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HUNTINGTON LANDOWNERS TRUSTEE INC. – INFLOW AND INFILTRATION REDUCTION – PILOT PROJECT AGREEMENT PRINCIPLES – CITY OF VAUGHAN

The Environmental Services Committee recommends the adoption of the recommendations contained in the following report dated June 1, 2011, from the Commissioner of Environmental Services and the Commissioner of Planning and Development Services.

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Environmental Services be authorized to execute a tri-party agreement with the City of Vaughan and the Huntington Landowners Trustee Inc. to undertake an inflow and infiltration reduction pilot project in the City of Vaughan, in accordance with the principles outlined herein.
2. The Regional Clerk forward a copy of this report to the City of Vaughan and Huntington Landowners Trustee Inc.

2. PURPOSE

The purpose of this report is to obtain Council authorization to enter into a tri-party agreement with City of Vaughan and Huntington Landowners Trustee Inc. for Huntington Landowners Trustee Inc. to undertake a pilot inflow and infiltration reduction project in the City of Vaughan in exchange for servicing allocation based on the principles as outlined below.

3. BACKGROUND

On September 23, 2010, Regional Council authorized staff to enter into an agreement with the Town of Markham and Upper Unionville Inc. to permit Upper Unionville Inc. to undertake an inflow and infiltration reduction pilot project funded solely by the developer in exchange for allocation of servicing capacity. At the same time, Council also authorized staff to consider similar developer initiated projects in other local municipalities. Following this decision by Council, Huntington Landowners Trustee Inc., representing the developers group for Block 61 in the City of Vaughan submitted a proposal to city staff to implement a similar inflow and infiltration reduction pilot project in the City of Vaughan.

Block 61 is located within the Kleinburg-Nashville Community, bounded by Major Mackenzie Drive to the south, Huntington Road to the west, Nashville Road to the north and Stevenson Avenue to the east (*see Attachment 1*). With a total area of 318 ha, Block 61 is planned for a population of about 10,000.

On April 5, 2011, City of Vaughan Council adopted the recommendations of their Priorities and Key Initiatives Committee Report, entitled “*Block 61 Inflow and Infiltration Reduction Pilot Project Huntington Landowners Trustee Inc.*” requesting the Region to endorse and participate in the Block 61 inflow and infiltration reduction pilot project (*see Attachment 2*), with an objective to generate servicing capacity for 4,600 units, of which up to 3,800 units is for development of Block 61 and 800 units is for other developments within City of Vaughan. In the same report, City of Vaughan has committed to allocate servicing capacity to support the initial phase of Block 61.

Subsequently, on May 10, 2011, City of Vaughan staff presented a report to their Committee of the Whole, entitled “*Servicing Capacity Allocation Strategy – Annual Update City Wide*” recommending reservation of servicing capacity of 579 units for the initial phase of Block 61 from existing capacity assignment (*see Attachment 3*), with the expectation that this capacity be returned to the City once new capacity is made available by the pilot project. As a result, the required capacity to be generated by inflow and infiltration reduction to support the full build out of Block 61 is 3,800 units, irrespective of the initial planned allocation of 579 units by the City. With an additional 800 units required by the City for developments in other parts of the City, the total units needed from the pilot project is 4,600 units.

4. ANALYSIS AND OPTIONS

Huntington Landowners Trustee Inc. project provides potential benefits to the Region’s overall inflow and infiltration reduction program when conducted in accordance with the required implementation plan

Similar to the Upper Unionville Inc. pilot project approved by Council in September 2010, this pilot project will be undertaken by Huntington Landowners Trustee Inc. at no cost to the Region.

While there are expected benefits of this pilot project, success of this project hinges on the ability to align the developer group’s interest with the Region’s overall inflow and infiltration reduction strategy. It is important that the works be carried out with an implementation plan acceptable to the Region including the proposed remedial works, flow monitoring and public communication. It is equally important that any new sewers constructed by the developers are of a quality with minimal infiltration and inflow, and do not counteract the gains in reduction of inflow and infiltration in existing areas. To this end, similar principles of agreement adopted by Regional Council for the Upper Unionville Inc. pilot project are recommended below:

- The work shall be funded by Huntington Landowners Trustee Inc. at no cost to the Region and is not eligible for Regional development charge credits
- The work shall complement the Region's broader inflow and infiltration reduction program
- Capacity assignment to the City of Vaughan shall be at the sole discretion of the Region. Capacity assignment will be provided in stages based on proven reduction of inflow and infiltration through remedial works carried out by Huntington Landowners Trustee Inc
- The work will be carried out in prescribed catchment area(s) defined by the Region and the City. A work plan outlining remedial works and flow monitoring works for the chosen catchment area shall be approved by the Region and the City prior to commencement of the work. With approval from the Region and the City, Huntington Landowners Trustee Inc. may choose to expand the work into other catchment areas, provided that the remedial works in the original catchment area are completed or adequate securities (to the satisfaction of the Regional Treasurer and the Commissioner of Environmental Services and the City) are being posted with the Region and the City to ensure completion of the work. Huntington Landowners Trustee Inc. is under no obligation to continue expanding the work beyond the original catchment area(s)
- The project will be deemed to be complete if enough capacity is identified to support a total capacity assignment of 4,600 units (of which 3,800 units are for Block 61)
- The Region and/or its agent will review the analysis and monitoring works carried out by the developer to determine the inflow and infiltration reduction. At its sole discretion, the Region and/or its agent may carry out independent analysis and monitoring works to quantify and verify the inflow and infiltration reduction. All costs associated with retaining a consultant to act on behalf of the Region shall be borne by Huntington Landowners Trustee Inc
- The methodology used to quantify inflow and infiltration reduction shall be one adopted by the Region with a baseline defined by the Region. Verification and quantification of inflow and infiltration reduction for allocation credit will take into consideration, but shall not be limited to, the length of the monitoring period, the quality and consistency of data collected, the number and intensity of storms during the monitoring period and shall be at the sole discretion of York Region. Capacity assignment to the City shall not exceed more than 1 unit for every 2 units of proven capacity created by inflow and infiltration reduction. The Region will at its sole discretion determine the exact allocation credit ratio to be used, based on the nature of remediation and the flow reduction verification process
- Prior to implementing the work, a resident communication protocol shall be established by the developer and/or the City to the satisfaction of the Region and the City
- The Region and/or the City may inspect the work and may require stoppage of work at its sole and absolute discretion, if the work has been commenced without obtaining the necessary approvals, or private properties entered without prior consent of

- property owners, and/or the work is not performed in accordance with the Region's overall inflow and infiltration reduction program
- All flow monitoring records obtained by the developer shall become the property of the Region at the end of the pilot project
 - Development shall use any sewer inspection and commissioning standards developed by York Region in conjunction with local municipalities and inspected to the satisfaction of the Region and the City. As part of commissioning of new sewers, flow monitoring shall be carried out at the sole expense of the developer to ensure and verify that new sewers are constructed without excessive inflow and infiltration to the satisfaction of the Commissioner of Environmental Services
 - To provide adequate upfront capacity to support the initial phase of the development, the City shall commit a portion of allocation to the Block 61 development from the existing capacity assignment
 - The developer shall be responsible for the full Regional staff cost in preparing and administering the agreement estimated at 0.5% to 1.5% of the cost of the pilot project and shall pay the legal fees incurred by the Region for the agreement
 - The developer shall provide a Letter of Credit for the full estimated value of the work and where work is subsequently expanded into other catchment areas, the Letter of Credit shall increase accordingly
 - The developer shall agree to fully indemnify the Region against any and all legal action that may arise during the design and construction of works and thereafter, as well as against any action taken against the Region as a result of the Region agreeing to proceed with this project
 - Execution of the Agreement shall not be a condition precedent for draft plan approval, provided that the developer enters into a "no pre-sale agreement" for lands not having capacity commitments and provided that a Holding Zone be placed in all development lands not having capacity commitments
 - Phasing of allocation is required with ongoing monitoring with build-out over a number of years based on a phasing plan

Development shall be phased and conform to Planning requirements

Block 61 is located in the southwest portion of the City of Vaughan Kleinburg-Nashville Community Plan and is designated Town and Village in the Regional Official Plan. While the historic use of these lands has been for rural and agricultural uses, the land has been recognized as a settlement area since the Kleinburg-Nashville Plan (OPA 601) was approved in 2001 by the Region. The City of Vaughan Official Plan Amendment (OPA 699) establishes the residential, mixed-use residential-commercial and commercial land use designations for the west part of the block and OPAs 686 and OPA 683 establish the residential land use designations with some small scale neighbourhood commercial and institutional uses for the east part of the block. All of these Official Plans are approved and in force. The Block Plan that provides the details for implementation of the Official Plan designations on the western portion of the block is currently being finalized by the City of Vaughan. While this OPA is not subject to the Provincial Growth Plan, the

densities proposed (in the western portion of the block) are above 50 residents and jobs per hectare, in line with the Growth Plan.

Approximately 2,600 residential units (detached, semi-detached and townhouse dwellings) with a potential for some further residential intensification are proposed for the west portion of the block and approximately 800 units have been approved for the eastern portion of the block. Given the additional potential in the western portion of the block and refinements that can occur through individual plans of subdivision and site plans, a maximum allowance servicing capacity for up to 3,800 units for the entire Block 61 is appropriate.

Similar to the Upper Unionville Inc. proposal in Markham, it is anticipated that sustainable features will be incorporated into the development through the plan of subdivision process which will complement the savings achieved through the inflow and infiltration reductions proposed. OPA 699 established sustainability objectives for the community including “water and energy efficiencies, and energy alternatives; and support for green building design and site development”. Similar objectives are established in OPA 686 and OPA 683.

As outlined in the above principles of agreement, sewer inspection and commissioning standards developed by York Region shall be used for the development. As part of the inspection process, flow monitoring will be required to ensure that any newly constructed sewers with unacceptable inflow and infiltration be detected and rectified at an early stage by the developer.

Development will be phased in accordance with the OPA requirements and provision of servicing allocation. Pre-sales will only be permitted after allocation has been provided to the development. In addition, Holding provisions will be used to ensure the implementation of the phasing is linked to the provision of servicing. City of Vaughan has committed to allocate servicing capacity to Block 61 to support a portion of the initial phase of development using the City’s existing assigned capacity, similar to the Upper Unionville Inc. project in Markham.

5. FINANCIAL IMPLICATIONS

Huntington Landowners Trustee Inc. will be undertaking the project at its own cost and will also be fully responsible for the Region’s costs in retaining a consultant to act on its behalf to review and inspect the works carried out by Huntington Landowners Trustee Inc. and, where required, carry out independent flow monitoring to verify inflow and infiltration reduction.

In addition, the developer will be fully responsible for Region staff cost to prepare and administer the agreement which is estimated to be 0.5 % to 1.5% of the cost of the pilot project. All legal fees incurred by the Region for the agreement will also be paid for by the developer.

6. LOCAL MUNICIPAL IMPACT

All local municipalities will benefit from the pilot project

This project is the second developer initiated inflow and infiltration reduction project in the Region and will benefit City of Vaughan with the removal of a portion of the inflow and infiltration generated in Vaughan, at no cost to the City. York Region and the nine local municipalities are actively involved in the inflow and infiltration program. Any experience gained in this pilot project will be shared with other municipalities.

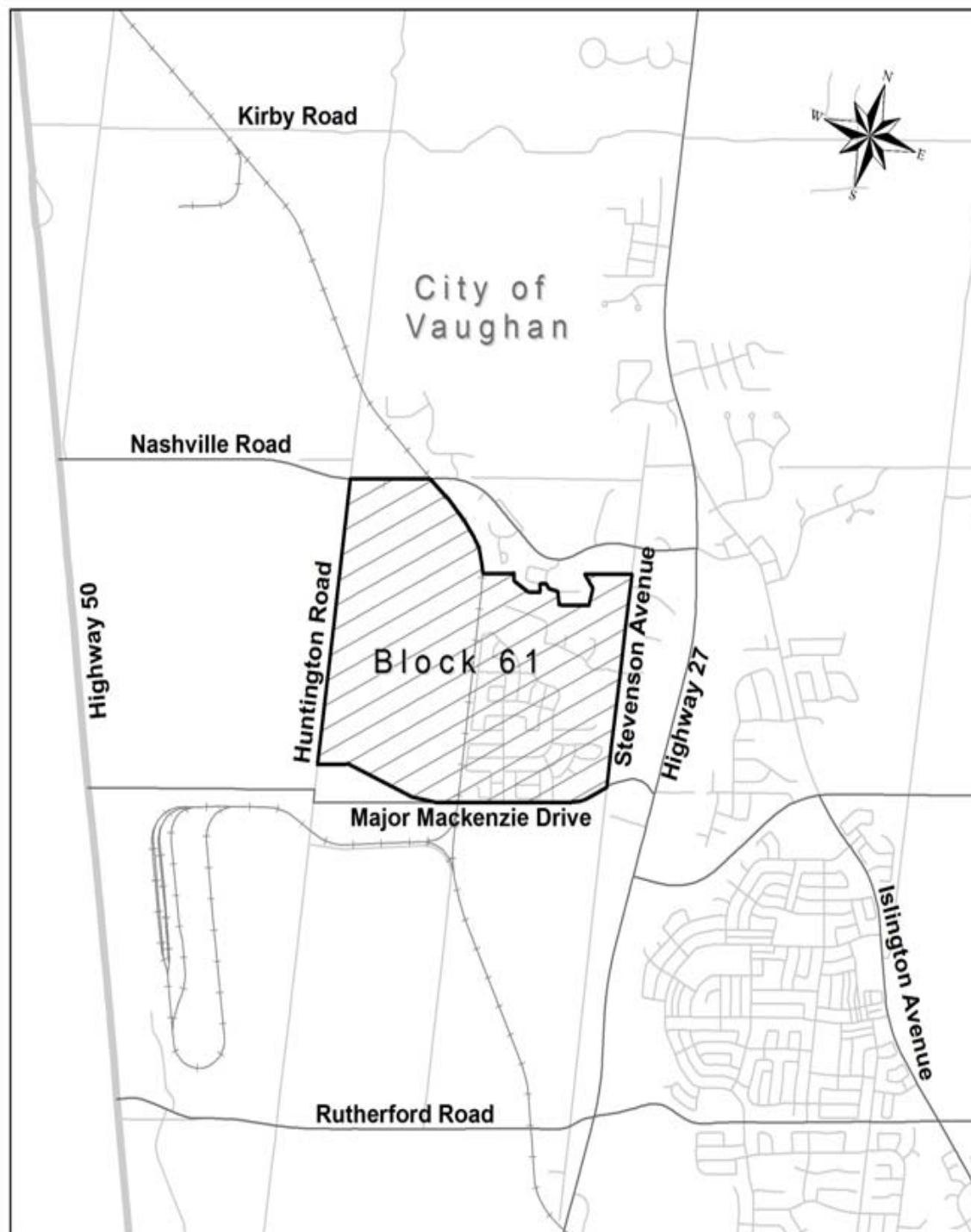
7. CONCLUSION

Success of this project requires a tri-party agreement with sound principles to guide the implementation of the work and provide verifiable benefits to the Region to justify granting wastewater allocation. This report seeks Council endorsement of the proposed principles of agreement and authorization for the Commissioner of Environmental Services to execute the agreement.

For more information on this report, please contact Daniel Kostopoulos, Director, Capital Planning and Delivery at Ext. 5070 or Heather Konefat, Director, Community Planning at Ext. 1502.

The Senior Management Group has reviewed this report.

(The three attachments referred to in this clause are attached to this report.)



**Huntington Landowners Trustee Inc. - Inflow and
Infiltration Reduction - Pilot Project Agreement Principles
City of Vaughan
Location Map for Block 61**





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FOR INQUIRIES: **PLEASE QUOTE ITEM & REPORT NO.**

April 11, 2011

Mr. Denis Kelly, Regional Clerk
The Regional Municipality of York
17250 Yonge Street, Box 147
Newmarket, ON
L3Y 6Z1

Dear Mr. Kelly:

**RE: BLOCK 61 INFLOW AND INFILTRATION REDUCTION PILOT PROJECT
 HUNTINGTON LANDOWNERS TRUSTEE INC.
 WARD 1**

Attached for your information is **Item 2, Report No. 3**, of the Priorities and Key Initiatives Committee regarding the above-noted matter which was adopted without amendment by the Council of the City of Vaughan at its meeting of April 5, 2011.

In dealing with this matter, Vaughan Council requests that York Region endorse and participate in the Block 61 Inflow and Infiltration Reduction Pilot Project.

Your favourable consideration of Council's request would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Abrams', written over a circular stamp.

Jeffrey A. Abrams
City Clerk

Attachment:
Extract
1. Block 61 Location Plan

JAA/pa

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 5, 2011

Item 2, Report No. 3, of the Priorities and Key Initiatives Committee, which was adopted without amendment by the Council of the City of Vaughan on April 5, 2011.

**2 BLOCK 61 INFLOW AND INFILTRATION REDUCTION PILOT PROJECT
 HUNTINGTON LANDOWNERS TRUSTEE INC.
 WARD 1**

The Priorities and Key Initiatives Committee recommends approval of the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated March 21, 2011:

Recommendation

The Commissioner of Engineering and Public Works, in consultation with the Director of Legal Services, recommends:

1. That a by-law be enacted authorizing the Mayor and Clerk to execute the necessary agreements with Huntington Landowners Trustee Inc. (Block 61 Developers' Group) and York Region for the Block 61 Inflow and Infiltration Reduction Pilot Project based on the principles and terms set out in this report;
2. That York Region be requested to endorse and participate in the Block 61 Inflow and Infiltration Reduction Pilot Project;
3. That staff be directed to report back to a future Committee of the Whole meeting on the results of the Block 61 Inflow and Infiltration Reduction Pilot Project; and
4. That a copy of this report be forwarded to York Region.

Contribution to Sustainability

The reduction of inflow and infiltration (unwanted sources of water) within the existing local and regional sanitary sewerage systems will result in a more sustainable infrastructure network by increasing conveyance capacity and overall operational efficiency.

The proposed Block 61 Inflow and Infiltration Reduction Pilot Project is consistent with the objectives of the City's Community Sustainability and Environmental Master Plan (Green Directions Vaughan, April 2009) as it will assist in:

- The promotion of sustainable growth and development;
- Minimizing energy consumption;
- The creation of a City with sustainable built form;
- Sharing sustainable best practices and ideas between and among municipal staff and the community; and
- Support the City's mandate to minimize inflow and infiltration within the existing sewerage system and to optimize overall system efficiency.

Economic Impact

The proposed Block 61 Inflow and Infiltration Reduction Pilot Project is a developer initiated project which will be fully funded by Huntington Landowners Trustee Inc. Accordingly, there is no economic impact to the City resulting from the adoption of this report.

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Item 2, Priorities Report No. 3 – Page 2

Communications Plan

A comprehensive communication plan is proposed by the Block 61 Developers' Group to ensure the City, Region and local residents / businesses are informed during all phases of the Pilot Project. The communication plan includes public awareness components such as notices to residents, site visits with individual property owners, and a project website. Notices will include a detailed description of required field investigation and remedial works that may be carried out throughout the duration of the project.

Purpose

The purpose of this report is to seek Council's endorsement of the proposed Block 61 Inflow and Infiltration Reduction Pilot Project, which will be undertaken by Huntington Landowners Trustee Inc. in close coordination and collaboration with City and Regional staff.

Background

The Ministry of the Environment (MOE) imposed conditions of approval on the Regional Southeast Collector Sewer Individual Environmental Assessment (IEA) that requires specific environmental sustainability targets related to inflow and infiltration reduction and water conservation are achieved. This responsibility lies with both regional and local municipalities. The distribution of additional servicing allocation capacity from the York Sewage / Water Supply Systems to local municipalities will be dependant upon successfully achieving these sustainability targets.

Accordingly, since April of 2010 staff has participated in a joint Regional and Municipal Water and Wastewater Task Force in order to establish a strategy by which the MOE sustainability targets can be achieved. Final strategy documents and detailed implementation plans will be submitted to the MOE by March 31, 2011. The Strategies will include priorities, targets, timelines, tactics, initiatives and implementation logistics / costs associated with meeting the targets established for inflow and infiltration reduction and water conservation. One recommendation of the Strategy supports the pursuit of innovative solutions to addressing inflow and infiltration reduction in sewers including the undertaking of pilot projects.

York Region Endorsement of Developer Funded Pilot Projects

On September 23, 2010, York Region approved the undertaking of a developer funded inflow and infiltration reduction pilot project within the Town of Markham. At the same time, York Region extended the opportunity to each local municipality to undertake one similar pilot project within their own jurisdiction. In general terms, the developer is proposing to fund and undertake works to reduce the inflow and infiltration in priority sewer systems in return for receiving servicing capacity based on a ratio of the flow reduction.

Each pilot project will provide the Region with opportunities and challenges. The opportunities include:

- developer funded inflow and infiltration reduction project;
- developer expedient schedule and resources availability; and
- acquiring project experience which can be used for other inflow and infiltration reduction programs.

The main challenge is to ensure that the pilot projects meet the objectives of the Region's overall inflow and infiltration reduction strategy and the MOE's Southeast Collector Sewer Individual Environmental Assessment conditions of approval.

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Any reduction in inflow and infiltration that may be realized by the proposed pilot project will provide the following benefits:

- Accelerated inflow and infiltration reduction in the local and regional sewerage systems;
- Improved sewerage system efficiencies;
- Reduced potential for sewage spills and related environmental impacts as a result of cross connections;
- Reduced potential for basement flooding;
- Reduced municipal liability;
- Increased certainty of sewer system condition;
- Assistance in meeting MOE approval conditions for the Southeast Collector;
- Reduced surcharge risks in regional and local sewerage systems; and
- Reduced volumes reaching the treatment plant.

Block 61 Pilot Project

In January 2011, Huntington Landowners Trustee Inc. (the Block 61 Developers' Group) submitted a proposal to implement an Inflow and Infiltration Reduction Pilot Project in the City to facilitate the development in Block 61.

Block 61 is located within the Kleinburg-Nashville Community. It is bound by Major Mackenzie Drive to the south, Huntington Road to the west, Nashville Road to the north and Stevenson Avenue to the east. The existing Canadian Pacific Railway (CPR) right-of-way runs through the Block in a north-south direction thereby bisecting the Block into an east and west portion as shown on Attachment No. 1.

The lands west of the existing CPR right-of-way are designated for residential development by the area specific Official Plan Amendment No. 699. On February 1, 2011, a Public Hearing was held for the proposed Block 61 West (Nashville Heights) Block Plan. The participating landowners in the Block have submitted draft plan of subdivision and zoning applications which are currently under review by staff. The proposed Block Plan will accommodate the development of approximately 3,000 units with an equivalent population of about 10,200 people. The lands east of the CPR right-of-way comprise of two draft approved plan of subdivisions; Lake Rivers Inc. (19T-05V10) and Molise Kleinburg Inc. (19T-06V14) as shown on Attachment No. 1. Collectively, these plans contain a total of 760 residential lots. Both plans are currently advancing towards detailed design in support of a phase 1 development. In total, Block 61 east and west will comprise of about 3,800 units.

The Block 61 Pilot Project will develop a methodology for estimating the overall inflow and infiltration reduction in the local and Regional sewerage systems, part of which will be used for risk reduction and the remainder for allocation to new development areas. It is expected that both flow rates and flow volumes will be reduced so as to optimize or free-up capacity in the existing system. The overall benefit of the project is that the efficiency of the City and Region's sewerage system is improved at no cost to the City, and in return the developer receives sanitary servicing capacity which will facilitate the development within Block 61.

The individual phases of the pilot project will include the following components:

1. Catchment area selection;
2. Initial sewage flow monitoring;
3. Catchment area testing;
4. Inflow and infiltration source identification and evaluation;
5. Remedial works to reduce inflow and infiltration;
6. Post remedial monitoring; and
7. Inflow and Infiltration reduction verification / reporting.

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The Block 61 Developer's Group is committing to fully fund the pilot project. Based on a preliminary schedule, it is anticipated that the pilot project will take approximately 18 to 24 months to complete. Through partnership with the City, the Developers Group will assist in achieving a reduction in inflow and infiltration in the City's sewerage system at no cost to the City or Region in exchange for sanitary servicing capacity for Block 61.

Ultimately, York Region must verify that any remedial works completed has resulted in a measurable reduction in peak wet-weather flows and volume in the York-Durham Sewage System. Once the flow reduction is quantified and confirmed by the Region and City, it will be converted into equivalent residential units. Based on the parameters of the pilot project, Huntington Landowners Trustee Inc. must demonstrate an actual flow reduction equivalent to two residential units in order to receive one unit of new servicing capacity.

Overall, the Pilot Project will achieve a net improvement in risk reduction / management and enhance environmental protection and public safety. In return, it will allow for the advancement of future servicing allocation capacity to new development areas above and beyond current commitments from York Region. Development/Transportation Engineering and Public Works staff will work closely with the Block 61 consultants and representatives from York Region throughout the duration of the Pilot Project.

Pilot Project Target

The development in Block 61 will required a total of about 3,800 units of servicing capacity to provide for the full build out of the block. Based on the 2:1 ratio, the pilot project must identify a total of 7,600 units of capacity to reach this target.

In addition, City staff has requested that the pilot project realize a further flow reduction equivalent to 800 units. These additional 800 units will be assigned to the City and may be allocated to any development application within the City, regardless of catchment area, in accordance with the current Servicing Capacity Distribution Protocol as approved by Council. Accordingly, the overall objective of the pilot project is to identify servicing capacity for a total of 9,200 units ($3,800 + 800 \times 2$). The engineering consultant for Block 61 is optimistic that this overall target flow reduction can be achieved successfully based on the experience gained in the Markham Pilot to date.

Initial Allocation of Capacity

Development in Block 61 may be in a position to proceed before the pilot project has been completed. Accordingly, it may be necessary to allocate servicing capacity to the initial phase of the development in Block 61, which will return to the City after the pilot project is completed. The Region has also requested that the City show support to the initial phase of the development proceeding through the allocation of capacity for the first phase from existing assigned capacity. This will be addressed in the next annual servicing capacity allocation update report in Q2-2011. Any capacity realized through the Block 61 Inflow and Infiltration Reduction Pilot Project is in addition to the City's current Regional assignment of 2013 capacity. Future Regional assignments of servicing capacity to the City will consider the results of the Pilot Project and growth projections.

Principles of Agreement

In order to facilitate the proposed Pilot Project, a tri-party agreement will be required between the City, York Region and Huntington Landowners Trustee Inc. (Block 61). The tri-party agreement will be based on the following principles:

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1. All work associated with the Block 61 Inflow and Infiltration Reduction Pilot Project shall be area specific and coordinated with the Region's broader inflow and infiltration reduction program; no other similar allocation seeking pilot project will be permitted in the City until it is demonstrated that there is an overall benefit to the Region and the City;
2. The inflow and infiltration reduction pilot project shall be fully funded by Huntington Landowners Trustee Inc. (Block 61 Developers' Group) and will not be eligible for Development Charge credits;
3. The Block 61 Developers Group shall pay any and all costs incurred by the City in connection with the Block 61 Inflow and Infiltration Reduction Pilot Project including the cost of consultants engaged by the City for the purpose of peer reviewing the results of the pilot, verification monitoring and testing, staff time and resources, etc.;
4. The Block 61 Developers Group may complete more than one high priority catchment area, if necessary, to achieve sufficient inflow / infiltration reduction to meet the overall project target of 3,800 new residential units for Block 61 and 800 residential units for the City;
5. The Block 61 Developers Group shall receive 3,800 residential units of capacity realized by inflow / infiltration reduction and the City shall receive 800 residential units of capacity.
6. The total allocation capacity target for this pilot project is 4,600 residential units (3,800 + 800). The advancement of allocation capacity realized by the pilot project shall be distributed as follows:
 - a. The first 3,000 units shall be used for development in Block 61.
 - b. The remaining 1,600 units shall be divided equally between the City and Block 61 at a ratio of 1:1.
7. The Block 61 Developers Group shall commit to complete all remediation works identified in any single catchment area as mutually identified by the Block 61 Developers Group, the Region and the City prior to completion of the project and prior to receiving the corresponding allocation of servicing capacity;
8. Capacity assignment shall be provided in stages based on proven inflow / infiltration reduction through remedial works carried out by the Block 61 Developers Group and City approved development phasing;
9. The inflow and infiltration reduction work shall be carried out in catchment areas as recommended by the Block 61 Developers Group and approved by the Region and the City;
10. The Block 61 Developers Group shall develop an inflow and infiltration reduction / monitoring work plan to be approved by the City and Region prior to commencement of the work. The work plan shall outline the approach and shall include flow monitoring works for the chosen catchments. Upon approval by the City and Region, the Block 61 Developers Group may choose to expand the work into other catchment areas if necessary to achieve flow reduction targets, provided the remedial works in the original catchment areas are completed; or adequate securities are posted with the City and the Region to ensure completion of the additional work;
11. The City and the Region and/or its agent will review the analysis and monitoring works carried out by the developer to determine inflow/infiltration reduction. At its sole discretion, the City and the Region and/or its agent may carry out independent analysis and monitoring works to quantify and verify the results;

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12. The methodology used to quantify inflow / infiltration reduction shall be one adopted by the Region with baselines defined by the Region. Verification and quantification of I/I reduction will take into consideration, but shall not be limited to, the length of the monitoring period, the quality and consistency of data collected, the number and intensity of storm events during the monitoring period; and shall be at the sole discretion of the City and York Region;
13. Capacity assignment to the City shall not exceed more than 1 unit for every 2 units of proven capacity created by inflow / infiltration reduction;
14. The Region will at its sole discretion determine the exact allocation assignment ratio to be used, based on the nature of remediation and the flow reduction verification process;
15. The Block 61 Developers Group shall implement the new sewer design, inspection and commissioning standards developed by York Region in conjunction with local municipalities in the Block 61 development. All new infrastructure shall be inspected to the satisfaction of the Region and the City;
16. Prior to implementing any remedial work, a resident communication protocol shall be established by the developer in close cooperation with the City, to the satisfaction of the Region and City;
17. The Region and/or City may inspect the work and may require stoppage of work at its sole and absolute discretion, if the work has been commenced without obtaining the necessary approvals, or private properties entered without prior consent of property owners and/or the work is not performed in accordance with the Region's overall inflow / infiltration reduction program;
18. All flow monitoring records collected by the Block 61 Developers Group shall become the property of the Region and the City at the end of the pilot project;
19. The City shall consider reserving/allocating servicing capacity to the initial phase of development in Block 61. This reservation/allocation of capacity shall be from the City's available capacity assignment, and allocated in accordance with the City's Servicing Capacity Distribution Protocol;
20. The Block 61 Developers Group shall provide the City with a letter of Credit for the full estimated value of the remedial work and where work is subsequently expanded into other catchment areas, the Letter of Credit shall be increased accordingly;
21. The Block 61 Developers Group shall fully indemnify the Region and City against any and all legal action that may arise throughout the full duration of the pilot project, including design, monitoring and construction of works and thereafter, as well as against any action taken against the Region and City as a result of the Region and City agreeing to proceed with this project;
22. The Region and the City will support draft plan approval provided that the Block enters into a "No Presale" Agreement for development lands beyond Phase 1 and provided that a Holding Zone be placed on all development lands beyond Phase 1 capacity;
23. Servicing allocation commitments will be finalized by the City and the Region in consultation with the Block 61 Developers Group and once the City and Region are satisfied that all benefiting parties are in good standing with the Trustee; and

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24. The Block 61 Inflow and Infiltration Reduction Pilot Project shall be deemed complete once all targets have been achieved.

Based on the principles outlined above, it is recommended that the City enter into a tri-party agreement with York Region and the Block 61 Developers Group so the Block 61 Inflow and Infiltration Reduction Pilot Project can be undertaken.

It is anticipated that flow monitoring within the City's existing sewerage system may commence in advance of the execution of the final agreement in order to maximize the use of flow monitoring data captured from the upcoming spring melt and wet weather events.

Relationship to Vaughan Vision 2020 / Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the recommendations of this report will assist in:

- The pursuit of excellence in service delivery;
- Planning and managing growth and economic vitality;
- Leading and promoting environmental sustainability;
- Maintaining assets and infrastructure integrity;
- Ensuring and enhancing community safety, health and wellness;
- Ensuring financial stability; and
- The demonstration of leadership and promotion of effective governance.

This report is therefore consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

Regional endorsement of the Block 61 Inflow and Infiltration Reduction Pilot Project will be required. The City will continue to actively participate with York Region in all inflow and infiltration reduction programs and initiatives in order to satisfy the MOE conditions of approval for the Southeast Collector Sewer. Accordingly, it is recommended that a copy of this report be forwarded to the Region with a request that the Region endorse and participate in the Block 61 Inflow and Infiltration Reduction Pilot Project.

Conclusion

The proposed Pilot Project will be fully funded by the Block 61 Developers' Group. Successful completion of the pilot will improve the overall efficiency in both local and regional sanitary sewerage systems and will assist in meeting the MOE approval conditions for the Southeast Collector. The Pilot Project anticipates a "win-win-win" outcome for the City, Region and the proponents in Block 61. The duration of the pilot from initial monitoring to post remediation monitoring is anticipated to take approximately 18 to 24 months to complete. By achieving the inflow and infiltration reduction targets anticipated by the pilot, additional servicing allocation capacity will be realized for active development applications throughout the City.

Staff will report back to a future Committee of the Whole meeting on the results of the proposed Block 61 Inflow and Infiltration Pilot Project.

Attachments

1. Block 61 Location Plan

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 5, 2011

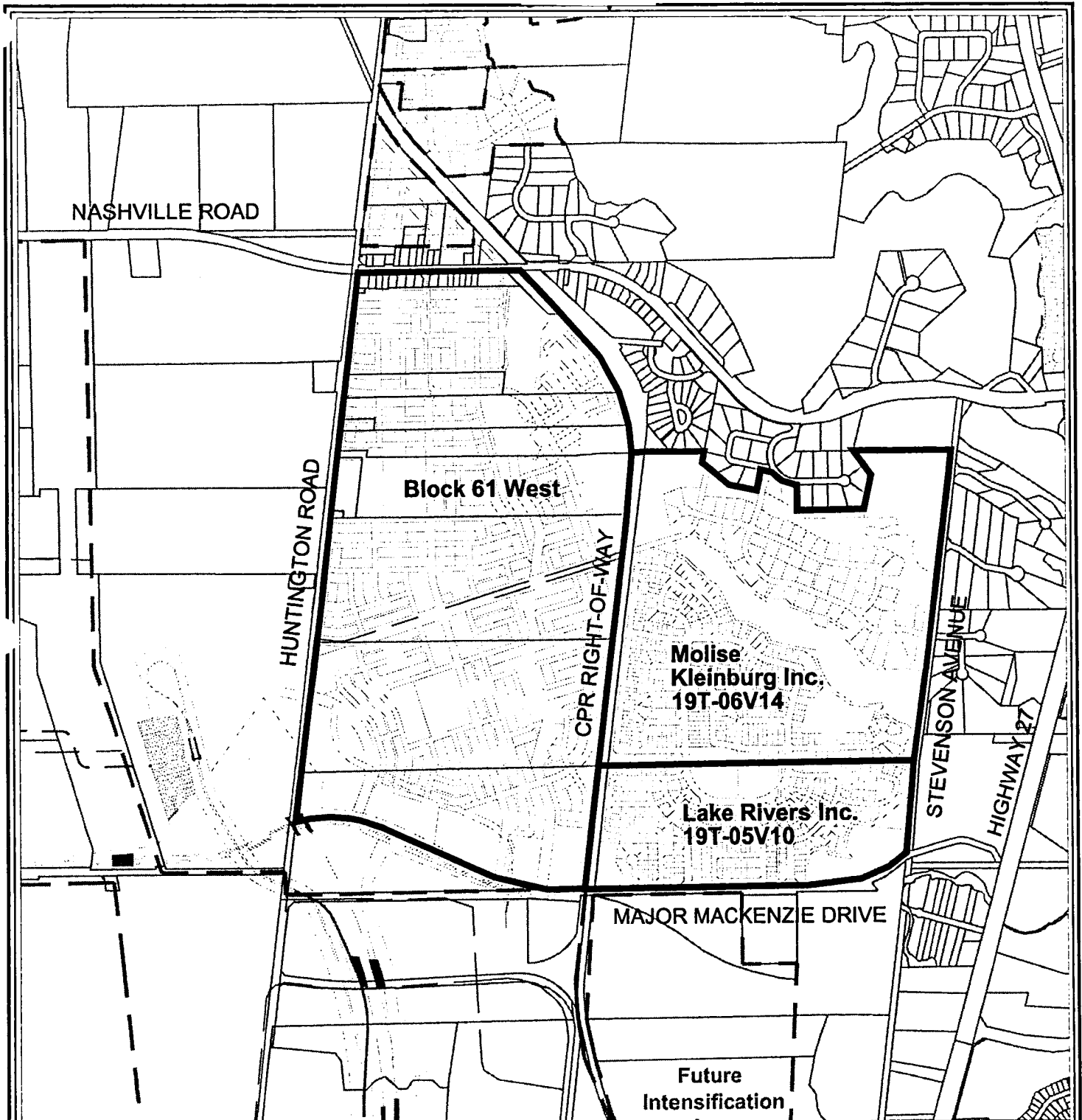
Item 2, Priorities Report No. 3 – Page 8

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

ATTACHMENT No. 1



BLOCK 61 LOCATION PLAN



N.T.S.

COMMITTEE OF THE WHOLE – MAY 10, 2011

**SERVICING CAPACITY ALLOCATION STRATEGY – ANNUAL UPDATE
CITY-WIDE**

Recommendations

The Commissioner of Engineering and Public Works and the Commissioner of Planning, in consultation with the City Manager, recommend:

1. THAT the revised 'Servicing Capacity Distribution Protocol' and 'Allocation Capacity / Development Approvals Timeline' included as Attachments No. 1 and No. 2 respectively, be adopted by Council;
2. That Council pass the following resolutions with respect to the ALLOCATION of servicing capacity to specific development applications in accordance with the Allocation Schedule included as Attachment No. 3:

"IT IS HEREBY RESOLVED THAT development applications described by file numbers 19T-05V10, 19T-06V04, 19T-06V07, 19T-07V04, 19T-07V06, 19T-06V14, DA.08.024, DA.10.067 and consent applications B005/10, B016/10, B020-022/10, B039/10, B059/10 and B011/11 are allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 2,781 persons equivalent (as detailed on the Allocation Schedule included as Attachment No. 3)"; and

3. That Council pass the following resolutions with respect to the RESERVATION of servicing capacity to specific development applications in accordance with the Reservation Schedules included as Attachments No. 4 and No. 5:

i) "IT IS HEREBY RESOLVED THAT the development applications described by file numbers 19T-06V10, 19T-08V01, DA.09.089, DA.10.112, Z.06.035, Z.07.047, Z.07.050, Z.08.045, Z.08.048, Z.09.014, Z.09.040, OP.00.043 and Z.09.043 are reserved servicing capacity from the York Sewage Servicing / Water Supply System for a total of 3,421 persons equivalent (as detailed on the Reservation Schedule included as Attachment No. 4). This reservation shall automatically be revoked after a period of 12 months in the event that a Draft Plan of Subdivision has not proceeded to registration, or in the case of a Site Development Application, that a Letter of Undertaking (or Site Plan Agreement, whichever is in effect) has not been executed"; and

ii) "IT IS HEREBY RESOLVED THAT the Block 61 Developers' Group Inc. (Block 61) Trustee is reserved servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,969 persons equivalent (as detailed on the Reservation Schedule included as Attachment No. 4). The distribution of this capacity is associated with the Inflow and Infiltration Reduction Pilot Project currently underway by Block 61; and

iii) "IT IS HEREBY RESOLVED THAT the development applications described by file numbers 19T-84076, 19T-03V02, 19T-08V04, 19T-08V05, and Z.07.031 are reserved servicing capacity from the Kleinburg-Nashville Sewage Servicing / Water Supply System for a total of 675 persons equivalent (as detailed on the Reservation Schedule included as Attachment No. 5). This reservation shall automatically be revoked after a period of 12 months in the event that a Draft Plan of Subdivision has not proceeded to registration, or in the case of a Site Development Application, that a Letter of Undertaking (or Site Plan Agreement, whichever is in effect) has not been executed".

4. That servicing capacity for 1,020 persons equivalent be RESERVED from the York Sewage Servicing / Water Supply System for distribution to development applications at Council's discretion;
5. That servicing capacity be RESERVED in accordance with the Reservation Schedule included as Attachment No. 4 as follows;
 - i) 6,000 persons equivalent (3,000 apartment units) for specific Vaughan Metropolitan Centre and/or Transit Oriented Development applications; and
 - ii) 4,000 persons equivalent (2,000 apartment units) for LEEDs development applications; and
 - iii) 2,771 persons equivalent for distribution to development applications within the Kleinburg-Nashville service area as required to facilitate intensification in the core and completion of OPA 601 approved development areas; and
 - iv) 2,937 persons equivalent for future distribution to active development applications in conjunction with the City's next annual update report.
6. That servicing capacity for 2,040 persons equivalent (600 residential units) be ASSIGNED in accordance with the Assignment Schedule included as Attachment No. 6 to the Trustee for Block 40 / 47.
7. That an annual review of the City's available servicing capacity, and related development process and distribution protocol, be undertaken by staff and brought forward to a future Committee of the Whole meeting; and
8. That the City Clerk forward a copy of this report to the Region of York.

Contribution to Sustainability

The yearly distribution of servicing capacity to active development applications contributes to orderly and sustainable development.

The availability of future servicing capacity is linked to the City's active participation in the joint Regional and Local Municipal Inflow and Infiltration Reduction and Long Term Water Conservation Task Force. These efforts are consistent with the objectives of the City's Community Sustainability and Environmental Master Plan (Green Directions Vaughan, April 2009). The policies, decision making framework and implementation strategies related to the reduction of inflow and infiltration, water conservation, and the procurement of long-term servicing capacity will assist in the pursuit of:

- Sustainable growth and development;
- Minimizing energy consumption;
- The conservation and protection of our long term water supply;
- The creation of a City with sustainable built form; and
- Sharing sustainable best practices and ideas between and among municipal staff and the community.

Economic Impact

There are no immediate budgetary impacts resulting from the adoption of this report.

Communications Plan

This report will serve to inform and update the development industry with respect to the City's current position and priorities relating to development approvals and the distribution of servicing capacity.

Purpose

The purpose of this report is to provide Council with an update on the status of available servicing capacity and to obtain Council direction with respect to the Allocation, Reservation and Assignment of the City's available servicing capacity.

Background – Analysis and Options

City Servicing Capacity Distribution Protocol

On November 14, 2005, Council adopted the City's Servicing Capacity Distribution Protocol as a means to distribute available servicing capacity to development applications in an effective and strategic manner.

The Protocol has provided staff and Council with an efficient tool for prioritizing the allocation of the City's existing and future servicing capacity. Implementation of the protocol has proven itself successful in ensuring:

- Efficient allocation of Regional servicing capacity supply;
- The prioritization of development applications based on specific qualifying criteria;
- Fairness and equity amongst all development interests throughout the City;
- That adequate local and regional infrastructure has been constructed; and,
- Consistency and cooperation with Regional initiatives.

To ensure infrastructure capacity is available at occupancy and to limit the premature sales of residential units, imposed restrictions on pre-sales and on final plan registration continue to be 12 months and 6 months respectively. This approach is reflected in the City's Protocol and continues to work well for low density residential developments (singles, semis and townhouses).

In order to accommodate longer construction periods for high density type developments and more complex hi-rise developments (greater than 200 units and with multiple levels of underground parking), Regional Council has endorsed the City's ability to release building permits for these types of developments up to 18 months (for high density) and 36 months (for complex high-rise) prior to the completion of specific infrastructure triggers.

Accordingly, it is recommended that the City's amended 'Servicing Capacity Distribution Protocol' and 'Allocation Capacity / Development Approvals Timeline' included as Attachments No. 1 and No. 2 respectively, be adopted by Council. The amendments will align the City's protocol with current Regional initiatives and will assist in promoting higher density intensification forms of development.

Reconciliation of Available Servicing Capacity

The City's last annual update report on available servicing capacity was approved by Council on June 8, 2010. A detailed reconciliation of available servicing capacity has been conducted by staff which accounts for the development activity over the last year. The results of this review are outlined below.

Council's Discretionary Reserve

For a number of years, staff has recommended that a Council servicing capacity reserve be set aside for allocation to priority development applications that are identified during the year. Typically, Council's discretionary reserve contains capacity for approximately 300 residential units (1,020 persons equivalent). Over the last year, Council's total reserve remains un-changed from the 2010 reserve. Thus, the total of 300 units (1,020 persons equivalent) will be carried over to the proposed 2011 Council reserve, as outlined in Item 1 of Table 1 below. This capacity is unrestricted and available for allocation by Council in conjunction with the approval of applicable development applications.

Remaining Capacity for LEEDs Buildings and TOD

On June 8, 2010, Council reserved servicing capacity for development applications that qualify for York Region's Sustainable Development through LEEDs program, transit-oriented development (TOD) and consent/severance applications. Over the last year, these available capacity figures remained unchanged. As a result, the total number of available residential units remains unchanged from 2010 and have been carried over to 2011 as outlined in Item 2 of Table 1 below. This capacity remains unrestricted and available for allocation by Council in conjunction with the approval of applicable development applications.

2010 Reservation of Capacity

On June 8, 2010, Council reserved capacity to active development applications that were expected to proceed within one year. Three (3) of these applications did not proceed to site plan / draft plan approval. Based on a recent review by staff, it is anticipated that these applications will proceed to draft plan or site plan approval within the next twelve (12) months. Accordingly, the applications will be re-reserved capacity for an additional year. This capacity remains unrestricted and available for allocation by Council in conjunction with the approval of applicable development applications. Refer to Item 2 of Table 1 below.

Consent / Severance Applications

On June 8, 2010, Council assigned 15 units of capacity for severance applications. Over the past year, 8 new residential building lots have been created by way of Consent/Severance. Accordingly, it is recommended that the applicable development applications associated with these eight (8) units be allocated servicing capacity from the capacity that was set aside by Council specifically to facilitate Consent/Severance applications.

These development applications and associated unit counts are summarized in the Allocation Schedule included as Attachment No. 3 of this report. The available capacity for Consent / Severance applications is also identified in Item 2 of Table 1 below.

Uncommitted Capacity 2010

On June 8, 2010, Council assigned 2,338 persons equivalent (linked to the Duffin Creek Water Pollution Control Plant expansion works) to be held by the City for consideration and future distribution to active development applications in conjunction with the next City-wide annual update report. The expansion work to the Duffin Creek Water Pollution Control Plant is now complete. Accordingly, this capacity is now unrestricted and remains available for allocation by Council as identified in Item 3 of Table 1 below.

2011 Unrestricted Capacity – YDSS

Based on the above noted reconciliation, the City's current available unrestricted total capacity to the York Durham Sewage System (YDSS) is 11,791 persons equivalent (Refer to Items 1, 2 and 3 of Table 1 below). All Regional infrastructure triggers have been met for this capacity and it is available for distribution to active development applications.

TABLE 1
2011 AVAILABLE SERVICING CAPACITY - YDSS

Item / Description	Servicing Capacity (Persons Equivalent)
1. Council Reserve Capacity (300 units)- 2010 Update	1,020
2. Committed / Unused Capacity – 2010 Update	
1,180 Units – LEED Applications	2,360
2,800 Units – Transit Oriented Development Applications	5,600
Consent / Severance (15 units)	51
Reserved in 2010 – Not Allocated	422
3. Uncommitted Capacity – 2010 Update	2,338
UNRESTRICTED TOTAL:	11,791 people
4. 2013 Restricted Servicing Capacity: RESTRICTED TOTAL: (Southeast Collector, In-Service Q4 2014)	12,377 people

2013 Regional Commitment – Southeast Collector Trunk Sewer

On February 18, 2010, Regional Council endorsed a 2013 commitment of servicing capacity to the local municipalities. Vaughan's portion of the 2013 capacity assignment was established at 12,377 persons equivalent (Refer to Item 4 of Table 1 above). This capacity is linked to the anticipated in-service date for the new sanitary trunk sewer which will serve as a twin to the existing Southeast Collector Regional Trunk Sewer. The Individual Environmental Assessment (IEA) for the Southeast Collector Sewer twinning was approved by the Ministry of the Environment on March 11, 2010.

The Southeast Collector Sewer Twinning project is a joint infrastructure initiative between York and Durham Regions. The approved IEA Study was the culmination of more than five years of study. The new trunk sewer is expected to be in-service by the fourth quarter of 2014 and cost approximately \$546 million.

The sewer is necessary to meet the projected growth in both York and Durham Regions for the next 25 years and will provide needed backup support for rehabilitation of the existing Southeast Collector Trunk sewer. The approved sewer route is approximately 15 kilometres in length spanning large sections of both Markham and Pickering in York and Durham Regions. The majority of the sewer will be constructed using four Earth Pressure Balance Tunnel Machines

(EPBM) which are able to tunnel with minimal construction and groundwater related impacts.

MOE's approval for the Southeast Collector Sewer IEA is based on specific sustainability targets related to Inflow and Infiltration Reduction and Water Conservation. Accordingly, all 2013 capacity assignments to local area municipalities are conditional upon successfully achieving these targets.

Since April of 2010, staff has participated in a joint Task Force in order to establish a strategy by which the MOE sustainability targets can be achieved. Final strategy documents and detailed implementation plans were submitted to the MOE on March 31, 2011.

On March 21, 2011, staff provided a report to the Priorities and Key Initiatives Committee on the Inflow and Infiltration Reduction / Water Conservation Strategies that have been developed in collaboration with the area municipalities as endorsed by Regional Council on February 17, 2011.

Inflow and Infiltration Reduction Pilot Project

On March 21, 2011, staff provided a report to the Priorities and Key Initiatives Committee on the Inflow and Infiltration Reduction Pilot Project as proposed by the Huntington Landowners Trustee Inc. (Block 61 Developers' Group). In general, the developer is proposing to fund and undertake works that will identify inflow and infiltration within the City's sewer system, and will undertake remediation works as required in return for servicing capacity.

The development in Block 61 will require approximately 3,000 units of servicing capacity to provide for the full build out of the block. Based on a 2:1 ratio, the pilot project must identify a total of 6,000 units of capacity to reach this target.

In addition, staff have requested that the pilot project realize a further flow reduction equivalent to 800 units. It is anticipated that this additional 800 units will be provided to the City and may be allocated to active development applications within the City, regardless of catchment area, in accordance with the current Servicing Capacity Distribution Protocol as approved by Council.

Given that development in Block 61 will be in a position to proceed with Phase 1 development before the pilot project has been completed, it is necessary to reserve servicing capacity for an initial phase of development in Block 61. The reservation of this capacity is expected to be returned to the City after the pilot project is completed. As such, it is recommended that the Block 61 Trustee be reserved Phase 1 capacity for a total of 579 residential units. Refer to Attachment No. 4.

Any capacity realized through the Block 61 Inflow and Infiltration Reduction Pilot Project is in addition to the City's current Regional assignment of 2013 capacity.

YDSS Capacity Beyond 2013

In 2010, Regional Council assigned capacity to local municipalities to permit a total serviced population up to 1,078,328 within the York Durham Sewage System and Peel diversion service areas. The distribution of this capacity is intended to facilitate growth to the end of 2013. Further, the capacity assignment is subject to construction completion of specific Regional infrastructure projects or triggers. The triggers associated with Vaughan's current and future capacity assignment are identified in Attachment No. 7.

Attachment No. 7 provides a summary of key Regional priority projects (or triggers) applicable to Vaughan, the anticipated in-service dates for these works and resulting serviceable population at a Regional scale. This information is based on current Regional forecasts to a planning horizon year of 2031. Staff will continue to work closely with the Region to ensure the availability of capacity remains in step with development planning projections over the long term.

Kleinburg-Nashville Servicing Capacity

York Region has advised that the anticipated in-service date for expansion works currently underway at the Kleinburg-Nashville Water Pollution Control Plant (KWPCP) and the construction of the new Regional trunk watermain along Huntington Road (Rutherford Road to Nashville Road), and along Islington Avenue (Sunset Ridge to Bindertwine Boulevard), and the water booster station have been delayed. The new estimated completion date for these works is the second quarter of 2012. Accordingly, it is expected that the pre-sale of units associated with servicing allocation capacity in Kleinburg-Nashville may not occur prior to the second quarter of 2011 with registration beginning six (6) later (or six (6) months prior to the in-service date of the proposed infrastructure). Refer to Attachment No. 2. It is expected that the City will be notified in writing by York Region once these trigger dates have been achieved.

Based on the preferred wastewater servicing alternative for the City's on-going Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment Study, servicing capacity previously allocated to Lake Rivers Inc. (File 19T-05V10) and Molise Kleinburg Estates Inc. (File 19T-06V14) totaling 818 persons (221 residential units @ 3.7 persons per unit) from the KWPCP can now be re-allocated from the York / Durham Sewage System (YDSS). Accordingly, 818 persons can be assigned to active development applications tributary to the Kleinburg-Nashville Water Pollution Control Plant (WPCP). These lands are now anticipated to be serviced by the York-Durham Sewage System via the Huntington Road sanitary sewer. Given that the draft plan of subdivision applications were previously allocated to the Kleinburg-Nashville WPCP an equivalent number of units / population equivalent will be replaced with allocation from the YDSS as identified in the Allocation Schedule (Attachment No. 3).

Five (5) applications are included in the Reservation Schedule (Attachment No. 5) based on their approval status and anticipated timing of draft plan / site plan approval. A total of 675 persons equivalent is proposed for reservation from the KWPCP. Table 2 below provides a summary of the available capacity to the Kleinburg-Nashville WPCP and its proposed distribution.

TABLE 2
2011 AVAILABLE SERVICING CAPACITY – KLEINBURG-NASHVILLE
WATER POLLUTION CONTROL PLANT (WPCP)

Item / Description	Servicing Capacity (Persons Equivalent)
1. Remaining 2010 Capacity	2,461
2. Regained Capacity Previously Allocated To WPCP	
Application File No. 19T-05V10 – Lake Rivers Inc. (145 units)	537
Application File No. 19T-06V14 – Molise Kleinburg Estates Inc. (76 units)	281
Remaining 2010 Reservation	167
Application File No. 19T-84076 – Berkley Developments Inc. (45 units)	
2011 TOTAL RESTRICTED: (Q2 2012)	3,446 people
3. Proposed 2011 Reservation Schedule:	(675)
2011 RESTRICTED BALANCE: (Q2 2012)	2,771 people

After considering the proposed reservation of capacity to the KWPCP, a balance of 2,771 persons equivalent remains available for distribution. Accordingly, it is recommended that this capacity be reserved for distribution to development applications within the Kleinburg-Nashville service area as required to facilitate intensification in the core and completion of OPA 601 approved development areas.

Proposed Allocation, Reservation and Assignment Schedules

On a move forward basis, and in consideration of the 'Servicing Capacity Distribution Protocol' (as amended), City Development Engineering and Development Planning staff has completed a detailed status assessment of all active development applications City-wide such that new Allocation, Reservation and Assignment Schedules may be established to effectively distribute the City's current servicing capacity.

From a planning approval status perspective, immediate consideration was given to those applications having Draft Plan of Subdivision or Site Development approvals in place. In sequential order of priority, consideration was also given to those applications that have the appropriate zoning in place for the intended use, followed by those that are Official Plan approved. Consideration was also given to those applications that represent infill development or completion of partially built communities.

Table 3 below provides a summary of the proposed 2011 distribution of capacity from the YDSS.

TABLE 3
2011 DISTRIBUTION OF AVAILABLE SERVICING CAPACITY - YDSS

Item / Description	Servicing Capacity (Persons Equivalent)
1. Unrestricted Capacity	11,791
2. Proposed 2011 Allocation Schedule: (Attachment No. 3)	(2,781)
3. Proposed 2011 Reservation Schedule: (Attachments No. 4 & 5)	(9,010)
Unrestricted Balance:	0 people
4. 2013 Restricted Capacity	12,377
5. Proposed 2011 Reservation Schedule: (Attachments No. 4 & 5)	(7,400)
6. Proposed 2011 Assignment Schedule: (Attachment No. 6)	(2,040)
2013 Restricted Capacity Balance:	2,937 people

Based on the proposed allocation, reservation and assignment schedules, 2,937 persons equivalent of restricted 2013 capacity remains available for future distribution.

In keeping with the City's protocol and in order to maximize the efficient distribution of available capacity to high density and complex high-rise development applications, the proposed 2011 assignment schedule recommends that a total of 10,000 persons equivalent be reserved for specific high density development initiatives. These include high density applications qualifying for the Region's Sustainable Development through LEEDs program and for transit oriented development particularly within the Vaughan Metropolitan Centre. Refer to Attachment No. 5.

In addition, it is recommended that 600 low density residential units be assigned to the Block 40/47 Trustee to allow for Phase 1 development within this block. A revised Master Environmental / Servicing Plan has recently been submitted in support of the Block Plan application. Block Plan approval is expected this fall with draft plan of subdivision applications following shortly thereafter.

Accordingly, it is recommended that applications identified on the Allocation, Reservation and Assignment Schedules included as Attachment Nos. 3, 4, 5 and 6 be committed servicing capacity in accordance with the City's protocol.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the recommendations of this report will assist in:

- The pursuit of excellence in service delivery;
- Planning and managing growth and economic vitality; and,
- The demonstration of leadership and promotion of effective governance.

Specific Strategic Plan Initiatives applicable to the recommendations made in this report include Vaughan's corporate priorities to:

- Establish city-wide master phasing and servicing allocation plans;
- Provide annual update reports to Council; and
- Support and plan high capacity transit at strategic locations throughout the City.

This report is therefore consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

The proposed amendments to the City's 'Servicing Capacity Distribution Protocol' will ensure consistency with current Regional practices.

Identification of the City's servicing capacity priority schedules as included in Attachment Nos. 3, 4, 5 and 6 will ensure the timely release of Regional draft plan approval conditions. Accordingly, it is recommended that a copy of this report be forwarded to the Region of York.

Conclusion

Given the ongoing Regional limitations imposed on servicing capacity to all local area municipalities, the allocation, reservation and assignment of available capacity to development applications throughout the City must be carried out in an effective and strategic manner. The recommendations of this report will serve to implement the City's 'Servicing Capacity Distribution Protocol' and to allow the orderly progression of development within established urban boundaries.

Staff will continue to work closely with the Region of York to ensure the City's future servicing capacity requirements will be met in a timely manner. It is anticipated that a yearly update report will be brought forward to the Committee of the Whole to reconcile the City's available and anticipated future servicing capacity.

The City's 2013 allocation capacity as assigned by York Region (12,377 persons equivalent), is dependent upon the anticipated in-service date for the Southeast Collector Sewer twinning project (currently estimated to be the fourth quarter of 2014).

Attachments

1. Servicing Capacity Distribution Protocol, May 10, 2011 Revision
2. Allocation Capacity / Development Approvals Timeline
3. Allocation Schedule
4. Reservation Schedule (Page 1 of 2)
5. Reservation Schedule (Page 2 of 2)
6. Assignment Schedule
7. Key Regional Infrastructure Capacity Triggers – YDSS Service Area

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SERVICING CAPACITY DISTRIBUTION PROTOCOL

(Revised May 10, 2011)

In this policy, Servicing Capacity means water supply and wastewater treatment capacity within the York Sewage Servicing System, York Water Supply System or the Kleinburg/Nashville Sewage Servicing System as distributed by the Region of York and allocated by the City of Vaughan. Council will be solely responsible for the allocation of water and wastewater servicing capacity to specific developments as defined by the Region of York. The approval of all development applications shall be subject to the availability of adequate municipal services, including transportation related infrastructure at both the local and regional level.

Allocation, reservation or assignment of servicing capacity by Council resolution, is specific to a proposed development application. In the event that a development application is closed, withdrawn, or significantly revised (thereby requiring a site specific Official Plan Amendment), any previous commitment of servicing capacity shall become null and void and shall not be transferable to the subject lands or to a subsequent application for the subject lands.

Development Approvals

Where the availability of servicing capacity is not dependent on the construction of specific regional or local infrastructure improvements, development applications shall be allocated capacity by Council resolution in conjunction with development approval.

Where the availability of servicing capacity is dependent on the construction of specific regional or local infrastructure improvements, Council may consider granting development approval approximately 18 months prior to the anticipated operational/in-service date for the related infrastructure, subject to the implementation of a Holding Symbol on the implementing Zoning By-law and a No-Sale Agreement. Development applications which generally meet this timeframe shall be reserved servicing capacity.

Allocation of Servicing Capacity Linked to Infrastructure Improvements

Where the availability of servicing capacity is dependent on the construction of specific regional or local infrastructure improvements, development applications shall be allocated servicing capacity by Council resolution in conjunction with the removal of the Holding Symbol and enactment of the applicable Zoning By-law for the subject lands. This may occur no sooner than 6 months prior to the anticipated operational/in-service date for the related infrastructure improvements, thereby allowing a previously approved development application to proceed to registration.

Allocation Priority Categories

Residential development applications shall be placed in a cue for allocation of servicing capacity based on the following priority categories, Reservation and Assignment.

The reservation and assignment of available and/or future servicing capacity to an active development application shall be prioritized with consideration for; status of planning approvals, anticipated timing of development, location and density of built form, environmental sustainability, and the availability of adequate local and regional infrastructure including transportation.

RESERVATION of SERVICING CAPACITY

A development application shall qualify for reservation of servicing capacity where:

1. It is demonstrated with reasonable certainty that the Draft Plan of Subdivision will proceed to registration, or in the case of a Site Development Application, that a Letter of Undertaking (or Site Plan Agreement, whichever is in effect) will be executed, within the next 12 months; and
2. The City is satisfied that adequate municipal services and transportation related infrastructure, both at the local and regional level will be available to service the development upon occupancy; and
3. A minimum of two of the following conditions apply;
 - a. Official Plan Approved, or
 - b. Zoning Approved with or without a Holding Symbol, or
 - c. Represents infill development or completion of a partially built community.

Development applications shall be reserved servicing capacity by Council resolution for a period of 12 months. The reservation shall automatically be revoked after a period of 12 months in the event that the Draft Plan of Subdivision has not proceeded to registration, or in the case of a Site Development Application, that a Letter of Undertaking (or Site Plan Agreement, whichever is in effect) has not been executed.

Servicing capacity may be reserved by Council resolution regardless of its dependency on specific regional or local infrastructure improvements.

ASSIGNMENT of SERVICING CAPACITY

A development application shall classify for assignment of servicing capacity where:

1. It is demonstrated with reasonable certainty that the Draft Plan of Subdivision will proceed to registration, or in the case of a Site Development Application, that a Letter of Undertaking (or Site Plan Agreement, whichever is in effect) will be executed, within the next 12 to 24 months; and
2. The City is satisfied that adequate municipal services and transportation related infrastructure, both at the local and regional level will be available to service the development upon occupancy; and
3. A minimum of two of the following conditions apply;
 - a. Official Plan Approved, or
 - b. Zoning Approved with or without a Holding Symbol, or
 - c. Represents infill development or completion of a partially built community, or
 - d. Geographically located within an area where the City strategically chooses to provide for deliberate growth.

ATTACHMENT No. 1



Servicing capacity may be assigned by Council resolution regardless of its dependency on specific regional or local infrastructure improvements. The assignment of capacity to specific developments may be amended at any time.

High Density / Complex High-Rise Developments

The timing for release of building permits for high-density and complex high-rise developments may be advanced as noted below, in order to implement these larger complex intensification projects and to accommodate a longer construction period.

1. For High-Density Developments – Building Permits may be released up to 18 months prior to the completion of required Regional infrastructure; and
2. For Complex High-Rise Developments (consisting of over 200 units and multiple levels of underground parking) – Building Permits may be released up to 36 months prior to the completion of required Regional infrastructure.

Accordingly, the timing for allocation of servicing capacity to such development applications may occur in conjunction with Site Plan Approval and consistent with the release of building permits.

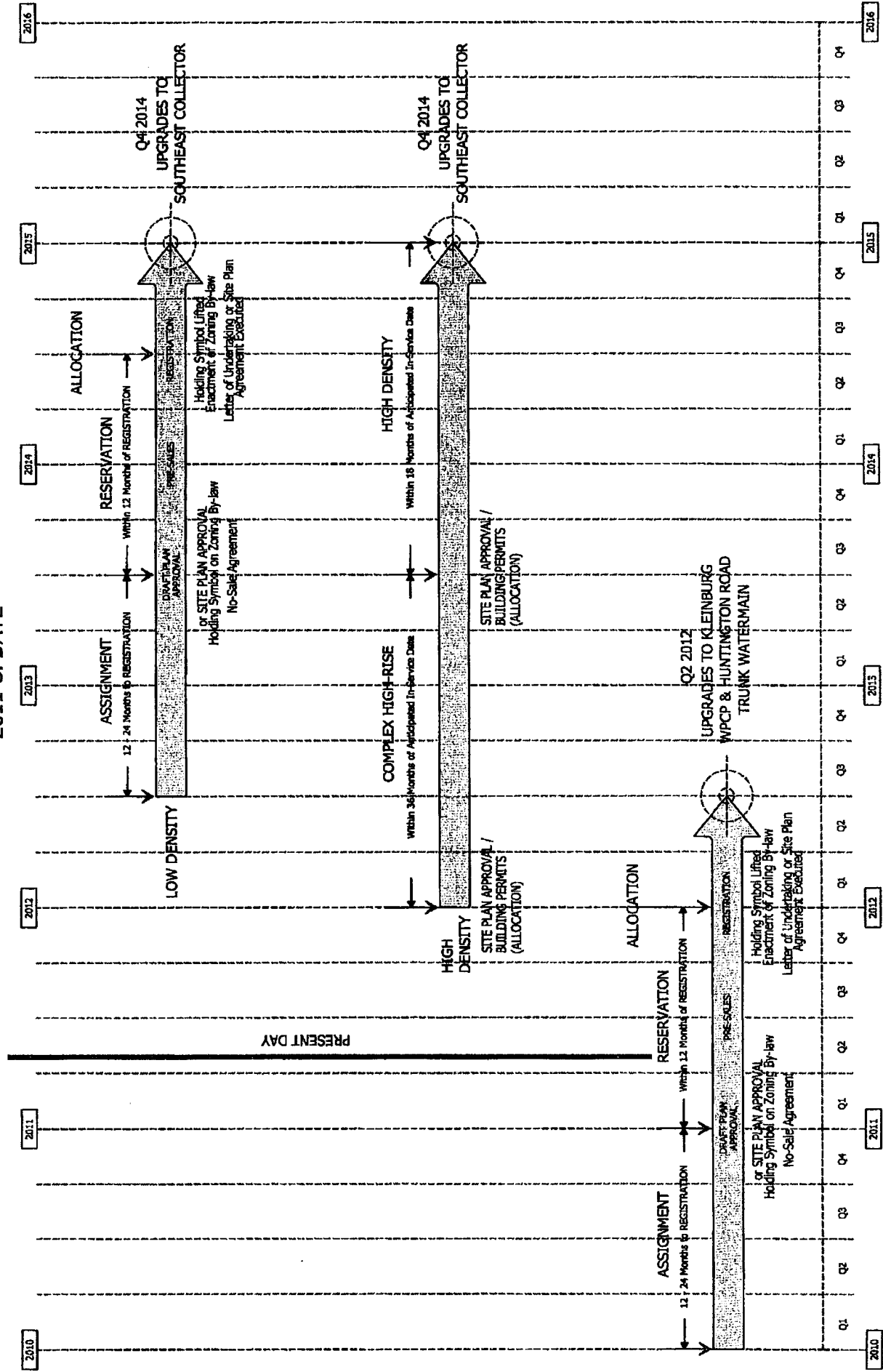
Sustainable Development Through LEED™ Program

If a development application meets all eligibility criteria required to participate in York Region's Sustainable Development Through LEED™ Program, and formal confirmation has been issued by the Region of York identifying the allocation credit applicable to the specific application; the application may be reserved or allocated servicing capacity from the City's LEED™ Reserve, thereby allowing the development to proceed with pre-sales and / or registration (final approval / building permit release) in a timely manner.

ATTACHMENT NO. 2

ALLOCATION CAPACITY / DEVELOPMENT APPROVALS TIMELINE

2011 UPDATE



ATTACHMENT No. 3

ALLOCATION SCHEDULE

BLK	File No.	Description/Owner/Developer	Approval Status	PROPOSED UNITS			Total Units	Population	Required Infrastructure / Comments
				Low Density	Apmt				
				Servicing Capacity Previously Allocated to the Kleinburg - Nashville WPCP and now Tributary to the YDSS					
61	197-06V10	Lake Rivers Inc.	Draft Plan Approved	145			145	537	Unrestricted Servicing Capacity
61	197-06V14	Wolfe Kleinburg Inc.	Draft Plan Approved	78			78	281	Unrestricted Servicing Capacity
							221	818	
				UNRESTRICTED REGIONAL CAPACITY					
1	DA-08-024	Minto Yonge and Arnold Avenue	Site Plan Approved		147		147	294	Unrestricted Servicing Capacity - LEEDS Application
44	DA-10-067	Autumn Ridge Homes Inc. (Previously Bungalow Inc.)	Site Plan Approved	6			6	20	Unrestricted Servicing Capacity
40S	197-06V04	Greenbrook Developments Inc.	Draft Plan Approved	182.5			183	553	Unrestricted Servicing Capacity
40S	197-06V07	Belmont Properties (Weston) Inc.	Draft Plan Approved	258			258	877	Unrestricted Servicing Cap./Pine Valley N. Pumping Stn.
40S	197-07V04	Cal-Wood Developments Inc.	Draft Plan Approved	4.5			5	15	Unrestricted Servicing Capacity
40S	197-07V06	MM Inv. Inc & M3DC Cap. Corp. & 4074 MM Inc.	Draft Plan Approved	52			52	177	Unrestricted Servicing Capacity
							630	1,938	Sub-Total Block 40 South
				UNRESTRICTED REGIONAL CAPACITY					
	8005/10	Consent Applications	Consent Approved	1			1	3	Unrestricted Servicing Capacity
	8016/10	Angelina Tomasono	Consent Approved	1			1	3	Unrestricted Servicing Capacity
	8020-22/10	Vincent and Eida Fiorini	Consent Approved	3			3	10	Unrestricted Servicing Capacity
	8039/10	Orlando and Anna Silvestri	Consent Approved	1			1	3	Unrestricted Servicing Capacity
	8059/10	Maria DiVetta	Consent Approved	1			1	3	Unrestricted Servicing Capacity
	8011/11	Anna DiBiase	Consent Approved	1			1	3	Unrestricted Servicing Capacity
		Giuseppe Lombardi	Consent Approved	1			1	3	Unrestricted Servicing Capacity
							8	27	
				712	147		859	2,781	GRAND TOTAL

ATTACHMENT No. 4

RESERVATION SCHEDULE (1 of 2)

UNRESTRICTED REGIONAL CAPACITY

BLK	File No.	Description / Owner / Developer	Approval Status	PROPOSED UNITS				Total	Population	Required Infrastructure / Comments
				Sing	Semi	Town	Apmt	Units		
CITY	COUNCIL	City of Vaughan - Council Reserve	N/A	300				300	1,020	Unrestricted Servicing Capacity
				300	0	0	0	300	1,020	Unrestricted Capacity SUB-TOTAL

UNRESTRICTED REGIONAL CAPACITY

BLK	File No.	Description / Owner / Developer	Approval Status	PROPOSED UNITS				Total	Population	Required Infrastructure / Comments
				Sing	Semi	Town	Apmt	Units		
52	DA 08 089	1231874 Ontario Inc.	SPA Required		8			8	27	Unrestricted Servicing Capacity
44	Z 06 045	1678576 Ontario Inc.	SPA Required				131	131	262	Unrestricted Servicing Capacity
17		Dufferin Ridge (A/R) Limited	Zoning, DPA & SPA Required		31			31	105	Unrestricted Servicing Capacity
25	OP 06 009 Z 09 040	Avit Investments Inc. (Mosak Homes Ltd.)	OP, Zoning and SPA Required		93			93	318	Unrestricted Servicing Capacity
25	OP 07 008 Z 07 047	Jane Ruth Developments Inc.	OP, Zoning and SPA Required		290			290	860	Unrestricted Servicing Capacity
25	OP 06 003 Z 09 014	1820144 Ontario Ltd. (The Maple Group)	SPA Required		39			39	133	Unrestricted Servicing Capacity
33W	OP 00 043	Millwick Acquisition Corporation	Zoning, DPA & SPA Required		71			71	241	Unrestricted Servicing Capacity
44	Z 10 032, DA 10 112	Wyville Kipling Ltd. & Anishette-Marie Algeni	OP, Zoning and SPA Required		49			49	167	Unrestricted Servicing Capacity & Prev. Ali. 34 Units
44	OP 07 012 Z 07 060	Naser G. Jureid	SPA Required		6			6	20	Unrestricted Servicing Capacity
44	OP 08 013 Z 06 035	Rice Developments Inc.	SPA Required		88			88	298	Unrestricted Servicing Capacity & Prev. Ali. 16 Units
44	OP 08 013 Z 08 048	Harman Heights Residential Subdivision	SPA Required		94			94	320	Unrestricted Servicing Capacity
				0	8	721	131	860	2,741	Unrestricted Capacity - SUB-TOTAL

KLEINBURG - NASHVILLE WATER SUPPLY SYSTEM IMPROVEMENTS (Q2 - 2012)

BLK	File No.	Description / Owner / Developer	Approval Status	PROPOSED UNITS				Total	Population	Required Infrastructure / Comments
				Sing	Semi	Town	Apmt	Units		
61	Block 61 West	Block 61 Developer's Group Inc. (Trustee)	Block Plan Approval Pending	579				579	1,988	In Reduction Pilot Project
				579	0	0	0	579	1,988	Unrestricted Capacity - SUB-TOTAL
								TOTAL (1 of 2)	1,739	5,729

NOTES:

1. SPA refers to Site Plan Approval.
2. DPA refers to Draft Plan Approval.
3. OP refers to Official Plan.
4. Zon. refers to Zoning.
5. OMIB refers to Ontario Municipal Board.
6. Persons per unit (ppu) equivalent as follows: singles, semis & towns @ 3.4ppu, apartments @ 2.0ppu.
7. Kleinburg - Nashville persons per unit (ppu) equivalent as follows: singles, semis & towns @ 3.7ppu, apartments @ 2.0ppu.

ATTACHMENT No. 5

RESERVATION SCHEDULE (2 of 2)

SERVICING CAPACITY LINKED TO PINE VALLEY NORTH PUMPING STATION AND WATER SYSTEM IMPROVEMENTS

BLK	File No.	Description / Owner / Developer	Approval Status	PROPOSED UNITS			Total	Population	Required Infrastructure / Comments
				Single	Semi	Town	Appt	Units	
40S	197-08/10	Mosvik Pinewest Inc.	Draft Plan Approval Required	143				143	486 Pine Valley North Pumping Station & Water System Imp.
40S	197-08/01	Milwood Valley Developments Inc.	Draft Plan Approval Required	57				57	194 Pine Valley North Pumping Station & Water System Imp.
				200	0	0	0	200	Unrestricted Capacity - SUB - TOTAL

SERVICING CAPACITY LINKED SOUTHEAST COLLECTOR SEWER (Q4 - 2014)

BLK	File No.	Description / Owner / Developer	Approval Status	PROPOSED UNITS			Total	Population	Required Infrastructure / Comments
				Single	Semi	Town	Appt	Units	
	VMC / TOD	Vaughan Metropolitan Centre & Transit-Oriented Development					2,000	2,000	4,000 Southeast Collector Sewer Works
		Vaughan Metropolitan Centre & Transit-Oriented Development					1,000	1,000	2,000 Unrestricted capacity
	LEEDs	York Regional Program					1,700	1,700	3,400 Southeast Collector Sewer Works
		York Regional Program					300	300	600 Unrestricted capacity
				0	0	0	5,000	5,000	10,000 SUB - TOTAL

SERVICING CAPACITY LINKED TO KLEINBURG WPCP EXPANSION AND WATER SUPPLY SYSTEM IMPROVEMENTS (ANTICIPATED IN SERVICE DATE Q2-2012)

BLK	File No.	Description / Owner / Developer	Approval Status	PROPOSED UNITS			Total	Population	Required Infrastructure / Comments
				Single	Semi	Town	Appt	Units	
Kleinburg	197-03/V02	132132 Ontario Inc.	Draft Plan Approval Required	50.5				50.5	187 K/N WPCP Exp. Water System Imp. Ex. San. Pumping Sta. Imp.
Kleinburg	197-08/V04	11336 Highway 27 Partnership Limited	Draft Plan Approval Required	54.5				54.5	202 K/N WPCP Exp. Water System Imp. Ex. San. Pumping Sta. Imp.
Kleinburg	197-08/V05	Kleinville Estates Inc.	Draft Plan Approval Required	8				8	30 K/N WPCP Exp. Water System Imp. Ex. San. Pumping Sta. Imp.
Kleinburg	2-07-031	10360 Jaffington Avenue & Jose and Fabio Alviani	Site Plan Approved by OMB	45				45	90 K/N WPCP Exp. Water System Imp. Ex. San. Pumping Sta. Imp.
Kleinburg	197-44/076	Berkley Developments Inc.	Draft Plan Approval by OMB	45				45	187 K/N WPCP Exp. Water System Imp. Ex. San. Pumping Sta. Imp.
				158	0	0	45	203	675 Unrestricted Capacity - SUB - TOTAL
				TOTAL (2 of 2)			6,403	11,355	
				GRAND TOTAL			7,142	17,084	
				(1 of 2 + 2 of 2)					

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5. OMB refers to Ontario Municipal Board
6. Persons per unit (ppu) equivalent as follows: singles, semi & town @ 3.4ppu, apartments @ 2.0ppu.
7. Kleinburg - Nashville persons per unit (ppu) equivalent as follows: singles, semi & town @ 3.7ppu, apartments @ 2.0ppu.

ATTACHMENT No. 6

ASSIGNMENT SCHEDULE

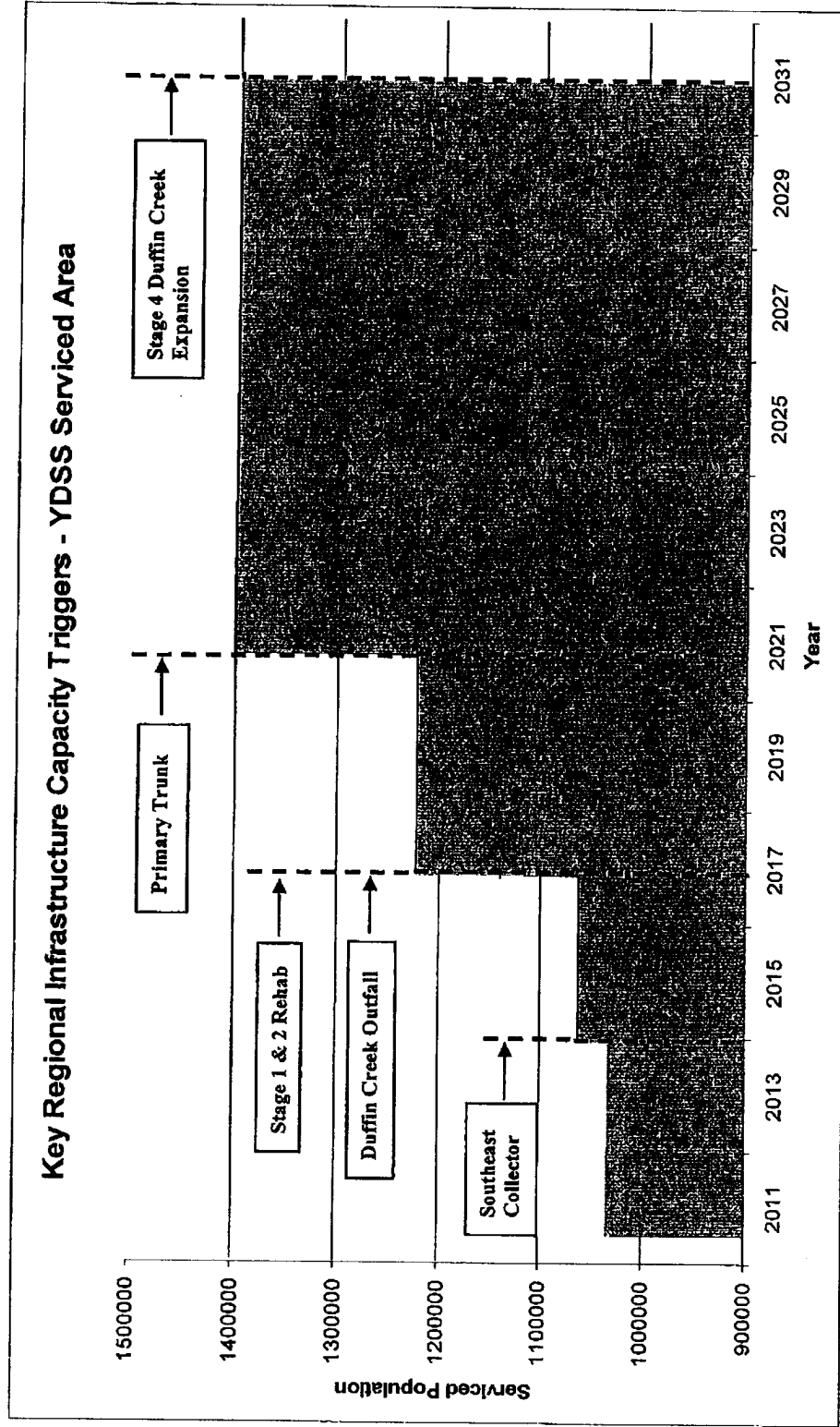
SERVICING CAPACITY LINKED SOUTHEAST COLLECTOR SEWER (Q4 - 2014)

BLK	File No.	Description / Owner / Developer	Approval Status	Proposed Units	Population	Required Infrastructure / Comments
				Sing	Total	
40 / 47	BLQCK 40/47	Block 40 / 47 Developers Group Inc. (Phase 1) Trustees	Block Plan Approval Pending	600	600	2,040 Pipe Valley North Pumping Station & Water System Improvements
				600	0	Southeast Collector Sewer Works
				600	0	2,040 SUB - TOTAL
				GRAND TOTAL	600	2,040

NOTES:

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3. OP refers to Official Plan
4. Zon. refers to Zoning
5. OMB refers to Ontario Municipal Board
6. Persons per unit (ppu) equivalent as follows: singles, semis & townis @ 3.4ppu, apartments @ 2.0ppu.

ATTACHMENT NO. 7



Southeast Collector

Works impacting all YDSS

Note: Total serviced population is subject to completion of Regional YDSS Infrastructure works.