

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 12, 2005**

Item 1, Report No. 67, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on December 12, 2005.

**1 STEELES - JANE TO KEELE - SECONDARY PLAN  
FILE NO. 15.90**

The Committee of the Whole (Working Session) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 29, 2005, be approved;
- 2) That the presentation by Mr. Tim Smith, Associate and Mr. Eric Turcotte, Associate, Urban Strategies Inc., 197 Spadina Avenue, Suite 600, Toronto, M5T 2C8, and Ms. Geri A. Kozorys-Smith, Senior Project Manager, Transportation Planning, Partner, Marshall Macklin Monaghan, 80 Commerce Valley Drive East, Thornhill, L3T 7N4, and presentation material, be received; and
- 3) That the following deputations be received:
  - a) Mr. Chris Wong, York University Development Corporation, 4700 Keele Street, Toronto, M3J 1P3;
  - b) Mr. George Damiani, Serenity Park Cemetery Corporation, 228 Deer Run Court, Woodbridge, L4L 9J4;
  - c) Mr. Keilder Glen, United Parcel Service Canada Ltd., 6285 Northam Drive, Mississauga, L4V 1X5;
  - d) Mr. Tim Bermingham, Blake, Cassels & Graydon LLP, 199 Bay Street, Commerce Court West, Suite 2800, Toronto, M5L 1A9, on behalf of United Parcel Service Canada Ltd.,
  - e) Mr. Ted Cymbaly, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, on behalf of Steeles-Keele Investments (Milestone) Ltd.,
  - f) Ms. Lisa Prime, TRCA; and
  - g) Ms. Marty Brent, Black Creek Pioneer Village / TRCA, 1000 Murray Ross Parkway, Toronto, M3J 2P3; and

Further, the Committee of the Whole (Working Session) recommends:

That staff investigate the feasibility of removing the cement barriers located on the westbound right turn lane on Steeles Avenue onto northbound Jane Street.

**Recommendation**

The Commissioner of Planning recommends:

THAT this status report on the Steeles - Jane to Keele - Secondary Plan, draft Official Plan Amendment (OPA) 620, BE RECEIVED; and

THAT a Public Hearing for a modified OPA 620 be scheduled early in 2006.

**Economic Impact**

The economic impact to the City will be strongly positive in terms of the value of investment and assessment which will ultimately result from the implementation of the final plan for the Steeles

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corridor via new development and redevelopment, and the associated benefits to Vaughan of a decision to extend the Spadina subway line north of Steeles Avenue, and eventually to the Vaughan Corporate Centre.

#### **Purpose**

The purpose of this report is to summarize the results of further work completed by the City's consultants, examining the introduction of increased development densities on the north side of Steeles Avenue between Keele Street and Jane Street.

#### **Background – Analysis and Options**

##### Location

The Steeles - Jane to Keele - Secondary Plan is bounded by Steeles Avenue on the south, the CN Rail York Subdivision and hydro corridor on the north, Jane Street on the west, and Keele Street on the east. The boundaries of the Plan include an area of approximately 48 hectares (118 acres) as identified on Schedule "A" to the amendment, which forms Attachment 1 to this report.

On October 4, 2004 a Public Hearing for the Steeles Corridor-Jane to Keele-Secondary Plan was held. Notice of Public Hearing was circulated to attendees of all Community Information Meetings, landowners in and surrounding the Study Area, members of the City's Technical Advisory Committee, and was published in The Vaughan Citizen on Thursday September 9<sup>th</sup>, 2004. The draft Official Plan Amendment Number 620 and the consultant's supporting final report were made available to the public on September 13<sup>th</sup>, 2004. The materials were also posted on the City's website.

At the Public Hearing, Committee of the Whole and a major landowner (Weston Consulting on behalf of Steeles-Keele Investments Limited, 'SKI') expressed the concern that the draft OPA 620 does not provide density sufficient to support the planned transit improvements to the area, in particular the subway extension. Consequently, staff were directed to examine the potential to increase development densities within the subject lands. Council also directed that townhouses and semi-detached dwellings be deleted as permitted uses from the Plan.

On December 16, 2004, York Region adopted Regional OPA 43 respecting the development of significant nodes and corridors identified in the Regional Official Plan. This policy initiative is of particular relevance to OPA 620 (as explained later in this report).

##### The Planning and Policy Context

#### **Existing Land Use**

From west to east, the Amendment area includes the following uses:

- a vacant site (1.77 ha.) that is approved for a mausoleum/crematorium
- a stormwater management pond on Steeles Avenue owned by the City of Vaughan
- the United Parcel Service (UPS) distribution facility
- York Region's vacant 2 hectare site acquired for a transit terminal/commuter facility
- a vacant parcel (5.79 ha.) owned by the Glen Corporation
- four single storey employment buildings
- vacant lands (16.3 ha.) owned by the Steeles-Keele Investments Ltd., including a 4 storey office building on the northwest corner of Keele Street and Steeles Avenue West.

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On the north side of these parcels is the Hydro One transmission corridor that is owned by the Province of Ontario. To the south is Steeles Avenue (the municipal boundary with the City of Toronto) and York University.

#### Policy and Planning Context

##### **York Region Official Plan (ROP)**

The ROP currently designates this amendment area as a Regional Corridor. The ROP includes policies (Section 5.4. – Corridors) encouraging area municipalities to comprehensively examine these areas to provide opportunities for mixed use and higher densities. OPA 620 satisfies these goals.

The Region has recently amended the ROP (Amendment 43), strengthening the policy support for identified nodes and corridors. ROPA 43 provides for area municipalities to identify 'Key Development Areas', and would support the identification of the lands subject to OPA 620 as one of Vaughan's 'Key Development Areas'. York Region staff have indicated that the proposed policies in OPA 620 are consistent and supportive of the ROPA 43.

##### **City of Vaughan Official Plan**

The amendment area is currently designated as "Employment Area" under OPA 450, approved in 1996. It is primarily aimed at providing for industrial/employment and related service uses. The Hydro One transmission corridor forms the north border of the amendment area and is subject to the policies of the Parkway Belt West Plan.

Approved in 2001, OPA 529 designates a higher order transit right-of-way that can accommodate the extension of the Spadina subway to the Vaughan Corporate Centre. OPA 529 also directed that a land use study be conducted in the Steeles Avenue corridor from Jane Street to Keele Street to provide for land uses that would respond to and support the transit initiatives. The Steeles Corridor - Jane to Keele - Study was prepared in response to this policy.

##### **Zoning**

Almost the entire area is zoned Prestige Employment Area Zone - EM1 except for three properties: 1) the northeast corner of Jane and Steeles was zoned C1 by a 1998 OMB decision permitting two (2 and 4 storey) buildings for a crematorium and columbarium; 2) more central to the amendment area is an exception that permits eating establishments, banks and financial institutions, with or without a drive-through, and business and professional offices; and 3) on the north edge of the amendment area, the Hydro Corridor is zoned PB1S - Parkway Belt Linear Facilities Zone.

##### **Development Enquiries**

The property on the northeast corner of Jane Street and Steeles Avenue has an approval in place for a mausoleum/crematorium. However, in a letter dated 18 November, 2005, the owner expressed an interest in developing high density residential uses on the property up to a maximum density of 4.5 FSI, and has submitted a preliminary site plan for three residential towers of twenty-four storeys reflecting this density. The owner's proposal was submitted too late to be assessed by the City's consultants. Should Council or the owner wish to have the implications of this scale of development evaluated by the City's consultants, the cost of such additional work should be borne by the landowner.

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Steeles–Keele Investments Ltd. (SKI) is the owner of approximately 16 hectares that covers the eastern third of this Secondary Plan. The construction of the 4-storey office building on the northwest corner of Keele and Steeles is one component of the current official plan, draft plan of subdivision, zoning, and site plan applications made on this property since September of 2001. In addition to the office on the northwest corner of Keele Street and Steeles Avenue, the owner has expressed an interest in undertaking a high-density mixed-use development with a range of office, commercial, and residential uses. The owner has proposed that development on the property be permitted a base development density of 1.5 FSI, plus bonuses for increased streetscaping, reductions in parking, and compensation for giving up a portion of the new east-west road allowance required by the Plan, bringing total permitted FSI to 3.0.

#### Transit Improvement Environmental Assessments

There are Environmental Assessments currently underway for two projects that will, if implemented, dramatically improve transit service to this area. The policies of OPA 620 are designed to provide for a development regime that will support the introduction of higher order services to the area by providing uses and densities that can take advantage of the higher level of accessibility. The status of the EA studies is discussed below.

#### **The Highway 7 Corridor & Vaughan North-South Link Public Transit Improvements**

This individual environmental assessment is being conducted by the Region of York. Its purpose is to improve public transit infrastructure in the Region's primary east-west corridor and its western north-south corridor to increase ridership and support linkages to other GTA transit systems. The EA was completed in August of 2005 and has been submitted to the Ministry of the Environment for approval. The EA is recommending that rapid transit services be introduced along Highway 7 and in the Vaughan North-South Link, which connects the Vaughan Corporate Centre to the York Regional Terminal site on Steeles Avenue across from York University.

Initially the system will be operated as a Bus Rapid Transit service, with the buses primarily running in dedicated lanes. In areas of constraint, the buses will operate in mixed traffic. The EA will also confirm the subway alignment, which will provide for the further extension of the Spadina subway, north from Steeles Avenue to the Vaughan Corporate Centre.

A possible subway alignment was originally identified in OPA 529. The EA study confirms the portion of the OPA No. 529 subway alignment that is located on the west side of Jane Street and ultimately intersects with the Millway Road road allowance at Highway 7. How the subway extension reaches the west side of Jane Street will depend on the alignment that is ultimately approved in the on-going Toronto/TTC Spadina Subway Extension EA. In advance of this work, the Highway 7/Vaughan North-South Link EA identifies a "Tie In" zone where the alignment can be adjusted to link to the Toronto/TTC EA. The "Tie In" would occur through a later amendment to the EA.

The Highway 7/Vaughan North-South Link EA is more advanced in the process than the Toronto/TTC Spadina Subway Extension EA. The Highway 7/Vaughan North-South Link EA has completed the post-submission comment phase with the Ministry (Comments were requested by October 26, 2005). This EA could receive approval in the first quarter of 2006.

The introduction of the Highway 7/Vaughan North-South Link BRT service will significantly improve transit infrastructure in the area. It will enhance access to the Corporate Centre, the portion of Steeles Avenue opposite York University (the OPA 620 area), and the Spadina Subway's Downsview Station. It will also act as a precursor to the subway extension to the Corporate Centre by building ridership in the corridor. The further extension will be facilitated by

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the preservation of the alignment into the Corporate Centre. The greater densities being recommended by OPA 620 will support the extension of the subway to Steeles Avenue.

#### **The Toronto/TTC Spadina Subway Extension EA**

The purpose of this EA is to identify the alignment of a subway extension from Downsview Station at Sheppard Avenue to Steeles Avenue in the vicinity of the York Region terminal site. The EA is in its final stages of preparation. Direction is being sought to submit the EA Study to the Ministry of the Environment to start the approval process.

A report on the EA will be submitted to the Toronto Transit Commission at its meeting on November 28, 2005. This will be followed by a report to a joint meeting of the City of Toronto's Works and Transportation and Planning Committees on November 30, 2005. Final approval for submission to the province would be obtained from Toronto City Council at its December 5-7, 2005 meeting. If the EA is submitted to MOE shortly thereafter, approval could be in place by the end of summer, 2006.

The Toronto/TTC EA has confirmed the role of the Steeles West Station as a major inter-regional facility, featuring commuter parking in the hydro corridor north of Steeles Avenue and three bus terminals with 30 to 40 bays to accommodate the TTC, GO and the VIVA/YRT services. The preferred subway alignment varies from what was originally identified in OPA 529. The EA alignment crosses Steeles Avenue diagonally with the station straddling the north and south sides of the street. The OPA 529 alignment was contained entirely within the Steeles Avenue right-of-way, curving north to the Corporate Centre closer to Jane Street.

The preferred Toronto/TTC subway alignment has been examined and it can tie in with the alignment that was identified in OPA 529 from a point to the south of Highway No. 407. It then heads into the Corporate Centre along the OPA 529 alignment, ultimately intersecting with Highway 7 at Millway Road.

#### Draft OPA 620

Key components of draft OPA 620 (see Attachment 2), which was presented to Public Hearing in October/04, included:

- **“Transit Core” designation**
  - within 250 metres of the proposed Transit Station site
  - Floor Space Index (FSI) target of 3.0
- **“Transit Transition” designation**
  - from 250 metres to 500 metres of the proposed Transit Station site
  - FSI target of 1.5.
- **“Corridor” designation**
  - beyond 500 metres from the proposed Transit Station site
  - FSI target of 1.0

Draft OPA 620 included a range of land uses that provide the opportunity for transit riders to walk short distances between multiple activities. The range of permitted uses include:

- high density residential
- prestige office employment
- commercial uses in mixed-use development, and
- public and institutional uses.

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The “Transit Core” designation provides for major office development directly on Steeles Avenue at the transit station, in conjunction with an urban square, as well as with High Density Residential uses, including apartments and townhouses, Public and Institutional Uses, and Mixed Use development combining High Density Residential, Prestige Office, and Commercial uses in the same building.

The “Transit Transition” designation permits essentially the same range of uses as the “Transit Core” designation, but also permits semi-detached dwellings built at high densities, and limits single use prestige office employment uses to a maximum density of 0.5 FSI.

The “Corridor” designation has the same range of permitted uses at a lower scale than the “Transit Transition” designation.

Commercial uses are permitted in all areas of the plan but are limited to the ground floor of mixed-use buildings.

Draft OPA 620 also incorporates significant improvements to the road network north and south of Steeles Avenue. North of Steeles Avenue, a new east-west road running continuously from Jane Street to Keele Street would be provided, together with six north-south roadways linking the east-west road to Steeles Avenue. A similar road network is assumed south of Steeles, supplementing the existing network there.

The intent of draft OPA 620 was to provide densities that take advantage of their proximity to higher order transit service and supply the necessary ridership support. To this end, at the October 2004 Public Hearing, Council directed that townhouses and semi-detached dwellings be deleted as permitted uses from the Plan.

To achieve higher density development, draft OPA 620 includes three levels of land use intensity that are related to their proximity to the transit station, with the highest density at the station site. The densities are reduced as the distance from the station increases. This approach to the distribution of densities within the development area recognizes that transit ridership is related to distance from the transit stop, with the highest levels of ridership being achieved within a 400-metre distance, or about a 5-minute walk. The proposed densities in draft OPA 620 are consistent with those achieved in similar situations elsewhere, and with those in other land use plans surrounding transit stations. For example, similar densities are permitted in both Toronto (Downsview, Sheppard Avenue East) and Vancouver.

#### Analysis and Options

In response to the desire to examine higher densities, the City’s consultants analyzed and compared two development scenarios in terms of their impact on the road network, and the network’s capacity to accommodate them. The two scenarios are: 1) **Draft OPA 620 Scenario**, the preferred scenario defined and presented to Public Hearing in October, 2004; 2) an **Increased Density Scenario**, increasing densities on all the lands north of Steeles. Table 1 summarizes the density assumptions applicable to each proposed land use designation, for each of the scenarios.

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Table 1 – Comparison of Development Densities (FSI – Floor Space Index)

<b>Land Use Designation</b>	<b>Draft OPA 620 Scenario</b>	<b>Increased Density Scenario</b>
Transit Core	3.0	4.0
Transit Transition	1.5	2.5
Corridor	1.0	1.5

Both scenarios assume that a new commuter parking lot will be located within the hydro corridor adjacent to the new transit station at Steeles Avenue, with 1,500 parking spaces. This facility will result in a significant amount of in-bound and out-bound traffic to and from the area. When the subway is extended even further north, consideration should be given to reducing the size of the lot here, and building a new lot near the new terminus. However, in the interim period when the subway may terminate at Steeles, the large lot and the traffic it generates need to be addressed.

Both scenarios also assume development on the York University lands to the south at a density of 1.0 FSI, consistent with development permissions already in place. This is a conservative estimate of future development likely to occur there. The University and the City of Toronto are currently engaged in a review of existing Official Plan policies. They share Vaughan’s objectives of extending the Spadina subway northward, and establishing a pedestrian-friendly and transit-supportive urban environment on Steeles Avenue. Therefore, at this time it appears likely that their planning process will also propose significantly increased densities above current permissions. In that regard, the presence of York University is both an opportunity and constraint in that complementary development there will contribute toward Vaughan’s objectives of creating an urban place on Steeles Avenue and further strengthens the argument for a subway extension. On the other hand, development south of Steeles will also utilize a significant amount of road capacity.

**Current and Forecast Background Traffic**

**1. Base Case Traffic Conditions**

For the purpose of testing the transportation implications of alternative development scenarios, a base case set of traffic conditions was defined, against which other scenarios could be compared.

In order to understand the implications of alternative development scenarios, it is necessary to begin with base traffic conditions. However, the current closure of Finch Avenue west of Sentinel Road has caused traffic to be diverted onto other east-west roads including Steeles Avenue, resulting in higher than typical traffic volumes. The alternative was to rely upon City of Toronto traffic counts, recognizing that these were undertaken between 2001 and 2003. Therefore, a base set of 2003 traffic volumes were generated by “adjusting” the traffic counts to the common year of 2003. Once the construction of Finch Avenue is complete, updated turning movement counts will be required at the intersections of Steeles Avenue with Jane Street and Keele Street.

The operations of the existing intersections were then analyzed for the a.m. and p.m. peak hour traffic volumes. This analysis indicates that the Steeles/Keele intersection currently operates reasonably well during the a.m. peak hour but is over capacity during the p.m. peak hour. The Steeles/Jane intersection operates at capacity during both peak hours under “current” conditions.

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#### **Future Background Traffic Conditions**

Estimates of future background traffic levels were developed by taking the base case traffic conditions and adding the additional traffic forecast resulting from development on the York University lands at a density of 1.0 FSI, plus traffic related to the establishment of a 1,500-space parking facility associated with a new transit station on Steeles Avenue. No growth in through traffic to the area was assumed.

The accepted method of evaluating the performance of an intersection is to determine the volume-to-capacity (v/c) ratio forecast to result from a set of traffic conditions. An intersection forecast to operate with a v/c of 1.0 is functioning at its maximum design capacity.

The analysis of future background traffic conditions indicates that the Steeles Avenue/Jane Street intersection will be operating in a very inefficient manner at both peak hours, with forecast v/c ratios of 1.50 (a.m.) or 50% more than capacity, and 1.29 (p.m.) or 29% above capacity. The Steeles/Keele intersection is forecast to function at a v/c of 0.91 during the a.m., and 1.05 during the p.m. rush hour.

Thus, even with no additional development on the north side of Steeles Avenue, background traffic levels plus the traffic resulting from the new parking facility and development south of Steeles causes the Steeles/Jane intersection to be significantly affected, and the Steeles/Keele intersection to operate at an acceptable level only during the a.m. rush hour.

#### **Description of Scenarios**

##### **1. Draft OPA 620 Scenario**

For the purpose of testing the transportation implications of an alternative, higher density development scenario, the Draft OPA 620 Scenario was developed as a basis for comparison. The Draft OPA 620 Scenario reflects one form which development might take based on the proposed range of land uses and densities in the draft OPA 620.

The Scenario assumes primarily high density residential development on most of the subject lands, with the exception of the Transit Core and a small part of the adjacent Transit Transition area (within Block D on part of the Glen Group property) where retail uses at grade with office commercial uses above are assumed. At the east end of the subject lands (Block G), mixed use development combining residential, retail and office commercial is assumed. Development densities are consistent with the maximums described above for OPA 620.

In total, the Scenario includes 55,000 sq m of office commercial development, 4,609 sq m of retail space, and 5,185 residential units.

##### **2. Increased Density Scenario**

The Increased Density Scenario builds upon the form of development proposed in draft OPA 620 and utilizes the same planned road network, but increases the permitted densities for all of the properties within the subject lands. The Scenario also focuses the greatest development density in the Transit Core to maximize transit ridership. Densities decline with distance from the Transit Core.

The maximum permitted density in the Transit Core is 4.0 FSI, 33% more than Draft OPA 620. The Transit Transition permits an FSI of 2.5, 66% higher than Draft OPA 620. The Corridor designation permits 1.5 FSI, 50% more than Draft OPA 620.

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Like Draft OPA 620, the Transit Core and adjacent Transit Transition area (in Block D) are assumed to have retail at grade with office commercial uses above. Also, at the east end of the subject lands in Block G, mixed use development combining retail, office and residential is assumed. The balance of the area is assumed to provide high density residential development at the maximum permitted densities noted above.

In total, the Increased Density Scenario includes 70,000 sq m of office commercial development, 5,000 sq m of retail space, and 7,845 residential units.

**Comparison of Scenarios**

The City’s transportation consultant has completed an assessment and comparison of the v/c ratios at the Steeles/Jane and Steeles/Keele intersections (see Table 2). The forecast results have also been compared with the current and forecast background traffic conditions. The implications of each scenario, in terms of their impact on the functioning of the major intersections, is readily apparent.

**Table 2 – Comparison of Volume-to-Capacity(v/c) Ratios**

<b>Intersection and Peak Hour</b>	<b>Base Case Current Conditions</b>	<b>Future Background Conditions</b>	<b>Draft OPA 620 Scenario</b>	<b>Increased Density Scenario</b>
Steeles/Jane a.m. peak	1.02	1.50	1.53	1.57
Steeles/Jane p.m. peak	0.97	1.29	1.41	1.46
Steeles/Keele a.m. peak	0.75	0.91	0.92	0.96
Steeles/Keele p.m. peak	1.14	1.05	1.22	1.26

**1. Draft OPA 620 Scenario Versus Background Conditions**

The Draft OPA 620 Scenario generates v/c ratios of 1.53 and 1.41 at Steeles/Jane in the a.m. and p.m. rush hours, representing an increase of 3% and 12% respectively, compared with the background conditions. At Steeles/Keele, the result is an increase of 1% in the a.m. and 17% in the p.m. The intersections of the new east-west road with Jane and Keele, and the intersections of the new north-south roads with Steeles all perform with v/c ratios less than 1.0.

**2. Increased Density Scenario Versus Background Conditions**

The Increased Density Scenario generates v/c ratios of 1.57 and 1.46 at Steeles/Jane in the a.m. and p.m. rush hours, representing an increase of 7% and 12% respectively, compared with the background conditions. At Steeles/Keele, the result is an increase of 5% in the a.m. and 21% in the p.m. With the exception of the Jane/new east-west road during the a.m. rush hour (with a v/c ratio of 1.17), all other intersections of the new roads with the arterials perform with v/c ratios less than 1.0.

**Observations on the Scenarios Analysis**

- Background traffic is the primary cause of the major intersections functioning beyond their design capacity. This is particularly the case with the Steeles/Jane intersection. With no new

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development north of Steeles Avenue, the establishment of a large parking facility to serve the new transit station, together with development at York University at currently permitted densities, will increase traffic through the Steeles/Jane intersection by 48% in the a.m. and 32% in the p.m. rush hour.

- The Increased Density Scenario has a somewhat greater impact on traffic conditions, compared with the Draft OPA 620 Scenario. At the Steeles/Jane intersection, traffic volumes are approximately 4% greater in the a.m. rush hour, and 5% greater in the p.m. At the Steeles/Keele intersection, traffic volumes are about 4% greater in both a.m. and p.m. rush hours.
- The proposed new east-west road, and the north-south roads linking to Steeles Avenue are crucial to the efficient operation of the road network. These new roads significantly enhance the capacity of the network and facilitate traffic movement throughout the subject lands, thereby reducing the pressure on the existing arterial network and its major intersections. A similarly enhanced road network on the south side of Steeles is equally important to the viability of new development there.

#### **Enhancements To Improve Intersection Function**

The scenarios analysis also looked at enhancements to achieve improvements to the functioning of the major intersections, and demonstrated that the intersections can function better if the cycle length for turning movements is extended, and if additional through-lanes and/or turn lanes are added to Steeles Avenue. These improvements have the potential to enable the major intersections to function with a v/c ratio close to or below 1.0. Achieving this objective is problematic for both scenarios at both the Steeles/Jane and Steeles/Keele intersections. However, further widening of Steeles, Jane and Keele which are already large in scale, is not considered a desirable solution, given the negative impact on the area. While further widening (to as much as nine lanes) might improve turning movements, the intersections and arterials would become massive - more like a highway than the comfortable, pedestrian-friendly human environment the City is trying to establish.

#### **Implications For OPA 620**

The analysis suggests that higher development densities, consistent with the Increased Density Scenario, can be supported, as they have a relatively modest impact upon the functioning of the major intersections in the Study Area. Although the major intersections would function better with additional through-lanes on Steeles Avenue, this is not considered as a desirable solution as such an increase in the width of the street would significantly detract from the pedestrian-friendly, human-scale environment which the plan aims to establish. Crossing Steeles Avenue would require more time, and would be more intimidating to pedestrians, owing to traffic moving at greater speeds.

The distribution of development densities, and the character of new development are important considerations in minimizing the impact of new development on the road network. Both scenarios assumed that densities would be highest at the transit station and decline with distance from it, and that the area would be the focus of primarily high density residential development. These assumptions are appropriate and should be reflected in OPA 620. A concentration of density in close proximity to the new transit station will serve to maximize transit ridership and reduce the generation of auto trips originating from or destined to the new development within the subject lands. A concentration of residential development appears to be the preferred solution as residential uses are a significantly lower generator of auto trips than major office or large format retail commercial development.

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In comparison with the Draft OPA 620 Scenario, the Increased Density Scenario increases the potential development by 15,000 sq m of office commercial space, 400 sq m of retail commercial space, and about 2,700 housing units. The increased worker and resident population which will result from more intensified development imply greater needs for hard services, schools, parks and community services, greater attention to urban design and streetscaping, and additional requirements to address noise and other micro-environmental concerns (ie. wind, weather protection, etc.). The policies of OPA 620 require review and modification to ensure that these concerns are appropriately addressed by the policies of the Plan.

#### **Integration of the Steeles West Terminal Facilities into the Development Plans**

The TTC's preferred alternative for the Steeles West Station shows two bus terminal facilities to the west of the proposed Street C. Street C is the main north-south collector road running north of Steeles Avenue to the planned east-west road along the south edge of the Hydro Corridor. The land for Street C was acquired by the Region as part of the purchase of the site for the inter-regional terminal facility, which abuts the west side of the road. To meet the demand from transit operators for bus bays, additional land may be necessary to accommodate the second bus facility. This will place the bus terminal facilities within the unit of land defined on the east by Street C and on the west by Street B, which are identified in OPA 620.

This area is defined in OPA 620 as part of the "Transit Core", which will permit the highest densities within the plan area. Providing transit supportive densities in areas in proximity to the Steeles West Station is one of the structuring concepts of the plan. Therefore, it is critical that the planned densities be achieved on this site. The introduction of the bus terminals makes this more challenging.

Policies will be included in the revised draft of OPA 620 that will confirm this commitment to higher intensity development in the Transit Core and ensure that steps are taken to provide for the planned densities while accommodating the needs of the transit authorities. It will be necessary to ensure that sufficient planning be done in advance of the development of any facility, to ensure that both high density development and the transit function (including the subway alignment, the Steeles West Station and the bus facilities) can be developed in harmony without resorting to land consumptive strategies.

This approach will build on the "Implementation" policies already in OPA 620 which provide for the preparation of a Development Concept Report and Phasing Plan for new development.

#### **Relationship to Vaughan Vision 2007**

This report and the draft OPA will serve to implement priorities previously set by Council in Vaughan Vision 2007. The following sections of Vaughan Vision are applicable:

##### Section 3 (Transportation and Transit Infrastructure):

- 3.1.1. the TTC Spadina subway extension project to Vaughan
- 3.2. solutions to traffic gridlock
  - 3.2.1. the Region of York and other agencies to ensure higher order transit
  - 3.2.2. land use designation and urban form to support transit usage
  - 3.2.3. growth that does not outpace the road network
  - 3.2.4. regional and provincial initiatives on transportation infrastructure
  - 3.2.5. bicycle and pedestrian networks

By providing land use support for the high order transit to Steeles Avenue, the City of Vaughan is also supporting the ultimate extension of the subway to the Vaughan Corporate Centre (Section 4.1.).

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The necessary resources were allocated and approved by Council upon adoption of this project's initial terms of reference.

**Conclusion**

Establishment of a major concentration of development on Steeles Avenue between Keele Street and Jane Street will create a new urban focus for the area, and a major node for public transit service. It will also result in a reduction in the operational efficiency of the road network, even with the improvements assumed in OPA 620. The traffic capacity of the Steeles/Jane and Steeles/Keele intersections are already constrained. The traffic analysis has forecast the expected impacts of the alternative scenarios. Recognizing that the forthcoming secondary plan for the York University lands is likely to provide for a greater concentration of development than has been assumed here, the traffic analysis probably underestimates the traffic impacts. Therefore, the level of development north and south of Steeles will be heavily dependent upon establishing the significant new road network and transit improvements identified by this Plan.

Staff support the modification of draft OPA 620 consistent with the Increased Density Scenario described above. It is forecast to have a marginally greater impact on traffic congestion than the Draft OPA 620 Scenario. However, traffic congestion in this section of Steeles Avenue will be significant regardless of the scale of new development. The higher development densities of the Increased Density Scenario are consistent with establishing a major urban focus on the subject lands, and will contribute to greater transit ridership.

Should Council agree with the conclusions of this report, a modified version of OPA 620 should be prepared and scheduled for a Public Hearing early in 2006.

**Attachments**

Attachment #1 – Location Map  
Attachment #2 – Draft OPA 620 Land Use and Density

**Report prepared by:**

Paul Robinson, Senior Planner, ext. 8410  
Wayne McEachern, Manager, Policy Planning/Urban Design, ext. 8026

/PR

(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.)

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Item 2, Report No. 67, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on December 12, 2005.

**2** **VAUGHAN YOUTH CITY COUNCILLOR**

(Referred from the Committee of the Whole (Working Session) meeting of November 15, 2005)

**The Committee of the Whole (Working Session) recommends:**

- 1) That the position of Vaughan Youth City Councillor be established as a Pilot Project;
- 2) That the Clerk be directed to report on amendments to Council's procedure by-law to accommodate the Vaughan Youth City Councillor's participation at Council meetings;
- 3) That the Vaughan Youth City Councillor Roles and Responsibilities, as amended, be approved;
- 4) That the following selection process contained in the Vaughan Youth City Councillor Roles and Responsibilities, be approved:

**Process #2:**

The City Clerk will reveal all applications for the Youth City Councillor to Members of Council in an In-Camera Meeting.

The City Clerk will reveal the Vaughan Youth Cabinet's "ranked short list," indicating the Vaughan Youth Cabinet's recommendations, to Members of Council.

Vaughan Council will consider all applicants, and the advice of the Vaughan Youth Cabinet, before selecting a Youth City Councillor.

- 5) That the evaluation/assessment of the Vaughan Youth City Councillor be done by the Chair of the month;
- 6) That the report of the Commissioner of Legal and Administrative Services, dated November 15, 2005, be received;
- 7) That the additional report of the City Clerk, dated November 29, 2005, be received;
- 8) That the memorandum of Councillor Carella, dated November 28, 2005, be received;
- 9) That the following deputations, written submissions and petition be received:
  - a) Mr. Mark Frisoli, Vaughan Youth Cabinet, 36 Summerwood Court, Vaughan, L4L 9A3 and petition;
  - b) Ms. Vittoria La Neve, Chair, Vaughan Youth Cabinet, 16 Thicket Trail, Vaughan, L4H 1Y2 and written submissions both dated November 29, 2005;
  - c) Mr. Nick Pasquino, 4-1574 Richmond Street, London, N6G 5H7, on behalf of the Vaughan Youth Cabinet; and
  - d) Mr. Adriano Volpentesta, 15 Stone Palace Way, Woodbridge, L4H 1M9; and
- 10) That the following written submissions be received:

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- a) **Ms. Susan LaRosa, Director of Education, York Catholic District School Board, 320 Bloomington Road West, Aurora, L4G 3G8, dated November 28, 2005; and**
- b) **Mr. Bill Hogarth, Director of Education, York District School Board, 60 Wellington Street West, Box 40, Aurora, L4G 3H2, dated November 23, 2005.**
  - 1) That this matter be referred to the Committee of the Whole (Working Session) meeting of November 29, 2005 for additional information to be provided addressing Members of Council's comments, and a report from the City Clerk on the roles and responsibilities of the Clerk's Department; and
  - 2) That the following deputations and written submission be received:
    - a) Mr. Mark Frisoli, Vaughan Youth Cabinet, 36 Summerwood Court, Vaughan, L4L 9A3;
    - b) Ms. Natalie Villani, Vice-Chair, Vaughan Youth Cabinet, 38 Kortright Place, Woodbridge, L4L 8S6 and written submission on behalf of Ms. Gale Harild, Coordinator of Community Based Education, Education Centre – Newmarket, Centre for Leadership and Learning, 300 Harry Walker Parkway South, Newmarket, L3Y 8E2 dated November 11, 2005; and
    - c) Mr. Nick Pasquino, 11 Misty Well Drive, Richmond Hill, L4E 4J2; and
  - 3) That the written submission of Mr. Ron Dorcas, Program Consultant – School to Careers, York Catholic District School Board, Catholic Education Centre, 320 Bloomington Road West, Aurora, L4G 3G8 dated November 14, 2005, be received.

Report of the Commissioner of Legal and Administrative Services dated November 15, 2005.

#### **Recommendation**

The Commissioner of Legal and Administrative Services, in consultation with the Director of Recreation and Culture and the City Clerk recommends:

1. THAT the Vaughan Youth City Councillor Roles and Responsibilities draft report prepared by the Vaughan Youth Cabinet be received; and,
2. THAT Council provide direction with respect to the creation of the position of Vaughan Youth City Councillor and the roles and responsibilities of the position.

#### **Economic Impact**

Within Community Services Department \$7,000 is allocated to support the Vaughan Youth Cabinet (VYC).

#### **Purpose**

The purpose of this report is to provide members of Council with additional information regarding the roles and responsibilities of the proposed Vaughan Youth City Councillor program and to seek further direction on this matter from Council.

#### **Background - Analysis and Options**

As part of the strategic planning review process in January 2004, members of Council agreed to

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look into the development of a Youth Strategy that would provide direction and a plan to support the delivery of services for this growing segment of the City's population. On June 21, 2004 the Vaughan Youth Strategy Task Force was established. The Task Force, through a collaborative working model, was responsible to identify, bring forward, and recommend action on the needs of youth. The Task Force was a platform providing youth with a voice at City council. It also allowed for recognizing youth and their contributions to the quality of life in the City of Vaughan.

The Vaughan Youth Strategy Task Force was active in 2004 undertaking primary research and holding meetings to discuss the scope and structure of Vaughan's current youth initiatives. A number of subcommittee groups undertook various tasks identifying challenges, formulating possible solutions, and preparing proposals for consideration. The information was consolidated as a report titled the "City of Vaughan Civic Youth Strategy, May 2005" recommending the establishment of the Vaughan Youth Cabinet (VYC), including a Terms of Reference, and the establishment of a Vaughan Youth City Councillor position. The VYC Terms of Reference for the advisory committee were approved by Council on May 24, 2005.

On June 27, 2005, Council approved, in principle, the creation of a Vaughan Youth City Councillor position directing that the roles, responsibilities and all relevant issues in regard to this position be subject to an additional study for consideration by Council in the Fall of 2005.

During the summer of 2005, the VYC, in consultation with the Boards of Education, staff of the City of Vaughan's City Clerk's Department and the Department of Recreation and Culture, reviewed the roles, responsibilities and criteria that would be required to establish the Vaughan Youth City Councillor position. The VYC prepared the proposed Vaughan Youth City Councillor – Roles and Responsibilities document as outlined in Attachment 1.

This document provides a detailed summary of the requirements of the Vaughan Youth City Councillor position as follows:

- Roles and Responsibilities;
- Eligibility requirements;
- Compensation;
- Negligence or dereliction of duty;
- Application Procedures;
- Recruitment and Selection;
- Appointment Procedures;
- Special Application;
- Selection and appointment process;
- The Co-op Educational Experience Outline;
- City Support;
- Training;
- General Procedures and Administrative Support;

#### **Relationship to Vaughan Vision 2007**

The Vaughan Youth Strategy identifies opportunities to enhance the delivery of services, participation and communication for youth in Vaughan.

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**Conclusion**

Council approved the City of Vaughan Civic Youth Strategy and the establishment of the Vaughan Youth Cabinet (Terms of Reference Attachment #2) to replace the former Youth Advisory Council on May 24, 2005. Council further approved, in principle, the creation of a Vaughan Youth City Councillor position on June 27, 2005, subject to additional study for consideration in the Fall of 2005.

In response to Council's direction, the Vaughan Youth Cabinet has prepared the Vaughan Youth City Councillor Roles and Responsibilities – Draft document for the establishment of a Vaughan Youth City Councillor position and requires Council's direction on this matter.

**Attachments**

1. Vaughan Youth City Councillor – Draft Roles and Responsibilities
2. Vaughan Youth Cabinet –Terms of Reference

**Report Prepared By**

Diane LaPointe-Kay, Director of Recreation & Culture, ext. 8117  
Monika Pii Smith, Recreation Manager, Recreation & Culture, ext. 8806

(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.)

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### EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 12, 2005

Item 3, Report No. 67, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on December 12, 2005.

### **3      REVIEW OF CITY OF VAUGHAN'S ELECTION PROCESS AND PROCEDURES**

The Committee of the Whole (Working Session) recommends that this matter be referred to a future Committee of the Whole (Working Session) meeting.

#### **Recommendation**

The City Clerk and Returning Officer recommends that this report be received.

#### **Economic Impact**

There is no economic impact.

#### **Purpose**

To respond to a Council directive requesting a report on election process and procedures (Attachment No. 1).

#### **Background - Analysis and Options**

Council has requested a report addressing the election process and procedures. The matters requested to be addressed are set out below:

1)      **Re-alignment of Ward Boundaries**

Council at its meeting held on June 27, 2005 enacted a by-law to re-divide the current 5 wards. The new wards will come into effect following the November 13, 2006 municipal election. Candidates registering to run in this election will do so in respect of the re-divided wards. Further, Council had earlier directed that this re-division be considered an interim measure and that a ward review be undertaken prior to the 2009 municipal election.

2)      **Consideration of City-wide or Geographic Specific Constituencies for Regional Councillors**

As part of the recent ward review, Council considered the matter of regional wards and directed staff to determine if Regional Council would support regional wards. To date the Region has not responded.

3)      **A Comprehensive Review of the Election Sign by-law Encompassing size, Locations and Timing, Fines. etc.**

Staff will be reporting on these issues at the November 29, 2005 Committee of the Whole (Working Session).

4)      **Election Budget Needs**

The cost of the 2003 municipal election was approximately \$410,000. It is anticipated that the 2006 municipal election will cost approximately \$475,000. This does not include the cost of leasing new vote tabulating equipment which would be in the neighbourhood of \$150,000. Council recently directed that an RFP be issued for vote tabulating equipment.

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Elections are funded from a reserve. The Finance Department, in consultation with the City Clerk, allocates an amount each year for this purpose. Currently, there are sufficient funds to cover the costs of next year's election and leasing vote tabulating equipment. It is also advisable to build a surplus in the reserve in the event of a by-election of which we have had two in the last few years. This avoids having to fund a by-election from taxation in any given year. The Municipal Elections Act, MEA, provides that the municipality shall pay the costs incurred by the Clerk in conducting an election.

5) Election Day Transmission of Results

Since 1991, Optech IV C central count optical scan vote tabulators have been used to tabulate election results. The results have been transmitted electronically to viewing screens in the Council chambers, press area and main foyer adjacent to the Council chambers. It has been noted that some of the screens should have been on raised platforms so as to provide a better view. Should vote tabulating equipment be located in each voting location for the next election (Council recently directed an RFP be issued for same), it is anticipated that election results will still be shown on viewing screens. However, the method of transmission from vote tabulators to the screens will need to be reviewed.

6) Use of Other Electronic Vote Counting Equipment

This was the subject of a report to Council recently and direction was given by Council on November 14<sup>th</sup>, 2005 to proceed with an RFP to lease optical scan vote tabulating equipment for use in each voting location.

7) Other Means of Voting, i.e., Mail-in Ballots, E-Voting, Etc.

The above-noted report dealt with alternative voting methods which were not recommended. The most cost-effective secure method of conducting an election for a municipality the size of Vaughan continues to be optical scan vote tabulating equipment.

8) Revision of the Voters List

The voters list is created by the Clerk from the preliminary list of electors that is provided to the Clerk by statute by the Municipal Property Assessment Corporation (MPAC). The MEA sets out the timing and manner in which the voters list is to be amended. The voters list is to be posted the Tuesday after Labour Day and may be revised any time thereafter up to and including the close of voting on election day. Application to add a person's name or to make changes respecting same must be made in writing. The application can be filed in person, by an agent or mailed in. This election the necessary form may be downloaded from the City's election web site, completed and mailed in. To facilitate this, residents are able to confirm if their name appears on the list by accessing the City's election web site. It must be noted that the MEA stipulates that original forms must be completed and submitted. Posting of the voters list and revision requirements are advertised in accordance with the Act. In the case of Vaughan, this includes publication on the City Page, all ethnocultural newspapers throughout the City and on the election web site.

9) Use of Voter Information Cards

A voter information card is sent by mail to each eligible elector in the City prior to election

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day. Various election information is provided including advance poll dates and locations, voting day poll location and special provisions for physically challenged individuals.

10) Voting at Long-Term Care Facilities and Seniors Homes

The Clerk is empowered by the Act, subject to certain restrictions, to establish voting locations. All locations are to be accessible to electors with disabilities. The Act prohibits the use of a dwelling as a voting location. Voting locations are mandatory in retirement homes with 50 or more beds and institutions where 20 or more beds are occupied by disabled or chronically ill individuals. Where feasible apartments and condominiums have voting locations. Every effort is made to locate voting stations so as to be convenient for voters.

11) Review of the Number of Electors per Poll and the Number of Polls Created

The number of electors per poll and the number of polls created is the strict purview of the Clerk and is a function of a number of factors including voting method utilized, available facilities and anticipated voter turnout.

12) Elector Day Staff and Appropriate Training

It is the Clerk's responsibility to oversee the selection and training of poll workers. It must be noted that it has become very difficult to recruit sufficient poll workers. For the most part, videos, written instructions and lectures have been used in training workers in the past. If a different vote tabulating system is used, training methodologies will need to be reviewed.

For some time City staff have been recruited to perform various election day duties. The use of City staff on election day could be substantially increased. One option could be to go to "skeleton staff" at the Civic Centre and designated facilities so that more staff could be utilized as poll workers. This will be the subject of a further report to Council.

13) Voter Identification at the Polls

The vast majority of municipalities do not require identification at the polls other than to encourage electors to take their voter information cards with them to the polls to facilitate the voting process. This has been the practice in Vaughan. However, a few municipalities do require identification to be presented at the poll depending on circumstances. This matter is under review. The Clerk is empowered under the Act to do all manner of things in conducting elections including the requiring of identification and/or taking of an oath at the polls prior to a ballot being issued.

14) Use of the Name "Office of Local and Regional Councillor"

During the last municipal election campaign, the issue was raised in some quarters as to the appropriate way to refer to Local or Regional Councillor. With respect to how the office is referred to on election signs, this is beyond the purview of the Clerk. The Clerk has no authority under the MEA to regulate the content of municipal election campaign signs. In addition, the Municipal Act is silent on this. Further, there are no more references in the Municipal Act to the terms local councillor or ward councillor. The only references appear to be to "member of council" either "lower tier" or "upper tier".

With respect to how the office is referred to on the ballot, the practice in Vaughan has

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always been to refer to the office as “Local and Regional Councillor”. The rationale being that Regional Councillors are elected at large to the local Council, being Vaughan and to sit on Regional Council as Vaughan’s representatives. Hence the person is a Local and Regional Councillor. The regulations under the MEA concerning ballot format do not specify how an office is to be referred to.

15) Advertisements Relating to the Election Including Number of Candidates/Offices That an Elector is Entitled to Vote For

The MEA provides that the Clerk shall give notice of matters relating to an election in the form and manner and a time that the Clerk considers adequate to give reasonable notice or to convey information. The practice in Vaughan has been to publish all election notices on the City Page as well as all other ethnocultural newspapers published in the City. Most ads appear for two consecutive weeks, so as to give reasonable notice of the matter for which notice is being provided. Notices also appear on the City’s election web site. Ads that appear in the newspapers include ads entitled: Is Your Name on the Voters’ List?, Nominations, Proxy Voting, Election Staff Needed, Notice of Election (offices to be voted for, etc.), Advance Voting, How to Vote (how to mark a ballot).

**Relationship to Vaughan Vision 2007**

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

**Conclusion**

It would be in order to receive this report.

**Attachments**

Attachment No. 1 – Extract from the Committee of the Whole (Working Session)  
of February 23, 2004

**Report prepared by:**

John D. Leach, City Clerk

(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.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 12, 2005**

Item 4, Report No. 67, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on December 12, 2005.

**4**

**SIGN ENFORCEMENT**

**The Committee of the Whole (Working Session) recommends that this matter be referred to a future Committee of the Whole (Working Session) meeting.**

**Recommendation**

The Commissioner of Legal and Administrative Services, in conjunction with the Senior Manager of Enforcement Services, recommends:

That Council provide direction respecting the following:

- i) restricting election signs to designated locations
- ii) requiring a deposit from candidates as a measure of enforcement to reduce illegally placed election signs
- iii) a reduction in the size of election signs

**Economic Impact**

Should Council opt to require a deposit in respect of election signs from candidates as a measure to increase enforcement, some revenue would be realized.

**Purpose**

This report is to provide information on sign enforcement and potential amendments to the "Sign" By-law.

**Background - Analysis and Options**

Council, at its meeting of May 9<sup>th</sup>, 2005 (Item 4, Report 28) requested Enforcement Services staff research the feasibility of having designated locations for election signs to be displayed on Public Property and what size limitations might be recommended.

Inquiries with a number of municipalities were made over the summer of 2004. With the exception of Toronto and Markham, the area by-laws are very similar to those of Vaughan. Both Markham and Toronto require a \$200.00 deposit for posting signs on public property and hold back funds for each sign seized. This is predominately for election signs as the posting of signs on city property is illegal except by permit.

During Ward 5 by-election in November 2004, Enforcement Services confiscated 532 election signs, which were placed contrary to the By-law. If candidates were charged twenty dollars (\$20.00) per sign, it would have resulted in more than \$10,000.00 being collected from offenders.

It was also noted during the last municipal election that numerous complaints were lodged from the public regarding the size of election signs. We also received complaints from candidates regarding the posting of numerous candidate signs on the same supporting structure.

Presently, the City of Vaughan has more than 40 locations on Private property (see Attachment 1) that allows for the display of third party signage by permit (\$50.00) if a commercial enterprise,

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### EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 12, 2005

#### Item 4, CW(WS) Report No. 67– Page 2

or written authorization (free) if a charity or religious organization. These areas include open spaces, storm management areas, woodlots, and Ontario Hydro corridors, and are enforced under By-law 178-2003, administered by the Commissioner of Engineering and Public Works and enforced by Enforcement Services.

In an effort to control the proliferation of election signs, consideration might be given to allow designated areas for the display of election signs. In light of complaints that election signs are too large, Council may wish to reduce the maximum size allowed under the sign by-law which is 5 square meters, to 2 square meters.

In addition, should Council wish to increase enforcement on illegally placed signs, a deposit could be required from each candidate with an amount forfeited for each illegal sign seized by enforcement staff.

#### **Relationship to Vaughan Vision 2007**

This report is consistent with the Vaughan Vision through promoting service excellence, community safety, and developing collaborative solutions. Staff resources have been allocated and approved.

#### **Conclusion**

Over time many complaints from the public have been received respecting the proliferation and size of election signs and illegally placed election signs. Council has requested a report addressing this matter. Recognizing that Council will ultimately decide the appropriate level of election signage and enforcement, staff are presenting options for consideration.

#### **Attachments**

1. Information Sheet: Election Signage Criteria For 2006 Elections

#### **Report prepared by:**

David B Madore  
Supervisor, Enforcement Services

(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.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 12, 2005**

Item 5, Report No. 67, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on December 12, 2005.

5

**ANIMAL CONTROL BYLAW  
DOG OWNERS' LIABILITY ACT / PIT BULLS**

The Committee of the Whole (Working Session) recommends:

- 1) That Clauses i) and iii) of the recommendation contained in the following report of the Solicitor/Litigation, dated November 29, 2005, be approved; and
- 2) That the confidential memorandum of the Director of Legal Services, dated November 25, 2005, be received.

**Recommendation**

The Solicitor/Litigation recommends that this report be received for information and that Bylaw 53-2002, the Animal Control By-law, be amended:

- (i) To include provisions regarding the permitted location of "dog runs";
- (ii) To include provisions regarding fencing requirements; and,
- (iii) To delete the "aggressive dogs" section and replace it with provisions in compliance with the recently amended *Dog Owners' Liability Act*.

**Purpose**

To respond to Council requests for further reports.

**Economic Impact**

There is no economic impact resulting from this report.

**Background**

In February 2002, Council enacted Bylaw 53-2002, the City's comprehensive Animal Control Bylaw (hereinafter "the Bylaw"). The Bylaw presently includes provisions which regulate "aggressive dogs", defined as pit bulls and pit bull cross breeds. Council subsequently directed staff to report back regarding additional provisions to restrict aggressive breeds of dogs. Council further directed staff to provide additional information concerning issues such as dog runs and fencing requirements.

At the Council meeting of January 24, 2005, Council directed staff to prepare any necessary amendments to the Bylaw to ensure that the onus is on dog owners to provide appropriate fencing between properties.

At the Committee of the Whole meeting on May 24, 2005, Council directed staff to research the feasibility and merit of revising the Bylaw to include dog runs as one of the structures that shall be located not less than 1.4 metres from the property line.

At the Council meeting of June 27, 2005, staff reported that amendments to the *Dog Owners' Liability Act*, R.S.O. 1990, c. D. 16, were to go into effect on August 29, 2005 (hereinafter "the Act"). The Act bans the ownership of pit bulls, as well as the breeding, transferring, abandoning or importing of this breed of dog. The Act does permit the ownership of pit bulls that were already in the province on the date the Act came into effect, as well as pit bulls born in the province within 90 days thereafter. These are referred to as "restricted" pit bulls.

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#### Analysis and Options

Under the new Act a 60-day transition period was provided for restricted pit bulls, wherein their owners were required to have them spayed or neutered. They must now also be leashed and muzzled while in public, and must comply with any additional requirements set by municipalities.

#### Enforcement

The York Regional Police have advised that they will be working cooperatively with municipalities in enforcing the new Act. A meeting was held on November 24, 2005 between the York Region Police and Bylaw Enforcement Officers from all area municipalities in York Region. York Region Police have provided a telephone number to call should a resident have a complaint or inquiry, and the York Regional Police will respond accordingly. York Regional Police will act as the investigating agency and City staff will be asked to prepare related paperwork for any Court action. Kennel Inn has advised that it will not be responding to calls regarding pit bulls. A follow-up meeting will be scheduled to further discuss any enforcement issues and a possible central pit bull registry.

Many municipalities have yet to resolve enforcement issues. While the Act authorizes municipalities to enforce the provisions of the Act, it does not require them to do so.

York Region Police will respond to emergency calls, as will the Vaughan Fire Rescue Service.

The Act provides that a municipality may include provisions in its bylaw which are more restrictive than the Act. The Minister may make regulations regarding leashing and muzzling, and the City may include a provision in the bylaw requiring restricted dogs to be leashed and muzzled if not in an enclosed pen when on the owner's property. Such a provision will be included in the draft bylaw.

#### Court Challenge

An Application has been filed by the owner of a pit bull, seeking a declaration that the new provisions of the Act violate sections 7 and 11(d) of the *Canadian Charter of Rights and Freedoms*. Section 7 guarantees the right to life, liberty and security of the person, and that no person shall be deprived of same except in accordance with the principles of fundamental justice. Section 11(d) provides that any person charged with an offence shall be presumed innocent until proven guilty, yet the Act provides for a reverse onus where it is alleged that a dog is a non-compliant pit bull.

Other allegations made in the Application include: that the definition of a pit bull is too vague and overbroad; that the Act fails to provide sufficient direction to those enforcing the law to prevent the arbitrary exercise of discretion; and, that it does not impair the rights of Ontario residents as little as possible. The Attorney General has the opportunity to file a Response. Thereafter a Hearing will be held, but this is not expected for several months.

#### Other Breeds

There have been questions about the feasibility of including other dog breeds within the definition of "aggressive dogs", thereby restricting the owners of such breeds. There are various breeds of dogs that people consider aggressive, and varied statistics regarding which breeds are involved in dog bites. No dogs other than pit bulls and pit bull crosses have been included in any Canadian legislation that staff is aware of. Dog identification poses difficulties. When tested, many individuals assume that large muscular dogs are pit bulls, when they are actually other breeds such as rottweilers.

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#### Fencing

The *Municipal Act* gives the municipality the power to enact bylaws respecting structures, including fences. Pursuant to section 427 of the *Municipal Act*, if a municipality has authority by law or otherwise to direct or require that a thing be done, the municipality may, in default of the thing being done, direct that the thing be done at the person's expense. The municipality may enter upon land at any reasonable time for this purpose. The municipality may then recover the costs of doing the thing or matter by action, or by adding the costs to the tax roll and collecting them in the same manner as taxes.

#### Dog Runs

Concerns have been raised about dog runs, defined as an "enclosed pen". The concern is that if the dog run abuts the property line, the run-off from cleaning causes waste to flow onto adjacent properties. Thus, the Bylaw can be amended to include a provision that dog runs must be a certain distance from the property line.

#### **Relationship to Vaughan Vision 2007**

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

#### **Conclusion**

Staff recommend that the Animal Control By-law be amended to include provisions regarding the location of dog runs, and to provide for the licensing of only the grandfathered pit bulls. Staff will provide a memo to Council summarizing the amendments.

#### **Report prepared by:**

Nancy Salerno

NS/gg

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### EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 12, 2005

Item 6, Report No. 67, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on December 12, 2005.

#### **6 CORPORATE PROTOCOL POLICY WITH RESPECT TO OPENING OF CITY FACILITIES**

The Committee of the Whole (Working Session) recommends that this matter be referred to a future Committee of the Whole (Working Session) meeting.

##### **Recommendation**

The Commissioner of Economic/Technology Development and Communications, in consultation with the Director of Corporate Communications, recommends:

That this report be received.

##### **Economic Impact**

N/A

##### **Purpose**

This report addresses Item 40, Report No. 54, Committee of the Whole, October 17, 2005 "that staff provide a report with respect to the Corporate Protocol Policy for opening city facilities."

The purpose of this report is to clarify:

1. That the policy document "Corporate Policies And Protocols For Events" approved by Council on April 11, 2005, is applicable to the opening of City facilities;
2. That this policy supersedes all existing City policies, procedures or practices relating to event protocols, including Policy No. 08.3.01 for Facility Openings (City Facility Openings) which is now being removed from the Corporate Policy Manual; and
3. That the role of Master of Ceremonies at any City facility opening is assigned to the City Manager.

##### **Background - Analysis and Options**

Please note that "Corporate Policies And Protocols For Events" Policy No. 08.3.03 is included in the City of Vaughan Policy Manual and posted on the VIBE intranet under General Information: Policies & Procedures.

##### **1. Opening of City facilities**

The opening of City facilities, including opening ceremonies or a larger scale "Grand Opening" or "Official Opening," are considered to be "City Events" as defined by "Corporate Policies And Protocols For Events" approved by Council on April 11, 2005.

Implementing the approved policy and procedures is the responsibility of the assigned lead department. The following policy extracts are applicable to the opening of City facilities:

##### **DESCRIPTION:**

There are two types of events in which City of Vaughan elected representatives and City officials take part. City events are those owned and hosted by the City of Vaughan and involve City services or facilities. Community events are local events owned and hosted by a community

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City Events are a primary means of showcasing the services and facilities that City residents receive for their tax dollars. They are a way of personalizing the City administration through the participation of the Mayor, Councillors and the City Manager, and offer an opportunity for direct interaction with local citizens.

#### RESPONSIBILITY:

City events are owned and hosted by the City of Vaughan and involve City services or facilities. City events are organized and managed by a lead or host City department and the funding for the event is allocated to the budget of the lead department.

#### TIMING RESTRICTION:

City events will not be held in the time leading up to a municipal election, beginning on the last day for declaring candidacy and ending on the day after election day.

#### PLANNING PROCESS:

The lead or host City department funding the event will appoint a project or event coordinator who will be responsible for the timing and logistical requirements for the event, preparing the event work plan and obtaining any necessary approvals.

### **2. Defunct City policies**

As approved by Council on April 11, 2005, "Corporate Policies And Protocols For Events" supersedes all existing City policies, procedures or practices relating to event protocols including "Corporate Policies and Protocols For Events," dated December 15, 2003.

Although not specifically stated in the April 4, 2005 report, Policy No. 08.3.01 for Facility Openings (City Facility Openings) was superseded by the new policy. Inadvertently, Policy No. 08.3.01 was left in the Corporate Policy Manual – it is now being removed.

### **3. Role of Master of Ceremonies**

Policy No. 08.3.01 for Facility Openings (City Facility Openings) stated that "the Local Councillor be the Master of Ceremonies at any City facility opening." This is no longer in effect, as above. The Council-approved "Corporate Policies And Protocols For Events" clearly assigns this role to the City Manager for City Events, including City facility openings:

#### For City Events:

The role of the Master of Ceremonies is performed by the City Manager, or any Commissioner or the Director of Corporate Communications as designated by the City Manager, and the Master of Ceremonies will speak first to make the event introductions. This is followed by the Mayor or Acting Mayor, who will bring greetings from the City. Other speakers will follow the Mayor.

For events associated with a specific City Ward, the Regional Councillor and/or Ward Councillor, where appropriate, will speak following the greetings from the Mayor or Acting Mayor.

Members of Council serving as Committee Chair will be provided with a speaking opportunity at events relating to Committee activities. In most cases, the Chair will speak following introductions by the Master of Ceremonies and official greetings from the Mayor.

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**Relationship to Vaughan Vision 2007**

The establishment of a protocol policy for City and Community Events is in keeping with the emphasis on service excellence identified in the City's strategic plan, Vaughan Vision 2007, in support of the goal (6.1) to "Establish Effective Internal Communications" by expanding and strengthening the level of communication services in support of the Mayor, Members of Council, Office of the City Manager and Departments (6.1.2). In addition, this policy initiative is consistent with the goal (6.4) to "Strengthen Corporate Image and Identity" and its objective (6.4.2) to "Create increased awareness of the City's leadership on key issues and celebrate our successes and achievements."

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

**Conclusion**

The "Corporate Policies And Protocols For Events" approved by Council on April 11, 2005, are applicable to the opening of City facilities.

**Attachments**

none

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