

**CITY OF VAUGHAN
REPORT NO. 29 OF THE
COMMITTEE OF THE WHOLE**

***For consideration by the Council
of the City of Vaughan
on October 23, 2019.***

The Committee of the Whole met at 1:03p.m., on October 7, 2019.

Present:

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

The following items were dealt with:

**1. NEW COMMUNITY AREA – BLOCK 41 SECONDARY PLAN STUDY
FILE 26.4.2 (REFERRED)**

The Committee of the Whole recommendation was dealt with and adopted without amendment at the Special Council Meeting of October 7, 2019, under Minute No. 143.

**2. DANIELS BAIF THORNHILL INC., BAIF DEVELOPMENTS LIMITED
ZONING BY-LAW AMENDMENT FILE Z.19.014 SITE DEVELOPMENT
FILE DA.19.011 VICINITY OF BATHURST STREET AND BEVERLEY
GLEN BOULEVARD**

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 October 7, 2019 be approved; and**
- 2) That the coloured elevation submitted by the applicant be received.**

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Recommendations

1. THAT Zoning By-law Amendment File Z.19.014 (Daniels Baif Thornhill Inc.) BE APPROVED, to remove the Holding Symbol “(H)” from the subject lands, shown on Attachment 1, thereby zoning the subject lands RA3 Residential Apartment Zone subject to site-specific zoning Exception 9(1429).
2. THAT Site Development File DA.19.011 (Baif Developments Limited) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of four residential apartment buildings with heights of, 25-storeys, 15-storeys, 12-storeys, and 6-storeys containing a total of 763 units, 585.64 m² of commercial gross floor area, and 942 parking spaces, as shown on Attachments 2 to 7:
 - 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 plans, landscape cost estimate, public art plan, and signage details;
 - ii. The Development Engineering (‘DE’) Department shall approve the final grading and servicing plan, erosion and sediment control plan, and Stormwater Management Report. The Owner shall obtain all required dewatering permits from the Environmental Services (‘ES’) Department prior to final DE approval;
 - iii. 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;
 - iv. The Owner shall satisfy all requirements of York Region;
 - v. The Owner shall successfully obtain approval from the Committee of Adjustment for a Minor Variance Application for the required variances identified in Table 1 of this report. The Committee’s decisions regarding the Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
 - vi. 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; and
 - vii. The Owner shall provide the City of Vaughan with a copy of the Ministry of the Environment, Conservation, and

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Parks ('MECP') Record of Site Condition ('RSC') acknowledged and registered on the Environmental Site Registry for the entire Subject Lands. Copies of all ESA reports relied upon for the filing of the RSC including reliance from the consultant, shall also be provided to the City's satisfaction.

- b. That the Site Plan Agreement include the following clauses:
- i. "Should archaeological resources be found on the subject lands during excavation and construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan's Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately."
 - ii. "In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of Cemeteries Regulation Unit of the Ministry of Government and Consumer Services, and the Development Planning Department, Cultural Heritage Division."
 - iii. "The Owner shall provide documentation to the City showing that the portion of the daylight triangle, under the jurisdiction of the York Region Rapid Transit Corporation, has been conveyed to the Owner to the satisfaction of the City of Vaughan."
 - iv. The Owner acknowledges that there is municipal storm sewer system on the City easement within private property and acknowledges that the City may need to undertake repairs or carry out maintenance on the system or to replace it or to install new service(s). The Owner agrees that the City shall have the right to remove the proposed landscape items for the purpose of carrying out such installation, replacement, repair or maintenance. Prior to removing the landscape items, the City shall give the Owner notice of its intention to remove the landscape items for maintenance purposes, except in the case of emergency, in which case no notice shall be required. On completing the installation, replacement, repairs or maintenance, the Owner, at its sole expense, shall proceed immediately to restore the landscape items to the condition it was in prior to the commencement of such installation, replacement, repairs or maintenance. Under no circumstances shall the City be required to so restore the lands or to compensate the Owner for the cost of doing so.

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- v. The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the Subject Lands.
 - vi. 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.
 - vii. The Owner shall agree to include the necessary warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:

"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic 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 and Climate Change's environmental noise guidelines NPC 300".
 - viii. Prior to occupancy of any dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements and condominium declarations.
- 3. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with Section 42 of *the Planning Act* and the City's Cash-in-Lieu Policy.
 - 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, York Region, York Region District School Board, and the York Catholic District School Board.
 - 5. 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.19.011 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 763 residential apartment units (1,686 person 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 with a building construction program within a reasonable timeframe.”

3. BOWES BASALTIC HOLDINGS INC. DRAFT PLAN OF CONDOMINIUM (STANDARD) 19CDM-19V002 VICINTY OF KEELE STREET AND LANGSTAFF 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 October 7, 2019:

Recommendations

1. THAT Draft Plan of Condominium (Standard) File 19CDM-18V003 (Bowes Basaltic Holdings Inc.) as shown on Attachment 3, BE DRAFT APPROVED, subject to the Conditions of Draft Approval set out in Attachment 1.

4. 1791234 ONTARIO LIMITED (VAUGHAN WEST II LIMITED) SITE DEVELOPMENT FILE DA.18.086 VICINITY OF REGIONAL ROAD 50 AND TRADE VALLEY DRIVE

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 October 7, 2019 be approved; and
- 2) That the coloured elevation submitted by the applicant be received.

Recommendations

1. THAT Site Development File DA.18.086 (1791234 Ontario Limited (Vaughan West II Limited)) BE DRAFT APPROVED AND SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the Development Planning Department, to permit the development of a one-storey employment building with a gross floor area of 11,885 m² and 129 at-grade parking spaces, as shown on Attachments 2 to 4:
 - a. That prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Owner shall satisfy all requirements of the Development Planning Department, and the Development

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Planning Department shall approve the final site plan, building elevations including bird-safe window treatments, landscape plan, details and cost estimate;

- ii) The Owner shall incorporate additional sustainability measures to improve the Sustainability Metrics Overall Application Score to meet or exceed the minimum bronze threshold score of 31;
- iii) the Owner shall satisfy all requirements of the Development Engineering Department, and the Development Engineering Department shall approve the final site servicing, site grading and erosion and sediment control plans, functional servicing report and stormwater management report;
- iv) the Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division;
- v) the Owner shall satisfy all requirements and obtain all necessary approvals from York Region;
- vi) the Owner shall satisfy all requirements and obtain all necessary approvals from Peel Region;
- vii) the Owner shall enter into a Site Plan Agreement with both Peel Region and York Region;
- viii) the Owner shall satisfy all conditions imposed by the Committee of Adjustment's decision to approve Consent Applications B025/19 and B026/19, to facilitate shared access to the Subject Lands and the owner of the adjacent lands to the north (241 Trade Valley Drive), and the Certificate of Official shall be issued; and
- ix) the Committee of Adjustment's decision to approve Minor Variance Application A109/19 shall become final and binding, and the Owner shall satisfy all conditions of approval imposed by the Committee.

**5. 1834375 ONTARIO INC. (LIBERTY DEVELOPMENT CORPORATION)
SITE DEVELOPMENT DA.19.016 VICINITY OF REGIONAL ROAD 7
AND BOWES 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 October 7, 2019 be approved; and**

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- 2) That the coloured elevation submitted by the applicant be received.**

Recommendations

1. THAT Site Development File DA.19.016 (1834375 Ontario Inc. (Liberty Development Corporation)) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of three 27-storey residential apartment buildings, with a total of 932 units, 362.7m² of grade related commercial uses, and 1,017 parking spaces distributed over four levels of underground parking, as shown on Attachments 2 to 5.
 - a. THAT prior to the execution of the Site Plan Agreement:
 - i. The Owner shall successfully obtain approval from the City of Vaughan Committee of Adjustment to:
 - a. vary Zoning By-law 1-88 to permit the variances identified in Table 1 of this report, which approval shall be subject to conditions of approval in relation to Section 37 community benefits pursuant to subsection 45(9) of the *Planning Act*; and,
 - b. permit the bonusing for increased building height in return for a monetary contribution of \$321,300.00 to be used for community benefits, pursuant to Section 37 of the Planning Act, the policies of VOP 2010 and the City of Vaughan's Guidelines for the Implementation of Section 37 of the Planning Act towards community benefits, to the satisfaction of the City, including but not limited to:
 - public art
 - the provision and enhancement of outdoor recreational facilities in the temporary public amenity space to be provided in Phase 1 of Draft Plan of Subdivision File 19T-16V009, these facilities can be relocated to public parkland acquired in Phase II of Draft Plan of Subdivision File 19T-16V009
 - enhancements of the existing trails system for the Bartley Smith Greenway contributions to park redevelopment of park sites serving intensification areas within the vicinity of the Subject Lands, consistent with the 2018 Parks Redevelopment Strategy;
 - ii. The Owner shall enter into a Section 37 Density Bonusing Agreement with the City of Vaughan to secure the

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community benefits in exchange for an increase in the building height on the Subject Lands and pay the Section 37 Bonus agreement Surcharge, in accordance with the "Tariff of Fees for Planning Applications";

- iii. THAT a Zoning By-law Amendment application to remove the Holding Symbol "(H1)" on the Subject Lands shall be forwarded to Vaughan Council for approval upon the Owner satisfying the conditions in the Local Planning Appeal Tribunal Decision (PL171117) and to the satisfaction of the City of Vaughan and the Toronto and Region Conservation Authority;
- iv. The Owner shall execute a Subdivision Agreement and any other agreement(s), and register the related Draft Plan of Subdivision (File 19T-16V009) approved by Local Planning Appeal Tribunal Decision (PL171117);
- v. The Owner shall submit a detailed engineering report(s) and plans to the satisfaction of TRCA for the Subject Lands in accordance with Functional Servicing Report 1890 Hwy 7 - Phase 1 Block 2, prepared by Schaeffers Engineering, revised March 2019 and Hydrogeological letter, prepared by EXP dated March 5, 2019;
- vi. The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate, lighting plan, public art plan, signage details, and commemoration plan;
- vii. The Development Engineering Department shall approve the final grading and servicing plan, erosion and sediment control plan, noise report, functional servicing and stormwater management report, hydrogeological assessment, traffic impact study, transportation demand management plans and construction management plans. The Owner shall modify to the Site Plan based on the final engineering design of Draft Plan of Subdivision File 19T-16V009. The Owner shall pay the Development Engineering Site Plan fees;
- viii. The Owner shall register the required easements for the construction and maintenance of the necessary municipal services and public access easements in favour of the City of Vaughan over the future private east-west road;
- ix. The Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division;

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- x. The Owner shall grant Metrolinx an environmental easement for operational emissions, which shall be registered on title against each residential dwelling in favour of Metrolinx; and
 - xi. The Owner shall obtain all necessary approvals from York Region.
- b) That the Site Plan Agreement shall include the conditions and warning clauses identified in this report, to the satisfaction of the City.
- 3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.19.016 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 932 residential units (2,060 person 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 with a building construction program within a reasonable timeframe”.

**6. DULCINA INVESTMENTS INC. SITE DEVELOPMENT FILE DA.18.047
VICINITY OF JANE STREET AND RUTHERFORD 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 October 7, 2019 be approved; and**
- 2) That the coloured elevation submitted by the applicant be received.**

Recommendations

- 1. THAT Site Development File DA.18.047 (Dulcina Investments Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the Development Planning Department, to permit 24 and 26-storey apartment buildings with a total of 586 residential units and ground related commercial uses, as shown on Attachments 2 to 7:
 - a) prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plans and cost estimate, the roof-top amenity plans, signage, and wind analysis;

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- ii) the Development Engineering Department shall approve the final site servicing, grading and erosion control plans, functional servicing and stormwater management report and plans, geotechnical and hydrogeological assessment, dewatering plan, external lighting and site illumination plans, the utility coordination plan, Noise Report, shoring and tie-back design, construction schedule and phasing and logistics plans, Traffic Impact Study, Transportation Demand Management Plan, and pavement markings and signage plan;
- iii) The Owner shall pay the Development Engineering Department's Complex Site Plan fee in the amount of \$208,590.80 pursuant to the Fees and Charges By-law as amended;
- iv) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division;
- v) the Owner shall apply to the City of Vaughan for any permanent dewatering system(s) that is required for the development, and enter into an agreement and/or obtain a permit to discharge groundwater;
- vi) the Owner shall enter into a Section 37 Bonusing Agreement with the City of Vaughan to secure the community benefits set out in Zoning By-law 033-2019 including the following options, to be finalized to the satisfaction of the City:
 - the monetary contribution payment of \$1,471,622.00 for the purpose of providing public benefits to the City in return for the increase in height and density, or
 - the provision of a Public Indoor Recreation Space ('PIRS') within Block B of Phase 1, which will be offset against the monetary contribution payment.

The Owner shall also pay to the City of Vaughan the Section 37 Bonusing Agreement surcharge fee, in accordance with the "Tariff of Fees By-law for Planning Applications", in effect at the time of the execution of the Agreement;

- vii) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
- viii) the Owner shall satisfy all conditions of the York Region Community Planning and Development Services Department;

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- ix) the Owner shall obtain a final clearance from NavCanada and Bombardier Aerospace;
- x) the Owner shall satisfy all the conditions of the Toronto and Region Conservation Authority;
- xi) the Owner shall satisfy all requirements of Bell Canada;
- xii) the Owner shall satisfy all requirements of Canada Post;
- xiii) The Owner shall enter into a Development Agreement, as identified in Zoning By-law 033-2019, through the Development Engineering Department and shall agree, but not limited to the following:
 - a. The installation of any proposed service connections and agree to pay for the design and construction of any improvements to the municipal infrastructure regarding the site servicing assessment, should it be determined, in future phases that upgrades are required to the infrastructure to support this development;
 - b. Enter into the necessary agreement(s) with the City for the proposed private sewers crossing the proposed public road - Street A. The agreement(s) shall include provisions for operation and maintenance of the sewers;
 - c. Design and construct Street A including the installation of the necessary municipal services and utilities, prior to occupancy of the first building and as identified on the approved drawings;
 - d. Design and construct a center median on Jane Street, prior to occupancy of the first building in accordance with the approved drawings, to the satisfaction of York Region and the City;
 - e. Pay applicable fees and post the necessary Letters of Credit(s);
 - f. Submit a geotechnical report that identifies the existing site conditions and provides recommendations for the design and construction of the proposed municipal infrastructure and services including a pavement design structure for ideal and non-ideal conditions to the satisfaction of the City. The Owner shall agree in the Development Agreement to carry out, or cause to carry out, the recommendations of the report;
 - g. Design and construct street lighting/pedestrian scale lighting system on the proposed public road - Street A.

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The streetlight system shall use LED luminaire, pole type and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City's Streetscape/Open Space Master Plan; and

- h. Convey any lands and/or easements to the City, free of all costs and encumbrances, that are necessary to construct the municipal services for the development, which may include any required easements and/or additional lands within and/or external to the subject lands including but not limited to the following:
 - i) the necessary land for proposed public road - Street A (22 metre right-of-way) in accordance with the final drawings; and
 - ii) a 5 x 5 metre daylight triangle and 0.3 m reserves at the corners of the Fishermens Way and the proposed public road - Street A intersection.
 - xiv) The Owner shall provide the Ministry of the Environment, Conservation and Parks ('MECP') approvals for the wastewater works, as the sewage systems will be servicing more than one property or provide confirmation from MECP that there is no need for such approvals; and
 - xv) The Owner shall pay the applicable fees pursuant to the current Fees and Charges By-law including water consumption during building construction;
 - xvi) The Owner shall enter into a Development Agreement with the City of Vaughan to satisfy all conditions included in the LPAT approved Zoning By-law 033-2019 Schedule 3, financial or otherwise, with regard to such matters including the payment of additional letters of credit, conveyance of parkland (approximately 0.6 ha), access agreements and the construction of the park and associated facilities in a timely manner in accordance with the City's Developer Build Parks Policy, No. 07.2.05 to the satisfaction of the Parks Planning Department.
- b) The implementing Site Plan Agreement shall include the following clauses.
- i) "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."

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- ii) “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, the York Region District and Catholic District School Boards, prior to the issuance of any Building Permit.”
- iii) “Should archaeological resources be found on the Subject Lands 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.”
- iv) “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 Ontario Ministry of Tourism, Culture and Sport Government, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- v) “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.”
- vi) “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 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 noise report have been incorporated into the building, to the satisfaction of the Development Engineering Department.”
- vii) “The Owner shall agree, as part of the future phases, to resubmit an updated Transportation Impact Study. The Study shall demonstrate, amongst other things, adequate road capacity to facilitate any future development(s), including reanalyzing the intersection of Jane Street and the local east-west street to determine whether signalization is required as part of future developments.

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However, until such time this intersection will remain in an unsignalized right-in/right-out configuration.”

- viii) “Prior to occupancy of any unit or registration of a condominium, the Owner shall, at no cost to the City of Vaughan, convey to the City an easement to secure the surface public pedestrian path north of the subject lands, between Jane Street and Fishermens Way as identified in the Schedule H of the Vaughan Mills Secondary Plan, to the satisfaction of the City of Vaughan.”
- ix) “The Owner shall agree in the Site Plan and Development Agreements, at its own cost, to design, construct, repair and maintain the public pedestrian path noted in condition viii), including the clearing of snow and ice, to the satisfaction of the City.”
- x) “The Owner shall implement all Transportation Demand Management (‘TDM’) measures as identified in the ‘Traffic Impact Study & Transportation Demand Management Plan Dulcina Lands Phase 1, prepared by Paradigm dated June 2018. The TDM measures include provision of short-term and long-term bicycle parking, bicycle repair station and pedestrian/cycling connections to transit facilities.”
- xi) “Prior to occupancy of any unit, a noise consultant shall certify that the building design and plans are in accordance with the noise control features and noise abatement measures 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.”
- xii) “Prior to the placement of top soil and after certification of rough grading, the Owner shall agree to undertake a Limited Phase Two ESA on the park land block to be conveyed to the City of Vaughan.”
- xiii) “The Owner shall agree to include the necessary warning clauses in agreements of Offer of Purchase and Sale, Lease/Rental agreements and in the Condominium Declaration including but not limited to the following:
 - “Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels

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from increasing road traffic, adjacent employment/industrial uses and from the CN MacMillan Rail Yard may on occasion interfere with some activities of the dwelling occupants as the sound level may exceed the Ministry of Environment and Climate Change's environmental noise guidelines NPC-300."

xiv) "The Owner shall make the necessary arrangements with the City's Environmental Services Department for the supply of potable water for construction purpose and implement a water flushing program to maintain the water quality on proposed public road - Street A. The Owner shall be responsible for all costs incurred by the City in connection with the water used for testing and flushing the water distribution system."

2. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the City of Vaughan and/or 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, if required.
3. THAT a Zoning By-law to remove the Holding Symbol "(H)" from the Subject Lands be forwarded to Council upon the Owner satisfying all the conditions in Zoning By-law 033-2019 approved by the Local Planning Appeal Tribunal.
4. That Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

"That Site Development File DA.18.047 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 586 residential units (1295 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 with a building program within a reasonable timeframe."

7. GABRIELE TATANGELO, GIUSEPPE FALLETTA AND RAVINDER SINGH MINHAS SITE DEVELOPMENT FILE DA.18.081 VICINITY OF PINE VALLEY DRIVE AND HAYHOE AVENUE

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 October 7, 2019 be approved; and

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- 2) That the coloured elevation submitted by the applicant be received.**

Recommendations

1. THAT Site Development File DA.18.081 (Gabriele Tatangelo, Giuseppe Falletta and Ravinder Singh Minhas) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of 12 semi-detached units served by a private common element condominium road in the manner shown on Attachments 2 to 5:
 - a) THAT prior to the execution of the Site Plan Agreement:
 - i) the implementing Zoning By-law to rezone the subject lands to R5 Residential Zone, with the site-specific exceptions to permit the development be enacted by Council and be in full force and effect;
 - ii) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate, and tree preservation plan;
 - iii) the Development Engineering Department shall approve the final site servicing, grading and existing drainage plans, functional servicing report, servicing plans, stormwater management report, and noise feasibility study;
 - iv) the Owner shall satisfy all the requirements of York Region;
 - v) the Owner shall obtain the appropriate servicing easement(s) to service the subject lands to the satisfaction of the City;
 - vi) the Owner shall pay \$9,360.00, the Engineering Review Fee in accordance with By-law 022-1028, to the satisfaction of the Development Engineering Department;
 - vii) the Owner shall satisfy all requirements of the Transportation Services, Parks and Forestry Operations Department;
 - viii) the Owner shall satisfy all requirements of Canada Post Corporation;
 - ix) the Owner shall satisfy all requirements of Alectra Corporation, Enbridge Distribution Inc. and Bell Canada; and
 - x) the Owner, if required, must enter into a Tree Protection Agreement in accordance with Council enacted tree By-law

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052-2018 and the City's Tree Protection Protocol, to the satisfaction of the Development Planning Department, Urban Design and Heritage Culture Division.

b) the Site Plan Agreement shall include the following clauses:

- i. "The Owner agrees to obtain into an encroachment permit with York Region for any portion of the driveway, parking, landscaping, signage, services, fencing and any other feature encroaching into York Region's right-of-way along Pine Valley Drive to the satisfaction of York Region."
- ii. "The Owner/Condominium Corporation shall be responsible to maintain the portion of the driveway, access, landscaping and any other feature located within the York Region's right-of way along Pine Valley Drive, to the satisfaction of York Region."
- iii. "Should archaeological resources be found on the subject lands during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Departments shall be notified immediately."

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

- iv. "Prior to the issuance 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 to the satisfaction of the Financial Planning and Development Department."
- v. "The Owner shall pay to Vaughan by way of certified cheque, Cash-in-Lieu of the dedication of parkland equivalent to 5% or 1ha. per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-In-Lieu of Parkland Policy to the satisfaction of the Infrastructure Development Department."
- vi. That all Offers of Purchase and Sale or lease, and future Condominium Documents shall include wording that the Owner/Condominium Corporation shall be responsible to

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maintain all portions of the landscaping, roads, and access located within the Regional right-of-way along Pine Valley Drive to the satisfaction of the City and York Region.”

3. THAT Site Plan File DA.18.081 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 12 residential units (41 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 with a building construction program within a reasonable timeframe.

8. PROMENADE LIMITED PARTNERSHIP SITE DEVELOPMENT FILE DA.18.107 VICINITY OF BATHURST STREET AND CENTRE 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 October 7, 2019 be approved; and**
- 2) **That the coloured elevations submitted by the applicant be received.**

Recommendations

1. THAT Site Development File DA.18.107 (Promenade Limited Partnership) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a 30 and 35-storey residential apartment buildings connected by a 7-storey podium with a total of 729 units with retail at grade and a 23-storey mixed-use building comprised of office, hotel and retail uses, as shown on Attachments 3 to 10:
 - a) That prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, landscape plan, and cost estimate, building elevations and signage details;
 - ii) the Development Engineering Department shall approve the final site servicing and grading, erosion control plan, functional servicing and stormwater management reports and plans, final noise report, hydrogeological assessment, and Traffic Impact Study and the Owner shall pay the Development Engineering Site Plan fee in accordance with By-law 022-2018;
 - iii) or prior to initiation of any construction activities, whichever comes first, the Owner shall prepare a construction

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- management plan, and enter into an agreement and/or permit to the satisfaction of the City;
- iv) the Owner shall enter into a Development Agreement with the City:
- to the design and construction of any required improvements to the municipal infrastructure at no cost to the City, pay applicable fees and post any necessary Letter of Credit(s). The Owner shall undertake all necessary monitoring of the downstream sewer system. Proposed improvement works shall adhere to the studies being undertaken to support the Secondary Plan;
 - the Owner shall submit a geotechnical report that identifies the existing site conditions and provides recommendations for the design and construction of the proposed municipal infrastructure and services including a pavement design structure for ideal and non-ideal conditions and carry out the recommendations of the report to the satisfaction of the City;
- v) the Owner shall submit a comprehensive Environmental Noise Impact Assessment, prepared in accordance with Ministry of the Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines to the satisfaction of the City;
- vi) the Owner shall submit a copy of the registered plan of survey (i.e. R-Plan) showing the boundaries of the residential portion used for the filing of the Ministry of the Environment Conservation and Parks Record of Site Condition and designation of the Class 4 acoustical area, to the satisfaction of the City;
- vii) the Owner shall submit a risk evaluation report as defined under O. Reg. 153/04 assessing the salt related impacts and/or a remediation report for the mixed-use office building portion of the development to the satisfaction of the City;
- viii) the Owner and the City shall enter into and execute a Parkland Agreement to the satisfaction of the City;
- ix) the Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division;
- x) the Owner shall satisfy all requirements of York Region;

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- b) That the Site Plan Agreement shall include the conditions and warning clauses as identified in this report, to the satisfaction of the City.
2. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.18.107 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 729 residential apartment units (1,611 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 with a building construction program within a reasonable timeframe.”
3. THAT the residential portion of the Phase 1 development of the Promenade Shopping Centre be designated as a Class 4 area pursuant to the Ministry of the Environment, Conservation, and Parks Noise Guideline NPC-300 to the satisfaction of the City.
4. THAT the City’s Noise By-law, Schedule 4, be amended to designate the residential portion of the Phase 1 development of the Promenade Shopping Centre as a Class 4 area and the property description shall include reference to the assessed noise level limits defined in the final comprehensive Noise Impact Assessment report to the satisfaction of the City.
5. THAT prior to the consideration of a Part Lot Control Exemption By-law by Council, the Owner be required to:
 - a. provide proof of payment of all current property taxes for the subject lands, to the satisfaction of the City Solicitor; and
 - b. register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the *Land Titles Act* agreeing not to transfer or charge any part of the lands without the written consent of the Deputy City Manager, Planning and Growth Management, or designate.

9. **CANADA DRIVE – AMERICA AVENUE BRIDGE UPDATE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Infrastructure Development, dated October 7, 2019:

Recommendations

1. That this report be received for information.

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10. PARKING PROHIBITION - PINE GROVE ROAD

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

Recommendations

1. That a parking prohibition be implemented on the east side of Pine Grove Road from municipal address 407 to 423 Pine Grove Road (from 105 metres to 126 metres east of Islington Avenue), approximately 21 metres, during all hours Monday to Friday; and
2. That Schedule 1 of Parking By-law Number 064-2019, be amended to add a parking prohibition on the east side of Pine Grove Road from municipal 407 to 423 Pine Grove Road (from 105 metres to 126 metres east of Islington Avenue), approximately 21 metres, during all hours Monday to Friday.

11. BLUE BOX RECYCLING PROGRAM UPDATE

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 October 7, 2019:

Recommendations

1. That this report be received for information.

12. BILL 108 TRANSITIONAL REGULATION AMENDMENTS

The Committee of the Whole recommendation was dealt with and adopted without amendment at the Special Council Meeting of October 7, 2019, under Minute No. 144.

13. CEREMONIAL PRESENTATION – NATIONAL INSTITUTE OF PUBLIC ADMINISTRATION OF CANADA (IPAC) – 2019 BRONZE AWARD FOR INNOVATIVE MANAGEMENT

The 2019 National Institute of Public Administration of Canada (IPAC)'s 2019 Bronze Award for Innovative Management was presented to the Vaughan Fire and Rescue Service for the "Igniting Insight: Using Geographic Information Systems (GIS) and Analytics in the Fire Service" project.

14. CEREMONIAL PRESENTATION – SPECIAL OLYMPICS ONTARIO

The Special Olympics Ontario's 50th Anniversary Memento was presented to the City of Vaughan, being the first and only Municipality in the Province of Ontario, actively participating in the Special Olympics Fundraiser initiative.

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15. DEPUTATION – WOMEN’S SUPPORT NETWORK OF YORK REGION

The Committee of the Whole recommends:

- 1) That the Deputation by Ms. Seema Allahdini, Public Education and Outreach, Women’s Support Network of York Region be received; and
- 2) That the following Communications be received:
 - C3. Presentation material – “Women’s Support Network of York Region – Dedicated to eradicating sexual violence”, received on September 27, 2019; and
 - C12. Women’s Support Network of York Region – Sexual Violence Fact Sheet, submitted at the meeting.

16. DEPUTATION – VAUGHAN SANTAFEST PARADE

The Committee of the Whole recommends:

- 1) That the Deputation by Mr. Richard Smith, Co-Chair, Vaughan SantaFest Parade be received;
- 2) That Council support the request by the SantaFest Committee for continued level of Service-in-Kind as provided in the past, for the years 2019, 2020 and 2021; and
- 3) That Communication C8 from Mr. Richard Smith, Co-Chair, Vaughan SantaFest Parade, be received.

17. DEPUTATION – MATTHEW BALDASSINI (GENTILE CIRCLE)

The Committee of the Whole recommends:

- 1) That the Deputation by Mr. Matthew Baldassini and Ms. Linda Altomare be received;
- 2) That staff report back on this matter and communicate to area residents; and
- 3) That the following Communications be received:
 - C4. Mr. Matthew Baldassini, Operations Manager – Bolton, Aluma Systems, Simpson Road, Bolton dated September 30, 2019; and
 - C13. Photographs of mounds of dirt and garbage, rear ravine from Gentile Circle, submitted at the meeting.

Mayor Bevilacqua declared an interest with respect to this matter as he is subject to litigation with respect to this project and did not take part in the discussion or vote on the matter.

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Councillor Carella declared an interest with respect to this matter as he is subject to litigation with respect to this project and did not take part in the discussion or vote on the matter.

18. DEPUTATION – MS. LUCY KALOKINA (EXORBITANT WATER BILL)

The Committee of the Whole recommends:

- 1) That the Deputation by Ms. Lucy Kalokina be received and referred to staff for a report; and**
- 2) That Communication C2 from Ms. Lucy Kalokina, Jason Street, Concord dated submitted on September 27, 2019, be received.**

19. OTHER MATTERS CONSIDERED BY THE COMMITTEE

19.1. CONSIDERATION OF AD-HOC COMMITTEE REPORTS

The Committee of the Whole recommends:

That the following Ad-Hoc Committee reports be received:

- 1. Accessibility Advisory Committee meeting of June 25, 2019 (Report No. 4).**
- 2. Older Adult Task Force meeting of September 23, 2019 (Report No. 1).**
- 3. Accessibility Advisory Committee meeting of September 25, 2019 (Report No. 5).**

19.2. RECESS AND RECONVENE

The Committee of the Whole recessed at 2:36 p.m. and reconvened at 2:56 p.m. with all members present.

**20. SPECIAL COMMITTEE OF THE WHOLE (CLOSED SESSION)
RESOLUTION OCTOBER 7, 2019**

The following resolution was passed to enable Special Committee of the Whole (Closed Session) to resolve into closed session for the purpose of discussing the following:

- 1) APPLICATION TO ONTARIO SUPERIOR COURT OF JUSTICE
CITY OF VAUGHAN ET AL. ATS. FRANK MIELE**
(advice that is subject to solicitor-client privilege)

The meeting adjourned at 3:56 p.m.

Respectfully submitted,

Councillor Tony Carella, Chair