

COMMITTEE OF THE WHOLE (1) – JUNE 7, 2022**COMMUNICATIONS****Distributed June 3, 2022****Item No.**

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Distributed June 6, 2022

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Please note there may be further Communications.

COMMITTEE OF THE WHOLE (1) – JUNE 7, 2022**COMMUNICATIONS**

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Distributed June 7, 2022**Item No.**

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Submitted on June 7, 2022 (at the meeting)

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Please note there may be further Communications.

John M. Alati
johna@davieshowe.com
Direct: 416.263.4509
Main: 416.977.7088
Fax: 416.977.8931
File No. 704263

May 19, 2022

By E-Mail Only to clerks@vaughan.ca

His Worship Mayor Maurizio Bevilacqua and Members of Committee
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles, City Clerk

Your Worship and Members of Council:

**Re: Comments by iKore Developments Ltd. (“iKore” or “iKore Developments”)
Official Plan and Zoning By-law Amendment Applications
Major Weston Centres Limited (the “Applicant”)
10039 Weston Road (the “Subject Property”)
City File Nos. OP.20.008 and Z.20.016 (the “Applications”)**

We are counsel to iKore Developments, who have an interest in the lands municipally known as 10069 Weston Road (the “**iKore Property**”).

The iKore Property is located on the east side of Weston Road, north of Major MacKenzie Drive West, and directly north of 10039 Weston Road (the “**Subject Property**”). A map showing the iKore Property location is found in **Attachment A**.

On May 6, 2020, the owner of the Subject Property (the “**Applicant**”) submitted site-specific Official Plan and Zoning By-law Amendment applications (the “**Applications**”). As noted under a below subheading, due to discrepancies between the Applicant’s planning justification report, their recent revised draft Official Plan amendment, and the City of Vaughan’s planning portal, it is unclear whether the Applicant is seeking five or six buildings on site, or the precise number of units proposed. Regardless of the number of buildings proposed, the Applications appear to be for approximately 1,000 units or more.

The purpose of this letter is to provide iKore Developments’ comments on the Applications, which will be heard by the City of Vaughan (the “**City**”) Committee of the Whole on June 7th, 2022.

iKore Developments does not support the Applications given serious concerns about the provision of infrastructure, including sanitary service and public roads, in the general area. While iKore does not, in principle, object to the height and density sought by the Applicants, it would like to ensure that development on the Subject Lands, and in the surrounding area, proceeds in a comprehensive fashion with community services and infrastructure all considered, distributed, and shared equitably among landowners.

Background on the Area

The northeast quadrant of Major Mackenzie and Weston Road is set to intensify in the years ahead. Growth is not only limited to the Subject Property. For example, iKore will be bringing forward its own development application for a residential midrise proposal. Furthermore, to the north of the iKore property, development permissions have recently been given for the development of 130 street and 44 back-to-back townhomes at 10083 and 10101 Weston Road (the “**NW Development**”).

Nature of the Development Contemplated in the Applications

iKore would like to better understand the nature of the development contemplated in the Applications. The Planning Justification report, dated April 2020, contemplates a total of six (6) buildings, including two (2) supportive living residence buildings and four (4) residential buildings for a total of 1,268 proposed units; this description is replicated on the City’s online development portal for the Official Plan Amendment application. The February 25, 2022, revised draft Official Plan Amendment, in contrast, mentions a total of five (5) buildings ranging in height from 10-storeys to 12-storeys with a total of 988 proposed residential units. Lastly, the City’s online development portal for the Zoning By-Law amendment contemplates five (5) buildings with a total of only 940 units.

The discrepancies noted above signal the inconsistency of the planning applications, and lack of clarity and transparency regarding the permissions sought by the Applicant.

Phasing

iKore would like to better understand the phasing proposed by the Applicant. Based on the Applicant’s April 2020 planning justification report, it appears that the intent is to only approve the first phase of the development proposed by the Applications, consisting of 2 supportive living residence buildings which will be operated by Revera Inc. However, aside from a vague assurance within the draft Official Plan Amendment that “[t]he proposed development will be phased”, we could find no phasing language in the draft

Official Plan or Zoning By-law Amendment. We note, however, that the Zoning By-law Amendment applies across the entirety of Subject Property. It therefore appears that approval is being sought for the entire development, without regard for phasing.

Sanitary Network

The City's sewage network is not fit for what is proposed when considering the infrastructure needs of the Applicants, the NW Development and iKore's forthcoming proposal, not to mention other possible developments in the area.

The Applications at present only propose to increase the sewage capacity enough to accommodate the Subject Property alone. This would hinder future development in the area, and in turn lead to long and unnecessary periods of construction as sewage infrastructure is continually upgraded. That approach to infrastructure is in contrast to policy 8.2.1 of the Vaughan Official Plan (the "**VOP**") which prescribes the City to implement efficient and long-term cost-effective means of servicing development and maintain reliable and efficient services in relation to water, wastewater, and stormwater services.

To avoid inefficiency, sanitary service in the area should be sufficiently oversized to accommodate all future development in the area. To do this, oversizing conditions could be imposed on the Subject Property and on the NW development. Oversizing costs would then be recovered through the imposition of conditions to approval when other landowners in the area come forward to develop. These conditions could be imposed on the NW Development and the development proposed by the Applicant as a condition of site plan control, for example.

Road Network

Development of the area would be improved by the completion of a public road network. As it stands, the Applications propose significant intensification without contributing to the public road network.

Without a public road network, access to sites in the area, which for one reason or another cannot secure access over a privately owned and controlled roads would be forced to gain access directly to major arterial roadways in the vicinity. We do not believe the City and Region prefer directing access directly onto major arterial roads.

To help resolve the issue, iKore is considering and prepared to submit, as part of its own applications, an Official Plan Amendment seeking the designation of a local road network if the City does not bring a municipally initiated Official Plan Amendment forward.

Conclusion and Request for Notice

We wish to thank Council for taking these comments into consideration, and request that we be added to the circulation list and provided with notice of future Council meetings on the Applications. We also request notice of any decision or passage of any by-law by Council regarding this matter, or any future planning applications on the Subject Property.

Should you require further information, please do not hesitate to contact our associate Alex Lusty at alexl@davieshowe.com.

Yours sincerely,
DAVIES HOWE LLP



John M. Alati

JMA:NK

Attachment A – iKore Property Location



Communication : C 2
Committee of the Whole (1)
June 7, 2022
Agenda Item # 19

DATE: May 26, 2022
TO: Honourable Mayor and Members of Council
FROM: Haiqing Xu, Deputy City Manager, Planning And Growth Management
RE: COMMUNICATION – Committee of the Whole (1), June 7, 2022

**PROPOSED NAME FOR NEW MUNICIPAL STREET
SITE DEVELOPMENT FILE DA.21.018
RELATED FILE Z.21.015
CAPLINK LIMITED WARD 2 - SOUTHEAST OF LANGSTAFF ROAD
AND HIGHWAY 50
(Referred - Item #4, Report #21)**

Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

1. THAT the Recommendation 1. of the Committee of the Whole (1) Report dated May 3, 2022, be deleted and replaced in its entirety with the following:

“1. That the following street name for the proposed street located within the lands identified by Draft Approved Site Development File DA.21.018, as shown on Attachment 1, BE APPROVED:

Proposed Name
Craftsmen Way”

Purpose

The Purpose of this Communication is to amend the Committee of the Whole (1) Recommendation for naming a street in Draft Approved Site Development File DA.21.018 from “Teamwork Way” to “Craftsmen Way”.

Background

Recommendation 1. has been revised

Financial Impact

There are no financial impacts associated with this amended recommendation.

Conclusion

The Vaughan Development Planning Department has no objection to the revised street name for the new street located within the lands identified in Draft Approved Site Development File DA.21.018, as the name is consistent with the City's Street Naming Policy and has been reviewed and approved by York Region and the Vaughan Fire and Rescue Services Department. Should the Committee concur, the recommendation in this report can be approved.

Attachment:

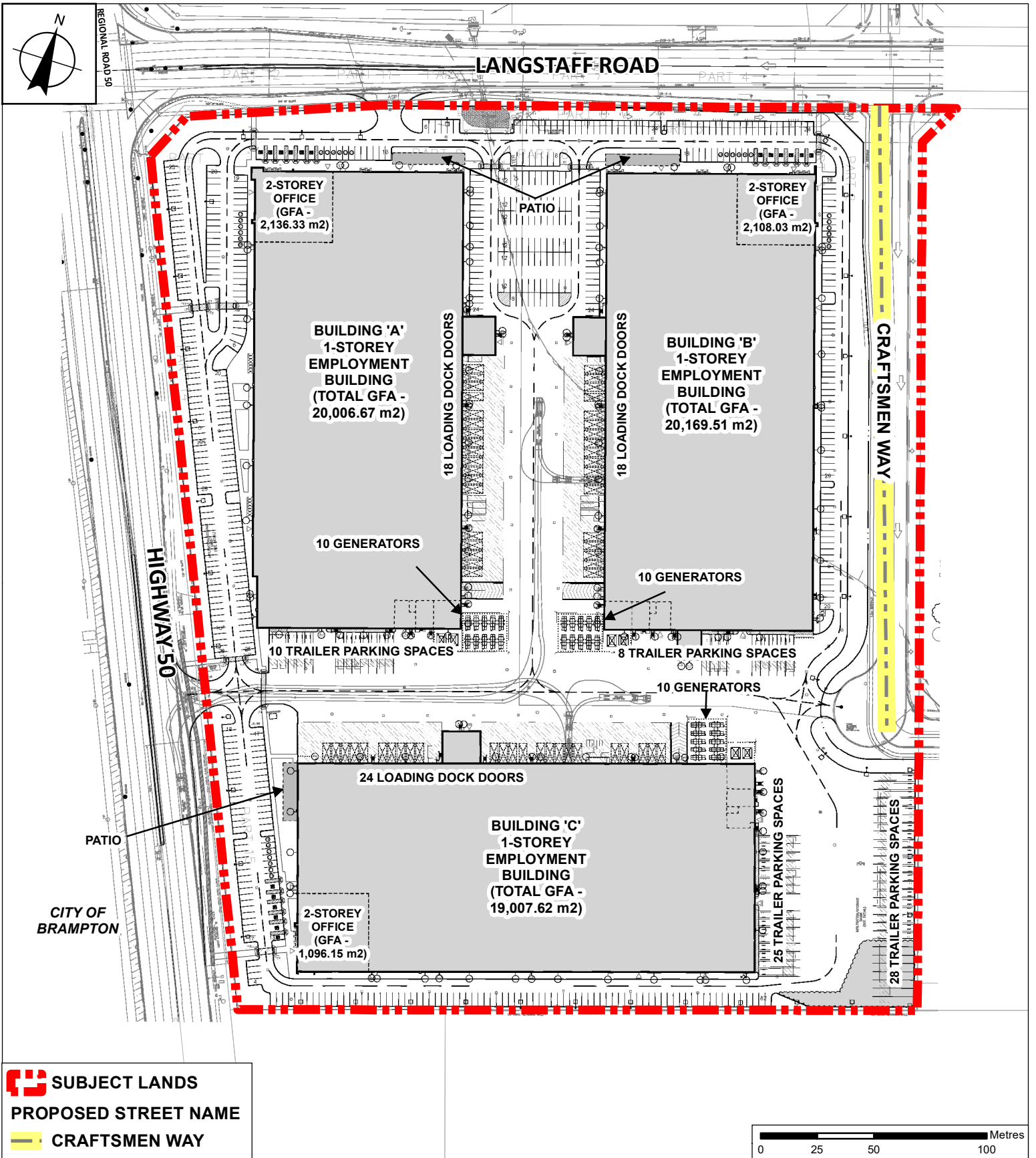
1. Proposed Municipal Street Name

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Haiqing Xu', with a stylized, cursive script.

Haiqing Xu
Deputy City Manager, Planning and Growth Management

Copy to: Todd Coles, City Clerk
Nick Spensieri, City Manager



SUBJECT LANDS
PROPOSED STREET NAME
CRAFTSMEN WAY

Proposed Municipal Street Name

LOCATION:
Part of Lot 10, Concession 10

APPLICANT:
Caplink Limited



Attachment

FILES: DA.21.018
and Z.21.015

DATE:
June 7, 2022

1

Communication : C 3
Committee of the Whole (1)
June 7, 2022
Agenda Item # 4

From: Nikolas Koschany <nikolask@davieshowe.com>
Sent: Wednesday, June 01, 2022 1:36 PM
To: Clerks@vaughan.ca
Cc: E.W.B. Enterprise Inc. <living@ecowerks.ca>; Luigi Iacobelli <l.iacobelli@ikore.ca>; 'Rob Vilone' <rob@ikore.ca>; Rosemarie L. Humphries - Humphries Planning Group Inc. (rhumphries@humphriesplanning.com) <rhumphries@humphriesplanning.com>; John Alati <johna@davieshowe.com>; Alex Lusty <alexl@davieshowe.com>
Subject: [External] To the Committee of the Whole - Supplementary Comments by iKore Developments Ltd. re: OP.20.008 and Z.20.016

To the Committee of the Whole:

Good afternoon.

We are counsel to iKore Developments Ltd., who have an interest in the lands municipally known as 10069 Weston Road.

Please find attached a letter regarding our supplementary comments on the Official Plan and Zoning By-law amendment applications by Major Weston Centres Limited, for 10039 Weston Road (city file numbers OP.20.008 and Z.20.016), as well as applications for other properties in the surrounding area.

This letter follows one that we submitted to this Committee on May 19, 2022.

Please confirm receipt and provide notice of next steps in this matter.

Kindness,

Nikolas Koschany (they/them)

Summer Law Student

[416.977.7088](tel:416.977.7088)

Davies Howe 
LAND DEVELOPMENT ADVOCACY & LITIGATION

Davies Howe LLP
The Tenth Floor, 425 Adelaide Street West
Toronto, Ontario M5V 3C1
416.977.7088

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June 1, 2022

By E-Mail Only to clerks@vaughan.ca

His Worship Mayor Maurizio Bevilacqua and Members of Committee
City of Vaughan
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles, City Clerk

Your Worship and Members of Council:

**Re: Supplementary Comments of iKore Developments Ltd.
("iKore" or "iKore Developments")
Official Plan and Zoning By-law Amendment Applications
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The purpose of this letter is to advise that our client withdraws its objections to the Applications as set out in our May 19, 2022 letter to the Committee of the Whole which forms **Attachment B**. The assurances our client has received, leading to this withdrawal, are explained below.

Our client recently met with representatives of the Applicant and arrived at an agreement in principle which it believes will facilitate the development of both the iKore Property and the Subject Property in a mutually satisfactory way.

The key terms of the agreement in principle are:

- a) iKore will be offered and permitted to purchase Part 15 of Plan 65R-37024 from the Applicant and its representatives, such lands being remnant lands abutting the future Farooq Boulevard (the “**Purchase**”);
- b) The Applicant, its representatives and iKore agree that the intent of the Purchase is to allow future access from the iKore Property to Farooq Boulevard;
- c) The Applicant, its representatives and iKore agree in principle that any access to Farooq Boulevard from the iKore Property will be coordinated with other access points to Farooq Boulevard according to generally accepted transportation design principles;
- d) The Applicant, its representatives and iKore agree in principle to share costs associated with ensuring that the iKore Property has adequate municipal servicing, including stormwater, water and sewage services;
- e) The Applicant and its representatives agree to offer iKore access to municipal services, as needed.

It is solely because of these assurances that our client is prepared to withdraw its earlier concerns.

Conclusion and Request for Notice

We wish to thank Council for taking these comments into consideration. We maintain our request that we be added to the circulation list and provided with notice of future Council meetings on the Applications. We also maintain our request for notice of any decision or passage of any by-law by Council regarding this matter, or any future planning applications on the Subject Property.

Should you require further information, please do not hesitate to contact our associate Alex Lusty at alexl@davieshowe.com.

Yours sincerely,
DAVIES HOWE LLP



John M. Alati

JMA:NK

Attachment A – iKore Property Location



ATTACHMENT B

John M. Alati
 johna@davieshowe.com
 Direct: 416.263.4509
 Main: 416.977.7088
 Fax: 416.977.8931
 File No. 704263

May 19, 2022

By E-Mail Only to clerks@vaughan.ca

His Worship Mayor Maurizio Bevilacqua and Members of Committee
 City of Vaughan
 Vaughan City Hall
 2141 Major Mackenzie Drive
 Vaughan, Ontario
 L6A 1T1

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To help resolve the issue, iKore is considering and prepared to submit, as part of its own applications, an Official Plan Amendment seeking the designation of a local road network if the City does not bring a municipally initiated Official Plan Amendment forward.

Conclusion and Request for Notice

We wish to thank Council for taking these comments into consideration, and request that we be added to the circulation list and provided with notice of future Council meetings on the Applications. We also request notice of any decision or passage of any by-law by Council regarding this matter, or any future planning applications on the Subject Property.

Should you require further information, please do not hesitate to contact our associate Alex Lusty at alexl@davieshowe.com.

Yours sincerely,
DAVIES HOWE LLP

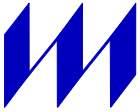


John M. Alati

JMA:NK

Attachment A – iKore Property Location





**WESTON
CONSULTING**

planning + urban design

**Communication : C 4
Committee of the Whole (1)
June 7, 2022
Agenda Item # 9**

Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, Ontario ON L6A 1T1

June 1, 2022
File 8569-1

Attn: Todd Coles, City Clerk

**RE: Item 6.9 - 4190 and 4220 Steeles Avenue West and 31 Gaudaur Road
Z.13.013**

Weston Consulting is the planning consultant and authorized agent representing 2812626 Ontario Ltd, for the lands located at 4190 and 4220 Steeles Avenue West and 31 Gaudaur Road, in the vicinity of Steeles Avenue West and Pine Valley Drive in the City of Vaughan.

A recommendation report (item 9) is before you seeking approval from the Committee of the Whole for a Zoning By-law Amendment to amend the "EM1 Prestige Employment Area Zone" to permit additional commercial uses within two (2) existing multi-unit commercial buildings.

We have reviewed the staff report for the Committee of the Whole Meeting dated Tuesday, June 7, 2022 and note that it recommends:

1. Zoning By-law Amendment File Z.13.013 BE APPROVED, to amend Zoning By-law 1-88 for the subject lands, and to permit site-specific zoning exceptions;
2. That the Owner be permitted to apply for 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 came into effect, to permit minor adjustments to the implementing Zoning By-law.

We herewith express that 2812626 Ontario Ltd, is in support of the recommendations of the staff report.

Thank you for reviewing this request. If you have any questions regarding the above comments, please contact the undersigned at extension 291.

Yours truly,

Weston Consulting

Per:

David Waters, MCIP, RPP, PLE
Associate

c. 2812626 Ontario Ltd.

DATE: June 3, 2022

TO: Mayor and Members of Council

FROM: Zoran Postic, Deputy City Manager, Public Works

RE: **SEWER USE BY-LAW**

Committee of the Whole (1), June 7, 2022

Report #27, Item #15

Recommendation

That Recommendation 1 in the report of the Deputy City Manager, Public Works, dated June 7, 2022 be amended to read as follows:

1. THAT a new Sewer Use By-law be enacted in accordance with Attachment 1 of this Communication and in a form satisfactory to the City Solicitor;

Background

The City's Sewer Use By-Law must be routinely reviewed and updated as the City's wastewater and stormwater systems and their oversight evolve in response to community growth, ageing infrastructure improvements, environmental protection efforts, legislative requirements, and business process efficiencies.

The purpose of the Sewer Use By-law Report is to request approval to repeal and replace the City's Sewer Use By-law (By-law No. 087-2016, as amended). The recommended revisions will enhance the Sewer Use By-law by adding clarity to various definitions, increasing alignment with York Region's Sewer Use By-law and provincial and federal regulations/legislation, strengthening the administration of fair and equitable penalties for Sewer Use By-law infractions, and improving transparency with respect to activities requiring approval or a permit from the City.

Attachment 1 of this Communication is intended to enhance clarity by ensuring the entirety of the proposed changes are presented in the form of a comprehensive draft By-law due to the length and technical nature of the Sewer Use By-law.

For more information, contact Emilie Alderman, Acting Director, Environmental Services, ext. 6116

Respectfully submitted by

A handwritten signature in blue ink, appearing to be 'Zoran Postic', written in a cursive style.

Zoran Postic, Deputy City Manager, Public Works

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2022

A By-law to enact rules and regulations for the installation and *Connection to Sewage Works*, and the *Discharge of Sewage, Storm Water*, and land drainage within the serviced area of the Corporation of the *City of Vaughan*, and to repeal the previous *Sewer Use By-law 087-2016* and amending by-laws, *156-2021* and *157-2021*.

WHEREAS The Corporation of the *City of Vaughan* (the "*City*") is a lower tier municipality within the *Regional Municipality of York* in the Province of Ontario;

AND WHEREAS section 11(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes a municipality to pass by-laws respecting matters concerning public utilities;

AND WHEREAS the *City* has the responsibility for the *City's* sewer infrastructure to maintain and protect the integrity of the *City's* sewer infrastructure; control the quality and quantity of *Sewage or Storm Water* or land drainage entering *Sewage Works*; and prevent *Adverse Effects* to *Persons, Property*, and the *Natural Environment* from *Discharges* to the *City's* infrastructure;

AND WHEREAS section 391(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may pass by-laws imposing fees or charges on *Persons* for services or activities provided or done by or on behalf of it;

AND WHEREAS section 398(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that fees and charges imposed by a municipality on a *Person* constitute a debt of the *Person* to the municipality;

AND WHEREAS section 398(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may add fees and charges to the tax roll of the *Property* to which the public utility is supplied and collect them in the same manner as municipal taxes;

AND WHEREAS Section 436(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

AND WHEREAS Section 429(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may establish a system of fines for a by-law passed under this Act;

AND WHEREAS Section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may proceed to do things at a *Person's* expense which that *Person* is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes.

NOW THEREFORE the *Council* of the Corporation of the *City of Vaughan* enacts as follows:

1.0 Short Title

(1) This By-law shall be known and may be cited as the "Sewer Use By-law".

2.0 Applicability and Scope

(1) This By-law applies to *City Storm Sewers* and *Sanitary Sewers*.

(2) Where any provision of this By-law is in conflict with a provision of any other *City* or Canadian *Government Entity* by-law or regulation, the more restrictive provision shall prevail.

(3) No *Person* shall perform the following activities without an *Approval* or *Permit* from the *City*:

- (a) *Discharge* into *Sanitary Sewers*, in accordance with section 5.1;
- (b) *Discharge* into *Storm Sewers*, in accordance with section 6.1;
- (c) Enter into a *Compliance Program* to prevent, reduce or control a *Discharge of Sewage* which does not comply with the requirements of this By-law, in accordance with section 10.0;
- (d) Make a Private Sewer *Connection* to any Municipal Sewer *Connection*, in accordance with subsection 21.0(1);
- (e) Make a *Connection* of any roof *Water Leader* into the storm drainage system, in accordance with subsection 21.0(16);
- (f) Enter into *Sewage Works*, in accordance with subsection 23.0(3).

3.0 Definitions and Interpretation

- (1) In this By-law and attached Schedules, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context requires.
- (2) Wherever a word is used in this By-law with its first letter capitalized and the whole word italicized, the term is being used as it is defined in subsection 3.0(1) of this Bylaw. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- (3) For the purposes of this By-law:

“*Accredited Laboratory*” means any laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements For Competence Of Calibration and Testing Laboratories" established by the International Organization For Standardization, as amended.

“*Administrative Monetary Penalties By-law*” refers the Administrative Monetary Penalties By-law 063-2019, as amended, or its successor by-law;

“*Adverse Effect*” has the same meaning as in the *Environmental Protection Act*, and includes one or more of the following:

- (a) *Impairment* of the quality of the *Natural Environment* for any use that can be made of it;
- (b) injury or damage to *Property* or to plant or animal life;
- (c) harm or material discomfort to any *Person*;
- (d) an *Adverse Effect* on the health of any *Person*;
- (e) *Impairment* of the safety of any *Person*;
- (f) rendering any *Property* or plant or animal life unfit for human use;

(g) loss of enjoyment of normal use of *Property*; and

(h) interference with the normal conduct of business.

“*Approval*” or “*Permit*” means, in the context of this By-law, an approval from the *City* to undertake activities related to the *Sewage System*, such as, but not limited to, any *Discharge*, *Connection* or entry into *Sewage Works*;

“*Backwash Water*” means water and other materials released from a *Swimming Pool* filter during its cleaning;

“*Biochemical Oxygen Demand*” or “*BOD*” means the molecular oxygen utilized in a sample, including *Sewage*, *Storm Water*, *Uncontaminated Water*, and any other *Substance* to which this By-law applies during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides, ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in *Standard Methods*;

“*Biosolids*” means organic solid material recovered from the *Sewage* treatment process;

“*Blowdown Water*” means recirculated water that is *Discharged* from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which may impair the operation of the system;

“*Building Code Act*” means the Ontario *Building Code Act*, 1992, S.O. 1992, c.23, as amended, or any successor legislation;

“*CAN/CSA B481 Standards*” means the Canadian Standard Association (CSA) Group B481 Series of Standards for grease *Interceptors*, or their successor standards;

“*City*” means The Corporation of the *City* of Vaughan and its designated representatives;

“*Combustible Liquid*” means any liquid having a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;

“*Commercial*” means lands, buildings or structures used or designed or intended for use for activities involving the production, processing, manufacturing, or sale of goods or services;

“*Compliance Program*” means the necessary steps undertaken by a *Discharger* to bring *Sewage Discharged* into the *Sewage Works* into compliance with the provisions of this By-law or the terms and conditions of the *Permit*;

“*Composite Sample*” means two or more *Grab Samples* of a *Discharge* to the *Sewage Works* taken at intervals during the sampling that have been combined;

“*Connection*” means that part or those parts of any pipe or system of pipes leading directly or indirectly to *Sewage Works*;

“*Contact Cooling Water*” means water that is used in an *Industrial* process, for the purpose of removing heat, that comes into contact with any raw material, intermediate product, waste product or finished product, but does not include *Blowdown Water*;

“*Council*” means the *Council* of the Corporation of the *City* of Vaughan;

“*Dental Amalgam*” means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc;

“*Dentistry Act*” means the *Dentistry Act*, 1991, S.O. 1991, c. 24, as amended, or its successor legislation;

“*Dental Amalgam Separator*” means any technology, or combination of technologies, designed to separate *Dental Amalgam* particles from dental operation *Sewage*;

“Discharge Activity” means the *Discharge of Private Water* to the *Sewage Works*;

“Director of Development Engineering” means the *Person* designated as the *Director* for the Department of *Development Engineering* of the *City* or his or her designate;

“Director of Environmental Services” means the *Person* designated as the *Director* for the Department of Environmental Services of the *City* or his or her designate;

“Discharge” when used as a verb, includes add, deposit, emit, release or leak and, when used as a noun, includes addition, deposit, emission, release or leakage;

“Discharger” includes a *Person*, a *Person* who is the *Owner*, is in occupation of, or has charge, management or control of a *Site* that *Discharges Sewage, Storm Water, Uncontaminated Water* or other *Substance* or thing to which this By-law applies to *Sewage Works*;

“Drain” means that part or those parts of any pipe or system of pipes leading directly or indirectly to *Sewage Works*;

“Easement” means an interest in land owned by another *Person*, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose, but does not include an interest created by a licence or a *Permit*;

“Emergency” means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to *Persons* or substantial damage to *Property* and that is caused by the forces of nature, a disease or other health risk, an accident, or an act whether intentional or otherwise;

“Environmental Protection Act” means the Ontario *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended, or its successor legislation;

“Every Person Having Control of a Pollutant” means the *Person* and the *Person’s* employee or agent, if any, having the charge, management, or control of a pollutant immediately before the first *Discharge* of the pollutant, whether into the *Natural Environment* or not, in a quantity or with a quality abnormal at the location where the *Discharge* occurs, and *“Person Having Control of the Pollutant”* has a corresponding meaning, as per the *Environmental Protection Act*;

“Fees and Charges By-law” means the *City’s Fees and Charges By-law*, 158-2021, as amended, or its successor by-law;

“Fisheries Act” means the *Fisheries Act* (R.S.C., 1985, c. F-14), as amended, or its successor legislation;

“Flammable Liquid” means a liquid having a flash point below 37.8 degrees Celsius and a vapour pressure not more than 275.8 kPa (absolute) at 37.8 degrees Celsius as determined by the American Society for Testing and Materials D323-99a, Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method);

“Flow Meter” means a device used to measure the flow rate and quantity of water moving through a pipe;

“Foundation Drain” means a perforated pipe installed beneath the foundation of a building or structure for the purpose of collecting flows from *Groundwater* infiltration and conveying the flows to a sump pump for disposal on the surface of the ground or to a private service *Connection* or drainage system for disposal in a municipal sewer;

“Fuel” includes alcohol, gasoline, naphtha, diesel *Fuel*, *Fuel* oil or any other ignitable *Substance* intended for use as a *Fuel*;

“General Waste Management Regulation” means *General Waste Management Regulation*, R.R.O. 1990, Reg. 347, as amended, or its successor regulation;

“Governmental Entity” means the government of a jurisdiction, any political subdivision of a jurisdiction, such as a federal, provincial, or municipal body, performing a function of the government;

“Grab Sample” means a sample of a *Discharge* into a *Sewage Works*, which is collected over a period not exceeding fifteen (15) minutes;

“Groundwater” means subsurface water including water held in soil, in pores, cracks or crevices in rocks or as a free-standing body beneath the existing ground surface;

“Hauled Sewage” includes *Sewage* which is removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a *Sewage* holding tank or any *Sewage* infrastructure and is transported for *Discharge*, but does not include *Hauled Waste*;

“Hauled Waste” means liquid *Industrial* waste that is transported for *Discharge* and that must be transported in accordance with *General Waste Management Regulation*, but does not include *Hauled Sewage*;

“Hazardous Waste” includes a waste that is an acute *Hazardous Waste* chemical, hazardous *Industrial* waste, *Hazardous Waste* chemical, corrosive waste, ignitable waste, pathological waste, reactive waste, radioactive waste, PCB waste, *Leachate* toxic waste or severely toxic waste, or any combination thereof, each as defined by the *General Waste Management Regulation*;

“Impairment” has the same meaning as in *Environmental Protection Act*, means the quality of water shall be deemed to be impaired by the *Discharge* of material if the material or a derivative of the material enters or may enter the water, directly or indirectly, and,

(a) the material or derivative causes or may cause injury to or interference with any living organism that lives in or comes into contact with:

- (i) the water, or
- (ii) soil or sediment that is in contact with the water;

(b) the material or derivative causes or may cause injury to or interference with any living organism as a result of it using or consuming:

- (i) the water;
- (ii) soil or sediment that is in contact with the water;
- (iii) any organism that lives in or comes into contact with the water or soil or sediment that is in contact with the water;

(c) the material or derivative causes or may cause a degradation in the appearance, taste or odour of the water;

(d) a scientific test that is generally accepted as a test of aquatic toxicity indicates that the material or derivative, in diluted or undiluted form, is toxic;

(e) peer-reviewed scientific publications indicate that the material or derivative causes injury to or interference with organisms that are dependent on aquatic ecosystems; or

(f) the material or derivative has a prescribed characteristic or is a prescribed material.

“Industrial” means lands, buildings or structures used or designed or intended for use

for activities involving the manufacturing, processing, fabrication, storage, transportation, distribution or wholesaling of goods and services;

“Institutional” means lands, buildings or structures used or designed or intended for use by an organized body, society, health care organization or religious group and shall include, without limiting the generality of the foregoing, places of worship, senior’s residences and special care facilities;

“Interceptor” means a receptacle that is designed and installed to prevent oil, grease, sand or other materials from passing into *Sewage Works*;

“Land Drainage Works” includes a *Drain* constructed by any means which is owned by the *City* and is located within the limits of a public road allowance or other *Public Lands* or public land interests held for public utility purposes which may or may not connect to a *Storm Sewer*, or a *Drain* constructed by any means that connects directly or indirectly to a *City’s Storm Sewer* or any other *Sewage Works*;

“Leachate” means the liquid produced by water or other liquids percolating through waste or by liquid in the waste;

“Maintenance Access Hole” means an access point in a sewer *Connection* to a municipal *Sewage Works* that allows for the observation, monitoring, sampling, flow measurement and other related activities of the *Sewage*, *Storm Water*, *Uncontaminated Water* or other *Substance* therein;

“Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or its successor legislation;

“Municipal Law Enforcement Officer” or *“MLEO”* means a *Person* appointed or employed by the *City* as a *Municipal Law Enforcement Officer* under the *Police Services Act*, R.S.O. 1990, c.P.15, as amended;

“Municipal Sewer Connection” means that part of any *Drain* leading from the *Private Sewer Connection* and connected to the municipal *Sewage Works* and located within the limits of the public road allowance, or other *Public Lands* or public land interests held for public utility purposes;

“Natural Environment” means the air, land and water, or any combination or part thereof;

“Non-Contact Cooling Water” means water that is used in an *Industrial* process, for the purpose of removing heat, that has not come into contact with any raw material, intermediate product, waste product or finished product of the *Industrial* process other than heat, but does not include *Blowdown Water*;

“Nutrient Management Act” refers to the *Nutrient Management Act, 2002*, S.O. 2002, c. 4, as amended, or its successor legislation;

“Obstruction” means with respect to *Sanitary Sewers* or *Storm Sewers* includes, but is not limited to, a *Discharge* containing solid or viscous *Substances* in quantities or of such size as to be capable of causing blockages or hindrances to the flow in a sewer such as ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, masks, gloves, feathers, tar, plastic, feminine hygiene products, wood, dental floss, condoms, animal parts, and wipes;

“Order” includes an *Order* made under this By-law or the *Municipal Act*;

“Ontario Water Resources Act” means the *Ontario Water Resources Act*, R.S.O. 1990, c. 0.40, as amended, or its successor legislation;

“Owner” includes:

(a) the *Person* having the right, title, interest or equity in the land, or his or her agent

authorized in writing;

(b) the *Person* for the time being managing or receiving the rent of the land or premises in

Connection with which the word is used;

- (c) whether on the *Person's* own account or as agent or trustee of any other *Person*, or who would receive the rent if the land and premises were let; or
- (d) a lessee or occupant of the *Property*.

"*PCBs*" means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them and includes PCB waste as defined by R.R.O. 1990, Reg. 362 (Waste Management-*PCBs*) made under the *Environmental Protection Act*, as amended, or its successor regulation;

"*Permanent (Long-Term) Private Water Discharge*" means *Discharge Activities* where the structure or building will *Discharge* to the *Storm Sewer* for the lifetime of a structure or building;

"*Person*" includes an individual, association, organization, partnership, municipality or other corporation and includes an agent or employee of any of them;

"*Pesticide*" means any organism, *Substance* or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or of altering the growth, development or characteristics of any plant life that is not a pest and includes any organism, *Substance* or thing registered under the *Pest Control Products Act* of Canada, as per *Pesticides Act*, R.S.O. 1990, c. P.11, as amended, or its successor regulation;

"*pH*" means the logarithm of the reciprocal of the concentration of hydrogen ions in grams per litre of solution;

"*Phenolics*" or "*Phenolic Compounds*" means those hydroxyl derivatives of benzene, or its condensed nuclei, which can be identified by the 4-Aminoantipyrine method in accordance with *Standard Methods*, or the Gibbs procedures, as set out in the *Standard Methods*;

"*Pollution Prevention*" means the use of processes, practices, materials or products that avoid, reduce or control pollution, which may include recycling, treatment, process changes, control mechanisms, efficient use of resources and material substitution;

"*Pollution Prevention Plan*" means a detailed plan that identifies operation or activities of a *Discharger* and identifies specific *Pollution Prevention* methods to be implemented within a specific timeframe;

"*Pre-Treatment*" means the reduction, elimination or alteration of pollutants in *Sewage* or *Storm Water* prior to *Discharge* into a *Sewage Works*. This reduction or alteration can be achieved by physical, chemical, or biological processes, through *Pollution Prevention*, or by other means, except by diluting the concentration of the pollutants;

"*Private Sewage Disposal System*" means a *Sewage* system that is not owned and operated by a *Governmental Entity* and is acceptable to the *Director of Environmental Services* who is responsible for issuing a *Certificate of Approval* under the *Ontario Water Resources Act* and may include any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of *Sewage*;

"*Private Sewer Connection*" means that part of any *Drain* or system of *Drains*, including *Drains* or *Subsurface Drainage Pipe* for surface or subsurface drainage of the land in or adjacent to a building lying within the limits of the private lands and leading to a *Municipal Sewer Connection* whose responsibility for maintenance is the *Property Owner's*;

"*Private Storm Sewer*" means rear-yard catch basins, infiltration trenches/galleries, soak-away pits or other grassed swales located on private lands;

"*Private Water*" means water originating from:

- (a) *Storm Water* and/or *Groundwater* accumulating or collected on private lands; or

- (b) A Private Sewage Disposal System; or
- (c) A well or any other subsurface extraction of *Groundwater*; or
- (d) A permanent or temporary *Wastewater* pond, water retention *Site* or other area or *Site* of surface water collection, whether natural or man-made, created, used or caused by or for renovation, repair, maintenance, demolition, construction-related or land development activity or activities; or
- (e) A tank, tanker truck, vessel, or other means of water storage that contains water not supplied by the *City*; or
- (f) The permanent or temporary alteration of a natural or pre-existing drainage pattern; or
- (g) Any combination of the above-noted activities, where the water from such activity would be *Discharged* directly or indirectly to a municipal sewer or *Municipal Sewer Connection* thereto and such activity is related to renovation, repair, maintenance, demolition construction or land development activity or activities at a *Property*.

"Private Water Drainage System" means a subsurface drainage system which includes but not limited to weeping tile(s), *Foundation Drain(s)*, *Private Water* collection sump pits(s), *Private Water* pump or any combination thereof for the disposal of *Private Water* on the surface of the ground or to a *Private Sewer Connection* or drainage system for disposal in a municipal sewer;

"Proof of Calibration" means a document from an organization with certification under *ISO/IEC Standard 17025(2017): General Requirements For The Competence Of Testing And Calibration Laboratories*, or its successor standard, which states that the *Flow Meter* can measure accurately;

"Property" means any land, whether vacant or occupied by a building or structure and includes such building or structure or part of a building or structure, and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes a *Site*;

"Public Lands" means lands owned by the *City* or other *Governmental Entity*;

"Region" or *"Regional"* means the *Regional Municipality of York*, including *Municipal Law Enforcement Officers* and its designated representatives;

"Salt Water" in the context of this By-law, refers to water in a *Swimming Pool* which has dissolved salts, such as, but not limited to sodium chloride;

"Sanitary Sewer" means any part of the *Sewage Works* that is intended to collect and convey *Sewage* to a *Sewage* pumping station and treatment facility;

"Sediment Interceptor" means a device or structure that is utilized to separate sediment from the *Sewage*. It can include catch-basin sumps or manufactured oil/grit separators;

"Sewage" or *"Wastewater"* means any liquid containing organic, inorganic, animal, vegetable, mineral or chemical matter in solution or in suspension, including floating materials, water mixed with construction-related materials such as paints, grout, plaster, and concrete, but does not include *Storm Water* or *Uncontaminated Water* alone;

"Sewage Works" means any works for the collection, transmission, treatment and disposal of *Sewage*, *Storm Water* or *Uncontaminated Water*, including a *Sanitary Sewer* or *Storm Sewer*, or any part of such works, but does not include *Private Storm Sewers* or plumbing or other works to which the *Building Code Act*;

“*Site*” means a *Property* where a business activity takes place that is capable of discharging to a *Sewage Works*;

“*Spill*” means a *Discharge* of any *Substance* to a *Sewage Works* or to the *Natural Environment* which is abnormal in quantity or quality in light of all the circumstances of the *Discharge*;

“*Standard Methods*” means a procedure or method set out in “*Standard Methods* for the Examination of Water and *Wastewater*” published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, as amended;

“*Storm Sewer*” means any part of the *Sewage Works* that is intended to collect and convey *Storm Water*, *Uncontaminated Water*, surface runoff or drainage from land, from a *Watercourse*, a *ditch* adjacent to an assumed *City* road, or any combination thereof;

“*Storm Water*” includes water from rainfall or other precipitation or from the melting of snow or ice;

“*Subsurface Drainage Pipe*” means a pipe that is installed underground to intercept and convey subsurface water and includes *Foundation Drains*;

“*Substance*” means any physical matter, whether solid, liquid or gas;

“*Swimming Pool*” means any structure, basin, or vessel containing or capable of containing a body of water exceeding 0.76 m in depth used or intended to be used for swimming, bathing, or related activities, in line with the definition of the *City’s Zoning By-law*, or its successor by-law;

“*Temporary (Short-Term) Private Water Discharge*” means temporary *Discharge Activities* to the *Sewage Works* related to any excavation, site remediation, or construction activities and which are not intended to be permanent in nature;

“*Total PAHs*” means the calculated total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and II *Substances* Lists, including anthracene, benzo(a)pyrene, benzo(a)anthracene, benzo(e)pyrene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,i)pyrene, dibenzo(a,j)acridine, 7Hdibenzo(c,g)carbazole, dinitropyrene, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene.

“*Uncontaminated Water*” means water with a level of quality which is typical of potable water normally supplied by the *City* or whose quality does not exceed the values in Table 2 - Limits for *Storm Sewer Discharge*”;

“*Water Leader*” means a pipe that is installed to carry *Storm Water* from a roof to a place of disposal;

“*Waste Radioactive Prescribed Substances*” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other *Substances* as the Canadian Nuclear Safety Commission, or its successor, may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy;

“*Watercourse*” means an open channel, ditch or depression, either natural or artificial in which flow of water occurs either continuously or intermittently;

“*Zoning By-law*” refers to the *City Zoning By-law* 1-88, as amended, or its successor by-law;

4.0 Administration

(1) Subject to the terms of this or other by-laws, or the directions of *Council*:

(a) Administration of this By-law shall be by the *Director of Environmental Services*; and

(b) Enforcement of this By-law shall be by *Persons* appointed for the purpose of enforcing the

provisions of this By-law, which shall include the following:

- (i) any *City* staff designated or delegated by the *Director of Environmental Services*; or
- (ii) Municipal Law Enforcement Officers.

5.0 Sanitary Sewer Requirements

Prohibition of Discharge into Sanitary Sewers

(1) No *Person* or *Discharger* shall *Discharge* or cause or permit the *Discharge* of a *Substance* to a *Sanitary Sewer* in circumstances where:

(a) to do so may cause or result in:

- (i) a health or safety hazard to a *Person* authorized to inspect, operate, maintain, repair or otherwise work on, in or around a *Sewage Works*;
- (ii) a hazard or other *Adverse Effect*, to any *Person*, animal, *Property*, vegetation or the *Natural Environment*;
- (iii) an offence under the *Ontario Water Resources Act* or the *Environmental Protection Act* or any regulation made thereunder;
- (iv) *Biosolids* from the *Sewage Works* to which *Sewage Discharges*, failing to meet the requirements set out in the *Nutrient Management Act*, thereunder, as amended.
- (v) dyes or colouring materials to pass through a *Sewage Works* which could discolour the *Sewage Works* effluent, except where the *City* is required to perform a dye test for a cross *Connection* inspection;
- (vi) interference with the inspection, operation, maintenance or repair of a *Sewage Works* or which may impair or interfere with any *Sewage* treatment process;
- (vii) an offensive odour to emanate from the *Sewage Works* that is detectable within the vicinity of the *Sewage Works*, and includes, without limiting the generality of the foregoing, *Sewage* containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia, paint thinners, gasoline, in such quantities as may cause an offensive odour;
- (viii) damage to a *Sewage Works* or any part thereof; and/or
- (ix) an *Obstruction* or restriction to the flow in the *Sanitary Sewer*;

(b) the *Sewage* has or exhibits:

- (i) a *pH* less than 6.0 or greater than 10.5;
- (ii) two or more separate liquid layers; and/or
- (iii) a temperature greater than 60 degrees Celsius.

(c) the *Sewage* contains or is likely to contain:

- (i) Combustible Liquid;
- (ii) Flammable Liquid;
- (iii) Fuel;
- (iv) Hauled Sewage;
- (v) Hauled Waste;
- (vi) Hazardous Waste;
- (vii) PCBs;
- (viii) a Pesticide;
- (ix) Waste Radioactive Prescribed Substances;
- (x) *Leachate*, unless otherwise allowed by the *City* or Canadian *Government Entity*;
- (xi) a liquid or material resulting from the pump-out or cleaning of a catch-basin, *Sediment Interceptor*, or *Maintenance Access Hole*;
- (xii) any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of the *Sewage Works* and without limiting the generality of the foregoing, any such quantity of ashes, cinders, garbage, sand, straw, mud, shavings, metal, glass, rags, feathers, plastic, wood, cellulose, oil, fat and grease of animal or vegetable origin, oil grease and tar of mineral origin;
- (xiii) *Sewage* containing animal waste, and without limiting the generality of the foregoing, containing intestines, stomach casings, intestinal contents, hides, hooves, toenails, horns, bones or poultry heads or *Sewage* containing hair, wool, fur, feathers, paunch manure or fleshings in a quantity sufficient to interfere with the proper operation of the *Sewage Works*; and/or
- (xiv) any contaminant at a concentration that exceeds any one or more of the limits in Table 1 as set out in Schedule "A" of this By-law, entitled "Limits for

Sanitary Sewer Discharge", except where the *Discharge* is proceeding under and carried out in accordance with and only to the extent expressly permitted by all terms and conditions of a *Compliance Program* or *Pollution Prevention Plan* which has been previously authorized by the *City* and/or the *Regional* with respects to applicable section, prior to the *Discharge* in accordance with the provisions of this By-law.

(d) the *Discharge* is Storm Water, Non-Contact Cooling Water, water from a *Discharge Activity*, or Uncontaminated Water.

5.1 Request and Approval of Temporary Discharge into Sanitary Sewers

(1) Notwithstanding subsection 5.0(1)(d) of this By-law, the *City* may give an *Approval* for the following activities:

- (a) temporary *Discharge of Storm Water*;
- (b) temporary *Discharge of Non-Contact Cooling Water*;
- (c) *Temporary (Short-Term) Private Water Discharge*;
- (d) temporary *Discharge of Uncontaminated Water*, to a Sanitary Sewer, where:
 - (i) the *Discharge* is requested as a result of a situation that the *City* considers to be an *Emergency*; or
 - (ii) in the case of a proposed building, no *Storm Sewer* exists adjacent to the building; or
 - (iii) in the case of an existing building, no storm *Connection* exists to the building.

(2) Subsections 5.1(3) to 5.1(11) apply to an *Approval* issued under subsection 5.1(1).

(3) The *City* may approve a *Discharge*, through an *Approval*, described in subsection 5.1(1) herein on such terms and conditions as it may deem appropriate, including but not limited to, terms and conditions in respect of protecting the *Sewage Works* and other infrastructure, compensating the *City* for costs related to the extra maintenance or repair of the *Sewage Works* and facilitating administration of the *Approval*. To assess a proposed *Discharge* under subsection 5.1(1), the *City* must be provided with:

- (a) written request to the *City* for the proposed *Discharge* which includes:
 - (i) the reason for the need for special *Discharge*;
 - (ii) the volume rate and duration of water to be *Discharged*;

- (iii) the location of the water source;
 - (iv) the address of the *Property* where the water is being used and from which it is being *Discharged*; and
 - (v) the details of the proposed *Discharge* plan to include sampling, monitoring and contingency plan
- (b) a copy of a valid Permit to Take Water issued by the *Ministry of the Environment, Conservation and Parks* in respect of the taking of the water that would be *Discharged*, where such Permit is required by the *Ontario Water Resources Act*;
- (c) a copy of approval(s) from other appropriate government agencies if applicable;
- (d) payment for any application fees for reviewing an *Approval* application and temporary *Discharge* fees under this section that may be imposed by the *City*; and
- (e) any other information requested by the *City*.
- (4) For the purposes of section 5.1, the *City* may require a *Person* to provide plans, erosion control measures, specifications, reports, studies, data, analytical results, documentation or other information to the satisfaction of the *City* to assess whether or not an actual or potential *Discharge* may or could interfere with the *City's Sanitary Sewer* works or contravene section 5.0 of this By-law.
- (5) If permission to *Discharge* is granted by the *City* and an *Approval* is issued to the *Discharger*, prior to beginning to *Discharge*, the *Discharger* shall:
- (a) obtain a *Flow Meter* for the purposes of monitoring the *Discharge*; and
 - (b) provide the *City* with a *Proof of Calibration* that certifies the *Flow Meter* is in good working condition.
- (6) The *Discharger* shall install and maintain in working order:
- (a) A *Flow Meter* that registers both flow rate and total volume *Discharged*;
 - (b) A sample port located downstream of the *Flow Meter* for the collection of *Wastewater* samples by the *City*.
- (7) The *Discharger* shall *Discharge* in accordance with the *Approval* to the *Discharge* location authorized by the *City*.
- (8) Discharge Activity to a Sanitary Sewer is prohibited unless:
- (a) the *Discharge Activity* is in accordance with the *Approval*; and

(b) a *Municipal Law Enforcement Officer* has not issued an *Order* relating to the *Discharge Activity*.

(9) Where there is a valid *Approval* and the *Discharge* is prohibited in accordance with subsection 5.1(7), the *Approval* shall be suspended for the duration of the prohibition.

(10) The *Discharger* of a *Discharge Activity* shall notify the *City* prior to commencing the *Discharge* according to the *Approval*.

(11) The *Discharger* of a *Discharge Activity* shall provide the required reports according to the *Approval* and any other information requested by the *City* during the term of the *Approval*.

6.0 Storm Sewer Requirements

Prohibition of Discharge into Storm Sewers

(1) No Person or Discharger shall Discharge or cause or permit the Discharge of a Substance to a Storm Sewer or to *Land Drainage Works* in circumstances where:

(a) The *Discharge* is not *Storm Water* or not *Uncontaminated Water* in accordance with this By-law;

(b) to do so may cause or result in,

- (i) health or safety hazard to a *Person* authorized to inspect, operate, maintain, repair or otherwise work on, in or around a *Sewage Works*;
- (ii) interference with the proper operation of a *Storm Sewer* or *Land Drainage Works*; or
- (iii) an *Obstruction* or restriction to a *Storm Sewer* or *Land Drainage Works* or the flow therein;
- (iv) damage to a Storm Sewer or *Land Drainage Works*;
- (v) a hazard or other *Adverse Effect* to any *Person*, animal, *Property*, vegetation or the *Natural Environment*;
- (vi) *Impairment* of the quality of any water including water in any well, aquifer, lake, river, pond, spring, stream, reservoir or other *Watercourse*;
- (vii) an offence under the Ontario Water Resources Act, the *Environmental Protection Act* or the *Fisheries Act* with respect to the Storm Sewer or *Land Drainage Works* and/or the direct or indirect *Discharge* from the Storm Sewer or *Land Drainage Works* into any *Watercourse*; and/or
- (viii) not satisfying the criteria for environmentally sensitive water courses.

(c) the water has or exhibits:

- (i) two or more separate liquid layers;
- (ii) a visible film, sheen or discoloration;
- (iii) a temperature greater than 40 degrees Celsius; and/or
- (iv) a *pH* less than 6.0 or greater than 9.0;

(d) the *Discharge* contains or is likely to contain:

- (i) Blowdown Water;
- (ii) Contact Cooling Water;
- (iii) water from a *Discharge Activity*;
- (iv) Combustible Liquid;
- (v) Flammable Liquid;
- (vi) floating debris;
- (vii) Fuel;
- (viii) oil and/or grease;
- (ix) Hauled Sewage;
- (x) Hauled Waste;
- (xi) Hazardous Waste;
- (xii) PCBs;
- (xiii) Pesticides;
- (xiv) Sewage;
- (xv) Waste Radioactive Prescribed Substances;
- (xvi) Leachate;
- (xvii) a *Substance* from raw materials, intermediate or final materials, used or produced in, through or from an *Industrial* process;
- (xviii) Construction/Renovation *Wastewater* and residual of construction material;
- (xix) The *Backwash Water* from a *Swimming Pool*;
- (xx) a *Substance* used in the operation or maintenance of a *Site*;
- (xxi) any contaminant at a concentration that exceeds any one or more of the limits in Table 2 as set out in Schedule "A" of this By-law, entitled "Limits for *Storm Sewer Discharge*"; and/or
- (xxii) a liquid or material resulting from the pump-out or cleaning of a catch-basin,

Sediment Interceptor, or Maintenance Access Hole;

(xxiii) *Discharge from a Swimming Pool containing Salt Water.*

6.1 Request and Approval of Permanent or Temporary Discharge into Storm Sewers

- (1) Notwithstanding subsections 6.0(1)(a) and 6.0(1)(d)(iii) of this By-law, the *City* may give an *Approval for Permanent (Long-Term) Private Water Discharge* or *Temporary (Short-Term) Private Water Discharge* on such terms and conditions as it may deem appropriate including but not limited to, terms and conditions in respect of protecting the *Sewage Works*, other infrastructure and the *Natural Environment*, standards for parameters in the *Discharge*, volume of the *Discharge*, compensating the *City* for costs related to extra maintenance or repair of the *Sewage Works* and facilitating administration of the *Approval*.
- (2) Subsections 6.1(3) to 6.1 (12) apply to an *Approval* issued under subsection 6.1(1).
- (3) With respect to Approvals for Permanent (Long-Term) Private Water Discharge:
 - (a) a *Discharger* shall obtain a valid *Approval for Permanent (Long-Term) Private Water Discharge* in accordance with this section;
 - (b) such *Approval* shall be valid on the date of issuance for a period of up to one (1) year at a time;
 - (c) a *Discharger* shall submit an application to the *City* to renew the *Approval for Permanent (Long-Term) Private Water Discharge* each year, two (2) months prior to expiry of the *Approval*.
- (4) Where the *City* has given *Approval* for a *Discharge* in accordance with subsection 6.1(1), a *Person* or *Discharger* may *Discharge* the water from a *Discharge Activity* to a *Storm Sewer* or *Land Drainage Works* only to the extent allowed by and where the *Person* or *Discharger* is complying with all terms and conditions of the *Approval*. To assess a proposed *Discharge* under subsection 6.1(1), the *City* must be provided with:
 - (a) written request to the *City* for the proposed *Discharge* which includes,
 - (i) the reason for the need for special *Discharge*;
 - (ii) the volume, rate and duration of water to be *Discharged*;
 - (iii) the location of the water source;
 - (iv) the address of the location where the water is being *Discharged*; and
 - (v) the details of the proposed *Discharge* plan to include sampling, monitoring and contingency plan;

- (b) a copy of a valid Permit to Take Water issued by the Ministry of the Environment, Conservation and Parks in respect of the taking of the water that would be *Discharged*, where such Permit to Take Water is required by the *Ontario Water Resources Act*;
 - (c) a copy of approval(s) from other appropriate government agencies if applicable;
 - (d) payment for any application fees for reviewing a request for a *Discharge* under this section that may be imposed by the *City*; and
 - (e) any other information requested by the *City*.
- (5) For the purposes of this section, the *City* may require a *Person* to provide plans, erosion control measures, specifications, reports, studies, data, analytical results, documentation or other information to the satisfaction of the *City* to assess whether or not an actual or potential *Discharge* may or could interfere with the *City's Storm Sewer* or contravene section 6.0 of this By-law.
- (6) If permission to *Discharge* is granted by the *City* and an *Approval* is issued to the *Discharger*, prior to beginning to *Discharge*, the *Discharger* shall:
- (a) obtain a *Flow Meter* for the purposes of monitoring the *Discharge*; and
 - (b) provide the *City* with *Proof of Calibration* that certifies the *Flow Meter* is in good working condition.
- (7) The *Discharger* shall install and maintain in working order:
- (a) A *Flow Meter* that registers both flow rate and total volume *Discharged*;
 - (b) A sample port located downstream of the *Flow Meter* for the collection of *Wastewater* samples by the *Discharger* and *City*.
- (8) The *Discharger* shall *Discharge* in accordance with the *Approval* to the *Discharge* location authorized by the *City*.
- (9) A *Discharge Activity* to a *Storm Sewer* is prohibited unless:
- (a) the *Discharge Activity* is in accordance with the *Approval*; and
 - (b) a *Municipal Law Enforcement Officer* has not issued an *Order* relating to the *Discharge Activity*.
- (10) Where there is a valid *Approval* and the *Discharge* is prohibited in accordance with subsection 6.1(8), the *Approval* shall be suspended for the duration of the prohibition.
- (11) The *Discharger* of a *Discharge Activity* shall notify the *City* prior to commencing the

Discharge according to the *Approval*.

- (12) The *Discharger* of a *Discharge Activity* shall provide the required reports according to the *Approval* and any other information requested by the City during the term of the *Approval*.

7.0 Prohibition of Dilution

- (1) No *Person* or *Discharger* shall *Discharge* or cause or permit the *Discharge* of a *Substance* into a *Sewage Works* in circumstances where water has been added to the *Discharge* for the purposes of dilution such that after dilution the *Discharge* does not contravene section 5.0 or section 6.0 of this By-law.

8.0 Discharger Information Request

- (1) A *Discharger* shall complete a *Discharger* Information Report form provided by the *City* and submit it to the *City* within thirty (30) calendar days of written notification by the *City* that such report is required.
- (2) Where a *Discharger* is required by the *City* to complete a *Discharger* Information Report, the *Discharger* shall provide written notice of any change in the information requested in the *Discharger* Information Report a minimum of thirty (30) calendar days prior to the effective date of such change. Such notice shall include pertinent details of any change to the operation, process, or *Pre-Treatment* facilities and shall include any analyses of the *Sewage* and any other information related to the *Discharge* as may be required by the *City*.

9.0 Swimming Pool Water Discharge

- (1) No *Person* shall *Discharge* from a *Swimming Pool* into a *Storm Sewer*, *Sanitary Sewer* or *Land Drainage Works* if the *Discharge*:
- (a) is in contravention of sections 5.0(1) or 6.0(1);
 - (b) contains any *Substances* at a concentration that exceeds any of the limits in Tables 1 and 2 of Schedule "A" of this By-law.

10.0 Compliance Program

- (1) A *Discharger* may submit to the *City*, or submit and resubmit where required by the *City*, a proposed *Compliance Program* to prevent, reduce or control a *Discharge* of *Sewage* which does not comply with the requirements of this By-law.
- (2) Upon receipt and review of a proposed *Compliance Program* pursuant to section 10.0(1) herein,

the *City* may issue a *Compliance Program Approval* with such terms and conditions the *City* deems to be appropriate for any *Discharge* which would otherwise not comply with this By-law. A non-compliant *Discharge* authorized under an *Approval* is only authorized in the amount and to the extent set out in the *Approval*, during the period of planning, design, construction and installation of facilities or works necessary to implement the approved *Compliance Program*.

- (3) The *City* may terminate the *Compliance Program* by giving written notice to the *Discharger*:
 - (a) at any time where, in the opinion of the *City*, there is an immediate threat or danger to any *Person*, animal, the *Natural Environment*, *Property*, vegetation, in which case the termination shall be effective immediately upon receipt of the written notice of termination by the *Discharger*; and/or
 - (b) at any time where, in the opinion of the *City*, the *Discharger* fails or neglects to implement or pursue implementation of the actions required under the approved *Compliance Program* or otherwise fails to comply with the terms and conditions of an *Approval*, in which case the termination shall be effective immediately upon receipt of the written notice of termination.
- (4) Where required by the *City* pursuant to an approved *Compliance Program*, the *Discharger* shall install at the *Site*, and prior to the sampling point, a *Sewage Pre-Treatment* facility at the *Discharger's* expense and within specified timeframe.
- (5) A *Discharger* who is the subject of an approved *Compliance Program* in accordance with this section shall not be prosecuted for a contravention under section 5.0 of this By-law for the *Discharge* of *Sewage* to the extent set out in the approved *Compliance Program* during the term of the approved *Compliance Program*, provided that such *Discharge* is in compliance with the approved *Compliance Program*.
- (6) Where necessary, in the opinion of the *City*, the *Discharger* shall provide, at his expense, such preliminary treatments as may be necessary to reduce objectionable characteristics or constituents to within the limits established by the By-law.
- (7) Plans, specifications and any other pertinent information related to a *City Compliance Program* shall be submitted for the *Approval* of the *City* and no construction of such facilities shall be commenced until said *Approvals* are obtained in writing.

11.0 Pollution Prevention Plan

- (1) The *City* may, by written notice, require a *Discharger* to develop a *Pollution Prevention Plan* for

the *Discharge* of one or more of any of the parameters listed in Schedule "A" of this By-law or any other parameter that may be designated by the *City* with respect to the *Site* from which the *Discharge* occurs, where:

- (a) the *Discharger* is or has been non-compliant with section 5.0 of this By-law;
 - (b) the *Discharger* is or has been non-compliant with section 6.0 of this By-law;
 - (c) the *Discharger* is or has been in an approved *Compliance Program* with the *City*; or
 - (d) the *Discharger* is or has been responsible for one or more *Spill(s)* to a *Sewage Works*.
- (2) A *Pollution Prevention Plan* shall comply with any guidelines that the *City* may establish.
- (3) A *Pollution Prevention Plan* shall be completed by the *Discharger* and submitted to the *City* for *Approval* within six (6) calendar months of notification by the *City* that a *Pollution Prevention Plan* is required.
- (4) The *Discharger* shall keep a copy of the current approved *Pollution Prevention Plan* at the *Site* in respect of which it was prepared and shall make the approved *Pollution Prevention Plan* available for review by a *Municipal Law Enforcement Officer* and, upon request, shall provide a copy of the approved *Pollution Prevention Plan* in the requested manner and format at no charge to the *City*.
- (5) The *City* may exempt a *Discharger* from the requirements to develop a *Pollution Prevention Plan* where the *Discharger* has implemented and maintains a currently registered ISO 14001 Program which is accredited by the *Standard Council* of Canada or the Registrar Accreditation Board and which is currently accredited by a third-party auditor. If such an exemption is made, the *Discharger* shall keep a copy of the registered ISO 14001 Program at the *Site* and shall make it available for review by a *Municipal Law Enforcement Officer* and, upon request, shall provide a copy in the requested manner and format, at no charge to the *City*.

12.0 Sampling and Analytical Requirements

- (1) The *City*, by written notice, may require a *Discharger*, at the *Discharger's* expense, to monitor, sample and/or analyze, in accordance with the procedures and methods set out in *Standard Methods* and through an *Accredited Laboratory*, one or more *Discharges* from a *Site* and submit the analysis, results and/or the samples to the *City* by the date set out in the notice.
- (2) The *City* may establish non-compliance with this By-law on the basis of a *Grab Sample* or a *Composite Sample* of a *Discharge*, which may contain additives for its preservation, that may be collected manually or by using an automatic sampling device and analyzed in accordance with

the procedures and methods set out in *Standard Methods*.

- (3) For each of the metals whose concentration is limited in Schedule "A", the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- (4) Where there is no *Maintenance Access Hole* meeting the requirements of section 19.0 of this By-law, the *City* may, by given a written notice to the *Discharger*, make use of an alternative device for the purpose of sampling a *Discharge* to the *Sewage Works*.

13.0 Spills

- (1) *Every Person Having Control of a Pollutant* that is spilled and every *Person* who spills or causes or allows a *Spill* of a pollutant shall forthwith notify the following persons of the *Spill*, of the circumstances thereof, and of the action that the *Person* has taken or intends to take with respect the *Spill*:
 - (a) the *City*;
 - (b) the Ministry of the Environment, Conservation and Parks;
 - (c) where the *Person* is not the *Owner* of the pollutant and knows or is able to ascertain readily the identity of the *Owner* of the pollutant, the *Owner* of the pollutant; and
 - (d) where the *Person* is not the *Person Having Control of the Pollutant* and knows or is able to ascertain readily the identity of the *Person Having Control of the Pollutant*, the *Person Having Control of the Pollutant*.
- (2) In the event of a *Spill* to a *Sewage Works*, *Every Person Having Control of a Pollutant* or the *Person* who caused or permitted the *Spill* shall provide any information with respect to the *Spill* which the *City* advises it requires and complete any work the *City* may require to mitigate the *Spill*.
- (3) Notwithstanding section 13.0(1) herein, the *Person* who caused or permitted the *Spill* shall do everything possible to stop and contain the *Spill*, protect the health and safety of the public and adjacent occupants, minimize damage to *Property*, protect the *Natural Environment*, mitigate actual and potential impacts, clean-up the *Spill* and remediate and restore the affected area to its condition prior to the *Spill* event.
- (4) Within five (5) calendar days after the first occurrence of the *Spill*, the *Person* who gave notice under section 13.0(1) herein shall provide a written report on the *Spill* to the *City* containing information to the best of the *Person's* knowledge including:
 - (a) location where the *Spill* occurred;

- (b) name and phone number of the *Person* who reported the *Spill* and location where such *Person* can be contacted;
 - (c) date and time of *Spill*;
 - (d) *Substance* that was Spilled;
 - (e) physical and chemical characteristics of the *Spilled Substance*;
 - (f) volume of the *Substance* Spilled;
 - (g) duration of the *Spill* event;
 - (h) any relevant information regarding the cause of the *Spill* or the circumstances surrounding the *Spill* event;
 - (i) work completed, in progress and/or to be undertaken to mitigate the *Spill*;
 - (j) prevention actions being taken to ensure the situation does not occur again; and
 - (k) impact of the *Spill* or any other information in relation to the *Spill* the *City* may indicate.
- (5) If a *Person* to whom this section applies is not able to provide or otherwise does not provide all of the information required by sections 13.0(1) and 13.0(3) herein, the *Person* shall take all reasonable steps to ascertain the missing information and provide it immediately to the *City*.
- (6) If a *Person* to whom this section applies becomes aware that any information provided to the *City* pursuant to sections 13.0(1) and 13.0(3) herein was inaccurate or is no longer accurate, the *Person* shall immediately notify the *City* of the inaccuracy and provide corrected information.
- (7) Industries, at whose premises a *Spill* to the municipal *Sewage Works* of a subject pollutant has occurred and who are required to have a *Pollution Prevention Plan* pursuant to section 11.0 shall prepare an updated plan incorporating the information and shall submit it, in writing, to the *City* within 30 days of the *Spill*.
- (8) The *Spill* reporting requirements set out in this section are in addition to and do not replace any other reporting obligations imposed upon a *Person* by federal or provincial legislation.

14.0 Confidential Information

- (1) All information submitted to and collected by the *City* under the authority of this By-law, including but not limited to information contained in or obtained through *Discharger* Information Reports, *Pollution Prevention Plans*, *Compliance Programs*, *kl Agreements*, applications, inspection, monitoring or sampling activities will, except where otherwise provided in this section, be available for disclosure to the public in accordance with the *Municipal Freedom of Information and Protection of Privacy Act, 2001*, S.O. 2001, c. 25 ("MFIPPA"), as amended.

- (2) In the event that any *Person* is submitting information, in any form, to the *City* as required under this By-law where such information is confidential or proprietary or otherwise may be exempt from disclosure under MFIPPA, the *Person* submitting the information shall so identify that information upon its submission to the *City* and shall provide sufficient details as to the reason for its purported exemption from disclose.

15.0 Dental Waste Amalgam Separators

- (1) Every *Person* who owns or operates a dental practice shall comply with the *Dentistry Act*, for the management and disposal of amalgam waste.
- (2) A maintenance schedule and record of maintenance shall be made available for review by a *Municipal Law Enforcement Officer* and, upon request, a copy shall be provided to an *Municipal Law Enforcement Officer* in the manner and format requested, at no charge to the *City*, for each *Dental Amalgam Separator* installed.
- (3) A record of inspection and any documentation certifying the installation of a *Dental Amalgam Separator* shall be provided upon request to a *Municipal Law Enforcement Officer* and, a copy of the documentation shall also be provided in the requested manner and format at no charge to the *City*.

16.0 Food-related Oil and Grease *Interceptors*

- (1) Every *Discharger* whose *Site* is, or contains, a restaurant or other *Industrial* premises where food is cooked, processed or prepared shall take all necessary measures to ensure that oil and grease are prevented from discharging to:
- (a) a *Sanitary Sewer* in excess of the limits in Table 1 as set out in Schedule "A" of this By-law; or
 - (b) a *Storm Sewer* or *Land Drainage Works*.
- (2) A *Discharger* to whom this section applies shall install, operate, and properly maintain, in accordance with the requirements of this section, an oil and grease *Interceptor* in any piping system at its *Site* that connects directly or indirectly to a *Sewage Works*.
- (3) The installation and operation of each oil and grease *Interceptor* shall be:
- (a) in compliance with the current requirements of the *Building Code Act* and its regulations; and
 - (b) in accordance with the requirements of the *CAN/CSA B481 Standards*.

- (4) The *Discharger* shall ensure all oil and grease *Interceptors* are maintained in good working order, including the requirements that every oil and grease *Interceptor* shall:
- (a) be tested and maintained in accordance with the requirements of *CAN/CSA B481 Standards*;
 - (b) have the maintenance requirements posted at the *Site* in a conspicuous location in proximity to the oil and grease *Interceptor*; and
 - (c) be cleaned before the thickness of the organic material and solids residuals becomes greater than twenty-five percent of the available volume, with a cleaning frequency of at least once every four weeks.
- (5) The *Discharger* must provide the maintenance schedule and record of maintenance for each oil and grease *Interceptor* upon request to a *Municipal Law Enforcement Officer* and, a copy shall also be provided in the requested manner and format at no charge to the *City* and must keep documentation of proof of *Interceptor* clean-out and oil and grease disposal at the *Site* for a minimum of two years.
- (6) Where a *Discharger* fails to adequately maintain the oil and grease *Interceptor* to the satisfaction of the *City*, the *City* may require an alarmed monitoring device or such other device to be installed at the expense of the *Discharger* which the *Discharger* shall then install at its expense, in accordance with specifications of *CAN/CSA B481 Standards*.
- (7) No *Discharger* shall *Discharge* or cause or permit the *Discharge* of emulsifier to an *Interceptor* to which this section applies.
- (8) No *Discharger* shall use or cause or permit the use of the following to facilitate the passage of oil and grease through an *Interceptor* to which this section applies, except where a fixture is installed in accordance with the *Building Code Act* and its regulations:
- (a) enzymes;
 - (b) bacteria;
 - (c) solvents;
 - (d) hot water; or
 - (e) other agents.

17.0 Vehicle and Equipment Service Facility Oil and Grease *Interceptors*

- (1) Every *Discharger* whose *Site* is a vehicle or equipment service station, repair shop, garage, or other *Industrial* premises where motor vehicles are repaired, lubricated, washed, or maintained

shall take all necessary measures to ensure that oil and grease are prevented from discharging to a *Sanitary Sewer* in excess of the limits in Table 1 as set out in Schedule "A" of this By-law or a *Storm Sewer* or *Land Drainage Works*.

- (2) A *Discharger* to whom this section applies shall install, operate, and properly maintain, in accordance with the requirements of this section, an oil and grease *Interceptor* in any piping system at its *Site* that connects directly or indirectly to a *Sewage Works*.
- (3) Each oil and grease *Interceptor* required to be installed under this section shall be installed in compliance with the current requirements of the *Building Code Act* and its regulations and in accordance with the requirements of *CAN/CSA B481 Standards*.
- (4) The *Discharger* shall ensure all oil and grease *Interceptors* are maintained in good working order, including the requirements that every oil and grease *Interceptor* shall:
 - (a) be maintained as recommended by the Canadian Petroleum Products Institute and in accordance with the manufacturer's guidance and recommendations;
 - (b) be inspected regularly to ensure performance is maintained and to ensure the surface oil, grease and sediment levels do not exceed the recommended level; and
 - (c) have the maintenance requirements posted at the *Site* in a conspicuous location in proximity to the oil and grease *Interceptor*.
- (5) The *Discharger* must provide the maintenance schedule and record of maintenance for each oil and grease *Interceptor* upon request to a *Municipal Law Enforcement Officer* and, a copy shall also be provided in the requested manner and format at no charge to the *City* and must keep documentation of proof of *Interceptor* clean-out and oil and grease disposal at the *Site* for a minimum of two years.
- (6) Where a *Discharger* fails to adequately maintain the oil and grease *Interceptor* to the satisfaction of the *City*, the *City* may require an alarmed monitoring device, or such other device be installed at the expense of the *Discharger*.
- (7) No *Discharger* shall *Discharge* or cause or permit the *Discharge* of emulsifier to an *Interceptor* to which this section applies.
- (8) No *Discharger* shall use or cause or permit the use of the following to facilitate the passage of oil and grease through an *Interceptor* to which this section applies except, where a fixture is installed in accordance with the *Building Code Act* and its regulations:
 - (a) enzymes;

- (b) bacteria;
- (c) solvents;
- (d) hot water; or
- (e) other agents.

18.0 Sediment Interceptors

- (1) Where sediment may be *Discharged* to a *Sewage Works* from the *Site* of a *Discharger*, including but not limited to *Sites* using a ramp *Drain* or area *Drain* and vehicle wash establishments, the *Discharger* shall take all necessary measures including an installation of *Sediment Interceptor*, if required to ensure that such sediment is prevented from discharging to:
 - (a) a *Sanitary Sewer* in excess of the limits in Table 1 as set out in Schedule "A" of this By-law; or
 - (b) a *Storm Sewer* in excess of the limits in Table 2 as set out in Schedule "A" of this By-law.
- (2) A *Discharger* shall ensure that all *Sediment Interceptors* are maintained in good working order, including the requirements that every *Sediment Interceptor* shall be:
 - (a) maintained in accordance with the manufacturer's guidance and recommendations; and
 - (b) inspected regularly to ensure performance is maintained to the manufacturer's specifications.
- (3) The *Discharger* must provide the maintenance schedule and record of maintenance for each *Sediment Interceptor* upon request to a *Municipal Law Enforcement Officer* and, a copy shall also be provided to the *City* in the manner and format requested at no charge to the *City* and must keep documentation of *Interceptor* clean-out and sediment disposal at the *Site* for a minimum of two (2) years.

19.0 Maintenance Access Holes

- (1) A *Discharger* of *Commercial*, *Institutional*, or *Industrial* premises or multi-storey residential buildings with one or more sewer *Connections* to a *Sewage Works*, at the *Discharger's* expense, shall install or cause to install a *Maintenance Access Hole* for each *Connection* for the purpose of inspection, sampling, maintenance, flushing, and measurement of the flow of *Discharges* therein in accordance with the requirements of this section.
- (2) Notwithstanding section 19.0(1) herein, where the installation of a *Maintenance Access Hole* is not possible or is not acceptable to the *City*, an alternative device may be substituted with an

Approval or Permit of the City.

(3) A *Maintenance Access Hole* or an alternative device shall be, located inside the *Property* line of the *Discharger's Site* as per the *City's* Engineering Design Criteria and Standards, unless the *City* provides written *Approval or Permit* for a different location:

- (a) designed and constructed as per the *City's* Engineering Design Criteria and Standards;
- (b) accessible at any time to the *City*, with a clear pathway free of *Obstructions*, for the purpose of inspection, sampling, and measurement of the flow of *Discharges* therein; and
- (c) maintained by the *Discharger* in good working condition, and when necessary, shall replace a *Maintenance Access Hole*, alternative device, or facility, at the *Discharger's* expense.

20.0 Private Sewage Disposal Systems

- (1) Except as hereinafter provided, it shall be unlawful to construct or maintain any *Private Sewage Disposal System*.
- (2) Where no municipal *Sanitary Sewer* is available adjacent to a *Property*, the building sewer shall be connected to a *Private Sewage Disposal System* to contain the *Sewage* and the private disposal system shall be installed and maintained in compliance with all applicable acts, legislation, regulations, and by-laws.
- (3) The *Owner* or occupier of such *Property* shall operate and maintain the *Private Sewage Disposal System* facilities in a sanitary manner at all times and at no expense to the *City*.
- (4) At such time as a *Sanitary Sewer* becomes available to a *Property* served by a *Private Sewage Disposal System*, if notice has been given by the *City*, a direct *Connection* shall be made to the *Sanitary Sewer* in compliance with this By-law and the *Building Code Act* and its regulations, at the *Owner's* expense, and any private disposal facilities shall be abandoned and filled in compliance with all applicable legislation, regulations, and by-laws.

21.0 Sewer Connections

Application and Payment

- (1) No *Person* shall connect or cause to or allow to connect any *Private Sewer Connection* to any *Municipal Sewer Connection*, including any reconnection of an existing *Private Sewer Connection*, without the written *Approval* of the *City* and compliance with the requirements of this By-law.
- (2) No sewer *Connection* shall be constructed on any road allowance, *Easement*, or other public

land, except by the *City* or, where authorized in writing by the *City*, under a written agreement satisfactory to the *City*.

- (3) The *Owner* or *Owner's* agent of the *Property* seeking a new *Municipal Sewer Connection* shall make an application on in the prescribed form to the *City*, shall make engineering submissions satisfactory to the *City*, and shall be responsible for all of the fees applicable which shall be determined by the *City*.
- (4) If the *Owner* or *Owner's* agent requests to use the existing *Connection*, the *City* will carry out a CCTV (closed circuit television) inspection, at the *Owner's* expense, along the entire municipal portion of the sewer *Connection*, and to ensure that the sewer *Connection* is free of structural and operational defects and it is in accordance with the *City's* current Engineering Design Criteria and Standard Drawings as well as the requirements of this By-law.
- (5) Whenever a building or structure on a *Property* is demolished, any unused *Municipal Sewer Connection(s)* serving the *Property* shall be disconnected and capped. The *Owner* or *Owner's* agent of the *Property* shall make an application in the prescribed form to the *City*, shall make engineering submissions satisfactory to the *City*, and shall be responsible for all of the fees applicable which shall be determined by the *City*.
- (6) A single *Municipal Sewer Connection* will be allowed for a *Property* with multiple units, subject to the *Approval* of the *City*.
- (7) Any *Person* who requires an additional *Municipal Sewer Connection* to be supplied to a *Property* or a change or an alteration to the existing *Municipal Sewer Connection* to a *Property* shall submit an application for such addition, change or alteration to the *City*. Such application shall be accompanied by engineering studies, monitoring reports, drainage plans, grading plans, engineering plans and other detailed documentation and information as may be required by the *City*.

Installation of Sewer *Connection* and Disconnection Works

- (8) Upon *Approval* by the *City* of an application submitted under section 21.0(1) herein, a *Municipal Sewer Connection* or disconnection works shall be performed by the *City*, at the expense of the *Owner*, in accordance with the standards and specifications and upon such conditions, rates, fees, charges and costs as may be prescribed or determined by the *City*.
- (9) The *City*, a *Municipal Sewer Connection* may be installed by the *Owner's* contractor who has been pre-qualified to carry out the work and the installation should be in accordance with the *City's* standards and specifications, as may be amended. The *Owner* of the *Property* shall pay

for the cost of the *City's* inspection and administration, the amount of which shall be determined by the *City*.

Sewer Connections through Neighboring *Private Lands*

- (10) Where an *Owner* or *Owner's* agent of a *Property* requires a sewer *Connection* through neighboring *Private Lands*, the *Owner* shall obtain a written authorization from those *Property Owners* and shall obtain a private *Easement* over the neighboring *Private Lands*, to the satisfaction of the *City*, for the construction, operation, maintenance and replacement of the sewer *Connection* and its appurtenances at the *Owner's* expenses.
- (11) No such sewer *Connection* shall be constructed without first obtaining the authorization from those *Property Owners* and a private *Easement* over the said *Properties*.

Inflow of Storm Water into a Sanitary Sewer

- (12) The *Owner* of any building which has a roof leader discharging *Storm Water*, either directly or indirectly, into the *Sanitary Sewer* shall disconnect the down-spout pipe at grade and shall convey the *Storm Water* away from the building in such a way that the *Storm Water* will not accumulate at or near the building and will not have an *Adverse Effect* on adjacent *Properties*.

Storm Water Drainage

- (13) An *Owner* of the premises shall *Discharge Storm Water*, at grade away from any building or structure on that *Property* in such a manner that the *Storm Water* will not accumulate at or near the building or structure and will not have an *Adverse Effect* on adjacent *Properties* or create a hazardous condition.
- (14) For any new or reconstructed buildings, no *Person* shall construct, install, maintain, or cause or permit to be constructed installed or maintained, the direct or indirect *Connection* of any *Roof Water Leader* into storm drainage system.
- (15) Buildings designed with *City-approved* clean water collection systems may not be subject to 21.0(13) and 21.0(14), with such determination being made by the *Director of Environmental Services* or the *Director of Development Engineering*.
- (16) Unless approved by the *City*, no *Person* shall permit or maintain the direct or indirect *Connection* of any *Roof Water Leader* into the storm drainage system.
- (17) An *Owner* may make an application to the *City* for an exemption from the terms and conditions of section 21.0(15) herein, where compliance with those provisions would create a hazardous condition or is not technically feasible.

- (18) Where an *Owner* makes an application for an exemption under the terms and conditions of section 21.0(17) herein, the *Owner* shall supply such plans, photographs, and other documentation as the *City* may request.
- (19) The *Owner* shall be responsible for maintenance of rear-yard catch basins, infiltration trenches/galleries, soak-away pits or other grassed swales located on private lands.
- (20) Any *Discharge to Storm Sewer* must meet quantity and erosion requirements as per *City-approved* Engineering Design Criteria, and shall be consistent with the approved watershed requirements, as provided by the *City* and other approval agencies having jurisdiction.
- (21) No *Owner* of *Industrial, Commercial or Institutional* premises shall alter any *Storm Water* control installed on the *Property* which may increase design peak flow rates of *Storm Water* or impair the quality of *Storm Water Discharged* to a *Storm Sewer*.
- (22) *Discharge* from *Storm Sewer* systems not connecting to end-of-pipe quality treatments shall, in addition to meeting the contaminant limits in Table 2 as set out in Schedule "A" of this By-law, meet Enhanced Level of protection (80% long term Suspended Solid removal) as per the *Ministry of the Environment, Conservation and Parks' Storm Water* Management Planning and Design Manual (2003), as amended.

Discharge from Groundwater Drainage Systems

- (23) No direct or indirect *Connection* between a *Groundwater* drainage system and the private sanitary drainage system is permitted, unless permitted by the *City* prior to the enactment of this By-law.
- (24) No *Owner* of *Industrial, Commercial or Institutional* premises shall do anything which may increase design peak flow rates of *Storm Water* or impair the quality of *Storm Water Discharged* to a *Storm Sewer*.
- (25) The *Groundwater* drainage system set out in this section shall be installed and maintained by the *Owner* or operator of the *Property*, at his or her sole expense.
- (26) The *Discharger* shall ensure any temporary and permanent *Discharge* facilities shall abide by the *Approval* requirements in the *City-approved* Engineering Design Criteria, and *Discharge Activities* discharging into the *City's Sewage Works* shall be subject to an *Approval* for either *Permanent (Long-Term) Private Water Discharge* or *Temporary (Short-Term) Private Water Discharge* issued in accordance with sections 5.1 or 6.1 of this By-law.

22.0 Sewage Rates and Charges

- (1) No *Person* may own or maintain any private sewer line or *Connection* that *Drains* or *Discharges* into *Sewage Works* without paying the applicable service fees to the *City* in the amount as set-out in the *Fees and Charges By-law*.

23.0 General Prohibition and Liability for Damages

Protection from Damage or Alteration

- (1) No *Person* shall uncover, make any *Connection* with, open into, break, alter, damage, destroy, deface, or tamper or cause or permit the breaking, damaging, destroying, defacing, or tampering with any part of a *Sewage Works*; or any permanent or temporary device installed in any part of the *Sewage Works* for the purposes of flow measuring, flow control, sampling and testing of *Sewage*, *Uncontaminated Water* or *Storm Water*.

Damage to the Sewage Works

- (2) Any *Person* or *Discharger* discharging *Sewage*, *Uncontaminated Water* or *Storm Water* to the municipal *Sewage Works* shall be responsible for ensuring that such *Sewage*, *Uncontaminated Water* or *Storm Water* conforms at all times to the provisions of this By-law and shall be liable for any damages or expense arising out of his failure to properly check and control such *Discharge*, including the cost of investigation, repairing or replacing any part of any municipal *Sewage Works* damaged thereby and for any damages or injury to any *Person* or *Property* caused by such *Discharge*.

Unauthorized Entry to Sewage Works

- (3) No *Person* shall enter the *Sewage Works* unless specifically authorized by the *City* in writing.

Removal of *Maintenance Access Hole* Covers

- (4) No *Person* shall remove or tamper with, or cause or permit the removal of or tampering with, any *Maintenance Access Hole* cover or other opening into the *Sewage Works* unless specifically authorized by the *City* in writing.

24.0 Rebuttable Presumption

- (1) In a prosecution by the *City* for a contravention of this By-law, unless rebutted by evidence to the contrary on a balance of probabilities, a *Person* who owns, is in occupation of or who has charge management or control of a *Property* from which a *Discharge* occurs or who has charge, management or control of *Sewage*, *Storm Water*, *Uncontaminated Water*, or other *Substance* regulated by this By-law, shall be presumed to have *Discharged*, caused, or permitted a

Discharge.

25.0 Fees

- (1) Any municipal service fees for the administration and enforcement of this By-law shall be in accordance with the *Fees and Charges By-law*.
- (2) Additional fees applicable to this By-law, not noted in the *Fees and Charges By-law*, may be imposed by the *City*.
- (3) Service fees for the administration and enforcement of this By-law may be applied when a contravention has been confirmed by a *Municipal Licensing Enforcement Officer*.

26.0 Offences

- (1) Every *Person* who does the following is guilty of an offence and is liable, upon conviction, of the penalties and fine stated in this By-law:
 - (a) contravenes any of the provisions of this By-law, or
 - (b) fails to comply with an *Order* issued under this By-law, or
 - (c) obstructs or attempts to obstruct a *Municipal Law Enforcement Officer* or any employee or agent of the *City* in carrying out his duties under this By-law.
- (2) If there is a contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.
- (3) If an *Order* has been issued under this By-law, and the *Order* has not been complied with, the contravention of the *Order* shall be deemed to be a continuing offence for each day or part of a day that the *Order* is not complied with.
- (4) For the purposes of this By-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.

27.0 Penalties

- (1) Pursuant to Section 429 of the *Municipal Act*, every *Person* who is guilty of an offence under this By-law shall be subject to the following penalties:
- (2) Upon a first conviction, to a fine not more than \$25,000.00;
- (3) Upon a second or subsequent conviction for the same offence, to a fine not more than \$50,000.00;

- (4) Upon conviction for a continuing offence, to a fine of not more than \$10,000.00 for each day or part of a day that the offence continues and the total of all daily fines for the offence shall not be limited to \$100,000.00.
- (5) Where a *Person* convicted of an offence under this By-law is a corporation, then the corporation is liable:
- (6) Upon a first conviction, to a fine not more than \$50,000.00;
- (7) Upon a second or subsequent conviction for the same offence, to a fine not more than \$100,000.00;
- (8) Upon conviction for a continuing offence, to a fine of not more than \$10,000.00 for each day or part of a day that the offence continues and the total of all daily fines for the offence shall not be limited to \$100,000.00.

28.0 Administrative Monetary Penalties

- (1) Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c. P.33 for a breach of any provisions of this By-law, a *Municipal Law Enforcement Officer* may issue an administrative monetary penalty to the *Person* who has contravened this By-law.
- (2) If a *Person* is required to pay an administrative monetary penalty under section 27.0(1), no charge shall be laid against that same *Person* for the same violation.
- (3) The amount of the administrative monetary penalty for a breach under this By-law is listed in Schedule "B".
- (4) A *Person* who is issued an administrative monetary penalty shall be subject to the procedures provided for in the *Administrative Monetary Penalties By-law*.
- (5) An administrative monetary penalty imposed on a *Person* that becomes a debt to the *City* under the *Administrative Monetary Penalties By-law* may be added to the municipal tax roll and collected in the same manner as municipal taxes.

29.0 Special Fine

- (1) In addition to any other penalties under sections 27.0 and 28.0, or a combination of the foregoing, every *Person* who gains an economic advantage or economic gain from contravening this by-law shall be liable to a special fine in an amount equal to the fair market value of the economic advantage or economic gain so obtained from contravention.

30.0 Powers of Entry, Inspection and Enforcement

- (1) Pursuant to Sections 435, 436 and 438 of the *Municipal Act*, the *City* may enter on a *Property* or lot at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) the provisions of this By-law;
 - (b) a *Compliance Program* or *Pollution Prevention Plan* approved or authorized under this By-law;
 - (c) an *Order* issued under this By-law; or
 - (d) any other *Approval* or *Permit* issued by the *City* under section 5.1 or section 6.1 of this By-law to permit the *Discharge* of a *Substance* that would otherwise be prohibited by this By-law.
- (2) Pursuant to Section 435 of the *Municipal Act*, the *City's* power of entry may be exercised by an employee, officer, or agent of the *City*, or by a member of the York *Regional* Police Service, as well as by any *Person* under his direction.
- (3) When entering a *Property* under this By-law, the *Person* exercising the power of entry:
 - (a) shall provide identification to any *Person* requesting identification during the course of the entry;
 - (b) may be accompanied by a *Person* or *Persons* under his direction; and
 - (c) shall not enter or remain in any room or place actually used as a dwelling unless at least one of the conditions set out in section 437 of the *Municipal Act* is met.
- (4) Where an inspection is conducted by the *City*, the *Person* conducting the inspection may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any *Person* concerning a matter related to the inspection including their name, address, phone number and identification; or
 - (d) alone or in conjunction with a *Person* possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- (5) No *Person* shall refuse or neglect to give, produce or deliver any access, information, document, or other thing that is requested by a *Municipal Law Enforcement Officer* in the performance of their duties.

- (6) No *Person* shall hinder or obstruct or attempt to hinder or obstruct the *City*, its *Municipal Law Enforcement Officers*, employees, or agents from carrying out any powers or duties under this By-law.
- (7) No *Person* shall orally, in writing or electronically, give or submit false or misleading information in any statement, document or data, to any *Municipal Law Enforcement Officer*, the *City*, any employee or agent of the *City* or any *Person* involved in any matter related to this by-law.
- (8) No *Person* shall include false or misleading information in any document or data required to be created, stored, or submitted under this by-law.

Cost Recovery

- (9) Where the *City*, its employees or authorized agents have performed the work required to bring the *Property* into compliance with the By-law, all expenses incurred by the *City* in doing the work as well as any related fees, shall be deemed to be a debt to the *City* and may be collected by action or the costs may be added to the tax roll for the *Property* and collected in the same manner as taxes.

Collection of Unpaid Fines

- (10) Pursuant to Section 441.1 of the *Municipal Act*, the treasurer of a municipality may add any part of a fine for a commission of a provincial offence that is in default under Section 69 of the *Provincial Offences Act* to the tax roll for any *Property* in the local municipality of which all of the *Owners* are responsible for paying the fine and collect it in the same manner as municipal taxes.

31.0 Order to Comply

- (1) An Officer who finds a contravention of this By-law may give a written *Order* to the *Owner* of the *Property* requiring immediate compliance with this By-law and/or to do work to correct the contravention of this By-law within the time period specified in the *Order*.
- (2) The *Order* in 31.0(1) may be served personally on the *Person* to whom it is directed or by registered mail to the last known address of that *Person*, including but not limited to, the registered *Property Owner* or the *Person* in control or possession of the *Property*, in which case it shall be deemed issued on the fifth day after it is mailed.

32.0 Limitation

- (1) Nothing in this By-law shall be so construed as to permit anything, which by the provisions of

any applicable act, regulation or by-law is otherwise prohibited.

(2) This By-law shall not apply to *Discharges*, activities or matters undertaken by the *Region* or the *City*.

(3) Nothing in this By-law shall be deemed to be contrary to the *Regional Sewer Use By-law*.

33.0 Severability

(1) Notwithstanding any section or sections of this By-law, or any part or parts thereof, may be found by a court of competent jurisdiction to be invalid or beyond the power of the *Council* to enact, such section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this By-law, or parts thereof, are separate and independent there from and shall continue to be enforceable.

34.0 Schedules

(1) Schedule "A" and "B" form part of this By-law.

35.0 Repeal

(1) By-laws 087-2016, and amending by-laws, 156-2021 and 157-2021 are hereby repealed.

36.0 Force and Effect

(1) This By-law shall come into force and effect upon the date it is passed by *Council*.

Enacted by *City of Vaughan Council* this 28th day of June, 2022.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, *City Clerk*

Authorized by Item No. # of Report No. #
Of the Committee of #
Adopted by Vaughan *City Council* on June 28, 2022.

Schedule “A” – Limits for Sewer Discharge

Table 1 - Limits for Sanitary Sewer Discharge

Type of Parameter	Parameter	Limit
Conventional	Biochemical Oxygen Demand (BOD)	300.0 mg/L
	Total Kjeldahl Nitrogen	100.0 mg/L
	Oil & Grease - Mineral & Synthetic	15.0 mg/L
	Oil & Grease - Animal & Vegetable	150.0 mg/L
	Phenolics (4AAP)	1.0 mg/L
	Phosphorus (Total)	10.0 mg/L
	Suspended Solids (Total)	350.0 mg/L
Other	Cyanide (Total)	2.0 mg/L
	Fluoride	10.0 mg/L
	Sulphate	1500.0 mg/L
	Chlorides	1500.0 mg/L
Metals	Aluminum (Total)	50.0 mg/L
	Antimony (Total)	5.0 mg/L
	Arsenic (Total)	1.0 mg/L
	Cadmium (Total)	0.7 mg/L
	Chromium (Total)	2.0 mg/L
	Cobalt (Total)	5.0 mg/L
	Copper (Total)	3.0 mg/L
	Lead (Total)	1.0 mg/L
	Manganese (Total)	5.0 mg/L
	Mercury (Total)	0.01 mg/L
	Molybdenum (Total)	5.0 mg/L
	Nickel (Total)	2.0 mg/L
	Selenium (Total)	1.0 mg/L
	Silver (Total)	5.0 mg/L
	Tin (Total)	5.0 mg/L
	Titanium (Total)	5.0 mg/L
	Zinc (Total)	2.0 mg/L
Organics	Benzene	10.0 ug/L
	Chloroform	40.0 mg/L
	1,2-dichlorobenzene	50.0 ug/L
	1,4-dichlorobenzene	80.0 ug/L
	Cis-1,2-dichloroethylene	4,000.0 ug/L
	Trans-1,3-dichloropropylene	140.0 ug/L
	Ethylbenzene	160.0 ug/L
	Methylene chloride	2,000.0 ug/L
	1,1,2,2,-tetrachloroethane	1,400.0 ug/L
	Tetrachloroethylene	1,000.0 ug/L
	Toluene	270.0 ug/L
	Trichloroethylene	1,000.0 ug/L
	Xylenes (Total)	1,400.0 ug/L
	Di-n-butyl phthalate	80.0 ug/L
	Bis(2-ethylhexyl) phthalate	12.0 ug/L
	PCBs	1.0 ug/L
	Methyl Ethyl Ketone	8000.0 ug/L
	Styrene	200.0 ug/L
	Nonylphenols	20.0 ug/L
	Nonylphenol ethoxylates	200.0 ug/L
	Total PAH's	5.0 ug/L

Table 2 - Limits for *Storm Sewer Discharge*

Type of Parameter	Parameter	Limit
Conventional	<i>Biochemical Oxygen Demand (BOD)</i>	15.0 mg/L
	Total Kjeldahl Nitrogen	1.0 mg/L
	<i>Phenolics</i> (4AAP)	0.008 mg/L
	Phosphorus (Total)	0.400 mg/L
	Suspended Solids (Total)	15.0 mg/L
Other	Cyanide (Total)	0.020 mg/L
	Fluoride	1.0 mg/L
	Sulphate	150 mg/L
	Chlorides	150 mg/L
	Chlorine	0.010 mg/L
Metals	Aluminum (Total)	5.0 mg/L
	Antimony (Total)	0.500 mg/L
	Arsenic (Total)	0.020 mg/L
	Cadmium (Total)	0.008 mg/L
	Chromium (Total)	0.080 mg/L
	Cobalt (Total)	0.500 mg/L
	Copper (Total)	0.050 mg/L
	Lead (Total)	0.120 mg/L
	Manganese (Total)	0.150 mg/L
	Mercury (Total)	0.0004 mg/L
	Molybdenum (Total)	0.500 mg/L
	Nickel (Total)	0.080 mg/L
	Selenium (Total)	0.020 mg/L
	Silver (Total)	0.120 mg/L
	Tin (Total)	5.0 mg/L
	Titanium (Total)	0.500 mg/L
	Zinc (Total)	0.040 mg/L
Organics	Benzene	2.0 ug/L
	Chloroform	2.0 mg/L
	1,2-dichlorobenzene	5.6 ug/L
	1,4-dichlorobenzene	6.8 ug/L
	Cis-1,2-dichloroethylene	5.6 ug/L
	Trans-1,3-dichloropropylene	5.6 ug/L
	Ethylbenzene	2.0 ug/L
	Methylene chloride	5.2 ug/L
	1,1,2,2,-tetrachloroethane	17 ug/L
	Tetrachloroethylene	4.4 ug/L
	Toluene	2.0 ug/L
	Trichloroethylene	8.0 ug/L
	Xylenes (Total)	4.4 ug/L
	Di-n-butyl phthalate	15.0 ug/L
	Bis(2-ethylhexyl) phthalate	8.8 ug/L
	<i>PCBs</i>	0.4 ug/L
	Methyl Ethyl Ketone	2.0 ug/L
	Styrene	20.0 ug/L
	Nonylphenols	2.0 ug/L
	Nonylphenol ethoxylates	20.0 ug/L
	Total PAH's	2.0ug/L

Schedule “B” – Offences and Corresponding Administrative Monetary Penalties

Section	Description	Fine Amount
5.0(1)(a)(i)	<i>Discharge</i> of a <i>Substance</i> that may cause or result in a health or safety hazard to a <i>Person</i> authorized to inspect, operate, maintain, repair or otherwise work on, in or around a <i>Sewage Works</i>	\$600
5.0(1)(a)(ii)	<i>Discharge</i> a <i>Substance</i> that may cause or result in a hazard or other <i>Adverse Effect</i> to any <i>Person</i> , animal, <i>Property</i> , vegetation or the <i>Natural Environment</i>	\$600
5.0(1)(a)(iii)	<i>Discharge</i> a <i>Substance</i> that may cause or result in an offence under the <i>Ontario Water Resources Act</i> or the <i>Environmental Protection Act</i> or any regulation made thereunder	\$600
5.0(1)(a)(iv)	<i>Discharge</i> of <i>Biosolids</i> from the <i>Sewage Works</i> to which <i>Sewage Discharges</i> , failing to meet the requirements set out in the <i>Nutrient Management Act</i>	\$600
5.0(1)(a)(v)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> contain dyes or coloring material	\$300
5.0(1)(a)(vi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> that may interfere with an inspection, operation or maintenance	\$300
5.0(1)(a)(vii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> where offensive odour emanates	\$300
5.0(1)(a)(viii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> damage the <i>Sewage Works</i>	\$400
5.0(1)(a)(ix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> <i>Obstruction</i> or restriction to the flow	\$400
5.0(1)(b)(i)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> with a <i>pH</i> less than 6.0 or greater than 10.5	\$600
5.0(1)(b)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> two or more separate liquid layers	\$400
5.0(1)(b)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> temperature greater than 60°C	\$400
5.0(1)(c)(i)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Combustible Liquid</i>	\$600
5.0(1)(c)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Flammable Liquid</i>	\$600
5.0(1)(c)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Fuel</i>	\$600
5.0(1)(c)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Sewage</i>	\$400
5.0(1)(c)(v)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Waste</i>	\$600
5.0(1)(c)(vi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hazardous Waste</i>	\$600
5.0(1)(c)(vii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>PCBs</i>	\$600
5.0(1)(c)(viii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a <i>Pesticide</i>	\$300
5.0(1)(c)(ix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Waste Radioactive Prescribed Substances</i>	\$600
5.0(1)(c)(x)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Leachate</i>	\$400
5.0(1)(c)(xi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a liquid or material resulting from the pump-out or cleaning of a catch-basin, <i>Sediment Interceptor</i> , oil and grease <i>Interceptor</i> , or <i>Maintenance Access Hole</i>	\$400
5.0(1)(c)(xii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of the <i>Sewage Works</i>	\$400
5.0(1)(c)(xiii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains animal waste	\$400
5.0(1)(c)(xiv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains any contaminant at a concentration that exceeds any one or more of the limits in Table 1 as set out in Schedule "A" of this By-law, entitled "Limits for <i>Sanitary Sewer Discharge</i> "	\$600
5.0(1)(d)	<i>Discharge</i> or cause or permit to <i>Discharge</i> <i>Storm Water</i> , <i>Non-Contact Cooling Water</i> , water from a <i>Discharge Activity</i> , or <i>Uncontaminated Water</i> .	\$400
5.1(4)	Failure to provide plans, erosion control measures, specifications, or other documents related to <i>Discharge</i> may or could interfere with the <i>City's Sanitary Sewer</i> works	\$200
5.1(5)(a)	Failure to obtain a <i>Flow Meter</i>	\$200

Section	Description	Fine Amount
5.1(5)(b)	Failure to provide <i>Proof of Calibration</i>	\$200
5.1(6)(a)	Failure to install and maintain a <i>Flow Meter</i>	\$200
5.1(6)(b)	Failure to install and maintain a sample port	\$200
5.1(7)	<i>Discharge</i> not in accordance with <i>Approval Discharge</i> location	\$400
5.1(8)	Prohibited <i>Discharge</i> to a Municipal Sanitary Sewer	\$400
5.1(10)	Failure to notify the <i>City</i> prior to commencing a Discharge	\$200
5.1(11)	Failure to provide the required reports or other information for an <i>Approval</i>	\$200
6.0(1)(a)	<i>Discharge</i> or permit the <i>Discharge</i> of water which is not <i>Storm Water</i> or not <i>Uncontaminated Water</i>	\$400
6.0(1)(b)(i)	<i>Discharge</i> a <i>Substance</i> which may cause health or safety hazard to a <i>Person</i> authorized to inspect the <i>Sewage Works</i>	\$400
6.0(1)(b)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> interference with operation of a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$400
6.0(1)(b)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> <i>Obstruction</i> or restriction to the flow	\$400
6.0(1)(b)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> which damaged a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$400
6.0(1)(b)(v)	<i>Discharge</i> of a <i>Substance</i> that may cause a hazard or <i>Adverse Effect</i> to any <i>Person</i> , animal, <i>Property</i> , vegetation or the <i>Natural Environment</i>	\$500
6.0(1)(b)(vi)	<i>Discharge</i> of a <i>Substance</i> that may cause <i>Impairment</i> of the quality of any water including water in any well, aquifer, lake, river, pond, spring, stream, reservoir or other <i>Watercourse</i>	\$500
6.0(1)(b)(vii)	<i>Discharge</i> which is an offence under the <i>Ontario Water Resources Act</i> , the <i>Environmental Protection Act</i> or the <i>Fisheries Act</i>	\$600
6.0(1)(b)(viii)	<i>Discharge</i> not satisfying criteria for environmentally sensitive water courses	\$600
6.0(1)(c)(i)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of water with two or more separate liquid layers	\$500
6.0(1)(c)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of water with a visible film, sheen or discoloration	\$500
6.0(1)(c)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a water with a temperature greater than 40°C	\$400
6.0(1)(c)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a water a <i>pH</i> less than 6.0 or greater than 9.0	\$600
6.0(1)(d)(i)	The <i>Discharge</i> contains or is likely to contain <i>Blowdown Water</i>	\$300
6.0(1)(d)(ii)	The <i>Discharge</i> contains or is likely to contain <i>Contact Cooling Water</i>	\$400
6.0(1)(d)(iii)	The <i>Discharge</i> contains or is likely to contain water from a <i>Discharge Activity</i>	\$600
6.0(1)(d)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Combustible Liquid</i>	\$600
6.0(1)(d)(v)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Flammable Liquid</i>	\$600
6.0(1)(d)(vi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain floating debris	\$300
6.0(1)(d)(vii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Fuel</i>	\$600
6.0(1)(d)(viii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain oil and/or grease	\$400
6.0(1)(d)(ix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Sewage</i>	\$400
6.0(1)(d)(x)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Waste</i>	\$400
6.0(1)(d)(xi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hazardous Waste</i>	\$500
6.0(1)(d)(xii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>PCBs</i>	\$500
6.0(1)(d)(xiii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Pesticides</i>	\$500

Section	Description	Fine Amount
6.0(1)(d) (xiv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Sewage</i>	\$400
6.0(1)(d) (xv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Waste Radioactive Prescribed Substances</i>	\$500
6.0(1)(d) (xvi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Leachate</i>	\$500
6.0(1)(d) (xvii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a <i>Substance</i> from raw materials, intermediate or final materials, used or produced in, through or from an <i>Industrial</i> process	\$500
6.0(1)(d) (xviii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain Construction/Renovation <i>Wastewater</i> and residual of construction material	\$500
6.0(1)(d) (xix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain the <i>Backwash Water</i> from a <i>Swimming Pool</i>	\$400
6.0(1)(d) (xx)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a <i>Substance</i> used in the operation or maintenance of a <i>Site</i>	\$300
6.0(1)(d) (xxi)	<i>Discharge</i> contains any contaminant at a concentration that exceeds any one or more of the limits in Table 2 as set out in Schedule "A" of this By-law	\$600
6.0(1)(d) (xxii)	<i>Discharge</i> of a liquid or material resulting from the pump-out or cleaning of a catch-basin, oil and grease <i>Interceptor</i> , <i>Sediment Interceptor</i> or <i>Maintenance Access Hole</i>	\$500
6.0(1)(d) (xxiii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Salt Water</i> from a <i>Swimming Pool</i>	\$400
6.1(5)	Failure to provide plans, erosion control measures, specifications, or other documents related to <i>Discharge</i> may or could interfere with the <i>City's Storm Sewer</i> works	\$200
6.1(6)(a)	Failure to obtain a <i>Flow Meter</i>	\$200
6.1(6)(b)	Failure to provide <i>Proof of Calibration</i>	\$200
6.1(7)(a)	Failure to install and maintain a <i>Flow Meter</i>	\$200
6.1(7)(b)	Failure to install and maintain a sample port	\$200
6.1(8)	<i>Discharge</i> not in accordance with <i>Approval Discharge</i> location	\$400
6.1(9)	Prohibited <i>Discharge</i> to a <i>Municipal Sanitary Sewer</i>	\$400
6.1(11)	Failure to notify the <i>City</i> prior to commencing a <i>Discharge</i>	\$200
6.1(12)	Failure to provide the required reports or other information for an <i>Approval</i>	\$200
7.0(1)	<i>Discharge</i> of diluted <i>Substance</i> into <i>Sewage Works</i>	\$300
8.0(1)	Failure to complete or submit an Information Report to the <i>City</i> within 30 calendar days	\$200
8.0(2)	Failure to provide written notice of change in the information	\$200
9.0(1)(a)	<i>Discharge</i> from a <i>Swimming Pool</i> into a <i>Storm Sewer</i> , <i>Sanitary Sewer</i> or <i>Land Drainage Works</i> in contravention of sections 5.0(1) or 6.0(1)	\$300
9.0(1)(b)	<i>Discharge</i> from a <i>Swimming Pool</i> into a <i>Storm Sewer</i> , <i>Sanitary Sewer</i> or <i>Land Drainage Works</i> <i>Substances</i> at a concentration that exceeds any of the limits in Tables 1 and 2 of Schedule "A" of this By-law	\$300
12.0(1)	Failure to monitor, sample and/or analyze one or more <i>Discharges</i> from a <i>Site</i> and submit the analysis, results and/or the samples to the <i>City</i> by the date set out in the notice	\$300
13.0(1)	Failure to immediately notify the <i>City</i> or other required parties of a <i>Spill</i>	\$300
13.0(2)	Failure to provide requested information about <i>Spill</i> and /or complete any work the <i>City</i> may require to mitigate the <i>Spill</i>	\$300
13.0(3)	Failure to stop and contain the <i>Spill</i> and/or complete work to mitigate the <i>Spill</i>	\$300
13.0(4)	Failure to provide a complete written report on the <i>Spill</i> to the <i>City</i> within five days	\$500
13.0(5)	Failure to take all reasonable steps to ascertain the missing information and provide it immediately to the <i>City</i>	\$300

Section	Description	Fine Amount
13.0(6)	Failure to immediately notify the <i>City</i> of <i>Spill</i> -related information that was provided to the <i>City</i> was inaccurate or is no longer accurate	\$300
13.0(7)	Failure to notify the <i>City</i> of inaccurate information and/or provide corrected information	\$300
15.0(1)	Failure to comply with <i>Dentistry Act</i> for the management and disposal of amalgam waste	\$600
15.0(2)	Failure to provide a maintenance schedule and record of maintenance for <i>Dental Amalgam Separators</i>	\$300
15.0(3)	Failure to provide a record of inspection and any documentation certifying the installation of a <i>Dental Amalgam Separator</i>	\$500
16.0(1)(a)	Failure to take all necessary measures to ensure that oil and grease are prevented from discharging to a <i>Sanitary Sewer</i> in excess of Schedule "A" Table 1	\$600
16.0(1)(b)	Failure to take all necessary measures to ensure that oil and grease are prevented from discharging to a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$600
16.0(2)	Failure to install, operate, and properly maintain an oil and grease <i>Interceptor</i> in any piping system that connects directly or indirectly to the <i>Sewage Works</i>	\$600
16.0(3)(a)	Failure to comply with the current requirements of the <i>Building Code Act</i> and its regulations	\$300
16.0(3)(b)	Failure to comply with <i>CAN/CSA B481 Standards</i>	\$300
16.0(4)	Failure to ensure all oil and grease <i>Interceptors</i> are maintained in good working <i>Order</i>	\$400
16.0(4)(a)	Failure to test and maintain oil and grease <i>Interceptor</i> in accordance with the requirements of <i>CAN/CSA B481 Standards</i>	\$300
16.0(4)(b)	Failure to have oil and grease <i>Interceptor</i> maintenance requirements posted on <i>Site</i>	\$200
16.0(4)(c)	Failure to have the oil and grease <i>Interceptor</i> cleaned before the thickness of organic material and solids residuals is 25% of the volume	\$300
16.0(5)	Failure to provide the maintenance schedule and record of maintenance for each oil and grease <i>Interceptor</i> and/or keep records on <i>Site</i> for past 2 years	\$300
16.0(6)	Failure to install an alarmed monitoring device when required by <i>City</i>	\$300
16.0(7)	<i>Discharge</i> or cause or allow the <i>Discharge</i> of emulsifier to an <i>Interceptor</i>	\$400
16.0(8)(a)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of enzyme to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(b)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of bacteria to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(c)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of solvents to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(d)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of hot water to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(e)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of other agents to an oil and grease <i>Interceptor</i> to facilitate the passage of oil and grease	\$400
17.0(1)	Failure to take all necessary measures to ensure that oil and grease are prevented from discharging to a <i>Sanitary Sewer</i> in excess of the limits in Table 1 as set out in Schedule "A" of this By-law or a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$400
17.0(2)	Failure to install, operate and properly maintain an oil and grease <i>Interceptor</i> in any piping system that connects directly or indirectly to the <i>Sewage Works</i>	\$400
17.0(3)	Failure to install and operate each oil and grease <i>Interceptor</i> in compliance with the <i>Building Code Act</i> and <i>CAN/CSA B481 Standards</i> .	\$300
17.0(4)	Failure to ensure all oil and grease <i>Interceptors</i> are maintained in good working <i>Order</i>	\$300
17.0(4)(a)	Failure to maintain oil and grease receptors as recommended by the Canadian Petroleum Products Institute and in accordance with the manufacturer's guidance and recommendations	\$200
17.0(4)(b)	Failure to have oil and grease receptor inspected regularly to ensure performance is maintained and to ensure the surface oil, grease and sediment levels do not exceed the recommended level	\$300
17.0(4)(c)	Failure to have the maintenance requirements posted at the <i>Site</i> in a conspicuous location in proximity to the oil and grease <i>Interceptor</i> .	\$400
17.0(5)	Failure to provide the maintenance schedule and record of maintenance for each oil and grease <i>Interceptor</i> and/or keep records on <i>Site</i> for past 2 years	\$300
17.0(6)	Failure to install an alarmed monitoring device when required by <i>City</i>	\$300
17.0(7)	<i>Discharge</i> or cause or allow the <i>Discharge</i> of emulsifier to an <i>Interceptor</i>	\$400

Section	Description	Fine Amount
17.0(8)(a)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of enzyme to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(b)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of bacteria to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(c)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of solvents to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(d)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of hot water to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(e)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of other agents to an oil and grease <i>Interceptor</i> to facilitate the passage of oil and grease	\$400
18.0(1)(a)	Failure to take all necessary measures, including an installation of <i>Sediment Interceptor</i> , to prevent discharging to a <i>Sanitary Sewer</i> in excess of the limits in Schedule "A" Table 1	\$400
18.0(1)(b)	Failure to take all necessary measures, including an installation of <i>Sediment Interceptor</i> , to prevent discharging to a <i>Storm Sewer</i> in excess of the limits in Schedule "A" Table 1	\$400
18.0(2)	Failure to ensure all <i>Sediment Interceptors</i> are maintained in good working <i>Order</i>	\$400
18.0(2)(a)	Failure to ensure that all <i>Sediment Interceptors</i> are maintained in accordance with the manufacturer's guidance and recommendations	\$400
18.0(2)(b)	Failure to ensure that all <i>Sediment Interceptors</i> are inspected regularly to ensure performance is maintained to the manufacturer's specifications	\$400
18.0(3)	Failure to provide the maintenance schedule and record of maintenance for each <i>Sediment Interceptor</i> and /or keep it on <i>Site</i> for past 2 years	\$400
19.0(1)	Failure to install or cause to install a <i>Maintenance Access Hole</i> for each <i>Connection</i> to the <i>Sewage Works</i> for the purpose of inspection, sampling, maintenance, flushing, and measurement of the flow of <i>Discharges</i>	\$400
19.0(3)(a)	Failure to design and construct in accordance as per the <i>City's</i> Engineering Design Criteria and Standards	\$400
19.0(3)(b)	Failure to ensure a <i>Maintenance Access Hole</i> or an alternative device is accessible at any time to the <i>City</i> , with a clear pathway free of <i>Obstructions</i>	\$400
19.0(3)(c)	Failure to ensure a <i>Maintenance Access Hole</i> or an alternative device is maintained by the <i>Discharger</i> in good working condition	\$400
20.0(1)	Unlawful construction or maintenance of any <i>Private Sewage Disposal System</i>	\$400
20.0(2)	Failure to install and maintain a private disposal system in compliance with all applicable acts, legislation, regulations and by-laws.	\$400
20.0(3)	Failure to operate and maintain the private <i>Sewage</i> disposal facilities in a sanitary manner at all times and at no expense to the <i>City</i>	\$400
21.0(1)	Connect, cause or permit to connect any <i>Private Sewer Connection</i> to any <i>Municipal Sewer Connection</i> without the written <i>Approval</i> of the <i>City</i> and compliance with the requirements of this By-law	\$400
21.0(2)	Construct or permit a <i>Sewer Connection</i> to be constructed on a road allowance, <i>Easement</i> , or other public land without <i>City</i> authorization.	\$400
21.0(3)	Failure to operate and maintain the Private Sewage Disposal System facilities in a sanitary manner at all times and at no expense to the <i>City</i>	\$400
21.0(5)	Failure to submit an application and other documents, and to pay fees to disconnect and/or cap a <i>Municipal Sewer Connection</i> when a building or structure on a <i>Property</i> is demolished.	\$400
21.0(11)	Construction of a <i>Sewer Connection</i> without first obtaining the authorization from those <i>Property Owners</i> and a private <i>Easement</i> over the said <i>Properties</i>	\$400
21.0(14)	Construct, install, maintain, or cause or allow a direct or indirect <i>Connection</i> of any <i>Roof Water Leader</i> into storm drainage system	\$300
21.0(16)	Construct, install, or maintain a direct or indirect <i>Connection</i> of any <i>Roof Water Leader</i> into storm drainage system without <i>City's Approval</i>	\$400
21.0(19)	Failure to maintain rear-yard catch basins, infiltration trenches/galleries, soak-away pits or other grassed swales located on private lands.	\$300
21.0(20)	<i>Discharge</i> to <i>Storm Sewer</i> that does not meet quantity and erosion requirements as per <i>City</i> -approved Engineering Design Criteria, or is not consistent with the approved watershed requirements, as provided by the <i>City</i> and other <i>Approval</i> agencies having jurisdiction.	\$400
21.0(21)	Alteration of <i>Storm Water</i> control on the premises which increased design peak flow rates of <i>Storm Water</i> or impaired the quality of <i>Storm Water Discharged</i> to a <i>Storm Sewer</i> .	\$300
21.0(23)	Make direct or indirect <i>Connection</i> between a <i>Groundwater</i> drainage system and the private sanitary drainage system	\$600

Section	Description	Fine Amount
21.0(23)	Increase the design peak flow rates of <i>Storm Water</i> and/ or impair the quality of <i>Storm Water Discharged</i> to a <i>Storm Sewer</i> .	\$300
21.0(26)	Temporary and/or permanent <i>Discharge</i> facilities not abiding by the <i>Approval</i> requirements in the <i>City's</i> latest Engineering Design Criteria	\$400
22.0(1)	Failure to pay the applicable <i>Sewage</i> service fees	\$400
23.0(1)	Uncover, make any <i>Connection</i> with, open into, break, alter, damage, destroy, deface, or tamper or cause or allow the breaking, damaging, destroying, defacing, or tampering with any part of a <i>Sewage Works</i> or any permanent or temporary device installed in any part of the <i>Sewage Works</i>	\$400
23.0(2)	<i>Discharger</i> not ensuring <i>Sewage</i> , water or <i>Storm Water</i> conforms to the provisions of this By-law or failure to properly check and control such <i>Discharge</i> , including the cost of investigation, repairing or replacing any part of any municipal <i>Sewage Works</i> .	\$400
23.0(3)	Unauthorized entry into <i>Sewage Works</i>	\$400
23.0(4)	Remove or tamper with, or cause or permit the removal of or tampering with, any <i>Maintenance Access Hole</i> cover or other opening into the <i>Sewage Works</i>	\$400

DATE: JUNE 6, 2022

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: HAIQING XU, DEPUTY CITY MANAGER, PLANNING AND GROWTH MANAGEMENT

RE: COMMUNICATION – COMMITTEE OF THE WHOLE (1), JUNE 7, 2022

ITEM # 5, REPORT # 27
SEVEN 427 DEVELOPMENTS INC.
OFFICIAL PLAN AMENDMENT OP.21.018
ZONING BY-LAW AMENDMENT FILE Z.21.037
WARD 2 - VICINITY OF HIGHWAY 7 AND NEW HUNTINGTON ROAD

Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

1. THAT Item c. of Table 1 respecting Minimum Parking Requirements for Zoning By-law 1-88 be deleted and replaced with the following:

	Zoning By-law 1-88 Standard	C5 Community Commercial Zone Requirement	Proposed Exceptions to the C5 Community Commercial Zone Requirement
c.	Minimum Parking Requirements	<p>Warehouse $16,999.45 \text{ m}^2 / 100 \text{ m}^2 \times 1.0$ spaces = 170 spaces</p> <p>Accessory Office $951.55 \text{ m}^2 \times 3.5 \text{ spaces} / 100 \text{ m}^2$ = 34 spaces</p> <p>Total Required = 204 spaces</p>	<p>Warehouse $16,999.45 \text{ m}^2 / 100 \text{ m}^2 \times 0.946$ spaces = 161 spaces</p> <p>Accessory Office $951.55 \text{ m}^2 \times 2.8 \text{ spaces} / 100 \text{ m}^2$ = 27 spaces</p> <p>Total Provided = 188 spaces</p>

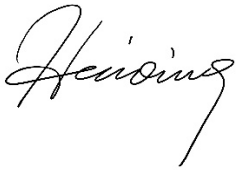
Background

After further review of the zoning exceptions for Zoning By-law Amendment File Z.21.037, a zoning exception for accessory office parking was inadvertently excluded from the comprehensive report.

Further clarification is being provided through this Communication to provide the correct zoning exception for the Subject Lands. The Transportation Division of the Development Engineering Department as well as the Development Planning Department supports the revised zoning exception.

For more information, contact Rebecca Roach, Planner, Development Planning ext. 8626.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Haiqing Xu', with a stylized, flowing script.

Haiqing Xu
Deputy City Manager, Planning and Growth Management

Communication : C 7
Committee of the Whole (1)
June 7, 2022
Agenda Item # 4



SMARTCENTRES VAUGHAN NORTHWEST

COMMITTEE OF THE WHOLE PRESENTATION

**OFFICIAL PLAN AMENDMENT FILE OP.20.008
ZONING BY-LAW AMENDMENT FILE Z.20.016
SITE PLAN APPLICATION FILE DA.20.022**

**3600 MAJOR MACKENZIE DRIVE WEST
VICINITY OF MAJOR MACKENZIE DRIVE WEST AND WESTON
ROAD**

June 7th, 2020

SMARTCENTRES®
REAL ESTATE INVESTMENT TRUST

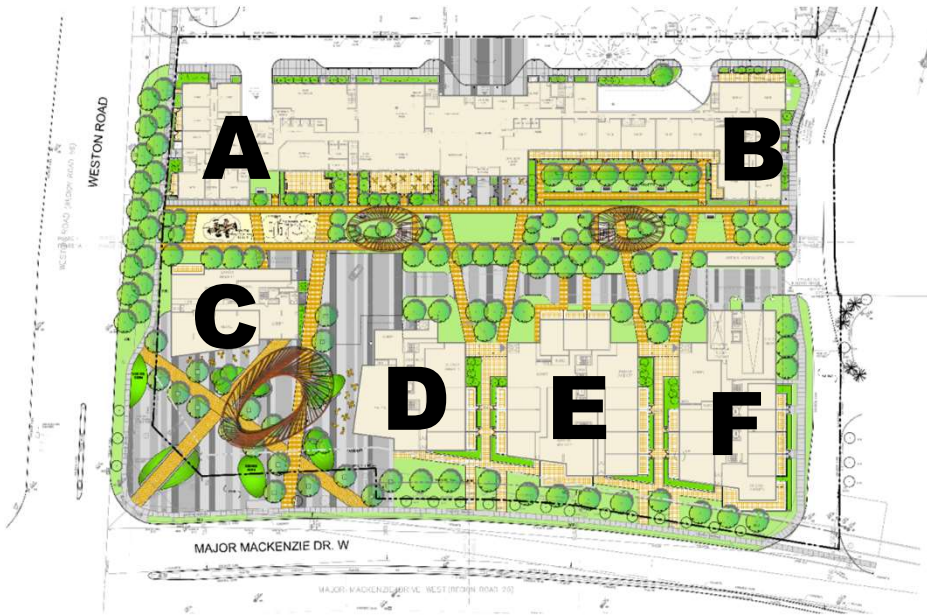
AGENDA

1. SURROUNDING AREA & CONTEXT
2. APPLICATION DETAILS
3. PLANNING DETAILS
4. Q&A

SITE AERIAL

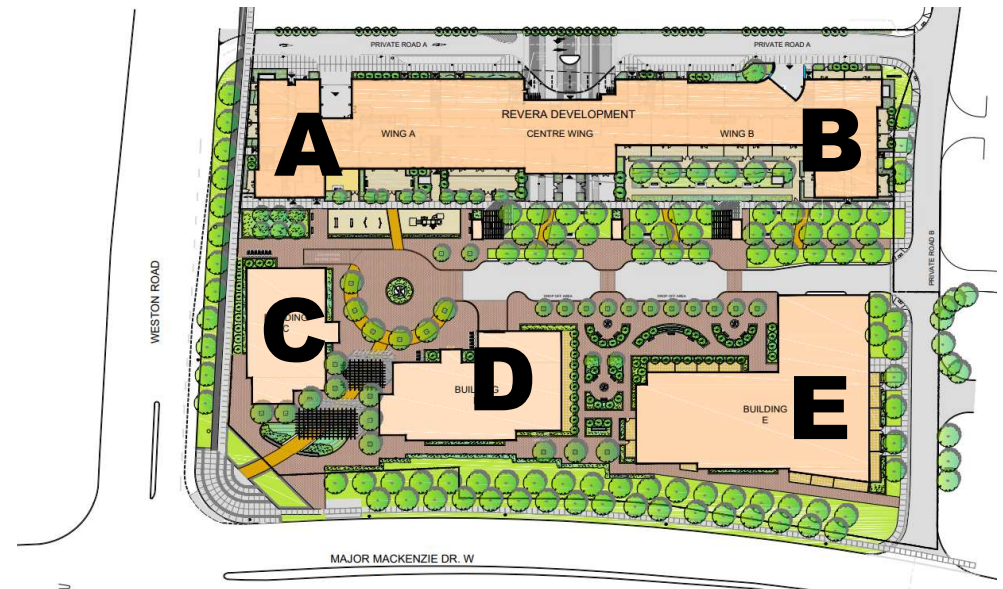


ORIGINAL PROPOSAL

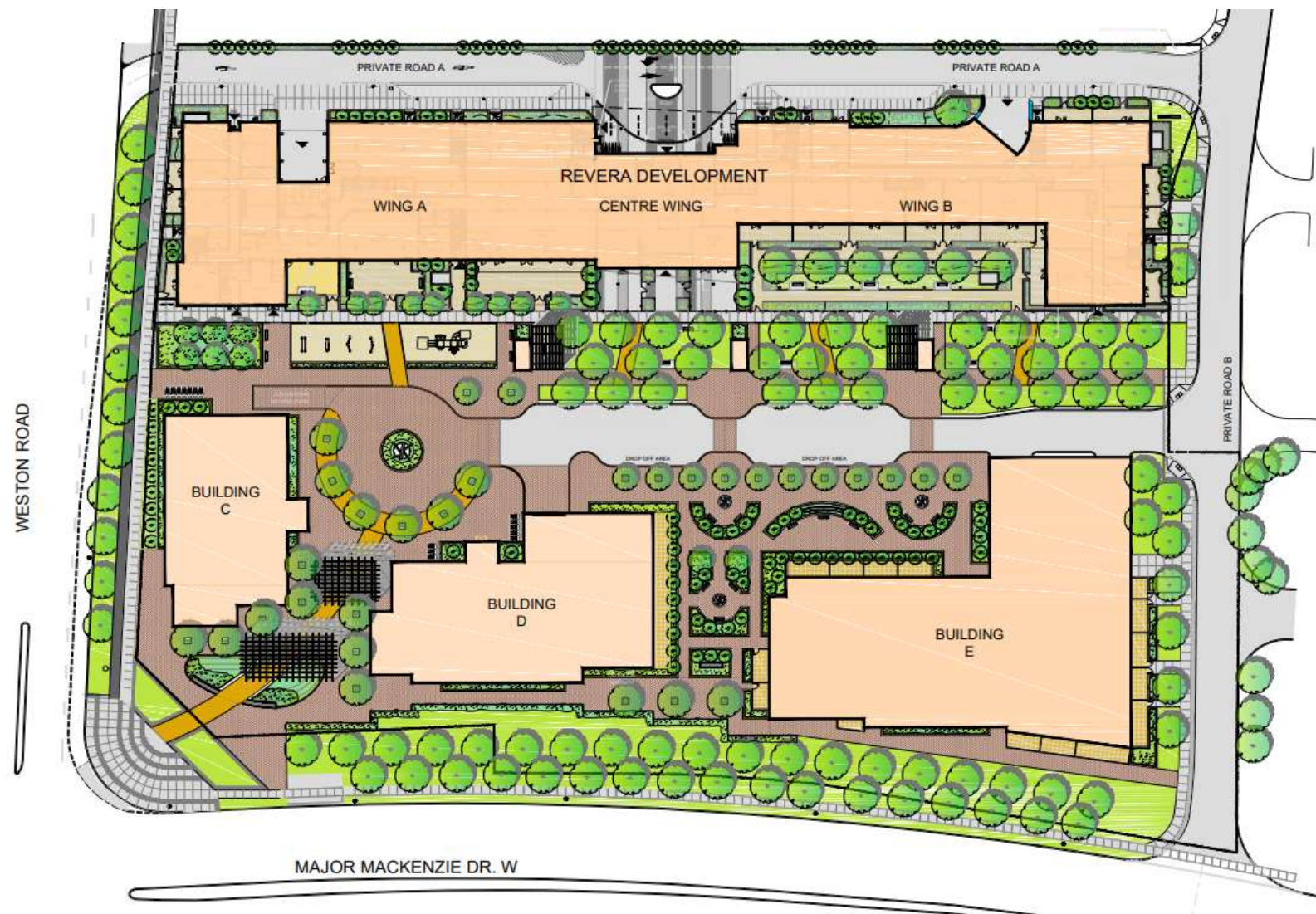


BUILDING	HEIGHTS (storeys)	# OF UNITS	SQUARE METERS
A	10	222	19,127
B	12	238	21,703
C	12	124	9,634
D	16	158	12,514
E	20	240	17,555
F	24	286	23,061
TOTAL		1268	103,593

REVISED PROPOSAL



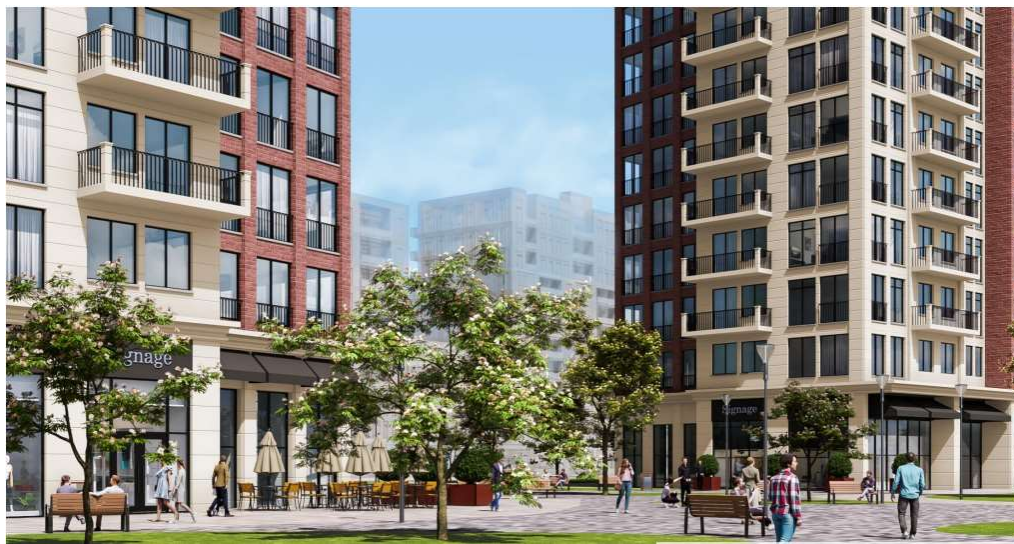
BUILDING	HEIGHTS (storeys)	# OF UNITS	SQUARE METERS
Wing A	10	222	18,412
Wing B	12	238	20,830
C	12	121	8,896
D	12	161	12,915
E	12	243	18,813
TOTAL		985	80,263



ORIGINAL DEVELOPMENT PLANS



REVISED DEVELOPMENT PLANS





SMARTCENTRES[®]
REAL ESTATE INVESTMENT TRUST

APPENDIX

SURROUNDING AREA

- Direct access to HWY 400
- Located on two major arterial Roads
- Public transit connectivity (YRT bus route connects to Maple GO Station)
- Direct connection to future VIVA Rapid Transit Station – connects to the TTC via Vaughan Metropolitan Centre
- 1km West of the new, state-of-the-art Cortellucci Vaughan Hospital



SITE CONTEXT PLAN



Legend

- Park
- Elementary School
- Secondary School
- Canada's Wonderland
- Commercial / Retail
- Parking
- Gas Station
- Bus Stop

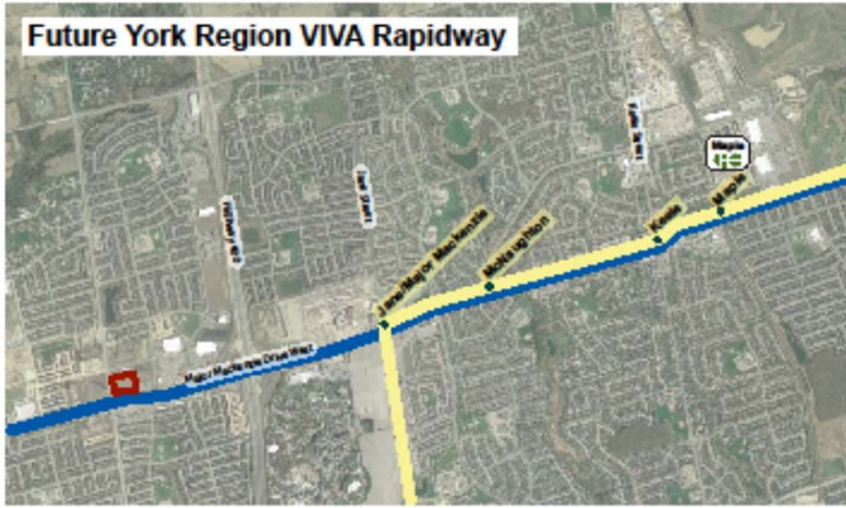
Major Transit Networks

- Local Road
- Regional Transit Priority Network
- Regional Rapid Transit Corridor
- Highway Bus Service

York Region Transit

- Bus Route 4A
- Bus Route 21
- Bus Route 165
- Bus Route 165F

Future York Region VIVA Rapidway



REVERA RETIREMENT RESIDENCES



- A leading owner and operator in the senior living sector, committed to helping older adults live life to the fullest.
- Owns or operates more than 500 properties across Canada, the United States and the United Kingdom, serving more than 55,000 seniors.
- Aims to provide exceptional senior living options by offering senior's apartments, independent living, assisted living, memory care, and long-term care.
- Revera is proud to be a long-standing contributor to this Region, with 1 retirement residence in Markham – Glynnwood, which employs approximately 75 employees.



LAND USE DESIGNATIONS

CURRENT LAND USE DESIGNATIONS AND AREA SPECIFIC POLICIES

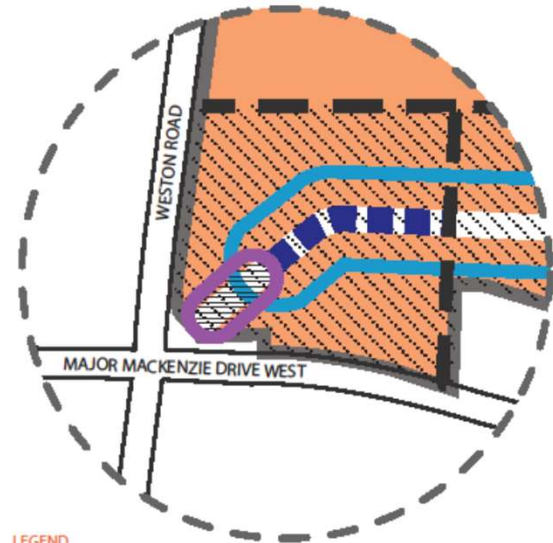
- These lands are within the local centers intensification areas and designated as 'Mid-Rise Mixed-Use'.
- The property is subject to Area Specific policies - located in the Northeast Quadrant of Major Mackenzie Drive and Weston Road Area Specific Plan.
- the Subject Lands have been further delineated as Village District.
- The lands were originally intended to facilitate a more commercial-centric development.



Schedule 14-B, VOP 2010
Area Specific Plan, Map 12.6.A:
Northeast Quadrant of Major Mackenzie Drive & Weston Road

VILLAGE DISTRICT

Schedule 14-B, VOP 2010
Area Specific Plan, Map 12.6.A:
Northeast Quadrant of Major Mackenzie
Drive & Weston Road



- LEGEND**
- Village District
 - Urban Square
 - Village Promenade
 - Pedestrian Only Promenade

*Excerpt from City of Vaughan Official Plan, section 12.6.A

Proposed Site Plan





REVISED

DATE: June 6, 2022

TO: Mayor and Members of Council

FROM: Haiqing Xu, Deputy City Manager, Planning and Growth Management

RE: COMMUNICATION - Committee of the Whole (1) - June 7, 2022

**Communication : C 8
Committee of the Whole (1)
June 7, 2022
Agenda Item # 10**

Item #10, Report #27: 1930328 Ontario Inc. Official Plan Amendment, Zoning By-Law Amendment, and Plan of Subdivision Files OP.21.007, Z.21.010, ~~18T-19T-18V005~~ (2871 Highway 7, Vicinity of Highway 7 and Maplecrete Road)

1930328 Ontario Inc. OP.21.007, Z.21.010 and ~~18T-19T-18V005~~

Recommendations

The Deputy City Manager, Planning and Growth Management recommends:

That the staff report for Official Plan Amendment File OP.21.007, Zoning By-law Amendment File Z.21.010 and Plan of Subdivision File 19T-18V005 (1930328 ONTARIO INC.) be amended as follows:

1. THAT Recommendation 1a. and 1d. of the report be deleted and replaced as follows:
 - a. Maximum building heights of 49-storeys or 153.5 metres (Building A) and 45-storeys or 141.3 metres (Building B);
 - d. Notwithstanding Policy 8.7.18, the maximum tower floor plate size shall not exceed 859 square metres (Buildings A and B)
2. THAT Recommendation 6 of the report be deleted and replaced as follows:

The revisions to Draft Plan of Subdivision File 19T-18V005 BE APPROVED to permit a reduced east-west public road (Street B – future “White Elm Road”) width from 22 m to 20 m and subject to the revised Conditions of Draft Plan Approval set out in Attachment 12, as follows:

Blocks	Proposed Uses	Area (ha)
Block 1	Mixed-Use Development Block	0.8371
Block 4	Residential Development Block	0.3452
Blocks 2, 3, 5, 7	0.3 m Reserves	0.0086
Blocks 6 and 8	Road Widenings	0.0367
Street 'B' (future "White Elm Road")	20 m Public Street	0.2228

3. THAT the following changes be made to Table 1:
 - a. all references to "Block 4" in Table 1 of the report be deleted and replaced with "Block 6";
 - b. The maximum building height shall be 141.3 metres (Building B)
4. THAT the site statistics provided on page 6 of the report be revised to show 826 underground parking spaces for Buildings A and B.
5. THAT the Recommendations section be updated to include the following conditions:
 - "8. THAT the implementing Official Plan Amendment be brought forward to York Region for approval;
 9. THAT the implementing Zoning By-law Amendment be brought forward to a future Vaughan Council meeting in accordance with section 4224(2) of the *Planning Act*;"
6. THAT the Conditions of Draft Approval (Attachment 12) section be updated to amend condition #40 as per below:
 - "40. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the sanitary sewer improvements along Maplecrete Road from Highway 7 to Doughton Road,

and along Doughton Road (existing ASDC By-Law – VMC SE Doughton Sanitary Sewer Improvements) from Maplecrete Road to Jane Street to service the Plan, in accordance to the VMC Master Servicing Strategy (as updated), all to the satisfaction of the City.

Should the City determine that the Maplecrete Road sanitary sewer improvements are to be included as a future Area Specific Development Charge (ASDC) project in the next scheduled Development Charge Background Study and subject to no outstanding Local Planning Appeal Tribunal appeals, the City shall reimburse the Owner, less the Owner's proportionate share of the costs, when funds are available."

Should an ASDC not be enacted, then the City shall use its reasonable efforts to collect the proportionate costs, as determined by the City, for the sanitary sewer improvements from benefiting landowners.

Background

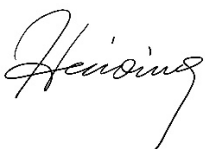
Recommendations #1 to #4 to this Communications are administrative corrections.

With respect to Recommendation #5, in their letters to the City dated August 3, 2021 and May 24, 2022, York Region has advised that they retain the approval authority of the Official Plan Amendment File OP.21.007. Accordingly, Regional Exemption has not been granted at this time, thereby warranting Regional approval of the Official Plan Amendment. The purpose of this Communication is to amend the Recommendation and authorize the City to forward the implementing Official Plan Amendment to York Region for approval. The implementing Zoning By-law will be approved subject to Section 4224(2) of the Planning Act.

With respect to Recommendation #6, the proposed sanitary sewer improvements are growth related and the benefitting lands would require these infrastructure upgrades to facilitate their developments and or future development applications. There is an existing Area Specific Development Charge (ASDC) By-Law for the VMC SE Doughton Sanitary Sewer Improvements. Similarly, If determined by the City, an additional ASDC By-Law can be passed for the Maplecrete Road sanitary sewer improvements.

For more information, contact Christina Bruce, Director, Policy Planning and Special Programs ext. 8231.

Respectfully submitted by



Haiqing Xu
Deputy City Manager, Planning and Growth Management

**Communication : C 9
Committee of the Whole (1)
June 7, 2022
Agenda Item # 20**

-----Original Message-----

From: alexandra ney [REDACTED]
Sent: Monday, June 06, 2022 10:45 AM
To: Clerks@vaughan.ca
Subject: [External] 2109179 Ontario Inc

Hello,

Please find my attached letter for Tuesday June 7th, 2022 1:00pm, Committee of the Whole (1) meeting,

#6 Item 20

2109179 Ontario Inc. Zoning by-law amendment (Temporary Use) File Z.20.018 Site Development File DA.20.029
3501 King-Vaughan Road Vicinity of King-Vaughan Road and Highway 400 (Referred)

Kind regards,
Alexandra

June 7th, 2022

Item 6 - 20, 2109179 Ontario Inc. Zoning By-law Amendment (Temporary Use) File Z.20.018 Site Development File DA.20.029 3501 King- Vaughan Road Vicinity of King-Vaughan Road and Highway 400 (Referred)

Mayor, Regional Councillors and Councillors

I once again ask Council to oppose the extension of temporary permit for 1 year and to say no to the concrete crushing on site. If Council feels it must give the 1 year temporary permit, please ensure this is it. I've spoken and written letters many times, are you listening? I understand the complexity of this situation, and would like to say, while I respect all Staff and Council. Following my deputation, during discussions, something about 35 employees, who may live locally was mentioned. We do reside locally in Vaughan – we deserve to enjoy our home – have you considered anything I've said and asked for? What do we need to do to be heard and considered? If the Company had chosen a piece of land that conformed with Vaughan Official Plan 2010, that allowed this type of operation, we would not be here. Is this your loop hole in your planning, and by-laws that allows the land usage for which it was never intended?

Would it not be a better planning process to involve Residents input, before Company's develop their site? It seems we only get to speak after a company has developed their site and been operating for many years. Does this seem fair or most beneficial way to grow your employment area? Should the Municipality not strive to have the peripheral boundary area as nice as the interior area, mitigating any conflict?

In the Staff Report Page 1 contained in the first paragraph – The Owner has applied to permit the continued use of one (1) existing portable dry batch concrete production plant, the introduction of a second portable concrete batching plant and the increased storage along with production and processing of recycled concrete..... *Will this all equates to more potential noise, dust, air pollution and truck traffic? What year did the crushing operation begin (processing of recycled concrete)? Did the operator consult with you? Is it an allowed usage for the zoning, as I understand the municipality has land jurisdiction?*

Page 2 – Report Highlights – bullet point #5 – The development planning department does not support the proposed expansion of an additional concrete batching plant, the increase in production nor the potential renewal of one (1) additional year beyond May 23, 2023. *How do you monitor production, thereby knowing the capacity has not gone over the annual limit? Is there a second portable concrete batching plant on site, if so what happens to it? What assurances can you give to Residents? Has the Planning Staff been out to view the site?*

Page 17 - The Applications are not consistent with the general intent to VOP 2010 for the following reasons: followed by 4 bullet points;

- **Second bullet point** - The Applications represent the third temporary use renewal for an operation that has been in existence for over 12 years, which is not considered “temporary”

What does this mean? If another temporary permit is approved, is the site now permanent?

Page 23 of the Staff Report, Water Distribution – Water servicing is existing for the Subject Lands via a private domestic well to service the Development.

When was the well put in? How much water is used daily? Residents in the area are dependent on private wells, will this potentially affect us?

Attachment 1 – Conditions of Site Plan Approval

***Hours of operation** - mentioned under 2. b) - *are not at all clear to me, what are the hours? How will you enforce them; can you enforce them? Could the business hours be defined?*

***Crushing operation**, *was this a permitted land use? Was this mentioned in the OMB decision? If not, why would it be included in the “Conditions of Site Plan Approval”? C) i) and ii)? I’m asking you to say no to this crushing operation. When did this land, use begin? How frequently does it occur? How much potential noise, dust and truck traffic will this process create?*

Do I remember correctly; it was suggested at the May 10th meeting a Surety be collected and Penalty system be recommended? If so, will this be added into the Conditions of Site Plan Approval?

What conditions can be given to ensure/enforce compliance such as adhering to the YR road usage permit for all trucks to enter and exit the site via Jane Street? As Residents, if we read that Staff and the DCM of Planning and Growth Management, working with York Region gave assurance in the Site Conditions, with a method to enforce; there would be a much better Business/Residential balance.

I’m once again asking you to 1) oppose the extension of temporary permit for 1 year and 2) to say no to concrete crushing on site. If Council feels it must give the 1 year temporary permit, please ensure this is it.

Alexandra Ney,
Resident of King Vaughan Road

From: IRENE FORD [REDACTED]

Sent: Monday, June 06, 2022 11:36 AM

To: Wayne Emmerson <wayne.emmerson@york.ca>; Council@vaughan.ca; John Taylor <jtaylor@newmarket.ca>; Jack Heath - Markham Regional Councillor <jheath@markham.ca>; Jim Jones <jjones@markham.ca>; Carmine Perrelli <carmine.perrelli@richmondhill.ca>; david.west@richmondhill.ca; Joe DiPaola <joe.dipaola@richmondhill.ca>; Joe Li <joeli@markham.ca>; Frank Scarpitti <mayorscarpitti@markham.ca>; Deputy Mayor Don Hamilton – Markham <dhamilton@markham.ca>; Margaret Quirk <mquirk@georgina.ca>; Mayor-Town of Whitchurch-Stouffville <mayor@townofws.ca>; Tom Mrakas <tmrakas@aurora.ca>; Tom Vegh <tvegh@newmarket.ca>; Virginia Hackson <vhackson@eastgwillimbury.ca>; Robert Grossi <rgrossi@georgina.ca>; Clerks@vaughan.ca; Regional Clerk <clerkgeneralline@york.ca>; Steve Pellegrini <spellegrini@king.ca>

Cc: Sandra Malcic <sandra.malcic@york.ca>; Paul Bottomley <paul.bottomley@york.ca>; Paul Freeman <paul.freeman@york.ca>

Subject: [External] Highway 50 & Hwy 7 - Gateway Community or Warehouse Monsters/Regional Conversion Requests

Vaughan Clerks - Please add this as my communication for tomorrow's [Agenda Item 6.5](#) entitled SEVEN 427 DEVELOPMENTS INC. OFFICIAL PLAN AMENDMENT FILE OP.21.018 ZONING BY-LAW AMENDMENT FILE Z.21.037 VICINITY OF HIGHWAY 7 AND NEW HUNTINGTON ROAD

Regional Clerks - Please add this as a communication for the next time the Official Plan comes forward to York Region Council

Vaughan and York Region Council,

Please be advised that there seems to be some confusion with the vision of a gateway community presented by Regional Councillor Jackson at York Region Council and the development applications being received. I am concerned that York Region Council supported a employment conversion request that is not suitable and will facilitate residential development, a sensitive receptor in an area that is not suitable. Unfortunately York Region Council did not head to my warning and proceeded to vote on this item in the absence of staff recommendations. For reasons I do not understand Vaughan Council members appear to have blindly supported this motion from Regional Councillor Jackson. Vaughan Council members ought to know better than to blindly support motions brought forward on land-use based on the six MZO's supported in the absence of any planning or legal due diligence to review the members motions brought forward by Mayor Bevilacqua in 2020.

It appears we have 13 members at Regional Council who think they now better than staff and are too willing to blindly support motions that are clearly at the behest of the landowner. Upon driving out to this site I found a TACC site and what I assume to be warehouse scaffolding being erected. On the other side of Highway 50 on the SW corner there appears to be a monster sized industrial warehouse space being erected.

My concerns about suitable land-use and the real vision for these lands appears to be spot-on. There are no hotels or residential being proposed just more warehousing. <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=107626>

Report Highlights

- The Owner proposes a one-storey employment warehouse building with accessory outside storage and future office uses
- Official Plan and Zoning By-law Amendments and a future site plan application are required to permit the proposed development
- The Development Planning Department supports the Applications as the proposed use is consistent with the Provincial Policy Statement 2020, the Growth Plan 2019, as amended, the York Region Official Plan and are considered compatible with the existing and planned uses for the surrounding area

It is unclear to me if Vaughan and York Region Council members do not understand the ramifications of their decisions or they do not care. These motions have the potential to increase the land value practically overnight. I hope when the remaining conversion requests brought forward by Regional Councillor Jackson and unethically supported by Vaughan's Mayor and other Regional Councillors that Regional Council members will consider how factual the information really is and if they want to put their name to the voting record for motions that clearly only benefit and are in the interest of the landowner not the community. Both are near Highway 413 and one is to downgrade Greenbelt protection and will result in the very outcomes that caused so many to speak so loudly against ROPA7.

I.1 Employment Conversion – V25



Moved by Regional Councillor Jackson

Seconded by Regional Councillor Rosati

WHEREAS, the City of Vaughan and the Region of York Council approved the employment conversion request V25 on the lands then legally described as Part of Lots 4 and 5, Concession 9; and

WHEREAS, the City of Vaughan has since deemed the Huntington Road allowance surplus between Highway 50 and Highway 7. The City of Vaughan Council has stopped up and closed the Huntington Road allowance at its Council meeting on January 10, 2022, through the enactment of City of Vaughan By-law 032-2022; and

WHEREAS, the applicant has since purchased the Huntington Road Allowance from the City of Vaughan; and

WHEREAS, the applicant has further purchased the lands on the south-east corner of Highway 50 and Highway 7, thereby resulting in the consolidation of all lands east of Highway 50 and south of Highway 7 under the applicant's ownership; and

WHEREAS, the City of Vaughan Council approved the below request at its council meeting of April 26, 2022.

THEREFORE it is recommended:

1. That the Region of York approve the corresponding revision to employment conversion request V25 to include the portion of lands legally described as Parts 2, 5 and 12 on Plan 65R-39517 and Part of the Original Road allowance between Concessions 9 and 10 as shown on Attachment A.

A recorded vote on the original motion moved by Regional Councillor Jackson, seconded by Regional Councillor Rosati was as follows:

For: Bevilacqua, DiPaola, Emmerson, Ferri, Grossi, Hackson, Jackson, Jones, Li, Lovatt, Rosati, Vegh, West (13)

Against: Hamilton, Heath, Mrakas, Pellegrini, Quirk, Scarpitti, Taylor (7)

Absent: Perrelli (1)

Carried

[Regional Council - May 26, 2022](#)

Thank you,
Irene Ford

Communication : C 11
Committee of the Whole (1)
June 7, 2022
Agenda Item # 6

From: Adam Santos <asantos@westonconsulting.com>
Sent: Monday, June 06, 2022 11:52 AM
To: Clerks@vaughan.ca
Cc: Sandra Patano <spatano@westonconsulting.com>; Scott Kruse <skruse@westonconsulting.com>; Biagio Caruso <biagio.francocaruso@gmail.com>
Subject: [External] City of Vaughan Committee of the Whole - June 7th 2022 - Agenda Item 6.6 Correspondence

Good Morning City Clerk,

On behalf our Client, Franden Holdings Ltd the landowner of the property located at 215 Doughton Road. We respectfully submit formal correspondence ahead of City Committee of the Whole Meeting, in concert with **agenda item 6.6 – DOUGHTON RESIDENCES CORP. OP.20.005 AND Z.20.013**. We kindly request that we be notified of any future reports and/or meetings, as well as any future decisions regarding this matter.

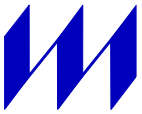
Should you have any questions, please do not hesitate to contact me.

Thank you,

ADAM SANTOS, BURPI, RPP, MCIP
SENIOR PLANNER

VAUGHAN 905.738.8080 x276
TORONTO 416.640.9917 x276
WESTONCONSULTING.COM




**WESTON
CONSULTING**

planning + urban design

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

June 6, 2022
File 7069

Attn: City Clerk and Committee Members,

**RE: Committee of the Whole Report – Agenda Item 6.6 – Tuesday June 7th, 2022
Doughton Residences Corp.
216 and 220 Doughton Road, Vicinity of Jane Street and Doughton Road
File No. OP.20.005 & Z.20.013**

Weston Consulting is the planning consultant to Franden Holdings Ltd., the owner of 215 Doughton Road in the City of Vaughan (herein referred to as the “subject property”). On behalf of the Owner of the subject property we are providing comments in connection with Official Plan Amendment (OP.20.005) and Zoning By-law Amendment (Z.20.013) Applications for the lands situated at 216 and 220 Doughton Road.

Our Client’s lands are located on the south side of Doughton Road, directly southeast of the Doughton Residences Corp. lands. On behalf of Franden Holdings Ltd., we have shared correspondence and attended meetings with City Planning and Engineering Staff to discuss the future north-south public road alignment, which bisects both our Client’s lands, the Doughton Residences Corp. lands, along with several other landowners within the immediate vicinity.

Our Client’s land holding is approximately 0.767 ha (1.89 ac) in size with approximately 56 metres of frontage onto Doughton Road. The schematic north-south public road alignment contained within the Vaughan Metropolitan Centre Secondary Plan (VMCSP) originally contemplated the straddling of mutual property lines between our Client’s lands and the adjacent landowners immediately to the west. This road alignment, although conceptual presented a reasonable and equitable approach to sharing the burden of road conveyances amongst landowners in the area, particularly since there is no cost sharing mechanism in place.

Our office previously attended a Pre-Application Consultation Meeting and presented a concept plan that delineated the extent of the future north-south public road generally straddling the property lines as set out in the VMCSP, including a development scheme which conformed to the ‘Neighbourhood Precincts’ land use designation of the VMCSP. The presented concept plan incorporated two towers, with building heights of 19 and 23 storeys, and a total site density of 4.47 FSI. This concept recognized and demonstrated the conveyance of our Client’s share of the north-south public road (10.0 m), which consisted of approximately 0.131 ha.

While we appreciate that the precise location and alignment of the public road is largely determined through active development applications in process, the new re-alignment of the north-south road as shown with the Doughton Residences Corp. significantly impacts the redevelopment opportunity of our Client's lands (*Option 3 - see attachments*). In our opinion the current road alignment is not the most equitable sharing of property impacts in consideration of the other alignment options presented by City Staff.

Consequently, given the meandering nature of the future north-south road alignment, the required conveyance for road infrastructure purposes increases from 0.131 ha to 0.267 ha, and the total developable area decreases from 0.636 ha to 0.421 ha.

It is recognized that the Doughton Residences Corp. application before the Committee, is also accommodating a portion of the north-south public road, however, the applicant is also requesting a significant increase in the current development permissions. A maximum FSI of 4.75 and 25 to 30 storeys are permitted onsite, while the proposal contemplates a site density of 11.54 FSI and 46 and 52 storeys respectfully.

Given that 0.267 ha of our Client's lands is to be conveyed for future road infrastructure purposes, including the sterilization of 0.079 ha of land west of the future north-south road, we would respectfully request that additional heights and densities be considered for the subject property, as well as other considerations, such as the opportunity for strata parking through the current VMCSPP Update process and/or the development application process for the subject property. Given the reduced developable area and the lack of flexibility in re-aligning the north-south road as described by City Staff, we would request that greater height and density permissions be considered with the future redevelopment of 215 Doughton Road, than what is currently permitted in the VMCSPP. This would allow for a feasible redevelopment of the subject property, as always intended in the VMCSPP.

We intend to continue monitoring this application and the VMCSPP Update process and reserve the right to provide further comments. We kindly request that we be notified of any future reports and/or meetings, as well as any decisions regarding this matter. Should you have any questions or require further information, please contact the undersigned at ext. 276.

Yours truly,

Weston Consulting

Per:



Adam Santos, BURPL, RPP, MCIP

c. Franden Holdings Ltd.
Sandra K. Patano, Weston Consulting

Attachments: North/ South Road Alignment Options 1, 2, and 3

Option 1



Option 2



Option 3



**Communication : C 12
Committee of the Whole (1)
June 7, 2022
Agenda Item # 7**

From: Pound&Stewart Planning <pstewart@cityplan.com>
Sent: Monday, June 06, 2022 12:04 PM
To: Clerks@vaughan.ca
Subject: [External] FW: City of Vaughan - Committee of the Whole - June 7, 2022 - Item 7 - Bostar Inc. 5875 Highway 7 - ZBA No. Z.19.034 & DA.19.085

Please confirm receipt.
Thank-you.

From: Pound&Stewart Planning <pstewart@cityplan.com>
Sent: Monday, June 6, 2022 11:54 AM
To: 'coles.todd@vaughan.ca' <coles.todd@vaughan.ca>
Cc: 'haiqing.xu@vaughan.ca' <haiqing.xu@vaughan.ca>; 'jennifer.kim@vaughan.ca' <jennifer.kim@vaughan.ca>; 'letizia.daddario@vaughan.ca' <letizia.daddario@vaughan.ca>; 'mark.antoine@vaughan.ca' <mark.antoine@vaughan.ca>; 'nancy.' <tuckett@vaughan.ca>; 'Riccardo Bozzo' <riccardo@bozzogroup.com>
Subject: City of Vaughan - Committee of the Whole – June 7, 2022 – Item 7 - Bostar Inc. 5875 Highway 7 - ZBA No. Z.19.034 & DA.19.085

Hello Todd;

Please refer to attached letter submission on behalf of my client NAPCO – Royal as it relates the above captioned Bostar Inc. applications.

NAPCO operates its manufacturing business operations next to the location of the above captioned Bostar Inc. property.

We would appreciate this letter being circulated to the Committee of the Whole as part of their June 7, 2022 Agenda – Item 7.

I'm available to address Committee as necessary tomorrow.

Thanks in advance for your co-operation.

Phil Stewart, MCIP, RPP
Principal
pstewart@cityplan.com

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POUND & STEWART

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June 6, 2022

BY EMAIL (clerks@vaughan.ca) & REGULAR MAIL

Vaughan City Hall
 Office of the City Clerk
 2141 Major Mackenzie Drive, Level 100
 Vaughan, Ontario
 L6A 1T1

Attn: Mr. T. Coles, MCIP, RPP, City Clerk

Re: City of Vaughan - Committee of the Whole – June 7, 2022 – Item 7
Bostar Inc. - 5875 Highway 7
Zoning By-law Amendment File No. Z.19.034 & Site Development File DA.19.085
Our file: 1711-22

We are planning consultants writing on behalf of NAPCO - Royal Building Products ('NAPCO'), a Westlake Company. The NAPCO pipe manufacturing business is located at 101, 131 and 155 Regalcrest Court. The Bostar Inc. ('Bostar') 5875 Highway 7 property is located to the immediate north of my client's long-standing manufacturing operations.

The NAPCO and Bostar properties were originally one property with municipal servicing connections supporting development thereon. Today these properties are separately owned and function independently based on shared underground service connections, as governed by Consent for Easement (Application Nos. B 70/03 & Nos. B 71/03) per Easement Agreements registered on title in February 2004. Redevelopment of the Bostar property today requires modifications to the existing underground servicing systems as shared between the properties.

In the spirit of co-operation my client has agreed in principle to allow servicing modifications, subject to completing a 'Memorandum of Understanding' and Committee of Adjustment Consent for Easement with related supporting legal documentation. Sanitary servicing conveyance capacity and flow velocities are vital to NAPCO's unfettered business operations, as are water and related underground servicing. It is required that any future modifications to the underground services will need to function as well as the current services do.

In support NAPCO's consent in principle to advance the proposed Bostar Inc. underground servicing program, NAPCO relies on the attached May 2, 2022 Bostar Inc. (copy attached).

POUND & STEWART ASSOCIATES LIMITED

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 305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 • 905 305 9797
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In addition, further to our March 3, 2020 submission on behalf of NAPCO, we appreciate that the City Staff Report confirms the following requests:

- City Planning will ensure that effective landscaping in the form of tree screening will be provided between my client's lands and that of Bostar's per the redevelopment of the property to be reflected in an updated Site Plan Agreement;
- City Planning confirms Improvements to the waste collection by ensuring waste management areas are located within enclosed spaces within the new buildings;
- The City's Development Engineering has confirmed no objections to the proposed storm water management strategy;
- City Planning deems the relationship between the two properties is acceptable in terms of Noise Compatibility.

Please ensure our firm remains on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your co-operation.

Yours truly,
Pound & Stewart Associates Limited



Philip J. Stewart, MCIP, RPP

/la_1711ltr.NAPCO-Royal.June.06.2022

Attachment: as noted herein

cc. Mr. H. Xu, Deputy, RPP, City Manager, Planning and Growth Mangement
(haiqing.xu@vaughan.ca)

cc. Mr. M. Antoine, RPP, Senior Manager of Development Planning (mark.antoine@vaughan.ca)

cc. Ms. N. Tuckett, RPP, Director of Development Planning (nancy.tuckett@vaughan.ca)

cc. Ms. J. Kim, MCIP, RPP, Planner, City of Vaughan (jennifer.kim@vaughan.ca)

cc. Ms. L. D'Addario, RPP, Senior Planner (letizia.daddario@vaughan.ca)

cc. Mr. R. Bozzo, Bostar Inc.

cc. Mr. R. Gray, Miller Thomson

cc. M. Britton, P. Eng. C.F. Crozier & Associates Inc.

cc. client

POUND & STEWART ASSOCIATES LIMITED



Bostar Inc.

1378 Yonge St. Ste. 201, Toronto ON M4T 1Y5
Tel: 416-922-8137 email: riccardo@bozzogroup.com

May 2, 2022

Napco Royal Pipe and Fittings
131 Regalcrest Court
Woodbridge ON L4L 8P3

RE: 5875 Highway 7, Vaughan ON
Realignment of Shared Sanitary Services

Further to the email correspondence with Phil Stewart of Pound & Stewart Planning Consultants, we write to clarify our position in regards to the concerns and issues raised in connection with the realignment of the shared sanitary services at the above noted address.

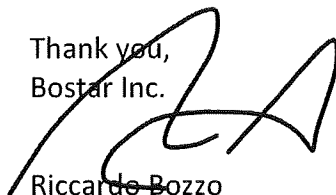
1. Attached please find a formal letter from our structural engineer, Shawky Ibrahim principal of CSC Group Ltd., with respect to proximity of the foundations to the proposed realignment.
2. We understand your concern and Bostar Inc. agrees to be responsible for any incremental repair costs associated with any future maintenance or repair and or replacement costs stemming from the proximity of the underground watermain and sanitary sewer services to the foundation of the proposed new building.
3. Bostar Inc. will prepare and submit a new Planning Act Consent for Easement application resulting in a new Agreement between the property owners to be registered on title, together with the Consent, a new R-Plan and new easement document for the relocated sanitary sewer, all at the expense of Bostar Inc.

Once again, we request consent from NAPCO - Royal in regards to the alignment of the subject easement on the basis that we have agreed to each of your requests. Upon receipt of consent from NAPCO we shall move the application forward and will then have the new R-plan, easement agreement and Planning Act Consent application prepared for circulation and review.

Time is of the essence in providing our neighbour's consent to the City in order to have our application included on the agenda for council's last meeting before summer break.

Please contact the undersigned if you have any further questions or concerns.

Thank you,
Bostar Inc.



Riccardo Bozzo

**Communication : C 13
Committee of the Whole (1)
June 7, 2022
Addendum Agenda Item # 27**

June 6, 2022

By Email todd.coles@vaughan.ca

His Worship The Honourable Mayor Maurizio Bevilacqua and Members of City Council
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON., L6A 1T1

Attn: Mr. Todd Coles, City Clerk

Dear Mayor Bevilacqua:

**Re: Committee of the Whole Meeting (June 7, 2022)
Parkland Dedication By-law
Report of the Deputy City Manager, Infrastructure Development**

We are legal counsel to BILD with respect to the City's proposed parkland dedication by-law. This letter is further to ours of February 7, 2022 and the deputation we made to this committee. Please accept this letter as BILD's (York Chapter) comments on the draft Parkland Dedication By-law.

BILD acknowledges and thanks city staff and its external consultants for meeting with BILD representatives through the study process to date. BILD believes strongly that constructive dialogue with the industry is essential to try to build consensus on this important matter. BILD is overall supportive of the draft Parkland Dedication By-law (attached) and appreciates the important leadership which City Council provided throughout the study process. BILD also acknowledges the substantial amount of work performed by City staff and the external consultants in examining this complex and important matter. BILD also acknowledges and appreciates the forward thinking exhibited by city staff, the external consultants and City Council during this process. There are a few things in particular which bear mentioning as examples of forward thinking and which BILD supports.

- Fixed per-unit cash-in-lieu rates.
- Transition (over a few years) to get from the current rates to the ultimate rates.
- Full parkland credit for:
 - Off-site parks [**although BILD requests that s3(6) of the Parkland Dedication By-law be explicit that there be a full credit for off-site parkland as it is simply implicit in the present draft**].
 - Dual use parks / SWM facilities
 - Strata parks
 - Parks in the greenbelt (where same are permitted by the Greenbelt Plan)
 - POPS

There are aspects of the draft Parkland Dedication By-law which, BILD submits, can be improved and which we recommend to City Council. These are discussed below.

TRANSITION PHASE-IN DATES

The new Parkland Dedication By-law comes into effect on September 18, 2022 but the annual phase-in dates for the new cash-in-lieu rates are March 1st of 2023, 2024 and 2025. **BILD requests that the annual transition occur on the anniversary of the effective date of the by-law being September 17th or every year. Alternatively, the transition date can be rounded to September 1st for 2023, 2024 and 2025.**

PERCENTAGE CAP FOR LAND DEDICATION

While the fixed per-unit rate applies to cash-in-lieu payments, there is nothing in the draft by-law which mitigates against unreasonably large on-site parkland dedication requirements for higher density development. As City Council is well aware, the amount of on-site parkland required by the full alternative rate (1 ha / 300 dwelling units) can easily exceed the entire site area. Other municipalities have acknowledged this and included percentage caps of between 10% and 25%. Staff have advised that they intend to report on percentage caps in 2023. BILD has been recommending a percentage cap from the outset and does not support delaying implementation to 2023. **BILD recommends that City Council direct staff to include a percentage cap of 10% (for sites less than 5ha in area) and 15% (for sites larger than 5 ha in area) in the parkland dedication by-law, at this time, consistent with provincial caps for Transit Oriented Communities.**

SUSTAINABILITY CREDITS

From the outset, BILD has been advocating that the City include sustainability credits [pursuant to section 42(6.2 & 6.3) of the Planning Act] as a means of fighting climate change and mitigating the price of housing. The staff report is silent on this matter, as is the draft Parkland Dedication By-law. **BILD requests that City Council direct staff to include sustainability credits in the Parkland Dedication By-law.**

CONCLUSION

BILD thanks you for considering this submission and its previous submission. We would be pleased to provide this committee and City Council with any further information it requires.

Yours very truly,



Ira T. Kagan
Encl.

cc. BILD
Daryl Keleher (Altus Group Economic Consulting)

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2022

A By-law to require the conveyance of land and payment-in-lieu thereof for park or other public recreational purposes in the City of Vaughan repealing and replacing By-laws 139-90, 205-2012 and 007-2018.

WHEREAS section 42 of the *Planning Act*, RSO 1990, c P.13, as amended, authorizes local municipalities to pass By-laws requiring that land or payment-in-lieu thereof be conveyed to the local municipality as a condition of development or redevelopment of land;

AND WHEREAS the Council of the Corporation of the City of Vaughan wishes to use this authority to further the acquisition of lands and payment-in-lieu for park and other public recreational purposes;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

Section 1 – Definitions and Applicability

1(1) DEFINITIONS

In this By-law:

- a) “Act”** means the *Planning Act*, RSO 1990, c P.13 as amended.
- b) “accessory”** means incidental, subordinate, and devoted exclusively to a principal use, *building* or *structure*.
- c) “additional residential unit”** means a self-contained *residential unit* with full kitchen and bathroom facilities within or as an *accessory* to an existing *residential unit* such as a basement apartment or secondary suite. For the purposes of this By-law, a standalone *residential unit* that is detached from an existing *residential unit* within the same lot is not to be considered an *additional residential unit*.
- d) “apartment building”** means a residential *building*, or the *residential use* portion of a mixed-use building, other than a *townhouse* containing four or

more *residential units* each of which shall have access to above grade common halls, stairs, elevators, and yards.

- e) **“building”** means a fully enclosed *structure*, whether temporary or permanent, used or erected for shelter, accommodation or enclosure of persons, animals, materials or equipment, but does not include a house trailer or mobile home.
- f) **“building permit”** means a permit issued under the *Building Code Act, 1992*, SO 1992, c 23 which permits the construction of a *building* or *structure*, or which permits the construction of the foundation of a *building* or *structure*.
- g) **“City”** means the Corporation of the City of Vaughan.
- h) **“commercial purpose”** means the use of the land, *structure* or *building* for the purpose of buying and selling commodities or supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing and construction.
- i) **“development”** means the construction, erection or placing of one or more *buildings* or *structures* on land or the making of an addition or alteration to a *building* or *structure* that has the effect of substantially increasing the size or useability thereof, or the laying out and establishment of a commercial parking lot.
- j) **“duplex”** means a *building* comprising, by horizontal division, two *residential units*, each of which has a separate entrance to grade.
- k) **“gross floor area”** means the total area of all of the floors in a building above grade measured from the outside of the exterior walls, but excluding bicycle parking within a building.
- l) **“multiple unit building”** means where the development consists of multiple *residential units* within buildings that are not included in the definition of *single detached residential*, or *semi-detached residential*, or *townhouse*. For clarity “multiple unit building” includes *stacked townhouse*, *semi-detached duplex*, *triplex*, *semi-detached triplex*, and *apartment building*.

- m) “home occupation”** means an occupation permitted in a *residential unit* and which,
- i. is clearly secondary to the use of the *residential unit*;
 - ii. does not change the external character of the *residential unit*; and
 - iii. does not create or become a public nuisance, with respect to noise, traffic, or parking.
- n) “industrial purpose”** means the use of land, *building* or *structure* for the construction, warehousing, manufacturing, processing or assembly of materials to finished products or byproducts, including the storage of such materials and products.
- o) “institutional purpose”** means the use of any land, *building* or *structure* by any organization owned or operated for religious, educational, charitable, recreational, or governmental purposes, whether or not supported in whole or in part by public funds.
- p) “owner”** means the owner of the land to be developed or redeveloped including the person who has made under lawful authority the *development* or *redevelopment* application for which parkland dedication requirements are imposed by this By-law.
- q) “mixed-use developments”** means a *building* or *structure* containing a residential and non-*residential use* other than a *home occupation*.
- r) “place of worship”** means gatherings of a religious or faith-based organization for spiritual purposes.
- s) “privately owned public space”** means open space that is privately owned and maintained but is a publicly accessible space complementing public parks or offering other public programming purposes secured by an easement with the *City*.
- t) “redevelopment”** means construction, erection or placing of one or more *buildings* or *structures* on land where all or part of a *building* or *structure* has previously been demolished on such land or changing the use from a residential to non-*residential use* or from a non-residential to *residential use* or from one form of *residential use* to another form of *residential use*.

- u) **“residential purpose” and “residential use”** both mean the use of land, *buildings* or *structures* for human habitation.
- v) **“residential unit”** means one or more habitable rooms designed, occupied, or intended to be occupied as living quarters as a self-contained unit and shall, at a minimum, contain sanitary facilities, accommodation for sleeping and a kitchen.
- w) **“semi-detached duplex”** means one of a pair of attached *duplexes*, each *duplex* divided vertically from the other by a party wall.
- x) **“semi-detached residential”** means a *building* divided vertically into two *residential units*.
- y) **“semi-detached triplex”** means one of a pair of *triplexes* divided vertically one from the other by a party wall.
- z) **“single detached residential”** means a *building* consisting of one *residential unit* that is not attached to another *structure* above grade.
- aa) **“stacked townhouse”** means a building, other than a *townhouse* or *apartment building*, containing at least three *residential units*, each *residential unit* being separated from the other vertically and/or horizontally, and each *residential unit* having an entrance to grade shared with no more than three other units.
- bb) **“stand-alone residential addition”** means a second *residential unit* that is detached from an existing *residential unit* within the same lot.
- cc) **“structure”** means anything constructed or erected and is fixed to or supported by the ground or attached to another structure that is fixed to or supported by the ground.
- dd) **“strata park”** means City-owned parkland in the form of a publicly accessible open space located on top of *structures*, including but not limited to parking garages. The strata component of this definition refers to the horizontal delineation of legal ownership as described in the *Condominium Act, 1998*, SO 1998, c 19.

ee) “townhouse” means a *building*, up to three storeys in height, situated on a single parcel and part of a row of at least three but no more than six attached *residential units*.

ff) “temporary building or structure” means a temporary use permitted under a *City* zoning By-law enacted per section 34 of the *Act*.

gg) “triplex” means a *building* comprising three *residential units*, each of which has a separate entrance to grade.

1(2) This By-law applies to all lands within the corporate limits of the *City*.

Section 2 – Land Dedication Requirement

2(1) As a condition of *development* or *redevelopment* of lands in the *City*, Council hereby requires that land be conveyed to the *City* for park or other public recreational purposes such that:

- a)** In the case of land proposed for *development* or *redevelopment* for a *commercial purpose* or an *industrial purpose*, two percent (2%) of the said lands shall be conveyed.
- b)** In the case of lands proposed for *development* or *redevelopment* for a *residential purpose*, which includes residential portions of a *mixed-use development*, or other purpose not mentioned in section 2(1)a), five percent (5%) of the lands shall be conveyed.
- c)** In the case of a *mixed-use development* or *redevelopment* where the non-residential *gross floor area* represents equal to or less than twenty percent (20%) of the total *gross floor area*, no parkland dedication shall be imposed on the non-residential portion.
- d)** As an alternative to requiring the conveyance provided for in section 2(1)b), in case of lands proposed for *development* or *redevelopment* for a *residential purpose*, the *City* may elect that land be conveyed at a rate of one (1) hectare for each three hundred (300) *residential units* proposed.

2(2) Where a single parcel of land is proposed for *development* or *redevelopment* for purposes referred to in both sections 2(1)a) and 2(1)b), the respective parkland dedication rates shall be applied in the same proportion as the *gross floor area*

for section 2(1)a) purposes relative to the *gross floor area* for section 2(1)b) purposes.

- 2(3)** Notwithstanding any other sections in this By-law and subject to any applicable restrictions provided by the *Act*, the *City* may determine at its sole discretion,
- a) the location, configuration and encumbrances of land required for conveyance; and
 - b) when payment-in-lieu of land conveyance or a combination of payment and land are acceptable.

Section 3 – Lands Acceptable for Conveyance and Parkland Credits

- 3(1)** The *City* requires lands that fully meet the *City's* requirements for parklands, which can include passive recreation uses. Such lands accepted by the *City* for dedication shall receive full **(100%)** credit towards satisfying the parkland dedication requirements for a *development* or *redevelopment*.
- 3(2)** The *City* may, in its sole discretion, choose to accept the following encumbered lands at a full **(100%)** credit towards satisfying the parkland dedication requirements for a *development* or *redevelopment*:
- a) *Strata parks*.
 - b) Land encumbered by underground storm water facilities, utility corridors, and other publicly owned infrastructure.
 - c) Land that forms part of the Natural Heritage Network and associated buffers.
 - d) Land encumbered by floodplains.
 - e) Land encumbered by sustainability features.
 - f) Land within the Greenbelt or Oak Ridges Moraine.
- 3(3)** Consideration and provision of parkland credits for the encumbered lands provided in section 3(2) shall require the *owner* to enter into an agreement with the *City* for dedication of land that,
- a) is permit-ready for active and/or passive park programming;
 - b) is designed and developable to *City* standards;
 - c) does not prohibit or restrict public programming;
 - d) will be open and accessible to the public at all times;

- e) meets any further applicable criteria in the *City's* Official Plan or Secondary Plan; and
 - f) meets requirements of the Greenbelt or the Oak Ridges Moraine policies where applicable.
- 3(4)** The *City* may choose, in its sole discretion, to accept land proposed as a *privately owned public space* at full (**100%**) credit towards satisfying the parkland dedication requirements for a *development* or *redevelopment*. Consideration and provision of parkland credits for a *privately owned public space* shall require the owner to enter into an agreement with the *City* providing that the *privately owned public space*,
- a) is designed, developed and maintained to *City* standards;
 - b) is open and accessible to the public at all times; and
 - c) meets any further applicable criteria in the *City's* Official Plan or Secondary Plan.
- 3(5)** Lands not acceptable for parkland dedication and any credit are the following:
- a) Lands with poor drainage, erosion issues, extreme slopes and other adverse physical conditions.
 - b) Lands required to accommodate open storm water management facilities.
 - c) Lands deemed by the *City* to be contaminated in any way.
 - d) Lands that prohibit or restrict public programming.
- 3(6)** Where on-site land dedication is not feasible, the *City* may accept, in its sole discretion, off-site land dedication it considers suitable towards meeting the overall parkland dedication requirement for a *development* or *redevelopment*.

Section 4 – Payment-in-Lieu of Parkland Dedication

- 4(1)** Despite section 2(1), the *City* may elect, in its sole discretion, for a payment-in-lieu including where no reasonable prospect for land dedication exists including, but not limited to,
- a) where land conveyance would render the remaining portion of the subject lands unsuitable or impractical for *development* or *redevelopment*;

- b) where the amount of land conveyance does not meet the *City's* Official Plan definitions of parklands or provide a parkland configuration acceptable to the *City*; or
 - c) where existing parks and other recreational spaces are available and deemed sufficient by the *City* to accommodate further *development* or *redevelopment*.
- 4(2) Calculations of payments-in-lieu shall be net of the value of any land conveyance made towards the overall parkland dedication requirement for a *development* or *redevelopment*.
- 4(3) Subject to section 4(4), the amount of payment-in-lieu shall be the value of the land otherwise required to be conveyed.
- 4(4) A payment-in-lieu for a *multiple unit building development* or *redevelopment* shall be the lesser of,
 - a) the value of land using a rate of one hectare for each five hundred (500) *residential units* based on the subject site land value; or
 - b) a payment calculated by multiplying the number of *residential units* for the *residential purpose* with the applicable unit rate of,
 - i. **\$11,300** per unit on the day this By-law comes into full force and effect;
 - ii. **\$15,050** per unit effective March 1, 2023;
 - iii. **\$20,050** per unit effective March 1, 2024;
 - iv. **\$27,994** per unit effective March 1, 2025; and
 - v. subject to a **4.25%** increase on each one-year anniversary after March 1, 2025 without amendment to this By-law.
- 4(5) A payment-in-lieu for a *stand-alone residential addition* shall be a set rate payment of,
 - a) **\$1,356** per unit on the day this By-law comes into full force and effect;
 - b) **\$1,806** per unit effective March 1, 2023;
 - c) **\$2,406** per unit effective March 1, 2024;
 - d) **\$3,359** per unit effective March 1, 2025; and

- e) subject to a **4.25%** increase on each one-year anniversary after March 1, 2025 without amendment to this By-law.

4(6) While the *City* may rely on other appraisal information to determine the value of the land for payment-in-lieu, where payment-in-lieu is permitted and is not being calculated pursuant to section 4(4)b) or 4(5) the *owner* shall provide an appraisal to the *City* which shall,

- a) be obtained by the *owner* at their sole expense;
- b) be conducted by a certified professional appraiser designated as an Accredited Appraiser by the Appraisal Institute of Canada with experience appraising all types of real property;
- c) state the criteria used to determine the value presented in the appraisal; and
- d) cannot be accepted by the *City* if the appraisal date is more than one (1) year prior to the valuation date.

4(7) The valuation date of land value for payment-in-lieu, including determining what unit rate shall apply under section 4(4)b), shall be the day before the day the required first *building permit* is issued for the *development* or *redevelopment*.

Section 5 – When Additional Parkland Dedication is Required

5(1) No additional land conveyances or payment-in-lieu shall be required for subject lands for which a previous parkland dedication land conveyance or payment-in-lieu was made unless,

- a) there is an increase in the number of *residential units* (excluding *additional residential units*) that generates additional dedication requirements;
- b) there is additional land area added to the *development* or *redevelopment* that generates additional dedication requirements; or
- c) land or *buildings* originally proposed for *development* or *redevelopment* for a *commercial purpose* or *industrial purpose* are now proposed to be used for *residential purposes*.

5(2) If additional land or payment-in-lieu is required, the land conveyed and accepted as parkland dedication at the time and/or payment-in-lieu already given for

parkland dedication by the subject lands shall be factored into the determination of the additional contribution.

Section 6 – Exemptions, Payment Deadlines and Other Administration

- 6(1)** This By-law may be referred to as the “Parkland Dedication By-law”.
- 6(2)** Notwithstanding any other sections in this By-law, no parkland dedication is required for the following exempt categories:
- a)** *Development or redevelopment as a place of worship.*
 - b)** *Development or redevelopment of land, buildings or structures that is a long-term care home as defined by the Long-Term Care Homes Act, 2007, SO 2007, c 8 or other residential hospices that receive government funding for their nursing services.*
 - c)** *Development or redevelopment of land, buildings or structures for affordable housing per the definition in the Provincial Policy Statement issued under section 3 of the Act.*
 - d)** *Development or redevelopment of land being undertaken by a not-for-profit organization.*
 - e)** *Development or redevelopment of land, buildings or structures owned by and used for the purposes of the City or Corporation of the Region of York.*
 - f)** *Development or redevelopment of land, buildings or structures owned by and used for the purposes of a Board of Education, a university or a school as defined in the Education Act, RSO 1990, c E.2 or a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002, SO 2002, c 8, Sched F.*
 - g)** *Development or redevelopment of land, buildings or structures owned and used by the Cortellucci Vaughan Hospital.*
 - h)** Replacement of any *building* that is a direct result of destruction due to fire or other cause demonstrably beyond the control of the *owner*, provided that no intensification or change in use is proposed, including but not limited to an increase in total *residential unit* count.

- i) The enlargement of an existing single detached or semi-detached *residential unit*.
 - j) *Additional residential units* up to a maximum of five units.
 - k) Enlargement of an existing *commercial purpose, industrial purpose or institutional purpose building or structure* where the size of the subject site is unchanged.
 - l) *Temporary buildings or structures*.
- 6(3)** When parkland dedication is required, title to any land and payment-in-lieu shall be received by the *City*,
- a) according to the specific payment conditions for the *development or redevelopment*, or
 - b) in all other cases prior to the issuance of a *building permit* or, if more than one *building permit* is required, the day before the day the first permit is issued.
- 6(4)** All payment-in-lieu received by the *City* under this By-law shall be remitted into the Parkland Reserve Fund.
- 6(5)** In administering the Parkland Reserve Fund, the *City* shall,
- a) maintain records of all remittances and expenditures from the fund;
 - b) invest fund money in securities as permitted by the *Municipal Act, 2001*, SO 2001, c 25 with any earnings returned to the fund; and
 - c) issue publicly available reports on the fund in a frequency and format as prescribed by the *Act*.
- 6(6)** Should any section or part of a section of this By-law be determined by a court or tribunal of competent jurisdiction to be invalid or of no force and effect, that section or part shall be severable and the remainder of this By-law will continue to operate in full force and effect.

Section 7 – Coming Into Force and Transition

- 7(1)** This By-law comes into full force and effect on September 18, 2022 and previous By-laws 139-90, 205-2012, and 007-2018 are repealed on that date.

7(2) This By-law does not frustrate or supersede the terms of any previous written agreement on the conveyance of land or payment-lieu for parkland dedication between an *owner* and the *City*.

Enacted by City of Vaughan Council this XXth day of June, 2022.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. ____ of Report No. ____
of the Committee _____
Adopted by Vaughan City Council on



Communication : C 14
Committee of the Whole (1)
June 7, 2022
Agenda Item # 10

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

SENT VIA EMAIL

KLM File: P-3051

June 6, 2022

Todd Coles, City Clerk
Office of the City Clerk
Ground Floor, South Wing
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario, L6A 1T1

Attention: **City Clerk and Honourable Mayor & Members of Vaughan Council**

RE: **Item #10 - Committee of the Whole Meeting (1) – June 7, 2022 at 1:00 PM**
 Official Plan Amendment File OP.21.007
 Zoning By-law Amendment File Z.21.010
 Draft Plan of Subdivision File 19T-18V005
 (Related Site Development File DA.18.037)
 1930328 Ontario Inc.
 2871 Highway 7
 Vicinity of Highway 7 and Maplecrete Road

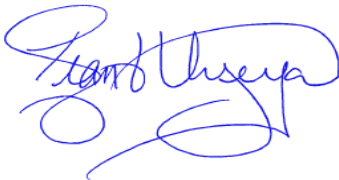
On behalf of my client, GB (Vaughan Seven) Limited Partnership (“GB”), being the owner of land at 2851 Highway 7, more specifically located immediately abutting to the east of the subject lands owned by 1930328 Ontario Inc., KLM Planning Partners Inc. (“KLM”) as GB’s land use planning consultant has reviewed the Planning Report (Item #10 on the CW(1) Agenda) recommending approval of the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision Applications, among other staff recommendations, **and requests that the City Clerk and VMC Program staff continue to provide written notice to KLM of any upcoming Committee of the Whole and Council meetings regarding Files OP.21.007, Z.21.010, 19T-18V005, and related DA.18.037 for 1930328 Ontario Inc. at 2871 Highway 7, including the passing of any implementing OPA and ZBA documents, and site plan approval.**

My client is presently working with VMC Program staff to complete their draft subdivision agreement and draft site plan agreement processes, and with Building Standards staff on their conditional building permit, in order to develop a 37-storey and 35-storey mixed-use residential and commercial high-rise project in the Vaughan Metropolitan Centre (“VMC”). Throughout GB’s

planning process, our client has consulted with 1930328 Ontario Inc. to ensure co-ordination between the two properties, and accordingly GB has a vested land use planning interest to ensure its development proceeds towards completion with the issuance of timely building permits.

I trust that this request is in order. Should you have any questions, please feel free to contact me.

Respectfully submitted,
KLM PLANNING PARTNERS INC.



Grant Uyeyama, MCIP, RPP
Principal Planner

GU/

Copy to: Alireza Khosrowshahi, Melrose Investments Inc.
 Kirill Blotskii, Melrose Investments Inc.
 Olenka Karetnik, Melrose Investments Inc.
 Billy Tung, KLM Planning Partners Inc.

DATE: June 6, 2022
TO: Mayor and Members of Council
FROM: Haiqing Xu, Deputy City Manager, Planning and Growth Management
RE: **COMMUNICATION – Committee of the Whole (1) – June 7, 2022**

Communication : C 15
Committee of the Whole (1)
June 7, 2022
Agenda Item # 6

Item #6, Report #27: Doughton Residences Corp. Official Plan Amendment and Zoning By-law Amendment Files OP.20.005 and Z.20.013 (216 and 220 Doughton Road)

Doughton Residence Corp. OP.20.005 and Z.20.013

Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

That the staff report for Official Plan Amendment and Zoning By-law Amendment Files OP.20.005 and Z.20.013 (Doughton Residences Corp.) be amended as follows:

1. THAT the Recommendations section be updated to include the following conditions:
 - “7. THAT the implementing Official Plan Amendment be brought forward to York Region for approval;
 8. THAT the implementing Zoning By-law Amendment be brought forward to a future Vaughan Council meeting in accordance with section 4224(2) of the *Planning Act*,”

Background

In their letter to the City dated April 25²², 2022, York Region has advised that they retain the approval authority of the Official Plan Amendment File OP.20.005. Accordingly, Regional Exemption has not been granted at this time, thereby warranting Regional approval of the Official Plan Amendment. Accordingly, the purpose of this Communication is to amend the Recommendations and authorize the City to forward the implementing Official Plan Amendment to York Region for approval. The implementing Zoning By-law will be approved subject to Section 4224(2) of the Planning Act.

For more information, contact Christina Bruce, Director, Policy Planning and Special Programs ext. 8231

Respectfully submitted by

A handwritten signature in black ink, appearing to read 'Haiqing', with a stylized, flowing script.

Haiqing Xu
Deputy City Manager, Planning and Growth Management

From: Fausto Rossetto <frossetto@ldc.land>
Sent: Monday, June 06, 2022 3:57 PM
To: Clerks@vaughan.ca
Subject: [External] Doughton Residences Corp OP20.005 and Z20.013 216-220 Doughton Rd

City Clerks Office

I am the owner's representative for 190 Doughton which is directly east of the proposed development. WSP had initiated a study for the north-south collector road and are suggesting Option 3 which this proposal is basing their design on. We have had numerous conversations with the City including a meeting with staff and Councillor Racco to discuss our concerns. It is our position, which we along with our architect presented at the meeting, that a minor tweaking of the road location would have no impact on the Doughton Residences development but would substantially benefit the development potential of numerous neighboring property owners. As the proposal tomorrow is based on Option 3, we would like to formally state that we object to the plan as it is presented. We have reached out to the Doughton Residences owners to discuss a possible resolution during the 30 day appeal period.

Fausto Rossetto

Partner



Land Development Collaborative (LDC)

113 Miranda Avenue
Toronto, ON M6B 3W8

Office: (416) 256-1616 x 1

Mobile: (416) 885-3216

Email: frossetto@LDC.land

www.LDC.land

DATE: JUNE 7, 2022

TO: MAYOR AND MEMBER OF COUNCIL

FROM: HAIQING XU, DEPUTY CITY MANAGER, PLANNING AND GROWTH MANAGEMENT

**RE: COMMUNICATION - COMMITTEE OF THE WHOLE (1),
JUNE 7, 2022**

ITEM #20, REPORT #27

**2109179 ONTARIO INC.
ZONING BY-LAW AMENDMENT (TEMPORARY USE) FILE Z.20.018
SITE DEVELOPMENT FILE DA.20.029
3501 KING-VAUGHAN ROAD
VICINITY OF KING-VAUGHAN ROAD AND HIGHWAY 400
(REFERRED)**

Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

1. THAT the Recommendation of the Committee of the Whole (1) Report dated June 7, 2022, include the following additional recommendation as proposed by the owner:
 - “4. THAT the implementing Zoning By-law (2109179 Ontario Inc.) shall include a provision that a 10 m buffer be provided from the existing dripline abutting the southern property line in accordance with the Redlined Site Plan shown on Attachment 3, to the satisfaction of the Development Planning Department.”
2. THAT Subsection 2 of Attachment 1 (Conditions of Site Plan Approval) of the Committee of the Whole (1) Report dated June 7, 2022, be amended to include the following provisions:
 - “d) The owner shall agree to install a video camera on the subject lands with clear unobstructed sight lines to the vehicular entrance to provide a photographic record of all trucks exiting the subject lands, including the licence plate number of each exiting truck, in addition to the existing signage advising that exiting westbound truck movement is prohibited.

The photographic records shall be stored in a format acceptable to the City and provided to the City by the owner for review at any point the City may require, to assist the City or other responsible authority in enforcing any turning restrictions applicable from the subject lands onto King-Vaughan Road, to the satisfaction of the By-law Enforcement and Compliance, Licencing and Permits Department;

- e)
 - a. Subject to i. below, all outbound trucks will only exit the subject lands between the hours of 6 am to 7 pm Monday to Friday and 6 am to 12:00 pm on Saturdays. No outbound trucks will exit the Subject Lands on Sundays.
 - i. Occasionally, the owner will need outbound trucks to travel off the subject lands after 7 pm. This will only occur in the rare circumstance that a concrete pour has been interrupted for reasons beyond the owner's control and must be completed. However, no inbound trucks will travel onto the subject lands after 7 pm.
 - b. All inbound trucks will only enter the property between the hours of 7 am to 7 pm Monday to Friday and 7 am to noon on Saturdays. No inbound trucks will enter the subject lands on Sundays.
- f) Jersey barriers or some other form of physical restriction shall be installed to prevent westbound movements by all types of trucks exiting the subject lands, thereby creating a left-in/right-out driveway access, supported through an Access Modification Report detailing the design and certified by a Professional Engineer, to the satisfaction of York Region and the Development Engineering Department;
- g) The Access Modification Report shall include details for turning prohibition signs and their location, to the satisfaction of York Region;
- h) The owner is required to obtain an Access Modification Permit to the satisfaction of York Region; and
- i) The owner shall provide the City with the dust management plan for the owner and the concrete crushing operator as required and submitted to the Ministry of Environment, Conservation and Parks."

Background

At the May 10, 2022 Committee of the Whole (2) ('CW(2)') meeting, Council requested that Staff work with the Owner to discuss additional requirements to ensure compliance, should the Applications for a temporary use zoning by-law be approved. The Owner's solicitor, Davies Howe Land Development Advocacy and Litigation, provided a letter

dated May 27, 2022 ('Davies Howe letter'), attached hereto to this Communication, describing additional conditions of approval for the Applications.

The Development Planning Department generally agrees with the recommendations of the Davies Howe Letter, as identified in the Recommendations section of this Communication. However, the Davies Howe letter also stated that "the client is amenable to the inclusion of a provision in the temporary use by-law providing that the outdoor back-up batching plant shall only be operated at times when the main indoor batching plant is not operating and that the two batching plants may not be operated at the same time." As identified in Recommendation #1 of the CW(2) report, the Development Planning Department cannot support the second batching plant for the following reasons:

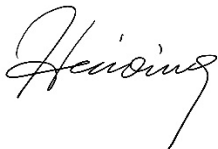
- the concrete batching plant has been in existence for over 12 years;
- the MECP has to date not yet made a decision on the request to approve an increase in production capacity and additional second outside portable concrete batching plant; and
- the current applications were submitted in 2020 and By-law 082-2018 expired May 23, 2021, making the May 2023 extension 3-years with no discontinued use of the concrete batching plant operation on the Subject Lands.

A security deposit via a Letter of Credit issued to the City was also suggested at the CW(2) meeting, to be drawn upon if any fines as a result of potential future by-law infractions occurred on the Subject Lands; however, the Owner believes there are sufficient enforcement mechanisms set out in the Davis Howes letter including the placement of jersey barriers to convert the entrance into a left-in/right out access (thereby directing all outbound traffic toward Jane Street) and the installation of the video camera. These measures are considered appropriate and can be better enforced than through a security deposit.

Conclusion

The Development Planning Department has reviewed the Davies Howe letter and the Owner's suggested conditions of approval. The Development Planning Department has no objection to the above additional recommendations to the May 10, 2022 CW(2) staff report, with the exception of the permission for the second outside portable concrete batching plant.

Respectfully submitted,



Haiqing Xu
Deputy City Manager, Planning and Growth Management

Robert G. Miller
bobm@davieshowe.com
Direct: 416.263.4508
Main: 416.977.7088
Fax: 416.977.8931
File No. 702494

May 27, 2022

By E-Mail Only to *wendy.law@vaughan.ca*

Ms. Wendy Law
Deputy City Manager, Legal and Administrative Services and City Solicitor
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Ms. Law:

**Re: 2109179 Ontario Inc. (the “Owner”)
Zoning By-law Amendment (Temporary Use) File Z.20.018, Site Development
File
DA 20.029 (the “Applications”)
3501 King Vaughan Road (the “Subject Lands”)
City of Vaughan (the “City”)**

We are counsel to the Owner. Further to our meeting of May 24, 2022, we have consulted with our client and can confirm it will agree to the following conditions of approval for the Applications:

1. The area adjacent to the southern property line of the Subject Lands, for which there is a 10m buffer required from the existing dripline, will remain free and clear from all storage material.
2. Jersey barriers or some other form of physical restriction will be installed to prevent left turn movements by trucks from the Subject Lands on to King Vaughan Road. If it is determined that these barriers cannot be located exclusively on the Subject Lands, the Owner will work with the applicable government authorities to ensure that any physical restrictions are installed to the satisfaction of same. Please find attached several photos that show a test installation of our client's proposal to install jersey barriers in order to fully prevent left turn movements by trucks.
3. In addition to the existing signage advising that exiting left turn movements by truck traffic are prohibited, the owner will install a video camera on the Subject Lands with clear unobstructed sight lines to the vehicular entrance to provide a photographic record of all trucks exiting the site, including the licence plate numbers of each exiting truck. The photographic records shall be stored in a

format acceptable to the City and provided to the City for review on a weekly basis, or such other basis as is acceptable to both the City and the Owner, to assist the City or other responsible authority in enforcing any turning restrictions applicable from the site on to King Vaughan Road

4. In terms of inbound and outbound truck movements on the Subject Lands:
 - a. Subject to i. below, all *outbound* trucks will only exit the property between the hours of 6 am – 7 pm, Monday – Friday, 6 am – noon on Saturdays, and none on Sundays.
 - i. Occasionally, the Owner will need outbound trucks to travel off the Subject Lands after 7 pm. This will only occur in the rare circumstance that a concrete pour has been interrupted for reasons beyond the Owner's control and must be completed. However, no inbound trucks will travel onto the Subject Lands after 7 pm.
 - b. All *inbound* trucks will only enter the property between the hours of 7 am – 7 pm, Monday – Friday, 7 am – noon on Saturdays, and none on Sundays.

For context, the *inbound* trucks to the Subject Lands are the source of additional noise impacts, and therefore our client is agreeable to limiting these movements in accordance with the City's Noise By-law.

5. Our client already abides by a robust dust management plan, as required by the Ministry of Environment, Conservation, and Parks (MECP). It would be happy to provide this material to the City to ensure that all stakeholders are made aware of our client's current protocols in place that mitigate or eliminate dust impacts. Likewise, the licence-holder conducting the concrete crushing operation also abides by a similar dust management plan in accordance with its approvals from MECP. We can request a copy of its plan, if desired.
6. The Owner is amenable to having the production cap of 100,000m³ included in the temporary use by-law as this is the current production limit permitted by the MECP approvals for the plant with which our client is currently abiding.
7. The client is amenable to the inclusion of a provision in the temporary use by-law providing that the outdoor back-up batching plant shall only be operated at times when the main indoor batching plant is not operating and that the two batching plants may not be operated at the same time.

We hope that the foregoing indicates our client's commitment to work with the City and the local community to ensure that its ongoing operation on the Subject Lands can

continue with minimal impacts. We also note that the installation of jersey barriers or some other form of physical restriction contemplated in #2, above, could eliminate the authorities' need to monitor exiting traffic at this location (including through a video camera system contemplated in #3, above). Accordingly, we are hopeful that this solution could alleviate or eliminate complaints relating to the Subject Lands advanced by neighbours.

Please do not hesitate to contact me should you have any questions or wish to discuss further.

Yours truly,
DAVIES HOWE LLP



Robert G. Miller

RGM:JC

copy: Haiqing Xu, City of Vaughan
Margaret Holyday, City of Vaughan
Mark Antoine, City of Vaughan
Nancy Tuckett, City of Vaughan
Caterina Facciolo, City of Vaughan
Gurnick Perhar, City of Vaughan
Christina Wright, BCX Environmental Consulting
Rosemarie Humphries, Humphries Planning Group Inc.
Will Maria, GHD Ltd.







Vellore Woods / Millwood-Woodend Rate Payers Associations

Joint Deputation

Committee of the Whole

Jun 7th, 2022

C 18: Page 1 of 5

Thank you for bringing this item up. My family matter is pertinent. but I told them I had to be here!

Communication : C 18
Committee of the Whole (1)
June 7, 2022
Agenda Item # 4

Agenda Item 6.4: VAUGHAN NW RR PROPCO LP OFFICIAL PLAN AMENDMENT FILE OP.20.008
ZONING BY-LAW AMENDMENT FILE Z.20.016 SITE DEVELOPMENT FILE DA.20.022 VICINITY OF
MAJOR MACKENZIE DRIVE WEST AND WESTON ROAD

Applicant: Smart Centres

Files OP.20.008 and Z.20.016

Good Afternoon, Mr ~~Chairman~~ *Madame Chair Jackson*, Deputy Mayor FERRI, Members of Council, Staff and Ladies & Gentlemen,

My name is Elvira Caria and on behalf of the Vellore Woods R.A, and Tirn Sorochinsky of Millwood-Woodend Ratepayers Associations, please accept our comments as joint formal submissions regarding ~~the above item~~ #6.

We have reviewed the most recent submission by the applicant as well as the staff report, and offer the following comments.

We were shocked with the densities proposed in the proponent's initial submission on May 6 2020, which included an FSI of 4.1 for both Phases with building heights up to 24 storeys. *-But we have come a long way since then...*

Our primary comment to the applicant was to reduce building heights and densities. Although the building heights were dramatically reduced in the resubmission, which we are very



Table 2 of the Staff Report notes 23 zoning exceptions. A few of the exceptions are excessive:

- Item 'A' Minimum front yard setback should be 7.5m according to the by-law standard. The proponent is requesting 0.7m set back for Phase 1 (Wing A).
- Item 'N' Minimum width of Landscaping Strip abutting streetline should be 6m; the proponent is proposing 0.5, for Phase 1.

Table 2 Item 'W' notes that the definition of 'permitted uses above the 12 storeys is undefined'. The proponent has indicated that a mechanical room can be included above the 12th floor. The building elevations show that the roof housing mechanical is equivalent to another 2 storeys in height which gives the buildings an appearance of 14 storeys in height. We made it very clear in our meetings with the proponent that our community will accept a maximum building height of 12 storeys. We request that 2 floors be removed to achieve the total building height of 12 storeys. This will also help reduce FSI for Phase 2.

Overall, this is a work in progress, and we continue to work collaboratively with SmartCentres. They know our vision for this **Vellore Village District Centre**. They've heard it enough times. They also know how much pressure



lies on them to "get it right". When you're the first horse out of the gate, you MUST lead by example and set a high standard so that others who follow after you, clearly understand that nothing will be acceptable short of EXCELLENCE

We are here in support of moving this application forward, in good faith, ONLY under the clear understanding that there is still much to do ...

We can find ways to achieve the lower FSI .. we need to shave some density, and the URBAN DESIGN is beyond crucial here

In 2003 when I sat on the original Vellore Village District Study we had a clear vision in our heads... That vision remains true today—and almost 2 decades later it is time to see it come to fruition...

Remember this and I have lived by this belief for over 20 years serving as a community volunteer

**DEVELOPERS DON'T BUILD COMMUNITIES
PEOPLE BUILD COMMUNITIES—THEY BUILD
NEIGHBOURHOODS**

SmartCentres will be the FIRST to make the Vellore Village come to life...

We say**GET IT RIGHT**

EXECUTIVE FEEDBACK

- We've come a long way ...Our community has made concessions we never imagined nor wanted
- We want smartcentres to understand and acknowledge our efforts

SENIORS BUILDING:

- Just because it's a seniors building we expect the same high standards of urban design
- Not just conform but go above ...

GENERAL COMMENTS:

- Old World feel—with modern amenities
- WE NEED MORE MIXED USE
- Where's the RETAIL / COMMERCIAL component ? go downstairs and get a haircut
- Or gathering at your local café
- VILLAGE FEEL—VILLAGE LIFE in an URBAN CENTRE
- TOO MUCH RESIDENTIAL –we need a bit more balance

Want to preface this deputation

by saying

- It ~~is~~ has & continues to be an absolute

Pleasure to be working with SmartCentres -

The entire team has gone above and
beyond to understand our vision!

And our end goal!

And we continue to look forward
to working with them...

We wish they were all like
this..