

**CITY OF VAUGHAN  
REPORT NO. 17 OF THE  
COMMITTEE OF THE WHOLE**

***For consideration by the Council  
of the City of Vaughan  
on May 14, 2019***

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The Committee of the Whole met at 1:36 p.m., on May 7, 2019.

Present: Councillor Sandra Yeung Racco, Chair  
Hon. Maurizio Bevilacqua, Mayor  
Regional Councillor Mario Ferri  
Regional Councillor Gino Rosati  
Regional Councillor Linda D. Jackson  
Councillor Marilyn Iafrate  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Alan Shefman

The following items were dealt with:

1. **DM11 INCORPORATED ZONING BY-LAW AMENDMENT FILE Z.17.035  
DRAFT PLAN OF SUBDIVISION FILE 19T-17V012 VICINITY OF  
CENTRE STREET AND DONNA MAE CRESCENT**

**The Committee of the Whole recommends:**

- 1) **That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated May 7, 2019, be approved; and**
- 2) **That the deputation by Mr. Mike Zichowski, Thornridge Drive, Thornhill be received.**

**Recommendations**

1. THAT Zoning By-law Amendment File Z.17.035 (DM11 Incorporated) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from R1V Old Village Residential Zone subject to site-specific Exception 9(662), to R1V Old Village Residential Zone and OS1 Open Space Conservation Zone, as shown on Attachment 3, and to permit the site-specific zoning exceptions to the R1V Old Village Residential Zone, as identified in Table 1.

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2. THAT Draft Plan of Subdivision File 19T-17V013 (DM11 Incorporated) BE APPROVED, to facilitate a residential plan of subdivision comprised of 6 lots for detached dwellings and one open space block, as shown on Attachment 3, subject to the Conditions of Approval in Attachment 1.
3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-17V012 (DM11 Incorporated) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 4 residential units (14 persons equivalent).”
4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-17V012 (DM11 Incorporated) include the following clause:

“The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Division and the approved appraisal shall form the basis of the cash-in-lieu payment.”

**2. PENGUIN-CALLOWAY (VAUGHAN) LTD.OFFICIAL PLAN  
AMENDMENT FILE OP.18.018 ZONING BY-LAW AMENDMENT FILE  
Z.18.030 SITE DEVELOPMENT FILE DA.18.074 VICINITY OF JANE  
STREET AND PORTAGE PARKWAY**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:**

**Recommendations**

1. THAT Official Plan Amendment File OP.18.018 BE APPROVED; to amend Vaughan Official Plan 2010 and Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan, to:
  - a) amend Schedules “A” to “J” to delete the planned north-south local street on the Subject Lands
  - b) modify Schedule “K”, Site Specific Policy Areas, to:
    - i) Identify the Subject Lands located at the southwest corner of Jane Street and Portage Parkway as Area H

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- ii) permit the proposed building heights of 36, 45 and 50-storeys and a maximum density of 7.1 times the area of the lot (Floor Space Index - 'FSI'), whereas a maximum building height of 30-storeys and density of 5 FSI is permitted
  - iii) to identify the east west local street on the south side of the Subject Lands and specifically identified on Schedule "C", Street Network, as a special 17 m wide local street, with both a 1.5 m streetlight easement and a POPS on either side that will accommodate the streetscape elements of the local road, whereas a local a 20 to 22 m wide local street is planned.
2. THAT Zoning By-law Amendment File Z.18.030 BE APPROVED to:
- a) amend Zoning By-law 1-88, to rezone the Subject Lands lands from "C10(H) Corporate District Zone" with the Holding Symbol "(H)", and subject to site-specific Exception 9(959) to "C10 Corporate District Zone", thereby removing the Holding Symbol "(H)" shown on Attachments 1 and 13 and to permit site-specific development standards identified in Table 1 of this report
  - b) permit the bonussing for increased building height and density for the proposed development shown on Attachments 1 and 13 in return for the following provision of community benefits totaling \$3,450,000.00, pursuant to the *Planning Act*, the policies of the VOP 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*:
    - i) On-site contributions including the following:
      - \$500,000.00 enhancements to, with a full and permanent public access easement over, the Privately-Owned Public Space, including the two corner plazas and large central courtyard
      - \$650,000.00 towards a gateway feature installation at the corner of Jane Street and Portage Parkway, in accordance with the VMC Culture and Public Art Framework
      - \$250,000.00 towards streetscape enhancements above the City's service levels to support the creation of a high-quality pedestrian oriented urban environment
      - \$350,000 towards development of a community pavilion on the north-west corner

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plaza to be designed in collaboration with the City that will be privately-owned and may include a small ancillary retail component, along with a dedicated community space for use by the City, to be further detailed in the Site Plan Agreement

ii) Off-site contributions including the following:

- \$1,500,000.00 towards architectural enhancements to screen the TTC emergency egress building in the TTC Plaza, with potential long-term bike storage, subject to TTC approval or an alternate contribution to such enhancements in the TTC Plaza, Transit Square or SmartCentres Place Bus Terminal Plaza. Any works beyond the contribution shall be at the sole cost of the Owner
- a \$200,000.00 contribution to the green wall and foyer features in the City's Community Centre/Library.

3. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the contributions identified in Recommendation 2b), which will be implemented through the Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The \$3,450,000.00 Section 37 contribution, in the form of a \$200,000.00 payment for the contribution to the City's Community Centre/Library and a \$3,250,000.00 Letter of Credit shall be provided to the City prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. \$650,000.00 of the Letter of Credit shall be applied to the Public Art Agreement, identified in Recommendation 4. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees for Planning Applications, prior to the execution of the Section 37 Agreement.
4. THAT prior to the issuance of the first above grade Building Permit, the Owner and the City shall execute a Public Art Agreement, which will detail the commissioning process and installation of a gateway feature installation at the corner of Jane Street and Portage Parkway as a public art contribution with a budget of \$650,000.00, secured through the \$650,000.00 Letter of Credit identified in and provided through the Section 37 Density Bonusing Agreement, consistent with the principles of Site 6 - Gateways as

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outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City. The Public Art Agreement shall detail the following, but not limited to, public art contribution options; public art contributor triggers/timing; public art program requirements; the Owner and City responsibilities; accounting requirements; and copyright and maintenance. The Owner shall develop a Public Art Program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the gateway installation.

5. THAT prior to the enactment of the implementing Zoning By-law, the Mayor and the City Clerk be authorized to execute the Section 37 Density Bonus Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 2(b) and 3.
6. THAT the Mayor and the City Clerk be authorized to execute the Public Art Agreement for the implementation of the gateway feature installation at the corner of Jane Street and Portage Parkway identified in Recommendation 4.
7. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing zoning by-law.
8. The road allowances included within Development shall be named to the satisfaction of the City and York Region.
9. THAT Site Development File DA.18.074, BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the City, to permit the proposed development:
  - a) prior to the execution of the Site Plan Agreement:
    - i) The Vaughan Development Planning Department shall approve the final site plan, building elevations, landscape cost estimate, landscape plans and wayfinding / signage design. The building elevations shall demonstrate the appropriate treatment and articulation of the built form to ensure activation of the public realm edges, including the interface with the Privately-Owned Public Space
    - ii) the Owner shall submit a detailed wind tunnel model and sun/shadow analysis, to the satisfaction of the City, which shall include existing and planned neighbouring buildings and demonstrate the incorporation of mitigation measures to ensure

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- favourable microclimatic conditions for people sitting, standing and walking within the public realm
- iii) the Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted has met the minimum requirement 20 cubic meters of growing medium in a shared tree pit or 30 cubic meters of growing medium in a stand-alone tree pit to encourage the growth of large caliper shade trees, to the satisfaction of the City
- iv) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, functional servicing and stormwater management report and drawings, geotechnical and hydrogeological assessment, dewatering plan, external lighting plan, the utility coordination plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, Urban Transportation Study, Transportation Demand Management Plan, construction parking management plan and Pavement Markings and Signage Plan
- v) The Owner shall detail the access, use, programming and any other considerations related to the of the dedicated community space within the community pavilion on the north-west corner plaza
- vi) the Owner shall enter into a Development Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscape and fencing. The said Agreement shall be registered against the lands to which it applies.
- vii) The site plan shall be amended to:
- Remove the proposed lay-by lane on Portage Parkway;
  - Reconfigure the east-west local road as required to accommodate the geometrics of the intersection with Jane street to the satisfaction of the City and York Region
- viii) the Owner shall submit to the City a copy of an RSC filed on the environmental site registry and acknowledged by the Ministry of the Environment,

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- Conservation, and Parks (MECP) covering the entire site plan lands. The Owner should note that the certification date of the RSC should occur only after the last day of use as a commercial parking lot
- ix) the Owner shall pay the Development Engineering Complex Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department
  - x) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation
  - xi) the Owner agrees to submit an application to Public Works, Environmental Services Department for any permanent dewatering system that is required for the building, and enter into an agreement and/or permit to discharge groundwater as required by the City
  - xii) the Owner shall submit to the City the final 3D digital model of the proposed development, which shall include the accurately geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the Development Planning Department. If the 3D digital model of the proposed development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the 3D digital model
  - xiii) the Owner shall satisfy all requirements of Alectra Utilities Corporation

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- xiv) the Owner shall satisfy all requirements and conditions of the York Region Community Planning and Development Services Department
- xv) the Owner shall obtain final clearance for the proposed building heights, to the satisfaction of NavCanada and Bombardier Aerospace
- xvi) the Owner shall satisfy all requirements of Bell Canada
- xvii) the Owner shall address the requirements of the Canadian National Railway, to the satisfaction of the City
- xviii) the Owner shall satisfy all requirements of Canada Post.
- b) the Site Plan Agreement shall include the following provisions:
  - i) “The Owner shall convey a public access easement to the City free of costs and encumbrances over the Privately-Owned Public Space, including the two corner plazas and large central courtyard, registered on title and the Owner shall indemnify and save harmless the City and/or their employees from all actions, causes of actions, suits, claims and demands whatsoever which may arise directly or indirectly by reason of the Privately-Owned Public Space or service provided, in accordance with Section 37 Density Bonusing Agreement, to the satisfaction of the City.”
  - ii) “The Owner shall enter into Reciprocal Easement and Operations Agreements (“REOA”) with the future Condominium Corporations for Buildings B1, B2 and B3 for parking, access, operations, and maintenance of the underground parking structure, which shall include provisions to ensure that a minimum of 221 visitor parking spaces (0.15 parking spaces per unit) shall be permitted within the on-site commercial parking facility and may be utilized as shared off-site residential, commercial, and commercial paid parking spaces for Buildings B1, B2, and B3 in perpetuity within the development block to satisfy the minimum zoning requirements. The agreement(s) shall be registered on title, if required, to the satisfaction of the City.”



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- iii) “For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 hectare per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy.”
- iv) “The Owner shall pay to the City of Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.”
- v) “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- vi) “If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- vii) “The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication and telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
- viii) “The Owner shall provide, in conjunction with an application for a Building Permit, a certification by a noise consultant that the noise attenuation measures identified in the approved environmental noise report have been included in the building plans. Furthermore, prior to the registration of a Draft Plan of Condominium, the Owner’s noise consultant shall certify that the noise attenuation measures identified in the approved environmental noise report have been

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incorporated into the building, all to the satisfaction of the Development Engineering Department.”

- ix) The following warning clauses shall be included in the Agreement of Purchase and Sale, condominium declarations, condominium agreement and Development Agreement:
- "Purchasers/tenants are advised that sound levels due to increasing road traffic may be audible and may occasionally interfere with some activities of the dwelling occupants."
  - "This dwelling unit has been supplied with a central air conditioning system which will allow windows closed and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the City and the Ministry of the Environment, Conservation, and Parks."
  - "Purchasers/tenants are advised that this development is in proximity to various commercial developments including the York Region Rapid Transit Bus Terminal, and that sound levels may at times be audible."
- x) “Prior to the issuance of the first above grade Building Permit for the proposed development, the Owner and the City shall execute a Public Art Agreement, which will detail the commissioning process and installation of a gateway feature installation at the corner of Jane Street and Portage Parkway as a public art contribution with a budget of \$650,000.00, secured through the \$650,000.00 Letter of Credit identified in and provided through the Section 37 Density Bonusing Agreement, consistent with the principles of Site 6 - Gateways as outlined in the City’s VMC Culture and Public Art Framework, to the satisfaction of the City. The Public Art Agreement shall detail the following, but not limited to, public art contribution options; public art contributor triggers/timing; public art program requirements; the Owner and City responsibilities; accounting requirements; and copyright and maintenance. The Owner shall develop a Public Art Program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the gateway installation.”

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- a. The Development Agreement shall include the following provisions:
  - i. the construction, and servicing of the east-west 17.0 m wide local road with 1.5 m wide public easements on both sides of the private lands for street lights, to the satisfaction of the Development Engineering Department
  - ii. the interim and ultimate streetscape along the south side of Portage Parkway from Millway Avenue to Jane Street at a standard urban level of service to the satisfaction of the City
  - iii. the streetscape along the east side of Millway Avenue from Portage Parkway to the east-west local road at a premium level of service to the satisfaction of the City
  - iv. the streetscape along the east-west local road from Millway Avenue to Jane Street at an enhanced level of service to the satisfaction of the City
  - v. the streetscape along the west side of Jane Street from Portage Parkway to the east-west local road at an enhanced level of service to the satisfaction of the City and the Region
  - vi. the Owner shall convey the east-west local road and associated daylight triangles to the City free of costs and encumbrances to the satisfaction of the Development Engineering Department
  - vii. the Owner shall convey road widening on Portage Parkway and associated daylight triangles to the City free of costs and encumbrances to the satisfaction of the Development Engineering Department
  - viii. the Owner shall convey a public easement to the City free of costs and encumbrances over the 1.5 m wide street lights along the east-west local road to the satisfaction of the Development Engineering Department
  - ix. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration
  - x. The Owner shall prepare plan and profile construction drawings for the east-west local road, to the satisfaction of the Development Engineering Department. The Owner shall adjust the limits of the

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east-west road Right-of-Way, if required, to reflect the final road design, to the satisfaction of the City

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

“THAT Site Plan Development Application DA.18.074 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,472 residential apartment units (3,253 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

**3. GO-TO VAUGHAN ISLINGTON AVENUE LP OFFICIAL PLAN AMENDMENT FILE OP.18.009 ZONING BY-LAW AMENDMENT FILE Z.18.015 VICINITY OF ISLINGTON AVENUE AND HIGHWAY 407**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:**

**Recommendations**

1. THAT staff continue to review Official Plan and Zoning By-law Amendment Files OP.18.009 and Z.18.015 (Go-To Vaughan Islington Avenue LP) to provide the Owner the opportunity to resolve the outstanding matters detailed in this report.

**4. 2019625 ONTARIO INC. LEXUS OF VAUGHAN ZONING BY-LAW AMENDMENT FILE Z.19.003 SITE DEVELOPMENT FILE DA.19.004 VICINITY OF JANE STREET AND RUTHERFORD ROAD**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:**

**Recommendations**

1. THAT Zoning By-law Amendment File Z.19.003 (2019625 Ontario Inc.) BE APPROVED, to remove the Holding Symbol “(H)” from the subject lands, shown on Attachment 1, thereby zoning the subject lands C1 Restricted Commercial Zone.
2. THAT Site Development File DA.19.004 (2019625 Ontario Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a two-storey, 4,896 m<sup>2</sup> motor vehicle sales establishment (Lexus of Vaughan), with associated parking as shown on Attachments 2 to 6:

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- a. That prior to the execution of a Site Plan Agreement:
  - i. The Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations (including bird friendly design treatments on the building elevations), signage details and lighting plan, arborist report and Sustainability Performance Metrics Summary Letter;
  - ii. The Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report, the Geotechnical/Hydrogeological Reports and drawings, external Lighting Plan, and the Transportation Impact Study;
  - iii. The Owner shall confirm whether groundwater will need to be pumped as part of the design of the building. The Owner shall provide the Development Engineering Department with a proposed strategy for pumping and discharging ground water (if required) for this development within the Stormwater Management Report. The Owner acknowledges that discharging of groundwater into a City sewer is subject to the provisions of the City of Vaughan Sewer Use By-law;
  - iv. The Owner shall illustrate on the Servicing Plan, a layout of groundwater discharge facilities, which shall include the location of the meter, sampling port, treatment facilities and discharging point, if applicable;
  - v. The Owner will be required to make an application for any temporary and permanent dewatering system that is required for the development, and enter into an agreement and/or permit a discharge groundwater as required by the City's Environmental Services Department;
  - vi. The Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
  - vii. The Owner shall prepare and register a reference plan at their expense showing all required easements (for mutual access, parking and servicing) to the satisfaction of the Development Engineering

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- Department. Prior to depositing the reference plan, the Owner shall submit the draft reference plan to the Development Engineering Department for approval. Proof of mutual access, parking and servicing easements for the subject lands shall be provided to the Development Engineering Department;
- viii. The Owner shall obtain permissions from the adjacent property owners (to the north and south of the Subject Lands) for all required grading and servicing works proposed which are proposed in support of the proposed development and located within the neighbouring properties, and provide the Development Engineering Department with signed letters of consent from the neighboring owners prior to the final Development Engineering Department approval;
- ix. The Owner shall provide 5 mm minimum retention for downstream erosion control in accordance with the Toronto and Region Conservation Authority and City requirements and City of Vaughan.
- x. The Owner shall satisfy the requirements of the Toronto and Region Conservation Authority regarding the Source Protection Plan policy REC-1 parts 2 a) and b) and requires the submission of a site-specific water balance assessment to identify how pre-development infiltration levels on the site will be maintained. The implementation of any required mitigation strategy to achieve the water balance requirements as outlined in the Source Water Protection Plan may necessitate revisions to the design and layout of the proposed development and must be to the satisfaction of the City of Vaughan in consultation with the Toronto and Region Conservation Authority;
- xi. The Owner shall confirm the design of the external road works adjacent to the Subject Lands with Stantec Engineers and incorporate them within the Site Plan drawings;
- xii. York Region and Toronto and Region Conservation Authority approvals shall be forwarded to the Development Engineering Department;
- xiii. The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the final site plan shall be

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- in conformity with the City's Waste Management Collection Design Standard Policy;
- xiv. The Owner shall successfully obtain approval from the Committee of Adjustment for Minor Variance Applications for any required variances, and Consent Applications for any required easements on the Subject Lands and adjacent properties, as required. The Committee's decisions regarding the Minor Variance and Consent applications shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee;
  - xv. The Owner shall enter into a Tree Protection Agreement in accordance with the Council enacted Tree By-law 052-2018 and the City's Tree Protection Protocol. The Agreement shall include a tree compensation plan and/or cash-in-lieu payment that must be submitted to the City;
  - xvi. The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
  - xvii. The Owner shall satisfy all requirements of Alectra Utilities Corporation;
  - xviii. The Owner shall obtain all required approvals from York Region for the proposed Jane Street road widening and the proposed shared driveway access with the property at 100 Auto Vaughan Drive. The Owner shall satisfy all other requirements of York Region including any requirement to enter into a Site Plan Agreement; and
  - xix. The Owner shall successfully obtain approval of the required Site Development applications to amend the Council approved Site Development applications for the adjacent properties as required.
3. THAT the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the Planning Act and Vaughan's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

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4. THAT prior to the issuance of a Building Permit the Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.
5. The Site Plan Agreement shall include the following clauses:

“Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”

“In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”

**5. FERRI FAMILY HOLDINGS INC. ZONING BY-LAW AMENDMENT FILE Z.18.034 SITE DEVELOPMENT FILE DA.18.101 VICINITY OF JANE STREET AND RUTHERFORD ROAD**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:**

**Recommendations**

1. THAT Zoning By-law Amendment File Z.18.034 (Ferri Family Holdings Inc.) BE APPROVED, to remove the Holding Symbol “(H)” from the subject lands, shown on Attachment 1, thereby zoning the subject lands C1 Restricted Commercial Zone.
2. THAT Site Development File DA.18.101 (Ferri Family Holdings Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of a two-storey, 2,289 m<sup>2</sup> motor vehicle sales establishment (Maple Mini & BMW) as shown on Attachments 2 to 4:
  - a. That prior to the execution of the Site Plan Letter of Undertaking:
    - i. The Development Planning Department shall approve the final site plan, building elevations (including bird-



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- friendly design treatments on the building elevations), landscape plan and signage details;
- ii. The Development Engineering confirm the Owner is proposing underground parking as part of the development. The Owner shall provide all applicable reports (i.e. Geotechnical/Hydrogeological Reports) to confirm any potential groundwater issues. If permanent dewatering is required due to the findings of the report(s), the Owner shall confirm the desired method of dewatering within the stormwater management report (SWMR) including quality and quantity controls and illustrate as such on the civil engineering plans. Additionally, the Owner shall obtain all required dewatering permits from Environmental Services (ES) within Public Works prior to final DE approval.
  - iii. The Development Engineering Department shall approve the final grading and servicing plan, erosion and sediment control plan, and Stormwater Management Report;
  - iv. The Owner shall revise the Stormwater Management Report as follows:
    - a. the Stormwater Management Report shall demonstrate that adequate pressures and flows exist for the development under fire flow conditions. A hydrant flow test is required prior to final approval of the Letter of Undertaking. The Stormwater Management Report shall include the data and analysis results of the hydrant flow test prior to final approval of the Letter of Undertaking; and,
    - b. the Stormwater Management Report shall be revised to include a sanitary sewer downstream analysis from the Subject Lands to the nearest Regional trunk sewer. The data and analysis included in the report shall be completed with sanitary sewer design sheets as required by the City of Vaughan Standard design sheet template and a sanitary drainage area plan. The contributing flows shall be in accordance with the City of Vaughan Standards, complete with infiltration allowance;

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- v. The Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division, and the final site plan shall be in conformity with the City's Waste Collection Design Standard Policy;
  - vi. The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
  - vii. The Owner shall successfully obtain approval from the Committee of Adjustment for a Minor Variance Application for any required variances, and Consent Applications for any required easements. The Committee's decisions regarding the Variance Application and a Consent Applications shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
  - viii. The Owner shall revise the Sustainability Performance Metrics Scoring Tool to achieve a minimum Bronze Sustainability Threshold Score of 31 in accordance with the Council approved Sustainability Metrics Program; and
  - ix. The Owner shall enter into a Tree Protection Agreement in accordance with the Council adopted Tree By-law 052-2018 and the City's Tree Protection Protocol. The Agreement will include a tree compensation plan and/or cash-in-lieu payment that must be submitted to the City.
3. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
4. Prior to the issuance of a Building Permit the Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board the York Catholic District School Board.

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**6. VMC RESIDENCES GP INC. AS A GENERAL PARTNER AND ON BEHALF OF VMC RESIDENCES LIMITED PARTNERSHIP DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-18V006 VICINITY OF MILLWAY AVENUE AND PORTAGE PARKWAY**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:

**Recommendations**

1. THAT Draft Plan of Condominium (Standard) File 19CDM-18V006 (VMC Residences GP Inc. as a General Partner and on behalf of VMC Residences Limited Partnership Residences) BE APPROVED, as shown on Attachments 3 to 8, subject to the Conditions of Draft Approval in Attachment 1.

**7. WINGES ROWNTREE HOLDINGS INC. DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-18V005 VICINITY OF REGIONAL ROAD 7 AND WHITMORE ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:

**Recommendations**

1. That Draft Plan of Condominium (Standard) File 19CDM-18V005 (Winges Rowntree Holdings Inc.) BE APPROVED, as shown on Attachment 3, subject to the Conditions of Draft Approval set out in Attachment 1.

**8. 2564454 ONTARIO INC. SITE DEVELOPMENT FILE DA.18.038 VICINITY OF CITYVIEW BOULEVARD AND CANADA DRIVE**

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the May 14, 2019 Council meeting; and
- 2) That the coloured elevations submitted by the applicant be received.

**Recommendations**

1. THAT Site Development File DA.18.038 (2564454 Ontario Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a 6-storey 10,677 m<sup>2</sup> hotel (Holiday Inn Express and Candlewood Suites) consisting of 190 suites, breakfast areas, swimming pool, fitness room and meeting rooms with 194 parking spaces, as shown on Attachments 2 to 5:

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- a) that prior to the execution of the Site Plan Agreement:
  - i) the Development Planning Department shall approve the final site plan, building elevations including bird-friendly design treatments, lighting plan, landscape plan, landscape cost estimate, building elevations and signage plans;
  - ii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion and sediment control plan, functional servicing and stormwater management report, detailed noise control study, traffic impact and parking justification study;
  - iii) the Owner shall submit a geotechnical and/or hydrogeological report to determine on-site retention and water balance via infiltration to the satisfaction of the Development Engineering Department;
  - iv) the Owner shall pay the Development Engineering Site Plan fee of \$4,240 in accordance with By-law 022-2018, to the satisfaction of the Development Engineering Department;
  - v) the Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Committee of Adjustment. The Committee's decision for the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
  - vi) the Environmental Services Department, Solid Waste Management Division shall approve the final site plan;
  - vii) the Owner shall enter into a Developers Group Agreement with the other participating landowners within Block 33 West to the satisfaction of the City. This agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services in Block 33 West, and shall include a provision for additional developers to participate with the Developers Group Agreement when they wish to develop their lands;
  - viii) the Owner shall provide a letter from the Block 33 West Land Owner's Group Trustee confirming that the Owner is a participating landowner in good standing;

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- ix) the Owner shall satisfy all requirements and obtain all necessary approvals from York Region; and
- x) the Owner shall obtain all necessary approvals from the Ministry of Transportation;
- b) that the Site Plan Agreement include the following clauses:
  - i. "The Owner shall pay, to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."
  - ii. "Occupants are advised that in order to achieve a suitable indoor noise environment, windows may have to remain closed; therefore, this suite has been equipped with a central air conditioning system".
  - iii. "Occupants are advised that despite the inclusion of noise control features within this development area and within the suites, sound levels from increasing road traffic may continue to be of concern, occasionally interfering with some activities of the suite occupants as the sound level exceeds the Municipality's and the Ministry of the Environment, Conservation and Parks noise criteria."
- c) that prior to the issuance of a Building Permit, the Owner agrees to pay all applicable Development Charges in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board Development Charge By-laws at the time of the issuance of a Building Permit.

**9. ISADAN HOLDINGS LIMITED SITE DEVELOPMENT FILE DA.17.064  
VICINITY OF REGIONAL ROAD 50 AND LANGSTAFF ROAD**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated May 7, 2019, be approved; and**
- 2) That the coloured elevation submitted by the applicant be received.**

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**Recommendations**

1. THAT Site Development File DA.17.064 (Isadan Holdings Limited) BE DRAFT APPROVED AND SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department, to permit the development of two, 1-storey industrial buildings with gross floor areas of 2,651 m<sup>2</sup> and 222.9m<sup>2</sup>, a 1-storey eating establishment with a gross floor area of 640 m<sup>2</sup> with a 270 m<sup>2</sup> outdoor patio, and an automotive gas bar with a gross floor area of 209 m<sup>2</sup> with 206 at-grade parking spaces, as shown on Attachments 2 to 8:
  - a) that prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape details, landscape cost estimate, signage details and lighting plan;
    - ii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion and sediment control plan, storm tributary plan, Functional Servicing Brief and Stormwater Management Report;
    - iii) the Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division;
    - iv) the Owner shall satisfy all requirements and obtain all necessary approvals from York Region;
    - v) the Owner shall submit, should the development include bulk fuel equal to or greater than 2500 litres ('≥2500L') or bulk chemicals equal to or greater than 500 litres ('≥500L') within the Highly Vulnerable Aquifer Area ('HVA'), a Contaminant Management Plan ('CMP') prior to the execution of the Site Plan Agreement for review and approval by York Region. If a CMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring;
    - vi) the Owner shall satisfy all requirements and obtain all necessary approvals from Peel Region;
    - vii) the Owner shall enter into an encroachment agreement with Peel Region for the Owner to provide landscaping in Peel Region's right-of-way at the Owner's expense, to the satisfaction of Peel Region, in conjunction with the City of Vaughan;

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- viii) the Owner of the Subject Lands and 1791234 Ontario Limited, the owner of 8745 Regional Road 50, the abutting lands to the south (Site Development File DA.18.086) shall both successfully obtain approval of Consent Applications for the required reciprocal access easements over the Subject Lands and the abutting property to the south for the shared driveway access, as identified in this report, from the Committee of Adjustment. The Committee of Adjustment's decisions shall be final and binding and the Owner and 1791234 Ontario Limited shall satisfy any conditions of approval imposed by the Committee of Adjustment;
  - ix) the Owner of the Subject Lands and the owner of 205 Trade Valley Drive, the abutting lands to the east, shall successfully obtain approval of Consent Applications for the required reciprocal access easements over the Subject Lands and the abutting property to the east for the shared driveway access, as identified in this report, from the Committee of Adjustment. The Committee of Adjustment's decisions shall be final and binding and the Owner and the owner of 205 Trade Valley Drive shall satisfy any conditions of approval imposed by the Committee of Adjustment; and
  - x) the Owner shall successfully obtain approval of a Minor Variance Application from the Committee of Adjustment for the variance to Zoning By-law 1-88 identified in Table 1 of this report, to permit the Development. The Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.
- b) that the Site Plan Agreement include the following clauses:
- i. "City-wide Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. Development Charges are payable on the date a building permit is issued at the rate in effect at that time. Area Specific Development Charges, if any, shall be paid immediately upon entering into the Site Plan Agreement."
  - ii. "That the Owner shall pay cash-in-lieu of the dedication of parkland equivalent of 2% of the value

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of the Subject Lands, in accordance with the Planning Act and City of Vaughan Policy, prior to the issuance of a Building Permit.”

- iii. “The Owner shall indicate in the Site Plan Agreement, in words satisfactory to Alectra Utilities Corporation, Enbridge Gas Inc., Hydro One and Bell Canada that the Owner shall coordinate servicing and connections and provide easements and locates with the above-noted utilities prior to the commencement of any site works. In the event of any conflict with existing facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
- iv. “The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the Endangered Species Act, 2007, S.O.2007 (‘ES Act’). The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to this Site Plan Agreement, the Owner must comply with the provisions of the ES Act.
- v. "Should archaeological resources be found on the subject lands during construction activities, the Owner must immediately cease all construction activities and notify both the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- vi. “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner, the Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services, and the Development Planning Department, Urban Design and Cultural Heritage Division.”

**10. JANE STREET STORAGE CORP. SITE DEVELOPMENT FILE  
DA.16.063 VICINITY OF JANE STREET AND MACINTOSH  
BOULEVARD**

**The Committee of the Whole recommends:**



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- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated May 7, 2019, be approved; and
- 2) That the coloured elevation submitted by the applicant be received.

**Recommendations**

1. THAT Site Development File DA.16.063 (Jane Street Storage Corp.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit a 6-storey multi-unit self-storage building, with a gross floor area of 11,791.2 m<sup>2</sup>, as shown on Attachments 2 to 5:
  - a) That prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, building elevations, lighting plan, landscape plan, landscape cost estimate, tree inventory and preservation plan, building elevations and signage plans;
    - ii) the Development Engineering Department shall approve the final site servicing and grading plan, functional servicing and storm water management report, site photometric plan, site plan, site erosion and sediment control plan and shall receive a copy of the final Environmental Site Assessment documentation which was relied upon for the Record of Site Condition, filed with the Ministry of Environment, Conservation and Parks;
    - iii) the Owner shall pay the Development Engineering Site Plan fee of \$4,240 in accordance with By-law 022-2018, to the satisfaction of the Development Engineering Department;
    - iv) in accordance with Certificate of Property Use #0671-AJYLQ6-1 Condition 6.3, the Owner shall report in writing to the Director of the Ministry of the Environment, Conservation, and Parks the change of ownership of the open space buffer lands to the City of Vaughan. Copy of the notification to the Ministry of Environment, Conservation and Parks and the Ministry of Environment, Conservation and Parks Acknowledgement of the Change in Ownership shall be provided to the City prior to the conveyance of the Open Space Buffer Lands to the City to the

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- satisfaction of the Development Engineering Department;
- v) the Owner shall enter into a Development Agreement with the City to facilitate the installation of the water service on Jane Street to the satisfaction of the Development Engineering Department;
- vi) the Owner shall prepare and register a reference plan to create a 2 m wide easement in favour of the City of Vaughan within the north landscape buffer of the subject lands to the satisfaction of the Parks Development Department;
- vii) the portion of the subject lands zoned OS1 "Open Space Conservation Zone", as shown on Attachment 1, shall be conveyed into public ownership to the satisfaction of the City;
- viii) the Owner shall satisfy all requirements and obtain all necessary approvals of the Toronto and Region Conservation Authority; and
- ix) the Owner shall satisfy all requirements and obtain all necessary approvals of the York Region;
- b) that the Site Plan Agreement include the following clauses:
  - i) "The Owner shall pay, to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."
  - ii) "The landscaping within the future potential trail shall be removed by the City of Vaughan at the time of construction of the trail to the satisfaction of the Parks Development Department."
- c) That prior to the issuance of a Building Permit, the Owner shall pay all applicable Development Charges in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board Development Charge By-laws at the time of the issuance of a Building Permit.

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**11. REENA C/O BRYAN KESHEN SITE DEVELOPMENT FILE DA.19.003  
VICINITY OF CLARK AVENUE WEST AND BATHURST STREET**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated May 7, 2019, be approved; and**
- 2) That the deputation by Mr. Fred Winegust, Tangreen Circle, Thornhill be received.**

**Recommendations**

1. THAT Site Development File DA.19.003 (Reena c/o Bryan Keshen) BE DRAFT APPROVED AND SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department, to permit the proposed development subject to the following conditions:
  - a. That prior to the execution of the Site Plan Agreement:
    - i. the Owner, Reena c/o Bryan Keshen, shall successfully obtain approval from City of Vaughan Committee of Adjustment for a Consent application to provide an easement in favour of Reena c/o Bryan Keshen for driveway access over the lands at 927 Clark Avenue West, the Henry and Toby Battle Developmental Centre. The Committee's decision regarding the Consent Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by Committee;
    - ii. The Owners of the Henry and Toby Battle Developmental Centre, and Reena c/o Bryan Keshen, shall obtain approval from the City of Vaughan Committee of Adjustment for Consent applications to provide reciprocal easements for use of the shared parking areas. The Committee's decision regarding the Consent Applications shall be final and binding, and the Owners shall satisfy any conditions of approval imposed by the Committee;
    - iii. the Development Planning Department shall approve the final site plan, building elevations including bird friendly design treatments, landscape plan, landscape cost estimate, and lighting plan;
    - iv. the Owner shall enter into a Tree Protection Agreement with the City of Vaughan, which includes a Letter of Credit security for trees to be preserved and

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- protected, to the satisfaction of the Development Planning Department;
- v. the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion and sediment control plan and functional servicing and stormwater management report, site illumination plan, hydrogeological assessment, and necessary transportation related reports;
  - vi. the Owner shall submit a Hydrogeological report to determine the elevation of the groundwater level in relation to the elevation of the lowest basement slab elevation and the quality and quantity of any groundwater proposed to be pumped and discharged, to the satisfaction of the Development Engineering Department.
  - vii. the Owner shall convey to the City the required easement for the existing municipal services, to the satisfaction of the Development Planning Department;
  - viii. the Owner shall enter into a Development Agreement with the City for the installation of any proposed service connections and shall agree to pay for the design and construction of any improvements to the municipal infrastructure regarding the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support the proposed development, to the satisfaction of the Development Engineering Department;
  - ix. the Owner shall pay the applicable fees, pursuant to the current Fees and Charges By-law, including water consumption during building construction, to the satisfaction of the Development Engineering Department;
  - x. the Owner shall pay the Development Engineering Site Plan fee for Phase 1 and Phase 2, pursuant to the Fees and Charges By-law, as amended, for \$38,308.70, to the satisfaction of the Development Engineering Department. Should the fee not be paid within the calendar year in which it is calculated, it will be subject to increase in the next calendar year;
  - xi. the Owner shall be required to apply/enter into for the following:
    - an agreement and/or permit to discharge groundwater as required by the City for any

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- temporary and permanent dewatering system that is required for the development.
  - an agreement and/or permit as required by the City, including an Encroachment Agreement/permit and payment of the associated fees for excavation and shoring that is required for the development.
- xii) the Owner shall enter into a Servicing Agreement with the City for the installation of any proposed services within the city right-of-way/ easements after approval of the site servicing plans, to the satisfaction of the Development Planning Department. The Owner shall agree to pay applicable fees and post necessary letter of credits pursuant to the City Fees and Charges By-law, as amended;
- xiii) the Owner shall satisfy all requirements of the Environmental Services Waste Management Division, and the Environmental Services Department shall approve the final site plan for conformity with the City's Waste Collection Design Standard Policy; and
- xiv) the Owner shall satisfy all requirements and obtain all necessary approvals from York Region.
- b) the Site Plan Agreement shall include the following clauses:
  - i) "Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify both the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division."
  - ii) "In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner, the Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services, and the Development Planning Department, Urban Design and Cultural Heritage Division."
  - iii) "The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the lands

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and include all necessary warning statements on all lease/rental agreements, and any future agreements of purchase and sale of individual units, all to the satisfaction of the City.”

- iv) “Prior to occupancy of each unit, a noise consultant shall certify that the required noise control measure(s) on the existing Toby and Henry Battle Development Centre building (927 Clark Avenue West) are in place, in accordance with the approved Noise Report and the January 25, 2019, letter from the President and Chief Executive Officer of the Toby and Henry Battle Development Centre, to the satisfaction of the City.”
- v) “Prior to occupancy of each unit, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the approved noise report. Where wall, window and/or oversized forced air mechanical systems are required by the noise report, these features be certified by a Professional Engineer at the City’s request. The Engineer’s certificate must refer to the final Noise Report and be submitted to the City’s Chief Building Official and the Director of Development Engineering.”
- vi) “The necessary warning clauses in lease/rental agreements and any future agreements of purchase and sale and condominium declarations including but not limited to the following:
  - “Tenants/Lessees are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic and adjacent employment/industrial uses may on occasion interfere with some activities of the dwelling occupants as the sound level may exceed the Ministry of Environment, Conservation and Parks, environmental noise guidelines NPC-300.”
- vii) “Prior to occupancy of each dwelling unit, the Owner shall submit to the City, satisfactory evidence that the appropriate warning clauses have been included in the lease/rental agreements and any future agreements of purchase and sale and condominium declarations.”

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

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“THAT Site Development File DA.19.003 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 79 residential units (175 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

**12. METROLINX ACTIVITIES UPDATE**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Interim Deputy City Manager, Public Works and the Deputy City Manager, Planning and Growth Management dated May 7, 2019, be approved;**
- 2) That the following be approved in accordance with Communication C4, Memorandum from the Deputy City Manager, Planning and Growth Management, dated May 6, 2019:**
  - 1. That additional Recommendation 7 be added as follows: “That staff continue to work with Metrolinx to secure an agreement for a recreational trail underpass beneath the Barrie rail corridor south of Langstaff Road and report back in Q3 2019”; and**
- 3) That the deputation by Mr. Fred Winegust, Tangreen Circle, Thornhill be received.**

**Recommendations**

1. That Council re-affirm its support for Kirby GO station on the Barrie rail corridor, as per the original GO Regional Express Rail plan;
2. That Staff continue engagement with the Block 27 Landowners Group, York Region, and Metrolinx to begin exploring a Market Driven Approach for the development of the Kirby GO station in Block 27 as part of the Transit Hub Special Study;
3. That staff work with York Region and other potential partners to provide for the delivery of the Concord GO Rail Station through a Market Driven Approach, in conjunction with the Concord GO Centre Mobility Hub Study;
4. That Council support the Regional resolution on January 31, 2019 to confirm the priority of implementing Bus Rapid Transit along Major Mackenzie Drive West, Jane Street, Highway 7 West and Yonge Subway Extension in the 2041 RTP;

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5. That Council request Metrolinx complete construction of upgraded noise barriers along the Barrie rail corridor at all locations adjacent to residential neighbourhoods, including along Ridgefield Crescent and Marlott Road, as soon as possible; and
6. That a copy of this report be forwarded to Metrolinx and York Region.

**13. ALL-WAY STOP REVIEW AT THE INTERSECTION OF BARONS STREET AND RICHLER AVENUE**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Interim Deputy City Manager, Public Works and the Deputy City Manager, Planning and Growth Management dated May 7, 2019, be approved; and
- 2) That an All-Way Stop sign be installed at the intersection of Barons Street and Richler Avenue.

**Recommendations**

1. That this report be received.

**14. TEMPORARY ROAD CLOSURE OF MCGILLIVRAY ROAD FROM HUNTINGTON ROAD TO 600 METRES EASTERLY**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim Deputy City Manager, Public Works, dated May 7, 2019:**

**Recommendations**

1. That the necessary by-law be enacted authorizing the temporary road closure of McGillivray Road between June 10, 2019 and September 13, 2019, between Huntington Road and 600 metres easterly.

**15. 2018 YEAR IN REVIEW - ECONOMIC AND CULTURAL DEVELOPMENT**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Interim City Manager dated May 7, 2019, be approved; and
- 2) That the presentation by the Director of Economic and Cultural Development be received.



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**Recommendations**

1. THAT the publication titled '2018 Year in Review – Economic and Cultural Development' be circulated to local Members of Provincial Parliament, local Members of Parliament, local and regional partners.

**16. REGIONAL INNOVATION CENTRE (VENTURELAB) UPDATE**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Interim City Manager dated May 7, 2019, be approved; and
- 2) That the presentation by Ms. Melissa Chee, President and Chief Executive Officer, ventureLAB, Steeles Avenue East, Markham, and C6, presentation material titled "Enabling Vaughan's Technology Entrepreneurs – ventureLAB update, 2019" be received.

**Recommendations**

1. THAT the presentation from ventureLAB's Chief Executive Officer, Melissa Chee, be received; and
2. THAT, staff continue planning, promotion and delivery of tech entrepreneurship support and advisory services and programming in the Vaughan marketplace with key partners, such as ventureLAB.

**17. FENCE BY-LAW REVIEW**

**The Committee of the Whole recommends:**

- 1) That recommendation 2) contained in the following report of the Deputy City Manager, Community Services dated May 7, 2019, be approved;
- 2) That the proposed amendments to the Fence By-law as set out in Attachment 1 of this report be approved; and
- 3) That the following be approved in accordance with Communication C3, Memorandum from the Director, By-law & Compliance, Licensing & Permit Services dated May 1, 2019:
  1. Amend fence height limits as contained within Communication C3; and
  2. Include a schedule of diagrams to illustrate various fence height limits.

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**Recommendations**

1. Adopt the proposed consolidated Fence By-law in Attachment 1 of this report; and
2. Authorize staff to undertake any other actions required to implement the recommendations of this report, including any consequential amendments to other by-laws.

**18. MONITORING OF FIREWORKS AT EAGLES NEST GOLF CLUB**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, dated May 7, 2019:**

**Recommendations**

1. That this report be received for information.

**19. PROPERTY TAX SALE REGISTRATION – ALL WARDS**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Chief Financial Officer and City Treasurer, dated May 7, 2019:**

**Recommendations**

1. That Council receive this report for information.
2. That staff will continue to contact and/or meet with the property owner(s) in an effort to negotiate acceptable payment arrangements.
3. Council to be provided with the confidential list of properties under separate cover.

**20. NEW CONSTRUCTION AND DEMOLITION - SINGLE DETACHED DWELLING, 40 KLEIN'S CRESCENT KLEINBURG-NASHVILLE HERITAGE CONSERVATION DISTRICT**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Corporate Services, dated May 7, 2019:**

**Recommendations**

The Deputy City Manager, Corporate Services, on behalf of Heritage Vaughan forwards the following recommendation from its meeting of March 20, 2019 (Item 3, Report No. 1), for consideration:

1. That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated March 20, 2019, be approved.

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**21. NEW CONSTRUCTION -TWO STOREY ADDITION 169 CLARENCE STREET WOODBRIDGE HERITAGE CONSERVATION DISTRICT**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Corporate Services, dated May 7, 2019:**

**Recommendations**

The Deputy City Manager, Corporate Services, on behalf of Heritage Vaughan forwards the following recommendation from its meeting of March 20, 2019 (Item 4, Report No. 1, for consideration:

1. That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated March 20, 2019, be approved;
2. That the style and proportion of the window over the garage of the proposed extension be match the dormer of the original structure; and
3. That the colour of the garage door be more reflective of the colours of the original building.

**22. APPOINTMENTS TO THE OLDER ADULT TASK FORCE**

**The Committee of the Whole recommends:**

- 1) **That the confidential recommendation of the Committee of the Whole in Closed Session at the meeting of May 7, 2019, be approved; and**
- 2) **That the report of the Deputy City Manager, Corporate Services dated May 7, 2019, be received.**

**Recommendations**

1. That a maximum of three (3) Council members be appointed to the Older Adult Task Force; and
2. That six (6) citizen members and one (1) member representing an organization or service provider serving older adults be appointed to the Older Adult Task Force;

**23. PROCLAMATION AND FLAG RAISING REQUEST ITALIAN HERITAGE MONTH**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Corporate Services, dated May 7, 2019:**

**Recommendations**

1. That June 2019 be proclaimed as Italian Heritage Month;

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2. That the City of Vaughan participate in a flag raising event on June 1, 2019 at 2:00 pm with the Italian flag remaining raised for a period up to but no longer than one week; and
3. That the proclamation be posted on the City's website.

**24. PROVINCIAL REGIONAL GOVERNMENT REVIEW – MAINTAINING THE CITY OF VAUGHAN'S EXISTING GOVERNANCE FRAMEWORK**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim City Manager and Chief Financial Officer and City Treasurer, dated May 7, 2019:**

**Recommendations**

1. THAT, it is the official position of Mayor and Members of Council to maintain the City of Vaughan's existing (status quo) two-tier municipal government model in York Region to ensure the continued delivery of quality public services, while safeguarding the property tax base;
2. THAT, both the 'City of Vaughan – Review of Regional Government – Scenario Impact Analysis report, prepared by StrategyCorp, and the Regional Governance Review – City of Vaughan' [Attachment 1], and 'York Region Fiscal Impact Analysis report', prepared by Hemson Consulting Ltd., [Attachment 2] be received; and
3. THAT, the City of Vaughan's official position, as outlined in this report, be forwarded to the Premier, the Minister of Municipal Affairs and Housing, Vaughan's Members of Provincial Parliament, York Region and the Association of Municipalities of Ontario.

**25. SUSTAINABLE NEIGHBOURHOOD RETROFIT ACTION PLAN (SNAP)**

**The Committee of the Whole recommends approval of the recommendation contained in the following resolution of Councillor Shefman, dated May 7, 2019:**

**Member's Resolution**

Submitted by Councillor Alan Shefman.

**Whereas**, the City of Vaughan approved Green Directions Vaughan, the Community Sustainability and Environmental Master Plan, in 2009;

**Whereas**, Green Directions Vaughan promotes sustainable neighbourhoods through the objective to "create a City with sustainable built form" (Objective 2.3);

**Whereas**, Green Directions Vaughan is being revised in 2019 and includes a specific action to undertake a Sustainable Neighbourhood Retrofit Action Plan (SNAP) project;

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**Whereas**, citizens, government and insurance companies are recognizing the need for climate action and a growing list of Canadian cities have recently declared or officially acknowledged a global climate emergency;

**Whereas**, SNAP is a neighbourhood-based program developed by the Toronto and Region Conservation Authority with the aim to help municipalities advance urban renewal and climate action projects, designed to address local environmental issues and community resilience, while building implementation partnerships and trust for long-term positive community engagement; and

**Whereas**, a SNAP project in the Thornhill area will use a collaborative approach to sustainable urban renewal, focusing on climate action and significantly enhance the planned community consultation for City initiatives, such as the Gallanough Park Stormwater Management Facility project, to achieve greater impact.

***It is therefore recommended:***

1. That the City of Vaughan commit to a SNAP project anchored by Gallanough Park in the Thornhill area that includes developing sustainability goals, specific targets, actions and an implementation and monitoring strategy;
2. That the City of Vaughan commit \$124,000 from Capital Project EN-1879-12 (Storm Water Management Facility Gallanough Park) and in-kind contribution of staff time valued at \$8,000 towards the cost of this initiative;
3. That the Interim City Manager be authorized to award a single source contract greater than \$100,000 to implement the SNAP project; and
4. That the City of Vaughan work collaboratively with the Springfarm Ratepayers' Association throughout the SNAP project.

**26. DEPUTATION - PHILIPPINE HERITAGE BAND**

**The Committee of the Whole recommends:**

- 1) That the deputation by Mr. Oscar Farinas be received and referred to staff; and
- 2) That Communication C7 submitted at the meeting be received.

**27. DEPUTATION - MS. FRANCES TIBOLLO**

**The Committee of the Whole recommends:**

- 1) That the deputation by Ms. Frances Tibollo and Communication C8, submitted at the meeting be received, and staff bring forward a report to the June 4, 2019 Committee of

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the Whole meeting responding to the questions raised by the Deputant; and

- 2) That the following Communications be received:

C1 Ms. Frances Tibollo; and

C5 Mr. Gerard C. Borean, PARENTE, BOREAN LLP,  
Highway 7, Woodbridge, dated May 7, 2019.

**28. DEPUTATION - MR. NICHOLAS C. TIBOLLO**

The Committee of the Whole recommends:

- 1) That the deputation by Mr. Nicholas C. Tibollo and Communication C9 submitted at the meeting be received, and staff bring forward a report to the June 4, 2019 Committee of the Whole meeting responding to the questions raised by the Deputant; and

- 2) That the following Communications be received:

C2 Mr. Nicholas C. Tibollo, NICHOLAS C. TIBOLLO  
PROFESSIONAL CORPORATION, Milani Boulevard,  
Vaughan, dated March 28, 2019; and

C5 Mr. Gerard C. Borean, PARENTE, BOREAN LLP,  
Highway 7, Woodbridge, dated May 7, 2019.

**29. OTHER MATTERS CONSIDERED BY THE COMMITTEE**

**29.1 RECESS INTO CLOSED SESSION**

The Committee of the Whole recessed into Closed Session at 4:16 p.m. for the purpose of dealing with personal matters about identifiable individuals, with respect to Item 22. APPOINTMENTS TO THE OLDER ADULT TASK FORCE.

The Committee of the Whole reconvened into open session at 4:33 p.m. with the following Members present:

Present: Councillor Sandra Yeung Racco, Chair  
Mayor Maurizio Bevilacqua  
Regional Councillor Mario Ferri  
Regional Councillor Gino Rosati  
Councillor Marilyn Iafrate  
Councillor Tony Carella  
Councillor Alan Shefman

**29.2 CONSIDERATION OF AD-HOC COMMITTEE REPORTS**

The Committee of the Whole recommends that the following Ad-Hoc Committee reports be received:

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- 1. Heritage Vaughan Committee meeting of March 20, 2019  
(Report No. 1); and**
  - 2. Accessibility Advisory Committee meeting of March 26, 2019  
(Report No. 2).**
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The meeting adjourned at 4:34 p.m.

Respectfully submitted,

Councillor Sandra Yeung Racco, Chair