMENT INC. ('THE OWNER')
PART OF LOT 19, CONCESSION 3, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('THE CITY')
THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF
THE PLAN, ARE AS FOLLOWS:**

CITY OF VAUGHAN CONDITIONS

1. The final Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., Project No. P-1736, dated June 1, 2020.
2. Prior to the registration, the lands within the Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. The Owner shall pay any and all outstanding applications fees to the Development and Planning Department and Development Engineering Department, in accordance with the in-effect Tariff of Fees By-law.
4. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. The Owner shall pay to the City a financial contribution in the amount of \$16,100.00 representing the Owner's proportionate share in combination with the adjacent development site (File DA.17.068- 9797 and 9785 Keele Street) of the Keele Street Sanitary Sewer Improvements (currently based on the cost of improvements to the Keele Street sanitary sewers identified in the Core Servicing Strategy).
6. The private road allowances included within this Draft Plan of Subdivision shall be named to the satisfaction of the City and York Region.
7. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and the Region of York.
8. Prior to final approval of the Plan, the Owner shall provide easements, as may be required, for utility, drainage or construction purposes and they shall be granted to the appropriate authority(ies), free of all charge and encumbrance.

9. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
10. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:

- i) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
- ii) the location and description of all outlets and other facilities which may require permits under Ontario Regulation 166/06 and/or the *Lakes and Rivers Improvement Act*;
- iii) storm water management techniques which may be required to control minor or major flows;
- iv) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources at it relates to fish and their habitat;
- v) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction;
- vi) retain an environmental monitor and report on the implementation and on-going maintenance of erosion and sediment controls; and
- vii) overall grading Plans for the Plan.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

11. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, potable municipal water supply, sanitary sewers, and storm drainage facilities are

available to service the Development or that arrangements have been made for their completion to the satisfaction of the City.

12. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the Plan.
13. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
14. The Owner shall agree in the subdivision agreement to design, purchase material, and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
15. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermain within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
16. Prior to final approval of Plan, the Owner shall submit the final site grading and servicing plan, Stormwater Management Report, Environmental Noise and Vibration Report, Functional Servicing Report and/or downstream sanitary sewer analysis for review and approval, to the satisfaction of the Development Engineering and Infrastructure Planning Department.
17. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
 - i) Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.

- ii) Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the Ministry of the Environment and Climate Change (MOECC) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*" (as amended), and submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MOECC, covering all the lands within the Plan.
 - iii) Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional (QP) and signed by the Owner and QP stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable Standards set out in the MOECC document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*" (as amended).
 - iv) Reimburse the City for the cost of the peer review of the ESA report(s) and RAP, as may be applicable.
18. Prior to final approval, an Environmental Noise Impact Study, prepared at the Owner's expense, shall be submitted to the City for review and approval. The preparation of the study shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
19. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the entire Plan:
- i) "Owner shall inform the public and all purchasers and tenants that this development will function as a common element condominium and all details and associated costs shall be presented in the sales office, and through marketing material, etc."
 - ii) "Purchasers and/or tenants are hereby put on notice that the *Telecommunications Act*, the Innovation, Science and Economic Development Canada ('ISED') and the Canadian Radio-television and Telecommunications Commission ('CRTC') authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services

and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”

- iii) “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office.”
- iv) “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants.”
- v) “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is NOT a requirement of this subdivision agreement.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or the Region of York and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature(s) or fencing shall be the sole responsibility of the lot owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.”

- 20. Any additional warning clauses as noted in the subdivision agreement shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan to the satisfaction of the City.
- 21. The Owner, if required, shall enter into a Subdivision Agreement through Development Engineering Department for the installation of any proposed service connections and agree to pay for design and construction of any

improvements to the municipal infrastructure regarding the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development. The Agreement shall be registered to the lands to which it applies to and to the satisfaction of the City. The Owner shall agree in the agreement, among other things, to:

- design and construct any required improvements to the municipal infrastructure to support this development, and any required municipal services upgrades (watermains, sanitary & storm sewers)
- pay applicable agreement fees and others pursuant to the City Fees and Charges By-law as amended and post necessary letter of credits

ATTACHMENT 2
CONDITIONS OF SITE PLAN APPROVAL
SITE DEVELOPMENT FILE DA.18.073
9773 KEELE DEVELOPMENTS INC. ('THE OWNER')

Conditions of Site Plan Approval:

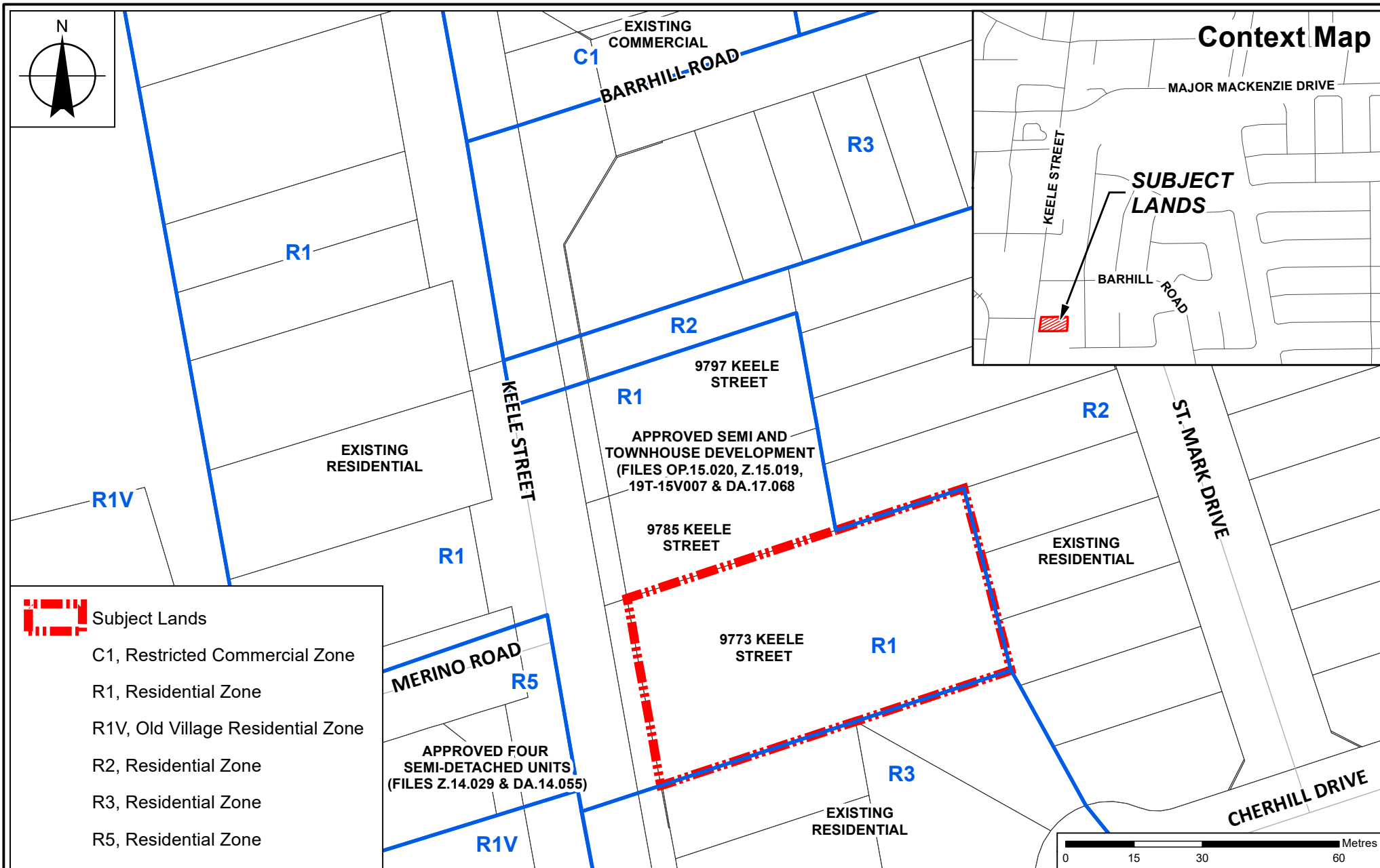
1. THAT prior to the execution of the Site Plan Agreement:
 - a) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape details, landscape cost estimate, lighting plan, Tree Protection Plan and Arborist Report;
 - b) the Owner shall provide a Conservation Plan for the renovation and relocation of the George Keffer House Heritage Dwelling, to the satisfaction of the Development Planning Department;
 - c) the Owner shall enter into a Tree Protection Agreement with the City in accordance with Council enacted Tree By-law 052-2018 and the City's Tree Protection Protocol;
 - d) the Owner shall pay to the City of Vaughan a separate Letter of Credit, in the amount to be determined by the Conservation Plan to the satisfaction of the Development Planning Department, Urban Design and Cultural Heritage Division, for the renovation and the relocation of the George Keffer House Heritage Dwelling;
 - e) the Owner shall pay to the City of Vaughan a financial contribution in the amount of \$16,100.00, representing the Owner's proportionate share of the Keele Street Sanitary Sewer Improvements (currently based on the cost of improvements to the Keele Street sanitary sewers identified in the Core Servicing Strategy);
 - f) the Development Engineering Department shall approve the final site servicing and grading plan, erosion control plan, functional servicing and storm water management reports, site plan drawings, final noise report, and Traffic Impact Study (TIS);
 - g) the Owner shall pay the applicable fees and post necessary letter of credits including the Development Engineering Site Plan Complex review

fee and building water charge pursuant to the City Fees and Charges By-law as amended;

- h) the Owner shall pay the applicable fees pursuant to the current Fees and Charges By-law including water consumption during building construction;
 - i) the Owner shall satisfy all conditions of approval imposed by the Committee of Adjustment relating to Consent Application File B001/20;
 - j) the Owner shall make the necessary arrangements with the City's Environmental Services Department for the supply of potable water for construction purpose. The Owner shall be responsible for all costs incurred by the City in connection with the water used for testing and flushing the water distribution system;
 - h) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. The Owner shall also agree in the Site Plan Agreement that the development will have private waste collection services; and
 - i) the Owner shall satisfy all requirements of York Region.
2. THAT the Site Plan Agreement shall include the following provisions and/or warning clauses, to the satisfaction of the City:
- a) "The Owner shall pay to the City of Vaughan a one-time payment of \$1,200.00 for the maintenance of the enhanced landscape features within the Keele Street right-of-way to the satisfaction of the Development Planning Department prior to the execution of the Site Plan Agreement."
 - b) "The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment"

- c)
 - i) Should archaeological resources be found on the Subject Lands during construction activities, all work must cease, and both the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.
 - ii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
 - iii) In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required and conditions of approval may apply."
- d) The following preliminary noise warning clauses shall be included in the Site Plan Agreement and all purchase Offers of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:
 - "The Owner shall agree to implement the recommendations of the final detailed Noise Impact Assessment report into the design and construction of the buildings on the Subject Lands and include all necessary warning statements on all agreements of purchase and sale or lease of individual units, all to the satisfaction of the City."
 - "Prior to occupancy of each unit, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the final detailed noise impact assessment report. Where mitigation measures such as wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a Professional Engineer at the City's request. The Engineer's certificate must refer to the final detailed noise impact assessment report and be submitted to the City's Chief Building Official and the Director of Development Engineering."

- “Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound level may exceed the Ministry of Environment and Climate Change’s environmental noise guidelines NPC-300.”
 - “Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound level exceed the Municipality’s and the Ministry of the Environment’s noise criteria.”
 - “Prior to occupancy of each dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements and condominium declarations.”
- e) The Owner agrees in the Site Plan Agreement to carry out, or caused to be carried out, the water balance mitigation strategy as described in the Functional Servicing and Stormwater Management Report, prepared by Crozier and Associates, dated December 2019, and Hydrogeological Investigation, prepared by DS Consultants Ltd, dated June 18, 2018.



Location and Context Map

LOCATION:
Part of Lot 19, Concession 3
9773 Keele Street

APPLICANT:
9773 Keele Developments Inc.

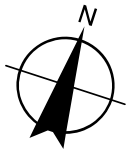


Attachment

FILES:
OP.17.001, Z.17.002
19T-17V001 and DA.18.073

DATE:
March 2, 2021

3



FUTURE ROAD WIDENING
AND SIGHT TRIANGLES

EXISTING
RESIDENTIAL

BLOCK 4

BLOCK 1
RT1

BLOCK 3

BLOCK 2

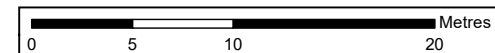
KEELE STREET



SUBJECT LANDS

RT1, RESIDENTIAL TOWNHOUSE ZONE

EXISTING
RESIDENTIAL



Proposed Zoning and Draft Plan of Subdivision File 19T-17V001

LOCATION:
Part of Lot 19, Concession 3
9773 Keele Street

APPLICANT:
9773 Keele Developments Inc.

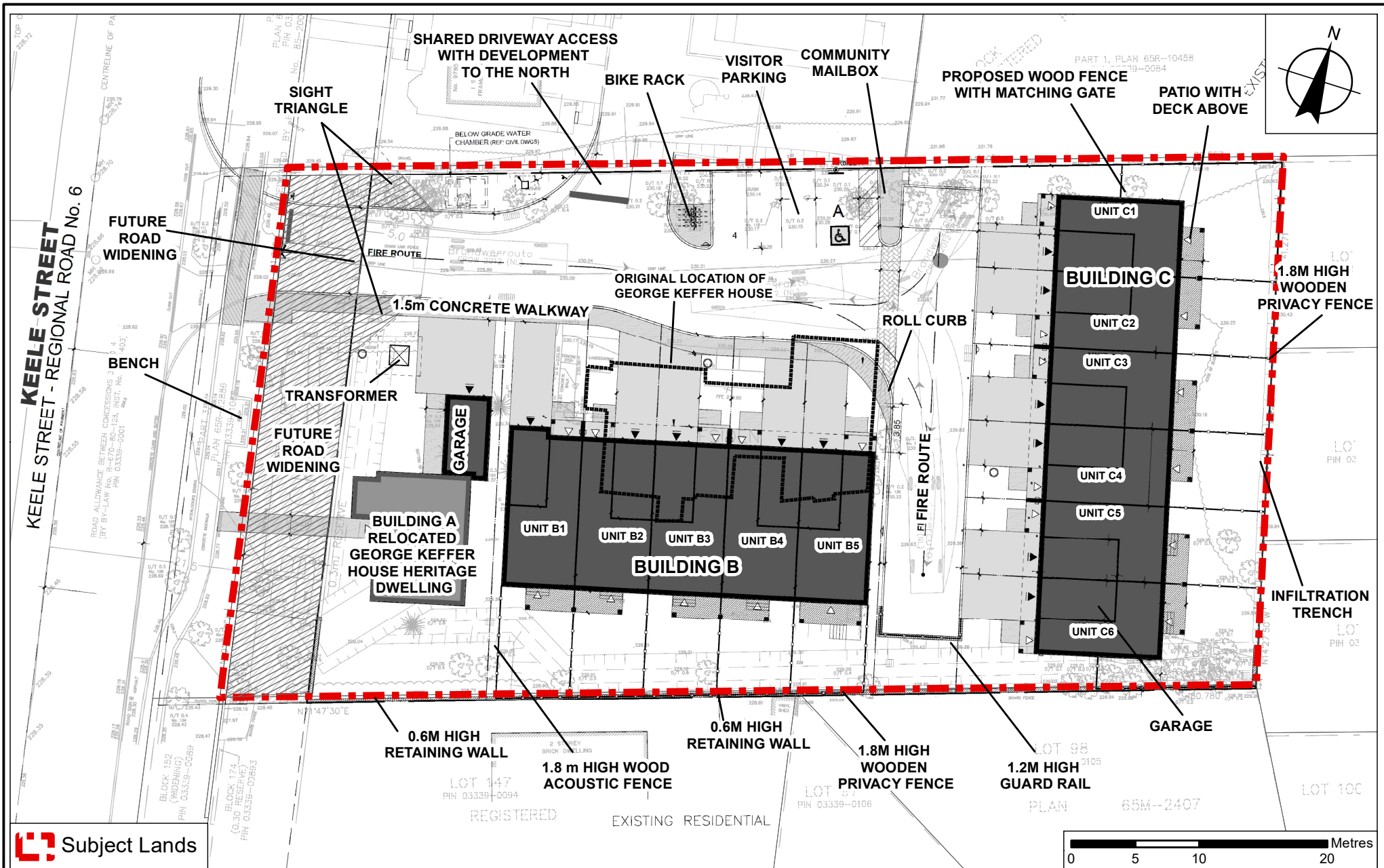


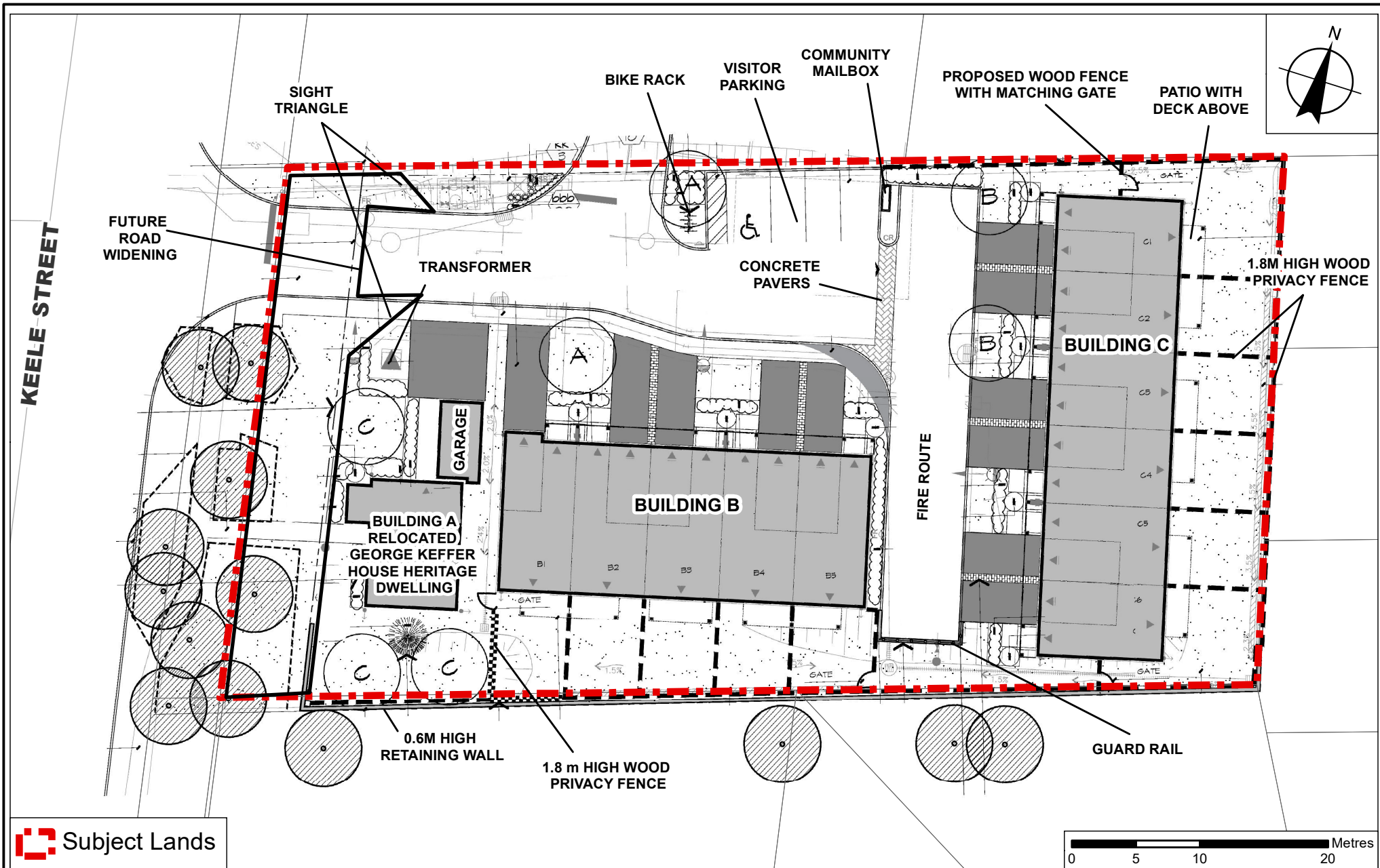
Attachment

FILES:
OP.17.001, Z.17.002
19T-17V001 and DA.18.073

DATE:
March 2, 2021

4





 Subject Lands

Landscape Plan

LOCATION:

Part of Lot 19, Concession 3
9773 Keele Street

APPLICANT:

9773 Keele Developments Inc.



Attachment

FILES:

OP.17.001, Z.17.002
19T-17V001 and DA.18.073

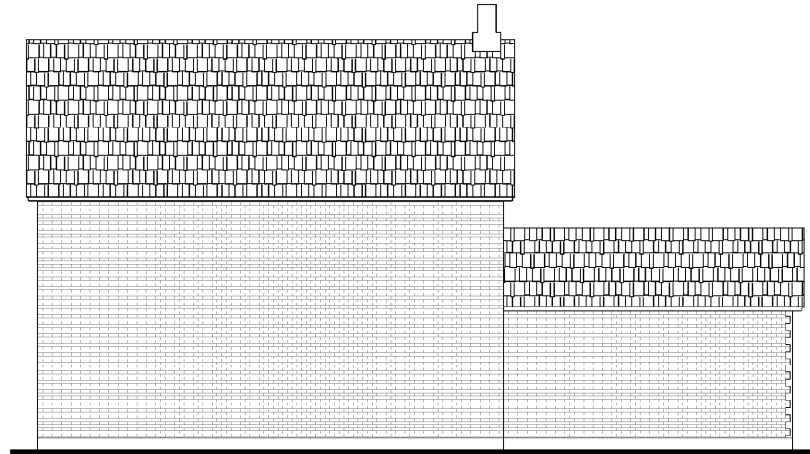
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March 2, 2021

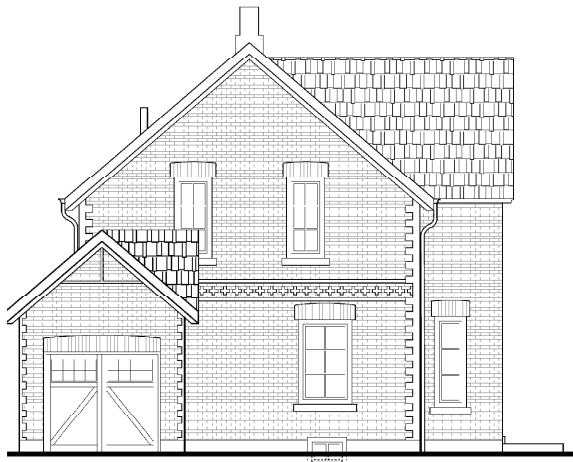
6



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION (FACING KEELE STREET)

Not to Scale

Building Elevations - Building A (George Keffer House)

LOCATION:
Part of Lot 19, Concession 3
9773 Keele Street

APPLICANT:
9773 Keele Developments Inc.



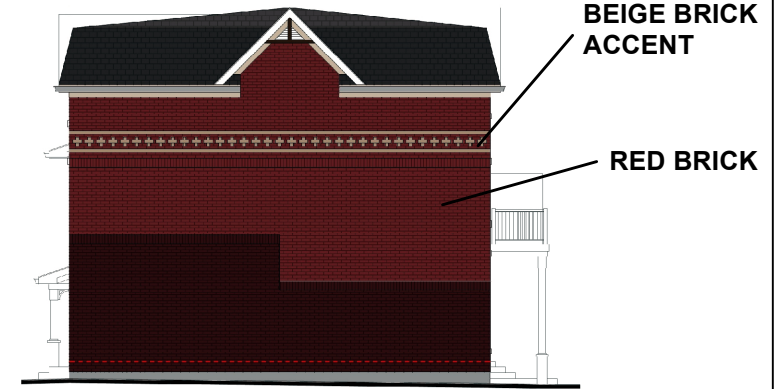
Attachment
FILES:
OP.17.001, Z.17.002
19T-17V001 and DA.18.073
DATE:
March 2, 2021

7



NORTH ELEVATION

DARK RED BRICK

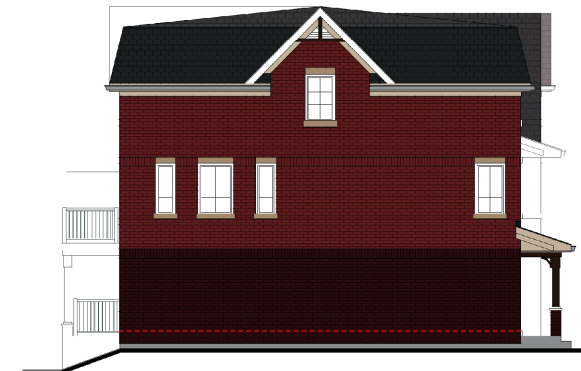


WEST ELEVATION (BEHIND BUILDING A)

CHARCOAL SHINGLES



SOUTH ELEVATION



EAST ELEVATION

Not to Scale

Building Elevations - Building B

LOCATION:
Part of Lot 19, Concession 3
9773 Keele Street

APPLICANT:
9773 Keele Developments Inc.



Attachment

FILES:
OP.17.001, Z.17.002
19T-17V001 and DA.18.073

DATE:
March 2, 2021

8



Not to Scale

Building Elevations - Building C

LOCATION:
Part of Lot 19, Concession 3
9773 Keele Street

APPLICANT:
9773 Keele Developments Inc.



Attachment

FILES:
OP.17.001, Z.17.002
19T-17V001 and DA.18.073

DATE:
March 2, 2021



Committee of the Whole (1) Report

DATE: Tuesday, March 02, 2021

WARD: 4

TITLE: DIRSAN HOLDING INC.

SITE DEVELOPMENT FILE DA.20.038

290 RODINEA ROAD

VICINITY OF KEELE STREET AND TESTON ROAD

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.20.038 for the subject lands shown on Attachment 2. The Owner proposes to develop the subject lands with a 1-storey industrial building with a 2-storey accessory office space (582.47 m²) for a total building gross floor area (GFA) of 1,257 m², with accessory open storage as shown on Attachments 3 to 5.

Report Highlights

- The Owner proposes to develop the subject lands with a 1-storey industrial building with a 2-storey accessory office space and accessory open storage
- The existing zoning for the subject lands permits these uses and a Site Development application is required to permit the development
- The Development Planning Department supports the approval of the Application as it consistent with the Provincial Policy Statement 2020 and conforms to the Growth Plan 2019, the Oak Ridges Moraine Conservation Plan 2017, the York Region Official Plan 2010, Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area

Recommendation

1. THAT Site Development File DA.20.038 (Dirsan Holding Inc.) BE DRAFT APPROVED AND SUBJECT TO THE CONDITIONS of Site Plan Approval included in Attachment 1, to the satisfaction of the Development Planning Department, to permit a 1-storey industrial building with a 2-storey accessory office space and accessory open storage area as shown on Attachments 3 to 5.

Background

The subject lands (the ‘Subject Lands’) are located east of Keele Street, south of Teston Road, are currently vacant and are municipally known as 290 Rodinea Road. The surrounding land uses are shown on Attachment 2.

Previous Reports/Authority

n/a.

Analysis and Options

A Site Development Application has been submitted to permit the Development

Dirsan Holding Inc. (the ‘Owner’) has submitted Site Development File DA.20.038 (the ‘Application’) on the Subject Lands shown on Attachment 2, to permit a 1,257 m² 1-storey industrial building including a 582.47 m² 2-storey accessory office space and accessory open storage and parking (the ‘Development’) as shown on Attachments 3 to 5. The Subject Lands will be accessed from Rodinea Road.

The Development is consistent with the Provincial Policy Statement 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement 2020 (‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities, the wise use and management of resources; and protecting public health and safety.

The PPS policies allow some flexibility in their implementation provided the Provincial interests are upheld. The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS.

The Development is consistent with PPS policies, specifically, Section 1.1.1 e) and 1.1.3.1 under Part V – “Policies” regarding cost-effective development patterns and standards to minimize land consumption and servicing costs and focusing growth and development within a Settlement Area. Section 1.1.3.2 – indicates that within Settlement Areas land use patterns shall efficiently use infrastructure, public service facilities,

minimize negative impacts to air quality and climate change and promote energy efficiency.

The Subject Lands are located within a defined Settlement Area identified by the PPS. The Development achieves the intent of the PPS Settlement Areas policies as it minimizes land consumption by making efficient use of the Subject Lands for an industrial use within an existing business park on full municipal services.

The Development conforms to a Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended

The Provincial Growth Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 ('Growth Plan'), as amended, is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, including directions for where and how to grow, the provision of infrastructure to support growth, protecting natural systems and cultivating a culture of conservation. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Development is consistent with the policy framework of the Growth Plan as the building form would allow the development of the vacant Subject Lands thereby efficiently by utilizing serviced land intended for an industrial use and maintaining an appropriate interface for land use compatibility between employment areas and adjacent non-employment areas, the Development is supportive of the Growth Plan objectives.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP 2010') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" by the YROP. The "Urban Area" designation permits a range of residential, commercial, industrial, and institutional uses, subject to additional policy criteria of YROP. The Section 4 policies of the YROP support economic activities to diversify and strengthen the Region's economic base to create employment opportunities for residents and advantages for businesses.

The Development will help to create high quality employment opportunities for residents and support the Region's goal in Section 4.1.2 of the YROP of 1 job for every 2 residents and the Section 4.1.3 policy of creating healthy communities to attract and retain youth, a highly skilled labour force and quality employers. The Development will be used as the head office for a local business.

A portion of the Development is within the Oak Ridges Moraine Conservation Plan Area and conforms to the Oak Ridges Moraine Conservation Plan

The Subject Lands are located within the Oak Ridges Moraine Conservation Plan Area (ORMCP), is designated as “Settlement Area” and was approved for development. The ORMCP Conformity Statement Report prepared by KLM Planning Partners Inc. in 2011 on behalf of the developer of the business park confirms the Development is within the ORMCP area and that the Subject Lands have none of the characteristics of undeveloped lands in other parts of the Moraine due to decades of aggregate removals and landfill operations related to the Keele Valley Landfill Site.

The business park in which the Development is located is considered brownfield redevelopment. Conformity with the ORMCP was confirmed in 2011 through the approval of Draft Plan of Subdivision File 19T-05V05(N) which created the lot for the Subject Lands.

The Development conforms to the Vaughan Official Plan 2010

The Subject Lands are designated “Industrial” by in-effect OPA 332 (Maple Valley Plan), as amended by OPA 535 and by OPA 666. The “Industrial” designation permits the proposed industrial building with the accessory “office use” and the accessory “open storage” in accordance with the provisions of Zoning By-law 1-88. The Subject Lands are designated “General Employment” by Vaughan Official Plan 2010 (VOP 2010), which permits the proposed industrial building. However, the VOP 2010 policies are currently under appeal. The Development will help the City to achieve its average jobs per hectare for employment areas by facilitating the development of a new industrial business within an existing business park. The proposed Development conforms to the Official Plan.

The Development complies with Zoning By-law 1-88

The Subject Lands are zoned “M2 General Industrial Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(1097) which permits the proposed industrial use, accessory office use and accessory open storage up to a maximum of 30% of the lot area.

The Development has a total GFA of 1257 m². Zoning By-law 1-88 requires 26 parking spaces (2 spaces/100 m² of GFA) be provided on the Subject Lands. Twenty-seven (27) parking spaces are proposed, including 2 barrier free spaces. The Development complies with the requirements of Zoning By-law 1-88.

The Development Planning Department supports the Development

Site Plan

The proposed site plan is shown on Attachment 3. The main building entrance faces Rodinea Road and a concrete pedestrian walkway connects this entrance to the existing municipal sidewalk. Two driveway entrances provide access from Rodinea Road to the parking areas in the front of the building and along the south side of the building. A one-way driveway extends to the rear of the building providing access to the loading area and to the accessory open storage for business vehicles, equipment, and materials.

The accessory open storage area is limited to a maximum of 30% of the site area and is wholly enclosed on the north and south property lines by existing 2 m high concrete screen fences and a 2.43 m chain link fence adjacent to the GO line. A new decorative 2 m high double swing decorative gate will secure the north entrance to the open storage area and the south entrance will be secured by a new 2 m high double sliding decorative gate.

Landscape Plan

The 6 m landscape strip adjacent to the street in front of the main entrance shown on Attachment 4 is consistent with the landscape treatments of the adjacent developments on the street. Landscaping in front of the sliding gates will screen the open storage area and the landscape buffer along the south lot line will soften the appearance of the screen fence.

Building Elevations

The proposed building elevations are shown on Attachment 5. Most of the building is finished in white architectural precast panels with exposed aggregate. The windows on the south side of the building are framed with vertical charcoal color aluminum composite panels to reduce the visual massing. The same material is placed horizontally on the office portion of the building to articulate the first and second-storeys. Spandrel glazing in a similar tone of grey and tinted vision glazing in aluminum frames are used in the front and sides of the office portion of the building. A yellow aluminum composite panel sits under the charcoal colour canopy to articulate the main entrance to the office.

The colour complements the corporate signage at the top of the building above this entry. Four large overhead doors and two (2) man doors serve the loading area at the rear of the building. The final site plan, landscape plan and building elevations shall be to the satisfaction of the Development Planning Department prior to final site plan approval.

Tree Inventory and Preservation Plan and Private Property Tree Removal Plan

The Vaughan Forestry Operations Division of the Transportation Services, Parks and Forestry Operations Department reviewed the Arborist Report including the Tree Inventory, Preservation and Removals Plan ('TPP') prepared in support of the Development identifying two municipal trees for preservation and two municipal trees (A and B) recommended for removal due to conflict with the proposed driveway. The Owner shall obtain a Private Property Tree Removal & Protection Permit from the City, and provide compensation for the removal of the existing two municipal trees to facilitate the driveway installation in the form of monetary compensation to the satisfaction of the Forestry Operations Division of the Transportation Services, Parks and Forestry Operations Department.

Tree protection fencing shall be installed prior to construction and remain until construction is complete. The Owner shall contact the Forestry Operations Division of the Transportation Services, Parks and Forestry Operations Department once the tree protection measures have been installed for inspection and approval. The Owner shall comply with the requirements of the City's Tree Protection and Preservation By-law 052-2018. Removal of two existing trees (G-1 and K) in poor condition is recommended, subject to the consent from the neighbouring property owners.

The Policy Planning and Environmental Sustainability Department supports the Development

The City of Vaughan has Species at Risk within its jurisdiction protected under the *Endangered Species Act*. It is the Owner's responsibility to ensure the provisions of the Act are not contravened and to comply with Ministry of Environment, Conservation and Parks regulations and guidelines to protect Species at Risk and their habitat and to abide by the *Migratory Birds Convention Act* regarding vegetation removals from the Subject Lands. A standard condition will be included in the Site Plan Letter of Undertaking to ensure the Owner is aware of their responsibilities under the Act, should the Development be approved.

The Policy Planning and Environmental Sustainability Department (PPES) reviewed the Sustainability Performance Metrics for the Development and recognizes that since the Development is an industrial use located within an existing employment business park, many of the Sustainability Metrics are not applicable. The Owner has included bicycle parking, increased the pervious surfaces, and reduced light pollution on the site. The PPES Department is satisfied that the Owner has demonstrated best efforts to achieve the highest possible sustainability score for the Development and PPES has no further concerns.

There are no Cultural Heritage concerns for this Development

The Cultural Heritage Section of the Development Planning Department has no concerns with the Development however standard archaeological clauses will be included within the Site Plan Letter of Undertaking. A condition to this effect is included in Attachment 1 Conditions of Site Plan Approval.

The Development Engineering Department has no objection to the Development, subject to Conditions of Approval

The Development Engineering (DE) Department reviewed the Stormwater Management Report for the Development and is satisfied it can be adequately serviced by the storm sewers. In addition, the Development can be adequately serviced by the existing water and sanitary servicing connections on Rodinea Road.

The DE Department has no objection to the Development subject to the Owner paying all applicable review fees and satisfying the DE Department comments regarding final approval of the site grading, servicing and erosion and sediment control plans and stormwater management reports. A condition to this effect is included in Attachment 1 Conditions of Site Plan Approval.

The DE Department is satisfied with the Noise Impact Study, the Photometric Lighting Plan and has no Environmental Engineering (ESA) concerns or comments for this Development.

Transportation Engineering

Transportation Engineering has no objection to the Development provided a waste storage room or compacted roll-off container is attached to the main building in accordance with the City's Solid Waste Management Policy and the Owner provides 2% of the lot area for snow storage. A Condition to this effect is included in Attachment 1 - Conditions of Site Plan Approval.

Infrastructure Planning and Corporate Asset Management Department has no objection to the Development

The Infrastructure Planning and Corporate Asset Management Department has no objection to the Development.

Financial Planning and Development Finance Department supports the Development

The Owner will be required to pay any applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Boards. A condition requiring the payment of Development Charges is included as a standard condition in the Site Plan Letter of Undertaking.

Vaughan Fire & Rescue Service supports the Development

Vaughan Fire and Rescue Service supports the Development subject to the Owner satisfying all Building Code requirements and providing a minimum level of fire safety and protection at the building construction stage of development.

Toronto and Region Conservation Authority (TRCA) has no objection to the Development

The Development is within the WHPA-Q (Recharge Management Area) and subject of the Credit Valley, Toronto, and Region and Central (CTC) Source Protection Plan water quality recharge policy. TRCA has no objection to the approval of the Development and is satisfied the Water Balance Assessment and Source Protection requirements for the Subject Lands have been satisfied through the larger comprehensive recharge strategy implemented for the York Major Holdings Inc. lands within Registered Plan of Subdivision 65M-4330 (Draft Plan of Subdivision File 19T-05V05).

Metrolinx has no objection to the Development, subject to Conditions of Approval

Metrolinx reviewed the Stormwater Management Report, engineering drawings and documents to ensure drainage from the site would not impact the rail line and the fencing along the rear of the property is adequate. Metrolinx is satisfied with the fencing and landscaping at the rear of the property however, the Owner shall satisfy all requirements of Metrolinx regarding the berm and post development drainage flows, prior to final site plan approval. Metrolinx also requires the Owner to enter into an "Adjacent Development Agreement", to be registered on title prior to final site plan approval. A condition to this effect is included in Attachment - 1 Conditions of Approval.

The requirement for Cash-in-lieu of the dedication of parkland has been satisfied

The Infrastructure Development Real Estate Department has advised that the Subject Lands are within Registered Plan of Subdivision 65M-4330 and there is no further requirement for cash-in-lieu of the dedication of parkland as the requirement was previously satisfied through the approval of Draft Plan of Subdivision File 19T-05V05. This confirmation satisfies the Parks Infrastructure Planning and Development Department that the required payment-in-lieu of parkland dedication in accordance with the requirements of the *Planning Act* and Vaughan's Parkland Dedication policies has been satisfied.

Other City Departments have no objection to the Development

The Environmental Services Department, Solid Waste Management Division, Building Standards, By-law and Compliance, Licensing and Permit Services, Infrastructure Planning and Corporate Asset Management Departments of the City all have no objection to the Development subject to their respective conditions and included in Attachment 1 - Conditions of Site Plan Approval.

Alectra and the various utilities have no objection to the Development

Alectra Utilities, Bell Canada, Canada Post, Enbridge Gas and Hydro One, have no objection to the Development, subject to the Owner coordinating servicing, connections, easements and locates prior to the commencement of any site works.

Rogers Communications Inc. has no objection provided the Rogers dedicated communications duct is terminated at the Rodinea Road property line. A condition to this effect is included in the Site Plan Letter of Undertaking as identified on Attachment 1 - Conditions of Site Plan Approval.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services have no objection to the Development.

Conclusion

The Development Planning Department has reviewed Site Development File DA.20.038 in consideration of the applicable Provincial Policies, York Region and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context.

The Development shown on Attachments 3 to 5 is consistent with the PPS, conforms to the Growth Plan, the ORMCP, the YROP 2010 and the VOP 2010, the use is permitted by Zoning By-law 1-88 and is compatible with the surrounding area context.

Accordingly, the Development Planning Department supports the approval of Site Development File DA.20.038, subject to the Recommendations in this report and the Conditions of Site Plan Approval included in Attachment 1.

For more information, please contact: Laura Janotta, Planner, Development Planning, at extension 8634.

Attachments

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Site Plan
4. Landscape Plan
5. Building Elevations

Prepared by

Laura Janotta, Planner, ext. 8634

Eugene Fera, Senior Planner, ext. 8004

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Bill Kiru, Acting Director of Development Planning, ext. 8633

Approved by



Mauro Peverini,
Acting Chief Planning Official

Reviewed by



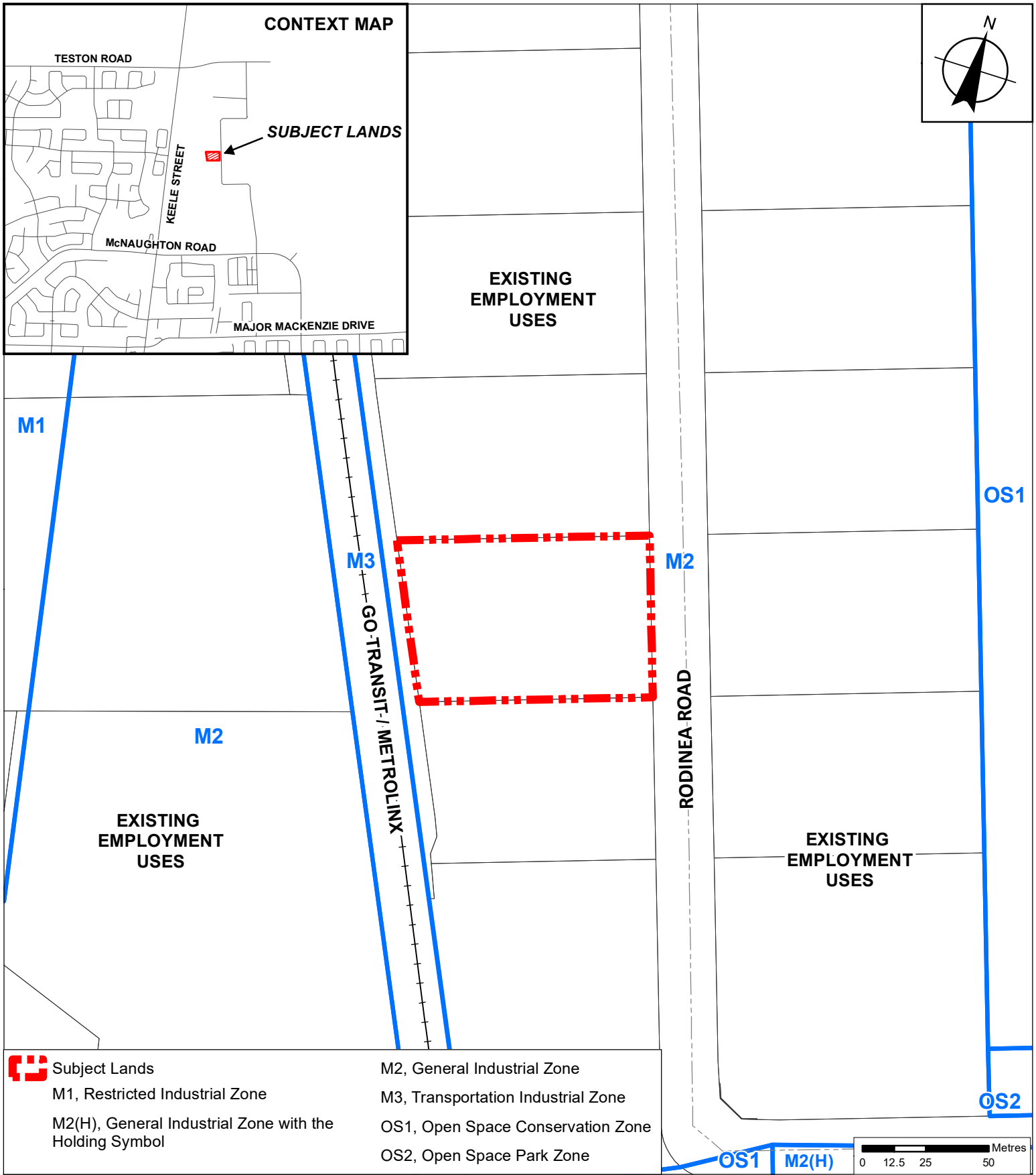
Jim Harnum, City Manager

Attachment 1 - Conditions of Site Plan Approval

Site Development File DA.20.038 (Dirsan Holding Inc)

- 1) THAT prior to the execution of the Site Plan Letter of Undertaking:
 - a) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate, Arborist Report, and tree inventory and tree protection plan;
 - b) The Development Engineering Department shall approve the final grading plan, servicing plan, erosion and sediment control plan, Stormwater Management Report, Photometric Lighting Plan and Noise Impact Study. The Owner shall satisfy all requirements of the Development Engineering Department and shall pay the Engineering Site Plan Review fees pursuant to the in-effect Fees and Charges By-law;
 - c) The Transportation Engineering Department shall approve the location of the waste storage room or compacted roll-off container in accordance with the Solid waste Management Policy, and the location of snow storage area on the final grading plan;
 - d) The Owner shall obtain final clearance from Alectra Utilities Corporation, Bell Canada, Canada Post, Enbridge Distribution and Rogers Communications; and
 - e) the Owner shall satisfy all requirements of Metrolinx.
- 2) THAT the Site Plan Letter of Undertaking shall include the following provisions to the satisfaction of the City:
 - a) "The Owner shall contact the Forestry Operations Division of the Transportation Services, Parks and Forestry Operations Department once the tree protection measures have been installed for inspection and approval according to City specifications."
 - b) "The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department immediately in the event:

- i) archaeological resources are found on the property during grading or construction activities the Owner must cease all grading or construction activities; and
 - ii) where human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.”
- c) “The Owner shall provide a dedicated communications duct terminating at the property line at Rodinea Road as required by Rogers Communications”.
- d) “The Owner shall acknowledge and convey any easements deemed necessary by Bell Canada to serve this development at no cost to Bell Canada, and
- e) The Owner shall abide by the requirements of the *Endangered Species Act* (2007) and the *Migratory Birds Convention Act* (1994).



Context and Location Map

LOCATION:
Part of Lot 24, Concession 3;
290 Rodinea Road

APPLICANT:
Dirsan Holding Inc

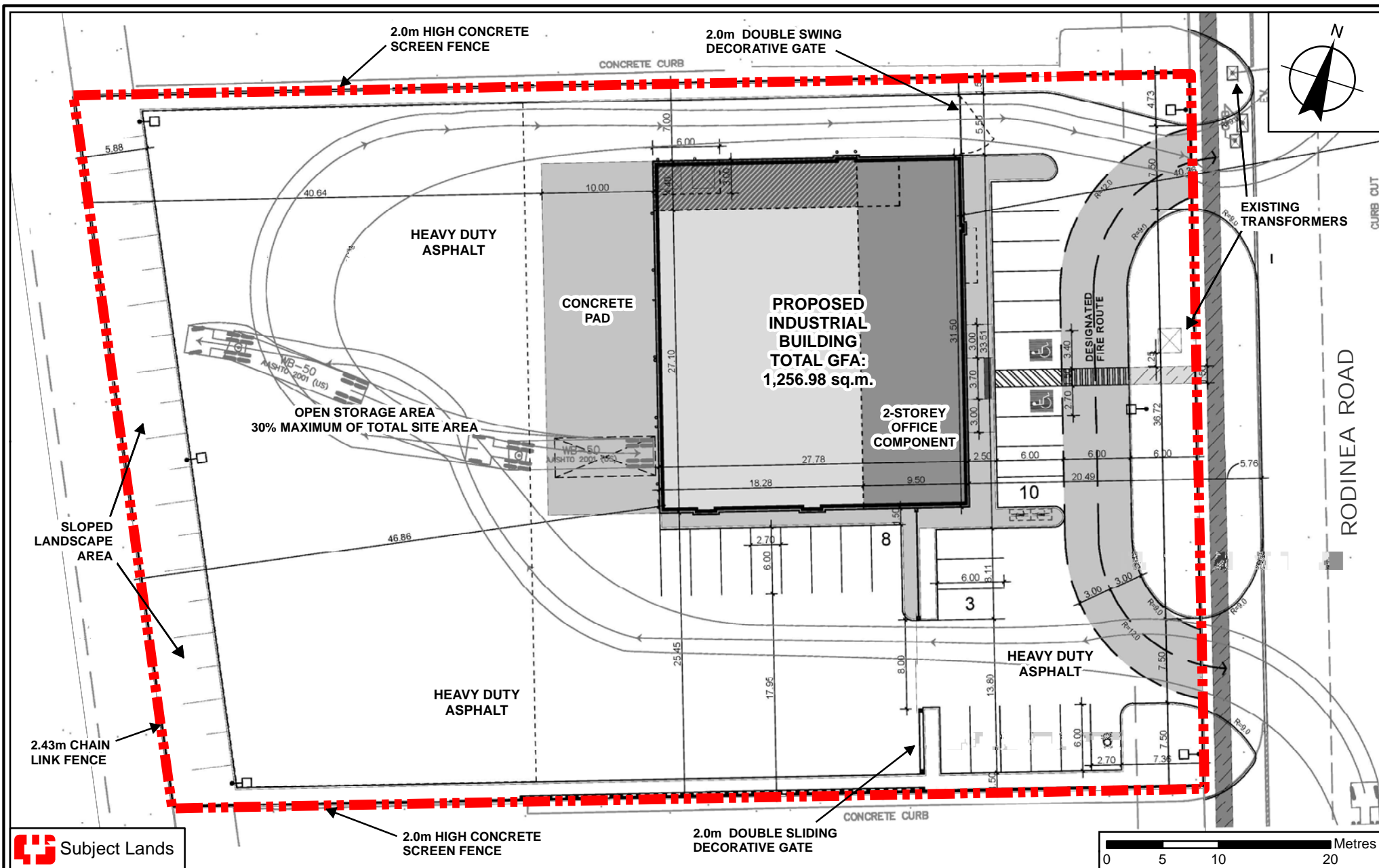


Attachment

FILE:
DA.20.038

DATE: March 2, 2021

2



Site Plan

LOCATION:
Part of Lot 24, Concession 3
290 Rodinea Road

APPLICANT:
Dirsan Holding Inc

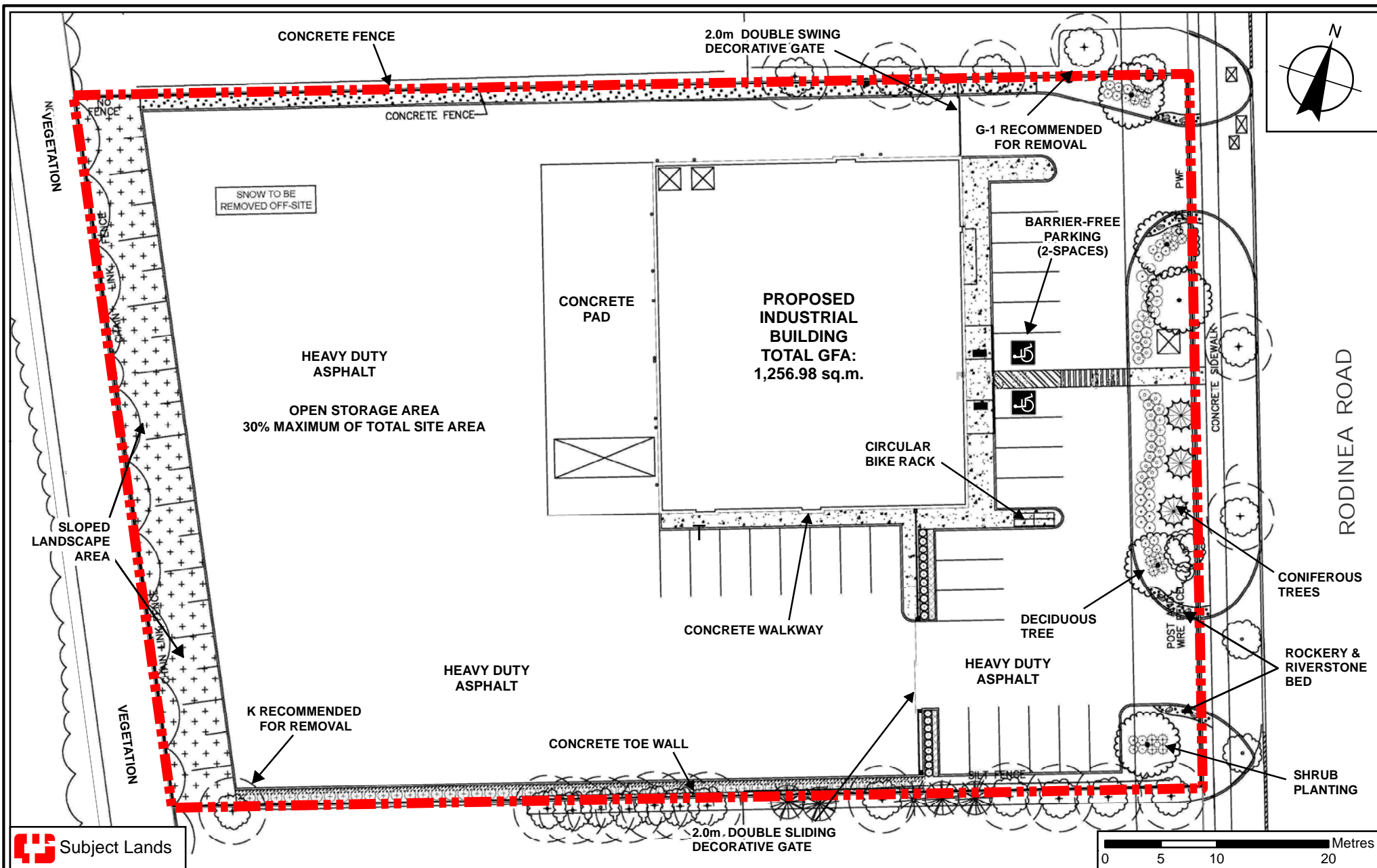


Attachment

FILE:
DA.20.038

DATE:
March 2, 2021

3



Landscape Plan

LOCATION:
Part of Lot 24, Concession 3
290 Rodinea Road

APPLICANT:
Dirsan Holding Inc

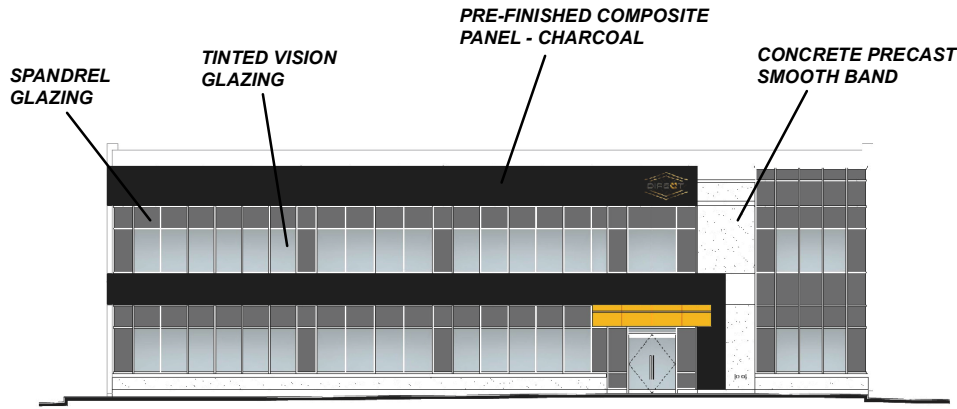


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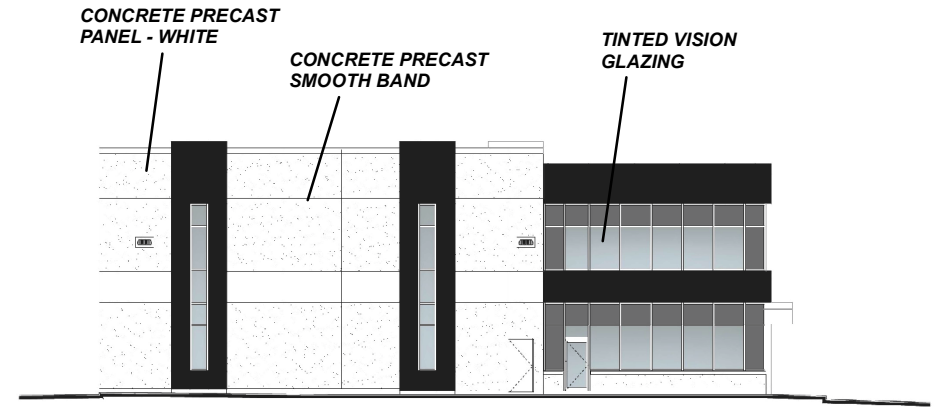
FILE:
DA.20.038

DATE:
March 2, 2021

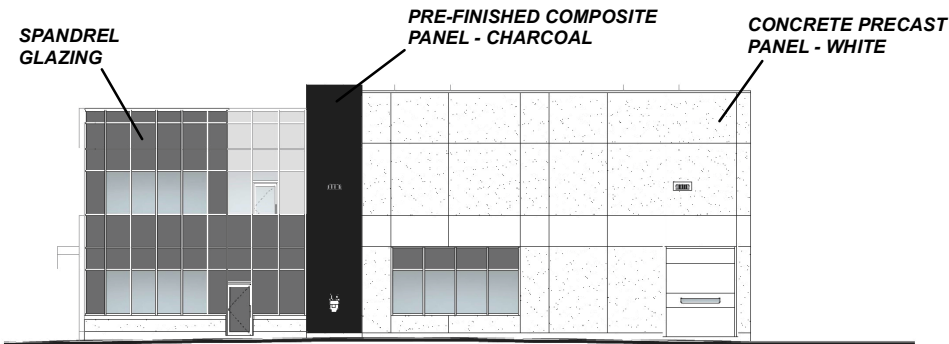
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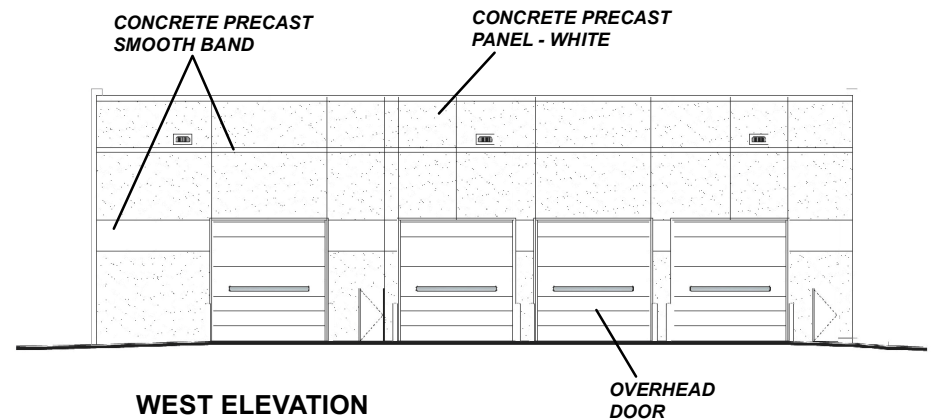
EAST ELEVATION - FACING RODINEA ROAD



SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION

Building Elevations

LOCATION: Part of Lot 24, Concession 3;
290 Rodinea Road

APPLICANT:
Dirsan Holding Inc



Attachment

FILE:
DA.20.038

DATE: March 2, 2021

5

Committee of the Whole (1) Report

DATE: Tuesday, March 02, 2021

WARD(S): ALL

**TITLE: COMMUNITY GARDEN POLICY REVISION
FILE 22.36**

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To seek approval of the City's revised Community Garden Policy (18.C.01) and amendment to the project description of Capital Project RP-6776-18 (Community Garden Program).

Report Highlights

- Revisions to the Community Garden Policy were conducted to ensure consistency of current garden operations and provide clarity to volunteer gardeners.
- Revisions are consistent with the process the Office of the City Clerk is undertaking to streamline documents by transferring corporate policies to new templates.
- The project description was updated for Capital Project RP-6776-18, allowing funds to be reallocated to the enhancement of current community gardens, rather than being restricted solely to creating new community gardens.

Recommendations

1. That the revised Community Garden Policy, appended as Attachment 1, be approved; and
2. That the project description of Capital Project RP-6776-18 be revised to allow the funds to be used for enhancement of existing community gardens.

Background

Council approved the Community Garden Policy (the 'Policy') in April 2014 with the intent to provide a framework for the establishment and management of community gardens on City-owned lands. Council in June 2018 endorsed recommended approval authorities for all existing corporate policies including the Community Garden Policy, which requires Council approval. The Policy Committee approved the revised Policy on May 21, 2020.

The City of Vaughan currently supports four community gardens on City-owned land at the following locations:

- Hope Garden at Michael Cranny House – 439 Glenkindie Avenue
- Sugarbush Heritage Park Allotment Garden – 91 Thornhill Woods Drive
- Growing to Give Garden at Fire Station 7-1 – 835 Clark Avenue
- City Hall Demonstration Garden – 2141 Major Mackenzie Drive

Community gardens positively contribute to environmental, social, and economic sustainability and overall community development. These gardens offer an all-ages gathering place where City of Vaughan residents and employees of Vaughan-based businesses can meet to grow and care for fruits, vegetables, herbs, flowers, native plants, and ornamentals.

City Council in January 2018, approved a capital project with a budget of \$50,000 for the establishment of two additional community gardens, funded from the Capital from Taxation Reserve. Two new gardens were recommended to be added, one in Ward 2 and one in Ward 3, with the result of having at least one community garden in each ward. There is approximately \$39,000 remaining in the capital project after completing works at Vellore Heritage Square (see Analysis and Options section for more details). It is recommended in this report to re-purpose this capital project to allow for improvements to existing community gardens and also allow for the planting of pollinator gardens.

Community gardens on City-owned land build community cohesion

The City's community gardens provide an opportunity to showcase examples of effective and sustainable gardens, encourage citizens to get outside and be active, promote intergenerational and multicultural relationships and build community cohesion. This program is promoted through the Environmental Sustainability website and the Corporate and Strategic Communications department.

The City currently oversees three gardens that are managed collectively by a group of gardeners and one allotment garden where designated plots are made available for individual or organizational use.

The community gardens are planted, maintained, and supported by groups of dedicated volunteer gardeners, which are led by a Community Garden Coordinator(s). The York Region Food Network (YRFN) acts as the Community Garden Coordinator at the City Hall Demonstration Garden and Growing to Give Garden. The YRFN is a non-profit organization that operates programs, raises awareness, and promotes policy changes for increased access to affordable and nutritious food produced within a sustainable food system. The YRFN engages school groups and community members in nutritional education and environmental stewardship through free educational workshops and hands-on activities held at both gardens.

Human Endeavour acts as the Community Garden Coordinator for the Hope Garden. Human Endeavour is a non-profit organization that provides solutions to social challenges and improves the socio-economic and living conditions of the community. Human Endeavour utilizes the garden for events, weekly yoga or meditation practice and a meeting place for group walks.

The Sugarbush Heritage Park Allotment Garden is currently the only community garden to be managed in an allotment style, with a volunteer resident who acts as the Community Garden Coordinator.

Previous Reports/Authority

Previous reports considered by City Council regarding the Community Garden Program and Policy can be found at the following links:

[Special Council Meeting Extract – January 30, 2018](#) – At a special Council meeting in January 2018, a capital project with a \$50,000 budget for the establishment of two additional community gardens was approved.

[Council Meeting Extract – April 21, 2015](#) – Council in April 2015 adopted a recommendation to execute an Agreement with Seeds for Change and York Region Food Network to undertake a community garden project at Vaughan City Hall.

[Council Meeting Extract – April 8, 2014](#) – The preliminary (and current) Community Garden Policy was adopted by Council in April 2014.

Analysis and Options

The Community Garden Policy revision aligns with the Office of the City Clerk's policy review process and Green Directions Vaughan 2019

The City's Policy Committee in 2018, undertook an extensive review of all Corporate policies to make recommendations for repeal, and to assign an approval authority for those policies not for repeal. An additional step in the review process requires that all policies, whether existing or new, be transferred to new templates.

Council on December 17, 2019 adopted Action 4.3.3 in Green Directions Vaughan 2019, to identify the establishment of more community gardens and the revision of the Community Garden Policy.

The Community Garden Policy has been updated to ensure consistency of current garden and City operations

Proposed updates made to the Policy are minor but required to ensure consistency of current garden operations and provide clarity for gardeners include the following:

- Making the Policy and all Appendices more accessible, easier to read and understand. The Policy is organized with headers within the new template.
- Encouraging the acknowledgment of Indigenous traditional and treaty land rights within Vaughan through plantings, education, and partnerships.
- Identifying that other public lands may be utilized for community gardens, provided that the City has entered into an agreement with the property owner(s) to utilize a parcel for a community garden.
- Clearly defining scenarios where an approved organization may enter into an agreement with the City for the donation/distribution of food.
- Identifying that amendments can be made to the Appendices by staff without Council approval. This allows for a change in operational needs, including the term of the License Agreement, length of garden season and City contact person.
- Allowing for the ability to charge a structured fee per season that considers equitable access and opportunity for all community members for the use of a garden plot in an allotment community garden. Funds collected will be designated for maintenance and improvement costs associated with the community garden program.

Further proposed amendments made to the Appendices include the following:

- The Gardener License Agreement (Attachment 2 and 3 - Appendix 1a and 1b) has been divided into two separate License Agreements, one for collective community gardens and the other for allotment community gardens with additions made this year for COVID-19 pandemic protocol.
- The Memorandum of Understanding (Attachment 4 - Appendix 2) between the City and the Community Garden Coordinator is updated to include an indemnity clause and a terms of use section.
- The Release of Liability, Waiver of Claims, Assumption of Risks, and Indemnity Agreement (Attachment 5 - Appendix 3) is revised to accommodate for risks identified during the COVID-19 pandemic.

Funds in the capital project RP-6778-18 could more effectively be used for improvements to existing gardens

Since 2018, capital project RP-6776-18 has been utilized to plan a community garden at Vellore Heritage Square in Ward 3. In 2019, the water source was installed, and a pollinator garden was planted. The community garden has been put on hold as design and construction for the new Firehall 7-12 is underway at the site.

Fred Armstrong Park was identified as a potential community garden location in Ward 2. However, through community consultation, it was determined that there was a lack of interest from the community to manage the garden. As a result, a suitable location for a community garden in Ward 2 has yet to be identified. Staff are further investigating Doctors Mclean District Park as another potential location. This park is situated on land owned by Toronto and Region Conservation Authority; thus, an agreement is required to utilize a portion of the park for a City-administered community garden.

Staff recommend that the remaining funds in Capital Project RP-6776-18 (approximately \$39,000) could more effectively be utilized for enhancement of existing gardens. Improving the existing gardens as professional spaces with basic amenities, such as fencing, storage and accessible and in-ground garden beds, is preferred, prior to establishing new gardens. The remaining funds could be used for the following:

- Making improvements at Sugarbush Garden to increase plot size, add more plots and improve soil condition.
- Installing features at the City Hall Demonstration Garden, such as a low impact development entrance feature, accessible pathways, shade structures, seating, and a children's zone.
- Adding native pollinator gardens to previously established sites, where feasible.

Recommendation for further risk analysis

A recommendation to further reduce the risk to the City is to develop a separate agreement for approved community garden groups/organizations that wish to donate or distribute a portion of the harvest from the community gardens to local food banks or other individuals or community members. This new agreement is currently not included in the Policy. It will be created with input from the City's Legal Services department and Risk Management team.

Financial Impact

The Policy states that all expenses associated with sustained operation and maintenance is the responsibility of the gardeners. However, it also identifies that the City may provide a fund for start-up costs and provide support for ongoing maintenance and operations, as needed. Aside from Capital Project RP-6776-18, there is no other account (operating or capital) dedicated to the ongoing operational, educational or maintenance costs associated with the community gardens.

The Parks, Forestry and Horticulture Operations department provides in-kind services for opening and closing operations (tilling and site preparation) and seasonal grass cutting. The cost of turning water on and off is paid for by Facility Management and all other administration is conducted in-kind by the Policy Planning and Environmental Sustainability department. Other garden operating costs, such as installing a fence or proper signage, is paid for when funds become available in existing operating budgets or by seeking eligible grant funding.

As the community garden program evolves and grows, increased staffing resources may need to be considered and evaluated based on program size and success. Based on staff experience, the start-up cost of one community garden can range from \$18,000 to \$40,000. The costs cover installing basic amenities such as fencing, a storage shed and a source of potable water, signage, consultation with community members, soil tests and preparing a pollinator garden. The overall suitability of a site is critical to consider, as the length and type of fence required and location of the garden relative to an existing water source can result in varying start-up costs. These minimal requirements must be taken into consideration when establishing community gardens.

Annual operating costs for the City's existing four community gardens can range up to \$8,000 to cover turning the water source on and off, purchasing supplies, installing signage, programming for educational workshops and facilitation by the City's non-profit partners to manage the gardens. Environmental Sustainability staff

are also exploring fee structures to the allotment community gardens that can offset some of the maintenance costs associated with the City's community gardens. City staff will explore including a new fee for the Community Garden program as part of the next By-law update.

Broader Regional Impacts/Considerations

Many municipalities in York Region have community garden programs, including City of Markham, City of Richmond Hill, Township of King, and the Town of Whitchurch-Stouffville. The YRFN operates gardens in the Towns of Newmarket and Aurora.

The Community Garden Program aligns with York Region's Agriculture and Agri-Food Strategy, as it supports the provision of community gardens and/or urban agriculture projects.

Conclusion

The revised Community Garden Policy will allow for more efficient administration and management of the City's community gardens. The revised Policy reflects current operations and provides clarity for gardeners on code of conduct.

Updating the project description of Capital Project RP-6776-18 allows for funds to be utilized for enhancement of existing gardens and will ensure each garden location is a more structured space that meets the basic needs of the gardeners.

For more information, please contact: Monica Choy (for Alanna MacKenzie), Sustainability Coordinator, ext. 8941

Attachments

1. Attachment 1 - Community Garden Policy 18.C.01
2. Attachment 2 - Appendix 1a Community Gardens Allotment License Agreement
3. Attachment 3 - Appendix 1b Community Gardens Collective License Agreement
4. Attachment 4 - Appendix 2 Community Garden Coordinator Memorandum of Understanding
5. Attachment 5 - Appendix 3 Waiver of Liability

Prepared by

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Ruth Rendon, Acting Manager of Environmental Sustainability, Policy Planning and Environmental Sustainability ext. 8104

Tony Iacobelli, Acting Director, Policy Planning and Environmental Sustainability, ext. 8630

Approved by



Mauro Peverini, Acting Chief Planning Official

Reviewed by



Jim Harnum, City Manager



CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: COMMUNITY GARDEN

POLICY NO.: 18.C.01

Section:	Recreation		
Effective Date:	Click or tap to enter a date.	Date of Last Review:	April 8, 2014
Approval Authority: Council		Policy Owner: DCM, Planning & Growth Management	

POLICY STATEMENT

The City of Vaughan (hereinafter referred to as the “City”) recognizes that the principles of sustainability should be incorporated into our daily activities and that Community Gardens positively contribute to environmental, social and economic sustainability and overall community development.

PURPOSE

This Policy provides guidelines for the successful operation of Community Gardens on City-owned land, by:

- Providing a framework for the establishment of sustainable and successful Community Gardens within the City, which will nurture a more integrated urban community and increase civic engagement through volunteering and collaboration.
- Encouraging a community culture that recognizes and places a priority on sustainability and acknowledges Indigenous traditional and treaty land rights within Vaughan through plantings, education and partnerships.
- Promoting the cultivation of local, healthy and affordable food within the community and providing healthy food to members of the community.
- Raising awareness within the community of collective actions that can help to reduce greenhouse gas emissions from food transportation.
- Improving vegetation cover within the community that will build healthy soil and organic matter to sequester carbon, thereby offsetting a portion of community greenhouse gas emissions while working to improve air quality.

POLICY TITLE: COMMUNITY GARDEN

POLICY NO.: 18.C.01

SCOPE

This Policy applies to all Community Gardens located on City-owned land or other public lands in which the City has entered into an agreement with the property owner(s) to utilize a parcel for a Community Garden.

This Policy does not cover urban agriculture issues.

LEGISLATIVE REQUIREMENTS

There are no legislative requirements, however Section 11(2) of the *Municipal Act, 2001* recognizes the ability of lower-tier municipalities to promote, among other matters:

- Economic, social and environmental well-being of the municipality, including respecting climate change.

DEFINITIONS

- 1. Allotment Community Garden:** Garden where designated plots are made available for individual or organizational use.
- 2. Collective Community Garden:** Garden that is managed and gardened collectively by a group of people.
- 3. Community Gardens:** Outdoor spaces on designated, underutilized municipal land where City residents and employees of Vaughan-based businesses, organizations and other agencies can meet to grow and care for fruits, vegetables, herbs, flowers, native and/or ornamental plants.
- 4. Community Garden Coordinator:** Person, organization or agency assigned to oversee the garden operations, manage Gardeners, prepare garden plans and maintain regular contact with the City.
- 5. Community Group Plot:** Garden plot(s) reserved for shared gardening by schools, community groups or organizations or other community members for the purposes of individual consumption, social/environmental stewardship or education.
- 6. Distribution Partner:** School, organization, association, agency or other appropriately insured entity that enters into an agreement with the City for the purpose of gardening and distribution/donation of food or strictly for the distribution/donation of food from Community Gardens.

POLICY TITLE: COMMUNITY GARDEN

POLICY NO.: 18.C.01

- 7. Gardener:** Person(s) whom have been approved by the City to participate in a Collective Community Garden and assigned a plot in an Allotment Community Garden.
- 8. Organizational Partner:** Organization, association, agency or other appropriately insured entity that administers the Community Garden program on behalf of the City. An Organizational Partner may also act as a Community Garden Coordinator and/or Donation Partner.

POLICY

Community Gardens on public lands (i.e. owned by the Toronto and Region Conservation Authority) require approval from the property owner(s) and an appropriate agreement in order to implement this Policy.

Amendments to Appendices 1a, 1b, 2 and 3, and any other applicable agreement, to this Policy shall be made by City staff without Council approval.

1. Community Garden Overview

1.1. Community Gardens may be operated as:

- 1.1.1. Allotment Community Gardens;
- 1.1.2. Collective Community Gardens; or,
- 1.1.3. A combination of the two styles.

1.2. Gardens will be administered by the City or an Organizational Partner and will require consistent and adequate funding. These gardens must have a minimum of one dedicated Community Group Plot.

1.3. Community gardening differs from commercial agriculture or other forms of urban food production as community gardening does not involve the harvesting of agricultural and/or animal products for distribution and sale in local or international markets. The goal of community gardening is to produce plants and/or food for the personal use and consumption of the Gardeners or for donation to charitable cause(s) and/or community members. Donation or distribution of food will be carried out by means of a Distribution Partner.

1.4. The City may demonstrate its support for Community Gardens by:

- 1.4.1. Compiling and maintaining an inventory of suitable sites for Community Gardens on City-owned property.
- 1.4.2. Encouraging developers to make available suitable lands for Community Gardens within planned developments.

- 1.4.3. Encouraging other landowners of underutilized, unused, or open parcels (i.e. hydro right of ways) to make available these parcels for Community Gardens.
- 1.4.4. Assisting in the development of a code of conduct and memorandum of understanding for Community Gardens.
- 1.4.5. Establishing a small fund for start-up costs, when approved through the City's budget process.
- 1.4.6. Providing, subject to the availability of staff, equipment and material, rototilling and transportation of topsoil and mulch, as well as water sources if community Gardeners are unable to provide this on their own.
- 1.4.7. Supporting the development of a Community Garden network with the common goal(s) of information and knowledge sharing, skill development, community engagement and interaction, and increased awareness of Community Garden programs within the City.

2. Community Garden Setup

- 2.1. Gardeners must be residents of the City of Vaughan, unless otherwise determined by the City in particular cases.
- 2.2. A community consultation process will occur prior to the approval of a new Community Garden. Special interest groups and other community members will be identified and notified in writing of the proposal for the new Community Garden.
- 2.3. Where there are more Community Garden requests and/or proposals than the yearly plan and budget can support, or where two or more groups express interest in establishing a Community Garden on the same plot of land, and partnership and/or amalgamation is not possible/feasible, the City or Organizational Partner may assign the designated site to the group that presents the most detailed, comprehensive and feasible garden description, layout and community engagement plan.

3. Roles and Responsibilities

- 3.1. All parties will be required to sign appropriate documentation, as set out in the attached Appendices.
- 3.2. Community Garden Coordinator

Represent all site Gardeners. Serve as main contact person for the Garden. Community Garden groups must identify the proposed Community Garden Coordinator in their application. Initial arbitrator for dispute resolution. Assign plots to Gardeners, if applicable, and provide orientation at start of season.

Provide intake of documentation from each Gardener and distribute garden keys. Provide detailed description of the proposed layout of the garden and any suggested modifications to the City. Develop communications and engagement plan for Community Garden.

3.3. Distribution Partner

Manage donation and distribution of food where applicable. Enter into any required agreements with the City or Gardener groups.

3.4. Organizational Partner

Oversee administration of Community Garden program including daily operations. Provide funding, where applicable, for start-up costs or regular operation of Community Gardens. Conduct inspections of Community Gardens.

4. Community Garden Fees and Expenses

4.1. Where approved through the City's budget process or through in-kind contribution, the City may support ongoing maintenance and operation of the Community Garden.

4.2. The individual garden plots in an Allotment Community Garden may be made available to Gardeners annually in exchange for a structured fee that considers equitable access and opportunity for all community members. This fee will be designated for continual improvement initiatives related to community gardening.

4.3. Community Garden groups/Gardeners will be responsible for all expenses associated with the sustained operation and maintenance of the Community Garden. The City will encourage Community Garden groups to seek additional funding sources as needed. Permitted funding methods include community fundraising efforts conducted in accordance with all applicable permits and/or licenses and the City's Corporate Partnership Policy. Gardeners will not be permitted to sell garden produce or engage in for-profit business practices.

5. Responsibility of City Departments

5.1. Policy Planning & Environmental Sustainability

Point of contact with Community Garden groups, assisting with community garden start-up and carrying out associated administrative tasks.

POLICY TITLE: COMMUNITY GARDEN

POLICY NO.: 18.C.01

5.2. Parks, Forestry & Horticulture Operations

Responsible for opening and closing operations, such as tilling and preparing the sites, and general grounds maintenance surrounding the garden site. Parks, Forestry and Horticulture may assist with installing or repairing infrastructure such as fences.

5.3. Facility Management

Responsible for turning on the water source at the beginning of the season and winterizing the water source at the end of the season. Facility Management may also assist with installing sources of water.

5.4. Corporate & Strategic Communications

Will handle promotion and marketing of the Community Garden program.

5.5. Municipal Partnership Office within the Economic & Cultural Development Department

May assist with identifying and/or securing alternative sources of revenue in cash or in-kind for the Community Garden program, through corporate sponsorship or grant opportunities that will go toward garden start-up costs, enhancement of existing gardens or to offset operational costs.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	SELECT If other, specify here	Next Review Date:	Click or tap to enter a date.
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Related Policy(ies):	
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Related By-Law(s):	
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Procedural Document:	
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Revision History

Date:	Description:
Click or tap to enter a date.	

POLICY TITLE: COMMUNITY GARDEN

POLICY NO.: 18.C.01

Click or tap to enter a date.	
Click or tap to enter a date.	

Community Garden Rules/Allotment Gardener License Agreement**1. DEFINITIONS:**

***"Plot"** defined as an individual section of the garden including raised beds and exhibit gardens, designated for planting.*

***"Allotment Gardener"** defined as person(s) assigned to a Plot within the designated area. Responsible for the planting and maintenance of the assigned Plot.*

***"Community Garden Coordinator"** defined as a person, organization or agency assigned to oversee the garden operations, manage Gardeners, prepare garden plans and maintain regular contact with the City.*

2. TERM:

The period of public participation in City of Vaughan community gardens is seasonal, from May 1 to November 30 every year. This period is subject to opening and closing operations conducted by City Public Works staff. The City reserves the right to adjust this period as necessary. Notice will be given to all Allotment Gardeners from the City's Sustainability Coordinator or the Community Garden Coordinator outlining any such changes.

This License Agreement becomes effective upon the date set out below and ends on November 30 of the same year or upon such earlier termination date as may apply.

3. GARDEN RULES:

COVID-19 has changed how community gardens will operate in 2021. COVID-19 is a public health crisis, and the health and safety of the Gardeners and the community is the City of Vaughan's top priority. As such, the City of Vaughan has a zero-tolerance policy this year. If anyone puts the health and safety of others at risk by not abiding by the rules outlined below, the Gardener will lose their privilege to participate in the community garden. If you choose not to garden in the 2021 season due to the risk of COVID-19, you are welcome to participate in 2022.

The _____ (garden name) Community Garden is a community space. As a member of the community, we ask that you follow these guidelines at the garden:

COVID-19 GUIDELINES

- i. I understand if there is a contradiction between the following COVID-19 guidelines and any other section of this Agreement, including the Regular Garden Guidelines, the COVID-19 Guidelines will apply.
- ii. I agree that if I am displaying symptoms of COVID-19 or I have come into contact with someone who has shown symptoms, I will not come to the garden. In addition, I understand anyone who is exhibiting symptoms of COVID-19 or has been exposed to the virus must stay at home for 14 days.

- iii. I will plan to be at the garden as little as possible and not to loiter in the garden. I understand that community gardens are only permitted to open this year because they are recognized as an essential food service.
- iv. I agree to maintain a physical distance of 2 metres (6 feet or more) from all Gardeners, always. I understand this does not apply if I am gardening with members of my household who are registered Gardeners.
- v. I understand the community garden is closed to the public and is only open for registered Gardeners. Accordingly, I:
 - a. Understand I cannot bring friends, extended family members, neighbours and other non-registered gardeners into the garden with me.
 - b. Understand children should only be brought to the garden on an as-needed basis. Children cannot be brought to the garden if they are too young to understand physical distancing and hygiene practices in the garden (unless they can be kept in a stroller or are carried in an on-body support).
 - c. Agree to be responsible for any child I bring to the garden. I will make sure they follow the COVID-19 guidelines and I agree to sanitize any tools they touch.
- vi. I understand that workshops, training sessions and events are prohibited to take place at the garden this year.
- vii. I understand that I am encouraged to wear a face mask and gardening gloves while in the garden. In addition, I agree to not share my face mask and gardening gloves with anyone else and will launder my masks and gloves after each use.
- viii. I agree to bring my own tools to use in the garden this year. Should that not be possible, I understand that a limited number of tools will be available, and I agree to disinfect the shared tools before and after using them. I understand that a disinfectant spray and paper towel will be available in the shed.
- ix. I agree to disinfect any common areas of the garden that I touch, including the lock and handle of the shed or storage box, other handles, pens, water tap, hose and tools. I understand sanitizing towelettes will be made available.
- x. I agree to sanitize my hands when I arrive at the garden and before I leave the garden. I understand that hand sanitizer will be made available.
- xi. I agree to sign-in and sign-out every time I go to the garden. Accordingly, I:
 - a. Understand that if a COVID-19 outbreak happens at the garden, the City of Vaughan and the Garden Coordinator need to be able to quickly identify who is most at risk.
 - b. Understand the sign-in and sign-out form will be available in the [Community Garden Coordinator to enter].
- xii. I understand that Gardeners will not be scheduled to attend the garden on a certain day/time. Accordingly, I:
 - a. Understand that this may change as the season unfolds.
 - b. Understand that the community garden will close nightly at 11:00pm and open again at 5:59am and that overnight activities are strictly prohibited.

- xiii. I understand that contravention of the COVID-19 guidelines is cause for immediate exclusion from the garden.

GENERAL GARDEN RULES

The City of Vaughan is hereby granting permission at its sole discretion for the Allotment Gardener to use the designated Plot(s) at _____ (garden name) Community Garden on a non-exclusive basis and for the sole purpose of allotment gardening, during one season, over the period of operation of this License Agreement, unless extended on mutual agreement.

I, the Allotment Gardener, UNDERSTAND AND AGREE with the following Rules:

i. **CONDUCT**

I agree to abide by all City of Vaughan By-laws and Provincial regulations, including the Pesticide By-law (88-2008), Parks By-law (134-95, as amended), and legislation regarding noxious weeds (*Weed Control Act, 1990*) which regulates the use of fertilizers, insecticides and weed repellents.

I will respect other Allotment Gardeners and the general public utilizing the grounds surrounding the community garden. I understand that no form of disrespectful or harassing behaviour will be tolerated and that all Allotment Gardeners must comply with the City of Vaughan's policies with respect to the following:

- a) Application of the Vaughan Inclusion Charter. The City is committed to taking action to achieve the vision of the Charter in the organization and in the community. The Charter promotes and celebrates human rights and accessibility and strengthens a sense of belonging for everybody in the community to ensure they all have access to the same opportunities.
- b) Definition and comprehension of harassment as any improper conduct by an individual, that is directed at and offensive to another person or persons, and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, and any act of intimidation or threat. It includes harassment within the meaning of the Canadian Human Rights Act. Harassment will also be defined as any verbal abuse, bullying or aggressive approaches to an individual or group. It may also include remarks and actions that create a hostile or intimidating environment.

ii. **COMMUNITY GARDEN COORDINATOR**

There will be a Community Garden Coordinator at each community garden location and this individual will represent all site Allotment Gardeners and will serve as the main contact person with the City of Vaughan.

- a) I agree to provide my contact information to the designated Community Garden Coordinator and agree that the designated Community Garden Coordinator will represent me in relations with the City of Vaughan.
- b) I may contact the City of Vaughan's Sustainability Coordinator if I have a conflict that the Community Garden Coordinator cannot resolve, I have a conflict with the

Community Garden Coordinator that cannot be resolved, or if the Community Garden Coordinator is in violation of the Community Garden Policy.

iii. **MAINTENANCE REQUIREMENTS**

All Allotment Gardeners will begin preparation and planting on the earlier of May 31 or the date of commencement of this License Agreement, provide continued maintenance of assigned Plot/s and plant materials within the Plot/s, for the duration of this License Agreement. In particular, I confirm that I:

- a) WILL NOT modify the size or existing configuration of my Plot;
- b) WILL be responsible for the maintenance and upkeep of my garden Plot including: watering, weeding, harvesting, removal of fallen or rotten produce on a weekly basis, litter removal and any other garden related maintenance, will help to open and close the garden during the garden season and will work to maintain the areas immediately surrounding my plot (edges, walkways and paths). If I am not available to do so myself, it is my responsibility to arrange for another Gardener/s to water and tend to my Plot as needed;
- c) WILL ensure my Plot is planted, maintained and kept clean and tidy. If I do not plant or if my Plot becomes unkempt, I understand that I will be given four (4) weeks' notice to plant or clean it up. At that time, if I have not done so, the Plot may be reassigned to another Allotment Gardener and I will lose my License to participate in the Community Garden;
- d) WILL ensure that edges, walkways and paths are kept clear of obstacles and that no tools or personal property are left on the site or out of storage overnight;
- e) WILL notify the Community Garden Coordinator as soon as possible if I must withdraw from maintaining my Plot and participating in the garden for any reason;
- f) WILL keep trash and litter out of my Plot, as well as from adjacent edges, walkways, paths and fences. I will dispose of trash properly, in appropriate garbage cans and/or receptacles, if available. If appropriate receptacles are not available, I will take my trash out of the garden to dispose of properly.

iv. **ALLOCATION OF PLOTS**

Each Allotment Gardener must apply each year for a Plot. Returning Allotment Gardeners will be given first right of refusal to a Plot. Plots will be assigned based on household. The number of Plots per Allotment Gardener/household is limited to one (1), unless otherwise approved by the Community Garden Coordinator and the City of Vaughan.

- a) I understand that the Community Garden Coordinator will assign Plots, maintain a waitlist of interested Allotment Gardeners and distribute garden keys to Allotment Gardeners.
- b) I will not duplicate my garden key and will return it to the Community Garden Coordinator upon termination of this License Agreement.

At least one (1) Plot in the garden will be reserved for shared gardening by schools, community groups or other community members. The harvest from this Plot/s will be shared among the users and surplus harvest may be donated to a charitable cause and/or community member/s.

v. **GARDEN ETIQUETTE**

a) The following are all prohibited in the garden:

- (1) planting of marijuana or any illegal or invasive plants;
- (2) campfires, candles, gas and/or open flame lanterns or torches and the use and storage of hazardous substances;
- (3) loud music, causing a disturbance or interfering with the quiet enjoyment of other Allotment Gardeners or neighbours of the garden area;
- (4) smoking, vaping, drinking alcoholic beverages, gambling or the use of illegal drugs in the garden, or coming to the garden while under the influence of marijuana, alcohol or illegal drugs;
- (5) pets (dogs, cats, etc.) are not permitted in the garden, and must be on a leash in all of the surrounding areas of the garden. Trained service animals are not considered pets.

b) The harvest from my Plot is intended for personal consumption and not for distribution or donation. In addition, I agree that if I have a surplus of vegetables or fruits or other harvest that I wish to donate, I will notify the Community Garden Coordinator to determine if there are any approved partners to manage donation of the surplus.

c) I am responsible for supervising guests that I may bring to the garden including other adults, youth and children and all guests must also abide by the rules outlined in this License Agreement. Children under the age of 14 are allowed in the garden; however, they must always be accompanied and supervised by an adult.

d) I will not take food or plants from other Allotment Gardeners' Plots unless given express permission by the Allotment Gardener to whom the Plot is assigned. I will not take any tools or personal property from the garden that do not belong to me.

e) I will utilize the designated parking area and not drive motorized vehicles into the garden area.

f) I understand that the community garden will close nightly at 11:00pm and open again at 5:59am and that overnight activities are strictly prohibited.

g) I understand that the community garden will be closed between December 1 - April 30 and that activities at the garden during this time are strictly prohibited.

4. INDEMNITY:

I [Click or tap here to enter text.](#) (Allotment Gardener's name) shall indemnify and save harmless the City of Vaughan from any and all claims, demands, causes of action loss, costs or damages whatsoever that the City of Vaughan may suffer, incur or be liable for, arising out of or related to this License Agreement.

I understand that contravention of any rules, terms, conditions, bylaws and legislation is cause for exclusion from the garden and loss of the Plot and possible liability on my part.

5. TERMINATION OF LICENSE:

This License Agreement may be terminated by the City:

1. If required by City policy, upon two (2) weeks' written notice; or
2. For breach by the Allotment Gardener of any of the rules of this License Agreement. The procedure for breach will be as follows:
 - 1) Verbal warning from the Community Garden Coordinator.
 - 2) Written notice one (1) week later if no correction or arrangement to correct has been made.
 - 3) Written notice of cancellation of gardening privileges and Plot three (3) weeks later, if no correction or arrangement to correct has been made since notice was provided.

An Allotment Gardener whose license is terminated for breach may be allowed to reapply for another garden Plot after one (1) year, and only at the discretion of the Community Garden Coordinator and the City of Vaughan.

I Click or tap here to enter text. (Allotment Gardener's name) have read and understand this License Agreement and accept these rules, terms, and conditions stated above for the participation in the community garden. I have read and understand the Community Garden Policy (18.C.01) and agree to sign the Waiver of Liability (Appendix 3 to Policy 18.C.01). I understand that the City of Vaughan has the right to create new rules if a situation warrants.

X

Gardener Signature

Allotment Gardener Home Address: Click or tap here to enter text.

Allotment Gardener Email or Phone Number: Click or tap here to enter text.

Approved: _____ Date: _____

City of Vaughan Sustainability Coordinator

Email: environment@vaughan.ca

Community Garden Rules/Collective Gardeners License Agreement

1. DEFINITIONS:

“Community Garden Coordinator” defined as a person, organization or agency assigned to oversee the garden operations, manage Gardeners, prepare garden plans and maintain regular contact with the City

“Collective Gardener” defined as a person(s) who has/have been approved by the City to participate in a Collective Community Garden.

2. TERM:

The period of public participation in City of Vaughan community gardens is seasonal, from May 1 to November 30 every year. This period is subject to opening and closing operations conducted by City Public Works staff. The City reserves the right to adjust this period as necessary. Notice will be given to all Gardeners from the City’s Sustainability Coordinator or the Community Garden Coordinator outlining any such changes.

This License Agreement becomes effective upon the date set out below and ends on November 30 of the same year or upon such earlier termination date as may apply.

3. GARDEN RULES:

COVID-19 has changed how community gardens will operate in 2021. COVID-19 is a public health crisis, and the health and safety of the Gardeners and the community is the City of Vaughan’s top priority. As such, the City of Vaughan has a zero-tolerance policy this year. If anyone puts the health and safety of others at risk by not abiding by the rules outlined below, the Gardener will lose their privilege to participate in the community garden. If you choose not to garden in the 2021 season due to the risk of COVID-19, you are welcome to participate in 2022.

The _____ (garden name) Community Garden is a community space where Gardeners share the work and share the harvest. Surplus harvest is donated to a charitable cause and/or community member(s). As a member of the community, we ask that you follow these guidelines at the garden:

COVID-19 GUIDELINES

- i. I understand if there is a contradiction between the following COVID-19 guidelines and any other section of this Agreement, including the Regular Garden Guidelines, the COVID-19 Guidelines will apply.
- ii. I agree that if I am displaying symptoms of COVID-19 or I have come into contact with someone who has shown symptoms, I will not come to the garden. In addition, I understand anyone who is exhibiting symptoms of COVID-19 or has been exposed to the virus must stay at home for 14 days.

- iii. I will plan to be at the garden as little as possible and not to loiter in the garden. I understand that community gardens are only permitted to open this year because they are recognized as an essential food service.
- iv. I agree to maintain a physical distance of 2 metres (6 feet or more) from all Gardeners, always. I understand this does not apply if I am gardening with members of my household who are registered Gardeners.
- v. I understand the community garden is closed to the public and is only open for registered Gardeners. Accordingly, I:
 - a. Understand I cannot bring friends, extended family members, neighbours and other non-registered gardeners into the garden with me.
 - b. Understand children should only be brought to the garden on an as-needed basis. Children cannot be brought to the garden if they are too young to understand physical distancing and hygiene practices in the garden (unless they can be kept in a stroller or are carried in an on-body support).
 - c. Agree to be responsible for any child I bring to the garden. I will make sure they follow the COVID-19 guidelines and I agree to sanitize any tools they touch.
- vi. I understand that workshops, training sessions and events are prohibited to take place at the garden this year.
- vii. I understand that I am encouraged to wear a face mask and gardening gloves while in the garden. In addition, I agree to not share my face mask and gardening gloves with anyone else and will launder my masks and gloves after each use.
- viii. I agree to bring my own tools to use in the garden this year. Should that not be possible, I understand that a limited number of tools will be available, and I agree to disinfect the shared tools before and after using them. I understand that a disinfectant spray and paper towel will be available in the shed.
- ix. I agree to disinfect any common areas of the garden that I touch, including the lock and handle of the shed or storage box, other handles, pens, water tap, hose and tools. I understand sanitizing towelettes will be made available.
- x. I agree to sanitize my hands when I arrive at the garden and before I leave the garden. I understand that hand sanitizer will be made available.
- xi. I agree to sign-in and sign-out every time I go to the garden. Accordingly, I:
 - a. Understand that if a COVID-19 outbreak happens at the garden, the City of Vaughan and the Garden Coordinator need to be able to quickly identify who is most at risk.
 - b. Understand the sign-in and sign-out form will be available in the [Community Garden Coordinator to enter].
- xii. I understand that Gardeners will not be scheduled to attend the garden on a certain day/time. Accordingly, I:
 - a. Understand that this may change as the season unfolds.
 - b. Understand that the community garden will close nightly at 11:00pm and open again at 5:59am and that overnight activities are strictly prohibited.

- xiii. I understand that contravention of the COVID-19 guidelines is cause for immediate exclusion from the garden.

GENERAL GARDEN RULES

The City of Vaughan is hereby granting permission at its sole discretion for the Collective Gardener to garden at _____ (collective garden name) Community Garden on a non-exclusive basis and for the sole purpose of collective gardening, during one season, over the period of operation of this License Agreement, unless extended on mutual agreement.

The above-mentioned Collective Community Garden is a community space where Collective Gardeners share the work and share the harvest.

I, the Collective Gardener, UNDERSTAND AND AGREE with the following Rules:

i. **CONDUCT**

I agree to abide by all City of Vaughan By-laws and Provincial regulations, including the Pesticide By-law (88-2008), Parks By-law (134-95, as amended), and legislation regarding noxious weeds (*Weed Control Act, 1990*) which regulates the use of fertilizers, insecticides and weed repellents.

I will respect other Collective Gardeners and the general public utilizing the grounds surrounding the community garden. I understand that no form of disrespectful or harassing behaviour will be tolerated and that all Gardeners must comply with the City of Vaughan's policies with respect to the following:

- a) Application of the Vaughan Inclusion Charter. The City is committed to taking action to achieve the vision of the Charter in the organization and in the community. The Charter promotes and celebrates human rights and accessibility and strengthens a sense of belonging for everybody in the community to ensure they all have access to the same opportunities.
- b) Definition and comprehension of harassment as any improper conduct by an individual, that is directed at and offensive to another person or persons, and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, and any act of intimidation or threat. It includes harassment within the meaning of the Canadian Human Rights Act. Harassment will also be defined as any verbal abuse, bullying or aggressive approaches to an individual or group. It may also include remarks and actions that create a hostile or intimidating environment.

ii. **COMMUNITY GARDEN COORDINATOR**

There will be a Community Garden Coordinator at each community garden location and this individual will represent all site Collective Gardeners and will serve as the main contact person with the City of Vaughan.

- a) I agree to provide my contact information to the designated Community Garden Coordinator and agree that the designated Community Garden Coordinator will represent me in relations with the City of Vaughan.
- b) I may contact the City of Vaughan's Sustainability Coordinator if I have a conflict that the Community Garden Coordinator cannot resolve, I have a conflict with the Community Garden Coordinator that cannot be resolved, or if the Community Garden Coordinator is in violation of the Community Garden Policy.

iii. **MAINTENANCE REQUIREMENTS**

All Collective Gardeners will aid in preparation and planting and provide continued maintenance of the community garden for the duration of this Agreement. In particular, I confirm that I:

- a) WILL NOT create new garden beds or make modifications to the existing garden configuration, unless agreed upon by the City of Vaughan.
- b) WILL keep trash and litter out of the garden beds, as well as from adjacent edges, walkways, paths and fences. I will dispose of trash properly, in appropriate garbage cans and/or receptacles, if available. If appropriate receptacles are not available, I will take my trash out of the garden to dispose of properly.

iv. **GARDEN ETIQUETTE**

- a) The following are all prohibited in the garden:
 - 1) planting of marijuana or any illegal or invasive plants;
 - 2) campfires, candles, gas and/or open flame lanterns or torches and the use and storage of hazardous substances;
 - 3) loud music, causing a disturbance or interfering with the quiet enjoyment of other Collective Gardeners or neighbours of the garden area;
 - 4) smoking, vaping, drinking alcoholic beverages, gambling or the use of illegal drugs in the garden, or coming to the garden while under the influence of marijuana, alcohol or illegal drugs;
 - 5) pets (dogs, cats, etc.) are not permitted in the garden, and must be on a leash in all of the surrounding areas of the garden. Trained service animals are not considered pets.
- b) I agree that the vegetables, fruits or other harvest from the garden will be used for personal consumption. In addition, I agree to notify the Community Garden Coordinator if there is a surplus of harvest to determine if there are any approved partners to manage donation of the surplus.
- c) I am responsible for supervising guests that I may bring to the garden including other adults, youth and children and all guests must also abide by the rules outlined in this Agreement. Children under the age of 14 are allowed in the garden; however, they must always be accompanied and supervised by an adult.
- b) I will not take any tools or personal property from the garden that belong to the garden or other Collective Gardeners.

- c) I understand that any tools and personal property must not be left on the site or out of storage overnight.
- d) I will utilize the designated parking area and not drive motorized vehicles into the garden area.
- e) I understand that the community garden will close nightly at 11:00pm and open again at 5:59am and that overnight activities are strictly prohibited.
- f) I understand that the community garden will be closed between December 1 - April 30 and that activities at the garden during this time are strictly prohibited.

4. INDEMNITY:

I [Click or tap here to enter text.](#) (Collective Gardener's name) shall indemnify and save harmless the City of Vaughan from any and all claims, demands, causes of action loss, costs or damages whatsoever that the City of Vaughan may suffer, incur or be liable for, arising out of or related to this License Agreement.

I understand that contravention of any rules, terms, conditions, bylaws and legislation is cause for exclusion from the garden and possible liability on my part.

5. TERMINATION OF LICENSE:

This License Agreement may be terminated by the City:

- 1. If required by City policy, upon two (2) weeks' written notice; or
- 2. For breach by the Collective Gardener of any of the rules of this License Agreement. The procedure for breach will be as follows:
 - 1) Verbal warning from the Community Garden Coordinator.
 - 2) Written notice one (1) week later if no correction or arrangement to correct has been made.
 - 3) Written notice of cancellation of gardening privileges three (3) weeks later, if no correction or arrangement to correct has been made since notice was provided.

A Collective Gardener whose License Agreement is terminated for breach may be allowed to reapply for a community garden after one (1) year, and only at the discretion of the Community Garden Coordinator and the City of Vaughan.

I [Click or tap here to enter text.](#) (Collective Gardener's name) have read and understand this License Agreement and accept these rules, terms, and conditions stated above for the participation in the community garden. I have read and understand the Community Garden Policy (18.C.01) and agree to sign the Waiver of Liability (Appendix 3 to Policy 18.C.01). I understand that the City of Vaughan has the right to create new rules if a situation warrants.

X

Gardener Signature

X

Gardener Signature

Collective Gardeners Home Address: Click or tap here to enter text.

Collective Gardeners Email or Phone Number: Click or tap here to enter text.

Approved: _____ Date: _____

City of Vaughan Sustainability Coordinator

Email: environment@vaughan.ca

Memorandum of Understanding/Garden Agreement

Date: [enter date]

Attention: Community Garden Coordinator

Re: [garden name] Community Garden Memorandum of Understanding and Garden Agreement

This is a Memorandum of Understanding between _____, Community Garden Coordinator, and the City of Vaughan and constitutes a garden agreement regarding the future planting of the _____ Community Garden that is located at _____ in the City of Vaughan.

Terms of Use

The term covered by this Memorandum of Understanding will be a period of one year commencing on the date set out above and ending on the first year anniversary of that date.

The intended use of _____ Community Garden is for gardening and the eventual individual/personal consumption of the produce harvested. No produce will be distributed or donated to third parties by the undersigned.

City of Vaughan's Annual Responsibilities

- Supply and preparation of planting area
- Supply of rain barrel(s) and/or water source(s)
- Supply of temporary fencing (if applicable)
- Maintenance of surrounding grass (cutting) and trees (pruning and fertilizing if applicable)
- Assist the Community Garden Coordinator with the communication and promotion of garden events and initiatives, as appropriate
- Assist the Community Garden Coordinator, where feasible and when necessary, with any disciplinary actions should any rules of the Gardener License Agreement be breached

Community Garden Coordinator's Responsibility

- Comply with the Community Garden Policy, Gardeners License Agreement, this Memorandum of Understanding/Garden Agreement and all City of Vaughan By-laws and Provincial regulations and maintain a high level of respect for City property
- Maintain regular contact with the City's Sustainability Coordinator
- Maintain a "waiting list" for those interested in participating in the garden activities
- Submit a detailed description of the proposed layout of the garden plan and community engagement plan each year

- Planting of annuals (i.e. vegetables, herbs and flowers)
- On-going bed maintenance including: weeding, watering, litter pick-up, removal of fallen or rotten produce on a weekly basis
- Ensure Gardeners are following the Community Garden Rules and Gardener License Agreement, including harvesting when required

INDEMNITY:

We/I, _____, shall indemnify and save harmless the City of Vaughan from any and all claims, demands, causes of action, loss, costs or damages whatsoever that the City of Vaughan may suffer, incur or be liable for, arising out of or related to the exercise of the Community Garden Coordinator's Responsibilities under this agreement.

X_____
Community Garden Coordinator**X**_____
City of Vaughan Representative_____
WitnessName
Date_____
WitnessName
Date

Date: Click or tap to enter a date.

Date: Click or tap to enter a date.

RELEASE OF LIABILITY, WAIVER OF CLAIMS, ASSUMPTION OF RISKS AND INDEMNITY AGREEMENT

READ CAREFULLY.

By signing this document, you will waive certain legal rights including the right to sue. This document is dated and effective from the date of signing set out below.

To: The Corporation of the City of Vaughan, and its respective elected officials, directors, officers, employees, agents, independent contractors, sub-contractors, representatives, successors and assigns, as well as the land owner/s, where applicable (hereinafter collectively referred to as the “City”)

Re: Participation by the undersigned as a volunteer in gardening and all related activities at any City community garden located in the City of Vaughan (the “Activity”)

1. ACKNOWLEDGMENT OF INHERENT RISK

I acknowledge that participating in the Activity will involve certain inherent risks. I understand that with the emergence of the COVID-19 virus, these will include additional risks. Examples may include, but are not limited to, potential exposure to the virus and liability to other parties if I were to expose them to the virus whether knowingly or unknowingly.

2. ASSUMPTION OF RISK

I understand that the City is not responsible for my actions. I freely accept and fully assume all risks, dangers and hazards and the possibility of personal injury, death, property damage or loss resulting from my participation in the Activity. I further acknowledge that as a result of the COVID-19 pandemic crisis which commenced in 2020 my personal health and that of others is further exposed to additional risk due to the virus. I assume all risks related to this Activity inclusive of community engagement which may increase my risk of virus exposure.

3. ASSUMPTION OF RESPONSIBILITY AND ADHERENCE TO RULES

I understand the rules of the Community Garden Policy and my responsibilities to adhere to the rules for the protection of myself and others while participating in the Activity.

I acknowledge that the City of Vaughan has a zero-tolerance policy. I understand that should it be deemed that I failed to adhere to the rules and public health guidelines, I put the health and safety of others at risk and I will lose my privilege to participate in the community garden and may possibly be subject to legal action.

4. RELEASE OF LIABILITY, WAIVER OF CLAIMS & INDEMNITY AGREEMENT

In consideration of the City of Vaughan permitting me to participate in the Activity and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, I hereby agree as follows:

- i. To hold harmless and indemnify the City for any liability, damage, loss or claim that may occur in connection with, or arising out of, the Activity by me, my group, family or guests due to any cause whatsoever, including COVID-19 related causes, negligence, breach of contract, or breach of any statutory or other duty of care, including any duty of care owed under *The Occupiers Liability Act*, R.S.O. 1990, c.O.2, as amended, on the part of the City, and including the failure by the City to safeguard or protect me from any risks, dangers or hazards.
- ii. To waive any and all claims that I have or may have in the future against the City. This Agreement shall be effective and binding upon my heirs, next of kin, executors, administrators, assigns and representatives, in the event of my death or incapacity.
- iii. I am aware that participating as a volunteer in the Activity I am not provided with any disability, accident or medical insurance or compensation and that I am not covered by *The Workplace Safety & Insurance Act*, 1997, S.O. 1997 c. 16, Schedule A, as amended, should I become injured while participating as a volunteer.
- iv. I have been given the opportunity to seek independent legal advice prior to signing this document.
- v. This document will remain in force until a written agreement of termination is signed between the City of Vaughan and the undersigned.

Signed at the City of Vaughan this _____ day of _____, 20_____.

INDIVIDUAL VOLUNTEER**X**

Volunteer Signature

Print Name Clearly:

Signature of Witness:

Print Name Clearly:

CORPORATE VOLUNTEER

NameTitle

NameTitleI/We have authority to bind the Corporation

Personal information on this form is collected pursuant to the Municipal Act, 2001, S.O. 2001 c.25, as amended and will be used for the purpose of confirming the release of liability, waiver of claims and indemnity agreement. Questions about this collection should be directed to the Environmental Sustainability Office, City of Vaughan, 2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1, 905-832-8585.

Committee of the Whole (1) Report

DATE: Tuesday, March 2, 2021

WARD(S): ALL

TITLE: REQUEST FOR APPROVAL OF SINGLE SOURCE AWARD OF WARRANTY AND SUPPORT FOR HEWLETT PACKARD HARDWARE

FROM:

Michael Coroneos, Deputy City Manager, Corporate Services, City Treasurer and CFO

ACTION: DECISION

Purpose

To obtain Council approval to award the data centre hardware warranty and support Single Source to Hewlett Packard Enterprise (HPE) and enter into an agreement for these services.

Report Highlights

- The City of Vaughan has been using HP hardware and services for 15+ years.
- There will be cost savings and a decrease in operational effort by Single Sourcing to Hewlett Packard Enterprise.
- The City of Vaughan will continue to procure warranty and support services directly from the manufacturer.

Recommendations

1. That the Single Source for hardware warranty and support be awarded to Hewlett Packard Enterprise (HPE) in the base amount of \$250,000.00 plus taxes annually, for a fixed three (3) year term, with the option to extend for three (3) years.
2. That Council authorize staff to award and execute any extensions.

Background

The Office of the Chief Information Officer is responsible for the stability of the corporate Information Technology Infrastructure that serves all City of Vaughan staff, and its residents.

The City has been using HP hardware and services for 15+ years. In this time, HPE has provided 250+ infrastructure components. The stability of HPE's hardware is largely due to the support care packages that are purchased at the time of the initial hardware procurement. These warranty and support contracts require annual renewal. Support care packages ensure optimal support and turnaround time from the manufacturer.

Single Sourcing for hardware warranty and support allows the City to automate processes by utilizing HPE's proprietary systems with no additional costs, as well as removes the third-party vendors from the renewal process which reduces turnaround time for support and costs.

Previous Reports/Authority

Not Applicable

Analysis and Options

Single Sourcing to HPE for hardware warranty and support ensures that the City will work directly with the manufacturer resulting in many benefits. The HPE team has direct access to support and data and is best qualified and knowledgeable on their own hardware, new and certified parts, software fixes and patches and end of life parts. This in turn translates to a seamless process, visibility, mitigation of risks as well as timely response, support and management of the contract and its respective services with little to no service interruptions/delays.

City resources will also partner with the HPE team to manage costs, ensuring that the City remains within budget and receives competitive pricing. Procuring these services via a reseller/Vendor adds complexity regarding turnaround/response time for services and pricing mark ups.

HPE also provides monthly/yearly reports and statistics for open calls, response, and resolution time, which allows for the City to identify and track key performance indicators and metrics.

Single Sourcing to HPE for data centre warranty and support will allow for time and cost savings.

Financial Impact

The Office of the Chief Information Officer recommends a Single Source be processed, and an agreement be entered into, for HPE warranty and support with HPE. The cost for these services is \$250,000.00, plus taxes annually, for a fixed three (3) year term, with the option to extend for three (3) years.

Section 3, item 3.6c of the Corporate Procurement Policy states that the award of a Single Source contract for a value exceeding \$100,000 requires Council approval.

There is sufficient annual funding for HPE warranty and support renewal in the operating budget of the Office of the Chief Information Officer.

By going directly to the manufacturer, the warranty and support renewal services will result in future cost savings and a decrease in operational effort.

Broader Regional Impacts/Considerations

Not Applicable.

Conclusion

The Office of the Chief Information Officer recommends the award of the Single Source Agreement to procure HPE hardware warranty and support to Hewlett Packard Enterprise, as they are the manufacturer of these products, which will result in substantial operational and cost savings, as well as stability and efficiencies for the City of Vaughan.

For more information, please contact:

Frank Di Palma

Chief Information Officer

Office of the Chief Information Officer

frank.dipalma@vaughan.ca

Attachments

Not Applicable

Prepared by

Sergey Kanayev

Manager, IT Infrastructure and Security Officer

sergey.kanayev@vaughan.ca

Extension: 8403

Approved by



Michael Coroneos, DCM, Corporate
Services, City Treasurer and CFO

Reviewed by



Jim Harnum, City Manager

Committee of the Whole (1) Report

DATE: Tuesday, March 2, 2021

WARD(S): ALL

TITLE: REQUEST FOR AUTHORITY TO AMEND AND RENEW “FIBRE TO THE HOME” AGREEMENT WITH BELL CANADA

FROM:

Zoran Postic, Deputy City Manager, Public Works

ACTION: DECISION

Purpose

This report seeks Council Authority for staff to renew and amend the “Fibre to the Home Project” Agreement with Bell Canada.

Report Highlights

- Over the past two years, Bell Canada has installed fibre optic cabling to more than 10,000 residences in selected neighbourhoods
- Leveraging lessons learned and expand on the project successes realized through the first two years of the project, Staff have reviewed and support Bell’s proposal to extend and amend the existing agreement
- Over the next four years, service will be expanded to more than 70,000 homes throughout the City

Recommendations

1. That Council authorize staff to renew and amend the “Fibre to the Home Project” Agreement with Bell Canada in a form acceptable to the City Solicitor and Deputy City Manager, Public Works; and
2. That the Deputy City Manager, Public Works be authorized to execute any documents associated with this agreement.

Background

In February 2019, the City entered into an agreement with Bell Canada to improve high-speed internet communications for the City's citizens

Bell Canada (Bell) infrastructure delivering internet service to the City's citizens in older neighbourhoods is mainly based on aging wire technology designed for land-line telephone service. The older technology limits the speed and reliability of internet service that Bell can provide. Bringing fibre optic connections all the way to a residence can improve communication speeds and reliability.

For such widespread projects, dedicated City resources to complete application reviews and issuing permits can ensure that work is completed efficiently

As part of the City's review process, Staff from the Transportation and Fleet Management Services Department review applications and project documents prepared and submitted by Bell. Permits are issued to allow the work to proceed. Staff have negotiated with Bell to determine resources needed to provide the service levels expected by Bell. Bell has agreed to fund dedicated resources for the project, including contract staff, who work directly for the City and are dedicated to support the "Fibre to the Home Project".

The project agreement sets out expectations and performance standards for both parties, including review timelines, construction timelines, data sharing, communication between the parties and a complaint resolution process to ensure project success.

During the project's first two years, approximately 10,000 residences received direct fibre optic access at their front door

The initial two years of the project are complete.

Approximately 10,000 residences now have access to more reliable and higher speed internet connections. The first phase of the project was completed in select communities throughout the City including Maple and Thornhill.

Previous Reports/Authority

Not applicable

Analysis and Options

With more people working and attending school remotely due to the COVID-19 crisis, this project has provided Citizens with better access to high-speed internet

As more people are working and attending school remotely, improved access, speed and reliability of internet connectivity is becoming increasingly important.

Extension of the agreement and associated amendments build on lessons learned through the previous project phase

Based on the work completed through the first project phase in the City, along with enhanced construction techniques, Bell is proposing an innovative installation methodology which will reduce disruption, while accelerating installations. These improvements will make the new technology available to more residences, quicker, helping to alleviate the immediate demand for improved services.

Extending the agreement for an additional four years provides Bell with project certainty, allowing the City to recruit based on longer term contract positions, making them more desirable to better candidates. These, amongst other benefits of extending the agreement, will continue to build on previous project successes and provide the City's citizens with enhanced services.

Financial Impact

City resources required to support the project are funded by Bell for the duration of the agreement, therefore there are no financial impacts to the City.

Broader Regional Impacts/Considerations

There are no regional impacts associated with this decision.

Conclusion

Building on the successes realized through the first project phase for the "Fibre to the Home Project," executing the extension, with associated amendments, will allow the City to continue providing its citizens with technology resources to support them during the COVID-19 crisis and prepare them to adapt to the new normal as the City emerges from the crisis.

The continuation of this project will provide older neighbourhoods, throughout the City, access to high-speed internet technology, which, until recently, was limited to newer subdivisions.

For more information, please contact James Steele, Acting Director of Transportation and Fleet Management Services

Prepared by

Margie Chung, Manager, Traffic Services
Kevin Mitchell, Utility Coordinator

Approved by

A handwritten signature in blue ink, appearing to be 'Zoran Postic', with a stylized, cursive script.

Zoran Postic, DCM Public Works

Reviewed by

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Jim Harnum, City Manager

Committee of the Whole (1) Report

DATE: Tuesday, March 2, 2021

WARD(S): ALL

TITLE: ANNUAL DRINKING WATER SYSTEM REPORT

FROM:

Zoran Postic, Deputy City Manager, Public Works

ACTION: FOR INFORMATION

Purpose

The purpose of this report is to provide Mayor and Members of Council information regarding the performance of the City's Water Distribution System and its Drinking Water Quality Management System (DWQMS), for the year 2020. This report and its attachments support Council, as the system owner, in meeting its statutory standard of care under the *Safe Drinking Water Act, 2002 (SDWA)* by providing information on the quality of water supplied and the operation and performance of the drinking water system. This report to Council satisfies the annual reporting requirements of Ontario Regulation 170/03 - Drinking Water System.

Report Highlights

- In 2020, 99.3% of the 4,028 drinking water samples tested met regulatory standards and confirm the City's continued delivery of safe drinking water
- The City's drinking water system achieved a 100% inspection rating in the Ministry of the Environment, Conservation and Parks' Chief Drinking Water Inspector's Report for the 2019-2020 fiscal year
- A Management Review, to evaluate the continuing suitability, adequacy and effectiveness of the Quality Management System as required under Element 20 of the DWQMS, was completed on June 26, 2020

Recommendations

1. That this report be received for information.

Background

Annual reports on drinking water systems are required to satisfy statutory requirements

Drinking water and drinking water systems are regulated by the Province through the Ministry of the Environment Conservation and Parks (MECP).

The Safe Drinking Water Act, 2002 (the Act), mandates owners and operating authorities of the municipal drinking water systems to annually produce a Summary Report, containing information on the system's operation, management, sampling, testing, certification of staff, and water quality and quantity. The Summary Report must be completed and made available to the public by March 31st of each year and is included as Attachment 1.

Regular updates and annual reporting assists Council in exercising its due diligence to meet its statutory standard of care

The Act imposes a standard of care upon individuals with decision-making authority over municipal drinking water systems. Council, through its decision-making power, protects the City's residents and businesses by demonstrating diligence over the supply and delivery of drinking water.

Council's commitment to the provision of safe drinking water ensures financial sustainability, asset management, and continual improvement of the City's drinking water system to proactively manage risks and increase efficiency.

Mitigating and monitoring potential public health risks related to drinking water ensures safety of drinking water users

York Region's Medical Officer of Health (MOH) has a key role in protecting public health by assessing potential health impacts from adverse water quality test results. The MOH may direct the owner of a drinking water system to take corrective actions over and beyond the regulatory mandated corrective actions or the City's Standard Operating Procedures (SOPs). For the 2020 reporting period, there were no additional corrective actions or water restrictions (e.g. boil water advisories or drinking water advisories) imposed on the City by the MOH.

Where an adverse water quality event or a water emergency occurs, procedures are in place to ensure close communication and co-operation between the MOH, York Region, and MECP, protecting public health.

Multi-barrier approach mitigates risks, protects the drinking water system and public health

The multi-barrier approach to protect drinking water in Ontario was a key recommendation in Justice O'Connor's report on the Walkerton tragedy in 2000.

Elements of this approach include source water protection, certification and training of operators, an operational plan and Quality Management System (DWQMS) based on Drinking Water Quality Management Standards along with a Provincial inspection and enforcement program.

Multiple levels of protection protect the public and ensure that preventative and corrective actions are taken to address potential risks.

Regulatory mandated training for certified drinking water operators provides required knowledge to operate complex drinking water systems

The City continues to participate in high quality operator training through MECP approved training providers and training courses. There are two components to drinking water operator training, in class training and on-the-job practical training. Both components are required to be completed by an operator to maintain certification. All of the City's operators and contractors are required to hold current MECP issued drinking water certificates before operating any component of the City's drinking water system.

Provincial inspections and enforcement assess compliance

The MECP's Provincial Officers conduct an on-site inspection to assess compliance with regulatory requirements including those laid out in the City's Municipal Drinking Water License and Drinking Water Works Permit. One detailed, unannounced, inspection is conducted by the MECP every three years.

The City's most recent announced MECP inspection took place on February 7, 2020. The City received a 100% inspection approval rating.

System Owners and Operators are informed of significant findings, that may affect public health, immediately during the inspection.

Internal and external audits of the DWQMS promote continuous improvement

In July 2020, staff completed an internal DWQMS audit with the assistance of an external consultant. The audit reviewed the elements of the DWQMS and their implementation.

The audit identified one minor non-conformance and four opportunities for improvement. The minor non-conformance and three opportunities for improvement were addressed immediately and closed; opportunities for improvement remain open and are being incorporated into the system, as appropriate.

Subsequent to the internal audit, the Annual Management Review took place to update senior management on the status of the drinking water system, actions taken and planned for the next calendar year. A summary of the Management Review is provided in Attachment 2.

In August 2019, an audit of the DWQMS was completed by an external MECP approved auditor. The audit identified one minor non-conformance and five opportunities for improvement. The minor non-conformance has been closed and opportunities for improvement have been reviewed and are being incorporated in the system.

Previous Reports/Authority

[2019 Update on Drinking Water System Performance](#)

Analysis and Options

99.3% of laboratory samples were within Regulatory limits in 2020, re-confirming that the City's drinking water is and continues to be safe

In 2020, the York-Durham Environmental Laboratory, a MECP accredited drinking water testing laboratory, and the City's Certified Drinking Water Operators performed 4,028 water quality tests. Of these tests, only 27 fell outside of the regulatory limits, these incidents are called Adverse Water Quality Incidents (AWQI).

Staff responded to each AWQI in accordance with the City's Standard Operating Procedures, performing corrective actions required under relevant regulations of the SDWA and direction of the Region's MOH. Promptly and appropriately addressing AWQIs and their causes maintained continuous delivery of drinking water and ensured the safety of the public.

MECP inspections provide opportunities for improvement of the Drinking Water System

The February 2020 MECP inspection report made three recommendations for improvement, including, updating the forms that identify the Overall Responsible Operator (ORO)/Operator-in-Charge from Operator-in-Training (OIT) which was to ensure an OIT is not designated as an ORO/OIC since these designations require a higher level operator certification under O.reg 128/04 made under SDWA. The second observation was that Woodland Acres pressure elevating system did not appear to be visited on a consistent schedule and the third recommendation was to provide clarity on the adverse resolution forms, providing a concise document and avoiding references to multiple documents.

All three MECP recommendations were implemented in 2020 through updates to the City's SOPs, creating recurring work orders, and management oversight processes.

Vaughan received a 100% inspection score on the Chief Drinking Water Inspector's 2019-2020 Annual Report

Ontario's Chief Drinking Water Inspector releases an annual report, scoring drinking water systems. Reporting timelines are based on the MECP's previous fiscal year April 1, 2019 to March 31, 2020.

The 2019-2020 Chief Drinking Water Inspector Report gave the City the highest possible score of 100%.

For comparison purposes, only seven of the nine local area municipalities in York Region received a score of 100%, with the remaining two receiving scores ranging from 90.59% to 91.39%. Of all the 657 municipal residential drinking water systems in Ontario, only 71% receive the score of 100%, illustrating that the City's drinking water system operations and management as amongst the best in the Province.

Financial Impact

In May 2019, Council approved the proposed [Long Term Water Financial Plan for 2020 to 2031](#), committing to long-term financial sustainability of the City's water distribution system, ensuring the continuous delivery of safe drinking water. The plan identifies financial support required to operate, maintain and perform asset management on the drinking water system and was a component in the City's Municipal Drinking Water License renewal submission to the MECP.

Section 11 of Ontario Regulation 170/03: Drinking Water Systems requires the owners describe “any major expenses incurred during the period covered by the report to install, repair or replace required equipment.”

In 2020, the City invested \$8.85 million to install, repair or replace equipment required to deliver safe drinking water. Costs were funded through the City’s water rates, associated reserves and the approved capital budget.

Broader Regional Impacts/Considerations

There is no impact to the Region.

Conclusion

This report, and its attachments are provided to support Council’s statutory duty of care under Provincial drinking water regulations, allowing Council to demonstrate its due diligence in performing informed decision making under its statutory standard of care.

The City’s drinking water system is subject to strict regulations implemented by the Province to keep drinking water safe. The results from both internal and external parties for the reporting year 2020 confirm that the City’s drinking water system is performing well.

These results are attributed to Council’s commitment to the City’s residents and business by providing safe, clean drinking water.

As part of the regulatory reporting requirements, links to this report and its attachments will be posted on the City of Vaughan external website.

For more information, please contact: James Steele, Director, Environmental Services, ext. 6116

Attachments

1. Annual Report
2. Drinking Water Quality Management System – Summary of Management Review

Prepared by

James Steele, Director of Environmental Services, Extension: 6116

Approved by

A handwritten signature in blue ink, appearing to be 'Zoran Postic', with a stylized, looped design.

Zoran Postic, Deputy City Manager,
Public Works

Reviewed by

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Jim Harnum, City Manager

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CITY OF VAUGHAN 2020 ANNUAL SUMMARY REPORT

March 8, 2021

Description of the Vaughan Water Distribution System to fulfill the requirements under Schedule 22 of Ontario Regulation 170/03

This report is available to the public at no charge on the City of Vaughan's website and upon request.

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1.0 REPORT OVERVIEW

1.1 BACKGROUND

This report is intended to provide the Mayor and Members of Council, as “Owners” of the drinking water systems, an understanding of the status of the City of Vaughan’s drinking water system for the reporting period of January 1, 2020 to December 31, 2020.

Second, the Safe Drinking Water Act (2002) mandates that it is the responsibility of the municipality to:

- Recognize that the people of Ontario are entitled to expect their drinking water to be safe; and,
- Provide for the protection of human health and the prevention of drinking water health hazards through the control and regulation of drinking water systems and drinking water testing.

Finally, this report has also been prepared to satisfy the requirements of Schedule 22, O. Reg. 170/03 (Summary Reports for Municipalities).

For the 2020 reporting period, a separate Annual Report, which contains data related to annual testing and sampling parameters, was prepared to fulfill Section 11 of O. Reg. 170/03. This report will be posted on the City’s website by March 31, 2021.

1.2 QUALITY MANAGEMENT SYSTEM POLICY

As the owners and operators of the City of Vaughan’s water distribution system we are committed to:

- providing safe and clean drinking water to our citizens and businesses
- complying with all applicable legislation and regulations as related to the provision of safe drinking water
- implementing and continually improving the effectiveness of our Quality Management System

This quality management policy has been developed in accordance with the objectives of the 2018-2022 Term of Council Service Excellence Strategic Plan specifically to enhance and ensure community safety, health and wellness and to maintain assets and infrastructure integrity.

2.0 DRINKING WATER SYSTEM DESCRIPTION

2.1 DRINKING WATER SYSTEM PROFILE

The City of Vaughan, Environmental Services Department is responsible for the distribution of safe drinking water throughout the City. In 2020, 42,331,721m³ of water was supplied to residences, industrial, commercial and institutional locations throughout the City.

The City purchases its drinking water from York Region prior to distribution. York Region obtains this water from the City of Toronto and the Region of Peel. The water originates from Lake Ontario and is treated using a process called chloramination, a disinfection method which uses chlorine combined with ammonia, which ensures that the water continues to be safe to drink from the time of treatment until it reaches the consumer.

The Vaughan water distribution system includes 1,135 kilometers of active watermains, 1 booster station and 1 pressure elevating station. Table 1 below displays the Vaughan Distribution System profile information, which includes the system number, class of subsystem, Municipal Drinking Water Licence (MDWL) number, Drinking Water Works Permit (DWWP) number, and the system classification.

Table 1 Vaughan Distribution System Profile Information.

System Number: 260003097	Class 2 Water Distribution Subsystem
Municipal Drinking Water Licence: 011-101	Drinking Water Works Permit: 011-201
Classification: Large Municipal Residential System	

3.0 LEGISLATIVE REQUIREMENTS

3.1 SUMMARY OF LEGISLATIVE REQUIREMENTS

The Act and associated Regulations under which the City of Vaughan operates the water distribution system are:

The Safe Drinking Water Act, 2002 (SDWA),

(a) Ontario Regulation 170/03 of the SDWA

- The overall legislative framework for operating a drinking water system

(b) Ontario Regulation 128/04 of the SDWA

- The certification of the City's drinking water system operators

(c) Ontario Regulation 169/03 of the SDWA

- The water sampling parameters according to Ontario Drinking Water Quality Standards

(d) Ontario Regulation 188/07 of the SDWA

- The licensing requirements of our drinking water system

3.1.1 ONTARIO REGULATION 170/03

The Drinking Water Systems Regulation (O. Reg. 170/03) establishes eight categories of drinking water systems, four of which are municipal, and the other four being non-municipal. The City of Vaughan's water system is a **Large Municipal Residential System**. It meets this requirement because it matches the legislative definition of a *"municipal drinking water system that serves a major residential development and serves more than 100 private residences"*.

The Regulation contains schedules that address several requirements for a drinking water system. The following schedules are applicable to the City of Vaughan's distribution system:

- | | |
|-----------------|--|
| • Schedule 6 | Operational Checks, Sampling and Testing - General |
| • Schedule 7 | Operational Checks |
| • Schedule 10 | Microbiological Sampling and Testing |
| • Schedule 13 | Chemical Sampling and Testing |
| • Schedule 15.1 | Lead |
| • Schedule 16 | Reporting Adverse Test Results and Other Problems |
| • Schedule 17 | Corrective Action |
| • Schedule 22 | Summary Reports for Municipalities |

3.0 LEGISLATIVE REQUIREMENTS

SCHEDULE 6 – OPERATIONAL CHECKS, SAMPLING AND TESTING – GENERAL

This section of the Regulation provides direction on sample frequency, form, handling, monitoring equipment and record keeping. Wording in this schedule provides the framework for performing drinking water samples as discussed in detail in Schedule 7.

SCHEDULE 7 – OPERATIONAL CHECKS

This schedule identifies responsibility for chlorine, turbidity, and fluoride testing, as well as defines tests that can be done by a certified water operator.

As required under this schedule, the City ensures that drinking water samples from the Vaughan Water Distribution System are taken and tested for a combined chlorine residual. In 2020, 2,197 samples were taken to measure chlorine residuals.

The Vaughan Water Distribution System is a stand-alone system which means that the water which is received stays only within the City borders. Primary disinfection, testing for turbidity and fluoride addition is provided by the City of Toronto and the Region of Peel at their water treatment plants.

SCHEDULE 10 – MICROBIOLOGICAL SAMPLING AND TESTING

The frequency of microbiological sampling for the presence of bacteria and testing for the City is covered within this schedule. The number of required samples is based upon population size, and therefore in 2020 Vaughan was mandated to take a minimum of 134 microbiological samples per month for an annual total of 1,608 samples.

The City collected a total of 1,755 microbiological samples for testing. Of these, more than 25% of them were additionally sampled for Heterotrophic Plate Count (HPC) to satisfy regulatory requirements. HPC measures the overall bacteriological quality of drinking water.

SCHEDULE 13 – CHEMICAL SAMPLING AND TESTING

This schedule outlines requirements for sampling of inorganics, organics, trihalomethanes (THMs), haloacetic acids (HAAs), nitrate and nitrite, sodium, and fluoride.

Though the City itself was not required to test for inorganics, to maintain diligence, testing was performed for these in 2020.

The City also tested for THMs and HAAs – chlorine disinfection byproducts - on a quarterly basis. All levels were below legislative limits.

3.0 LEGISLATIVE REQUIREMENTS

SCHEDULE 15.1 – LEAD SAMPLING

This Schedule applies to sampling for lead and stipulates that there are two sample periods to consider – one during the winter and the other during the summer. Prior to 2011, the City was mandated to collect 100 samples from points in plumbing that serve private residences, 10 samples from points in plumbing that do serve private residences and 20 samples from sampling points in the distribution system. These samples showed that lead is not a matter of significant health concern in the City, and therefore regulatory relief from testing in private residences was granted by the MECP.

A reduced lead sampling schedule is followed in Vaughan with 10 distribution samples, obtained from fire hydrants throughout the City, taken twice per year and measured for pH, alkalinity, and lead. In 2020, there were no sample exceedances for lead.

SCHEDULE 16 – REPORTING ADVERSE TEST RESULTS AND OTHER PROBLEMS

The schedule defines the City's duty to report any drinking water test result which exceed any of the standards prescribed by the Ontario Drinking Water Quality Standards (O.Reg. 169/03).

The reporting requirement involves immediate oral and written notification to the Ministry of the Environment, Conservation, and Parks (MECP) Spills Action Centre (SAC), and the Medical Officer of Health at the York Region Public Health Unit.

Table 2 below provides a summary of all adverse water quality incidents that occurred in 2020. The corrective action for each incident is also included. There were 27 adverse water quality incidents, none of which resulted in a risk to public health.

Table 2 2020 Adverse Water Quality Incidents and Corrective Actions.

Incident Description	Incident Date	Adverse Test Result	Regulatory Limits	Corrective Action
Combined Chlorine Residual	06/02/20	0.00mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	08/05/20	0.10mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	08/20/20	0.06mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	08/30/20	0.12mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.

3.0 LEGISLATIVE REQUIREMENTS

Incident Description	Incident Date	Adverse Test Result	Regulatory Limits	Corrective Action
Combined Chlorine Residual	10/01/20	0.12mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	10/06/20	0.04mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	10/22/20	3.09mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	10/23/20	0.00mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	11/04/20	0.05mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	11/19/20	0.08mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	12/08/20	0.04mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
	12/14/20	0.10mg/L	0.25 mg/L (Minimum) 3.0 mg/L (Maximum)	Water Operations flushed watermain at site and resampled.
Total Coliform (TC) Present	01/17/20	TC -Present	0	Water Operations flushed watermain at site and resampled.
	03/18/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	07/19/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	08/26/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	09/02/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	10/21/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	10/28/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	11/04/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	11/04/20	TC- Present	0	Water Operations flushed watermain at site and resampled.

3.0 LEGISLATIVE REQUIREMENTS

Incident Description	Incident Date	Adverse Test Result	Regulatory Limits	Corrective Action
Total Coliform (TC) Present	11/04/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	11/06/20	TC -Present	0	Water Operations flushed watermain at site and resampled.
	11/11/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	11/18/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	11/20/20	TC- Present	0	Water Operations flushed watermain at site and resampled.
	12/18/20	TC- Present	0	Water Operations flushed watermain at site and resampled.

SCHEDULE 17 – CORRECTIVE ACTION

In conjunction with the requirements of Schedule 16 listed above, corrective actions are immediately undertaken to address adverse water quality incidents. Responses include watermain flushing and resampling of the identified area. The samples are tested for chlorine residuals and sent to the laboratory for further microbiological tests. Once complete results have been received from the laboratory, and are within the set regulatory limits, a notice of issue resolution is reported back to both the MECP Spills Action Centre and the Medical Officer of Health at the York Region Public Health Unit.

SCHEDULE 22 - SUMMARY REPORTS FOR MUNICIPALITIES, AND SECTION 11 OF O. REG. 170/03

Summary Reports for Municipalities for Large Municipal Residential systems are identified within Schedule 22. The requirements of the report are listed within it, and annual submissions for the previous calendar year, must be submitted to the City's Mayor and Members of Council, as "Owners" of the system, by March 31 of the following year. The City also posts the report on the City's website and hard copies of the report are available free of charge to the public at the City's Joint Operations Centre located at 2800 Rutherford Road.

Similarly, Annual Reports defined under Section 11 of the Regulation are prepared for submission no later than February 28th of the following year. The requirements of the content set within this report are also defined in the legislation. The City ensures that effective steps are taken to advise users that copies of the report are available, without charge, and locations where copies of the report may be obtained. This report is also made available on the City of Vaughan's website.

3.0 LEGISLATIVE REQUIREMENTS

3.1.2 ONTARIO REGULATION 128/04

This Regulation establishes the training and certification requirements that must be satisfied by certified water operators.

The City of Vaughan's water operations staff operated the Vaughan Water Distribution System in 2020. Every operator is required to complete a total of 105 training hours within the three-year operator certificate renewal period. Operator training consists of 36 hours of MECP's classroom training, plus 69 hours of On-the-Job practical training.

During the reporting period January 1, 2020, to December 31, 2020, all City of Vaughan's drinking water operators held a valid operator certificate in compliance with O. Reg. 128/04 and met provincial training requirements.

3.1.3 ONTARIO REGULATION 169/03

The Ontario Drinking Water Quality Standard (ODWQS) under Ontario Regulation 169/03 identifies the minimum level of drinking water quality acceptable for human consumption.

The City of Vaughan water sampling and testing program complied with the following standards:

- Schedule 1. Microbiological Standards
- Schedule 2. Chemical Standards
- Schedule 3. Radiological Standards

As this Regulation indicates the minimum standard, exceedance of these values represents the point of which adverse reporting and corrective action is triggered.

3.1.4 ONTARIO REGULATION 188/07

The Safe Drinking Water Act, 2002 (SDWA) requires Owners and Operating Authorities of municipal residential drinking water systems to have an accredited Operating Authority. In order to become accredited, an Operating Authority must establish and maintain a Quality Management System (QMS). Minimum requirements for the QMS are specified within the Drinking Water Quality Management Standard (DWQMS). Ontario Regulation 188/07 of the SDWA has been established to aid in the licensing of the municipal drinking water systems.

3.0 LEGISLATIVE REQUIREMENTS

3.2 DRINKING WATER QUALITY MANAGEMENT STANDARD (DWQMS)

The Drinking Water Quality Management Standard has 21 elements which relate to quality management and the risk assessment/risk management of critical control points. The Operational Plan documents the processes and procedures that the Owner and Operating Authority have in place to meet the requirements of the DWQMS.

The original full scope DWQMS accreditation certificate was formally issued by Canadian General Standards Board to the Corporation of the City of Vaughan on July 7, 2009. The City of Vaughan DWQMS was re-accredited on August 11, 2018 and had a full-scope surveillance audit completed August 4 & 5, 2020. Based on obtaining DWQMS accreditation and submitting a Council approved Financial Plan, as required under the Sustainable Sewage and Water System Act, to the Ministry of Municipal Affairs and Housing, the City of Vaughan received its Drinking Water Works Permits and Municipal Drinking Water Licenses on July 27, 2009.

As participants of the full scope accreditation process for the DWQMS, the City of Vaughan is required to submit system information for an on-site verification audit to maintain accreditation status. The Vaughan Distribution System remains fully accredited.

4.0 DRINKING WATER SYSTEM MAINTENANCE PROGRAMS

4.1 WATERMAIN FLUSHING PROGRAM

The main objective of the watermain flushing program is to maintain chlorine residual in the water distribution system in order to meet the regulatory requirements and ensure the chlorine residual reflects the water quality in a given area. Flushing also helps clean the pipe by removal of mineral deposits from the pipe walls while improving the aesthetics of the water. It is performed at locations that have the potential for stagnant water, such as dead ends, areas of low water consumption (i.e. new subdivisions), and during watermain repairs to remove any debris in the watermain and restore chlorine residuals. Flushing is performed by the City's certified and trained drinking water operators. Chlorine residuals are recorded at each location on completion of watermain flushing.

4.2 WATERMAIN SWABBING

The primary reason for watermain swabbing is to clean any mineral build-up from pipe walls and remove rust due to corrosion of metallic pipes. Swabbing typically utilize a polyurethane swab slightly bigger than the diameter of the watermain. The swab is inserted from a hydrant which exits from another hydrant; any mineral deposits removed from the pipe walls will also exit from this hydrant. Mineral and rust build-up in pipes provides a potential safe place for harmful pathogens to hide by avoiding contact with chlorine. Swabbing assists in removal of these pathogens and helps in delivery of safe drinking water. Flushing and swabbing improve the hydraulics in the water distribution systems which reduce energy costs and improve water flow.

4.3 HYDRANT INSPECTION PROGRAM

An annual inspection of all hydrants in the City is a requirement under the Provincial Fire Code (Ontario Regulation 213/07). The inspection determines the operational functionality of hydrants and valves to ensure their smooth operation for firefighting. The hydrant inspection program is outsourced by the City. Repairs for deficiencies identified through the hydrant inspection program are completed by City drinking water operators along with the contractor, if required.

4.4 VALVE EXERCISING PROGRAM

Valves, along with hydrants, and water booster stations are key components of the City's water distribution infrastructure. Valves control and change the direction of flow of water within the water distribution system, they are required to be operated during other maintenance activities including watermain swabbing and watermain flushing. During a watermain break, valves isolate a section of watermain for the repairs, confining the water disruption to a smaller area. Valves are exercised as part of the City's preventative maintenance program. Valve exercising involves turning the valve on and off to prevent the valve from becoming stiff and not functioning properly- this is completed by a contractor.

5.0 WATER QUALITY

5.1 WATER QUALITY INQUIRIES

Under the current issue of the City's MDWL, the City is required to address water quality inquiries related to the drinking water system. The nature of the inquiry and the appropriate corrective action taken in respect of the inquiry must be documented. Table 3 below provides a summary of the water quality inquiries addressed in 2020. Types of inquiries include taste, odour, discolouration, lead inquiries, and general inquiries which include questions pertaining to pH, hardness, alkalinity, etc. There was a total of 124 water quality inquiries in 2020. Most inquiries were classified as water inquiries (i.e. questions pertaining to fluoride, internal plumbing, etc.). By documenting the water quality inquiries, the City can address citizens' concerns and continually improve the drinking water system by tracking inquiries of a similar nature within a given area(s) of the City.

5.0 WATER QUALITY

Table 3 2020 Water Quality Inquiries for the Vaughan Distribution System.

Type of Inquiry	Number of Inquiries	Action Taken
Odour	23	<ul style="list-style-type: none"> • Information provided by phone or email to identify the source of the smell (plumbing vs. drinking water), and flush taps. • Appointment scheduled for chlorine residual sample to be collected or flush and sample at the nearest fire hydrant.
Discolouration	21	<ul style="list-style-type: none"> • Information provided by phone or email to flush taps. • Appointment scheduled for chlorine residual sample to be collected in home and/or flush and sample at the nearest fire hydrant.
Taste	7	<ul style="list-style-type: none"> • Information provided by phone or email. • Appointment scheduled for chlorine residual sample to be collected in home and/or flush and sample at the nearest fire hydrant.
Lead Inquiries	4	<ul style="list-style-type: none"> • Samples collected for analysis at the request of the citizens • Copies of laboratory report provided to citizens
General Inquiries (i.e. pH, hardness, alkalinity, fluoride internal plumbing)	69	<ul style="list-style-type: none"> • Information provided by phone conversation and/or email correspondence • Provide most recent sample results upon request • Operator inspect nearest hydrant for water quality if appropriate
TOTAL	124	

6.0 WATER USAGE

6.1 ANNUAL WATER TAKING FROM YORK REGION

York Region receives treated water from the City of Toronto and the Region of Peel and supplies it to the City of Vaughan for distribution. The total volume of water supplied from York Region to the Vaughan Distribution System for the reporting period of January 1, 2020 to December 31, 2020 was 42,331,721m³.

A comparison of 2019 and 2020 monthly flows for the Vaughan Water Distribution System are indicated in Table 4 below. The monthly average flow and maximum daily flow are also included. Figure 1 below shows a bar graph of the data from Table 4. In 2020, July had the greatest flow and February had the lowest flow.

Table 4 2019 vs 2020 Monthly Flows for the Vaughan Distribution System.

Month	2019 Volume (m3)	2020 Volume (m ³)
January	2,980,004	3,077,774
February	2,829,251	2,878,450
March	3,047,182	3,095,795
April	3,054,086	2,962,290
May	3,452,107	3,457,889
June	3,525,204	4,142,098
July	4,451,385	4,908,594
August	4,335,309	4,482,517
September	3,640,636	3,852,898
October	3,309,436	3,199,023
November	3,065,445	3,186,863
December	3,075,547	3,087,530
TOTAL	40,765,591	42,331,721
MONTHLY AVERAGE FLOW	3,397,133	3,527,643

6.0 WATER USAGE

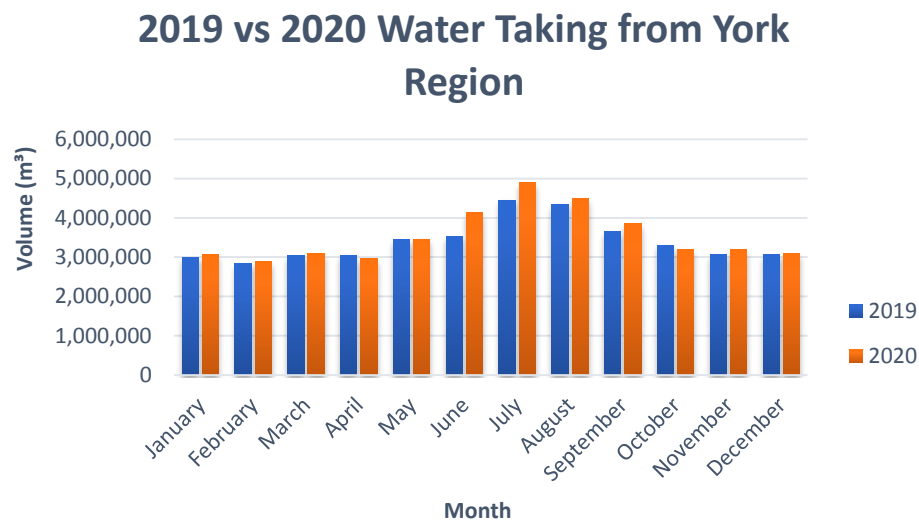


Figure 1 2019 vs 2020 Monthly Flows for the Vaughan Distribution System.

Schedule 22 requires that if a system is receiving all of its water from another system under an agreement, a comparison of actual flow rates to the flow rates specified in the written agreement, needs to be provided. The City does not currently have a written agreement under subsection 5 (4) with the Regional Municipality of York. The City, along with the other area municipalities, rely on Sections 11 and 89 (b), of the Ontario Municipal Act with respect to the supply of water.

7.0 ASSOCIATED WATER SUMMARY REPORTS

7.1 LINKS TO ASSOCIATED WATER SUMMARY REPORTS

City of Toronto, [Annual Report and Annual Summary Report](#)

Region of Peel, [Annual Report and Annual Summary Report](#)

York Region, [Annual Report and Annual Summary Report](#)

8.0 CONTACT INFORMATION

8.1 REPORT CONTACT INFORMATION

Kewal Kharbanda - Supervisor, Compliance and Training

Environmental Services Department

City of Vaughan

(905) 832-8585 x. 6105

kewal.kharbanda@vaughan.ca

Attachment 2: Drinking Water Quality Management System – Summary of Management Review

Review – 2020 Operational Performance

The purpose of this summary is to provide Council with mandatory updates regarding the City of Vaughan's drinking water systems performance as mandated through Element 20 of the [Drinking Water Quality Management Standard \(DWQMS\)](#).

	Requirement of Element 20 - Management Review	Achieved?	Conforms to
1	Ensure that a Management Review is conducted at least once every calendar year Completed on June 26, 2020 with the top management and the Owner representative for the 2020 operational year	Yes ✓	Yes ✓
2	Consider the results of the Management Review and identify deficiencies and action items to address the deficiencies Completed. See the Management Review Summary below	Yes ✓	Yes ✓
3	Provide a record of any decisions and action items related to the management review including the personnel responsible for delivering the action items related and the proposed timelines for their implementation All decisions and action items discussed during the review have been captured through record of minutes. Follow up on actions is tracked.	Yes ✓	Yes ✓
4	Report the results of the management review, the identified deficiencies, decisions, and action items to the Owner (the Council) Completed through this report, submitted for information March 8, 2020.	Yes ✓	Yes ✓

Management Review Summary

a) Annual Review of QMS 02- Quality Management System (QMS) Policy

The QMS Policy was reviewed with all attendees. It was discussed that the Policy should update the wording to replace residents with citizens. This will be reviewed and considered in the next update of the DWQMS

Action Items: One (1) action item pending from 2020 report.

b) Incidents of regulatory non-compliance

There was no non-compliance identified in Ministry of Environment, Conservation and Parks inspection on February 7, 2020.

Action Item: No action item pending from 2020 report.

c) Incidents of adverse drinking water tests

Indicators of adverse water quality are immediately reported to York Region Public Health and the Ministry of the Environment, Conservation and Parks (MECP) Spills Action Centre and appropriate corrective action is taken. In 2020, there were a total of 27 water quality reportable events, all of which were immediately addressed as required by the regulation. None of these events resulted in the integrity and safety of the drinking water supply being compromised. It was discussed that the number of adverse incidents from past 3 years will be included in the 2021 Management Review and moving forward.

Action Item: One (1) action item pending from the 2020 report.

d) Deviations from Critical Control Points (CCP)

Critical control limits have been established based on known critical control points identified through Risk Assessment outcomes. There was no deviation from the two identified CCP's, both the CCP's are related to potential contamination during a watermain break.

Action Item: No action items pending from 2020 report.

e) The effectiveness of the risk assessment process

Verification of risks to public health and the drinking water system is conducted at least once every calendar year and assessed at least once every thirty-six (36) months. The 36-month Comprehensive Review of the Risk Assessment was held on March 25, 2020. Water Operations staff participated in the review process by ranking the identified potential hazards. The ranking was updated for the following hazards: Bulk Water Services, Unauthorized Hydrant Connections, Extreme Weather Events, and Backflow. No new Critical Control Points (CCP) were identified. Other potential hazards discussed: Considered adding Pandemic as a potential hazard and added Watermain Break/Closure piece as a hazardous event under Unauthorized Hydrant Connections.

Action Item: No action items pending from 2020 report.

f) Internal and third-party Audit results

Internal and third-party audits assess how the City meets the requirements of the Drinking Water Quality Management Standard (DWQMS). The 13 OFIs issues during the 2019 internal audit held July 29 and 30 have been addressed. The 2020 Internal Audit was held July 6 and 7- one (1) minor non-conformance and three (3) opportunities for improvement were addressed and the minor non-conformance was closed. The opportunities for improvement remain open and are being incorporated into the system. The 2020 external audit was held August 4 and 5- one (1) minor non-conformance has been and five (5) opportunities for improvement have been reviewed and are being incorporated into the system. It was discussed whether the internal audit should be conducted more than once per year- this will be discussed further at the next Management Review.

Action Item: There are eight (8) OFIs still in progress, one (1) action item pending from the 2020 report.

g) Results of emergency response testing

Testing of emergency response ensures that staff are prepared for emergency situations and allows the City to identify what could happen in the drinking water system to cause an emergency. The DWQMS requires the City to complete emergency response testing at least once every two (2) years. Testing will be conducted in 2021.

Action Item: No action items pending from 2020 report.

h) Operational performance

Annual MECP inspections ensure that the City meets the requirements identified in applicable legislation and regulations. The MECP Inspection was held on February 7, 2020. Three (3) recommendations were made: Separate the attendance/activity/task and ORO/OIC identification into two different forms, City of Vaughan should synchronize the Woodland Acres Pressure Elevation System visits with the Maplewood Booster Station, and Staff responsible for Notice of Issue Resolution to include a more detailed summary of actions taken and results achieved. All recommendations were addressed immediately after the report was issued.

Action Item: Completed.

i) Raw water supply and drinking water quality trends

The Annual Report and Annual Summary Report provide data on drinking water quality trends within the City's drinking water. The 2019 Annual Report and Annual Summary Report were posted on the City's website prior to February 28 and March 31, 2020. The City has an exemption under the Municipal Drinking Water Licence (MDWL) for lead sampling from plumbing systems. It was also discussed to extend an invitation to Council for a tour of the drinking water system and facilities. This will be postponed due to COVID-19 situation.

Action Item: Invitation to Council for tour of drinking water system is pending.

j) Follow-up on action items from previous management reviews

The previous Management Review (prior to 2020) was held July 18, 2019. There was a total of 19 action items.

Action Item: There are actions pending. Inquiring about York Region's communication protocol, and mapping of water quality inquiries with GIS.

k) The status of management action items identified between reviews

The City's Internal Audit Department investigation and findings identified key areas of improvement for Environmental Services.

Action Items: The most urgent items identified by the Internal Auditing Team have been addressed. A plan is in place with the timelines to address the remaining recommendations. Progress is monitored on a regular basis.

l) Changes that could affect the Quality Management System

The impact from COVID-19 pandemic could affect the way work is conducted within the City. The QMS may see changes as a result of alternate work arrangements for staff. Some areas that may be affected: number of samples taken, SOPs may require adjustments. At that time of the 2020 Management Review, it was confirmed that the City is able to continue business as usual.

Action Items: No action items pending from 2020 report.

m) Consumer feedback

Consumer feedback allows the City to identify if the water system is operating effectively. In the 2020 Management Review report, there was a total of 159 calls that were classified as odour, taste, lead inquiry/testing, discoloured, and general inquiries (water testing, sample results, etc.). It was noted that there were a high number of lead inquiry calls for this report as a result of the media. All the concerns/inquiries were addressed appropriately and in a timely manner. Some resolutions include sharing information and laboratory results.

Action Items: No action items pending from the 2020 report.

n) Resources needed to maintain the QMS

At the time of the 2020 Management Review the Supervisor of Compliance and Training position has been filled. Water Operations Staff have been trained for DWQMS Awareness and

an Environmental Services Information sharing session occurred with Engineering and Development on May 7, 2020.

The Water Operations Coordinator position will be posted and will be converted into another Team Lead. This action has been completed.

Action Items: No action items pending from 2020 report.

o) The results of the infrastructure review

Physical condition of water infrastructure is regularly evaluated to maintain a state of good repair. Capital projects were identified by Environmental Services and Infrastructure Delivery via the City's capital budget process. In the 2020 Management Review reporting period, there were 44 watermain breaks. A total of 24km of watermain was added/replaced during the 2020 reporting period. Preventative maintenance on the drinking water system during 2020 included: 3,000 valves exercised by external contractor and 500 exercised by the City.

Action Items: Completed.

p) Operational Plan currency, contact and updates

The Operational Plan has been revised to incorporate corrective actions, preventive actions, and opportunities for improvement from the 2019 Internal and External Audits

Action Items: No action items pending from 2020 report.

q) Staff suggestions

Water Operations staff participated in the 36-month Comprehensive Review of the Risk Assessment in 2020. During this time, staff provided feedback on the ranking of potential hazards to the drinking water system. This resulted in the consideration of re-ranking some identified hazards. Water Operations also continue to provide input and assist in the development of the Standard Operating Procedure Manual. Water Operations keeps a One Drive folder with meeting minutes which captures staff discussions which will be shared with the Compliance team to review any staff suggestions.

There were 14 Best Management Practices identified during this reporting period from the 2019 Internal Audit. They have tracked and the status of each have been reviewed.

Action Items: One (1) action item pending from the 2020 report.

r) New Business

Staff discussed the increased use of technology amongst Water Operations during this reporting period (i.e. e-log books, new SCADA at Maplewood, DR-300 units, Eris, dashboards for tracking

chlorine residual trending). It was also noted that the City's nitrification study concluded this Quarter 2 2020.

Action Items: No action items pending from 2020 report.

s) Date of Next Meeting

The DWQMS dictates that the Management Review meeting be held at least once every calendar year.

Action Items: No action items pending from 2020 report.

Conclusion

The Management Review is recognized as a best practice for continual improvement for the City of Vaughan's Drinking Water Quality Management System, drinking water system, and associated monitoring and maintenance programs.

The on-going maintenance of the Quality Management System and focus on continual improvement provides assurance to Council, as the Owner of the municipal drinking water systems, that their duties and responsibilities of Standard of Care under the Act are being met.

Committee of the Whole (1) Report

DATE: Tuesday, March 2, 2021

WARD(S): ALL

**TITLE: TRANSPORTATION AND INFRASTRUCTURE TASK FORCE
VACANCY AND RECRUITMENT**

FROM:

Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

ACTION: DECISION

Purpose

To inform Council of the resignation of a Transportation and Infrastructure Task Force member and request that a recruitment process be initiated to fill the vacancy and up to two (2) more citizen representative members.

Report Highlights

- Member Anthony Francescucci resigned from the Task Force creating a vacancy.
- The Transportation and Infrastructure Task Force is requesting that Council fill the vacancy through a recruitment process and to also recruit up to 2 more citizen representative members.

Recommendations

1. That a recruitment process be initiated to recruit up to 3 members for the Transportation and Infrastructure Task Force; and
2. That the Terms of Reference be amended to allow up to 10 Citizen representative members.

Background

The Transportation and Infrastructure Task Force was established by Council on May 14, 2019, and the Terms of Reference were approved by Council on October 2, 2019. Its mandate is to assist the City in finding new and innovative ways to manage and make

its transportation systems more sustainable amid the rapidly changing landscape of Vaughan. This will include developing a coordinated set of transportation priorities and identifying new revenue sources dedicated to making the City's transportation system more reliable, efficient, and better prepared to accommodate future growth.

The membership is composed of:

- A maximum of two Council members;
- The Mayor as an ex-officio member;
- Four Technical Committee members from the following agencies:
 - Metrolinx,
 - York Region Transit or York Region Rapid Transit,
 - York Region; and,
 - Ministry of Transportation
- Eight (8) Citizen representatives

Member Anthony Francescucci tendered his resignation and at the meeting of January 27, 2021, the Task Force made the following motion:

- 1) That the resignation of Anthony Francescucci was received; and
- 2) That the vacancy and up to two (2) more Citizen Representative Members be filled through a recruitment.

Previous Reports/Authority

[Mayor Maurizio Bevilacqua's 2018-2022 Term of Council Priority Task Forces \(Rpt. 7, Item 9, approved by Council on May 14, 2019\)](#)

[Approval of Terms of Reference and Appointment of Citizen Members to Task Forces \(Rpt. 27, Item 13, approved by Council on October 2, 2019\)](#)

Analysis and Options

The Terms of Reference provides that eight (8) citizen representatives are on the Task Force. A citizen member tendered his resignation and the Task Force has put forward that not only the vacancy be filled, but up to an addition 2 citizen representative member be recruited.

Financial Impact

There is no financial impact associated with this report.

Broader Regional Impacts/Considerations

There are no Regional Impacts/Considerations associated with this report.

Conclusion

A request by the Transportation and Infrastructure Task Force has been put forth to initiate a recruitment process to fill a vacancy, resulting from a resignation, and also recruit up to two (2) more citizen representative members.

For more information, please contact Todd Coles, City Clerk, Extension 8281

Attachments

N/A

Prepared by

Adelina Bellisario, Council / Committee Administrator, ext. 8698

Approved by



Wendy Law
Deputy City Manager
Administrative Services & City Solicitor

Reviewed by



Jim Harnum, City Manager

Committee of the Whole (1) Report

DATE: Tuesday, March 02, 2021

WARD(S): ALL

**TITLE: OLDER ADULT TASK FORCE – APPOINTMENT OF TWO (2)
CITIZEN MEMBERS**

FROM:

Wendy Law, Deputy City Manager, Administrative Services and City Solicitor

ACTION: DECISION

Purpose

To consider the applications received for appointing two (2) citizen members to the Older Adult Task Force.

Report Highlights

- Two (2) citizen members need to be appointed to the Older Adult Task Force to fill vacancies due to resignations.
- The successful candidates will be advised of their appointment.

Recommendation

1. That Council consider the applications received [Confidential Attachment 1] for appointing two (2) citizen members to the Older Adult Task Force for the term ending in June 2022.

Background

At its meeting on January 26, 2021, Council adopted the following recommendations from the [Committee of the Whole – Item 7, Report No.3](#):

1. That the resignations of Bob Bak and Elizabeth Lincoln be received;
2. That the Office of the City Clerk be directed to advertise and recruit two (2) members to fill the vacancies caused due to the resignations; and

3. That Council reduce the quorum requirement to the majority of the remaining members, in the interim, until the vacancies are filled.

The Office of the City Clerk, in collaboration with Corporate and Strategic Communications, coordinated the recruitment process utilizing the City's Social Media platforms, and the City's website.

The deadline for submitting applications was 4:30 p.m. on Friday, February 19, 2021. All applications received are provided to Mayor and Members of Council as Confidential Attachment 1.

Previous Reports/Authority

Not applicable

Analysis and Options

The Terms of Reference for the Older Adult Task Force provides, among other things, that:

1. The Task Force membership shall be composed of the following:
 - a) A maximum of three (3) Council members
 - b) A maximum of six (6) citizen members who are part of the older adult population or have significant insight/experience with the Vaughan older adult community.
 - c) A minimum of one (1) member representing an organization or service provider serving older adults.

After the two resignations, there are 6 members remaining on the Task Force: 2 members of Council, 3 citizen members and 1 organization representative.

Financial Impact

No new funds are required as the operational expenses are covered within the Office of the City Clerk's budget.

Broader Regional Impacts/Considerations

There are no Regional implications associated with this report.

Conclusion

Staff is requesting that Council consider the applications received for appointing two (2) citizen members to the Older Adult Task Force to fill the vacancies caused as a result of the resignations.

For more information, please contact Todd Coles, City Clerk, extension 8281.

Attachment

1. Confidential Attachment – applications (Mayor and Members of Council only).

Prepared by

John Britto, Council / Committee Administrator, extension 8637.

Approved by

A handwritten signature in black ink, appearing to read "Wendy Law".

Wendy Law
Deputy City Manager, Administrative
Services and City Solicitor

Reviewed by

A handwritten signature in black ink, appearing to read "Jim Harnum".

Jim Harnum, City Manager

Committee of the Whole (1) Report

DATE: Tuesday, March 2, 2021

WARD(S): ALL

TITLE: AMENDMENTS TO SHORT-TERM RENTAL BY-LAW AND
MUNICIPAL ACCOMMODATION TAX, SHORT-TERM RENTAL
BY-LAW

FROM:

Gus Michaels, Interim Deputy City Manager, Community Services

ACTION: DECISION

Purpose

Following additional consultation with stakeholders and ongoing regulatory developments in the Greater Toronto Area, staff have identified a number of additional technical amendments that will better facilitate the licensing of Short-Term Rental Owners (i.e., hosts) and Short-Term Rental Brokerages (i.e., platforms), for Council consideration.

Report Highlights

- The City's Short-Term Rental By-law came into effect in January 2020 and through the initial stages of implementation staff became aware of a number of amendments to facilitate licensing; these were subsequently approved by Council.
- At the same time, regulatory developments in other cities prompted staff to undertake further consultation with stakeholders with the intent of achieving further regulatory consistency and promoting voluntary compliance.
- The recommendations in this report include lowering licensing fees to be more in line with fees in neighbouring municipalities, giving greater flexibility to industry participants in how the Municipal Accommodation Tax may be remitted, and providing explicit requirements relating to licensee information collection and submission.

Recommendations

1. THAT licensing fees for both Owners (i.e., hosts) and Brokerages (i.e., platforms) be reduced by 50% (from 2020 rates) for 2021 and that fees be increased by \$5.00 for Owners and by 3% for Brokerages in 2022;
2. THAT provisions relating to the collection of the Municipal Accommodation Tax within the Short-Term Rental By-law and the Municipal Accommodation Tax, Short-Term Rental By-law be amended to allow for either Owners or Brokerages to remit the tax;
3. THAT collection of information provisions be amended to ensure staff have information that is relevant and timely to enforce the City's regulations, including regulations that allow for data-sharing agreements where beneficial;
4. THAT staff be authorized to take any other actions, including consequential amendments to any by-laws, required to ensure the effective implementation of the above recommendations, subject to approval by the City Solicitor.

Background

After significant consultation throughout 2019 with short term rental hosts, platforms and members of the community, staff introduced a new regulatory regime for short-term rentals, with the adoption of Short-Term Rental By-law 158-2019, Municipal Accommodation Tax, Short-Term Rental By-law 183-2019, and By-law 157-2019, establishing licensing fees. The new regulations came into effect at the start of 2020.

With the onset of COVID-19, short-term rental activity came to a halt in mid-March, but recommenced in July, as COVID-19 restrictions were eased. In the meantime, staff identified a few areas for regulatory improvement, including more consistent application of licensing requirements across classes of participants, specifically applicants and licensees. Staff recommended that the requirement for a brokerage to maintain residency in Canada be eliminated, thus facilitating the legal operation of brokerages, as many originate abroad. Staff also recommended adding new definitions and provisions to more explicitly lay out licensing requirements for Short-Term Rental Brokerages and make it easier for the City to serve notices, penalties and fines to maintain regulatory over-sight and to otherwise undertake enforcement activities as required. Finally, staff recommended reflecting these changes in Municipal Accommodation Tax, Short-Term Rental By-law 183-2019.

Council adopted these recommendations in October of 2020; however, a by-law was not brought before Council, as a number of developments across the Greater Toronto Area, prompted staff to revisit and enhance its regulatory approach. Foremost, the launch of the short-term rental licensing regime by the City of Toronto, as well as the regulatory regimes introduced in both Ottawa and Mississauga prompted staff to revisit

their approach respecting fees, the collection of the Municipal Accommodation Tax (“MAT”) and what and how licensing information is collected.

This report was prepared in consultation with Legal Services, Financial Services, and Economic and Cultural Development.

Previous Reports/Authority

[Item No. 5 of Report No. 7 of the Finance, Administration and Audit Committee](#)

[Amending By-law 157-2019](#)

[Short-Term Rental By-law 158-2019](#)

[Municipal Accommodation Tax, Short-Term Rental By-law 159-2019](#)

[Item No. 6 of Report 44 of the Committee of the Whole](#)

Analysis and Options

In accordance with the City’s By-law Strategy, following the enactment of the necessary by-laws and implementation of the regulatory framework for Short-Term Rentals, staff continued to monitor and analyze the evolving municipal landscape to better understand industry and public needs, while ensuring a reasonable level of over-sight that balances industry interests with that of the greater public. Through this analysis, and informed by the latest regulatory developments in other Ontario municipalities, staff identified three areas of opportunity to encourage voluntary compliance with licensing and MAT regulations. These areas included licensing fees, MAT collection and remittance, and information collection.

Licensing Fees

The City’s current annual licensing fee for Owners is \$300. Across other major jurisdictions in Ontario, this fee varies from \$50 in Toronto to \$250 in Mississauga, with Ottawa’s fee in the middle at \$100. In addition to the annual fee imposed by Toronto, there is also a \$1 per night fee paid by the platform, which on average works out to another \$100 per licensed property. As a result, staff are recommending that the City of Vaughan set its annual licensing fee at \$150 in 2021, with a \$5 (3.3%) increase for 2022. Similarly, staff are recommending that platform fees be halved in order to be more competitive with other Ontario markets, and that they increase by 3% in 2022. The City’s current fee structure is: \$300 for an independent Owner; \$500 for Brokerages with up to 10 listings; \$1,000 for Brokerages with up to 50 listings; \$5,000 for Brokerages up to 100 listings; and \$10,000 for Brokerages with over 100 listings.

Since the start of the COVID-19 pandemic and the introduction of restrictions on business activity, overnight visitation at accommodations has fallen to below 40% occupancy, with a recovery not expected until 2023. Staff believe that the alignment of

fees as noted above will lessen the cost of the regulatory burden and allow for the realization of a higher compliance rate among licensees, thereby reducing the associated time, effort and costs associated with enforcement attention and potential lengthy prosecutions.

Municipal Accommodation Tax

The City's current regulations require Short-Term Rental Brokerages to collect and remit the MAT on behalf of their Short-Term Rental Owners. Although this model works well in general, it does not accommodate other arrangements, such as instances in which the individual Short-Term Rental Owner may wish to remit on his or her own behalf; effectively creating a challenge for those wishing to comply voluntarily. As such, although remittance by the Short-Term Rental Brokerage will be permitted, staff recommend that this be optional with the ultimate responsibility for remittance remaining with the Short-Term Rental Owner. From the perspective of staffing resources, this may create a further administrative collection step, but does not ultimately affect the requirement to remit nor the revenue that should be generated from the MAT. Potential impacts from the change will be analyzed on a go-forward basis.

Data Collection

As part of the effective administration and enforcement of its licensing regulations, the City requires licensees to provide information that identifies the location of business activities and the key contacts in the event of regulatory concerns. The City of Vaughan does not require any guest information and only requires rental information with respect to rates and the number of days a property is rented in order to determine the amount of the MAT that is to be remitted. Although the current MAT regulations account for this requirement, to address the collection of information under the licensing regulations, the City of Vaughan will adopt provisions very similar to those currently being used by the City of Toronto. These provisions will require platforms to receive the consent of its hosts to disclose information to regulators. By knowing the locations of all properties being used as short-term rentals that are listed on platforms, enforcement staff will be able to ensure Owners license their short-term rentals and adhere to regulations, including the remittance and submission of the MAT.

In addition, staff are recommending two additional by-law provisions: one that would provide the Director, Financial Services and Deputy City Treasurer, subject to a form acceptable to the City Solicitor, the authority to enter into voluntary collection agreements with Short-Term Rental Brokerages for the purposes of administering the City's MAT; and another that would provide the Chief Licensing Officer, subject to a form acceptable to the City Solicitor, the authority to enter into data sharing agreements

with Short-Term Rental Brokerages for the purposes of administering and enforcing the City's licensing regulations.

These recommendations, along with those approved by Council in October, will be incorporated into three by-laws amending Short-Term Rental By-law 158-2019, Fees and Charges By-law 171-2013, as amended, and Municipal Accommodation Tax, Short-Term Rental By-law 183-2019.

Financial Impact

The main impact expected as a result of the recommendations in this report is tied to the reduction in licensing fees for both Short-Term Rental Owners and Short-Term Rental Brokerages.

The reduction in licensing fees is expected to reduce the anticipated revenue from short-term rental licensing. In its 2019 report, staff expected revenues of \$167,000 for 2020, which were to cover related expenditures, including the hiring of one full-time officer and one part-time officer. Through the 2020 budget process, the request for the part-time staff was eliminated. As a result, additional costs were only expected to be about \$100,000; actual costs were about \$42,000 in 2020 due to gapping of the full-time position. Licensing revenue for 2020 was just over \$5,000, for a program shortfall of \$37,000. In 2021, staff expect licensing fees to generate between \$60,000 and \$85,000 and expenses to be about \$104,000, for a shortfall of between \$19,000 and \$44,000. Beyond 2021, staff expect this shortfall to narrow with additional platforms and owners being licensed. The total impact is summarized in Table 1.

Table 1. Financial Impact of Recommendations

	2020	2021		
	(Actual)	(Approved Budgeted)	(Revised Forecast)	(Incremental Impact)
Licensing revenue	\$ 5,000	\$ 162,200 ¹	\$ 60,000 ²	(\$ 102,200)
Licensing costs	\$ 42,000	\$ 104,400	\$ 104,400	\$ 0
NET IMPACT	(\$ 37,000)	\$ 57,800	(\$ 44,400)	(\$ 102,200)

¹This amount is the budgeted for 2021; \$53,000 for Brokerages and \$109,200 for Owners.

²This is the revised minimum amount expected from brokerage and owner licensing fees in 2021.

Broader Regional Impacts/Considerations

There are no significant regional implications as a result of the recommendations of this report.

Conclusion

The purpose of short-term rental regulation is to protect the health and safety of the public, control public nuisances, and protect consumers of short-term rental services. This is in line with Term of Council Priorities, specifically the mandate to provide Active, Safe and Diverse Communities. The purpose of the recommendations in this report is to facilitate and encourage voluntary compliance with the regulatory regime implemented by the City and to ensure that staff have the necessary information and authorities to administer and enforce the by-law effectively.

Through the analysis of staff, continued consultation with industry stakeholders and establishment of a more competitive regulatory framework, as is being proposed, the enhanced regulations will facilitate a higher rate of voluntary compliance resulting in a greater ability to meet the intended purpose of protecting the greater public interests.

For more information, please contact: Gus Michaels, Interim Deputy City Manager, Community Services and Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services.

Prepared by

Rudi Czekalla-Martinez, Manager, Policy & Business Planning, Ext. 8782

Attachment

1. Confidential Communication from the Interim Deputy City Manager, Community Services

Approved by



Gus Michaels,
Interim Deputy City Manager
Community Services

Reviewed by



Jim Harnum,
City Manager

CITY OF VAUGHAN
REPORT NO. 1 OF THE
EFFECTIVE GOVERNANCE AND OVERSIGHT TASK FORCE
*For consideration by the Committee of the Whole
of the City of Vaughan
on March 2, 2021*

The Effective Governance and Oversight Task Force met at 5:05 p.m., on January 20, 2021.

ELECTRONIC PARTICIPATION

Members Present: Councillor Tony Carella, Chair
Councillor Alan Shefman
Sam Florio
Deven Sandhu
Elliott Silverstein
Vito Totino

Staff Present: Todd Coles, City Clerk
Kathy Kestides, Director, Transformation and Strategy
Jim Harnum, City Manager
Wendy Law, Deputy City Manager, Administrative Services
& City Solicitor
Kevin Shapiro, Internal Auditor
Rebecca Burchert, Audit Project Manager
Michael Genova, Director, Corporate and Strategic
Communications
Rose Magnifico, Council / Committee Administrator

The following items were dealt with:

**1. CONSIDERATION OF RECOMMENDATIONS & COMMENTS BY
MEMBERS AND STAFF**

The Effective Governance and Oversight Task Force advises Council:

- 1) That the submission by Peter Badali was received; and
- 2) That the discussion with respect to this matter was received.

**REPORT NO. 1 OF THE EFFECTIVE GOVERNANCE AND OVERSIGHT
TASK FORCE
FOR CONSIDERATION BY THE COMMITTEE OF THE WHOLE
OF THE CITY OF VAUGHAN ON MARCH 2, 2021**

2. BENCHMARKING MUNICIPAL COMMITTEES

The Effective Governance and Oversight Task Force advises Council:

- 1) That the discussion with respect to this matter was received; and
- 2) That a Sub-committee was established to receive information supplied by the Internal Auditor and make recommendations with respect to an alternate committee structure on a go forward basis.

Councillor Alan Shefman volunteered to head the Sub-committee and Deven Sandhu and Elliott Silverstein volunteered to join the sub-committee.

The Sub-committee is to be supported by the Internal Auditor and the Audit Project Manager.

The meeting adjourned at 6:15 pm.

Respectfully Submitted,

Councillor Tony Carella, Chair

CITY OF VAUGHAN
REPORT NO. 1 OF THE
TRANSPORTATION AND INFRASTRUCTURE TASK FORCE

*For consideration by the Committee of the Whole
of the City of Vaughan
on March 2, 2021*

The Transportation and Infrastructure Task Force met at 9:38 a.m., on January 27, 2021.

<u>Members Present</u>	<u>In-Person</u>	<u>Electronic Participation</u>
Councillor Rosanna DeFrancesca, Chair		X
Majid Babaei		X
Alexander Bonadiman		X
Jillian Britto		X
Fabrizio Guzzo, Operations Director, York Region Transit (YRT)		X
Daniel Henrique		X
Celia Lewin		X
Lucio Polsinelli		X
Guillermo Rybnik		X
Brian Titherington, Director, Transportation & Infrastructure Planning, York Region		X
<u>Regrets</u>		
Doug Spooner, Director, Service Planning, Planning & Design, Metrolinx		
<u>Staff Present</u>		
Vince Musacchio, Director of Infrastructure Planning & Corporate Asset Management		X
James Steele, Acting Director, Transportation and Fleet Management Services, and Director, Environmental Services.		X
Selma Hubjer, Transportation Engineering Manager		X
Margie Chung, Manager of Traffic		X
Christopher Tam, Transportation Project Manager/Transportation Engineer		X
Ash Faulkner, Planner - Policy Planning		X
Catherine Vettese, Communication Advisor Partner, Communication Engagement		X
Adelina Bellisario, Council / Committee Administrator		X

**REPORT NO. 1 OF THE TRANSPORTATION AND INFRASTRUCTURE TASK FORCE
FOR CONSIDERATION BY COMMITTEE OF THE WHOLE OF THE CITY OF
VAUGHAN ON MARCH 2, 2021**

The following items were dealt with:

1. YORK REGION MUNICIPAL COMPREHENSIVE REVIEW (MCR)

The Transportation and Infrastructure Task Force advises Council:

- 1) That the presentation by Ms. Sandra Malcic, Director, Long Range Planning, York Region and Communication C1, entitled, "Update on York Region's Municipal Comprehensive Review", was received.

2. SUB-COMMITTEES (IMPROVING SYSTEM SUSTAINABILITY AND CHANNELING INNOVATION)

The Transportation and Infrastructure Task Force advises Council:

- 1) That the verbal update from the Director of Infrastructure Planning & Corporate Asset Management, was received.

3. MEMBER'S RESIGNATION

The Transportation and Infrastructure Task Force recommended that the following recommendation be forwarded to Council for approval:

- 1) That the resignation of Anthony Francescucci was received; and
 - 2) That the vacancy and up to two (2) more Citizen Representative Members be filled through a recruitment.
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The meeting adjourned at 10:51 a.m.

Respectfully submitted,

Councillor Rosanna DeFrancesca, Chair